



**TOWN OF ELIZABETHTOWN
PLANNING BOARD MEETING**

September 14, 2020 at 6:00 p.m. via Zoom

Agenda

- **OPENING & CALL TO ORDER**
- **INVOCATION**

I. Minute Approval: *December 2, 2019 Minutes*

II. Agenda Items

Item #1: Election of Planning Board Officers

The Town Code of Ordinances requires that the Planning Board hold the annual election of officers each year per Chapter 153.07 of the Town of Elizabethtown Code of Ordinances. **(AGENDA ITEM #1A)**

Current Officers:

- Chairperson – Bobby Kinlaw
- Vice-Chairperson – Heather Tart
- Secretary/Treasurer – Patricia Jessup

Item #2: Major Subdivision Permit Review – Greg P. Taylor

Greg P. Taylor has applied to subdivide approximately 94.04 acres of land, referenced by PIN #1302.00.67.4528 in the Bladen County Tax Record, on NC Hwy 87 W into 5 parcels, which are shown on the preliminary plat. **(AGENDA ITEM #2A)** Also included is an aerial photograph of the property. **(AGENDA ITEM #2B)**

The Elizabethtown Subdivision Ordinance requires that said proposed subdivision be reviewed as a **major** subdivision. The applicant submitted a sketch plan and necessary amendments were recommended by the subdivision administrator, including a 50' right-of-way easement across Tract 1 for access to Tract 5. Therefore, the applicant has provided the Preliminary Plat for Planning Board consideration.

The current zoning of the property is Residential-Agricultural (R-A) and the proposed parcels are compliant with the minimum lot size and frontage requirements for this zoning district per the Elizabethtown Zoning Ordinance. **(AGENDA ITEM #2C)**

The proposed subdivision is outside of the corporate limits of the Town of Elizabethtown. Mr. Taylor has indicated that the proposed subdivided lots will utilize septic systems and county water. Tract 5 will likely utilize a well system for drinking water purposes due to its distance from NC Hwy 87 W.

Request: Planning Board is asked to either approve, conditionally approve, or disapprove the referenced Preliminary Plat. Since there are no improvements requested or needed for this subdivision, the Planning Board is requested that this also be the approval of the Final Plat for recording. Please refer to the Subdivision Regulations that were provided as a supplement to the agenda.

Item #3: Rezoning Request RZ0914200072 – HD3 Investments LLC/Hilton Companies

Petitioner: HD3 Investments LLC/Hilton Companies
Case Number: RZ0914200072
PIN #: 1321.05.09.0072

Request: HD3 Investments LLC/Hilton Companies requests that the Planning Board consider for approval, a rezoning request for one parcel located along Rollins St. The request would rezone the parcel, identified by Bladen County PIN number 1321.05.09.0072, from C-1 General Commercial to R-10 Residential. The lot is to be combined with an adjacent lot, which is currently zoned R-10 Residential, to construct two multi-family apartment buildings. Multi-Family dwellings are permitted as a Use by Right under the R-10 Residential zoning district.

Enclosed is a site location map identifying the property, a zoning map, the rezoning application, a copy of Article 6, Section 6.3 Primary Zoning Districts for descriptions of the C-1 General Commercial and R-10 Residential zoning districts. **(AGENDA ITEM #3A)**

Pursuant to the Elizabethtown Zoning Ordinance Article 4, Section 6.3 in deciding whether to adopt the proposed map amendment, the Planning Board should consider if the proposed change is consistent with the adopted comprehensive land use plan for the Town of Elizabethtown and advances the public health, safety, or welfare. **(AGENDA ITEM #3B)**

Additionally, when considering this request, the Planning Board should keep in mind the entire range of uses of the R-10 Residential Zoning District. **(Please refer to the Elizabethtown Zoning Ordinance Article 6, Section 6 for Table of Uses and Activities.)**

Request: The Planning Board is asked to consider a recommendation to approve or disapprove the above referenced rezoning amendment and forward to Town Council. The Planning Board is asked to allow for public comment as to whether the proposed change will be consistent with the adopted comprehensive plan.

Item #4: Major Subdivision Permit Review – Devane, Inc

Devane, Inc has applied to subdivide approximately 3.64 acres of land, referenced by PIN #1312.00.00.4914 in the Bladen County Tax Record, on Singletary Avenue into 5 parcels, which are shown on the Preliminary Plat. **(AGENDA ITEM #4A)** Also included is an aerial photograph of the property and photos of the road and site. **(AGENDA ITEM #4B)**

The Elizabethtown Subdivision Ordinance requires that said proposed subdivision be reviewed as a **major** subdivision. The applicant submitted a sketch plan and

necessary improvements were recommended by the subdivision administrator.

(AGENDA ITEM #4C)

These improvements include:

- 1) Subdivision developer will improve the private street along the front of the proposed lots to the minimum private street requirements – 18-foot-wide travel-way with 4” aggregate base, graded and compacted.

(AGENDA ITEM #4D)

- 2) A permanent vehicle turnaround must be provided at the end of all dead-end streets. Vehicle turnarounds must accommodate emergency vehicles including but not limited to ambulance and fire safety equipment. Turnaround must be built to North Carolina Fire Code specifications. **(AGENDA ITEM #4E)**

- 3) A right-of-way maintenance agreement must be recorded by a Property Owners Association in the office of the Register of Deeds to ensure proper maintenance of the private section of Singletary Avenue that serves the new lots resulting from the subdivision. In addition, all property transfer instruments must contain reference to that agreement, as well as a statement indicating that the private street does not meet public standards for maintenance and will not be considered for maintenance unless improved by the property owner’s association to those standards. A legally responsible organization such as a property owners association shall be established to maintain a private street. Documents to assure private responsibility of future maintenance and repair by the property owner’s association shall be provided to the Town prior to Final Plat approval. **(AGENDA ITEM #4F)**

The current zoning of the property is R-20 Low-Density Residential, and the proposed parcels are compliant with the minimum lot size and frontage requirements for this zoning district per the Elizabethtown Zoning Ordinance.

