

Charles C. Morris,
Chair
Town of Linden
Donovan McLaurin,
Vice-Chair
Wade, Falcon & Godwin



Thomas J. Lloyd,
Director
Cecil P. Combs,
Deputy Director

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Pat Hall,
Town of Hope Mills

COUNTY of CUMBERLAND

Planning and Inspections Department

Clifton McNeill, Jr.,
Roy Turner,
Lori Epler,
Sara E. Piland,
Cumberland County

MINUTES
MAY 15, 2007

Members Present

Mr. Charles Morris, Chair
Mr. Donovan McLaurin, Vice-Chair
Mr. Clifton McNeil
Mrs. Patricia Hall
Mrs. Sara Piland
Mr. Garland Hostetter
Mr. Roy Turner
Mr. Harvey Cain, Jr.
Mrs. Lori Epler

Others Present

Mr. Thomas Lloyd, Director
Mr. Cecil Combs, Deputy Director
Mrs. Laverne Howard
Mr. Grainger Barrett, County Attorney
Ms. Donna McFayden

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Donovan McLaurin delivered the invocation and led those present in the Pledge of Allegiance.

- II. ADJUSTMENTS TO AGENDA - Mr. Lloyd requested that case P07-44 and P07-32 be moved from Consent to Public Hearing. Chair Morris requested that extension of Planning Board term be added under discussion.

A motion was made by Mr. McNeil, seconded by Mrs. Epler to accept the adjustments to the agenda. Unanimous approval.

III. PUBLIC HEARING WITHDRAWAL

- A. **P07-43:** REZONING OF THREE PARCELS TOTALING 61.44 ACRES FROM A1 TO R40, LOCATED AT THE NORTH AND EAST SIDE OF SOUTH RIVER SCHOOL ROAD, WEST OF COLLIER ROAD, SUBMITTED BY BOBBY H. WASHINGTON, OWNED BY JANICE E. MCMILLAN.

Mr. Lloyd informed the Board that the applicant had withdrawn his case and it would not be heard tonight.

IV. PUBLIC HEARING DEFERRALS

- A. **P07-22:** REZONING OF 2.2 ACRES FROM A1 TO R20 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 871 REMLEY COURT, OWNED BY BRIAN DAIGNEAULT.

Chair Morris informed the audience that P07-22 would be deferred to the June 19, 2007 meeting.

- V. ABSTENTIONS BY BOARD MEMBER - Mrs. Epler stated that she would abstain from case P07-32.

A motion was made by Mrs. Piland, seconded by Mr. McNeil to accept the abstention. Unanimous approval.

VI. POLICY STATEMENT REGARDING PUBLIC HEARINGS

Mr. Lloyd read the policy statement regarding public hearings.

VII. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF APRIL 17, 2007

A motion was made by Mrs. Piland, seconded by Mr. Hostetter, to accept the minutes as submitted. Unanimous approval.

REZONING CASES

A. **P07-34:** REZONING OF .55 ACRES FROM R6/CONDITIONAL USE TO R6, AT 137 NEW STREET, OWNED BY STANLEY AND LISA SIMMONS.

The Planning & Inspections Staff recommended approval of the R6 district based on the following:

1. Although the request is not consistent with the Spring Lake Area Detailed Land Use Plan, which calls for Planned Commercial at this location, the R6 zoning district is in character with the residential zoning surrounding the subject property on three sides; and
2. Spring Lake utilities are available to the subject property.
3. The request, if approved, will allow for removing the nonconforming status of the existing residential structure on the site.

There are no other suitable zoning districts to be considered for this site.

There was no one present in favor or in opposition to the request.

A motion was made by Mrs. Epler, seconded by Mrs. Piland, to follow the staff recommendation and approve case P07-34 as submitted. Unanimous approval.

B. **P07-37:** REZONING OF 1.0+/- ACRE FROM M(P) TO R7.5 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF GRAY GOOSE LOOP, SOUTH OF PREVIS DRIVE, SUBMITTED BY MOORMAN, KIZER AND REITZEL, INC, OWNED BY HUFF-CAVINNESS, LLC.

The Planning & Inspections Staff recommended approval of the R7.5 district based on the following:

1. The request is consistent with the 2010 Land Use Plan, which calls for Low Density Residential at this location; and
2. This request is consistent with the zoning of the surrounding area.

