



*City of Boiling Spring Lakes*  
9 East Boiling Spring Road  
Boiling Spring Lakes, NC 28461

---

Maggie Della Badia 910-363-0025 • Fax: 910.363-0029 • E-mail: mdellabadia@cityofbsl.org

**Planning Board**  
**February 10, 2015**  
**7:00 P.M.**  
**City Hall**

**CALL TO ORDER:**

The regular monthly Planning Board meeting was held at City Hall on February 10, 2015  
Chairman Bill Clark called the meeting to order at 7:00p.m.

**ATTENDANCE: ~**

***Members Present ~***

Bill Clark, Chairman	Tom Von Voigt	Gene Fiorvante	Jeremy Sexton
Bill Sraver ~ 1 <sup>st</sup> Alternate	Nancy Crawford ~ 2 <sup>nd</sup> Alternate		

***Members Absent ~***

Tom Von Voigt ~ Excused  
Ray Rumsey ~ Excused

1<sup>st</sup> Alternate Bill Sraver and 2<sup>nd</sup> Alternate Nancy Crawford filled these two seats.

***Staff Present ~***

Jim Nicholas ~ Building Inspector                      Maggie Della Badia ~ Administrative Assistant  
Bill Murphy ~ City Engineer ~ Absent ~ (excused)

**AGENDA ~**

Bill Clark requested to add ~ Discuss dates for a workshop with the Board of Commissioners.

**A motion was made by Gene Fiorvante and seconded by Jeremy Sexton to approve the agenda with the addition.**

**Motion Carried 5-0**

## **MINUTES ~**

Bill Sraver noted a correction to the minutes of January 13, 2015.

Other Business ~ 1. Letter C text should read ~

(250) two hundred and fifty square feet. The words “and fifty” was not in the minutes.

**A motion was made by Jeremy and seconded by Bill Sraver to approve the minutes for the January 13, 2015 Planning Board Meeting with the correction.**

**Motion Carried 5-0**

## **PUBLIC COMMENT~**

### **Travis Cruse ~ 206 Pine Lake Rd**

Mr. Cruse would like to see the minimum square footage of a house in the R-1 zoning reduced to 1,350 square feet with a mandatory two car garage a minimum of 400 square feet. Currently the minimum is 1,500 square feet with no garage required. He does not feel it would be out of place to put a house of 1,350 with a two car garage in an R-1 and certainly would not decrease the value of the homes around it. He explained, in checking with appraisers the only time you see that is when you have clusters. Meaning all the houses in a certain area would be the same size and one house in there would be different. That is the only time you would see an appraisal difference. But if it is multi where you see 1500 square feet, 1800 square feet, 2800 square feet there is not going to be an appraisal difference. It is all done by square footage. Would that particular house be less valuable then 1800 square feet? Absolutely. Is it going to decrease the value of the 1800 square foot house? Absolutely not. Mr. Cruse thanked the Board.

Bill Clark asked Mr. Cruse ~ What is your main reason for this change?

Mr. Cruse explained ~ The City of Boiling Spring Lakes has a lot of obstacles to overcome in developing a piece of property. There is no sewer, woodpecker issues on quite a few lots and there are a lot of unpaved streets, which makes them less desirable to new families moving into the area. That is one of the biggest complaints from relators and potential clients. They want paved streets. They do not understand the woodpecker issue. That is an issue he has to deal with on a daily basis when he is purchasing property to make sure it is buildable. As contractors buy these lots and have an environmental company look at them. Sometimes it takes ninety days, sometimes it takes six months or longer. It limits us on how many pieces of property we can buy when we are faced with zoning issues. We do quite a bit of work here, we built about fourteen or fifteen houses last year in Boiling Spring Lakes. Mr. Cruse stated he would like to build twenty to twenty five houses per year. The biggest issue right now is they are having problems finding land. Contractors do not have land that is readily available. There are also perking problems. Woodpeckers issues are our number one concern, but that is not going to go away. We understand that is federal and we are going to continually have that problem. By opening up more land, it just opens up how many more houses we can build per year. He appreciates the Board taking the time to listen.

### **Joyce Warner ~ 575 Eagle Ln**

Ms. Warner stated ~ According to what she said last week at the city meeting and what was not reported in the newspaper she is in favor of patio homes. Ms. Warner explained, what she was trying to say was in order to see where they can go in the city there needs to be written criteria for

patio homes. What they are going to be, how they are going to be and the set backs. You cannot just put a patio home on an individual lot. Usually patio homes are in acreages. Maybe a ten or twelve acre plot and then you divide it to see what you are going to do with it. These usually have a home owners association. That is what she was trying to say last week.

