

**TOWN OF PINE LEVEL  
MINUTES OF  
PINE LEVEL PLANNING BOARD  
APRIL 26, 2018**

**MEETING INFORMATION**

The Pine Level Planning Board met on Thursday, April 26, 2018 at 6:30 p.m. at the Pine Level Town Hall. The meeting was called to order by Chairman Randy Jones.

**ROLL CALL**

√ Randy Jones	√ Faye Starling (alt)
√ Berry Godwin	√ Cecelia Weaver (alt)
√ Nester McClain	√ Janet Kleinert (alt)
√ Randy Holloman	
√ Terry Rains	
√ Andy Medlin	

Staff present: Zoning Administrator Scottie Hayes, Town Attorney Will Barham, and Deputy Clerk Connie Capps

Others present: Amy Futch, Andrew Hodge, Scottie Braswell, and Richard D. Braswell

**MINUTES**

Berry Godwin made a motion to approve the minutes from the meeting held on March 22, 2018. Terry Rains seconded the motion. The minutes were unanimously approved as written.

**MINOR SUBDIVISION REQUEST- AMY FUTCH**

Chairman Randy Jones said that Amy Futch has submitted a minor subdivision plat involving a 12-acre tract of land Parcel#12N10012 located at 949 Pine Level-Micro Road. She would like to divide off 2 acres in order to place a double-wide mobile home. The Chairman stated that he wanted Ms. Futch to be aware that the ordinance states that she would not be able to subdivide this property again until 5 years has passed. He also questioned if there were any existing driveways to this property. Ms. Futch said there were two existing driveways. She also said there was an existing well and septic tank in place on the property that had been revised/inspected by Johnston County Environmental Health. The approved application is attached to the subdivision

application. Chairman Jones stated that her proposal for a double wide mobile home is considered as a Class A Manufactured Home, and would require her to follow the Development Standards listed on page 56 of the ordinance which would be approved by the Zoning Administrator. Zoning Administrator Scottie Hayes said he had given Ms. Futch a copy of the Development Standards. Randy Holloman asked if there were any other buildings located on the property. Ms. Futch said there was a barn and horses located on the 10-acre tract.

Since there were no further questions, Nester McClain made a motion to recommend approval of the minor subdivision request and Terry Rains seconded the motion. The motion passed on a unanimous vote.

### **LAURA MARK SUBDIVISION**

Next presented was a map submitted by Richard D. Braswell for 3 lots on Peedin Avenue, Lots 1, 2, and Lot 59. These lots are adjacent to Laura Mark Subdivision and Lot 59 is a part of Laura Mark Subdivision which is zoned RH-SUD (Residential-Housing Special Use District). The Chairman questioned why the map had already been recorded. Zoning Administrator Scottie Hayes said that Mr. Braswell did a recombination and moved a lot line back in November 2017. Randy Holloman also noted that the zoning classification for these lots were not listed on the map as well as the topography. The board agreed that lots 1 and 2 have overlapping zoning classifications of RMH (Residential Mobile Home), and questioned how it got recorded. Chairman Jones said there is no motion or recommendation from the planning board on Laura Mark Subdivision request due to zoning issues.

### **SCOTTIE'S RIDGE SUBDIVISION**

Mr. Andrew Hodge, engineer for Richard D. Braswell, presented the preliminary plat for Scottie's Ridge Subdivision as a (PUD) Planned Unit Development. This property is located at 3664 US Highway 70-A is in the city limits of Pine Level and zoned RH (Residential-Housing).

Chairman Jones stated that a PUD is permitted in an RH district with a special use and approval from the Board of Commissioners. Mr. Hodge told the board he felt it was best to present this project as a PUD in order to meet the requirements. He told the board that this plat was the same as the previous map submitted. He said only single-family dwellings would be built in the subdivision. Randy Holloman questioned if there were any existing buildings on the property. Mr. Braswell said a double-wide mobile home was on the lot but will be demolished and there is also an old structure that dates back to the 1900's that will remain and be remodeled for a mail kiosk and a community

center for the subdivision. Mr. Hodge informed the board that it was a US Postal Service law that all major subdivisions require a mail kiosk. (The Chairman noted that this requirement should be added to the Subdivision Ordinance.)

