

**Board of Adjustment Meeting Minutes
April 11, 2005**

The Siler City Board of Adjustment met on Monday, April 11, 2005 at 7:00 p.m. Don Tarkenton called the meeting to order Jeff Brewer gave the invocation. Minutes of the July 12, 2004 meeting were unanimously approved by a motion from Jeff Brewer and seconded by Larry Mendenhall.

Members Present

Don Tarkenton, Chairman
Jeff Brewer, Vice Chairman
Leota Thompson
Larry Mendenhall
Richard Caviness
Ethel Coble
Harold Hart, Alternate

Members Absent

Cindy Bray
Arnold Headen, Alternate

Staff Present

Jack Meadows, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item III

Special Use Permit Request

A. SUP-001-05 – Faith Baptist Church

Planning Chairman Don Tarkenton swore in Planning Director Jack Meadows, and Faith Baptist Building Committee Member Jeff Alston.

Mr. Meadows reported that Faith Baptist Church is requesting a special use permit to develop a three (3) acre cemetery.

He explained that the subject property is located:

- Along the eastern right-of-way of South Chatham Avenue Extension (Old US 421 South), approximately 2,000 feet south of Dan Henry Siler Road;
- Outside of the Town's Corporate Limits; and
- Outside of any floodplain.

Mr. Meadows stated that the proposed development includes access off of South Chatham Avenue Extension. A-R zoning surrounds the proposed development and the uses include single family residential and vacant land. The latest traffic count by NCDOT has 4,900 trips per day on South Chatham Avenue.

Mr. Meadows added that the Land Development Plan Map recommends general residential development for the subject property. Cemeteries are typically located within rural residential areas.

He explained that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance. Staff recommends approval unless the Board finds that the project will:

1. Materially endanger the public health or safety;
2. Substantially injure the value of adjoining or abutting property;
3. Not be in harmony with the area in which it is located; and
4. Not be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Board.

The following conditions should be considered:

- Prior to beginning operation
 - Submit NCDOT driveway permit;
 - Pave driveway entrance for a distance of 15 feet back from the edge of South Chatham Avenue;
 - Install required vegetative screenings; and
 - Submit NCDENR erosion control permit if more than one acre is disturbed.

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Discussion

Planning Chairman Don Tarkenton declared the public hearing open.

Jeff Alston with Faith Baptist Church Building Committee introduced himself to the board and stated he was here tonight with Mr. Richie Nall, Deacon with Faith Baptist Church and the property owners, Mr. and Mrs. Hancock. Mr. Alston passed out some information concerning the proposed special use permit to the board members and he stated he was here to answer any questions and concerns the board might have. Mr. Alston explained the church has been here three years to minister the needs of the community. He reported this a 28 acre parcel and they will located the cemetery on the south side. There will be an additional phase which they will construct a church sanctuary, fellowship hall and education building. The church has met all the requirements under the North Carolina General Statues laws for a cemetery. He has already been in contact with Holly Coleman with Chatham County Environmental Health and has applied for a driveway permit from NCDOT.

Jeff Brewer asked Mr. Alston how long before they will start construction on the church and Mr. Alston stated he would guess it would be about five years.


With no further discussion, Mr. Tarkenton directed the board to their worksheet to go through each finding.

- I. The application was complete.
- II. Application complies with all applicable requirements of the Unified Development Ordinance
Motion was made by Jeff Brewer, Ethel Coble seconded, and majority approved
- III. Conditions
 - Prior to beginning operation
 - Submit NCDOT driveway permit;
 - Pave driveway entrance for a distance of 15 feet back from the edge of South Chatham Avenue;
 - Install required vegetative screenings; and
 - Submit NCDENR erosion control permit if more than one acre is disturbed.*Motion made by Harold Hart, Larry Mendenhall seconded, and majority approved*
- IV. Approve the permit
Motion made by Jeff Brewer, Leota Thompson seconded, and majority approved


Agenda Item V

Other Business

With no further business, Harold Hart made a motion for adjournment at 7:20 p.m., a second from Richard Caviness, followed by unanimous consent.


