

**Town of Eastover - Town Council Meeting
Tuesday, November 14, 2017 7:00 p.m.
Eastover Community Center**

**x☐ Mayor Charles G. McLaurin, Presiding;
Council Members: x☐ Cheryl C. Hudson, x☐ J. Lawrence Buffaloe,
x☐ M. Stan Crumpler, x☐ Randy P. Lee,
☐ Benny M. Pearce and ☐ Lee P. Hedgecoe**

MINUTES OF MEETING – November 14, 2017

Mayor Charles G. McLaurin, Council Members: Cheryl C. Hudson, J. Lawrence Buffaloe, M. Stan Crumpler, and Randy P. Lee were in attendance at the November 14, 2017, Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Council Members Benny Pearce and Lee Hedgecoe were absent from the meeting, however they provided a written waiver of notice prior to the November 14, 2017 Town Council Meeting. Also in attendance were Attorney Tim Smith, Mr. Aaron Barnes, Cumberland County Planning and Inspections Department, Mr. Kim Nazarchyk, Town Manager, and Ms. Jane Faircloth, Town Clerk.

I. Call to Order:

Mayor Charles McLaurin called the November 14, 2017 Eastover Town Council meeting to order at 7:00 p.m. and welcomed all in attendance.

II. Invocation/Pledge of Allegiance:

Council Member Stan Crumpler gave the Invocation and led in the Pledge of Allegiance.

III. Approval of Agenda:

Mayor Charles McLaurin asked the Council if they had any questions concerning the Agenda. There were none.

Mayor McLaurin asked for a motion to approve/disapprove the Agenda as stated.

Council Member Cheryl Hudson made a motion to approve the Agenda as stated. The motion was 2nd by Council Member Stan Crumpler. The vote was 5-0 for approval.

IV. Public Comments:

None.

V. Consent Agenda:

- 1. Consider approval of the Minutes for the October 10, 2017 Town Council Planning Session.**
- 2. Consider approval of the Minutes for the October 10, 2017 Town Council Meeting.**
- 3. Consider approval of the September, 2017 Financial Reports.**

Mayor McLaurin asked the Council if they had any questions concerning the Consent Agenda. There were none.

Mayor McLaurin asked for a motion to approve/disapprove the Consent Agenda as stated. Council Member Lawrence Buffaloe made a motion to approve the Consent Agenda as stated. The motion was 2nd by Council Member Stan Crumpler. The vote was 5-0 for approval.

VI. Discussion Agenda:

Agenda Item #1:

Public Hearing

CASE NO. P17-42. REZONING OF .44+/- ACRES FROM RR RURAL RESIDENTIAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE EAST SIDE OF US 301 (DUNN ROAD), NORTH OF SR 1722 (BEARD ROAD); SUBMITTED BY ELLA WILLIAMS LEBLANC (OWNER) AND MARION W. FISHER (AGENT). (EASTOVER)

Mayor McLaurin **OPENED** the Public Hearing.

Mr. Aaron Barnes presented Case# P17-42 to the Council. Mr. Barnes said this is a case of rezoning .44+/- acres from RR Rural Residential to R15 Residential. The request was submitted by Ella Williams (owner) and Marion W. Fisher (agent).

Mr. Barnes stated the Cumberland County Joint Planning Board recommended approval based on the fact that the R15 district will restrict the allowed uses on the subject property to primarily single family residential.

Mr. Barnes said the Cumberland County Joint Planning Board finds that approval of the R15 Residential District is consistent with the adopted comprehensive plan designated as the “2030 Growth Vision Plan”. The request is not consistent with the “Eastover Land Use Plan”, which calls for “one acre residential”; the subject property is now served by Eastover Sanitary District water and sewer.

The board further finds that approval of the rezoning is reasonable and in the public interest because the district requested for the subject property generally meets or exceeds the location criteria of the adopted Land Use Policies Plan.

Mayor McLaurin asked the Town Clerk if anyone signed up to speak for or against Case No. P17-42. She stated no one had signed up.

After a brief discussion by the Council, Mayor McLaurin asked for a motion to **CLOSE** the Public Hearing.

Council Member Cheryl Hudson made a motion to close Public Hearing Case No. P17-42. The motion was 2nd by Council Member Lawrence Buffaloe. The vote was 5-0 for approval.

