

**MINUTES OF THE
NASH COUNTY PLANNING BOARD
HELD MONDAY, OCTOBER 15, 2018 AT 7:00 P.M.
CLAUDE MAYO, JR. ADMINISTRATION BUILDING - THIRD FLOOR
FREDERICK B. COOPER COMMISSIONERS ROOM**

BOARD MEMBERS PRESENT

Leonard BreeLove, Chairman
Harold Colston
Moses Brown
Kevin Smith
Sandra Edwards

BOARD MEMBERS ABSENT

Jeffrey Tobias, Vice-Chairman
Deleon Parker
Chris Sandifer
Barbara Pulley

STAFF MEMBERS PRESENT

Nancy Nixon, Planning Director
Adam Tyson, Senior Planner
Windy Braswell, Planning Technician
Jessica Flores, Planning Technician

OTHERS PRESENT

J. D. Batts	Tita T. Evans
Mildred Farmer	William P. Iwaniuk
Charlyne Richardson	Kevin Varnell
Thurman Evans	Angela R. Iwaniuk
John C Barnes	Jackie Liles
Nernie R. Liles	Barrett Twitty
Kelsey Richardson	Chelsea Richardson

1. Call to Order.

Chairman Breedlove called the meeting to order at 7:00 p.m.

2. Determination of a Quorum.

Chairman Breedlove recognized a quorum.

3. Approval of the Minutes of the September 17, 2018 Regular Meeting.

The minutes of the September 17, 2018 regular meeting were mailed to each member of the Board for review. Chairman Breedlove asked for corrections or revisions. None were offered.

BOARD ACTION: Mr. Smith offered a motion which was duly seconded by Ms. Edwards to approve the minutes of the September 17, 2018 meeting as submitted. The Motion was unanimously carried.

4. Conditional Use Rezoning Request CU-181001 Made by Carol Lamm Brown & Wendy Lamm Taylor, the Property Owners, to Rezone an Approximately 5.52 Acre Portion of a Tract Located on the East Side of Old Smithfield Road and the North Side of Friday Road From R-40 (Single-Family Residential) to R-20-CU (Medium Density Residential Conditional Use) Subject to the Exclusion of Manufactured Homes as a Potential Permitted Land Use.

Chairman Breedlove recognized Mr. Tyson to present the staff report.

Mr. Tyson introduced the agenda item by stating that a written notice of this public meeting was sent by first class mail on October 4, 2018 to the rezoning applicants, to the owners of the subject property, and to the owners of record for tax purposes of all properties located within 600 feet of the subject property.

He then presented the staff report and supplemental materials related to Conditional Use Rezoning Request CU-181001 as submitted to the Board in their October 15, 2018 Nash County Planning Board Meeting agenda document. He noted that the Nash County Technical Review Committee (TRC) considered Conditional Use Rezoning Request CU-181001 on September 28, 2018 and recommended approval of the request to rezone the subject property to R-20-CU (Medium Density Residential Conditional Use) based on its determination that the request is reasonable, in the public interest, consistent with the recommendations of the Nash County Land Development Plan for the Suburban Growth Area, and reasonable spot zoning.

Mr. Tyson concluded the staff report by stating that no public contact had been received expressing opposition and he offered to answer any questions the Board may have regarding the staff report. He also informed the Board that Mr. Kevin Varnell of Stocks Engineering, facilitator of the subdivision design, was present to answer any questions the Board may have for the applicant.

There were no questions for Mr. Tyson or Mr. Varnell.

Chairman Breedlove invited any members of the public who wished to speak to come forward.

Johnny Barnes, President of Barnes Land Corporation informed the Board that he, as an adjacent land owner, had concerns regarding the density of lots that an R-20 rezoning would allow as well as future problems with lack of repair fields for septic systems should they begin to fail.

