

Board of Adjustment

October 19, 2021 7:00 P.M. WINTERVILLE TOWN HALL ASSEMBLY ROOM

- I. CALL TO ORDER.
- II. WELCOME.
- III. APPROVAL OF AGENDA.
- Ⅳ. NEW BUSINESS.
 - 1. CARROLL CROSSING, SECTION 3 SPECIAL USE PERMIT.
- V. REPORTS FROM STAFF INFORMATIONAL ITEMS.
- VI. ADJOURN.

SPECIAL NOTICE: Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Town Clerk, Don Harvey at 215-2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)



BOARD OF ADJUSTMENT MEETING TUESDAY, AUGUST 17, 2021 MEETING MINUTES (LIMITED IN-PERSON ATTENDANCE)

The Board of Adjustment met on the above date at 7:00 PM in the Town Hall Assembly Room, with Chairman Jeffrey Briley presiding. The following were present:

Jeffrey Briley, Chairman Joseph Pierce, Vice Chair Alfred Phillips, Member Edward Reynolds, Member Brian Miller, Member Garrett Killian, Alternate Member Keen Lassiter, Town Attorney Bryan Jones, Planning Director Donald Harvey, Town Clerk

CALL TO ORDER:

Chairman Briley called the meeting to order.

WELCOME:

Chairman Briley welcomed all Board members and the public to the meeting.

APPROVAL OF AGENDA:

Motion made by Member Reynolds and seconded by Member Miller to approve the agenda as presented. Motion carried unanimously, 5-0.

APPROVAL OF MINUTES:

Minutes of the July 20, 2021 meeting were presented for approval.

Motion made by Member Reynolds and seconded by Vice Chair Pierce to approve the July 20, 2021 minutes as presented. Motion carried unanimously, 5-0.

ADMINISTRATIVE MATTERS: Election of Officers.

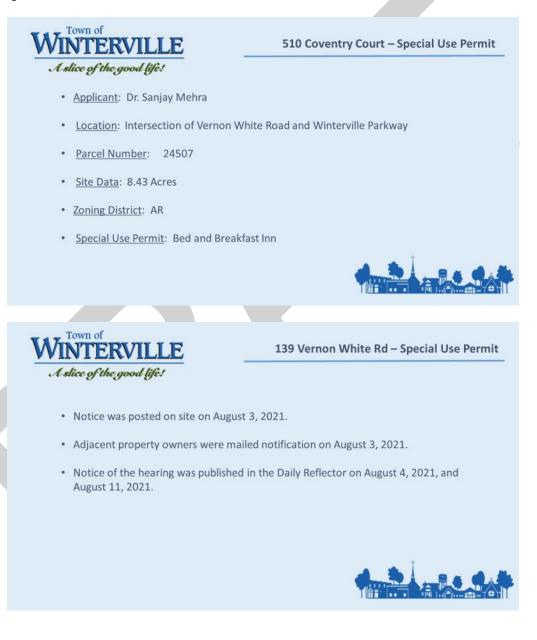
Motion made by Member Reynolds and seconded by Vice Chair Pierce to elect Jeffrey Briley as Chairman. Motion carried unanimously, 5-0.

Motion made by Member Reynolds and seconded by Member Miller to elect Edward Reynolds as Vice Chairman. Motion carried unanimously, 5-0.

NEW BUSINESS:

1. **Special Use Permit – 139 Vernon White Road**: Planning Director Jones gave the following presentation.

