

**Planning Board Meeting Minutes
Monday, February 10, 1997**

The Siler City Planning Board met on Monday, February 10, 1997, at 7:00 p.m. in the Siler City Court Room at City Hall. Byron Oldham, Chairman, called the meeting to order at 7:05 p.m. and Roger Hinshaw gave the invocation. Mr. Oldham asked for a motion on the minutes of December 9, 1996. The minutes were unanimously approved upon a motion by Cindy Edwards and a second by Roger Hinshaw.

Members Present

Byron Oldham, Chairman
Joel Hunnicutt, Vice Chairman
Cindy Edwards
Joyce Siler
Roger Hinshaw
Arnold Headen
Leota B. Thompson, Alternate
Dr. Tim D. Scheetz, Alternate

Members Absent

James Edwards

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

Commissioners Present

Pem Hobbs, Commissioner

BUSINESS SESSION

Agenda Item IV

**Unified Development Ordinance - Text Amendment
Special Exception Permit**

Mr. Bernard Rogers, Planning Director reported as requested staff has drafted in final form the special exception permit amendment. Attached is a draft of Article V of the UDO. This draft includes the special exception permit additions. The underlined text denotes amendments. If this draft is to the Planning Board's satisfaction a recommendation to the Town Board is in order.

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Discussion

Mr. Oldham stated that the special exception permit would fill a void for the people that could not meet the requirements of a variance. It would also be a very good tool to administer into the UDO.

Mr. Morgan, Town Attorney reported that the Town of Carrboro has had six application for the special exception permit, five have been for residential and one for a church.

Cindy Edwards wanted to know if someone was adding on to their house for renting purposes could we refuse granting a special exception permit.

Mr. Rogers explained that they would first have to go through the proper zoning.

Mr. Morgan also pointed out that issuance of the permit will not create a threat to the public health or safety and would not adversely affect the value of adjoining or neighboring properties.

Mr. Rogers explained to the board they needed to decide if a building in question has to exist for three or five years before being able to apply for a special exception permit.

Mr. Oldham asked if there were any more question or discussion, if not then would obtain a motion to approve recommendation to the Town Board. Joel Hunnicutt made the motion with the change from three years to five years for existing buildings and Arnold Headen seconded. Majority approved and recommendation for approval to be heard at the Town Board Meeting on March 3, 1997.

Project Update

Mr. Rogers reported Ms. Claudia Brown and Ms. Linda Edmisten of the State Historic Preservation viewed our proposed Historic District and suggested new district boundaries. Based on these boundaries a new RFP was sent to previous respondents. Two of the three felt they could complete project for the amount we have granted.

Cindy Edwards asked Mr. Rogers if he would draft a letter to the Historic Preservation Committee updating them about the progress of the Historic Preservation Grant.

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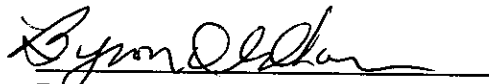
New Business


Cindy Edwards reported that Chatham County Historic Association is working with Mr. Wade Hadley on publishing a book about the historic buildings in the downtown district. She offered her copy of the Siler City Design Development Plan Book if any of the members would like to review it.

Byron Oldham stated that he had been contact by the Chatham County Planning Department to see if our board could furnish one member to help with drawing up the Chatham County Development Plan. There will be twenty-eight (28) meetings over a fourteen (14) months period.

Mr. Oldham welcomed Dr. Tim D. Scheetz, Alternate who had been appointed by the Town Board to complete David R. Tobin, Alternate term.

With no further business Joel Hunnicutt made a motion for adjournment at 7:45 p.m. with a second from Joyce Siler followed by unanimous consent.


