

County Planning Board Continues Review Of Subdivision Ordinance

BY SUSAN USHER

Brunswick County Planning Board members were to continue Wednesday night sifting through a proposed new subdivision ordinance and a stack of suggestions from developers and others for changes and deletions in the rules.

The board met last Wednesday night for more than two hours, approving preliminary plats, but begged off going through the subdivision ordinance paperwork until staff could organize it in more digestible form. Among other things several changes recommended jointly by Planning Director John Harvey and County Manager/Attorney David Clegg will be blended into the proposed ordinance for review. These include extending the date the ordinance would take effect to Jan. 1, 1992, and allowing several exceptions to the DOT standards for pavement width of streets.

Before continuing the meeting until 7 p.m. Wednesday, however, the board heard from developers who came for an item-by-item review "because," said one, Dean Walters of Sea Trails Corp., "there are some tremendous concerns."

He and others asked the board to delete a provision in the ordinance that would require a developer to guarantee that improvements such as streets will be completed within two years of the date the final plat is recorded.

Board member Jerry Jones said the intent of the provision is to insure that promised improvements are completed within a reasonable length of time and that the work is "done and done right".

Developers would have the option of not filing a final plat for approval until the required improvements are completed.

If they chose instead to guarantee the work, options include providing a surety bond, cash deposit or equivalent equal to the cost of installing the improvements, or an irrevocable letter of credit issued by a bank in a form approved by the county attorney, or a combination of the above.

If a subdivision is to be developed in sections, the planning director would have the discretion of not requiring use of a guarantee in certain circumstances. These include if each section is 1) not larger than 25 lots or housing units or 25 percent

of the square footage in structures in a non-residential planned unit development; or 2) 50 percent of the total number of lots in a subdivision or housing units in a planned unit development, which may be less than 25 lots, but with 25 lots the maximum area over which a waiver would be allowed.

Walters said some of the county's major developments, such as Sea Trail Plantation and Lockwood Folly, "would not have been possible" had that requirement been in effect when they were developed.

Two board members, John Barbee and Alfonza Roach, expressed concerns of their own about the requirement. Barbee, an insurance man, said he didn't think developers would be able to obtain surety bonds for such work.

Walters contended that the Interstate Land Sales Registration Act and HUD disclosure statements are sufficient to address concerns about unscrupulous developers.

However, Harvey said the Institute of Government has advised the county that such guarantees are not uncommon. Richard Ducker of the Institute staff advised the depart-

ment that a HUD disclosure form was an "unacceptable" substitute for performance assurance. He said a letter of credit is the most widely used assurance method in the state.

Tom Pope questioned requiring roads to meet DOT standards other than paving, suggesting the cost would be great and the likelihood slight of eventually turning the roads over to the state for maintenance. "DOT can't maintain what it's got now," he said.

Bobby Long, a surveyor and developer, also asked that the board address one oversight in the proposed ordinance that exists also in the existing subdivision ordinance. While providing for distribution of property to heirs, the ordinance does not address subdividing of property among more than one living child. In practice the planning board has routinely approved such family divisions.

"If you are dead you can give property to your children," said Long. "But if you are alive you can't."

Chairman Thomas Dixie assured those present that the board would continue receiving additional public comment as it works on the ordinance.



STAFF PHOTO BY SUSAN USHER

Hamster Rescued

Shallotte firefighter Danny Roden rescued a hamster from the smoke-filled interior of the Mike Chadwick residence in Green Bay Village Thursday afternoon. Firefighters from Shallotte, Civietown and Tri-Beach responded to the fire, which apparently began in an end bedroom, Shallotte Fire Chief Tim Carter said. Damage was limited primarily to smoke.

Planning Board OKs Subdivision Plats

Eleven preliminary subdivision plats won the approval of the Brunswick County Planning Board last week, with variance approved and one plat tabled until modifications could be redrawn.

Meeting Wednesday night at the county government center in Bolivia, the board also approved one right-of-way variance.

Plats approved were as follows:

- Waterside, a 28-lot development in Shallotte Township on the west side of Whispering Pine Street.
- Freedoms Star, a 21-lot development in Shallotte Township on Freedoms Star Road off Etheridge Road.
- Applegate, six lots from a tract near the end of Shepard Road in Smithville Township, with a variance from the 60-foot right of way requirement. However, the requirement would have to be met before further development or subdivision of the land is allowed other than that fronting the main road.
- Sanders Forest, a 40-lot subdivision in Lockwood Folly Township on a private street off Royal Oak Road, with the plat to show that at least 10 lots may not be suitable for use ground absorption septic-tank type waste disposal systems. Lot by lot evaluations will be required.
- Sea Village addition, a revision increasing the number of proposed

lots from 282 to 381, with water and sewer to be provided on or off-site.

■ Unnamed development, increased from previously proposed 151 lots to 250, in Shallotte Township on the west side of Calabash Road north of Ocean Forest. Off-site sewer is planned. The lots are too small for wells and there is a concern that drainage outlets may be inadequate. The developers are to check with N.C. Department of Transportation to make sure culvert under S.R. 1300 is of proper size to handle drainage from this subdivision and Carolina Shores North, or needs to be replaced. A stormwater drainage plan is to be submitted for approval by Walt Marley, county soil hydrologist.

■ Lakewood Estates, Section D, Phase I, in Shallotte Township, creates 19 lots, two of which are not suitable for modification for septic tank use, some first requiring fill and seven requiring natural soil not backfill.

■ Unnamed 61-lot subdivision on Stone Chimney Road in Lockwood Folly Township, one-year extension of conditional preliminary plat approval.

■ Stone Chimey Ridge, Section Three, a 17-lot subdivision addition in Lockwood Folly Township off Stone Chimney Road. Approximately 10 lots are low and do not meet

minimum standards for use of fill.

■ Eagle's Nest, Section Three, a 500-acre plus tract off Dogwood road in Northwest Township divided into 74 lots and 69 larger tracts of 10 or more acres each. Thirty of the 74 small lots have soils not suitable for septic tank installation and one of the 69 larger tracts could be suitable for a ground absorption system, reported Marley.

■ Unnamed 12-lot subdivision in Lockwood Folly Township on west side of Holden Beach Road, lot size adequate for septic tanks for most lots with provision of county water, with developer to work with DOT on coordinating driveway outlets onto N.C. 130.

■ Wildwood Village, third addition consisting of 32 lots off Mintz Road in Shallotte Township, with approximately three lots unsuitable for septic tank installation.

Planning board members recommended several changes before ap-

plicants Jan K. Dale, Lloyd Milliken and Jim Stoffel (D.M.S., Inc.) resubmit a proposal for a 335-lot subdivision on the east side of N.C. 130 West in Shallotte Township. A "significant number" of lots are not suitable for installation of septic tank or other ground absorption systems and access to lots along N.C. 130 needs to be modified. The board agreed that a frontage or service road would meet the needs of the proposed 60 commercial lots, while reducing the number of driveways exiting directly onto Whiteville Road.

The board also granted a right-of-way variance to Joseph Dwight Sims for the creation of three lots, ranging from 3.11 acres up, connecting to a 20-foot cartway trail to 60-foot wide Barbecue Road in Cypress Cove subdivision. The applicant said he had been unable to obtain 60-foot right of way from the property owner along the cartway.

DSS Board Lacks Quorum

The Brunswick County Board of Social Services failed to attain a quorum for its May 20 meeting.

Social Services Director Jamie Orrock said pending business would be handled at the June meeting rather than by calling a special meeting.

The board's next regular meeting is 5:30 p.m. June 24 in the new social services building board room at the county government center in Bolivia.

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