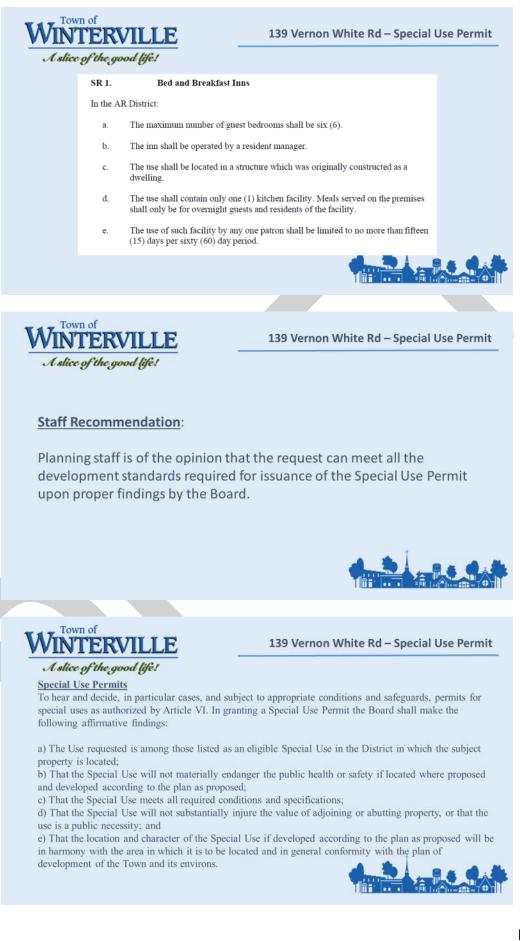
Chairman Briley requested that anyone wishing to speak, please come forward. Attorney Lassiter swore in Leigh Lawrence, representing the owner and Planning Director Jones. Chairman Briley opened the public hearing.







USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	0-1	C-B	G-B	I-C	C-N	Т	SR
Residential Uses																П	
bed and breakfast inns	2	0000	s	s	S	s	S	s			х	X	X				1
dwelling, conventional or modular: multi-family (including single family attached of more than 2 attached units)	2	0000	s							s	s	s					2/42
Single family detached	1	0000	x	x	×	×	x	х	х	х	×	s				Π	42
two-family (Including single family attached of no more than 2 attached units	1	0000	s					s	x	×	s						2
dwelling, mobile home on individual lot																П	
Class A single-family	1	0000	s						x								3
Class B single-family																	4
Family care home (6 or less)	2	8351	х	х	x	x	x	х	х	х	×	х	х		х	х	5
Family day-care home (3-5)	•	8322	s	s	s	s	s	s	s	s	s						5
home occupation, customary	•	0000	s	s	s	s	s	s	s	s	s						6
mobile home park	2	0000	s							s						Π	7
Planned unit development	2	0000						"S	EE SR	NOTE"		•					8



Member Reynolds asked questions relative to the location in the jurisdiction and controls that can be applied to the property and conditions of the special use permit. Planning Director Jones answered question from Member Reynolds and the Board.

Chairman Briley requested that anyone wishing to speak in favor come forward. Leigh Lawrence, representative for the owner, provided comments noting that the full intention is to renovate to a bed and breakfast and improve the appearance of the property.

Chairman Briley asked for anyone wishing to speak in opposition. Being none, Chairman Briley closed the public hearing.

Planning Director Jones went through the criteria prior to the vote.

To hear and decide, in particular cases, and subject to appropriate conditions and safeguards, permits for special uses as authorized by Article VI. In granting a Special Use Permit the Board of Adjustment shall make the following affirmative findings:

a) The Use requested is among those listed as an eligible Special Use in the District in which the subject property is located;

Motion made by Member Reynolds to deny the Special Use Permit. Motion died for a lack of a second.

Motion made by Vice Chair Pierce and seconded by Member Miller to approve Special Use Criteria a). Motion carried, 4-1. Member Reynolds opposed.

b) That the Special Use will not materially endanger the public health or safety if located where proposed and developed according to the plan as proposed;

Motion made by Vice Chair Pierce and seconded by Member Miller to approve Special Use Criteria b). Motion carried unanimously, 5-0.

c) That the Special Use meets all required conditions and specifications;

Motion made by Member Reynolds to deny Special Use Criteria c). Motion died for a lack of a second.