Byron Oldham,
Chairman

ATTEST:

Dee Lee Thompkins,
Recording Secretary

**Planning Board Meeting Minutes
Monday, March 10, 1997**

The Siler City Planning Board met on Monday, March 10, 1997, at 7:00 p.m. in the Siler City Court Room at City Hall. Byron Oldham, Chairman, called the meeting to order at 7:05 p.m. and Arnold Headen gave the invocation. Mr. Oldham asked for a motion on the minutes of February 10, 1997. The minutes were unanimously approved upon a motion by Roger Hinshaw and a second by Cindy Edwards.

Members Present

Byron Oldham, Chairman
Joel Hunnicutt, Vice Chairman
Cindy Edwards
Joyce Siler
Roger Hinshaw
Arnold Headen
Leota B. Thompson, Alternate
Dr. Tim D. Scheetz, Alternate

Members Absent

James Edwards

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

BUSINESS SESSION

Agenda Item IV

**Conditional Use Permit Requests/Preliminary Plat Review
CUP-001-97 - Ms. Linda Farrar**

Mr. Bernard Rogers, Planning Director reported Ms. Marsh requests to subdivide a 7.268 acre parcel into two (2) single-family housing sites. The site is located in the ETJ along the south side of Alston Bridge Road, between U.S. Hwy. 421 and the Siler City Corporate Limits. The subject parcel is a portion of the Triad Land & Timber, Inc. property which was rezoned from Light - Industrial to Agricultural - Residential, during the Town Boards November 4, 1996, meeting. The applicant plans to provide public water and private sewer to the sites.

On January 3, 1997, Triad Land & Timber, Inc. received administrative approval for a minor subdivision of the subject property. As previously stated Ms. Linda Marsh wishes to further subdivide a parcel in the Triad Land & Timber, Inc. subdivision. Ms. Marsh is actually requesting a minor subdivision, which would normally be approved by staff. However, in this instance Subsection 66(e) of the UDO prohibits staff approval. Subsection 66(e) states that "not more than a total of three (3) lots may be created out of one tract using the minor subdivision plat approval process within a three (3) year period". Upon consultation with William Morgan, Town Attorney, staff feels that Ms. Marsh can legally subdivide using the major subdivision process.

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Joint Public Hearing

A joint public hearing was held on March 3, 1997 to receive public comments regarding the proposed construction. The following is a brief listing of the comments:

Sue Lawrence (4079 Alston Bridge Road) asked for clarification on two points: Is manufacturing housing different from "mobile homes". Mobile homes would have an impact on the value of my property and other houses in the area. Also: can I get a copy of the plat?

Grady Alston (4208-B Alston Bridge Road) would be happy to have the request approved. Has known Linda and Brenda all of his life and does not consider the request a "high-density" project. Trailers are already in the area with parks on both the west and north of his property and does not consider this a "trailer development".

E. T. Hanner (436 Hanner Town Road) sold property to Triad and would like to see the parcel separated and have no objections to the project.

Staff Analysis

The intent of Subsection 66(e) is tied to the access requirements for a three (3) lot subdivision. The UDO will hold a subdivider to lower standards for lot access in a three (3) lot subdivision for single-family residential use. This lower standard includes a 30' right-of-way and 12' graveled surface. This standard was established to handle the traffic generated by three (3) single-family residences.

The subdivision lots Ms. Marsh proposes will have direct access to Alston Bridge Road. Thus, Ms. Marsh will not affect the traffic which will access the original (Triad Land & Timber) easement.

Staff Recommendation

Staff recommends approval of the subdivision, subject to approval of subsurface sewage disposal by the Chatham County Health Department.

Dicussion

Cindy Edwards commented that Ms. Lawrence had concerns about the impact mobile homes would have on the value of her property. There would be one home on four (4) acres and one on three (3) acres of land. She believes this is alot of land for the project. She also wanted to know if any of the other tracts had been sold.

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Joel Hunnicutt stated that Triad should have ask for a major, not a minor, subdivision.

Mr. Rogers explained that Triad did not divide into more that three tracts because they would have to provide a paved road. They were trying to keep the cost down for resale. He also had phone calls about the other tracts but was not aware of it being sold.

