



# **Town of Boiling Springs**

**Board of Planning & Adjustment Agenda  
April 18, 2023  
5:30PM**



**ROUTINE BUSINESS**

1. Chairman's Call to Order
2. Public Comment
3. Minutes from the February 21st Meeting

**REGULAR BUSINESS**

4. Consider Zoning Map Amendment Petition for Parcel 44091
5. Consider Zoning Text Amendment Petition
6. Discuss Recreational Vehicle Regulation
7. Adjourn

**Town of Boiling Springs  
Board of Planning & Adjustment Minutes  
February 21, 2023**

**ROUTINE BUSINESS**

**Chairman's Call to Order**

Vice Chairman David Wacaster called the meeting to Order at 5:30PM.

**PRESENT**

Vice Chairman David Wacaster  
Thomas Bates  
J.T. Scruggs  
Bill Daves  
Karma Harris  
Alan McWhirter

**ABSENT**

Chairman Chris Martin

**Staff present:**

Town Manager Justin Longino

Town Clerk Noah Saldo

**Public Comment**

There was no public comment.

**Minutes from the January 25, 2023 Meeting**

Action: Upon a motion my Mr. Daves Seconded by Mr. McWhirter it was unanimously voted to approve the January 25, 2023, meeting minutes as presented.

## **REGULAR BUSINESS**

### **Special Intensity Allocation Permit for Parcel 59605**

The planning board is sitting as the watershed review board to consider a special intensity allocation permit for parcel 59605.

Town Manager Longino introduced the item as well as foothills regional commission who gave a presentation on the item.

Action: Upton a motion by Mr. Bates seconded by Mr. Daves it was unanimously voted to approve the special intensity allocation permit for parcel 59605 as presented.

### **Adjourn**

Action: Upon a motion by Mr. Bates seconded by Mr. Daves it was unanimously voted to adjourn at 5:41pm



## ZONING MAP AMENDMENT

### **Options to Proceed:**

1. Motion to recommend to Town Council that parcel 44091 be rezoned from R15 to R10.
2. Motion to recommend to Town Council that parcel 44091 not be rezoned.
3. Motion to table the request.

*If there is a motion to rezone (or not rezone), a ‘consistency statement’ is needed. An example if the property is being rezoned: “Motion to rezone the property from R15 to R10. The request is consistent with the Future Land Use map and surrounding zoning districts”*

Staff recommends Option 1.

## SUMMARY

Katherine and Marvin Hoyle have requested their property be rezoned from R15 to R10. The parcel is located at 204-206 W. College Ave (on the corner of Wellington St and W. College).

Currently, two duplexes sit on the property. One was burned a year or two ago and has sat vacant. They plan to tear down the buildings and would seek to build two new duplexes.

The request is in line with the Future Land Use Map which shows this area as medium-density residential. Also, two parcels zoned R10 exist across W. College from this parcel.

### **From the [Unified Development Ordinance](#):**

The R-15 district is established as a district in which the principal use of land is for medium-density residential uses and associated public and private facilities typically associated with such districts.

The R-10 district is a district in which the principal use of land is for medium-density, one, two, and multi-family dwellings and associated public and private facilities typically associated with such districts.

## MATERIALS PROVIDED

- **Zoning Map Amendment Petition**
- **GIS aerial and zoning map of parcel**
- **Future Land Use Map**

# Zoning Map Amendment Petition

03/30/2023 3:08 PM (EDT)



Item 1.



THE TOWN OF  
**BOILING SPRINGS**  
NORTH CAROLINA

## Zoning Map Amendment Petition

### General Information

This form is used to request a change to the zoning classification of a particular parcel on the Town's official Zoning Map. This process is often referred to as a rezoning. An alternative name of this form is Parcel Map Rezoning Petition. A consultation with planning and zoning staff is recommended prior to submitting this process.