Motion made by Vice Chair Pierce and seconded by Member Miller to approve Special Use Criteria c). Motion carried, 4-1. Member Reynolds opposed.

d) That the Special Use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

Motion made by Member Phillips and seconded by Member Miller to approve Special Use Criteria d). Motion carried unanimously, 5-0.

e) That the location and character of the Special Use if developed according to the plan as proposed will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Town and its environs.

Motion made by Vice Chair Pierce and seconded by Member Reynolds to approve Special Use Criteria e). Motion carried unanimously, 5-0.

Motion made Member Reynolds and seconded by Member Phillips to approve the Special Use Permit. Motion carried unanimously, 5-0. Chairman Briley stated the Special Use Permit was approved.

REPORTS FROM STAFF – INFORMATIONAL ITEMS:

Planning Director Jones presented the following report:



2571 RAILROAD ST PO BOX 1459 WINTERVILLE, NC 28590

To: Town Council

From: Bryan Jones, Planning Director

Date: August 2, 2021

Re: Monthly Report

Please find below a summary of the projects, tasks and issues the Planning Department has been working on during the month of July 2021.

ZONING COMPLIANCES	Total = 15	YTD (2021) = 130
New Single-Family Residential	2	32
Accessory Structures	4	21
New Business	3	13
Residential Fence	2	22
Additions/Pools/Other	4	41
Other Activities/Projects		
Technical Review Committee	7/6/2021	TRC met to consider/review the site plan for PCC Student Advancement Center (approved); Eleven at Main - Preliminary Plat
Greenville Urban Area MPO TAC Meeting	7/14/2021	Transportation Advisory Committee (TAC) met to discuss transportation priorities for the Urban Area. Agenda included Prioritization Process Review and Fast-Track TIP amendment process.
Planning and Zoning Board Meeting	7/19/2021	Eleven at Main-PP (approved); Sutton Capital Group Rezoning (approved); Pitt County Farms Rezoning (approved); Aquatic Holdings Rezoning (approved); Alfred McLawhorn Rezoning (approved)
Board of Adjustment Meeting	7/20/2021	510 Coventry Court - Special Use Permit (approved)

PLANNING DEPARTMENT

BRYAN JONES

DIRECTOR

COMMENTS FROM BOARD OF ADJUSTMENT MEMBERS:

None.

ADJOURN:

Having no further business to come before the Board of Adjustment meeting, Chairman Briley requested a motion to adjourn.

Motion made by Member and seconded by Member to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 7:32 pm.

Adopted this the 21st day of September 2021.

Jeffrey Briley, Chairman

ATTEST:

Donald Harvey, Town Clerk

Image: Matrix of the good life! Town of Winterville Board of Adjustment Agenda Abstract Meeting Date: October 19, 2021 Meeting Date: October 19, 2021 Presenter: Bryan Jones, Planning Director	Item Section: New Business						
Item to be Considered							
Subject: Carroll Crossing, Section 3 - SUP							
Action Requested: Special Use Permit							
Attachments: SUP Application, Site Plan, Notification to Adjacent Property Owners							
Prepared By: Bryan Jones, Planning Director	Date: 10/13/2021						
ABSTRACT ROUTING:							
Supporting Documentation							
Applicant: Baldwin Design Consultants, PA							
Parcel Number: 04819 Site Data: 1.102 Acres Current Zoning District: R-8 CD							
Application: Development of 6 single-family attached dwelling units in 3 buildings.							
 Adjacent property owners were mailed notification of the SUP application on October 5, 2021. Notification was posted on the site on October 5, 2021. Notification of the hearing was published in the Daily Reflector on October 7, 2021 and October 13, 2021. 							
Budgetary Impact: N/A							
Recommendation: N/A							



