



Shallotte Board of Aldermen Regular Meeting Agenda

September 02, 2025 at 5:15 PM

Meeting Chambers – 110 Cheers Street

I. CALL TO ORDER

II. INVOCATION & PLEDGE

III. CONFLICT OF INTEREST

1. Statement

IV. AGENDA AMENDMENTS & APPROVAL OF AGENDA

V. PUBLIC COMMENTS (3 minutes or less per person. Sign in for the record please)

VI. DEPARTMENT REPORTS

1. POLICE

2. FIRE

3. PLANNING

4. PUBLIC UTILITIES

1. Deed of Easement: Bennett Property (Resolution 25-08)

5. FINANCE

6. PARKS & RECREATION

7. ADMINISTRATION

1. Recommendation of Attorney for CM@R contract

2. Price Landing Update

3. Personnel Policy

8. MAYOR

1. Colonial Heritage Month Proclamation - October 2025

2. Fire Service Funding

VII. CONSENT AGENDA

A. August 5, 2025 Regular Meeting Minutes

B. Budget Adjustment BA 25-26-2: Mulberry Park mulch \$36,550.00

C. Budget Adjustment BA 25-26-3: Vision Infrastructure contract \$138,300.00

D. Meadows Sewer Dedication: Phases 1A, 1B, 2 (Resolution 25-07)

VIII. PUBLIC HEARING

1. REZONING PETITION (RZ 25-13): 117 AI St.

Mr. David Summerlin has submitted a request on the behalf of David & Ellen Frazee for consideration of a rezoning petition for the property located at 117 AI St. (0.88 Acres +/-). Parcel ID # 198AB006. The property is currently zoned Residential (R-10) and has been requested to rezone into the Central Business (CB) zoning district.

1. Motion to open public hearing
2. Public Comments/Questions
3. Motion to close public hearing
4. Board Comments-Questions
5. Consider a motion to approve the Zoning Statement of Consistency
6. Consider a motion to approve rezoning PID 198AB006 from R-10 to CB.

2. Annexation (Oakland Plantation)

4492 Main St. Parcel IDs # 18200051 & 1820005101

Oakland Plantation, Inc.

2.24 Acres +/-

2 Commercial Parcels

1. Motion to open public hearing
2. Public Comments/Questions
3. Motion to close public hearing
4. Board Comments/Questions
5. Motion to approve Annexation Ordinance 25-14, annexing PIDs 1820005101 & 18200051

3. Thamesmen Annexation & PUD

Bay Road SW Parcel ID # 2290003505

Aubrey & Amanda Faatz

County 7500 to Shallotte Planned Unit Development

22.3 Acres +/-

66 Single-Family Lots

1. Motion to open public hearing

2. Public Comments/Questions
3. Motion to close public hearing
4. Board Comments/Questions
5. Motion to approve Annexation Ordinance 25-21, annexing PID 2290003505
6. Motion to approve the Board of Aldermen Zoning Statement of Consistency
7. Motion to approve rezoning PID 2290003505 to Planned Unit Development (PUD)

4. Annexation (Blum Investment Group Golf, LLC)

27 Brierwood Rd. Parcel IDs # 2132B00101

Blum Investment Group Golf, LLC.

3.10 Acres +/-

1 Single-Family Lot

1. Motion to open public hearing
2. Public Comments/Questions
3. Motion to close public hearing
4. Board Comments/Questions
5. Motion to approve Annexation Ordinance 25-22, annexing PID 2132B00101

5. TXT 25-23 (Screening in Front Yards)

1. Motion to open public hearing
2. Public Comments/Questions
3. Motion to close public hearing
4. Board Comments-Questions
5. Consider a motion to approve the Board of Aldermen Statement of Consistency
6. Consider a motion to approve Ordinance 25-23 amending the Town of Shallotte Unified Development Ordinance, specifically Article 2, Section 2-2; and Article 10, Section 10-4(H).

6. TXT 25-24 (SUP to CZ Phase 1)

1. Motion to open public hearing
2. Public Comments/Questions
3. Motion to close public hearing

4. Board Comments-Questions

5. Consider a motion to approve the Board of Aldermen Statement of Consistency

6. Consider a motion to approve Ordinance 25-24 amending the Town of Shallotte Unified Development Ordinance, specifically Article 2, Section 2-2, Article 10, Tables 10-1 & 10-2, & Article 10, Section 10-3 (I).

7. TXT 25-25 (Tattoo & Body Piercing)

1. Motion to open public hearing

2. Public Comments/Questions

3. Motion to close public hearing

4. Board Comments-Questions

5. Consider a motion to approve the Board of Aldermen Statement of Consistency

6. Consider a motion to approve Ordinance 25-25 amending the Town of Shallotte Unified Development Ordinance, specifically Article 10, Section 10-2; and Article 10, Section 10-4(GG).

IX. DISCUSSION

X. ADJOURN

Taking into consideration the general statute below and the items described on this month's agenda, does any member of the Board of Aldermen or staff have any potential conflicts of interest that should be addressed by the Board at this time? If so, please make those concerns known now.

§ 160D-109. Conflicts of interest.

(a) Governing Board. – A governing board member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A governing board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

(b) Appointed Boards. – Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

(c) Administrative Staff. – No staff member shall make a final decision on an administrative decision required by this Chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this Chapter unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.

(d) Quasi-Judicial Decisions. – A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

(e) Resolution of Objection. – If an objection is raised to a board member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection.

(f) Familial Relationship. – For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)



Shallotte Police Department

August 2025 Monthly Report

Highlights

- 2476 Calls for Service and Self-Initiated Incidents
- 35 Traffic Accident Reports
- 24 Citations Issued
- 203 Volunteer Hours
- Promotions – Lt. Jeremy Ferguson and Sgt. John Parkins
- Advanced Certificate Awarded – Lt. Cory McLamb and Lt. Jeremy Ferguson
- Hosted County Chief's of Police meeting.
- Held "Back to School" supply drive – Donations taken to SMS, Waccamaw, Supply & Union.
- Assisted BCSO SRO's during the first week of school at our various district school with traffic and security.

Criminal Investigations and Incidents

During the month of August 2025, the Shallotte Police Department's Investigative Division remained highly proactive in safeguarding the community by successfully managing a total of 66 criminal cases. The division's comprehensive investigative efforts resulted in multiple arrest and warrants for arrest issued, which led to the issuance of 6 misdemeanor charges and executing 2 search warrants, demonstrating the division's ongoing commitment to maintaining public safety and holding offenders accountable.

Additionally, the division's attention to property crimes proved especially effective, as investigators handled 14 property crime and larceny cases. Through thorough investigation, the division was able to recover approximately \$40,000 in stolen funds and property. This recovery highlights the division's success in not only identifying and apprehending criminals but also ensuring that victims are made whole whenever possible.

Details of some of this month's newly assigned cases and one follow-up are provided below.



Summary of Major Cases

1. Larceny Cases – Multiple Businesses (Shallotte)

- **Incidents:** 14 reported larceny cases at various businesses in Shallotte.
 - **Outcome:**
 - Detective Division recovered approximately \$1100 worth of stolen merchandise.
-

2. Communicating threats, Harassment and Cyber Stalking

Details: Detectives investigated this case after DSS filed a report after they received threats of being shot if they came back to the house. The offender also repeatedly called the DSS worker and sent threatening videos and messages to her. Detectives arrested the offender and executed 2 search warrants during this case.

3. Recovered Stolen Vehicle

Details: Detectives received a report for a stolen car. During the investigation the vehicle was found by SHP outside city limits. Detectives reviewed town cameras and cameras at multiple business in Shallotte and discovered the vehicle was not in fact stolen and in fact the owner of the vehicle was inside the vehicle. Owner was interviewed and admitted to filing a false police report. Owner was charged

Office of the

TOWN OF SHALLOTTE

James Adam Stanley
CHIEF OF POLICE



Chief of Police

NORTH CAROLINA

(910) 754-6008
Fax: (910) 754-6276

Section VI, Item 1.

4. Multiple reports of someone shooting a firearm inside city limits

Details: Multiple homeowners reported someone was shooting in the woods beside their house and some even had damage to the house caused by bullets hitting the residences. Detectives put up deer cameras in the woods and Patrol Officers were able catch 1 individual shooting in the woods. Detectives have sent the suspects firearm and several projectiles to the state crime lab to be examined. This is still an active investigation.



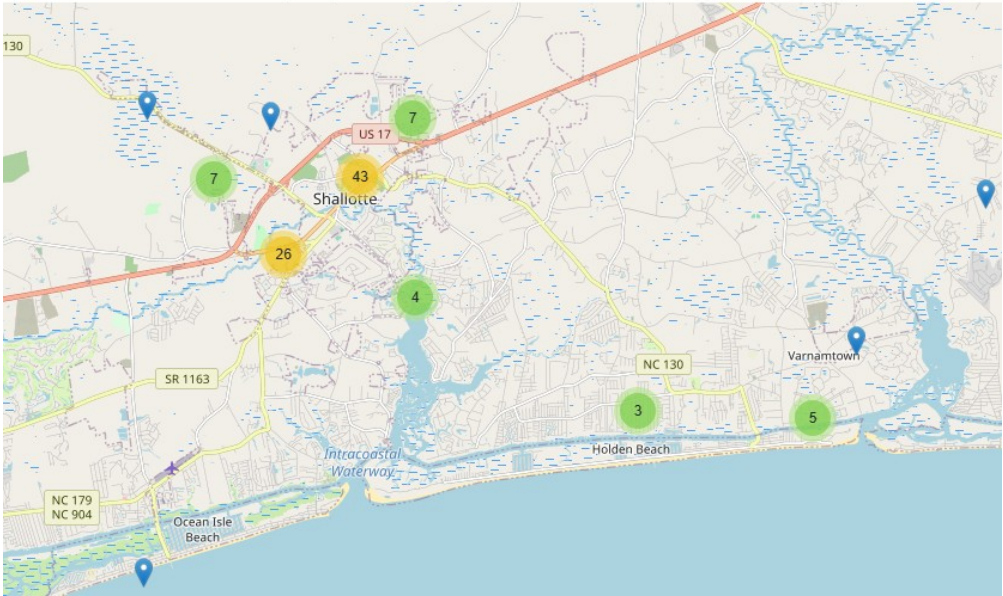
TOWN OF SHALLOTTE FIRE/RESCUE
Monthly Activity Report

FISCAL YEAR ENDING 30 JUN 2026
Reporting Period: 25 JUL 2025 – 25 AUG 2025

NCGS § 58-79-45: Incident Reports...

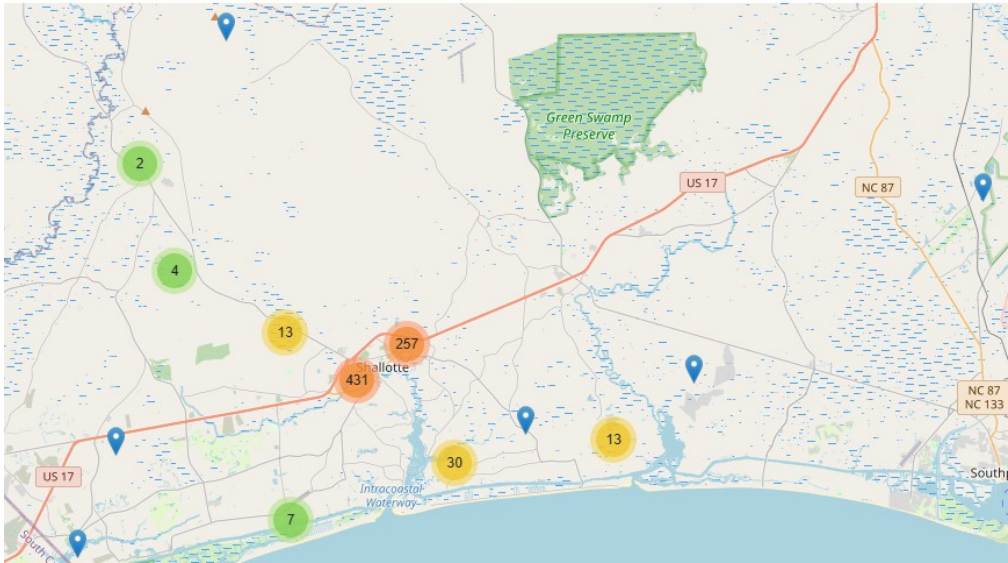
Incident Map Overview
(Past 4 weeks)

Scene Locations of Fire Incidents
N = 103 Jul 30, 2025 to Aug 26, 2025



Incident Map Overview
(YTD)

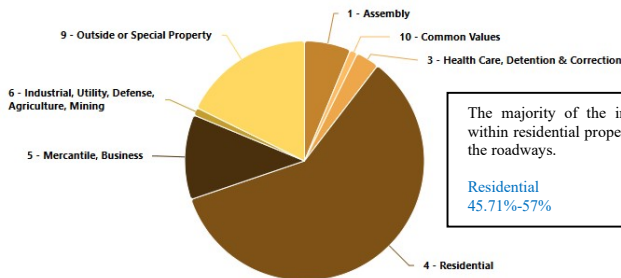
Scene Locations of Fire Incidents
N = 766 Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks)

Incidents by Property Use Category

Jul 30, 2025 to Aug 26, 2025



The majority of the incidents occur within residential properties and along the roadways.

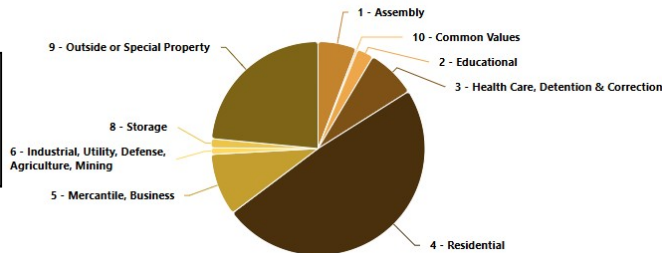
Residential 45.71%-57%

Roadways 17%-22.07%

(YTD)

Incidents by Property Use Category

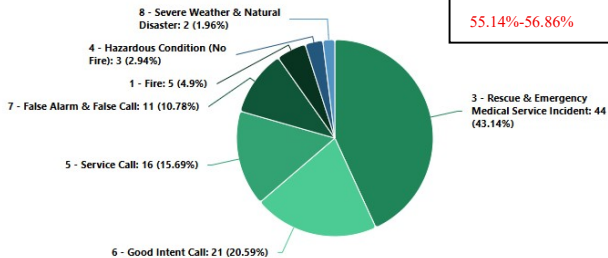
Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks)

Incident Type Categories

Jul 30, 2025 to Aug 26, 2025



Post-mitigation data reflects the Incident Category, not the dispatched Call Type."

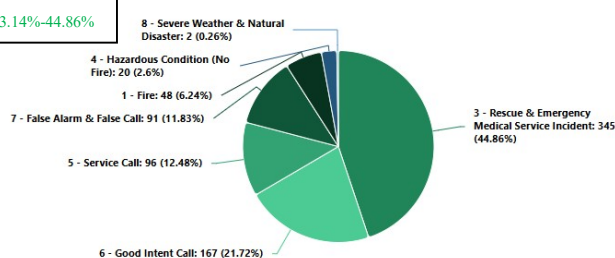
FIRE Call Types Dispatched 55.14%-56.86%

EMS Call Types Dispatched 43.14%-44.86%

(YTD)

Incident Type Categories

Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks)

PSAP to Arrival

Average Total Response Time (MM:SS)

Date Reported: Jul 30, 2025 to Aug 26, 2025



Data is consistent with that presented in the Fire Study.

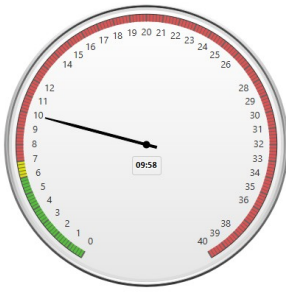
The PSAP to arrival time can be impacted by 911 call processing times, CAD dispatch errors and uncontrolled variables such as delays in travel time and delays in turnout time due to overlapping high acuity incidents.

(YTD)

PSAP to Arrival

Average Total Response Time (MM:SS)

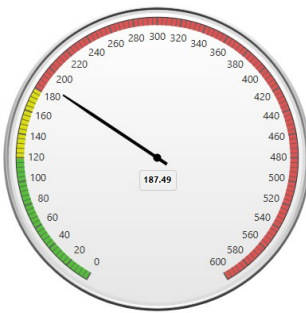
Date Reported: Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks)

Unit Average Turnout Time (Seconds)

Jul 30, 2025 to Aug 26, 2025



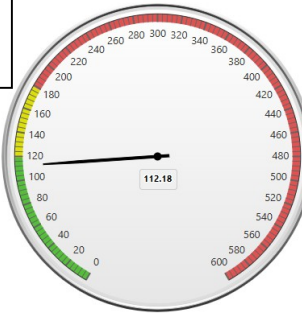
Data is consistent with that presented in the Fire Study.

Removing CAD dispatch errors show an average turnout time of 1:36 for the past 4 weeks and an average turnout time of 1:22 YTD which are both meet desired performance.

(YTD)

Unit Average Turnout Time (Seconds)

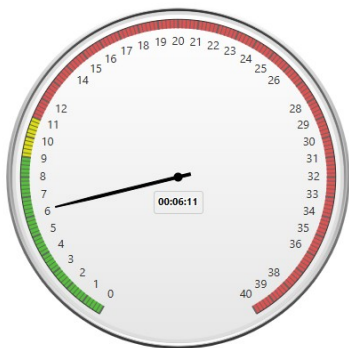
Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks; District)

Unit Average Total Response Time (HH:MM:SS)

Jul 30, 2025 to Aug 26, 2025



Meets Town's Performance Measures.

Data is consistent with that presented in the Fire Study.

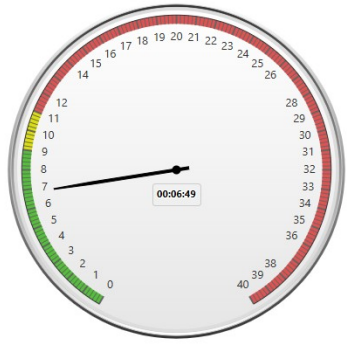
Shows data for entire fire district.

Uncontrolled variables: Time required to travel a given distance, Time required to overcome traffic patterns, Time required to clear overlapping calls...

(YTD; District)

Unit Average Total Response Time (HH:MM:SS)

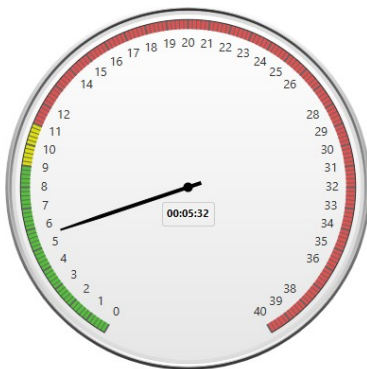
Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks; City)

Unit Average Total Response Time (HH:MM:SS)

JUL 01, 2025 to JUL 28, 2025



Meets Town's Performance Measures.

Data is consistent with that presented in the Fire Study.

Shows data for Town Limits.

Uncontrolled variables: Time required to travel a given distance, Time required to overcome traffic patterns, Time required to clear overlapping calls...

(YTD; City)

Unit Average Total Response Time (HH:MM:SS)

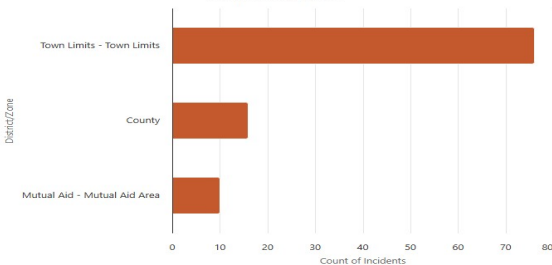
JAN 01, 2025 to DEC 31, 2025



(Past 4 weeks) Town 76; County 16; Mutual Aid 10

Incidents by District/Zone

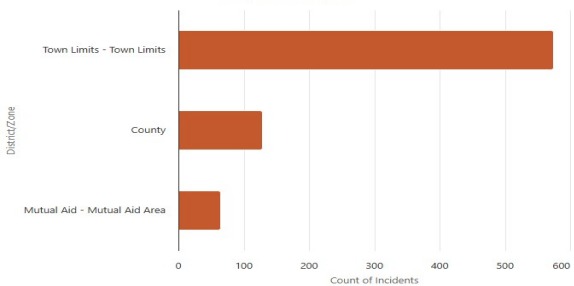
Jul 30, 2025 to Aug 26, 2025



(YTD) Town 575; County 129; Mutual Aid 65

Incidents by District/Zone

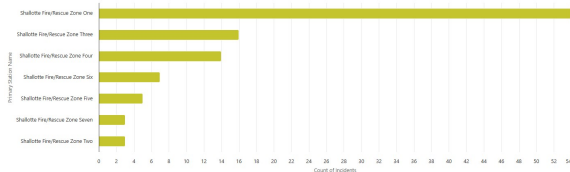
Jan 01, 2025 to Dec 31, 2025



(Past 4 weeks)

Incidents by Primary Station Name

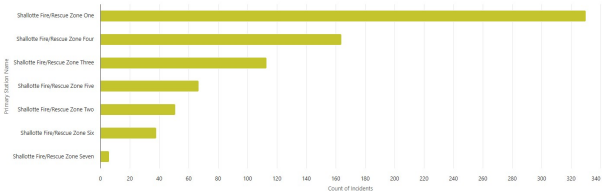
Jul 30, 2025 to Aug 26, 2025



(YTD)

Incidents by Primary Station Name

Jan 01, 2025 to Dec 31, 2025



Past 4 weeks

#1 Zone One = 54
#2 Zone Three = 16
#3 Zone Four = 14
#4 Zone Six = 7
#5 Zone Five = 5
#6 Zone Seven = 3
#7 Zone Two = 3

Zone Reference by Number of Incidents from Greatest to Lowest

#1 Zone One = Wall St Station (Town Central Commercial District)
#2 Zone Four = Red Apple Station area (Rourke Woods/Brierwood/River's Edge/Shallotte Point area)
#3 Zone Three = Naber Dr Station (Shallotte District Park/Wildwood/Union School/McMilly Rd area)
#4 Zone Five = (Green Bay Village/Cardinal Point/Highlands/N Mulberry/Express Dr area)
#5 Zone Two = HWY 130 Station (WBHS/McMilly Rd/Industrial Park area)
#6 Zone Six = (Greybridge Rd/Red Bug Rd/Holden Beach Rd/Solserra area)
#7 Zone Seven = (SECU/Ford & Chevy/Cumbee Rd areas)

YTD

#1 Zone One = 330
#2 Zone Four = 164
#3 Zone Three = 113
#4 Zone Five = 67
#5 Zone Two = 51
#6 Zone Six = 38
#7 Zone Seven = 6

NCRRS 5: Training...**448:00 hours**

- (EMT) Continuing Education
- (ISO) Fire Officer Training
- (ISO) Recruit Training
- (ISO) Company Training
- (ISO) Driver/Operator Training
- (ISO) Facility Training
- (ISO) Community Outreach
- HR – Zoom Leadership Training

Notes:**Technical Review (TR) and Code Enforcement Items**

- Invited to County TRC - No projects within Shallotte's fire district
- Environmental Impact Survey – Frogie Lane
- Meeting – Regarding waterline connection on Mulberry St
- TRC – discuss complications of on-street parking with Town Planner
- Meetings with Fire Planner – discuss code requirements of building expansions
- Meetings with Fire Marshal – discuss automatic fire alarms and recurring issues
- Site Visits – Village Point Rd
- Site Visits – Smith Ave Ext
- Site Visits – Old Shallotte Rd
- Site Visits – Greybridge Rd

Staffing Notes

- On-boarding two firefighters
 - Chief and Deputy Chief covering staffing shortages when part-time staff are unavailable.
 - 1 staff position on light-duty for injury
 - New Position Jan 01.

Other Notables

- Open Investigations
 - Al Street
 - Pending
 - SBI Report
- Community CPR
 - 1 class
- Child Safety Seat Inspections/Installations
 - 1 event
- Fire & Life Safety Home Survey
 - 1 event
- Assist Shallotte Police with Accreditation
 - Gather and Submit
 - Emergency Preparedness Plans
 - Emergency Operations Plans
 - Town of Shallotte
 - Brunswick County

TOWN OF SHALLOTTE

PLANNING & ZONING DEPARTMENT

Post Office Box 2287 • Shallotte, North Carolina 28459 Telephone: (910) 754-4032 • Facsimile: (910) 754-2740



TO: Board of Aldermen
FROM: Robert Waring, Planning Director
DATE: September 2, 2025
RE: Monthly Planning Department Report

This memo & attached reports provide a summary of the Planning & Zoning Depart. in the past month:

1. The Planning Board met August 12 to review the following:
 - a. A presentation/update regarding the Town's collector street planning efforts
 - b. Three text amendments (Conditional Rezoning Revisions, Utility Screening, Tattoo Establishments) & two rezonings (Bay Rd. & Al St)
 - c. The Board's next meeting is scheduled for September 9.
2. TRC did not meet in August for lack of business:
 - a. The next meeting scheduled for September 18
3. No applications were received for the quarterly Zoning Board of Adjustment meeting
4. Staff attended the quarterly TCC meeting with NCGSATS
 - a. Prioritization 8.0 was discussed
5. Staff attended the bi-monthly traffic impact analysis meetings with NCDOT
6. Staff attended a meeting with NCDOT & NC GSATS to discuss the Main St. signalization project
7. Staff is waiting on final comments for the stormwater revisions and anticipate bringing the required amendments to PB & BOA in the September & October time frame
8. Staff attend training arranged by Shallotte HR
9. Staff conducted a pre-construction meeting with the developers of the Brunswick Pines & Creekside Landing developments
10. Staff attended the UNC School of Government's Introduction to Local Government Finance training
11. Please forward any zoning or nuisance complaints to Brandon Eaton, Planner, beaton@townofshallotte.org Phone: (910) 754-4032
12. The Town collected \$87,286 for August 2025
 - a. Fees collected in August 2024 totaled \$87,483

Permit Report

Section VI, Item 3.

8/1/2025 - 8/27/2025

Permit #	Permit Type	Permit Date	Map Address	Total Fees
4045	Zoning	8/27/2025		\$100.00
4044	Building	8/25/2025		\$7,136.00
4043	Building	8/25/2025		\$7,136.00
4042	Building	8/25/2025		\$7,136.00
4041	Zoning	8/18/2025		\$50.00
4040	Sign	8/18/2025		\$75.00
4039	Building	8/12/2025		\$7,196.00
4038	Building	8/12/2025		\$8,708.00
4037	Building	8/12/2025		\$100.00
4036	Solar Panels	8/7/2025		\$100.00
4035	Sign	8/7/2025		\$75.00
4034	Sign	8/6/2025		\$75.00
4033	Building	8/5/2025		\$7,196.00
4032	Building	8/4/2025		\$7,196.00
4031	Building	8/4/2025		\$8,708.00
4030	Building	8/4/2025		\$8,708.00
4029	Building	8/4/2025		\$8,708.00
4028	Building	8/4/2025		\$8,708.00
4027	Sign	8/4/2025		\$75.00
4026	Building	8/4/2025		\$100.00
				\$87,286.00

Total Records: 20

8/27/2025

Monthly Code Report (Town of Shallotte, NC) 8/2025
Prepared by Brandon Eaton, CZO, CCEO (Planner II/Code Enforcement)

Public Nuisances

1. Case Number: PN-24-005 (4450 Main Street)

Original Complaint: Tall grass/junk, etc.* See also Z-24-007

Latest Update: 8/26/25

- BOA addressed the case at their 8/5/25 meeting. Town attorney informed that service has not been made on issued injunction. CE is unaware if service has been made since 8/5/25.
- The time allotted for abatement during the judgement has passed without any compliance.
- The case was heard by Brunswick County District Court on 5/28/2025.
- A judgment was issued in favor of the Town to compel the property owner to comply with the Town's order of abatement and payment of civil penalties issued in the amount of \$20,000 (\$10,000 per parcel in violation).
- The property owner has 30 days to comply. After 30 days, the Town may abate the violations in full, charging the property owner for any related expenses.
- The Town was awarded attorney fees related to the motion.

2. Case Number: PN-24-006 (4479 Main Street)

Original Complaint: Tall grass/junk, etc.* See also Z-24-008

Latest Update: 8/26/25

- BOA addressed the case at their 8/5/25 meeting. Town attorney informed that service has not been made on issued injunction. CE is unaware if service has been made since 8/5/25.
- The time allotted for abatement during the judgement has passed without any compliance.
- The case was heard by Brunswick County District Court on 5/28/2025.
- A judgment was issued in favor of the Town to compel the property owner to comply with the Town's order of abatement and payment of civil penalties issued in the amount of \$20,000 (\$10,000 per parcel in violation).
- The property owner has 30 days to comply. After 30 days, the Town may abate the violations in full, charging the property owner for any related expenses.
- The Town was awarded attorney fees related to the motion.

3. Case Number: PN-25-002

Original Complaint: Neighbor reported tall grass. Yearly offender.

Latest Update: 8/26/25

- Property is not in violation. Property to be regularly inspected for future violation. **Case closed 8/26/2025.**
- CE is looking into additional violation information.
- Complainant reached out to CE again to expand complaint to include potential unkept access easement. Will investigate the potential violation.
- CE has explained to complainant that the Town cannot maintain the aesthetic of private property in the way that an HOA/POA could and also detailed our ordinance to illustrate items we can regulate.

- Reinspection shows no current nuisance violation. Property will be monitored for changes.

4. Case Number: PN-25-007 (27 Brierwood Rd.)

Original Complaint: Tall grass, debris, dilapidated structure. Surrounding property owners have been maintaining the property as they can.

Latest Update: 8/26/25

- Property owner has been working to abate violations. Property scheduled for reinspection.
- A new inspection is scheduled for 7/29/2025. Civil penalties will begin if violations remain. An order will also be issued relating to nonresidential violations.
- Violation notice mailed. The owner had until 7/25/25 to abate violations.
- A hearing before the code enforcement officer was scheduled for 7/24/25 relating to nonresidential code violations. The property owner did not show up or reach out to CE.

5. Case Number: PN-25-008 (98 Wildwood St.)

Original Complaint: Tall grass, debris, downed silt fencing.

Latest Update: 7/29/25

- NOV mailed. Owner has until 8/6/25 to comply.

6. Case Number: PN-25-009 (109 Smith Ave.)

Original Complaint: Tall grass.

Latest Update: 8/26/25

- Violations have been removed. **Case closed to CE 8/1/25.**
- The property manager reached out to notify CE that the property would be mowed on 7/28/25.

7. Case Number: PN-25-010 (139 Edom Ln.)

Original Complaint: Tall grass.

Latest Update: 8/12/25

- NOV mailed with a compliance date of 8/27/2025.
- Inspection scheduled for 7/29/2025

Zoning Violations

1. Case Number: Z-24-007

Original Complaint: 4450 Main St. Old junk mobile home that was once used for office, shipping container, nuisances.

Latest Update: 8/26/25

- BOA addressed the case at their 8/5/25 meeting. Town attorney informed that service has not been made on issued injunction. CE is unaware if service has been made since 8/5/25.
- The time allotted for abatement during the judgement has passed without any compliance.
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- The property owner has 30 days to comply. After 30 days, the Town may abate the violations in full, charging the property owner for any related expenses.
- The Town was awarded attorney fees related to the motion.

2. Case Number: Z-24-008

Original Complaint: 4479 Main St. Old junk mobile home that was once used for auto sales business. Sign violation. Accessory structure violation and nuisances.

Latest Update: 8/26/25

- BOA addressed the case at their 8/5/25 meeting. Town attorney informed that service has not been made on issued injunction. CE is unaware if service has been made since 8/5/25.
- The time allotted for abatement during the judgement has passed without any compliance.
- The case was heard by Brunswick County District Court on 5/28/2025.
- A judgment was issued in favor of the Town to compel the property owner to comply with the Town's order of abatement and payment of civil penalties issued in the amount of \$20,000 (\$10,000 per parcel in violation).
- The property owner has 30 days to comply. After 30 days, the Town may abate the violations in full, charging the property owner for any related expenses.
- The Town was awarded attorney fees related to the motion.

3. Case Number: Z-24-009

Original Complaint: Crane business not meeting the conditions of an issued special use permit.

Latest Update: 8/26/25

- CE is still waiting on court date and information.
- Property owner has filed an appeal in Superior Court.
- Town Clerk mailed Board Findings to property owner via certified mail
- Board of Adjustment hearing was conducted on 2/27/2025.

4. Case Number: Z-25-005 (4600 Main Street)

Original Complaint: Illegal signage and potential business operating without zoning approval.

Latest Update: 8/27/25

- Civil penalty notice to mail 8/27/25.
- Final NOV to mail 7/30/25.
- CE has not had any response to NOV. CE removed sign in ROW.
- Notice issued 5/28/25.
- Inspection conducted on 5/21/25. Business operating without zoning approval.
- CE opened a case and has initiated the inspection and notice process.

5. Case Number: Z-25-007 (5054 Main St.)

Original Complaint: Food truck without permit.

Latest Update: 8/26/25

- Violation not found during inspection but has been said that it is generally in operation on weekends. CE is continuing to monitor.

6. Case Number: Z-25-008 (5285 Main St Unit 1)

Original Complaint: Restaurant operating outside of the conditions approved in the initial permit. Business is also preparing food inside a semi-permanent food truck/trailer to serve inside in a seated environment. Illegal signage also installed.

Latest Update: 8/26/25

- The tenant still does not have a valid food truck permit, but has not been seen cooking on site to serve in the restaurant. CE has been in communication with the County regarding potential health code violations, and is crafting a comprehensive list of violations and necessary abatement requirements, which include revocation of the original permit (which was applied for using incorrect information) and the stipulation that the tenant must apply for a new permit to continue operations as a restaurant. This does **not** permit the tenant to cook and/or prepare food on the food truck and sell inside the restaurant.
- Sign has been removed from ROW as well.
- Property owner reached out on 7/30/25 to ask for a week to try and get the tenant to come into full compliance.
- Notice issued 6/25/25.
- Inspection conducted on 6/18/25.

7. Case Number: Z-25-011 (4530 White St.)

Original Complaint: Office of funeral home reported being used as full-service funeral home without zoning approval. Only approved to be an office.

Latest Update: 8/27/25

- Owner of the business in question reached out to the Town today to inquire about who reported the potential violation. CE reached out to inform the owner that the complaint was internal and inquired about an SUP.
- CE has not heard back from property owner about moving forward with an SUP. CE has no reasonable cause to suspect property is not being used as was permitted, at this time.
- CE spoke with property owner who says he is only using the building for sales and blames industry sabotage for the complaint. The owner says he may still apply for an SUP (required for this use) but is retaining legal services.

8. Case Number: Z-25-012 (4407 Owenden Dr.)

Original Complaint: Shipping container being used as accessory building.

Latest Update: 8/26/25

- 8/26/2025, property owner came by Town Hall on the last day of compliance before civil penalties were set to be issued, requesting an extension of another month. CE informed the property owner that these containers are not allowed for any time and that an extension until 9/15/25, was the best we could do.
- Final NOV mailed 8/12/25 giving owner until 8/26/2025 to remove the violation.

Vehicles

Currently no cases

Public Works Monthly Report

August 2025

To: *Board of Aldermen*

From: *Dan Formyduval, Director of Public Services*

Sewer

- Responded to 19 sewer calls during the day and 7 after hours.
- Randomly inspected 25 pressure sewer services.
- Completed 140 scheduled inspections of main line lift stations.
- Completed upgrades for 1 commercial and one residential sewer service.
- Replaced 1 duplex sewer control panel.
- Installed 2 residential pressure services.
- Cleaned 12,780 linear feet of gravity sewer in the Highlands neighborhood.
- Cleaned 18 lift stations
- Completed a smoke test of the gravity sewer in Village Point Estates and Ownedon. 13 locations were identified and repaired.

Parks & Streets

- Cleaned out and repaired +/- 1600 feet of ditch in the Green Bay neighborhood.
- Completed the resurfacing of Pender.
- Conducted Tree trimming operations on Shallotte Ave and Highlands Glen.
- Edged Sidewalks in the Highlands.

Construction & Engineering

- Responded to **389** NC811 locate tickets.
- Participated in weekly meetings with contractors working on Price Landing.
- Witnessed the sewer force main tap for the Forest Run project
- Responded to two storm water complaints related to new construction.
- Conducted preconstruction meetings for the Brunswick Pines and Cedar Creek Landing projects.
- Conducted a preconstruction meeting with the Town's contractor for the Hwy 17 12" Force Main project.
- Conducted a pre construction meeting with Spectrum's sub contractors for the over build of Summer's Walk.
- Notified the owner of Summer's Walk of some drainage concerns.
- Completed the first phase of water line relocation for the Price Landing / Mulberry St upgrade.

Fleet Maintenance

- Renewal of vehicle inspections certification.

Police Dept.

- 8 Oil Changes
- 16 Inspections
- 6 Tires Changed
- 7 Minor Repairs

Fire Dept.

- Replaced coolant hose.

- Assisted with setting up mower and tractor for the Fire Training facility.

Maintenance Dept.

- Refurbished sewer pressure washer.
- Completed Weld repairs on large portable air compressor
- 4 vehicle inspections
- 1 oil change
- Repaired coolant leak on Village Point lift station generator
- Replaced Battery charger on Green Bay Lift Station generator.



Root Removal From Gravity Sewer Service



Town of Shallotte

ACTION AGENDA ITEM

2025

TO: Board of Alderman

ACTION ITEM #:

FROM: Mimi Gaither, Town Manager
EXT. #

MEETING DATE: 9.2.25

DATE SUBMITTED: 8.25.25

ISSUE/ACTION REQUESTED: Acquiring and acceptance of a dedicated easement

PUBLIC HEARING: ☐ YES ☒ NO

BACKGROUND/PURPOSE OF REQUEST: In preparations for the 12" sewer force main project, Dave Bowman, the Town's engineer thought we had an easement across Henry Bennett's land. We did not. We spoke to Mr. Bennett, who gave the Town an easement for \$2280.91 which is the same formula we use when we acquired easements from the Danfords and MB Farms.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES ☒ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES ☒ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES ☒ NO

REVIEWED BY DIRECTOR OF FISCAL OPERATIONS

☐ YES ☒ NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

☐ YES ☒ NO ☐ N/A

ADVISORY BOARD RECOMMENDATION: N/A

TOWN MANAGER'S RECOMMENDATION: Approve easement acquisition and resolution of acceptance.

FINANCE RECOMMENDATION: N/A

ATTACHMENTS:

1. Resolution of acceptance.

ACTION OF THE BOARD OF ALDERMEN

APPROVED: ☐
DENIED: ☐

ATTEST: **CLERK TO THE BOARD**

**DEFERRED
UNTIL:** _____

SIGNATURE

OTHER:

STATE OF NORTH CAROLINA DEED OF UTILITY EASEMENT
COUNTY OF BRUNSWICK

THIS DEED OF EASEMENT, made this 22 day of AUGUST, 2025, by and between Henry D. Bennett and wife Amelia Lynn Williams Bennett., hereinafter referred to as Grantor, to the TOWN OF SHALLOTTE, a municipal corporation of the State of North Carolina, PO Box 2287, Shallotte, Brunswick County, North Carolina, hereinafter referred to as Grantee.

WITNESSETH:

That the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, hereby grants and conveys to the Grantee, its heirs, successors and assigns, a non-exclusive, perpetual right and easement to construct and maintain a public utility system across and upon the hereinafter described lands of the Grantor and to go upon the lands whenever the same is reasonably necessary for the purpose of inspecting, repairing, improving, replacing, and maintaining said public utility system. The deed description for a permanent easement across the property of Henry D. Bennett and wife Amelia Lynn Williams Bennett, and along northwest side of US Highway 17 Bypass is more particularly described as follows:

EASEMENT

Commencing at an existing right-of-way monument on the northwest side of a variable right-of-way for US Highway 17 Bypass, as shown in Map Cabinet 18, Page 388, being the southeast property corner of property owned by Ocean Hiway Associates, LLC as shown in Plat Book 24, Page 139 of the Brunswick County Registry, located in Shallotte Township, Town of Shallotte, Brunswick County, North Carolina, said point being a Point of Beginning, and being more particularly described as follows:

FROM SAID POINT OF BEGINNING THUS LOCATED; thence N 15°07'15" W a distance of 21.67' to a point; thence N 52°13'18" E a distance of 293.82' to a point on a curve, said curve having a 50.00' radius, being the southwest cul-de-sac of Express Drive; thence along said curve an arc length of 46.11' (a chord of N 78°47'12" E and a chord distance of 44.72') to a point in the northwest right-of-way of US Highway 17 Bypass; thence along said right-of-way S 52°13'18" W a distance of 1342.17' to the point of beginning, creating a 20' easement containing 6,200 square feet or 0.142 acres more or less.

Grantee shall be responsible for restoring said property to a condition as close as possible to the condition existing immediately prior to the construction of said work.

