

**THE ERWIN BOARD OF COMMISSIONERS  
APRIL 2024 REGULAR WORKSHOP  
MONDAY, APRIL 22, 2024 @ 6:00 P.M.  
ERWIN MUNICIPAL BUILDING BOARDROOM**

**AGENDA**

- 1. MEETING CALLED TO ORDER**
  - A. Invocation
  - B. Pledge of Allegiance
  
- 2. AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**
  
- 3. NEW BUSINESS**
  - A. Al Woodall Municipal Park – Parking Lot Addition (**Page 2**)
  - B. Budget Amendment (**Page 13**)
  - C. ZT-2024-002 Split Zone Property Updates (**Page 14**)
  - D. Accessory Dwelling Unit Amendment (**Page 17**)
  - E. Penalty Text Amendment (**Page 25**)
  - F. Multi-Family & Duplex Text Amendment (**Page 28**)
  - G. Outdoor Storage Text Amendment (**Page 29**)
  - H. FAMPO Update (**Page 31**)
  
- 4. CLOSED SESSION**
  - A. Pursuant to General Statute 143-318.11(a) (6) for the Purpose of Discussing Personnel
  
- 5. GOVERNING COMMENTS**
  
- 6. ADJOURNMENT**

**ERWIN BOARD OF COMMISSIONERS**  
**REGULAR WORKSHOP MINUTES**  
**APRIL 22nd, 2024**  
**ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Randy Baker presiding held its Regular Workshop in the Erwin Municipal Building Board Room on Monday, April 22, 2024, at 6:00 P.M. in Erwin, North Carolina.

Board Members present were: Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners Charles Byrd, Timothy Marbell, Alvester McKoy, Billy Turnage, and David Nelson.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Deputy Clerk Katelan Blount, Town Planner Dylan Eure, and Town Attorney Tim Morris were present.

Mayor Baker called the meeting to order at 6:01 P.M.

Commissioner McKoy gave the invocation.

Commissioner Blackmon led the Pledge of Allegiance.

**AGENDA ADJUSTMENT/APPROVAL OF AGENDA**

Town Manager Snow Bowden requested adding a closed session pursuant to General Statute 143-318.11(a)(6) for the purpose of discussing personnel.

Commissioner Blackmon made a motion to approve the agenda as adjusted which was seconded by Commissioner Nelson. **The Board voted unanimously.**

**NEW BUSINESS**

**Al Woodall Municipal Park- Parking Lot Addition**

Town Manager Snow Bowden presented the submitted bids that were received from Town Engineer Bill Dreitzler for the Al Woodall Municipal Park Parking Lot addition.

Based upon the bids received, Town Engineer Bill Dreitzler recommends selecting Highland Paving Company. The bid submitted by Highland Paving was \$107,026.26. This company has done good work for the Town in the past.

Commissioner Byrd questioned if this would be grading where the old gazebo used to be.

Mayor Baker asked if this included asphalt and striping.

Town Manager Snow Bowden confirmed that this includes grading, asphalt, and curb stops. He stated that the Town staff will have to come back to the Board at a later time in order to get funds authorized to get lights installed.

Commissioner Turnage wanted to clarify that this would not interfere with the ditch that is in place.

Town Manager Snow Bowden confirmed that this is far enough back that it will not interfere.

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 22, 2024

Subject: Al Woodall Parking Lot

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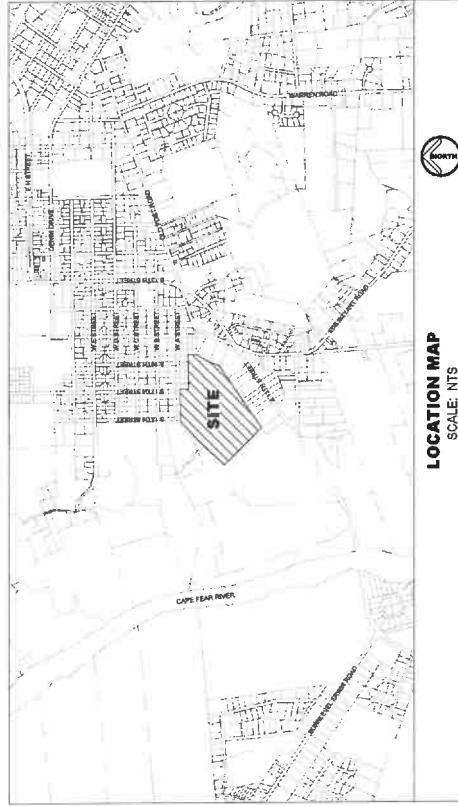
Our Town Engineer Bill Dreitzler has submitted his recommendation for the Al Woodall parking lot expansion project. This expansion should increase the number of parking spaces at Al Woodall Park by 32 spaces. The bids that we are discussing tonight are just to install the new parking lot which includes curb stops for each parking space. Once we get the parking lot built we will have to reach out to Duke Energy and get poles installed for parking lot lights.

The funds from the grant that we obtained from the State of North Carolina should be enough to cover this project.

# ERWIN PARK PARKING LOT ADDITION

PIN#: 0597-41-4262  
810 16th STREET

TOWN OF ERWIN, NORTH CAROLINA



**PROVIDED FOR:**

TOWN OF ERWIN  
SNOW BOWDEN - TOWN MANAGER  
PO BOX 459  
ERWIN, NC 28338  
CONTACT: SNOW BOWDEN  
PHONE: (910) 591-4200  
EMAIL: TOWNMANAGER@ERWIN-NC.ORG

**SHEET INDEX**

- C1 COVER
- C2 SITE EXISTING CONDITIONS PLAN
- C3 SITE STAKING PLAN
- C4 SITE GRADING & EROSION CONTROL PLAN
- C5 CONSTRUCTION DETAILS

**JANUARY 2024**

PLANS BY:



6728 CARBONTON ROAD  
WILSON, NC 27310  
(919) 499-8759 phone  
draftinganddesign@jimsd.com

**LEGEND OF ABBREVIATIONS**

AC	ASPH/CON	AD	ADJUSTED	AD	ADJUSTED
BC	BASE COURSE	AE	ASPH/EMULSION	AE	ASPH/EMULSION
CC	CONCRETE	AF	ASPH/FLY ASH	AF	ASPH/FLY ASH
CD	CLAY	AG	ASPH/GRAVEL	AG	ASPH/GRAVEL
CE	CONCRETE	AH	ASPH/HOT	AH	ASPH/HOT
CF	CONCRETE	AI	ASPH/INERT	AI	ASPH/INERT
CG	CONCRETE	AJ	ASPH/JET	AJ	ASPH/JET
CH	CONCRETE	AK	ASPH/K	AK	ASPH/K
CI	CONCRETE	AL	ASPH/L	AL	ASPH/L
CM	CONCRETE	AM	ASPH/M	AM	ASPH/M
CP	CONCRETE	AN	ASPH/N	AN	ASPH/N
CQ	CONCRETE	AO	ASPH/O	AO	ASPH/O
CR	CONCRETE	AP	ASPH/P	AP	ASPH/P
CS	CONCRETE	AQ	ASPH/Q	AQ	ASPH/Q
CT	CONCRETE	AR	ASPH/R	AR	ASPH/R
CU	CONCRETE	AS	ASPH/S	AS	ASPH/S
CV	CONCRETE	AT	ASPH/T	AT	ASPH/T
CW	CONCRETE	AV	ASPH/V	AV	ASPH/V
CX	CONCRETE	AW	ASPH/W	AW	ASPH/W
CY	CONCRETE	AX	ASPH/X	AX	ASPH/X
CZ	CONCRETE	AY	ASPH/Y	AY	ASPH/Y
CA	CONCRETE	AZ	ASPH/Z	AZ	ASPH/Z
CB	CONCRETE	BA	ASPH/BA	BA	ASPH/BA
CC	CONCRETE	BB	ASPH/BB	BB	ASPH/BB
CD	CONCRETE	BC	ASPH/BC	BC	ASPH/BC
CE	CONCRETE	BD	ASPH/BD	BD	ASPH/BD
CF	CONCRETE	BE	ASPH/BE	BE	ASPH/BE
CG	CONCRETE	BF	ASPH/BF	BF	ASPH/BF
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CI	CONCRETE	BH	ASPH/BH	BH	ASPH/BH
CJ	CONCRETE	BI	ASPH/BI	BI	ASPH/BI
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CM	CONCRETE	BL	ASPH/BL	BL	ASPH/BL
CN	CONCRETE	BM	ASPH/BM	BM	ASPH/BM
CO	CONCRETE	BN	ASPH/BN	BN	ASPH/BN
CP	CONCRETE	BO	ASPH/BO	BO	ASPH/BO
CQ	CONCRETE	BP	ASPH/BP	BP	ASPH/BP
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CS	CONCRETE	BR	ASPH/BR	BR	ASPH/BR
CT	CONCRETE	BS	ASPH/BS	BS	ASPH/BS
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CV	CONCRETE	BU	ASPH/BU	BU	ASPH/BU
CW	CONCRETE	BV	ASPH/BV	BV	ASPH/BV
CX	CONCRETE	BW	ASPH/BW	BW	ASPH/BW
CY	CONCRETE	BX	ASPH/BX	BX	ASPH/BX
CZ	CONCRETE	BY	ASPH/BY	BY	ASPH/BY
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CE	CONCRETE	CD			