CONDITIONAL USE PERMIT APPLICATION TOWN OF WINTERVILLE

2571 Railroad Steet P O Box 1459 Winterville, NC 28590 Phone: (252) 756-2221 Staff Use Only Appl. #_____

9/28/2021 DATE		
NAME OF APPLICANT_	Baldwin Design Consultants, PA	
ADDRESS	ington Blvd, Greenville, NC 27858	TELEPHONE
PROPERTY OWNER	& Lam Properties, LLC	
		TELEPHONE 252-702-9531 (Builder)
		, Repair, Alter, Extend,
Remove, or Demo	lish, a Building, Sign_	, Other Structure,
(Explain)	lexes	
0		
2) The building, sign or lan	d is located at: Street Address	eremy Lane and Church Street
Zoning District	R-8 CUD	
		vould be Conditional Use
in the R-8	District and is describe	d as follows:

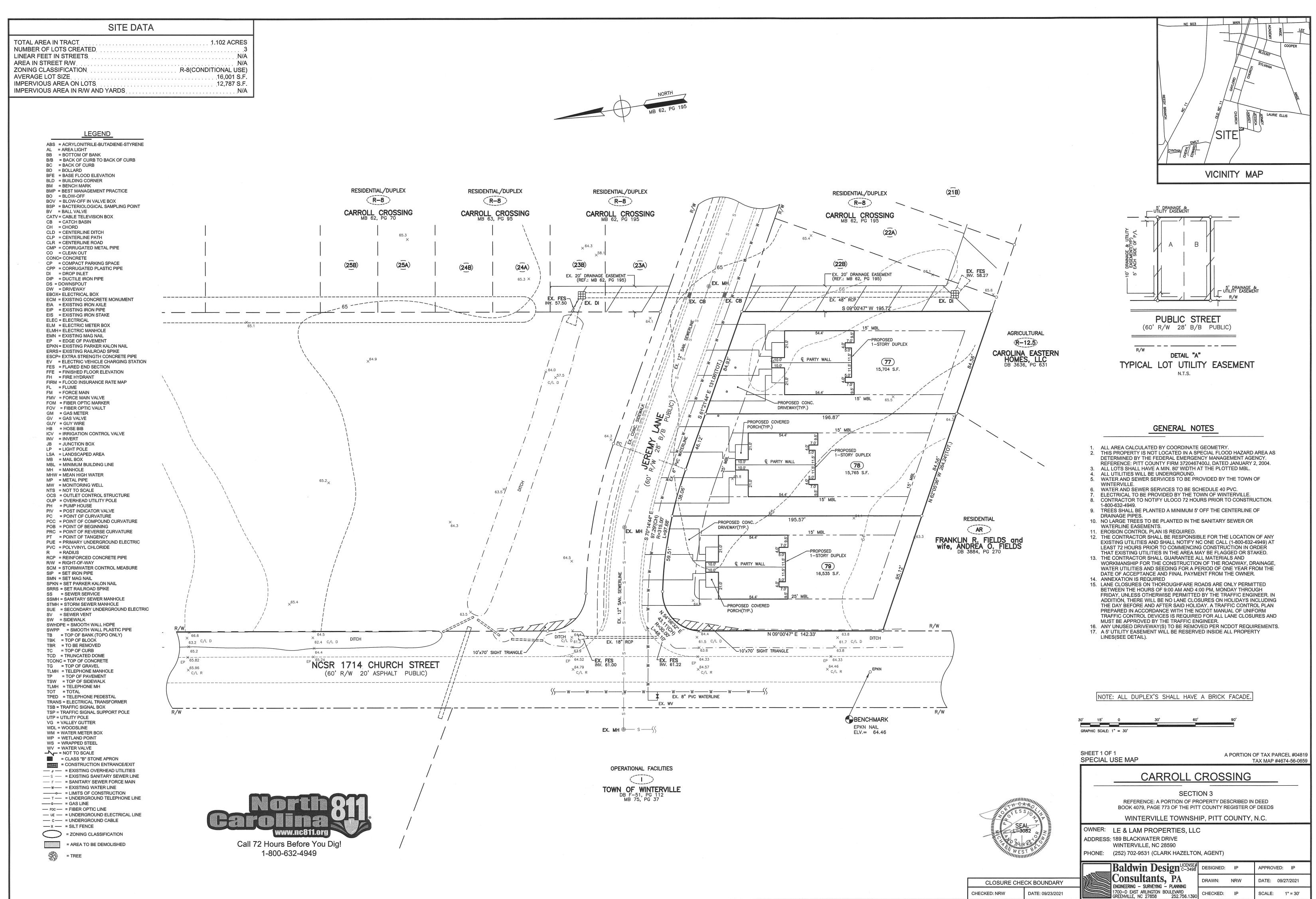
4) After completing sign the statement below:

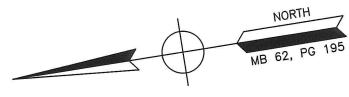
OWNER/AGENT STATEMENT

I, <u>Baldwin Design Consultants</u>, <u>PA</u>., being the Owner or Agent (if Agent, complete section below) request approval of a Conditional Use Permit as described herein. I agree that this permit, if granted, is issued on the presentation made herein and that this permit may be revoked in the event of any breach of representation or noncompliance of conditions of the permit. It is further understood that action implementing the proposed use must be completed within twelve (12) months from the date of issuance, or this permit shall become invalid.

010-101	
DATE 9282 APPLICANT	\sim
	LF OF THE PROPERTY OWNER MUST HAVE A ROM THE PROPERTY OWNER GIVING THEM THE IE OWNER'S BEHALF.
1, KRVIW Le.	, being the Owner of the property described herein,
do hereby authorize	as agent for the purpose of this
application.	
Kin Dr Signature	Sep-28-2021. Date
Sworn to and subscribed before me, this	28th day of SEPTEMBER, 2021
	Motary Public
My Commission Expires:	
8-21-24	A HANIEL WE SO
	NOTARL
	PUBLIC

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2571 Railroad Street PO Box 1459 Winterville, NC 28590 Phone (252)215-2358 Fax (252)756-3109 www.wintervillenc.com

Town of Winterville Board of Adjustment Hearing Special Use Permit

NOTICE IS HEREBY GIVEN that the Winterville Board of Adjustment will meet on Tuesday, October 19, 2021 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to have a Board of Adjustment hearing on a Special Use Permit described below:

An application has been submitted for parcel number 04819, on the south eastern corner of Church Street Extension and Jeremy Lane, for a Special Use Permit allowing two family attached/duplex development on the 1.102 acre site.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 215-2358 or at wintervillenc.com.

The Town of Winterville will be keeping measures in place in an ongoing effort to mitigate the spread of COVID-19. These measures include limiting physical attendance at the meeting and employing social distancing. The public is encouraged to watch the meeting live on YouTube (<u>www.wintervillenc.com/videos</u>). Those that wish to address the Board during the hearing should contact the Town Clerk at (252) 215-2344 to register by **one business day before the meeting at 5:00 pm.

Le & Lam Properties LLC 189 BLACKWATER DR Winterville, NC 28590

Carmen Argudin 238 JEREMY LN UNIT B Winterville, NC 28590

CAROLINA EASTERN HOMES LLC 2012 Shepard St Morehead City, NC 28557

> Toshi James 3010 B KINSEY LP Winterville, NC 28590

Keith & Diana Haight 226 B JEREMY LANE Winterville, NC 28590

Rodney & Shelbi Artis 238 A JEREMY LN Winterville, NC 28590

Town of Winterville PO BOX 1459 Winterville, NC 28590 Linda Mclawhorn 2351 OLD CREEK RD Greenville, NC 27834

Franklin & Andrea Fields 2947 CHURCH STREET EX Winterville, NC 28590

Betty Fields 3010 A KINSEY LP WINTERVILLE NC 28590