



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

PLANNING BOARD MEETING AGENDA

February 26, 2018 – 6:30 pm – Village Hall

AGENDA ITEM

1. Call to Order
2. Determine Quorum
3. Adoption of the Agenda
4. Adoption of the Meeting Minutes: January 15, 2019
5. Public Comment Period

NEW BUSINESS ITEMS

- | | |
|---|--------------------|
| A. Discussion of Conservation Subdivision..... | Rohit Ammanamanchi |
| B. Discussion of the process for Variances and CUPs..... | Rohit Ammanamanchi |
| C. Discussion of proposed text amendments regarding pools and CUPs..... | Rohit Ammanamanchi |
| D. Discussion of CUP #19-12227 for a pool to be located in rear yard where it abuts a neighbor's side yard..... | Rohit Ammanamanchi |

UNFINISHED BUSINESS ITEMS

- | | |
|--|------------------|
| A. Discussion and Consideration of Chapter 5 of the Land Use Plan..... | Planning Board |
| B. Discussion and Consideration of the Resident Survey Revisions including additional question and Timeline..... | Christina Alphin |

AGENDA ITEMS

- | | |
|--------------------------------|------------------|
| A. Review of Action Items..... | Barbie Blackwell |
| B. Board Member Comments..... | Planning Board |

ADJOURNMENT



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PLANNING BOARD MEETING MINUTES

January 15, 2018 – 6:30 pm – Village Hall

AGENDA ITEM

1. Call to Order

John called the meeting to order at 6:31 pm.

2. Determine Quorum

A quorum was determined by the members present: Kelly Cates, Michael Lavelle, Chairman John Jones, Vice Chairman Mark Petersen, Paul Cappiello, and Tom Traub

Dale Bishop resigned effective immediately by email.

3. Adoption of the Agenda

Board members requested the following amendments to the agenda:

- Table Chapter 5 of the Land Use Plan until after the Resident Community Survey results.
- Table item F until next month.
- Add to New Business changing meeting date.

ACTION: Vice Chairman Mark Petersen made a motion to adopt agenda as amended. Seconded by Michael Lavelle. Motion passed with unanimous consent.

4. Adoption of the Meeting Minutes: 7/17/18, 8/22/18, 9/18/18, 12/18/18:

Ms. Kelly Cates requested a revision on the September 18 minutes the last sentence on page 6 to read as: “She stated the survey would be educational for residents, Council, and Boards.”

ACTION: Ms. Cates made a motion to adopt the minutes as amended. Seconded by Vice Chairman Petersen. The motion passed with unanimous consent.

5. Public Comment Period

There are no public comments.

NEW BUSINESS ITEMS

A. Discussion and Consideration of changing meeting date:

Due to scheduling conflicts the Planning Board agreed to move their regularly scheduled meeting on February

19 to February 26 at 6:30 pm. The Clerk will send out a revised meeting schedule to board members.

UNFINISHED BUSINESS ITEMS

A. Discussion and Consideration of Chapter 5 of the Land Use Plan:

Board members tabled discussion until after the Resident Community Survey results.

B. Planner Update:

Ms. Alphin reported that interviews are scheduled in 2-weeks for two qualified applicants. She is hoping to hire someone by mid-February. She noted that will be meeting with the Village Engineer to review Marvin Garden plans. She also said that the Village ordinances would need to be changed and updated to reflect the new plans.

C. Village Hall Update:

Ms. Alphin explained: At the last meeting two alternative options were presented for review. Council selected the two options include the agenda packet. Village Council will entertain both options in the RFP Bid packet. She noted most of the Council choose option 6.

D. Barcroft Update:

Ms. Alphin reported that Barcroft has a name and developer change. They are ready to start building.

E. Discussion and Consideration of the Survey Revisions and Timeline:

Chairman Jones expressed his gratitude to the Sub-Committee for their hard work on the survey.

Planning Board members reviewed the revised survey questions. After a lengthy discussion, board members suggested the following changes:

- Page 10 strike the remove of #14.
- Strike #11.
- #13 remains as is.
- Keep #14 and strike condos and “If Yes”. Starting the sentence with “Which”.
- #16 add it as the new #15 strike “If Yes” new: “Do you believe any of the following situations would warrant high density than the current one acre”. Keep all the answers the same.
- The new #16 “If Marvin were to consider an increase in residential development, which of the following would you support” use the answers from the old #13.
- #21 and #22 will be revised.

ACTION: Chairman Jones made a motion to approve changes subject to the final retyped amendments and directed Planning Board members to respond to Ms. Alphin by email. Seconded by Michael Lavelle. Motion passed unanimously by consent.

Chairman Jones amended his original motion to reflect all changes and respond to Ms. Alphin by email.

F. Marvin Gardens ICD:

Board members tabled discussion until their next meeting.

G. RAB Lighting:

Ms. Alphin share the RAB lighting as information. She explained: Union Power Corporation only allows one option for lighting fixtures. She noted that Council approved the lighting option at their meeting on January 8, 2019.

J. Joint Meeting with Council on February 8, 2019 at 10 am or 3 pm:

Planning Board members agreed to meet with Council at 10 am on February 8.

They recommended the following agenda items for possible discussion with Council:

- What is the Village's financial position good or bad?
- What are the plans for future annexation(s)?
- How will the survey be distributed?

AGENDA ITEMS

• Review of Action Items:

- Ms. Alphin will send the survey changes to Jessica Hill at CCOG.
- Planning Board member will review the survey and send Ms. Alphin any changes by email.
- Barbie will post a public notice for the meeting date change.
- Let Ms. Alphin know any big budget items.
- Email joint meeting suggestions to Ms. Alphin.
- Revise meeting calendar and send out to Planning Board members.
- Retreat item: What is the Village's financial position good or bad?

