



Town of Micro
Planning Board/Board of Adjustment **AGENDA**
Tuesday – September 26, 2023
7:00 p.m.

The Planning Board will meet and hear items assigned to them. Following conclusion of those items, they will adjourn the Planning Board meeting and then open the Board of Adjustment meeting to hear any items assigned to the Board of Adjustment.

1. CALL TO ORDER – PLANNING BOARD

- a. Call to Order
- b. Pledge of Allegiance
- c. Invocation

2. DETERMINATION OF QUORUM

3. ADOPTION / ADJUSTMENT OF AGENDA

- a. Adjustment(s) of Agenda
- b. Adoption of Agenda

POTENTIAL ACTION: Adoption of Agenda

4. MINUTES

- a. DRAFT Minutes
 - *August 22, 2023 DRAFT Minutes*

POTENTIAL ACTION: Adoption of Draft Minutes as Presented

5. OLD BUSINESS

6. NEW BUSINESS

- a. Discussion DRAFT By-Laws
 - *Draft By Laws*

POTENTIAL ACTION: Recommend Approval of By-Laws

7. ADJOURNMENT OF PLANNING BOARD

- a. Adjourn the Meeting

POTENTIAL ACTION: Motion to Adjourn



Town of Micro
Planning Board/**Board of Adjustment** **AGENDA**
Tuesday – September 26, 2023
7:00 p.m.

1. CALL TO ORDER – BOARD OF ADJUSTMENT

- a. Call to Order

2. DETERMINATION OF QUORUM

3. ADOPTION / ADJUSTMENT OF AGENDA

- a. Adjustment(s) of Agenda
- b. Adoption of Agenda

POTENTIAL ACTION: Adoption of Agenda

4. MINUTES

- a. DRAFT Minutes

- *August 22, 2023 DRAFT Minutes*

POTENTIAL ACTION: Adoption of Draft Minutes

5. OLD BUSINESS

6. NEW BUSINESS

- a. Discussion Selection of Chair and Vice Chair for BOA

POTENTIAL ACTION: Election of Chair & Vice Chair

7. PUBLIC HEARINGS – Quasi-Judicial

8. ADJOURNMENT OF BOARD OF ADJUSTMENT

- a. Adjourn the Meeting

POTENTIAL ACTION: Motion to Adjourn



Town of Micro
Planning Board **MINUTES**
Tuesday – August 22, 2023
7:00 p.m.

Board Members In Attendance:

Chad Holloman, Vice Chair
Chuck Warren
Gary Wheeler
Byron Smith
John Schullery

Others in Attendance:

Kimberly A. Moffett, Interim Town Clerk

Board Members Absent:

Garrett Mitchell (E)
Jon Flemer

(E) - Excused

1. CALL TO ORDER – PLANNING BOARD

- a. Call to Order
- b. Pledge of Allegiance
- c. Invocation

Chad Holloman called the meeting to order at 7:05 p.m. Ms. Megan Daly, who is the 14-year-old niece of Interim Town Clerk Moffett, was visiting the area from New York. Ms. Daly led everyone in the Pledge of Allegiance. Board Member Schullery offered the Invocation.

2. DETERMINATION OF QUORUM

It was determined that a quorum was present.

3. ADOPTION / ADJUSTMENT OF AGENDA

- a. Adjustment(s) of Agenda
- b. Adoption of Agenda

Ms. Moffett requested that the agenda be amended by adding the following items under New Business; By-Laws Discussion and Text Amendment regarding setbacks.

ACTION: Adoption of Agenda with amendments as noted above.