(AGENDA ITEM #4G)

The proposed subdivision is outside of the corporate limits of the Town of Elizabethtown. Devane, Inc. has indicated that proposed subdivided properties will utilize septic systems and wells for drinking water purposes. Town staff is currently working on a development incentive package that would potentially bring these lots into the city limits as well as extending water and sewer service to the properties. This would also require the street to be upgraded to Town street standards and be dedicated to the Town of Elizabethtown as a public street.

***Request:** Planning Board is asked to either approve, conditionally approve, or disapprove the referenced Preliminary Plat. Please refer to the Subdivision Regulations that were provided as a supplement to the agenda.*

Item #2:

Other Business

- a) Other: Board Members may present other business or concerns at this time.

b) Next Scheduled Meeting: To be determined, due to COVID-19 pandemic.

Ж MEETING ADJOURNED

§ 153.07 ORGANIZATION.

(A) The Planning and Zoning Commission shall elect a Chairperson, Vice-Chairperson, Secretary and other such officials as may be necessary, from among its members, to serve for a period of one year with eligibility for re-election.

(B) The Planning and Zoning Commission shall hold a meeting for the election of officers at the first meeting in April of each year.
(’82 Code, Ch. 14, Art. II, § 27) (Ord. passed 6-1-81)

Please see the attached preliminary plat as an insert on the next page.

NORTH CAROLINA
BLADEN COUNTY

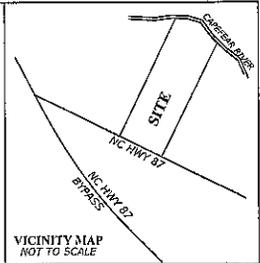
I, JERRY W. LEE, PLS-4249, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED AND DESCRIPTION RECORDED IN BOOKS REFERENCED, THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDE AND DEPARTURES IS 1/100000+, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED, THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (GS-41-30), WITNESS MY HAND AND SEAL THIS 7 TH DAY OF JULY, A.D. 2020.

THIS PLAT IS OF A SURVEY THAT IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

REGISTRATION NO. L-4249 LAND SURVEYOR

SURVEY
SEAL

PRELIMINARY PLAT -
NOT FOR RECORDING,
CONVEYANCE OR SALES



CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR THE TOWN OF ELIZABETHTOWN, NORTH CAROLINA AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF BLADEN COUNTY WITHIN 60 DAYS OF THE DATE BELOW.

DATE _____ SUBDIVISION ADMINISTRATOR
ELIZABETHTOWN, NORTH CAROLINA

ZONING INFORMATION

R-A

MARY McDONALD WADE
DB 346 PG 10
PIN # 130200573701

TRACT 5
INCLUDES ROW BY ROW

WEST POINT PLACE LLC
DB 525 PG 636
PIN # 130200769935

CERTIFICATION OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF ELIZABETHTOWN AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND ESTABLISHED MINIMUM BUILDING SETBACK LINES AS NOTED.

DATE _____ OWNER _____
DATE _____ OWNER _____

I, _____, REVIEW OFFICER OF BLADEN COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE _____

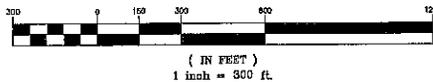
NOTES

- 1: ALL DISTANCES ARE HORIZONTAL GROUND.
- 2: AREA COMPUTED BY THE COORDINATE METHOD.
- 3: NO NCMS MONUMENTS FOUND WITHIN 2000'.
- 4: NO IMPROVEMENTS SHOWN HEREON THIS DATE.

I, JERRY W. LEE, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: CLASS B
- (2) POSITIONAL ACCURACY: 0.12' HORIZONTAL
- (3) TYPE OF GPS FIELD PROCEDURE: RTK
- (4) DATES OF SURVEY: AUGUST 12, 2020
- (5) DATUM/EPOCH: NAD 83 (NARS 2011)
- (6) PUBLISHED/FIXED-CONTROL USE: 2001
- (7) GEOID MODEL: GEOID 12A
- (8) COMBINED GRID FACTOR: 0.9999293
- (9) UNITS: US SURVEY FEET

GRAPHIC SCALE



LEGEND

- IAF-IRON AXLE FOUND
- IPF-IRON PIPE FOUND
- IRF-IRON ROD FOUND
- CMF-CON. MONUMENT FOUND
- IRS-IRON ROD SET
- MNS-MAG NAIL SET
- MNF-MAG NAIL FOUND
- PPF-PUMP PIPE FOUND

GREGORY PAUL TAYLOR

ELIZABETHTOWN TOWNSHIP
BLADEN COUNTY NORTH CAROLINA
DATE: JULY 7, 2020 SCALE: 1"=300'
TITLE REFERENCE - DB 761 PG 331
MAP CAB. A-177 PAGE 1772
PIN # 130200674528

JERRY W. LEE L-4249
PROFESSIONAL LAND SURVEYOR
P.O. BOX 2364
LUMBERTON, NC 28359
PHONE: 310-734-6809
EMAIL: jwsurvey3g@bellsouth.net

