

Pender County Planning and Community Development

Planning Division

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

MINUTES

**Pender County Planning Board Meeting
January 7, 2014 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina**

Call to Order: Chairman Boney called the meeting to order at 7:00 pm.

Roll Call: Chairman Boney

Pender County Planning Board Members:

Boney: X Marshburn: X Baker: X Edens: McClammy: X Nalee: X Williams: X

- 1. Election of Officers: Chairman/Vice-Chairman:** Chairman Boney opened the floor to Attorney Thurman to proceed with the elections. Chairman Boney stated that due to his agenda for the year, he wished not to be elected to hold either position. Attorney Thurman declared the floor open for the nominations for Chairman of the Planning Board; Board member Marshburn nominated Board member Williams as the Chairman. Board member Williams stated that he would rather be Vice-Chairman but, if the Board deemed him to be the Chairman then he would be happy to do it. Due to no other nominations, Attorney Thurman closed the floor to nominations for Chairman and held the vote for Board member Williams as the Chairman of the Planning Board; the vote was unanimous. Attorney Thurman declared the floor open for the nominations for Vice-Chairman of the Planning Board; Board member Nalee asked if Board member Edens would be present; Director Breuer responded that she would be absent and had respectfully requested via email to not hold a position. Board members Eden asked Board member Marshburn if he would like to hold the position; Board member Marshburn replied that his term would expire in a year and would prefer the Vice-Chairman to be someone else. Board member Boney nominated Board member McClammy; Board member McClammy accepted the nomination. Attorney Thurman closed the floor to nominations for Vice-Chairman and held the vote for Board member McClammy as the Vice-Chairman of the Planning Board; the vote was unanimous. Attorney Thurman opened the floor to Chairman Williams to proceed with the meeting. Chairman Williams thanked the Board for deeming him fit to represent the Planning Board as their Chairman.
- 2. Adoption of the Agenda:** Board member Boney made the motion to adopt the agenda; seconded by Board member Nalee. The vote was unanimous.
- 3. Adoption of the Minutes: (December 3, 2013)** Board member Boney made the motion to adopt the minutes; seconded by Vice-Chairman McClammy. The vote was 5 in favor of adoption and 1 recuse.
- 4. Public Comment:** Chairman Williams asked if there were any signups for public comment; due to no signups, Chairman Williams closed the floor to public comments and opened the floor for the public hearings.

(Public Hearings Opened)

5. Zoning Map Amendment:

Jerrilynn Shackelford, applicant and owner, requested approval of a Zoning Map Amendment for a general use rezoning for 2.44 acres of a 4.62 acre tract from the GB, General Business to RA, Rural Agricultural zoning district. The property is located at 4189 NC Highway 53, along the northeast corner of NC Highway 53 and Whitestocking Road, Burgaw, NC and may be identified by Pender County PIN 3330-79-6458-0000. Planner Ariail presented and gave background information for agenda item 5. Chairman Williams asked if the existing driveway would remain in the current zoning district of the property; Planner Ariail answered that it would be a part of the RA, Rural Agricultural district if approved. Chairman Williams asked if there were any other questions from the Board; due to no further questions Chairman Williams asked to hear from anyone who signed up to speak. Jerrilynn Shackelford, applicant, commented that their property was surrounded by residential properties and would like to be able to build a home.

Board member Boney made a motion to approve the presented Zoning Map Amendment; seconded by Board member Marshburn. The vote was unanimous.

6. Zoning Map Amendment:

Jensen's Incorporated, applicant and owner, requested approval of a Zoning Map Amendment for a general use rezoning of one hundred six (106) parcels totaling approximately one hundred eight (108) acres from RP, Residential Performance to MH, Manufactured Housing Community zoning district. The property is located to the east of US Highway 17 in Hampstead. Director Breuer stated for clarity and for the sake of disclosure the subject case was advertised in the paper and met the statutory requirements for adjacent property owner's notification, the sign that is typically posted on the property was placed on Friday, December 20, 2013 which was later than signs are typically placed on the subject properties but, the Ordinance does not require a certain amount of time the signs must be posted, nor does the statute require signage, signs are posted as a courtesy. Attorney Thurman added that signs will be posted on the property prior to the Board of Commissioners' meeting. Planner O'Hare presented and gave background information for agenda item 6. Chairman Williams asked to hear from the sign ups. Matt Nichols, attorney with Shanklin & Nichols, LLP, stated that he was pleased to be before the Board to represent the applicant. Tim Weaver, Community Manager, introduced himself and stated that he was in attendance to answer any questions on behalf of the applicant. Attorney Nichols thanked the Board for hearing their case and thanked staff for their assistance; Attorney Nichols continued in stating that the request if approved would bring the Jensen's community current with the Pender County Unified Development Ordinance, Attorney Nichols gave a brief history of the property's zoning. Chairman Williams asked if the Board had any questions; Board member Baker asked if the applicant would be committed to the community continuing to be a 55 years of age and plus community; Mr. Weaver answered yes and that their communities are Federal protected as 55 years of age and plus communities. Board member Nalee asked if Jensen's owned the surrounding properties; Mr. Weaver answered yes. Chairman Williams asked for clarity, that if the rezoning is approved the entire property would become compliant; Mr. Weaver and staff answered yes. Chairman Williams asked if there were any other questions; due to no further questions or needed discussion Chairman Williams asked if there were any motions.

Vice-Chairman McClammy made a motion to approve the presented Zoning Map Amendment; seconded by Board member Boney. The vote was unanimous.

(Public Hearings Closed)

7. Discussion Items:

a. Planning Staff Items: Director Breuer stated that staff needed recommendation from the Board on allowing submittals based off of an intent letter from Pluris to service a development being sufficient to allow a development project to move forward. The Board held a discussion and agreed that staff could move forward with such submittals and asked that staff include language in the letter of intent stating that if no sewer was available the project would have to be presented to the Board for approval. Director Breuer stated that staff would present the Maple Hill Small Area Plan to the Board for recommendation of approval in February.

b. Planning Board Members Items: Chairman Williams thanked the Board again for voting him in as the Chairman.

8. Next Meeting: Scheduled for February 4, 2014.

9. Adjournment: The meeting adjourned at 8:15 pm.