

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, JUNE 7, 2018 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Eddie Nobles (Chairman), Joe Garrison (Vice Chair), Harry Huberth, David Lambert, John Cook, Jeffery Gilbert, Bobby Hyman, Matthew Bradley, John Matthews

Board Members Absent: None

Staff Present: Debra Ensminger, Planning Director
Tron Ross, County Attorney
Theresa Thompson, Senior Planner
Darya Cowick, Planner
Stephanie Cormack, Administrative Officer

CALL TO ORDER

Chairman Eddie Nobles called the meeting to order at 6:00 pm.

INVOCATION

Board Member John Cook offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member Harry Huberth led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member Matthew Bradley read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of April 5th, 2018
- C. Consideration of Abstentions

Board Member Joe Garrison made a motion to approve the consent agenda. The motion was seconded by Board Member John Cook and the motion passed unanimously (9-0).

PUBLIC HEARING

Public Hearing #1 – General Use Rezoning Request: Highway Commercial (B-2) to Residential Agricultural-40 (RA-40)

Planner Darya Cowick presented to the Board a request from Leasa Haselden to request a General Use Rezoning from Highway Commercial (B-2) to Residential Agricultural-40 (RA-40) of the northern portion, being approximately 5 acres, of three parcels, being approximately a total of 18.97 acres, located adjacent to US 1 Hwy, owned by Duncan C. Blue Jr. Heirs. Mrs. Cowick provided the Board with the property background, zoning district compatibility as well as the properties consistency with the 2013 Moore County Land Use Plan as noted within the packet.

Moore County staff recommends the Board make two separate motions: Motion 1 to adopt or deny one of the Land Use Plan Consistency Statements and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. Motion 2 to recommend approval or denial to the Moore County Board of Commissioners the General Use Rezoning from Commercial (B-2) of the northern portions, being approximately 5 acres, of three parcels, being approximately a total of 18.97 acres, located along US 1 Hwy, to result in the entire three parcels being zoned Residential Agricultural-40 (RA-40).

Board Chair Eddie Nobles opened the Public Hearing calling upon David Salmon whom has signed up to speak at the Public Hearing.

Mr. Salmon asked if the property was going to be used as a single family dwelling. Leasa Haselden approached the podium with US1 Reality in Southern Pines introducing herself as a representative for the heirs of Duncan Blue. Ms. Haselden explained she has listed the property for sale and noticed the property has multiple zoning designations. The current owners would like to sale the property as residential property and feel it would be best to recommend the entire property have one zoning that being RA-40. Ms. Haselden currently has a buyer for the property whom plans to use the property as residential property for own personal use.

Mr. Salmon asked if in the future can there be multiple families on the property or if will stay a single family as he does not want lots of houses on that property like a multi-family dwellings or multiple apartments or low income houses. Ms. Cowick explained with the RA-40 zoning a future major subdivision would be allowed, if they decide to go with a multi-family route that would require a rezoning and would go before the Planning Board.

Mr. Salmon expressed concerns about Branch Trail Rd that he and Gene who lived there had a verbal agreement of ownership and if the road would be moved in the future. Board Member Lambert indicated this was not a question for the Board to discuss as this would be a legal question. Board Member Matthews recommend this could be answered with a survey showing the easement. Mr. Salmon explained there was no easement in place as it

was only a verbal agreement because of past safety concerns. Chairman Nobles explained the zoning would not have anything to do with the road or past verbal agreement.

With no further questions or concerns from Mr. Salmon the Board Chair called upon Elizabeth Garnett to speak. Ms. Garnett is an adjoining property owner on Causey Rd and would like to see the property rezoned to Rural Equestrian (RE) as she is concerned about future traffic with an RA-40 zoning.

Chairman Nobles closed the public hearing for Board discussion.

With no further discussion Board Member Joe Garrison made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina general Statute 153A-341. The motion was seconded by Board Member John Matthews; the motion passed unanimously 9-0.

Board Member Joe Garrison made a motion to recommend approval to the Moore County Board of Commissioners of the General Use Rezoning from Highway Commercial (B-2) of the northern portion, being approximately 5 acres, of three parcels, being approximately a total of 18.97 acres, located along US 1 Hwy, to result in the entire three parcels being zoned Residential Agricultural-40 (RA-40). The motion was seconded by Board Member John Cook; the motion passed unanimously 9-0.

Public Hearing #2 –Conditional Use Permit Request: Bed & Breakfast (1351 Dowd Rd., Carthage)

Senior Planner Theresa Thompson presented to the Board a request for a Conditional Use Permit for the use of a 4-unit Bed & Breakfast in a single family residence located at 1351 Dowd Rd. Carthage, owned by Lynn Gallup per Deed Book 4637, Page 290. All adjacent properties are zoned Rural Agriculture (RA). The proposed Bed & Breakfast will have three (3) bedrooms on the second floor of the home with the fourth (4th) bedroom located above the garage. The County Fire Marshal, Building Inspectors and Environmental Health Departments have met with the applicant to discuss what is required to obtain the necessary permits. The existing site and building is in compliance with the Unified Development Ordinance (UDO) standards. The UDO requires the four findings of factors are met and any recommendation of denial would need to include which finding is not met.

