

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
January 23, 2012, 7:00 PM**

The Planning Board of the Village of Wesley Chapel, North Carolina, met in the Fellowship Hall of the Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina.

Present: Vice Chair Stephen Keeney, Chuck Adams, Ray Davis; Alternates Jeff Davis (sitting as regular member), Dan DeMattos (sitting as regular member) and Ashleigh Mock

Absent: Chair Sandi Bush, John Grexa

Others Present: Mayor Brad Horvath; Cheryl Bennett, Clerk; Joshua Langen, Planning/Zoning Administrator; Council Member Becky Plyler

Citizens: Carol Mullis

The meeting was called to order at 7:00 pm; a quorum was present.

1. Pledge and Invocation

Vice Chair Keeney led the pledge; Adams gave the invocation.

2. Oath of Office for Ashleigh Mock

Clerk Cheryl Bennett swore in Ashleigh Mock as an alternate on the Planning Board.

3. Public Comments

Carol Mullis expressed concerns on changes to the ordinance, who requested them, and why. She thought any changes should be for the betterment of the town, clearly understood and not a burden to citizen. Ms. Mullis suggested common sense and courtesy instead of reliance on attorneys. She commended Joshua Langen for resolving the sign ordinance for Southern Whimsy.

4. Additions, Deletions and Approval of Agenda

Dan De Mattos made a motion to adopt the agenda; Chuck Adams seconded the motion.
The motion passed unanimously.

5. Approval of Minutes

Adams made a motion to approve the minutes from November 28, 2011 with one change, on the first page Keeney's statement was on restoring a vehicle; Jeff Davis seconded the motion.

The motion passed unanimously.

6. Approval of 2012 Planning Board Meeting Schedule

The May 2012 meeting was scheduled for May 21, 2012 due to a conflict with Memorial Day. Adams made a motion to approve the 2012 Planning Board meeting schedule, incorporated herein. Ray Davis seconded the motion.

The motion passed unanimously.

Schedule of Planning Board Meetings 2012
(Meetings are on 4th Monday, 7 pm unless it is a holiday)

January 23
February 27
March 26
April 23
May 21(one week early due to Memorial Day)
June 25
July 23
August 27
September 24
October 22
November 26
December 17 (3rd Monday)

7. Residential Parking

Langen reported that he added a definition for “Agricultural Equipment” and made it general. In the definition of “Inoperable” he made the time period ninety days. Section 9.1.4 (e) changes were reviewed; Keeney asked if the word “screened” eliminates the need for a specific definition. Langen added the sentence “The storage of inoperable farm equipment shall not be regulated by this ordinance.” as requested. Langen said farm equipment is not a big problem here, and suggested striking “farm equipment” on the last sentence. DeMattos said the exception was for large pieces of property, not neighborhoods. Keeney and Ray Davis said it wouldn’t have any implication if we strike it here. DeMattos said as a town we want high class neighborhoods, we value farmers and to reserve farms, and proactively encourage a rural nature town. Langen said we changed it from not being visible from the road to not visible to the right-of-way. In the last sentence the words “not in use on farm” was added after “farm equipment”. Section 9.1.4 (f) was discussed; it applies to new subdivisions and restricts driveways from extending into rear yard setbacks.

Section 9.1.5 for non-residential parking was discussed. Langen noted Section 9.1.4 is for residential parking, and if you have a non-residential use in R-40 such as a church you go to Section 9.1.5. Adams said if you have a large parcel, maybe we should not regulate it. Langen noted the restrictions have been scaled back. Adams said those who want minute controls live in an HOA subdivision. DeMattos said he would like to get rid of rules, but when you live on a small lot, some rules are needed. The role of HOA’s and rules was discussed. Langen said we could apply this to platted subdivisions with platted roads; at that point you are not rural anymore. Carol Mullis gave an example of Underwood Road and new houses built and a longtime resident had to spend money on

fencing; also sometimes people use a piece of farm equipment as a decoration. Langen said this stems from a court case, we are trying to be more specific, the court says you can't just exclude what isn't specifically included. Direction from Planning Board is to restrict screening to platted subdivisions with platted roads.

Adams asked why we were referencing the Master Plan survey, since he thought it was only about 400 people and it is from 2007. Langen said he was told to reference other documents. DeMattos said it helped him to see why it was brought up. Ashleigh Mock thought 1071 surveys were returned. Keeney thought we should have full disclosure, and if we repeated the survey today the results would change.

Mayor Horvath said the Master Plan document is meant to be a long term plan, it had validity then, as we move farther in time it has less validity because things change.

8. Accessory Building Permitting

Langen said Article 10 is a little vague; this came up because a resident thought they knew where the property line was and built a structure, then found out the line was elsewhere. This would require accessory buildings to have a free foundation inspection. They currently only need a sketch plan for accessory buildings. You cannot have two houses on one parcel, but the definition of accessory buildings is pretty wide. Chuck Adams asked why there are different setbacks for garages than sheds. He noted there might be more noise from a shed than a house. Langen proposed requiring a foundation permit with an exemption for the fee. Cheryl Bennett asked if this would help since without a survey the Zoning Administrator would not know where the property line was either. Langen said he could print from GIS and try to pace it off. Keeney asked if there are legal implications from you saying it looks okay. Regarding Section 10.3.1(b), Adams asked why we use two hundred feet. At Section 10.3.1(d) Adams suggested we strike "certified" and allow payments by check, which is current practice. On Section 10.3.8 Adams asked if the new text would include pole barns; Langen said yes. DeMattos suggested a four point survey which isn't as expensive as a full survey. Langen said either they could bring some document from when the house was built or do a four point survey. Langen will make some changes to this text. Bennett noted at Section 10.8 (2) it references signs exempted in Section 8.2, but the correct reference should be Section 8.3.

9. Ordinance Priority Amendment List

Open items on the list include permit process for accessory structures; re-evaluate setbacks for O-I zoning; front, side and rear yard definition update; and evaluate square footage trigger to submit CUP.

10. Other Business

A new procedure is in place, if a committee wants the deputy to attend a meeting the Council liaison should be contacted and the Clerk will check with the deputy to see if he can attend. This is to maximize the deputy's time spent patrolling the town.

The Advance is March 9 and 10, 2012; if anyone has any topics please bring them to the Mayor's attention. Ray Davis noted that our country's largest export is refined gasoline and diesel fuel, and this is raising the cost of fuel.

01.23.2012 Planning Board minutes

11. Topics to Discuss at Next Meeting

Topics are the items not finished tonight and the items on the ordinance prioritization list.

12. Adjournment

Adams made a motion to adjourn the meeting; Jeff Davis seconded the motion.

The motion was approved unanimously.

The meeting adjourned.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman Sandi Bush