

# Mount Pleasant

North Carolina

*Founded in 1848*

TOWN OF MOUNT PLEASANT, NORTH CAROLINA

Planning and Zoning Board Meeting Minutes

September 20, 2021

**Members Present:**

Chairman - Whit Moose

Vice Chairman - Mike Steiner

Member - Bridget Fowler (**absent**)

Member - Shirley Freeman

Member - Rick Burleyson

Alternate – Warren Love

P&Z Clerk to the Board - Jennifer Blake

Planning & Economic Development Director - Erin Burriss

**Also Attending: David Craig & Heidi Greeson**

**1. Call to Order:**

Vice Chairman Mike Steiner called the Town of Mount Pleasant Planning and Zoning Board meeting to order at 6:05 p.m.

**2. Recognition of Quorum:**

Vice Chairman Mike Steiner stated a quorum was present with Warren Love as a voting member in the absence of Board Member Bridget Fowler.

**3. Conflict of Interest:**

The Vice Chairman and Board Members are asked at this time to reveal if they have a Conflict of Interest with any item on the agenda in order to be recused for that item. (No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 160A-381(d), or 160A-388(e)(2). NC State Statute 160A-75)

No one had a conflict.

**4. Approval of Agenda:**

The Vice Chairman asked for a motion to approve the agenda. Rick Burleyson made a motion to approve the agenda with a second by Warren Love. All were in favor. (4-0)

**5. Approval of Minutes of Previous Meeting:**

Vice Chairman Mike Steiner entertained a motion to approve the previous minutes for August 23, 2021. A motion to approve the previous minutes was made by Rick Burleyson with a second made by Warren Love. All members were in favor (4-0).

**6. Public Comment:**

David Craig Greeson

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Chairman Whit Moose arrived at 6:11 p.m. after Mr. Greeson started speaking.

Mr. Greeson stated that he wanted to speak to this Board, on behalf of the various people, the issue with heavy equipment. Mr. Greeson stated that the board is dealing with an issue because somebody had a complaint about heavy equipment on his property. Mr. Greeson stated that he Erin Burris, and the Town Engineer met on his property. He stated that he did not know if this issue was created out of that.

Mrs. Burris stated that it did not and that the proposed amendments came up when a lady wanted to buy a home in Mount Pleasant with an accessory structure to provide art classes. The ordinance was unclear on the number of people at one time, and Mrs. Burris also wanted to look at other home occupations that had come up in the past like beauty salons, and massage therapy.

The biggest issue Mr. Greeson had was the Contractor Shop, heavy equipment, and vehicles with more than 2-axes. Mr. Greeson stated that he understands the appearance of homes does not need to take away from anyone else's property, but whatever an owner does in the rear yard should not be of any concern to anybody else if there is no bearing or effect on most of the population. The focus should not be on single individuals who are out to vindicate whatever their reason is.

Mr. Greeson gave some background information. He has lived in Oldenburg 23 years, his house is paid for, and it is a great community. The last 10 years as people have moved in and out of Oldenburg, the residents have been bombarded with acts of what they see fit coming in. Mr. Greeson stated that in his opinion, what he would like to do instead of this being passed in front of everybody and a decision made at this point and time on issues like this having to do with people's property, is to make it public knowledge. The people should have full opportunity to go and decide what is being passed before it is passed for issues regarding construction and contractors. Contractors work long hours and do not have time to make a lot of these meetings to understand what the Town is trying to provide or pass or what their interests are. Mr. Greeson stated that he knows a lot of these issues are overlooking the small businessperson. He has been doing this for about 38 years and decided to go into business for himself full time. This is how people make a living by having equipment on their property. He does not understand implementing the requirements of the UDO and he wants to know if we are trying to turn this Town into a serene, sedentary environment. This is not the Town we live in. Trying to implement this is detrimental to a lot of good people. He stated a lot of people in the Town do not meet the type of requirements that are here.

Mr. Greeson stated that if this needs to go on to the Town Board with these issues to get passed, he can get a petition in so many days, bring it back with most of the votes of the class of people that live in the Town limits that agree that a lot of this should be taken off. But if that is not an option at this point, and he needs to wait for the Town Board, then that is what he'll do.

Chairman Whit Moose arrived to hear most of what Mr. Greeson said. The Chairman stated that this Board always takes into consideration what the people of the Town feel like they need to say, and this will be part of what is discussed tonight.