### Subject Property

**Physical Address** 204-206 West College Ave

**Land Area** 0.49 acres

**Parcel Number\*** 44091

\*Parcel Number can be found online on here: <https://www.webgis.net/nc/cleveland/>. Enter your address into the search bar to find your parcel number.\*

**PIN** 2505278110

**Tax Map** BS18

**Block** 2

**Lot** 44

**Deed Book** 1850

**Page** 1156

**Property Owner(s)** Katherine and Marvin Hoyle

**Owner Mailing Address** 236 Churchview Dr., Lawndale, NC 28090

**Owner Telephone** 704-477-6997 or 704-477-6307

**Owner Email** kittyhoyle@hoyleholdings.com

**Applicant Name** Katherine Hoyle

**Applicant Mailing Address** 236 Churchview Dr., Lawndale, NC 28090

Applicant Telephone 704-477-6997

Item 1.

Applicant Email kittyhoyle@hoyleholdings.com

Applicant Relation to Property Owner

### Zoning Map Amendment Requested

Current Zoning Classification R-15

Current Classification on Future Land Use Map Medium Density Residential

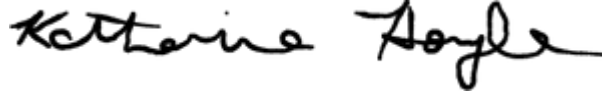
Requested Classification on Zoning Map R-10

Petitioner Comments R-10 exists across the street and in other nearby locations. R-10 would allow owners to make improvements to the site that would benefit the appearances of the town.

### Owner/Applicant Signatures

I hereby certify that the information on this application is true and correct. I will adhere to the conditions, comments, and restrictions, provided of this application's review. Petitions not made by or on behalf of the property owner require owner notification in accordance with state law.


