

IREDELL COUNTY PLANNING BOARD

The Iredell County Planning Board met on Wednesday, August 1, 2007 at 7:00 p.m. in the Commissioners Meeting Room of the Iredell County Government Center (Old Courthouse) at 200 S. Center Street in Statesville, NC.

MEMBERS PRESENT

Eric Fields, Chairman
Dr. Jackie Grigg, Vice-Chairman
Anita Johnson
Jeff McNeely
Kristi Pfeufer
Harold Pruitt
Jerry Santoni
Thomas E. Stephens
Harry Tsumas, Jr.
Alan Williams

STAFF PRESENT

Ron Smith
Rebecca Harper

MEMBERS ABSENT

Gene Mahaffey

At this time, Chairman Fields called the meeting to order.

MINUTES: Dr. Grigg made a motion to approve the 7/11/07 meeting minutes. Mr. Pruitt seconded said motion and all agreed. **VOTES: 10-0.**

REZONING REQUEST; MICHAEL L. & KRISTINE S. PEEBLES PROPERTY, CASE NO. 0708-1: *Rebecca Harper presented the staff report:*

OWNERS/APPLICANTS: Michael L. and Kristine S. Peebles
1355 Oakridge Farm Highway
Mooresville, NC 28115

LOCATION: 1349 Oakridge Farm Highway, more specifically a portion of PIN# 4677-57-9538. **Directions:** Highway 150 east (Oakridge Farm Highway), the property is on the left just past the Landis Highway split.

REQUESTED ACTION AND CONDITIONS: Amend the Land Use Plan and rezone the portion of the property that is NB, Neighborhood Business Zoning District to GB CUD, General Business Conditional Use Zoning District with the following conditions:

- Allow all NB uses
- Allow the following GB uses
 - ♣ Auto repair & service
 - ♣ Auto towing & storage
 - ♣ Auto sales & service
- Limited to one driveway access

PROPOSED USE: Auto repair, tire and service center is proposed.

SIZE: The property is 3 acres, with approximately half being rezoned from NB to GB.

EXISTING LAND USE: Residential.

SURROUNDING LAND USE: Residential and commercial.

WATERSHED REGULATIONS: This property is located in the Back Creek WS II-Balance of Watershed.

TRAFFIC: According to the 1993 Iredell County Thoroughfare Plan, the capacity for this stretch of Highway 150 is 10,500 vehicles per day. In 2005, the estimated daily traffic count was 5,100 vehicles per day.

ZONING HISTORY: This property has been zoned NB since County-wide zoning went into effect in 1990. The property to the west that is zoned HB CUD was rezoned in February 2006. The property to the west that is zoned GB has been designated as such since 1990 as well.

OTHER JURISDICTIONAL INFORMATION: This property is not currently within the future land use plan for the Town of Mooresville. However, they are currently in the process of adopting their 2030 Land Use Plan. This property is identified as Rural Residential in the plan.

STAFF COMMENTS: The property is currently zoned for Neighborhood Business uses. Although the property is not directly located within the commercial node designated on the County Land Use Plan, the property was initially zoned for commercial uses when county-wide zoning went into effect. Existing commercial uses in the area include an automobile repair shop, motorcycle sales, flag/ice cream store, and a trailer storage yard. Traffic counts are less than half of the road capacity. Therefore, the change should not negatively impact the area. There is already a trend to convert residential units to commercial with the conversion of a residence to a flag/ice cream store. Due to its location near the intersection of two major highways, current zoning designation for commercial uses, proximity to a proposed commercial node on the County Land Use Plan, the proposed conditions, existing commercial properties, trend for conversion from residential to commercial uses, and lack of potential impact on traffic, the Planning staff recommends in favor of this request.

Chairman Fields asked the applicant if they would like to add anything to the staff comments. Mr. Peebles stated that they had eliminated the NB uses by mistake in the previous request and that it had been worked out. Mr. McNeely asked how large the storage lot would be. Mr. Peebles stated that it would be 40' x 40' and it would be screened as required by the ordinance. Mr. Peebles stated that it already had one now that is partially screened with some type of wooden fencing to match the area.

No one else was present to speak for or against the request. Mr. McNeely made a motion to recommend amending the Iredell County Land Use Plan. Dr. Grigg seconded said motion; and all agreed. **VOTES: 10-0.**

Mr. Mc Neely made a motion to recommend approval of the zoning map amendment and to advise that it is consistent with the County Land Use Plan. Dr. Grigg seconded said motion and all agreed. **VOTES: 10-0.**

PROPOSED AMENDMENT TO THE IREDELL COUNTY SUBDIVISION ORDINANCE:
Section 110 (Other Definitions), "Subdivision Review Committee": Rebecca Harper presented the staff report:

ORDINANCE: Subdivision Ordinance

SECTION: Section 110 (Other Definitions)

Subdivision Review Committee. A committee appointed by the Board of Commissioners to review all major subdivision preliminary and final plats and to make recommendations to the Subdivision Administrator to approve, approve with conditions, or disapprove such plats. The committee shall consist of ~~nine~~ **eleven** members as follows:

- The Subdivision Administrator (or Designee),
- Two Members of the Iredell County Planning Board, ~~and~~
- **One representative from the N.C. Department of Transportation,**
- **One representative from Iredell-Statesville Schools,**
- **One representative from the Mooresville Graded School District, and**
- One representative each from the following Iredell County Offices or agencies:
 - i. Emergency Communications, Operations & Mgt. Office,
 - ii. Fire Marshal's Office,
 - ~~iii. Register of Deeds Office,~~
 - iv. Health Department,
 - v. Mapping Department, and
 - vi. Planning Department.