Mayor McLaurin asked for a motion to approve/disapprove Case No. P17-42 for rezoning from RR Rural Residential to R15 Residential.

Council Member Randy Lee made a motion to approve Case No. P17-42 for **rezoning** from RR Rural Residential to R15 Residential. The motion was 2nd by Council Member Stan Crumpler. The vote was 5-0.

Mayor McLaurin asked for a motion to approve/disapprove Case No. P17-42 for consistency with the adopted comprehensive plan designated as the “2030 Growth Vision Plan”. Although the request is not consistent with the “Eastover Land Use Plan”, which calls for “one acre residential”; the subject property is now served by Eastover Sanitary District.

Council Member Randy Lee made a motion to approve Case No P17-42 for **consistency** with the “2030 Growth Vision Plan”. Although the request is not consistent with the “Eastover Land Use Plan”, which calls for “one acre residential”; the subject property is now served by Eastover Sanitary District. The motion was 2nd by Council Member Stan Crumpler. The vote was 5-0 for approval.

Mayor McLaurin asked for a motion to approve/disapprove to Case No. P17-42 for reasonableness because the district requested for the subject property generally meets or exceeds the location criteria of the adopted “Land Use Policies Plan” being that the property is now served by Eastover Sanitary District.

Council Member Cheryl Hudson made a motion to approve Case No P17-42 for **reasonableness** because the district requested for the subject property generally meets or exceeds the location criteria of the adopted “Land Use Policies Plan” being that the property is now served by Eastover Sanitary District. The motion was 2nd by Council Member Stan Crumpler. The vote was 5-0 for approval.

Agenda Item #2:

Public Hearing

CASE NO. P17-43. REZONING OF 1.22+/- ACRES FROM A1 AGRICULTURAL TO R20 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1701 AND 1705 JONCEE DRIVE; SUBMITTED BY TONY & EMMA BELIN, DARLENE KLIMCZAK AND CHARLENE JOHNSON (OWNERS) & LORI EPLER ON BEHALF OF LARRY KING AND ASSOCIATES (AGENT). (EASTOVER)

Mayor McLaurin **OPENED** the Public Hearing.

Mr. Aaron Barnes presented Case No. P17-43 to the Council. Mr. Barnes said this is a case of rezoning 1.22+/- acres from A1 Agricultural to R20 Residential or to a more restrictive zoning district.

The request was submitted by Tony and Emma Belin, Darlene Klimczak and Charlene Johnson (owners) and Lori Epler on behalf of Larry King and Associates (agent).

Mr. Barnes stated the Cumberland County Joint Planning Board recommends approval of the R20 Residential District for Case No. P17-43 based on the following:

1. The R20 district will restrict the uses permitted on the subject properties to primarily stick built homes;
2. The rezoning will remove the nonconformity of the subject lots; and
3. RR Residential zoning is to the immediate west of the subject property.

Mr. Barnes said the Cumberland County Joint Planning Board finds approval of the R20 Residential district is consistent with the adopted comprehensive plan designated as the “2030 Growth Vision Plan”, which calls for “community growth area” at this location. Although it is not consistent with the “Eastover Land Use Plan” which calls for “one acre residential”, the subject property is now serviced by Eastover Sanitary District water and sewer.

The board further finds that approval of the rezoning is reasonable and in the public interest because the district requested for the subject property generally meets or exceeds the location criteria of the adopted “Land Use Policies Plan”.

Mayor McLaurin asked if anyone signed up to speak for or against this case. The Town Clerk stated two people signed up to speak. They are as follows:

FOR: Mr. Tony Belin, 1705 Joncee Drive, Eastover, N.C. 28312
Ms. Lori Epler, 1333 Morganton Road Fayetteville, N.C. 28305

AGAINST: None

SPEAKERS FOR:

Mr. Tony Belin stated the reason he wants the property rezoned is so he can move the property line. His tank sits on the neighbor's property and this would allow him to own the property his water tank is sitting on. The property line is at a ditch. He is already cleaning his property and the neighbor's property. Mr. Belin stated one of his neighbors, Mr. Egan, supports this rezoning. He stated that they are trying to correct the over flooding from the ditch and make sure it is done properly.