As far as the 1350 square feet, if it is considered for the R-1 area you need to look into individual sections of R-1. You may not want to open up all sections of R-1 as there might be some sections of R-1 that might be more conducive to 1350 than other areas. I do not think all R-1 should be open at this time. I know Travis has been building for quite a while. We have also been building for quite a while and we were looking at homes on different lots. When you look at building a house on a lot you usually design it to fit the lot and there are a lot of home designs that will fit narrow lots that will accommodate two car garages. She explained, I know Travis builds a beautiful home but it is not only Travis that will be building. So we need to be very careful when we change zoning to accommodate these things. Keep in mind your house design should accommodate your zoning and your zoning should not accommodate the house design.

Bill Clark asked ~ Are you indicating spot zoning in R-1?

Ms. Warner explained ~ I am not saying spot zoning. I am saying you can look at the areas and sections. You might take a section out of R-1 and make it R-1A, changing it that way. R-1A is 1350 square feet. That will take some going out and looking at the city. Ride around and see what is around there that would accommodate it. I certainly do not advocate spot zoning.

### **David Giera ~ 1130 Grace Rd**

Mr. Giera explained ~ He would like to speak about the indoor/outdoor archery and firing range. He spoke about the hours. Indoor can have hours until nine or ten o'clock in case they have contests or things with the archery. Where he came from they had a lot of that. It goes a little bit later into the night, eight ~ nine o'clock. The noise complaints were the biggest thing with outdoor shooting. You will have people that stay after hours. They had hours set from 8:00a.m. to sundown. There was no shooting after dark so you will not need lights. There was an indoor and outdoor archery ranges. It was beautiful. People liked it, people used it. It was in the woods, through the brush. There were different targets set up and it worked real nice and had a lot of people there. He further explained, the city doesn't allow outdoor shooting in city limits. I do not know how it would get passed unless you just have an indoor shooting range. If you have just an indoor range the hours can be longer.

Bill Clark responded to Mr. Giera. ~ The outdoor ranges, both archery and firing would only be permitted in Light Industrial. There is not much around there to cause any issues at this time. Mr. Giera explained ~ Where he is from the range was in a twenty foot pit, totally surrounded and the nearest house was about a quarter of a mile away and there were complaints.

### **OLD BUSINESS ~**

#### **1. Finalize Indoor/Outdoor Archery and Firing Range.**

Bill Clark explained the Planning Board needs to finalize the Indoor/Outdoor Firing Range section to forward to the Board of Commissioners.

The Planning Board reviewed the draft of ~

Section 6.52 Indoor and Outdoor ~ Archery and Firing Range;

Section 5.5 Table of Permitted/Conditional uses

Bill Clark explained the point brought up about discharging a firearm within the city limits would have to be amended to say in accordance with the UDO. If someone does have an indoor or outdoor range it would be permitted at that site only. If this were approved, the Board of Commissioners would then adopt the Ordinance to fit this.

Jeremy Sexton explained ~ In section 5.5 (Table) Indoor and Outdoor need to be separated into two lines. Outdoor is only be allowed in the Light Industrial not C-1 or C-1A.

**A motion was made by Jeremy Sexton and seconded by Gene Fiorvante to approve the Indoor and Outdoor Archery and Firing Ranges with the change, Article 5 Zoning Districts Table of Permitted Uses, that indoor and outdoor are two separate line items. Other than that it remains as written.**

**Motion Carried 5-0**

## **2. Review correction to proposed Article 16 ~ Alternative Energy ~ Section 16.1**

Correction to the Draft. 16.1 ~ Remove the words ~ “Solar Farm and” from draft.

**A motion to approve this was made by Bill Sraver and seconded by Jeremy Sexton.**

**Motion Carried 5-0**

## **NEW BUSINESS:**

### **Discussion of dates to meet for a workshop with The Board of Commissioners.**

The Board of Commissioners requested to have a workshop with the Planning Board present. Of the members present the dates of March 7<sup>th</sup> or 28<sup>th</sup> on a Saturday was good for all but Bill Clark. Any Thursday night in the month of March most of the members can attend, the board requested if it is at night to have it start at 7:00 pm.

## **1. Define Multi-Use in UDO**

Bill Clark provided the following definition of Multi-Use ~

For commercial zoning area(s) only. A combination of industrial, institutional, residential and commercial uses, thus mixed use generally refers to a deliberate mix of housing, civic, commercial uses. Adding ~ the Light Industrial at the end of the first sentence.