**NOTES**

1. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
2. ALL AREAS DEMONSTRATED AS USABLE TO MEET AASHTO STANDARDS.
3. CONTRACTOR TO VERIFY FINAL DIMENSIONS AND LOCATION PRIOR TO CONSTRUCTION.
4. CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL REQUIREMENTS.

**SITE DATA**  
 PROJECT NO: 2023-02  
 DATE: 04/17/2023  
 DRAWN BY: [Redacted]  
 CHECKED BY: [Redacted]

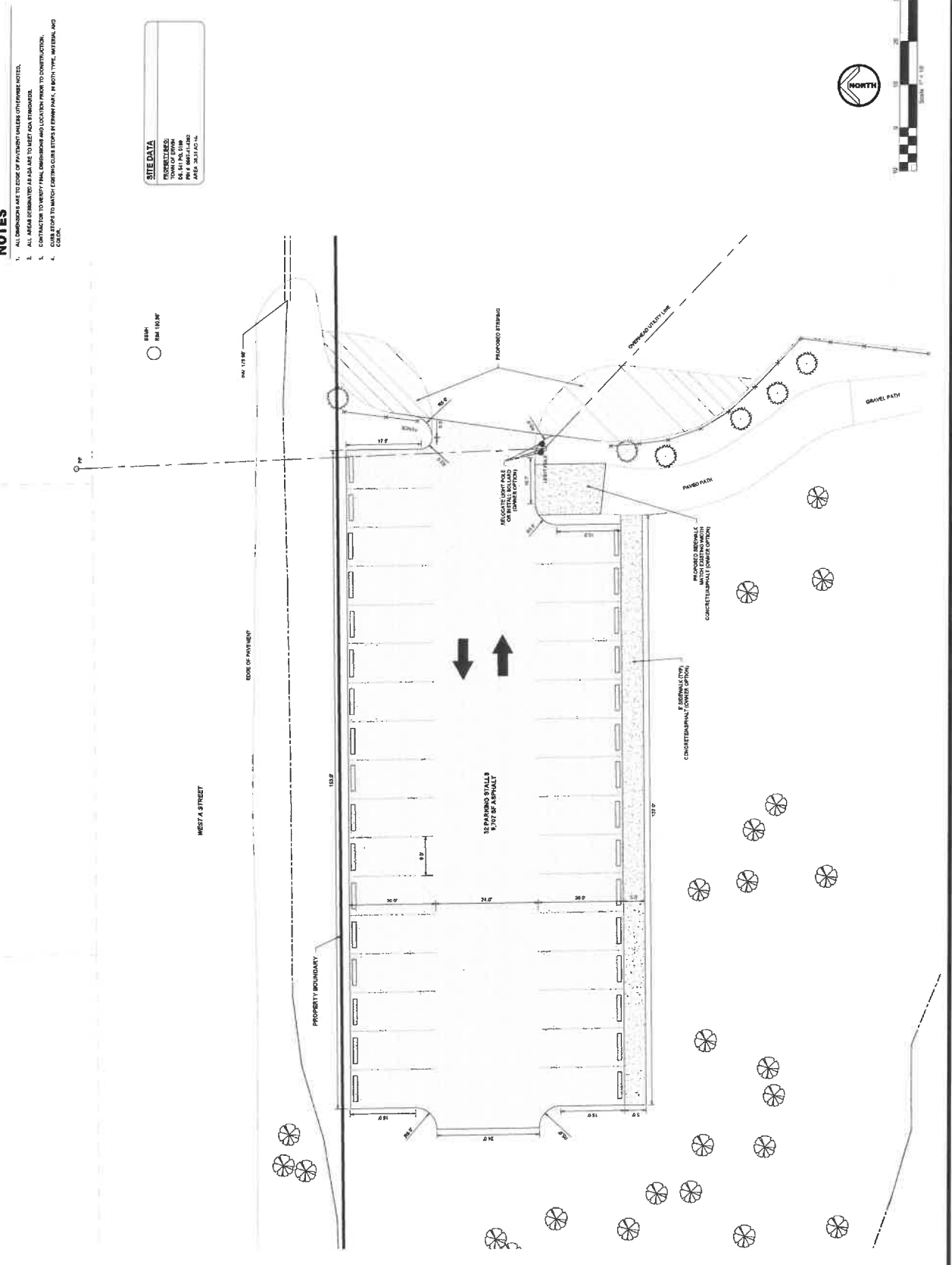
**DRAFTING AND DESIGN SERVICES, INC.**  
 1275 GARDNER BLVD  
 SUITE 100  
 CHARLOTTE, NORTH CAROLINA 28203  
 (704) 496-8729  
 www.draftinganddesign.com

**ERWIN PARK  
 PARKING LOT ADDITION  
 810 S 16TH STREET  
 ERWIN, NORTH CAROLINA  
 SITE STAKING PLAN**

REVISIONS

**PRELIMINARY  
 NOT FOR CONSTRUCTION**

Scale	1"=10'	Drawn by	MDK
Sheet	C3-5	Designed by	MDK
Project Number	2023-02	Reviewed by	MDK
Date	JAN 2024		

