

**VILLAGE OF BALD HEAD ISLAND  
PLANNING BOARD  
SPECIAL MEETING**

**January 10, 2025  
1:00 P.M.**

**AGENDA**

1. Call to Order
2. Roll Call
3. Amendments to Agenda/Approval of Agenda
4. Approval of Minutes (November 27, 2023 & August 28, 2024)
5. New Business
  - 5.1 Administrative Review and Approval
    - 5.1.1 The Six on the Beach Subdivision Preliminary Plat
  - 5.2 Quasi-Judicial Procedure
    - 5.2.1 Special Use Application Case SUP-2025-1 – 87 Keelson Row
6. Staff Reports
7. Adjournment



# The Village of Bald Head Island

## Planning Board Special Meeting Minutes

Monday, November 27, 2023

10:00 a.m.

Multipurpose Room of the Department of Public Safety Building

**PRESENT:** William “Zan” Pope (Vice Chair), James Clark, Elizabeth Hervey Stephen, Development Services Administrator Stephen Boyett, and Deputy Village Clerk Carin Faulkner.

**NOT PRESENT:** David Wray, Mark Chilton, Rodney Jackson, Chris Webb (alternate), Marianna Fitz Hugh (alternate).

1. **Call to Order:** Vice-Chair Pope called to the meeting to order at approximately 10:05 a.m.
2. **Roll Call**
3. **Amendments to Agenda/Approval of Agenda:** Ms. Stephen moved to approve the agenda as presented, Mr. Clark seconded. The motion passed unanimously.
4. **New Business:**
  - 4.1 **Oath of Office:** Ms. Faulkner administered the Oath of Office to Elizabeth Hervey Stephen and James Clark.
  - 4.2 **Nomination and Election of Chair:** Ms. Stephen nominated David Wray to serve as Chair of the Planning Board. Mr. Pope seconded. There were no other nominees presented. The motion to appoint Mr. Wray passed unanimously.
  - 4.3 **Nomination and Election of Vice Chair:** Ms. Stephen nominated Zan Pope to serve as Vice Chair of the Planning Board. Mr. Clark seconded. There were no other nominees presented. The motion to appoint Mr. Pope passed unanimously.
5. **Staff Reports:** Staff did not have any items to report.
6. **Adjournment:** Mr. Pope made the motion to adjourn, the motion passed unanimously. The meeting was unanimously adjourned at approximately 10:25 a.m.

APPROVED:

ATTEST:

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David Wray  
Planning Board Chair

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Carin Z. Faulkner  
Deputy Village Clerk



# The Village of Bald Head Island

## Planning Board Special Meeting Minutes

Wednesday, August 28, 2024

1:00 p.m.

Multipurpose Room of the Department of Public Safety Building

**PRESENT:** David Wray (Chair), William “Zan” Pope (Vice Chair), Marianna Fitz Hugh, Betsi Stephen, James Clark (remote), Development Services Administrator Stephen Boyett, Village Manager Chris McCall, Assistant Village Manager Jae Kim, Village Counsel Will Quick (remote), and Deputy Village Clerk Carin Faulkner.

**NOT PRESENT:** Rodney Jackson (alternate), Chris Webb (alternate)

1. **Call to Order:** Chair Wray called to the meeting to order at 1:00 p.m.

2. **Roll Call**

3. **Amendments to Agenda/Approval of Agenda:** Mr. Pope moved to approve the agenda as presented, Ms. Stephen seconded. The motion passed unanimously.

4. **New Business:**

**4.1 Oath of Office:** Ms. Faulkner administered the Oath of Office to Mr. Wray, Mr. Pope, and Ms. Fitz Hugh.

**4.2 Nomination and Election of Chair:** Ms. Stephen nominated Mr. Wray to serve as chair of the Planning Board. Mr. Pope seconded the nomination. There were no other nominations. The motion to elect Mr. Wray as chair was approved unanimously.

**4.3 Nomination and Election of Vice Chair:** Ms. Stephen nominated Mr. Pope to serve as vice chair of the Planning Board. Mr. Wray seconded the nomination. There were no other nominations. The motion to elect Mr. Pope as vice chair was approved unanimously.

**4.4 Subdivision Request:**

- Mr. Boyett presented the staff report.
- Ms. Wilmot, the applicant’s agent, stated that Mr. Boyett’s report describes what the applicant has requested, subdividing the parcel into two pieces and is within the Village’s standards.
- Ms. Fitz Hugh asked the applicant’s agent about the statement in the applicant’s letter about the parcel being outside of Middle Island POA.
- Ms. Wilmot indicated that it was a misstatement and that it is in the Middle Island POA and subject to deed restrictions.
- Chair Wray clarified that the Planning Board is not basing any decision upon the deed restrictions and is to look at whether the subdivision meets the Village’s requirements.
- Mr. Pope made a motion that the Planning Board recommend approval of the subdivision. Ms. Stephen seconded. The motion passed unanimously.

**4.5 Text Amendments:**

- Mr. Boyett introduced this item.
- Mr. Munroe, the requestor of the text amendment concerning the addition of distillery to the Village Code of Ordinances, made a presentation about his business and products (distilled spirits).
- Mr. Kim presented the staff report.
- Chair Wray made comments about the Special Use Permit (SUP) process.
- Mr. Quick indicated that an existing business operating as this use would not have to go thorough the Special Use Permit process. Only if a business is changing its use from another to one of these uses, would they need to apply for a SUP.
- Comments were made by the board members.
- Chair Wray asked the members of the board if they had reviewed the Zoning Statement of Consistency and Recommendation as provided in the agenda packet provided by staff. The members indicated that they had reviewed the document.
- Ms. Stephen made a motion for the Planning Board to approve the text amendments and zoning statement of consistency and recommendation as presented. Mr. Pope seconded the motion. The motion passed unanimously.

**5. Staff Reports:** Mr. Kim reported that the Village receives one training per year from the Cape Fear Council of Governments (CFCOG) with its membership with the COG and he said he would like to have them come to provide some training to the Planning Board in September or October. Village staff will follow up to schedule the best time for everyone.

**6. Adjournment:** Ms. Stephen made the motion to adjourn, Mr. Pope seconded. The motion passed unanimously. The meeting was unanimously adjourned at 11:35 a.m.

APPROVED:

ATTEST:

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David Wray  
Planning Board Chair

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Carin Z. Faulkner  
Deputy Village Clerk



VILLAGE OF BALD HEAD ISLAND  
Planning Board Meeting  
Agenda Item

Agenda Item:	<b>New Business</b>
Date:	<b>5.1.1</b>
	<b>1/10/2025</b>

- 
- Issue:** Lot 4101 Cape Fear Station (Six on the Beach) Parcel 26500062  
**Department:** Development Services  
**Contacts:** Stephen Boyett, Development Services Director  
**Attachments:** 1) Applicant/Agent Letter  
2) Aerial Map  
3) Preliminary Plat – Planning Board members who wish to view a larger version of this plat can pick up a copy at Village Hall in the Village Clerk’s office. It is available for inspection in the Clerk’s office for all other interested parties.  
4) Utility Plan  
5) Statement of Consistency
- 

**Lot 4101 Cape Fear Station (Six on the Beach)  
Subdivision Preliminary Plat – PARID 26500062**

**Subdivider:** Bald Head Island Limited  
Jerry Biggs (Agent)

**Property Location:** Station House Way

**Parcel Number:** 26500062

**Size of Parcel:** **1.19 Acres (51,856 SF) Total**

Lots 4101 A – 4101 F = 0.464 Acres (20,247 SF)  
20’ Private Right-of-Way = 0.099 Acres (4,307 SF)  
Lot 4101 Remaining Land = 0.627 Acres (27,302 SF)

New Lots/Parcels:

Lot 4101 (0.627 Acres - 27,302 SF)  
Lot 4101-A (0.103 acres – 4,469 SF)  
Lot 4101-B (0.067 acres – 2,919 SF)  
Lot 4101-C (0.067 acres – 2,919 SF)  
Lot 4101-D (0.067 acres -2,920 SF)  
Lot 4101-E (0.067 acres -2,921 SF)  
Lot 4101-F (0.094 acres – 4,099 SF)

**Current Zoning District:** PD-2C

**Surrounding Zoning****North:** PD-2**South:** PD-2C**East:** PD-2**West:** PD-2**Current Use of Property:** Vacant

A preliminary subdivision plat was submitted by the subdivider/agent and a technical review meeting has taken place. The next step of the process is for the planning board to consider the plat in open session and make recommendation to the village council for approval, conditional approval, deferral, or denial of the subdivision proposal.

**Planning Board Guidance****Sec. 26-2. Purpose of chapter.**

The purpose of this chapter is to regulate and control the subdivision of land within the corporate limits of the village in order to promote the public health, safety, and general welfare of the community. They are designed to lessen congestion in streets and roadways; to further the orderly layout and use of land; to ensure proper legal description and proper monumenting of subdivided lands; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land and avoid undue concentration of population; to facilitate adequate provisions for transportation, water, sewerage, open space, recreational areas and other public requirements; and to facilitate the further resubdivision of larger tracts into small parcels of land.

**Sec. 26-7. Subdivision defined.**

The term "subdivision" means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this chapter:

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the village as shown in its subdivision regulations;
- (2) The division of land into parcels greater than ten acres where no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for the widening or opening of streets; and
- (4) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the village, as shown in this chapter.

**Sec. 26-51. Generally.**

(a) The following sections are an outline of the procedure for obtaining approval of the subdivision of land within the territorial jurisdiction of this chapter. The procedure for review and approval of a subdivision plat consists of two separate steps. However, informal consultation with the village manager for advice and assistance and preparation of a sketch plan is recommended prior to the submission of the preliminary plat. The first step is the preparation and submission to the planning board, and then to the village council a preliminary plat of the proposed subdivision. The second step is the preparation and

submission to the village manager of a final plat together with required certificates and assurances. The final plat is the instrument recorded in the office of the register of deeds when duly approved pursuant to the terms of this chapter.

(b) Any subdivider wishing to subdivide any tract shall submit a preliminary plat of such proposed subdivision for approval. The following procedures shall dictate the process of approval of a subdivision in the jurisdiction of the village.

### **Sec. 26-53. Procedures for securing approval of subdivisions.**

• • •

**c. *Planning board approval.*** The manager shall submit the preliminary plat proposal to the next regularly scheduled meeting of the planning board occurring more than 28 days after the submission of the preliminary plat to the manager. The subdivider shall submit ten copies of the proposal to the planning board, including any necessary revisions, not less than seven days prior to the regularly scheduled meeting. The manager may report to the planning board as to the compliance of the preliminary plat to the requirements of this chapter and shall make any recommendations with regard thereto that the manager deems relevant to the preliminary plat. The planning board shall consider the preliminary plat in open session and shall require the attendance of the subdivider or his agent. Notice of the meeting by first class mail shall be given to the subdivider or designated agent. Failure of the subdivider or agent to attend the planning board meeting at which such preliminary plat is considered shall result in the deferral of any discussion or consideration thereof and the automatic rescheduling of consideration of such plat to the next regularly scheduled meeting of the planning board. If the subdivider or his agent fails to attend two consecutive regularly scheduled meetings of the planning board at which such preliminary plat is scheduled for consideration, the proposal shall be deemed withdrawn by the subdivider. At its meeting the planning board shall review the preliminary plat proposal and all other pertinent material, shall hear from the official agent, and shall determine whether the proposal meets the policy, purposes and standards established by this chapter. The planning board then shall recommend to the village council approval, conditional approval, deferral, or denial of the subdivision proposal.

### **Project Information**

The proposed subdivision contains 7 lots with 6 lots on 0.464 acres. The subdivision will be served by Village Utilities for Water and Sewer. The subdivision will be accessed by an entrance off Station House Way.

### **Staff Recommendation**

The proposed subdivision is in general conformity with the Village of Bald Head Island Zoning and Subdivision Ordinances; therefore, staff recommends approval.