There are no other suitable zoning districts to be considered for this site.

There was no one present in favor or in opposition to the request.

A motion was made by Mrs. Epler, seconded by Mrs. Piland, to follow the staff recommendation and approve case P07-37 as submitted. Unanimous approval.

- C. **P07-39:** REZONING OF .72 ACRES FROM R6A TO O&I(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4924 MARKHAM STREET, OWNED BY THE TOWN OF GODWIN. (GODWIN)

The Planning & Inspections Staff recommended approval of the O&I(P) district based on the following:

1. Although the request is not entirely consistent with the 2010 Land Use Plan, which calls for Governmental and Medium Density Residential at this location, the request is consistent with the Town's future plans and would aid in making the use of the existing non-residential structure less nonconforming;
2. The subject property is served by public utilities; and
3. The request was submitted by the Town.

There are no other suitable zoning districts to be considered for this site.

There was no one present in favor or in opposition to the request.

A motion was made by Mrs. Epler, seconded by Mrs. Piland, to follow the staff recommendation and approve case P07-39 as submitted. Unanimous approval.

- D. **P07-40:** REZONING OF 3.27 ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE SOUTHEAST QUADRANT OF SANDEROSA AND BEN MCNATT ROADS, SUBMITTED BY ROBERT MCNATT, OWNED BY WANDA F. LANE.

The Planning & Inspections Staff recommended approval of the R40A district based on the following:

1. The request is consistent with the Eastover Study Area Detailed Land Use Plan, which calls for One-Acre Residential at this location; and
2. This request is consistent with the zoning and uses within the general area.

The A1A and R40 zoning districts are also other suitable zoning districts to be considered for this site.

There was no one present in favor or in opposition to the request.

A motion was made by Mrs. Epler, seconded by Mrs. Piland, to follow the staff recommendation and approve case P07-40 as submitted. Unanimous approval.

- E. **P07-41:** REZONING OF 2.0+/- ACRES FROM A1 TO R40A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4454 HUCKLEBERRY ROAD, OWNED BY CHARLIE HARRIS.

The Planning & Inspections Staff recommended denial of the R40A district and approval of the A1A district based on the following:

1. The A1A zoning district is more consistent with the Eastover Study Area Detailed Land Use Plan, which calls for One-Acre Residential at this location; and

2. A1A is more consistent with the current zoning and character of the general area.

The applicant has verbally stated his approval to the A1A zoning district and has been given a copy of the standards for a Class "A" Manufactured Home.

There are no other suitable zoning districts to be considered for this site.

There was no one present in favor or in opposition to the request.

A motion was made by Mrs. Epler, seconded by Mrs. Piland, to follow the staff recommendation and approve case P07-41 for the A1A zoning district. Unanimous approval.

CONDITIONAL USE DISTRICT AND PERMIT

- A. **P07-29:** REZONING OF 3.80 ACRES FROM R6A TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4848 SOUTH MAIN STREET, OWNED BY WILLIAM K. AND PATRICIA W. GAUTIER, SUBMITTED BY VANCE JOHNSON PLUMBING COMPANY, INC.

At the April 17, 2007 Planning Board meeting the applicant requested a deferral in order to change his request to C(P)/Conditional Use District and Permit.

The Planning & Inspections Staff recommended approval of the C(P)/Conditional Use District based on the following:

1. Although the request is not consistent with the 2010 Land Use Plan, which calls for Medium Density Residential at this location, the request is reasonable and consistent with the existing uses and zoning in the general area; and
2. The area is in transition from residential to commercial-type uses.
3. The subject property has direct access to a Major Thoroughfare.

The Planning & Inspections Staff also recommended approval of the Permit for a plumbing company office based on the following:

1. The use will not materially endanger the public health or safety if located according to the site plan as submitted;
2. The use will meet all required conditions and specifications if constructed according to the County Zoning and Subdivision Ordinance, the requirements of which are attached to this recommendation - the owner has verbally agreed to all conditions;
3. The use will maintain or enhance the value of adjoining or abutting properties. This area is becoming blighted and this development will spur increased interest in the area; and
4. The location and character of the use, if developed according to the plan as submitted, will be in harmony with the area in which it is to be located because this is a quality development that is to be landscaped, buffered, etc., and the proposed use will compliment the area.