Barrett Twitty, co-owner of Custom Quality Packers addressed the Board to state that his business located at 13571 Friday Road currently has an excellent relationship with the surrounding community and while he supports anyone trying to obtain maximum value for their land, he opposes the possible addition of ten new homes directly across from his business which could present issues in the future due to owners being unaware of the normal activities of a pork processing operation in the immediate area.

William Iwaniuk of 10861 McKenzie Road approached the Board to state that he felt that the proposed houses would have a small footprint in order to accommodate the septic systems necessary to fit on the lot. He mentioned the odor from the slaughterhouse that could be problematic for new residents. He expressed concerns over whether the proposed new residences may be duplexes or rental property which could attract transient and temporary residents. Mr. Iwaniuk stood in opposition of the proposed rezoning.

Kevin Varnell of Stocks Engineering addressed some of the comments that had been presented by stating that the proposed subdivision would have septic systems and that licensed soil scientists have reported excellent soils on the property. He explained that the septic permitting system takes into account any system failure and sets aside a repair area for that purpose. He stated that after several visits to the facility the only indication that Custom Quality Packers is a slaughterhouse is the name on the front of the business and that anyone intending to purchase one of the proposed homes would be aware of the facility. Mr. Varnell informed the Board that there is no intention on the developer's part to have duplexes and that because of the configuration of the land, only 8 potential lots would fall below the current 40,000 square foot level as 2 of the lots have watershed controls that require 40,000 square foot lots.

Mr. Colston pointed out that whether a lot is 40,000 square feet or 20,000 square feet, odor and noise from the slaughterhouse would be the same.

Mr. Brown had a question about the number of proposed houses to which Mr. Varnell responded that there will be 10 lots, 8 of which will be less than 40,000 square feet. The remaining 2 lots will be 40,000 square feet to accommodate watershed requirements.

BOARD ACTION: Mr. Brown offered a motion which was duly seconded by Ms. Edwards to recommend the following consistency statement related to Conditional Use Rezoning Request CU-181001 for adoption by the Nash County Board of Commissioners:

Conditional Use Rezoning Request CU-181001 is reasonable and in the public interest because:

- (1) The request is consistent with the recommendations of the Nash County Land Development Plan (LDP) for the Suburban Growth Area because:**
 - (a) The increased development density permitted by the R-20 Zoning District will accommodate the residential growth anticipated for this area;**
 - (b) Rezoning to an R-20 Zoning District in this area is explicitly supported due to the existing availability of Nash County public water service adjacent to the subject property along both the Old Smithfield Road and Friday Road rights-of-way;**
 - (c) The generally sandy soil conditions of the subject property are optimal for the development of on-site septic systems; and**

- (d) The condition proposed by the applicant to prohibit the development of any manufactured homes on the subject property is equivalent to rezoning the property to an RA residential zoning district as recommended by the LDP; and
- (2) The request is reasonable “spot zoning” because:
- (a) The subject property as well as the majority of the adjacent and surrounding properties are already zoned for residential use;
 - (b) The subject property has access to existing Nash County public water service along both the adjacent Old Smithfield Road and Friday Road rights-of-way;
 - (c) The subject property has generally sandy soil conditions which are optimal for the development of on-site septic systems;
 - (d) The land uses to be permitted in the proposed R-20 Zoning District are substantially the same as those already permitted in the current and surrounding R-40 Zoning District (with the specific exception of duplexes, boarding and rooming house, and congregate care facility);
 - (e) The more dense residential development permitted by the requested R-20 Zoning District will provide a transition between the commercially and industrially zoned lots to the west and south of the subject property and the rural undeveloped areas to the north and east of the subject property;
 - (f) The request is consistent with the recommendations of the Nash County Land Development Plan for the Suburban Growth Area; and
 - (g) The condition proposed by the applicant to prohibit the development of any manufactured homes on the subject property will limit the potential impact of the request on the neighboring properties.

The motion was unanimously carried.

