

**TOWN OF PINE LEVEL
MINUTES OF
PINE LEVEL PLANNING BOARD MEETING
FEBRUARY 23, 2012**

MEETING INFORMATION

The Pine Level Planning Board met on Thursday, February 23, 2012 at 6:30 p.m. at the Pine Level Town Hall. The meeting was called to order by Chairman Randy Holloman with a quorum present.

ROLL CALL

✓ Chairman Randy Holloman	✓ Bob Harvey
✓ Berry Godwin	✓ David Strickland
✓ Nester McClain	✓ Faye Starling (alt)
✓ Janet Kleinert	✓ Sal Navarro (alt)
✓ Terry Rains	X Tracey Harned (alt)
	✓ Cecelia Weaver (alt)

Others present for the meeting were: James Ronald Peedin, Rocky and Jannon Johnson, Commissioner Karen Anderson, and Zoning Administrator Scottie Hayes and Deputy Clerk Connie Capps.

MINUTES

Terry Rains made a motion to approve the minutes from the January 26, 2012 meeting. Nester McClain seconded the motion. The minutes were unanimously approved as presented.

RECOMMENDATION ON REZONING REQUEST-JAMES R. PEEDIN

Chairman Randy Holloman informed the board that Mr. James Ronald Peedin had requested application to rezone his property located at 794 US 70-A Highway from RMH (residential mobile home) to HB (Highway Business). Chairman Holloman said that the property was grandfathered and the use of the property had lapsed. He said if the use has lapsed for

180 days that the property reverts back to the original zoning which would be RMH (residential mobile home). He said that is why Mr. Peedin has applied for a rezoning request because he would like to put a business on the property.

Chairman Holloman asked if anyone would like to speak on behalf of the rezoning request. Mr. Ronald Peedin spoke next and said that he didn't understand why he had to rezone his property because he had always maintained a business at that location. He said his family had always had a business there. He said in years past there had been a grocery store, gas station, and car lot on that property. Mr. Peedin also questioned the zoning of the property. He questioned when and why the property was zoned RMH (residential mobile home) when there had always been a business at that location. Chairman Holloman asked Mr. Peedin what kind of business was presently there now and he said a small business. Mr. Peedin said he has never stopped his business and continued to have power at the location and that the property is serviced by well and septic tank.

Board members then questioned why the town issued a rezoning application since Mr. Peedin said he had continued his business there all along. Deputy Clerk Connie Capps told the board that when the town first received a telephone call concerning this property, Mr. Peedin's daughter told the town that a business had not been there in about three years. After researching the ordinance, if the use, in this case, a business, has lapsed for 180 days or 6 months the property reverts back to the original zoning which is RMH, and loses the grandfather status and that is why Mr. Peedin was directed to apply for a rezoning application.

After reviewing the application, Bob Harvey said he was concerned that Mr. Peedin did not meet the 100-foot rear setback requirement.

After much discussion, Berry Godwin made a motion to recommend to the town board that the planning board did not need to take any action on the rezoning request due to that fact that Mr. Peedin said his business had not lapsed and that he was still in compliance and to also recommended for the town to refund Mr. Peedin's application fee of \$200 because no

rezoning application was needed due to the grandfather status. David Strickland seconded the motion. The motion passed on a unanimous vote.

Chairman Holloman told Mr. Peedin to keep in mind that whatever use is there, it must not lapse any more than 180 days or 6 months, or the zoning of the property will revert back to the original zoning of RMH. He also told Mr. Peedin that if he should ever want to have the property rezoned to HB, he may need to apply for a variance because the property doesn't meet the minimum rear setback requirements.

MISCELLANEOUS

Terry Rains discussed with the board about the lack of cell phone service in town. He said the ordinance states that cell phone towers could only be placed on the water tank. He said that he felt that the board should look into this.

Sal Navarro also discussed concerns he had about the contract between the Town of Pine Level and Time Warner Cable.

The board agreed that the zoning map had similar colors on it that made it hard to distinguish between zoning districts. For example, the Commercial District and RMH colors are very similar. The board directed Connie Capps to contact Johnston County GIS to see if they could change the colors.

Sal Navarro also mentioned the business of All Seasons Heating and Air located at the corner of Peedin Avenue and West Main Street. The work vans are parked so close to the road that people cannot see when they arrive at the stop sign. The board asked Connie Capps to speak to the police department about what could be done about this situation.

UNSIGHTLY PROPERTIES

Next discussed were unsightly properties in and around town that needed to be cleaned up or condemned. Zoning Administrator Scottie Hayes asked the board what steps could be taken if property owners begin the clean up but don't complete the clean up as directed. The board advised him to talk with the owners and give them 30-60 days to clean up the property and send a certified letter to the owners stating what both parties had agreed upon. If the property owner does not complete the clean up as stated, the town will turn the matter over to the county if the property needs to be condemned or if further action is needed from the town. Chairman Holloman said that the County has jurisdiction over condemning property.

MEETING ADJOURNED

There being no further business to discuss Berry Godwin made a motion to adjourn and Nester McClain seconded the motion. The meeting ended at 7:35 p.m.

Connie N. Capps
Deputy Clerk

Randy Holloman, Chairman