



TOWN OF PINE LEVEL
MINUTES OF
PINE LEVEL PLANNING BOARD MEETING
JANUARY 25, 2024

MEETING INFORMATION

The Pine Level Planning Board met on Thursday January 25, 2024 at 6:30 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> Cecelia Joyner	<u>X</u> Tonia Hill	<u>✓</u> Shane Strickland (alt 1)
<u>✓</u> Kevin Kornegay	<u>✓</u> Randy Holloman (alt 1)	<u>X</u> Tammy Register	
<u>✓</u> Berry Godwin	<u>✓</u> Terry Rains (alt 2)	<u>✓</u> Greg Johnson	
<u>✓</u> Faye Starling	<u>X</u> Chuck Hardison (alt 3)	<u>X</u> Shannan Parrish	

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

OTHERS PRESENT: Samuel Heuertz, Richard Best, Ricky and Renee Price.

ELECTION OF OFFICERS-

Chairman Jones asked Administrative Assistant Ashley Willoughby to list the current officers. Ms. Willoughby stated the current officers were as follows Chairman Randy Jones, Vice-Chairman Kevin Kornegay, and Secretary Tonia Hill.

Motion to keep the same officers: Berry Godwin
Second: Terry Rains
Vote: Unanimous

AGENDA-

Motion to approve: Greg Johnson
Second: Randy Holloman
Vote: Unanimous

MINUTES- NOVEMBER 16, 2023-

Motion to approve the November 2023 minutes: Faye Starling
Second: Shane Strickland
Vote: Unanimous

2024 MEETING SCHEDULE-

Motion to approve: Cecelia Joyner

Second: Greg Johnson

Vote: Unanimous

REVIEW SPECIAL USE REQUEST FILED BY RICKY AND RENEE PRICE

Chairman Jones stated the Planning Board had received a special use request to review filed by Ricky and Renee Price. He wanted to clarify that the Planning Board cannot rule on the special and the only action that could be taken tonight would be to make a recommendation to the Town Board on the request.

Ricky and Renee Price of 306 Price Street Pine Level, NC.

Ricky Price stated his residence for the record is right beside the Pine Level swimming pool. Renee Price said she was looking to relocate her business to her house from her current location, 108 N Capps Street. She stated her plans were to remodel her house to accommodate the space she needed for her business at this location. Chairman Jones stated a special use was required to put a daycare on any zoning. Chairman Jones informed the Board members that the Prices would no longer be living in the home and the home would be completely remodeled to be a full daycare. He stated any changes for the actual daycare on the inside of the home would be requirements set by the State, however, requirements for the setbacks, location of structures, and whatever the Town's ordinance dictates would be set by the Town. It would not be considered a home occupation considering the owners would not be living there. He explained the information provided to the Board members referring to the property's proposed parking lot, loading areas, no parking zones, and possible playground areas.

Zoning Administrator Scottie Hayes stated he informed Mrs. Price that due to the proposed business stretching across two lots she would need to combine them before this request goes before the Town Board for a vote and that it would be a contingency. Ricky Price confirmed there were two separate pieces of property. Chairman Jones agreed the recombination needed to be done prior.

Shane Strickland asked Mrs. Price if the flags on the property were a rough outline of where the parking lot would be as well as if the playground/play area would be to the left and behind of that area. Mrs. Price confirmed that was correct. Chairman Jones stated for the record that there was no on-street parking allowed there and any parking would have to be on the actual property. Shane Strickland asked Mrs. Price if her proposed parking lot was adequate for her possible enrollment capacity. Mrs. Price stated that it was.

Berry Godwin wanted to clarify that the owners would not use the turnaround area at the end of Price Street since it was on the pool's property. Chairman Jones stated the owners designed the parking and loading areas to be on their own property. Ricky Price asked if the speed bump the Town installed in front of their property could be removed due to the location of it being an issue with their design of the parking lot. Chairman Jones stated Mr. Price would have to discuss that issue with the Town Board.

Greg Johnson made a motion to make a favorable recommendation of the special use request to the Town Board. Cecelia Joyner seconded the motion and Chairman Jones asked if there was any further discussion. Shane Strickland questioned if the recombination of the two parcels needed to be included in this motion as a contingency since the owners and Zoning Administrator Hayes had already discussed the need for it to be done prior. Chairman Jones stated that was corrected and it needed to be included to send to the Town Board if that was the wish of this Board. Cecelia Joyner rescinded her second to the prior motion and Greg Johnson stated he wished to change his original motion.

Greg Johnson made a motion to make a favorable recommendation of the special use request contingent on the recombination of the two lots to the Town Board. Cecelia Joyner seconded the motion and Chairman Jones asked if there was any further discussion.