*Please note that while the applicant originally referenced a rezoning from PD-2C to PD-2 to accommodate residential use, after further communication with staff the applicant has withdrawn this request. The current PD-2C zoning allows for residential uses. In addition to zoning designation, the subdivided parcel is in the Cape Fear Station Planned Unit Development (PUD) and was identified as such for potential commercial development. While developing these lots as residential does represent a change from the Cape Fear Station PUD, changes that result in a decrease in assigned density for a specific parcel can be accomplished with Village Manager approval only.*

## **Planning Board Action**

After review and discussion, a planning board member should make a motion to recommend that the Village Council approve; approve with conditions (if requested by applicant); defer; or deny the subdivision proposal using the attached Subdivision Plat Recommendation template.



**ATTACHMENT 1**

Applicant/Agent's Letter

**From:** Jerry Biggs <[jbiggs@bhisland.com](mailto:jbiggs@bhisland.com)>

**Sent:** Tuesday, December 3, 2024 6:43 AM

**To:** Stephen Boyett <[sboyett@villagebhi.org](mailto:sboyett@villagebhi.org)>

**Cc:** Chris McCall <[cmccall@villagebhi.org](mailto:cmccall@villagebhi.org)>; Chad Paul <[cpaul@bhisland.com](mailto:cpaul@bhisland.com)>

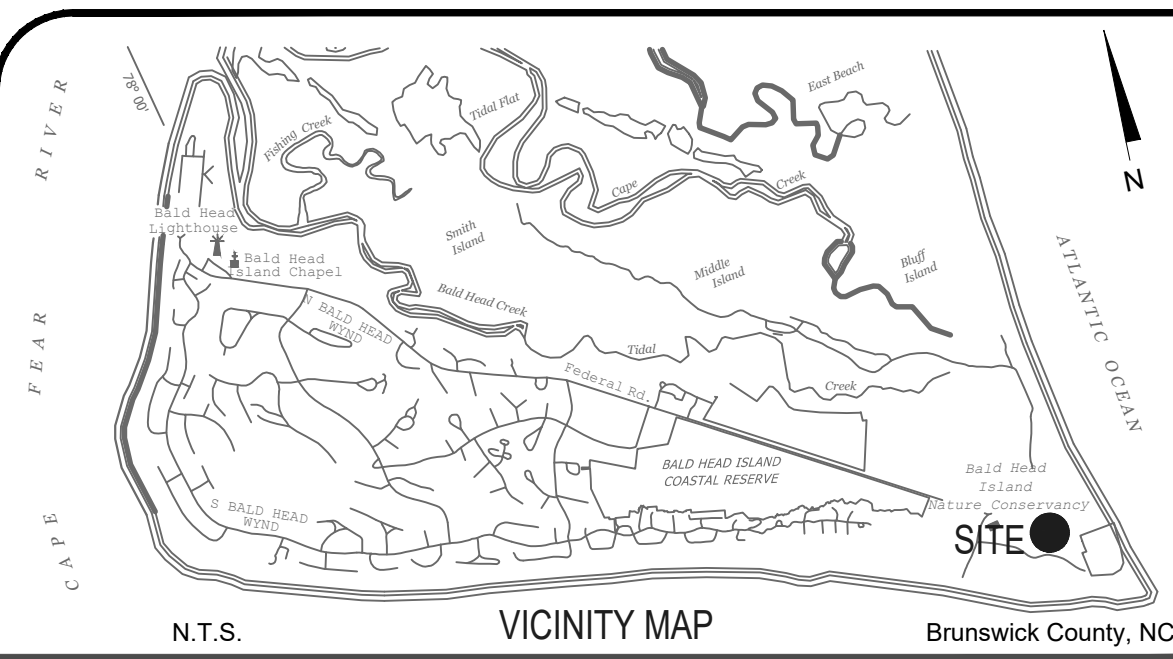
**Subject:** [EXTERNAL] 4101

We would like to request a council meeting on lot 4101. We are taking this from a commercial lot PD-2C to a residential PD-2. We are also subdividing this into 7 residential lots. See attached. Thank you, Jerry Biggs

ATTACHMENT 2



\* Parcel to be subdivided.



**NORTH CAROLINA  
BRUNSWICK COUNTY**

I, Kenneth W. Knott, certify that this Subdivision Plat was drawn under my direct supervision from an actual survey made under my direct supervision and hereon referenced in the Brunswick County Register of Deeds as shown in Deed Book 532, Page 579 and Map Book 108, Page 1; that the boundaries not surveyed are clearly indicated as broken lines and referenced from record information as shown hereon; that the unadjusted conventional ratio of precision as calculated is 1:20,000+; that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land; that this plat was prepared in accordance with G.S.47-30 as amended. Witness my original signature, license number and seal this 25 day of September, AD., 2024.

Professional Land Surveyor Number L-5353

REFERENCES:  
DB 532, PG 579  
MB 60, PG 49  
MB 93, PG 69  
MB 108, PG 1  
MB 145 PG 79

NC GRID (NAD1983/NAVD 1988)

**SURVEY NOTES:**

- This plat is derived from information gathered by an actual field survey made by this office and platted September, 2024.
- Horizontal datum used for this project is NAD 1983 / NSRS 2011 (US Survey Feet).
- The ground control coordinates are localized coordinates based on State Plane coordinates for NGS "NS1".
- Project combined grid factor used is published 1.00016352.
- The primary survey control azimuth was established using the NC VRS Network.
- All distances are horizontal ground measurements unless otherwise noted.
- All areas computed by coordinate computation method.
- Contractor is to verify all subsurface utilities prior to construction. Subsurface utility investigation was not performed as a part of this project.
- All "NIR" are 5/8" rebar.
- This survey was performed without the benefit of a current title report and maybe subject to any right of way encumbrances or easements a full title report may reveal.
- Any encumbrances or easements regarding canals, ditches, mineral rights, ingress/egress access or maintenance are at the discretion of the title attorney to report for this project. This office assumes no liability into the interpretation as to whether encumbrances, easements or Right-of-Ways currently exist.
- Parcel is located within multiple FEMA Flood Hazard Areas per FEMA Flood Insurance Rate Map 3720301300L, Dated 8/28/2018.
- Parcel is subject to all covenants and restriction referenced.
- The setbacks shown hereon were provided by Bald Head Island Village, NC.
- The property lines between EIR1 and ECM1 were reestablished by holding the information from Map Book 60 page 49.

**ACREAGE CALCULATIONS**  
LOT 4101 = 51,856 SQ. FT.  
LOTS 4101A - 4101F = 20,247 SQ. FT.  
16' PRIVATE RIGHT OF WAY = 4,307 SQ. FT.  
LOT 4101 REMAINING LAND = 27,302 SF (0.627 ACRES)

**GEODETTIC CONTROL TIE**  
**PUBLISHED STATE PLANE**  
**COORDINATES NGS "BSI 23"**  
NORTHING= 47,173.44' (NAD 1983 / 2011)  
EASTING= 2,302,926.88' (NAD 1983 / 2011)  
ELEVATION= 12' (NAVD 1988)

**OBSERVED STATE PLANE**  
**COORDINATES**  
NORTHING= 47,173.387' (NAD 1983 / 2011)  
EASTING= 2,302,926.924' (NAD 1983 / 2011)  
ELEVATION= 12.07' (GEOID-12B)

"BSI23" TO "NS1"  
OBSERVED GRID  
S 48°40'46" E 16,386.47'

**NORTH CAROLINA  
BRUNSWICK COUNTY**

I, \_\_\_\_\_, Review Officer for Brunswick County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer \_\_\_\_\_ Date \_\_\_\_\_

**NORTH CAROLINA  
BRUNSWICK COUNTY**

Filed for registration on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
at (A.M./P.M.) and recorded in Plat Cabinet \_\_\_\_\_, Slide \_\_\_\_\_.

Register of Deeds

THE VILLAGE OF BALD HEAD ISLAND DOES HEREBY CERTIFY THAT THIS MAP WAS APPROVED FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS FOR BRUNSWICK COUNTY, N.C.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

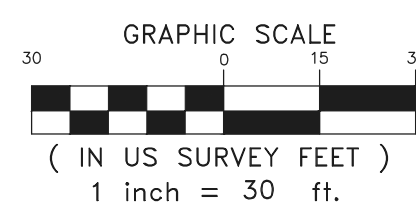
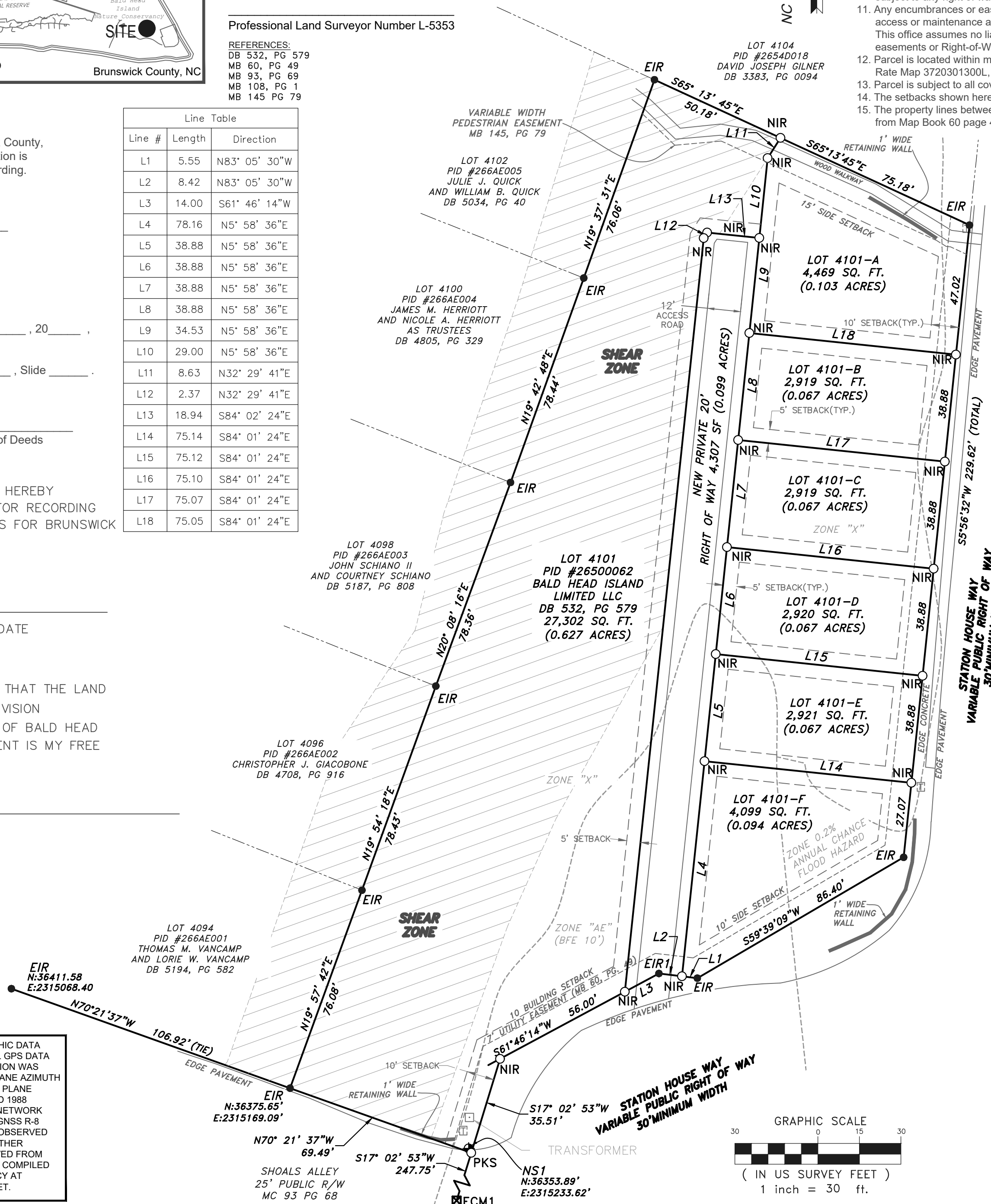
THE UNDERSIGNED HEREBY ACKNOWLEDGES THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE VILLAGE OF BALD HEAD ISLAND AND THAT THIS PLAT AND ALLOTMENT IS MY FREE ACT AND DEED.