BOARD ACTION: Mr. Colston put forth a motion which was duly seconded by Mr. Smith to recommend approval of Conditional Use Rezoning Request CU-181001 to rezone an approximately 5.52 acre portion of a tract located on the east side of Old Smithfield Road and the north side of Friday Road from R-40 (Single-Family Residential) to R-20-CU (Medium Density Residential Conditional Use) for the potential development of any of the land uses permitted in the standard R-20 Zoning District subject to the specific exclusion of manufactured homes.

The motion was unanimously carried.

BOARD ACTION: Mr. Colston offered a motion which was duly seconded by Mr. Brown to recommend the issuance of a conditional use permit for the development of the subject property in relation to Conditional Use Rezoning Request CU-181001 based on the following suggested findings of fact, conclusions, and conditions:

FINDINGS OF FACT:

- (1) The subject property is an approximately 5.52 acre southern portion of the 6.39 acre parcel referred to as Lot 2 of the Property of Agnes B. Lamm et al. as depicted on Plat Book 36 Page 233 of the Nash County Registry, further identified as Nash County Tax Map PIN #277400517985 and Parcel ID #107830, and located on the east side of Old Smithfield Road (S.R. 1945) and the north side of Friday Road (S.R. 1963) within the R-40 (Single-Family Residential) Zoning District of Nash County, North Carolina.

- (2) The application for Conditional Use Rezoning Request CU-181001 was submitted by Carol Lamm Brown and Wendy Lamm Taylor, the current owners of the subject property, in order to request a rezoning of the parcel to R-20-CU (Medium Density Residential Conditional Use) for the potential development of any of the land uses permitted in the standard R-20 Zoning District subject to the specific exclusion of manufactured homes.**
- (3) The rezoning request does not include the remaining approximately 0.87 acre northern portion of the subject tract located in the WS-III-BW Watershed Protection Overlay District which requires a minimum lot area of 40,000 square feet for each single-family residential lot unless public sewer service is available.**
- (4) The subject property is designated by the Nash County Land Development Plan as Suburban Growth Area and the requested rezoning is consistent with the recommendations of the plan due to the determination that the increased development density permitted by the R-20 Zoning District will accommodate the residential growth anticipated for this area, the existing availability of Nash County public water service adjacent to the subject property along both the Old Smithfield Road and Friday Road rights-of-way, the determination that the generally sandy soil conditions of the subject property are optimal for the development of on-site septic systems, and the determination that the condition proposed by the applicant to prohibit the development of any manufactured homes on the subject property is equivalent to rezoning the property to an RA residential zoning district as recommended by the plan.**
- (5) The rezoning request has been determined to be reasonable "spot zoning" because the subject property as well as the majority of the adjacent and surrounding properties are already zoned for residential use, the subject property has access to existing Nash County public water service along both the adjacent Old Smithfield Road and Friday Road rights-of-way, the subject property has generally sandy soil conditions which are optimal for the development of on-site septic systems, the land uses to be permitted in the proposed R-20 Zoning District are substantially the same as those already permitted in the current and surrounding R-40 Zoning District (with the specific exception of duplexes, boarding and rooming house, and congregate care facility), the more dense residential development permitted by the requested R-20 Zoning District will provide a transition between the commercially and industrially zoned lots to the west and south of the subject property and the rural undeveloped areas to the north and east of the subject property, the request is consistent with the recommendations of the Nash County Land Development Plan for the Suburban Growth Area, and the condition proposed by the applicant to prohibit the development of any manufactured homes on the subject property will limit the potential impact of the request on the neighboring properties.**

CONCLUSIONS:

- (1) The application submitted for Conditional Use Rezoning Request CU-181001 is complete.**
- (2) The proposed development will not materially endanger the public health or safety.**
- (3) The proposed development will not substantially injure the value of adjoining or abutting property.**

- (4) **The proposed development will be in harmony with the area in which it is to be located.**
- (5) **The proposed development will be in general conformity with the Nash County Land Development Plan.**
- (6) **The applicants are entitled to the issuance of a conditional use permit subject to the following conditions.**

CONDITIONS:

- (1) **The development of manufactured homes on the subject property is specifically prohibited.**
- (2) **The development of all other land uses as permitted in the R-20 (Medium Density Residential) Zoning District shall be allowed on the subject property in accordance with the standard requirements and procedures established for that district by the Nash County Unified Development Ordinance.**

The motion was unanimously carried.