TO HAVE AND TO HOLD said permanent easement unto said Grantee, its successors and assigns, it being agreed that the right and easement hereby granted is appurtenant to and runs with the land.

The Grantor covenants to and with the Grantee, its successors and assigns, that the Grantor is lawfully seized in fee simple of said lands and premises and has full right and power to convey these easements to the Grantee, that said easements are free from encumbrances, and it shall forever warrant and defend the title to said easements unto the Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

Henry D. Bennett and wife Amelia Lynn Williams Bennett

Henry D. Bennett (SEAL)
By: Henry D. Bennett

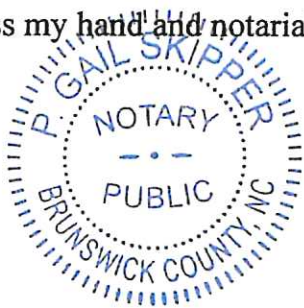
Amelia Lynn Williams Bennett (SEAL)
By: Amelia Lynn Williams Bennett

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

I, P. GAIL SKIPPER, a Notary Public of said County and State, do hereby certify that Henry D. Bennett and wife Amelia Lynn Williams Bennett, personally appeared before me this day and acknowledged the due execution of the foregoing Deed of Easement.

Witness my hand and notarial seal, this the 22 day of AUGUST, 2025.



P. Gail Skipper
Notary Public for North Carolina
P. GAIL SKIPPER
Print Name

My Commission Expires: 10-21-29

RESOLUTION 25-08

WHEREAS, Henry D. Bennett and wife Amelia Lynn Williams Bennett (hereinafter "Grantor"), are the owners of a tract or parcel located in Shallotte Township, Brunswick County, North Carolina; and

WHEREAS, a Deed of Dedication has been executed by Grantor dedicating a utility easement to The Town of Shallotte more particularly described as follows:

EASEMENT

Commencing at an existing right-of-way monument on the northwest side of a variable right-of-way for US Highway 17 Bypass, as shown in Map Cabinet 18, Page 388, being the southeast property corner of property owned by Ocean Hiway Associates, LLC as shown in Plat Book 24, Page 139 of the Brunswick County Registry, located in Shallotte Township, Town of Shallotte, Brunswick County, North Carolina, said point being a Point of Beginning, and being more particularly described as follows:

FROM SAID POINT OF BEGINNING THUS LOCATED; thence N 15°07'15" W a distance of 21.67' to a point; thence N 52°13'18" E a distance of 293.82' to a point on a curve, said curve having a 50.00' radius, being the southwest cul-de-sac of Express Drive; thence along said curve an arc length of 46.11' (a chord of N 78°47'12" E and a chord distance of 44.72') to a point in the northwest right-of-way of US Highway 17 Bypass; thence along said right-of-way S 52°13'18" W a distance of 1342.17' to the point of beginning, creating a 20' easement containing 6,200 square feet or 0.142 acres more or less.

WHEREAS, the acceptance of said property easement would benefit the Town of Shallotte and is in the best interest of the citizens of the Town of Shallotte.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SHALLOTTE as follows:

1. That the Town hereby accepts the dedication offered by Henry D. Bennett and wife Amelia Lynn Williams Bennett.

This the 2nd day of September, 2025.

TOWN OF SHALLOTTE

BY: _____
Mayor

ATTEST:

Town Clerk



TOWN OF SHALLOTTE

Monthly Financial Dashboard

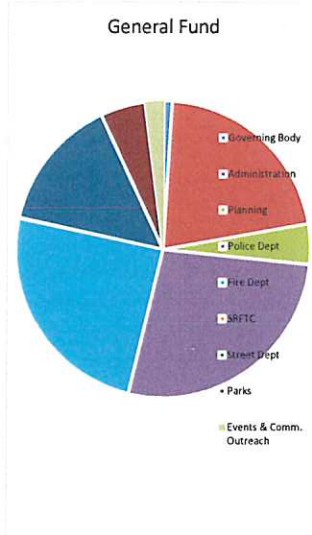
FISCAL YEAR ENDING June 30, 2026

Reporting Period: August 31, 2025

SPECIFIC REVENUE COLLECTIONS AT A GLANCE...			
General Fund	Collected TD	FY Budget	Total Budget
PROPERTY TAX		\$ 3,781,720	\$ 10,495,019
Revs YTD/% Coll/% of Budget	\$ 244,487	6.46%	36.03%
SALES & USE TAX			
Fiscal Year Budget	\$ 2,120,223	\$ 10,495,019	
Revs YTD/% Coll/% of Budget	\$ -	0.00%	20.20%
UTILITY FRANCHISE TAX			
Fiscal Year Budget	\$ 552,973	\$ 10,495,019	
Revs YTD/% Coll/% of Budget	\$ -	0.00%	5.27%
FIRE FEES			
Fiscal Year Budget	\$ 1,302,407	\$ 10,495,019	
Revs YTD/% Coll/% of Budget	\$ 316,454	24.30%	12.41%
OTHER REVENUES			
Fiscal Year Budget	\$ 2,737,696	\$ 10,495,019	
Revs YTD/% Coll/% of Budget	\$ 733,429	26.79%	26.09%
Enterprise Fund			
OTHER REVENUES		\$ 1,909,998	\$ 5,527,715
Revs YTD/% Coll/% of Budget	\$ 732,593	38.36%	34.55%
SYSTEM DEV FEES		\$ 439,707	\$ 5,527,715
Revs YTD/% Coll/% of Budget	\$ 184,732	42.01%	7.95%
Revs YTD/% Coll/% of Budget	\$ -	0.00%	0.00%
SEWER CHARGES		\$ 3,178,010	\$ 5,527,715
Revs YTD/% Coll/% of Budget	\$ -	0.00%	57.49%
FUND TOTALS			90% of Budget
General Fund	\$ 10,495,019	\$ 9,445,517	
Revenues FYTD	\$ 1,294,370	12%	
Enterprise Fund	\$ 5,527,715	\$ 4,974,944	
Revenues FYTD	\$ 917,325	17%	

EXPENDITURES AT A GLANCE...			
GENERAL FUND	Fiscal Year	YTD Expenses	
DEPARTMENTS	25/26 Budget	Current FY	Current FYTD%
Governing Body	\$ 100,820	\$ 17,201	17.06%
Administration	1,483,232	286,047	19.29%
Planning	526,860	79,885	15.16%
Police Dept	3,386,850	779,702	23.02%
Fire Dept	2,198,990	394,413	17.94%
SRFIC	8,039	1,873	23.29%
Street Dept	2,023,650	681,391	33.67%
Parks	507,348	77,911	15.36%
Events & Comm. Outreach	259,230	56,607	21.84%
	\$ 10,495,019	\$ 2,375,028	22.63%
Fiscal Year Budget	\$ 10,495,019	\$ 2,375,028	
Unspent Budget Remaining	\$ 8,119,991	77.37%	
ENTERPRISE FUND	Fiscal Year	YTD Expenses	
DEPARTMENTS	25/26 Budget	Current FY	Current FYTD%
Sewer Department	\$ 5,527,715	\$ 1,016,811	18.39%
	\$ 5,527,715	\$ 1,016,811	18.39%
Fiscal Year Budget	\$ 5,527,715	\$ 1,016,811	
Unspent Budget Remaining	\$ 4,510,904	81.61%	

OUR CASH AND INVESTMENTS			
Balances on August 25, 2025 in whole dollars - Bold -As of 7-31-25			
CASH & INVESTMENTS BY FUND			
GENERAL FUND			
	June 2025	August 2025	
General Fund	\$ 967,876	\$ 622,852	
NCCMT	9,222,400	8,780,106	
General Fund Savings	49,619	25,002	
TOTAL GENERAL FUND	\$ 10,239,895	\$ 9,427,960	
ENTERPRISE FUNDS			
	June 2025	July 2025	
Sewer Fund	\$ 1,069,349	\$ 1,389,114	
NCCMT	3,862,465	3,937,981	
Sewer Fund Savings	86,636	25,003	
TOTAL OTHER FUNDS	\$ 5,018,449	\$ 5,352,098	
Special Revenue Fund	\$ 100	\$ 100	
Police Evidence Acct	313	313	
Capital Project Acct	1,861,172	1,510,480	
TOTAL CASH & INVESTMENTS TOWN-WIDE			
	June 2025	August 2025	
ALL FUNDS	\$ 17,119,929	\$ 16,290,952	



Capital Project - Riverfront Project		
CP Expenditures	FY Budget	Current Exp
Mulberry Park	\$ 1,662,873.00	\$ 621,325.19
Riverwalk II	\$ 1,132,300.20	\$ 180,749.83
Professional Svc	\$ 1,322,600.95	\$ 233,739.24
Price Landing Cap	\$ 2,500,000.00	\$ 1,518,426.34
New Town Hall	\$ 16,342,363.00	
Cheers St Parking	\$ 337,396.00	
Total	\$ 23,297,533.15	\$ 2,554,240.60
CP Revenues	FY Budget	Current Rev
App Fund Balance	\$ 250,000.00	
Transfer from GF	\$ 2,982,177.16	\$ 351,939.24
Grant-Riverwalk	\$ 250,000.00	
SCIF Grant-Riverw	\$ 815,355.99	\$ 185,449.83
SCIF Grant-Mulb	\$ 3,000,000.00	\$ 2,016,851.53
USDA Loan	\$ 16,000,000.00	
Total	\$ 23,297,533.15	\$ 2,554,240.60

Cash:	August-24	August-25	Difference
General Fund	\$ 9,682,856	\$ 9,427,960	
Sewer Fund	4,797,114	5,352,098	
Special Revenue Fd	100	100	
Police Evidence Acct	313	313	
Capital Account	3,298,515	1,510,480	
	\$ 17,778,898	\$ 16,290,952	(1,487,946)
Receipts for August 25:			
May 2025 Sales Tax		189,719.21	
Town Prop Tax July 25		242,653.68	
4th Qtr 24-25 Solid Waste Disposal Tax		915.60	
Facility Maintenance Fee		7,500.00	

NCCMT Interest Rate March 25	4.31%
NCCMT Interest Rate April 25	4.17%
NCCMT Interest Rate May 25	4.28%
NCCMT Interest Rate June 25	4.14%
NCCMT Interest Rate July 25	4.30%



Town Of Shallotte

Expenditure Statement : 2025 - 2026

for Accounting Period 8/31/2025

GENERAL FUND

Dept #	Department	Approp Amount	Activity this Period	Expenditure YTD	Encumbrance YTD	Unencumbered Balance	% Exp. & Enc.
4100	Governing Body	\$100,820.00	\$16,164.06	\$16,164.06	\$1,036.86	\$83,619.08	17.06
4200	Administration	\$1,483,231.73	\$281,065.53	\$281,065.53	\$4,981.06	\$1,197,185.14	19.29
4300	Planning Department	\$526,860.00	\$79,884.55	\$79,884.55	\$0.00	\$446,975.45	15.16
4400	Events & Community Outreach	\$259,230.00	\$56,509.99	\$56,509.99	\$96.78	\$202,623.23	21.84
5100	Police	\$3,386,850.11	\$664,775.81	\$664,775.81	\$114,926.40	\$2,607,147.90	23.02
5300	Fire	\$2,198,990.74	\$409,512.73	\$409,512.73	(\$15,099.96)	\$1,804,577.97	17.94
5400	SRFTC	\$8,038.87	\$1,872.60	\$1,872.60	\$0.00	\$6,166.27	23.29
5600	Streets	\$2,023,650.00	\$625,397.46	\$625,397.46	\$55,993.24	\$1,342,259.30	33.67
5700	Parks	\$507,348.00	\$114,164.74	\$114,164.74	(\$36,253.82)	\$429,437.08	15.36
Total Fund	GENERAL FUND	\$10,495,019.45	\$2,249,347.47	\$2,249,347.47	\$125,680.56	\$8,119,991.42	22.63



Town Of Shalotte
Expenditure Statement : 2025 - 2026
for Accounting Period 8/31/2025

ENTERPRISE FUND

Dept # Department		Approp Amount	Activity this Period	Expenditure YTD	Encumbrance YTD	Unencumbered Balance	% Exp. & Enc.
8200	Sewer	\$5,527,715.21	\$957,917.21	\$957,917.21	\$58,893.31	\$4,510,904.69	18.39
Total Fund	ENTERPRISE FUND	\$5,527,715.21	\$957,917.21	\$957,917.21	\$58,893.31	\$4,510,904.69	18.39
Grand Total		\$16,022,734.66	\$3,207,264.68	\$3,207,264.68	\$184,573.87	\$12,630,896.11	21.17

**Town of Shallotte
Parks & Recreation Department
Monthly Report – September**

Concert Reschedule Updates

- **Julio & The Saltines** – *Wednesday, September 10th*
 - **The Entertainers** – *Wednesday, September 24th*
-

Upcoming Holiday & Community Events

September 20 – Fall Market @ Mulberry Park

October 11 – Touch-A-Truck @ Mulberry Park

October 28 – Halloween Event @Riverwalk

December 1 – Tree Lighting (new date this year)

December 6 – Shallotte Christmas Parade

December 9 – Pictures with Santa @ Mulberry Park

December 13 – Christmas Village @ Mulberry

December 16 – Town Christmas Party @ Planet Fun



TOWN OF
SHALLOTTE
North Carolina

Section VI, Item 6.

MARKETS ON MULBERRY

UPCOMING EVENTS



SEPTEMBER 20, 2025

MULBERRY PARK

10AM - 2PM



NOVEMBER 15, 2025

MULBERRY PARK

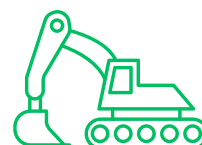
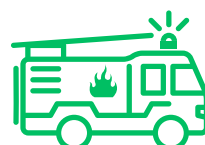
10AM - 2PM



DECEMBER 13, 2025

MULBERRY PARK

10AM - 2PM



TOUCH - A - TRUCK

OCTOBER 11, 2025 | 10AM - 1PM

MULBERRY PARK | 123 MULBERRY ST.

Spooktacular



RIVERWALK PARK | 6:00PM
Tuesday, October 28, 2025

**CHRISTMAS TREE LIGHTING
SANTA'S ARRIVAL**



DECEMBER 1, 2025
MULBERRY PARK | AMPHITHEATER
123 MULBERRY ST.



PHOTO OPPORTUNITIES WITH SANTA

December 1, 2025	Mulberry Park 5:30 PM
December 9, 2025	Mulberry Park 5:30 PM
December 13, 2025	Mulberry Park 11:00 AM



TOWN OF SHALLOTTE

**CHRISTMAS
PARADE**

**SATURDAY
“DECEMBER 6”
10:00AM**

APPLICATIONS WILL BE ACCEPTED STARTING IN OCTOBER



MEMORANDUM

TO: BOARD OF ALDERMEN
FROM: MIMI GAITHER, TOWN MANAGER
SUBJECT: ADMINISTRATION REPORT
DATE: 8.28.25

- Town Committee Meeting – Samet – 8.4.25
- Mayor Allen’s Funeral – 8.5.25
- BOA Meeting 8.5.25
- Personnel Issues 8.6.25
- Management Training 8.13.25
- Interview with Attorney for Samet Contract 8.15.25
- Contact with SeaDog finishing rails at Riverwalk 8.18.25
- Contact with Cinderella’s Bonding Co. 8.20.25
- Contact re Shallotte Point questions from Greg Grayson 8.25.25
- Phone Interview with Attorney for Samet Contract – 8.27.25
- Staff Meeting 8.28.29
- DH Eval meetings 8.20.25 – 8.28.25

Project Update – Riverwalk

The final remaining task with the railing were finished. SeaDog is putting in for a final inspection on 8.28.25 and hopes to have it done Tuesday or Wednesday.

Project Update – Price Landing

Attached to my report is my letter to Old Republic Surety Co., who has bonded the project for Cinderella. The letter outlines the ongoing issues and the contractor's slow progress. Following that submission, we finally received a third proposed timeline for completion, along with McGill's monthly job report.

Michael Norton and Alex Lapinsky will be present at the Board meeting to answer any questions regarding the lack of progress and possible options moving forward.

It has also come to our attention that we were misinformed regarding the penalty assessment. The correct amount is \$500 per day, accruing since June 13. As of the end of August, the penalties total \$39,500.



Town of Shallotte

ACTION AGENDA ITEM

2025

TO: Board of Alderman

ACTION ITEM #:

MEETING DATE: 9.2.25

FROM: Mimi Gaither, Town Manager

DATE SUBMITTED: 8.25.25

EXT. #

ISSUE/ACTION REQUESTED: Approve attorney recommendation to negotiate contract with Samet.

PUBLIC HEARING: ☐ YES ☒ NO

BACKGROUND/PURPOSE OF REQUEST: On the advice of our Town Attorney, we have consulted with two firms specializing in construction contract negotiations. Walt, Laura, and I recommend engaging Matt Bouchard of Poyner Spruill. Mr. Bouchard is highly experienced in construction contracts, has municipal expertise, and came recommended by the NCLM, our insurance provider. He has agreed to reduce his hourly rate and extend a municipal discount. Additionally, he is well acquainted with the attorney representing Samet and is confident he can bring this matter to resolution in a timely manner.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES ☒ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES ☒ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES ☒ NO

REVIEWED BY DIRECTOR OF FISCAL OPERATIONS

☐ YES ☒ NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

☒ YES ☐ NO ☐ N/A

ADVISORY BOARD RECOMMENDATION: N/A

TOWN MANAGER'S RECOMMENDATION:

FINANCE RECOMMENDATION: N/A

ATTACHMENTS:

1.

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

ATTEST:

CLERK TO THE BOARD

DENIED:

☐

DEFERRED

UNTIL:

SIGNATURE

OTHER:



Town of Shallotte

ACTION AGENDA ITEM

2025

TO: Board of Alderman

FROM: Mimi Gaither, Town Manager
EXT. #

ACTION ITEM #:

MEETING DATE: 9.2.25

DATE SUBMITTED: 8.25.25

ISSUE/ACTION REQUESTED: Update on Price Landing

PUBLIC HEARING:

☐ YES☒ NO

BACKGROUND/PURPOSE OF REQUEST: I got an inquiry letter from Old Republic Surety Company, who is the surety company for Cinderella. I have attached a copy for your reference where I outlined the Town frustrations with the lack of progress with Cinderella.

We have since received a timeline for completion, which I have also attached. Michael Norton and Alex Lapinsky will be at the meeting to answer any questions.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES☒ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES☒ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES☒ NO

REVIEWED BY DIRECTOR OF FISCAL OPERATIONS

☐ YES☒ NO**CONTRACTS/AGREEMENTS:**

REVIEWED BY TOWN ATTORNEY:

☐ YES☒ NO☐ N/A**ADVISORY BOARD RECOMMENDATION: N/A****TOWN MANAGER'S RECOMMENDATION:****FINANCE RECOMMENDATION: N/A**

ATTACHMENTS:

1. Old Republic Surety Letter
2. Cinderella Timeline

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

DENIED:

☐

ATTEST:

CLERK TO THE BOARD

**DEFERRED
UNTIL:**

SIGNATURE

OTHER:



TOWN OF SHALLOTTE

Post Office Box 2287 • Shallotte, North Carolina 28459

Telephone: (910) 754-4032 • Facsimile: (910) 754-2740

August 21, 2025

Laura Strayer
Old Republic Surety Company
1415 28th Street
Suite 420
West Des Moines, IA 50266

Via US Postal Service and email

RE: Bond No RCN7464829 – Contract – 4011494 Cinderella Partners, Inc.

Dear Ms. Strayer:

Please find the Town's responses to your inquiry letter of August 11, 2025.

1 – Contract Complete: No

- A – Approximate Date of Completion: The original Substantial Completion date was May 29, 2025, with Final Completion due June 13, 2025. We are still awaiting a revised timeline from the contractor.
- B – Final Contract Price: The original contract amount was \$3,070,099.60. Six change orders have been authorized, bringing the revised contract price to \$3,078,517.87.

2 – Contract Status: The contractor, Cinderella, has been paid \$1,540,332.64 to date, leaving a remaining balance of \$1,538,185.23.

3 – Unpaid Bills for Labor or Materials: None have been submitted to the Town.

4 – Payments to Date: See response under Item #2 above.

5 – Change Orders: Please see the attached job report prepared by McGill, the firm overseeing this project on behalf of the Town, which outlines the change orders.

Remarks:

The Town is extremely dissatisfied with Cinderella's work progress. As documented in the attached Job Report narrative, the contractor has failed to meet the contract completion dates and has

been accruing liquidated damages since May 29, 2025; which were increased on June 13, 2025. The Notice to Proceed was issued on August 7, 2024, and we are now more than a year into the project with no reliable indication of when it will be completed.

Cinderella has provided three revised timelines, all of which were missed. We are currently awaiting yet another revised timeline. The ongoing delays have also created a cascading effect by holding up an adjacent project.

Compounding the issue, portions of the contractor's work have been formally rejected by Brunswick County building inspectors as deficient, requiring removal and rework. These deficiencies have further slowed progress and raise serious concerns regarding the contractor's ability to complete the project in accordance with the contract documents and accepted industry standards.

The Town has been met with repeated excuses and little accountability. Due to the delays, I was forced to request an extension on a \$500,000 PartF Parks and Recreation grant from the State of North Carolina.

Given the ongoing frustrations, lack of measurable progress, and repeated failures to meet commitments, the Town is now carefully evaluating all available options to protect its interests and bring the project to completion. At this point, the Town is requesting Old Republic Surety Company's assistance in ensuring that Cinderella addresses their deficiencies and fulfills their contractual obligations. We ask that you intervene to help bring the contractor into compliance and restore confidence that this project can be completed in a timely and proper manner.

Please direct any questions to me, Alex Lapinsky (Project Manager, McGill Associates) or Michael Norton (Principal Engineer with McGill Associates).

Sincerely,



Mimi Gaither
Town Manager

Attachments: Old Republic Contract Status Letter
McGill Associates Engineering Job Report for July 2025

Cc: Michael Norton, McGill Associates Engineering
Alex Lapinsky, McGill Associates Engineering
Walter Eccard, Mayor, Town of Shallotte
Laura Thompson, Town Attorney
Ross Watson, Cinderella Partners



OLD REPUBLIC SURETY COMPANY

Section VI, Item 7.

1415 28th Street, Suite 420, West Des Moines, IA 50266 | T: 800.247.2312 | www.orsurety.com

August 11, 2025

CONTRACT STATUS INQUIRY

TOWN OF SHALLOTTE
106 CHEER ST
SHALLOTTE, NC 28470

Attn: Town manager

Our Bond No. RCN7464829

Contract #: 4011494
Contractor: CINDERELLA PARTNERS, INC
713 BRIEF RD W
INDIAN TRAIL, NC 28079

Description of Contract: PRICE LANDING PARK - CREATE A PARK - DRIVES, PARKING AREAS,
RESTROOMS, GARDEN, OUTDOOR CLASSROOM, PLAYGROUND AREAS
QUEST PRJ #9105968

Contract Price \$ 3,070,100 Bond \$ 3,070,100 Effective Date: 8/07/2024

Without prejudicing your rights or affecting our liability under our bond(s) described above, we would appreciate as much of the following information as is now available.

Very truly yours,

Laura Strayer
Laura Strayer
lrstrayer@orsurety.com

1. IF CONTRACT COMPLETED, PLEASE STATE:

Approximate date of completion of work (final delivery) _____
Approximate acceptance date _____
Final Contract Price _____

2. IF CONTRACT UNCOMPLETED, PLEASE STATE:

Approximate percentage or dollar amount of contract completed or delivered _____

3. Do you know of any unpaid bills for labor or material Yes No

4. How much has contractor been paid to date? \$ _____

5. Please describe any change orders which have been approved _____

Remarks: See Attached Letter

Date Aug 21, 2025

Signature *Mimi Gaither*

Title TOWN MANAGER

Address 106 CHEER ST SHALLOTTE NC 28470

Attention MIMI GAITHER



OLD REPUBLIC INSURANCE

Monthly Job Report - May
Price Landing Park
Page 1 of 4



**MONTHLY
JOB REPORT**
July 2025
8/4/2025

Project Number: 22.07019
Town of Shallotte Project # 8/07/2024
Project Owner: Town of Shallotte
Project Name: Price Landing Park

Contractor: Cinderella Partners (or "Cinderella" herein)

Contract Amount: \$3,070,099.60
No. of Contract Modifications: 6
Revised Contract Amount: \$3,078,517.87

NTP: 8/07/2024
Original Contract Time: 211 Calendar Days to Substantial Completion
225 Calendar Days to Final Completion

Contract Time Remaining: 0 Calendar Days to Final Completion
Completion Date (Substantial): 5/29/2025 (CO #4)
Completion Date (Final): 6/13/2025 (CO #4)
Liquidated Damages \$500 Per Calendar Day after Substantial Completion
\$500 Per Calendar Day after Final Completion

Outstanding Items

- Pending Change Order #7 submission from contractor for boardwalk light fixture revision. Change Order will be for a \$4,600.00 credit.

Contractor's Schedule

- Contractor had been granted a time extension to June 13, 2025, for final completion. As of this date the project is not complete, and the Contractor has not been granted any further time extensions. An updated schedule for completion has not yet been provided by Contractor as of this date. Contractor was advised that future payments are on hold until a schedule is submitted.

Construction Activities – Past 30 Days

- Grading of North parking lot – Wet soils have delayed the placement of subbase stone. ECS is monitoring conditions of subgrade soil.
- Restroom structure completely built except for final metal roof. The metal roof material is stored on-site. Contractor awaiting roof framing inspection from Brunswick County prior to placing final roofing.
- Handrail on restroom ramps and porch being installed.

- South boardwalk deck framing construction progressing. North boardwalk (Mulberry Street) complete except for cable railing.
- Water piping for Misters has been installed. Contractor grading around Misters in order to install decking.
- Tot Lot construction 95% complete.
- *No Brunswick County final inspections have been completed.*

Construction Activities – Next 30 Days

- Install stone subbase and bituminous paving for parking lots – stone subbase on main parking lot approximately 30% complete.
- Construction of south boardwalk deck and pavilion, currently working on flooring.
- Installation of lighting on south boardwalk.
- Construction of sidewalks. Contractor was directed to remove and replace the concrete sidewalk and stairs at the south end of the site near the outdoor classroom. The sidewalk and stairs were not built per the plan requirements.
- Construction of restroom interior finishes and metal roofing.
- Finalize construction of Tot Lot surface.
- Construction of asphalt trails; to date trails have been laid out by Surveyor.
- Construction of pedestal misters and decking.
- Final grading, seeding and landscaping.

Submittals

- None outstanding

Request for Information

- None Outstanding

Request for Proposals

- No requests for proposal have been initiated

Proposals Received

- No proposals received

Change Orders Billed Against Owner's Contingency

- CO #1 – Water Connection Changes (Brunswick County) – \$9,980.00
- CO #2 – Overage on Excavation / Unsuitable Soils – \$9,992.24.
- CO #3 – Drainage revisions (ECS) for North Parking Lot – \$21,333.76
- CO #5 – Restroom Roof Material & Circuit for Grinder Pump - \$9,012.50 (\$3,686.24 toward

- contingency; \$5,326.26 added to contract)
- CO #6 – 30 LF of Trench Drain - \$3,092.01 added to contract

Change Orders to Contract

- CO #1 – Water Connection Changes (Brunswick County) – 5 Days
- CO #2 – Overage on Excavation / Unsuitable Soils – 5 Days
- CO #3 – Drainage revisions (ECS) for North Parking Lot – 7 Days
- CO #4 – Final Completion Extension to June 13, 2025.
- CO #5 – Restroom Roof Material and Circuit for Grinder Pump - \$5,326.26 added to contract (See Above)
- CO #6 – 30 LF of Trench Drain - \$3,092.01 added to contract

Change Orders Rejected

- None pending

General Discussion

- None

Contractor Action Items

- Finalize all outstanding submittals.
- Replace damaged sidewalk and concrete stairs near Outdoor Classroom.
- Submit Change Order No. 7 for boardwalk lighting revision.

Engineer and Subcontractor Action Items

- McGill continues to review documents from the contractor as they arrive.

Owner Action Items

- Finalize waterline relocation on Mulberry Street including site service relocation.

Material Stored on Site

- Misters
 - Delivered onsite by freight and wrapped in shrink wrap.

Engineer's Observations

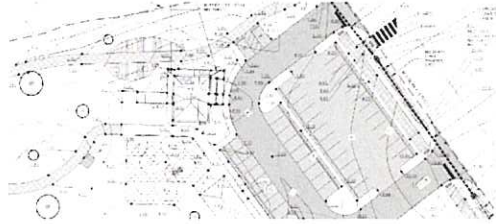
- Contractor is actively working on all project components.
- Contractor is maintaining all erosion control measures.
- Schedule for substantial completion was 5/29/25 and it was not met, which will result in liquidated damages of \$500/day until such a time that substantial completion is achieved. As of this date contractor is 67 days past the substantial completion date. Final completion was scheduled for 6/13/25 and it was not met, which will result in liquidated damages of \$500/day until such a time

that final completion is achieved. As of this date contractor is 52 days past the final completion date.

Next Monthly Job Report:

- August, 2025

End of Monthly Job Report



SCHEDULE REPORT August 2025 8/20/2025

Project Number: 22.07019
Town of Shallotte Project # 8/07/2024
Project Owner: Town of Shallotte
Project Name: Price Landing Park

Contractor: Cinderella Partners (or "Cinderella" herein)

Contractor's Schedule

- The first Schedule was received January 2, 2025, with a completion date of June 9, 2025.
- The second Schedule was received March 14, 2025, with a completion date of June 13, 2025.
- The third Schedule was received June 3, 2025, with a completion date of June 30, 2025.
- No other Schedules have been received since this date.

Other

- Two Pay Applications (#10 & #11) have been received, though site inspections and review with Cinderella have confirmed there are construction deficiencies that render these unacceptable until remedies are complete. These deficiencies, along with failure to provide an accurate project schedule, have been communicated to Cinderella and are part of project meeting minutes, which have also shared with all affected parties.

- **End of Schedule Report**

OLD REPUBLIC SURETY COMPANY

1415 28th Street, Suite 420, West Des Moines, IA 50266 | T: 800.247.2312 | www.orsurety.com

August 11, 2025

CONTRACT STATUS INQUIRY

TOWN OF SHALLOTTE
106 CHEER ST
SHALLOTTE, NC 28470

Attn: Town manager

Our Bond No. RCN7464829

Contract #: 4011494
Contractor: CINDERELLA PARTNERS, INC
713 BRIEF RD W
INDIAN TRAIL, NC 28079

Description of Contract: PRICE LANDING PARK - CREATE A PARK - DRIVES, PARKING AREAS,
RESTROOMS, GARDEN, OUTDOOR CLASSROOM, PLAYGROUND AREAS
QUEST PRJ #9105968

Contract Price \$ 3,070,100 Bond \$ 3,070,100 Effective Date: 8/07/2024

Without prejudicing your rights or affecting our liability under our bond(s) described above, we would appreciate as much of the following information as is now available.

Very truly yours,

Laura Strayer
Laura Strayer
lrstrayer@orsurety.com

1. IF CONTRACT COMPLETED, PLEASE STATE:

Approximate date of completion of work (final delivery) _____
Approximate acceptance date _____
Final Contract Price _____

2. IF CONTRACT UNCOMPLETED, PLEASE STATE:

Approximate percentage or dollar amount of contract completed or delivered _____

3. Do you know of any unpaid bills for labor or material ____ Yes ____ No
4. How much has contractor been paid to date? \$ _____
5. Please describe any change orders which have been approved _____

Remarks: _____

Date _____

Signature _____

Title _____

Address _____

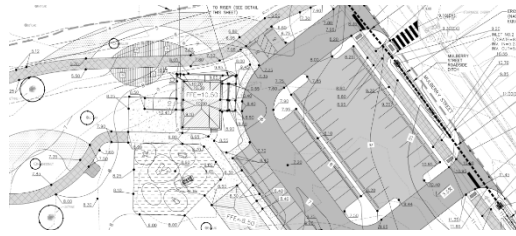
Attention _____





Cinderella Partners Inc		Start Date
Proposed Construction Schedule for		
Price Landing Park		Project Duration
prepared for McGill Associates, PA.		

[illegible]



**MONTHLY
JOB REPORT**
August 2025
8/27/2025

Project Number: 22.07019
Town of Shallotte Project # 8/07/2024
Project Owner: Town of Shallotte
Project Name: Price Landing Park

Contractor: Cinderella Partners (or "Cinderella" herein)

Contract Amount: \$3,070,099.60
No. of Contract Modifications: 6
Revised Contract Amount: \$3,078,517.87

NTP: 8/07/2024
Original Contract Time: 211 Calendar Days to Substantial Completion
225 Calendar Days to Final Completion

Contract Time Remaining: 0 Calendar Days to Final Completion
Completion Date (Substantial): 5/29/2025 (CO #4)
Completion Date (Final): 6/13/2025 (CO #4)
Liquidated Damages \$500 Per Calendar Day after Substantial Completion
\$500 Per Calendar Day after Final Completion

Outstanding Items

- Pending Change Order #7 submission from contractor for boardwalk light fixture revision. Change Order will be for a \$4,600.00 credit.

Contractor's Schedule

- Contractor had been granted a time extension to June 13, 2025, for final completion. As of this date the project is not complete, and the Contractor has not been granted any further time extensions. An updated schedule for completion has been submitted by contractor and is attached. Pay Applications were being held until a schedule was provided. Based on receiving the schedule Pay Application No. 10 was submitted for processing. Pay Application No. 11 was retracted by the Contractor.

Construction Activities – Past 30 Days

- Contractor advised that they are still attempting to dry out the North Parking Lot subgrade. They received a recommendation from ECS on 6/4/25 to remove the wet areas and replace with 12-18 inches of clean, dry sand. However, the parking lot until recently had water pumping up through the subgrade preventing them from adding the sand. It appears to be drying out, so they started

placement of the sand last week. Contractor is scheduling a subgrade proof roll with ECS for 8/27.

- Restroom structure completely built except for final metal roof. The metal roof material is stored on-site. Contractor awaiting roof framing inspection from Brunswick County prior to placing final roofing.
- Handrail on restroom ramps and porch being installed and is 90% complete.
- South boardwalk deck framing construction progressing. Construction of South boardwalk complete up to Pavilion. Pavilion is currently being built along with ramp to Kayak Launch. Due to the misalignment of the piles on the South Boardwalk from the Pavilion to the end of the walkway, the contractor was directed to remove and replace the piles. North boardwalk (Mulberry Street) complete except for cable railing.
- Water piping for Misters has been installed. Contractor grading around Misters in order to install decking.
- Tot Lot construction 100% complete.

Construction Activities – Next 30 Days

- Install stone subbase and bituminous paving for parking lots – stone subbase on main parking lot approximately 30% complete.
- Construction of south boardwalk deck, pavilion, and kayak launch.
- Installation of lighting on south boardwalk.
- Construction of sidewalks. Contractor was directed to remove and replace the concrete sidewalk and stairs at the south end of the site near the outdoor classroom. The sidewalk and stairs were not built per the plan requirements. Contractor was directed to remove and replace the new sidewalk that was damaged at the radius near the picnic shelter and all of the sidewalk in front of the picnic shelter and the restroom that was also damaged. Contractor advised that they intend to replace all concrete sidewalk and stairs prior to paving.
- Construction of restroom interior finishes and metal roofing.
- Construction of asphalt trails; to date trails have been laid out by Surveyor.
- Construction of pedestal misters and decking.
- Final grading, seeding and landscaping.

Submittals

- None outstanding

Request for Information

- None Outstanding

Request for Proposals

- No requests for proposal have been initiated

Proposals Received

- No proposals received

Change Orders Billed Against Owner's Contingency

- CO #1 – Water Connection Changes (Brunswick County) – \$9,980.00
- CO #2 – Overage on Excavation / Unsuitable Soils – \$9,992.24.
- CO #3 – Drainage revisions (ECS) for North Parking Lot – \$21,333.76
- CO #5 – Restroom Roof Material & Circuit for Grinder Pump - \$9,012.50 (\$3,686.24 toward contingency; \$5,326.26 added to contract)
- CO #6 – 30 LF of Trench Drain - \$3,092.01 added to contract

Change Orders to Contract

- CO #1 – Water Connection Changes (Brunswick County) – 5 Days
- CO #2 – Overage on Excavation / Unsuitable Soils – 5 Days
- CO #3 – Drainage revisions (ECS) for North Parking Lot – 7 Days
- CO #4 – Final Completion Extension to June 13, 2025.
- CO #5 – Restroom Roof Material and Circuit for Grinder Pump - \$5,326.26 added to contract (See Above)
- CO #6 – 30 LF of Trench Drain - \$3092.01 added to contract

Change Orders Rejected

- None pending

General Discussion

- Owner requested to use Pearl Glam Beautyberry plants in lieu of the Autumn Ivory Encore Ivory (AI) plants and Hummingbird Clethra in lieu of the Eleanor Taber Hawthorne (RU) plants shown on the Landscape Plan (C-110). The plant counts would remain the same. Contractor advised this will be done at no additional cost and/or not impact to the schedule.
- BEMC's contractor while installing lighting conduit in the north parking lot damaged the last section of the underdrain that was installed along the east side of the lot. Contractor will repair drain and have ECS approve repair.

Contractor Action Items

- Finalize all outstanding submittals.
- Replace damaged sidewalk and concrete stairs near Outdoor Classroom, in front of picnic shelter and restroom.
- Submit Change Order No. 7 for boardwalk lighting revision.
- Contractor was directed to inspect all silt fence and fix the unstable sections.

Engineer and Subcontractor Action Items

- McGill continues to review documents from the contractor as they arrive.

Owner Action Items

- Finalize waterline relocation on Mulberry Street including site service relocation.

Material Stored on Site

- Misters
 - Delivered onsite by freight and wrapped in shrink wrap.

Engineer's Observations

- Contractor is actively working on all project components.
- Contractor is maintaining all erosion control measures.
- Schedule for substantial completion was 5/29/25 and it was not met, which will result in liquidated damages of \$500/day until such a time that substantial completion is achieved. As of this date contractor is 90 days past the substantial completion date. Final completion was scheduled for 6/13/25 and it was not met, which will result in liquidated damages of \$500/day until such a time that final completion is achieved. As of this date contractor is 75 days past the final completion date.

Next Monthly Job Report:

- September, 2025

End of Monthly Job Report



Cinderella Partners Inc		Start Date
Proposed Construction Schedule for		
Price Landing Park		Project Duration
prepared for McGill Associates, PA.		

[illegible]

MEMORANDUM FOR: BOARD OF ALDERMEN
MEMORANDUM FROM: WALTER ECCARD
SUBJECT: AUGUST REPORT

During August I worked on the following matters;

1. Arranged and attended meeting between Brunswick County mayors and the Fire Chiefs to hear their proposal on how fire financing should be restructured. A copy of their presentation is attached. The mayors of the 8 municipalities presented a list of principles that would guide discussions with the County. A copy of those principles also is attached. I also have had a series of discussions with Brunswick County Manager Steve Stone. Based on those discussions, I anticipate the County will meet with the Town within the next few weeks to discuss the County's initial thoughts on their financing plans.
2. Met with Town officials to discuss delays in the Price Landing project. Reviewed various communications with Bonding Company and McGill. Visited construction site several times
3. Met with staff to discuss the Kayak project. Mimi will update the Board on this project.
4. Participated in interview of attorney to represent Shallotte with the Construction Manager at Risk and Construction contracts.
5. Met with DOT, GSATS and Chad Kimes to discuss the traffic signal system.

Aug 20 2025
2:35P

Pamela H. Gordon
9129 Landing Drive SW #2
Calabash, NC 28467

August 8, 2025

Dear Sir Mayor:

Please find enclosed is a Proclamation from the Lord Craven Chapter of the National Society Colonial Dames XVII Century. We would like for you to proclaim October 2025 as Colonial Heritage Month to honor those first settlers that lived in this area.

It is our wish and purpose to promote the legacy of these early settlers that lead to the United States of America.

Sincerely,



Pamela H. Gordon

Colonial Heritage Committee

Enclosure

PROCLAMATION

WHEREAS, the Lord Craven Chapter of the National Society Colonial Dames XVII Century of North Carolina is locally sponsoring National Colonial Heritage Month during the month of October 2025 ; and

WHEREAS, National Colonial Heritage Month recalls the first courageous settlers who arrived in America and who influenced much of the direction and formation of our country; and

WHEREAS, the members of this Society, by virtue of their lineal descent from those early arrivals, feel an obligation to work for the preservation of the priceless legacy that these early arrivals left to all American citizens; and

WHEREAS, they continue to convey the true meaning of the inheritance by reminding us that our privilege to live in a free country has stemmed from “loving our country, obeying its laws, respecting its flag and defending it against all enemies”.

