

Town of Oriental Planning Board Meeting
March 31, 2009

The Oriental Planning Board met on Tuesday, March 31 at 7:00 pm at the Oriental Town Hall.

Present were: Board members Barton, Cordes, Miller and Marlowe
Mayor Sage and Commissioner Cox
Long Range Planning Committee member Sage

Mr. Miller opened the meeting.

MINUTES APPROVAL –

MOTION: Mr. Cordes made a motion to approve the February 24 minutes. Second by Mr. Marlowe. Vote 4-0.

BUILDING PERMIT FORM REVIEW – The board was asked to review samples of building permit forms. After some discussion;

MOTION: Mr. Marlowe made a motion to begin using the three separate building permit forms for (1) Minor Building or Single Family, (2) Multi-Unit or Non-Residential and (3) Subdivision with one minor change (change 'structure' where noted with the word 'building'). Second by Mr. Barton. Vote 4-0. *Ms. Wagoner will change the reference numbers to follow the reformatted GMO and e-mail the end results to Planning Board members for final approval.*

PROPOSED CHANGES TO GMO / REVIEW CONTINUES –

Article XVI Word Interpretations and Basic Definitions Section 241 - Bed & Breakfast:

MOTION: Mr. Barton made a motion to adopt the State language definition for Bed & Breakfast:

'Bed and breakfast inn means a business establishment of not more than 12 guest rooms that offers bed and breakfast accommodations to at least nine but not more than 23 persons per night for a period of less than one week, and that:

- a. Does not serve food or drink to the general public for pay;
- b. Serves only the breakfast meal, and that meal is served only to overnight guests of the establishment;
- c. Includes the price of breakfast in the room rate; and
- d. Is the permanent residence of the owner or the manager of the establishment.'

Second by Mr. Marlowe. Vote 4-0.

Article XVI Word Interpretations and Basic Definitions Section 241 – Landowner:

MOTION: Mr. Barton made a motion to adopt the State language definition for Landowner;

"Landowner" means any owner of a legal or equitable interest in real

property, including the heirs, devisees, successors, assigns, and personal representative of such owner. The landowner may allow a person holding a valid option to purchase to act as his agent or representative for purposes of submitting a proposed site specific development plan or a phased development plan under this section, in the manner allowed by ordinance.

Second by Mr. Marlowe. Vote 4-0.

Article XVI Word Interpretations and Basic Definitions Section 241 – Phased Development:

MOTION: Mr. Barton made a motion to adopt the State language definition for Phased Development;

“Phased development plan” means a plan which has been submitted to a county by a landowner for phased development which shows the type and intensity of use for a specific parcel or parcels with a lesser degree of certainty than the plan determined by the county to be a site specific development plan.’

Second by Mr. Marlowe. Vote 4-0.

Article XVI Word Interpretations and Basic Definitions Section 241 – Site Specific Development Plan:

MOTION: Mr. Barton made a motion to adopt the State language definition for Site Specific Development Plan;

‘Site specific development plan” means a plan which has been submitted to a city by a landowner describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property. Such plan may be in the form of, but not be limited to, any of the following plans or approvals: A planned unit development plan, a subdivision plat, a preliminary or general development plan, a conditional or special use permit, a conditional or special use district zoning plan, or any other land-use approval designation as may be utilized by a city. Unless otherwise expressly provided by the city, such a plan shall include the approximate boundaries of the site; significant topographical and other natural features effecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways. What constitutes a site specific development plan under this section that would trigger a vested right shall be finally determined by the city pursuant to an ordinance, and the document that triggers such vesting shall be so identified at the time of its approval. However, at a minimum, the ordinance to be adopted by the city shall designate a vesting point earlier than the issuance of a building permit.

A variance shall not constitute a site specific development plan, and

approval of a site specific development plan with the condition that a variance be obtained shall not confer a vested right unless and until the necessary variance is obtained. Neither a sketch plan nor any other document which fails to describe with reasonable certainty the type and intensity of use for a specified parcel or parcels of property may constitute a site specific development plan.’ Second by Mr. Marlowe. Vote 4-0.

Article XVI Word Interpretations and Basic Definitions Section 241 – Vested Rights;

MOTION: Mr. Barton made a motion to adopt the State language definition for Vested Right;

“Vested right” means the right to undertake and complete the development and use of property under the terms and conditions of an approved site specific development plan or an approved phased development plan.

Second by Mr. Marlowe. Vote 4-0.

Article XVI Word Interpretations and Basic Definitions Section 241- Family Care Home:

MOTION: Mr. Marlowe made a motion to amend the GMO’s definition of Family Care Home to read:

‘An adult care home with support and supervisory personnel that provides room and board, personal care and habilitation services in a family environment for not ~~more~~ less than six residents’.

Second by Mr. Cordes. Vote 4-0.

Article III Section 74 – Roof Pitch

MOTION: Mr. Barton made a motion to adopt the amendment to Section 74 – Roof Pitch to read as follows;

“The main roof pitch must be equal to or greater than 4/12 pitch and equal to or less than 12/12 pitch, except that up to 20 percent of the roof footprint may be flat. The minimum 4/12 pitch does not apply to manufactured homes, Class A or Class B, meeting or exceeding the United States Department of Housing and Urban Development standards ~~or to buildings that do not contain any dwelling units.~~ The minimum 4/12 roof pitch requirement also does not apply to commercial buildings in MU and MU-1 that do not contain any residential units and are less than 25 feet in height above the mean adjacent grade. Exemption from the roof pitch requirement will require a Special Use Permit”

Second by Mr. Marlowe. Vote 4-0.

Town Manager Cahoon presented a list of corrections and suggestions to improve the GMO (a copy of this is in the minutes book). These changes are clerical and do not require a public hearing.

VESTING – Mr. Cahoon presented a ‘Vested Right’ amendment to Section 237 (a copy of this is in the minutes book). He will rewrite in the format of an ordinance change and present it to the commissioners to schedule a public hearing in May.

COMPREHENSIVE PLANNING – Mr. Barton gave a progress report – he has drafted 30 pages of the plan and is awaiting the results of the Long Range Planning Committee’s work.

PUBLIC COMMENT PERIOD – None

NON AGENDA ITEMS - None

REVIEW OF LAND USE PERMITS ISSUED –

1) Mr. & Mrs. Corbett 2101 White Farm Road Porch

REVIEW OF SIGN PERMITS - None

There being no further business;

MOTION: Mr. Marlowe made the motion to adjourn. Second by Mr. Cordes. Vote 4-0.

The next meeting is scheduled for April 28, 2009.

Bob Miller, Chairman

Lori Wagoner, Recording Secretary