



VANCE COUNTY
PLANNING & DEVELOPMENT OFFICE

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TO: Vance County Planning Board
FROM: Jordan McMillen
SUBJECT: Minutes of the May 9, 2013 Planning Board Meeting
DATE: May 9, 2013 4:00 PM to 5:00 PM

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

County Staff: Jordan McMillen

Absent: Ruth Brummitt, Alvin Johnson, Jr.

- ◆ Chair Blake Haley opened up the meeting and entertained a motion for approval of the 4/11/2013 minutes:
- a. **Motion** was made by Agnes Harvin to approve the minutes as revised.
 - b. **Second** was made by Phyllis Stainback.
 - c. **Motion** passed 5-0.
- ◆ Chair Blake Haley moved to the next agenda item.
- A. **Rezoning Request (Case# RZ1305-1) – NC Hwy 39 North, Williamsboro**
Request to amend the zoning map and rezone two parcels from Residential Low Density (R-30) to Highway Commercial (H-C).
1. Mr. McMillen reviewed the proposed rezoning and staff report mentioning that the request includes rezoning 2 parcels (totaling 2 acres) from Low Density Residential (R-30) to Highway Commercial (H-C). Mr. McMillen mentioned that this property is within the Williamsboro Development Community which is suited well for mixed uses and commercial uses.
 2. The board discussed the surrounding uses and questioned whether public notice is given for planning board meetings. Mr. McMillen mentioned that the official public hearing on the matter will take place during the Board of Commissioners meeting in June which will involve formal required notice in the paper, individually by registered mail and by posting the property. Mr. McMillen further explained that individual notice is not given for Planning Board consideration of rezonings as it is not a formal public hearing. The board requested that individual notice be given to adjacent property owners even if formal newspaper notice is not given for planning board discussion of the matter. Mr. McMillen confirmed that this would be done for future rezoning requests to allow for greater public input if necessary.
 3. The board discussed that compatibility of the proposed use and confirmed that the proposed use fits very well with the surrounding land uses.
- Motion** made by Phyllis Stainback to recommend approval of the rezoning based upon the multiple uses currently within the vicinity of the property.
- Second** was made by Thomas Shaw, the members present voted to approve.
- Motion** passed 5-0.
- B. **Rezoning Request (Case# RZ1305-2) – Kelly Road**
Request to amend the zoning map and rezone a proposed parcel from Agricultural Residential (A-R) to General Commercial (G-C-1).
1. Mr. McMillen gave an overview of the rezoning request explaining that the property owner has an existing landscaping business on the property directly behind this proposed parcel and has had a produce and ice-cream production/sales business for the past 2 years. The property owner has requested the rezoning to allow for future expansion of retail sales types of businesses as well as for future business ventures. The property owner feels as if the property should be zoned commercial as the uses on the property have been commercial for several years.

2. The board discussed whether sign permits would be needed for the various advertising signs that the property owner has along the roadway. Mr. McMillen explained that if they are under 32 square feet, there may not be a need for sign permits, but ensured the board that this would be reviewed.
3. Mr. Haley mentioned the need for reviewing the ordinance to determine whether the ice-cream sales could be allowed within the current regulations without necessitating a rezoning of the property. Following the meeting it was determined that fruit from the farm is being utilized in the making of the ice-cream and therefore this business could be allowed to continue as an exempt activity without needing a rezoning of the property. After determining this and discussing with the property owner, the owner has reiterated a desire to continue with the rezoning request to allow further commercial activity in the future. The owner has no immediate plans, but feels the existing commercial uses on the property necessitate the need for commercial zoning.
4. The board discussed whether there was a way to limit future expansion as a rezoning to commercial could open the property up for significant and intensive commercial development in a predominantly agricultural area.
5. The board discussed whether parking requirements would be necessary for the commercial uses. Mr. McMillen mentioned that 4 spaces would be necessary per 1,000 sq. feet of the building.

Motion made by Thomas Shaw to recommend approval of the rezoning request.

Second was made by Roosevelt Alston, the members present voted to approve.

Motion failed 3-2; (Dissenting voters: Ms. Harvin and Mr. Haley; Ms. Harvin justified dissention by stating that the rezoning could allow significant and intensive commercial activity that would be incompatible with the surrounding agricultural and residentially zoned area. Mr. Haley expressed a desire to review whether ice-cream sales could be allowed as an exempt use, and disagreed with rezoning the property simply to allow ice-cream production/sales)

NOTE: Following decision by planning board, the property owner provided additional information proving that the ice-cream sales business is an exempt use and can continue. The property owner expressed a desire to continue with the rezoning request to allow further commercial activity on the property.

C. **Road Name Approval – Ace Lane**

Motion made by Thomas Shaw to approve Ace Lane as presented.

Second was made by Phyllis Stainback, the members present voted to approve.

Motion passed 5-0.

D. **Road Name Approvals – Wild Fox Run, Quail Acres Lane, Pine Knoll Shores Lane**

Motion made by Agnes Harvin to approve Wild Fox Run, Quail Acres Lane, and Pine Knoll Shores Lane as presented.

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

Motion passed 5-0.

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