Of these members, the Subdivision Administrator alone shall be entitled to designate, for any meeting of the Committee which he is unable to attend, a member of the Planning Department staff to attend in his place and to cast the subdivision Administrator's vote on any matters before the Committee at that meeting.

STAFF COMMENTS: The Planning staff was directed to pursue these changes by the Board of Commissioners at their winter retreat. The changes include adding voting members from NCDOT, Iredell-Statesville Schools and Mooresville Graded School District. We are also removing a voting member from the Register of Deeds Office. This change will increase the voting members from 9 to 11.

REQUESTED ACTION: A recommendation to the Board of Commissioners is needed at this time.

After further discussion, Mr. McNeely made a motion to recommend approval. Mr. Pruitt seconded said motion and all agreed. **VOTES: 10-0.**

Chairman Fields stated that he discussed this issue with Brenda Bell, the Register of Deeds, about her role on this Committee and learned that she has no function on this Committee due to the rules that she has to abide by now. However, she had a criticism of the Committee saying that the overall quality of what is being submitted to her office for recordation is not good and is deteriorating. She would like to see it addressed. Ms. Johnson asked if she had given any specifics and Chairman Fields stated no. After further discussion concerning errors on the plats, Mr. Smith stated the Planning staff would discuss the issue with Brenda Bell and will task William (Allison) with bringing the accuracy back to where it was.

PROPOSED AMENDMENT TO THE IREDELL COUNTY ZONING ORDINANCE (For Information Only): Article III, Section 3.9, Accessory Buildings & Structures: Rebecca Harper presented the staff report:

ORDINANCE: Zoning Ordinance

SECTION: Article III, Section 3.9 Accessory Buildings and Structures

Section 3.9 Accessory Buildings and Structures

Accessory buildings and structures shall **meet** ~~be exempt from setback and yard requirements provided they are located in accordance with~~ the following requirements:

- A. In residential zoning districts, accessory buildings and structures:
1. Shall not be erected in front of the front building line of the principal structure, except as provided for in B. below;
 2. Shall not be erected within twenty-five (25) feet of any side street on a corner lot;
 3. Shall not be erected within ten (10) feet of any property line not a street line or within ten (10) feet of any other building on the same lot;
 4. Shall not exceed the height limitation of the ~~district in which located unless otherwise exempt or specifically regulated by this Ordinance~~ **principal structure**;
 5. ~~Shall not exceed a maximum total area of fifty (50) percent of the gross floor area of the principal building or six hundred (600) square feet whichever is greater; and, shall not cover more than (30) percent of any rear yard, excluding privately owned airplane hangers:~~
 - 5.1. ~~May exceed twelve hundred (1200) sq. ft. in the R-20 and RU-R districts subject to the following restrictions:~~
 - a. ~~On a parcel of land less than two (2) acres in size, no building shall exceed two thousand (2000) sq. ft., nor be located closer than fifty (50) feet to any exterior property line.~~
 - b. ~~On a parcel of land two (2) acres or more in size, no building shall exceed thirty five hundred (3500) sq. ft., nor be located closer than fifty (50) feet to any exterior property line.~~
 - 5.2. ~~In the RA district no accessory building shall cover more than 30% of the rear yard.~~

5 The size limitations for accessory buildings are as follows:

- a. **In the RA district the following restrictions apply:**
 - i. **On tracts of land less than 5 acres, the total square footage of all accessory buildings and structures shall not exceed 3500 square feet.**
 - ii. **On tracts of land 5 acres or more, there shall be no combined total square footage requirement, however no one (1) accessory building or structure's square footage shall exceed 3500 square feet.**

1. May be located in front of the front building line of the principal building, but shall follow the same front yard setback as the principal building;
2. Shall comply with A (2),(3) and (4) above.

STAFF COMMENTS: The Planning staff would like to submit these changes to the Accessory Buildings and Structures section of the Zoning Ordinance. This has been a difficult section for the staff to administer, and the public to understand based on the confusing way the way the text is worded. Therefore, we have attempted to clarify the standards, while not changing the intent.

REQUESTED ACTION: No action is need at this time. This submittal is for information purposes only.

The Board had open discussion but no action was taken.

GROWTH STUDY IMPLEMENTATION DISCUSSION: Mr. Smith opened the discussion by notifying the Board of the joint meeting with the County Commissioners on September 6th dedicated to planning issues. It will be located at Spring Hill Suites in Mooresville from 7:30 am to 12:00 pm. Mr. Smith stated that we will go through the recommendations from the Growth Study and go through with some prioritization, what we have been doing, and where we currently are. Mr. Smith also brought the Board up to speed on some of the projects the Planning staff is currently working on; including the following: Subdivision rewrite, the Demographic Study for all of Iredell County, the SRC amendment, the Perth Road Small Area Plan, Growth analysis for rezonings, and a Roadway Protection Overlay and Land Use Plan for the Town of Troutman.

MONTHLY COMMITTEE ASSIGNMENTS: Mr. Santoni & Mr. Pruitt volunteered to attend the August 15th Subdivision Review Committee meeting at 10:00 a.m. in the Building Standards Center. Mr. Pruitt, Mr. Williams, & Mr. McNeely volunteered to go on the site visit for next month's request on Tuesday, August 21st.

ADJOURNMENT: There being no further business, Chairman Fields declared the meeting adjourned at 8:45 p.m.

Rebecca Harper
County Planner

Date Read and/or Approved