

**Minutes
Planning Board Meeting
September 26, 2013**

Present

Susan Drake, Chairman
Jerry Rowell
Jim Powell
Mark Traywick
Nancy Ogburn
Virginia Morgan
Rusty Johnson
Brian Weber

Others Present

Mandy Edwards, Staff
Richard Flowe

Absent

Lorraine Long

Welcome and Pledge

7:00 p.m.

Chairman Drake welcomed the members and the public to the Planning Board Meeting. After a prayer, she invited the members and the public to stand for the Pledge of Allegiance. Chairman Drake reminded the members that this meeting was a continuation of the meeting from September 12, 2013 and that they were still working from that agenda.

Ms. Ogburn said that the Planning Board needed to discuss and make a recommendation to the Town Council regarding the changes in the request for zoning on the Hasty Road properties. She said that the Town Council wanted to consider establishing zoning as a commercial district, rather than the RA-40 district that was originally proposed. Mr. Rowell reminded the members that an item could be added to the agenda with a four-fifths vote.

ACTION: Ms. Ogburn made a motion to add consideration of a request for commercial zoning on the Hasty Road properties that were annexed on August 19, 2013. Mr. Rowell seconded the motion. The motion passed unanimously. (Mr. Johnson did not vote).

Ms. Edwards asked the members to consider adding a text amendment to the agenda. She explained that it was an amendment regarding changes made in recent legislation that affect procedures for the Board of Adjustment, and become effective October 1, 2013. Mr. Rowell suggested that the text amendment be discussed after the zoning request so that any members from the public wanting to speak would not have to wait.

ACTION: Mr. Rowell made a motion to add consideration of a text amendment to the agenda. Ms. Ogburn seconded the motion. The motion passed unanimously. (Mr. Johnson did not vote).

Consideration of a Zoning Request

Establishment of Zoning request from the Town of Marshville for the Hasty Road property, further identified by Union County Parcel ID Numbers 02086016 and 02303057. Ms. Edwards presented the staff report regarding the request, stating that only two of the commercial districts (B-4 and B-6) would be appropriate for consideration on the properties based on the purpose statement for the specific districts. Mr. Rowell presented information about spot zoning and the things that must be considered in zoning a property in a way that is different from the surrounding area. Mr. Rowell said the request was not reasonable because it was not consistent with the surrounding zoning and it was not consistent with the Land Use Plan.

ACTION: Ms. Rowell made a motion to adopt the statement of reasonableness and recommend denial of a request to establish the zoning on the property as B-4. Ms. Ogburn seconded the motion. The motion passed unanimously. (Mr. Johnson did not vote).

ACTION: Ms. Rowell made a motion to adopt the statement of reasonableness and recommend denial of a request to establish the zoning on the property as B-6. Ms. Ogburn seconded the motion. The motion passed unanimously. (Mr. Johnson did not vote).

ACTION: Ms. Rowell made a motion to adopt the statement of reasonableness and recommend that the Town Council zone the property as RA-40, which was originally requested. Ms. Ogburn seconded the motion. The motion passed unanimously. (Mr. Johnson did not vote).

Consideration of a Text Amendment to the Zoning Ordinance

Chairman Drake opened the meeting to discuss the Text Amendment. Ms. Edwards presented the staff report. She explained that most of the changes were minor, and involved simple rewording. She explained that the most significant change involved voting procedures for Boards of Adjustment, and that it would reduce the required four-fifths vote for decisions to a simple majority in all cases except for variances.

ACTION: Mr. Rowell made a motion to recommend approval of the Text Amendment request. Ms. Ogburn seconded the motion. The motion passed unanimously. (Mr. Johnson did not vote).

ACTION: Mr. Rowell made a motion to go back into work session. Mr. Powell seconded the motion. The motion passed unanimously.

Mr. Flowe presented a draft version of the Marshville Town Plan. The Planning Board began review of the draft by page for correctness and content.

ACTION: Mr. Rowell made a motion to adjourn. Ms. Morgan seconded the motion. The motion passed unanimously.