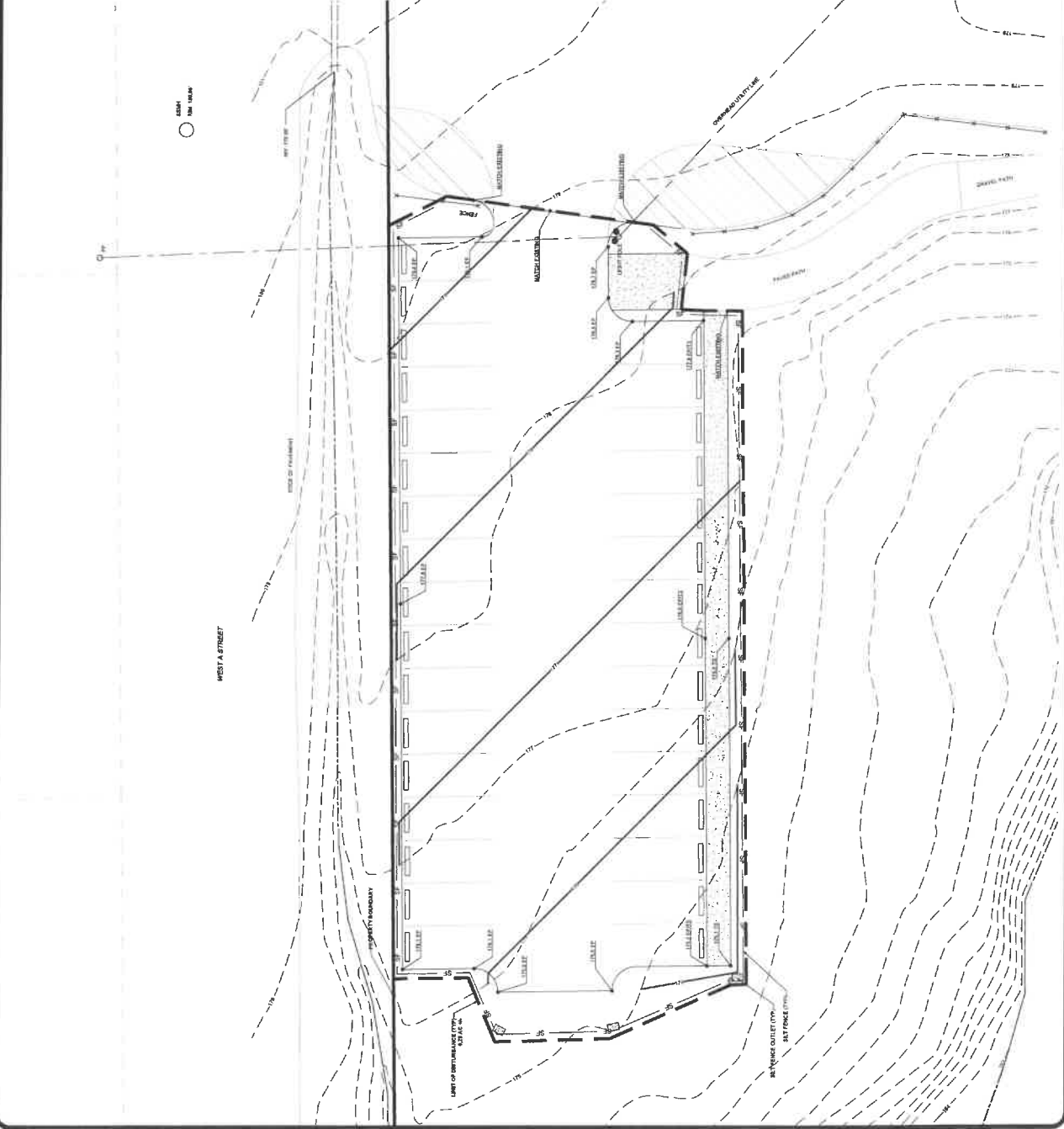


**NOTES**

1. LIMIT OF DISTURBANCE = 2.0% AC. SLOPE DISTURBANCE AS LESS THAN 1:1 THEREFORE, ANY REQUIRED LAND DISTURBANCE PERMIT IS REQUIRED.
2. OWNER HAS SUBJECT TO EROSION GRADER AND CONDITIONS.
3. CONTRACTOR TO VERIFY FINAL ELEVATIONS WITH ACTUAL FIELD CONDITIONS.
4. PROPOSED CONTOUR AND SLOPE SHOWN AT 1% INCREMENTAL.

**CONSTRUCTION SEQUENCE**

1. INSTALL TEMPORARY FENCE IN ACCORDANCE AS SHOWN ON PLAN AND SET FENCE OUTLETS AS NECESSARY AT ANY JOINT POINTS IN SILE.
2. GRADING SHALL BE COMPLETED WITHIN LIMITS OF DISTURBANCE. THE PLAN SHALL BE USED TO VERIFY FINAL ELEVATIONS WITH ACTUAL FIELD CONDITIONS.
3. ALL ACTIVITIES SHALL BE CONFINED WITHIN LIMITS OF DISTURBANCE. CONSTRUCTION SHALL BE LIMITED TO THE DISTURBANCE AREA.
4. ALL ACTIVITIES SHALL BE CONFINED WITHIN LIMITS OF DISTURBANCE. CONSTRUCTION SHALL BE LIMITED TO THE DISTURBANCE AREA.
5. ALL ACTIVITIES SHALL BE CONFINED WITHIN LIMITS OF DISTURBANCE. CONSTRUCTION SHALL BE LIMITED TO THE DISTURBANCE AREA.
6. REMOVE TEMPORARY SILT FORDS.



**EROSION CONTROL LEGEND**

- SILT FENCE
- SILT FENCE OUTLET
- LIMIT OF DISTURBANCE



**ERWIN PARK  
PARKING LOT ADDITION  
810 S 16th STREET  
ERWIN, NORTH CAROLINA**

SITE GRADING & EROSION CONTROL PLAN

REVISIONS

**PRELIMINARY  
NOT FOR CONSTRUCTION**

Scale	1"=10'	Drawn by	MDK
Sheet		Designed by	MDK
<b>C4 5</b> of 148		Reviewed by	MTB
		Date	JAN 2004
Project Number	2024-02		

**DRAFTING AND DESIGN SERVICES, INC.**  
4728 CAROLAN ROAD  
ERWIN, NORTH CAROLINA 27330  
919.478.7799 phone  
info@draftingdesign.com







# TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339  
Ph: 910-897-5140 • Fax: 910-897-5543  
www.erwin-nc.org

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

## **REQUEST FOR BIDS AL WOODALL MUNICIPAL PARK PARKING LOT ADDITION February 29, 2024**

### **BID OPENING AND SUBMITTAL DEADLINE March 29, 2024 2:00 PM AT TOWN HALL**

The Town of Erwin is requesting Proposals from qualified contracting firms for the construction of a new 32-space parking lot. The new parking lot will be located along W A Street at the parks secondary entrance. Construction Plans and a Bid Sheet are included as attachments to this Request for Bids. Submittals shall be the Bid Sheet provided. Bids may be submitted by email, hand delivery or at the bid opening prior to the 2:00 submittal deadline.

#### **Email Submittals:**

Bill Dreitzler, P.E.  
[bdreitzler@dm2engineering.com](mailto:bdreitzler@dm2engineering.com)  
919-818-2235

#### **Hand Delivery:**

Attention: Bill Dreitzler, P.E.  
100 W F Street  
Erwin, NC 28339

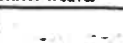
#### **Bid Opening:**

Erwin Town Hall Conference Room  
100 W F Street  
Erwin, NC 28339

End Document

**AJ Woodall Municipal Park - Parking Lot Addition  
Erwin, NC  
Bid Sheet V3**

Item No.	Description	Quantity	Unit	Unit Price	Unit Total
<b>SETUP</b>					
M-01	Mobilization	1	ls		\$5,715.00
M-02	Staking	1	ls		\$6,985.00
M-03	Misc Demo	1.00	ea		\$7,874.00
<b>SUBTOTAL</b>					<b>\$20,574.00</b>
<b>GRADING</b>					
G-01	Earthwork-Cut	1	ls		\$7,900.00
G-02	Earthwork-Fill	1	ls		\$5,268.00
G-03	Borrow Soil Required (assumed 6" topsoil removed)	1	ls		\$6,604.00
G-04	Final Shaping	1	ls		\$19,050.00
<b>SUBTOTAL</b>					<b>\$38,822.00</b>
<b>EROSION CONTROL</b>					
EC-02	Silt Fence	422	#	57.56	\$3,200.00
EC-03	Silt Fence Outlet	3	ea	\$508.00	\$1,524.00
<b>SUBTOTAL</b>					<b>\$4,724.00</b>
<b>CONCRETE</b>					
C-01	5' Wide Concrete Sidewalk: 4" Thick	97	sy	\$91.44	\$8,869.68
<b>SUBTOTAL</b>					<b>\$8,869.68</b>
<b>BASE &amp; PAVE</b>					
P-01	2" S9.5A	1078	sy	\$26.27	\$30,475.06
P-02	6" ABC (180 cy)	252	tons	\$44.45	\$11,201.40
P-05	Asphalt Milling - As needed (pour existing asphalt & tie to existing)	1	ls		\$3,085.86
<b>SUBTOTAL</b>					<b>\$44,762.32</b>
<b>INCIDENTALS</b>					
I-01	Wheel Stops (Includes Striping)	32	ea	\$301.63	\$9,652.16
I-02	6" Bollards	2	ea	\$889.00	\$1,778.00
<b>SUBTOTAL</b>					<b>\$11,430.16</b>
<b>Total Estimate:</b>		<b>\$129,182.16</b>			

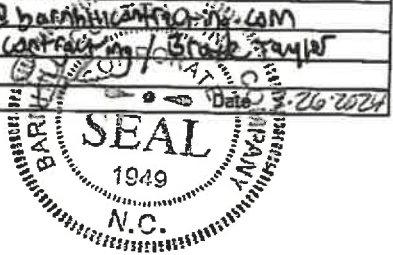
<b>Company Name:</b>	Stewart Group Enterprises, LLC.
<b>License #:</b>	69804
<b>Address:</b>	115 S. Railroad St. Benson, NC 27504
<b>Phone #:</b>	919-894-2680
<b>Email:</b>	travis@stewartgroupenterprises.com
<b>Contractor Name:</b>	Travis Weaver
<b>Signature:</b>	
	Date 3/26/2024