- 5. Conditional Use Rezoning Request CU-181002 Made by Mildred B. Farmer, the Property Owner, and Kelsey Richardson on Behalf of Next Level Cycles, LLC to Rezone an Approximately 1.38 Acre Portion of a Tract Located on the West Side of Red Bud Road and the North Side of Taylors Gin Road From A1 (Agricultural) to RC-CU (Rural Commercial Conditional Use) for the Development of a Motorcycle Sales & Repair Service.**

Chairman Breedlove recognized Mr. Tyson to present the staff report.

Mr. Tyson introduced Conditional Use Rezoning Request CU-181002, stating that a written notice of this public meeting was sent by first class mail on October 4, 2018 to the rezoning applicants, to the owners of the subject property, and to the owners of record for tax purposes of all properties located within 600 feet of the subject property.

He presented the staff report and supplemental materials related to Conditional Use Rezoning Request CU-181002 as submitted to the Board in their October 15, 2018 Nash County Planning Board Meeting agenda document. He noted that the Nash County Technical Review Committee (TRC) considered Conditional Use Rezoning Request CU-181002 on September 28, 2018 and recommended denial of the request to rezone the subject property to RC-CU (Rural Commercial Conditional Use) based on its determination that the request is inconsistent with the recommendations of the Nash County Land Development Plan for the Rural Growth Area, and unreasonable spot zoning.

Mr. Tyson reported that there has been no public contact in opposition to the rezoning request. He stated that he has been contacted by Mary Helen Pelt Taylor of 17587 Red Bud Rd who was unable to attend tonight's meeting but wished to express her support of the rezoning request. Mr. Tyson concluded the staff report by offering to answer any questions from the Board and indicating that Ms. Mildred Farmer and Mr. Kelsey Richardson, the applicants, were both present and would take any questions the Board may have.

Mr. Kelsey Richardson, the applicant, identified himself to the Board as a licensed motorcycle dealer who has been in business for four years at a rented location. He reported that he has never had any complaints regarding noise or appearance. He has transitioned from repair to sales now with most of

the sales generated on-line. He stated that he has spoken with all the neighbors who have indicated support, and he offered to answer any questions from the Board.

Mr. Colston asked about stock being stored outside on the property to which Mr. Richardson responded that all vehicles would be kept inside the building. He told Mr. Smith that his current business is located at 4270 South Church Street in Rocky Mount.

Chairman Breedlove opened the floor to the public.

Tita Evans identified herself as a seventeen year resident of Taylors Trace Court. She told the Board that the neighborhood is a quiet, close community and that no one has any issue with Mr. Richardson's plans.

No one else spoke.

BOARD ACTION: Mr. Brown offered a motion which was duly seconded by Ms. Edwards to recommend the following consistency statement related to Conditional Use Rezoning Request CU-181002 for adoption by the Nash County Board of Commissioners:

Conditional Use Rezoning Request CU-181002 is reasonable and in the public interest because:

- (1) The subject property is located in close proximity to the surrounding, existing residential development and the proposed motorcycle sales and repair service would not necessarily be intended to serve just the local residents of the nearby predominantly rural and agricultural area but would most likely attempt to attract customers regionally;**
- (2) However, the request is still consistent with some recommendations of the Nash County Land Development Plan (LDP) for the Rural Growth Area because:**
 - (a) The proposed development may be accommodated by a private on-site well and septic system;**
 - (b) The subject property has frontage along Red Bud Road and access to Taylors Gin Road via easement, which are both state-maintained secondary roads;**
 - (c) The subject property is located near the intersection of Red Bud Road and Taylors Gin Road; and**
 - (d) The subject property is located in close enough proximity to the designated Rural Commercial Area to the east at Taylors Store Crossroads to justify its rezoning for limited commercial purposes; and**
- (3) The request is reasonable "spot zoning" because:**
 - (a) The nature of the request as a conditional use rezoning will limit the permitted commercial use of the property to the proposed motorcycle sales and repair service only; and**
 - (b) The commercial development of the property shall be allowed only in accordance with the approved site plan and the attached development conditions, with no outdoor motorcycle display, storage, or work areas requested or permitted which will limit the potential impact of the request on the neighboring properties.**

The motion was unanimously carried.

