



City of Boiling Spring Lakes
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Planning Board
April 11, 2017
7:00 P.M. ~ City Hall

CALL TO ORDER:

The regular monthly Planning Board meeting was held at City Hall on April 11, 2017. Chairman Bill Clark called the meeting to order at 7:00 p.m.

ATTENDANCE:

Members Present ~

Chairman ~ Bill Clark Gene Fioravante Jeremy Sexton Bill Sraver
2nd Alternate ~ Lucille Launderville

Members Absent ~ Tim White 1st Alternate

Staff Present ~ Maggie Della Badia ~ Administrative Assistant
 Ruth Bek ~ Code Enforcement Officer

Guest ~ Cape Fear Council of Governments: Wes MacLeod

AGENDA ~

A motion was made by Jeremy Sexton and Seconded by Gene Fioravante to approve the April 11, 2017 agenda.

Motion Carried 5-0

MINUTES ~ March 11, 2017

A motion was made by Bill Sraver and Seconded by Gene Fioravante to approve the March 11, 2017 meeting minutes.

Motion Carried 5-0

PUBLIC COMMENT ~

Ronald Combopiano 146 Forest Ln.

Mr. Combopiano stated he has been coming to the Planning Board for eight months to request a change to the UDO regarding Article 6. He would like the board to consider allowing structures in front of the front line of the house. He has submitted a petition signed by over one hundred Boiling Spring Lakes residents. He is looking to get a response to his request to make this change to the UDO.

OLD BUSINESS ~

1. Review Draft UDO Article 7 ~ Development Standards (Partial)

Nancy Crawford stated there are city owned lakes that are not listed in the table of lakes. Wes McLeod explained the chart seems to go by size of the lakes and will adjust it to list just sizes and not list names.

Section 7.23

Nancy Crawford questioned why only the big lake had a minimum height elevation and no requirements for other lakes. Wes McLeod will look into the other lakes.

NEW BUSINESS ~

1. Corner Lot and Setback Clarification Text Amendment

Appendix A

Wes McLeod explained there are a number of non-conforming vacant lots in the city; they don't meet the minimum lot size. This is problematic with large setbacks and a minimum structure size. It is further complicated for a lot with multiple lot lines abut a streets. The city has been administering those instances in the past by establishing one front line and the other would be a side lot line. That is in conflict with what the ordinance states. The proposed text amendment would elevate this problem for now. Currently the front lot line definition states it is the lot line separating a lot from a street right of way. Therefore, you can presumably have three front lot lines all with a fifty foot setback. The changes to the definitions will state a front set back and a side setback. The side yard setback will be ten feet. Through lots will have front setbacks on both streets.

This has required us to change other definitions as follows:

APPENDIX A. DEFINITIONS

Lot, Corner

A lot abutting the intersection of two (2) or more streets or a lot abutting on a curved street or streets if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot at the apex meet at any angle of less than one hundred thirty-five (135) degrees. In such a case the apex of the curve forming the corner lot shall be considered as the intersection of street lines for the purpose of this chapter, such as in corner visibility requirements. A corner lot is required to provide a front yard setback and a side yard setback. The front yard setback shall be

measured from the lot line that provides a lot's street address or that opposes the primary entrance of a building.

Lot Line, Front

~~The lot line separating a lot from a street right-of-way.~~ The lot line connecting the two side lot lines along the edge of the street that provides a lot's street address or that opposes the primary entrance of a building.

Lot Line, Side

~~Any lot line abutting another lot and which is not a front or rear lot line.~~ The lot line connecting the front and rear lot lines regardless of whether it abuts a right-of-way or another lot line.

Lot, Through (Double Frontage)

An interior lot having frontage on two (2) streets. A double frontage lot shall provide a front yard setback on both streets. The remaining yards shall meet the side yard setback requirements.

Setback, Front

~~Any setback from a street or road.~~ The setback measured from the front lot line.

Setback, Side

~~Any interior property line setback other than a rear setback.~~ The side yard setback shall extend from the required front yard setback line to the required rear yard setback line and shall be measured from the side lot line.

Wes McLeod noted there is a Board of Adjustment variance hearing for a property with this issue tomorrow. Ruth Bek explained there are zoning permits that cannot be issued because of this.

A motion was made by Gene Fiorvante and seconded by Jeremy Sexton to recommend action item A of the Consistency Statement.

Motion Carried 5-0

**2. Distribute Draft Article 7: Development Standards (Partial)
~ Access, Parking and Transportation & Outdoor Lighting.**

Wes McLeod distributed partial Article 7: Development Standards ~ Access, Parking and Transportation & Outdoor Lighting. He explained that some of these parts have been condensed from other UDO articles. The Board will review this article to discuss at the next meeting.

OTHER BUSINESS: ~

Ruth Bek provided information about home occupations for the board to review for the revised UDO. The suggestion included the removal of firearm sales as it would be considered retail sales. Another change would be that Home Occupations will require a permit. This would be part of Article 6.

The board agreed to allow draft Articles 5 and 6 to be put on the city's website for review and comments.

Bill Clark explained to Mr. Combopiano as the board receives updated articles they review them and make changes. When the accessory building section came up, no member made a suggestion to make a change to allow buildings to be placed beyond the front line of the house. Mr. Combopiano explained he has been requesting this change for eight months. Wes McLeod explained Mr. Combopiano may request this as a text amendment and it will be discussed, but a fee is required for this process.

NEXT MEETING AGENDA ITEM'S:

ADJOURN:

A Motion was made by Gene Fioravante and Seconded by Bill Sravere to adjourn the meeting at 7:57 PM.

Motion Carried 5-0

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