



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

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**Planning Board**  
**May 12, 2015**  
**7:00 P.M.**  
**City Hall**

**CALL TO ORDER:**

The regular monthly Planning Board meeting was held at City Hall on May 12, 2015 Chairman Bill Clark called the meeting to order at 7:00p.m.

**ATTENDANCE: ~**

***Members Present ~***

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

***Members Absent ~***

Ray Rumsey ~ Excused      1<sup>st</sup> Alternate Bill Sraver filled Ray Rumsey's seat.

***Staff Present ~***

Jim Nicholas ~ Building Inspector	Maggie Della Badia ~ Administrative Assistant
Bill Murphy ~ City Engineer ~ Excused Absence	

**AGENDA ~**

Bill Clark requested to add discussion of dates to hold workshops with the Board of Commissioners to the agenda under ~ Other Business.

**A motion was made by Bill Sraver and seconded by Tom VonVoight to approve the agenda with the addition.**

**Motion Carried 5-0**

**APPROVAL OF MINUTES ~**

**Minutes of the April 14, 2015 Meeting.**

**A motion was made by Bill Sraver and seconded by Gene Fiorvante to approve the minutes as written.**

**Motion Carried 5-0**

## **PUBLIC COMMENT~**

### **Mr. Mark Stewart ~ Cedar Rd.**

Mr. Stewart explained he has not applied for a permit yet but there seems to be some things in the ordinances that appear to be contradictory to one another. He would like to ask the Planning Board to consider possibly changing it. Under article 5 zoning districts page 5-16 item number five the maximum building height for an accessory building – the maximum building height for all zoning districts except R-3 shall be 28 feet. Accessory buildings in R-3 shall be limited to 20 feet. Mr. Stewart stated he lives in an R-2 district. When you go to article 6 supplemental regulations page 6-6 under 6.6.1 building restrictions item A, it states that no residence may have a garage space more than 3 cars. The height of the garage shall not exceed the height of the main dwelling and the architecture design shall be similar to that of the main dwelling.

The issue that he has is his house was built in 1976 and at that time when building here there were ranch style houses with a 4/12 roof pitch. His maximum roof pitch is 14 feet off the ground to the peak of the roof.

He explained if you go by way of definition as an accessory building I can build it up to twenty eight feet but a garage cannot be higher than the house. He would like to ask the board to consider changing these to where they complement each other. Reading them they appear to contradict one another.

Bill Clark explained an accessory building can be built and should not exceed twenty eight feet. Otherwise for a garage, because of the age of your house and the roof pitch it would appear to be an issue for Board of Adjustments for your particular circumstance.

Jim Nicholas explained when you read the ordinance it shows an accessory building can be twenty eight feet in height. I think the twenty eight feet came in because you can not have a single story home over 28 feet in height.

Mr. Stewart thanked the board for their time.

## **OLD BUSINESS ~**

### **1. Indoor/ Outdoor Archery Ranges ~ Tabled from May 12, 2015**

**A motion was made by Gene Fiorvante and seconded by Tom VonVoigt to bring this off the table.**

### **Motion Carried 5-0**

The Planning Board reviewed information from Pitt County North Carolina ordinance for Shooting Range regulations.

Bill Clark explained the Board of Commissioners approved to amend the ordinance to allow discharge of firearms within a properly permitted and acknowledged indoor firing range. This is not within the whole city, just an indoor firing range. This change would include bow and arrow.

Bow and arrow can be in or out. The Planning board will not pursue outdoor firing ranges at this time.

A discussion took place and the members decided to contact other cities and indoor shooting ranges to gather information regarding requirements.

**This was tabled until next month and they will be gathering more information.**

## **2. Indoor/Outdoor Archery Ranges ~ Tabled from May 12, 2015**

This was tabled until next month ~ gathering more information.

**A motion was made by Nancy Crawford and seconded by Bill Sraver to table this discussion until more information is presented to the Planning Board on how to proceed.**

**Motion Carried 5-0**

## **3. Clarify Patio/ Cluster Homes**

Discussion ~

Bill Clark explained the current definition of Patio/Cluster homes is ~ Patio/Cluster homes name implies to several houses attached to each other, typically with a shared wall. Usually exterior maintenance and/or landscaping is provided through an association fee, but not always.

Bill Clark suggested the square footage of these homes should be the same as the zone they will be located in. Current setbacks are ten feet on each side making it twenty feet between houses.