OWNER'S SIGNATURE \_\_\_\_\_

**GPS STATEMENT**

THIS SURVEY WAS PERFORMED TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS AS APPLICABLE; THAT THE ORIGINAL GPS DATA WAS OBTAINED ON OCTOBER 20, 2021; THAT THE FIELD LOCATION WAS COMPLETED ON SEPTEMBER 25, 2024; THE PRIMARY STATE PLANE AZIMUTH COORDINATES SHOWN HEREON ARE NORTH CAROLINA STATE PLANE VALUES (FIPS 3200) BASED ON THE NAD 1983 (NSRS 2011) NAVD 1988 (GEOID 12B) ADJUSTMENT AS POSITIONED BY THE NCGS VRS NETWORK FROM OBSERVATIONS MADE BY THIS OFFICE USING TRIMBLE GNSS R-8 MODEL 4 SURVEY GRADE DUAL FREQUENCY RECEIVERS AND OBSERVED USING MULTIPLE SESSIONS A MINIMUM OF 240 EPOCHS; ALL OTHER COORDINATES ARE LOCALIZED GROUND COORDINATES DERIVED FROM CONVENTIONAL METHODS BY THIS OFFICE; THIS SURVEY WAS COMPILED TO MEET THE ASPRS STANDARDS FOR CLASS 1 MAP ACCURACY AT 1:360 (1" = 30'). ALL REPORTED VALUES ARE U.S. SURVEY FEET.

Line #	Length	Direction
L1	5.55	N83° 05' 30"W
L2	8.42	N83° 05' 30"W
L3	14.00	S61° 46' 14"W
L4	78.16	N5° 58' 36"E
L5	38.88	N5° 58' 36"E
L6	38.88	N5° 58' 36"E
L7	38.88	N5° 58' 36"E
L8	38.88	N5° 58' 36"E
L9	34.53	N5° 58' 36"E
L10	29.00	N5° 58' 36"E
L11	8.63	N32° 29' 41"E
L12	2.37	N32° 29' 41"E
L13	18.94	S84° 02' 24"E
L14	75.14	S84° 01' 24"E
L15	75.12	S84° 01' 24"E
L16	75.10	S84° 01' 24"E
L17	75.07	S84° 01' 24"E
L18	75.05	S84° 01' 24"E

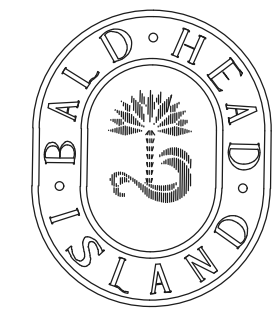


**LEGEND**

N/F.....	NOW OR FORMERLY
DB.....	DEED BOOK
MB.....	MAP BOOK
PG.....	PAGE REFERENCE
TYP.....	TYPICAL
SQ. FT.....	SQUARE FEET
● EIR.....	EXISTING IRON REBAR (SOLID)
○ NIR.....	NEW IRON REBAR SET - 5/8" REBAR
○ PKS.....	PK NAIL SET
⊠ ECM.....	EXISTING CONCRETE MONUMENT
⊠ TP.....	TELEPHONE PEDESTAL
---	LINE NOT SURVEYED
---	PARCEL BOUNDARY LINE
---	EASEMENT/RIGHT-OF-WAY
---	TIE LINE

SUBDIVISION SURVEY FOR:

**BALD HEAD ISLAND LIMITED LLC**  
LOT 4101 CAPE FEAR STATION  
PHASE III SINGLE FAMILY 22  
SMITHVILLE TOWNSHIP  
BRUNSWICK COUNTY, NORTH CAROLINA



DATE 9/25/24	SCALE 1" = 30'
DRAWN BY S.R.M.	CHECKED BY K.W.K.

REVISIONS

-DESCRIPTION-  
SUBDIVISION SURVEY

SHEET  
**1 OF 1**

PROFESSIONAL LAND SURVEYING SERVICES BY:

**ESP ASSOCIATES, INC**  
SUBSURFACE · HYDROGRAPHIC · MOBILE · GEOMATICS

2111 Racine Drive, Suite 101  
Wilmington, North Carolina 28403  
(910) 444-3899 / www.espassociates.com / License # F-1407

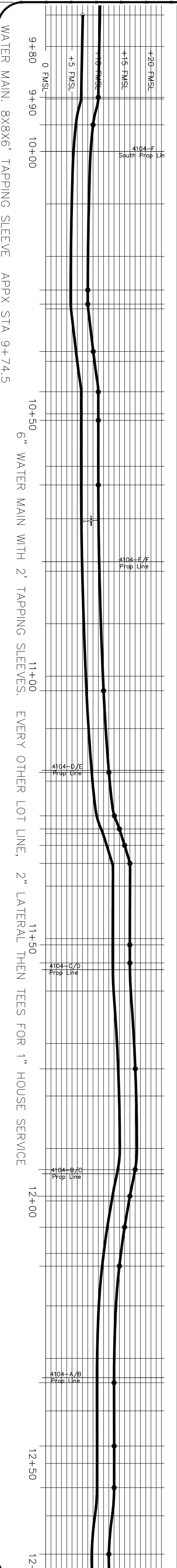
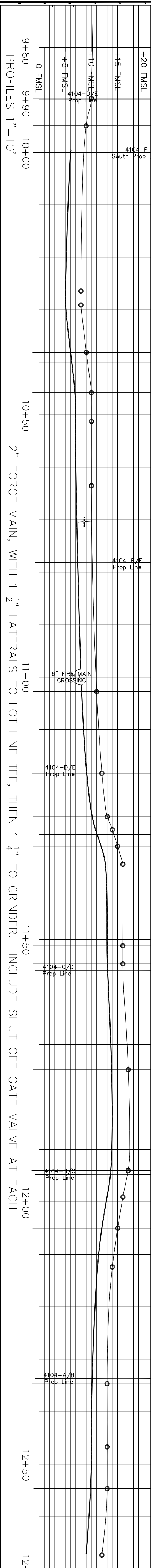
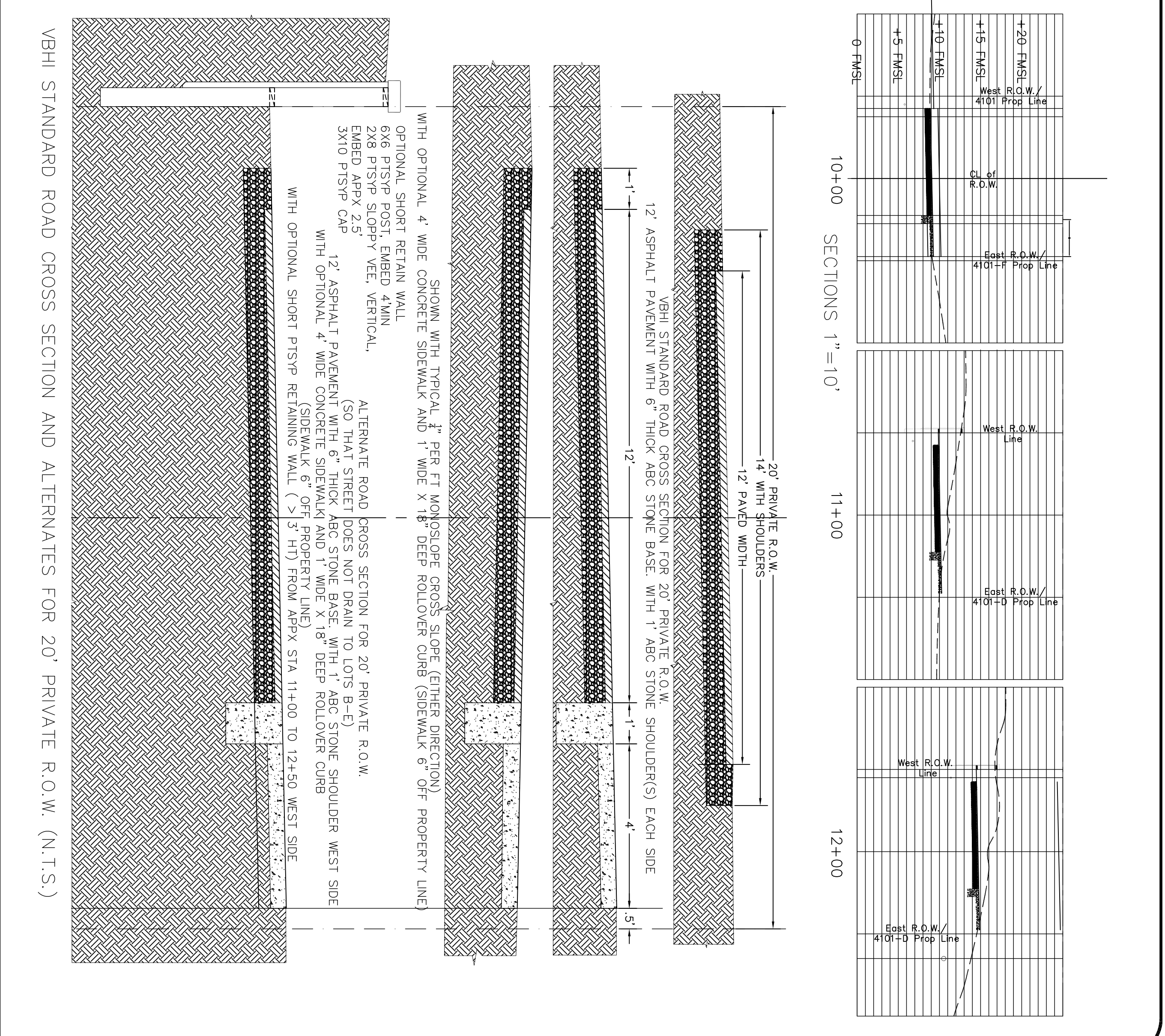
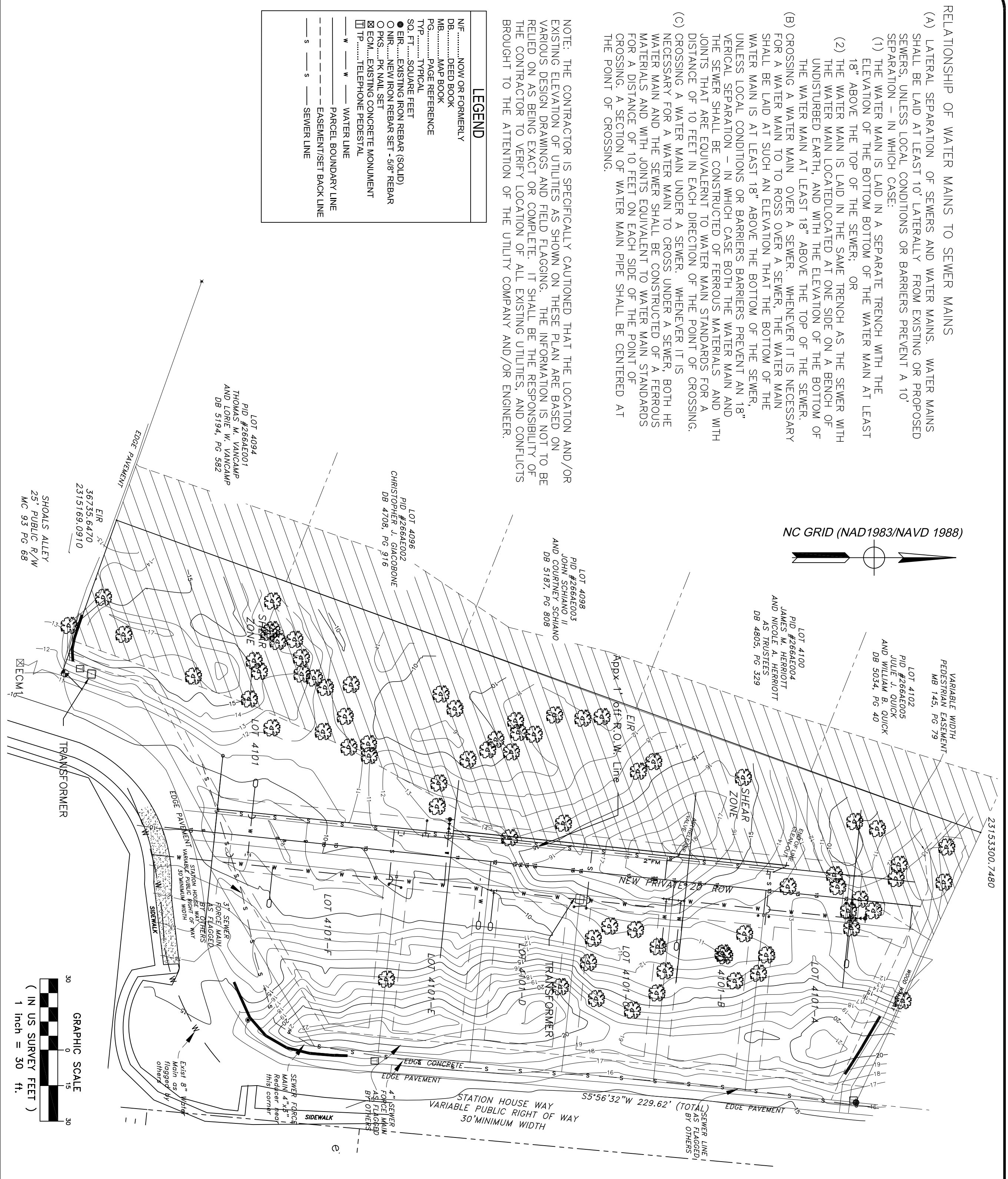
C:\Drawings\BHM\1015\Sub\UPDATED Lot 4101 (Sik on the Beach) Subdivision Chris.dwg, 10/9/2024 4:19:51 PM, 1:1