Donald Tarkenton, Chairman

ATTEST:


Dee Lee Thompkins, Recording Secretary

**Board of Adjustment Meeting Minutes
May 9, 2005**

The Siler City Board of Adjustment met on Monday, May 9, 2005 at 7:30 p.m. in the Siler City Court Room at City Hall. Don Tarkenton called the meeting to order. Minutes of April 11, 2005 meeting were unanimously approved by a motion from Harold Hart and seconded by Richard Caviness.

Members Present

Don Tarkenton, Chairman
Larry Mendenhall, Vice Chairman
Leota Thompson
Richard Caviness
Harold Hart
Arnold Headen, Alternate

Members Absent

Cindy Bray
Ethel Coble

Staff Present

Jack Meadows, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item III

Other Business

Don Tarkenton, Chairman reported there were no business items to be heard tonight.

Arnold Headen made a motion for adjournment at 7:35 p.m., a second from Leota Thompson followed by unanimous consent.



Don Tarkenton
Chairman

ATTEST:



Dee Lee Thompson
Recording Secretary

**Board of Adjustment Meeting Minutes
June 13, 2005**

The Siler City Board of Adjustment met on Monday, June 13, 2005 at 7:20 p.m. Don Tarkenton called the meeting to order. Minutes of the May 9, 2005 meeting were unanimously approved by a motion from Ethel Coble and seconded by Richard Caviness.

Members Present

Don Tarkenton, Chairman
Larry Mendenhall, Vice Chairman
Leota Thompson
Richard Caviness
Ethel Coble
Arnold Headen, Alternate

Members Absent

Cindy Bray
Harold Hart

Staff Present

Jack Meadows, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item III

Special Exception Permit Request

A. SEP-001-05 – Tommie Locklear

Planning Chairman Don Tarkenton swore in Planning Director Jack Meadows and Mr. Locklear.

Mr. Meadows reported that Tommie Locklear requests a special exception permit to allow a fifty (50) percent reduction into the side yard setback. He explained that the request is for an accessory structure (28' x 28' car shelter) located in the rear yard. The subject property is located at 709 North Ivey Avenue and North Ivey Avenue is located in Homewood Acres.

Mr. Meadows explained that the existing car shelter does not meet the required side yard building setback (15 feet) for the R-20 zoning district. He added that the applicant is requesting the side yard set back be reduced to nine (9) feet from the eastern property line, which is less than a fifty (50) percent reduction.

Mr. Meadows added that the proposed exception is in conformity with all officially adopted plans. He explained that the existing home is a conforming residential use and has existed for at least three years. The addition will be at least 10 feet from any other structure.

Mr. Meadows stated that the applicant has submitted a completed application, sketch plan, and petition. The petition was signed by all adjoining property owners, except for Jack & Maxine Brady and Chris & Janice Warfford. He added that the petition states that the adjoining property values will not be adversely affected by a reduction in the side yard building setback. The petition shall be sufficient evidence from which the board may (but shall not be required to) make the required finding. The board may also make the required finding based on other competent evidence.

Staff recommends approval of the special exception permit.

Discussion

Planning Chairman Don Tarkenton declared the public hearing open and there were no public comments.

Planning Board Member Richard Caviness asked if all adjoining property owners were notified? Planning Director Mr. Meadows stated that they were all notified.

Mr. Mendenhall asked why Mr. Locklear did not have all his adjoining property owners to sign his petition. Mr. Locklear stated that he was not able to catch them at home.

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With no further discussion, Mr. Tarkenton directed the board to their worksheet to go through each finding.

I. The application was complete.

Motion made by Larry Mendenhall, Leota Thompson seconded, and majority approved.

II. Conditions

1. Apply for a building and zoning permit

A motion was made by Richard Caviness, Ethel Coble seconded, and majority approved

III. The permit is granted.

Motion made by Larry Mendenhall, Ethel Coble seconded, and majority approved

Agenda Item V

Other Business

With no further business, Ethel Coble made a motion for adjournment at 7:38 p.m., a second from Richard Caviness, followed by unanimous consent.



Don Tarkenton, Chairman

ATTEST:



Dee Lee Thompkins, Recording Secretary

**Board of Adjustment Meeting Minutes
October 10, 2005**

The Siler City Board of Adjustment met on Monday, October 10, 2005 at 7:20 p.m. Don Tarkenton called the meeting to order. Minutes of the June 13, 2005 meeting were unanimously approved by a motion from Ethel Coble and seconded by Cindy Bray.