**Adendums #1 & #2 Acknowledged**

**Al Woodall Municipal Park - Parking Lot Addition**  
**Erwin, NC**  
**Bid Sheet V3**

Item No.	Description	Quantity	Unit	Unit Price	Unit Total
<b>SETUP</b>					
M-01	Mobilization	1	ls	\$18,000.00	\$18,000.00
M-02	Staking	1	ls	\$2,600.00	\$2,600.00
M-03	Misc Demo	1.00	ea	\$35,000.00	\$35,000.00
<b>SUBTOTAL:</b>					<b>\$61,600.00</b>
<b>GRADING</b>					
G-01	Earthwork-Cut	1	ls	\$17,000.00	\$17,000.00
G-02	Earthwork-Fill	1	ls	\$3,000.00	\$3,000.00
G-03	Borrow Soil Required (assumed 6" topsoil removed)	1	ls	\$4,000.00	\$4,000.00
G-04	Final Shaping	1	ls	\$9,500.00	\$9,500.00
<b>SUBTOTAL:</b>					<b>\$34,300.00</b>
<b>EROSION CONTROL</b>					
EC-02	Silt Fence	422	lf	\$15.50	\$6,541.00
EC-03	Silt Fence Outlet	3	ea	\$1,000.00	\$3,000.00
<b>SUBTOTAL:</b>					<b>\$9,541.00</b>
<b>CONCRETE</b>					
C-01	5' Wide Concrete Sidewalk, 4" Thick	97	sy	\$174.00	\$16,878.00
<b>SUBTOTAL:</b>					<b>\$16,878.00</b>
<b>BASE &amp; PAVE</b>					
P-01	2" S9.5A	1078	sy	\$31.00	\$33,418.00
P-02	6" ABC (180 cy)	252	tons	\$124.50	\$31,374.00
P-05	Asphalt Milling - As needed (pour existing asphalt & tie to existing)	1	ls	\$3,750.00	\$3,750.00
<b>SUBTOTAL:</b>					<b>\$68,542.00</b>
<b>INCIDENTALS</b>					
I-01	Wheel Stops	32	ea	\$95.00	\$3,040.00
I-02	6" Bollards	2	ea	\$795.00	\$1,590.00
<b>SUBTOTAL:</b>					<b>\$4,630.00</b>
<b>Total Estimate:</b>				<b>\$195,491.00</b>	

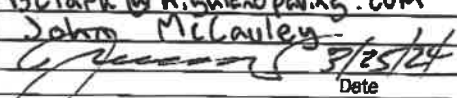
Company Name:	Barnhin Contracting Company
License #:	3194
Address:	1100 Robeson St.
Phone #:	410-488-1319
Email:	SScott@barnhincontracting.com
Contractor Name:	Barnhin Contracting / Steve Scott
Signature:	<i>Steve Scott</i>
Date:	3-26-2024



ADDENDUM #1 + ADDENDUM #2 ARE ACKNOWLEDGED

Al Woodall Municipal Park - Parking Lot Addition  
Erwin, NC  
Bid Sheet V3

Item No.	Description	Quantity	Unit	Unit Price	Unit Total
<b>SETUP</b>					
M-01	Mobilization	1	ls	4,000. <sup>00</sup>	4,000. <sup>00</sup>
M-02	Staking	1	ls	4,000. <sup>00</sup>	4,000. <sup>00</sup>
M-03	Misc Demo	1.00	ea	10,500. <sup>00</sup>	10,500. <sup>00</sup>
SUBTOTAL:					18,500. <sup>00</sup>
<b>GRADING</b>					
G-01	Earthwork-Cut	1	ls	18,750. <sup>00</sup>	18,750. <sup>00</sup>
G-02	Earthwork-Fill	1	ls	8,575. <sup>00</sup>	8,575. <sup>00</sup>
G-03	Borrow Soil Required (assumed 6" topsoil removed)	1	ls	1,600. <sup>00</sup>	1,600. <sup>00</sup>
G-04	Final Shaping	1	ls	3,280. <sup>00</sup>	3,280. <sup>00</sup>
SUBTOTAL:					32,205. <sup>00</sup>
<b>EROSION CONTROL</b>					
EC-02	Silt Fence	422	lf	4. <sup>00</sup>	1,688. <sup>00</sup>
EC-03	Silt Fence Outlet	3	ea	300. <sup>00</sup>	900. <sup>00</sup>
SUBTOTAL:					2,588. <sup>00</sup>
<b>CONCRETE</b>					
C-01	5' Wide Concrete Sidewalk; 4' Thick	97	sy	44.10	4,277.70
SUBTOTAL:					4,277.70
<b>BASE &amp; PAVE</b>					
P-01	2" S9.5A	1078	sy	22.22	23,953.16
P-02	6" ABC (180 cy)	252	tons	65.20	16,430.40
P-05	Asphalt Milling As needed (pour existing asphalt & tie to existing)	1	ls	3,000. <sup>00</sup>	3,000. <sup>00</sup>
SUBTOTAL:					43,383.56
<b>INCIDENTALS</b>					
I-01	Wheel Stops	32	ea	121. <sup>00</sup>	3,872. <sup>00</sup>
I-02	6' Bollards	2	ea	1,100. <sup>00</sup>	2,200. <sup>00</sup>
SUBTOTAL:					6,072. <sup>00</sup>
<b>Total Estimate:</b>		107,026.26			

Company Name:	Highland Paving Co., LLC
License #:	55505
Address:	PO Box 1843 Fayetteville, NC 28302
Phone #:	910-485-5790
Email:	Bclark@highlandpaving.com
Contractor Name:	John McCauley
Signature:	
Date:	3/25/24

This proposal acknowledges addendums 1 and 2.



**TOWN OF ERWIN**  
Post Office Box 459  
Erwin, NC 28339  
(910) 897-5140

**M-E-M-O-R-A-N-D-U-M**

**DATE:** April 12, 2024  
**TO:** Snow Bowden, Town Manager  
**FROM:** Bill Dreitzler, P.E., Town Engineer  
**RE:** Al Woodall Municipal Park – Parking Lot Addition

Mr. Bowden,

On March 29, 2024 at 1:00 PM bids were received for the additional parking at Al Woodall Municipal Park. The following bids were received:

**Highland Paving Company, LLC: \$ 107,026.26**  
**Stewart Group Enterprises, LLC: \$ 129,182.16**  
**Barnhill Contracting Company: \$ 195,491.00**

I have completed my evaluation of the bids and recommend award to Highland Paving Company, LLC in the amount of \$107,026.26. I am including the following with this recommendation of award:

1. Request for Bids
2. Engineering Plan Set
3. Highland Paving Bid Sheet
4. Stewart Group Bid Sheet
5. Barnhill Contracting Bid Sheet

Sincerely,

William W. Dreitzler, P.E.  
Town Engineer

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 22, 2024

Subject: Budget Amendment

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At our workshop meeting, the consensus of the Town Board was to approve an expenditure of up to \$10,000 to allow a structural engineer to come look at the Depot and provide a report. At our May Town Board meeting, there will be a budget amendment that will transfer \$10,000 from the Community Enhancement Fund to the general fund. There will also be an increase in the Depot Revitalization expenditure line item in the Non-Departmental budget. I expect the total report will be around \$5,000. Any remaining funds would be transferred back to the Community Enhancement Fund.

**MEETING MINUTES CONTINUED APRIL 22, 2024**

Commissioner Turnage asked how many parking spaces this would add.

Town Manager Snow Bowden stated that this would add 32 additional spaces. This would be the best use of the land space that the Town currently owns.

There was some discussion among the Board regarding property surrounding the park to see if there would be any avenues to gain additional space.