NOW THEREFORE, I, Walt Eccard, BY VIRTUE OF THE AUTHORITY VESTED IN ME AS MAYOR OF THE TOWN of Shallotte IN THE STATE OF NORTH CAROLINA DO HEREBY PROCLAIM

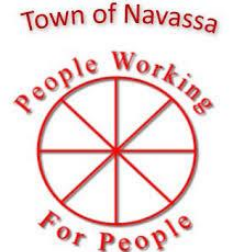
THE MONTH OF OCTOBER 2025 AS COLONIAL HERITAGE MONTH

in the TOWN of Shallotte encourage all Citizens of the TOWN of Shallotte to observe this month as a means of reinforcing the priceless legacy that we inherit from our citizenship, in order to help preserve our rich culture and heritage with deep respect for the principles upon which our great country was founded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the TOWN of Shallotte to be affixed this the day_____ of October 2025.



BRUNSWICK COUNTY FIRE SERVICE FUNDING



PRESENTED BY:
Brunswick County Fire Chiefs





Chief Charles Drew

- **Southport Fire Department**
 - 34 years in the fire service (volunteer and career)
 - Volunteer Ranks Held: Firefighter, Lieutenant, Captain, Fire Chief
 - Full-time fire chief since 2015
- **33 years employed with the City of Southport**
 - Code Enforcement/Fire Inspector/Fire Chief
- **NC State Certified**
 - Firefighter 2, Haz Mat, EVD, Technical Rescuer
 - Fire Officer 2
 - Fire Instructor 2
 - Emergency Medical Technician
 - Level 3 Fire Inspector
 - Level 1 Building Inspector
- **Board of Trustee with Doshier Memorial Hospital**



Chief Keith McGee

- **Calabash Fire Department**

- 38 years in the fire service (volunteer and career)
- Professional career
 - 23+ years with the Rocky Mount Fire Department
 - Firefighter, Fire Captain, Battalion Chief, Division Chief of Operations
 - 7+ years as the Fire Chief for the Apex Fire Department (Wake County, NC)
 - 3+ years as the Fire Chief of the Calabash Fire Department
- Bachelor of Science Degree - Management
- National Fire Academy Executive Fire Officer Program graduate
- Chief Fire Officer Designee
- Certified Fire Inspector
- Peer Assessor for the Center for Public Safety Excellence
- Multiple Professional Certifications and Credentials



BRUNSWICK COUNTY FIRE DEPARTMENTS





Brunswick County Fire Departments

MUNICIPAL

- **Bald Head Island** (stand alone)
- **Leland**
- **Oak Island** (fire tax implemented)
- **Ocean Isle Beach**
- **Shallotte**
- **Southport**
- **Sunset Beach**

NON-PROFIT

- Boiling Spring Lakes VFD
- Bolivia FD
- Calabash FD
- Civietown FD
- Grissettown-Longwood FD
- Navassa FD
- Northwest FD
- St. James
- Shallotte Point FD
- Sunset Harbor / Zion Hill FD
- Supply FD
- Tri-Beach FD
- Waccamaw FD
- Winnabow FD



Towns Covered by Non-Profit FD

- **Calabash Fire Department**
 - Town of Calabash
 - Town of Carolina Shores
- **Boiling Spring Lakes Fire Dept.**
 - Town of Boiling Spring Lakes
- **Bolivia Fire Department**
 - Town of Bolivia
- **Navassa Fire Department**
 - Town of Navassa
- **Northwest Fire Department**
 - City of Northwest
 - Town of Sandy Creek
- **Tri-Beach Fire Department**
 - Town of Holden Beach
 - Town of Varnamtown



Towns Covered by Municipal FD

- **Leland Fire Department**
 - Town of Belville
- **Southport Fire Department**
 - Town of Caswell Beach

THE “WHY”



Board of Commissioners Meeting

October 21, 2024

Administrative Report from County Manager Stone

“The current fire fee system in the County has reached a point of diminishing returns and is both an administrative nightmare and an inadequate source of funding for many of our fire departments. I recommend that the County immediately pursue a fire tax plan for the unincorporated areas of the County and negotiate with our municipal fire partners to develop a funding mechanism that meets their needs. Statutory authority for a fire tax already exists, so no local legislation would be required. Portions of the fire service are significantly underfunded at present, but a tax that would adequately address fire system needs is likely well within the allowable fire tax rate cap.”



Background Information

• Fire Fees

- Current process that assigns an annual cost based upon heated square footage or acreage for non-improved land.
 - To our knowledge, the only other county in NC that utilizes fire fees is Gates County.
- The value of real property is not a factor when determining the amount of fire fees that is owed by the property owner.
- Most non-profit fire departments throughout the county aren't staffed at a level that supports appropriate staffing levels.



Fire Fees Billed in July of 2025

FIRE DISTRICT	AMOUNT BILLED	FIRE DISTRICT	AMOUNT BILLED
St. James	\$ 112,145	Winnabow	\$1,105,305
Bolivia	\$ 406,830	Shallotte	\$1,171,980
Waccamaw	\$ 414,800	Northwest	\$1,193,520
Navassa	\$ 432,170	Supply	\$1,266,660
Civietown	\$ 735,180	Ocean Isle Beach	\$1,812,840
Shallotte Point	\$ 749,295	Southport	\$1,944,345
Grissettown-Longwood	\$ 810,200	Tri-Beach	\$2,253,817
Boiling Spring Lakes	\$ 940,540	Sunset Beach	\$2,504,940
Sunset Harbor/Zion Hill	\$1,019,870	Calabash	\$3,156,830
		Leland	\$6,185,795



AVAILABLE FUNDING OPTIONS

- **FIRE FEES**

- Continuation of current funding model
- Would require legislative action to raise the cap on the fees in order to address the underfunding issue
- Personnel property (i.e., vehicles) is not included.

- **Rural Fire Protection Districts**

- Requires public vote
- Caps tax rate at 10¢ per \$100 of valuation
- Can be raised to a max of 15¢ per \$100 if approved by voters

- **County General Fund**

- The County could use property tax proceeds and fund the fire service through that model



AVAILABLE FUNDING OPTIONS

- **SERVICE DISTRICT (§153a-302)**
 - A service district in North Carolina is a defined area within a county established to finance, provide, or maintain specific services, facilities or functions beyond what is provided countywide. These districts are governed by the county board of commissioners and can include fire protection, ambulance, and rescue services.
 - It is apparent that this funding option is the preferred option by county staff.
 - Personal property is included in the tax calculations.
 - The county has three options for service district formation:
 - A single service (fire) tax district
 - Regional service (fire) tax districts
 - Individual service (fire) tax districts



SERVICE DISTRICTS

- Established by the county board of commissioners without requiring petitions or voter referendums.
- A county board of commissioners may create one or more fire service districts.
- The board must find (1) that there is a demonstrable need for providing one or more services in the district, (2) that it is impossible or impracticable to provide the services on a countywide basis, (3) that it is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies, and (4) that there is a demonstrable demand for the proposed services by persons residing in the proposed district.
- The board must make statutory findings, hold a public hearing, and prepare a report detailing the district's boundaries and service plans.
- After the public hearing, the county board may adopt a resolution establishing the district



SERVICE DISTRICTS

- The board must make statutory findings, hold a public hearing, and prepare a report detailing the district's boundaries and service plans.
- After the public hearing, the county board may adopt a resolution establishing the district.
- The resolution must take effect at the beginning of a fiscal year.

SERVICE DISTRICTS

- The county may levy a property tax within the district(s) to fund services.
- There is no specific maximum tax rate, but the combined district and county tax rates cannot exceed \$1.50 per \$100 valuation unless approved by voters.



SERVICE DISTRICTS

- *If within ninety days before holding the public hearing on the proposed district (and before the first publication of notice of the public hearing) the board of commissioners adopts a resolution that states that property taxes within the fire protection service district may not exceed \$0.15 per \$100 valuation, then the yearly service district tax may not exceed this maximum rate.*
- Revenue generated from the service district tax is specifically earmarked to finance the fire or rescue services to be provided in the district.
- Service district tax proceeds may not be diverted to any other purpose, even if a service district is abolished.
- In addition to the service district tax revenue, a county may allocate to a service district any other unrestricted revenues.



SERVICE DISTRICT OPTIONS

- **Single County Fire Service District**

- Creation of a single county fire service district that encompasses the entire unincorporated area of the county.
- Under this approach, the county levies a single tax rate across the entire service district and allocates the proceeds among the various fire and rescue departments that service each response zone according to their individual budgetary needs.

SERVICE DISTRICT OPTIONS

- **Regional County Fire Service Districts**
 - Creation of two or more fire service districts based on geography.
 - Under this approach, the county levies a tax rate across the entire region that defines the service district and allocates the proceeds among the various fire and rescue departments that service each response zone within each region according to their individual budgetary needs.

SERVICE DISTRICT OPTIONS

- **Individual County Fire Service Districts**
 - Each response agency would have their own fire service district, like the current fire fee system.
 - Under this approach, the county levies a tax rate across each individual district allocates the proceeds among the fire and rescue department that services that response zone according to their individual budgetary needs.



FIRE CHIEF'S MEETING

- **Meeting held on Wednesday, July 30th**
- **All potentially affected departments, except Boiling Spring Lakes, were represented during the meeting.**
 - Bald Head Island, Sunny Point, and Oak Island will not be affected to our knowledge
- **Discussion mainly centered around transitioning from a fee system to a tax system.**



Fire Chief Discussion Recap

- Fire chiefs discussed current fee system and the shortcomings.
- There are several departments that are underfunded.
- Municipal fire departments require additional funds from their municipality to supplement fire fee revenue.
- The county manager and staff desire to have a fire service tax in lieu of the fire fee system and the less districts the better.
- All three options for service tax districts were discussed at length.



Fire Chief Discussion Recap

- **General Concerns**

- Currently unaware of an appropriate governmental structure existing within the county to fairly and justly oversee a single fire service tax district.
- We would anticipate that municipalities with their own fire department would “opt out” causing:
 - The property valuation used to set the tax rate would be reduced by more than half, which would cause a significant increase in the tax rate across the unincorporated county.
 - Towns would negotiate with the county on the tax rate they need to cover the unincorporated areas within their district.
 - What would municipalities that are protected by a non-profit department do?



Brunswick County Fire Chief's Concern

Board of Commissioners Meeting

July 21st

Administration Report



Brunswick County Board of
Commissioners
ACTION AGENDA ITEM
July 21, 2025

From:

Steve Stone, COUNTY MANAGER

Action Item# VIII2

(Steve Stone) Fire Service Funding Planning Schedule

Issue/Action Requested:

Request that the Board receive information about the planned schedule for development of a fire fee to fire tax transition plan.

Background/Purpose of Request:

The Board requested that we provide a schedule for the planning phase of the potential transition of funding the fire service from the current fee system to a tax system. A brief summary of key milestones and projected timeframes follows:

Complete staff review and analysis of the tax rates needed to adequately fund the fire service in each of the current fire districts, as well as the rate needed to adequately fund a theoretical single unincorporated county fire district. The target completion date is August 29, 2025.

Complete discussions with the Fire Chief's Association and municipalities that fund the fire service with regard to possible consolidation or reconfiguration of fire service district boundaries. The target completion date is October 17, 2025.

Present draft district alignment and tax rate alternatives to the Board of Commissioners. The target date is November 17, 2025.

Present final recommendations to the Board of Commissioners. The target date is January 20, 2026.



Brunswick County Fire Chief's Concern

July 21st

Board of Commissioners Meeting

Administration Report

Complete staff review and analysis of the tax rates needed to adequately fund the fire service in each of the current fire districts, as well as the rate needed to adequately fund a theoretical single unincorporated county fire district. The target completion date is August 29, 2025.



Brunswick County Fire Chief's Concern

July 21st

Board of Commissioners Meeting

Administration Report

Complete staff review and analysis of the tax rates needed to adequately fund the fire service in each of the current fire districts, as well as the rate needed to adequately fund a theoretical single unincorporated county fire district. The target completion date is August 29, 2025.

- How is adequate defined if there is no standard level of service published?
- Has any member of the “staff” been responsible for creating and managing a fire department budget?
- How will funding and tax rate decisions be made without a guidance document outlining expectations?
- The fire departments requested the county provide a data analyst for the fire departments to report travel time performance, but that position wasn't funded.



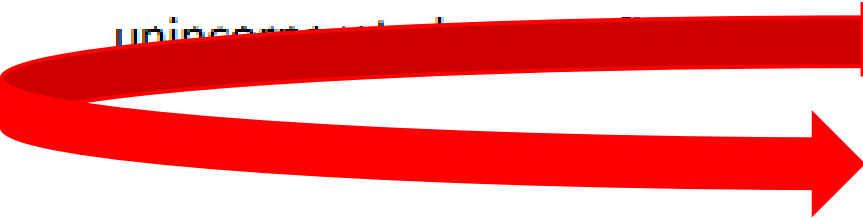
Brunswick County Fire Chief's Concern

July 21st

Board of Commissioners Meeting

Administration Report

Complete staff review and analysis of the tax rates needed to adequately fund the fire service in each of the current fire districts, as well as the rate needed to adequately fund a theoretical single
unincorporated area. The target completion date is August 29, 2025.

- 
- The target date is 14-days away and up to this point; no formal discussions have been held with any fire department to our knowledge.



Brunswick County Fire Chief's Concern

July 21st

Board of Commissioners Meeting

Administration Report

Present draft district alignment and tax rate alternatives to the Board of Commissioners. The target date is November 17, 2025.

Present final recommendations to the Board of Commissioners. The target date is January 20, 2026.

- Will there be a point in this process where the fire chiefs and municipalities will have a formal opportunity for dialogue with the county before the recommendation is made by county administration?
- Since there was no mention of this going to the voters, it appears that the county is not pursuing a rural fire protection system.

PROPERTY VALUES

Section VI, Item 8.





Approximate Property Values

- **Total Property Valuation for Municipalities with their own FD**
 - \$28,458,258,157
- **Total Property Valuation for Non-Profit Fire Districts**
 - \$14,592,516,115
- ***Total Property Valuation for Towns Protected by Non-Profit FD***
 - \$ 7,097,336,552
- ***Total Property Valuation for Unincorporated County Areas***
 - \$ 7,495,179,563



Fire Chief Consensus Recommendation

- **In the end, the county fire chiefs unanimously voted by a show of hands to support the following:**
 - **Individual Fire Service Tax Districts**
 - + Current Fire Fee Committees could transition to Fire Tax Rate Committees to oversee fire tax rates in each district.
 - + Departments would have to submit a budget to their Fire Tax Rate Committee to receive support for any recommended action or inaction concerning their service tax rate.
 - + Fire Tax Rate Committee Chairperson would bring the recommended rate to the County Board of Commissioners for approval at the appropriate time.
 - + Provides departments with autonomy while receiving increased oversight.
 - More rural departments will likely have a high tax rate if their revenue shortfalls aren't addressed through some type of supplemental funding arrangement.
 - There currently is no established county-wide performance standard on which to evaluate departmental operations used to justify future budget requests.



Estimated Fire Service District Tax Rates

Fire District	Fire Tax Rate	Fire District	Fire Tax Rate
Leland Fire	\$0.1210	Grissettown-Longwood Fire	\$0.0928
Ocean Isle Beach Fire	\$0.0551	Navassa Fire	\$0.0664
Shallotte Fire	\$0.1649	Northwest Fire	\$0.0794
Southport Fire	\$0.0949	Shallotte Point Fire	\$0.0818
Sunset Beach Fire	\$0.0772	Sunset Harbor / Zion Hill Fire	\$0.0825
St. James Fire	\$0.0415	Supply Fire	\$0.0868
Boiling Spring Lakes Fire	\$0.0897	Tri-Beach Fire	\$0.0540
Bolivia Fire	\$0.1095	Waccamaw Fire	\$0.1243
Calabash Fire	\$0.0809	Winnabow Fire	\$0.0894
Civietown Fire	\$0.1140		

IMPORTANT

Please use for illustration purposes only. Final tax rates would be factored on definitive property values.

Tax rate for municipal fire departments attempts to account for general fund revenue used to supplement fire department operations.

These rates estimate a revenue neutral rate for each district and do not address any additional funding needs throughout the county fire services.



Fire Chief Consensus Recommendation

- **In addition to the recommendation for individual fire service tax districts the group recognized that additional funding will be needed to support the departments that serve rural districts.**
- **We discussed seeking a funding source that would generate proceeds that departments in need could draw from based on a competitive application process, like a grant program.**
 - This money would not be used for recurring expenses (i.e., personnel).
 - Funding needs would be required to be justified.
 - Departments in greatest demonstrated need would have a competitive advantage.
- **Source for these funds could potentially be:**
 - Possibly implement a county-wide \$0.0025 (1/4¢) sales tax
 - Add an additional \$0.01 to all individual districts to generate funds
 - Possibly tap into the accommodations tax



Conclusion

- Thank you for the invitation to present our thoughts!
- We want to secure a “seat at the table” as these funding discussions, that directly affect every fire department, continue.
- We want this to be a cooperative process and not an adversarial one.

REVISED GUIDING PRINCIPLES OF MUNICIPALITIES ON
CHANGES TO FINANCING FIRE SERVICES IN BRUNSWICK
COUNTY

1. No taxes of citizens of a municipality should be used for any other fire department.
2. Municipalities should not receive less money than they currently receive for fire services
3. If municipalities are responsible for providing fire services outside municipal boundaries, the County must consult with the municipality to determine the impacts and costs on fire delivery services prior to approving any projects in areas outside the municipality's boundaries. To date the consultation with municipalities has been suboptimal. Set forth below are examples of the consequences of such inadequate consultations.
4. With any developments outside a municipality's boundary, the County, and not the municipality, is responsible for the increased fire delivery costs (e.g. fire equipment or substations).
5. We support the County studying ways to reduce the costs of purchasing fire equipment.
6. Any plan developed by the County should increase funds currently received by municipalities and mitigate, to the extent possible, increased tax burdens on Brunswick County taxpayers.

SHALLOTTE BOARD OF ALDERMEN

REGULAR MEETING

August 5, 2025

5:15 P.M.

The Shallotte Board of Aldermen met for a regular meeting on August 5, 2025 at 5:15 p.m. in the meeting chambers located at 110 Cheers Street with Mayor Walt Eccard presiding.

Aldermen present: Larry Harrelson, Gene Vasile, Jimmy Bellamy, Bobby Williamson and Karmen Custer (5:25)

Staff present: Mimi Gaither, Robert Waring, Brandon Eaton, Natalie Goins, Isaac Norris, Adam Stanley, Paul Dunwell, Dan Formyduval and Attorney Laura Thompson (5:27).

- I. **CALL TO ORDER**
Mayor Eccard called the meeting to order. A motion was made by Jimmy Bellamy seconded by Gene Vasile to open the meeting. Motion carried 4 yes 0 no.
- II. **INVOCATION & PLEDGE**
Alderman Bobby Williamson gave the Invocation followed by the Board and audience reciting the Pledge of Allegiance.
- III. **CONFLICT OF INTEREST**
Mayor Eccard asked if any member of the Board had a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda. None stated.
- IV. **AGENDA AMENDMENTS & APPROVAL OF AGENDA**
A motion was made by Bobby Williamson seconded by Gene Vasile to make the following amendments and approve the amended agenda:

VI. Department Reports - 4. Public Utilities – **Table** 2. Meadows Sewer Dedication for further legal review.

Motion carried 4 yes 0 no.
- V. **PUBLIC COMMENTS**
- VI. **DEPARTMENT REPORTS**

1. Police
1. Promotions
A. Lieutenant – Jeremy Ferguson
Jeremy Ferguson received the Oath of Offices as he was sworn in as Lieutenant for the Town of Shallotte Police Department.

B. Sergeant – John Parkins

John Parkins received the Oath of Offices as he was sworn in as Sergeant for the Town of Shallotte Police Department.

2. Fire

3. Planning

4. Public Utilities

1. Requests for Sewer Adjustment

A. Tee Time Café

B. Cardinal Point

A motion was made by Larry Harrelson seconded by Gene Vasile to approve the requested sewer bill adjustments for Tee Time Café and Cardinal Point. Motion carried 5 yes 0 no.

2. Meadows Sewer Dedication: Phases 1A, 1B, 2 (Resolution 25-07) **TABLED**

3. Sewer Allocation Request

It was the consensus of the Board for Director of Public Services Dan Formyduval to participate in allocation discussions with the County and bring information back to the Board for consideration.

5. Finance

6. Media & Events

7. Administration

1. Personnel Policy

The Board was provided with copies of revised personnel policies for their review and were requested specifically to provide guidance on two sections: adverse weather and emergency or disaster compensation. This item will potentially be brought back before the Board at either the August work session or regular September meeting.

8. Mayors Monthly Activities

Mayor Eccard clarified that an incorrect monthly report had been submitted, and assured the Board that the accurate report would be distributed the following day.

VII. CONSENT AGENDA

A motion was made by Karmen Custer seconded by Gene Vasile to approve the following consent agenda items:

A. June 26, 2025 Budget Public Hearing Minutes

B. July 1, 2025 Regular Meeting Minutes

C. Budget Adjustment: BA 25-26-1: \$89,376.92

D. Direct the Clerk to “Investigate the Sufficiency Thereof and to Certify the Result of the Investigation” for the Following Annexation Request:

Annexation Petition: ANX 25-14

Parcel ID's: 1820005101 & 18200051

Oakland Plantation, Inc.

2.24 Acres +/-

- E. Direct the Clerk to “Investigate the Sufficiency Thereof and to Certify the Result of the Investigation” for the Following Annexation Request:
Annexation Petition: ANX 25-22
Parcel ID: 2132B00101
Blum Investment Group Golf, LLC
3.10 Acres +/-
- F. Direct the Clerk to “Investigate the Sufficiency Thereof and to Certify the Result of the Investigation” for the Following Annexation Request:
Annexation Petition: ANX 25-21
Parcel ID: 2290003505
Aubrey and Amanda Faatz
22.34 Acres +/-

Motion carried 5 yes 0 no.

VIII. PUBLIC HEARINGS

Planning Director Robert Waring prefaced the public hearings by explaining their common thread - moving away from special use permits toward conditional zoning and permitted by-right projects.

1. **TXT 25-18 (SUP to CZ Phase 1)**

- 1. A motion was made by Gene Vasile seconded by Larry Harrelson to open the Public Hearing.
Motion carried 5 yes 0 no.
Town Planner Brandon Eaton explained the proposed changes, including breaking multifamily into minor (79 or fewer units) and major (80+ units) categories. Minor multifamily in already-zoned multifamily areas would receive administrative approval.
- 2. Public Comments/Questions
- 3. A motion was made by Gene Vasile seconded by Bobby Williamson to close the public hearing.
Motion carried 5 yes 0 no.
- 4. Board Comments-Questions
Alderman Gene Vasile expressed concerns with developers circumventing the major project designation by staging adjacent minor developments. Alderman Larry Harrelson agreed, worrying that developers may use subsequent land purchases to piggyback projects. Following discussion, the Board reached consensus to have staff draft safeguards against circumventing the major project designation through phasing or adjacent development. Robert Waring confirmed this would require returning to planning board and re-advertising the public hearing.
No action was taken.

2. **TXT 25-20 Multi-Family Supplemental Standards**

- 1. A motion was made by Gene Vasile seconded by Karmen Custer to open the public hearing.
Motion carried 5 yes 0 no.
Planning Director Robert Waring explained this update to multifamily development standards to include: same sidewalk standards for multifamily as single-family subdivisions (5-foot on both sides or 8-foot on one), increased access requirements for 80+ unit developments, 30-foot minimum setback from single-family residential properties, radio frequency considerations per fire department requirements, and open space standards.
- 2. Public Comments/Questions
- 3. A motion was made by Jimmy Bellamy seconded by Karmen Custer to close the public hearing. Motion carried 5 yes 0 no.

4. Board Comments-Questions
5. A motion was made by Karmen Custer seconded by Gene Vasile to approve the Board of Aldermen Statement of Consistency. Motion carried 5 yes 0 no.
6. A motion was made by Bobby Williamson seconded by Gene Vasile to approve Ordinance 25-20 amending the Town of Shallotte Unified Development Ordinance, specifically Article 10, Section 10-2 (H). Motion carried 5 yes 0 no.

3. TXT 25-17 (Pervious Parking Area)

1. A motion was made by Jimmy Bellamy seconded by Karmen Custer to open the public hearing. Motion carried 5 yes 0 no.
Town Planner Brandon Eaton explained this amendment would allow certain zoning districts with 20 or fewer parking spaces to use pervious surfacing materials. Robert Waring added staff wanted to limit it to CB and industrial zones, keeping it to the rear of properties.
2. Public Comments/Questions
3. A motion was made by Larry Harrelson seconded by Gene Vasile to close the public hearing. Motion carried 5 yes 0 no.
4. Board Comments-Questions
5. A motion was made by Jimmy Bellamy seconded by Bobby Williamson to approve the Board of Aldermen Statement of Consistency. Motion carried 5 yes 0 no.
6. A motion was made by Larry Harrelson seconded by Bobby Williamson to approve Ordinance 25-17 amending the Town of Shallotte Unified Development Ordinance, specifically Article 20, Section 20-3, Article 20, Section 20-7, and Article 20, Section 20-8. Motion carried 5 yes 0 no.

4. TXT 25-19 Planned Unit Development Minimum Size Requirements

1. A motion was made by Gene Vasile seconded by Larry Harrelson to open the public hearing. Motion carried 5 yes 0 no.
Planning Director Robert Waring explained the proposed amendment would lower the minimum acreage from 25 to 20 acres to make more thorough use of the PUD zone.
2. Public Comments/Questions
3. A motion was made by Bobby Williamson seconded by Gene Vasile to close the public hearing. Motion carried 5 yes 0 no.
4. Board Comments-Questions
5. A motion was made by Larry Harrelson seconded by Karmen Custer to approve the Board of Aldermen Statement of Consistency. Motion carried 5 yes 0 no.
6. A motion was made by Gene Vasile seconded by Karmen Custer to approve Ordinance 25-19 amending the Town of Shallotte Unified Development Ordinance, specifically Article 16, Section 16-2. Motion carried 5 yes 0 no.

IX. DISCUSSION

X. ADJOURN

A motion was made by Jimmy Bellamy seconded by Gene Vasile to adjourn at 6:54 p.m. Motion carried 5 yes 0 no.

Respectfully submitted,

Natalie Goins
Town Clerk

DRAFT



TOWN OF SHALLOTTE

Post Office Box 2287 • Shallotte, North Carolina 28459
Telephone: (910) 754-4032 • Facsimile: (910) 754-2740

To: Board of Aldermen

From: Isaac Norris, Jr., CPA, Finance Director

Subject: BA-25-26-2

Date: 8/12/2025

BA-25-26-2 The Town needs to budget for the mulch that was put down at Mulberry Park. This expenditure was budgeted for last year but the work was delayed and not done until July 25.

Account #				
10-5700-4000	Mulberry Park	\$	36,550.00	
10-3975-0000	Appropriated Fund Balance		-	36,550.00
		\$	36,550.00	\$ 36,550.00



TOWN OF SHALLOTTE

Post Office Box 2287 • Shallotte, North Carolina 28459
Telephone: (910) 754-4032 • Facsimile: (910) 754-2740

To: Board of Aldermen

From: Isaac Norris, Jr., CPA, Finance Director

Subject: BA-25-26-3

Date: 8/20/2025

BA-25-26-3 The Town needs to budget for the Vision Infrastructure contract costs that was approved by the board. This costs will hopefully be reimbursed by the Part F grant proceeds that will be received in the future.

Account #				
10-4200-9505	Transfer to Mulberry Cap Project	\$	138,300.00	
10-3975-0000	Appropriated Fund Balance		-	138,300.00
		\$	138,300.00	\$ 138,300.00

Prepared by:

Michael R. Ganley, Attorney
Bagwell Holt Smith P.A.
111 Cloister Court, Ste. 200
Chapel Hill, NC 27514

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

DEED OF DEDICATION

THIS DEED, made and entered into this 20th day of May, 2025, by and between **DR HORTON, INC.**, a Delaware corporation, 4049 Belle Terre Blvd., Myrtle Beach, SC 29579, party of the first part, hereinafter referred to as "Developer", Grantor and **TOWN OF SHALLOTTE**, a governmental entity created and existing under the laws of the State of North Carolina, party of the second part, hereinafter referred to as Grantee;

WITNESSETH:

That whereas Developer is the owner and developer of a tract or parcel located in Shallotte Township, Brunswick County, North Carolina, known as:

- (a) The Meadows at Wildwood Village, Lots 101 through 127, Phase 1A, as shown on a survey plat dated May 18th, 2022 entitled "Subdivision Plat of Phase 1A The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 144 at Page 30, Brunswick County Registry;
- (b) The Meadows at Wildwood Village, Lots 116 through 122 and Lots 135 through 150, Phase 1B, as shown on a survey plat dated May 18th, 2022 entitled "Subdivision Plat of Phase 1B The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 144 at Page 33, Brunswick County Registry; and
- (c) The Meadows at Wildwood Village, Lots 201 through 265, Phase 2, as shown on a survey plat dated May 18th, 2022 entitled "Subdivision Plat of Phase 2 The Meadows at Wildwood

Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 146 at Page 27, Brunswick County Registry;

And whereas Developer has caused to be installed sewer service lines and related equipment under and along the road rights-of-way hereinafter described and referenced;

And whereas Developer wishes to obtain sewer services from Grantee for "The Meadows at Wildwood Village, Lots 101 through 127, Phase 1A;"; The Meadows at Wildwood Village, Lots 116 through 122 and Lots 135 through 150, Phase 1B," and "The Meadows at Wildwood Village, Lots 201 through 265, Phase 2", and to make such services from Grantee's systems available to the individual lot owners of said subdivision in said Phase thereof;

And whereas Grantee has adopted through appropriate resolution stated policy regarding subdivision sewer collection systems under the terms of which, among other things, in order to obtain sewer services for said subdivision Developer must convey title to the sewer service systems to Grantee through an instrument of dedication acceptable to Grantee;

NOW, THEREFORE, Developer, in consideration of Grantee accepting said sewer services and making sewer services available to said subdivision, has conveyed and by these presents does hereby convey to Grantee, its lawful successors and assigns, the following described property:

ITEM ONE

All of the sewer service lines, and related equipment located under, along and within the road, street, and cul-de-sac rights-of-way shown on the plats thereof being more particularly described as follows: "Sewer Record Drawing of Phase 1A The Meadows at Wildwood Village", "Sewer Record Drawing of Phase 1B The Meadows at Wildwood Village", and "Sewer Record Drawing of Phase 2 The Meadows at Wildwood Village", prepared by Gaston Wayne Shelley, Professional Land Surveyor, consisting of one page, copies of which are attached hereto and incorporated herein by reference as Exhibit A.

ITEM TWO

Non-exclusive easements over, along and upon the entire area of the streets and cul- de-sacs depicted on the plat(s) and serving the area referenced in Item One, above, for purposes of entry into the subdivision for maintenance, repair and upkeep of the sewer collection and sewer systems, and for connecting the same to the individual lots developed or to be developed lying adjacent to said streets and cul-de-sacs. Reserving unto Developer, its successors and assigns, equal rights of easement and access over, in, along and upon said streets and cul-de-sacs for purposes of installing and maintaining such other utilities and for such other purposes as may be required for the development and maintenance of said subdivision. The streets and cul-de-sacs are more fully described in survey plats dated May 18th, 2022 entitled "Subdivision Plat of Phase 1A The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 144 at Page 30, Brunswick County Registry; "Subdivision Plat of Phase 1B The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 144 at Page 33, Brunswick County Registry; and "Subdivision Plat of Phase 2 The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 146 at Page 27, Brunswick County Registry.

TO HAVE AND TO HOLD said sewer service lines, related equipment and easements described above, together with the privileges and appurtenances thereto belonging to Grantee forever.

DEVELOPER does hereby covenant that it is seized of said sewer service lines, and related equipment described above in fee simple and has the right to convey the same in fee simple, that the same are free and clear of encumbrances, and that it will warrant and defend the title to the same against all persons whomsoever.

IN WITNESS WHEREOF, the Developer has caused this instrument to be duly executed, the day and year first above written.

D. R. Horton, Inc.
By: [Signature]
Devon K. Lloyd, Division President

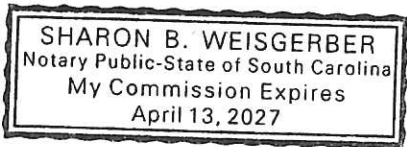
STATE OF SOUTH CAROLINA
COUNTY OF HORRY

I, Sharon B. Weisgerber, a Notary Public of the County and State aforesaid, certify that Devon K. Lloyd, personally came before me this day and acknowledged that he is the Division President of D.R. Horton, Inc., and that she, as Division President being authorized to do so, executed the foregoing on behalf of the corporation. Witness my hand and official seal, this the 20th day of May, 2025.

Sharon B. Weisgerber
Notary Public Signature

Sharon B. Weisgerber
Notary Printed Name

My Commission Expires: April 13, 2027



Prepared by:

Michael R. Ganley, Attorney
Bagwell Holt Smith P.A.
111 Cloister Court, Ste. 200
Chapel Hill, NC 27514

STATE OF NORTH CAROLINA

AFFIDAVIT

COUNTY OF BRUNSWICK

This Affidavit, made and entered into this the 20th day of May, 2025, by D.R. Horton, Inc., a Delaware corporation, 4049 Belle Terre Blvd., Myrtle Beach, SC 29579, hereinafter referred to as Affiant, who, being first duly sworn, hereby deposes and says under oath as follows:

1. That D.R. Horton, Inc. is the owner of certain property located in Shallotte Township, Brunswick County, North Carolina, known as:

- (a) The Meadows at Wildwood Village, Lots 101 through 127, Phase 1A, as shown on a survey plat dated May 18th, 2022 entitled "Subdivision Plat of Phase 1A The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 144 at Page 30, Brunswick County Registry;
- (b) The Meadows at Wildwood Village, Lots 116 through 122 and Lots 135 through 150, Phase 1B, as shown on a survey plat dated May 18th, 2022 entitled "Subdivision Plat of Phase 1B The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 144 at Page 33, Brunswick County Registry; and
- (c) The Meadows at Wildwood Village, Lots 201 through 265, Phase 2, as shown on a survey plat dated May 18th, 2022 entitled "Subdivision Plat of Phase 2 The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 146 at Page 27, Brunswick County Registry.

2. That it has caused to be installed sewer collection lines and related equipment in Phase 1A, Phase 1B and Phase 2 described as follows:

All of the sewer service lines, and related equipment located under, along and within the road, street, and cul-de-sac rights-of-way shown on the plats thereof being more particularly described as follows: "Sewer Record Drawing of Phase 1A The Meadows at Wildwood Village ", prepared by Thomas & Hutton Engineering Co. NCPLS No., consisting of two pages, "Sewer Record Drawing of Phase 1B The Meadows at Wildwood Village ", prepared by Thomas & Hutton Engineering Co. NCPLS No., consisting of three pages, and "Sewer Record Drawing of Phase 2 The Meadows at Wildwood Village ", prepared by Thomas & Hutton Engineering Co. NCPLS No., consisting of three pages, copies of which are attached hereto and incorporated herein by reference as Exhibit A.

3. All the work which has been performed in the construction and installation of said sewer collection lines and related equipment described in paragraph 2, above, has been fully paid for and there are now no liens of any kind including any lien for labor or material against the subdivision property which would in any way jeopardize title of Affiant to the property in said subdivision nor are there any legal actions pending against Affiant or any contractor arising out of any work performed in said subdivision or the sidewalks, sewer lines or related equipment installed therein which would in any way jeopardize title to the subdivision or the sidewalks, sewer lift station, sewer collection lines or related equipment located therein.

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed, the day and year first above written.

IN WITNESS WHEREOF, the Affiant has caused this instrument to be duly executed by its authorized officer(s), this 20th day of May, 2025.

DR Horton, Inc.
By: [Signature]
Devon K. Lloyd, Division President

STATE OF SOUTH CAROLINA
COUNTY OF HORRY COUNTY

Signed and sworn to (or affirmed) before me this day by Devon K. Lloyd.

Date: May 20, 2025

(NOTARY SEAL)



My Commission Expires:

[Signature]
Signature of Notary Public

Sharon B. Weisgerber
Printed or Typed Name of Notary Public



SEWER INDEMNITY AGREEMENT

Section VII, Item D.

This Agreement made this the 20th day of May, 2025 between D.R. Horton, Inc., hereinafter Developer, and the Town of Shallotte, a governmental entity, duly organized under the Constitution and laws of North Carolina, hereinafter Town,

Whereas, the Developer has declared an intention to or has constructed a new sewer system to serve a property generally known as Meadows at Wildwood Village Phases 1A, 1B and 2, and has made provision for the use of this sewer system to supply the current and future needs of its development goals, and it is the intention of the Developer and the Town that the new sewer system will be accepted into the Town's sewer system to serve its customers at or near the subject property area, and

Whereas, the Developer has expressed a desire to have the new sewer system installed in an area that the Developer intends to cover with an impervious material, for uses including, but not limited to, parking, storage, or any other use that would impair the Town's access to the said sewer system in the event of needed repair or other modification of the said system, and

Whereas, the Town wishes not to unduly impede the progress of the Developer in the business of its scheduled construction and development, and to help the Developer meet its sewer needs while supplying quality sewer service to all of its customers,

Therefore, in consideration of the mutual covenants herein, the Town will supply sewer service to Meadows at Wildwood Village Phases 1A, 1B and 2, in exchange for this agreement, whereby the Developer agrees that at all times subsequent to the transfer of this new sewer system by the Developer to, and acceptance by, the Town into the Town's sewer system, this agreement shall continue in force.

The said Developer for so long as it owns, or until the Town has accepted for maintenance as a dedicated public roadway, the area covered with an impervious material which lay above the sewer line, in exchange for the Town's acceptance of the said sewer line being located beneath an impervious material, shall timely make all necessary and prudent repairs to the said impervious surface should said surface be disrupted by the Town due to necessary maintenance activity. All repairs shall conform with the surrounding material such that there shall not be, after any pavement repair, that a hazardous condition exist, or any condition that would result in damage or injury to the said sewer system.

Developer further agrees that upon transfer of title to a third party, it shall include a covenant or other express condition applicable to the grantee, its successors or assigns (including a property owner association which holds title to the property as common area), assigning the obligation to make in a timely manner all necessary and prudent repairs to the said impervious surface under which the sewer line is located. Developer further agrees that the instrument assigning the obligation shall be appropriately filed with the Brunswick County Registry of Deeds. Provided that, in the case of a dedicated public road, Developer will assign said repair obligation by covenant or other instrument, on the grantees, their successors or assigns (including a property owners association), of the development in which said public roads are located.

In witness thereof, the parties hereto have affixed their signatures on the date first entered above.



Devon K. Lloyd, D.R. Horton, Inc.

Town of Shallotte

PROJECT : The Meadows at Wildwood Village Phases 1A, 1B & 2
LOCATION : Shallotte, NC
ESTIMATOR : JHR

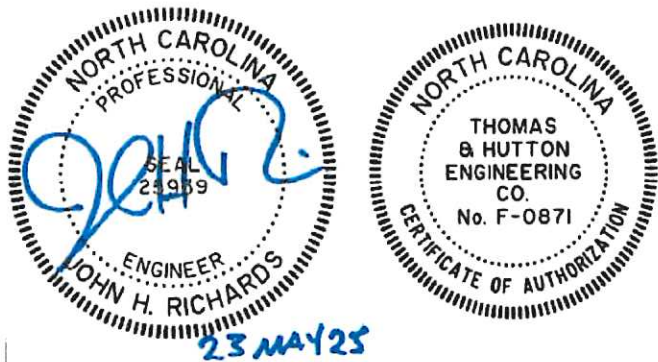


DEDICATED SEWER ASSETS

DATE PREPARED : 5/27/2025	REVISED:
BASIS FOR ESTIMATE	
<input type="checkbox"/> (No design completed-Preliminary Layout)	
<input type="checkbox"/> (Preliminary design)	
<input type="checkbox"/> (Final design)	
<input checked="" type="checkbox"/> (Other)	

DESCRIPTION	QUANTITY		COST	
	NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
Phase 1A Sewer Improvements	1	LS		\$146,538.00
Phase 1B Sewer Improvements	1	LS		\$439,615.00
Phase 2 Sewer Improvements	1	LS		\$286,367.00

DEDICATED SEWER ASSETS \$872,520.00



Date: 5.27.2025

To: Robert Waring, Shallotte Town Planner

From: John H. Richards, PE, Thomas & Hutton

Re: Deed of Dedication Assets – The Meadows at Wildwood Phases 1A, 1B and 2 to the Town of Shallotte

Dear Robert,

We understand that the Town of Shallotte requires a list of assets that are included in the Deed of Dedication for The Meadows at Wildwood Phases 1A, 1B and 2 including their value. The following items identify this list as we understand the request:

Deed of Dedication Assets:

- | | |
|--------------------------|---------------------------------------|
| 1. Phase 1A Sewer System | \$146,538.00 |
| 2. Phase 1B Sewer System | \$439,615.00 (including pump station) |
| 3. Phase 2 Sewer System | \$ 286,367.00 |

Please let me know if you have any questions.

