

ERWIN BOARD OF COMMISSIONERS
SPECIAL CALLED MINUTES
NOVEMBER 20, 2014
ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding, held its Regular Meeting in the Town Hall on Thursday, November 20, 2014 at 3:00 P. M. in Erwin, North Carolina.

Board Members present were: Commissioners William Turnage, Ricky Blackmon, Randy Baker, Frankie Ballard and Thurman Whitman.

Board Members absent were: Commissioner Alvester McKoy.

Town Manager Richard Douglas, Town Clerk Cynthia Patterson and Town Attorney Mac Hunter were present.

Mayor Patsy Carson called the meeting to order at 3:00 P. M.

Commissioner Baker gave the invocation.

Those present recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Blackmon made a motion to approve the agenda as is and was seconded by Commissioner Ballard. The Board voted unanimously.

ZT-2014---004 ZONING TEXT AMENDMENT TO CLARIFY VEHICULAR SALES, AUTO ORIENTED BUSINESS, OUTDOOR STORAGE FOR VEHICLES, AND THE ZONING DISTRICT THAT THEY ARE LISTED AS CONDITIONAL USE

Staff is requesting clarification of the zoning text as it may relate to auto sales lots and auto services. There were 2 conditional use applications for car sales lots submitted for the October Planning Board meeting. One application is in the CB Central Business zone and the other is in the B-2 Highway Business zone. The existing language is able to be interpreted more than one way as to whether car sale lots are included in CB and as to whether a wall or privacy fence is required. After discussions with the Town Manager and the Town Attorney, the Town Attorney recommended that staff ask for clarification.

The following was discussed by Staff and Board of Commissioners:

Article 2, Section 9-4012 Definitions to:

Amend:

Outdoor Storage. The placement or storage of goods, equipment, or materials outside of an enclosed building for a period of more than 48 consecutive hours shall be considered outdoor storage. **Outdoor storage shall include vehicles not for immediate sales and those not considered junk or abandoned.** Outdoor storage does not refer to **vehicular sales and rental**, licensed vehicles in use by the person occupying the property, or other minor and incidental storage, such as items specifically designed for outdoor use including: lawn furniture, outdoor grill, swing set, lawn care equipment, which would not have a negative impact on the health, safety and general welfare of adjacent property owners and land uses.

Add:

Vehicular sales and rental. Building, office, and lot for vehicles that are immediately available for sale and/or rental. This includes passenger vehicles, trucks and other motor vehicles. **NOTE:** This does not include vehicle services or outdoor storage (ref. Section 9-4012 Definitions). **Vehicular services.** Any building, premise, and land, in which or upon the primary use of land is a business which involves the maintenance or servicing of vehicles, including but not limited to: body shop; service station; garage service; golf cart repair, servicing and used cart sales; car wash; tire sales and mounting; auto detailing; towing service; transmission or muffler shop; and oil/lube servicing. **NOTE:** This does not include t storage of junked or abandoned vehicles; outdoor storage; or vehicular sales and rental.

Amend *B-2, Highway Business, Section 9-4030.4 Conditional Uses* as follows:

Amend conditional use 2 to:

2. Outdoor storage of vehicles, or equipment or material. See Buffers.

Replace conditional use 3 with:

3. Vehicular services

Add conditional use:

8. Vehicular sales and rental

Amend *CB, Central Business, Section 9-4028.4 Conditional Uses* as follows:

Replace conditional use 1 with:

1. Vehicular services

Add

5. Vehicular sales and rentals
 - 5.1 Minimum lot size shall be 0.5 ac.

5.2 Outdoor loud speakers or audio system shall not be utilized. (Does not include special events)

5.3 Balloons, signs, or other items shall not be attached to vehicles and prohibited from being displayed outside the building.

5.4 Portable signs shall be prohibited.

5.5 Signs – see Sign section

4. Amend B-1, Neighborhood Business, Section 9-4029.4

Conditional Uses as follows:

Replace

- a. 1. Vehicular services

5. Amend M-1, Industrial, Section 9-4031.2 Permitted Principal Uses as follows:

Replace

4. Vehicular services

Commissioner Baker made a motion to approve Zt-2014-004 Zoning Text Amendment to clarify Vehicular Sales, Auto Oriented Business, and Outdoor Storage for Vehicles and the Zoning District that they are listed as Conditional Use and was seconded by Commissioner Blackmon. The Board voted unanimously.

ADJOURNMENT

Commissioner Baker made a motion to adjourn at 4:50pm and was seconded by Commissioner Blackmon. The Board voted unanimously.

**MINUTES RECORDED AND TYPED BY
CYNTHIA B PATTERSON TOWN CLERK**

Patsy M. Carson
Mayor

Cynthia B. Patterson, CMC
Town Clerk