Ms. Lori Epler spoke and said she wanted to mention a few technical items. She said first the area was zoned by the County before the Town of Eastover was established and the lots were created prior to zoning. Ms. Epler stated that none of the lots meet the requirements and are considered legal non-conforming. She said Mr. Belin sent a map to the County to have reviewed so he could maintain the ditch and stop the flooding. Ms. Epler stated that Mr. Belin has been maintaining the property for years. Ms. Epler said future residents and existing residents could have problems with the zoning as it is now, because they are non-conforming. She stated if any of the existing homeowners lost their home they would have a hard time rebuilding because of the zoning issues.

Mayor McLaurin stated the Council was well aware of the issues in that area. He said the zoning was established long before the Town of Eastover was incorporated.

Council Member Stan Crumpler asked Mr. Egan about drainage issues. Council Member Crumpler wanted to know if this would alleviate the drainage problem. Mr. Egan said yes he believed it would help because all neighbors will be working together to stop the flooding.

SPEAKERS AGAINST:

None.

After a brief discussion by the Council, Mayor McLaurin asked for a motion to **CLOSE** the Public Hearing.

Council Member Randy Lee made a motion to close the Public Hearing on Case No. P17-43. The motion was 2nd by Council Member Cheryl Hudson. The vote was 5-0 for approval.

Mayor McLaurin asked for a motion to approve/disapprove Case No. P17-43 for rezoning of 1.22+/- acres from A1 Agricultural to R20 Residential.

Council Member Lawrence Buffaloe made a motion to approve Case No P17-43 for **rezoning** from A1 Agricultural to R20 Residential. The motion was 2nd by Council Member Stan Crumpler. The vote was 5-0.

Mayor McLaurin asked for a motion to approve/disapprove to Case No. P17-43 for consistency with the adopted comprehensive plan as designated in the “2030 Growth Vision Plan”. Although the request is not consistent with the “Eastover Land Use Plan”, which calls for “one acre residential”; the subject property is now served by Eastover Sanitary District.

Council Member Lawrence Buffaloe made a motion to approve Case No. P17-43 for **consistency** with the “2030 Growth Vision Plan”. Although the request is not consistent with the “Eastover Land Use Plan”, which calls for “one acre residential”; the subject property is now served by Eastover Sanitary District. The motion was 2nd by Council Member Randy Lee. The vote was 5-0 for approval.

Mayor McLaurin asked for a motion to approve/disapprove to Case No. P17-43 for reasonableness with the “Eastover Land Use Plan” being that the property is now served by Eastover Sanitary District and also meets or exceeds the location criteria of the adopted “Land Use Policies Plan”.

Council Member Cheryl Hudson made a motion to approve Case No P17-43 for **reasonableness** with the “Eastover Land Use Plan” being that the property is now served by Eastover Sanitary District and also meets or exceeds the location criteria of the adopted “Land Use Policies Plan”. The motion was 2nd by Council Member Stan Crumpler. The vote was 5-0 for approval.

VII. Receive Mayor’s Update:

- The November 10, 2017 ceremony was a tribute to the Veterans of Vietnam. Mayor McLaurin wanted to thank all who helped make this tribute a success. There were approximately 18 Veterans involved and an estimation of 80 people attending. Mayor McLaurin stated he was pleased with the turnout and extremely happy to be able to honor our Veterans.
- Mayor McLaurin introduced the new elect Council Member Mr. Bruce Sykes. Mr. Sykes said he lives on Beard Road and was honored to be elected. He stated he was excited to be able to serve the Eastover Citizens.

- Mayor McLaurin announced that Council Members Lee Hedgecoe and Benny Pearce were absent. Council Member Hedgecoe has a stomach virus and Council Member Pearce had surgery. Mayor McLaurin asked that we keep them in our thoughts and prayers.

VIII. Receive Town Council Update:

None.

IX. Receive Town Managers Update:

Mr. Nazarchyk stated he wanted to remind the Council of the upcoming “Land Use Planning” Meeting on November 16, 2017 at 7:00 p.m. at Salem United Methodist Church. All residents are encouraged to come.

Mr. Nazarchyk stated the State has accepted the Town of Eastover’s audit and it will be presented at the December meeting.

X. Consider a Motion to Adjourn:

Mayor McLaurin asked for a motion to adjourn.

A motion to adjourn was made by Council Member Randy Lee at 7:39 p.m. The motion was 2nd by Council Member Cheryl Hudson. The vote was 5-0 for approval.

_____, Administrative Assistant
Elizabeth S. Bass

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, Town Clerk
Jane F. Faircloth