## **7. Planning and Zoning Board Cases:**

### **TA 2021-04 Home Occupations**

Administration initiated amendment to update home occupation regulations. Affected Sections of MPDO: 5.4.2.

Erin Burris gave the Board a little background stating that the home occupation regulations have been in the Ordinance since 2000 and the ordinance was the same for several areas when it was adopted in Cabarrus County like Mount Pleasant, Concord, Kannapolis, and Harrisburg. Erin Burris stated that staff was looking to expand uses for Home Occupancy that might be acceptable and fitting into the neighborhood's character given that fact that more people are now working from home due to the pandemic. Mrs. Burris is not sure how some uses would fit in, like large equipment, but the ordinance has always excluded more than 3 commercial vehicles. The 2-axles was added to clarify what a commercial vehicle meant and not for a specific property. Mrs. Burris did want to point out that Oldenburg has recorded covenants to prevent large equipment but does not have anyone to enforce it, like an HOA, unless a neighbor were to sue another neighbor. The Town does cannot enforce Covenants, they only enforce their own zoning regulations.

#### **5.4.2.2 List of Home Occupations**

Board Member, Mike Steiner asked the Board to keep in mind as we look at Home Occupations. These are a couple things that jump out at him and if the Board would look at these items, then we are heading in the right direction:

1. If it does not compromise the residential character of the area that's okay.
2. If it does not generate traffic.
3. If it does not visually draw unusual attention to the home.
4. If it does not generate noise of a nonresidential level.

Board Member, Mike Steiner also wanted more clarification on Beauty Shops.

#### **5.4.2.4 List of Home Occupations Not Permitted:**

- **Contractor's shops, heavy equipment, and vehicles with more that (2) axles**

Board member, Mike Steiner wanted Contractor Shop to be more defined.

Board member, Mr. Steiner shared that he had his friend and neighbor, Mr. Greeson take him to the lot to see it. Mr. Steiner said that you cannot see anything from the road from all the trees and that Mr. Greeson has a storage shop with a couple pieces of equipment, a truck with (1) dual axle, a shed, and his boat back on his side property.

Chairman, Whit Moose said that we appreciate that Mr. Greeson was doing a great job, but to be mindful not everyone will do the same and this can open all kinds of interpretation.

#### **Table 5.4-1: Home Occupation Performance Standards by Zoning District:**

Board discussed changing six (6) clients to visit per day to eight (8) clients.

The Board wanted to defer heavy equipment and bring back a definition, lot size, setbacks, and other limitations that might allow certain size properties.

A motion was made by Mike Steiner to defer the update of Home Occupation Regulations in MPDO Section 5.4.2 and related definitions in Appendix A until next month and a second was made Warren Love. All were in favor (5-0).

**TA 2021-03 Infrastructure Amendments:**

Continue discussing amendments to infrastructure standards. Amendments regarding street frontage, adequate public facilities, plan submittal requirements, and standards & specifications. Affected Sections of the MPDO: Article 3, Table 4.6-2, Article 10, Article 14, Appendix B, Appendix C, Appendix D. *(Draft amendments to be distributed at meeting for discussion only-no action to be Taken)*

Mrs. Burris shared they are still working on this and nothing to share for now.

**8. Board of Adjustment Cases:**

None

**9. Reports:**

Mrs. Burris reviewed reports for September 2021.


Mrs. Burris shared that the Town Board approved a \$15,000 study for the utility lines situation in Downtown. Also, she is working on three grant applications: Two with the Buffalo Creek Preserve Parking Lot Expansion, and the other is CMAQ.

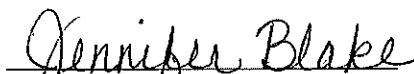
**10. Planning & Zoning Board Comment Period:**

Mrs. Burris shared that a developer approached her with an interest in annexing the property behind Fieldstone neighborhood on Cold Springs Road. Mrs. Burris stated that the Town Board would have to approve the annexation. The property does not currently have water and sewer capability and wanted him to see how the Board would view annexation of this site before he goes through with the process of engineering utility extensions and upgrades.

**12. Adjournment:**

With no further discussion, Chairman Whit Moose entertained a motion to adjourn. A motion was made by Rick Burleyson with a second by Warren Love. All were in favor (5-0).

  
Chairman, Whit Moose

  
Clerk to Board Jennifer Blake