Motion: Board Member Smith
Second: Board Member Schullery
Vote: Unanimous

4. MINUTES

- a. DRAFT Minutes
 - *July 25, 2023 DRAFT Minutes*

ACTION: Adoption of Draft Minutes as Presented

Motion: Board Member Wheeler
Second: Board Member Schullery
Vote: Unanimous

5. OLD BUSINESS

6. NEW BUSINESS

a. By-Laws Discussion

It was suggested By-Laws be created for the Planning Board. Ms. Moffett stated a basic set of By-Laws would include information regarding absence policy as well as other administrative issues. All agreed they would like to see a draft version and Ms. Moffett stated she would prepare a draft and include it on the next agenda for the Planning Board. She stated once the Planning Board was ready to move forward with By-Laws, they would make a recommendation to the Board of Commissioners for adoption via Resolution.

b. Text Amendment

There was discussion regarding possible text amendment to the Zoning Code of Ordinance with reference to fences and setbacks. This issue was previously presented to the Planning Board by Mr. L.C. Smith. The issue was brought back up during the Variance proceeding held last month by the Board of Adjustment. Mr. Holloman stated he would reach out to Mr. Smith, who had done a significant amount of research on this issue previously. It was agreed that this issue would be placed on the next agenda for continued discussion.

7. ADJOURNMENT OF PLANNING BOARD

a. Adjourn the Meeting

With there being nothing further, the meeting was adjourned at 7:20 p.m.

ACTION: Motion to Adjourn

Motion: Board Member Smith
Second: Board Member Warrant
Vote: Unanimous

Duly adopted this the 26th day of September, 2023 while in regular session.

Garrett Mitchell
Chair

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk

Planning Board/Board of Adjustment

There is hereby established a Micro Planning Board under the authority of N.C.G.S. 160D-301 . The Planning Board will also serve as the Board of Adjustment under the authority of N.C.G.S. 160D-302.

Composition & Membership

- A.** There shall be a Planning Board consisting of seven (7) members.
1. Four (4) members appointed by the Micro Board of Commissioners shall reside within the town.
 2. Three (3) members appointed by the Johnston County Board of Commissioners shall reside in the town's extraterritorial jurisdiction. If, despite good faith efforts, enough residents of the extraterritorial jurisdiction cannot be found to fill the seats reserved for residents of that area, then the Johnston County Board of Commissioners may appoint other residents of the county (including residents of the Town) to fill these seats. If the Johnston County Board of Commissioners fails to make these appointments within ninety (90) days of receiving a request from the Micro Town Council requesting that they be made, the Board of Commissioners may make these appointments.
- B.** The Planning Board shall, by majority vote of its membership, elect one of its members to serve as Chairperson and preside over the board's meetings and one member to serve as Vice-Chairperson, at its first meeting in March of each fiscal year.
1. A person so designated shall serve in either capacity for a term of one (1) year unless their term of appointment to the board expires sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership.
 2. The Chairperson and Vice-Chairperson shall take part in all deliberations and vote on all issues.
 3. The Chairperson shall set, approve, and make changes to the agenda.
- C.** The Board of Adjustment shall, by majority vote of its membership, elect one of its members to serve as Chairperson and preside over the board's meetings and one member to serve as Vice-Chairperson, at its first meeting in March of each fiscal year.
1. A person so designated shall serve in either capacity for a term of one (1) year unless their term of appointment to the board expires sooner. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the board membership.
 2. The Chairperson and Vice-Chairperson shall take part in all deliberations and vote on all issues.

3. The Chairperson shall set, approve, and make changes to the agenda.
- D. All members appointed to the Planning Board shall, before entering their duties, qualify by taking an oath of office as required by G.S. 160D-309.
- E. Applications for the Planning Board will be reviewed by the Planning Board and then a recommendation may be provided to the Micro Board of Commissioners for the final appointment decision. Final Appointment decision for all applicants is left to the discretion of the Micro Board of Commissioners.
- F. Board members shall be appointed for a three (3)-year term, but a member may continue to serve until their successor has been appointed. Members may serve two consecutive three-year terms. Following completion of second term, member may reapply for another term after sitting out one year.
- G. Planning Board members serve at the pleasure of the Micro Board of Commissioners.
- H. The absence of any member from more than three (3) regular meetings in a calendar year, except when such absence is excused (sickness or other similar cause, ruled as emergency in nature), will declare the seat to be vacant and in the event of such a vacancy shall be filled by the Micro Board of Commissioners.

