



VANCE COUNTY
PLANNING & DEVELOPMENT OFFICE

156 Church Street, Suite 003
Henderson, NC 27536-5574
Phone: 252-738-2080
Fax: 252-738-2089

TO: Vance County Planning Board
FROM: Jordan McMillen
SUBJECT: Minutes of the April 11, 2013 Planning Board Meeting
DATE: April 11, 2013 5:30 PM to 6:00 PM

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

County Staff: Jordan McMillen

Absent: Ruth Brummitt, Rev. Roosevelt Alston

◆ Chair Blake Haley opened up the meeting and entertained a motion for approval of the 3/14/2013 minutes:

- a. **Motion** was made by Agnes Harvin to approve the minutes as presented.
- b. **Second** was made by Thomas Shaw.
- c. **Motion** passed 5-0.

◆ Chair Blake Haley moved to the next agenda item.

A. **Rezoning Request – Welshie Way Lane**

Request to amend the zoning map and rezone a proposed lot from Residential Low Density (R-30) to Agricultural Residential (A-R). Rezoning will allow for potential future construction of a personal dog training facility.

1. Mr. McMillen reviewed the proposed rezoning mentioning that the request includes rezoning a proposed lot of 1.49 acres from Low Density Residential (R-30) to Agricultural Residential (AR).
2. The board discussed whether the rezoning as presented would create a spot zoning situation with the surrounding lots zoned differently. Mr. McMillen reviewed the degree of difference mentioning that the proposed zoning would be a down zoning that has a low degree of difference from the surrounding zoning category. Mr. McMillen also mentioned that the impact of the rezoning benefits the property owner, but has little in terms of negative impacts to the surrounding property owners. Mr. McMillen responded that spot zoning is not illegal in NC, but does require the board to take a closer look to ensure that the proposed rezoning is compatible with the existing land use plan while looking at the impacts of the zoning change on the landowner, the immediate neighbors, and the surrounding community. Mr. McMillen also mentioned that it is important to look at the relationship between the newly allowed uses versus the previous use.
3. Mr. McMillen mentioned that down zoning to A-R would reduce the density of the property, but does open it up for more rural uses as well. Most undesirable uses would require issuance of a conditional use permit if it were rezoned.
4. The board questioned the property owner as to whether he would be willing to revise his proposal to rezone all 40 +/- acres that he owns within the Stanton Place Subdivision. This would include a total of 8 lots with the smallest lot being greater than 3.5 acres. The board discussed that this revision would better preserve the rural character of the county while preventing a situation of needing to consider the case as a potential spot zoning. Additionally, this would allow A-R zoning to be contiguous with other A-R zoning within this area.

Motion made by Thomas Shaw to recommend approval of the rezoning subject to expanding the rezoning to a total of 8 parcels owned by the current property owner. These parcels are as follows in whole: 0461-02006, 0461-02012, 0461-02013, 0461-02014, 0461-02016, 0461B01019, 0461B01020, 0461B021.

Second was made by Alvin Johnson, Jr., the members present voted to approve.

Motion passed 5-0.

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