Sincerely,

THOMAS & HUTTON



John H. Richards, P.E.
Project Manager

RESOLUTION NO. 25-07

WHEREAS, DR Horton, Inc. a Delaware corporation, 4049 Belle Terre Blvd., Myrtle Beach, SC 29579, (hereinafter "Developer") is the owner of a tract or parcel the owner of certain property located in Shallotte Township, Brunswick County, North Carolina, known as "The Meadows at Wildwood Village Phase 1A, "The Meadows at Wildwood Village Phase 1B and "The Meadows at Wildwood Village Phase 2" as more particularly shown on a survey plat dated May 18th, 2022 entitled "Subdivision Plat of Phase 1A , Phase 1B and Phase 2 The Meadows at Wildwood Village; and

WHEREAS, Developer has caused to be installed pump station, sewer collection lines and related equipment located within the Town; and

WHEREAS, a Deed of Dedication has been executed by Developer on May 20th, 2025 dedicating to the Town the following described property:

ITEM ONE

All of the sewer service lines, and related equipment located under, along and within the road, street, and cul-de-sac rights-of-way shown on the plats thereof being more particularly described as follows: "Sewer Record Drawing of Phase 1A The Meadows at Wildwood Village", "Sewer Record Drawing of Phase 1B The Meadows at Wildwood Village", and "Sewer Record Drawing of Phase 2 The Meadows at Wildwood Village", prepared by Gaston Wayne Shelley, Professional Land Surveyor, consisting of one page, copies of which are attached hereto and incorporated herein by reference as Exhibit A.

ITEM TWO

Non-exclusive easements over, along and upon the entire area of the streets and cul-de-sacs depicted on the plat(s) and serving the area referenced in Item One, above, for purposes of entry into the subdivision for maintenance, repair and upkeep of the sewer collection and sewer systems, and for connecting the same to the individual lots developed or to be developed lying adjacent to said streets and cul-de-sacs. Reserving unto Developer, its successors and assigns, equal rights of easement and access over, in, along and upon said streets and cul-de-sacs for purposes of installing and maintaining such other utilities and for such other purposes as may be required for the development and maintenance of said subdivision. The streets and cul-de-sacs are more fully described in a survey plat dated May 18th, 2022 entitled "Subdivision Plat of Phase 1A The Meadows at Wildwood Village", prepared by Thomas & Hutton., and recorded in Map Cabinet 144 at Page 30, Brunswick County Registry; "Subdivision Plat of Phase 1B The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 144 at Page 33, Brunswick County Registry; and Subdivision Plat of Phase 2 The Meadows at Wildwood Village", prepared by Thomas & Hutton, and recorded in Map Cabinet 146 at Page 27, Brunswick County Registry.

ITEM THREE

Being all of that tract or 0.21 acre parcel designated as "Pump Station" as more fully described in a survey plat dated May 18, 2022 entitled "Subdivision Plat Phase 18 The Meadows at Wildwood Village" prepared by Wayne Shelley, PLS, Thomas & Hutton, consisting of three (3) pages and recorded in Map Cabinet 144, Pages 33 through 35, Brunswick County Registry.

Said tract or parcel is also known as tax parcel 197IB024 in the tax records of the Brunswick County Tax Department.

WHEREAS, the Town by vote of the Board of Aldermen accepted the dedication from Developer at its September 2, 2025 meeting but hereby adopts this Resolution to ratify its acceptance.

WHEREAS, the acceptance of all of said property would benefit the Town of Shallotte and is in the best interest of the citizens of the Town of Shallotte.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SHALLOTTE as follows:

1. That the Town hereby accepts the conveyance and dedication offered by D.R. Horton Inc. as set forth above.

ADOPTED THIS 2nd DAY OF SEPTEMBER, 2025.

ATTEST:

Walt Eccard, Mayor

Natalie Goins, Town Clerk



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2025

TO: Board of Aldermen

FROM: Brandon Eaton, Planner II

ACTION ITEM #: REZ 25-13
MEETING DATE: 9-2-2025
DATE SUBMITTED: _____

ISSUE/ACTION REQUESTED:

Review rezoning petition REZ #25-13 and supporting documentation and make a final decision.

PUBLIC HEARING: ☒ YES ☐ NO

BACKGROUND/PURPOSE OF REQUEST:

David Summerlin has submitted a petition for rezoning of property located at 117 Al St. (PID # 198AB006) on behalf of David & Ellen Frazee.

The property owner has requested that this parcel be zoned Central Business (CB). The property is currently zoned Residential (R-10).

The site is comprised of one parcel fronting Al Street, containing an existing single-family home and accessory structure.

The Town's Future Land Use Map identifies the area as "Mixed Use".

The proposed zoning is consistent with future land use map.

The surrounding properties are zoned as follows:

North - CB

South - CB

East – R-10

West – CB

The Board may:

Vote to recommend the rezoning as proposed; or

Vote to recommend denying the rezoning as proposed; or

Continue the item until additional information is presented.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES ☒ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES ☒ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES ☒ NO

REVIEWED BY DIRECTOR OF FISCAL OPERATIONS

☐ YES ☒ NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

☐ YES

☒ NO

☐ N/A

ADVISORY BOARD RECOMMENDATION:

Planning Board recommended approval of the map amendment at their August 12, 2025, meeting.

STAFF RECOMMENDATION:

Staff feel that the proposed map amendment is consistent with the FLUM and recommend approval.

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

1. Rezoning Application
2. Area maps
3. Mixed Use Description
4. Table of Permitted Uses
5. Planning Board Statement of Consistency
6. Draft BOA Statement of Consistency

ACTION OF THE BOARD OF ALDERMEN

APPROVED: ☐

ATTEST:

CLERK TO THE BOARD

DENIED: ☐

DEFERRED

UNTIL: _____

SIGNATURE

OTHER:



REZONING PETITION

Official Use Only JUN 06 2025 9:11A	
P&Z #:	_____
Date Rec'd:	_____
Rec'd By:	_____
Amount Paid: \$	_____

Town of Shallotte • PO Box 2287, Shallotte, NC 28459 • 106 Cheers Street, Shallotte, NC 28470 • Phone: (910) 754-4032 • Fax: (910) 754-2740

All petitions for rezoning must be complete and accompanied by the application fee of **\$330.00** (150.00 plus a \$180.00 advertising fee), payable in cash or by check made to the Town of Shallotte. Applicants will also be responsible for any additional advertising costs, which will be billed at a later time. All fees must be paid in full before an application will be submitted for review by the Planning Board or Board of Aldermen. Applicants are responsible for attending all Planning Board and Board of Aldermen meetings where this application will be considered.

A rezoning is a change in the zoning of a tract of land. Rezoning is also known as map amendments and are amendments to the Unified Development Ordinance (UDO). Article 9 of the UDO describes the zoning districts within the Town's zoning jurisdiction. Article 10 identifies which uses are allowable in each zoning district and whether a use is permitted by right or as a conditional use. Article 4 describes the procedures for amending the UDO.

Project Name (if applicable): **117 Al Street**

SECTION 1: APPLICANT INFORMATION

Petitioner Name: **South Brunswick Development c/o David Summerlin**

Mailing Address: **1430 Commonwealth Dr Suite 102 Wilmington, NC 28403**

david.summerlin@scpccommercial.com

Phone: (910) 444-9012

Fax: _____

Email: _____

SECTION 2: PROPERTY OWNER INFORMATION (if different from above)

Owner Name(s): **David & Ellen Frazee**

Mailing Address: **4 WHITTIER DR
ACTON, MA 01720**

Phone: (978) 881-4167

Fax: _____

Email: **dfrazee83@gmail.com**

SECTION 3: PROPERTY INFORMATION

Street Address and/or Description of Location: **117 Al St. Shallotte, NC 28470**

Parcel Tax ID #(s): **198AB006**

Total Site Acres or Square Feet: **.88 Acres**

Current Zoning District(s): **SH-R10**

Proposed Zoning District(s): **SH-CB**

NOTE: If any portion of a proposed zoning district boundary does not follow an existing property line, the petition must include fifteen (15) 24" x 36" maps prepared by a licensed surveyor providing bearings and distances of such zoning district boundaries.

SECTION 4: LAND USE COMPATIBILITY ANALYSIS

Future Land Use Map designation:

Is the proposed zoning consistent with the Land Use Plan? ☒ YES ☐ NO

Please explain why the proposed zoning is or is not consistent with the Land Use Plan and other adopted plans (use additional sheets as necessary):

SECTION 5: STATEMENT OF REASONABLENESS

Please describe why the proposed rezoning is reasonable, including how it is appropriate in relation to its surroundings and how it benefits the town and the neighboring properties (use additional sheets as necessary):

The property immediately adjacent to the subject property is zoned SH-CB and all of the property directly across the street is zoned SH-CB. Therefore, we feel that the highest and best uses for the subject property will be the same as those uses allowed on surrounding properties

SECTION 6: SUPPLEMENTAL INFORMATION REQUIRED

Each rezoning petition use must include:

- ☒ An application fee of \$330.00 in cash or check made payable to the Town of Shallotte.
- ☐ If any portion of a proposed zoning district boundary does not follow an existing property line, the petition must include three (3) paper maps and one (1) digital copy (PDF, CAD, or GIS file) prepared by a licensed surveyor providing bearings and distances of such zoning district boundaries.
- ☒ A notarized letter of authorization, if acting as the agent for the property owner(s).

SECTION 7: APPLICANT/OWNER SIGNATURE

In filing this Rezoning Petition, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

*David Frazee*dotloop verified
05/28/25 7:55 AM EDT
JZG4-BAV9-SCQ5-8IYK*David Summerlin*dotloop verified
05/27/25 7:46 PM EDT
CNDX-ZX7Q-EZSY-OKAK

Signature

*Ellen Frazee*dotloop verified
05/28/25 8:04 AM EDT
VGG9-MCJX-Q7OA-6YYS

Date: _____

Official Use Only

Planning Board Hearing Date: _____ Recommendation: _____ Staff: _____

Board of Aldermen Hearing Date: _____ Action: _____ Staff: _____

Dear Town of Shallotte Staff & Board Members,

We do fully authorize David Summerlin with South Brunswick Development LLC to represent us as we pursue the rezoning of our property at 117 Al Street in Shallotte. He will act on our behalf and all communication regarding this matter can be made through David Summerlin. Thank you for your understanding and we look forward to working through this process.

Sincerely,

David Frazee

Ellen Frazee

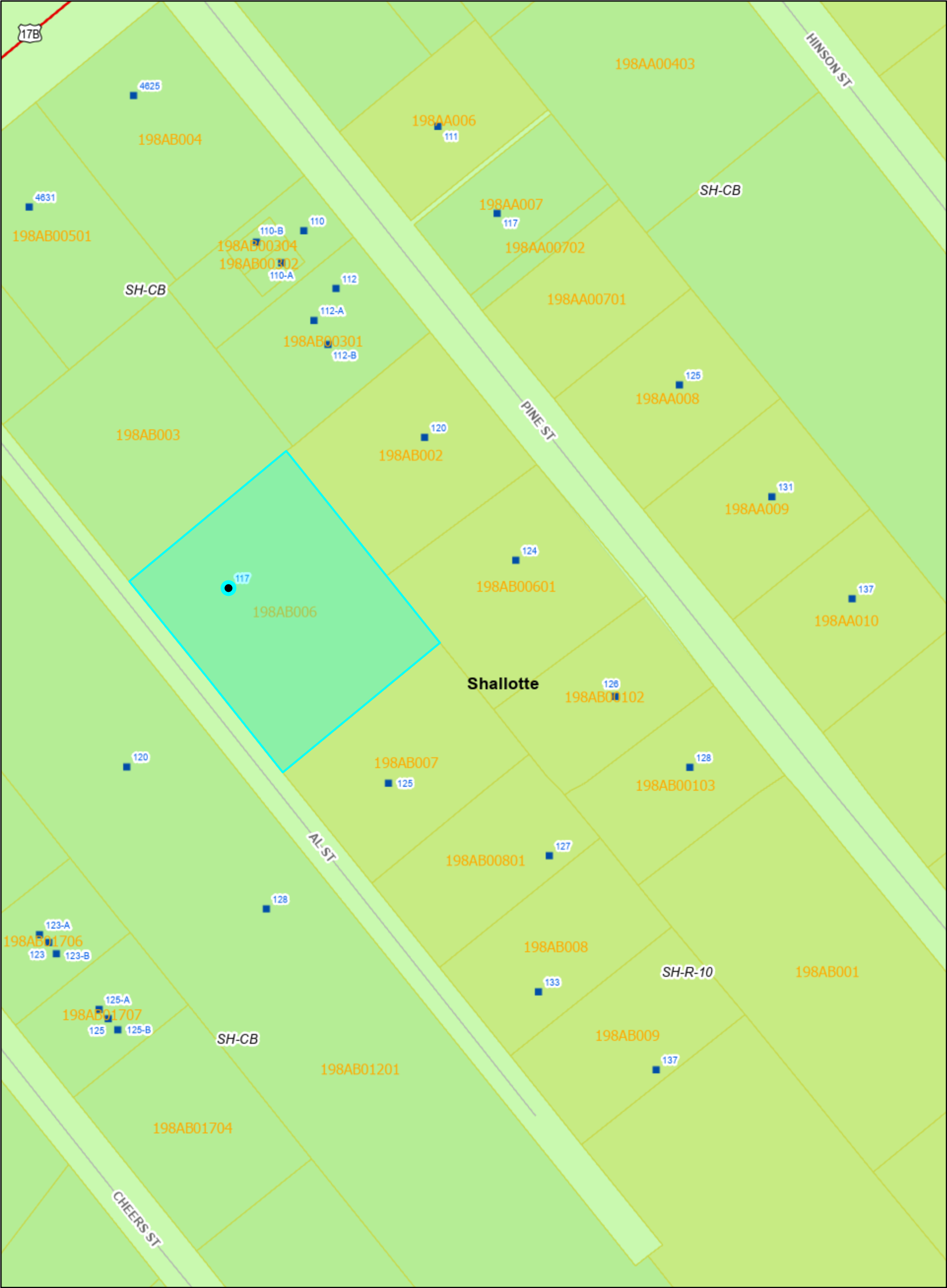


Commonwealth of Massachusetts
County: Middlesex

On this 29 day of May 2025. David Frazee &
Ellen Frazee personally appeared before me.



Brunswick County GIS Data Viewer



7/9/2025, 8:59:02 AM

- Zoning

SH-CB

SH-R-10

County Boundary
- Municipalities

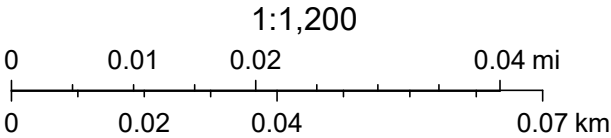
Shallotte City

- Roads

US Hwy







Minor

Addresses



[illegible]

Zoning

	SH-CB		County Boundary
	SH-HB		Parcels
	SH-R-10		Shallotte City

Municipalities

Roads

- US Hwy
- Minor
- Addresses

Brunswick County GIS

MIXED USE

The Town of Shallotte recognizes the positive impact that walkable urban development practices could have in an area. This future land use category should be composed of a mixture of integrated commercial, office, institutional, and residential uses. This designation provides flexibility to the Town in determining future zoning decisions. This future land use classification is not intended to be solely reserved for mixed use developments. Single use developments that contribute toward an integrated land use pattern of appropriate commercial, office, institutional, and medium/high density residential uses are encouraged.

Developments located in areas designated as Mixed Use are intended to be designed to create a pedestrian-friendly environment, with an urban development pattern where buildings front interconnected public streets with sidewalks and with stormwater infrastructure and parking located behind buildings. Urban design is a primary consideration in Mixed Use areas and a wide variety of uses is appropriate as long as a development pattern is employed that fully incentivizes pedestrian walkability and street-level activity.

Mixed Use

Desired Uses:

- Commercial/retail uses that encourage pedestrian activity. Examples include restaurants, cafes, drug stores, hotels, and retail-oriented uses.
- Office & Institutional
- Residential uses at varying densities including multi-family, townhome, and single-family dwellings
- Water-oriented retail and recreational uses

Inappropriate Uses:

- Auto-oriented uses such as drive-through, gas stations, and establishments requiring large surface parking.
- Single-family residential uses
- Industrial uses

Desired Density:

- Residential uses: 14 dwelling units per acre (du/a)
- Non-residential uses: No minimum lot size

Table 10-2: Table of Permitted Uses

PERMITTED USES	MF-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
RESIDENTIAL – HOUSEHOLD LIVING															
DWELLING, MULTI-FAMILY [pursuant to 10-3(H)]	S	S	S				S	S	S	S					P
DWELLING, SINGLE-FAMILY (excluding manufactured homes)	P	P	P	P	P	P	S	S	S	S	P				P
DWELLING, (DUPLEX)	P	P	P												P
DWELLING, (TOWNHOUSE)	P	P	P								P				P
MANUFACTURED HOME, CLASS A [pursuant to 10-3(Q)]			P			P									
MANUFACTURED HOME, CLASS B [pursuant to 10-3(Q)]			P			P									
MANUFACTURED HOME PARK [pursuant to 10-3(S)]			S			S									
RESIDENTIAL CLUSTER DEVELOPMENT [pursuant to Article 13]	S	S		S			S	S	S						S
Residential Micro-grid Solar Collector Battery Storage System (pursuant to Article 31)	P														
RESIDENTIAL – GROUP LIVING															
ADULT CARE HOME	S									S	S				
ALCOHOL AND/OR SUBSTANCE ABUSE REHABILITATION FACILITIES, RESIDENTIAL (Six or fewer residents)		P	P	P	P										
ASSISTED LIVING RESIDENCE	S							S		S	S				S
FAMILY CARE HOME	P	P	P	P	P	P		S	S	S	P				P
MULTI-UNIT ASSISTED HOUSING WITH SERVICES	S							S		S	S				S
NURSING HOME	S							S		S					P
ACCOMMODATION SERVICES															
BED AND BREAKFAST	S	S	S	S	S	S	S	S	S	S	S				S
MOTELS/HOTELS [pursuant to 10-3(V)]							S	S	S	S					
TRAVEL TRAILER AND RECREATIONAL VEHICLE PARKS/CAMPGROUNDS [pursuant to 10-3(FF)]	S		S			S				S					
PUBLIC & CIVIC															
ALCOHOLIC BEVERAGES PACKAGED, RETAIL							P	P							
AMBULANCE SERVICE/RESCUE SQUAD								P		P	P	P	P	P	
BOAT RAMPS									S						
NON-MOTORIZED (CANOES, KAYAKS, BOAT LAUNCH)							S								
BUILDINGS, GOVERNMENTAL	P	P	P	P	P	P	P	P	P	P	P	P	P		P
CEMETERY [pursuant to 10-3(D)]					S	S				S					S
CHURCH	S	S	S	S	S	S	S	P	P	P					P
CIVIC, CHARITABLE, POLITICAL, FRATERNAL, SOCIAL, AND RELIGIOUS ORGANIZATIONS							P	P		P	P				
GAZEBO/PIERS/DOCKS, COMMUNITY ¹ [pursuant to 10-3(K)]	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
GAZEBO/PIERS/DOCKS, PRIVATE ¹ [pursuant to 10-3(L)]	P	P	P	P	P	P	P	P	P	P	P	P	P	S	P
GAZEBO/PIERS/DOCKS, PUBLIC ¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
HOSPITALS			P					P		P					
NATURE OBSERVATION POINTS	S	S	S	S	S	S	S	S	S	S	S			S	
PARKS, PLAYGROUNDS, AND RECREATION CENTERS, OWNED AND OPERATED BY NON-PROFIT CIVIC ORGANIZATIONS [pursuant to 10-3(Y)]	P	P	P	P	P	P	P	P	P	P	P	P	P	S	P

¹As permitted by CAMA.

PERMITTED USES	ME-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
PARKS, PLAYGROUNDS, AND RECREATION CENTERS, MUNICIPALLY OWNED	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
PARKS AND RECREATION AREAS (other governmental) [pursuant to 10-3(Z)]	P	P	P	P	P	P	P	P	P	P	P	P	P	S	P
SCHOOL, PUBLIC AND PRIVATE	S	S	S	S	S	S	S	P		P					S
US POSTAL SERVICES							S	P		S		P			S
RECREATION, ENTERTAINMENT, AND PUBLIC ASSEMBLY															
ADULT AND SEXUALLY ORIENTED BUSINESSES [pursuant to Article 24]													S		
BILLIARD AND POOL HALLS								S		S					
BOWLING ALLEYS								P		P					
RECREATIONAL FACILITY (INDOOR-PRIVATE)							S	P	P	P	P				
DANCE HALLS										P					
DRIVE-IN THEATERS										S					
ELECTRONIC GAMING OPERATION [pursuant to 10-3(I)]												S			
ENTERTAINMENT ESTABLISHMENTS (GAMES, AMUSEMENT CENTERS, ETC.)							S	P		P					
GOLF COURSE, MINIATURE								S		S					
GOLF DRIVING RANGE								S		S					
GOLF, SWIMMING, AND TENNIS CLUBS [pursuant to 10-3(M)]	S	S		S	S	S	S	P	S	P					S
HEALTH CLUBS							S	P	P	P					P
INDOOR THEATER							P	P		P					
MARINA [pursuant to 10-3(T)]	S	S	S	S	S	S	S		P						S
RECREATION FACILITY, PRIVATE							S	S	S			S			S
SKATING RINKS								S		S					
VIDEO ARCADES							S	P		P					
COMMERCIAL SALES AND RENTALS															
ANTIQUE SHOPS							P	P	P	P	S				
ARTIST AND CRAFTSMAN STUDIOS, DISPLAYS, OR SHOPS							P	P	P	P					P
AUTOMOBILE AND TRUCK DEALERS								S		S		P			
AUTOMOBILE PARTS AND SUPPLY STORE								P		P					
AUTOMOBILE (INCLUDING TRUCKS) AND/OR TRAILER RENTALS							S	S		S					
BANKS, FINANCIAL INSTITUTIONS							P	P	P	P					P
BOAT SALES AND SERVICE								P	P	P					
BOAT STORAGE								S	S	S					
BOOK STORES							P	P		P					
BUILDING MATERIALS SALES AND STORAGE								S		S		P			
CARPET AND RUG DEALERS							S	P		P		P	P		
CELLULAR TELEPHONE STORES							P	P		P	P				
CLUB, PRIVATE							S			S					
COFFEE SHOPS							P	P		P					
CONVENIENCE FOOD STORES								P		P		P			P
CONVENIENCE STORES WITH EXISTING GAS PUMPS							S	P		P					P
CONVENIENCE STORES (NEW CONSTRUCTION) WITH GAS PUMPS								P		P					
CONSIGNMENT SHOPS, USED MERCHANDISE							P	P		P	P				

PERMITTED USES	ME-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
COMPUTER AND ASSOCIATED EQUIPMENT STORES							P	P		P					
ELECTRICAL AND ELECTRICAL MACHINERY, EQUIPMENT AND SUPPLIES								S		S		P			
FARMER'S MARKET							S	P		P		P			
FLEA MARKETS/VENDOR MARKETS							S	S		S		P			
FLORIST SHOPS							P	P	P	P					P
FOOD STORES (less than 5,000 SF)							P	P		P					P
FOOD, BEVERAGE, & CRAFT BREWING PROCESSING AND PRODUCTION WITH RETAIL SALES							P	P	P	P					
FUEL AND ICE DEALERS												S	S		
FURNITURE AND FIXTURES							S	P		P		P			
GAS COMPANIES												P	P		
GLASS AND MIRROR REPAIR SALES								P		P		P	P		
GROCERY STORES (5,000 SF or greater)							S	P		P					
HARDWARE STORES							S	S		S		P			P
ICE CREAM PARLORS AND LIKE ESTABLISHMENTS							P	P		P					
ICE VENDING MACHINES (AUTOMATIC)								P		P					
LAWN AND GARDEN STORES							P	P		P					
LEATHER PRODUCTS (no tanning)							P	P		P					
LUMBER AND WOOD PRODUCTS, SALES [pursuant to 10-3(O)]							S	S		S		P	P		
MANUFACTURED HOME SALES AND SERVICE										S					
MEASURING, ANALYZING, CONTROLLING, AND OPTICAL GOODS, WATCHES, CLOCKS							P	P		P		P			
MICROBREWERY (5,000 SF or less and production of less than 1,000 barrels per year)							P	P							
MOTION PICTURE PRODUCTION AND DISTRIBUTION												P	P		
MOTORCYCLE SALES AND SERVICES								S		S					
OUTSIDE STORAGE FACILITY [pursuant to 10-3(X)]								S							
PAWNSHOP OR USED MERCHANDISE STORE								P		P					
PET SALE & SUPPLIES (excluding kennel activities, breeding operations, and/or outside storage of animals)							P	P		P					
POTTERY AND RELATED PRODUCTS							P	P	P	P		P			
PRINTING AND PUBLISHING ESTABLISHMENTS							S	S		S		P	P		
PRINTING, COMMERCIAL							S	S		S		P	P		
RE-UPHOLSTERY AND FURNITURE REPAIR								P		P		P	P		
RECREATIONAL VEHICLE AND UTILITY TRAILER SALES AND SERVICE								S		S		P			
REFRIGERATION, HEATING, AND AIR CONDITIONING MACHINERY								S		S		P			
REPAIR SHOPS (radio, television, small appliances, shoes, etc.)							P	P		P		P	P		
RESTAURANTS							P	P	P	P					P
RETAIL SALES ESTABLISHMENTS (less than 5,000 SF)							P	P	P	P		P			P
RETAIL STORES (5,000 SF or greater)							S	P		P					
RETIREMENT/ELDERLY FACILITIES							P	P	S						P
SEAFOOD MARKET							P	P	P	P		P			
TOBACCO/VAPE SPECIALTY STORE [pursuant to 10-3 (GG)]								P		P		P			
UPHOLSTERY SHOPS								P		P		P	P		
VIDEO RENTAL							P	P		P					P
WATER DEPENDENT COMMERCIAL USES							S	S	S						

PERMITTED USES	ME-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
OFFICE AND COMMERCIAL SERVICE															
ALCOHOLIC AND/OR SUBSTANCE ABUSE REHABILITATION SERVICES, NON-RESIDENTIAL								P		P	P	P	P		
ANIMAL HOSPITALS/ VETERINARIANS [pursuant to 10-3(B)]								P		P					
AUTOMATED TELLER MACHINES (STAND ALONE)								P	P	P	P				
AUTOMOTIVE DETAILING SERVICES										P					
AUTOMOTIVE REPAIR FACILITY [Tier 1]										P		P			
AUTOMOTIVE REPAIR FACILITY [Tier 2]										S					
AUTOMOTIVE REPAIR FACILITY [Tier 3]												P			
AUTOMOBILE SERVICE STATION With Fuel Pumps								S		P					S
BARBER AND BEAUTY SHOPS							P	P	P	P	P				P
BAIL BONDING SERVICES								P		P	P				
CALL CENTER								P		P			P		
CAR WASHES								S		P		P			
CARPET AND UPHOLSTERY CLEANERS										S		P			
CATERING ESTABLISHMENTS							P	P	S	P					
COLLEGES, UNIVERSITIES, & PROFESSIONAL SCHOOLS								P		P	P				
CONTRACTORS, BUILDING (with storage)										S		P			
CONTRACTORS, EQUIPMENT										S		P			
CONTRACTORS, HEAVY CONSTRUCTION										S		P			
CONTRACTORS, SPECIAL TRADES (no storage)								P		P		P			
COPY CENTERS							P	P		P					
DAY CARE FACILITIES [pursuant to 10-3(F)]								P		P					S
DAY SPAS							P	P		P					
DIALYSIS CENTERS								P		P	P				
DIET CENTERS								P		P	P				
DRY CLEANERS AND LAUNDRIES [pursuant to 10-3(G)]							P	P		P		P			
ELECTRONIC DATA PROCESSING								P		P	P	P	P		
ENGINEERING, ARCHITECTURAL, AND SURVEYING OFFICES							P	P	P	P	P	P			
EXTERMINATING SERVICES												P	P		
FORTUNE TELLERS (to include Palm Readers, Crystal Ball Reading, Tarot Card Reading, and similar fortune telling techniques).								S		S		S			
FUNERAL HOME [pursuant to 10-3(J)]								S		S		S			
GROOMING SERVICES, ANIMALS								P		P		P	P		
INDUSTRIAL RESEARCH OFFICES AND LABORATORIES												P	P		
KENNEL OPERATIONS, BOARDERS, BREEDERS, AND ANIMAL SHELTERS (no outside pens, no permanent outside boarding, all operations must be located in the rear yard and must not be visible from any right-of-way) [pursuant to 10-3(N)]								S		S		P	P		
LABOR UNIONS							P	P		P					
LABORATORIES								P		P	P	P			
LOCKSMITH, GUNSMITH							P	P		P		P			
MENTAL HEALTH, INPATIENT											S	S			
OFFICE, ACCOUNTANTS CERTIFIED PUBLIC							P	P		P	P	P			
OFFICES, INCLUDING BUT NOT LIMITED TO PROFESSIONAL SERVICES (ATTORNEY, DOCTOR, HEALTHCARE PROFESSIONAL, STAFFING ETC.)							P	P	P	P	P	P			P

PERMITTED USES	ME-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
PHOTOGRAPHERS							P	P	P	P	P				P
SUBSTANCE ABUSE TREATMENT FACILITY, INPATIENT								S			S				
SUBSTANCE ABUSE TREATMENT FACILITY, OUTPATIENT								P		P	P				
TATTOO AND BODY PIERCING ESTABLISHMENTS [pursuant to 10-3(DD)]								S		S		S			
TAXIDERMIST								S				P	P		
TEACHING STUDIO (including fine arts, yoga, martial arts, etc.)							P	P		P	P				
VETERINARY SERVICES WITH CLOSED PENS												P	P		P
INDUSTRIAL, MANUFACTURING, AND HEAVY REPAIR															
APPAREL & ACCESSORY MANUFACTURING												P	P		
ASPHALT, CONCRETE, CEMENT, STONE MANUFACTURING													P		
AUTOMOBILE JUNKYARD [pursuant to 10-3(C)]										S			S		
BAKERY PRODUCT, CANDY, CONFECTIONARY MANUFACTURING												P	P		
BOAT AND SHIPBUILDING												P	P		
BOTTLING												P	P		
BRICK AND CLAY MANUFACTURING													P		
CABINET MAKING AND COUNTER TOP MANUFACTURING								S				P	P		
CARGO STORAGE CONTAINERS (including tractor trailers)										S		P	P		
CLOTHING AND FINISHED FABRIC PRODUCTS												P	P		
ELECTRIC MOTOR REPAIR												P			
INDUSTRIAL USES NOT HAVING AN INJURIOUS EFFECT ON THE TOWN												S	S		
MACHINERY (engines, construction tools) [pursuant to 10-3(P)]								S		S		P	P		
MANUFACTURING (textiles, clothing, scientific instruments, and small machine assembly)												P	P		
PAPERBOARD CONTAINERS AND BOXES												P	P		
QUARRY AND EXTRACTION OPERATION													S		
SCREW MACHINE PRODUCTS (bolts, nuts, screws)												P	P		
SMALL ENGINE REPAIR								S		S		P			
TEXTILES												P	P		
WELDING REPAIR								S		S		P	P		
TRANSPORTATION, WHOLESALING, AND WAREHOUSING															
BUS REPAIR AND STORAGE TERMINAL ACTIVITIES												S	S		
BUS STATIONS								P		P					
COMMERCIAL PARKING LOTS [pursuant to 10-3(E)]							S	S	S	S					S
GAS PUMPING STATIONS (unmanned, credit cards only)								P		P		P			
MOTOR FREIGHT TERMINALS												P	P		
MINI-STORAGE FACILITIES [pursuant to 10-3(U)]								S		S		P			
MINI-WAREHOUSING AND DRY STORAGE												P	P		
MOVERS, VAN LINES, AND STORAGE								S		S		P	P		
OFF-STREET AUTOMOBILE PARKING							P	P		P		P	P		P
PACKAGE DELIVERY SERVICES, COMMERCIAL								S		S		P			
SHIP CHANDLERS												P	P		
SHIPPING BROKERS, FREIGHT AND CARGO												P	P		

PERMITTED USES	ME-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
TAXI STANDS LIMITED TO 5 TAXIS							P	P		P					
TOWING SERVICES								S		S		P			
WAREHOUSE								S		S		P	P		
WHOLESALE MERCHANTS								P		P		P	P		
WHOLESALE STORAGE OF GASOLINE OR BULK TERMINAL PLANTS [pursuant to 10-3(GG)]													S		
UTILITIES AND COMMUNICATIONS															
PUBLIC UTILITY STORAGE OR SERVICE YARDS								P		P		P	P		
PUBLIC UTILITY SUBSTATIONS/ SWITCHING STATIONS [pursuant to 10-3(BB)]	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
PUMP STATIONS (MUNICIPALLY OWNED)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
RADIO AND TELEVISION BROADCASTING STUDIOS							P	P		P		P			P
UTILITY STATIONS							S	S	S	S	S	P	P		P
TELECOMMUNICATION FACILITIES [pursuant to Article 18]	S	S	S	S	S	S	S	S	S	S		S	S	S	S
AGRICULTURAL AND FOOD PRODUCTION															
AGRICULTURAL, HORTICULTURAL, OR HUSBANDRY USES (excluding poultry houses and hog parlors)					P	P									
APICULTURE (BEEKEEPING)				P	P	P									
FISHING, COMMERCIAL									S			P	P		
FRUIT AND VEGETABLE MARKETS, WHOLESALE												P	P		
FOOD PROCESSING FACILITIES												P	P		
GREENHOUSES								P		P		P	P		
ACCESSORY AND TEMPORARY															
ACCESSORY DWELLING [pursuant to 10-4(A)]	P	P	P	P	P	P	P	S	S	S	S				P
ACCESSORY STRUCTURE [pursuant to 10-4]	P	P	P	P	P	P	P	P	P	P	P	P	P		P
ACCESSORY USES, OTHER [pursuant to 10-4]	P	P	P	P	P	P	P	P	P	P	P				P
ACCESSORY RETAIL [pursuant to 10-4(E)]							P	P	P	P	P	P	P		P
DRIVE-THROUGH FACILITIES							S	S		S	S				S
DUMPSTERS AND ENCLOSURES [pursuant to 10-4(B)]	P	T	T	T	T	T	S	P	P	P	P	P	P		P
HOME OCCUPATION [pursuant to 10-4(D)]	P	P	P	P	P	P	P	P	P	P					P
MODULAR/MOBILE OFFICE, TEMPORARY [pursuant to 10-3(S)]	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
OUTDOOR DISPLAY, OUTDOOR STORAGE, OUTDOOR SALES [pursuant to 10-3(X)]							S	P		P					
STORAGE, INDUSTRIAL [pursuant to 10-3(Y)]												P	P		
TEMPORARY USES, OTHER	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
VEHICLE STORAGE IN CONJUNCTION WITH REPAIR								S		P		P			

¹As permitted by CAMA.

(Ord. 07-33, 9/07; Ord. 09-04, 7/09; Ord. 09-06, 9/09; Ord. 10-15, 11/11; Ord. 11-12, 5/11; Ord. 11-17, 10/11; Ord. 12-02, 1/12; Ord. 13-01, 1/13; Ord. 14-12, 10/07/14; Ord. 14-16, 12/02/14; Ord. 15-01, 01/06/15; Ord. 15-07, 06/02/15; Ord. 15-10, 07/07/15; Ord. 15-14, 10/6/15; Ord. 15-15, 10/6/15; Ord. 16-02, 01/05/16; Ord. 16-08, 04/05/16; Ord. 16-09, 5/3/16; Ord. 16-12, 7/5/16; Ord. 16-13, 7/5/16; Ord. 16-16, 10/4/16; Ord. 17-7, 10/9/17; Ord. 19-03, 04/2/19; Ord. 20-04, 2/4/20; Ord. 20-05, 7/7/20; Ord. 23-10, 12/5/23)


Planning Board Zoning Map Amendment Statement of Consistency

**1.
(Approval)**

The Town of Shallotte *Planning Board* has reviewed in full the petition REZ #25-13 to rezone ±0.89 acres of real property (Parcel ID 198AB006) owned by David & Ellen Frazee from R-10 to CB. After review of the petition, the Planning Board hereby *recommends* that the property be rezoned to B-2 from its current zoning. In making this *recommendation*, the *Planning Board* finds that [check all that apply]:

- ☒ The size of the area to be rezoned, which is ±0.89 acres is compatible with the proposed rezoning to CB.
The area exceeds the minimum lot size and width in the proposed zoning district and development type.
- ☒ All permitted uses in Article 10 Table of Permitted Uses of the Shallotte Unified Development Ordinance have been considered in this decision.
The Table of Permitted Uses was reviewed.
- ☒ The proposed rezoning to CB is compatible with the Town of Shallotte Land Use Plan.
The Future Land Use Map identifies this area as Mixed Use and the uses allowed within the CB zoning district are consistent with this description.
- ☒ The benefits of rezoning the tract to CB outweigh any detriments.
The properties to the north of the subject parcel are currently zoned CB, and the parcels rear of the subject parcel are currently zoned for medium density residential use. The planning area calls for a mix of commercial/retail uses that encourage pedestrian activity, and residential uses at varying densities.
- ☒ The relationship between the uses of the proposed zoning of CB and the surrounding area are either identical or compatible.
The mixed-use planning area aims to blend commercial and residential uses to create a pedestrian-friendly environment.
- ☒ This new zoning promotes the public health, safety, and general welfare of the community.
The new zoning will promote public health, safety, and general welfare by adding to the lighter commercial element of the intended mix of pedestrian-friendly uses, prohibiting heavier commercial and industrial uses in a mixed use and/or commercial/residential transitory corridor.
- ☐ Other comments:

Date: 8/12/2025


Planning Board Chairman
Town of Shallotte

Board of Aldermen Zoning Amendment Statement of Consistency

1. (Approval)

The Town of Shallotte *Board of Aldermen* has reviewed in full the petition REZ #25-13 to rezone ±0.89 acres of real property (Parcel ID 198AB006) owned by David & Ellen Frazee from R-10 to CB. After reviewing the petition, the Board hereby *approves* the property be rezoned to CB from its current zoning. In this *approval*, the *Board of Aldermen* finds that [check all that apply]:

- ☐ The size of the area to be rezoned, which is ±0.89 acres, is compatible with the proposed rezoning to CB.
The area exceeds the minimum lot size and width in the proposed zoning district and development type.
- ☐ All permitted uses in Article 10 Table of Permitted Uses of the Shallotte Unified Development Ordinance have been considered in this decision.
The Table of Permitted Uses was reviewed
- ☐ The proposed rezoning to CB is compatible with the Town of Shallotte Land Use Plan.
The Future Land Use Map identifies this area as Mixed Use and the uses allowed within the CB zoning district are consistent with this description.
- ☐ The benefits of rezoning the tract to CB outweigh any detriments.
The properties to the north of the subject parcel are currently zoned CB, and the parcels rear of the subject parcel are currently zoned for medium density residential use. The planning area calls for a mix of commercial/retail uses that encourage pedestrian activity, and residential uses at varying densities.
- ☐ The relationship between the uses of the proposed zoning of CB and the surrounding area are either identical or compatible.
The mixed-use planning area aims to blend commercial and residential uses to create a pedestrian-friendly environment.
- ☐ This new zoning promotes public health, safety, and general welfare of the community.
The new zoning will promote public health, safety, and general welfare by adding to the lighter commercial element of the intended mix of pedestrian-friendly uses, prohibiting heavier commercial and industrial uses in a mixed use and/or commercial/residential transitory corridor.
- ☐ Other comments: _____

Date

Mayor
Town of Shallotte

2.
(Denial)

The Town of Shallotte *Board of Aldermen* has reviewed in full the petition REZ #25-13 to rezone ±0.89 acres of real property (Parcel ID 198AB006) owned by David & Ellen Frazee from R-10 to CB. After review of the petition, the Board hereby *denies the request* that the property be rezoned to CB from its current zoning. In making this *decision*, the *Board of Aldermen* finds that [check all that apply]:

- ☐ The area in question, which is ±0.89 Acres, is NOT compatible with the requested rezoning to CB.

- ☐ All permitted uses in Article 10 Table of Permitted Uses of the Shallotte Unified Development Ordinance have been considered in this decision and were found to be inappropriate.

- ☐ The requested rezoning to CB is NOT compatible with the Town of Shallotte Land Use Plan.

- ☐ The benefits to the requested rezoning to CB DO NOT outweigh any detriments.

- ☐ The relationship between the uses of the requested new zoning of CB and the surrounding area are NOT compatible.

- ☐ This new zoning does NOT promote the public health, safety, and general welfare of the community.

- ☐ Reason for Recommending Denial/Other comments:

Date

Mayor
Town of Shallotte



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2025

TO: Board of Aldermen

FROM: Brandon Eaton, Planner II

ACTION ITEM #: ANX 25-14
MEETING DATE: 9/2/2025
DATE SUBMITTED: _____

ISSUE/ACTION REQUESTED:

Review the petition for annexation (ANX 25-14), along with the supporting documentation, conduct a public hearing, and take action upon the request.