There are no other suitable zoning districts to be considered for this site.

There was no one present in favor or in opposition to the request.

A motion was made by Mrs. Epler and seconded by Mrs. Piland to follow the staff recommendations and approve C(P)/Conditional Use District because the application is reasonable, neither arbitrary nor unduly discriminatory and in the public interest. The motion passed unanimously.

A motion was made by Mrs. Epler and seconded by Mrs. Piland to approve the Conditional Use Permit for a plumbing company office after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. The motion passed unanimously.

- A. **P07-42: REZONING OF A 13.66 ACRE PORTION OF A 203 ACRE TRACT FROM A1 TO A1/CONDITIONAL USE DISTRICT AND PERMIT TO EXPAND A QUARRY, LOCATED NORTH OF I-295, EAST OF RIVER ROAD, SUBMITTED BY PAT SHILLINGTON, OWNED BY WILLIAM GILLIS.**

The Planning & Inspections Staff recommended approval of the A1/Conditional Use District based on the following:

Although the request is not consistent with the Wade Study Area Detailed Use Plan, which calls for One-Acre Residential at this location, the district requested is reasonable and consistent with the land use of the immediate area.

The Planning & Inspections Staff also recommended approval of the Conditional Use Permit to expand a quarry based on the following:

1. The use will not materially endanger the public health and safety if located according to the plan submitted;
2. The use will meet all required conditions and specifications if constructed according to all federal and state mandates, and the County Zoning and Subdivision Ordinances, the requirements of which are attached to this recommendation;
3. The use will maintain or enhance the value of adjoining or abutting properties due to this being an expansion of an existing mine; and
4. The location and character of the use, if developed according to the plan as submitted, will be in harmony with the area in which it is to be located.

There are no other suitable zoning districts to be considered for this site.

There was no one present in favor or in opposition to the request.

A motion was made by Mrs. Epler and seconded by Mrs. Piland to follow the staff recommendations and approve A1/Conditional Use District because the application is reasonable, neither arbitrary nor unduly discriminatory and in the public interest. The motion passed unanimously.

A motion was made by Mrs. Epler and seconded by Mrs. Piland to approve the Conditional Use Permit to expand a Quarry after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. The motion passed unanimously.

PLATS AND PLANS

- A. CASE NO. 07-52: CONSIDERATION OF CASTLEBROOKE, PHASE II, SUBDIVISION REVIEW, REQUEST FOR WAIVER FROM SECTION 3.17.C, "STREET DESIGN", COUNTY SUBDIVISION ORDINANCE, LOCATION: ON THE EAST OF US HWY 401 N (RAMSEY STREET), NORTH OF SR 1704 (PALESTINE ROAD), AT THE EAST END OF LANCELOT COURT.

A motion was made by Mrs. Epler, seconded by Mrs. Piland, to follow the staff recommendation and approve the waiver for Plat & Plan Case 07-52. Unanimous approval.

VIII. PUBLIC HEARING ITEMS

- A. **P07-44:** REZONING OF 2.7+/- ACRES FROM R5 TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT THE WEST QUADRANT OF MURCHISON ROAD AND CHARMAIN STREET, SUBMITTED BY BRAD YOUNG, OWNED BY ALBERT AND SHIRLEY NORTON.

Mr. Lloyd reviewed the site information and stated that the staff recommended approval of the C(P) District based on the following:

1. The C(P) zoning district is consistent with the 2010 Land Use Plan, which calls for an Activity Node at this location;
2. The subject property is located on a Major Thoroughfare which is due to be expanded to a multi-lane facility; and
3. The C(P) zoning district is consistent with the current zoning of the immediate area.

The C1(P) zoning district is also a suitable zoning district for this site.

Mr. Lloyd stated that there was one person in opposition to speak. Chair Morris asked if the petitioner was present and asked if he wanted to address the Board.

Public Hearing opened.

Mr. Brad Young, the applicant, explained that this would be the best zoning for the property and would be happy to answer any questions from the Board.