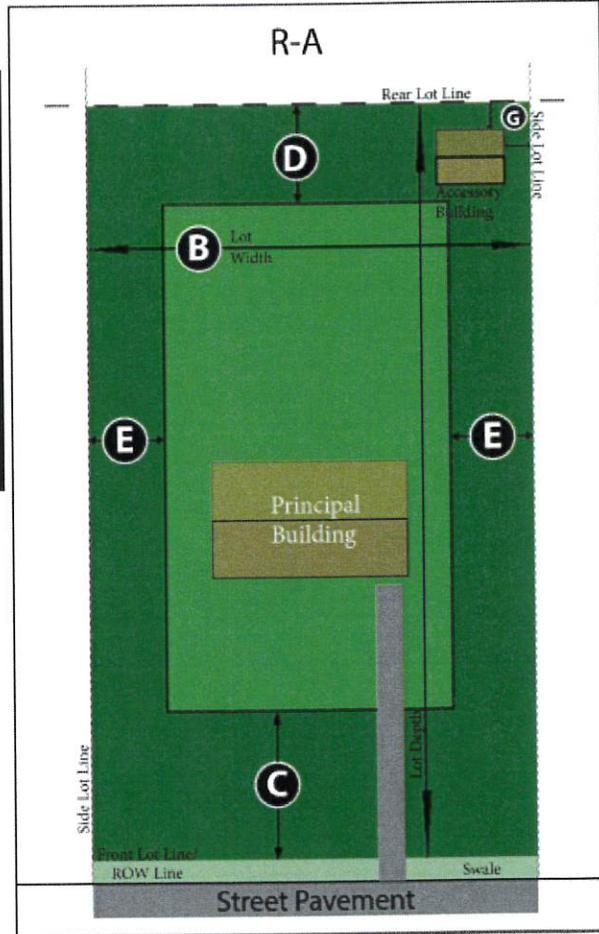
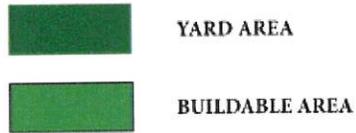


ARTICLE 8. ZONING DISTRICT DESIGN STANDARDS

SECTION 8.1 R-A RESIDENTIAL-AGRICULTURAL DISTRICT.

8.1.1. Dimensional Requirements.

| | |
|-----------------------------|---------------------|
| (A) Minimum Lot Area | 40,000 sq ft |
| (B) Minimum Lot Frontage | 150 ft |
| (C) Front Yard Setback | 50 ft |
| (D) Rear Yard Depth | 30 ft |
| (E) Side Yard Width | 25 ft |
| (F) Maximum Building Height | 50 ft |
| (G) Accessory Buildings | |
| • 750 sq ft or less | 6 ft |
| • Greater than 750 sq ft | see Section 8.14.12 |



8.1.2. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.1.3. Signs. Signs shall be permitted as provided in Article 10, Part IV.

8.1.4. Parking. Off-street parking shall be provided as required in Article 10, Part I.







TOWN OF
ELIZABETHTOWN

REZONING APPLICATION



The seal of the Town of Elizabethtown, North Carolina, is circular with a gold border. It features a central figure of a man in a dark coat holding a rifle, standing in front of a stylized American flag with stars and stripes. The text "The Town of Elizabethtown" is written in a decorative font along the top inner edge, and "North Carolina" is written along the bottom inner edge. The years "17" and "73" are positioned on the left and right sides of the inner circle, respectively.

TOWN OF ELIZABETHTOWN
805 W. BROAD STREET
ELIZABETHTOWN, NC 28337
910-862-2066



Town of Elizabethtown Rezoning Process

Rezoning amends a designated parcel or property from one zoning classification to another. A Rezoning Application is required when the existing zoning classification does not allow a proposed use. To get property rezoned, you must complete a Rezoning Application form. The Rezoning Fee is **\$350.00** and is **non-refundable**. This fee must accompany the application to be considered complete. This charge covers cost incurred by the Planning Department to advertise and notify adjacent property owners about the rezoning request public hearing. State Statutes require that the public hearing must be advertised in the local newspaper. All property owners within **300** feet of the rezoning are mailed letters informing them of the public hearing. By State Statute, these property owners are given the opportunity to comment on the proposed rezoning.

REZONING PROCESS SEQUENCE

- The complete Rezoning Application package, along with the **\$350.00** fee, must be received **30 days** prior to Planning Board meeting.
- A complete rezoning application package will consist of,
 - a rezoning application with all information completely filled in,
 - the printed name, original signature and contact information of all property owners,
 - a boundary survey of the subject site,
 - a tax map outlining the land area subject to the requested zoning action,
 - a written explanation of how the request is reasonable and in conformance with adopted development goals and policies of the Town of Elizabethtown.
- The Planning Board meets the first Monday of each month at Elizabethtown Municipal Building at 6:00 P.M. in Council Chambers.
- The Planning Board makes a recommendation; it is then forwarded to Town Council.
- The staff will post sign/s on your property after the Planning Board meeting that give a brief description of the request.
- Town Council will conduct a public hearing at the following month's regularly scheduled meeting.
- Town Council meets the first Monday of each month at Elizabethtown Municipal Building at 7:00 P.M. in Council Chambers unless otherwise posted.

Any application submitted found to be incomplete will be held by Planning and Development staff for a later schedule. It is the applicant's responsibility to verify that all required items have been submitted and accepted by Planning and Development staff. There is no guarantee your application will be approved by Town Council. It normally takes between 60-90 days for the rezoning process to be completed. However, the process can take longer, depending on the actions of the Planning Board and Town Council.

