

Lincoln County Planning Commission Meeting

October 5th, 2009 - 5:30 p.m.

The Lincoln County Planning Commission met in regular session on Monday, October 5th, 2009 at 5:30pm in the Conference Room of the Planning and Zoning Department building. Those present were Herbert Moxley, Chairman, District Four; Coleman Kennedy, Vice-Chairman, District Three; Commissioner Barney Aycock, III, District Two; Commissioner Johnny Burns, District One; Commissioner Jim Mattison, At Large by the Chairman; Roby Seymour, Planning and Zoning Director and Denise Cunningham, Planner.

1.

Call Meeting to Order

Chairman Moxley called the meeting to order.

2.

Invocation

Vice-Chairman Kennedy opened the meeting with prayer.

3.

Pledge of Allegiance to the Flag

Vice-Chairman Kennedy led in the Pledge of Allegiance to the Flag.

4.

Declaration of a Quorum

Quorum was confirmed by Chairman Moxley.

5.

Approval of August 10, 2009 Minutes

On motion by Vice-Chairman Kennedy and seconded by Commissioner Burns , the board voted unanimously to approve the minutes dated August 10th, 2009 from the previous meeting.

6.

Approval of Agenda

On motion by Vice-Chairman Kennedy and seconded by Commissioner Burns, the board voted unanimously to approve the agenda.

7.

Rezoning Request

Applicant: Norman L. Mellons

Property Owner: Terry W. Brown

3.0 acre Tract (Map 61/Parcel 048)

Rezone From A-3 to M-1 (Office/Supply Storage)

Chairman Moxley opened the meeting with a rezoning request for property known as (Map 61/Parcel 048) located at 4375-A Double Branches Road owned by Terry K. Brown. The previous business operated as a “Boat Dock and Repair” and is no longer in business. Mr. Norman Mellons is requesting to store and operate a metal roofing business in the existing building. Mr. Brown and Mr. Mellons were present to answer questions from the board. Mr. Mellons replied that they would be cutting the trim that they take out to the job site. Commissioner Burns asked if the cutting and shearing would generate a lot of noise. Mr. Mellons replied that the noise level is very minimum and Mr. Brown has been in his yard and never heard the machines operating. Commissioner Burns wanted to know how he would be disposing the left over scrap metal. Mr. Brown has a dumpster at the site and it will be hauled off to a land field when it is full. Chairman Moxley asked about his proposed hours of operation. Mr. Mellons replied that he would like to operate the business on Monday – Friday between the hours of 7:00am til 5:00pm . Vice Chairman Kennedy motioned to approve the rezoning request. Chairman Moxley read the following conditions:

1. Hours of operation will be Monday – Friday 7:00AM til 5:00PM
2. All supplies to be stored inside the building.
3. Any changes of the purpose or the use of this property must come before the Planning Commission for approval.

Commissioner Aycock seconded the motion and the board voted unanimously to approve with the conditions and to rezone the property to M-1 for a storage supply building /shearing roofing metal business.

8.

Variance Request

**Applicant: Wayne Logan
Property Owner: Lance Logan
Side and Rear Set-Back Request
(Tax Map 65A/Parcel 062 – .36 acres)
1098 West Lake Drive**

Chairman Moxley proceeded with a variance request for a side and rear set-back for a 30 X 50 Garage on property owned by Lance Logan at 1098 West Lake Drive known as (Tax Map 65A /Parcel 062). Wayne and Lance Logan were present to answer any questions from the committee. Wayne Logan started building this structure on his vacant lot without a permit. The county ordinance does not allow accessory structures on a vacant lot in a residential subdivision. Permits are required for accessory structures over 120 sq. ft. and have to meet set back requirements of 10' off sides and rear in residential sections. Wayne is requesting to put this garage on his brother's lot and needs a variance for 1 ft. off side and 5 ft. off rear. Wayne will not be building until approximately 2 years from now. Commissioner Aycock stated that 3 ft. is the most that we have granted for set-back requirements. After a brief discussion, the board agreed to grant 3' off side and 5' off rear property lines. On motioned by Commissioner Aycock and seconded by Commissioner Kennedy , the board voted unanimously to approve the 3' off side property line and 5' off rear property line variance.

9.

Variance Request

**Applicant: Waymon Tucker
Side Set-Back Request
(Tax Map 11A/Parcel 135 – .27 acres)
1156 Lincoln Street**

Chairman Moxley proceeded with a variance request for a 2 ft. side set-back to replace a storage building on property known as (Tax Map 11A/Parcel 135) 1156 Lincoln Street owned by Waymon Tucker. Mr. Tucker was not present due to his health condition. Director Seymour explained that he had an existing 9 X 10 building that was in need of repair. This building was on a concrete slab and he demolished it to replace it with a new 12 X 12 storage building. He would be increasing the sq. ft. towards his house

away from the property line. Commissioner Mattison pointed out that this was a pre-existing building with a concrete pad. The replacement building would not be increasing towards the property line. After a brief discussion, Commissioner Mattison motioned for approval and Commissioner Burns seconded the motion. The board voted unanimously to approve the 2 ft. set-back for the accessory building.

10.

**PLANNING AND ZONING
DEPARTMENTAL UPDATE AND DISCUSSION**

11.

ADJOURN

On motion by Vice-chairman Kennedy and seconded by Commissioner Aycock, the board voted unanimously to adjourn.

Herbert Moxley, Chairman

Denise Cunningham, Planner