

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, September 7, 2017 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Eddie Nobles (Chairman), Joseph Garrison, David Lambert, Harry Huberth, Bobby Hyman, Matthew Bradley, John Matthews

Board Members Absent: John Cook, Jeffrey Gilbert

Staff Present: Debra Ensminger, Planning Director
Brenda White, Deputy County Attorney
Theresa Thompson, Senior Planner
Stephanie Cormack, Administrative Assistant

CALL TO ORDER

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

INVOCATION

Board Member Joseph Garrison offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member David Lambert led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member John Matthews 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 August 3rd, 2017
- C. Consideration of Abstentions

Board Member Joe Garrison made a motion to approve the consent agenda. The motion was seconded by Board Member Harry Huberth and the motion passed unanimously (7-0).

PUBLIC HEARING(S)

Chairman Nobles opened the Public Hearing

Moore County staff is requesting a General Use Rezoning from Neighborhood Business-CUD (B-1-CUD) to Neighborhood Business (B-1) to result in the entire 9.21 acre parcel located at 2426 NC Hwy 211 being zoned Neighborhood Business (B-1).

Senior Planner Theresa Thompson presented to the Board a request to recommend a rezoning request to Neighborhood Business as more of a house keeping measure. A large portion of the property located at 2426 NC Hwy 211 was zoned Rural Business Conditional Use District (CUD) on February 21, 2000 to accommodate the specific use of a Convenience store with fuel sales. The Convenience store was never built and the accompanying Conditional Use permit has since expired.

On February 14, 2014 this portion of the property was rezoned to Neighborhood Business CUD per staff recommendation to phase out the Rural Business zoning designation.

The property is located in the Rural Highway Corridor Overlay District which has specific setback requirements. The setbacks would require a 75' front property line setback, 50' parking setback along Hwy 211 and a 20' wide vegetative buffer along Hwy 211.

The property owner Tim Dixon is requesting the property be used for car sales, car wash and storage building sales. Before permit approval can be given Mr. Dixon would need to submit a site plan showing the uses requested and the required setbacks for the Highway Corridor Overlay District which is only possible in the previous designated area located for the Convenience store.

The Neighborhood Business is consistent with other commercial uses in the area. The zoning request is consistent with nearby zoning districts which include a mixture of Industrial, commercial and Rural Agricultural. The zoning request is consistent with several land use goals and Moore County's land use plans future land use map. Moore County staff recommends two motions. 1) To adopt the Moore County Planning Board land use consistency statement and 2) make a motion to endorse the Moore County Board of Commissioners to approve or deny the request.

Vice Chair Joe Garrison inquired about the zoning and the allowed use.

Senior Planner Theresa Thompson explained to the board the original zoning set in place in 1999 was Rural Agricultural for this property. In February 2000 it was rezoned to Rural Business designation. The ordinance at that time required the business to be initiated within three years or the Conditional Use Permit would no longer be valid.

Planning Board member Harry Huberth inquired what would happen to the property when Hwy 211 is widened.

Senior Planner Theresa Thompson assured the Planning Board that the property owner is aware of the widening project for Hwy 211 and the required 75' front setback set in place today but unsure what it will be once widened. The property owner is aware that the widening will encroach into his property however not sure as to how much and the ride away line will come out quite a ways and a timeframe is unknown at this time.

Planning Board member John Matthews inquired whether the front set back would be vested.

Senior Planner Theresa Thompson explained that any buildings that would be on the property would be vested at that time unless they are in the right of way and DOT requires them to be moved. Ms. Thompson also explained that she is not sure as to what direction the widening would happen and that Mr. Dixon is aware of any risk involved from the widening project. Moore County staff has met with Mr. Dixon on several occasions to review his site plans which indicated that he would not meet the setback requirements currently set in place. Mr. Dixon can only meet the setback requirements if the business is located in the central part of the property. With the previous Conditional Use District zoning Mr. Dixon is at a standstill until the property can be rezoned.

With no further comments from the Planning Board Chair Eddie Nobble invited Charles Flinchum to speak whom has requested to speak against the rezoning request.

Mr. Flinchum approached the board pointing out he owns three corners of the adjoining property, the area/corner of concern is currently zoned B-1 and would like to know what could be built that would affect his property values.

Senior Planner Theresa Thompson indicated that Mr. Flinchum's area of concern was in an area that is not buildable and the setback is 50' for parking therefore nothing could be built at that portion of the property.

Mr. Flinchum thanked Ms. Thompson and had no further questions.

With no further discussion Vice Chair Garrison made a motion to adopt the Moore County Planning Board Land Use Plan Consistency Statement and authorize the chairman to execute the document as per NC GS 153A-341. The motion was seconded by Board Member Harry Huberth, the motion passed unanimously 7-0.

Vice Chair Garrison made a motion to recommend approval to the Moore County Board of Commissioners to the proposed General Rezoning Request, to result in the entire 9.21 acre parcel located at 2426 NC Hwy 211 being rezoned Neighborhood Business (B-1), as proposed. The motion was seconded by Board member Bobby Hyman, the motion passed unanimously 7-0.

OTHER BOARD MATTERS

No other board matters were discussed.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger welcomed new Planning Board members John Matthews and Matthew Bradley. Ms. Ensminger provided the board with an update to the previous months Public Hearing informing then the Bed & Breakfast was approved by the Board of Commissioners as well as the Text Amendments requested. The Board Order for the Bed & Breakfast will be brought to the Board of Commissioners at a later meeting as they do not approve this at the same meeting.

BOARD COMMENT PERIOD

No other board comments were discussed.

ADJOURNMENT

Vice Chairman Garrison made a motion to adjourn the September 7, 2017 regular meeting. The motion was seconded by Board Member Harry Huberth and the motion passed unanimously 7-0.

Respectfully submitted by,

Stephanie Cormack