



TOWN OF ELIZABETHTOWN

PLANNING BOARD MEETING

March 1, 2021 at 6:00 p.m. via Zoom

Agenda

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

I. Minute Approval: January 4, 2021 Minutes

II. Agenda Items

Item #1: Rezoning Request RZ012221 – Jesse Inman

Petitioner: Jesse Inman

Case Number: RZ012221

PIN: 1311.00.79.1418

Request: Jesse Inman requests that the Planning Board consider for approval, a rezoning request for one parcel located along Grey Moss Ln. The request would rezone the parcel, identified by Bladen County PIN number 1311.00.79.1418, from B-C Bypass Commercial to R-20 Low-Density Residential. The lot is being rezoned to construct a family cemetery in the future which is not permissible inside of the B-C Zoning Standards. A family cemetery is permissible in the R-20 Zoning Standards by special use permit.

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 B-C Bypass Commercial and R-20 Low-Density Residential zoning districts.

(AGENDA ITEM #3A)

Pursuant to the Elizabethtown Zoning Ordinance Article 4, Section 4.6, 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-20 Low-Density Residential Zoning District. **(Please refer to the Elizabethtown Zoning Ordinance Article 6, Section 6 for the Table of Uses and Activities.)**

***Request:** 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*

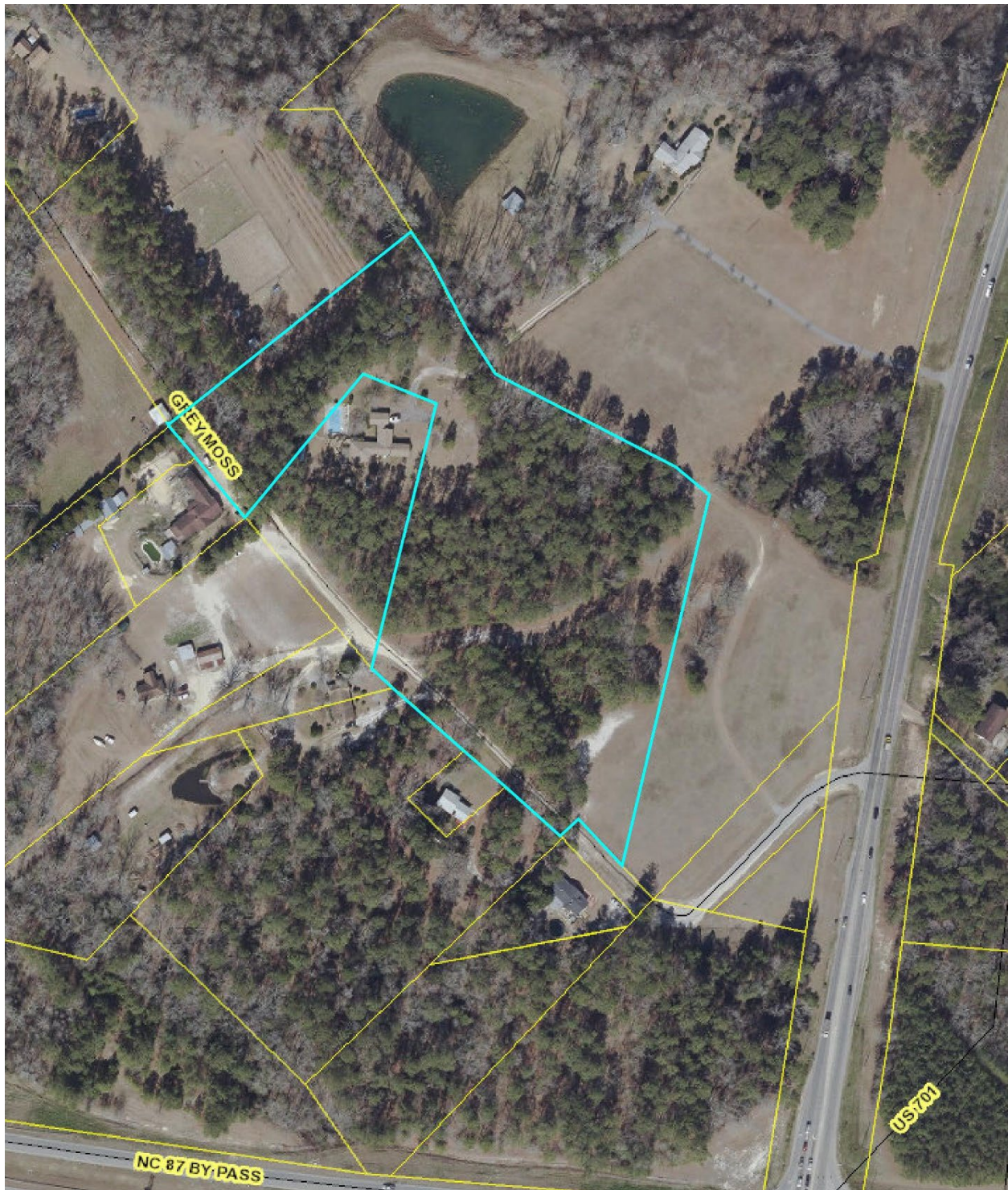
change will be consistent with the adopted comprehensive plan.

