



## **ORIENTAL PLANNING BOARD MINUTES**

Thursday, January 17, 2019 3:00PM  
Oriental Town Hall – 507 Church Street, Oriental, NC  
(meeting moved due to lack of quorum)

### **CALL MEETING TO ORDER AND ESTABLISH QUORUM**

PRESENT: Chairman Aeschleman, Vice Chair Lohmar, Member Flaherty, Member Barrow, LUA Miller, Commissioner Overcash, Dep. Finance Director Cox.

Chairman Aeschleman called the meeting to order at 3:04PM

Minutes for November 2018 and December 2018 amended. Vice Chair Lohmar made a MOTION to approve Minutes from October, November, December. Member Barrow seconded. Approved 4-0.

### **NEW BUSINESS**

- LUA Miller lays out the annexation petition: Development on White Farm Road looking to ask for annexation-Planning Board required to be involved only for the zoning part following annexation. Looking at existing Town Limits, noted that the parcel is contiguous to existing Corporate Limits. Vice Chair Lohmar asks about recommendation for zoning- why would we recommend anything but the most restrictive zone. Noted the surrounding properties zoned R-3, one development R-1, and the farm that is not in limits currently a family farm. LUA Miller (erroneously) states that the Town Board would likely request an opinion from the Planning Board on annexation. (Nothing in the GMO directs involvement from the Planning Board on annexation.)
- LUA lays out potential rezoning request coming forward- nothing on paper yet. Parcel(s) on Vandemere/Neuse may be coming in requesting rezoning from R-1 to R-2. Noted similarities/differences to previous rezoning request at 902 1<sup>st</sup> Ave and the reasons rezoning was denied (buffers, spot zoning, etc). Discussed the prospect directed at owner about spot zoning and requesting both properties instead of one to be rezoned. Noted discrepancy on tax map with two parcel numbers on each property- told the owner to deal with Register of Deeds on that issue. Issue of all of South Ave not consistently zoned- decision of zoning on imposition took into account the existing uses, using streets as buffers between zones as able. LUA Miller notes that rezoning does not have a standard burden of proof as in a SUP. Concerns of precedent setting by rezoning were raised. Chairman Aeschleman asks if there is something available discussing advantages/disadvantages to rezoning. LUA Miller will look and send.
- LUA Miller sets out another potential request for subdivision. 406 Broad St owner has asked about subdividing property and putting two SFR on one lot. Currently

MU-1 and has approached the LUA about two SFR and selling them separately. To do that with a shared driveway. GMO says if you subdivide a property and replat- 2 or more SFR has to go through minor subdivision process and all that goes with that. In a townhouse with a common wall, the HOA owns the lot- not subdividing the property. It is minimum 5,000sqft each property- if divided, must have 5,000 sq ft for each- lot is currently 9,200-9,500 sqft. Noted the differences to a condo group, where the HOA owns the lot. LUA Miller will look at the condo platting and see how the ownership is structured. Is "townhouse" or "condominium" a physical structure or an ownership structure? Is a subdivision structure that has a common association with an ownership interest sufficient to not require each SFR to have 5,000sqft. Section 141 of the GMO discusses subdivision.

- Also had inquiry from 902 1<sup>st</sup> Ave about re-subdividing the lot. Owner was told to secure the plat with measurements so that we can discuss and see if the property is big enough to be subdivided and she was told to get that from the Register of Deeds. Instead, owner has contacted the County Manager and asked him to get their paperwork. He directed her to the same source. Haven't heard back.

**NON-AGENDA ITEMS / PUBLIC COMMENT**

NONE

**ADJOURN** Meeting was adjourned at 3:52PM on a MOTION by Member Barrow with second from Vice Chair Lohmar. 4-0.

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Stan Aeschleman, Chairman

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Diane Miller, Clerk to the Board

Approved: \_\_\_\_\_