Owner Signature



Print Name Katherine Hoyle

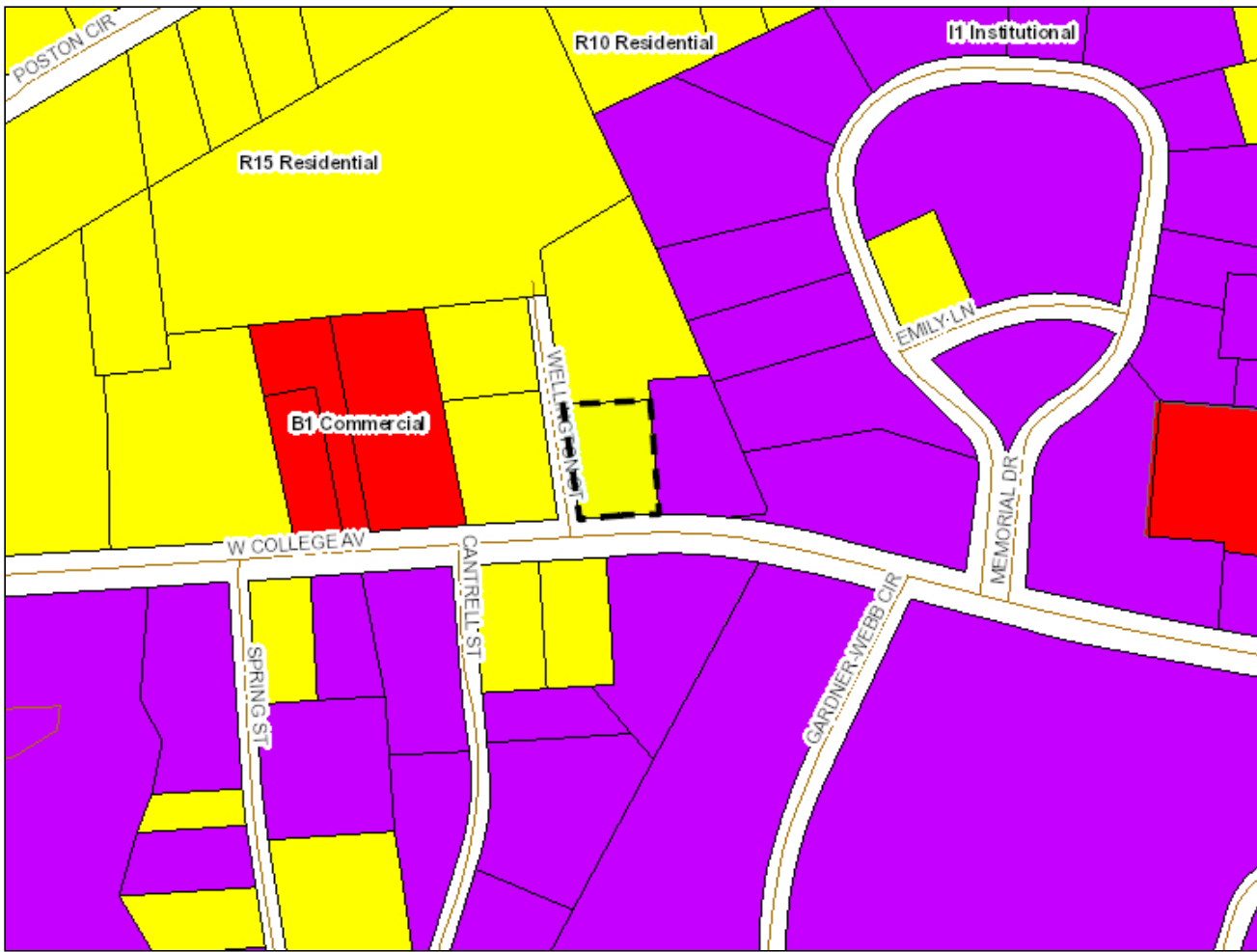
Date 03/30/2023

Applicant Signature

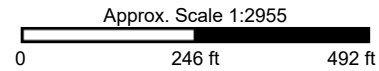


Print Applicant Name Katherine Hoyle

Date 03/30/2023



**Disclaimer:** The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate but accuracy is not guaranteed.



**Layer: Parcels**

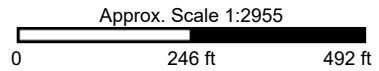
<b>SEQNUM:</b>	44091	<b>Lot:</b>	44
<b>Owner1:</b>	HOYLE MARVIN HAROLD	<b>LandValue:</b>	24675
<b>Owner2:</b>	HOYLE KATHERINE HAMRICK	<b>BldgValue:</b>	95903
<b>DeedBook_P:</b>	1850-1156	<b>AdjValue:</b>	120578
<b>Deeded_Acr:</b>	0.49	<b>TaxYear:</b>	2023
<b>PIN:</b>	2505278110	<b>TaxCode2:</b>	R
<b>SUM_Calcul:</b>	0.47602132	<b>ParAddr:</b>	204
<b>ParcelNo:</b>	44091	<b>ParDirPref:</b>	W
<b>OwnerName1:</b>	HOYLE MARVIN HAROLD	<b>ParRdName:</b>	COLLEGE
<b>OwnerName2:</b>	HOYLE KATHERINE HAMRICK	<b>ParRdType:</b>	AVE
<b>OwnerAddr1:</b>	236 CHURCHVIEW DR	<b>ParAddrX:</b>	A
<b>OwnerAddr2:</b>	LAWNDALE NC 28090	<b>NeighCode:</b>	B158
<b>OwnerCity:</b>	LAWNDALE	<b>Tax_Distri:</b>	2
<b>OwnerState:</b>	NC	<b>Occ_Code:</b>	18W
<b>OwnerZip:</b>	28090	<b>Use_Code:</b>	R
<b>ParcelAddr:</b>	204 W COLLEGE AVE, A	<b>Year_Built:</b>	1900
<b>DeedBook:</b>	1850	<b>Shape_Length:</b>	585.62366604206
<b>DeedPage:</b>	1156	<b>Shape_Area:</b>	20740.848715039
<b>MapNo:</b>	BS18	<b>TAZ:</b>	4167
<b>Block:</b>	2		:

<b>Layer: Zoning</b> Class: R15 Residential Municipality: CITY OF BOILING SPRINGS	<b>Layer: 2000 Census Tracts</b> Census Tract: 951500
<b>Layer: NC House and Senate Districts</b> Senate: 44th	<b>Layer: Flood Zones</b> GRID: 2505 PANEL_: 3710250500J
<b>Layer: Voting Precincts</b> Precinct: Broad River Voting Site: BOILING SPRINGS BAPTIST CHURCH	<b>Layer: Fire Districts</b> DISTRICT: Boiling Springs
<b>Layer: Watersheds</b> ZONE: WSIV	<b>Layer: Jurisdictional Limits</b> Name: BOILING SPRINGS





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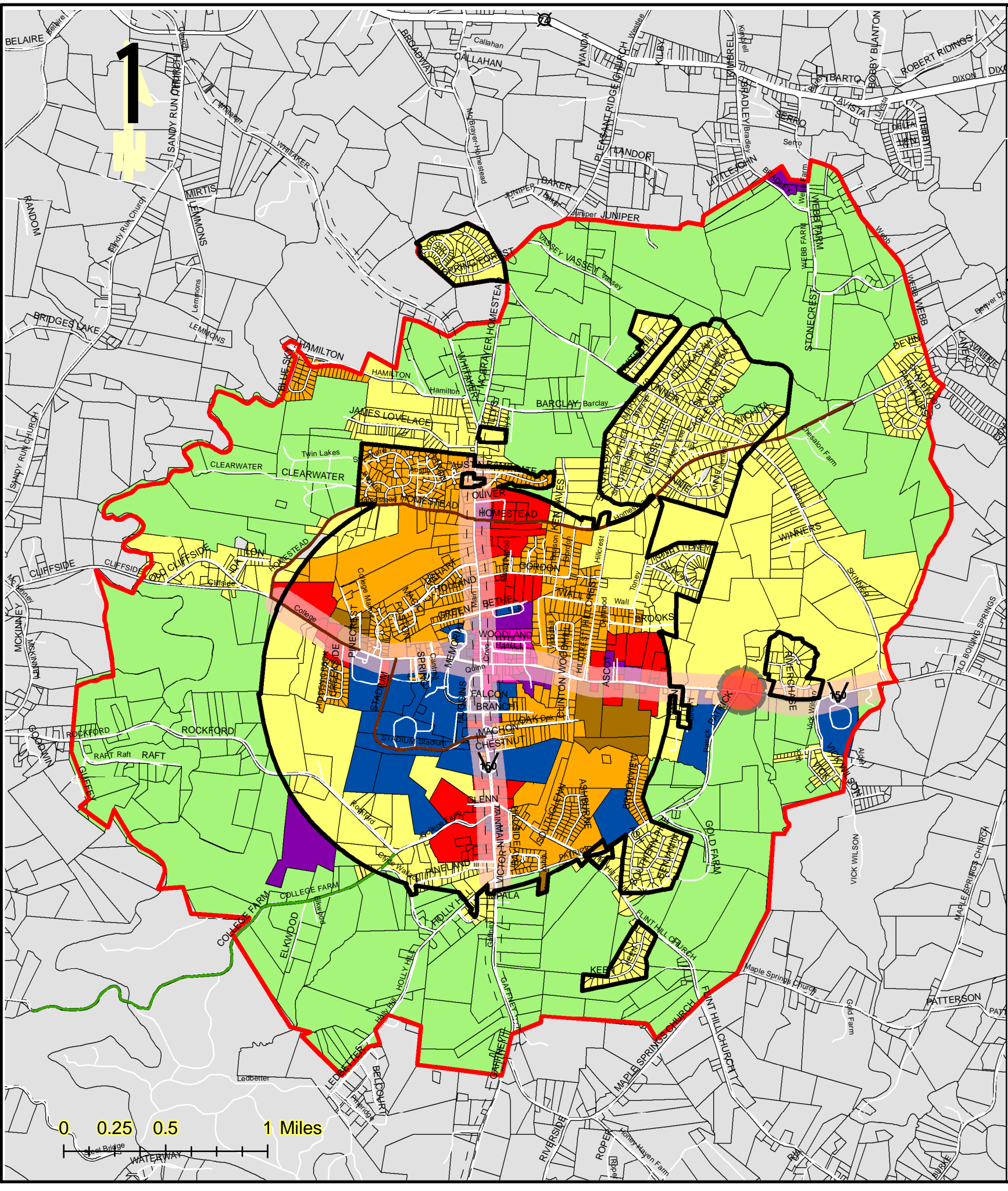
**Layer: Parcels**