Item #2: Other Business

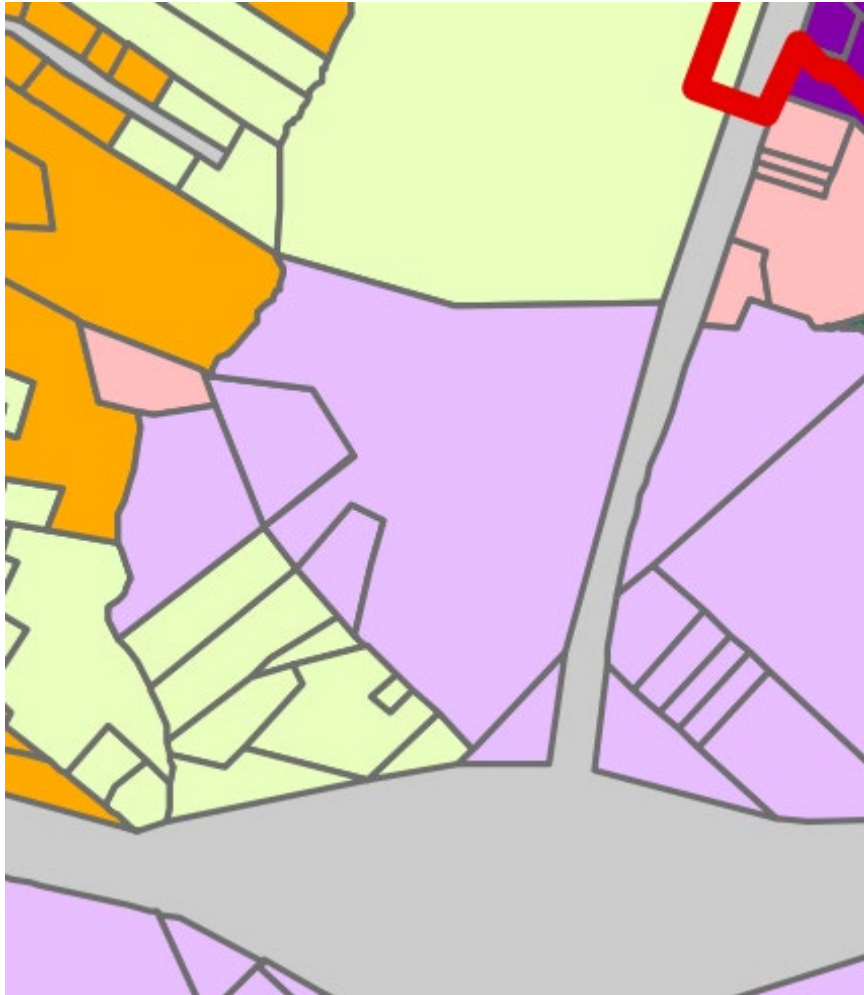
- a) Other: Board Members may present any other business or concerns at this time.
- b) Next Scheduled Meeting: TBD

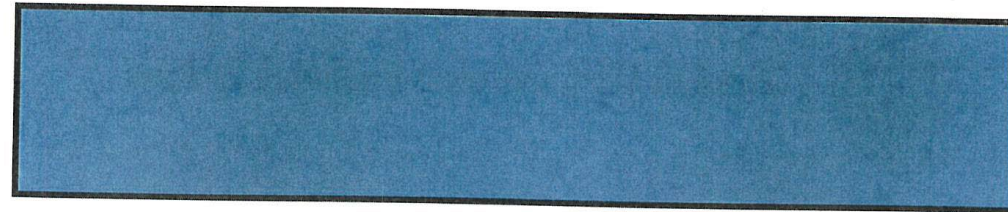
MEETING ADJOURNED

AGENDA ITEM #3A



AGENDA ITEM #3A





TOWN OF
ELIZABETHTOWN

REZONING APPLICATION



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 **200** 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 CURRIER/MAIL,
FAX 910-862-7117 OR EMAIL PLANNING@ELIZABETHTOWNNC.ORG

☐ **APPROVED** ☐ **DENIED**

DATE:

AGENT:

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

Permit Number: _____

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: James D. Inman, Jr.
 Company: PERSONAL
 Address: P.O. Box 1865 Hwy 701S. - 1896
 City: Elizabethtown State: N.C. Zip: 28337 Non-Profit Corp. Number: ☐ NO ☐ YES
 Phone: 910-876-3632 Fax: NA Other: joinman@gmail.com
 Applicant's Name: J.D. Inman, Jr.
 Company: PERSONAL
 Address: 1896 Hwy 701S. P.O. Box 1865
 City: Elizabethtown State: NC Zip: 28337
 Phone: 910-876-3632 Fax: NA Other: joinman@gmail.com

SUBJECT PROPERTY LOCATION INFORMATION

Address or General Location: GRAY Moss Lane Parcel ID Number: 131100791415
 Acreage: 1/2 acres Frontage: 40 feet Zoning: R-C

TYPE OF REQUESTED ACTION

Construction Related	Use Related	Zoning Related	Miscellaneous
☐ Residential Addition	☐ Conditional Use App.	☐ Zoning Compliance Certificate	☐ Text Amendment Application
☐ New Construction Compliance	☐ Accessory Use Permits	☒ Rezoning Application	☐ Tank Removal
☐ Sign Permit	☐ Special Use Permit App	☐ Variance Request	☐ Other: _____

SUPPORTING INFORMATION

For rezoning applications, please provide the following (please print): - Requested zoning classification: _____ - 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). <u>FOR A FAMILY CEMETARY</u>	List additional supporting documents here and affix to backside of petition: _____ _____ _____ _____ _____
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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: _____ Date: _____

Printed Signature/Tide: _____



SUBMIT FORM TO THE PLANNING DEPARTMENT FOR REVIEW VIA CARRIER/MAIL, FAX 910-862-7117 OR EMAIL PLANNING@ELIZABETHTOWNNC.ORG	☐ APPROVED	☐ DENIED
	DATE: _____	AGENT: _____

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

LAND USE APPLICATION

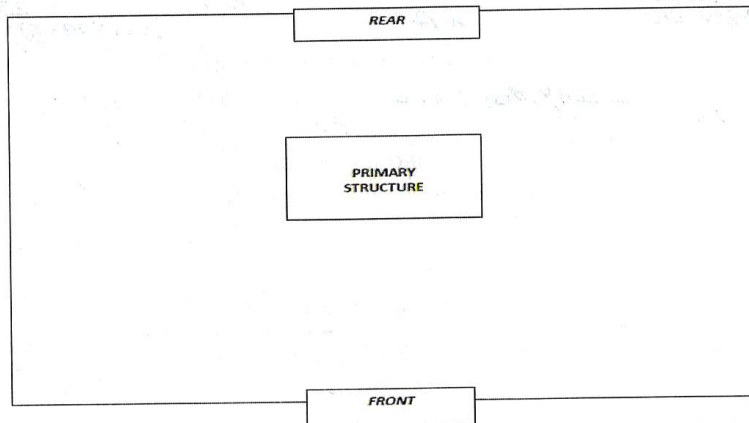
PROPOSED PLACEMENT

Applicant Name S.D. Iman, Jr.

Parcel ID 13100291418

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: Family Cemetery - Iman

AUTHORIZATION

I hereby affirm that I have full legal capacity to authorize the filling 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: _____ Date: _____

Printed
Signature/Title: _____



SUBMIT FORM TO THE PLANNING DEPARTMENT FOR REVIEW VIA CURRIER/MAIL,
FAX 910-862-7117 OR EMAIL PLANNING@ELIZABETHTOWNNC.ORG

☐ APPROVED ☐ DENIED

DATE: _____ AGENT: _____

6.3.14. B-C Bypass Commercial District.

The intent of the B-C district is to protect natural resources, to encourage appropriate bypass commercial areas, traffic safety, orderly site development, landscape improvements, and to enhance the overall appearance of the NC Highway 87 Bypass. The district is designed to serve motorists traveling the NC Highway 87 Bypass, while providing a wide range of commercial uses for the community as a whole. All uses within this district shall have an orderly management of parking and building development with safe access to all adjacent properties and roadways. The B-C district is the only commercial zoning district allowed within 1,500 feet from each side of the right-of-way along the NC Highway 87 Bypass within the zoning jurisdiction of the Town of Elizabethtown.

6.3.3. R-20 Low-Density Residential District.

The R-20 district is defined as low-density residential areas of single-family dwellings plus open areas where similar residential development will likely occur. The uses in this district are designated to stabilize and protect the essential characteristics of the area and to 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.

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.