PUBLIC HEARING: ☒ YES ☐ NO

BACKGROUND/PURPOSE OF REQUEST:

The property owners of the parcels in question have submitted a petition for annexation of property located at the corner of Forest Dr. and Main St., (PID#s 1820005101 & 18200051).

The property in question is currently located in the Town’s extra territorial jurisdiction (ETJ) and currently zoned in-town Commercial (B-2), and a map amendment has not been requested.

The Board may:

Vote to recommend the annexation as proposed; or
Vote to recommend denying the annexation as proposed; or
Continue the item until additional information is presented.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES ☒ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES ☒ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES ☒ NO

REVIEWED BY DIRECTOR OF FISCAL OPERATIONS

☐ YES ☒ NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

☐ YES ☒ NO ☐ N/A

ADVISORY BOARD RECOMMENDATION:

N/A

STAFF RECOMMENDATION: Staff recommend that the Board approves the annexation as presented.

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

1. Area map
2. Annexation Petition
3. Clerk Certification
4. Draft Ordinance

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

ATTEST:

CLERK TO THE BOARD

DENIED:

☐

**DEFERRED
UNTIL:**

SIGNATURE

OTHER:

This map displays the Shallotte ETJ (1820005101) and surrounding land parcels. The area is bounded by Forest Dr to the west and Commerce St to the south. A red line representing Highway 17B runs diagonally across the lower portion of the map. The map includes several land parcels with unique identifiers (e.g., 1820005203, 182000050, 182000034, 182000051, 1820005101, 1820005401, 182000138) and various labels such as SH-HB, SH-B-2, and Shallotte. Numerous small blue squares and circles are scattered throughout the map, likely representing specific points of interest or data points. The map also shows a network of roads including Forest Dr, Commerce St, and Highway 17B.

Zoning

- SH-B-2
- SH-HB
- SH-MF-14
- County Boundary

 County Boundary

Petition Requesting Voluntary Contiguous Annexation

TO THE BOARD OF ALDERMEN OF THE TOWN OF SHALLOTTE, NORTH CAROLINA:

1. We the undersigned owner(s) of real property respectfully request that the area described in paragraph 2 below be annexed to the TOWN OF SHALLOTTE.
2. The area to be annexed is contiguous to the Town of Shallotte and the boundaries of such territory are described in the attached metes and bounds description (Exhibit "A") and annexation map (Exhibit "B"), attached hereto and incorporated herein by reference.
- Vested rights, with respect to such property, have not been established, under N.C.G.S. 160A-385.1, except as described in Exhibit "C", attached hereto and incorporated herein by reference.

Respectfully,

Printed Name	Mailing Address	Parcel ID #(s)	Vested Rights?	Signature	Date
Oakland Plantation, Inc., By William A. Nelsler, President	120 Bermuda Drive, Council, NC 28434	1820005101/18200051	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	William A. Nelsler, President	6/30/25
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		

CERTIFICATE OF SUFFICIENCY

To the Mayor and Board of Aldermen of the Town of Shallotte, North Carolina:

I, Natalie Goins, Town Clerk, do hereby certify that I have investigated the annexation petition of parcels 1820005101 and 18200051 and hereby make the following findings:

- a. The petition contains a metes and bounds description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Shallotte primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Shallotte, this 22nd day of August, 2025.

Natalie Goins
Natalie Goins, Town Clerk

Petition Requesting Voluntary Contiguous Annexation

TO THE BOARD OF ALDERMEN OF THE TOWN OF SHALLOTTE, NORTH CAROLINA:

1. We the undersigned owner(s) of real property respectfully request that the area described in paragraph 2 below be annexed to the TOWN OF SHALLOTTE.
2. The area to be annexed is contiguous to the Town of Shallotte and the boundaries of such territory are described in the attached metes and bounds description (Exhibit "A") and annexation map (Exhibit "B"), attached hereto and incorporated herein by reference.
- Vested rights, with respect to such property, have not been established, under N.C.G.S. 160A-385.1, except as described in Exhibit "C", attached hereto and incorporated herein by reference.

Respectfully,

Printed Name	Mailing Address	Parcel ID #(s)	Vested Rights?	Signature	Date
Oakland Plantation, Inc., By William A. Neisler, President	120 Bermuda Drive, Council, NC 28434	1820005101/18200051	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	William A. Neisler, President	6/30/25
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		

Brunswick County GIS Layer List

- > ☒ BRUNSWICK COUNTY GIS
- ☐ PICTOMETRY 2025
- ☐ ORTHOIMAGERY 2024
- ☐ PICTOMETRY_2023
- ☐ PICTOMETRY_2021
- ☐ PICTOMETRY 2019
- ☐ PICTOMETRY 2016
- ☐ PICTOMETRY 2012
- ☐ PICTOMETRY 2010

Section VIII, Item 2.

< >

2 of 2

Parcels: 18200051



Zoom to

Property Tax Cards

[2025 Tax Card](#)

[2024 Tax Card](#)

[2023 Tax Card](#)

[2022 Tax Card](#)

[2021 Tax Card](#)

Parcel Information

Parcel ID: 18200051

Parcel PIN: 109809068024

Calc. Acreage: 0.93

Legal Description

L-235.1X172.56 PLAT 6/154

Owner Information

Owner Name:

OAKLAND PLANTATION INC

Mailing Address:

120 BERMUDA DR

COUNCIL, NC 28434-9112

Deed and Plat References

Deed Book: 03005

Deed Page: 0828

Plat Book:

Plat Page:

[PARCEL PHOTO](#)



5 m
20 ft

Select Table



Powered by

135

Brunswick County GIS

Layer List

- > ☒ BRUNSWICK COUNTY GIS
- ☐ PICTOMETRY 2025
- ☐ ORTHOIMAGERY 2024
- ☐ PICTOMETRY_2023
- ☐ PICTOMETRY_2021
- ☐ PICTOMETRY 2019
- ☐ PICTOMETRY 2016
- ☐ PICTOMETRY 2012
- ☐ PICTOMETRY 2010

Parcels: 1820005101

Zoom to

Property Tax Cards

[2025 Tax Card](#)
[2024 Tax Card](#)
[2023 Tax Card](#)
[2022 Tax Card](#)
[2021 Tax Card](#)

Parcel Information

Parcel ID: 1820005101
Parcel PIN: 109809059851
Calc. Acreage: 1.31

Legal Description

1.3 AC PLAT 6/154

Owner Information

Owner Name:
OAKLAND PLANTATION INC

Mailing Address:

120 BERMUDA DR

COUNCIL, NC 28434-9112

Deed and Plat References

Deed Book: 03005
Deed Page: 0826
Plat Book: 00000
Plat Page: 00000

[PARCEL PHOTO](#)



50 m
100 ft

Select Table



1... X



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Elaine F. Marshall

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Business Corporation

Actions

- [File an Annual Report/Amend an Annual Report](#)
- [Online Filing](#)
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- [Add Entity to My Email Notification List](#)
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- [Print an Amended a Annual Report form](#)

Legal name: Oakland Plantation, Inc.

Secretary of State Identification Number (SOSID): 0106655

Status: Current-Active

Citizenship: Domestic

Date formed: 12/1/1977

Fiscal month: December

Registered agent: [Joseph A. Neisler III](#)

mailing address

120 Bermuda Dr
Council, NC 28434-9112

Principal office address

120 Bermuda Dr
Council, NC 28434-9112

Registered office address

120 Bermuda Dr
Council, NC 28434-9112

Registered mailing address

120 Bermuda Dr
Council, NC 28434-9112

Officers

- **Treasurer**

Victoria Burton

120 Bermuda Drive
Council NC 28434

- **Assistant Secretary**

Matthew Neisler

120 Bermuda Drive
Council NC 28434

- **Vice President**

Pauline Neisler

120 Bermuda Drive
Council NC 28434

- **President**

William A Neisler

120 Bermuda Drive
Council NC 28434

- **Secretary**

Stella Putnam

123 Dixon Dairy Road
Kings Mountain NC 28086

Stock:

- **Class:** COMMON

Shares: 10000

Par value: 10

- **Class:** PREFERRED

Shares: 20000

Par value: 10

ORDINANCE 25-14

ORDINANCE OF THE TOWN OF SHALLOTTE, NORTH CAROLINA TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE, NORTH CAROLINA (CONTIGUOUS ANNEXATION)

WHEREAS, the Town of Shallotte has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Shallotte has the resolution directing the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 5:15 p.m. on September 02, 2025 after notice by publication; and

WHEREAS, the Town of Shallotte finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE BE IT ORDAINED by the Board of Aldermen of the Town of Shallotte, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Shallotte as of September 02, 2025;

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND LYING AND BEING SITUATE IN BRUNSWICK COUNTY, STATE OF NORTH CAROLINA CONTAINING 2.251 ACRES WITH THE FOLLOWING METES AND BOUNDS TO WIT:

BEGINNING AT AN IRON PIN OLD 1/2" REBAR LOCATED AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF MAIN STREET (US BUSINESS 17) AND THE EASTERN RIGHT OF WAY OF FOREST DRIVE; THENCE LEAVING SAID NORTHERN RIGHT OF WAY OF MAIN STREET (US BUSINESS 17) AND RUNNING ALONG SAID EASTERN RIGHT OF WAY OF FOREST DRIVE N29°41'19"W 299.21' TO AN IRON PIN OLD 1/2" REBAR; THENCE N64°00'34"E 14.96' TO AN IRON PIN OLD 1/2" REBAR; THENCE N29°27'55"W 234.98' TO AN IRON PIN OLD 3/4" CRIMPED TOP; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING N60°16'45"E 166.85' TO AN IRON PIN SET 1/2" REBAR; THENCE S30°57'29"E

546.63' TO AN IRON PIN OLD 3/4" OPEN TOP LOCATED ON THE NORTHERN RIGHT OF WAY OF MAIN STREET (US BUSINESS 17); THENCE RUNNING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 195.27', A RADIUS OF 3523.55' AND A CHORD BEARING AND DISTANCE OF S64°10'54"W 195.25' TO THE POINT OF BEGINNING.

Adopted this 2nd day of September 2025.

Walt Eccard, Mayor

ATTEST:

Natalie Goins, Town Clerk

APPLICANT: Oakland Plantation, Inc. (4492 Main St.- PID# 1820005101 & 18200051)

I certify that Natalie Goins personally appeared before me this 2nd day of September, 2025 and I have personal knowledge of the identity of the principal; acknowledging to me that she voluntarily signed the forgoing document for the purpose stated therein and in the capacity indicated: Town Clerk

Maria O. Gaither, Notary Public

(Seal)

My Commission Expires: February 19, _____

STATE OF NORTH CAROLINA
County of Brunswick

Map _____ Page # _____

Clerk’s Certification

The undersigned, Natalie Goins, Clerk to the Board of Aldermen of the Town of Shallotte, North Carolina, hereby certifies that Ordinance 25-14 attached hereto for the Town of Shallotte is a true and accurate copy of the ordinance adopted unanimously by the Board of Aldermen for the Town of Shallotte, North Carolina on the 2nd day of September, 2025; that the ordinance was duly adopted during a session of the Board of Aldermen and remains in full force and effect; and that the Board of Aldermen has taken no action which would in any manner modify or repeal the terms of such ordinance; and that the same remains in full force and effect as of the date hereof.

This the 2nd day of September 2025.

Natalie Goins, Town Clerk
Town of Shallotte



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2025

TO: Board of Aldermen

ACTION ITEM #: ANX: 25-21

MEETING DATE: 9/2/2025

FROM: Robert Waring, Planning Director

DATE SUBMITTED: _____

ISSUE/ACTION REQUESTED: Review the annexation petition 25-21, a petition for annexation into the Town & a request to rezone the property to Planned Unit Development.

PUBLIC HEARING: ☒ YES ☐ NO

BACKGROUND/PURPOSE OF REQUEST: Mr. Brian Fleer, on behalf of Aubrey & Amanda Faatz has submitted a petition for the annexation & rezoning of property located along Bay Rd. (PID # 2290003505). The 22.28-acre property is currently vacant.

The property owner has requested that the property be rezoned into the Town's Planned Unit Development (PUD). Their master plan consists of 66 single family lots & maximum proposed density of 3 units/acre. The site meets the minimum size requirement for a PUD and provides the appropriate amount of open space.

The Town's 2018 Land Use Plan-Future Land Use Map identifies that area as "Low Density Residential" which entails a max density of 3 units/acre and prescribes single-family residential as desired uses.

The Town does not require buffering between similar uses i.e. single-family residential to single-family residential.

Although the proposed project falls below the threshold for traffic impact analysis (TIA) the applicant drafted a study and considered the other developments in the area. The TIA calls for the construction of a site drive as a westbound approach with one ingress and one egress lane striped as a shared left-turn/right-turn lane. They will need to apply for an NCDOT driveway permit along Bay Rd. The proposed street layout does provide stub connections to the adjacent undeveloped properties. Internal roads will be designed/constructed to NCDOT standards & dedicated to the Town for maintenance.

The development will make use of Town sewer with design specifics to be provided with future preliminary subdivision plans. The project will also be required to submit stormwater permit applications to the Town and NC Dept. of Natural Resources. Some wetlands have been documented with the USACE, though this plan shows they are not being impacted. There are no flood hazards located on the property.

The surrounding properties are zoned as follows:
North- County Residential-7500 (CO R-7500) & Shallotte PUD
South- CO R-7500 & CO R-6000
East- CO R-7500
West- CO R-7500

The Board is asked to review the supporting material & either approve or deny Annexation Ordinance 25-21; and if approved
Review Statement of Consistency 25-21 & approve or deny the proposed PUD zoning

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
CAPITAL PROJECT ORDINANCE REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
PRE-AUDIT CERTIFICATION REQUIRED:	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
REVIEWED BY DIRECTOR OF FISCAL OPERATIONS	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
-----------------------------------	------------------------------	-----------------------------	------------------------------

ADVISORY BOARD RECOMMENDATION:

Planning Board voted unanimously to recommend approval of the PUD zoning and proposed master plan.

STAFF RECOMMENDATION: Staff believe that the proposed project is consistent with the 2018 Shallotte CAMA Land Use Plan, specifically the FLU Map, desired use type, & density.

Staff recommends approval with the following conditions:

- Subdivision plans remain consistent with the master plan and recommendations of the the submitted TIA
- All local, state, & federal permits be provided as they are obtained
- No construction or land clearing commence until preliminary subdivision application and plans have been reviewed and approved

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

1. Area Map
2. PUD Application
3. Master Plan
4. TIA
5. TRC Comments & Responses
6. Article 16 & Table of Permitted Uses
7. Draft Statement of Consistency

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

DENIED:

☐

DEFERRED

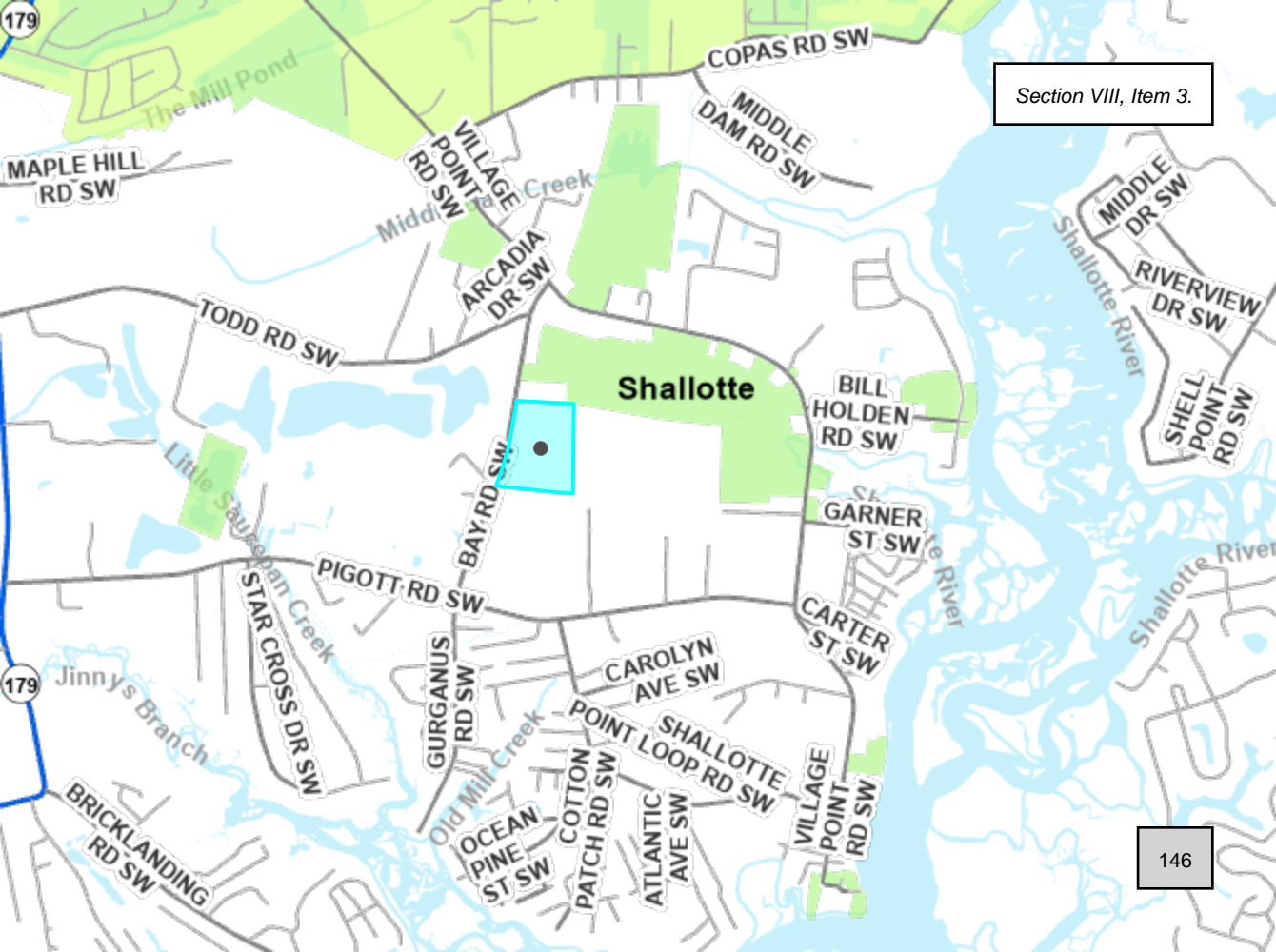
UNTIL:

ATTEST:

CLERK TO THE BOARD

SIGNATURE

OTHER:



Section VIII, Item 3.

CERTIFICATE OF SUFFICIENCY

To the Mayor and Board of Aldermen of the Town of Shallotte, North Carolina:

I, Natalie Goins, Town Clerk, do hereby certify that I have investigated the annexation petition of parcel 2290003505 and hereby make the following findings:

- a. The petition contains a metes and bounds description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Shallotte primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Shallotte, this 28th day of August, 2025.



Natalie Goins
Natalie Goins, Town Clerk


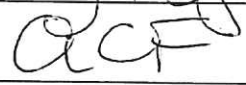
Petition Requesting Voluntary Contiguous Annexation

TO THE BOARD OF ALDERMEN OF THE TOWN OF SHALLOTTE, NORTH CAROLINA:

1. We the undersigned owner(s) of real property respectfully request that the area described in paragraph 2 below be annexed to the TOWN OF SHALLOTTE.
2. The area to be annexed is contiguous to the Town of Shallotte and the boundaries of such territory are described in the attached metes and bounds description (Exhibit "A") and annexation map (Exhibit "B"), attached hereto and incorporated herein by reference.

Vested rights, with respect to such property, have not been established, under N.C.G.S. 160A-385.1, except as described in Exhibit "C", attached hereto and incorporated herein by reference.

Respectfully,

Printed Name	Mailing Address	Parcel ID #(s)	Vested Rights?	Signature	Date
Aubrey Faatz	1125 Bay Rd SW Shallotte, NC 28470-5343	2290003505	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		7/17/25
Amanda Faatz	1125 Bay Rd SW Shallotte, NC 28470-5343	2290003505	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		7/17/25
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		

Brunswick County GIS Layer List

- > ☒ BRUNSWICK COUNTY GIS
- ☐ PICTOMETRY 2025
- ☐ ORTHOIMAGERY 2024
- ☐ PICTOMETRY_2023
- ☐ PICTOMETRY_2021
- ☐ PICTOMETRY 2019
- ☐ PICTOMETRY 2016
- ☐ PICTOMETRY 2012
- ☐ PICTOMETRY 2010

Parcels: 2290003505

Zoom to

Property Tax Cards

[2025 Tax Card](#)
[2024 Tax Card](#)
[2023 Tax Card](#)
[2022 Tax Card](#)
[2021 Tax Card](#)

Parcel Information

Parcel ID: 2290003505
Parcel PIN: 108611661206
Calc. Acreage: 22.28

Legal Description

TR-B 22.28AC NC-1151 PLAT 23/429

Owner Information

Owner Name:
FAATZ AUBREY ETUX
FAATZ AMANDA

Mailing Address:

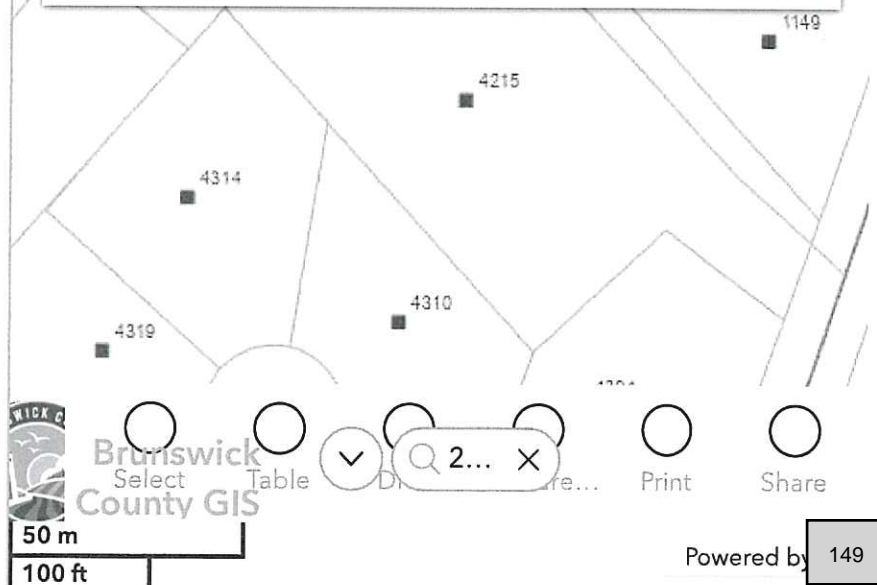
1125 BAY RD SW

SHALLOTTE, NC 28470-5343

Deed and Plat References

Deed Book: 04802
Deed Page: 0388
Plat Book: 00023
Plat Page: 00429

PARCEL PHOTO





MAJOR SUBDIVISION/ PRD/PUD APPLICATION

Section VIII, Item 3.

Official Use Only

P&Z #: _____
Date Rec'd: _____
Rec'd By: _____
Amount Paid: \$ _____

Town of Shallotte • PO Box 2287, Shallotte, NC 28459 • 116 Cheers Street, Shallotte, NC 28470 • Phone: (910) 754-4032 • Fax: (910) 754-2740

All applications must be complete and accompanied by the appropriate application fee, payable in cash or by check made to the Town of Shallotte. Contact the Town of Shallotte Planning Department to determine the appropriate fee or consult the current Town of Shallotte Fee Schedule. Applicants will also be responsible for the full cost of public notices, if any, which will be billed at a later time. Additionally, applicants may be charged for the balance of any professional review fees that exceed the application fee. Contact the Town of Shallotte Public Works Department to determine utility fees. All fees due must be paid in full before an application will be submitted for review by the Planning Board or Board of Aldermen or a preliminary or final plat will be signed.

The procedure and regulations for developing a Planned Residential Developments and Planned Unit Developments can be found in articles 15 and 16 respectively of the Unified Development Ordinance. Regulations for Major Subdivisions can be found in articles 27 through 31. Applicants are encouraged to schedule a pre-application meeting with staff prior to submitting a final application.

Project Name: Bay Road - Faatz Property		
SECTION 1: APPLICANT INFORMATION		
Applicant Name: Brian Fleer		
Mailing Address: 1001 Military Cutoff Rd, Suite 10, Wilmington, NC 28405		
Phone: 910-515-1830	Fax: _____	Email: brianfleer@kw.com
SECTION 2: PROPERTY OWNER INFORMATION (if different from above)		
Owner Name(s): Aubrey and Amanda Faatz		
Mailing Address: 1125 Bay Rd SW Shallotte NC 28470-5343		
Phone: 910-754-2488	Fax: _____	Email: info@aubreyfaatzhomecrafters.com
SECTION 3: PROPERTY INFORMATION		
Street Address and/or Description of Location: East of Bay Rd, South of intersection of Bay Rd and Village Point Rd		
Parcel Tax ID #(s): PID 2290003505	Total Site Acres: 22.28 +/- acres to be annexed	
Current Zoning District(s): County zoned to R7500		
SECTION 4: PROJECT INFORMATION		
Proposed Zoning District(s): PUD 3du/ac <input checked="" type="checkbox"/> PUD <input type="checkbox"/> PRD Overlay		
Project to be developed in phases? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Phase Lines must be shown on Master Development Plans.
Brief Project Description: 22.34-acre, 66-lot single-family residential lot subdivision, 7,000 sq. ft. minimum lot size, 56-ft wide. Main Road throughout subdivision connecting to Bay Rd Project proposed to be a single-phase subdivision with Town of Shallotte sewer and Brunswick County water.		

SECTION 4: PROJECT INFORMATION (continued)

PROPOSED LAND USE MIX	UNITS	ACRES	SQUARE FOOTAGE
Single-Family Detached Residential	66	22.28 +/-	NA
Single-Family Attached Residential (Townhomes)	N/A		NA
Multi-Family Residential (Triplex, Quadraplex, Apartments, Condos)	N/A		NA
Office & Institutional (including religious, civic, and educational uses)	N/A		
Retail	N/A		
Other Non-retail Commercial	N/A		
Light Industrial	N/A		
Recreation & Open Space (privately owned and maintained)	NA		NA
Recreation & Open Space (dedicated to Town of Shallotte)	NA		NA

SECTION 5: SUPPLEMENTAL INFORMATION REQUIRED

Each application use must include:

- ☐ An application fee in cash or check made payable to the Town of Shallotte.
- ☐ Applicable utility fees, including transmission recovery fees and sewer allocation fees.
- ☐ For conventional subdivisions: a preliminary plat pursuant to Appendix IV.
- ☐ For PUDs: a Master Development Plan/Land Use Plan/Site Plan pursuant to Section 16-9 and Appendix IV.
- ☐ For PRDs: a Master Development pursuant to Sections 15-4, 15-5, and Appendix IV.
- ☐ A Traffic Impact Study pursuant to Section 30-25, if required.
- ☐ A copy of property deeds and any referenced maps for all tracts under consideration.
- ☐ A notarized letter of authorization if acting as the agent for the property owner(s).

SECTION 6: APPLICANT/OWNER SIGNATURE

In filing this application, I hereby certify that I am authorized to submit this application and that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

Signature: _____

Date: _____

Official Use Only

Planning Board Hearing Date: _____ Recommendation: _____ Staff: _____

Board of Aldermen Hearing Date: _____ Action: _____ Staff: _____

Comments: _____





TRAFFIC IMPACT ANALYSIS

FOR

66 Lot Bay Road

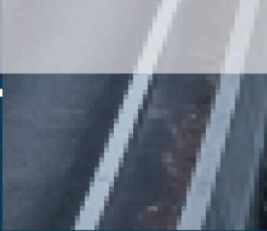
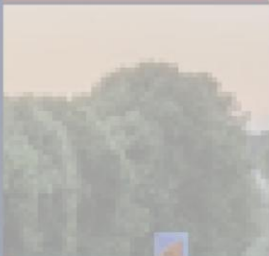
LOCATED

IN

Shallotte, NC

Prepared For:

Rourk Woods Investments, LLC
1001 Military Cutoff Road, Suite 101
Wilmington, NC



AUGUST 2025

DRMP Project No. 25722

Prepared By: IS

Reviewed By: CC

TRAFFIC IMPACT ANALYSIS

FOR

66 Lot Bay Road

LOCATED IN

Shallotte, NC



Caroline Cheeves

Prepared For:

Rourk Woods Investments, LLC
1001 Military Cutoff Road, Suite 101
Wilmington, NC

Prepared By:

DRMP, Inc.
License #F-1524

TRAFFIC IMPACT ANALYSIS

66 Lot Bay Road

Shallotte, North Carolina

EXECUTIVE SUMMARY

1. Development Overview

A Traffic Impact Analysis (TIA) was conducted for the proposed 66 Lot Bay Road development in accordance with the Shallotte (Town) Unified Development Ordinance (UDO) and North Carolina Department of Transportation (NCDOT) capacity analysis guidelines. The proposed 66 Lot Bay Road development is to be located along the east side of Bay Road SW in Shallotte, North Carolina. The proposed development, anticipated to be completed in 2028, is assumed to consist of 66 single family homes. Site access is proposed via one full movement intersection along Bay Road SW.

2. Existing Traffic Conditions

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and the Town of Shallotte and consists of the following existing intersections:

- Village Point Road SW and Bay Road SW
- Todd Road SW and Bay Road SW
- Pigott Road SW and Bay Road SW

Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersection listed above, in July of 2025 by DRMP during a typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods. Traffic volumes were balanced between study intersections, where appropriate.

3. Future Traffic Conditions

Through coordination with the NCDOT and the Town, it was determined that an annual growth rate of 1% would be used to generate 2028 projected weekday AM and PM peak hour traffic volumes. The Village Point Road, 4206 Sea Mountain Highway, 55 Leven Links

Lane, and 534 Planters Ridge Drive developments were identified to be included as an approved adjacent development in this study.

4. Site Trip Generation

Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE Trip Generation Manual, 11.1th Edition. Table E-1 provides a summary of the trip generation potential for the site.

Table E-1: Site Trip Generation

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Single Family Detached (210)	66 Units	688	13	39	43	25

To estimate traffic conditions with the site fully built-out, the total site trips were added to the 2028 No-Build traffic volumes to determine the 2028 build traffic volumes. The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2025 Existing Traffic Conditions
- 2028 No-Build Traffic Conditions
- 2028 Build Traffic Conditions

5. Capacity Analysis Summary

The analysis considered weekday AM and PM peak hour traffic for 2025 existing, 2028 No-Build, and 2028 build conditions. Refer to Section 7 of the TIA for the capacity analysis summary performed at each study intersection.

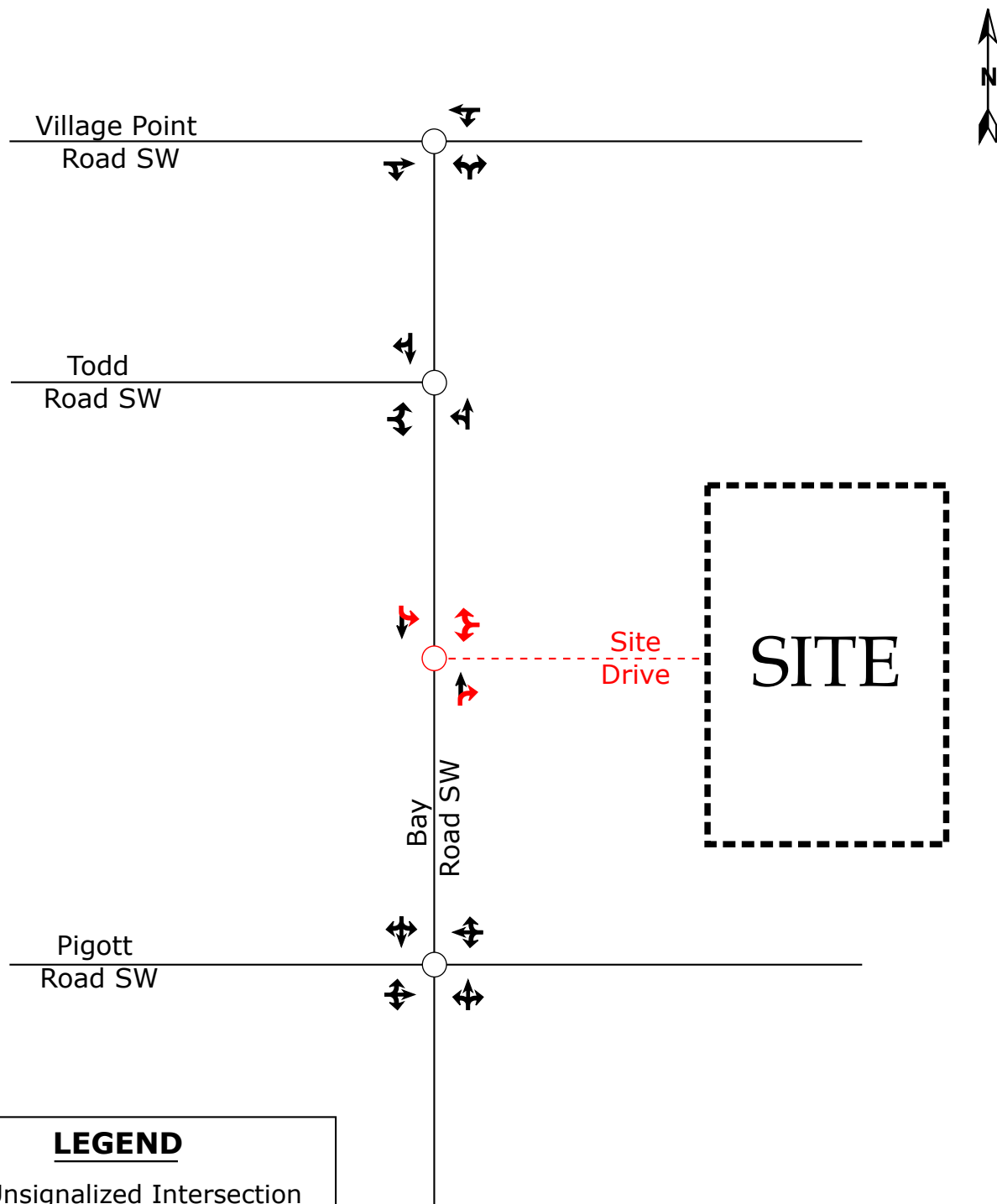
6. Recommendations

Based on the findings of this study, specific geometric and traffic control improvements have been identified at study intersections. The improvements are summarized on the following page and are illustrated in Figure E-1.

Improvements by Developer

Bay Road SW and Site Drive

- Construct Site Drive as a westbound approach with one ingress and one egress lane striped as a shared left-turn/right-turn lane.



LEGEND

- Unsignalized Intersection
- ➡ Existing Lane
- ➡ Improvement by Developer


	66 Lot Bay Road Shallotte, NC		Recommended Lane Configurations	
			Scale: Not to Scale	Figure E-1

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TRAFFIC IMPACT ANALYSIS

66 Lot Bay Road Shallotte, North Carolina

1. INTRODUCTION

The contents of this report present the findings of the Traffic Impact Analysis (TIA) conducted for the proposed 66-lot Bay Road development, located along the east side of Bay Road SW in Shallotte, North Carolina. The purpose of this study is to evaluate the potential impacts of site-generated traffic on the surrounding transportation network and to recommend any necessary improvements to mitigate those impacts. While a TIA is not required under the current standards of the Town of Shallotte or NCDOT, this study has been prepared to support planning efforts and ensure proactive consideration of transportation needs associated with the proposed development.

The proposed development, anticipated to be completed in 2028, is assumed to consist of 66 single family homes

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2025 Existing Traffic Conditions
- 2028 No-Build Traffic Conditions
- 2028 Build Traffic Conditions

1.1. Site Location and Study Area

The development is proposed to be located in Shallotte, North Carolina. Refer to Figure 1 for the site location map.

The study area for the TIA was determined through coordination with the North Carolina Department of Transportation (NCDOT) and the Town of Shallotte (Town) and consists of the following existing intersections:

- Village Point Road SW and Bay Road SW
- Todd Road SW and Bay Road SW
- Pigott Road SW and Bay Road SW

1.2. Proposed Land Use and Site Access

The proposed development, anticipated to be completed in 2028, is assumed to consist of 66 single family homes. Site access is proposed one full movement intersection along Bay Road SW. Refer to Figure 2 for a copy of the preliminary site plan.

1.3. Adjacent Land Uses

The proposed development is located in an area consisting primarily of farms, undeveloped land, and residential development.

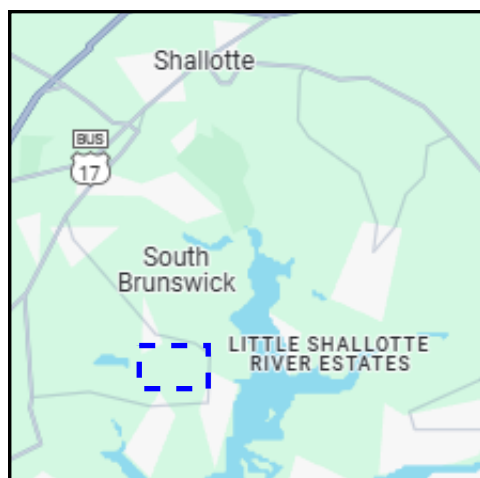
1.4. Existing Roadways

Existing lane configurations (number of traffic lanes on each intersection approach), speed limits, storage capacities, and other intersection and roadway information within the study area are shown in Figure 3. Table 1 provides a summary of this information, as well.

Table 1: Existing Roadway Inventory


Road Name	Route Number	Typical Cross Section	Speed Limit	AADT (vpd)
Village Point Road SW	SR-1145	2-lane undivided	45 mph	2,720
Todd Road SW	SR-1147	2-lane undivided	55 mph	460
Pigott Road SW	SR-1152	2-lane undivided	45 mph	1,960
Bay Road SW	SR-1151	2-lane undivided	40 mph	1,570

ADT based on the traffic counts from 2025 and assuming the weekday PM peak hour volume is 10% of the average daily traffic.