Tom Von Voigt read some information about zero lot line houses. A piece of residential real estate in which the structure comes up to or very near to the edge of the property line. Zero lot line houses are built very close to the property line in order to create more usable space. Row houses, garden homes, patio homes, town homes are all types of properties that may be zero lot line homes. They may be attached as in a town home or detached single story or multi story. Zero lot line homes are not just for low income home buyers. They are an attractive option for anyone who doesn't have the time or inclination to maintain a large yard. They are also an appealing alternative to condos because they offer greater privacy and independence while still being low maintenance.

Bill Clark explained cluster homes join under one roof with fire walls. Town houses the owner owns the land below and above. Townhouses are usually two story but not always.

Jim Nicholas explained the UDO ordinance shows HOA's but they have to be in a developed area where you have water, sewer and electricity.

Bill Clark read the following definition ~ Patio Home is a term for a type of housing also called a cluster home. It implies several homes attached to each other typically with shared walls between units and with exterior maintenance of landscaping provided through an association fee. There is not usually a legal definition of a patio home. Some houses called patio homes may alternately be marketed as town houses, garden homes, twin homes or carriage homes.

Residential cluster development ~ Residential cluster development is the grouping of residential properties on a development site in order to use the extra land as open space. It is increasingly becoming popular in subdivision development because it allows the developer to spend much less on land and obtain much for the same price per unit for the attached or detached houses.

Definition verbiage for Patio/Cluster Homes ~ Patio/cluster homes the name implies a unit of several houses attached to each other typically with a shared wall. Or single family detached houses with a minimum of five foot side setback. Usually exterior maintenance or landscaping is provided through an association fee.

Square footage ~ Square footage will match the square footage of the zoning district which the homes are proposed.

Bill Sraver suggested when making a definition for the UDO that the words “for the purpose of this document” be added.

#### **4. Gather Information for Multi Use in the Commercial District.**

Mixed use commercial is mixed zoning residential, commercial and light industrial.

Previous definition ~ Multi Use ~ For commercial and Light Industrial zoning area(s). A combination of industrial, institutional, residential and commercial uses, thus mixed use generally refers to a deliberate mix of housing, civic, commercial uses.

The Planning Board decided to forward the previous multi use definition to the board of commissioners.

#### **NEW BUSINESS: ~**

##### **1. UDO Section 6.61 Building Restrictions ~ Detached Garage/ Storage Buildings.**

Jim Nicholas explained if someone comes in to build a twenty eight foot storage building they could get a permit because it would be for storage.

Bill Clark explained the UDO states the maximum height for an accessory building in all zoning districts except R-3 shall be twenty eight feet. Mr. Clark explained if you have a house that is twenty five feet your storage building can be three feet higher than your ridge line. He explained it would seem what you would say is that if you have a detached garage it can not exceed the height of the main dwelling and that an accessory building should read the same way.

Bill Clark explained the residential restrictions for a detached garage are they can't exceed the height of the main dwelling and the architectural design shall be similar to that of the house.

Jim Nicholas stated he will gather more information on this for the next meeting.

**A motion was made by Jeremy Sexton and Seconded by Gene Fiorvante to table detached garages and storage buildings.**

**Motion carried 5-0**

## **OTHER BUSINESS ~**

### **1. Develop dates for quarterly meetings with the Board of Commissioners.**

The first quarterly meeting will be in September.

The members decided to table deciding on dates until the next meeting. A thought would be to ask if they could meet at the regular Planning Board meeting time. This would also allow the Planning Board to conduct business because it would be at their regular meeting time.

**A motion was made by Gene Fiorvante and seconded by Jeremy Sexton to table the dates for quarterly meetings with the Board of Commissioners.**

**Motion Carried 5-0**

**Bill Clark stated the Planning Board would like to thank Tom Von Voigt for his help on the Board. Bill Sraver who is 1<sup>st</sup> alternate will now fill Tom Von Voigts seat as a full member until the end of Tom's term. There is now an opening for an alternate position.**

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

1. Indoor/ Outdoor Archery Ranges ~ Tabled
2. Indoor Firing Ranges ~ Tabled
3. Dates for Quarterly Workshops with the Board of Commissioners ~ Tabled
4. Detached Garage/Storage Buildings ~ Tabled

### **AJOURNMENT:**

**A motion was made by Bill Sraver and seconded by Gene Fiorvante to adjourn the meeting at 8:40 pm**

**Motion Carried 5-0**

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