

Minutes of the Town of Huntersville Planning Board

The Town of Huntersville Planning Board met virtually at 6:30 p.m. on Tuesday, January 25, 2022.

Call to Order/Roll Call

Chairman Swanick called the virtual meeting to order at 6:30 pm.

Present: S. Swanick, J. Sny, J. Davis, S. Hensley, G. Baber, F. Gammon, C. Boyd, T. Loomis, and J. Wright (connected at 6:48 pm due to technical difficulties)

Approval of Minutes

Item 2A. Consider approval of the December 14, 2021, Regular Meeting Minutes

Motion: S. Hensley made a Motion to Approve the December 14, 2021, minutes. C. Boyd seconded the motion.

Vote: The motion passed unanimously (8-0).

Public Comments

No public comments.

Action Agenda

Item 4A: SUP21-06 Solar Installation is a request by RSRV Power on behalf of Karen Butler to place solar panels on the front roof slope at 11913 Henderson Hill Rd (Tax parcel #s 01533303).

N. Farber, Planner I entered his staff report into the record, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Staff provided a summary of the request to install solar panels on front slope of roof. Staff recommends approval as the applicant has provided information that the solar panels are glare resistant as well as all applicable local, state and federal approvals will be obtained, and local energy company provider will be notified.

S. Swanick confirmed the Planning Board is hearing this request because it on a front facing slope and requested a review of why this was deemed a Special Use Permit process versus an administrative decision. Staff responded that when the standards were adopted it was determined that anything on a slope of a roof or façade facing a public street could potentially be an eyesore and must go through a Special Use Permit process. Staff is proposing a modification to the Ordinance Advisory Board to amend this ordinance and make this an administrative review.

C. Boyd asked staff to confirm that all adjacent neighbors were notified and if there were any concerns/complaints from this notification. Staff responded that the notices were sent out and we have not received any concerns/complaints.

G. Baber asked if the applicant will be required to get approval by their own homeowner's association. Staff responded that we do not require that information to be provided, it would be managed by their association if they have one.

Motion: S. Hensley made a Motion to Approve SUP 21-06, Solar Panels for 11913 Henderson Hill Road, we the Planning Board find the request meets all required conditions and specifications, is reasonable and does not pose an injurious effect on the adjoining properties and finds that the character of the neighborhood or the health, safety and general welfare of the community will be minimized. This decision is supported by the following findings: 1) The proposed solar installation is located on the roofs slope above the façade and therefore complies with Article 3.2.1 a; 2) The proposed equipment is not considered roof top equipment and therefore does not require screening; and 3) The proposed PV modules have a reflective value less than that of a normal window or water and therefore has limited reflective light toward the reflective street. F. Gammon seconded the motion.

Amendment: F. Gammon made a recommendation to amend the motion and include: "and is consistent with Huntersville 2040 Community Plan EOS 9.1 which promotes the use of energy efficient building design and neighborhood design." S. Hensley and F. Gammon accepted the amendments.

S. Hensley commented that he believes regulation in place for solar panels is important and he would support an amendment to make the review an administrative decision.

G. Baber commented that he agrees that this is a growing request, and we should review the guidelines. It may be that the HOA's will restrict placement on front-slope of roof.

T. Loomis commented that she would support a simpler more streamlined path to promote different types of energy as indicated in the Huntersville 2040 Plan.

Vote: The amended motion passed unanimously (9-0).

Item 4B:Petition #R21-15 is a request by Kathy Day on behalf of TLO Properties LKN of Parcel ID 01540105 to rezone the rear portion of the property from Rural-Conditional District and Transitional Residential to Rural.

N. Farber, Planner I entered his staff report into the record, a copy of which is attached hereto as Exhibit B and incorporated herein by reference. Staff provided a summary of the request to rezone the land to return it to its original zoning of rural and return the single parcel to one zone. The request is consistent with the 2040 Plan and is recommended by staff as it is consistent with all adjacent parcels.

S. Swanick asked staff if there were any submitted site plans or proposed development. Staff confirmed that there have been none submitted.

Motion: F. Gammon made a Motion to Approve R21-15, 14520 Beatties Ford Road from Rural Conditional District and Transitional Residential to Rural zoning. The Planning Board finds that the rezoning is consistent with Huntersville Zoning Articles 11.4.7 d and 11.4.7 e and the Huntersville 2040 Plan policies LU 2.2, LU 3.1 as outlined in part 4 of the staff report. It is reasonable and in the public interest to rezone this property because the rural zoning will be consistent with the character and uses adjacent to the subject property and the entire property will have one zoning district instead of three. J. Snyder seconded the motion.

Vote: The motion passed unanimously (9-0).

Item 4C: Petition #TA21-14, an application to amend Sections 2.100: Definitions, Section 6.300: Sketch Plan Required for Major Subdivisions, Section 6.310: Sketch Plan Not Required for Minor Subdivisions. Section 6.520: Exceptions: When Preliminary Plan Not Required.

B. Priest, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit C and incorporated herein by reference. Staff clarified that multi-building sites would be included in the major subdivision definition, right-of-way is stricken out, minor subdivision is simply not a major subdivision, and a farmhouse cluster definition is now located in one place.

F. Gammon asked if a multi-building site definition is already included in the zoning ordinance. Staff responded that the definition is already in the zoning ordinance.

S. Hensley asked staff if the complexity of the farmhouse cluster process has been intensified. Staff confirmed that these requirements are not new they are simply being clarified to make it simpler for an applicant to view all the requirements in one place.

Motion: J. Snyder made a Motion to Approve TA21-14 to amend Sections 2.10, 6.30, 6.31, and 6.52 of the Subdivision Ordinance, the Planning Board recommends approval based on the amendment being consistent with Policies EV 1.4, LU 9 and 9.2, and LU 10. It is reasonable and in the public interest to amend the Zoning Ordinance for the following reasons: 1)It does clean up the approval process while ensuring that items are addressed, and rules are met; 2)It establishes a proper path forward for farmhouse clusters that ensures that all of those processes and requirements are met; 3)It encourages in-fill development which often brings with it diverse housing options. G. Baber seconded the motion.

Vote: The motion passed unanimously (9-0).

Other Business

J. Davis announced that she is resigning from the Planning Board and thanked her fellow board members and staff. Board members and Staff thanked J. Davis for her service and stated she will be missed.

Adjourn

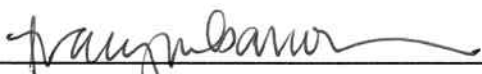
Motion: J. Davis made a Motion to Adjourn. S. Swanick seconded the motion.

Vote: The motion passed unanimously (9-0).

Approved this 25 day of April 2023.



Chairman or Vice Chairman



Board Secretary