

**TOWN OF PINE LEVEL
MINUTES OF
PINE LEVEL PLANNING BOARD MEETING
JUNE 22, 2017**

MEETING INFORMATION

The Pine Level Planning Board met on Thursday, June 22, 2017 at 6:30 p.m. at the Pine Level Town Hall. The meeting was called to order by Chairman Randy Jones with a quorum present.

ROLL CALL

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

Others present for the meeting: Edward Crumpler and Kyle Whitley.
Staff present: Zoning Administrator Scottie Hayes and Deputy Clerk Connie Capps

MINUTES

Nester McClain made a motion to approve the minutes from the meeting held on May 25, 2017. Terry Rains seconded the motion. The minutes were approved as presented by a unanimous vote.

MAJOR SUBDIVISION REQUEST/EDWARD CRUMPLER

Chairman Randy Jones asked the board to recall the May Planning Board Meeting when the board had recommended no recommendation on Mr. Edward Crumpler's minor subdivision request due to this request not meeting the definition of a minor subdivision. He said the ordinance stated that Mr. Crumpler could not divide off another lot until five years. He said the planning board sent the recommendation to the town board along with the regulations as to why no recommendation was made. He said the planning board handled the request correctly.

The Chairman said at the June town board meeting, the town board requested that Mr. Crumpler pay the difference in fees from a minor to major subdivision, and to submit the request back to the planning board. Chairman Jones said that the planning board

handled the request correctly. He said that is why Mr. Crumpler is back before the Planning Board tonight with his request.

Zoning Administrator Scottie Hayes said that the difference in fees had been paid and he had reviewed the new surveyed map, which was changed from a minor to a major subdivision and everything looked good. Nester McClain made a motion to recommend approval of Mr. Crumpler's major subdivision request and Terry Rains seconded the motion. The motion passed unanimously. The Chairman said the town board would receive this recommendation at their meeting on July 10, 2017.

REZONING REQUEST FOR ARNOLD TURNER

Chairman Randy Jones presented the board with a rezoning request from Mr. Arnold Turner for his property located at 2630 US Highway 70-A in the ETJ of Pine Level, (ID#12N11005A). The total acreage of this property is 4.75 acres and is zoned RS (Residential-Subdivision).

Mr. Turner said he requested to rezone his property from RS (Residential-Subdivision District) to RA (Residential-Agricultural District) in order to place a garage on his property. He said that he applied for a zoning permit to put a 24X40 garage on the property but was told he could not without rezoning the property.

Randy Holloman told Mr. Turner that according to the zoning ordinance he could not place a garage on the property without a principle structure on it. He asked Mr. Turner if he had any plans to build a house on the property. Mr. Turner said he did not, but wanted to place a cement pad with a 24X40 garage to store farm equipment on the property due to not having space at his home.

Randy Holloman and Chairman Randy Jones said according to the map and Johnston County GIS, Mr. Turner's property is surrounded by property that is zoned RS (Residential-Subdivision), as well as all property on the same side of the highway all the way to Moccasin Creek. He said Pilkington Cemetery is across the highway and it is zoned RA (Residential-Agricultural). Chairman Randy Jones informed Mr. Turner that anytime a rezoning request comes before the planning board, the board looks at the Comprehensive Land Use Plan to see if the requested zoning is consistent with the Land Use Plan.

Randy Holloman read from the ordinance on page 85 which defines Small Scale Rezoning. He said that according to the definition of spot zoning, it is legal only if the Town establishes that it is reasonable. Reasonableness is determined by considering the size of the area, any special conditions or factors regarding the area, the consistency of

the zoning with the land use plan, the degree change in zoning, the degree it allows uses different from the surrounding area, and the relative benefits and detriments for the owner, the neighbors, and the surrounding community.

After some discussion, Randy Holloman made a motion to recommend denying the rezoning request with the condition to notify the town attorney and have him research the ordinance to see if there is any legal way to place an accessory building on the property without a principle structure on it, and without rezoning the property. Nester McClain seconded the motion. The motion passed on a unanimous vote.

SIDEWALK SALES AND DISPLAYS AND PUDS

Chairman Randy Jones said he would be getting some information together on PUDS to be sent out for the board to review in July.

The board next discussed concerns on sidewalk sales and displays, farm stands, temporary events, and outdoor retail sales. The Chairman asked the board how they wanted to handle issues concerning outdoor displays, whether on an individual bases or come up with a retail display ordinance. He told the board that we want to make Pine Level enticing and inviting for people to come and live here, but in a small town such as Pine Level, we could do more harm than good. He suggested that the board table the outdoor displays until July for further study.

MISCELLANEOUS

Zoning Administrator Scottie Hayes updated the board on the condemned building on West Pine Street. He also said he had been contacted by the builder for Pine Level Food Mart concerning the requirements for adding additional space and parking. The property is zoned HB (Highway Business). Randy Holloman suggested that the owners submit a site plan of what they would like to do.

The Chairman requested that the Subdivision Application be included in the July agenda packet so that the board could add or make any necessary corrections.

Randy Holloman said he wanted clarification on charges when an applicant submits a full drawn plan/map, and the planning board accepts it as both sketch plan and preliminary plat, we should charge a sketch plan fee and also a preliminary plat fee. The board agreed.

Deputy Clerk Connie Capps reported to the board on the Regional Board Workshop she attended concerning the Board of Adjustment and quasi-judicial decisions. After some discussion, the board was in agreement in making a request to the town board to have the town attorney present when the Board of Adjustment hold public hearings.

ADJOURNMENT

There being no further business to discuss, Nester McClain made a motion to adjourn and Randy Holloman seconded the motion. The meeting adjourned at 8:05 p.m.

Connie N. Capps
Deputy Clerk

Randy Jones, Chairman