



VANCE COUNTY
PLANNING & DEVELOPMENT OFFICE

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TO: Vance County Planning Board
FROM: Jordan McMillen
SUBJECT: Minutes of the January 10, 2013 Planning Board Meeting
DATE: January 10, 2013 4:00 PM to 5:30 PM

Board Members: Blake Haley (Chairperson), Agnes Harvin (Vice Chairperson), Phyllis Stainback, Rev. Roosevelt Alston, Thomas Shaw, Ruth Brummitt, Alvin Johnson, Jr.

County Staff: Jordan McMillen

Absent:

- ◆ Chair Ruth Brummitt opened up the meeting and entertained a motion for approval of the 12/13/2012 minutes:
 - a. **Motion** was made by Thomas Shaw to approve the minutes as changed (typo on page 2).
 - b. **Second** was made by Alvin Johnson, Jr.
 - c. **Motion** passed 7-0.

- ◆ Chair Ruth Brummitt asked for nominations for the new chairperson.
 - a. **Motion** was made by Thomas Shaw to nominate Blake Haley as the new chairperson.
 - b. **Second** was made by Ruth Brummitt.
 - c. **Motion** passed 7-0.

- ◆ Newly elected chair Blake Haley asked for nominations for the new vice-chairperson.
 - a. **Motion** was made by Phyllis Stainback to nominate Agnes Harvin as the new vice-chairperson.
 - b. **Second** was made by Thomas Shaw.
 - c. **Motion** passed 7-0.

- ◆ Chair Blake Haley moved to the next agenda item.
 - A. **Minor Subdivision (residential use) – Reeves Land One, LLC**
Minor Subdivision (residential use): For Reeves Land One, LLC (Cawthorne & Associates Surveyor). Tax Map 0583-01052. Project involves the creation of 1 additional lot out of land that was previously split into 7 lots. With this being the 8th lot, the subdivision is considered a major subdivision. The new lot to be created (lot H) totals 1.28 acres and will be accessed from an existing private right-of-way.
 1. Mr. McMillen reviewed the proposed subdivision and mentioned the following items in need of being addressed: 1) Better labeling for frontage distance along right of way for new lots 2) Completion of utility providers 3) Need for a road maintenance agreement for Mt. Pleasant Lane up to and including the area along the front of the newly proposed lots.
 2. Mrs. Harvin questioned whether the entire subdivision should be shown on the plat. It was determined that the other lots have previously been recorded and therefore references to the previously recorded survey would be sufficient. Mr. McMillen also explained that the newest change requires an adequate scale in order to see the details. For this reason, it may be difficult to show the remaining portions on the same plat while also being able to view the details.
 3. Mr. McMillen mentioned that he has worked with the developer to ensure that each lot has the adequate frontage (150 feet) and lot width (150 feet). On the original subdivision plat it was unclear as to whether this requirement could be met and therefore this additional lot was not included in the initial subdivision plat.
 4. The board questioned whether public water or well water would be utilized. Mr. McMillen explained that Warren County water is available in the general vicinity, but would need extended if it were to serve these lots. Current regulations in Vance County require connection to a public water supply if the proposed home is within 300 feet of a water line.
 5. The board questioned whether enough suitable soil was available for a septic tank, field and repair area. Mr. McMillen mentioned that soil analysis has been completed by the applicant showing

adequate soils. The board questioned the reason for a septic drain field for lot A being shown on Lot H. Mr. McMillen mentioned that this was established with the initial subdivision as a satellite septic area as adequate area was not present on lot A for a repair area. Mr. Haley recommended labeling the septic easement area as non-buildable on the plat. Mr. Haley also recommended moving the setback lines out of the septic easement area to clarify the point that this area is non-buildable. The board determined that the edge of the easement area would suffice as being the setback line negating the need for an additional 25 foot setback on top of the easement area.