Mr. Oldham asked if there were any more questions or discussion, if not, they would obtain a motion for recommendation to the Town Board with the condition of approval of subsurface sewage disposal by the Chatham County Health Department. Cindy Edwards made the motion, Joel Hunnicutt seconded, with majority approved.

Project Update

Mr. Rogers reported that you have copies of project proposals submitted to administer the Town's \$15,000 Historic Preservation Grant. Both consultants, *DSAtlantic* and New South Associates, can complete the project for the specified amount.

Mr. Rogers stated he would have to find out if we would have to provide *DSAtlantic* with a map to designate the different districts and if we do if there would an extra charge for them to draw up the map. Once he has this information he would be making his recommendation.

Cindy Edwards suggested we set up a sub-committee of the Planning Board to choose which consultant to recommend to the Town Board to hire.

New Business

Bernard Rogers reported that Ms. Estelle Johnson will be coming before the Board in April for her Special Use Permit.

Mr. Rogers informed the board, suggesting they look in the UDO under section 58-A, a conditional use and special use permit does expire after two years if 10% of total cost has not been completed.

Joel Hunnicutt wanted to know if Paul Braxton project has heard on its tax credits yet.

Mr. Rogers said they had until March 31, 1997 to submit their application for tax credits.

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Byron Oldham reported that the Town Board approved the Special Exception Permit and we add it to our UDO.

Cindy Edwards would like to know if the Chatham County Development Plan Committee has started any of their meetings yet.

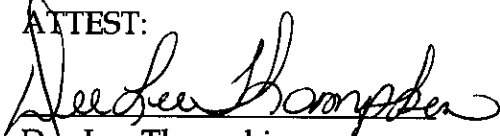
Byron Oldham stated the weather had held them up on drawing up the aerial map they need.

With no further business, Joel Hunnicutt made a motion for adjournment at 7:45 p.m., with a second from Arnold Headen, followed by unanimous consent.



Byron Oldham,
Chairman

ATTEST:



Dee Lee Thompkins,
Recording Secretary

Planning Board Meeting Minutes
Monday, April 14, 1997

The Siler City Planning Board met on Monday, April 14, 1997 at 7:00 p.m. in the Siler City Court Room at City Hall. Byron Oldham, Chairman, called the meeting to order at 7:03 p.m. and gave the invocation. Minutes of the March 10, 1997 meeting were unanimously approved by a motion from Joel Hunnicutt and second by Roger Hinshaw.

Members Present

Byron Oldham, Chairman
Joel Hunnicutt, Vice Chairman
Cindy Edwards
James Edwards
Roger Hinshaw
Arnold Headen
Leota B. Thompson, Alternate
Dr. Tim D. Scheetz, Alternate

Members Absent

Joyce Siler

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

Town Board Present

Pemberton Hobbs, Town Commissioner

BUSINESS SESSION

Agenda Item IV

Rezoning Request/Zoning Map Amendments
REZ-001-97 - R. B. Whittington

Mr. Bernard Rogers, Planning Director reported Mr. R. B. Whittington requests to rezone a 48.7 acre parcel of land from Residential-20 (R-20) to Agricultural-Residential (A-R). The site is located on the west side of North Chatham Avenue, north of Country Living Mobile Home Village. A public hearing was conducted on April 8, 1997. There was no public comment regarding this request.

Analysis

The rezoning request is in agreement with the town's Land Development Plan, which projects future development as general residential. Another factor which should be considered is compatibility of adjacent zoning. The site is surrounded on all sides by A-R zones. Therefore, adjacent zoning is compatible.

Staff Recommendation

The staff recommends approval of the rezoning request. **A recommendation to the Town Board is requested.**

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Discussion

Joel Hunnicutt wanted to know why Mr. Whittington had the property rezoned two years from Agricultural-Residential (A-R) to Residential-20 (R-20) and now wants to have it rezoned back to Agricultural-Residential (A-R).