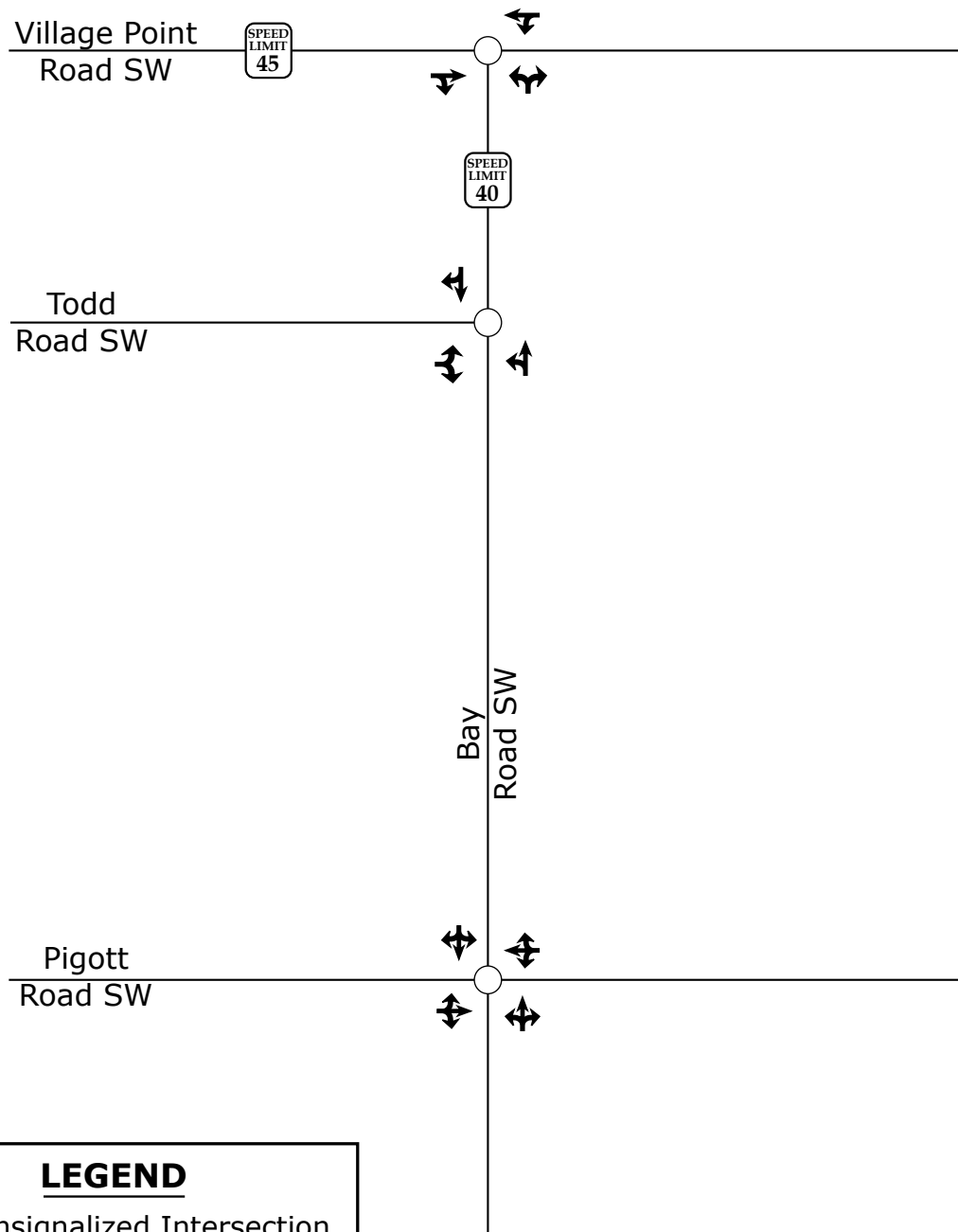


LEGEND

- Study Intersection
- Proposed Site Access
- Study Area

	66 Lot Bay Road Shallotte, NC	Site Location Map	
		Scale: Not to Scale	Figure 1





LEGEND

○ Unsignalized Intersection

➔ Existing Lane



Posted Speed Limit



66 Lot Bay Road
Shallotte, NC

2025 Existing
Lane Configurations

Scale: Not to Scale Figure 3

2. 2025 EXISTING PEAK HOUR CONDITIONS

2.1. 2025 Existing Peak Hour Traffic Volumes

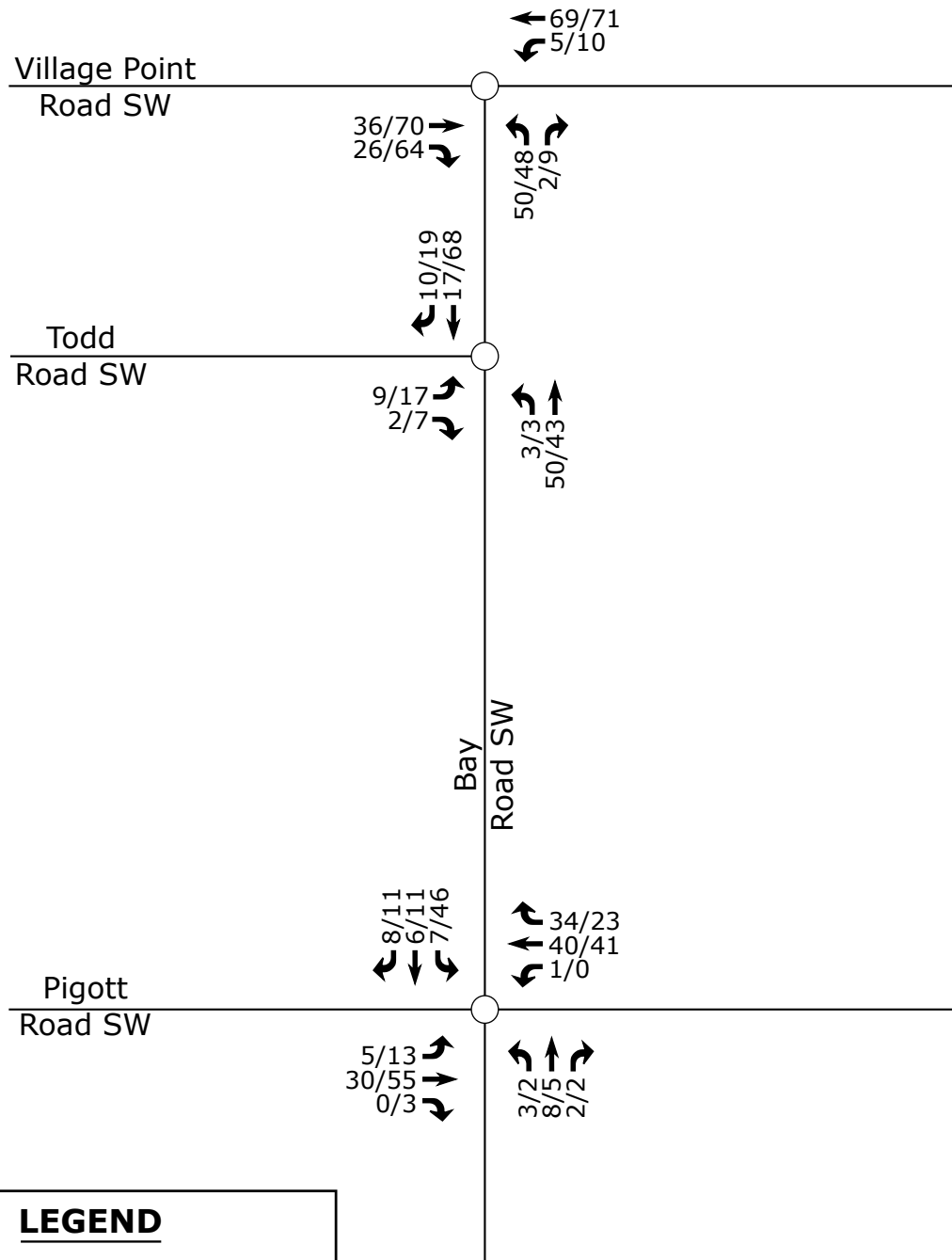
Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersections listed below, in July of 2025 by DRMP during a typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods:

- Village Point Road SW and Bay Road SW
- Todd Road SW and Bay Road SW
- Pigott Road SW and Bay Road SW

Weekday AM and PM traffic volumes were balanced between study intersections, where appropriate. Refer to Figure 4 for 2025 existing weekday AM and PM peak hour traffic volumes. A copy of the count data is located in Appendix B of this report.

2.2. Analysis of 2025 Existing Peak Hour Traffic Conditions

The 2025 existing weekday AM and PM peak hour traffic volumes were analyzed to determine the current levels of service at the study intersections under existing roadway conditions. The results of the analysis are presented in Section 7 of this report.



LEGEND

- Unsignalized Intersection
- X / Y → Weekday AM / PM Peak Hour Traffic

Note: Based on NCDOT Congestion Management guidelines, a volume of 4 vehicles per hour (vph) was analyzed for any movement with less than 4 vph.



66 Lot Bay Road
Shallotte, NC

2025 Existing
Peak Hour Traffic

Scale: Not to Scale Figure 4

3. 2028 NO-BUILD PEAK HOUR CONDITIONS

In order to account for growth of traffic and subsequent traffic conditions at a future year, No-Build traffic projections are needed. No-Build traffic is the component of traffic due to the growth of the community and surrounding area that is anticipated to occur regardless of whether or not the proposed development is constructed. No-Build traffic is comprised of existing traffic growth within the study area and additional traffic created as a result of adjacent approved developments.

3.1. Ambient Traffic Growth

Through coordination with the NCDOT and the Town, it was determined that an annual growth rate of 1% would be used to generate 2028 projected weekday AM and PM peak hour traffic volumes. Refer to Figure 5 for 2028 projected peak hour traffic.

3.2. Adjacent Development Traffic

Through coordination with the NCDOT and the Town, the following adjacent developments below were identified to be included as an approved adjacent development in this study. Table 2 provides a summary of the adjacent development. Parcel ID numbers are also included.

Table 2: Adjacent Development Information

Development Name	Location	Build-Out Year	Land Use / Intensity	TIA Performed
Village Point Road (ID# 23000050)	Along Village Point Road, east of Bay Road SW	2028*	72 Single Family Homes	<i>Trips Generated and Distributed</i>
4206 Sea Mountain Highway (ID# 21400046)	Along Village Point Road, North of Bay Road SW	2028*	158 Single Family Homes	<i>Trips Generated and Distributed</i>
55 Leven Links Lane (ID# 23000049)	Along Village Point Road, east of Bay Road SW	2028*	39 Single Family Homes	<i>Trips Generated and Distributed</i>
534 Planters Ridge Drive (ID# 2300005602)	Along Bay Road SW, East of Todd Road SW	2028*	75 Single Family Homes	<i>Trips Generated and Distributed</i>

*Assumed to be constructed before or during construction of the 66 Lot Bay Road site.

It should be noted that the adjacent developments were approved, during scoping, by the NCDOT and the Town. Adjacent development trips are shown in Figure 6. Adjacent development information can be found in Appendix C.

3.3. Future Roadway Improvements

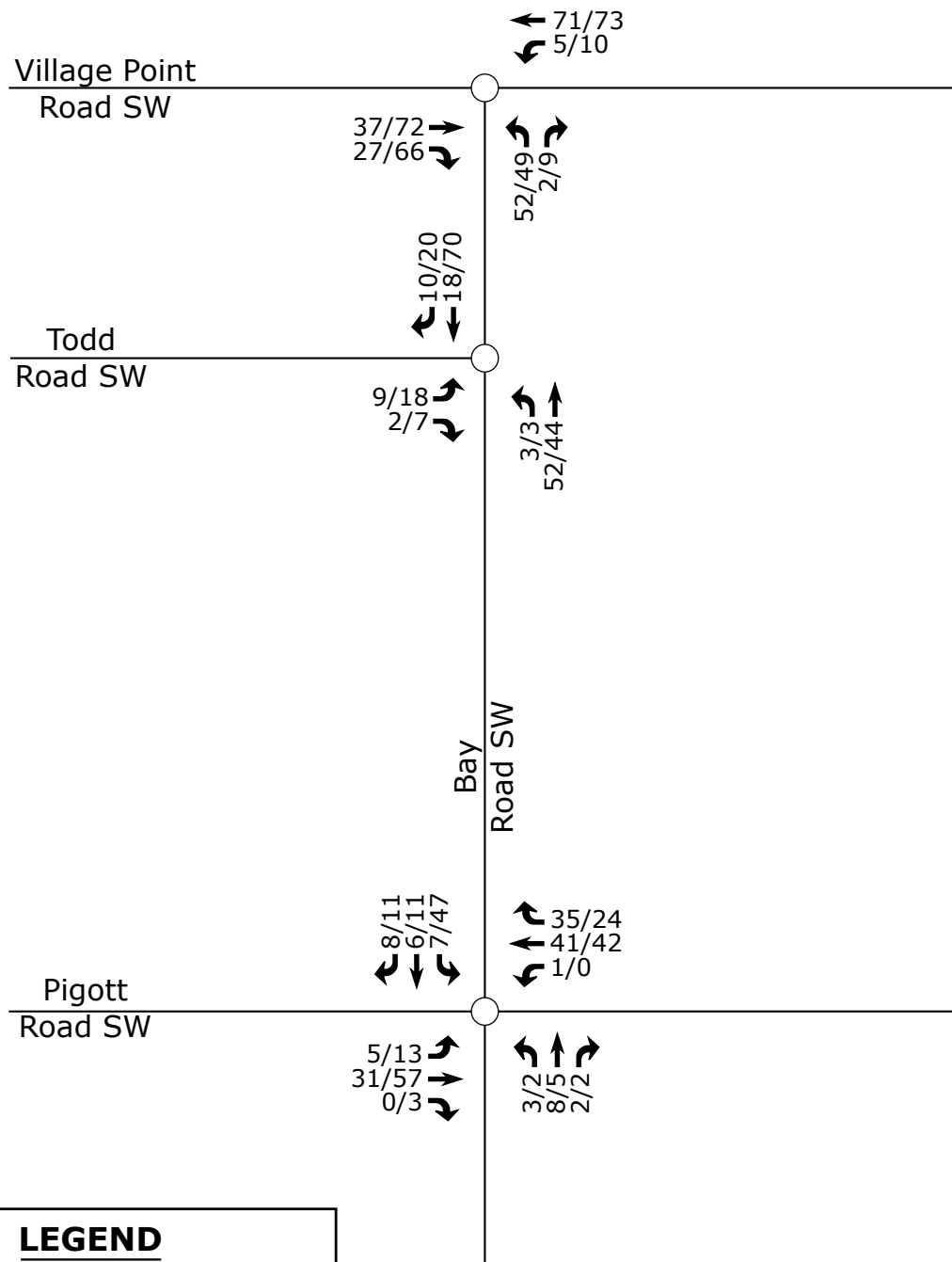
Based on coordination with the NCDOT and the Town, it was determined there were no future roadway improvements to consider with this study.

3.4. 2028 No-Build Peak Hour Traffic Volumes

The 2028 No-Build traffic volumes were determined by projecting the 2025 existing peak hour traffic to the year 2028 and adding the adjacent development trips. Refer to Figure 7 for an illustration of the 2028 No-Build peak hour traffic volumes at the study intersections.

3.5. Analysis of 2028 No-Build Peak Hour Traffic Conditions

The 2028 No-Build AM and PM peak hour traffic volumes at the study intersections were analyzed with future geometric roadway conditions and traffic control. The analysis results are presented in Section 7 of this report.



LEGEND

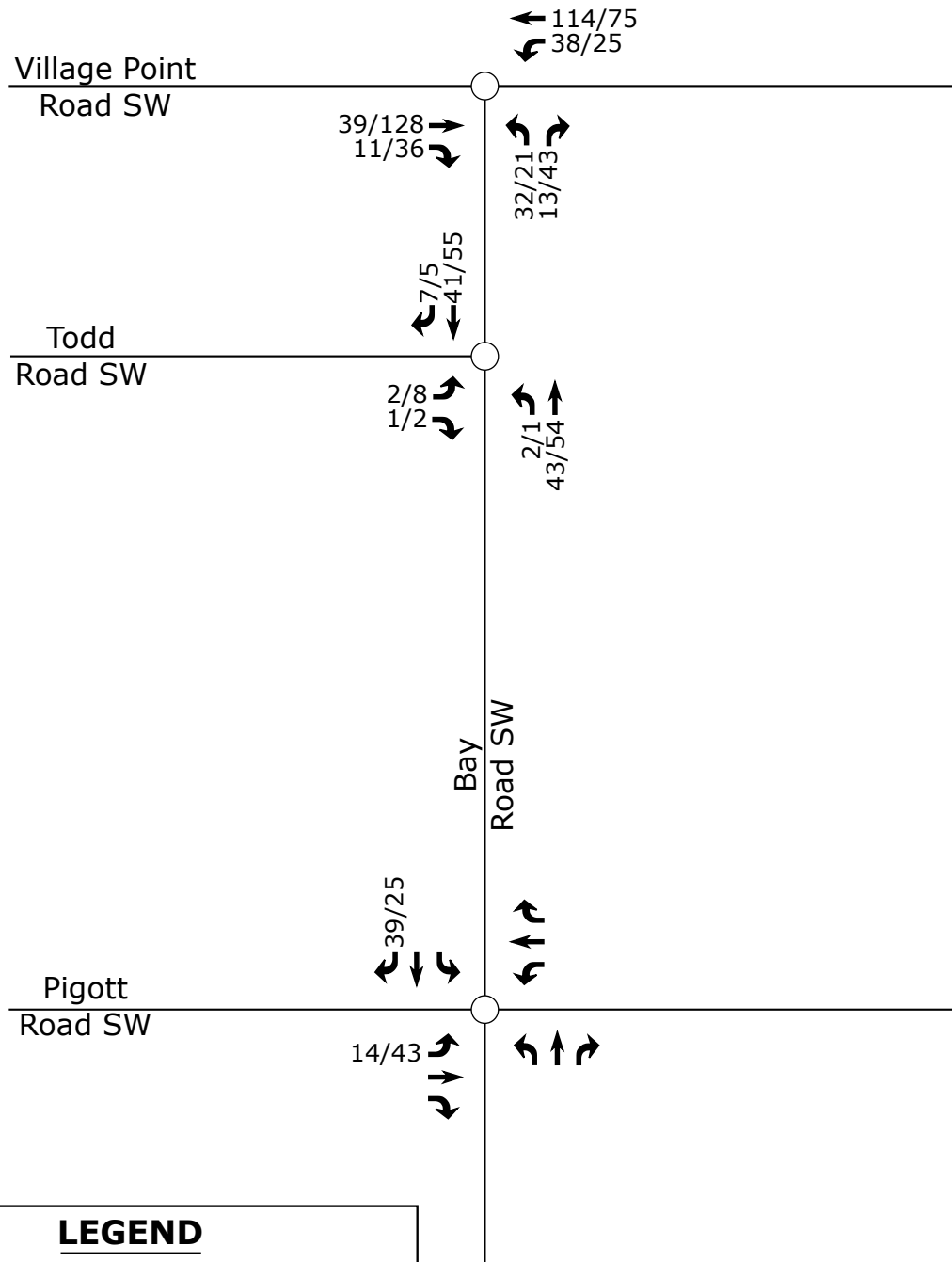
- Unsignalized Intersection
- X / Y → Weekday AM / PM Peak Hour Traffic



66 Lot Bay Road
Shallotte, NC

2028 Projected
Peak Hour Traffic

Scale: Not to Scale Figure 5



LEGEND

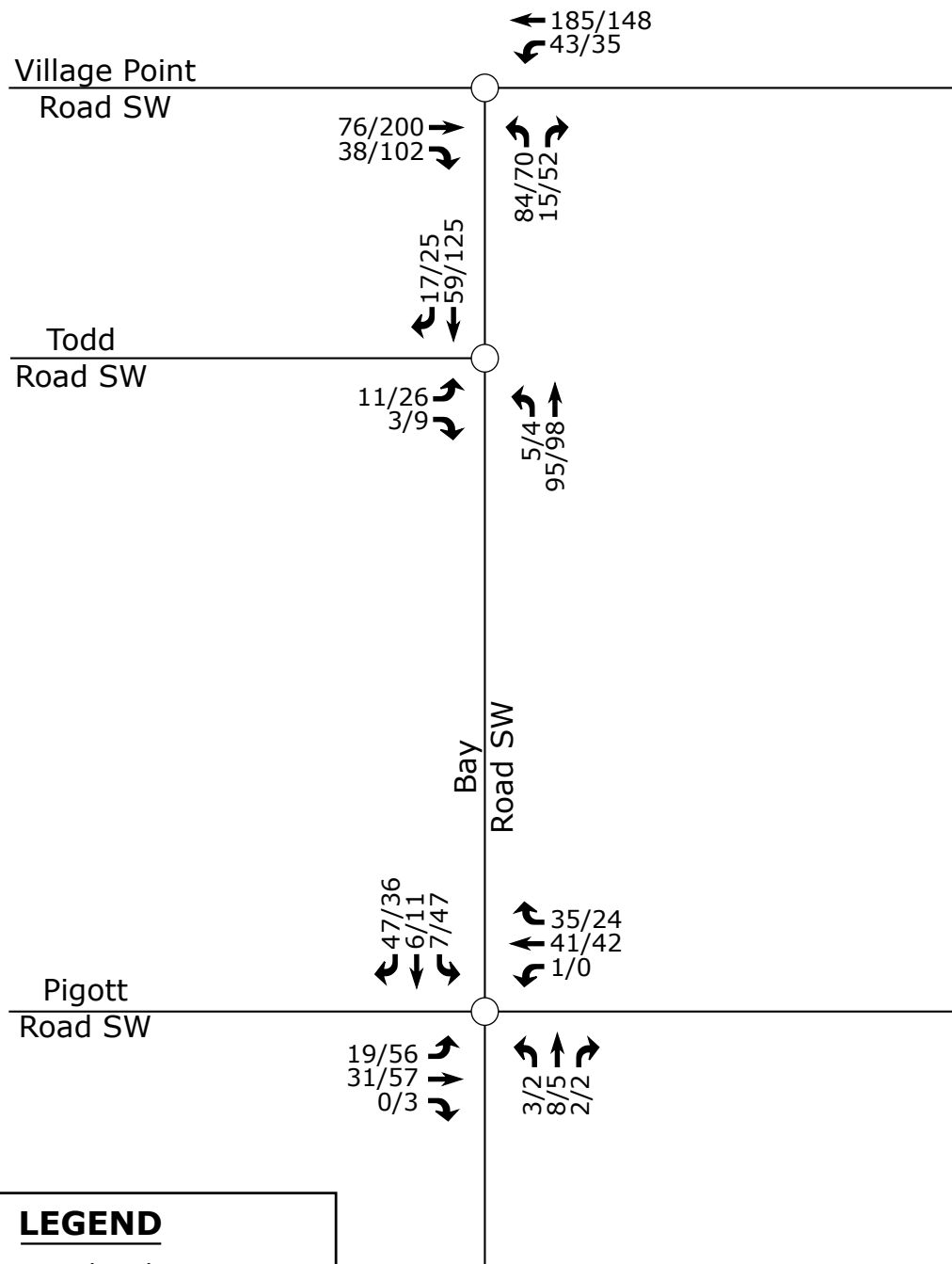
- Unsignalized Intersection
- X / Y → Weekday AM / PM Peak Hour Adjacent Development Trips



66 Lot Bay Road
Shallotte, NC

Peak Hour Adjacent
Development Trips

Scale: Not to Scale Figure 6



LEGEND

- Unsignalized Intersection
- X / Y → Weekday AM / PM Peak Hour Traffic

Note: Based on NCDOT Congestion Management guidelines, a volume of 4 vehicles per hour (vph) was analyzed for any movement with less than 4 vph.



66 Lot Bay Road
Shallotte, NC

2028 No-Build
Peak Hour Traffic

Scale: Not to Scale Figure 7

4. SITE TRIP GENERATION AND DISTRIBUTION

4.1. Trip Generation

The proposed development is assumed to consist of 66 single family homes. Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE *Trip Generation Manual*, 11.1 Edition. Table 3 provides a summary of the trip generation potential for the site.

Table 3: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Single Family Detached (210)	66 Units	688	13	39	43	25

It is estimated that the proposed development will generate approximately 668 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, approximately 52 trips (13 entering and 39 exiting) are expected to occur during the weekday AM peak hour, and 68 trips (43 entering and 25 exiting) during the weekday PM peak hour. These projected volumes do not meet the thresholds that would trigger a full Traffic Impact Analysis (TIA) under the standards set by the Town of Shallotte or NCDOT.

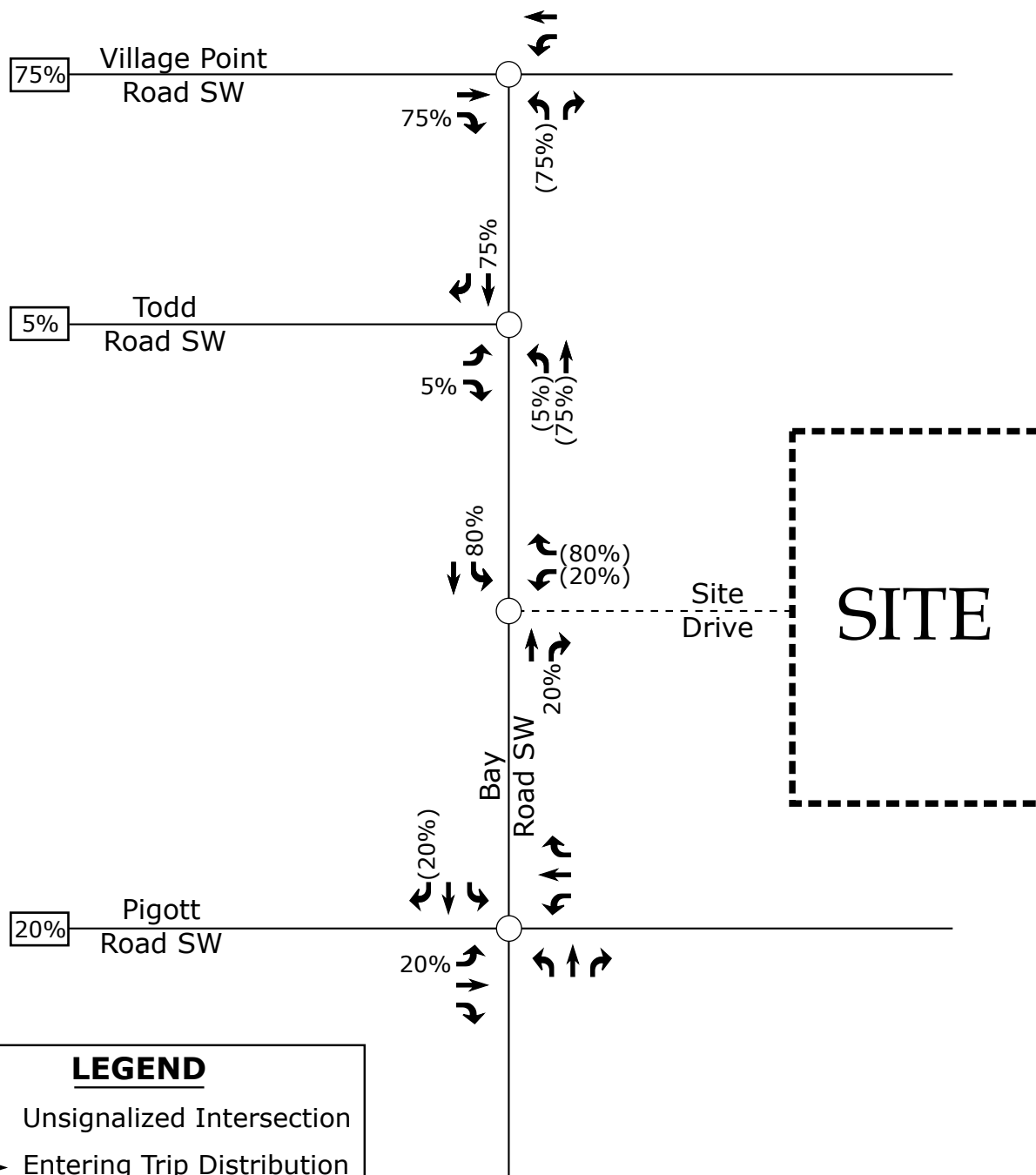
4.2. Site Trip Distribution and Assignment

Trip distribution percentages used in assigning site traffic for this development were estimated based on a combination of existing traffic patterns, population centers adjacent to the study area, and engineering judgment.

It is estimated that the site trips will be regionally distributed as follows:

- 75% to/from the west via Village Point Road SW
- 20% to/from the west via Pigott Road SW
- 5% to/from the west via Todd Road SW

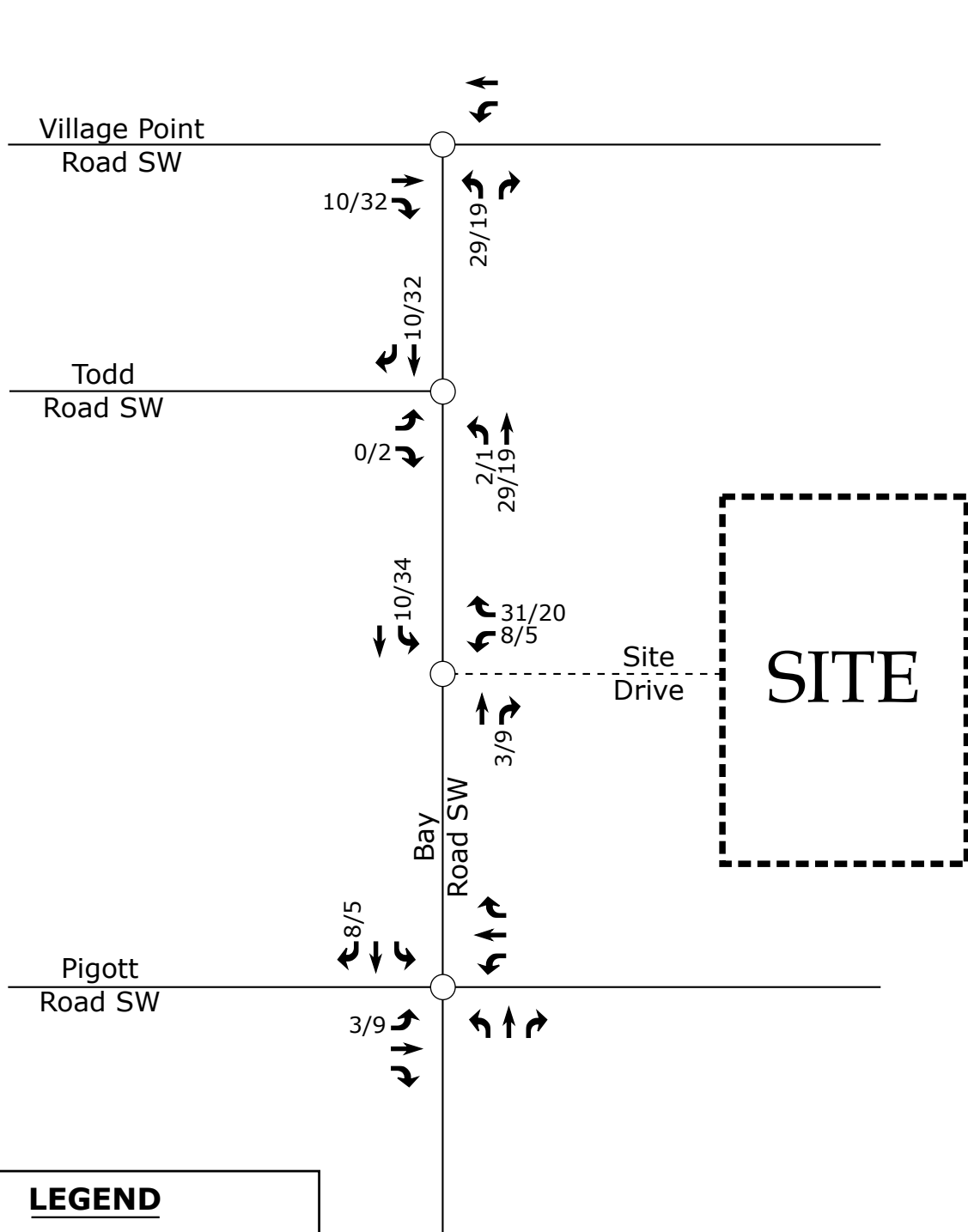
The site trip distribution is shown in Figure 8. Refer to Figure 9 for the site trip assignment.



66 Lot Bay Road
Shallotte, NC

Site Trip Distribution

Scale: Not to Scale Figure 8



LEGEND

- Unsignalized Intersection
- X / Y → Weekday AM / PM Peak Hour Site Trips



66 Lot Bay Road
Shallotte, NC

Site Trip Assignment

Scale: Not to Scale Figure 9

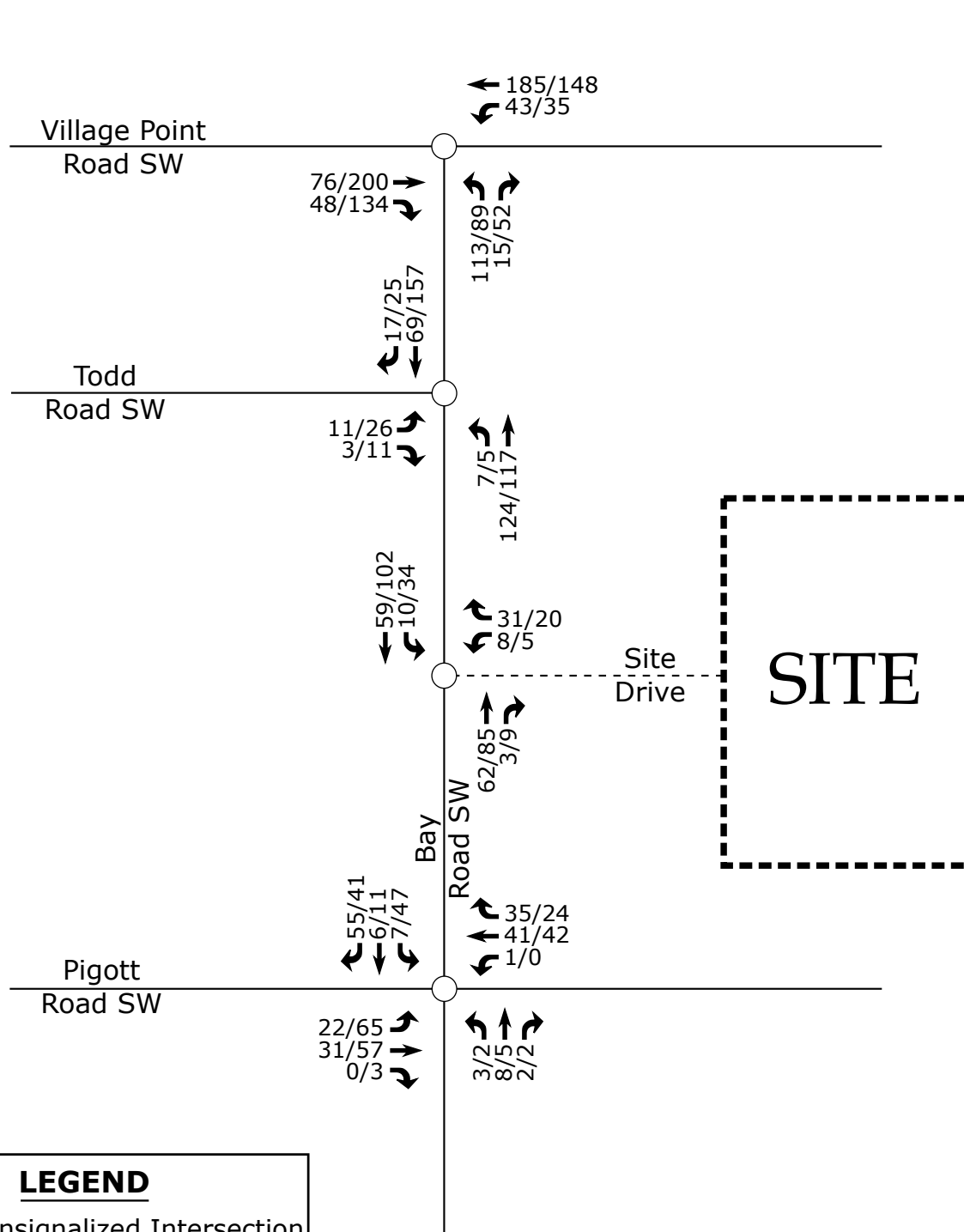
5. 2028 BUILD TRAFFIC CONDITIONS

5.1. 2028 Build Peak Hour Traffic Volumes

To estimate traffic conditions with the site fully built-out, the total site trips were added to the 2028 No-Build traffic volumes to determine the 2028 Build traffic volumes. Refer to Figure 10 for an illustration of the 2028 Build peak hour traffic volumes with the proposed site fully developed.

5.2. Analysis of 2028 Build Peak Hour Traffic Conditions

Study intersections were analyzed with the 2028 Build traffic volumes using the same methodology previously discussed for existing and No-Build traffic conditions. Intersections were analyzed with improvements necessary to accommodate future traffic volumes. The results of the capacity analysis for each intersection are presented in Section 7 of this report.



LEGEND

- Unsignalized Intersection
- X / Y → Weekday AM / PM Peak Hour Traffic

Note: Based on NCDOT Congestion Management guidelines, a volume of 4 vehicles per hour (vph) was analyzed for any movement with less than 4 vph.



66 Lot Bay Road
Shallotte, NC

2028 Build
Peak Hour Traffic

Scale: Not to Scale Figure 10

6. TRAFFIC ANALYSIS PROCEDURE

Study intersections were analyzed using the methodology outlined in the *Highway Capacity Manual* (HCM), 6th Edition published by the Transportation Research Board. Capacity and level of service are the design criteria for this traffic study. A computer software package, Synchro (Version 11.1), was used to complete the analyses for the study area intersections. Please note that the unsignalized capacity analysis does not provide an overall level of service for an intersection; only delay for an approach with a conflicting movement.

The HCM defines capacity as “the maximum hourly rate at which persons or vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under prevailing roadway, traffic, and control conditions.” Level of service (LOS) is a term used to represent different driving conditions and is defined as a “qualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers.” Level of service varies from Level “A” representing free flow, to Level “F” where breakdown conditions are evident. Refer to Table 4 for HCM levels of service and related average control delay per vehicle for both signalized and unsignalized intersections. Control delay as defined by the HCM includes “initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay”. An average control delay of 50 seconds at a signalized intersection results in LOS “D” operation at the intersection.

Table 4: Highway Capacity Manual – Levels-of-Service and Delay

UNSIGNALIZED INTERSECTION		SIGNALIZED INTERSECTION	
LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)	LEVEL OF SERVICE	AVERAGE CONTROL DELAY PER VEHICLE (SECONDS)
A	0-10	A	0-10
B	10-15	B	10-20
C	15-25	C	20-35
D	25-35	D	35-55
E	35-50	E	55-80
F	>50	F	>80

6.1. Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to the NCDOT Congestion Management Guidelines.

7. CAPACITY ANALYSIS

The following study intersections were analyzed under 2025 existing, 2028 No-Build, and 2028 Build traffic conditions:

- Village Point Road SW and Bay Road SW
- Todd Road SW and Bay Road SW
- Pigott Road SW and Bay Road SW
- Bay Road SW and Site Drive

All proposed site driveways were analyzed under 2028 Build traffic conditions. Refer to Tables 5-8 for a summary of capacity analysis results. Refer to Appendices D-H for the Synchro capacity analysis reports and SimTraffic queueing reports.

7.1. Village Point Road SW and Bay Road SW

Refer to the table below for a summary of the capacity analysis of the subject intersection during the analysis scenarios.

Table 5: Analysis Summary of Village Point Road SW and Bay Road SW

Analysis Scenario	Lane Group	Existing Storage (ft)	Weekday AM Peak Hour					Weekday PM Peak Hour						
			Queue (ft)		Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)	Queue (ft)		Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)
			95th	Max					95th	Max				
2024 Existing Conditions	EBTR	--	--	--	--	--	--	N/A	--	--	--	--	--	N/A
	WBLT	--	0	10	A	7	A (7) ¹		0	24	A	8	A (8) ¹	
	NBLR	--	5	49	A	10	A (10) ²		8	57	B	10	B (10) ²	
2026 No-Build Conditions	EBTR	--	--	--	--	--	--	N/A	--	4	--	--	--	N/A
	WBLT	--	3	32	A	8	A (8) ¹		0	49	A	8	A (8) ¹	
	NBLR	--	15	65	B	12	B (12) ²		10	54	B	11	B (11) ²	
2026 Build Conditions	EBTR	--	--	--	--	--	--	N/A	--	--	--	--	--	N/A
	WBLT	--	3	43	A	8	A (8) ¹		3	78	A	8	A (8) ¹	
	NBLR	--	23	78	B	13	B (13) ²		28	124	B	14	B (14) ²	

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis of the 2025 Existing, 2028 No-Build, and 2028 Build traffic conditions indicate that the major-street left-turn movement is expected to operate at LOS A and the minor street approach is expected to operate at LOS B or better during both the weekday AM and PM peak hours under all scenarios. No improvements are recommended.

7.2. Todd Road SW and Bay Road SW

Refer to the table below for a summary of the capacity analysis of the subject intersection during the analysis scenarios.

Table 6: Analysis Summary of Todd Road SW and Bay Road SW

Analysis Scenario	Lane Group	Existing Storage (ft)	Weekday AM Peak Hour					Weekday PM Peak Hour						
			Queue (ft)		Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)	Queue (ft)		Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)
			95th	Max					95th	Max				
2024 Existing Conditions	EBLR	--	0	20	A	9	A (9) ²	N/A	3	44	A	9	A (9) ²	N/A
	NBLT	--	0	--	A	7	A (7) ¹		0	6	A	7	A (7) ¹	
	SBTR	--	--	--	--	--	--		--	--	--	--	--	
2026 No-Build Conditions	EBLR	--	3	23	A	9	A (9) ²	N/A	3	40	A	9	A (9) ²	N/A
	NBLT	--	0	22	A	7	A (7) ¹		0	--	A	7	A (7) ¹	
	SBTR	--	--	--	--	--	--		--	--	--	--	--	
2026 Build Conditions	EBLR	--	3	21	A	10	A (10) ²	N/A	5	52	B	10	B (10) ²	N/A
	NBLT	--	0	21	A	7	A (7) ¹		0	29	A	8	A (8) ¹	
	SBTR	--	--	--	--	--	--		--	--	--	--	--	

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis of the 2025 Existing, 2028 No-Build, and 2028 Build traffic conditions indicate that the major-street left-turn movement is expected to operate at LOS A and the minor street approach is expected to operate at LOS B or better during both the weekday AM and PM peak hours under all scenarios. No improvements are recommended.

7.3. Pigott Road SW and Bay Road SW

Refer to the table below for a summary of the capacity analysis of the subject intersection during the analysis scenarios.

Table 7: Analysis Summary of Pigott Road SW and Bay Road SW

Analysis Scenario	Lane Group	Existing Storage (ft)	Weekday AM Peak Hour					Weekday PM Peak Hour						
			Queue (ft)		Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)	Queue (ft)		Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)
			95th	Max					95th	Max				
2024 Existing Conditions	EBLTR	--	0	10	A	7	A (7) ¹	N/A	0	23	A	7	A (7) ¹	N/A
	WBLTR	--	0	--	A	7	A (7) ¹		0	0	A	7	A (7) ¹	
	NBLTR	--	3	30	A	9	A (9) ²		3	30	A	10	A (10) ²	
	SBLTR	--	3	34	A	9	A (9) ²		8	69	A	10	A (10) ²	
2026 No-Build Conditions	EBLTR	--	0	22	A	7	A (7) ¹	N/A	0	29	A	7	A (7) ¹	N/A
	WBLTR	--	0	--	A	7	A (7) ¹		0	12	A	7	A (7) ¹	
	NBLTR	--	3	34	A	10	A (10) ²		3	30	A	10	A (10) ²	
	SBLTR	--	5	53	A	9	A (9) ²		8	84	B	10	B (10) ²	
2026 Build Conditions	EBLTR	--	0	27	A	7	A (7) ¹	N/A	3	40	A	7	A (7) ¹	N/A
	WBLTR	--	0	--	A	7	A (7) ¹		0	--	A	7	A (7) ¹	
	NBLTR	--	3	30	A	10	A (10) ²		3	39	B	11	B (11) ²	
	SBLTR	--	8	46	A	9	A (9) ²		13	98	B	11	B (11) ²	

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis of the 2025 Existing, 2028 No-Build, and 2028 Build traffic conditions indicate that the major-street left-turn movements are expected to operate at LOS A and the minor street approaches are expected to operate at LOS B or better during both the weekday AM and PM peak hours under all scenarios. No improvements are recommended.