If you have any questions before, during, or after the process, please feel free to call our office at 862-2066.

| | |
|---|---|
| SUBMIT FORM TO THE PLANNING DEPARTMENT FOR REVIEW VIA CARRIER/MAIL, FAX 910-862-7117 OR EMAIL PLANNING@ELIZABETHTOWNNC.ORG | <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED DATE: _____ AGENT: _____ |
|---|---|

Permit Number: _____

TOWN OF
ELIZABETHTOWN
Planning & Community Development
805 West Broad St. - Post Office Box 716
Elizabethtown, NC 28337

LAND USE APPLICATION

REZONING APPLICATION

Please complete this application to the best of your ability in order to expedite accurate review.

Subject Property Owner's Name: H03 Investments LLC
 Company: H03 Investments LLC
 Address: 404 Industrial Park Rd
 City: Elizabethtown State: NC Zip: 28337 Non-Profit Corp. Number: NO YES
 Phone: 910-802-7400 Fax: 910-802-9900 Other: _____
 Applicant's Name: Cristian Eisner
 Company: H03 Investments LLC / Hilton Companies
 Address: 404 Industrial Park Rd.
 City: Elizabethtown State: NC Zip: 28337
 Phone: 910-802-997400 Fax: 910-802-9900 Other: _____

SUBJECT PROPERTY LOCATION INFORMATION

Address or General Location: Rollins Street Parcel ID Number: 132105090072
 Acreage: .12 acres Frontage: 4650 feet Zoning: C-1

TYPE OF REQUESTED ACTION

| | | | |
|--|--|---|---|
| <input type="checkbox"/> Construction Related | <input type="checkbox"/> Use Related | <input type="checkbox"/> Zoning Related | <input type="checkbox"/> Miscellaneous |
| <input type="checkbox"/> Residential Addition | <input type="checkbox"/> Conditional Use App. | <input type="checkbox"/> Zoning Compliance Certificate | <input type="checkbox"/> Text Amendment Application |
| <input type="checkbox"/> New Construction Compliance | <input type="checkbox"/> Accessory Use Permits | <input checked="" type="checkbox"/> Rezoning Application | <input type="checkbox"/> Tank Removal |
| <input type="checkbox"/> Sign Permit | <input type="checkbox"/> Special Use Permit App. | <input type="checkbox"/> Variance Request | <input type="checkbox"/> Other: _____ |

SUPPORTING INFORMATION

| | |
|---|---|
| <p>For rezoning applications, please provide the following (please print):</p> <ul style="list-style-type: none"> Requested zoning classification: <u>R-10</u> One paper copy of a map indicating the property to be rezoned as well as the adjacent properties and one digital copy of same. List reason(s) why zoning should be changed (use separate sheet if necessary). <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> | <p>List additional supporting documents here and affix to backside of petition:</p> <ol style="list-style-type: none"> _____ _____ _____ _____ _____ |
|---|---|

AUTHORIZATION

I hereby affirm that I have full legal capacity to authorize the filing of this Application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signature invites Town representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Application. Any application submitted by the deadline date found to be incomplete will be held by Planning and Development staff for a later schedule. It is the applicant's responsibility to verify that all required items have been submitted and accepted by Planning and Development staff.

Authorized Signature: Cristian Eisner Date: 7/30/2020

Printed Signature/Title: _____



| | | |
|--|--|---------------------------------|
| SUBMIT FORM TO: THE PLANNING DEPARTMENT FOR REVIEW VIA CARRIER/MAIL, FAX 910.862.7117 OR EMAIL PLANNING@ELIZABETHTOWNNC.ORG | <input checked="" type="checkbox"/> APPROVED | <input type="checkbox"/> DENIED |
| | DATE: _____ | AGENT: _____ |

TOWN OF
ELIZABETHTOWN
Planning & Community Development
805 West Broad St. Post Office Box 716
Elizabethtown, NC 28317

LAND USE APPLICATION

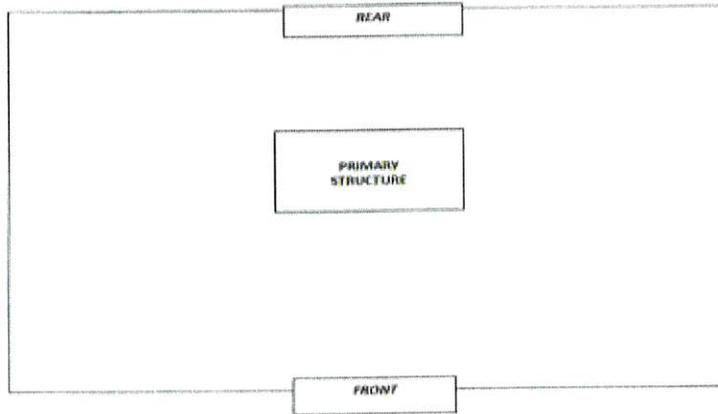
PROPOSED PLACEMENT

Applicant Name HID3 Investments, LLC

Parcel ID 132105090072

INSTRUCTIONS: Show a representative drawing of the intended placement location in relation to any driveways, existing buildings, fences, landscaping, street right-of-way and any neighboring drives or street intersections within 150 feet of the proposed placement location.

SCALE DRAWING OF PROPOSED PLACEMENT OF UNIT ON SUBJECT PROPERTY



Intended Use: Multi-Family Living - continuation of units
~~Residential~~

AUTHORIZATION

I hereby affirm that I have full legal capacity to authorize the filing of this Application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signature invites Town representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Application. Any application submitted by the deadline date found to be incomplete will be held by Planning and Development staff for a later schedule. It is the applicant's responsibility to verify that all required items have been submitted and accepted by Planning and Development staff.