Byron Oldham explained the property would be more compatible zone A-R for a Manufactured Home Park and his lots would only have to be 10,000 square feet instead of 20,000 square feet.

Mr. Hunnicutt asked if there was a time frame for having property rezoned.

Mr. Morgan said there was not.

Cindy Edwards wanted to know what the property across the street was zoned.

Mr. Rogers stated that all the surrounding property was zoned as A-R. He also reported that Mr. Whittington wanted to get the property rezoned first, he would have updated plans completed, then apply for a Conditional Use Permit.

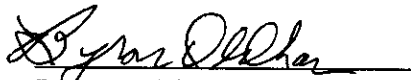
Mr. Oldham asked if there were any more questions or discussion, if not, he would obtain a motion for recommendation to the Town Board. James Edwards made the motion and Cindy Edwards seconded. Majority approved and a recommendation for approval is to be heard at the Town Board Meeting on May 6, 1997.

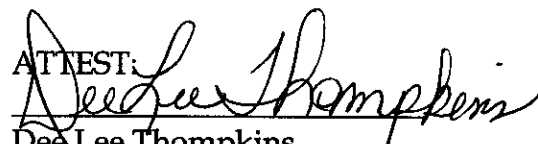
New Business

Mr. Rogers recommended to the board the consulting firm *DSAtlantic* to administer the Town's \$15,000 Historic Preservation Grant. He added that he would be able to provide the maps they will need from our GIS system.

Joel Hunnicutt made the motion, Cindy Edwards seconded, with majority approved to recommend to the Town Board *DSAtlantic*.

With no further business, James Edwards made a motion for adjournment at 7:25 p.m. with a second from Joel Hunnicutt, followed by unanimous consent.


Byron Oldham, Chairman

ATTEST:

DeeLee Thompkins,
Recording Secretary

Planning Board Meeting Minutes
Monday, June 9, 1997

The Siler City Planning Board met on Monday, June 9, 1997 at 7:00 p.m. in the Siler City Court Room at City Hall. Byron Oldham, Chairman, called the meeting to order at 7:07 p.m. and Joel Hunnicutt gave the invocation. Minutes of the April 14, 1997 meeting were unanimously approved by a motion from Cindy Edwards and second by Roger Hinshaw.

Members Present

Byron Oldham, Chairman
Joel Hunnicutt, Vice Chairman
Cindy Edwards
Joyce Siler
Roger Hinshaw
Leota B. Thompson, Alternate
Dr. Tim D. Scheetz, Alternate

Members Absent

James Edwards
Arnold Headen

Staff Present

H. Bernard Rogers, Planning Director

BUSINESS SESSION

Agenda Item IV

Mr. Bernard Rogers, Planning Director, reported the town had been awarded a grant for \$468,000.00 for the sewer on North Chatham Avenue. Himself and Joel J. Brower, Town Manager, attended a workshop in Raleigh and the grant will make it possible to provide sewer to 27 homes at no charge to the homeowner.

Mr. Rogers stated he had received a letter from Ms. Kay Graybeal, Historic Resource Specialist, with *DS Atlantic* stating she would be starting to work on July 14, 1997. She feels she will be able to complete the project in about 3 weeks.

Mr. Rogers asked members to suggest topics for future workshops to benefit the Town's future growth.

Joel Hunnicutt suggested future development and direction for manufactured home parks.

Cindy Edwards felt we needed additional information on screening and landscaping for manufactured home parks and open space design for large tracts of land.

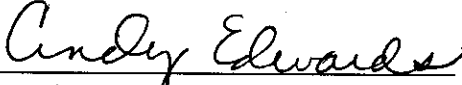
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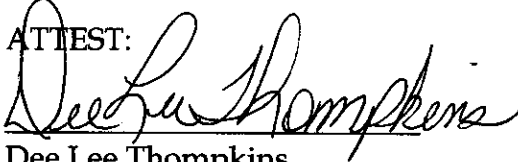
Byron Oldham stated with stick-built homes becoming so expensive that we would see more manufactured home parks.

