



**TOWN OF MIDWAY  
PLANNING & ZONING BOARD MINUTES  
TUESDAY, NOVEMBER 26, 2013**

**MINUTES OF MIDWAY PLANNING & ZONING BOARD REGULAR MEETING HELD ON  
NOVEMBER 26, 2013 AT 5:00 P.M. AT THE MIDWAY FIRE AND RESCUE BUILDING, 228  
MIDWAY SCHOOL ROAD, MIDWAY, NORTH CAROLINA**

**CALL TO ORDER**

Chairperson Charles Waddell called the meeting to order.

Planning & Zoning Board members present were: Jackie Edwards, Keith Leonard, LeeAnn Thomas, and alternate member Jamie Hester. Absent: Lynn Griggs.

Town Manager Ryan Ross, Town Planner Andy Goodall, Town Clerk Linda A. Hunt were present.

**APPROVAL OF MINUTES**

On motion by Board member Jackie Edwards, seconded by Board member LeeAnn Thomas, the Board voted unanimously to approve the minutes of the October 29, 2013 meeting as presented.

**ADOPT AGENDA**

Two items were added to the agenda under VII. OTHER BUSINESS as follows: 3. Meeting Schedule for 2014 and 4. Complaints.

On motion by Board member Jackie Edwards seconded by Board member Lee Ann Thomas, the Board voted unanimously to adopt the agenda as amended.

**PUBLIC COMMENT PERIOD**

There were none.

**PLANNING BOARD CASES**

There were none.

**OTHER BUSINESS**

**CCOD SITE PLAN REVIEW (11911 OLD US HIGHWAY 52) – USED CAR LOT**

Town Planner Andy Goodall introduced Malcom (Sonny) Minton, owner of Minton Motors, and Michael Foushee, operations manager, who have submitted a site plan for a used car lot at 11911 Old US Highway 52 in Midway. Mr. Goodall told the Board he has reviewed the plan and it meets the required Core Commercial District guidelines. There is an existing building on the property and no new structure will be built. The site plan includes a buffer of trees and shrubs. Parking will be available at the side and rear of the lot. If approved by the Board, Mr. Goodall may issue a 90-day zoning permit which requires the work to be completed within that timeframe. In addition, a sign permit must be obtained before a sign can be erected on the lot.

Mr. Goodall recommended the Board approve the CCOD Site Plan with the condition that the notes on the plan are completed by the surveyor, Brad Coe, who prepared the site plan.

On motion by Board member LeeAnn Thomas, seconded by Board member Keith Leonard, the Board voted unanimously to approve the CCOD Site Plan for Minton Motors Used Cars Lot located at 11911 on Old US Highway 52 with the condition that the notes on the plan are completed by Surveyor Brad Coe.

### **GROUP DISCUSSION ABOUT POTENTIAL 2014 PROJECTS**

Town Planner Andy Goodall stated he thought it would be beneficial for the Planning Board to determine some projects/goals they would like to undertake in 2014. Mr. Goodall suggested one such project could be to review the Town's Zoning Ordinance, stating there are some changes he believes should be made.

Mr. Goodall asked the Board to give some thought to what projects they would like take up in 2014 and to be prepared to discuss them at the next Planning Board meeting.

### **COMPLAINTS**

Chairman Charles Waddell expressed his concern about some existing complaints that have been on the list that have not yet resolved. Examples he used were:

- ❑ Ongoing problem with trash scattered about in the parking lot at the Dollar General Store property that blows everywhere. Mr. Waddell noted that both he and Mayor Pro Tem Mike McAlpine received e-mails with pictures attached showing the amount of trash and how it was scattered over the lot. Mr. Waddell questioned if Dollar General had been put on notice about the problem and if they were, why does the trash problems continue.
- ❑ Continuing problems with houses in poor condition, creating safety issues.

Town Manager Ryan Ross responded to Chairman Waddell's concerns, stating the process is complaint-driven. Once a complaint is received, the matter is investigated by staff to determine if the complaint is valid or invalid. If the complaint is valid, the property owners are sent a notification that they are not in compliance with the Town's ordinance, giving them ten (10) days to remedy the situation. Once the ten (10) days are up, the property will be re-inspected and if the owners still have not complied, they will be given notice of fines that will be assessed until the property is in compliance. The next step would then be to take legal action against the owner, depending on the severity of the problem. Mr. Ross added that Davidson County could include the cost incurred by the Town on the owner's tax bill; however, that just becomes a lien on the property if not paid.

Alternate member Jamie Hester said that complaints should be across the board.

Board member LeeAnn Thomas said the handling of complaints needs to be consistent, noting that has been a problem in the past.

Town Planner Andy Goodall said every town has some residents who are perpetually in violation of ordinances similar to those Midway is experiencing. Mr. Goodall said the Town does not need to levy hard on everyone just to address of couple serious violations.

Discussion followed regarding the proper process for reporting and handling complaints. Mr. Goodall and Code Enforcement Officer Steve May are designated to receive the complaints.

Board member Jackie Edwards asked if there had been any complaints received this month. Mr. Goodall responded none were received. Ms. Edwards stated she would like to be provided with monthly reports on permits issued and complaints received. Mr. Goodall said he could send out monthly reports. Board member LeeAnn Thomas said she does not need the monthly reports.

Board member Jackie Edwards questioned how a business gets by with moving into a new location without prior approval. Mr. Goodall commented that the used car lot had probably looked like it was open, but it was not. Board member LeeAnn Thomas said the Town has had problems like that before. Ms. Edwards used the pawnshop as an example.

**MEETING SCHEDULE FOR 2014**

On motion by Board member Jackie Edwards, seconded by Board member Jamie Hester, the Board voted unanimously to adopt the meeting schedule for 2014 as follows:

**PLANNING AND ZONING BOARD/BOARD OF ADJUSTMENT  
2014 MEETING SCHEDULE**

Meetings of the Midway Planning and Zoning Board/Board of Adjustment are generally held on the last Tuesday of each month, unless otherwise listed, at 5:00 p.m., in the meeting room at the Midway Fire and Rescue Department located at 228 Midway School Road in Midway, North Carolina.

- Tuesday, January 28
- Tuesday, February 25
- Tuesday, March 25
- Tuesday, April 29
- Tuesday, May 27
- Tuesday, June 24
- Tuesday, July 29
- Tuesday, August 26
- Tuesday, September 30
- Tuesday, October 28
- Tuesday, November 25
- Tuesday, December 16<sup>th</sup>\*

\*To accommodate Christmas holidays.

**REPORTS**

**ZONING ADMINISTRATOR'S REPORT**

There were none.

**PLANNING BOARD**

There was a discussion about whether or not to hold the December 17<sup>th</sup> meeting. It was decided to just wait and see if there are any business items that need to be addressed before making a final determination.

Prior to adjournment, Board member Keith Leonard told the Board this was his last meeting as a Planning Board member as he will be sworn in as a Council member at the December Town Council meeting. Mr. Leonard said he had enjoyed serving on the Board, saying he had learned a lot while there.

**ADJOURNMENT**

On motion by Board member Keith Leonard, seconded by Board member Jackie Edwards, the Board voted unanimously to adjourn the meeting.

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Linda A. Hunt, Town Clerk

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Charles Waddell, Chairperson