Authorized Signature: *Chris Jones*

Date: 7/30/2020

Printed
Signature/Title: _____



| | | |
|---|-----------------------------------|---------------------------------|
| SUBMIT FORM TO THE PLANNING DEPARTMENT FOR REVIEW VIA CARRIER/MAIL, FAX 919-862-7117 OR EMAIL PLANNING@ELIZABETHTOWNNC.ORG | <input type="checkbox"/> APPROVED | <input type="checkbox"/> DENIED |
| | DATE: _____ | AGENT: _____ |

6.3.9. C-1 General Commercial District.

The C-1 district is defined as certain commercial areas which provide a wide selection of convenience and comparison shopping outlets, furniture showrooms, and for personal services, in an orderly arrangement of retail facilities, parking and other amenities. This district is customarily located at the intersection of one or more highways or along thoroughfares. This district may also provide retailing and personal services for the benefit of residents in nearby areas and non-residents. Included also are certain functions such as warehousing that are compatible with the primary uses.

6.3.7. R-10 High-Density Residential District.

The R-10 district is defined as medium- to high-density residential areas where single-family and multi-family dwellings are co-mingled and certain open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and prohibit all activities of a commercial nature except certain home occupations and health care facilities controlled by specific limitations.

PART II. LEGISLATIVE PROCEDURES

SECTION 4.6 AMENDMENT/REZONING PROCEDURES.

4.6.1. Procedure.

The Town Council may amend, supplement, or change the text of this Ordinance and zoning map following review and recommendation of the Planning and Zoning Commission according to the procedures established in this section. As used in this section, "comprehensive plan" includes a unified development ordinance and any other officially adopted plan that is applicable.

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|---|
| ARTICLE 4. LEGISLATIVE/QUASI-JUDICIAL PROCEDURES |
|---|

4.6.2. Action by Applicant.

The following action shall be taken by the applicant:

4.6.2.1. Proposed changes or amendments may be initiated by the Town Council, Planning and Zoning Commission, or by one or more interested parties.

4.6.2.2. An application for any text change or amendment shall contain the proposed text amendment and the name(s) and address(es) of the applicant(s).

4.6.2.3. An application for any map change or amendment shall contain a description and statement of the present and proposed zoning regulation or district boundary to be applied, the name(s) and address(es) of the applicant(s), the owner of the parcel of land involved in the change if different from the applicant, and all adjacent property owners as shown on the Bladen County tax listing.

4.6.2.4. One (1) hard copy and one (1) electronic copy of such application shall be filed with the Zoning Administrator not later than thirty (30) calendar days prior to the Planning and Zoning Commission meeting at which the application is to be considered.

4.6.3. Action by the Planning and Zoning Commission.

The Planning and Zoning Commission shall advise and comment on whether the proposed text amendment or map amendment is consistent with the adopted comprehensive plan and any other applicable officially adopted plans. The Planning and Zoning Commission shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning and Zoning Commission, but a comment by the Planning and Zoning Commission that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the Town Council. In its deliberations, the Planning and Zoning Commission shall provide the public an opportunity to comment on consistency with the Comprehensive Plan.

4.6.4. Action by the Town Council.

Action to consider a rezoning petition, including the scheduling of a public hearing, will be at the discretion of the Town Council.

4.6.4.1. Before an item is placed on the consent agenda to schedule a public hearing, the Planning and Zoning Commission's recommendation on each proposed zoning amendment must be received by the Town Council. If no recommendation is received from the Planning and Zoning Commission within 30 days from the date when submitted to the Planning and Zoning Commission, the petitioner may take the proposal to the Town

ARTICLE 4. LEGISLATIVE/QUASI-JUDICIAL PROCEDURES

Council without a recommendation from the Planning and Zoning Commission. However, the Planning and Zoning Commission may request the Town Council to delay final action on the amendment until such time as the Planning and Zoning Commission can present its recommendations.

4.6.4.2. After receiving a recommendation from the Planning and Zoning Commission on a proposed amendment, the Town Council may proceed to vote on the proposed ordinance, refer it to a committee for further study, or take any other action consistent with its usual rules of procedure.

4.6.4.3. The Town Council is not required to take final action on a proposed amendment within any specific period of time, but it should proceed as expeditiously as practicable on petitions for amendments since inordinate delays can result in the petitioner incurring unnecessary costs.

4.6.4.4. No member of the Town Council shall vote on any zoning map amendment or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial and readily identifiable financial impact on the member or his/her close family, business, and/or associational relationships. Refer to Section 3.5.5.

4.6.4.5. Prior to adopting or rejecting any zoning text and/or map amendment (including small scale rezonings), the Town Council shall adopt one of the following statements which shall not be subject to judicial review.

4.6.4.5.1. A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

4.6.4.5.2. A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

4.6.4.5.3. A statement approving the zoning amendment and containing at least all of the following:

4.6.4.5.3.1. A declaration that the approval is also deemed an amendment to the comprehensive plan. The Town Council shall not require any additional request or application for amendment to the comprehensive plan.

ARTICLE 4. LEGISLATIVE/QUASI-JUDICIAL PROCEDURES

4.6.4.5.3.2. An explanation of the change in conditions the Town Council took into account in amending the Ordinance to meet the development needs of the community.

4.6.4.5.3.3. Why the action was reasonable and in the public interest.

4.6.4.6. In deciding whether to adopt a proposed amendment to this Ordinance, the central issue before the Town Council is whether the proposed amendment advances the public health, safety, or welfare. All other issues are irrelevant and all information related to other issues at the public hearing may be declared irrelevant by the Mayor and excluded. When considering proposed map amendments:

4.6.4.6.1. The Town Council shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Town Council shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.