Mr. Joseph Tolley, appeared before the Board in opposition and stated that he lived down the street from this property and owned 20 acres in the area. He told the Board he was not opposed to the commercial development, but would like the owners to submit a conceptual plan for the site. He informed the Board that strip clubs and bars had been closed down in the area and was concerned what this zoning would allow.

Mr. Albert Norton appeared in rebuttal and informed the Board that he owned Skan Electric Company and intended to build a construction facility with a showroom in the area. He told the Board he had been operating in the area for 20 years and will to continue to invest in the area. He said he also does not want bars and adult entertainment in the area either.

Public Hearing closed.

Mrs. Epler said that he was requesting C(P) zoning and asked if he considered any other commercial zoning for the property that would exclude uses opposed by the residents. Mr. Norton explained that the property that he owns is zoned C(P).

Mr. Lloyd explained that for the type of use proposed that C(P) zoning was required. Mrs. Epler asked if a Conditional Use application could be submitted excluding bars and adult entertainment. Mr. Lloyd stated that a C(P)/Conditional Use application could be done. Mrs. Epler said she would like this to be deferred so a C(P)/Conditional Use application could be submitted.

Chair Morris said this case would be deferred to the next meeting to allow time for the applicant to meet with the staff. The applicant had no objection.

B. P07-32: REZONING OF 59.71 ACRES FROM R10 TO MIXED USE/CONDITIONAL USE DISTRICT AND PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF ROCKFISH ROAD, EAST SIDE OF LAKEWOOD DRIVE, SUBMITTED BY MICHAEL TACKETT, OWNED BY LILLIE M. PATE AND HCC INVESTMENTS, LLC.

Mrs. Epler left the room.

Mr. Lloyd reviewed the site information and stated that the staff recommended approval of the Mixed/Conditional Use District based on the following:

Although the request is not consistent with the 2010 Land Use Plan, which calls for Low Density Residential at this location, the request is reasonable and consistent with the growth and development trends within the general area.

The Planning & Inspections Staff recommended approval of the Conditional Use Permit with one exception. The Staff cannot support the curb-cuts for the drive area located closest to the intersection of and having access to Rockfish Road and Lakewood Drive. The Staff recommendation is based on the following:

1. The use will not materially endanger the public health or safety if located according to the plan submitted with the elimination of the curb-cuts referenced above. The Staff strongly disagrees with the developer on this one point and notes that with both curb-cuts being located in close proximity to the intersection and directly across from a school an unsafe traffic situation would be created and the design, as proposed, will encourage "cut-through" traffic;
2. The use will meet all required conditions and specifications if developed according to the site plan and application – a copy of the ordinance provisions pertaining to this site are attached;
3. The use will maintain or enhance the value of adjoining or abutting properties in that this is a quality, well planned development that, if approved, will compliment the area in which it is proposed; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general

conformity with Cumberland County's most recent Comprehensive Land Use plan and adopted planning policies.

There are no other suitable zoning districts for this site.

Mr. Lloyd stated that there was one person in favor to speak and many to speak in opposition. Chair Morris advised the petitioner that this was a quasi-judicial hearing and had him take the oath.

Public Hearing opened.

Jackie Hairr, the applicant, stated that he tried to design a suitable neighborhood to ease traffic flow. Mr. Lloyd stated the applicant agreed not to tie into adjoining neighborhood and to provide a buffer in the area.

Richard Long appeared before the Board in opposition and stated that this is a rural area and wants to keep it that way. He feels that with the addition of multi-family dwellings and commercial facilities the area will become too urban. He would like for the developer to continue with what he was doing and keep building single family homes.

Scott Kobida appeared before the Board in opposition and recited some statistics that he found on over population, school overcrowding, increase in violence, and increase in traffic in relation to increased residential development. Mr. Kobida asked the Board to step in and not allow the rezoning.

Marianne Thomas appeared before the Board in opposition and stated that she agreed with the previous speakers. Ms. Thomas stated that her concern was about the appearance of the neighborhood and would like to see something more exact about the facilities to be built in the area.

Natalie Cox appeared before the Board in opposition and stated that she agreed with the previous speakers. Ms. Cox stated that she is opposed to a mixed use development. She wanted to know what kind of demographic survey had been done. Ms. Cox also stated that she feels the addition of condominiums and townhomes will reduce property values in the area.

