



**YADKIN COUNTY
PLANNING BOARD**

Meeting Minutes
December 18, 2014

Members Present

Barry Hennings, Chairman
Jerry Hutchens, Vice Chairman
Teresa Swain
Steve Brown
Dean Swaim

Members Absent

Mark Hollar (Alternate)
Resha Peregrino-Brimah (Alternate)

Others Present:

Mike Poston, Planning & Development Director
Dawn Vallieres, County Planner

Guests

Call To Order

Chairman Barry Hennings called the Meeting to order at 7:00 PM. The attendance and quorum were noted. No alternates were needed for this meeting.

Minutes Approved

The Board voted 5 - 0 to approve the August 11, 2014 Minutes as submitted.

Old Business

There was no old business.

New Business

Director Mike Poston gave a presentation on the Mountmor project. In 2009, two large parcels had been rezoned to Residential Restricted Conditional based upon a site specific site plan for these parcels. Since that time the property has changed hands several times. There have been bankruptcies. None of the proposed development has been started. Staff cannot issue permits for anything but this specific site plan. The surrounding area is rural agricultural and returning to this zoning would be consistent with the historical zoning. The Future Land Use Map shows this area as rural agricultural. Permitted land uses by right are primarily residential. Rezoning it back to RA would allow for manufactured homes to be put there, and your typical institutional uses such as schools and fire stations. In your packet is a consistency statement. We did go from one statement for both to two statements, one consistency statement for each PIN #.

The Board members discussed the parcels' zoning. The property owner who requested the rezoning is no longer the property owner? Correct, it has been through several owners since the rezoning in 2009. The plan is really invalid, the current owner would have to come up with new plans. Can the owner put a house on one of the lots as shown ? If it



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was in the manner prescribed, probably so, but this is really more appropriate avenue to take due to the time frame and the lack of vesting.

Dean Swaim made a motion to recommend to the Board of County Commissioners approval of a change from Residential Restricted Conditional District to Rural Agricultural District for PIN# 4859 (00) 418915 and PIN# 4859 (00) 876733 and to approve the zoning consistency statements for each parcel as presented to the Board in the meeting tonight. Jerry Hutchens seconded the motion. The motion passed 5-0.

Other New Business

There is a couple on Union Grove Church Road who would like to turn an old house across the road from their home into a florist shop. The Conditional Use Permit for Small Shops allows for up to 1000 sq feet and this house happens to be about 1200 sq ft. Director Mike Poston explained that there was not a clear path for staff to approve this. There is a house and a studio house. The studio house is where they would like to put the florist business. It is about 1240 sq ft. The standard for a Conditional Use Permit for small shops permits buildings up to 1000 sq ft for small scale businesses. The definition of small scale can be changed but larger buildings could change the nature of a residential area. This specific request does not raise any red flags but these standards have to be enforced county wide.

A variance from the standards was discussed but would not be appropriate because if the applicant cannot meet the Conditional Use Permit standards then the Board of Adjustment would likely not be able to approve it.

The other option is a Conditional Use Permit for Home Occupation of a Commercial Area which requires that the business owner must live on the same parcel as the business. These applicants live directly across the road from the proposed florist shop.

A rezoning would not be supported by the Land Use Plan. There are some buildings that have been used for commercial purposes but the Land Use Plan does not reflect that.

Can they combine the tracts? No, because they are divided by a state maintained road. Is the 1200 sq ft based solely off the tax records? No, the tax records show it and Mr. Chopin also measured it.

Perhaps allowing the business use on contiguous properties or adjacent properties? This would require a text amendment.

The proprietor raises some of her own flowers but not all the flowers are grown on the property so it does not quite fall under the bona fide farm regulations.



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The idea of repurposing a building was discussed. Building size for businesses can impact traffic flow. Impacts to the community were discussed. Existing buildings being an already existing part of the neighborhood was discussed. The landowner's had also discussed having weddings, photography, etc. at this location.

Staff and Board members were asked to think about this and look at the ordinance for the next meeting.

The Watershed Ordinance was mentioned. It has not met in a few years. The members' terms have all expired. It is probably best to combine the Watershed Board with the Board of Adjustment. They are both quasi-judicial in nature. We will likely have a February meeting to discuss text changes for this.

The 2015 meeting schedule was discussed. Barry Hennings made a motion to approve the schedule as submitted. Dean Swaim seconded the motion. The vote was unanimous 5-0.

Board Comments

There were no Board comments.

Adjournment

Chairman Barry Hennings called for a motion to adjourn. A motion was made and seconded. The Board voted 5 - 0 to adjourn. There being no further business, the meeting was adjourned at 7:55 PM.

Respectfully Submitted,

Dawn Vallieres
Secretary to the Planning Board

Approved on _____ 2015