

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL
MAY 31, 2016 – 7:00 p.m.
MINUTES**

The Planning Board of the Town of Weddington, North Carolina, met in a Regular Session in the Town Hall Council Chambers, 1924 Weddington Road, Weddington, NC 28104 on May 31, 2016 with Chairman Dorine Sharp presiding.

Present: Chairman Dorine Sharp, Vice-Chairman Rob Dow, Brad Prillaman, Bruce Klink, Barbara Harrison, Jim Vivian, Gerry Hartman, Town Planner Julian Burton and Administrative Assistant Tonya Goodson

Absent: None

Visitors: Matt Mandle, B. Gritsay, Andy Gritsay, Wayne Griffin, Leslie Gaylord, Ashley Gaylord

Item No. 1. Open the Meeting. Chairman Dorine Sharp opened the meeting at 7:00 pm.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum. Town Planner Julian Burton proposed to move New Business before Old Business.

Item No. 3. Approval of Minutes.

A. April 25, 2016 Regular Planning Board Meeting Minutes. Chairman Rob Dow moved to approve the minutes from April 25, 2016. Dr. Bruce Klink seconded the motion, with votes recorded as follows:

AYES:	Vice-Chairman Dow, Prillaman, Klink, Harrison, Vivian, Hartman
NAYS:	None

Item No. 4. New Business.

A. Review and Consideration of Minor Subdivision, Bishops Creek. The Planning Board received the following memo from Town Planner Burton along with the preliminary plat and existing lot layout.

The Gritsay plat is a minor subdivision as defined in the *Weddington Subdivision Ordinance Article II Section 46-40*. One additional lot is being created, and four existing lot lines are being revised. A lot line revision is not subject to the subdivision ordinance.

General Information:

Minimum lot size - 40,000 sq. ft.

Front yard setback – 50 feet

Rear yard setback – 40 feet

Side yard setbacks – 15 feet

Minimum lot width at building line – 120 feet, measured at the front yard setback

Nonconforming Lots

The existing lot layout (see attachment) includes two easement lots (landlocked parcels that can only be accessed by an access easement). Both lots are considered legal nonconforming, because they were approved prior to being subject to the Weddington Subdivision Ordinance. Currently, the ordinance would not allow for the creation of any easement lots, unless they meet all of the conditions included in Chapter 46-76 for “Easement Lots,” including a 5 acre minimum lot size. The existing easement lots

remain as legal nonconforming lots, despite the lot-line revision, and the subdivision itself is for a new lot on Highway 84. The proposed layout includes 3 lots with road frontage, and 2 legal nonconforming easement lots.

Panhandle Lots

Lots 2 and 3 meet the requirements for panhandle lots (Section 46-75).

Access Easement

The existing access easement will be shifted to the western side of the property, and meets the town requirements for an access easement. NCDOT has provided approval for the new location of the access easement.

Additional Notes

- Existing house to be demolished prior to issuing of zoning permits
- Property to be served by Union County water and sewer

Recommended Condition of Approval

- Maintenance agreement to be reviewed and approved by Town Attorney for access easement and shall be recorded on the deeds.

Planning Board Action:

Approve/Approve with Conditions/Deny

Items Discussed:

- Gritsay is the owner's name.
- Town Planner Burton went over the existing lot layout. He pointed out there are two easement lots that can only be accessed by an easement.
- Today the Planning Board would not approve easement lots unless they met certain conditions including a 5 acre minimum. These lots do not meet that but they are nonconforming lots that were grandfathered.
- The proposed plat shows 3 lots with frontage. Lot line revisions are approved administratively.
- They are requesting that the combined lots 2 and 3 be subdivided into two lots.
- These lots were grandfathered based on the existing easement for access. Chairman Sharp asked about the viability of the lots once you shift the lines.
- Town Planner Burton said you are not changing the nonconforming aspect of the lots.
- The existing house will be demolished.
- Mr. Gritsay said that there will probably be 5 mailboxes.
- Lot 2 will have the panhandle but it won't be used. The new easement access will be used. All new lots have to have road frontage.
- Emergency vehicles will know how to find houses via GIS. Once it is entered into the County it will not be a problem.
- There will be 2 easement lots and 3 lots with road frontage. 4 lots changed configuration and 1 new lot was created.
- The easement does not affect the setbacks from the property line.
- You can't reconfigure existing lots lines creating a non access lot.
- Town Planner Burton's opinion is that it is acceptable to transfer the grandfathering of the easement lots and to move the easement access road.
- Andy Gritsay was told by a builder that it would be better to move the access road. If they started using the road in the middle it would create a bottleneck. The biggest reason for moving the road is because the property slopes down towards the flood area.