4.6.4.6.2. The Town Council shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.

4.6.5. Citizen Comments.

Zoning ordinances may from time to time be amended, supplemented, changed, modified, or repealed. If any resident or property owner in the town submits a written statement regarding a proposed amendment, modification, or repeal to a zoning ordinance to the Clerk to the Board at least two business days prior to the proposed vote on such change, the Clerk to the Board shall deliver such written statement to the Board of Commissioners. If the proposed change is the subject of a quasi-judicial proceeding under NCGS 160A-388, the Clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the Board shall not disqualify any member of the Board from voting.

4.6.6. Withdrawal of Application.

An applicant may withdraw his or her application at any time by written notice to the Zoning Administrator and may resubmit at a subsequent date in compliance with the submittal schedule contained herein.

Please see the attached preliminary plat as an insert on the next page.

LEGEND:

- EP EXISTING PAVEMENT
- ES EXISTING IRON STAKE
- ISS IRON STAKE SET
- ECM EXISTING CONCRETE
- CMC CONCRETE MONUMENT SET
- ERR EXISTING PAULROAD SHRM
- EMN EXISTING MAG NAIL
- EIA EXISTING IRON NAIL
- MNS MAG NAIL SET
- ELN EXISTING LIME
- CP COMPUTED POINT
- EN EXISTING NAIL AND CAP

VICINITY MAP (NOT TO SCALE)

NOTES:

- DEED REFERENCES: DB 622 PG 218, DB 673 PG 527 AND MC C-22 PG 218.
- All lines are shown as surveyed by me on date of survey unless otherwise noted.
- This is a survey of existing parcel of land dividing said parcel into seven lots forming a major subdivision.
- All distances are shown as ground surface distances; the combined scale factor for conversion is 0.99999303

M. SHELTON BORDEAUX
A SURVEY FOR
DEVANE, INC

DATE OF SURVEY: 11-30-2017
FILE: 17295-1.PCS
DRAWN BY: M. SHELTON
CHECKED BY: M. SHELTON

LOCATED IN TOWN OF ELIZABETHTOWN, ELIZABETHTOWN TOWNSHIP, BLADEN COUNTY, NORTH CAROLINA

GRAPHIC SCALE 1" = 100'

I hereby certify that the subdivision plat shown herein has been found to comply with the Subdivision Regulations of the Town of Elizabethtown, Office of the Register of Deeds of Town of Elizabethtown.

Subdivision Administration: Elizabethtown, North Carolina

Date: _____

We hereby certify that the owner of the property shown and described herein, when located in the subdivision jurisdiction of the Town of Elizabethtown, North Carolina, has been duly qualified to survey, by free consent, establish minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I hereby declare all primary easements and other lines to be "Open" to Elizabethtown.

Owner: _____ Date: _____

Owner: _____ Date: _____

M. Shelton Bordeaux, _____, certify that this map was drawn under my supervision and that the survey was made in accordance with the provisions of the laws of the State of North Carolina. My professional seal number is shown by Book and Page number in note number one on this map. That the boundaries not surveyed are clearly indicated as shown by Book and Page number two on this map that the scale of precision as calculated is 1 : 10,000+, that this map was made in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this _____ day of _____, 2017.