**The consensus of the Board was to place the award for Highland Paving Company LLC under Consent on the agenda for our Regularly Scheduled Meeting in May.**

**Budget Amendment**

Town Manager Snow Bowden presented a budget amendment to the Board. This amendment was the consensus of the Board at the Special Called Depot Meeting for the amount of up to \$10,000.00. This would be used to have a structural engineer look at the Depot and provide a report. At our May Town Board Meeting, we will have a budget amendment to transfer the funds from the Community Enhancement Fund to the General Fund. There will also be an increase in the Depot Revitalization expenditure line in the Non-Departmental budget. He stated that he believes the total for the report should be approximately \$5000.00, and any remaining funds will be transferred back to the Community Enhancement Fund.

**The consensus of the Board was to place this item under Consent for our Regularly Scheduled Meeting in May.**

**ZT-2024-002 Split Zone Updates**

Town Planner Dylan Eure presented the updated property values to the Board regarding the rezoning for split zone parcels. The property values would either have no change or would decrease, with the exception of 814 S 13<sup>th</sup> Street and 812 S 13<sup>th</sup> Street. Currently, they're zoned as B2, and they would be rezoned to R6. Currently, they're non-conforming due to the size of the parcels since they're less than 6,000 sqft.

The Board viewed GIS to see the current zoning for these properties and the surrounding properties.

Mayor Baker stated that he thought it was unusual how it happened that the tax value would increase on those two properties. Typically the higher, more intensive use is the higher rate.

Commissioner Blackmon asked if the Land Use Plan for that main thoroughfare is listed as Commercial, and if that was the case, why would the Town be rezoning this as residential.

Mayor Baker asked to see a copy of the Land Use Plan, as it should be a guiding document.

The Board viewed both the existing Land Use map and the future map, which calls for commercial/mixed use for that area.

Mayor Baker explained that Town Planner Dylan Eure has reached out and spoken to the homeowners and hasn't had any negative feedback or against the rezoning, with the exception of one resident who was confused about the rezoning. Overall the impact would be beneficial for the residents in that area.

**MEETING MINUTES CONTINUED APRIL 22, 2024**

**The consensus of the Board was to move forward with scheduling the Public Hearing in the future.**

**Accessory Dwelling Unit Amendment**

Town Planner Dylan Eure presented the benchmarking data for ADUs within other Harnett County municipalities.

Commissioner Byrd asked if this was for the purpose of another dwelling that someone could live in.

Town Planner Dylan Eure confirmed this.

Mayor Baker thanked Town Planner Dylan Eure for gathering and presenting this information. He stated that he spoke with the Mayors from both Coats and Dunn, and asked if they had seen any impact on their Towns, either positive or negative. They stated that where they do allow them, they have not seen a lot of utilization. He stated that he had some concerns about having a 10 ft separation between the principal structure and the ADU. Mayor Baker stated that he wonders if the better option would be to subdivide that lot.

Town Planner Dylan Eure explained that they would not meet the rear or side setbacks, and would require multiple hardship variances.

Mayor Baker expressed that he has reservations on R6 being an adequate zoning area to allow ADU due to the lot sizes.

Commissioner Blackmon expressed some concern with the minimum housing requirements and the process to make some of these buildings habitable.

**The consensus of the Board was to place this item on the agenda for our Regularly Scheduled Meeting in May.**

**Penalty Text Amendment**

Town Planner Dylan Eure presented this text amendment to the Board. This was just a revisit of the amendment with a specific compliance schedule. Other verbiage in the amendment had not changed.

Commissioner Blackmon asked if Town Attorney Tim Morris had reviewed this amendment.

Town Attorney Tim Morris stated he had, and had no issues with it.

**The consensus of the Board was to place this item on the Agenda for a Public Hearing at the Regularly Scheduled Board Meeting in May.**

**Multi-Family and Duplex- RMV**

Town Planner Dylan Eure presented this amendment to allow duplexes and multi-family units within the RMV. It is already a special use within the DMV district. He stated that he has had some calls from new





# TOWN OF ERWIN

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4/22/2024

## ZT-2024-002 Property Values Memorandum

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

### Property Description

- 308 Moulton Springs Rd
  - Home on Property, no change to homeowner except increase in dimensional requirements.
  - R-10: 1.77 Acres, 84%
  - R-6: .33 Acres, 16%
  - **Rezone to full R-10**
- HC Tax Pin 0597-51-6406
  - No home on Property, only accessory structures for 302 Moulton Springs, no change to homeowner except increase in dimensional requirements.
  - R-10 .55 Acres, 69%
  - R-6 .25 Acres, 31%
  - **Rezone to full R-10**
- 309 Moulton Springs Rd
  - Home on the Property, B-2 zoning would prevent owners from building onto the home.
  - B-2 .23 Acres, 64.43%
  - R-6 .15 Acres, 35.57%
  - **Rezone to full R-6**
- HC Tax Pin 0597-51-7332
  - Too small of a parcel to develop .05 acres.
  - R-6 .04 Acres, 82.33%
  - B-2 .01 Acres, 17.67%
  - **Rezone to full R-6**
- 305 Moulton Springs Rd
  - Homes on property, no change to homeowner.
  - Two Primary Structures on property
  - R-6 1.01 Acres, 70.42%
  - B-2 .42 Acres, 29.58%

- **Rezone to full R-6**
- 203 Moulton Springs Rd
  - Home on Property B-2 zoning would prevent owners from building onto the home.
  - B-2 .42 Acres, 95.71%
  - R-6 .02 Acres. 11.9%
  - **Rezone to full R-6**
- 825 S 13<sup>th</sup> St
  - Home on Property, no change to homeowner, would only increase dimensional requirements.
  - R-10 3.19 Acres, 94.87%
  - B-2 .0 Acres, .12%
  - R-6 .17 Acres, 5.01%
  - **Rezone to full R-10**
- 808 S 13<sup>th</sup> St
  - Business location- The Gettin' Place, No change to owner
  - B-2 .42 Acres, 95.71%
  - R-6 .02 Acres, 4.29%
  - **Rezone to Full B-2**
- 814 S 13<sup>th</sup> St
  - B-2 zoned while a SFD currently occupies the property
  - Parcel too small to develop
  - **Rezone to full R-6**
- 812 S 13<sup>th</sup> St
  - B-2 zoned while a SFD currently occupies the property
  - Parcel too small to develop
  - **Rezone to full R-6**
- 201 Moulton Springs Rd
  - B-2 zoned while a SFD currently occupies the property
  - **Rezone to full R-6**
- 106 Ennis St
  - B-2 zoned while a SFD currently occupies the property
  - **Rezone to full R-10** .

### Property Values

- 308 Moulton Springs Rd – Rezone to full R-10 – no change
- HC Tax Pin 0597-51-6406 – Rezone to full R-10 – no change
- 309 Moulton Springs Rd – Rezone to full R-6 – decrease in value by \$1,740
- HC Tax Pin 0597-51-7332 - Rezone to full R-6 - (I believe the PIN # is incorrect on this one, I think it should be 0597-51-7232) - no change
- 305 Moulton Springs Rd – Rezone to full R-6 – no change
- 203 Moulton Springs Rd – Rezone to full R-6 – decrease in value by \$480

- 825 S 13th St –Rezone to full R-10 – no change
- 808 S 13th St – Rezone to full B-2 – no change
- **814 S 13th St – Rezone to full R-6 – increase in value by \$1,960**
- **812 S 13th St – Rezone to full R-6 – increase in value by \$2,290**
- 201 Moulton Springs Rd- Rezone to full R-6 – decrease in value by \$3,450
- 106 Ennis St- Rezone to full R-10 – decrease in value by \$500

# Erwin Planning Board

## REQUEST FOR CONSIDERATION

---

To: The Honorable Mayor Baker the Board of Commissioners  
From: Dylan Eure, Town Planner  
Date: April 22nd, 2024  
Subject: Accessory Dwelling Unit Amendment

---

The Town of Erwin Staff has received a petition to amend its Code of Ordinances to allow for accessory dwelling structures in all residential districts by a Mr. Ricky Davis of BARZ Holdings of whom owns rental properties within the Town of Erwin. Said amendment would add the proposed definition of accessory dwelling units to Chapter 36 Article 2 entitled Definitions, along with the proposed regulations within the same chapter under Article XV entitled General Provisions. The purpose of the said petitioned amendment is to increase the amount of affordable living options for those who may be priced out by the marketplace. Said amendment was authored by the property owner (Rickey Davis) and was written by the Erwin Town Planner (Dylan Eure) as per the petition to amend the Erwin Code of Ordinances requirements. Per the 2023 Erwin Land Use Plan Goal 1 LUH 4.2 states that accessory dwellings are to be allowed and are desirable to increase housing options.

