



June 23rd, 2020 Planning Commission Meeting Minutes

Call to Order

The meeting of the Planning Commission was called to order at 5:30p.m. by Assistant Chairperson Cecil Young.

ROLL CALL

Conducted by Planning & Zoning Administrator and quorum was present

Present:

Cecil Young

Tim Todd

Chris Brenner

Brantley Enloe

Absent:

Donnie Parris

FOIA

Notice of the meeting with an agenda was publicly posted, published and forwarded to the media no less than 24 hours prior to adjournment.

Assistant Chairperson, Cecil Young, asked for a motion for the minutes of February 25th, 2020, to be approved. Tim Todd made a motion, Cecil Young seconded the motion, and the board voted all in favor.

Assistant Chairperson, Cecil Young asked for a motion for the minutes of the March 16th, 2020 workshop be approved. Tim Todd made a motion, Cecil Young seconded the motion, and the board voted all in favor.

Assistant Chairperson, Cecil Young asked for a motion for the minutes of the June 3rd, 2020 workshop be approved. Brantley Enloe made a motion, Chris Brenner seconded the motion, and the board voted all in favor.

Old Business

Lexington Place Subdivision Preliminary Plat

Assistant Chairperson, Cecil Young read into the minutes the letter from the Zoning Administrator to Roger Fisher of Holly Drive Properties. The preliminary plat was approved by default due to no review by the Planning Commission within 60 days per State Statute. Mr. Young stated that he had a concern regarding the approval by default and requested that it be put on record. His concern was over the contradiction between the executive order by Town Council regarding the covid19 and the state law requiring an approval if no action is taken within 60 days.

New Business

Discussion and Election of a new Chairperson, Vice-Chairperson and Secretary

Assistant Chairperson, Cecil Young asked for nominations for Chairperson. Tim Todd nominated Cecil Young. Cecil Young asked for a motion. Tim Todd made a motion and was seconded by Chris Brenner. The board voted 3-1 in favor.

Assistant Chairperson, Cecil Young asked for nominations for Vice-Chairperson. Chris Brenner nominated Tim Todd. Cecil Young asked for a motion. Chris Brenner made a motion and was seconded by Brantley Enloe, and the board voted all in favor.

Assistant Chairperson, Cecil Young asked for nominations for Secretary. Chris Brenner nominated Brantley Enloe. Cecil Young asked for a motion. Chris Brenner made a motion and was seconded by Tim Todd and the board voted all in favor.

Revised Preliminary Subdivision Plat Review, Hampton Hills Subdivision

Assistant Chairperson, Cecil Young asked if there was anyone representing Hampton Hills Subdivision. Melanie Giles from Bluewater Civil Design made a presentation to the board. Cecil Young asked if the board had any questions for Ms. Giles and there were none. Mr. Purchase provided the staff report to the board. Cecil Young asked if the board had any questions for Mr. Purchase. Cecil Young asked if there were any other changes besides the entrances on the revised plat. Mr. Purchase stated that the numbering of the lots and the layout of the detention pond were the only changes. Cecil Young asked for a motion. Chris Brenner made a motion to approve the revised preliminary plat and was seconded by Brantley Enloe. The board voted all in favor.

Revised Preliminary Subdivision Plat Review, Elliott Park Subdivision

Assistant Chairperson, Cecil young asked if there was anyone representing Elliott Park Subdivision. No one was present to answer any questions. Mr. Purchase provided the staff report to the board. Cecil Young asked if the board if they had any questions. The board did not have any questions for Mr. Purchase. Cecil Young asked for a motion. Tim Todd made a motion to approve the revised preliminary plat and was seconded by Chris Brenner. The board voted all in favor.

Proposed Amendments to the Zoning Ordinances

(i) Amending Zoning Code Section 710: Appearances of Fences and Walls, with proposed revision replacing “Appearance of Fences and Walls” with “Fences and Walls Zoning Requirements for all Residential Districts and Commercial/Industrial Districts”. Mr. Purchase provided the staff report to the board and stated that the proposed amendment will provide more detailed requirements for height, location, finish as well as enclosures for swimming pools and prohibitions for fences and walls. Assistant Chairperson Young opened the meeting for public comments. Resident James Fowler asked a question to Mr. Purchase if there would be any setback requirements for the fences. Mr. Purchase stated that there would be no setback requirements other than the fence or wall had to be within the property lines. Mr. Fowler also asked if this amendment would require all existing fences or walls to come into compliance. Mr. Purchase replied that the proposed amendment would only be for new fences and walls installed after the ordinance was approved by Council. Assistant Chairperson Young asked if anyone else would like to speak. No one else came forward. Mr. Young asked for a motion. Tim Todd made a motion to recommend approval of the amendment to the Town Council and was seconded by Brantley Enloe. All voted in favor.

