



TOWN OF PINE LEVEL
MINUTES OF
PINE LEVEL PLANNING BOARD MEETING
AUGUST 24, 2023

MEETING INFORMATION

The Pine Level Planning Board met on Thursday August 24, 2023 at 6:33 p.m. at the Pine Level Town Hall. The meeting was called to order by Chairman Randy Jones.

ROLL CALL

<u>✓</u> Randy Jones	<u>✓</u> Tonia Hill
<u>✓</u> Kevin Kornegay	<u>✓</u> Tammy Register
<u>✓</u> Berry Godwin	<u>✓</u> Greg Johnson
<u>X</u> Faye Starling	
<u>✓</u> Cecelia Joyner	
<u>✓</u> Randy Holloman (alt 1)	

STAFF PRESENT: Zoning Administrator Scottie Hayes and Administrative Assistant Ashley Willoughby.

OTHERS PRESENT: Terry Rains, Ben Poormon, Tiffany Boyd, Jimmy Barbour, Elliot Arthur, Richard Arthur, Jonathan Arthur, Merle Hall, Samuel and Debra Heuertz.

Chairman Jones stated Terry Rains has been on the Planning Board for many years and he said he was glad to see him come back. He notified the other Planning Board members that Mr. Rains is currently going through the process to officially rejoin the Planning Board after some time away due to health reasons.

AGENDA-

Berry Godwin made a motion to approve the meeting agenda. The motion was seconded by Secretary Tonia Hill and the motion passed by unanimous vote.

MINUTES- JULY 27, 2023-

Greg Johnson made a motion to approve the July 2023 minutes and the motion was seconded by Randy Holloman.

Discussion Requested: Vice Chairman Kevin Kornegay said he would like to clarify for the record his statement made regarding zoning permit increase at the July meeting. He stated his intentions were to say the builders shouldn't mind a small increase in fees to help with enforcement.

Chairman Jones called for a vote on the current motion and the motion passed by unanimous vote.

REVIEW SPECIAL USE REQUEST- FILED BY TERESA CREECH ARTHUR- PARCEL ID # 12N10034

Chairman Jones opened the floor to discuss the Special Use permit filed by Teresa Creech Arthur. Richard Arthur, co-owner of the property, stated he was interested in continuing what he started six years ago by expanding the area with two new units sometime next year. Chairman Jones asked Mr. Arthur if the distance between the end of the proposed driveway easement to the road was five hundred feet or more. Merle Hall, engineer/ surveyor for the owner, stated the distance is less than five hundred feet and the reason it is considered a proposed easement is because the plans are for a complex not a subdivision. Chairman Jones stated the road would have to be paved as part of the conditions of the Special Use. Randy Holloman asked Mr. Hall if it would be a private street or would the street be expected to be maintained by the Town. Mr. Hall said it would be a private street due to the complex issue, but if the Town wants, it could be dedicated to the Town. Chairman Jones told Mr. Hall the road would have to meet DOT standards. He mentioned another issue is the fact that the whole parcel is not annexed into the city limits, which is required. He continued to say annexation must be done to get water and sewer hookups because you cannot have septic tanks in the city limits. Mr. Hall asked if the Town would not supply water or sewer to any area in the ETJ. Zoning Administrator Scottie Hayes said landowners outside the city limits must ask for annexation if they wish to hook onto the Town's utilities such as water and sewer lines. He continued to say it is up to the Town Board whether they wish to annex the property. Randy Holloman said it is up to the Town Board whether to annex the property, but if they do not wish to, the owners could hook onto Town's utilities, but they would be charged out of town rates for utilities.

Chairman Jones told Mr. Arthur that he would need a letter from the DOT approving the proposed driveway off US Highway 70-A. Richard Arthur asked if that was really necessary even though it is only for two buildings, or four units being built. Chairman Jones said regardless of the number of units being built it was required to get a permit and letter of approval from DOT for the driveway especially since it is near a state managed road. Zoning Administrator Hayes asked if the Planning Board could make a recommendation with the contingency that the owner fills out the annexation request and submits it so he can move forward with this process. Chairman Jones said there is no need to make any recommendation on this request at this moment. After some discussion, Chairman Jones stated what is needed now is the submission for annexation and a letter from DOT to approve the proposed driveway. Secretary Hill made a motion to table the reviewing of this request until our next Planning Board meeting. The motion was seconded by Berry Godwin and the motion passed by unanimous vote.

REVIEW MINOR SUBDIVISION APPLICATION FILED BY DAMIEN BOYD

Chairman Jones opened the floor to discuss the minor subdivision request filed by Damien Boyd. Jimmy Barbour, surveyor for the owners, said this lot was originally two separate lots that were approved back in 2009. He presented a map to the members of the old map approved by the Town of Pine Level showing the separation of the two lots. He stated that some time over the years an attorney deeded the two lots into one parcel without first consulting with the property owners. He said the current owners noticed this issue and would like to correct the mistake to the original map approved by the Town of Pine Level in 2009. He stated there was no record of the recombination of the two lots and only the tax office has it combined under one tax number which affected the representation of the property on Johnston County's GIS. After some discussion, Tammy Register made a motion to approve the minor subdivision request filed by Damien Boyd to correct the division of the properties based on the original approved map from 2009. The motion was seconded by Secretary Hill and the motion passed by unanimous vote.

