

TOWN OF ABERDEEN
PLANNING BOARD REGULAR MEETING
August 17, 2000
Minutes

Members Present: Jim Thomas, Chairman
Sherrill Lee
Mark Edwards
Mike Dunn
Maurice Holland

Members Absent: Linda Duncan

Staff Present: Giles Hopkins, Planning Director
Tom Marsh, Code Enforcement Officer
Heather Brown, Secretary to the Board

Chairman Thomas called the meeting to order at 7:00 PM.

Mr. Sherrill Lee made a motion, seconded by Mr. Maurice Holland, to approve the minutes of the Regular Meeting of July 20, 2000 as presented. The motion was unanimously approved.

New Business:

Mr. Hopkins presented Preliminary Plat PLP#00-03 and Final Plat FP#00-03 by Lee Paving Company to reconfigure 35.24± acres they own from two (2) parcels/lots into three (3) parcels/lots. After discussion, a motion was made by Mr. Mark Edwards, seconded by Mr. Lee, to approve and recommend to the Town Board of Commissioners that Preliminary Plat PLP#00-03 be approved and that Final Plat FP#00-03 be approved, subject to approval of Preliminary Plat PLP#00-03 by the Town Board of Commissioners. The motion was approved 5-0.

Mr. Hopkins presented Application for Rezoning RZ#00-06 by Lee Paving to rezone property located on the northwest side of Lee Paving Drive from R-20 Residential District to I-H Industrial District (Heavy). Mr. Hopkins explained that the I-H Industrial District (Heavy) included any heavy industry and this rezoning would bring the property into compliance for the purpose it is currently being used for. After discussion, a motion was made by Mr. Holland, seconded by Mr.

Edwards, to approve and recommend approval of Application for Rezoning RZ#00-06 to the Town Board of Commissioners. The motion was approved 5-0.

Mr. Hopkins presented Site Plan Review SP#00-08 for three buildings by Perry Johnson. Mr. Hopkins informed the Board that the buildings were to be located on Lot 19 on Ridge Line Road in the Sandy Mine Commerce Park which is currently zoned C-I Commercial Industrial (Light). Mr. Mike Dunn asked if the buildings would be built completely of metal/steel frame and exterior. Mr. Hopkins advised that this was Mr. Perry's current intentions and such buildings are allowed in this zoning district. Chairman Thomas inquired as to whether or not this property was located in a Watershed District and Mr. Hopkins informed him that it is not. After discussion, a motion was made by Mr. Dunn, seconded by Mr. Lee, to approve and recommend approval of Site Plan SP#00-08 to the Town Board of Commissioners. The motion was approved 5-0.

Mr. Hopkins presented Application for Conditional Use CU#00-09 submitted by Jackie Speight to allow construction of two family dwellings (duplexes) in an R-10 Residential District. Mr. Hopkins stated that the property is located at the end of and on either side of Woodgreen Drive and consists of ten (10) lots having lot numbers 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40. Approval of the Application for Conditional Use will allow one (1) duplex on each lot. After discussion, a motion was made by Mr. Lee, seconded by Mr. Holland, to make the following findings:

- A. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- D. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural

- appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within in the neighborhood;
- E. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
 - F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
 - G. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the Board of Commissioners pursuant to the recommendation of the Planning Board.

and to approve and recommend to the Town Board of Commissioners that Application for Conditional Use CU#00-09 be approved. The motion was approved 5-0.

Mr. Hopkins presented Proposed Zoning Code Text Amendment ZA#00-04 concerning Landscaping and Buffering for new development. Mr. Hopkins informed the Board that he presented this draft to the Town Board of Commissioners at their August 3, 2000 workshop and recommended that they take no action on the proposed amendment until the Planning Board had an opportunity to review and make a recommendation regarding the current draft. Mr. Hopkins also informed the Board that after speaking with the Town Attorney, Michael Brough, he had concerns regarding the amendment and would like some additional time to look into the matter. Chairman Thomas directed that unless there was objection, discussion of Proposed Zoning Code Text Amendment ZA#00-04 will be deferred until a later date.

Mr. Hopkins presented Proposed Zoning Code Text Amendment ZA#00-05 concerning clarification of when “fowl” are objectionable uses in residential districts. Mr. Hopkins advised that this amendment is made in an attempt to rectify a current situation and prevent similar situations from occurring within the Aberdeen

Jurisdiction. He also reported that the Town has another ordinance, which is only for in-town (but that is not relative to Planning) concerning animals, which can also be amended to help address the situation. After discussion, a motion was made by Mr. Dunn, seconded by Mr. Holland, to approve and recommend approval of Proposed Zoning Code Text Amendment ZA#00-05 to the Town Board of Commissions with the addition of a ninety (90) day amortization period. The motion was approved 5-0

STAFF REPORT:

Mr. Hopkins asked the Board to review the recent North Carolina litigation concerning land use and development that was published in the Planning and Zoning Law Bulletin. Mr. Hopkins also reviewed Building and Zoning Monthly Summaries as well as the Status of Development Projects Approved, Pending Approval or Under Consideration with the Board.

Mr. Hopkins advised that the next Planning Board Meeting would be held on September 21, 2000.

With no further business, the meeting adjourned at 8:00 PM.

Respectfully submitted,

Heather Brown, Secretary to the Board