Jay Dowdy appeared before the Board in opposition and stated that his main concern was about the cut through traffic, he doesn't want temporary berms. Mr. Dowdy stated that he wants something permanent to prevent an increase in traffic. Mr. Dowdy would also like the noise level protected in the neighborhood.

John Lewis appeared before the Board in opposition and stated that this plan does not concur with the 2010 Land Use Plan which calls for Low Density Residential. He stated that he would like to see the Board stick to the plan and not deviate from it.

Jackie Hairr appeared before the Board in rebuttal and informed the Board that the traffic course would eliminate any outside traffic going into the current neighborhood. Mr. Hairr stated that R10 zoning density would allow him to place five hundred more units, more than what he is proposing now. He stated that he has done extensive demographic research.

Mr. McNeil asked if there were any provisions for set asides for future right of way. His concerns are traffic and possibilities of a four lane divided highway and buffers for the surrounding areas. Mr. Lloyd stated that if there were any provisions it would be in the conditions of the application.

Mrs. Piland stated that her concerns are with traffic, and wanted to know about any conversations with the two schools directly across from the area in question about the safety of children with the increase in the traffic.

Mr. Lloyd stated that there has been conversation but no assurances that there would be a light put in, but hoping that a light will be put in.

The Public Hearing closed.

Mr. Lloyd stated that another issue would be sidewalks for safe roads to school. Sidewalks should be along Rockfish and Lakewood. The County cannot be committed to fifty percent of the cost.

Mrs. Piland stated that with twenty five hundred students between the two schools we should really be concerned about the impact this development will have on their safety.

Mrs. Hall commented on the safety of the children at the schools and the traffic. Mrs. Hall stated that this is a rural area that is becoming urban. At the possibility of this area becoming annexed by Hope Mills or Fayetteville, sidewalks would be required. Mrs. Hall stated if sidewalks were required it would decrease traffic and crossing guards would be provided so children could walk to school rather than get driven.

Chair Morris stated that infill was a large part of the 2030 plan. If the services are there they should be utilized. Chair Morris stated this is all a part of planning and development and it should be considered wisely. Chair Morris stated that if the petitioner accepts the conditions that sidewalks be required, than it should be considered.

Mr. McNeil stated in this particular case that sidewalks would be a good idea. He also likes the concept of a mixed use development. Mr. McNeil stated that he is in favor of adding sidewalks in this location as a condition.

Mrs. Piland stated that she likes the Conditional Use District but still has safety concerns.

Mr. Morris asked Mr. Hairr if he would eliminate the two stubs and if he had any objection to placing sidewalks on Lakewood and Rockfish. It was added as a condition.

Mr. Hair agreed to all, but would like to get the County to try and participate.

A motion was made by Mr. McNeil and seconded by Vice Chair McLaurin to follow the staff recommendations and approve Mixed Use/Conditional Use District because the application is reasonable, neither arbitrary nor unduly discriminatory and in the public interest. The motion passed with Mr. Turner and Mrs. Piland voting in opposition to the motion.

A motion was made by Mr. McNeil and seconded by Mr. Hostetter to approve the Conditional Use Permit after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. The motion passed with Mr. Turner and Mrs. Piland voting in opposition to the motion. The motion includes addition of sidewalks along Lakewood and Rockfish Roads.

REZONING CASES

- A. **P07-25:** REZONING OF 1.0 ACRES FROM R6A/CONDITIONAL USE TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 1227 SHAW ROAD, OWNED BY RODNEY S. GARRETT.

Mrs. Epler returned to the room.

At the April 17, 2007 Planning Board meeting the applicant requested a deferral in order to submit a C(P)/Conditional Use District and Permit to allow the addition of an office to the existing nursery/greenhouse/plant husbandry business and other permitted/special uses.

Mr. Lloyd reviewed the site information and stated that the staff recommended approval of the C(P) District based on the following:

Although the request is not consistent with the 2010 Land Use Plan, which calls for Medium Density Residential at this location, the district requested is reasonable and consistent with the current use of the property and compatible with the surrounding area.