Mr. Hodge told the board that Mr. Braswell is requesting the following:

- (1) Decrease in the minimum lot width requirements from 80' to 70' including the corner lots and
- (2) Decrease the minimum front setbacks from 30' to 20' and decrease the minimum rear setbacks from 25' to 10' and side setbacks to 10 feet
- (3) Request one entrance to the subdivision

Mr. Hodge stated that all lots are 10,000 square feet

Chairman Jones read from Page 63 Section 405.45 of the zoning ordinance on the Requirements of a Planned Unit Development. He said the main thing of a PUD is the HOA. He said these provisions are listed on page 64 and 65 of the ordinance. The Chairman recommended that when the declaration of covenants and restrictions are turned in to the zoning administrator for review to also have them forwarded to the town's attorney for review.

Randy Holloman said his major concern was this map as presented here, that once it is approved as a PUD, can it be changed. He said he didn't want to see it changed. He wanted clarification that this map as now presented is what will be built in the PUD. Mr. Hodge answered yes it would be and he stated if there would be any changes they would come back to the board. Randy Holloman also reminded Mr. Hodge that the covenants must be turned in before any homes are sold. Randy Holloman also noted that the zoning classification should be placed on the map.

Chairman Randy Jones said the town had received comments from Mr. Todd Ramsey with Johnston County Environmental Health pertaining to Scottie's Ridge Subdivision. Mr. Ramsey reported on his findings: He said their records indicate two septic systems and 3 wells exist on this property. He said Mr. Braswell is aware of this. If the septic tanks and wells are to be properly abandoned, documentation from Mr. Braswell would be required and then his office could amend those records. Mr. Ramsey attached a form for Well Abandonment.

He said a copy of the form would have to be received in his office if he abandons the existing wells. He said if the septic tanks and wells are to be kept on the parcel or any subdivided parcel, then the wells and septic tanks shall be in compliance with all state and local setbacks. The Chairman said the town had not yet received the comments back from NCDOT.

Since there was no more discussion, the Chairman stated the following:

This request and map as presented for Scottie's Ridge Subdivision be considered as a Planned Unit Development (PUD) which is permitted in an RH zoning district under a special use, to be submitted to the Board of Commissioners for their approval with the following conditions:

- (1) Adding the Zoning Classification of RH on the map
- (2) A decrease in the minimum lot width requirements from 80' to 70' including the corner lots
- (3) to decrease the minimum front setbacks from 30' to 20' and decrease the minimum rear setbacks from 25' to 10' and side setbacks to 10 feet
- (4) One entrance to the subdivision
- (5) Only single-family dwellings will be built, a structure on the property will be remodeled for a mail kiosk and community center.
- (6) Documentation for the Well and septic tank removals
- (7) NCDOT approval letter

The Chairman stated that any other uses would be conditional uses. Terry Rains made a motion to recommend approval of this request with the conditions listed and Nester McClain seconded the motion. The motion passed on a unanimous vote.

### **COMMERCIAL PROPERTIES**

Chairman Randy Jones requested that the board review the Table of Permitted Uses on pages 21-23 of the zoning ordinance. He suggested that the board review all Permitted (P) uses under the Commercial, Highway Business and Light Industry Districts and consider changing them from (P) Permitted to a (C) Conditional Use or (S) Special Use. Berry Godwin said he did not see anything negative in considering this. Town Attorney Will Barham advised the board that it could be a disinclination to people wanting to start a business here in Pine Level. He also stated that on page 48 Section 405 addresses the Standards for Individual Uses. Berry Godwin said he thought there needed to be some check and balances for Pine Level. Chairman Jones requested that the board review these uses and send their recommendations to Connie so they could be placed on a spreadsheet for the board to review in May.

### **POLITICAL SIGNS**

Chairman Randy Jones told the board it was the time of elections and political signs are everywhere. He suggested that the board go back and review the regulations for political signs. He said he had contacted other towns and they said they overlooked their ordinance on political signs during the time of elections. He said he wanted to

discuss this topic with the town board. He said he would like to table this item for the May meeting.

### **MISCELLANEOUS**

Berry Godwin asked what had been done concerning the complaint with the abandoned vehicle. Chairman Randy Jones said that the man has been sent several letters concerning the vehicle. Town Attorney Will Barham suggested that the board review the ordinances to make sure they have been updated then follow correct procedures based on if they are town ordinances or planning and zoning ordinances. The board stated that complaint forms are available at the town hall to fill out and sign and turn in to the correct board.

### **MEETING ADJOURNED**

There being no further business to discuss Nester McClain made a motion to adjourn and Faye Starling seconded the motion. Motion passed unanimously. The meeting ended at 9:10 p.m.

Connie N. Capps  
Deputy Clerk

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Randy Jones, Chairman

