

TOWN OF UNIONVILLE
MINUTES OF REGULAR PLANNING BOARD MEETING

The Planning Board of the Town of Unionville met on Monday, September 14, 2020, at Town Hall, 1102 Unionville Church Road, Monroe, NC. Chairman Ken Trull, Board members Jerry Adams, Barry Baucom, Craig Rushing, Matt Price, Andy Fowler, and Alternate Devin Clontz were present. Absent were Steve Outen and Alternate Scott Barbee.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Andy Fowler led the prayer of invocation.

Chairman Trull called the meeting to order and welcomed all to the meeting at 7:31 p.m. Chairman Trull then asked Devin Clontz to come forward to take his Oath of Office, which was issued by Land Use Administrator Sonya Gaddy. Chairman Trull welcomed Devin and asked him to sit on the Board for the meeting.

Chairman Trull then asked for any questions on the minutes of the July 6, 2020, Regular Meeting. After a motion by Craig Rushing, seconded by Matt Price, the Board unanimously approved the minutes from the July 6, 2020, Regular Meeting.

Next, Chairman Trull presented the consideration of Subdivision #SUB-20-14, a four-lot subdivision and recombination of lots, one lot with a 20-foot dedicated easement. He asked Land Use Administrator Gaddy about the recombination. Land Use Administrator Gaddy stated that recombination is exempt from our ordinance. She signs the exemption and it is recorded with the Register of Deeds. The surveyor wanted to do it all at once with the subdivision. This is one big parcel. There are about 22 acres at Rushing-Benton Rd. Lot 1 is the newest lot served by a 20-foot dedicated easement for exclusive use. Lot 2 is just one big lot. Lot 3 is being recombined with a former parcel. Lot 4, across the road, will be recombined with a parcel across the road. There are now 4 lots and the lot sizes have changed. The Planning Board is not concerned with the recombinations, but the Planning Board is responsible for the subdivision with the easement. Chairman Trull advised the Board that the subdivision meets the requirements and asked if there were any questions. Jerry Adams asked if the easement between lots 2 and 3 was an existing easement. Land Use Administrator Gaddy stated that it had been there, yes; and that it was formed a while ago, probably before the ordinance was effective. Chairman Trull then called for a motion. Upon a motion made by Matt Price, seconded by Craig Rushing, subdivision #SUB-20-14 was unanimously approved.

Then, Chairman Trull updated the Board on Ordinance #20-01, enacting regulation of Public Nuisance conditions on Private Property. The Public Hearing is scheduled for Monday, September 21, 2020, at 7:15 p.m. Land Use Administrator Gaddy stated that Planning Board made a favorable recommendation on this, but Council made a change to add number one, concerning the height of weeds/vegetation on developed lots, under two acres, by houses, etc. Farms would not be affected by this. Ravines, creek banks, or severe slopes would not require maintenance as well. A Public Hearing is now set as it reads on Monday night at 7:15 p.m. Chairman Trull asked if the Council agreed with everything else recommended in the ordinance. Land Use Administrator Gaddy confirmed that they did. She went on to say that this was simply for the Board's information. Council took their recommendation

into consideration, invited John Ganus to come back and word the alteration, and then planned for Public Hearing.

Chairman Trull then introduced the recommendation of zoning for Annexation #26, eleven parcels in Essex Pointe Subdivision and two private roads, Essex Pointe Drive and St. Regis Court, currently zoned RA-40. Chairman Trull updated Devin Clontz by stating that any annexations into the Town are voluntary; there are no in-voluntary annexations. Land Use Administrator Gaddy advised that this annexation is off of Olive Branch Road, in Essex Pointe Subdivision. The subdivision is fully developed, with no more lots to subdivide. There may be 1-2 buildable lots, but it will not be a lot of work for the Town. The roads are privately owned by the subdivision. The Council will have a public hearing about this. There are a few lots that did not come in - about 4-5, but 11 are wanting annexation. Chairman Trull called for questions for Land Use Administrator Gaddy. There being none, Land Use Administrator Gaddy asked the Board what they would recommend for zoning. Barry Baucom made a motion to recommend RA-40 zoning for Essex Pointe and Regis Court. The motion was seconded by Andy Fowler and passed unanimously.

In other business, Land Use Administrator Gaddy brought forward a question. Section 211 and 220 of the Land Use Ordinance are frequently referenced. There is a situation where sisters are dividing property per their mother's will, which is exempt from Unionville Ordinances. There are two parcels being divided between the two sisters. There is little road frontage for the property. There is a property that one sister is planning to subdivide with no road frontage and an easement to the road. The other sister is planning to do the same thing with an easement. The ordinance says that no more than 2 lots can be served by easements coming out of the same tract. Land Use Administrator Gaddy stated that she used the word "parent tract," which is the way it existed when Union County zoning started in 1972 or 1973. The question is can they both have two lots (four total) served by easements, or is it looked at as one tract with two lots served by easements in the whole tract. Matt Price stated that he would look at it as two separate tracts, so there are two separate tracts. Land Use Administrator Gaddy then asked how many lots could have an easement. Sister one would have her easement from the front lot. Sister two would have her easement from her front lot. Land Use Administrator Gaddy asked if they could both have two lots served by easements. She also asked what could be done in the future. Matt Price clarified that there would be two easement tracts on that same lot. Barry Baucom asked how it could be bad. Chairman Trull asked if it would meet the requirements of the Land Use Ordinance. Matt Price stated that when the property is subdivided as part of the will and it is recorded, then the ordinances would be effective moving forward. Chairman Trull stated that once it is recorded, the property owners must have the same rights as everyone else. Land Use Administrator Gaddy stated that in her thought process, sister 2 could have two lots served by easements. Matt Price stated that once each sister records their plat, the grandchildren would not be able to subdivide again. Craig Rushing asked for clarification. Land Use Administrator Gaddy stated that the surveyor advised her that Union County would look at the original parcel as a parent tract. Matt Price confirmed that each lot would have its own separate 20-foot easement. Chairman Trull asked if this was an inheritance. Land Use Administrator Gaddy stated that it was an estate settlement, which is exempt from our ordinance. So, these are two new tracts. After discussion, there was some additional conversation about the existing road frontage. Land Use Administrator Gaddy stated that the surveyor was dividing it for the will, but is also guiding the family for the future, which is why he was asking.

Chairman Trull then asked Land Use Administrator Gaddy if there was an update on the lawsuit. Land Use Administrator Gaddy stated that there had been no word.

With there being no other business and upon a motion by Jerry Adams, seconded by Craig Rushing, the meeting adjourned at 7:59 p.m.

Respectfully submitted,

Melody Braswell

Deputy Clerk