BOARD ACTION: Mr. Smith offered a motion which was duly seconded by Mr. Brown to recommend approval of the request to rezone the subject property from A1 (Agricultural) to RC-CU (Rural Commercial Conditional Use) specifically for the development of a motorcycle sales and repair service. The motion was unanimously carried.

BOARD ACTION: Mr. Smith offered a motion which was duly seconded by Mr. Brown to recommend issuance of a conditional use permit for the development of the subject property in relation to Conditional Use Rezoning Request CU-181002 based on the following suggested findings of fact, conclusions, and conditions.

FINDINGS OF FACT:

- (1) The subject property is an approximately 1.38 acre portion of an approximately 25 acre parcel identified as Nash County Tax Map PIN #289500535640 and Parcel ID #026843 and located on the west side of Red Bud Road (S.R. 1321) and the north side of Taylors Gin Road (S.R. 1310) beside the existing dwelling at 4202 Taylors Gin Road, Castalia, NC 27816 within the A1 (Agricultural) Zoning District of Nash County, North Carolina.
- (2) The application for Conditional Use Rezoning Request CU-181002 was submitted by Mildred B. Farmer, the current owner of the subject property, and Kelsey Richardson on behalf of Next Level Cycles, LLC in order to request a rezoning of the subject property to RC-CU (Rural Commercial Conditional Use) specifically for the development of a motorcycle sales and repair service, a combined retail and service land use.
- (3) The subject property is located east of the Town of Castalia and west of Taylors Store Crossroads which is the intersection of Taylors Store Road, Taylors Gin Road, and W Hilliardston Road.
- (4) The subject property is located directly across Taylors Gin Road from the Taylor Trace Subdivision (14 lots) which was recorded in 1989 (Section One) and 1990 (Section Two) and immediately adjacent to the Robin Annette Freeman Subdivision (6 lots) to the west which was recorded in 2009.
- (5) Mildred B. Farmer, the applicant, is the current owner of the immediately adjacent dwelling to the east located at 4202 Taylors Gin Road, Castalia, NC 27816.
- (6) The subject property includes an existing well and on-site septic system that served a previous dwelling and that are intended to serve the proposed commercial use.
- (7) There is currently no public water or sewer service available to the subject property.
- (8) The submitted site plan for the proposed development depicts a 720 square foot motorcycle sales and repair service shop with five standard gravel parking spaces, one concrete handicapped parking space, and a gravel driveway that will provide access from the Taylors Gin Road public right-of-way via an access easement to be established on the southwestern corner of the applicant's adjacent lot at 4202 Taylors Gin Road, Castalia, NC 27816. There is no driveway connection to Red Bud Road depicted on the submitted site plan.
- (9) The site plan does not propose or depict any outdoor motorcycle display, storage, or work areas.