Professional Land Surveyor _____ Date _____

PRELIMINARY MAP
NOT FOR RECORDATION, SALES OR CONVEYANCE

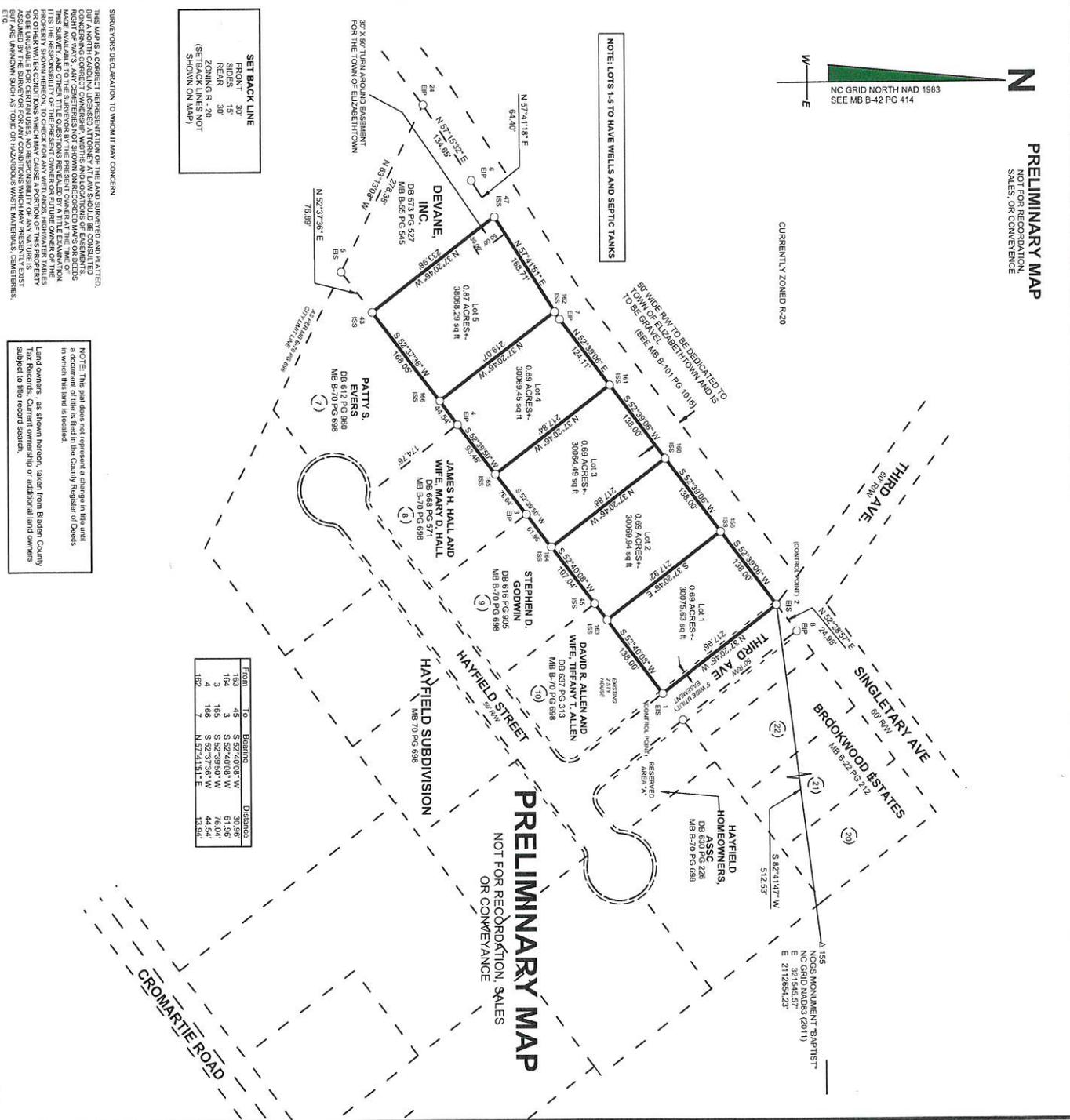
Professional Registration Number _____

State of North Carolina _____

County of _____

Review Officer of _____ County, _____

Review Officer _____



NOTE: This plat does not represent a change in title until a document of title is filed in the County Register of Deeds in which this land is located.

Land owners, as shown herein, taken from Bladen County records. No responsibility is assumed by the Surveyor for any errors or omissions in the map or other water conditions which may cause a portion of this property to be subject to a claim or lien by a third party or other persons. The Surveyor is not responsible for any conditions such as toxic or hazardous waste materials, cements, etc.

| From | To | Bearing | Distance |
|------|-----|---------------|----------|
| 163 | 45 | S 52°40'08" W | 30.96' |
| 164 | 3 | S 52°40'08" W | 61.96' |
| 4 | 166 | S 52°37'28" W | 44.54' |
| 162 | 7 | N 57°24'51" E | 13.92' |





This is the current width of the road, measured on 9-10-2020 by Planner Woody Horton.











805 West Broad Street
PO Box 716
Elizabethtown, N.C. 28337

TOWN OF
ELIZABETHTOWN

Tel (910) 862-2066
Fax (910) 862-7117
Email planning@elizabethtownnc.org

Planning & Community Development

August 31, 2020

Chad Devane/Devane, Inc
PO Box 5
Elizabethtown, NC 28337

Re: Hayfield II Major Subdivision Plan Review

Chad,

As Subdivision Administrator for the Town of Elizabethtown, I have reviewed the Hayfield II Subdivision Plan and it is my recommendation that the following improvements be shown on the Preliminary Plat which is to be for reviewed by the Planning Board at the September 14, 2020 meeting:

- 1) Subdivision developer will improve the private street along the front of the proposed lots to the minimum private street requirements -- 18-foot-wide travel-way with 4" aggregate base, graded and compacted.
- 2) Subdivision developer will provide a permanent vehicle turnaround at the end of the dead-end street. The vehicle turnaround must accommodate emergency vehicles including but not limited to ambulance and fire safety equipment. Turnaround must be built to North Carolina Fire Code specifications.
- 3) A right-of-way maintenance agreement must be recorded by a Property Owners Association in the office of the Register of Deeds to ensure proper maintenance of the private section of Singletary Avenue that will serve the new lots resulting from this subdivision. In addition, all property transfer instruments must contain reference to that agreement, as well as a statement indicating that the private street does not meet public standards for maintenance and will not be considered for maintenance unless improved by the property owner's association to those standards.
- 4) A legally responsible organization such as a property owners association shall be established to maintain a private street. Documents to assure private responsibility of future maintenance and repair by the property owner's association shall be provided to the Town prior to Final Plat approval.

Please contact the Planning Department at the above number if you require more information or have any additional questions. We are happy to help to make your subdivision proposal successful.

Sincerely,



Woody Horton
Planner I

Cc: Eddie Madden, Town Manager

www.elizabethtownnc.org

(A) (1) *Rights-of-way and pavement widths.*

| <i>Type of Streets</i> | <i>Right-of-Way Widths</i> | <i>Pavement Widths</i> |
|---|----------------------------|--|
| All streets located within the extra-territorial jurisdiction of the town | 50 feet | 30 feet ¹ 20 feet ² |
| Local or minor residential streets, marginal access streets, and cul-de-sacs within the town limits: | | |
| Standard option | 50 feet | 30 feet ¹ 22 feet ² |
| Bonus option ³ | 40 feet | 20 feet |
| Alleys | 22 feet | 18 feet |

(E) *Alleys.*

(2) All dead-end alleys shall be provided with a turnaround in accordance with town standards.

**APPENDIX D
FIRE APPARATUS ACCESS ROADS**

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

**SECTION D101
GENERAL**

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

**SECTION D102
REQUIRED ACCESS**

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

**SECTION D103
MINIMUM SPECIFICATIONS**

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as *approved* by the fire chief.