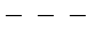











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<b>Layer: Watersheds</b> ZONE: WSIV	<b>Layer: Jurisdictional Limits</b> Name: BOILING SPRINGS



# Boiling Springs, NC Recommended Future Land Use



-  Town Limit
-  ETJ
-  Roads
-  Parcels
-  Greenway Trail
-  Stadium/Homestead Trail
-  County-Wide Bike Loop
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Commercial
-  Central Business
-  Institutional
-  Industrial
-  Open Space/Farmland Presv.
-  Commercial/Mixed-Use
-  College Ave Business Corridor
-  Main St. Business Corridor



February 2009





## ZONING ORDINANCE TEXT AMENDMENT

### Options to Proceed:

1. Motion to recommend the text amendment change as requested.
2. Motion to recommend denial of the request.
3. Motion to recommend a different change/wording.

Staff recommends Option 1.

## SUMMARY

Ms. Keelee Jones has requested a change to [Section 8.10](#) of the Town’s Unified Development Ordinance. The section applies to “exterior building material standards” and currently reads:

*These standards shall apply to all nonresidential buildings in the B-1, B-2, and O&CS districts, as well as any other nonresidential building located on NC Highway 150, SR 1003, or SR 1161, that are constructed or altered following the effective date of this ordinance. The alteration of existing buildings shall be subject to the nonconforming architectural features standards of this ordinance.*

Ms. Jones purchased property on Machon Ave and plans to move her business, Magnolia Mill, into a new home on the two parcels she now owns. In working with a builder, she found the standards to be cost-prohibitive and somewhat excessive for the planned development sitting back off S. Main St and behind an existing business. She approached staff who worked with her on the requested change.

Staff supports this decision based on a discussion at the Town Council’s recent planning retreat regarding the desire to ensure standards and ordinances are not *too* prohibitive to allow for additional business growth. Additionally, most businesses in Boiling Springs are located on Main St. or College Ave. The original intent of these standards was to ensure a positive first impression as visitors and residents drive these main corridors. The standards would still apply to parcels on these routes and additional standards would still apply to those parcels within the [Downtown Overlay District](#). Staff’s evaluation of the change is that the impact will be minimal.

The amended text, as requested, is shown below:

*These standards shall apply to all nonresidential buildings ~~in the B-1, B-2, and O&CS districts, as well as any other nonresidential building~~ located on NC Highway 150, SR 1003, or SR 1161, that are constructed or altered following the effective date of this ordinance. The alteration of existing buildings shall be subject to the nonconforming architectural features standards of this ordinance.*

## MATERIALS PROVIDED

- Text Amendment Application



THE TOWN OF  
**BOILING SPRINGS**  
NORTH CAROLINA

## Zoning Text Amendment Petition

### General Information

This form is used to request a text amendment to the Town's Code of Ordinances. A consultation with planning and zoning staff is recommended prior to submitting this form.