Mr. Rogers suggested for the board to be thinking ahead concerning nominations for chairman and vice chairman seats.

Mr. Rogers presented Mr. Byron Oldham with a plaque of appreciation for nine years of faithful service to the board and town. Everyone thanked Mr. Oldham for his leadership over the years.

With no further business, Roger Hinshaw made a motion for adjournment at 7:50 p.m. with a second from Joyce Siler, followed by unanimous consent.


Cindy Edwards,
Vice Chairman

ATTEST:

Dee Lee Thompkins,
Recording Secretary

**Planning Board Meeting Minutes
Monday, July 14, 1997**

The Siler City Planning Board met on Monday, July 14, 1997 at 7:00 p.m. in the Siler City Court Room at City Hall. Bernard Rogers, Planning Director, called the meeting to order at 7:00 p.m. and Arnold Headen gave the invocation.

Members Present

Cindy Edwards
James Edwards
Roger Hinshaw
Arnold Headen
Dr. Tim D. Scheetz
Leota B. Thompson, Alternate
James Patterson, Alternate

Members Absent

Joel Hunnicutt
Joyce Siler

Staff Present

H. Bernard Rogers, Planning Director
William C. Morgan, Town Attorney

Town Board Present

Earl Fitts, Mayor
Pemberton Hobbs, Town Commissioner

BUSINESS SESSION

Agenda Item IV

**Appointment of Planning Board/Board of Adjustment Chairman
and Vice Chairman**

Mr. Rogers asked for a nomination for Chairman. Cindy Edwards nominated Joel Hunnicutt, Arnold Headen seconded and was unanimously approved by board members.

Mr. Rogers then asked for a nomination for Vice Chairman. Roger Hinshaw nominated Cindy Edwards which was seconded by James Edwards and was unanimously approved.

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Agenda Item III

Approval of June 9, 1997 minutes

Vice Chair Cindy Edwards asked for a motion on the minutes of June 9, 1997. The minutes were unanimously approved upon a motion by Leota Thompson and seconded by Arnold Headen.

Agenda Item V

A. REZONING REQUEST/ZONING MAP AMENDMENTS
REZ-002-97 - Henry G. and Lynda D. Smith

Bernard Rogers, Planning Director stated Henry G. and Lynda D. Smith request to rezone a .60 acre parcel of land from Residential-10 (R-10) to Office Institutional (I-O). A joint public hearing was conducted during the Town Board's July 7, 1997, meeting. There were no public comments recorded.

The site is located on the Northwest corner of the North Garden Avenue and West Fourth Street intersection (See attached map). The adjoining property to the west of the site is currently zoned O-I. The northwest and southwest corners of the block are currently office uses. The northeast corner of the block is a single-family residential use.

Staff Recommendation

The UDO recommends amending the zoning map in only three instances. These situations include:

1. To correct manifest error in the zoning map; or,
2. Because of changed or changing conditions in a particular neighborhood or community as a whole; or,
3. To promote and forward the purposes of the adopted Siler City Land Use Plan.

The proposed rezoning will fall under situation #2. You must make a determination whether or not the subject area has changed in such a way, that an O-I use will not have an adverse effect on the public health, safety and general welfare.

A recommendation to the Town Board is in order.

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Discussion

Tim Scheetz was asked to exempt himself due to a conflict of interest.

Cindy Edwards voiced concerns of rezoning from R-10 to O-I because of permissible uses that are allowed in O-I district.

Mr. Rogers stated whatever is permissible in O-I could go there.

Cindy Edwards suggested conditional use districts to go with the rezoning.

Mr. Rogers reported we would have to amend our UDO to include the conditional use districts.

James Edwards made a motion to table the rezoning until the Town Board could look into amending our UDO to include condition use districts. Arnold Headen seconded and was followed by unanimous consent.