**RELATIONSHIP OF WATER MAINS TO SEWER MAINS**

- (A) LATERAL SEPARATION OF SEWERS AND WATER MAINS. WATER MAINS SHALL BE LAID AT LEAST 10' LATERALLY FROM EXISTING OR PROPOSED SEWERS, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT A 10' SEPARATION - IN WHICH CASE:
- (1) THE WATER MAIN IS LAID IN A SEPARATE TRENCH WITH THE ELEVATION OF THE BOTTOM BOTTOM OF THE WATER MAIN AT LEAST 18" ABOVE THE TOP OF THE SEWER; OR
  - (2) THE WATER MAIN IS LAID IN THE SAME TRENCH AS THE SEWER WITH UNDISTURBED EARTH, AND WITH THE ELEVATION OF THE BOTTOM OF THE WATER MAIN AT LEAST 18" ABOVE THE TOP OF THE SEWER.
- (B) CROSSING A WATER MAIN OVER A SEWER. WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS OVER A SEWER, THE WATER MAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST 18" ABOVE THE BOTTOM OF THE SEWER. UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT AN 18" CLEARANCE, THE SEWER SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET IN EACH DIRECTION OF THE POINT OF CROSSING.
- (C) CROSSING A WATER MAIN UNDER A SEWER. WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS UNDER A SEWER, BOTH THE WATER MAIN AND THE SEWER SHALL BE CONSTRUCTED OF A FERROUS MATERIALS AND WITH JOINTS EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. A SECTION OF WATER MAIN PIPE SHALL BE CENTERED AT THE POINT OF CROSSING.

**LEGEND**

ME	.....	NEW OR REBUILT
DB	.....	HEAD BOOK
MB	.....	MAP BOOK
PG	.....	PAGE REFERENCE
SO	.....	SQUARE FEET
SR	.....	NEW IRON REBAR (SOLID)
OR	.....	NEW IRON REBAR SET - 50# REBAR
EC	.....	EXISTING CONCRETE MONUMENT
TP	.....	TELEPHONE PESTIVAL
---	---	WATER LINE
---	---	EASEMENT/SET BACKLINE
---	---	SEWER LINE



DATE: 10/24/24  
SCALE: 1" = 30'

REVISIONS:

DESCRIPTION: Utility Plan  
SHEET: 1 OF 1

SUBDIVISION SURVEY FOR:  
**BALD HEAD ISLAND LIMITED LLC**

LOT 4101 CAPE FEAR STATION  
PHASE III SINGLE FAMILY 22  
SMITHVILLE TOWNSHIP  
BRUNSWICK COUNTY, NORTH CAROLINA

BRUCE MAREK, P.E.  
5489 EASTWIND RD  
WILMINGTON, NC 28403  
CELL 910-228-2484

## Village of Bald Head Island Planning Board Subdivision Plat Recommendation

*The planning board shall review the preliminary plat proposal and all other pertinent material, shall hear from the official agent, and shall determine whether the proposal meets the policy, purposes and standards established by the Subdivision Ordinance. The planning board then shall recommend to the village council approval, conditional approval, deferral, or denial of the subdivision proposal. Code Sec. 26-53.*

**Proposed Subdivision Description:** Subdivision Preliminary Plat, Parcel #26500062, subdivide 0.627 acres parcel into seven lots: Lot 4101 (0.627 acres), Lot 4101-A (0.103 acres), Lot 4101-B (0.067 acres), Lot 4101-C (0.067 acres), Lot 4101-D (0.067 acres), Lot 4101-E (0.067 acres), Lot 4101-F (0.094 acres).

**Recommendation:** Pursuant to Sections 160D-604 and 803 of the North Carolina General Statutes and Section 26-53 of the Village Code of Ordinances, the Village of Bald Head Island Planning Board hereby recommends that the proposed subdivision regulation *Choose One*.

- Be approved because it meets the policy, purposes and standards established by the Village Subdivision Ordinance.
- Be denied because it does not meet the policy, purposes and standards established by the Village Subdivision Ordinance.
- Be approved with the specific petitioned for exceptions or conditions set forth below as permitted by the Village Subdivision Ordinance.
- Be deferred for further consideration.

**Explanation of Recommendation:** The Planning Board finds its recommendation is reasonable and in the public interest because the proposed subdivision:

- Meets the technical requirements of the Village Subdivision Ordinance.

**Conditions/Exceptions Related to Approval (if sought by applicant, pursuant to Sec. 26-14):** The Planning Board recommends that Village Council adopt the following conditions/exceptions to approval:

- There were no recommended conditions/exceptions.

The Planning Board considered and approved this Recommendation at its meeting on January 10, 2025 by a vote of \_\_\_ to \_\_\_.

By: \_\_\_\_\_  
Chair, Planning Board



VILLAGE OF BALD HEAD ISLAND  
Planning Board Meeting  
Agenda Item

Agenda Item:	<b>New Business 5.2.1</b>
Date:	<b>1/10/2025</b>

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**Issue:** Special Use Permit 2025-01 – 87 Keelson Row  
**Department:** Development Services  
**Contacts:** Jae Kim, Assistant Village Manager  
Stephen Boyett, Development Services Director

- Attachments:**
- 1) Maps : Aerial Map, Zoning Map, Future Land Use Map
  - 2) Application
  - 3) Public Hearing Notice
  - 4) Letter to Adjoining Property Owners
  - 5) List of Adjoining Property Owners
  - 6) Reference to Village Ordinance (Permitted Uses Table)
  - 7) Final Site Plan
- 

**Application No.** SUP #2025-01

**Applicant:** Joe Lee  
Nice Neighbors LLC (owner)

**Property Location:** 87 Keelson Row  
Bald Head Island, NC 28461

**Parcel Number(s):** 2601B065

**Zoning District:** Planned Development 3 C (PD-3C)

**Surrounding Zoning**      **North:** PD-3                      **South:** PD-3C  
   **East:** PD-3                              **West:** PD-3C

**Current Use of Property:** Vacant

**Requested Use of Property:** Restaurant

**Description of Request:** A special use permit application was submitted to the Village on December 4, 2024.

The location of the proposed restaurant (described by the applicant as a “boutique restaurant”) is 87 Keelson Row which is located next to Marina Park.

**Site and Area Description:** Bald Head Island has three primary commercial area overlays and the subject property is located in the Marina/Harbour District in the marina

development area. If this property is developed, it will need to meet the Bald Head Island Commercial Design Standards.

**Zoning District Information and Surrounding Land Uses:** This section of the centrally located commercial zoning district (PD-3C: planned development 3 commercial district) is established as a district in which the principal use of land is for mixed use which includes residential uses, commercial services, offices, marina and marina related uses, club facilities, transient inn uses and leisure activities and their attendant uses. Furthermore, it is the intent of this district to encourage the construction and continued use of land necessary for the embarkation and debarkation of ferry passengers.

Many of the existing land uses in the immediate area include:

- Commercial (retail services)
- Lodging facilities (including inn, hotel, and motel)
- Marina, and marina related
- Restaurant, cafe

Examples of uses permitted by right within the PD-3C zoning district include, but are not limited to the following:

- Clinics (medical services)
- Commercial (retail services)
- Government offices and facilities
- Library
- Lodging facilities (including inn, hotel, and motel)
- Marina, and marina related
- Offices (other than real estate)
- Real estate offices
- Trailer, construction (on job site)
- Trailer, passenger
- Trailer, tow
- Utility Services (public or private)

Examples of uses permitted by special use permit include the following:

- Bar, lounge, tasting room, tavern, wine shop
- Brewery, cidery, distillery, winery
- Restaurant, cafe
- Recreational facilities
- Utility facilities, public or private

Long Range Plan: The Brunswick Blueprint 2040 Plan was adopted on April 21, 2023, and provides guidance for future development on the island. More restaurants were submitted as an idea for land use when islanders were surveyed for the plan. The Future Land Use Map has designated the subject property as Medium Density Residential – Mixed use.

**Staff Analysis:** Staff has determined that the application packet is complete and has provided a staff report that sets out relevant background materials and the standards the Planning Board must follow in making a quasi-judicial determination. Staff is not required

to provide a recommendation on whether to grant or deny a Special Use Permit. In this instance, Staff makes no specific recommendation, but is available to present evidence in the form of responses to questions from the Planning Board or other parties to the hearing.

The final site plan has been reviewed and approved by the Development Services Director (Stephen Boyett). Village ordinance Section 32-128 Site Development Plan as required by the SUP application was confirmed to be completed in full by the Development Services Director as submitted in the final site plan on 12/4/2024.

**REQUIRED FINDINGS FOR A SPECIAL USE PERMIT:** Special Use Permits (SUP) require the Planning Board to follow a quasi-judicial process. With respect to SUPs this means the Planning Board must exercise discretion in determining whether a specific use request, which has been deemed by Village Council to be generally compatible with the land uses permitted by right in a zoning district, should be approved following individualized review of the location, design and configuration proposed for development. Special Use Permits ensure the appropriateness of the use at a particular location within a given zoning district. The Planning Board shall consider the application, supporting documents, the site plan, and examine factual evidence presented at the hearing in determining whether a set of standards that have been approved by the North Carolina Courts have been met.

In granting or denying the Special Use Permit, the board shall consider whether:

1. The use will materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted and approved.
2. The use meets all required conditions and specifications.
3. The use will substantially injure the value of the adjoining property, or, in the alternative, whether the use constitutes a public necessity.
4. The location and character of the use, if developed according to the application and plan submitted and approved, will be in harmony with the area in which it is to be located and be in general conformity with any comprehensive plan that has been adopted and any other officially adopted plan this applicable to the area.

The Special Use Permit, if granted, shall include approval of the final site plan. The Board may place conditions on the use as part of the approval to protect the public and ensure that the standards above are complied with. All conditions shall become part of the SUP approval and shall be included/illustrated on the final site plan to indicate the applicant's consent. The SUP shall run with the land and shall be binding on the original applicants, their heirs, successors and assigns. Violations of the SUP, including any conditions placed thereon, shall be treated as a violation of the local zoning ordinance.

Minor field alterations or minor revisions to an approved SUP may be approved by the Administrator if the intent of the standards established with the original approval are still met and the alterations/revisions are limited to changes that do not increase the intensity, density, or character of the use. If the Administrator determines that the change is not minor, the Planning Board must approve the alterations/revisions. Please reference the Village Ordinance in Section 32-254 for guidance.



This decision of the board is effective upon filing the written decision with the Clerk to the Board. Decisions of the Planning Board shall be appealed to the Brunswick County Superior Court within 30 days of the final decision.

## **Special Use Permit Worksheet and Suggested Motion(s):**

Planning Board is required to make certain Findings of Fact and draw appropriate Conclusions therefrom. At the end of the hearing a Motion or set of Motions should be made to approve or deny the application based on the Findings of Fact and Conclusions of the Planning Board. If conditions are to be included in a grant of the permit, they should be specifically stated. This worksheet is intended to help staff prepare an appropriate order for signature following the hearing. This is not the final order. It is a guide for getting to that point.