Motion made by Agnes Harvin to approve the plat contingent upon the following conditions: 1) better labeling for frontage distance along right of way for new lots 2) Completion of utility providers 3) need for a road maintenance agreement for Mt. Pleasant Lane up to and including the area along the front of the newly proposed lots 4) labeling of septic easement area as non-buildable 5) removal of setback lines from septic easement area and labeling on the edge of the septic area designating it as the setback line.

Second was made by Thomas Shaw, the members present voted to approve.

Motion passed 7-0.

◆ Chair Blake Haley moved to the next agenda item.

B. **Minor Subdivision (residential use) – Willie E. Lawrence**

Minor Subdivision (residential use): For Willie E. Lawrence (Charles Thompson Surveyor). Tax Map 0491-04004. Project involves the creation of 1 lot out of the parent tract. The newly proposed lot would be 1 acre in accordance with minimum lot size for the agricultural residential zoning category. The remaining acreage is approximately 6.721 acres. A new 25 foot access easement is proposed for access to the lot.

1. Mr. McMillen reviewed the subdivision and mentioned the following items in need of being addressed following the staff review: 1) need to show zoning 2) need to change rear setback to 35 feet 3) need to show utility easement as non-buildable area.
2. The Board discussed the survey and determined that the private access easement certificate needs to be shown on the face of the plat.

Motion made by Phyllis Stainback to approve the plat contingent upon the following conditions: 1) zoning to be shown on the plat 2) Rear setback changed to 35 feet 3) Utility easements to be shown as non-buildable 4) inclusion of the private access easement certificate on the plat.

Second was made by Ruth Brummitt, the members present voted to approve.

Motion passed 7-0.

◆ Chair Blake Haley moved to the next agenda item.

C. **Discussion of “Retail Sales” as it relates to Home Occupations**

1. Mr. McMillen reviewed the recommended language to clarify the prohibition on retail sales within home occupations in the zoning ordinance. Mr. McMillen mentioned that following the previous meeting, the board was considering the following language change: from “No retail sales permitted” to “no retail sales on permanent display permitted”. See previous month’s minutes for full overview as presented by staff in the December 13, 2012 meeting.
2. Ms. Stainback recommended leaving the language as it currently is written with the understanding that the intention of the language is to prevent retail sales with permanent inventory on display. Board members discussed this and felt some tweaking of the language was necessary to prevent misunderstandings of the intention in the future.
3. Upon further discussion, the board considered changing the language to remove the negative wording (“NO”) while keeping with the idea of prohibiting retail sales with inventory on permanent display within home occupations. Additionally, retail sales within a home occupation would need to meet all of the other pre-existing conditions for a home occupation. The board discussed and agreed to allow the county attorney to formalize the wording based upon the recommended language.

Motion made by Agnes Harvin to recommend replacing “No retail sales permitted” with “Retail Sales permitted unless it includes inventory on permanent display”. The final wording to be presented to the board of commissioners would be subject to attorney review and finalization.

Second was made by Ruth Brummitt, the members present voted to approve.

Motion passed 7-0.

- ◆ Closing comments and/or new business from Board Members and/or Staff.
 - A. Mr. McMillen informed the board that the Board of Commissioners have adopted zoning amendments regarding recreational vehicle use and utilities and have also adopted zoning amendments for accessory use solar collectors. Mr. McMillen thanked the planning board for their involvement in creating and recommending the language that was ultimately considered and adopted by the Commissioners. Mr. McMillen mentioned that the solar farm section of the ordinance amendment has been separated out for additional research with reconsideration by the commissioners in their February meeting.
 - B. Mr. McMillen informed the board that water line construction continues within Phase 1A. Recently water tank construction has begun and should be complete within 1-2 months. Water line construction is scheduled to be complete by July 2013.

- ◆ With no further agenda items, the board adjourned the meeting.

Recommend to Jonathan: Retail sales shall be permitted within home occupations, but shall not include inventory on permanent display and shall be subject to other pre-existing regulations for home occupations.