



**VANCE COUNTY
PLANNING & DEVELOPMENT OFFICE**

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TO: Vance County Planning Board
FROM: Jordan McMillen
SUBJECT: Minutes of the August 14, 2014 Planning Board Meeting
DATE: August 14, 2014 4:30 PM to 5:00 PM

Board Members: Thomas Shaw (Chairperson), Blake Haley, Agnes Harvin, Phyllis Stainback,

County Staff: Jordan McMillen, David Robinson

Absent: Rev. Roosevelt Alston, Alvin Johnson, Jr. (Vice Chairperson), Ruth Brummitt

- ◆ Chair Shaw opened up the meeting and entertained a motion for approval of the 4/10/2014 minutes:
- a. **Motion** was made by Ms. Harvin to approve the minutes as written.
 - b. **Second** was made by Ms. Stainback.6
 - c. **Motion** passed 4-0.
- ◆ Chair Shaw moved to the next agenda item.
- A. **Rezoning Request (Case# RZ1408-1) – 324 Greystone Road (Tax Parcel – 0615A02008)**
Request to amend the zoning map and rezone 1 parcel from Residential Low Density (R-30) to Agricultural Residential (A-R).
- Mr. McMillen gave an overview of the rezoning request and presented the staff report (see separate staff report for overview). Mr. McMillen stated to the board they are able to take comments from the applicant as well as the public since the rezoning request is a public meeting.
 - Mr. Scott Hamilton, an attorney speaking on behalf of the applicant, introduced the application's exhibits to the board. Mr. Hamilton explained the circumstances surrounding the request and why there is a desire to rezone the property to A-R. He requested that the board approve this rezoning to give the applicant's son the opportunity to pursue a Conditional Use Permit for an auto repair business.
 - Ms. Harvin asked which currently existing structures on the property are used for the repair business and when the business opened. Mr. Hamilton responded that the applicant's son has been working part-time at the location for approximately a year and a half. Ms. Harvin also sought input from Mr. McMillen regarding the existence of the 25' easement on the property and the nature of the proposed recombination. It was determined the easement was an informal agreement and not an officially recorded easement and that there were additional access points to the neighboring property.
 - There was some discussion about the colocation of a dwelling and a commercial operation on the same property. Mr. McMillen stated that you are allowed to have those uses on the same property as long as they are allowed in that zoning district.
 - Margaret Shearin appeared before the board. Mr. Haley inquired as to when the structure being used for the auto repair business was constructed and when it transitioned from being used for storage to being used for a business. Ms. Shearin stated she was unaware she was in violation of the zoning ordinance and since being made aware she has done everything she could to go through the proper channels to get approval.
 - Ms. Harvin sought clarification on the number of employees currently working in the auto repair shop. Ms. Harvin recommended that the applicant only list those employees that are receiving paychecks on the application, not including family members who help Mr. Shearin.
 - Mr. McMillen explained to the board that the applicant will not be seeking a home occupation use. Rather, after a rezoning approval the applicant would be seeking a Conditional Use Permit for vehicle repair.

- Mr. Archie Taylor, an adjacent property owner to the applicant, spoke against the rezoning. Mr. Taylor's argument was that an auto repair business would contrast with the residential and agricultural characteristics of the Greystone community. Mr. Taylor claimed there were approximately 20 vehicles currently on the property and believed that the number of vehicles indicates that the business is more than a small scale operation. Mr. Taylor stated that bringing a commercial enterprise to the community would negatively affect its property values and rural character.
- William Roseboro came before the board and expressed his desire for Greystone Road to maintain its quiet atmosphere and non-commercial nature.
- Margaret Shearin shared with the board that an existing business already exists across the street from her property (Jeff Buchanan Electric). She also shared the fact that she went house-to-house obtaining signatures stating that her neighbors do not have objections or issues with the auto repair business at 324 Greystone Road. Ms. Shearin stated that at no point in time is there anywhere close to 20 vehicles on site.
- Donella Roseboro Crossman stated she signed the petition on her behalf as well as her brother's. She explained that she was not aware of the full implications of a rezoning when she signed the petition.
- Donald Shearin, owner/operator of the auto repair business, came before the board and admitted that the establishment of the business was in mind when setting up the accessory structure. He claimed that he did not know of any regulations or restrictions regarding the startup of the business. He argued that the Greystone Road area already has a commercial nature with dump trucks and commercial transfer trucks driving along the road for many years.
- Henry Brown opposed the potential uses this rezoning would allow and how he believed those uses would be incongruous with the agricultural nature of the community.
- Mr. Blake Haley asked Jordan McMillen about the similarities in design standards required between an automotive repair shop and a junkyard. Mr. McMillen answered that they are very similar, with the exception that a junkyard would require a screened fence in addition to vegetation. Mr. McMillen also wanted to point out that if the rezoning and Conditional Use Permit were approved, there would be a certain number of vehicles allowed on the premises at any given time.
- Lewis Roseboro addressed the board and mentioned that he takes no issue with the Shearin's operating an automotive repair shop, but would be opposed to the majority of the other possible uses if the rezoning were approved.
- Mr. McMillen explained to the board that many of the uses previously listed require a conditional use permit and that they would only be permitted if the board approved them through the conditional use process.

Motion made by Mr. Haley to recommend approval of the rezoning for 324 Greystone from R-30 to A-R.

This amendment change is contingent on the recombination of lots 2 and 3 as shown on plat.

Second was made by Ms. Phyllis Stainback.

Motion passed 4-0.

- ◆ **Other Business** – Mr. McMillen sought the board's availability for a special meeting. Mr. McMillen proposed a special meeting on Thursday, September 4th to review outstanding amendments to Vance County's zoning ordinance as a result of legislative changes at the state level. This will include providing a better definition of bonafide farms as well as changing some of the board of adjustment procedural requirements directly related to state changes.

Mr. Haley expressed his concern over the location and number of solar farms within the county. Mr. McMillen responded that he believed the situation has not yet permitted the need to look into adding further regulations to county ordinances regarding solar farms.

- ◆ **Adjournment.**

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