**A motion was made by Jeremy Sexton and seconded by Bill Sraver to include the Multi Use definition with the change to add “Light Industrial” at the end of the first sentence.**

**Motion Carried 5-0**

## **2. Review Request for Zoning Text Amendment to Decrease Size of Living Area in the R-1 Residential Zone.**

Bill Clark opened up the topic to decrease the living size in R-1 from 1500 square feet to 1350 square feet with a mandatory two car garage.

Bill Sraver explained he lives in an R-1 zone and does not see a problem with it. There are houses that are 1500 square feet but don't have garages. People can't afford a 1500 square foot house and a two car garage. He does not think a 1350 square foot house with a two car garage would reduce the value of the adjoining properties. He would be in favor of the reduction. We are trying to increase the population of the city in order to attract businesses. That would have a tendency to increase the population of the R-1 districts.

Nancy Crawford explained if you have a 1350 square foot house with a 400 square foot garage you will have a 1750 square foot footprint. It will be increasing the footprint you will have to have for your R-1 house so it will affect your lot size. Bill Sraver explained most of the lots in the R-1 are 70 feet wide and it will accommodate the house.

Bill Clark explained ~ He is involved with construction and has gotten into some commercial and residential applications. He will abstain from voting on this as a conflict of interest.

Bill Sraver ~ Abstained from voting.

**A motion for approval was made by Gene Fiorvante and seconded by Jeremy Sexton.**

### **Motion Carried 3-0**

Nancy Crawford questioned if this will be in all of R-1. Bill Clark explained this would be for the whole R-1 area, rather than pick areas and try to change it to R-1A or some other designation.

### **OTHER BUSINESS ~**

Bill Sraver explained ~ Sometime ago the Mayor appointed a committee to look into attracting businesses to the city. It met for some period of time and was beginning to make some progress. The council then decided for some reason or other they did not want the people that were appointed by the mayor to serve on that committee. So they dismantled the committee and said they were going to set up a committee that was appointed by the council. We are now sitting on our hands and Oak Island and the County are out there doing things and never a mention of Boiling Spring Lakes. I see all of the things in the paper about them attracting businesses to the county but I see more about Oak Island. I do not see anything about Boiling Spring Lakes.

Bill Sraver explained ~ In the instructions for the Planning Board it says:

1. It shall be the duty of the Planning Board to make studies of the city and surrounding area.
2. To determine objectives to be sought in the development of the study area.
3. Prepare and adopt plans for achieving these objectives.
4. Develop and recommend ordinances, policies, administrative procedures and other means for carrying out plans in a coordinated and efficient manner.
5. Advise the Board of Commissioners the use amendment and means of carrying out these plans.
6. Exercise any function in the administration and enforcement of various means for carrying out plans that the Board of Directors may direct.
7. Perform any other related duties that the Board of Commissioners may direct.

| Bill Sraver suggested looking into having the Planning Board follow these instructions.

Bill Clark explained he believes the Planning Board is following these instructions. He asked Bill Sraver if he was suggesting the Planning Board solicit businesses for the town. Bill Clark did not believe that was the intent of the instructions. Suggesting it is to create a zoning atmosphere so when a business looks at the town it becomes attractive to them. Most of the studies he looked at from four or five towns for mixed use development it is basically creating the atmosphere for the conduciveness to attract the businesses to come to the town.

Jeremy Sexton agreed it would not be a responsibility of the Planning Board to solicit businesses for the city.

Commissioner Barbara Glidden requested to make a correction. Commissioner Glidden explained~ the BOC did not dissolve the group because of the individuals selected. The group was dissolved due to the fact that it was an ad hoc committee reporting only to the Mayor, and not to the rest of the board or the city. Commissioner Glidden went on to explain her recommendation was to reorganize it and make it a regular committee, appointed by the board with individuals to work towards the goal of getting businesses in our city. She would rather see a board or committee of individuals chosen by the whole board.

Commissioner Glidden stated she would put this issue on the agenda for the next meeting, but it will take time because it would have to be advertised. Then people apply for the position and would answer to the Board of Commissioners and the City.

**A motion was made by Bill Sraver and seconded by Jeremy Sexton to adjourn the meeting.**

**Motion Carried 5-0**

#### **NEXT MEETING AGENDA ITEM'S:**

- 1. Finalize Recommendation to reduce square footage with mandatory two car garage.**

#### **AJOURNMENT:**

**A motion was made by Gene Fiorvante and seconded by Ray Rumsey to adjourn the meeting at 8:14 p.m.**

**Motion Carried 5-0**

**Respectfully Submitted by,  
Maggie Della Badia ~ Administrative Assistant**