Board Chair Eddie Nobles opened the Public Hearing calling upon Peter Strickland whom has signed up to speak at the Public Hearing. Mr. Strickland approached the podium identifying himself as an adjoining property owner and has concerns about increased traffic and understands this is will be a Bed & Breakfast Home and not a Bed & Breakfast Inn. Mr. Strickland has spoken to Ms. Gallup inquiring about how she plans to advertise her business which will be through websites and social media. Mr. Strickland mentioned he has been on Ms. Gallup website which shows advertising for special events which he feels would increase traffic.

Board member Gilbert requested clarification between a Bed & Breakfast Home vs. a Bed & Breakfast Inn. Ms. Thompson explained a Bed & Breakfast Home would require the homeowner to live in the home while customers stay in the home. Ms. Gallup explained the definition of a Bed & Breakfast Home is 5 or less rooms for customers to stay and food would only be served to those whom stay overnight. Ms. Thompson clarified the UDO definition is eight (8) rooms or less.

Chairman Nobles asked how many parking spaces are currently available. Ms. Gallup said she has a three and half (3 ½) garage and 2 additional spaces for the house, there is a roundabout to the home for customer drop off.

Board Member Bradley inquired about Ms. Gallup's website for weddings. Ms. Gallup said her website has not been updated and at this time is not planning for weddings and is focusing on getting the Bed & Breakfast up and running.

Board Member Bradley asked if she plans to have this as an option in the future. Ms. Gallup said her septic would need to be addressed for this to be an option in the future.

Board Member Matthews asked how Planning would handle this kind of event. Ms. Thompson said it could fall under a special events permit depending on the type of event.

Chairman Nobles closed the public hearing for Board discussion.

With no further discussion Board Member Joe Garrison made a motion to recommend approval to the Moore County Board of Commissioner of the Conditional Use Permit request for the use of a 4-unit Bed & Breakfast in a single family residence located at 1351 Dowd Rd. Carthage, owned by Lynn Gallup per Dee Book 4637, Page 290. The motion was seconded by Board Member John Cook; the motion passed unanimously 9-0.

Public Hearing #3-Moore County staff is requesting amendments to the Moore County Unified Development Ordinance.

- Amend Chapter 6.1 Table of Uses
- Amend Chapter 8 Specific Use Standards; Section 8.69 Religious Institutions

Senior Planner Theresa Thompson presented three (3) options for the Board to consider schools to be an accessory uses to churches as noted within the packet. Ms. Thompson explained all options to the Board and their meanings. Under option 1 means every new church would require a conditional use permit approval and every new accessory use to a church would require a conditional use permit approval. Under option 2 this would allow all new churches to be permitted and only new accessory uses to a church would require a conditional use permit approval. Option 3 would allow the use of schools as an accessory use and require a conditional use permit for schools located on the same lot as the church.

Board Member Garrison would like to know the history as to why the need for a change. Planning Director Debra Ensminger explained the request is at the request of the Board of Commissioners and surrounding homeowners in regards to a previous request brought before the Planning Board for a school to be allowed within a church.

Board Member Garrison asked which option would be the best option. Mrs. Thompson explained staff recommends the Board to approve option 3 as this would be the better option and less hardship on any future applicants.

Chairman Nobles closed the public hearing for Board discussion. With no further discussion Joe Garrison made a motion to adopt the Moore County Planning Board Land Use Plan Consistency Statement for approval and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member David Lambert; the motion passed unanimously 9-0.

Board Member Joe Garrison made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance. The motion was seconded by Board Member David Lambert; the motion passed unanimously 9-0.

OTHER BOARD MATTERS

Major Subdivision discussion was presented by Ms. Ensminger seeking guidance from the board per the recommendation of the Board of Commissioner's Chair that major subdivisions go through the Planning Board process and draft a text amendment as well as an amendment to the Table of Uses which would require a conditional use permit for all major subdivision to go before the Planning Board for recommendation with the final decision made by the Board of Commissioners. The reason for the request is to regulate the number of future major subdivisions that are approved in Moore County due to growth and changes within the County. Currently there is an advisory board only for major subdivision approval.

Minor discussion was held amongst the Board and all agreed this would be the best interest of the County to manage controlled growth and to allow public input regarding future growth.

Board Member Garrison made a motion to direct Planning Department staff to provide the Planning Board with options regarding changing how subdivisions are handled in the future to allow all subdivisions to go before the Planning Board and to the Board of Commissioners for final decision. The motion was seconded by Board Member Matthews; the motion passed unanimously 9-0

PLANNING DEPARTMENT REPORTS

No additional updates.

BOARD COMMENT PERIOD

Chairman Nobles thanked staff for making his job easier.

Board Member Gilbert thanked staff for allowing him to attend the past training event.

Board Member Huberth asked if staff could place the packets on the screens for public view as he feels this would help clarify any questions the public may have regarding the agenda items.

ADJOURNMENT

Board Member Joe Garrison made a motion to adjourn the June 7th, 2018 regular meeting. The motion was seconded by Board Member John Matthews and the motion passed unanimously 9-0.

Respectfully submitted by,

Stephanie Cormack