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**TOWN OF CAROLINA SHORES
Planning and Zoning Board
(Joint Meeting with Board of Commissioners)
Meeting Minutes
February 27, 2012
11:00 a.m.**

At 11:00 a.m. Chairman, Mark Brown called the February 27, 2012 Planning & Zoning Board Meeting to order. Mayor Goodenough called the February 27, 2012 Board of Commissioners Special Called Meeting to order. The Pledge of Allegiance was recited.

The following members attended: Kathryn Powell, Ellen Pecina, Dan O'Reilly and John E. Manning. Also present: Mayor Goodenough, Commissioners: Joe Przywara, Joyce Dunn, John Russo, Bill Brennan and Greg Davis, Mike Hargett; Town Administrator, Nicole Marks; Town Clerk, and Chuck Riggins, Building Inspector.

Absent: None

Mike Hargett, Town Administrator discussed the changes that were made in Articles 1-5 and stated the changes were highlighted in yellow. Mr. Hargett discussed a memo that was received by Jack Csernecky regarding Mr. Csernecky's comments for consideration of Articles 1-5 and his comments were greatly appreciated. Also, Mr. Hargett announced there were two Planning and Zoning Board/Board of Adjustment applications received by the Town from Ms. Ruth Ann Campbell-Grothe and Ms. Carol Schwartz who reside in the Extra Territorial Jurisdiction of the Town and their names would be placed on the Board of Commissioners consent agenda for recommendation to the Brunswick County Board of Commissioners.

Chairman, Mark Brown turned the meeting over to Mr. Dale Holland from Holland Consulting Planners.

Presentation by Holland Consulting Planners:

Mr. Holland discussed the following highlights in the Articles 1-5 of the proposed UDO:

Article 1. Purpose and Applicability

- Building code by reference
- Certificate of Zoning Compliance (Section 5.3.7.1)
- Penalties/fees established in annual Town budget

Discussion on Article 1.

Proposed UDO does not include specific fees and penalties. The Town map shall be kept by the Town Clerk.

- General clarifications which apply to all zoning districts
- Private property/no Town maintenance responsibility
- Driveways on public right-of-way

Discussion on Article 2.

There was discussion and clarification on driveways and visibility, lot requirements and Sunset Clause.

Article 3. Administrative/Legislative Authority

- UDO Administrator
 - Approve minor site plans, minor subdivisions, engineering drawings, and final plats.
- Membership
 - Planning Board
 - 5 members, 4 Town/1 Brunswick County
 - Currently 7 members, 5 Town/2 County
 - Approve major site plans and major subdivisions
 - Board of Adjustment
 - 5 members & 2 alternates, 4 members & 1 alternate Town/1 member & 1 alternate County
 - Currently 5 members & 5 alternates, 4 members Town/1 member County
 - Approve appeals, variances and interpretations
 - Same members for both Boards

Discussion on Article 3.

There was clarification that the ETJ Representatives have to be appointed by the County Board of Commissioners. There was discussion on alternates for the Planning and Zoning Board and Board of Adjustment. There was discussion on notifying adjacent property owners of site work that is under consideration for minor site plans and minor subdivisions. **This section to be revised to be “Under a minor subdivision or minor site plan involving multi-family, a sign would be placed on the property by the Town Administrator for a specified amount of time, prior to approval”.** Also discussed, was personal bias and how hard that is to enforce. There was discussion of length of term for chairperson on 3.3.5.2. **This section to be revised “to a one year term that is to be decided at the January meeting”.**

Article 4. Legislative/Quasi-Judicial Procedures

- Quasi-Judicial
- Board of Adjustment (4/5 vote)
- Planning Board and Board of Commissioners (simple majority vote)
- Vested Rights
 - NCGS 160A-385.1
 - Two to five years
 - Building permit shall not expire

- Not significantly residential
- Not for new or revised ordinances (limited to residential)
- Reasonable length of time
- Appeals, Variances, Interpretations (Board of Adjustment)
- Appeals of Quasi-Judicial Decisions to Court System

Discussion on Article 4.

There was discussion on evidence during a Quasi-Judicial matter. **On page 4-11, section 4.4.8.1, that last sentence should read 4/5 not 1/5, to be revised to 4/5.**

Article 5. Development Review Process

- Administrative approval
 - Minor site plan (2,000 SF 1 acre)
 - Minor subdivisions (10 lots, no public dedication)
 - Engineering drawings
 - Final Plats
- Planning Board approval
 - Major site plans
 - Major subdivisions
- Legislative appeal
 - Administrative to Planning Board
 - Planning Board to Board of Commissioners
- Site Plan Requirements

Discussion on Article 5.

On page 5-18 the application fee was omitted but should be there. There was also clarification on open space. There was also discussion on bond issues.

MEMBER MANNING MADE A MOTION TO ACCEPT ARTICLES 1 THRU 5 WITH THE AMMENDED CHANGES AND REVISIONS SO IT MAY GO TO THE BOARD OF COMMISSIONERS. MEMBER O'REILLY SECONDED THE MOTION. CHAIRPERSON BROWN ASKED IF THERE WERE ANY FURTHER DISCUSSION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

COMMISSIONER BRENNAN MADE A MOTION TO ACCEPT THE RECOMMENDATION BY THE PLANNING AND ZONING BOARD TO ACCEPT ARTICLES 1 THRU 5 WITH THE AMENDED CHANGES AND REVISIONS. COMMISSIONER PRZYWARA SECONDED THE MOTION. MAYOR GOODENOUGH ASKED IF THERE WERE ANY FURTHER DISCUSSION. MAYOR GOODENOUGH CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Commissioner Davis wanted to publically thank the Planning and Zoning Board for their work.



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MEMBER MANNING MADE A MOTION TO CHANGE THE MEETING TIME OF THE PLANNING AND ZONING BOARD'S REGULAR SCHEDULED MEETING ON MARCH 26, 2012 FROM 3:00 PM TO 2:00 PM TO ACCOMMODATE THE PLANNING AND ZONING BOARD TRAINING. MEMBER PECINA SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Chairperson Brown said the Nature Trail will be started this week at The Farm at Brunswick. It's been surveyed and staked off. Chairperson Brown said that D.R. Horton is doing it right.

Public Comment:

None

MEMBER MANNING MADE A MOTION TO ADJOURN THE PLANNING AND ZONING BOARD FEBRUARY 27, 2012 MEETING. MEMBER O'REILLY SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Chairperson Mark Brown

Submitted by:
Nicole L. Marks, Town Clerk



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