

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
March 26, 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: Chair Sandi Bush, Vice Chair Stephen Keeney, Chuck Adams, Ray Davis; John Grexa; Alternates Jeff Davis, Dan DeMattos, and Ashleigh Mock

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

Citizens who signed in: Carol Mullis

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

1. Pledge and Invocation

Chair Bush led the pledge; Vice-Chair Keeney gave the invocation.

2. Public Comments

Carol Mullis said there is a rumor that she wants the Clerk replaced, and this is untrue. Planning Board Chairman Bush said that she and the Board appreciate Cheryl's work.

3. Additions, Deletions and Approval of Agenda

Item 4A. "Review of Advance" was added. Chuck Adams made a motion to adopt the agenda with this change; Ray Davis seconded the motion.

The motion passed unanimously.

4. Approval of Minutes

Keeney had a question on Item 7; he said he was referring to paragraph 10.89.9 duplicating paragraph 10.89.6. Ray Davis made a motion to approve the minutes from February 27, 2012 with this change; Chuck Adams seconded the motion.

The motion passed unanimously.

4A. Review of Advance

Chairman Bush reported there was discussion about the ordinance prioritization list at the Advance, and Council will add priority numbers, and will also add a little about why the item is on the list from Council's perspective. She also noted that when Planning Board votes on an ordinance change, it can take months from when it first comes up until Council reviews it, so we will frame a perspective on why we voted like we did. Each member can give input, and this can be included in the minutes. Third, it is time to review the Land Use Plan, so this will be put on the agenda going forward. The goal is to recommend any changes to Council. Mayor Horvath noted there may be no changes, but it should be reviewed every five years. Chair Bush noted there was discussion about a

comprehensive plan; Langen said a Master Plan usually applies to an industrial park or neighborhood, and a comprehensive plan applies to a whole town. The last element in the comprehensive plan is the land use plan. Other elements will grow as we work on that area; it is a placeholder. Mayor Horvath said Langen sent a sample table of contents to Council, it will be sent to Planning Board also. Langen noted there may be a vision statement for each element; it is a public process and usually done before the land use plan. Typically it includes population, housing, natural resources, economic development, community facilities, transportation, and land use. Ashley Mock said some of this was vetted through the Master Plan process. Langen said it should not be survey driven; it can be hard to separate what came from research and what came from a survey. She volunteered to help him understand the Master Plan - what they did and how.

Bush noted two topics were discussed, walkability (thread trail, sidewalks) and the concept of aging in place. Grexa said we can't zone for that, we can zone high density but can't guarantee it will become senior housing. Bush said we probably wouldn't create zones but could approach potential buyers of property regarding their plans. Mayor Horvath said Langen will research what we can and can't do. He added that Council will send any significant changes back to Planning Board and explain why they did what they did, and report on any minor changes also to Planning Board.

5. Residential Parking

Langen reported that he changed the definition of "Inoperable" adding that items less than 50% intact are considered junk or scrap. He added definitions of "Operable", "Trailer" and "Vehicle, Operable". Chuck Adams asked how you will know when something is less than 50% intact. Langen said he will ask the citizen whether it is less than or more than 50% intact, and he can also use common sense and make judgment calls, generally in the citizen's favor. Dan DeMattos asked why this subject came up; Langen said he had four situations on one street, and what was on the books was stringent. Bush said the ordinance was not comprehensive and was too rigid. DeMattos said the definition of vehicle operable and vehicle inoperable seems too hairsplitting. Langen said if a motor vehicle is operable, it doesn't have to be screened, and it is parked. If it is inoperable, it is stored, and must be screened. If it is junk, there are more stringent rules. Adams said there could be an operable vehicle and an inoperable vehicle that look identical; why screen one, and not the other. Langen said he will get calls on the one parked longer. Adams said if we rely on the ordinance it takes out talking to each other, and we are splitting hairs here. DeMattos asked if we want to say you can park anything anywhere. Adams said it is okay, because if you don't want that, you can move into an HOA neighborhood. Mock said HOA's don't carry weight regarding parking. Grexa said their HOA had a situation and they couldn't collect on the lien.

Langen said the easiest way to differentiate trailers is whether they are registered or not, which he used in Section 9.1.4. Keeney said any on-road trailer must be registered. Per NC GS 20-51, all exemptions are for farming. Adams commented that six hundred square feet of junk doesn't have to be screened, but one inoperable vehicle has to be screened.

Chairman Bush asked for comments on Article 9 changes. Keeney said he agreed with Adams, for non-HOA parcels, to dictate what they do with personal property is

overstepping, we can't legislate against everything. Ray Davis said the more laws we have the harder it is to enforce them and it takes away from freedoms. Chairman Bush asked the Mayor; he said Council did initiate this, you can leave it as is which is more stringent, or use what Langen wrote, or remove the section entirely. Langen said a fourth option is to have a greatly stripped down version, but you could also send this version to Council since a lot of work went into it. Jeff Davis liked what Langen suggested. Langen said a stripped down version wouldn't regulate inoperable, it would regulate junk only. Grexa said that would work on a large wooded lot, but not in a smaller sized lot subdivision where it can be seen from the road. Chairman Bush said that's why we included that it relates to platted subdivisions. Adams asked what is the difference between the side and rear setbacks, why is the rear setback larger. Langen will come back with a watered down version; Bush noted we wanted two sections – one for residential and one for non-residential. Adams said if it is a non-HOA subdivision, why do we care; Langen said he does get complaints in this area. Bush requested any comments be given to Langen or to her in the next week. Langen said he can also look at a criterion of the percentage coverage of the lot.

6. Accessory Building Permitting

Langen corrected text references, and added references to the adopted fee schedule. He added at 10.4.1 that a zoning permit and foundation permit are required for the certificate of compliance. At Section 10.5 he added that separate permits are required for each structure. "In-ground pools" was struck from Section 10.3.8. Keeney noted two sections were left out that were included last month, also not all the numbers that will be renumbered were included. He noted Langen was going to get an attorney opinion regarding vested rights. Langen said he never got a straight answer on that so he didn't get it done.

This section will come back next month.

7. Ordinance Prioritization List

Langen said he didn't update it yet to reflect the additional info discussed at the Advance. He will add a priority column and an issues column. Chairman Bush asked for relevant sections to be referenced for review. Three items will be added to the list; sidewalks/walkability – commercial, land use plan, and high density housing.

8. Other Business

Mayor Horvath said the Board of Adjustment approved the Dogwood Park CUP on March 19; we are holding volunteer days there the next several Saturdays.

9. Topics to Discuss at Next Meeting

Topics are the same as this month.

10. Adjournment

Adams made a motion to adjourn the meeting; Ray Davis seconded the motion.
The motion was approved unanimously.

The meeting adjourned.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman Sandi Bush