7.4. Bay Road SW and Site Drive

Refer to the table below for a summary of the capacity analysis of the subject intersection during the analysis scenarios.

Table 8: Analysis Summary of Bay Road SW & Site Drive

Analysis Scenario	Lane Group	Existing Storage (ft)	Weekday AM Peak Hour					Weekday PM Peak Hour						
			Queue (ft)		Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)	Queue (ft)		Lane LOS	Delay (sec)	Approach LOS (sec)	Overall LOS (sec)
			95th	Max					95th	Max				
2026 Build Conditions	WBLR	--	3	56	A	9	A (9) ²	N/A	3	39	A	9	A (9) ²	N/A
	NBTR	--	--	--	--	--	--		--	--	--	--		
	SBLT	--	0	11	A	7	A (7) ¹		3	36	A	8	A (8) ¹	

Improvements to lane configurations are shown in Bold

1. Level of service for major-street left-turn movement.
2. Level of service for minor-street approach.

Capacity analysis of the 2028 Build traffic conditions indicate the major-street left-turn movement and the minor street approach is expected to operate at LOS A during both the weekday AM and PM peak hours.

8. CONCLUSIONS

This Traffic Impact Analysis was conducted to determine the potential traffic impacts of the 66 Lot Bay Road development to be located in Shallotte, North Carolina. The proposed development, anticipated to be completed in 2028, is assumed to consist of 66 single family homes. Site access to is proposed one full movement intersection along Bay Road SW.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- 2025 Existing Traffic Conditions
- 2028 No-Build Traffic Conditions
- 2028 Build Traffic Conditions

Trip Generation

Primary site trips are expected to generate approximately 52 trips (13 entering and 39 exiting) during the weekday AM peak hour and 68 trips (43 entering and 25 exiting) during the weekday PM peak hour.

Adjustments to Analysis Guidelines

Capacity analysis at all study intersections was completed according to NCDOT Congestion Management Guidelines. Refer to section 6.1 of this report for a detailed description of any adjustments to these guidelines made throughout the analysis.

Intersection Capacity Analysis Summary

All the study area intersections (including the proposed site driveways) are expected to operate at acceptable levels-of-service under existing and future year conditions with the exception of the intersections listed below. A summary of the study area intersections that are expected to need improvements are as follows:

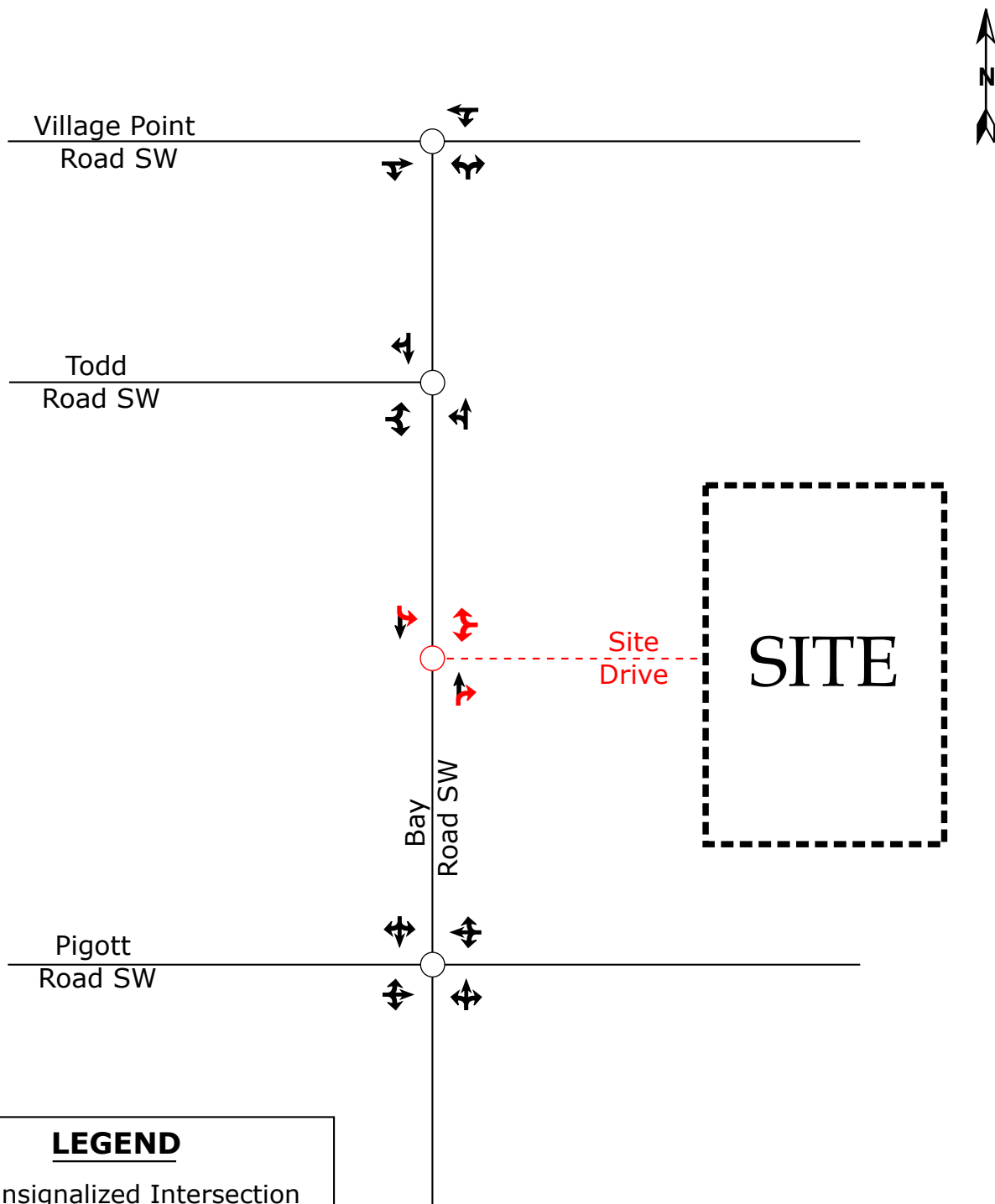
9. RECOMMENDATIONS

The following is a summary of improvements at the study intersections. Refer to Figure 11 for an illustration of the recommended lane configuration for the proposed development.

Improvements by Developer

Bay Road SW and Site Drive

- Construct Site Drive as a westbound approach with one ingress and one egress lane striped as a shared left-turn/right-turn lane.



LEGEND

- Unsignalized Intersection
- ➔ Existing Lane
- ➔ Improvement by Developer



66 Lot Bay Road
Shallotte, NC

Recommended Lane
Configurations

Scale: Not to Scale Figure 11



TOWN OF SHALLOTTE

PLANNING & ZONING DEPARTMENT

Post Office Box 2287 • Shallotte, North Carolina 28459

Telephone: (910) 754-4032 • Facsimile: (910) 754-2740

July 17, 2025

Town of Shallotte Technical Review Committee

Brian Fleeer Attn:

1001 Military Cutoff, Suite 101

Wilmington, NC 28405

RE: Faatz-Bay Road PUD (Master Plan) & Annexation ANX 25-21

Mr. Fleeer,

Please find the notes below, which were compiled from the recent Technical Review Committee meeting of your project. I will need responses to each comment as well as revised preliminary plans that reflect those comments and updates.

I will place your rezoning/PUD on the next available Planning Board agenda and subsequent Board of Alderman agenda once your responses and revised master subdivision plans have been reviewed.

Planning

1. Please update the annexation & PUD applications to reference PUD as the proposed zoning
 - a. Page 2 (PUD App) should reference the correct acreage
Brandon Eaton has the signed Annexation and PUD applications, including noting PUD (vs PRD) zoning request and correct acreage per application. A metes and bounds description is being prepared by Tompkins Surveying and will be submitted this week.
2. A complete annexation application will be needed in order to proceed **I believe you have the completed applications currently.**
3. Label plan as PUD master plan **Luke Menius from Stroud Engineering has emailed you a revised Master Plan noting PUD vs PRD.**
 - a. This will need to be included with subsequent preliminary subdivision applications and plans **Noted**
4. Please confirm the project "Thamesmen Village" **Confirmed**
5. Staff will need a list of adjacent property owners for notification of the public hearing **Adjacent property owners will be provided in a separate email to you this week**
6. Given comments & questions received during public hearings for similar projects along the Village Pt corridor, staff would like to see a traffic impact analysis for the project **Noted.**
 - a. The scope of the TIA should take into consideration the growth of the area and the current/proposed projects taking place along Village Pt. Rd. & Bay Rd. **Noted.**

- b. It may be in your best interest to have a qualified transportation expert to speak to the area traffic impacts **We have retained DRMP (formerly Remy-Kemp) to complete a TIA focusing on current project development in the adjoining area, specifically Bay Rd and Village Point Rd. We will have the TIA document to you by the end of this week so as to include in the August Planning Commission packet. We have also asked that a representative from DRMP be in attendance at the Town Planning Commission meeting.**
7. Please confirm that the project will be completed and plated in one phase **Confirmed**
8. Please provide the source (NCDOT manual) of the road design **The basis for the roadway design is the current (2010 edition with the 2020 revisions) NCDOT Subdivision Road Minimum Construction Standards.**
 - a. Please show the necessary 5' wide sidewalks along both sides of all streets or an 8' along a single side **5 ft sidewalks are currently shown throughout the subdivision**
9. Please ensure that plans show proposed road is stubbed out to the southern boundary **Noted, revised plans reflect this revision.**
10. Please ensure that a sign is posted showing this as a future road connection for public use **Noted.**
11. Please detail the cul-de-sac's lengths **Cul de sac lengths (CL intersection to CL bulb) are:**
Pepys (formerly Smalls): 452'
Tufnel (north): 185'
Tufnel (south): 318'
12. Plans need to include the details listed in Sec. 16-10 (c); this should include open space details.
 - a. Note, SW ponds do not constitute open space **Noted.**
13. We will also need to see the draft HOA details listed in Sec. 16-11 **Noted.**
 - a. Please ensure that HOA covenants restrict on-street (public streets) parking or modify street design to account for on-street parking **Noted.**
14. Please provide wetland delineations once approved by USACE 15. Are there any heritage trees on the site? **Wetland Documents will be provided to you in a separate email**
16. Street names are to be submitted to Brunswick County for approval. **Noted.**
17. Once the county approves street names and assigns street range, we will assign addresses. **Noted.**
 - a. Please submit proposed road names to Brunswick County GIS and copy Debra Horn on correspondence **Noted. These have been submitted.**
18. Please note that the Town will only accept performance guarantees for incomplete sidewalks, all other work must be complete and inspected prior to final zoning inspection **Noted.**
19. Please ensure that all public infrastructure is dedicated to the Town prior to final zoning inspection/approval **Noted.**
20. The Town will review the street light plan site and Landscape Plan review **Noted.**
21. To avoid confusion, Development signs should be considered during planning - see sign ordinance below. **Noted.**
22. Sign permit will be reviewed and issued separately. **Noted.**
23. Sewer fees will be assessed based on current fee schedules and collected as phased site plans are receiving initial zoning approval **Noted.**
24. Will they be paying water/sewer assessment fees all at once or as they build each home or by Phase?

If all at once or per Phase, I will need the bedroom count per home (per Phase). If they pay as they build, I will calculate the fees as they submit the zoning application per home. **Fees will be paid on an individual development permit basis**

25. Zoning permits for new home construction can be submitted once lots have been recorded
 - a. Sewer system development fees will be assessed prior to zoning approval for each new home application **Noted.**
26. Please provide copies of any permits and delineations from USACE **Will provide in a separate email**
27. Please provide copy of NCDOT driveway permit and NCDEQ stormwater permit as they are obtained **Noted.**
28. Note, if approved
 - a. PUD master plan will run with the property **Understood**
 - b. Subsequent preliminary subdivision applications & plans will be administered by staff **Understood**

Shallotte Public Utilities

1. Allocation of sewer is issued to only 60 lots at a time. **We would request consideration that all 66 lots be permitted at one time.**
2. Detailed sewer utility plans must be reviewed by the Town's engineer for comment **Noted.** (dbowman@atmc.net & Elizabeth@EliEngineering.net)
3. Gravity sewer is to be installed wherever possible. Pressure Sewer is only allowed by the approval of the Board of Aldermen. (Code of Ordinances 52.030 B) **Noted. No pressure sewer is proposed.**
 - a. No utility line may be placed deeper than 10' **Noted.**
4. Developers will need to obtain an authorization to construct from the state prior to beginning any utility work **Noted.**
5. Lift station must be built according to state requirements and Town of Shallotte specs. **Noted.**
6. A final for the state permits we be required prior to any sewer connections. **Noted.**
7. Must have easement access to lift station and all sewer lines. **Noted.**
8. Damage caused to private landscape or pavement during sewer repairs will not be the responsibility of the Town **Noted.**
9. Lift station is to be located on a separate parcel which is included with the dedication of the utility to the Town. **Noted.**
10. All water and sewer lines are to have copper wiring for locating. **Noted. Please confirm if this is applicable to gravity mains.**
11. Any damage to pavement, concrete, etc. due to removing/replacing sewer tank or lines will not be the responsibility of the town. **Noted.**
12. Need at least a 10-foot utility easement on both side of the roads **Noted.**
13. Correct As-builds in CAD form need to be submitted to the Town's engineer prior to c/o. **Noted.**
14. Landscape cannot block access to water or sewer meter and lines or lift station(s). **Noted.**
15. Need at least a 10-foot utility easement on both side of the roads (Dan may recommend a larger easement). **Noted.**
16. Any amenities (clubhouse, pools, etc.) that require system development fees, need to apply for zoning compliance individually and pay system developing fees prior to issuing a zoning compliance. Debra Horn, CZO Development & Regulatory Compliance Manager dphorn@atmc.net **No amenity facilities requiring utility service are proposed.**

Further comment reserved for the submission of actual utility drawings.

Dan Formyduval, Public Works Utility Supervisor dformyduval@townofshallotte.org

Town Engineer Service

1. A Town of Shallotte Stormwater Permit application will be required, along with a full grading plan.

Noted.

2. This development will require permitting with NCDEQ; please provide copies of NCDEQ Erosion and Sediment Control permits and Stormwater permits with final design submissions. Noted.

Elizabeth Nelson, PE Elizabeth@EliEngineering.net

Shallotte FD Comments have been reviewed and noted.

1. See additional comments attached separately
2. Verify Needed fire flow
 - a. Static water sources are not used as primary water sources
 - b. Contact Shallotte Point VFD for historical flow data
 - c. Contact the Brunswick County Fire Marshal for an approved method for determining fire flow
3. Hydrant placement as specified by Fire Code Official
 - a. Future issues are to be forwarded to BC Water Dept
4. Cul-de-Sac diameter as specified by Fire Code Official
 - a. 96' to accommodate fire apparatus
5. HOA/POA to enforce
 - a. Unobstructive access to fire hydrants
 - b. No on-street parking

Paul Dunwell, Shallotte Fire Chief

Brunswick County Plan Review (Fire Inspection) Comments have been reviewed and noted.

1. Cul-de-sacs need to be minimum 96-foot diameter.
2. Brunswick County Fire Plan Review shall also approve hydrant plan.
 - a. Hydrants at entrance then spaced at 500 feet with no point of the road to exceed 250 feet.
 - b. Hydrants should not be at the end of dead-end roads or bulbs of cul-de-sacs.
 - c. Example- put at intersection and if not over 250 feet to end will meet requirements.
 - d. If hydrant at intersection and distance to end exceeds 250 feet, then put before cul-de-sac so hydrant is not in turnaround.

Joe Oliver, Deputy Fire Marshal 910-253-2043 Joseph.oliver@brunswickcountync.gov

Floodplain

James Paggioli, CFM
Floodplain Administrator Brunswick
County
james.paggioli@brunswickcountync.gov

NCDOT Comments have been reviewed and noted.

1. Bay Road - Faatz Property at East of 1125 Bay Rd, South of intersection with Village Point Rd, PID 2290003505. 66 lot SF residential subdivision (town of Shallotte sewer and BC water)

2. Will need to show the 10x70 ft sight distance triangles and the stopping sight distance based on speed limit / green AASHTO book;
3. Preferred protective stem length 50ft-100 ft from NCDOT Right of Way (ROW) will need to be shown – this may affect the access to lots and/or lift station;
4. Driveway profile and elevations to demonstrate how drainage will be accommodated along the property frontage;
5. Driveway type, width and radius to be added to plan;
6. Traffic control plan will need to be submitted and approved prior to construction;
7. VCER form completed to verify all environmental permits are obtained.
8. Bond to cover all work within the NCDOT ROW
9. Encroachment agreements (one for water, one for sewer) submitted via the NCDOT portal.
10. Driveway and utility encroachments to be submitted to NCDOT by use of the electronic portal:

<https://connect.ncdot.gov/municipalities/Utilities/Pages/help.aspx>

Angela Hammers - Engineering Technician III, NCDOT Div. 3 District 3 – (910) 398-9100 / 9119 - akhammers@ncdot.gov.

Sent via e-mail 7/XX/2025

RW

**U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT**

Section VIII, Item 3.

Action Id. SAW-2023-01176

County: Brunswick County

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Property Owner/Applicant: Aubrey Faatz

Address: 1125 Bay Rd SW
Shallotte, NC, 28470

Telephone Number: (910) 279-1288

E-mail Address: aubreyfaatz@yahoo.com

Size (acres) 22.3

Nearest Waterway Millpond, The

USGS HUC 03040208

Nearest Town Shallotte, NC

River Basin Lower Pee Dee

Coordinates Latitude: 33.93036 Longitude: -78.38722

Location description: This 22.3-acre undeveloped lot parcel is located on Bay Road in Shallotte, Brunswick County, NC. (Parcel ID: 2290003505).

Indicate Which of the Following Apply:

A. Preliminary Determination

X There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The waters, including wetlands, have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.

— There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The waters, including wetlands, have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.

— There appear to be waters, including wetlands, on the above described property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). However, since the waters, including wetlands, have not been properly delineated, this preliminary jurisdiction determination may not be used in the permit evaluation process. Without a verified wetland delineation, this preliminary determination is merely an effective presumption of CWA/RHA jurisdiction over all of the waters, including wetlands, at the project area, which is not sufficiently accurate and reliable to support an enforceable permit decision. We recommend that you have the waters of the U.S., including wetlands, on your property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

B. Approved Determination

- There are Navigable Waters of the United States within the above described property subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are waters of the U.S., including wetlands, on the above described property subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
 - We recommend you have the waters of the U.S., including wetlands, on your property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.
 - The waters of the U.S., including wetlands, on your property have been delineated and the delineation has been verified by the Corps. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, unless there is a change in law or our published regulations, may be relied upon for a period not to exceed five years from the date of this notification.
 - The waters of the U.S., including wetlands, have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on _____. Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are no waters of the U.S., to include wetlands, present on the above described property which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

X The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in Morehead City, NC, at (252) 808-2808 to determine their requirements.

Placement of dredged or fill material within waters of the US, including wetlands, without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). Placement of dredged or fill material, construction or placement of structures, or work within navigable waters of the United States without a Department of the Army permit may constitute a violation of Sections 9 and/or 10 of the Rivers and Harbors Act (33 USC § 401 and/or 403). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **Gary Beecher at (910) 251-4694 or Gary.H.Beecher@usace.army.mil.**

C. Basis For Determination: N/A. An Approved JD has not been completed.

D. Remarks: A desk top review was conducted on this PJD application using information obtained rom the consultant (Davey Resources Group) and from Corps produced Lidar Maps.

E. Attention USDA Program Participants

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

F. Appeals Information for Approved Jurisdiction Determinations (as indicated in Section B. above)

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Mr. Philip A. Shannin
Administrative Appeal Review Officer
60 Forsyth Street SW, Floor M9
Atlanta, Georgia 30303-8803

AND

PHILIP.A.SHANNIN@USACE.ARMY.MIL

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **N/A.**

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.

Gary H. Beecher

Digitally signed by Gary H.

Beecher

Date: 2023.09.18 15:19:39 -04'00'

Corps Regulatory Official: _____

Date of JD: **September 18, 2023**

Expiration Date: **PJD does not expire**

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at

<https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Copy Furnished via email to:

Consultant:

Matthew Ruppert

Davey Resources Group

BACKGROUND INFORMATION**A. REPORT COMPLETION DATE FOR PJD:** September 18, 2023**B. NAME AND ADDRESS OF PERSON REQUESTING PJD:** Aubrey Faatz/1125 Bay Rd SW Shallotte, NC 28470**C. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Wilmington, Bay Road SW, SAW-2023-01176**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:****(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)**

State: NC

County/parish/borough: Brunswick

City: Shallotte

Center coordinates of site (lat/long in degree decimal format):

Lat.: 33.930579

Long.: -78.386644

Universal Transverse Mercator: 17 S 741565.73 m E 3757535.16 m N

Name of nearest waterbody: UT to Little Saucepan Creek

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):☒ Office (Desk) Determination. Date: September 18, 2023☐ Field Determination. Date(s):**TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.**

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
T1	33.931598	-78.387330	240 l.f.	Non-Wetland Waters	Section 404
W1	33.929561	-78.387471	0.26 ac	Wetland Waters	Section 404
W2	33.931905	-78.386661	0.10 ac	Wetland Waters	Section 404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- ☒ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
Map: PJD Reference Sketch.
- ☒ Data sheets prepared/submitted by or on behalf of the PJD requestor.
☒ Office concurs with data sheets/delineation report.
☐ Office does not concur with data sheets/delineation report. Rationale: _____.
- ☐ Data sheets prepared by the Corps: _____.
- ☐ Corps navigable waters' study: _____.
- ☐ U.S. Geological Survey Hydrologic Atlas: _____.
☐ USGS NHD data.
☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: USGS Topographic 7.5 Minute- Shallotte.
- ☒ Natural Resources Conservation Service Soil Survey. Citation: GIS Soils Data Brunswick.
- ☐ National wetlands inventory map(s). Cite name: _____.
- ☐ State/local wetland inventory map(s): _____.
- ☐ FEMA/FIRM maps: _____.
- ☐ 100-year Floodplain Elevation is: _____.(National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): NAPP 1998 Infrared Imagery ; 2020 NC OneMap Brunswick.
or ☐ Other (Name & Date): _____.
- ☐ Previous determination(s). File no. and date of response letter: _____.
- ☒ Other information (please specify): Corps produced Lidar Maps.

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Gary H. Beecher

Digitally signed by Gary H.
Beecher
Date: 2023.09.18 15:19:11 -04'00'

Signature and date of
Regulatory staff member
completing PJD

Matthew Koppert

Signature and date of
person requesting PJD
(REQUIRED, unless obtaining
the signature is impracticable)¹

¹ Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.



L:\WETLANDS\2022 WETLANDS FILES\DRGNCW22.580 ---
 Bay Rd SW, Aubrey Faatz Home Crafters\Maps\GIS
 Boundaries are approximate and not meant to be absolute.
 Map Source: OpenStreetMap



0 1,000 2,000 4,000
 ft

Bay Rd SW
 Brunswick County, NC

Map Date: May 2023
 DRGNCW22.580



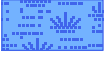



DAVEY 
Resource Group
 3805 Wrightsville Avenue
 Wilmington, NC 28403
 (910) 452-0001

Figure 1
Vicinity Map

NOTE: This is not a survey. All boundaries and distances are considered approximate. This represents a preliminary sketch prepared from field notes. A survey of delineated areas and review and approval by the U.S. Army Corps of Engineers is recommended prior to specific site planning.



Legend

-  Parcel Boundary ~22.3 Acres
-  Upland ~21.9 Acres (98%)
-  Wetland ~0.4 Acres (2%)
-  Potential Waters of the U.S. (Non-Stream) ~240 lf
-  Upland Drainage Feature (No OHWM) ~230 lf
-  Data Point

L:\WETLANDS\2022 WETLANDS FILES\DRGNCW22.580 ---
Bay Rd SW, Aubrey Faatz Home Crafters\Maps\GIS
Boundaries are approximate and not meant to be absolute.
Map Source: 2020 NC OneMap



0 100 200 400
ft
Scale applies to 11X17" print.

Bay Rd. Tract
Brunswick County, NC

Map Date: May 2023
DRGNCW22.580

DAVEY 
Resource Group
3805 Wrightsville Avenue
Wilmington, NC 28403
(910) 452-0001

PJD Reference Sketch

Planning Board Zoning Amendment Statement of Consistency

The Town of Shallotte *Planning Board* has reviewed in full the petition ANX #25-21 to rezone ±22 acres of real property (tax ID 2290003505) owned by Aubrey & Amanda Faatz from County R7500 to Shallotte PUD. After review of the petition, the Planning Board hereby *recommends* that the property be rezoned to PUD from its current zoning. In making this *recommendation*, the *Planning Board* finds that
[check all that apply]:

This request **(X) IS () IS NOT** consistent with the objectives and policies of the following plans adopted by the Town of Shallotte:

- It is consistent with the Town of Shallotte's Future Land Use Plan's prescription for use (single-family homes) and density; and

This request **(X) IS () IS NOT** reasonable and in public interest:

- The proposed PUD master plan aligns with the Town's Future Land Use Map for low density residential development.

The proposed amendment(s) are in conformance with the following:

- (X) UDO Table of Permitted Uses
(X) 2018 CAMA Land Use Plan
() Bike & Pedestrian Plan (If applicable)
(X) Future Land Use Map

☐ Other comments:

8/12/2025
Date

Richard Gannan
Planning Board Chairman
Town of Shallotte

ORDINANCE 25-21

ORDINANCE OF THE TOWN OF SHALLOTTE, NORTH CAROLINA TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE, NORTH CAROLINA (CONTIGUOUS ANNEXATION)

WHEREAS, the Town of Shallotte has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Shallotte has the resolution directing the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 5:15 p.m. on September 2, 2025 after notice by publication; and

WHEREAS, the Town of Shallotte finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE BE IT ORDAINED by the Board of Aldermen of the Town of Shallotte, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Shallotte as of April 01, 2025;

BEGINNING AT AN IRON ON THE RIGHT OF WAY OF SR 1151, SAID IRON BEING LOCATED S 14°00'09" W 1123.38 FEET FROM A MAG NAIL IN THE CENTERLINE INTERSECTION OF SR 1151 AND SR 1147, RUNS THENCE S 81°57'37" E 742.69 FEET TO AN IRON PIPE, THENCE S 05°27'28" W 1162.87 FEET TO A 1 INCH PIPE, THENCE N 78°53'19" W 892.37 FEET TO AN IRON, THENCE N 78°46'14" W 117.80 FEET TO AN IRON IN THE RIGHT OF WAY OF SR 1151, THENCE WITH THE RIGHT OF WAY OF SR 1151 THE FOLLOWING COURSES AND DISTANCES, N 25°54'46" E 130.02 FEET TO AN IRON, THENCE N 24°27'49" E 190.81 FEET TO AN IRON, THENCE N 21°11'37" E 122.90 FEET TO AN IRON, THENCE N 18°26'44" E 82.94 FEET TO AN IRON, THENCE N 16°24'38" E 76.46 FEET TO AN IRON, THENCE N 15°26'39" E 79.29 FEET TO AN IRON, THENCE N 15°19'50" E 83.09 FEET TO AN IRON, THENCE N 15°00'26" E 96.81 FEET TO AN IRON, THENCE N 14°54'49" E 153.31 FEET TO AN IRON, THENCE N 15°28'32" E 115.25 FEET TO THE PLACE AND POINT OF BEGINNING CONTAINING 22.27 ACRES MORE OR LESS ACCORDING TO A SURVEY DATED JULY 25, 2022 BY TOMPKINS LAND SURVEYING ,P.A.

Adopted this 1st day of April, 2025.

Walt Eccard, Mayor

ATTEST:

Natalie Goins, Town Clerk

APPLICANT: Aubrey & Amanda Faatz- PID# 2290003505

I certify that Natalie Goins personally appeared before me this 2nd day of September, 2025 and I have personal knowledge of the identity of the principal; acknowledging to me that she voluntarily signed the forgoing document for the purpose stated therein and in the capacity indicated: Town Clerk

Maria O. Gaither, Notary Public

(Seal)

My Commission Expires: February 19, _____

STATE OF NORTH CAROLINA
County of Brunswick

Clerk's Certification

The undersigned, Natalie Goins, Clerk to the Board of Aldermen of the Town of Shallotte, North Carolina, hereby certifies that Ordinance 25-21 attached hereto for the Town of Shallotte is a true and accurate copy of the ordinance adopted unanimously by the Board of Aldermen for the Town of Shallotte, North Carolina on the 2nd day of September, 2025; that the ordinance was duly adopted during a session of the Board of Aldermen and remains in full force and effect; and that the Board of Aldermen has taken no action which would in any manner modify or repeal the terms of such ordinance; and that the same remains in full force and effect as of the date hereof.

This the 2nd day of September, 2025.

Natalie Goins, Town Clerk
Town of Shallotte

Board of Aldermen Zoning Amendment Statement of Consistency

The Town of Shallotte *Board of Aldermen* have reviewed in full the petition ANX #25-21 to rezone ±22.3 acres of real property (Tax ID 2290003505) owned by Aubrey & Amanda Faatz from County R7500 to Shallotte PUD.

After review of the petition/application, the Board hereby ☒ **APPROVES** ☐ **DENIES** the request that the property be rezoned to PUD from its current zoning.

In taking this *action*, the *Board* finds that
[*check all that apply*]:

This request **(X) IS () IS NOT** consistent with the objectives and policies of the following plans adopted by the Town of Shallotte:

- The proposed PUD is consistent with the Town of Shallotte's Future Land Use Plan's prescription for use & density. The project entails a community master plan with single-family homes, appropriate roads, utilities, & open space.

This request **(X) IS () IS NOT** reasonable and in public interest:

- The proposed PUD provides additional housing within the Town while remaining within the prescribed density of the Town's Future Land Use Plan.

The proposed amendment(s) are in conformance with the following:

- (X) UDO Table of Permitted Uses
- (X) 2018 CAMA Land Use Plan
- () Bike & Pedestrian Plan (If applicable)
- (X) Future Land Use Map

☐ Other comments:

Date

Mayor
Town of Shallotte



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2025

TO: Board of Aldermen

FROM: Brandon Eaton, Planner II

ACTION ITEM #: ANX 25-22
MEETING DATE: 9/2/2025
DATE SUBMITTED: _____

ISSUE/ACTION REQUESTED:

Review the petition for annexation (ANX 25-22), along with the supporting documentation, conduct a public hearing, and take action upon the request.

PUBLIC HEARING: ☒ YES ☐ NO

BACKGROUND/PURPOSE OF REQUEST:

The property owners of the parcels in question have submitted a petition for annexation of property located at 27 Brierwood Rd., (PID# 2132B00101).

The property in question is currently located in the Town’s extra territorial jurisdiction (ETJ) and currently zoned in-town Residential (R-15), and a map amendment has not been requested.

The Board may:

Vote to recommend the annexation as proposed; or
Vote to recommend denying the annexation as proposed; or
Continue the item until additional information is presented.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES ☒ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES ☒ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES ☒ NO

REVIEWED BY DIRECTOR OF FISCAL OPERATIONS

☐ YES ☒ NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

☐ YES ☒ NO ☐ N/A

ADVISORY BOARD RECOMMENDATION:

N/A

STAFF RECOMMENDATION: Staff recommend that the Board approves the annexation as presented.

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

1. Area map
2. Annexation Petition
3. Clerk Certification
4. Draft Ordinance

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

ATTEST:

CLERK TO THE BOARD

DENIED:

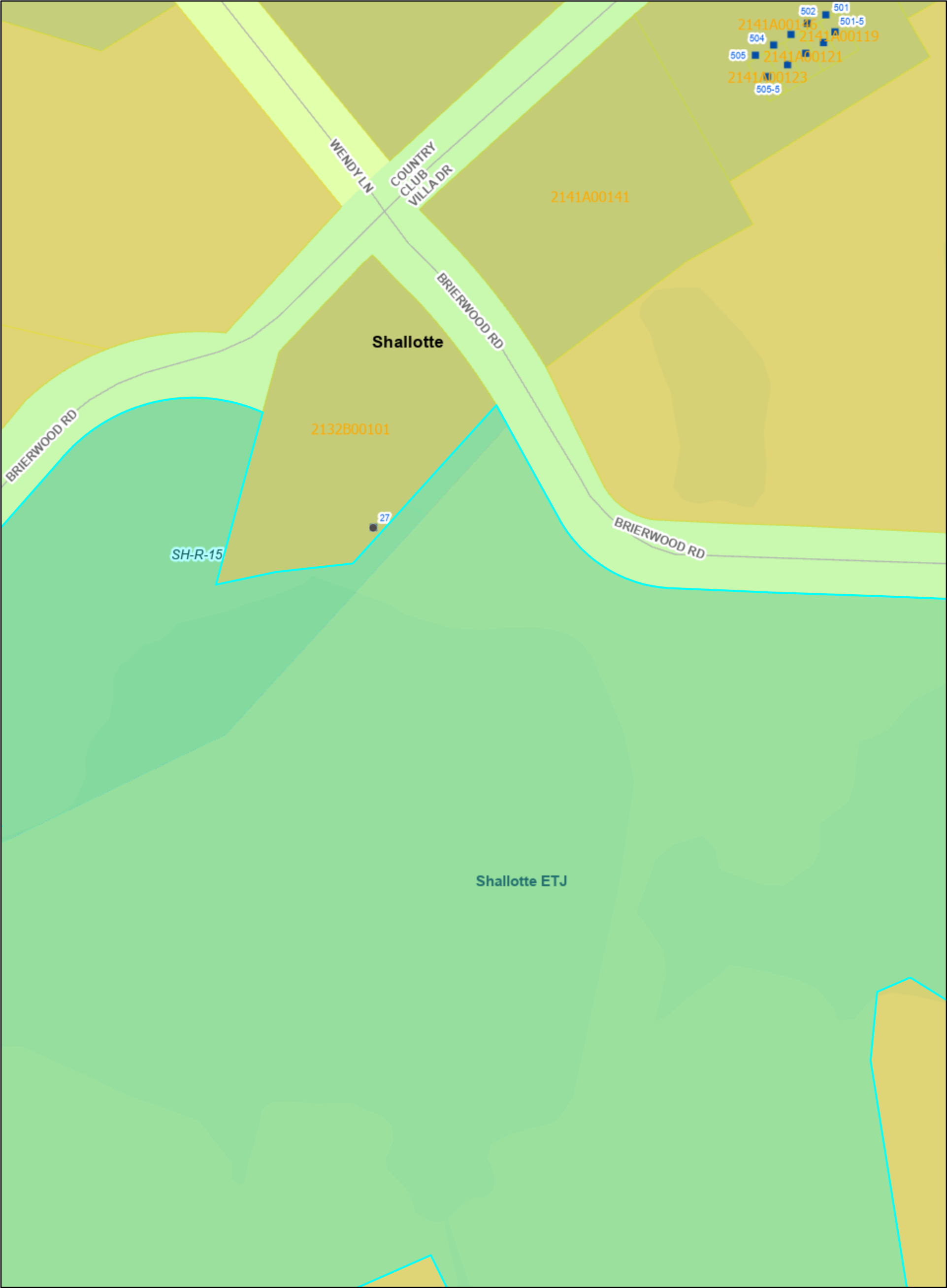
☐

**DEFERRED
UNTIL:**

SIGNATURE

OTHER:

Brunswick County GIS Data Viewer



7/15/2025, 2:01:47 PM

Zoning

- SH-R-15
- SH-RA-15

County Boundary

Parcels

Parcels

Municipalities

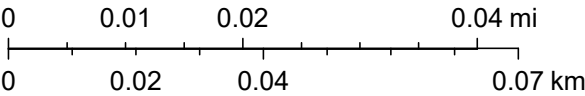
- Shallotte City
- Shallotte ETJ

Roads

Minor

Addresses

1:1,250




Petition Requesting Voluntary Contiguous Annexation

TO THE BOARD OF ALDERMEN OF THE TOWN OF SHALLOTTE, NORTH CAROLINA:

- 1. We the undersigned owner(s) of real property respectfully request that the area described in paragraph 2 below be annexed to the TOWN OF SHALLOTTE.
- 2. The area to be annexed is contiguous to the Town of Shallotte and the boundaries of such territory are described in the attached metes and bounds description (Exhibit "A") and annexation map (Exhibit "B"), attached hereto and incorporated herein by reference.

Vested rights, with respect to such property, have not been established, under N.C.G.S. 160A-385.1, except as described in Exhibit "C", attached hereto and incorporated herein by reference.

Respectfully,

Printed Name	Mailing Address	Parcel ID #(s)	Vested Rights?	Signature	Date
Blum Investment Group Golf LLC	27 Brierwood RD Shallotte, NC 28470	2132B00101	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		7/9/25
By Kevin J Blum, Manager			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		

CERTIFICATE OF SUFFICIENCY

To the Mayor and Board of Aldermen of the Town of Shallotte, North Carolina:

I, Natalie Goins, Town Clerk, do hereby certify that I have investigated the annexation petition of parcel 2132B00101 and hereby make the following findings:

- a. The petition contains a metes and bounds description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Shallotte primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Shallotte, this 22nd day of August, 2025.

Natalie Goins
Natalie Goins, Town Clerk

Brunswick County GIS

Layer List

- > ☒ BRUNSWICK COUNTY GIS
- ☐ PICTOMETRY 2025
- ☐ ORTHOIMAGERY 2024
- ☐ PICTOMETRY_2023
- ☐ PICTOMETRY_2021
- ☐ PICTOMETRY 2019
- ☐ PICTOMETRY 2016
- ☐ PICTOMETRY 2012
- ☐ PICTOMETRY 2010

Parcels: 2132B00101

Zoom to

Property Tax Cards

[2025 Tax Card](#)
[2024 Tax Card](#)
[2023 Tax Card](#)
[2022 Tax Card](#)
[2021 Tax Card](#)

Parcel Information

Parcel ID: 2132B00101
Parcel PIN: 108710451594
Calc. Acreage: 0.96

Legal Description

TR-2 .95AC BRIERWOOD EST PLAT 25/144

Owner Information

Owner Name:
BLUM INVESTMENT GROUP GOLF LLC

Mailing Address:

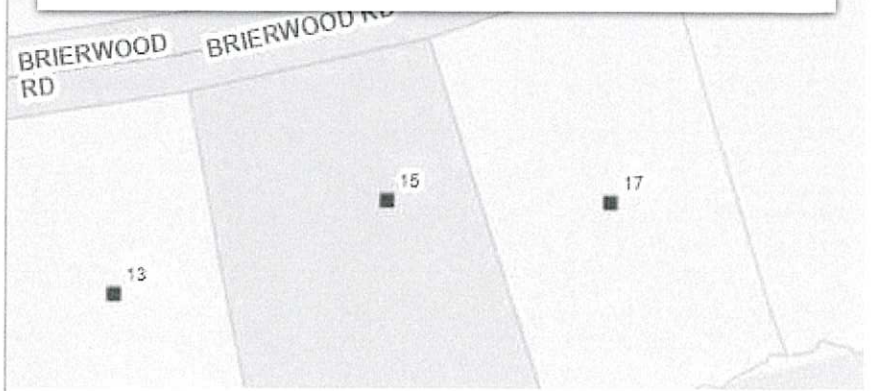
1212 CLIPPER RD

N MYRTLE BCH, SC 29582-6834

Deed and Plat References

Deed Book: 03547
Deed Page: 0564
Plat Book: 00025
Plat Page: 00144

PARCEL PHOTO



Select Table



50 m
100 ft



[Home](#) [Business Registration](#) [Search](#) [Limited Liability Company](#)

Limited Liability Company

Actions

- [File an Annual Report/Amend an Annual Report](#)
- [Online Filing](#)
- [Order a Document Online](#)
- [Add Entity to My Email Notification List](#)
- [View Filings](#)
- [Print a Pre-Populated Annual Report form](#)
- [Print an Amended a Annual Report form](#)

Legal name: Blum investment group golf LLC

Secretary of State Identification Number (SOSID): 1378747

Status: Current-Active

Citizenship: Domestic

Date formed: 5/13/2014

Registered agent: [Kevin J. Blum](#)

mailing address

1212 Clipper Rd
North Myrtle Beach, SC 29582

Registered mailing address

1212 Clipper Rd
North Myrtle Beach, SC 29582

Principal office address

27 Brierwood Rd
Shallotte, SC 28470

Registered office address

27 Brierwood Rd
Shallotte, NC 28470

Company officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

- **Manager**
[Kevin J. Blum](#)
27 Brierwood Rd
Shallotte NC 28470

ORDINANCE 25-22

ORDINANCE OF THE TOWN OF SHALLOTTE, NORTH CAROLINA TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SHALLOTTE, NORTH CAROLINA (CONTIGUOUS ANNEXATION)

WHEREAS, the Town of Shallotte has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Shallotte has the resolution directing the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at 5:15 p.m. on September 02, 2025 after notice by publication; and

WHEREAS, the Town of Shallotte finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE BE IT ORDAINED by the Board of Aldermen of the Town of Shallotte, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Shallotte as of September 02, 2025;

Being all that certain tract or parcel of land lying and being in Shallotte Township, Brunswick County, North Carolina and being more particularly described as follows:

Beginning at an iron rebar found in the southern right of way line of Brierwood Road (60' Public Right of Way); said beginning point have NC Grid Coordinates: N=75585.19 feet, E=2184105.79 feet (NAD 83-2011); said beginning point also being located S44°07'14"W, 122.58 feet from an existing 5/8" rebar found in the southeastern right of way lines of Brierwood Road and Wendy Lane (60' Public Right of Way).