### **Findings of Fact**

1. A quasi-judicial public hearing was held by the Village of Bald Head Island Planning Board on Special Use Permit request SUP #2025-01. A quorum of the Planning Board was present and participated in the hearing.
2. [PROPERTY DESCRIPTION/LOCATION].
3. Applicant was a party to the hearing. [APPLICANT RELATIONSHIP TO THE PROPERTY. INFORMATION ON PERSONS REPRESENTING APPLICANT].
4. The Village of Bald Head Island was a party to the hearing. [NAME AND TITLE OF STAFF PERSON] presented Staff Report and responded to questions of the Planning Board.
5. The information presented in the Staff Report is incorporated by reference.
6. [LIST OF ANY OTHER PARTIES PRESENTING RELEVANT EVIDENCE.]
7. All parties and all witnesses were sworn in.
8. [ADD FINDINGS OF FACT TO SUPPORT CONCLUSIONS LISTED BELOW].

### **Conclusions**

1. The application for SUP #2025-01 was complete as submitted.
2. The hearing on SUP #2025-01 was properly advertised and noticed.
3. The Planning Board had authority to hear the application under the Village Codes of Ordinances and State law.
4. All parties were properly before the Planning Board and all evidence presented herein was under oath and was not objected to by any party. All evidence relied upon was credible and reliable.
5. [REQUESTED SPECIAL USE] (is/is not) a use within the [ZONING DISTRICT] as indicated by the Village of Bald Head Island Table of Permitted Uses.
6. SUP #2025-01 if completed as proposed, (will comply with all/will not comply with one or more) requirements of the zoning ordinance. [IF NOT, SPECIFY THE REQUIREMENT.]

7. SUP #2025-01 (will/will not) materially endanger the public health or safety if located where proposed and developed according to the application and plan as submitted because [SPECIFY HOW.]
8. SUP #2025-01 (will/will not) meet all required conditions and specifications because [SPECIFY HOW].
9. SUP #2025-01 (will/will not) substantially injure the value of adjoining or abutting property because [SPECIFY WHY].
10. SUP #2025-01 (will/will not) be in harmony with the area in which it is to be located and be in general conformity with any comprehensive plan that has been adopted or any other officially adopted plan because [SPECIFY WHY].
11. SUP #2025-01 (does/does not) meet all the required standards and should be (granted/denied) based on the reasons established above.
12. [SUP #2025-01 does not meet all the required standards but can meet the standards and be granted with appropriate conditions, as follows: [LIST CONDITIONS]].

## **Suggested Motions**

- 1) I move that Special Use Permit SUP #2025-01 be (granted/denied/granted with conditions) based upon the application, the presentations and legal arguments made by the parties, and the competent, material, and substantial evidence submitted during the hearing and summarized in the Record for this matter.

[IF CONDITIONS] I further move that Special Use Permit SUP #2025-01 be granted subject to the following conditions: [LIST CONDITIONS].

- 2) I move that Village Staff is authorized to prepare a written Order setting out the Findings of Fact and Conclusions summarized today, and any other necessary material drawn from the Record to support the decision reached by the Planning Board, for execution by the Chair of the Planning Board within 15 days from the date of the close of this hearing.

ATTACHMENT 1

Aerial Map

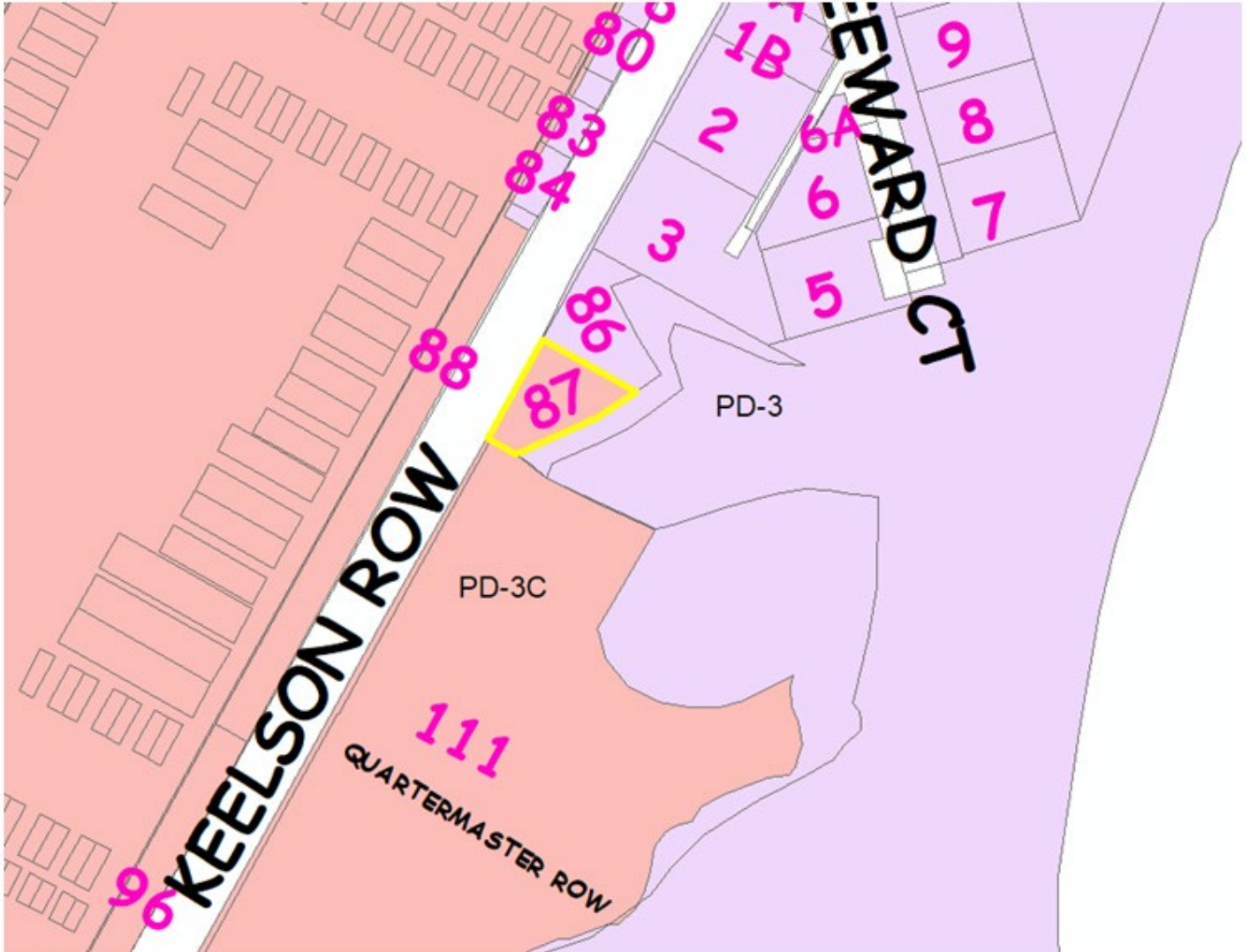
Parcel Identification: Lot 87, Tax Parcel # 2601B065, Nice Neighbors LLC



ATTACHMENT 1

Zoning Map

Parcel Zoning: Lot 87, PD-3C



ATTACHMENT 1

Future Land Use Map



Lot is marked with the YELLOW dot.

Full map on Page 12 & 13 here: [Section-6---Municipal-Guidance-PDF](#)

Legend:

-  Bald Head Island Town Limit
- Parcels Bald Head Island**
- Future Land Use**
-  Open Space - Conservation 1
-  Open Space - Conservation 2
-  Open Space - Recreation
-  Low Density Residential
-  Medium Density Residential
-  Medium Density Residential - Mixed
-  Commercial
-  Town Utility

# SPECIAL USE PERMIT APPLICATION

Village of Bald Head Island, NC



This document is a public record under the North Carolina Public Records Act and may be published on the Village's website or disclosed to third parties.

## **SPECIAL USE PERMIT APPLICATION SUBMISSION:**

Applications and fees are due upon submittal of the application. Per Sec. 32-102 (c) of the Code of Ordinances the planning board shall set a hearing on a special use permit request not to exceed 60 days following the receipt of an appropriate application.

**PRE-APPLICATION MEETING:** A pre-application meeting with Development Services staff is required to be scheduled prior to the submittal of a Special Use Permit Application. Please contact Stephen Boyett at 910-457-9700 ext. 1004 or [sboyett@villagebhi.org](mailto:sboyett@villagebhi.org) to set up an appointment. Applicants must e-mail a pdf map, drawing, model, site or sketch plan to staff no later than five (5) working days prior to the desired meeting day.

**GENERAL INFORMATION:** The planning board conducts a quasi-judicial public hearing process. Only sworn testimony provided at the public hearing may be considered in their decision-making. The planning board members cannot be legally contacted by the applicant or applicant's representative prior to the public hearing (e.g. no ex parte communication). If you have any questions, please contact Development Services Director Stephen Boyett at 910-457-9700 ext. 1004 or [sboyett@villagebhi.org](mailto:sboyett@villagebhi.org).

**PURPOSE OF A SPECIAL USE PERMIT:** There are some land uses which are basically in keeping with the intent and purposes of the district where permitted, but which may have an impact on the area around them which can only be determined by review of the specific proposal. These uses may be established, under certain standards and with proper controls, in such a manner as to minimize any adverse effects. In order to ensure that these uses, in their proposed locations, would be compatible with surrounding development and in keeping with the purposes of the district in which they are located, their establishment shall not be as a matter of right, but only after review and approval of a special use permit as provided in Chapter 32 Article VII of the Village of Bald Head Island Code of Ordinances.

## **HARD COPY SUBMITTAL REQUIREMENTS: SUBMIT TO DEVELOPMENT SERVICES DEPARTMENT**

- One copy of the Special Use Permit Application
- Special Use Permit Application fee
- Agent authorization form
- Legal description, maps, plans, and other as to completely describe the proposed use and existing conditions (see page 3 for detailed list).
- Envelopes addressed to property owners on the notification list.
  - Addresses must be from the notification list obtained from the Village. This list shall be obtained by emailing [public.information@villagebhi.org](mailto:public.information@villagebhi.org) and will be provided within 3 business days of the initial request.
  - Affixed with first class stamps and the following return address:  
Village of Bald Head Island  
Development Services Department  
P.O. Box 3009  
Bald Head Island, NC 28461

**REVIEW FOR SUFFICIENCY:** Development Services staff checks application for sufficiency upon submittal. Incomplete applications will be returned to the applicant for revision.

**PUBLIC HEARING NOTIFICATION:** Notification of the public hearing will take place by three different methods. A written notice prepared by the Development Services Department for all property owners of the land subject to the application; all property owners abutting the land subject to application. This notice will be postmarked not more than 25 days nor less than 10 days prior to the planning board meeting. A notice will be published on the Village's website no less than 10 days but not more than 25 days prior to the public hearing. A notice will also be posted at the land subject to the application at least 10 days prior to the public hearing.

**PUBLIC HEARING/PLANNING BOARD:** The planning board will consider the application, relevant support materials, staff report and public testimony given at the public hearing. After the public hearing the planning board will vote to approve, approve with conditions, or deny the special use permit. Four-fifths of the members of the planning board must vote for approval in order for a variance to be approved.



**SPECIAL USE PERMIT APPLICATION INFORMATION**

This document is a public record under the North Carolina Public Records Act and may be published on the Village's website or disclosed to third parties.

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_  
Fee Paid \$ \_\_\_\_\_ Check # \_\_\_\_\_

**APPLICANT/AGENT INFORMATION**

Applicant Name(s): Joe Lee  
Address: 17 Captains Charlie Ct  
City: Bald Head Island State: NC Zip: 28461  
Phone: 919-669-6863 Fax: \_\_\_\_\_  
E-mail Address: leesautojoey@gmail.com

**OWNER INFORMATION**

Owner Name(s): Nice Neighbors LLC  
Address: 240 Racine Dr, Suite 200  
City: Wilmington State: NC Zip: 28403  
Phone: 910-352-7766 Fax: \_\_\_\_\_  
E-mail Address: mchittum@infranetgroup.com

**PROPERTY INFORMATION:**

Address/Location: 87 Keelson Row  
Current Use: \_\_\_\_\_  
Zoning District: Harbor Commercial  
Proposed Use: Boutique Restaurant

Description of Proposed Use of the Property:

Unique small bites and offering specialty drinks with a view of marsh and marina

\_\_\_\_\_  
\_\_\_\_\_

## SPECIAL USE PERMIT APPLICATION INFORMATION

This document is a public record under the North Carolina Public Records Act and may be published on the Village's website or disclosed to third parties.