Meetings of the Planning Board

- A. Regular meetings of the planning board shall be held at 7:00pm on the fourth Tuesday of each month and shall be held in the Town of Micro Public Works Building.
- B. The planning board shall adopt an annual calendar of meetings for the following year in December of each year.
- C. Minutes shall be kept of all Board proceedings by the Micro Town Clerk or Micro Town Deputy Clerk.
- D. A staff member and/or representative from the Town of Micro should attend all Planning Board meetings as staff liaison to the board.
- E. All Board meetings shall be open to the public, and the agenda for each Board meeting shall be made available in advance of the meeting.

Powers and duties of the Planning Board

- A. To advise on zoning text amendment and map amendments (Rezoning). After hearing the item at meeting of the planning board, a recommendation of approval or denial will be made to the Micro Board of Commissioners, who have the final authority for approval or denial.
- B. To provide a preliminary review of quasi-judicial decisions, Special Use Permits. It should be noted that no part of said review be used as a basis for the final decision by the Board of Commissioners.

- C. To serve as the Board of Adjustment.
- D. To carry out other powers and duties as delegated by the Micro Board of Commissioners consistent with state law.
- E. To hear and decide upon applications for Variances to this Ordinance when serving as the Board of Adjustment.
- F. To hear and decide upon Administrative Appeals when serving as the Board of Adjustment.

Quorum and voting

- A. A quorum for the Planning Board shall consist of a majority of the board membership. A quorum is necessary for the board to take official action.
- B. All actions of the Planning Board shall be taken by majority vote, with a quorum being present.
- C. A roll call vote shall be taken upon the request of any board member.
- D. Extraterritorial (ETJ) planning board members may vote on all matters considered by the board, regardless of whether the property affected lies within or without the Town.



Town of Micro
Board of Adjustment **MINUTES**
Tuesday – August 22, 2023
7:00 p.m.

Board Members In Attendance:

Chad Holloman, Vice Chair
Chuck Warren
Gary Wheeler
Byron Smith
John Schullery

Others in Attendance:

Kimberly A. Moffett, Interim Town Clerk

Board Members Absent:

Garrett Mitchell (E)
Jon Flemer

(E) - Excused

1. CALL TO ORDER – BOARD OF ADJUSTMENT

a. Call to Order

Mr. Holloman called the meeting to order at 7:21 p.m.

2. DETERMINATION OF QUORUM

It was determined there was a quorum present.

3. ADOPTION / ADJUSTMENT OF AGENDA

- a. Adjustment(s) of Agenda
- b. Adoption of Agenda

ACTION: Adoption of Agenda

Motion: Board Member Wheeler
Second: Board Member Schullery
Vote: Unanimous

4. MINUTES

a. DRAFT Minutes

- *July 25, 2023 DRAFT Minutes*

ACTION: Adoption of Draft Minutes

Motion: Board Member Smith
Second: Board Member Wheeler
Vote: Unanimous

5. OLD BUSINESS/OTHER

Ms. Moffett asked if the Board would like to add discussion of appointment of Chair & Vice Chair for the Board of Adjustment to the next agenda. It was consensus that this item be added to the September 2023 Board of Adjustment agenda for discussion and possible action.

6. PUBLIC HEARINGS – Quasi-Judicial

7. ADJOURNMENT OF BOARD OF ADJUSTMENT

- a. Adjourn the Meeting

With there being nothing further, the meeting was adjourned at 7:26 p.m.

ACTION: Motion to Adjourn

Duly adopted this the 26th day of September, 2023 while in regular session.

Garrett Mitchell
Chair

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Interim Town Clerk