- Mr. Prillaman agrees that this is the best use of the property. He is unsure about if it is grandfathered and then it is changed, would it still be grandfathered.
- Town Planner Burton's opinion is that they can move the lot lines. Mr. Prillaman disagreed.
- Vice Chairman Dow asked how does the grandfathering affect the nonconforming use?

Vice Chairman Dow moved to approve the Bishops Creek Final Plat with the above condition stated as modified (underlined). Ms. Barbara Harrison seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Klink, Harrison, Vivian, Hartman
 NAYS: Prillaman

B. Review and Consideration of Entry Monument application for the major subdivision, Tuscan Ridge. The Planning Board received the following memo from Town Planner Burton along with zoning permit application.

Please find a new entry monument site plan and architectural plan for the approved major subdivision, Tuscan Ridge. The applicant now proposes to place two stone columns and attached signs in the common open space located on either side of the cul-de-sac extension.

- Sign is located on both sides of the entrance. The sign is under the required maximum area of 20 square feet, and the top of the sign is less than 7 feet tall.

Recommended Condition Approval:

1. All lighting to meet the Town of Weddington lighting ordinance

Planning Board Action:

Approve/Approve with Conditions/Deny

Vice Chairman Dow moved to approve the entrance monument for Tuscan Ridge. Mr. Prillaman seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Prillaman, Klink, Harrison, Vivian, Hartman
 NAYS: None

Item No. 5. Old Business.

A. Review and Consideration of Text Amendment to Section 46-46 to require notification of blasting and approved blasting permit.

The Planning Board decided to continue this topic as Old Business at the June Planning Board Meeting.

B. Review and Consideration of Text Amendment to Section 58-4 to define Foundation Survey. The Planning Board received a copy of 58-4, 58-208 and 58-234.

Chairman Dorine Sharp suggested the agenda be amended as follows (underlined):

- B. Review and Consideration of Text Amendment to Section 58-4 to define Foundation Survey and 58-234.

Ms. Harrison moved to modify the agenda. Dr. Klink seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Prillaman, Klink, Harrison, Vivian, Hartman
NAYS: None

Vice Chairman Dow moved to send the Text Amendment 58-4 to Council with a favorable recommendation. Mr. Prillaman seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Prillaman, Klink, Harrison, Vivian, Hartman
NAYS: None

Chairman Sharp suggested the following change to 58-234 #7 (underlined):

Subsequent to the issuance of a zoning permit for a building or structure the board of adjustment shall have no authority to issue a variance for a waiver of a setback.....

Vice Chairman Dow moved to send 58-234 Text Amendment with the above underlined change to Council with a favorable recommendation. Mr. Gerry Hartman seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Prillaman, Klink, Harrison, Vivian, Hartman
NAYS: None

Item No. 6. Update from Town Planner. The Planning Board received the following memo from Town Planner Burton.

SUBDIVISIONS

- The Falls at Weddington has submitted a final plat application for Phase I Map II and it will be on the June Planning Board agenda.

Conditional Rezoning

- Threshold Church has submitted a conditional rezoning application for Phase II of the church's development plan. They have submitted a final TIA for review and the next step will be to review the CZ application and schedule PIMs.

Item No. 7. Other Business.

A. Report from the May Town Council Meeting. The Planning Board received a copy of the agenda from the May 9, 2016 regular Town Council Meeting.

Item No. 9. Adjournment. Mr. Brad Prillman moved to adjourn the May 31, 2016 Regular Planning Board Meeting. Ms. Harrison seconded the motion with votes recorded as follows:

AYES: Vice-Chairman Dow, Prillaman, Klink, Harrison, Vivian, Hartman
NAYS: None

The meeting adjourned at 8:05 p.m.

Dorine Sharp, Chairman

Attest:

Tonya M. Goodson