OLD BUSINESS

Current Zoning and Subdivision Application Fees

Chairman Jones asked Administrative Assistant Ashley Willoughby to go down the fee list and tell the members the proposed changes recommended by Town Administrator Dustin Kornegay and Zoning Administrator Scottie Hayes. Ms. Willoughby following changes:

- Rezoning Permits- to change from the standard \$200 fee for any lot size to \$250 for any lot up to 5 acres & \$500 for any lot over 5.01 acres. Note: One Parcel ID # per application.
- Variance- to change from \$100 to \$500.
- Special Use Permit- to change from \$200 to \$300.
- Minor Subdivision (1 to 4 lots)- to change from \$100 to \$150.
- Major Subdivision (5 to 40 lots) to change from \$250 plus \$5 per lot to \$250 plus \$25 per lot.
- Major Subdivision (41 or more lots)- to change from \$350 plus \$5 per lot to \$500 plus \$25 per lot.
- Fence permit- to change from \$10 to \$25.

Subdivision Sketch Plan- Pre-Application Fee

- Major Subdivision (5 to 40 lots)- to change from \$50 to \$100.
- Major Subdivision (41 or more lots)- to change from \$100 to \$200.

Chairman Jones asked if any of the board members would like to discuss the proposed changes. Randy Holloman asked why the variance fee went from \$100 to \$500 and mentioned his concern that the amount is too high. Vice Chairman Kevin Kornegay said he doesn't agree with that amount, but he understands the reason behind it is to ensure the owners are serious about what they are requesting to put on their property. He said most variance requests are for homeowners who have a lot, and they want to be able to make use of that lot. Randy Holloman mentions an example if he wanted to add on to his home, but his ideal addition wouldn't meet the 10 feet back requirement, he would have to get a variance in order to be allowed to build it. Zoning Administrator Hayes stated the amounts being proposed can be changed if the board members would like to recommend another amount. Chairman Jones said with the amount of development coming in that developers will be asking for variances and regardless if the fee is \$300 or \$500. Zoning Administrator Hayes stated this board would never be giving another variance to developer since Curtis Lee, former Triangle J representative for the Town, informed this board about the proper hardship requirements needed to grant a variance. He continued to say that a variance will most likely be approved for existing lots in the town. After some discussion, Vice Chairman Kornegay made a motion to recommend the approval of the proposed fee schedule with the exception that the variance fee be changed to \$200 instead of the proposed \$500, and the motion was seconded by Greg Johnson.

Discussion Request: Cecelia Joyner asked if the Town's history had been factored in during the consideration of these rate amounts rather than just updating these fee rates based on what other towns are doing. Zoning Administrator Hayes stated he did not look into the total number of each permit over the years. He said the Town's fees are going up as the Town sends things into the County as well as administrative costs. He continued to say the Town had not updated this fee schedule in many years. Cecelia Joyner said she wanted to make sure the citizens had a fair rate increase verse just increasing to match other towns. Ms. Willoughby stated that some of the reasons for the increased fees were due to the increased cost of advertising, salaries, and other administrative costs. She said the Town has been paying for all the remaining expenses that the current fee rates could not cover for each request. Chairman Jones stated the State still requires towns to advertise in newspapers, which has become more costly over the years. Cecelia Jones asked if these fees are supposed to supplement the Town's budget. Chairman Jones said the Town Administrator must figure the cost to the Town to advertise and the administrative cost to review each request that comes to the Town. Vice Chairman Kornegay stated the fee helps cover more than just the permit, but it also helps cover the administrative cost for the research of the request and checking afterwards. Ms. Willoughby said the permits the Town's citizens get on a yearly or monthly basis such as zoning, sign, event, pool and other permits are not being changed. She stated the only fees being proposed will mainly affect developers and new developments coming into the Town. She continued to say the variance may affect residents, however, the goal of the Planning Board is to keep with what the Town's ordinance states by avoiding constant changes to the requirements or the continuance of non-conforming lots.


After some discussion, Vice Chairman Kornegay wished to amend his motion and Greg Johnson said he would rescind his second to the earlier motion. Vice Chairman Kornegay made a motion to recommend the approval of the proposed fee schedule with the exception that the variance fee be changed to \$250 instead of the proposed \$500, and the motion was seconded by Greg Johnson. The motion passed with one vote against made by Cecelia Joyner.

Zoning Permit Submittal Process

Chairman Jones opened the floor to discuss the current zoning permit submittal process and requirements within that process. After some discussion, Tammy Register made a motion to table this discussion for the next meeting. The motion was seconded by Vice Chairman Kornegay and the motion passed by unanimous vote.

MEETING ADJOURNED

There being no further business to discuss, Berry Godwin made a motion to adjourn. Tammy Register seconded the motion. Motion passed by unanimous vote. The meeting adjourned at 8:05 p.m.


Ashley Willoughby, Administrative Assistant


Randy Jones, Chairman