### **Proposed Regulation:**

#### Accessory Dwellings:

1. Accessory dwelling units are permitted as an accessory use to a residential use in which is subordinate to the principal structure.
2. Accessory dwelling units must be able to conform to an additional fifty (50) feet of frontage in addition to the required frontage of the principal structure.
3. Accessory dwelling units shall have double the required lot size that is permitted within the designated zoning district.
4. Only one (1) accessory dwelling is permitted per residency.
5. The maximum size of the accessory dwelling unit is lesser than fifty (50) percent of the living area of the principal structure or one thousand (1,000) square feet, whichever is lesser.
6. Accessory Dwelling must be a minimum of 10 feet from the side property and rear property lines or principal structure. Under no circumstance shall accessory dwellings be placed within the front setback.
7. Manufactured housing, campers, travel trailers, or any other recreational vehicles are not permitted for use as an accessory dwelling.
8. Must contain complete kitchen facilities including a stove/cooktop and a full bath containing a lavatory, and tub or shower.

9. One off-street parking place shall be provided.
10. Accessory dwellings shall be built to North Carolina Building Standards.
11. Accessory dwellings must be on the separate water and utilities as the principal structure.
12. Any accessory dwelling unit that is being built must be done by a certificated general contractors as required per NC General Statute Chapter 87.

**Proposed definition of an accessory dwelling unit:**

A detached smaller, self-contained home that is subordinate to the principal structure and built to North Carolina Building Code for the purpose of occupying and or renting by the property owner.



# TOWN OF ERWIN

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4/22/2024

## Accessory Dwelling Unit Bench Marking Memorandum

**Mayor**  
Randy L. Baker  
**Mayor Pro Tem**  
Ricky W. Blackmon  
**Commissioners**  
Alvester L. McKoy  
Timothy D. Marbell  
Charles L. Byrd  
David L. Nelson  
William R. Turnage

### ADU Bench Marking

#### Angier-

##### **Section 4.2. - Residential uses.**

*4.2.1 Accessory dwelling.* Accessory dwellings may be located in a building separate from the principal dwelling subject to the following requirements:

- A. The accessory Dwelling shall not exceed one-half of the total area of the principal dwelling.
- B. Accessory dwellings shall be built to North Carolina Building Standards.
- C. Accessory dwellings shall be similar in appearance to and compatible with the primary structure.

- **Requires special permit- approved by BOA**
- **Accessory to Primary Structure (No amendment to how many primary structures are allowed)**
- **Considered as an Accessory (No amendment to special uses in each district)**

#### Lillington-

##### 3.03.5 ACCESSORY DWELLINGS

- A. One (1) accessory dwelling unit is permitted as an accessory to a residential use.
- B. The dwelling unit may be attached or detached, located on the side or rear of the property.
- C. The maximum size of Accessory Dwellings is the lesser of fifty (50) percent of the living area of the Principal Structure or one thousand (1,000) square feet.
- D. Accessory Dwellings must be a minimum of 10 feet from the side or rear setback and shall not be located within the front setback.
- E. If the Accessory Dwelling is attached to the primary residence, then access is limited to the side or rear of the Accessory Dwelling or to an existing door.

F. Attached or detached Accessory Dwellings must have the same architectural appearance of the primary residence such as same type and color of siding, trim and roofing appearance.

G. Manufactured housing, campers, travel trailers and recreational vehicles are not permitted for use as an accessory dwelling.

H. Must contain complete kitchen facilities including a stove or cook top and a full bath including lavatory, and tub or shower (or combination).

I. One off-street parking space shall be provided in addition to those required for the principal dwelling except in the NMX District where shared parking can be utilized with other land uses.

- **Permitted in all residential districts**
- **Accessory to Primary Structure (No amendment to how many primary structures are allowed)**
- **Considered as an Accessory (No amendment to permitted uses in each district)**

### Coats-

10.1-3 Accessory Dwelling Units. (A.) Zoning Districts where the additional standards for this use below are applicable are identified in Article 8, Table 8.1 of this Ordinance.

(B.) Standards.

(1.) One (1) Accessory Dwelling Unit shall be permitted only on a lot containing a single dwelling unit (the principal dwelling) and conforming accessory structures in any single-family zoning district.

(2.) The Accessory Dwelling Unit shall not be considered a separate unit for the purpose of determining minimum lot size or maximum density.

(3.) Home occupations may be located within the Accessory Dwelling Unit.

(4.) The maximum gross floor area for the Accessory Dwelling Unit shall be 900 SF or 40% of the gross floor area of the principal structure, whichever is less. Variances shall not allow the gross floor area of the Accessory Dwelling Unit to exceed 1200 SF nor shall the size of the Accessory Dwelling Unit exceed 50 percent of the gross floor area of the principal dwelling unit.

(5.) The Accessory Dwelling Unit may be located within same structure as the principal dwelling unit or it may be a separate structure. If within the same structure as the principal dwelling unit, the Accessory Dwelling Unit may have a separate entrance. If the Accessory Dwelling Unit is located in a separate structure, the following standards shall apply: (a.) The accessory structure housing the Accessory Dwelling Unit must be located behind the principal dwelling. On corner lots, the accessory structure housing the Accessory Dwelling Unit may be located on the corner street side of and behind the principal dwelling but must be oriented to the front street (same Coats Development Ordinance - Article 10 – Page 2 orientation as principal dwelling). (b.) Vehicular access to the Accessory Dwelling Unit shall be via the same drive that provides access to the principal structure unless the Accessory Dwelling Unit is located on a corner or through

lot. If located on a corner or through lot, a secondary drive may provide access to the Accessory Dwelling Unit, but the secondary drive shall not be on the same street as the drive providing access to the principal dwelling.

(6.) One (1) parking space may be provided for the Accessory Dwelling Unit. The parking space shall be located in the same area as the parking provided for the principal dwelling unit unless the lot is a corner or through lot and a separate drive provides access to the Accessory Dwelling Unit.

(7.) The design and construction of the accessory structure housing the Accessory Dwelling Unit shall be compatible with the design and construction of the principal dwelling unit. To ensure compatibility, the following standards shall be met: (a.) The design of the accessory structure housing the Accessory Dwelling Unit shall be of the same architectural style as that of the principal dwelling unit. (b.) The roof style and pitch of the accessory structure housing the Accessory Dwelling Unit shall be the same as that of the principal dwelling unit. (c.) The exterior building materials used for the accessory structure housing the Accessory Dwelling Unit shall be the same as those used for the principal dwelling unit. When the principal dwelling unit is predominantly brick or stone, the use of smooth wood or fibrous cement siding for the accessory structure housing the Accessory Dwelling Unit is appropriate to reinforce the ancillary and secondary nature of the Accessory Dwelling Unit. (d.) Windows and doors used for the accessory structure housing the Accessory Dwelling Unit shall be the same style and design as those used for the principal dwelling unit. Window and door placement (fenestration) on the accessory structure housing the Accessory Dwelling Unit shall mimic that of the principal dwelling unit. (e.) Exterior paint colors for the accessory structure housing the Accessory Dwelling Unit shall be the same as (or complementary to) those for the principal dwelling unit.

(8.) The use of manufactured dwellings, mobile homes, travel trailers, campers, or similar units as an Accessory Dwelling Unit is prohibited.

(9.) The Accessory Dwelling Unit shall not be deeded and/or conveyed to separate and/or distinct ownership separately from the principal dwelling unit.