Each Special Use Application shall contain or be accompanied by such legal description maps, plans, and other information so as to completely describe the proposed use and existing conditions.

1. Location of all structures within 50 feet of the property, location and depth, if known, of any existing utility lines in the property or along any adjacent street.
2. Location of property boundaries, location of any easements for utility lines or passage which cross or occupy any portion of the property for proposed lines.
3. Detailed construction plans shall be submitted prior to issuance of a building permit.
4. A site development plan as set forth in section 32-128 of the Village of Bald Head Island Code of Ordinances. (see below).

### **Sec. 32-128. Site development plan.**

A site development plan drawn to scale shall contain the following information for both multifamily and single-family dwelling and commercial properties:

(1) *Multifamily:*

- a. The name of planned development;
- b. The exact boundary lines of the planned development fully dimensioned by lengths and bearings, and the location on intersecting boundary lines of adjoining lands;
- c. Scale denoted both graphically and numerically;
- d. The plans for utility layouts, including sewers, storm sewers, water distribution lines, natural gas, telephone and electric service, illustrating connections to systems and/or sewage disposal systems. Plans must show line sizes, the location of fire hydrants, blow-offs, manholes, pumps, force mains, and gate valves;
- e. Street names;
- f. The location, purpose, and dimensions of areas to be used for purposes other than residential;
- g. Minimum building setback lines;
- h. The names of owners of adjoining properties and any adjoining subdivisions of record (or proposed and under review);
- i. The location and dimensions of all rights-of-way, utility or other easements, riding trails, natural buffers, pedestrian or bicycle paths, and areas to be dedicated to public use with the purpose of each stated;
- j. Right-of-way lines, and pavement widths of all streets and the location and width of all adjacent streets and easements;
- k. Property lines, building or other structures, watercourses, bridges, culverts, storm drains, and water retention or detention areas on the land to be subdivided;
- l. Sufficient engineering data to determine readily and reproducibly on the ground every straight or curved boundary line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearing, or deflection angles, radii, central angles and tangent distances for the centerline of curved streets and curved property lines that are not the boundary or curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute;
- m. The accurate locations and descriptions of all monuments, markers and control points;
- n. The deed restrictions or any other similar covenants proposed for the planned development, if any;
- o. The date of the survey and plat preparation;
- p. North arrow and declination;
- q. The name and location of any property, within the planned development or within any contiguous property, that is listed on the U.S. Department of Interior's National Register of Historic Places; likewise any property that has been designated by local ordinances as an historic property pursuant to 160D-940 et seq.
- r. The name, address, and telephone number of owner, registered surveyor, land planner, architect, landscape architect, and professional engineer responsible for the subdivision and the registration number and seal of the professional engineer and registered surveyor;
- s. Flood hazard areas according to most recent FEMA flood insurance rate map stating date of map adoption;
- t. Topographic information showing vertical contour every two feet;

- u. Show boundaries of areas of environmental concern (CAMA), show boundaries of outstanding resource waters (DEM), and show COE 404 wetlands;
- v. Total number and location of proposed dwelling units and other structures; total residential floor area; total height; total open space area;
- w. An inventory of all trees of caliper greater than 12 inches at four feet above ground level, those existing and those to be removed;
- x. Provisions for open space;
- y. Any other information requested by the village planning board or council.

(2) *Single-family*. For all single lot development proposals, a site development plan, drawn to scale, shall contain the following information:

- a. A perimeter survey showing:
  - 1. The lot boundaries, the bearing and distance of each;
  - 2. The location of applicable front, side and rear yard lines; adjacent streets;
  - 3. Any and all existing structures showing the location thereof on the survey, as well as distances from the closest lot line;
  - 4. Any and all proposed structures or proposed alteration or extension of an existing structure;
  - 5. All existing and proposed structures and intended use;
  - 6. Topographical information showing vertical contours every two feet;
  - 7. Boundaries of areas of environmental concern as defined in the Coastal Area Management Act;
  - 8. The 404 line as established by the U.S. Army Corps of Engineers and any other pertinent information necessary to determine compliance with the Coastal Area Management Act, Federal Emergency Management Act, and any other local, state, or federal statutes, ordinances or regulations applicable to the lot;
  - 9. Proposed location of driveway;
- b. The location and square footage of the proposed structure or addition thereof and its total height;
- c. The total square footage of the lot;
- d. The total square footage of the lot covered by impervious cover;
- e. The type of sewage disposal system and proposed source of potable water;
- f. A detailed site plan for the lot, which shall show the locations and types of naturally occurring vegetation and growth, including all trees thereon with a trunk equal to or greater than 12 inches in width at a height four feet above the ground, and the locations thereof. The drawing shall include the limit of construction line and proposals for restoration or relandscaping of any area of vegetation disturbed by the proposed use;
- g. Such other information as may be required by the zoning officer concerning the lot as may be necessary to determine compliance of the proposed development of the site with this chapter; and
- h. Planting plan.

(3) *Nonresidential commercial*. For nonresidential (commercial) all elements under subsection (1) a. through x. of this section.

(4) *Vesting approval*. Vesting provision-approval of a site development plan by the village council will vest a property with zoning rights applicable at that time. Such vesting approval is valid for a period of two years. This vesting is intended to carry out provisions of G.S. 160D-108.1 and site development plans as used in this chapter constitute site specific development plans under the statute.

**AGENT AUTHORIZATION FORM**

Application #:

Submittal Date: \_\_\_\_\_

\_\_\_\_\_ is the owner\* of the property for which the attached application is being submitted:

- Land Use Amendment
- Rezoning
- Special Use Permit
  
- Site Plan
- Subdivision
- Variance
- Other: Restaurant

The property address is: 87 Keelson Row

The agent for this project is: Joe Lee

I am the owner of the property and will be acting as my own agent

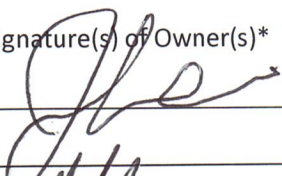
Agent Name: Joe Lee

Address: 17 Captain Charlies, BHI, NC 28461


Telephone Number: 919-669-6863

E-Mail Address: leesautojoey@gmail.com

Signature(s) of Owner(s)\*

  
\_\_\_\_\_  
Joe Lee  
Type or print name

12-5-24  
Date

  
\_\_\_\_\_  
Michael Chittum  
Type or print name

12-5-24  
Date

Attach additional sheets if there are additional owners.

\*Owner of record as shown on the latest equalized assessment rolls of Brunswick County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature.



**Village of Bald Head Island  
Notice of Special Meeting and Public Hearing**

**Planning Board  
Friday, January 10, 2025, at 1:00 p.m.**

Public Notice is hereby given that the Village of Bald Head Island Planning Board will hold a special meeting on Friday, January 10, 2025, at 1:00 p.m. in the multi-purpose room of the Department of Public Safety (located at 273 Edward Teach Wynd) for the following purposes:

- To hold a Public Hearing, following quasi-judicial procedures on an application for a Special Use Permit for a proposed restaurant at 87 Keelson Row (Parcel ID #2601B065).
- To review and make a recommendation to Council on subdivision preliminary plat proposals to subdivide Parcel ID 26500062 into seven lots on Station House Way.

If you would like additional information, you may contact Deputy Village Clerk Carin Faulkner at (910) 457-9700 ext. 1025 or [public.information@villagebhi.org](mailto:public.information@villagebhi.org).

Carin Z. Faulkner  
Deputy Village Clerk

Posted : 12/30/2024



# The Village of Bald Head Island

December 30, 2024

## Notice of Public Hearing Planning Board

To Whom it May Concern:

The purpose of this letter is to notify you of an upcoming public hearing, following quasi-judicial procedures on an application for a Special Use Permit to develop and operate a restaurant in the PD-3C Zoning District. The restaurant use is proposed at 87 Keelson Row (Parcel #2601B065) Bald Head Island, NC. Please see the enclosed public notice for further details on this hearing.

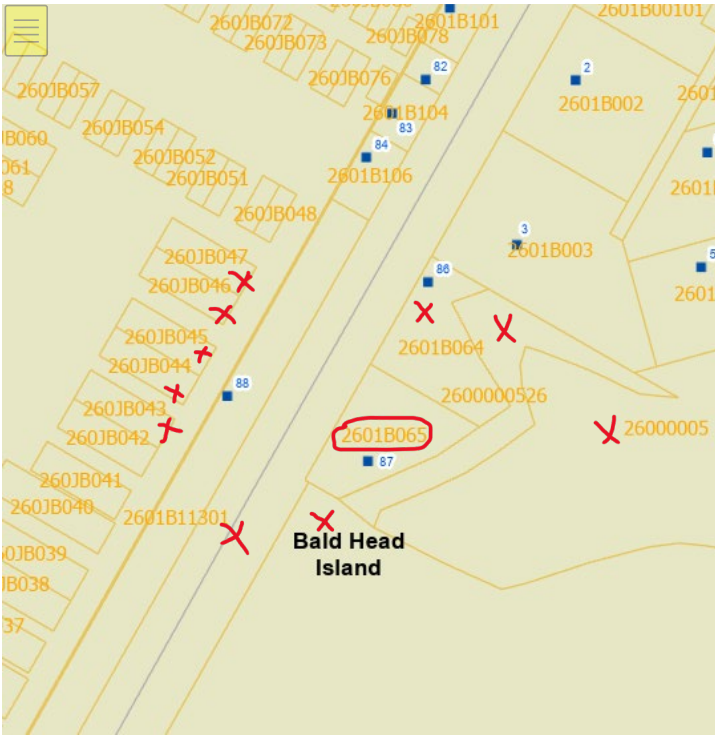
The link to the agenda and associated documents for this meeting will be posted on this webpage:

<https://villagebhi.org/village-government/boards-committees/planning-board/>

If you have any general questions, you may call Carin Z. Faulkner, Deputy Clerk at 910-457-9700 ext. 1025 or via email at [public.information@villagebhi.org](mailto:public.information@villagebhi.org).