The Planning & Inspections Staff recommended approval of the Conditional Use Permit with the added condition of limiting the use to only nursery operations/plant husbandry/greenhouse and an office, based on the following:

1. The use will not materially endanger the public health or safety if located according to the plan submitted since the use is existing and only an office is to be added;
2. The use will meet all required conditions and specifications as evidenced by the application and site plan. The applicant has been mailed a copy of the Ordinance requirements for this development;
3. The use will maintain or enhance the value of adjoining or abutting properties, in that the current property owner has cleaned up this site and the use has been in existence at this location for numerous years;
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Cumberland County's most recent Comprehensive Land Use plan and adopted planning policies.

There are no other suitable zoning districts for this site.

Mr. Lloyd stated that there was one person to speak in favor.

Rodney Garrett, the applicant, stated that he has complied with all of the requests that were asked of him, including applying for a Conditional Use Permit which would exclude adult entertainment.

The Public Hearing closed.

Chair Morris stated that he was concerned about the traffic count already at 15,000 and with Bragg Blvd. closing that would increase traffic coming through this area.

Mr. Lloyd stated that the Planning Department has been asked to try and come up with a Mixed Use Plan for the Shaw Heights area.

A motion was made by Vice Chair McLaurin and seconded by Mr. McNeil to approve the C(P)/Conditional Use District because the application is reasonable, neither arbitrary nor unduly discriminatory and in the public interest. The motion passed unanimously.

A motion was made by Vice Chair McLaurin and seconded by Mr. McNeil to approve the Conditional Use Permit after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. The motion passed unanimously.

B. P07-33: REZONING OF 2.9 ACRES FROM R40A TO R30A OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 804 MAGNOLIA CHURCH ROAD, SUBMITTED BY KATHY BUNCE, OWNED BY BETTY A. AUTRY.

Mr. Lloyd reviewed the site information and stated that the staff recommended denial of the R30A district based on the following:

1. The R30A district is not consistent with the 2010 Land Use Plan, which calls for "farmland" at this location; and
2. The current zoning is consistent with the character of the general area.

There are no other suitable zoning districts to be considered for this site.

Mr. Lloyd stated that there was one person to speak in favor.

Kathy Bunce, the applicant, stated that she just wants her son to be able to place a new manufactured home on the property. She was advised that she had to have the land surveyed and put into three lots which she has done. All she wants to do is keep the land in the family and have her son put his house there. Ms. Bunce said that the old mobile home is being used for storage right now and has been there for years.

Chair Morris asked if there was already a house and two mobile homes already there.

Ms. Bunce stated that she was advised with the current zoning the existing mobile home would need to be turned into a storage unit or removed.

Vice-Chair McLaurin asked that all she basically wanted to do was remove the old mobile home to place the new one there.

Ms. Bunce stated that her sister wants to keep it because she is using the mobile home for storage and can't afford to have it removed.

Mr. McNeil asked if the mobile home was hooked up to a septic tank and if there was any power. He also asked what made it a residence instead of a storage building.

Ms. Bunce replied that she was advised that she had to meet certain building codes to use the mobile home for storage.

The Public Hearing closed.

Chair Morris stated that if any rezoning cases came before the Board, any code violations should be resolved ahead of time.

A motion was made by Chair Morris, seconded by Vice-Chair McLaurin to deny the request for rezoning. Unanimous approval.

IX. DISCUSSION / DIRECTOR'S UPDATE

A. TERM EXTENSION

Chair Morris proposed a resolution for the Board to adopt and go to the County Commissioners to extend Vice-Chair McNeil's term for one year as of June 30, 2008.

A motion was made by Chair Morris, seconded by Mrs. Piland to extend Mr. McNeil's term for one year. Unanimous approval.

B. CODE VIOLATIONS

Chair Morris proposed that before anyone applies for a rezoning application, requested properties should be up to code and not have any violations. Without objection the Board will ask the staff to develop a policy and to present that policy to the Board for discussion and approval to be forwarded to the Commissioners.

C. REPORT FROM THE NOMINATING COMMITTEE

Roy Turner stated two names were chosen for Officers. Donovan McLaurin for Chair and Lori Epler for Vice-Chair. Mr. McLaurin and Mrs. Epler both accepted the nominations.

A motion was made by Chair Morris, seconded by Mrs. Piland to accept by acclamation. Unanimous approval.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 9:25 p.m.