- **Only 1 permitted in ETJ, none inside of city limits**

### **Dunn-**

The following accessory uses shall be permitted in an RA-40 single-family dwelling and agricultural district, provided that when any such use shall be detached from the principal structure of the property on which the use is located, such use shall be located in the rear yard and not less than fifty (50) feet from any street right-of-way:

(1) Automobile parking and garage, only as an accessory use to the principal uses of the property on which the use is located;



(2) Servants' quarters, not serviced by separate utility meters and not leased or rented to anyone other than the family of a bona fide servant spending more than fifty (50) percent of his employed time at the premises to which the servants' quarters is an accessory use and in the employ of the family occupying such premises;

(3) Guest quarters, serviced by separate utility meters and not containing cooking facilities;

(4) Private, noncommercial swimming pools, provided that, except for those used as an accessory use to a single-family, detached dwelling, such uses shall not be located nearer than fifteen (15) feet to a lot used for or to be used for single-family dwelling purposes, measured from the edge of the pool;

(5) Private stables and corrals, provided that such uses shall not be located nearer than two hundred (200) feet to a lot or building used for or to be used for dwelling purposes;

(6) Public and private gardens, gardens shall meet the setbacks for accessory buildings;

(7) Customary home occupations as an accessory use to a single-family dwelling.

- **They will not issue permits for them. They use subdivisions and variances for approval.**
-

## **Chapter 87.**

### **Contractors.**

#### **Article 1.**

##### **General Contractors.**

###### **§ 87-1. "General contractor" defined; exceptions.**

(a) For the purpose of this Article any person or firm or corporation who for a fixed price, commission, fee, or wage, undertakes to bid upon or to construct or who undertakes to superintend or manage, on his own behalf or for any person, firm, or corporation that is not licensed as a general contractor pursuant to this Article, the construction of any building, highway, public utilities, grading or any improvement or structure where the cost of the undertaking is forty thousand dollars (\$40,000) or more, or undertakes to erect a North Carolina labeled manufactured modular building meeting the North Carolina State Building Code, shall be deemed to be a "general contractor" engaged in the business of general contracting in the State of North Carolina.

(b) This section shall not apply to the following:

- (1) Persons, firms, or corporations furnishing or erecting industrial equipment, power plan equipment, radial brick chimneys, and monuments.
- (2) Any person, firm, or corporation who constructs or alters a building on land owned by that person, firm, or corporation provided (i) the building is intended solely for occupancy by that person and his family, firm, or corporation after completion; and (ii) the person, firm, or corporation complies with G.S. 87-14. If the building is not occupied solely by the person and his family, firm, or corporation for at least 12 months following completion, it shall be presumed that the person, firm, or corporation did not intend the building solely for occupancy by that person and his family, firm, or corporation.
- (3) Any person engaged in the business of farming who constructs or alters a building on land owned by that person and used in the business of farming, when the building is intended for use by that person after completion. (1925, c. 318, s. 1; 1931, c. 62, s. 1; 1937, c. 429, s. 1; 1949, c. 936; 1953, c. 810; 1971, c. 246, s. 1; 1975, c. 279, s. 1; 1981, c. 783, s. 1; 1989, c. 109, s. 1; c. 653, s. 1; 1991 (Reg. Sess., 1992), c. 840, s. 1; 2011-376, s. 1; 2023-108, s. 2(a).)

## **Chpt 6 Article 2 Section 6-32 B Section 6**

### *Space, use and location standards.*

- a. *Room sizes.* Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the town residential building code. (Floor area shall be calculated on the basis of habitable room area. However, closet area and wall area within the dwelling may count for not more than ten percent of the required habitable floor area. The floor area of any part of any room where the ceiling height is less than 4½ feet shall not be considered as a part of the floor area in computing the total area of the room to determine maximum permissible occupancy.) Every dwelling unit shall

contain at least 150 square feet of habitable floor area for the first occupant, at least 100 square feet of additional habitable area for each of the next three occupants, and at least 75 square feet of additional habitable floor area for each additional occupant. In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least 70 square feet of floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor area for each occupant 12 years of age and over, and at least 35 square feet of floor area for each occupant under 12 years of age.

- **Per North Carolina building code each dwelling unit shall have at least 150 sq ft of habitable space with an additional 100 per each additional individual.**

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Dylan Eure, Town Planner  
Date: April 22, 2024  
Subject: Penalty Amendment

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The Town of Erwin Staff wishes to amend Chapter 36 of the Erwin Code of Ordinances within Article XX (10) Administration and Enforcement, Section 36-584 Penalty. Said amendment would allow staff to enforce code and zoning regulations throughout the Town of Erwin. The way the current penalties are written limits the Town from issuing higher fines which will result in faster compliance with our ordinances. This effort is to begin the process of cleaning areas of towns and ensuring zoning regulations are being properly followed.

### **Legality**

NC General Statutes 14-4 (Violation of local ordinances misdemeanor) states that (a) Except as provided in subsection (b) or (c) of this section, if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00). No fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).(b) If any person shall violate an ordinance of a county, city, or town regulating the operation or parking of vehicles, he shall be responsible for an infraction and shall be required to pay a penalty of not more than fifty dollars (\$50.00).

(c) A person may not be found responsible or guilty of a local ordinance violation punishable pursuant to subsection (a) of this section if, when tried for that violation, the person produces proof of compliance with the local ordinance through any of the following:

(1) No new alleged violations of the local ordinance within 30 days from the date of the initial alleged violation.(2) The person provides proof of a good-faith effort to seek assistance to address any underlying factors related to unemployment, homelessness, mental health, or substance abuse that might relate to the person's ability to comply with the local ordinance. (1871-2, c. 195, s. 2; Code, s. 3820; Rev., s. 3702; C.S., s. 4174; 1969, c. 36, s. 2; 1985, c. 764, s. 2; 1985 (Reg. Sess., 1986), c. 852, s. 17; 1991, c. 415, s. 1; c. 446, s. 1; 1993, c. 538, s. 8; c. 539, s. 9; 1994, Ex. Sess., c. 24, ss. 14(b), 14(c); 1995, c. 509, s. 133.1; 2021-138, s. 13(c).)

### **Un-amended Diction**

The administrator shall be authorized to use any one or more of the methods described in this section, or action authorized by law, to ensure compliance with or to prevent a violation of the provisions of this article.

(1)*Civil penalties.* Any person, corporation, LLC or other entities, who violate any provision of this article may be subject to assessment of the maximum civil penalty of up to \$500.00 per violation.

*Civil citations.* A civil citation shall be issued by the administrator of the town planning department to any person, corporation, LLC, or other entity, failing to take corrective action according to and within the specific compliance period ordered by the administrator. Each day such violation exists after the

expiration of the compliance period shall constitute a separate offense and be charged as a separate violation. Each said violation shall be subject to a civil penalty in the amount of \$100.00 per day until such violation has reached compliance. Failure to pay the penalty within 15 days from the receipt of the notice of civil penalty shall subject said person, corporation, LLC, or other entity to a civil action in the nature of debt for the stated penalty plus any additional penalties, together with the cost of the action to be taxed by the court.

**Amended Diction**

The administrator shall be authorized to use any one or more of the methods described in this section, or action authorized by law, to ensure compliance with or to prevent a violation of the provisions of this article.

(1)*Civil penalties.* Any person, corporation, LLC or other entities, who violate any provision of this article may be subject to assessment of the maximum civil penalty of up to \$500.00 per violation.

*Civil citations.* A civil citation shall be issued by the administrator of the town planning department to any person, corporation, LLC, or other entity, failing to take corrective action according to and within the specific compliance period ordered by the administrator. Each day such violation exists after the expiration of the compliance period shall constitute a separate offense and be charged as a separate violation. Each said violation shall be subject to a civil penalty ranging in the amount of \$50.00 - \$500.00 per day until such violation has reached compliance or the sum of penalties has reached the amount that it requires to fix said violations. Failure to pay the penalty within 15 days from the receipt of the notice of civil penalty shall subject said person, corporation, LLC, or other entity to a civil action in the nature of debt for the stated penalty plus any additional penalties, together with the cost of the action to be taxed by the court.

**Penalty Schedule:**

Citation	Penalty
Warning Citation	N/A
Official Citation	\$50
Second Citation	\$100
Third Citation	\$250
Fourth & Subsequent Citations	\$500

- (A) A specified time frame shall be given to render compliance to a violation as noted in the notice of violation. A mandatory re-inspection shall take place to evaluate the status of the violation at the end of the compliance period. An extension may be requested by the property owner in writing to the Administrator providing valid evidence as to the reason for failure to comply within the specified time.
- (B) The Administrator shall have the ability to amend the specific time period for compliance due to the nature of the violation if considerable work has been done in an attempt to remedy the violation or if such violation is determined to be a potential risk to the public health, safety, and general welfare.