- (10) The area proposed for commercial use is more than 100 feet from any residentially used lot located on the same side of the public road right-of-way, with the exception of the immediately adjacent dwelling to the east at 4202 Taylors Gin Road, Castalia, NC 27816 which is owned by the applicant.
- (11) The property is currently subject to an existing conservation agreement filed in 2014 (Deed Book 2718 Pages 502-503, Nash County Registry) between the owner and Nash County to establish it as an Enhanced Voluntary Agriculture District in accordance with the requirements of the North Carolina General Statutes and the Nash County Voluntary Agricultural District Ordinance. This agreement prohibits the use or development of the property for non-farm purposes for a period of at least ten years.
- (12) The subject property is designated by the Nash County Land Development Plan as Rural Growth Area and the requested rezoning is consistent with some of the recommendations of the plan for the establishment of very limited commercial land uses because the proposed development may be accommodated by a private on-site well and septic system, the subject property has frontage along Red Bud Road and access to Taylors Gin Road via easement which are both state-maintained secondary roads, the subject property is located near the intersection of Red Bud Road and Taylors Gin Road, and the subject property is located in close enough proximity to the designated Rural Commercial Area to the east at Taylors Store Crossroads to justify its rezoning for limited commercial purposes.
- (13) The rezoning request has been determined to be reasonable "spot zoning" because the nature of the request as a conditional use rezoning will limit the permitted commercial use of the property to the proposed motorcycle sales and repair service only and the commercial development of the property shall be allowed only in accordance with the approved site plan and the attached development conditions with no outdoor motorcycle display, storage, or work areas requested or permitted which will limit the potential impact of the request on the neighboring properties.

CONCLUSIONS:

- (1) The application submitted for Conditional Use Rezoning Request CU-181002 is complete.
- (2) The proposed development will not materially endanger the public health or safety.
- (3) The proposed development will not substantially injure the value of adjoining or abutting property.
- (4) The proposed development will be in harmony with the area in which it is to be located.
- (5) The proposed development will be in general conformity with the Nash County Land Development Plan.
- (6) The applicants are entitled to the issuance of a conditional use permit subject to the following conditions.

CONDITIONS:

- (1) The permitted commercial use of the subject property shall be limited to a motorcycle sales and repair service only.

- (2) The subject property shall be commercially developed only in accordance with the approved site plan and the attached development conditions listed herein as well as with all other applicable development regulations.
- (3) The total built-upon area of the commercial development shall not exceed 24% of the total overall area of the subject property in accordance with the requirements for vehicle repair service operations located in the RC (Rural Commercial) Zoning District as established by UDO Article XI, Section 11-4, Subsection 11-4.11.
- (4) No outdoor disassembly or salvaging of motorcycles shall be permitted on the subject property in accordance with the requirements for vehicle repair service operations located in the RC (Rural Commercial) Zoning District as established by UDO Article XI, Section 11-4, Subsection 11-4.11.
- (5) No outdoor motorcycle display, storage, or work areas shall be permitted on the subject property unless the approved site plan and development conditions associated with this conditional use permit are specifically amended in the future to allow them.
- (6) The design of the proposed motorcycle sales and repair service shop may not include floor drains for the motorcycle service areas unless and until an Industrial Process Wastewater Water (IPWW) System Permit has been approved and issued for the site by both the Nash County Health Department and the N.C. Division of Environmental Health On-Site Water Protection Section.
- (7) Signage shall be permitted on the subject property in accordance with the requirements for on-premises signs and/or wall signs as established by UDO Article XI, Section 11-1, Subsection 11-1.5 (D) and (E).
- (8) Prior to the issuance of a construction authorization for the proposed motorcycle sales and repair service shop, the property owner shall successfully amend the existing conservation agreement with Nash County filed in 2014 (Deed Book 2718 Pages 502-503, Nash County Registry) in order to remove the approximately 1.38 acre portion of the tract identified for commercial use from the Enhanced Voluntary Agriculture District established by that document.
- (9) The commercial development of the property shall be subject to the issuance of the following additional permits and documents, as applicable:
 - (a) North Carolina Department of Transportation Driveway Permit;
 - (b) Nash County Tar-Pamlico River Basin Overlay District Stormwater Determination;
 - (c) Nash County Zoning Permit;
 - (d) Nash County Environmental Health Certificate of Compliance; and
 - (e) Nash County Building & Trade Construction Permits.

The motion was unanimously carried.