Agenda Item VI

A. Conditional Use Permit Requests/Preliminary Plat Review
CUP-002-97 - Mr. R. B. Whittington

Bernard Rogers, Planning Director stated R. B. Whittington requests a conditional use permit in order to develop a manufactured home community on a 48.7 acre tract of land. The property is zoned Agricultural- Residential (A-R) which normally requires a minimum lot size of 40,000 square feet. However, the Town's Manufactured Home Community Ordinance permits 10,000 square foot lots for manufacture home communities (this applies to rental and for sale lots). Mr. Whittington proposes to develop a 109 lot subdivision in four (4) phases. The site is located on the west side of North Chatham Avenue, north of Country Living Mobile Home Village and south of the Southern Railway corridor. The site is currently served by sanitary sewer service and the applicant plans an extension of a Town water line to obtain water services.

A joint public hearing was conduct on April 7, 1997, and the following comments were recorded:

- *Emily Carter* (1010 Parkwood Drive) asked if a "manufactured home community is the same as a "trailer park".

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Staff Analysis

Mr. Whittington's application is complete and the proposed use is in compliance with the density requirements of town ordinances. However, there are some details which remain unaddressed. These details include:

- Usable open space - 2.4 acres required
- Recreational areas - .872 acres(37,984 sq. ft.) required with maximum size of 30,000 sq. ft. for each area. These areas must be accessible to all residents.
- Direct driveway access to arterial street - major subdivisions may not contain lots that have direct driveway access to an arterial street (see definition section 193(b)(6) of UDO).
- Street names

Each of the above items must be addressed prior to final plat approval, which is requested upon completion of water, sewer and road construction. At that time the planning board will have an opportunity to have a conduct a final review of the subdivision.

Regarding traffic generation, there was no data available to determine the impact of the proposed development. However, North Carolina Department of Transportation will make determination of the impact prior to approving a driveway access permit for the proposed development.

Staff Recommendation

Staff recommends approval of the development with one condition. Staff feels that a natural or planted buffer should be maintained between North Chatham Avenue and the proposed development. A buffer will serve as a noise barrier and promotes privacy. I encourage all board members to review sections 50, 52 and 55 of the UDO as an aid while considering the applicant's proposal.

Discussion

Cindy Edwards stated having 109 lots would generate alot of traffic and she wonder if we need to have a traffic study before approval. She also noted there was 6 lots that did not have access to the road.

James Edwards noted Loves Creek Mobile Home Park on Alston Bridge Road has 200 lots and does not seem to have a traffic problem.

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Mr. Rogers stated that the North Carolina Department of Transportation would be making a study on the impact of traffic prior to approving a driveway access permit for the development.

Tim Scheetz felt the developer should provide the board with a more detailed map and address the open space and accessibility to the road before we go to the next step.

Cindy Edwards asked with some of the lots not having accessibility, were they out of compliance with our ordinance.

Mr. Rogers stated that they were.

Mr. Morgan stated that the developer needs to address Section 52-E of the UDO before it can be approved.

James Edwards asked about 3 out -parcels on the map.

Mr. Rogers stated they were existing mobile homes or houses.

Cindy Edwards wanted to know if they were part of Mr. Whittington's development and if they were notified.

Mr. Rogers stated they were not part of his development and that they had not been notified because he was not sure if Mr. Whittington still owned those three lots. He had hoped Mr. Whittington would have been here tonight to address all the concerns.

James Edwards motioned to table the conditional use permit until we see if everyone was notified of the public hearing and ask the developer to correct the plat based on Bernard Rogers findings. Roger Hinshaw seconded and all in favor.

Project Update

Mr. Rogers reported the following developments progressed as follows:

- Kay Graybeal, Historic Resource Specialist, with *DS Atlantic* has started gathering background information on the Town of Siler City and hopes to began her field work in August.
- Hunters Court Apartments (Doug Ellis) has begun construction on an additional 4 units.