**Compliance Schedule:**

<b>Nature of Violation</b>	<b>Specified Compliance Period</b>
Dilapidated structures	120-365 calendar days
Illegal signs	10 calendar days
Junk / abandoned cars	15 calendar days
Zoning and subdivision regulations	30 calendar days
Tall Grass / Vegetation	10 calendar days
Failure to adhere to permit or special use permit	30 calendar days
Any other violation	30 calendar days

**MEETING MINUTES CONTINUED APRIL 22, 2024**

property owners, especially along 17<sup>th</sup> Street, regarding how they would be able to flip these properties and turn them into rental properties.

**The consensus of the Board was to place this item on the agenda for a future meeting.**

**Outdoor Storage Amendment**

Town Manager Dylan Eure presented this amendment that would add additional regulations for outdoor storage. This has been through the Planning Board and this is the final, approved version through them.

Mayor Baker asked how this would affect businesses such as Lowe's Home Improvement. They have items for sale such as mulch, mowers, etc.

Town Planner Dylan Eure stated that they're considered to be grandfathered, because they're already in place.

Mayor Baker asked what would happen if a business of that same type came to Erwin, and how that would affect them. Lawnmowers, trailers, etc.

Commissioner Blackmon stated that we could possibly amend this to include that type of items for sale, as well as seasonal items like mulch.

Mayor Baker wanted to ensure that we apply the ordinance fairly across the board. There are some businesses where outdoor storage of some items is part of the business model, like Lowe's or Home Depot.

Town Attorney Tim Morris mentioned that Lowe's is set back from the road, as well as selling new items rather than used items.

Mayor Baker said we could look into using setbacks to develop the standards for this ordinance.

Commissioner Blackmon stated that we could possibly stipulate items that are meant to be used for outdoors, such as grills, mowers, etc.

**The consensus of the Board was to have Town Staff rework this amendment to address specific cases like those discussed.**

**FAMPO Update**

Town Manager Snow Bowden spoke to the Board regarding an MOU from FAMPO. He stated that he is hoping to have something to present at the June Workshop.

**Closed Session**

Commissioner McKoy made a motion to go into closed session pursuant to General Statute 143-318.11(a)(6) for the purpose of discussing personnel. The motion was seconded by Commissioner Nelson and was unanimously approved. The Board went into Closed Session at 1847.

The Board reconvened at 1856.

**MEETING MINUTES CONTINUED APRIL 22, 2024**

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Dylan Eure, Town Planner  
Date: April 22, 2024  
Subject: Multi-Family & Duplex – RMV- Special Use

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Town Staff has prepared a proposed text amendment to Chapter 36 entitled Zoning under Article VI-A entitled Residential Mill Village within Section 36-155. Said section is the special uses and structures for the RMV zoning district. Per the 2023 Erwin Land Use Plan under Goal 1 LUH 3 and LUH 4 state that it is desirable to allow for greater densities and other forms of non-single-family residences in medium-density zoning districts. The Land Use Plan also states specifically that they are to be placed within the RMV and DMV zoning districts. Town of Erwin staff has also received several different inquiries over the last few months about homes that were constructed to be multi-family or two-family style homes to be used as such. Due to the nature of these homes being tailored to be two-family and multi-family dwellings, these homes are challenging to flip and restore, unless the owner wants to convert the home into a single-family residence, which they were never designed to be. In order for these homes to be renovated and prevent further blight it is the recommendation from Town Staff to allow for two-family and multi-family dwellings to be a special use within the Residential Mill Village.

**Current definition of a two-family dwelling:**

A dwelling arranged or designed for occupancy by two families, with separate housekeeping, cooking facilities for each and a shared wall.

**Current definition of a multi-family dwelling:**

A dwelling arranged or designed for occupancy by three or more families, with separate housekeeping and cooking facilities for each.

**Proposed special uses to be added to RMV:**

- Two-family dwelling
- Multi-family dwelling



# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Dylan Eure, Town Planner  
Date: April 22, 2024  
Subject: Outdoor Storage Facilities

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Town Staff has prepared a proposed text amendment to Chapter 36 of the Erwin Code of Ordinances within Article 2 entitled "Definitions". Said amendment would require all future outdoor storage locations to adhere to additional regulations dealing with setbacks, permitted location, and screening requirements. The purpose of this amendment is to ensure proper screening from possible unsafe equipment, limit aesthetic concerns, and prevent possible vandalization of vehicles/equipment. According to the 2023 Erwin Land Use Plan this is a actionable task under Goal 1, LUH 7.

After benchmarking our current Code of Ordinances with all municipalities of Harnett it is my recommendation to amend our definition of outdoor storage facilities to include the following diction.

1. Outdoor Storage shall be entirely screened from the public right-of-way, public parking, adjacent residential development, or any other development by an 8 ft 100 % visual barrier. Said barrier may be a chain-linked fence with slats, wood, or vegetation that will grow to be at least 8ft.
2. Under no circumstance shall a plain chain-linked fence be acceptable.
3. Outdoor Storage shall be located entirely in the rear or side of the development.

### **Current Un-amended Diction:**

*Outdoor storage* means the placement or storage of goods, equipment, or materials outside of an enclosed building for a period of more than 48 consecutive hours. Outdoor storage shall include vehicles not for immediate sale and those not considered junk or abandoned. The term "outdoor storage" does not refer to vehicular sales and rental, licensed vehicles in use by the person occupying the property, or other minor and incidental storage, such as items specifically designed for outdoor use, including lawn furniture, outdoor grill, swing set, lawn care equipment, which would not have a negative impact on the health, safety and general welfare of adjacent property owners and land uses.

### **Proposed Amended Diction:**

*Outdoor storage* means a business which has storage of goods, equipment, or materials outside of an enclosed building for a period of more than 1 consecutive week. Outdoor storage shall include vehicles not for immediate sale and those not considered junk or abandoned. The term

"outdoor storage" does not refer to vehicular sales and rental, licensed vehicles in use by the person occupying the property, or other minor and incidental storage, such as items specifically designed for outdoor use, including lawn furniture, outdoor grill, swing set, lawn care equipment, which would not have a negative impact on the health, safety and general welfare of adjacent property owners and land uses.

1. Outdoor Storage shall be entirely screened from the public right-of-way, public parking, or adjacent residential development by an 8 ft 100 % visual barrier. Said barrier may be a chain-linked fence with slats, wood, or buffer vegetation that will grow to be at least 8ft.
2. Under no circumstance shall a plain chain linked fence be acceptable.
3. Outdoor Storage shall be located entirely in the rear or side of the development.

# Erwin Board of Commissioners

## REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 22, 2024

Subject: FAMPO Update

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The Town should have a copy of the updated MOU to join the Fayetteville Metropolitan Planning Organization (FAMPO) at our May workshop meeting to discuss. The updated MOU will be presented and discussed at a FAMPO committee meeting the first week in May.

**MEETING MINUTES CONTINUED APRIL 22, 2024**

**GOVERNING COMMENTS**

Commissioner McKoy stated that he appreciated the Police Department and K9 Clint, and all their work, specifically the recent bust they made. He also spoke of Glenn Phelps, who recently passed away.

Commissioner Nelson said that he has noticed an issue on St. Matthews Road. Every time he's on that road, there are people running the 3- and 4-way stops. Mayor Baker said that he has seen an increase in police activity in the area because of this.

Mayor Baker stated that he and Town Manager Snow Bowden did meet with Si Harrington regarding the Erwin Depot. Mr. Harrington has proposed a few things. If the Depot has to come down, he has heard that the Mobile Home supply store downtown is coming up for sale and said that may be an option. Another option was the old bank building, due to its historical significance. They took a walk through the building to show all the issues that the building has and spoke about what would be best; renovating and repairing, or utilizing pieces such as doors in a new building.

**ADJOURNMENT**

Commissioner Nelson made a motion to adjourn at 7:14 P.M. and was seconded by Commissioner Byrd. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY**

**KATELAN BLOUNT DEPUTY CLERK**

**ATTEST:**



**Randy Baker**

**Mayor**



**Katelan Blount**

**Deputy Clerk**