



**Town of Bermuda Run
Planning Board and Board of Adjustment Agenda**

120 Kinderton Boulevard, Suite 100
Bermuda Run, NC 27006
Wednesday April 16, 2025, 6:00pm

1. Call to Order

2. Disclosure of Conflicts of Interest-it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.

3. Recognition of Quorum

4. Approval of Planning Board Agenda

Motion: _____ Second: _____ In Favor: _____ Opposed _____

5. Citizen Comments

6. Permit Reports & Zoning Administrator’s Update

7. Action Items

A. Text Amendment (TA-2025-001) Amendment Chapter 11 Administration 11.2 The Boards, Board of Adjustment.

The amendment proposes to assign the functions and responsibilities of the Board of Adjustment from Planning Board to Town Council.

Planning Board Action

Following review of the proposed amendments, the Board is requested to make a recommendation to Town Council following a motion and a second for one of the items below:

- **Recommendation Approval:** The Board finds that the amendments are consistent with goals and objectives of the Town of Bermuda Run Comprehensive Plan and considers the action to be reasonable and in the public interest.
- **Recommend Denial:** The Board finds that the amendments are not consistent with the goals and objectives of the Town of Bermuda Run Comprehensive Plan and does not consider the action to be reasonable and in the public interest.
- **Defer:** The amendment needs additional consideration.

Motion: _____ Second: _____ In Favor: _____ Opposed _____

9. Other Business

10. Board Member Comments

11. Adjournment

Motion: _____ Second: _____ In Favor: _____ Opposed _____



Town of Bermuda Run
120 Kinderton Boulevard, Suite 100 Bermuda
Run, NC 27006

MEMORANDUM

To: Leigh Ann Joyce, Planning Board Chairman
From: Emily Hines, Town Planner
Date: April 3, 2025
RE: Land Use & Zoning Committee Recommended Amendment

Over the last year, the Town's Land Use & Zoning Committee met to review ways to implement many of the zoning and land use recommendations from the Comprehensive Plan. The Committee focused on aligning the future land use and zoning with resident's priorities identified in the Comprehensive Plan community survey, public meetings, and ongoing feedback. The recommended amendment to designate the Town Council to perform the duties of a Board of Adjustment was developed by the Committee to align with resident input and feedback for more Town Council accountability / control.

The proposed text amendment is outlined in detail below.

CHAPTER 11 ADMINISTRATION

11.2 The Boards

(B) Board of Adjustment

(1) Establishment

The members of the Town Council are assigned all duties of the Board of Adjustment of the Town of Bermuda Run ~~shall consist of five (5) regular members and two (2) alternate members appointed by the Town Council. One (1) of the regular members shall be an extraterritorial jurisdiction (ETJ) member that resides in the ETJ of the Town. The members of the Board of Adjustment may also serve as members of the Planning Board at the discretion of the Town Council. Membership of the board will include a proportional number of ETJ representatives as required by G.S. 160D-307(a).~~

CHAPTER 11 ADMINISTRATION

11.2 The Boards

(B) Board of Adjustment

(1) *Establishment*

The members of the Town Council are assigned all duties of the Board of Adjustment of the Town of Bermuda Run.

(2) *Members*

The members of the Town Council shall be the Board of Adjustment.

(C) Town Council

The Town Council shall have the following duties related to this ordinance:

- (1) To review and from time to time initiate changes to the Comprehensive Plan, upon recommendation from the Planning Board.
- (2) To review and from time to time initiate changes to this ordinance, upon recommendation from the Planning Board.
- (3) To decide upon any application or request for amendment to this ordinance or the zoning maps.
- (4) To act as the Board of Adjustment.
- (5) To review and decide upon extended vested rights or development agreement requests.
- (6) To take any other action not delegated to the Planning Board or Board of Adjustment as the Town Council may deem desirable and necessary to implement the provisions of this ordinance.

(2) *Members*

~~The members of the Town Council shall be the Board of Adjustment. Each member and alternate shall be appointed by the Town Council for a term of three (3) years. In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the Town Council may appoint certain members for less than three (3) years to the end that thereafter the terms of all members shall not expire at the same time. The expiration date for each term shall be the 30th day of June of the year in which said term is to expire and the term of office of the succeeding member shall begin on the 1st day of July. If the original members are appointed such that their terms of office begin prior to a July 1st date, such terms of original members shall be extended by the period of time between their appointment and June 30th of the year of their appointment, it being the intent that original members shall serve terms of one (1), two (2), or three (3) years plus a period of time between their initial appointments and June 30th of the year of their initial appointment. A member shall be eligible for reappointment at the end of his expired term for any position on the town board for which he is qualified. For purposes of this section, original appointments refer to members and alternates appointed upon first establishment of the Board of Adjustment. The ETJ member shall have all of the obligations and duties of the other members of the Board of Adjustment, including rights to vote on all matters coming before the board. All members shall before entering their duties, qualify by taking an oath of office.~~

(C) *Town Council*

The Town Council shall have the following duties related to this ordinance:

- (3) To review and from time to time initiate changes to the Comprehensive Plan, upon recommendation from the Planning Board.
- (4) To review and from time to time initiate changes to this ordinance, upon recommendation from the Planning Board.
- (5) To decide upon any application or request for amendment to this ordinance or the zoning maps.
- (6) To act as the Board of Adjustment ~~for appeals from decisions of the Planning Board regarding design waivers.~~
- (7) To review and decide upon extended vested rights or development agreement requests.
- (8) To take any other action not delegated to the Planning Board or Board of Adjustment as the Town Council may deem desirable and necessary to implement the provisions of this ordinance.