

PLANNING BOARD RECOMMENDATIONS

Rules Eased For Trailers, Fences, Parking, Yard Sales

BY ERIC CARLSON

If you live in an area designated "commercial" under the proposed new zoning law, and your house burns down, you can rebuild it.

That was the number one message the Brunswick County Planning Board felt it needed to get across last week as it agreed to recommend numerous changes in the ordinance before a joint meeting with the county commissioners.

Relaxed requirements for residential parking spaces, allowances for front-yard fences and less strict regulations on yard sales were among the changes the planning board approved Wednesday night (Oct. 21).

The board also recommended that previously prohibited Class C mobile homes (built before July, 1976) should be allowed in some residential areas, but only after the home's structural integrity is approved by a licensed engineer or architect.

Only about 20 people attended the planning board's

regular meeting, which was held at the county's public assembly building to accommodate an expected large turnout.

Tempers flared at a previous planning board workshop after more than 75 residents attended a meeting held, as usual, at the board's conference room, which seats about 20.

A Brunswick County Sheriff's Deputy was stationed at the back of the assembly hall Wednesday. The meeting was held without public comment or disruption.

County Planner John Harvey told the board that several people had questioned whether an existing home in the commercial low-density zone (C-LD) could be rebuilt if destroyed.

"The answer is yes," Harvey said. "The ordinance as presented does so permit, but in review, (County Manager) David Clegg and I both find it a cumbersome process to so determine. It was certainly not my intent to ever have an obscure item in this draft."

At Harvey's request, the board approved a recommended addition to the ordinance specifically stating that any house or manufactured home in a CL-D district that is partially or totally destroyed "may be replaced or rebuilt as long as such replacement or new construction meets all requirements of state and federal law and of this ordinance."

Other changes in the zoning ordinance proposed for recommendation to the board of commissioners included:

- Elimination of the prohibition of Class C mobile homes. These are single-wide homes built before July 1, 1976. Such homes would be allowed in certain districts as long as the owner first files a notarized report from a licensed inspector that the home meets federal code requirements.

- Modification of fence regulations to allow three-foot, open-view fences (such as chain-link) within the front-yard setback of homes in R-6000 (medium density residential) districts. Fences and walls would continue to

be prohibited in the front-yard setback area of homes in R-7500 (low density residential) districts.

- Relaxation of residential parking regulations to require only one parking space per home in R-6000 and RU (rural) districts. Three parking spaces would be required for homes in R-7500 districts. Garage spaces would qualify as parking spaces. Vehicular turnaround areas would be required only for homes on major highways to prevent cars from backing into the street.

- Easing restrictions on the number of yard sales permitted in residential districts to allow one such sale per quarter, lasting no longer than two days. The regulation is designed to prevent permanent or long-term sales in non-commercial districts.

- Changing the zoning of the Pier 66 subdivision from R-7500 to R-600 to allow single-wide mobile homes. The development is bordered by the R-6000 district of Sunset Harbor and has deed restrictions limiting use to single-wides.

Shalotte Men Charged With Murder In Evans Shooting

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warrant issued for King's arrest Oct. 18. It charged him with stealing a .38-caliber revolver from a Lisa King of Mulberry Street on July 18.

Davis said the alleged theft of the gun from King's aunt was not directly related to the murder case.

Court files show that King has no previous arrest record in Brunswick County.

Hill was one of three men charged in an alleged rape of a young woman and the assault and robbery of her companion on a dirt road off Hale Swamp Road the night of May 5, 1991, according to court files.

The co-defendants in the case, James Alfonza Gause, 22, and Covia Dzell Smith, 19, of Shallotte were sentenced to 20 years in prison after pleading guilty to charges of second degree rape. Hill pleaded guilty to common-law robbery and was sentenced to three years in prison.

Court records show that investigators believed Hill and his co-defendants met a couple at a convenience store and arranged a purchase of crack cocaine. When the five later met, it was alleged that "the girl was repeatedly raped by the co-defendants while Mr. Hill held her. She escaped and hid until the following morning, when she was found nude by a deputy."

In an Oct. 3, 1991 letter to Hill's attorney James Payne, District Attorney Rex Gore offered to let Hill plead guilty to common law robbery and accessory after the fact to rape, with a prison term of 10 years. Gore said in the letter that Hill "has limited capabilities and is a follower by nature" and said the prison sentence would allow him the opportunity "to restructure his life."

Hill did not accept the plea. His attorney filed a report with the court from a psychiatrist who claimed Hill was not competent to stand trial. Hill underwent testing at Dorothea Dix hospital in Raleigh, where a psychiatrist determined he was capa-

ble of participating in his courtroom defense.

The hospital report called Hill "very pleasant, alert and cooperative," during his interviews. Doctors found indications of "adolescent anti-social behavior, alcohol and marijuana abuse and possible borderline intellectual functioning." The psychiatrists estimated Hill's I.Q. to be 71.

It further states that Hill "did have some behavior problems at school and was expelled on one occasion after a verbal altercation with a teacher." The report said Hill began using both alcohol and marijuana at age 16.