Members Present

Don Tarkenton, Chairman
Larry Mendenhall, Vice Chairman
Leota Thompson
Cindy Bray
Richard Caviness
Ethel Coble
Harold Hart, Alternate

Members Absent

Arnold Headen, Alternate

Staff Present

Jack Meadows, Planning Director
Joel J. Brower, Town Manager
T. C Morphis, Attorney

BUSINESS SESSION

Agenda Item III

Special Exception Permit Request

A. SEP-002-05 – Shirley McNeill

Planning Board Chairman Don Tarkenton swore in Planning Director Jack Meadows and Ms. McNeill.

Mr. Meadows reported that Shirley McNeill requests a special exception permit to allow a fifty (50) percent reduction into the side yard setback. The request is for an addition (19' x 26'6" carport) to the existing home. The subject property is located at 1009 Parkwood Drive.

Mr. Meadows stated that the proposed carport will not meet the required side yard building setback (15 feet) for the R-20 zoning district. The applicant is requesting the side yard set back be reduced to seven and one-half (7.5) feet from the eastern property line, which is a fifty (50) percent reduction.

Mr. Meadows added that the proposed exception is in conformity with all officially adopted plans. The existing home is a conforming residential use and has existed for at least three years. The addition will be at least 10 feet from any other structure.

Mr. Meadows explained that the applicant has submitted a completed application, sketch plan, and petition. The petition states that the adjoining property values will not be adversely affected by a reduction in the side yard building setback. The petition shall be sufficient evidence from which the board may (but shall not be required to) make the required finding. The board may also make the required finding based on other competent evidence.

Mr. Meadows added that staff recommends approval of the special exception permit.

Discussion

Planning Chairman Don Tarkenton declared the public hearing open and there were no public comments.

With no further discussion, Mr. Tarkenton directed the board to their worksheet to go through each finding.

- I. The application was complete.
- II. Required Finds.
 1. The existing primary building is a conforming residential use and has existed for at least three (3) years prior to this application.

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2. The request does not exceed 50% of the required setback from a lot boundary line.
3. The request is not less than five (5) feet from a lot boundary.
4. The proposed building will not be located closer than ten (10) feet to an existing building.
A motion was made by Harold Hart, Ethel Coble seconded, and majority approved

III. The permit is granted.

Motion made by Harold Hart, Ethel Coble seconded, and majority approved

Agenda Item V

Other Business

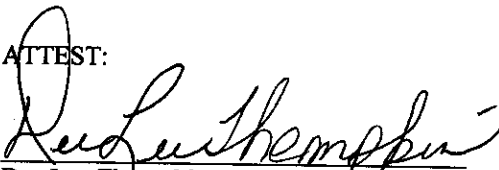
Chairman Don Tarkenton welcomed alternate Mickey Pore to the board.

With no further business, Ethel Coble made a motion for adjournment at 7:30 p.m., a second from Cindy Bray, followed by unanimous consent.



Don Tarkenton, Chairman

ATTEST:



Dee Lee Thompkins, Recording/Secretary

**Board of Adjustment Meeting Minutes
November 14, 2005**

The Siler City Board of Adjustment met on Monday, November 14, 2005 at 8:00 p.m. Don Tarkenton called the meeting to order. Minutes of October 10, 2005 meeting were unanimously approved by a motion from Ethel Coble and seconded by Larry Mendenhall

Members Present

Don Tarkenton, Chairman
Larry Mendenhall, Vice Chairman
Richard Caviness
Ethel Coble
Harold Hart
Arnold Headen, Alternate
Micky Pore, Alternate

Members Absent

Leota Thompson
Cindy Bray

Staff Present

Jack Meadows, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney


BUSINESS SESSION

Agenda Item III

Other Business

Don Tarkenton, Chairman reported there were no business items to be heard tonight.

Arnold Headen made a motion for adjournment at 8:05 p.m., a second from Harold Hart followed by unanimous consent.



Larry Mendenhall
Chairman

ATTEST:



Dee Lee Thompkins, Recording Secretary