- \$260 fee required to process Zoning Text Amendment Petitions
- Signature Required on Page 2
- Zoning Text Amendments are considered by the Board of Planning & Adjustment and Town Council
- Town will give official Public Notice and hold a Public Hearing

### Subject Property (if applicable)

**Physical Address** 108 NORTH MAIN STREET

**Land Area** United States

**Parcel Number** 560 + 561

**Tax Map** 560 + 561

**Deed Book** 1144

**Page** 1372

### Property Owner (if applicable)

**Property Owner(s)** KEELEE JONES

**Owner Mailing Address** PO BOX 325 BOILING SPRINGS NC 28017

**Owner Telephone** 704-692-6180

**Owner Email** INFO@MAGNOLIAMILL.COM

### Applicant

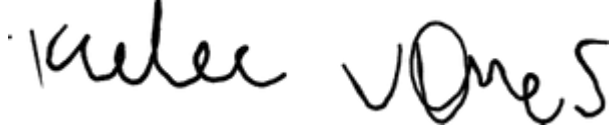
Applicant Name	KEELEEE JONES	Item 2.
Applicant Mailing Address	PO BOX 325 BOILING SPRINGS	
Applicant Telephone	7046926180	
Applicant Email	INFO@MAGNOLIAMILL.COM	
Applicant Relation to Property	Owner	

## Zoning Text Amendment Requested

**Requested Text Amendment**      Requesting the standards be removed from b-1, b-2, and o&cs districts, as well as any other nonresidential buildings. So moving forward, the new standards would read as follows: "These standards shall apply to all nonresidential buildings located on NC Highway 150, SR 1003, or SR 1161, that are constructed or altered following the effective date of this ordinance. The alteration of existing buildings shall be subject to the nonconforming architectural features standards of this ordinance."

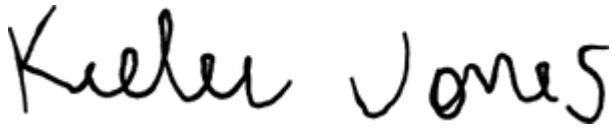
**Petitioner Comments**      Keeping the regulations in place for those located on NC highway 150, SR 1003, and SR 1161 will help maintain the "look" of the city, and will be inviting to more franchise style businesses while removing for those in b-1, b-2, and o&cs districts will offer some relief to the smaller businesses who dream of building a permant business in boiling springs. Thank you for taking this into consideration.

## Applicant / Owner Signatures

**Owner Signature**      

**Print Name**      Keelee Jones

**Date**      04/12/2023

**Applicant Signature**      

**Print Name**      Keelee Jones

**Date**      04/12/2023



## DISCUSS RECREATIONAL VEHICLE REGULATIONS

**Requested Action:** Staff requests feedback from the Planning Board.

Staff would like to hear comments from Planning Board on the existing language and on the need for new regulations. Staff would take this feedback to Council for additional comments before deciding whether to propose an amendment at a future meeting.

## SUMMARY

Town staff has encountered several instances of individuals living in recreational vehicles (RVs, campers, etc.) in the last year. Most of these have been RVs on existing residential lots (i.e. a second dwelling unit where someone is living in an RV in someone's backyard, behind their house). We currently have an ordinance that requires 'secondary dwelling units' to be separate water/sewer connections (i.e. an additional meter), but nothing that specifically prohibits a person living in an RV. State regulations point to a desire to restrict this type of behavior. However, they are vague and provide little specific guidance on the exact restrictions placed on a permanent or semi-permanent recreational vehicle living situation.

The exception to this issue of vague language is in the Flood Damage Prevention chapter of our Code of Ordinances where it states in [Sec. 14.9.2\(E\)](#):

(F) Recreational vehicles. Recreational vehicles shall either:

(1) *Temporary placement.*

- i. Be on site for fewer than 180 consecutive days; or
- ii. Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.)

(2) *Permanent placement.* Recreational vehicles that do not meet the limitations of temporary placement shall meet all the requirements for new construction.

Staff is requesting feedback on whether or not the Planning Board would like to leave the current standards in place or have staff explore what restrictions we could implement to limit this behavior.

## MATERIALS PROVIDED

- None