The kidnapping and rape charges against Hill were dropped when he pleaded guilty to common law robbery. He was committed to the N.C. Department of Correction Feb. 18 for a sentence of three years. He was released April 9.

According to warrants on file with the clerk of court, Hill was charged with assault by pointing a gun on July 17. The charge was voluntarily dismissed at the request of the prosecuting witness, a Richard Hill.

On June 27 William Hill was charged with injury to personal property for allegedly damaging a 1981 Oldsmobile Omega automobile owned by a Lofton James.

Another warrant charges Hill with assault by pointing "a large-caliber handgun" at Linwood Daley on Sept. 20. A warrant charging Hill with second-degree trespass on the same day was sworn by a Donna Daley.

Hill is scheduled to appear in district court on the misdemeanor charges Nov. 24. He made a first appearance on the murder and kidnapping charges Monday and was scheduled for a probable cause hearing Nov. 10. Payne was appointed to represent Hill.

King made a first appearance Friday. Attorney Michael Ramos was appointed to represent him.

Forecast: Sunny And Crisp

Crisp, sunny weather is in the forecast for the weekend of the N.C. Festival By The Sea at Holden Beach.

"Some real fine fall weather appears to be in the offing as we approach the weekend," Shallotte Point weather observer Jackson Canady said Tuesday.

Temperatures and rainfall for the coming week are expected to be near normal.

Temperatures should range from the upper 40s at night to around 70

degrees during the daytime, with less than a half-inch of rainfall.

For the period of Oct. 20-26, Canady recorded a high of 77 degrees on Oct. 21, and a low of 32 degrees on Oct. 20.

A daily average high of 71 degrees combined with an average nightly low of 43 degrees for a daily average temperature of 57 degrees, which Canady said is about 3 degrees below average.

He recorded no rainfall for the period.

LONGER LINES EXPECTED

Doing Homework Will Save Time, Frustration At The Polls

BY SUSAN USHER

"Do your homework...so that when you are in the voting booth you know what you are going to do."

Following that simple suggestion could sharply reduce the time voters spent at the polls Tuesday.

With 18,995 Democrats, 11,761 Republicans and 2,013 other voters on the books, and high voter interest in the presidential election, Brunswick County Board of Elections Supervisor Lynda Britt is expecting a busy day at the polls "with lines like we've never seen before," she said.

Voters "don't come in alphabetical order or by appointment," said Britt.

They are likely to come before and after work. For smaller precincts that have seen increased registration this year the rush could mean backlogs of impatient voters waiting for a chance inside a voting booth.

"We're encouraging people who don't work to vote during the day, instead of after working hours because I do expect long lines," said Britt.

She offers a some tips for voters that sharply reduce the time they must spend at the polls and that will make voting go more smoothly for all concerned. Britt recommends that voters read about the various election races in advance and study the sample ballots that appear in local newspapers and are available at the Board of Elections office.

Then, if someone has questions about the bal-

"We're encouraging people who don't work to vote during the day."

—Lynda Britt
Elections Supervisor

lot, their voting place or some other election-related matter, they can call ahead, before election day, for help.

Voters particularly need to read and understand the directions on the three ballots they receive.

They have the option of voting a "straight ticket," a "split ticket," or a split ticket variation called "crossover" voting, as follows:

To vote for all candidates of one party (a straight ticket), the voter completes the arrow at the right of the appropriate party name.

To vote a split ticket—voting for candidates of more than one political party—the voter must complete the arrow opposite the name of each candidate selected.

Voters can also "split" their ticket with what is called a "crossover" vote. This works best when a voter wants to vote mainly for candidates of a single party, but with one to three exceptions.

It works like this: The voter marks the "straight ticket" arrow for the party of his

choice. Then he marks the exceptions by completing the arrow opposite the name of each candidate he chooses of a different party.

Extra care is required to make sure the voter's intent is clear in a multi-seat race such as the 14th House District or Superior Court judges for District 10-B. In both instances two seats are available and there are three candidates, two Democrats and one Republican.

In that case one couldn't vote a straight Democratic ticket, then cross over and vote for the single Republican. The voting machine wouldn't know which of the two Democrats should receive that vote. The voter has to individually mark the arrow for each candidate if splitting the ticket.

Straight ticket voting won't work for several other races on the ballots either. Voters must mark their choice of candidates in two other instances: When voting for president/vice president and in the election's only non-partisan race, Soil & Water Conservation District supervisor.

By law, a voter can spend up to five minutes inside the voting booth, though most don't. Also, any voter is allowed, upon request, to have a "near relative" of his or choice assist in the voting booth.

Certain types of assistance are also available on request to physically handicapped, illiterate, blind, aged or disabled voters. More information is available from the Brunswick County Board of Elections, 253-4338.

Zoning Protest Continues For Rural Residents

(Continued From Page 1-A)

and not say, "Not in my back yard," Harvey said in prepared remarks to the planning board.

Quinn disagreed. He said that to allow such uses would tarnish the county's image and hamper efforts to "attract new people." He said the county does not have the resources to regulate such high-impact activities.