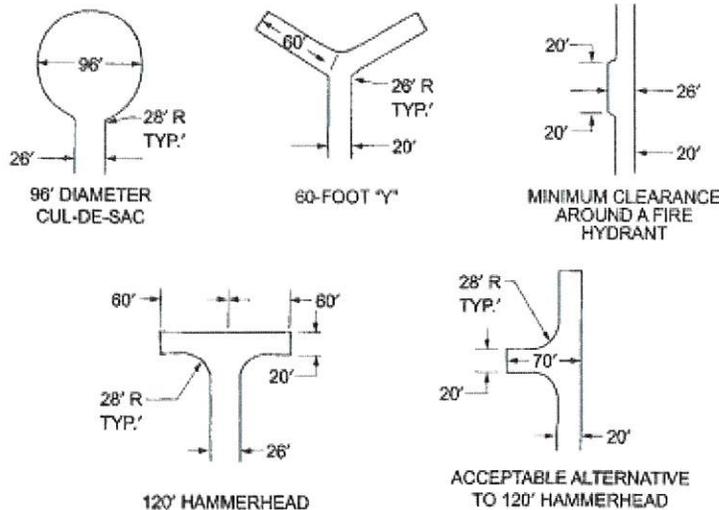
D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

**TABLE D103.4
REQUIREMENTS FOR DEAD-END
FIRE APPARATUS ACCESS ROADS**

| LENGTH (feet) | WIDTH (feet) | TURNAROUNDS REQUIRED |
|---------------|--------------|--|
| 0-150 | 20 | None required |
| 151-500 | 20 | 120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1 |
| 501-750 | 26 | 120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1 |
| Over 750 | | Special approval required |

For SI: 1 foot = 304.8 mm.



For SI: 1 foot = 304.8 mm.

**FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**

(M) *Private streets.*

(1) Private streets shall be allowed within the jurisdiction of this chapter only if they meet the following criteria:

(a) All private streets shall be designated as such on the preliminary and final plats.

(b) A right-of-way maintenance agreement, satisfactory to the Town Manager, must be recorded by a property owners' association in the office of the Register of Deeds to ensure proper maintenance. The agreement shall specify lot owners' responsibilities for maintenance of private streets and drainage systems, and shall provide for assessments to finance all maintenance activities. In addition, all property transfer instruments must contain reference to that agreement, as well as a statement indicating that the private street does not meet public standards for maintenance and will not be considered for maintenance unless improved by the property owners' association to those standards. This agreement shall also specify that unless the street is privately maintained in condition for safe passage of public service and emergency vehicles, the town may provide such maintenance, with charges therefor becoming a lien on the properties served, dividing among them proportionate to their assessed tax valuation.

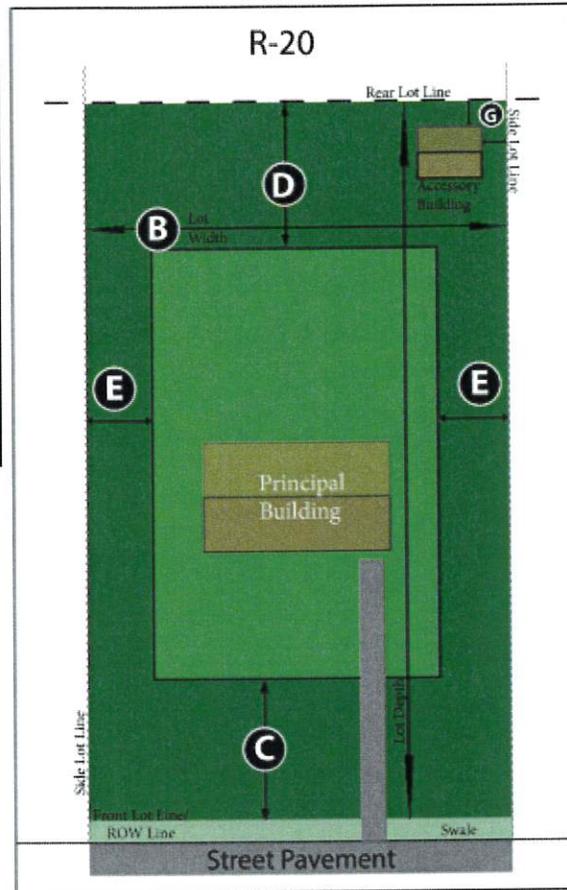
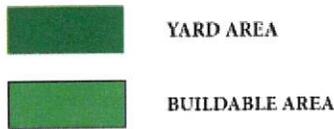
(2) A legally responsible organization such as a property owners' association shall be established to maintain a private street(s). Documents to assure private responsibility of future maintenance and repair by property owners' association shall be provided to the town prior to final plat approval. (Ord. 00-01, passed 4-3-00; Am. Ord. 03-08, passed 11-3-03; Am. Ord. 04-1-B, passed 1-5-04) Penalty, see § 152.99

ARTICLE 8. ZONING DISTRICT DESIGN STANDARDS

SECTION 8.3 R-20 LOW-DENSITY RESIDENTIAL DISTRICT.

8.3.1. Dimensional Requirements.

| | |
|-----------------------------|---------------------|
| (A) Minimum Lot Area | 20,000 sq ft |
| (B) Minimum Lot Frontage | 100 ft |
| (C) Front Yard Setback | 30 ft |
| (D) Rear Yard Depth | 30 ft |
| (E) Side Yard Width | 15 ft |
| (F) Maximum Building Height | 50 ft |
| (G) Accessory Buildings | |
| • 750 sq ft or less | 6 ft |
| • Greater than 750 sq ft | see Section 8.14.12 |



Not to Scale.

8.3.2. Additional Requirements. Refer to Section 8.14, Notes to Zoning District Development Standards.

8.3.3. Signs. Signs shall be permitted as provided in Article 10, Part IV.

8.3.4. Parking. Off-street parking shall be provided as required in Article 10, Part I.