A. Board Member Comments:

- **Michael Lavelle:** Welcomed back to Chairman Jones.
- **Tom Traub:** Would like to recognize Dale Bishop for his service on the Planning Board.

ADJOURNMENT

Chairman Jones made a motion to adjourn the meeting 8:16 pm.



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TO: Planning Board
FROM: Kelley Moore, Zoning Administrator
SUBJECT: Text Amendment Regarding Pools and CUPs
DATE: February 14, 2019

Background

At this time, in order for a resident to build a pool in the side yard, or a rear yard that abuts a side yard, they must have at least 150 - 200 feet setbacks, or obtain a Conditional Use Permit (CUP). However, the more recently adopted landscaping code (§ 151.046) provides screening requirements that shield the pool from public view. As per § 151.046(K)(1), all pools must be screened with at least one method of screening outlined in § 151.046(J). These screening regulations obviate the need for the large setback requirements or the CUP Process for pools that are located in rear yards that abut the neighbor's side yard.

Current

Staff is proposing a Text Amendment to eliminate the CUP Process for pools located in side yards and pools. Attached are the proposed changes to the ordinance § 151.054 (E), titled "*Swimming pools.*"

Requested Action

Consider recommendation to the Council.

§ 151.054 ACCESSORY USES AND STRUCTURES.

(E) *Swimming pools.*

(1) Swimming pools shall be located **d** in the rear yard **or side yard** and shall have the following setbacks:

Swimming pool, measured from water's edge	20 feet rear yard 20 feet side yard or the principal structure on the street side
Pool equipment	20 feet side and rear yard
Pool decking	15 feet rear yard 20 feet side yard or the principal structure on the street side
Pool houses, cabanas, and the like	See § 151.054 (B)

~~(2) A swimming pool may be located in the side yard provided that the principal structure has a minimum 200 foot front setback and the pool will have a minimum 150 foot side yard setback. Swimming pools to be located in the side yard not meeting the setbacks described herein, shall be subject to a conditional use permit as provided for in § [151.100](#).~~

~~—(3) All swimming pools located on lots where a rear yard abuts a side yard of an adjacent lot shall be subject to a conditional use permit as provided for in § [151.100](#).~~

(4)(2) **Screening** Fencing for all swimming pools shall be subject to § [151.046](#)(J).



OR-2019-02-03

AN ORDINANCE OF THE VILLAGE OF MARVIN, NORTH CAROLINA

AN ORDINANCE AMENDING THE CHAPTER 151: §151.054, REGULATION OF SIDE YARD SWIMMING POOL SETBACKS TO BE REPLACED WITH SCREENING REGULATIONS IN THE VILLAGE OF MARVIN, NORTH CAROLINA

WHEREAS, the ordinance section 151.046 (entitled “Landscaping, Screening, and Buffers”) has been more recently adopted and requires screening all swimming pools from the view of adjacent neighbors, common areas, and public right-of way; and

WHEREAS, the provision to apply for a conditional use permit as an exception when the pool is located in the side yard or a rear yard that abuts an adjacent side yard has been obviated by those screening requirements;

NOW, THEREFORE, BE IT ORDAINED by the Village Council for the Village of Marvin, North Carolina that:

Section 1. Title XV: LAND USAGE, Chapter 151.054 (E) entitled “Swimming Pools” of the Code of Ordinance of the Village of Marvin, North Carolina shall be rewritten and amended as follows:

§ 151.054 ACCESSORY USES AND STRUCTURES.

(E) *Swimming pools.*

(1) Swimming pools shall be located in the rear yard or side yard and shall have the following setbacks:

Swimming pool, measured from water’s edge	20 feet rear yard 20 feet side yard or the principal structure on the street side
Pool equipment	20 feet side and rear yard
Pool decking	15 feet rear yard 20 feet side yard or the principal structure on the street side
Pool houses, cabanas, and the like	See § 151.054(B)

(2) Screening for all swimming pools shall be subject to § [151.046\(J\)](#).

This ordinance shall be effective upon adoption and ordered published as provided by law.

Adopted this day of 28th of February 2019.

*Joseph E. Pollino, Mayor
Village of Marvin*

Attest:

*Barbara R. Blackwell, NCCMC
Clerk, Village of Marvin*



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2019 PLANNING BOARD REGULAR MEETING SCHEDULE

Adopted 12/18/2018

*(Meetings are held the Third Tuesday of Each Month at 6:30 pm unless otherwise noted.
Planning Board members have reserved the right to change the meeting time back to 7 pm on a
as needed bases)*

Date	Time	Location
Tuesday, January 15	6:30 p.m.	Village Hall
Tuesday, February 19	6:30 p.m.	Village Hall
*Tuesday, February 26	6:30 p.m.	Village Hall
Tuesday, March 19	6:30 p.m.	Village Hall
Tuesday, April 16	6:30 p.m.	Village Hall
Tuesday, May 21	6:30 p.m.	Village Hall
Tuesday, June 18	6:30 p.m.	Village Hall
Tuesday, July 16	6:30 p.m.	Village Hall
Tuesday, August 20	6:30 p.m.	Village Hall
Tuesday, September 17	6:30 p.m.	Village Hall
Tuesday, October 15	6:30 p.m.	Village Hall
Tuesday, November 19	6:30 p.m.	Village Hall
Tuesday, December 17	6:30 p.m.	Village Hall

*Rescheduled meeting due to conflicts on February 19.