"I am fully in favor of zoning. It puts our future in place," said Quinn. "But this is like buying a good watch dog and having its teeth pulled."

There was no action taken to re-

move the uses from the ordinance.

Debbie Aldridge of Southport asked the boards to expand a residential zone along Bethel Church Road to buffer the area against potential adverse effects from a proposed mining operation planned for the adjacent heavy manufacturing (H-M) district.

Martin Marietta Aggregate Inc. has an option on a 492-acre tract just north of the zone where the company has plans to open a gravel mine, Harvey said. Environmental and hydrological studies currently are underway at the site to determine its suitability for mining.

The planning board voted to recommend extending the residential zoning another 500 feet north. The board of commissioners agreed to the change.

In other actions, the board of commissioners agreed:

- To reduce the required minimum housing lot size in areas not served by a central sewage system to 10,000 square feet in R-6000 residential areas and 15,000 square feet in R-7500 and Rural zones. The ordinance had required a 20,000-foot lot.

- To change the zoning designation of a 1,688-acre tract bordered

by U.S. 17, U.S. 74/76 and Lanvale Road from residential to commercial manufacturing. The owner has a client interested in purchasing the property for such a uses, Harvey said. The boards left a 400-foot buffer between the zone and adjacent residential areas.

- To adopt a list of recommended ordinance changes passed by the planning board at its Oct. 21 meeting. (See related story.)

- To hold another joint meeting of the planning board and board of commissioners Monday Nov. 2, at 4 p.m. in the public assembly building at the county complex in Bolivia.

Calabash Moves Toward Forming Sewer Authority

BY ERIC CARLSON

The Calabash Board of Commissioners took the first formal step toward forming a South Brunswick Water and Sewer Authority Tuesday night by unanimously adopting a resolution calling for public comment on the proposal.

A public hearing on whether or not to create the authority will be held at 7 p.m. during the week of Nov. 16-20. The date could not be firmly set Tuesday because the board was unsure what night the fire department building would be available.

The resolution declares "that it is in the best interests of the Town of Calabash to join with the Town of Sunset Beach in organizing an authority...to be named the South Brunswick Water and Sewer Authority."

Citizens attending the public hearing will be asked to comment on a proposal to form a six-member board, with three members from each town, that could be used to apply for grant and loan money to build a central sewerage system that would serve the two towns and other adjacent areas.

Consultants with Powell Associates of North Myrtle Beach, S.C., have advised the two towns that having a water and sewer authority in place would make it easier to get a Farmers Home Administration loan to purchase the Carolina Blythe sewer system, which serves several developments near the state line.

Purchase of the Carolina Blythe system is part of the proposed first

phase of the sewer system, which would serve the Calabash business district and Sea Trail.

Only a government entity or a sewer authority can enter into a purchase contract, according to engineer Joseph Tombro. By employing an authority, the town would not have to secure a loan with the town's tax base. Instead, the sewer plant itself would be used as collateral.

Under this arrangement the authority, not the town, would owe the money to pay back the loan.

Sunset Beach will consider adopting a similar resolution to set a public hearing at its Nov. 2 meeting.

In other business, Jack Brady, president of the Carolina Shores Property Owners Association asked the board to repeal a section of a town ordinance regulating front yard set-backs for residential homes. The request was made on behalf of the POA Board of Directors, Brady said.

The POA wants its architectural committee to have the last word in determining how far back from the street a home should be built within the sprawling residential golf and retirement community.

The committee, comprised of volunteer members, reviews all plans for homes in the subdivision and advises the owner and builder regarding placement of a new home on a lot, Brady told the board in a prepared statement. The group considers the size of the lot and the house and its relationship to neighboring homes.

The town ordinance determines

set-backs on the basis of a mathematical formula without considering the aesthetics of the neighborhood, Brady said.

"The town building inspector under the ordinance has the legal power to overrule or change the set-backs approved by the architectural committee, thereby resulting in consternation on the part of the owner/builder, not to mention lost time," the statement said.

Brady told the board that if it refused to repeal the set-back regulation, "the Carolina Shores POA will seek injunctive relief in the courts if and when the inspector adjusts the setbacks after approval by the architectural committee."

After delivering copies of his statement to the commissioners, Brady left the meeting without action or comment from the board. Later, building inspector Edward Schaack said the POA was creating an unnecessary conflict.

"They don't want to cooperate," Schaack said. "They want to do it their way or no way. They want complete freedom to do whatever they want out there. That's the gist of it."

At an earlier meeting at which Brady raised the setback issue, Calabash Town Attorney Michael Ramos advised the board that it could not delegate to the POA its obligation to enforce a town ordinance.

"It would be a mistake for you to deal with the POA," said Calabash Planning Board Chairman Al Smith. "They have no vested interest in the property. The ordinance applies to

the property owner, not the POA." Declining to take action on the matter, the board agreed to turn over Brady's statement to Ramos.

The board voted to cancel its Nov. 24 and Dec. 22 meetings to avoid conflicts with the holidays.

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