

Duplin County Planning Department

County Administration Building
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Minutes Duplin County Planning Board 02-10-2009

- Members Present** Marshall Britt, J.B. Merritt, Bobby Jean Rivenbark Charles Edwards Jr. and Gerald Bell
- Members absent** Tina Murphy
- Others Present** Randall Tyndall, Johnnie Williams, Commissioner Harold Raynor, and concerned citizens from the Cedar Fork Community

A meeting of the Duplin County Planning Board was held at the County Commissioners Board Room on February 10, 2009. The meeting was called to order at approximately 7:30 p.m. The meeting was not recorded due to a computer problem that could not be resolved after 2 telephone calls and additional staff attempts. Mr. Kenneth Brinson and all present at the meeting were informed. The Chairman of the Planning Board advised those present of the difficulties and directed the meeting proceed.

A moment of silence was taken due to the passing of former Planning Board member, Violet Phillips passing. Ms. Phillips had been a charter member of the planning board and had served for more than 25 years. Her passing was acknowledged as being a tremendous loss to the community for all of her efforts. A condolence card was forwarded to her family signed by all board members.

Members were requested to review and approve, disapprove or amend the minutes of the 01-13-2009 meeting. Member Edwards had asked that an e-mail sent by the County Attorney be reviewed and the board re-clarify his exclusion on the CEDARWOOD project due to a conflict of interest. Additional discussion was made and the board would discuss Member Edwards authority to vote at a later time. A motion to made, seconded, and approved to record the minutes as written.

The board members were requested to review the draft agenda and provided additions, deletions, and amendments. No additions were made by the board members, but County Planner Tyndall requested that the Kevin Crissey plat be considered at the request of Surveyor Johnnie Williams. The addition was allowed.

The board members were requested to review the agenda and disclose any potential “conflicts of interest”. None were disclosed

Under OLD BUSINESS, a sketch plan was presented on behalf of Woodrow Hall who wished to create an additional lot along a 30ft private easement. A motion was made, seconded, and denied to approve this division of property until a 50ft easement could be acquired. The owner was advised to seek an additional 20ft easement from Mr. William H. James.

County Planner Tyndall advised the board that no additional plats or information had been forwarded to the board at this time for consideration for the Cedarwood Subdivision. Discussions were made regarding requirements for additional setbacks as allowed in paragraph 404.4 of the current subdivision ordinance. Considering guidance and clarification of our County Attorney, it was determined that the Planning Board did have the authority to impose an additional 25 ft buffer in multi-family housing developments.

The draft Minimum Housing Ordinance was discussed and the County Planner was directed to request that the Environmental Health and Building Inspections department have representatives at the next Planning Board meeting to discuss details of the proposed changes in the ordinance.

Under NEW BUSINESS, the following items were discussed.

Down East Homes wished to develop 3 parcels of land off of a private easement. Note: 1 additional lot is served by NCSR 1540 (Earl Price Road). A motion was made seconded and passed by majority vote to approve the plat.

General Outlaw Heirs wished to divide family owned property into 4 tracts. 2 tracts are accessed along a 50 ft private easement beginning on Kitty Noecker Road on the west end of Tract C and accessing Tract B and A. A motion was made seconded and passed by majority vote to approve the plat.

Wesley Keith Miller wished to combine 0.29 acres to an existing parcel off of Kator Dunn Road. A motion was made seconded and passed by majority vote to approve the plat.

Edmond Baines Brinson Jr. wished to develop 2 each 1.50 acre lots along a 60 ft private lane (Chicken Farm Lane) near Cypress Creek. A motion was made seconded and passed by majority vote to approve the plat.

Richard Dorn wished to create 1.67acre lot along NC Hwy 111 near Fountaintown community. This parcel did not have minimum road frontage but an adjacent 50 ft wide easement was plated. A motion was made seconded and passed by majority vote to approve the plat.

Robert Walker wished to combine 1.293 acres of land to an existing parcel of 10.82 acres in order to gain relief due to the house set back (too close to line). A motion was made seconded and passed by majority vote to approve the plat.

Catherine A. Quinn Coffey wished to create 2 parcels of land off of a private road beginning at the end of HH Quinn Road. This private road already serves more than the maximum allowed per Section 303.2A (maximum of 3). Hard copy of plat presented for review. A motion was made seconded and denied by majority vote to approve the plat. The board recommended that the owner either pave the existing 50 ft ROW or to develop an alternate private road to this parcel. NOTE: On February 11th, a meeting with the owner was conducted and details of these alternatives were discussed.

Kevin Gene Crissey wished to create a 0.62 acre lot off of an existing 30 ft private easement known as David Murphy Lane – variance of 50 ft requested due to family division of land. A motion was made seconded and passed by majority vote to approve the plat.

The County Planner presented to the Planning Board the recommendation of the Voluntary Agriculture District Board that they consider establishing changes in the revisions of the subdivision ordinance that would require that the plat denote any voluntary agriculture districts within ½ mile of the subdivision in order to provide additional notification of prospective owners. Discussions were made by Planning Board members and it was acknowledged that this additional requirement would not solve the concerns of the Cedarwood proposal, but could have a direct impact on future developments upon adoption of a revised/amended subdivision ordinance.

The Animal Waste application setbacks as found in SB 1217 and provided from NC Soil and Water office were discussed by the board, but it was determined that this did not fully address herbicide/pesticide or poultry waste concerns.

The e-mail from County Attorney advising clarification of the set backs and other concerns of Member Edward was reviewed by the board and previous decisions as listed above were acknowledged.

A copy of the Citizen Planner Module 5 – Land Subdivision Control prepared by the Institute of Government (IOG) UNC-Chapel Hill was forwarded to the board and time for questions/instructions was made. The board requested additional time to review and come back with questions.

Chairman Britt provided photo's of houses within his neighborhood that may not be in compliance with considered Minimum Housing Standards Ordinance. The photos were reviewed by board members.

Under OTHER ITEMS the following were discussed:

County Planner Tyndall made comments on the status of the Airpark Ordinance(s). He stated that a special meeting was scheduled with Airport Commission, Consultants, FAA officials, Planning Board and citizens for February 24, 2009 at 7:00 p.m. at Duplin Commons Auditorium and that the board members were requested to be present. He also stated that the ordinance was scheduled for a public hearing on March 2, 2009 with the Duplin County Board of Commissioners.

The board members were given a time to discuss and/or clarify ordinances, bylaws, long-short range goals, or training of new policy/techniques. Some discussions were made as to the additional information provided by the planning department.

Having no additional business, the next meeting scheduled for March 10, 2009 was announced and the meeting was adjourned at approximately 10:30 p.m.

The next meeting is scheduled for March 10, 2009 at the County Administration Building at 7:30 p.m.

Submitted,

Randall G. Tyndall, County Planner