6. Subdivision Waiver Request – Judson Smith Made by Stewart-Proctor, PLLC Engineering & Surveying on Behalf of PLJS Properties LLC, the Property Owner, to Request a Waiver of the Additional Lot Width Required Along High Traffic Roads by the Nash County Unified Development Ordinance Article X, Section 10-7, Subsection 10-7.2 (F) Subject to the Establishment of a Shared Driveway Access Easement in Relation to the Minor Subdivision Plat Survey for Judson Smith Prepared for a Two Acre Tract Located on the North Side of Stoney Hill Church Road.

Mr. Tyson presented the staff report and supplemental materials related to Subdivision Waiver Request by Judson Smith as submitted to the Board in their October 15, 2018 Nash County Planning Board Meeting agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the subdivision waiver request submitted in relation to the Minor Subdivision Plat Survey for Judson Smith on September 28, 2018 and recommended approval based on its determination that the proposed design was consistent with the subdivision standards of the Nash County Unified Development Ordinance and on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the ordinance, subject to conditions.

Mr. Tyson concluded the staff report by expressing Mr. Judson Smith's regrets to the Board for his inability to attend tonight's meeting due to a previous obligation. Mr. Tyson offered to answer any questions for the Board.

There were no questions.

BOARD ACTION: Mr. Brown offered a motion which was duly seconded by Mr. Colston to recommend to the Nash County Board of Commissioners approval of the subdivision waiver request submitted in relation to the Minor Subdivision Plat Survey for Judson Smith on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the ordinance, subject to the following conditions:

(1) Prior to the approval and recording of the final subdivision plat, all previously existing structures located on the subject property – including the dwelling located at 9588 Stoney Hill Church Road, Middlesex, NC 27557 – shall be demolished and removed.

(2) Prior to the approval and recording of the final subdivision plat, the existing second driveway tile / culvert on proposed Lot 2 shall be removed.

The motion was unanimously carried.

- 7. Subdivision Waiver Request – Barbara A. Batts Made by James G. Strickland Land Surveying, P.A. on Behalf of Barbara A. Batts, the Property Owner, to Request a Waiver of the Additional Lot Width Required Along High Traffic Roads by the Nash County Unified Development Ordinance Article X, Section 10-7, Subsection 10-7.2 (F) Subject to the Establishment of a Shared Driveway Access Easement in Relation to the Minor Subdivision Final Plat Prepared for the Approximately 8.35 Acre Tract Located at 8445, 8467, & 8487 Bend Of The River Road, Rocky Mount, NC 27803.**

Mr. Tyson presented the staff report and supplemental materials related to Subdivision Waiver Request by Barbara A. Batts as submitted to the Board in their October 15, 2018 Nash County Planning Board Meeting agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the subdivision waiver request submitted in relation to the Minor Subdivision Plat Survey for Barbara A. Batts on September 28, 2018 and recommended approval based on its determination that the proposed design was otherwise consistent with the subdivision standards of the Nash County Unified Development Ordinance and on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the ordinance, subject to conditions.

Mr. Tyson concluded the staff report by informing the Board that Mr. Batts was present to represent the request and offering to take any questions.

There were no questions.

Mr. Batts addressed the Board regarding traffic count calculations at different points along Bend of The River Road.

BOARD ACTION: Mr. Smith offered a motion which was duly seconded by Mr. Colston to recommend to the Nash County Board of Commissioners approval of the subdivision waiver request submitted in relation to the Minor Subdivision Plat Survey for Barbara A. Batts on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the ordinance, subject to the following condition: Prior to the approval and recording of the final subdivision plat, the existing driveway tile / culvert located along the proposed property line dividing Lots 1 & 2 shall be removed. The motion was unanimously carried.

8. Other Business.

Ms. Nixon reported that Conditional Use Rezoning Request CU-180901 to rezone a 48.79 acre tract located on Jordan Rd from R-30 (Single and Two-Family Residential) to R-20-CU (Medium Density Residential Conditional Use) had been approved by the Nash County Board of Commissioners.

9. Adjournment.

There being no further business, Chairman Breedlove adjourned the meeting at 8:08 p.m.