

TOWN OF WEAVERVILLE
PLANNING & ZONING BOARD

Minutes - April 5, 2016

The Town of Weaverville Planning and Zoning Board met on April 5, 2016 at 5:45 PM, in the Council Chambers at 30 South Main Street.

Present: Chair Doug Theroux, Board Members Gary Burge, Terry Dawson, Tycer Lewis and Leslie Osborne. Attorney Rebecca Reinhardt, Planner James Eller and Shelby Shields.

Absent: Catherine Cordell.

SVisors: Jan Rector and Kevin Kopp.

Mr. Theroux called the meeting to order.

Approval of March 1, 2016 Minutes:

The motion was made by Mr. Lewis to approve the minutes of March 1, 2016, as corrected and amended, seconded by Ms. Osborne, and unanimously approved.

Discussion Regarding an Interpretation of Language Found within Chapter 25 - 26 Subdivision Defined (4):

Mr. Eller explained that the definition in Chapter 25-26 (4) the division of a tract in single ownership whose entire areas is no greater than two(2) acres into not more than three lots, where no street right-of-way dedication is involved,....would be a minor subdivision. The three lots in question is located at the corner of North Main and Coleman Streets and owned by the same person, are less than two acres each. Following Mr. Eller's comments, Mr. Kevin Kopp, owner of the parcels offered his interruption of the Ordinance to the Board.

Due to the absence of a definition of the word "tract" in Chapter 25 - Subdivision, a rather lengthy discussion followed. Ms. Reinhardt suggested that the Board use the definition of the word "tract" found in Chapter 36 - Zoning which stated that the word shall have the same meaning as the term "site", which is defined as 'all contiguous parcels of land, including any contiguous bodies of water, under one or diverse ownership, contemplated for development or already developed as a unit, although no necessarily all at one time, and including such portions which the planning and development director determines, because of their characteristics, shall comply with the requirement of this chapter'.

Mr. Lewis made a motion establishing the ruling on the interruption based upon language found in Chapter 36-5 Definitions, that the development is not eligible for the exemption of Chapter 25-26 (4). The motion was seconded by Ms. Osborne, and unanimously approved.

Discussion Regarding the Creation of the Proposed R-12 Zoning District:

Mr. Eller explained the evolution of the R-12 Zoning District, and stated that it was made clear at the last meeting of Town Council that the Board should proceed with the creating of a new district that will accommodate annexation on the perimeter of the Town, and that will accommodate twelve units to an acre.

It was suggested that Section 36-85 (b)(2) be changed from two-unit dwelling to all uses permitted in the R-2, Transitional Residential District. Mr. Eller stated that the revision would be made to the proposal to the Town Council.

After a discussion, the motion was made by Mr. Burge to recommend to Town Council, the approval of the R-12 Zoning District, with the revision to Section 36-85 (b)(2) being consistent with the Town's Comprehensive Land Use Plan, and to serve the public interest. The motion was seconded by Mr. Theroux, and unanimously approved.

Review of Various Amended Applications Regarding the Implementation of a Concept Plan with Chapter 25 - Subdivision:

Mr. Eller reviewed the addition of the Concept Plan to all the Subdivision applications to insure that the appropriate information was being relayed. In addition, he included a list of the various governmental agencies for the applicants information.

There being no further business, the motion to adjourn the meeting was made by Mr. Lewis, seconded by Ms. Osborne, and unanimously approved.

Shelby Shields

Board Clerk