



VANCE COUNTY
PLANNING & DEVELOPMENT OFFICE

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TO: Vance County Planning Board
FROM: Jordan McMillen
SUBJECT: Minutes of the September 11, 2014 Planning Board Meeting
DATE: September 11, 2014 4:30 PM to 5:00 PM

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

County Staff: Jordan McMillen, David Robinson

Absent: Blake Haley

- ◇ Chair Shaw opened up the meeting and entertained a motion for approval of the 8/14/2014 minutes:
- a. **Motion** was made by Ms. Stainback to remove an erroneous character '6' behind "Ms. Stainback" name on page 1 of the minutes.
 - b. **Motion** made by Ms. Harvin approve the minutes with suggested change as stated in (a).
 - c. **Second** was made by Ms. Brummitt.
 - d. **Motion** passed 6-0.
- ◇ Chair Shaw moved to the next agenda item.
- A. **Rezoning Request (Case# RZ1409-1) – 2041 Vicksboro Road (Tax Parcel – 0533 02001)**
Request to amend the zoning map and rezone 1 parcel from Planned Manufactured Housing Community (R-M-H-C) 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 made a correction to the applicant name in the staff report; the applicant's name should be Vicksburg Owner, LLC as opposed to FLS Energy, Inc.
 - Mr. McMillen stated that this rezoning request is the first step to allow the construction of a solar farm. However, this rezoning should not consider intended use, but rather overall impact of potential uses.
 - Chair Shaw asked if the applicant would have to obtain a conditional use permit from the Board of Adjustment to construct a solar farm if the rezoning was approved. Mr. McMillen answered in the affirmative. Mr. McMillen also stated that notices were sent out to all property owners in the Farmington subdivision. Because the Planning Board conducts public meetings, the Board may take public comment but is not required to do so.
 - Ms. Harvin asked why the solar farm site plan was submitted with the rezoning documentation and if the two existing structures on the property were occupied. Mr. McMillen stated that the rezoning request required a site plan and that was what the applicant submitted. The two existing structures are not dwellings but rather storage space.
 - Ms. Harvin followed up on the site plan to inquire about the type of site plan required for a rezoning request. Mr. McMillen stated a survey of the metes and bounds is required to indicate exactly what is being rezoned.
 - Ms. Harvin commented that a less dense zoning district is preferred according to the county's land use plan, which is to promote the agricultural nature of the county.
 - Ms. Brummitt asked whether septic tanks were in use with the previous mobile home park and, if so, are they still underground. Mr. McMillen stated it was his understanding that they are still there. However, the applicant has already done some preliminary underground analysis and decided to construct the solar farm on the backside of the property where the septic tanks are not located. In any case, this concern should not be considered by the Planning Board.

Motion made by Ms. Harvin to recommend approval of the rezoning request for 2041 Vicksboro Road (tax parcel 0533 02001) from R-M-H-C to R-30.

Second was made by Ms. Phyllis Stainback.

Motion passed 6-0.

B. **Rezoning Request (Case# RZ1409-2) – 1410 N. Lynnbank Road (Tax Parcel – 0451 01005A)**

Request to amend the zoning map and rezone 1 parcel from Office-Institutional (O-I) to Residential Low Density (R-30).

- Mr. Robinson gave an overview of the rezoning request and presented the staff report (see separate staff report for overview).
- Ms. Harvin asked for confirmation on the acreage of the subject property being 1.36 acres. She also asked why surrounding parcels are zoned R-30 when there is not a considerable number of dwellings on those properties. Mr. McMillen replied that A-R and R-30 are very similar in nature, whereas typically the A-R district is composed of farms and R-30 is low density residential. The common pattern is for properties along the roadway to be zoned R-30 and those properties that are a significant distance off from the road to be zoned A-R. Mr. McMillen elaborated that the dwelling on the subject property is a single family house and the owners are not able to use the dwelling as a single-family house given the current zoning.
- Ms. Harvin asked whether the cemetery as shown on the submitted plat is an active cemetery. Mr. McMillen stated that because this property is an existing parcel, the cemetery does not affect the rezoning request. However, the cemetery is still nonconforming.

Motion made by Ms. Phyllis Stainback to recommend approval of the rezoning request for 1410 N. Lynnbank Road (tax parcel 0451 01005A) from O-I to R-30.

Second was made by Ms. Ruth Brummitt.

Motion passed 6-0.

C. **Minor Subdivision – Reeves Land One, LLC**

Request to subdivide four proposed lots out of a tract of land off Wilson Brothers Road (Bent Tree Lane).

- Mr. McMillen introduced the minor subdivision and explained the reason why it is before the Board. Due to the circumstances surrounding the subdivision, there is a requirement that an engineered road be constructed for access to these proposed lots. As such, this project will go through the major subdivision process (i.e. preliminary plat, engineered construction plans, and final plat).
- Mr. McMillen pointed out that sometime in the last year the Board reviewed plans for Bent Tree Subdivision at the end of Bent Tree Lane. However, this current proposal is separate from that previous plan.
- The proposed lots meet both the Subdivision and Zoning ordinances.
- Mr. McMillen stated that there will be a minor change to the submitted plat. That change moves the location of the cul-de-sac 70 feet towards Wilson Brothers Road, which should not affect preliminary approval.

Motion made by Mr. Alvin Johnson, Jr. to approve the preliminary plat

Second was made by Ms. Agnes Harvin.

Motion passed 6-0.

◆ **Other Business** – Mr. McMillen outlined a couple cases for next month's meeting, including the review of the construction plans for item (C) as well as an additional rezoning request.

◆ **Adjournment.**

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