

Planning & Adjustment Board

Meeting Minutes

10:30 am

6/11/2024

Planning and adjustment board members Eddie Drake, Barbara Taylor, George Barnes, David Manning, Ada Morgan and the zoning amendment applicant, Timothy Atkinson attended. The town attorney Brian Pridgen and utility clerk Odyssey Brown were also in attendance.

The meeting was called to order by Eddie Drake at 10:31am. The first & only order of business on the agenda was to consider a request for approval of a text amendment for a car sales lot on property located on 1156 NC 42-13 West identified as Edgecombe County Tax parcel number 4704-84-7547. The original application turned in was requesting approval of motor vehicle sales on a residential property, while this property is not inside city limits it is within the Towns ETJ. This property is currently in zoning district AR20/R20-MH in which motor vehicle sales are not allowed.

Brian Pridgen mentioned that there were two options for responding to the applicant's request. The first option would be to spot zone which means to take one parcel of land and make it a completely different zone in another zoning district, which in this case would be a business in an agricultural and residential district. The legality of this option may deter the board from going with this choice. The second option would be the text amendment, which the applicant has applied for, to allow special use of motor vehicle sales in AR20/R20-MH. The reminder with this option is that if approved that opens all zones AR20/R20-MH for motor vehicles sales and dealerships to be allowed.


Mr. Pridgen then opened the floor for the applicant, Mr. Timothy Atkinson, to speak on his own behalf as well as the board for questions, comments or concerns. Mr. Atkinson said he was in the process of getting his dealers license and needed zoning approval before he could proceed. Ms. Taylor questioned what type of vehicles and how many he was thinking about keeping onsite. Mr. Atkinson answered that he would resell used vehicles and only always keep about 4-5 on site. Ms. Taylor then asks Mr. Pridgen if there were any specifications on spot zoning that the town had on allowing this car lot. Mr. Pridgen reminds her that motor vehicle sales are not allowed in the zoning district he's currently in and if rezoning was approved that would be putting a business in a residential neighborhood. Mr. Drake asked Mr. Atkinson if he had investigated the NC Auto Dealer Licensing to find that a corporate surety bond or a cash bond in the amount of fifty thousand dollars (\$50,000) for one established salesroom would be required. Then the license would cost \$250 monthly to keep it updated. Mr. Atkinson said he had investigated it and is in the planning stage of the process, this was one of his first steps before he could truly move forward. Ms. Taylor then questioned since he is in the planning process could he come back later and give more information later that may plead his case a bit better. Mr. Manning asked where exactly he

was in the process. Mr. Atkinson said he needs to have a place for the dealership before they allow him to even take the dealer class. Mr. Drake said he wanted to hear what Mr. Pridgen had to say about this, knowing there is no Board of Commissioners meeting in July for this information to be approved.

Mr. Pridgen retold the Board of the two available options and spot zoning may not be legal for this area. The neighbors could also dispute this option and have legal footing for their case with it being a business in a residential area. The text amendment for special use of motor vehicle sales in AR20/R20-MH would be the best option if the Board were to approve. Mr. Drake said that the option of having dealerships all around town in any AR20/R20-MH zone would not be in the Town's best interest. So, rezoning may be the best option and Mr. Barnes agreed. Mr. Pridgen reminds the Board that rezoning would open that piece of land up to any use allowed in that zone. Mr. Drake asked if a motion could be made to approve or deny the rezoning of this parcel. Ms. Taylor made a motion to deny the request based on evidence from the hearing. Mr. Barnes seconded, and the motion was passed unanimously. Mr. Pridgen asked that a motion be made for the text amendment not being compliant with the land use plan. Ms. Morgan made a motion that the text amendment was not in compliance with the Town's land use plan. Mr. Manning seconded, and that motion was passed unanimously.

Although the Board denied the request if the applicant wishes to pursue the opening of a dealership outside of our ETJ the Town of Pinetops would have no contest if he adhered to county regulations. With nothing further on the agenda Mr. Drake made a motion to adjourn the meeting. Ms. Taylor seconded, and the meeting was adjourned at 10:50am.

Planning & Adjustment Board Chairperson:

A handwritten signature in cursive script, appearing to read "Eddie Drake", written over a horizontal line.

Eddie Drake

Attest:

A handwritten signature in cursive script, appearing to read "Odyssey Brown", written over a horizontal line.

Odyssey Brown