Thence from the beginning point and with the southern right of way line of Brierwood Road, N44°06'12"E, 105.83 feet to an existing rebar found; thence with a curve to the right having a

Map _____ Page # _____

radius of 1985.38 feet and a chord bearing and distance of N44°16'38"E, 12.05 feet to an existing rebar found in the southeastern right of way of Brierwood Road and Wendy Lane aforesaid mentioned; thence continuing with the southern right of way line of Brierwood Road, S45°08'15"E, 35.51 feet to an existing rebar found; thence with a curve to the right having a radius of 601.34 feet and a chord bearing and distance of S38°20'44"E, 142.23 feet to a new 5/8" rebar set; thence S31°33'14"E, 107.27 feet to a new 5/8" rebar set; thence with a curve to the left having a radius of 155.00 feet and a chord bearing and distance of S45°43'36"E, 75.90 feet to a new 5/8" rebar set; thence leaving the southern right of way line of Brierwood Road, S30°06'02"W, 59.34 feet to a new 5/8" rebar set; thence running along an existing wood bulkhead S87°53'03"W, 30.24 feet to a new 5/8" rebar set; thence N84°28'30"W, 30.47 feet to a new 5/8" rebar set; thence S87°57'34"W, 60.22 feet to a new 5/8" rebar set; thence N76°58'08"W, 30.17 feet to a new 5/8" rebar set; thence S55°08'07"W, 42.22 feet to an inaccessible point in a pond; thence N66°18'07"W, 115.25 feet to a new 5/8" rebar set; thence S72°18'55"W, 90.45 feet to a new 5/8" rebar set; thence S61°57'47"W, 47.16 feet to a new 5/8" rebar set; thence S39°34'11"W, 37.29 feet to a new 5/8" rebar set; thence along the edge of an existing pond, S13°58'28"W, 121.73 feet to a new 5/8" rebar set; thence S73°04'52"W, 66.33 feet to an existing iron rod found; said iron rod being the southeast corner of lands claimed by Christopher & Denise Hanna as recorded in Deed Book 3370. Page 1341, Brunswick County Registry; thence with the eastern boundary line of Hanna, N18°36'50"W, 197.67 feet to a new 5/8" rebar set in the southern right of way line of Brierwood Road; thence with the southern right of way line of Brierwood Road, N39°18'31"E, 171.59 feet to a new 5/8" rebar set; thence with a curve to the right having a radius of 195.00 feet and a chord bearing and distance of N56°48'07"E, 117.23 feet to a new 5/8" rebar set; thence N74°17'43"E, 58.88 feet to a new 5/8" rebar set; thence with a curve to the left having a radius of 130.00 feet and a chord bearing and distance of N59°11'57"E, 67.71 feet to the place and Point of Beginning.

Containing 3.10 acres (134,837 square feet) and being all of Annexation Tract as shown on a survey titled "Annexation Survey For Town of Shallotte, NC" as prepared by Christopher D. Stanley, PLS, dated 07-07-2025, to which reference is hereby made for a more full and accurate description.

Adopted this 2nd day of September 2025.

Walt Eccard, Mayor

ATTEST:

Natalie Goins, Town Clerk

APPLICANT: Blum Investment Group Golf, LLC. (27 Brierwood Rd.- PID# 2132B00101)

I certify that Natalie Goins personally appeared before me this 2nd day of September 2025 and I have personal knowledge of the identity of the principal; acknowledging to me that she voluntarily signed the forgoing document for the purpose stated therein and in the capacity indicated: Town Clerk

Maria O. Gaither, Notary Public

(Seal)

My Commission Expires: February 19, _____

STATE OF NORTH CAROLINA
County of Brunswick

Clerk's Certification

The undersigned, Natalie Goins, Clerk to the Board of Aldermen of the Town of Shallotte, North Carolina, hereby certifies that Ordinance 25-22 attached hereto for the Town of Shallotte is a true and accurate copy of the ordinance adopted unanimously by the Board of Aldermen for the Town of Shallotte, North Carolina on the 2nd day of September, 2025; that the ordinance was duly adopted during a session of the Board of Aldermen and remains in full force and effect; and that the Board of Aldermen has taken no action which would in any manner modify or repeal the terms of such ordinance; and that the same remains in full force and effect as of the date hereof.

This the 2nd day of September 2025.

Natalie Goins, Town Clerk
Town of Shallotte

Map _____ Page # _____



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2025

Section VIII, Item 5.

TO: Board of Aldermen

ACTION ITEM #: TXT 25-23

MEETING DATE: 09-02-2025

FROM: Brandon Eaton, Planner II

DATE

SUBMITTED:

ISSUE/ACTION REQUESTED:

Request Board's review and decision of a staff-initiated amendment to the Town of Shallotte Unified Development Ordinances. Specifically, Article 2, Section 2-2 & Article 10, Section 10-4 (H).

PUBLIC



YES



NO

HEARING:

BACKGROUND/PURPOSE OF REQUEST:

The proposed amendment to the Town's UDO updates ordinance language to permit the installation of fencing, walls, and other methods of screening within front yards in all zoning districts, for uses pertaining to utilities and/or other critical infrastructure.

The proposed amendment also defines "critical infrastructure" based on federal, state, and other municipal definitions and uses.

Staff recognize the unique nature of these uses and their potential need for additional security and screening measures and feel that the proposed amendment clearly and justly allows for latitude for these uses only.

- See attached "Exhibit A"

The Board may vote to:

Approve the ordinance as written, or

Further amend the ordinance and vote to approve, or

Continue the Board's review and ask that the ordinance be further researched, or

Deny the ordinance.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES

☒ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES

☒ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES

☒ NO

REVIEWED BY FINANCE DIRECTOR

☐ YES

☒ NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

☐ YES

☒ NO

☐ N/A

ADVISORY BOARD RECOMMENDATION:

The Planning Board voted to recommend approval at their August 12, 2025 meeting.

STAFF RECOMMENDATION:

Staff recommends Board approval

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

1. Draft Language "Exhibit A"
2. Planning Board Statement of Consistency
3. Draft Statement of Consistency
4. Ordinance

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

ATTEST:

CLERK TO THE BOARD

DENIED:

☐

**DEFERRED
UNTIL:**

SIGNATURE

OTHER:

Section 2-2: Definitions of Basic Terms

(57) Critical Infrastructure. Physical or virtual systems, facilities, or assets that provide vital and essential services to the public and whose incapacity or disruption would have a significant impact on public health, safety, welfare, or the local economy.

(H) Accessory Structures Not Requiring Zoning Approval.

- (1) General
 - (a) All accessory structures located within the Town's jurisdiction must meet the requirements of the North Carolina State Building Code.
 - (b) Other permits, including a building permit, may be required.
- (2) Fences and Screening Walls.
 - (a) Placement and height:
 - (1) Fences or screening walls up to eight (8) feet in height may enclose side and rear yards in all zoning districts.
 - (2) A request may be made for an administrative adjustment up to ten (10) feet in height for fences and walls enclosing the side and rear yard(s) of properties in the B-2 and all industrial districts. Such a request must be submitted in writing to the Zoning Administrator.
 - (3) Fences and screening walls of up to four (4) feet in height may enclose front yards in all zoning districts except in the Commercial Business (CB) and Highway Business (HB) districts where front yard enclosures are not permitted.
 - (4) Front yard enclosures may be increased to six (6) feet in height in the RA-15 and RAM-15 zoning districts with written administrative approval.
 - (5) Fences, walls, and other enclosures used to screen, buffer, or secure any utility or other critical infrastructure may be installed in front, side, or rear yards in any zoning district.
 - (6) Fences or walls may not be located within a public right-of-way and/or obstruct a sight distance triangle.
 - (7) No fence or wall shall impede the visual locating of 911 emergency street addresses
 - (8) Fences or walls shall not alter or impede the natural flow of water in any stream, creek, drainage swale, or ditch.
 - (9) The finished side of a fence or wall shall face off site.
 - (10) Additional wall or fence requirements applicable to a particular activity or use may be specified elsewhere in this Ordinance. Except where specifically modified (such as a specific height requirement), this Part shall take priority.
 - (b) Maintenance:
 - (1) Any fence or wall which, through neglect, lack of repair, type or manner of construction, method of placement or otherwise, constitutes a hazard or endangers any person, animal or property is

hereby deemed a nuisance. If such conditions exist, the Administrator shall require the owner or occupant of the property upon which the fence or wall is located to repair, replace or demolish the fence causing the nuisance. (Ord. 10-02, 1/5/10; Ord. 20-05, 7/7/20)

- (c) Construction:
 - (1) Fences and walls shall be constructed of high-quality materials including brick or stone, stucco over concrete masonry blocks, treated wood, wrought iron/aluminum, composite fencing, exposed aggregate concrete, architectural block, or PVC vinyl in a structurally safe and attractive condition.
- (d) Prohibited Fences. The following types of fences are prohibited in all zoning districts:
 - (1) Fences constructed primarily of barbed or razor wire;
 - (2) Fences carrying electrical current;
 - (3) Fences topped with barbed wire or metal spikes, except those serving a petitionary, prison, jail, police station, involuntary medical facility, municipal function or as required by state or federal law, public safety purposes.

PLANNING BOARD STATEMENT OF CONSISTENCY

The Town of Shallotte Planning Board has reviewed and recommended **approval/denial** the following amendment of the Town of Shallotte Unified Development Ordinance (UDO).

ORDINANCE 25-23

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT
ORDINANCE, SPECIFICALLY
ARTICLE 2, SECTION 2-2 & ARTICLE 10, SECTION 10-4 (H)

After review of the ordinance, staff report, and after consideration of any comments presented at the *Planning Board* meeting, the *Planning Board* hereby find the UDO amendment referenced above to be:

- ☒ Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town's UDO updates ordinance language to permit the installation of fencing, walls, and other methods of screening within front yards in all zoning districts, for uses pertaining to utilities and/or other critical infrastructure.

The proposed amendment also defines "critical infrastructure" based on federal, state, and other municipal definitions and uses.

OR

- ☐ Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- ☐ Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

5/12/2025
Date

Richard Gannan
Planning Board Chairman
Town of Shallotte

BOARD OF ALDERMEN STATEMENT OF CONSISTENCY

The Town of Shallotte *Board of Aldermen* has reviewed the following amendment to the Town of Shallotte Unified Development Ordinance (UDO) and has taken into consideration the Town of Shallotte 2018 Comprehensive Land Use Plan in rendering the following decision:

ORDINANCE 25-23

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT
ORDINANCE, SPECIFICALLY
ARTICLE 2, SECTION 2-2; AND ARTICLE 10, SECTION 10-4(H)

After review of the ordinance, staff report, and after consideration of any comments presented at the *Board* meeting, the *Board of Aldermen* hereby find the UDO amendment referenced above to be:

- ☐ Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town’s UDO updates ordinance language to permit the installation of fencing, walls, and other methods of screening within front yards in all zoning districts, for uses pertaining to utilities and/or other critical infrastructure. The proposed amendment also defines “critical infrastructure” based on federal, state, and other municipal definitions and uses. Staff recognize the unique nature of these uses and their potential need for additional security and screening measures, and feel that the proposed amendment clearly and justly allows for latitude for these uses only.

OR

- ☐ Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- ☐ Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

Date

Mayor

Town of Shallotte

**TOWN OF SHALLOTTE
ORDINANCE 25-23**

**AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED
DEVELOPMENT ORDINANCE, SPECIFICALLY
ARTICLE 2, SECTION 2-2; AND ARTICLE 10, SECTION 10-4(H)
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Shallotte is a duly incorporated municipality within the State of North Carolina and is authorized to adopt zoning and development regulation ordinances per section §160A-381 of the North Carolina General Statutes; and

WHEREAS, the Town of Shallotte oversees the planning and zoning requests and requirements for lands located within its town limits and the extra territorial jurisdiction near the town’s limits; and,

WHEREAS, the Town of Shallotte has the authority pursuant to NC G.S §160A-364 to adopt, amend, or repeal ordinances; and

WHEREAS, The Board of Aldermen for the Town of Shallotte deems it to be in the public’s best interest to amend the Unified Development Ordinance with a text amendment so as to provide for changes as set forth below to ARTICLE 2, SECTION 2-2; AND ARTICLE 10, SECTION 10-4(H). The proposed amendment to the Town’s UDO updates ordinance language to permit the installation of fencing, walls, and other methods of screening within front yards in all zoning districts, for uses pertaining to utilities and/or other critical infrastructure. The proposed amendment also defines “critical infrastructure” based on federal, state, and other municipal definitions and uses.; and

THEREFORE, be it ordained by the Board of Aldermen of the Town of Shallotte that the Town of Shallotte Unified Development Ordinance shall be amended as detailed herein:

ARTICLE 2, SECTION 2-2; AND ARTICLE 10, SECTION 10-4(H).

See attached “Exhibit A”

Section 2. All Town Code sections in conflict herewith are hereby amended and repealed in relevant part to conform with the above sections. The Town Clerk and editor of the Town Code and UDO are hereby authorized to amend those documents, all relevant citations to those sections of the Town Code, restate chapters, sections, provisions, and related references to these sections of the Town Code, as may be necessary.

Section 3. This ordinance shall take effect *immediately* upon passage and shall apply to any zoning permit applications submitted following that effective date.
INTRODUCED AT A Regular Meeting of the Board of Aldermen on September 02, 2025,
and adopted at a Regular Meeting of the Board of Aldermen on September 02, 2025.

SIGNED THIS _____ day of _____, 20_____.

TOWN OF SHALLOTTE, NORTH CAROLINA

Mayor

ATTEST:

Town Clerk



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2025

Section VIII, Item 6.

TO: Board of Aldermen

ACTION ITEM #: TXT 25-24

MEETING DATE: 09-02-2025

FROM: Brandon Eaton, Planner II

**DATE
SUBMITTED:**

ISSUE/ACTION REQUESTED:

Request Board's review and decision of a staff-initiated amendment to the Town of Shallotte Unified Development Ordinances. Specifically, Article 2, Section 2-2, Article 10, Tables 10-1 & 10-2, & Article 10, Section 10-3 (I).

**PUBLIC
HEARING:**

☒ YES ☐ NO

BACKGROUND/PURPOSE OF REQUEST:

The proposed amendment to the Town's UDO updates ordinance language to transition away from the use of special use permits and the quasi-judicial process for less intensive residential uses, instead utilizing conditional rezoning when more appropriate.

The proposed amendment also establishes and defines two categories of multi-family uses, major and minor, allowing for minor multi-family projects "by right" and to be approved administratively. At the request of the Board of Aldermen, the proposal also establishes additional language preventing developments from utilizing project phasing and/or adjacent properties in like ownership to circumvent the major/minor categorization process detailed within.

Staff feel that recategorizing less intensive uses and establishing "by right" and conditional rezoning standards will promote development without the heavy burden that often accompanies the quasi-judicial process.

- See attached "Exhibit A"

The Board may vote to:

Approve the ordinance as written, or

Further amend the ordinance and vote to approve, or

Continue the Board's review and ask that the ordinance be further researched, or

Deny the ordinance.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:

☐ YES ☒ NO

CAPITAL PROJECT ORDINANCE REQUIRED:

☐ YES ☒ NO

PRE-AUDIT CERTIFICATION REQUIRED:

☐ YES ☒ NO

REVIEWED BY FINANCE DIRECTOR

☐ YES ☒ NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:

☐ YES ☒ NO ☐ N/A

ADVISORY BOARD RECOMMENDATION:

The Planning Board voted to recommend approval at their August 12, 2025 meeting.

STAFF RECOMMENDATION:

Staff recommends Board approval

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

1. Draft Language “Exhibit A”
2. Planning Board Statement of Consistency
3. Draft Statement of Consistency
4. Ordinance

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

ATTEST:

CLERK TO THE BOARD

DENIED:

☐

**DEFERRED
UNTIL:**

SIGNATURE

OTHER:

Section 2-2: Definition of Basic Terms

(80) Dwelling Types.

- (d) Dwelling, Multiple Family (Major). A single structure comprised of three (3) or more dwelling units, with the number of families in residence not exceeding the number of dwelling units provided. (Ord. 20-05, 7/7/20) A residential development containing three (3) or more dwelling units within one or more buildings on a single lot, designed for occupancy by separate households, with a total of eighty (80) or more dwelling units. Multi-Family (Major) developments may include associated common areas, amenities, parking areas, and accessory structures designed to serve residents of the development.
- (e) Dwelling, Multiple Family (Minor). A residential development containing three (3) or more dwelling units within one or more buildings on a single lot, designed for occupancy by separate households, with a total of seventy-nine (79) or fewer dwelling units. Multi-Family (Minor) developments may include associated common areas, amenities, parking areas, and accessory structures designed to serve residents of the development.

Table 10-1: Special Use Conditional Zoning Triggers

Zoning District	Building Footprint (square feet)	
CB, CW, O&I	> 10,000	
HB, B-2	> 20,000	
LI, HI	Unlimited	
CB, HB, B-2, O/I, PUD	NA	<u>±</u>

*Any new or modified use with a proposed drive through facility shall only be permitted by special use permit.

Table 10-2: Table of Permitted Uses

PERMITTED USES	MF-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	LI	HI	C	PUD
RESIDENTIAL – HOUSEHOLD LIVING															
DWELLING, MULTI-FAMILY (MAJOR) [pursuant to 10-3(<u>H I</u>)]	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>				<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>					P
DWELLING, MULTI-FAMILY (MINOR) [pursuant to 10-3(<u>H I</u>)]	<u>P</u>	<u>CZ</u>	<u>CZ</u>				<u>CZ</u>	<u>CZ</u>	<u>CZ</u>	<u>CZ</u>					<u>P</u>
DWELLING, SINGLE-FAMILY (excluding manufactured homes)	P	P	P	P	P	P	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>	P				P
DWELLING, (DUPLEX)	P	P	P												P
DWELLING, (TOWNHOUSE)	P	P	P								P				P
MANUFACTURED HOME, CLASS A [pursuant to 10-3(Q)]			P			P									
MANUFACTURED HOME, CLASS B [pursuant to 10-3(Q)]			P			P									
MANUFACTURED HOME PARK [pursuant to 10-3(S)]			<u>S</u> <u>CZ</u>			<u>S</u> <u>CZ</u>									
RESIDENTIAL CLUSTER DEVELOPMENT [pursuant to Article 13]	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>		<u>S</u> <u>CZ</u>			<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>						<u>S</u> <u>CZ</u>
Residential Micro-grid Solar Collector Battery Storage System (pursuant to Article 31)	P														
RESIDENTIAL – GROUP LIVING															
ADULT CARE HOME	<u>S</u> <u>CZ</u>									<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>				
ALCOHOL AND/OR SUBSTANCE ABUSE REHABILITATION FACILITIES, RESIDENTIAL (Six or fewer residents)		P	P	P	P										
ASSISTED LIVING RESIDENCE	<u>S</u> <u>CZ</u>						<u>S</u> <u>CZ</u>		<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>	<u>S</u> <u>CZ</u>				<u>S</u> <u>CZ</u>
FAMILY CARE HOME	P	P	P	P	P	P	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	P				P

MULTI-UNIT ASSISTED HOUSING WITH SERVICES	<u>S</u>							<u>S</u>		<u>S</u>	<u>S</u>				<u>S</u>
	<u>CZ</u>							<u>CZ</u>		<u>CZ</u>	<u>CZ</u>				<u>CZ</u>
NURSING HOME	<u>S</u>							<u>S</u>		<u>S</u>					P
	<u>CZ</u>							<u>CZ</u>		<u>CZ</u>					

Section 10-3: Supplemental Use Standards

(I) Dwelling, Multi-Family.

- (1) Multi-Family projects within the Town shall fall into the following categories and process of review and approval:
 - (a) Minor Multi-Family Projects shall submit complete Site and Landscape plan applications for review by the Technical Review Committee.
 - (b) Major Multi-Family Projects that have completed the conditional zoning map amendment (conditional rezoning) process shall submit Site and Landscape plan application detailing all required site plan details and those conditions and phases approved by the Board of Aldermen. (Ord. 15-04, 5/5/15; Ord 25-XX 8/X/25)
- (2) Access.
 - (a) A minimum of one (1) connection to the existing public network if the development includes 79 units or less or, a minimum of two (2) connections to the existing public network if the development includes more than 80 units.
 - (b) Requirements of a valid traffic impact analysis or NCDOT issued driveway permit may require additional street connections but may not reduce those required herein.
- (3) Placement of Buildings.
 - (a) Minimum building separation shall be dictated by NC Fire Code and informed by the Town of Shallotte Fire Departments anticipated response plan for the site.
 - (b) Any group of buildings forming a courtyard shall have at least twenty-five percent (25%) of the perimeter of such courtyard open for access by emergency vehicles.
 - (c) All buildings with more than two stories shall be setback no less than 30 feet from any property boundary which contains single family housing.
- (4) Design Standards.
 - (a) Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations.
 - (b) Sidewalks shall be incorporated into the design of all vehicle access points, to include public streets, private drives, or parking lots.
 - i. Sidewalks shall be either five (5) feet wide and located along both sides of the vehicle access points, or eight (8) feet wide along a single side of the vehicle access points.
 - ii. Sidewalks along private property shall be maintained as such.
 - iii. Sidewalks shall be designed so as to comply with the minimum standards detailed in Sec. 20-9.
 - (c) The features and spaces should enhance the building and center as integral parts of the community. The use of such features as plazas, patios, and courtyards should be used when practical.
 - (d) Regardless of building size, if Radio Frequency (RF) signal testing reveals insufficient coverage for public safety radios, an Emergency Responder Radio Coverage System (ERRCS) incorporating a Bi-Directional Amplifier (BDA) and Distributed Antenna System (DAS) must be designed and installed in accordance with NFPA and IFC requirements.
 - (e) All buildings adjoining public trust waters shall meet CAMA regulations.
- (5) Open Space (Recreation) Areas.
 - (a) Open space areas shall be provided for all multi-family projects with nine (9) or more dwelling units. A minimum area of two thousand (2,000) square feet, having a minimum width of forty (40) feet or a minimum radius of twenty-six (26) feet shall be provided for the first six (6) to twenty-five (25) dwelling units.
 - (b) For each dwelling unit over twenty-five (25) in number, an additional fifty-six (56) square feet per dwelling unit shall be provided.
 - (c) To the maximum extent practicable, required open space areas shall be connected as to form contiguous areas of land, whether the project is developed in phases or sections
 - (d) Open space areas that are dispersed throughout the development shall be connected with sidewalks, pedestrian walking trails, and crosswalks.
 - (e) No part of the required open space area shall be used for any other purpose.
 - (f) All open space shown on the site development plan shall be recorded in the Brunswick County Register of Deeds and shall be conveyed by the following method.
 - (g) By leasing or conveying title including beneficial ownership to a corporation, association, or other legal entity, the terms of such lease or other instruments of conveyance must include provisions suitable to the Town for guaranteeing:

- i. The continued use of land for the intended purposes;
 - ii. Continuity of proper maintenance for those portions of open space land requiring maintenance;
 - iii. When appropriate, the availability of funds required for such maintenance;
 - iv. Adequate insurance protection; and
 - v. Recovery for loss sustained by casualty, condemnation, or otherwise.
- (h) Furthermore, the applicant shall file in the Brunswick County Register of Deeds at the time of site development approval, legal documents which shall produce the above guarantees and in particular, will provide a method for reserving the use of open space for the use and enjoyment of the residents of the development.
- (6) Other regulations.
 - (a) Adjacent parcels in the same or joint ownership shall be considered one development for the purpose of determining if a multi-family development falls within the major or minor category.
 - (b) Developments shall not utilize phasing in any manner that would allow the project to avoid being categorized as a major or minor multi-family development.
- (7) Townhouses. The following standards apply to townhouses.
 - (a) Maximum density and minimum lot size standards may be satisfied by individual lot area, by provision of common open space, or by a combination of lot area and common open space.
 - (b) No unit shall be connected on more than two (2) sides by common walls.
 - (c) Minimum yard and lot size requirements shall apply to the project boundary. No individual unit shall be required to comply with minimum yard dimensions or lot size requirements.

PLANNING BOARD STATEMENT OF CONSISTENCY

The Town of Shallotte Planning Board has reviewed and recommended **approval/denial** the following amendment of the Town of Shallotte Unified Development Ordinance (UDO).

ORDINANCE 25-24

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT
ORDINANCE, SPECIFICALLY
ARTICLE 2, SECTION 2-2, ARTICLE 10, TABLES 10-1 & 10-2, and ARTICLE 10, SECTION
10-3 (I).

After review of the ordinance, staff report, and after consideration of any comments presented at the *Planning Board* meeting, the *Planning Board* hereby find the UDO amendment referenced above to be:

- ☒ Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town's UDO updates ordinance language to transition away from the use of special use permits and the quasi-judicial process for less intensive residential uses, instead utilizing conditional rezoning when more appropriate.

The proposed amendment also establishes and defines two categories of multi-family uses, major and minor, allowing for minor multi-family projects "by right" and to be approved administratively. At the request of the Board of Aldermen, the proposal also establishes additional language preventing developments from utilizing project phasing and/or adjacent properties in like ownership to circumvent the major/minor categorization process detailed within.

OR

- ☐ Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- ☐ Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

8/12/2015
Date

Richard Gunning
Planning Board Chairman
Town of Shallotte

BOARD OF ALDERMEN STATEMENT OF CONSISTENCY

The Town of Shallotte *Board of Aldermen* has reviewed the following amendment to the Town of Shallotte Unified Development Ordinance (UDO) and has taken into consideration the Town of Shallotte 2018 Comprehensive Land Use Plan in rendering the following decision:

ORDINANCE 25-24

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT
ORDINANCE, SPECIFICALLY
ARTICLE 2, SECTION 2-2; ARTICLE 10, TABLES 10-1 & 10-2; AND ARTICLE 10,
SECTION 10-3(I)

After review of the ordinance, staff report, and after consideration of any comments presented at the *Board* meeting, the *Board of Aldermen* hereby find the UDO amendment referenced above to be:

- ☐ Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town’s UDO updates ordinance language to transition away from the use of special use permits and the quasi-judicial process for less intensive residential uses, instead utilizing conditional rezoning when more appropriate.

The proposed amendment also establishes and defines two categories of multi-family uses, major and minor, allowing for minor multi-family projects “by right” and to be approved administratively. At the request of the Board of Aldermen, the proposal also establishes additional language preventing developments from utilizing project phasing and/or adjacent properties in like ownership to circumvent the major/minor categorization process detailed within.

OR

- ☐ Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- ☐ Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

Date

Mayor

Town of Shallotte

TOWN OF SHALLOTTE ORDINANCE 25-24

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT ORDINANCE, SPECIFICALLY ARTICLE 2, SECTION 2-2; ARTICLE 10, TABLES 10-1 & 10-2; AND ARTICLE 10, SECTION 10-3(I) REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Shallotte is a duly incorporated municipality within the State of North Carolina and is authorized to adopt zoning and development regulation ordinances per section §160A-381 of the North Carolina General Statutes; and

WHEREAS, the Town of Shallotte oversees the planning and zoning requests and requirements for lands located within its town limits and the extra territorial jurisdiction near the town's limits; and,

WHEREAS, the Town of Shallotte has the authority pursuant to NC G.S §160A-364 to adopt, amend, or repeal ordinances; and

WHEREAS, The Board of Aldermen for the Town of Shallotte deems it to be in the public's best interest to amend the Unified Development Ordinance with a text amendment so as to provide for changes as set forth below to ARTICLE 2, SECTION 2-2; ARTICLE 10, TABLES 10-1 & 10-2; AND ARTICLE 10, SECTION 10-3(I). The proposed amendment updates ordinance language to transition away from the use of special use permits and the quasi-judicial process for less intensive residential uses, instead utilizing conditional rezoning when more appropriate. The proposed amendment also establishes and defines two categories of multi-family uses, major and minor, allowing for minor multi-family projects "by right" and to be approved administratively, as well as establishes additional language preventing developments from utilizing project phasing and/or adjacent properties in like ownership to circumvent the major/minor categorization process detailed within.; and

THEREFORE, be it ordained by the Board of Aldermen of the Town of Shallotte that the Town of Shallotte Unified Development Ordinance shall be amended as detailed herein:

ARTICLE 2, SECTION 2-2; ARTICLE 10, TABLES 10-1 & 10-2; AND ARTICLE 10, SECTION 10-3(I).

See attached "Exhibit A"

Section 2. All Town Code sections in conflict herewith are hereby amended and repealed in relevant part to conform with the above sections. The Town Clerk and editor

of the Town Code and UDO are hereby authorized to amend those documents, all relevant citations to those sections of the Town Code, restate chapters, sections, provisions, and related references to these sections of the Town Code, as may be necessary.

Section 3. This ordinance shall take effect *immediately* upon passage and shall apply to any zoning permit applications submitted following that effective date.
INTRODUCED AT A Regular Meeting of the Board of Aldermen on September 02, 2025,
and adopted at a Regular Meeting of the Board of Aldermen on September 02, 2025.

SIGNED THIS _____ day of _____, 20____.

TOWN OF SHALLOTTE, NORTH CAROLINA

Mayor

ATTEST:

Town Clerk



Town of Shallotte Board of Aldermen
ACTION AGENDA ITEM
2025

Section VIII, Item 7.

TO: Board of Aldermen

ACTION ITEM #: TXT 25-25

MEETING DATE: 09-02-2025

FROM: Brandon Eaton, Planner II

**DATE
SUBMITTED:**

ISSUE/ACTION REQUESTED:

Request Board's review and decision of a staff-initiated amendment to the Town of Shallotte Unified Development Ordinances. Specifically, Article 10, Section 10-2 & Article 10, Section 10-4 (GG).

PUBLIC



YES



NO

HEARING:

BACKGROUND/PURPOSE OF REQUEST:

The proposed amendment to the Town's UDO updates ordinance language to bring Town regulations regarding tattoo and body piercing establishments up to date with current standards regarding the use and in line with how the use is regulated in surrounding communities.

The proposed amendment also establishes additional regulations involving safety, shop location relevant to more sensitive uses, and addresses the need for separation between establishments of this type.

- See attached "Exhibit A"

The Board may vote to:

Approve the ordinance as written, or

Further amend the ordinance and vote to approve, or

Continue the Board's review and ask that the ordinance be further researched, or

Deny the ordinance.

FISCAL IMPACT:

BUDGET AMENDMENT REQUIRED:



YES



NO

CAPITAL PROJECT ORDINANCE REQUIRED:



YES



NO

PRE-AUDIT CERTIFICATION REQUIRED:



YES



NO

REVIEWED BY FINANCE DIRECTOR



YES



NO

CONTRACTS/AGREEMENTS:

REVIEWED BY TOWN ATTORNEY:



YES



NO



N/A

ADVISORY BOARD RECOMMENDATION:

The Planning Board voted to recommend approval at their August 12, 2025 meeting.

STAFF RECOMMENDATION:

Staff recommends Board approval

FINANCE RECOMMENDATION: NA

ATTACHMENTS:

1. Draft Language "Exhibit A"
2. Planning Board Statement of Consistency
3. Draft Statement of Consistency
4. Ordinance

ACTION OF THE BOARD OF ALDERMEN

APPROVED:

☐

ATTEST:

CLERK TO THE BOARD

DENIED:

☐

**DEFERRED
UNTIL:**

SIGNATURE

OTHER:

Table 10-2: Table of Permitted Uses

PERMITTED USES	MF-14/10/6	R-10	RM-10	R-15	RA-15	RAM-15	CB	HB	CW	B-2	O/I	L/I	HI	C	PUD
OFFICE AND COMMERCIAL SERVICE															
SUBSTANCE ABUSE TREATMENT FACILITY, OUTPATIENT								P		<u>P</u>	P				
TATTOO AND BODY PIERCING ESTABLISHMENTS [pursuant to 10-3(DD) (GG)]							<u>P</u>	<u>S</u> <u>P</u>		<u>S</u> <u>P</u>		<u>S</u> <u>P</u>			
TAXIDERMIST								S				<u>P</u>	P		
TEACHING STUDIO (including fine arts, yoga, martial arts, etc.)							P	<u>P</u>		<u>P</u>	P				
VETERINARY SERVICES WITH CLOSED PENS												P	P		P

Section 10-3: Supplemental Use Standards

(GG) Tattoo and Body Piercing Establishments

- (1) ~~The owner, employees, and all patrons of the establishment must be over eighteen (18) years of age.~~
- (2) ~~The location of the establishment cannot be located closer than one thousand (1000) feet from any residential zoning district or residential use.~~
- (3) ~~The location of the establishment cannot be located closer than fifteen hundred (1500) feet from any church, day care center, public or private elementary or secondary educational school, public park, public library, cemetery or motion picture establishment which shows G or PG rated movies to the general public.~~
- (4) ~~The business cannot be located closer than fifteen hundred (1500) feet from any existing tattoo or body piercing establishment.~~
- (5) ~~The business establishment shall only conduct business to the public between 8:00 am and 9:00 pm daily.~~
- (6) ~~The business shall abide by all Federal, State and Town regulations.~~
 - (1) Purpose: The purpose of this section is to ensure that tattoo and body piercing establishments operate in a safe, sanitary, and compatible manner within the Town of Shallotte, while also allowing for reasonable business development.
 - (2) Operational Requirements
 - (a) Age Restrictions:
 - (1) All owners and employees of the establishment shall be at least eighteen (18) years of age.
 - (2) No person under eighteen (18) years of age may receive a tattoo or body piercing, unless explicitly allowed under N.C.

General Statutes, and with parental or legal guardian consent where applicable.

(b) Health and Safety Certification:

- (1) All establishments shall maintain valid and current certification from the Brunswick County Health Department prior to commencing operations.

(3) Location and Spacing Requirements

(a) Separation

- (1) Tattoo and body piercing establishments shall not be located within 300 feet of another tattoo and body piercing establishment, measured from building to building in a straight line.
- (2) Tattoo and body piercing establishments shall not be located within 500 feet of the following sensitive uses:
- Public or private K-12 schools
 - Daycare centers
 - Public parks
 - Places of worship
 - Public libraries
 - This distance shall be measured from the property line of the tattoo or piercing establishment to the property line of the protected use. This shall not apply in mixed-use or downtown zoning districts where walkability and commercial variety are encouraged.

(b) Residential Buffering

- (1) Tattoo and piercing establishments shall be a minimum of 200 feet from the nearest residentially zoned property, unless separated by a public road or located in a mixed-use zoning district.

(4) Signage and Appearance

(a) Signage

- (1) Signage shall comply with the Shallotte Sign Ordinance. No flashing, animated, or neon signs are permitted.

(b) Appearance

- (2) Exterior appearance of the establishment shall be professional and consistent with adjacent commercial uses.

(5) Other Regulations

- (a) The business shall adhere to tattoo and body piercing regulations detailed in NCGS 14-400, as well as abide by all Federal, State and Town regulations.

PLANNING BOARD STATEMENT OF CONSISTENCY

The Town of Shallotte Planning Board has reviewed and recommended approval/denial the following amendment of the Town of Shallotte Unified Development Ordinance (UDO).

ORDINANCE 25-25

**AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT
ORDINANCE, SPECIFICALLY
ARTICLE 10, SECTION 10-2 & ARTICLE 10, SECTION 10-3 (GG)**

After review of the ordinance, staff report, and after consideration of any comments presented at the *Planning Board* meeting, the *Planning Board* hereby find the UDO amendment referenced above to be:

- ☒ Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town's UDO updates ordinance language to bring Town regulations regarding tattoo and body piercing establishments up to date with current standards regarding the use and in line with how the use is regulated in surrounding communities.

The proposed amendment also establishes additional regulations involving safety, shop location relevant to more sensitive uses, and addresses the need for separation between establishments of this type.

OR

- ☐ Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- ☐ Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

8/12/2025
Date


Planning Board Chairman
Town of Shallotte

BOARD OF ALDERMEN STATEMENT OF CONSISTENCY

The Town of Shallotte *Board of Aldermen* has reviewed the following amendment to the Town of Shallotte Unified Development Ordinance (UDO) and has taken into consideration the Town of Shallotte 2018 Comprehensive Land Use Plan in rendering the following decision:

ORDINANCE 25-25

AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED DEVELOPMENT
ORDINANCE, SPECIFICALLY
ARTICLE 10, SECTION 10-2; AND ARTICLE 10, SECTION 10-4(GG)

After review of the ordinance, staff report, and after consideration of any comments presented at the *Board* meeting, the *Board of Aldermen* hereby find the UDO amendment referenced above to be:

- ☐ Consistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is reasonable and in the public interest for the reason(s) stated below.

The proposed amendment to the Town’s UDO updates ordinance language to bring Town regulations regarding tattoo and body piercing establishments up to date with current standards regarding the use and in line with how the use is regulated in surrounding communities. The proposed amendment also establishes additional regulations involving safety, shop location relevant to more sensitive uses, and addresses the need for separation between establishments of this type. These changes are consistent with the Town’s comprehensive land use plan’s goal to balance enhancing economic opportunities with preserving the family-friendly character of the Town.

OR

- ☐ Inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND YET is considered reasonable and in the public interest for the reason(s) set forth below.

OR

- ☐ Neither consistent nor inconsistent with the Town of Shallotte 2018 Land Use Plan and any other officially adopted plan that is applicable, AND is considered reasonable and in the public interest for the reason(s) set below:

Date

Mayor
Town of Shallotte

**TOWN OF SHALLOTTE
ORDINANCE 25-25**

**AN ORDINANCE AMENDING THE TOWN OF SHALLOTTE UNIFIED
DEVELOPMENT ORDINANCE, SPECIFICALLY
ARTICLE 10, SECTION 10-2; AND ARTICLE 10, SECTION 10-4(GG)
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Shallotte is a duly incorporated municipality within the State of North Carolina and is authorized to adopt zoning and development regulation ordinances per section §160A-381 of the North Carolina General Statutes; and

WHEREAS, the Town of Shallotte oversees the planning and zoning requests and requirements for lands located within its town limits and the extra territorial jurisdiction near the town’s limits; and,

WHEREAS, the Town of Shallotte has the authority pursuant to NC G.S §160A-364 to adopt, amend, or repeal ordinances; and

WHEREAS, The Board of Aldermen for the Town of Shallotte deems it to be in the public’s best interest to amend the Unified Development Ordinance with a text amendment so as to provide for changes as set forth below to ARTICLE 10, SECTION 10-2; AND ARTICLE 10, SECTION 10-4(GG). The proposed amendment to the Town’s UDO updates ordinance language to bring Town regulations regarding tattoo and body piercing establishments up to date with current standards regarding the use and in line with how the use is regulated in surrounding communities. The proposed amendment also establishes additional regulations involving safety, shop location relevant to more sensitive uses, and addresses the need for separation between establishments of this type; and

THEREFORE, be it ordained by the Board of Aldermen of the Town of Shallotte that the Town of Shallotte Unified Development Ordinance shall be amended as detailed herein:

ARTICLE 10, SECTION 10-2; AND ARTICLE 10, SECTION 10-4(GG).

See attached “Exhibit A”

Section 2. All Town Code sections in conflict herewith are hereby amended and repealed in relevant part to conform with the above sections. The Town Clerk and editor of the Town Code and UDO are hereby authorized to amend those documents, all relevant citations to those sections of the Town Code, restate chapters, sections, provisions, and related references to these sections of the Town Code, as may be necessary.

Section 3. This ordinance shall take effect *immediately* upon passage and shall apply to any zoning permit applications submitted following that effective date.
INTRODUCED AT A Regular Meeting of the Board of Aldermen on September 02, 2025,
and adopted at a Regular Meeting of the Board of Aldermen on September 02, 2025.

SIGNED THIS ____ day of _____, 20 ____.

TOWN OF SHALLOTTE, NORTH CAROLINA

Mayor

ATTEST:

Town Clerk