(ii) Proposed Amendment creating a new Zoning Code Section 822: Temporary Structures. Mr. Purchase presented the staff report to the board. Mr. Purchase stated that this amendment will provide regulations for temporary structures by type, location and time frame for keeping the structures on the premises. Mr. Purchase also added that we currently do not have an ordinance that addresses temporary structures such as PODS and construction trailers/offices. Mr. Young opened the meeting for public comments. There were no comments from the public. Mr. Young asked for a motion. Tim Todd made a motion to recommend approval of the amendment to the Town Council and was seconded by Chris Brenner. All were in favor.

(iii) Amending Town Code Section 1004 of the Town Zoning Ordinance relating to the time period for Appeal to the Zoning Board of Appeals. Mr. Purchase presented the staff report to the board. Mr. Purchase stated that the purpose of the amendment is to provide a specific time period to file an appeal to the Board of Zoning Appeals with the Zoning Administrator and be consistent with the appeal section of the International Property Maintenance Code. Mr. Purchase stated that our current code only states an appeal shall be taken within a “reasonable time”. Assistant Chairperson Young asked if there were any public comments. There were no comments from the public. Mr. Young asked for a motion. Tim Todd made a motion to recommend approval of the amendment to Town Council and was seconded by Chris Brenner. All were in favor.

Proposed Amendments to the Land Development Regulations

(i) Proposed amendment creating a new Section 6.1 Letter D: Subdivision Screening, page 25. Mr. Purchase presented the staff report to the board. Mr. Purchase explained to the board, that this proposed amendment will provide a landscape buffer to obscure the structures in the subdivision from view from the adjoining roadways. Mr. Young asked if there were any public comments. Resident James Fowler asked if there were going to be any bufferyards between developments. Mr. Purchase stated at this time, there was no staff discussion to add bufferyards between developments. Mr. Fowler told the board that they should consider adding a requirement for bufferyards between developments or different zoning districts. Mr. Purchase told the board that he will do research on other cities and towns ordinances on this issue and bring it back to the board for consideration. With no further public comments, Mr. Young asked for a motion. Chris Brenner made a motion to recommend approval of the amendment to Town Council, and was seconded by Tim Todd. All were in favor.

(ii) Proposed amendment creating a new Section 6.1 letter E: Common Open Space Requirements, page 25. Mr. Purchase presented the board with the staff report. Mr. Purchase explained to the board the purpose of this amendment is to provide designated open space for all new developments that have more than 25 units. Mr. Purchase added that only our Patio Home District currently requires an open space designation. Mr. Young asked if there were any public comments. Resident, James Fowler questioned Mr. Purchase if subdivisions or developments are required to have H.O.A's. Mr. Purchase stated he believed that the state requires all developments to have an H.O.A. prior to completing the last home. Mr. Enloe asked if it was a certain completion of the development, like 75% . Mr. Purchase concurred that he believes that may be true. Mr. Fowler asked who would be responsible for the maintenance of the common open space if there was no H.O.A. Mr. Purchase stated that the owner would be required to maintain the common open space. Mr. Fowler inquired if Mr. Purchase new how many H.O.A's were in the Town of Lyman. Mr. Purchase stated he did not know how many were in the town. Mr. Brenner asked if retention ponds counted towards common open space. Mr. Purchase stated that retention ponds would not count towards common open space. With no further public comments or questions from the board, Mr. Young asked for a motion. Tim Todd made a motion to recommend approval of the amendment to Town Council and was seconded by Chris Brenner. All were in favor.

Adjourn

Assistant Chairperson Young asked for a motion to adjourn. Brantley Enloe made a motion to adjourn and was seconded by Tim Todd. The board voted unanimously to adjourn the meeting at 6:15pm.