Berry Godwin asked for clarification that this Board had not found any zoning reason why this request should not happen. Chairman Jones stated a daycare could be put in any residential zoning in Pine Level under a special use. Berry Godwin asked for clarification that the reason why this Board was considering a favorable recommendation was because everything the owners had asked for had fallen within the ordinance as far as the Planning Board members can determine based on the recombination of the lots. Chairman Jones stated that was correct. He reminded the Board members that a notice would be sent out to adjoining property owners and a public meeting would be held. Randy Holloman asked Mrs. Price about the hours of operation.

Mrs. Price stated the hours of operations would be 6 a.m. to 6 p.m. Monday through Friday. Randy Holloman thanked her and stated he wanted to make sure it was on the record because the ordinance read it could only operate part of a twenty- four day. Chairman Jones stated he and Zoning Administrator Hayes had met with Mrs. Price regarding her plans and the pool's operational hours as well. He believes that it should not negatively affect her or the pool's operating hours during the summer, especially since the daycare would only be operating Monday through Friday. Chairman Jones called for a vote on the motion and it passed by unanimous vote.

Recap:

Motion to make a favorable recommendation of the special use request contingent on the recombination of the two lots to the Town Board: Greg Johnson

Second: Cecelia Joyner

Vote: Unanimous

OLD BUSINESS

Zoning Permit Submittal Process

Board members briefly discussed the current zoning permit process and the idea of requiring an as-built survey or foundation survey for permanent structures and concrete foundations as part of the site plan requirements within the Town's ordinance. Some Board members voiced their concerns about the future development coming into the Town and their desire to ensure structures are being built at the proper locations while minimizing strain on Town staff.

After some discussion, Berry Godwin made a motion to include a foundation survey as a requirement to any site plans within the Town's ordinances; which was seconded by Greg Johnson. Samuel Heuertz, 113 Oak Street in Pine Level, asked if he could make a comment. He said he understands the need for developers building homes to have this survey, but not a regular homeowner who wants to put in a shed. He voiced his concern about homeowners spending additional money on a survey for projects that the homeowners plan to install on the property themselves while using the example of buying a shed. Chairman Jones stated it was fine to have a shed without the foundation survey as long as it didn't involve a poured foundation. Shane Strickland stated that the main reason for the foundation survey was to ensure that no developer or homeowner would build on top of any easements, utility lines, or property lines; which had been an issue in the past. Samuel Heuertz asked if a fence would be included with that requirement. Chairman Jones stated that was a separate matter but that he believes that a survey should be provided to show any easements on the property prior to the fence being installed. Randy Holloman recommended that the Town's attorney should be consulted regarding the difference between the site plan and plot plan requirements as stated in the Town's ordinance and to see what the best form of action would be moving forward. Greg Johnson rescinded his second and Berry Godwin rescinded his motion. Chairman Jones requested the Town's attorney be contacted and a report on this matter be brought back to this Board by next meeting.

Downtown District

After some discussion on the information provided to the Board members, it was determined that additional research needed to be done and no action was taken.

NEW BUSINESS


Chairman Jones stated the proposed ordinance amendment provided in the meeting packet referencing farming livestock and domestic livestock would not need to be voted on at this moment. He informed the Board members that a resident came before the Town Board to ask about having horses within the city limits. He stated Ms. Willoughby was asked by the Town Board to get an ordinance together and bring it before the Planning Board for review. After reviewing it, he stated he remembered the Town already had an ordinance regarding horses within the city limits. He referenced the Town Board minutes from February 10, 2010 where the Town had a public hearing to pass a zoning amendment to section 405.1 of the Zoning Ordinance to include the following statement: "Horses, however, are permitted to be kept within the town limits of Pine Level only

on ten (10) acre recorded lots or greater located within the RA Zoning District. The number of horses permitted on each lot shall not exceed one horse for each one (1) acre of land." He stated somehow it was never included into the ordinance book after the ordinance was passed by the Town Board. He stated the Town Attorney informed him all that was required was to put the original amendment into the ordinance book since the amendment had already been passed. The recommendation from the Mayor and Town Attorney was to have staff include the original amendment into the Town's ordinance book. He stated there were a few additional recommendations Ms. Willoughby made within her draft that the Board members could consider at a later date if they so wished. No action was taken.

MEETING ADJOURNED

There being no further business to discuss, Greg Johnson made a motion to adjourn. Randy Berry Godwin seconded the motion. Motion passed by unanimous vote. The meeting adjourned at 7:40 p.m.


Ashley Willoughby, Administrative Assistant


Kevin Kornegay, Vice-Chairman