



TOWN OF PINE LEVEL
MINUTES OF
PINE LEVEL PLANNING BOARD MEETING
FEBRUARY 23, 2023

MEETING INFORMATION

The Pine Level Planning Board met on Thursday February 23, 2023 at 6:35 p.m. at the Pine Level Town Hall. The meeting was called to order by Vice-Chairman Kevin Kornegay.

ROLL CALL

<u>X</u> Randy Jones	<u>√</u> Trenton Broadwell (alt 2)
<u>√</u> Kevin Kornegay	<u>√</u> Randy Holloman (alt 3)
<u>X</u> Terry Rains	<u>X</u> Tonia Hill
<u>X</u> Berry Godwin	<u>X</u> Tammy Register
<u>√</u> Faye Starling	<u>√</u> Greg Johnson
<u>√</u> Cecelia Joyner (alt 1)	

STAFF PRESENT: Administrative Assistant Ashley Willoughby

OTHERS PRESENT: Adam Stuckey, Andrew Hodge, Terry Karlson, Debra and Samuel Heuertz.

MINUTES- JANUARY 26, 2023-

Trenton Broadwell made a motion to approve the January 2023 minutes and was seconded by Randy Holloman. Motion passed by unanimous vote.

REZONING REQUEST- RANDY HOLLOMAN Parcel# 12N11041C

Vice- Chairman Kornegay open the floor to discuss the rezoning request submitted by Randy Holloman. He said Mr. Holloman had requested the zoning to be changed from RA (Residential- Agriculture) to RH (Residential- Single and Mulit-Family) for a piece of property (Parcel# 12N11041C). Randy Holloman wanted the record to show that he was recusing himself from making any recommendations or voting on this matter. Vice- Chairman Kornegay said the Town Board has already called for a public hearing for this request, which is scheduled for next month. He said all the Planning Board has to do is review and make a recommendation for approval or denial of the rezoning request. Vice- Chairman Kornegay opened the floor for discussion on this matter.

He addressed his concern that the Future Comprehensive Land Use Plan adopted last year had recommended the removal of RH zoning districts in the Town's ordinances. He said, however, the Town has not yet implemented those changes recommended from the Future Land Use Plan into the ordinances. Mr. Holloman asked if he could explain why he filed the request. Mr. Holloman said the reason for requesting the zoning to be changed was because currently the property does not meet the minimum lot size requirements in the current zoning of RA. He stated that he spoke with Zoning Administrator Scottie Hayes about the possibility of rezoning the properties to RS (Residential- Single Family), which is one of the zones surrounding the property. He said he was told by Mr. Hayes that even if he rezoned the property to RS, he would still have to apply for a variance to meet the minimum lot size requirements.

Mr. Holloman stated if the property were to be rezoned to RH, the lot would not meet the minimum lot sizes requirements for any larger developments like duplexes or multi-family units. He said RH is the only zoning district that would allow him to build a single house on the property while meeting the setbacks and minimum lot size requirements, even if the property was divided into two lots. He said that looking in the ordinance, this could be considered spot zoning due to the neighboring properties being RS and RA. He said it also states in the Ordinance that spot zoning is allowed if it is considered to be reasonable by the Town Board. He said he feels it is a reasonable request due to the fact he could only build a single house on each lot (when it gets divided) and not a large development. Vice-Chairman Kornegay said that the main concern with spot zoning would be density. Mr. Holloman said the Future Land Use Plan may recommend the removal of the RH zoning; however, it is most likely that zoning district will be renamed differently, but still have requirements similar to the current RH zoning classification. After some discussion, Vice- Chairman Kornegay asked if anyone had a recommendation. Faye Starling made a motion to recommend the approval of rezoning the property from RA to RH to the Town Board. Greg Johnson seconded the motion. Cecelia Joyner wanted to clarify that the Future Land Use Plan did not allow RH. Vice- Chairman Kornegay said that the Town adopted this Future Land Use Plan as a plan that the Town wants to strive towards. He said however, the Planning Board and the Town Board have not made a motion yet to do away with RH districts. The RH district is still allowed in our Ordinance. With no further discussion, a vote was called for and the motion passed by unanimous vote.

OLD BUSINESS

At the last meeting, there were discussions about substandard lots and substandard structures within the Town. Vice-Chairman Kornegay said there was some confusion about whether or not an existing substandard lot that does not meet the current setbacks (requirements designated by the Unified Development Ordinance) could build back on the original footprint of the prior structure. He said at the last meeting the Zoning Administrator Scotties Hayes was asked to inform the Town's Attorney Chip Hewett of the matter and to get clarification. He said Mr. Hayes said the Town's Attorney confirmed an individual can rebuild on any lot but it must meet the current side setback requirements. Also, two non-conforming lots under the same ownership will have to become one if a non-conforming lot is vacant. Randy Holloman asked if the property owner has the right to ask for a variance to meet the setbacks. Vice-Chairman Kornegay said the individual does have that right. The Board discussed the differences between the Town and County ordinance regarding substandard lots and non-conforming uses.

After some discussion, Vice-Chairman Kornegay said he would like to discuss at the next meeting about whether or not there should be a time limit for an individual to ask for a variance. He used an example, if a house was torn down on a substandard lot and the individual does not do anything to it for three years; should they be allowed to request a variance after which time. Mr. Holloman said that he believes the individual would need to make their intentions known to the Town or request the variance within one hundred eighty days after the structure removal on the substandard lot. The topic was tabled for a later date.

NEW BUSINESS

1. SCOTTIE'S RIDGE SUBDIVISION

Vice-Chairman Kornegay said Adams and Hodge Engineering PC has submitted a final plat approval request for Scottie's Ridge Subdivision. He said Zoning Administrator Scottie Hayes has already reviewed the maps and went down the check list to ensure the developers have met the requirements for final plat approval. He asked the engineer for Adams and Hodge Engineering, Andrew Hodge, if the contour intervals were included with the final plat. Andrew Hodge said this is the plat that will be recorded at the courthouse, and he does not put the contour intervals on the final plats. After some discussion about the development's layout and the concerns about storm water drainage mentioned by board member Trenton Broadwell. Vice-Chairman Kornegay asked if any of the board members had any more questions or a motion, they would like to recommend to the Town Board. Cecelia Joyner wanted to clarify that Zoning Administrator Scottie Hayes has provided a checklist showing that he reviewed the maps and was certain that it met the requirements of the Town's ordinances. Vice-Chairman Kornegay said that was correct. Greg Johnson made a motion to recommend the approval of the final plat for Scottie's Ridge Subdivision to the Town Board. Cecelia Joyner seconded the motion and the motion passed by unanimous vote.

2. COMPREHENSIVE LAND USE PLAN DISCUSSION

Vice-Chairman Kornegay said the Planning Board in the past had gone over the Comprehensive Land Use Plan to see what changes were recommended to the Town. He said it mentions a recommendation to remove RH zoning and adds two new zonings to replace it. He said the Planning Board members need to consider those recommendations and think about what they want to recommend to the Town Board in the future. Vice-Chairman Kornegay said the Town is growing fast and the Boards need to be prepared for when the moratorium expires.

MEETING ADJOURNED

There being no further business to discuss, Greg Johnson made a motion to adjourn. Trenton Broadwell seconded the motion. Motion passed by unanimous vote. The meeting adjourned at 7:30 p.m.


Ashley Willoughby, Administrative Assistant


Kevin Kornegay, Vice-Chairman