Sincerely,

Stephen Boyett  
Development Services Director



COMPENT LLC  
 218 STATION HOUSE WAY  
 BALD HEAD ISL, NC 28461

**2601B064**

VILLAGE OF BALD HEAD ISLAND THE  
 PO BOX 3009  
 BALD HEAD ISL, NC 28461-7000

**2604J001 & 2600000526**

BALD HEAD ISLAND YACHT CLUB  
 PO BOX 3029  
 BALD HEAD ISLAND, NC 28461

**260JB045**

FISHER LUKE C ETALS  
 11 NORTH RD  
 SALISBURY, NC 28144-6907

**260JB044**

MORGAN FAMILY TRUST  
 PO BOX 400  
 GLENBROOK, NV 89413-0400

**260JB04**

**BALD HEAD ISLAND YACHT CLUB**  
**PO BOX 3029**  
**BALD HEAD ISLAND, NC 28461**

**2601B11301**

**BALD HEAD ISLAND LIMITED LLC**  
**PO BOX 3069**  
**BALD HEAD ISLAND, NC 28461-7000**

**26000005**

MORGAN FAMILY TRUST  
 PO BOX 400  
 GLENBROOK, NV 89413-0400

**260JB047 – also owns 260JB04**

**BALD HEAD ISLAND CLUB**  
**PO BOX 11519**  
**SOUTHPORT, NC 28461-1519**

**260JB043**

## ATTACHMENT 6

### REFERENCE TO VILLAGE ORDINANCE

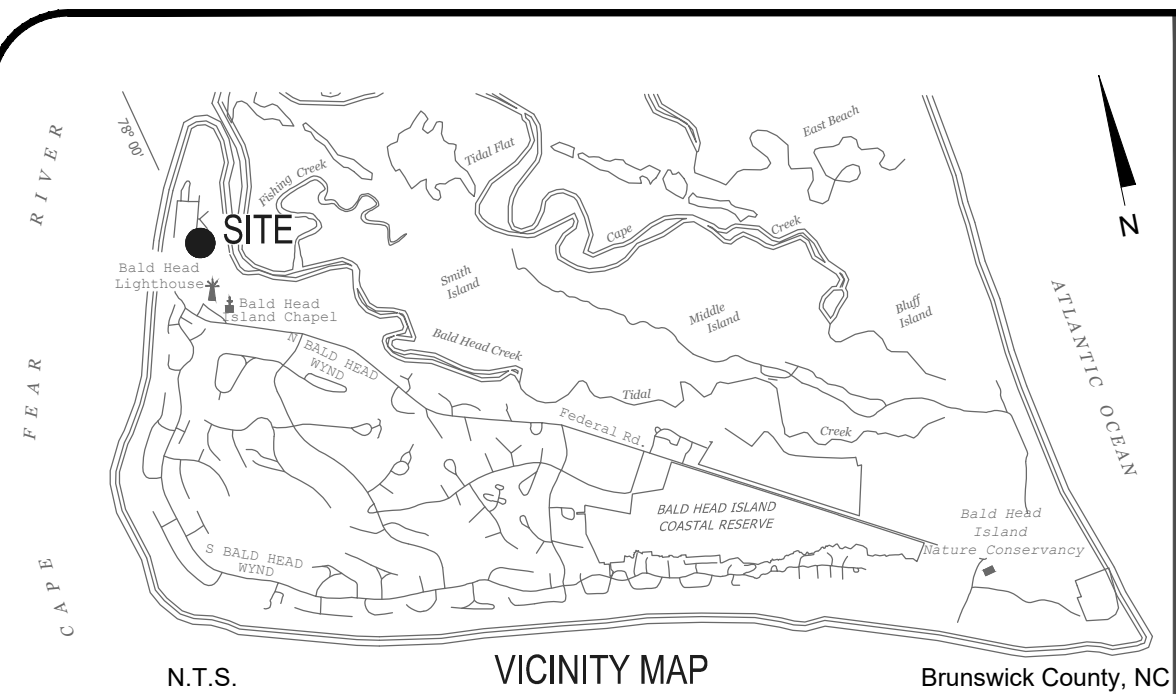
#### (Permitted Uses Table)

**Sec. 32-126. Permitted and special uses.**

The following uses are listed as permitted (P) or special (S) use in each zoning district. Prohibited uses are either not listed or a blank section shall be the only uses to which any land or structures located thereon shall be put and shall be the exclusion of all other uses w as permitted by Sec. [32-255](#). (See article VII of this chapter for provisions governing special uses and commercial filming activity.)

<i>Uses</i>	<i>PD-1</i>	<i>PD-2</i>	<i>PD-2C</i>	<i>PD-3</i>	<i>PD-3C</i>	<i>PD-3C-1</i>	<i>PD-4</i>	<i>NC</i>
Offices, other than real estate			P		P	S		P
Pre-manufactured structure			P					
Real estate offices			P		P	S	S	P
Recreational facilities	S	S	S	S	S	S	S	
Restaurants, cafes, and other food services (limited to club)	P		P		S			
Trailer, construction (on job site)	P	P	P	P	P	P	P	P
Trailer, food service			S					
Trailer, passenger			P		P			





BRUNSWICK COUNTY  
NORTH CAROLINA

I, Kenneth W. Knott, certify that this topographic survey was field located and drawn under my direct supervision; the subject parcel is referenced in the Brunswick County Register of Deeds in Deed Book 4966, Page 608 and Map Book Z, Page 75; that the boundaries not surveyed are shown as broken lines from referenced record information; that this survey does not meet NCGS 47-30 standards and is not for recordation, conveyance or sales.

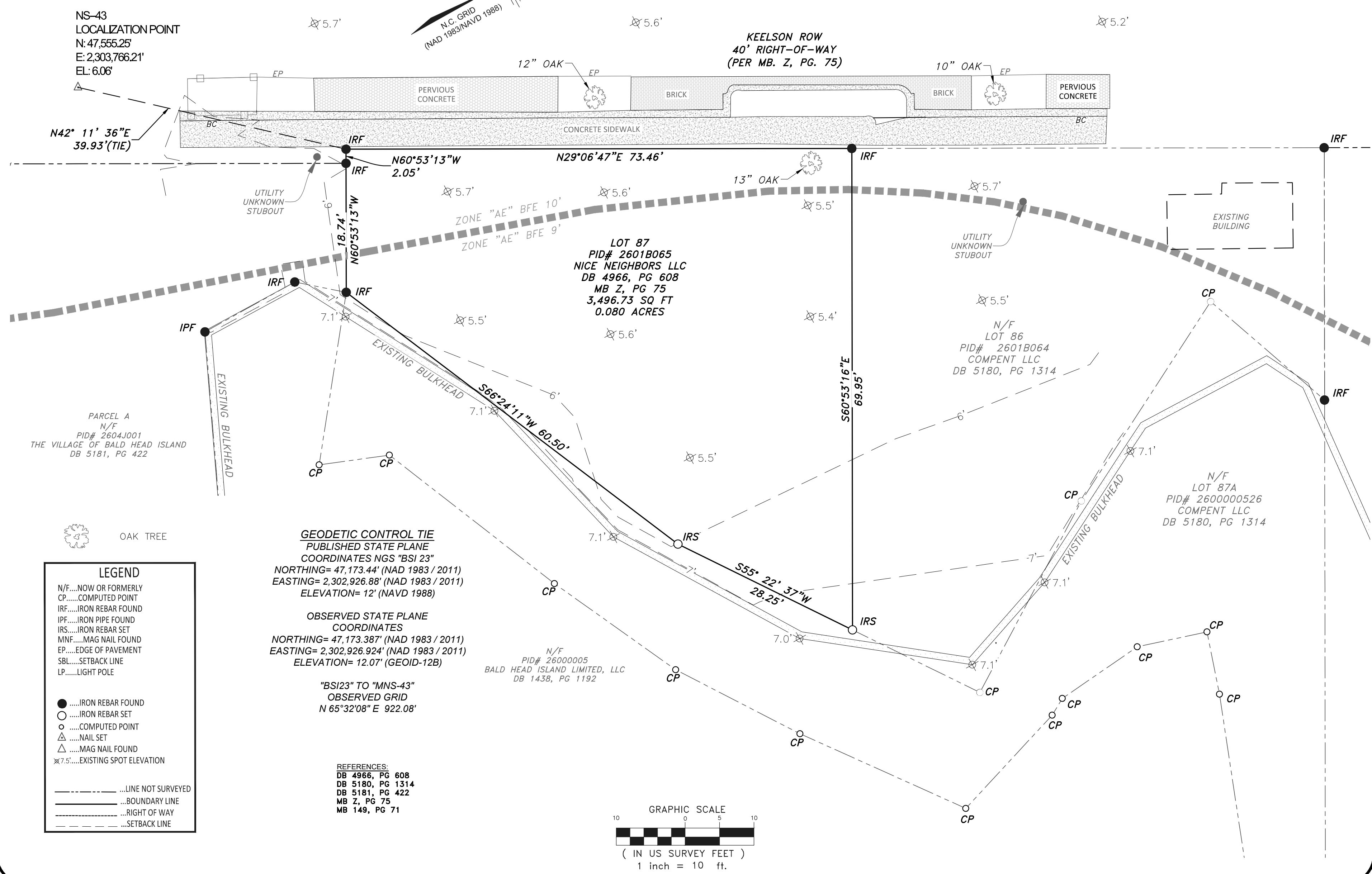
*Kenneth W. Knott*  
N.C. PROFESSIONAL SURVEYOR L-5353



SURVEY NOTES:

- This Topographic survey is derived from information gathered by an actual field survey made by this office August, 2024.
- Horizontal & Vertical datum used for this project is NAD 1983/NAVD 1988.
- All distances are horizontal ground measurements unless otherwise noted.
- All areas computed by coordinate computation method.
- The nature of this survey is to depict existing topographic conditions and tree locations.
- Subsurface utility investigation was not performed as a part of this project.
- Any encumbrances or easements regarding canals, drainage, conservation, mineral rights, ingress / egress, access, utility or maintenance are at the discretion of the title attorney to report for this project. This office assumes no liability into the interpretation as to whether encumbrances, easements, or right-of-ways currently exist. This survey was performed without the benefit a full current title report and is subject to any Right-of-Ways, encumbrances or easements a full title report may reveal.
- Existing monumentation recovered in the field was held to re-establish the perimeter boundaries of the subject tract.
- Portions of the property shown hereon lies within FEMA Flood Hazard Zones "AE" BFE 9' & "AE" BFE 10' per FEMA Map # 3720300400L, effective date August 28 2018.
- The current zoning of the property is Urban Code - Bald Head Island Harbour Type VI Special District

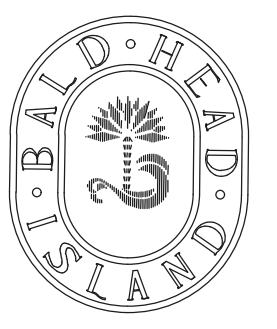
PROFESSIONAL LAND SURVEYING SERVICES BY:  
**ESP ASSOCIATES, INC**  
SUBSURFACE · HYDROGRAPHIC · MOBILE · GEOMATICS  
211 Racine Drive, Suite 101  
Wilmington, North Carolina 28403  
(910) 444-3899 / www.espassociates.com / License # F-1407



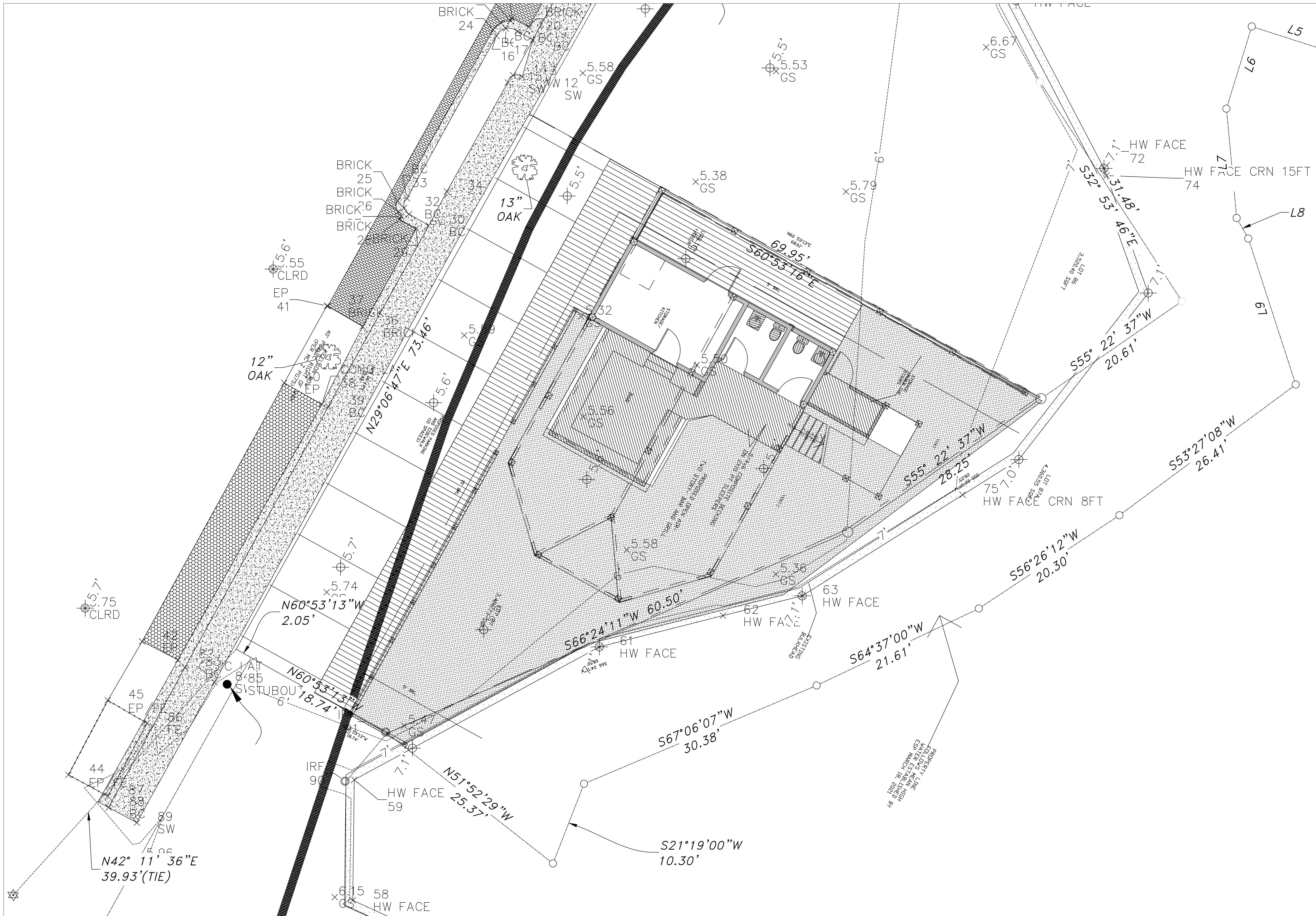
TOPOGRAPHIC SURVEY FOR THE PROPERTY OF:

**NICE NEIGHBORS LLC**

LOT 87  
87 KEELSON ROW-BALD HEAD ISLAND HARBOUR SECTION 1  
BALD HEAD ISLAND, SMITHVILLE TOWNSHIP  
BRUNSWICK COUNTY, NORTH CAROLINA

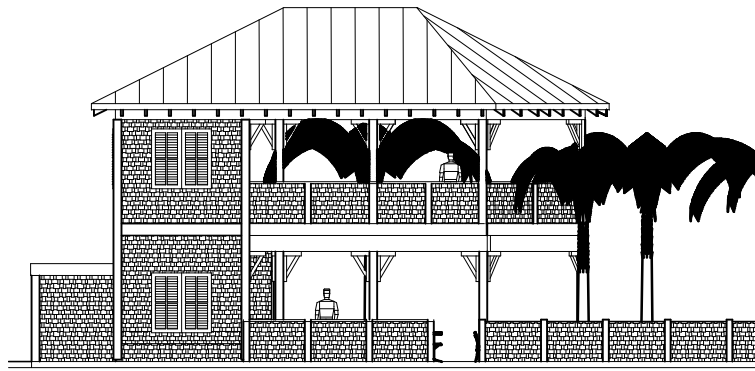


DATE 08/30/24	SCALE 1" = 10'
DRAWN BY J.T.P.	CHECKED BY K.W.K.
REVISIONS	
-DESCRIPTION- TOPOGRAPHIC SURVEY	
SHEET 1 OF 1	

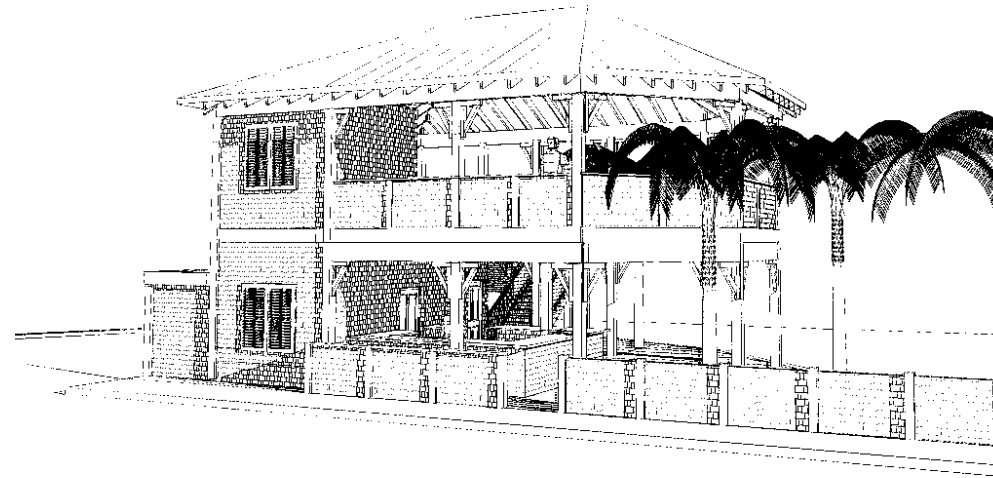


<b>Lee's Home Building, LLC</b>	
Keelson Row - Lot 87 Bald Head Island, North Carolina	
DATE	
DESCRIPTION	
REV. NO.	
Richard (Tony) Biggs 805 Joseph Willetts Drive SE Winnabow, NC 29479	
9 1 0 • 4 7 0 • 4 7 1 5	
Drawn By :	RAB
Date:	10/11/24
Checked By :	RAB
Scale :	As noted
Sheet Number :	<b>S1</b>

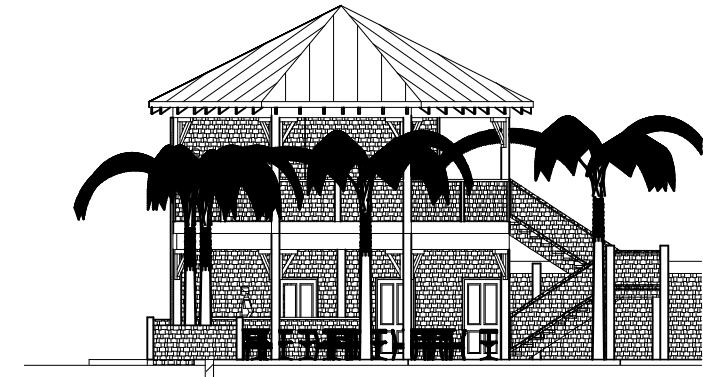
REVISIONS



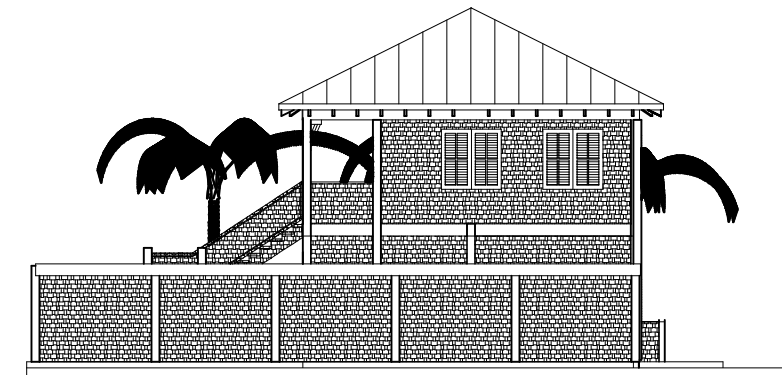
FRONT



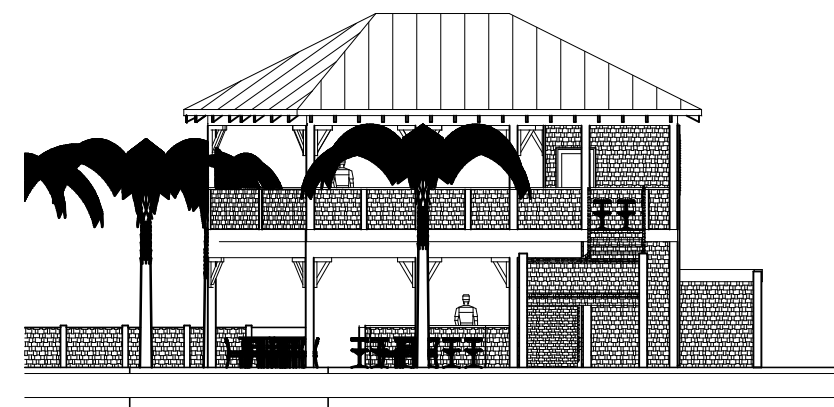
STREET VIEW



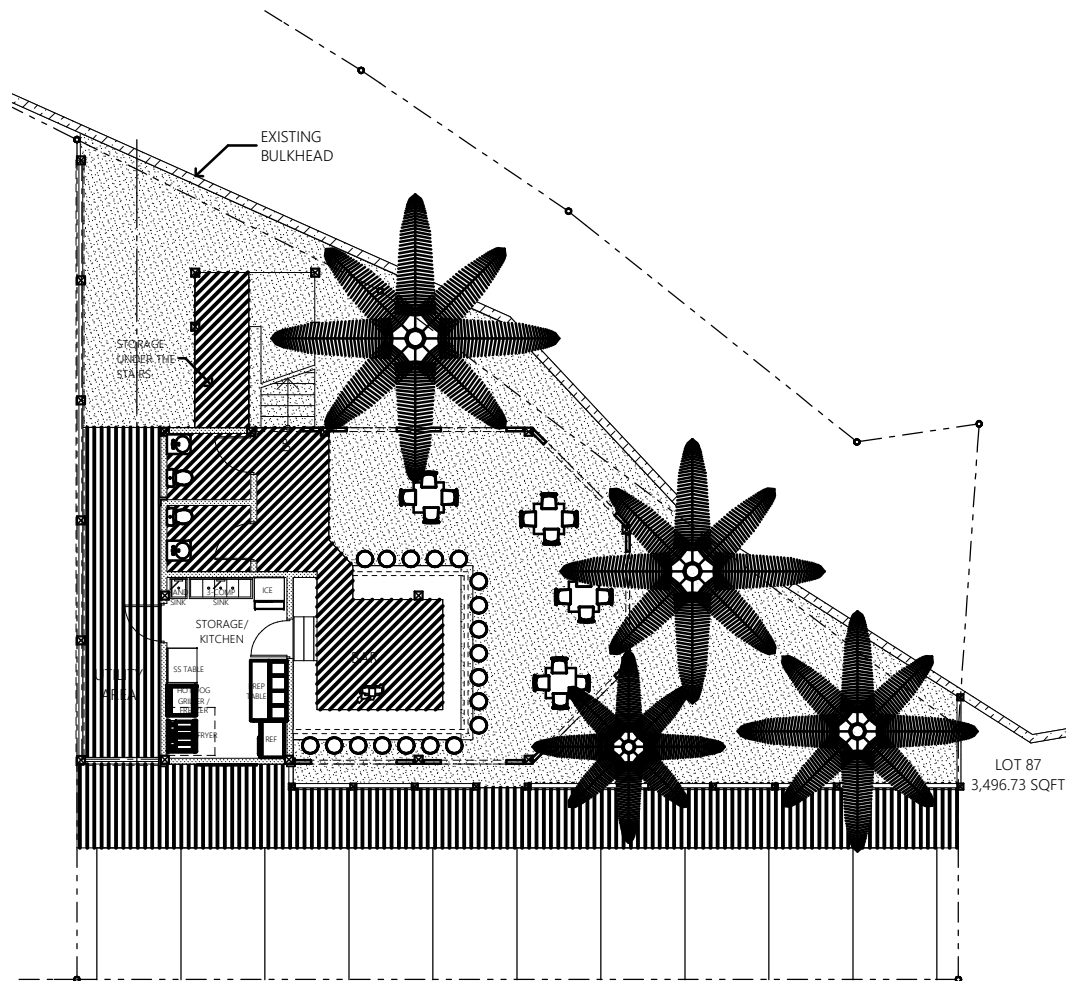
RIGHT



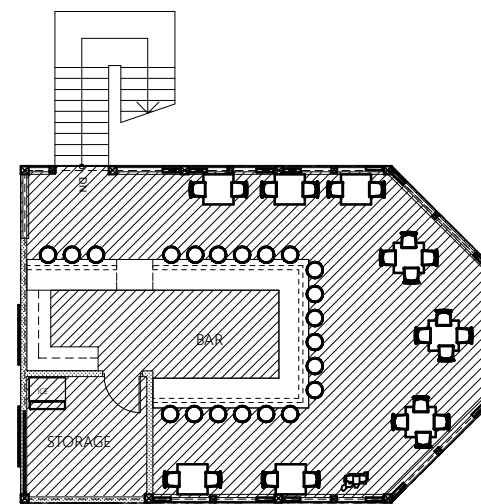
LEFT



REAR



FIRST FLOOR PLAN



SECOND FLOOR PLAN

MARINA BAR KEELSON ROW  
Bald Head Island,, NC

PAUL D KOSLA, RA, LEED AP

1217 Lillibridge Dr  
Leland, North Carolina 28451  
Cell 410-610-3283  
pkosla@twc.com

PROJECT NUMBER	L 04-23	DRAWN BY	PDK
SHEET NUMBER	V1-01	CHECKED BY	PDK
DATE	05/30/2024	SCALE	1/16"=1'-0"