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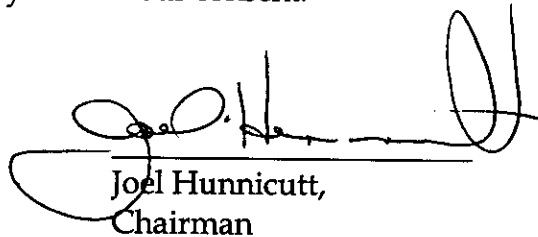
- Mr. Chris Sinclair with the Manufacturing Housing Institute has agreed to a workshop in August.

New Business

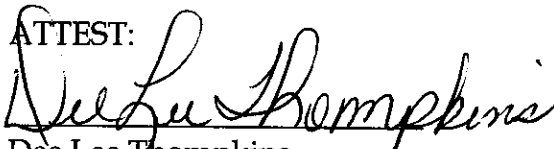
Mr. Rogers reported concerns about Group Homes clustering in one neighborhood.

Mr. Morgan stated under the Fair Housing Act you can not discriminate against Group Homes, but that we could look into adding a Group Home Ordinance to our Ordinance that can regulate the distance they can be within one another. He suggested that the Board might want to recommend Mr. Rogers and himself to look into adding one to our Ordinance..

With no further business, James Edwards made a motion for adjournment at 8:17 p.m., a second from Tim Scheetz and followed by unanimous consent.



Joel Hunnicutt,
Chairman

ATTEST:

Dee Lee Thompkins,
Recording Secretary

**Planning Board Meeting Minutes
Monday, August 11, 1997**

The Siler City Planning Board met on Monday, August 11, 1997 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:01 p.m. and gave the invocation. Mr. Hunnicutt asked for a motion on the minutes of July 14, 1997. Cindy Edwards noted a correction on page four within the first paragraph of discussion. She stated having 109 lots would generate alot of traffic and she wonder if we need to have a traffic study before approval. She also noted there was 6 lots that did not have access to the *subdivision road and possibly of two roads in and out of the subdivision*. With the correction noted the minutes were unanimously approved upon a motion by Tim Scheetz and a second from Arnold Headen.

Members Present

Joel Hunnicutt, Chairman
Cindy Edwards, Vice Chair
Joyce Siler
James Edwards
Arnold Headen
Dr. Tim D. Scheetz
Leota B. Thompson, Alternate
James Patterson, Alternate

Members Absent

Roger Hinshaw

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

Town Board Present

Earl Fitts, Mayor
Pemberton Hobbs, Town Commissioner

BUSINESS SESSION

Agenda Item IV

**A. Conditional Use Permit Request/Final Plat Review
CUP-003-97 Canal Land Limited Partnership and Canal Industries, Inc.**

Mr. Rogers, Planning Director reported Canal Land Limited Partnership and Canal Industries, Inc. request to subdivide a 182.73 acre parcel into 20 five to eighteen acre lots. The applicant proposes to develop single family residential dwellings. The proposed housing will include site-built and modular and double-wide manufactured units. The applicant has provide a sample of restrictive covenants similar to those which will govern the proposed subdivision. The site is located in the ETJ along SR-1102 (Coleridge Road) between SR-1107 (old Hwy. 64) and SR-1103. There are 10 ten to eighteen acre lots proposed. The subdivision will not require any new streets, water, or sewer lines. The developer proposes private water and sewer systems on each lot.

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A joint public hearing was conducted on August 4, 1997. Two area residents voiced concern that the development would raise surrounding property values. There was also a concern that the housing would serve persons from outside the local community due to the price range.

Analysis

The proposed development meets UDO minimum requirements for the subdivision of land. The applicant's five (5) acre minimum lot area exceeds the one (1) acre minimum required by the Town's UDO. With regard to access the proposed subdivision is also adequate. Each of the 21 lots has direct access to a state maintained street as required by section 194 (b) of the UDO.

Other subdivision regulations such as open space and miniparks will not apply to this subdivision. The UDO exempts subdivision which consists of 25 or fewer lots from minipark requirement. There are only 21 lots to consider for this particular application. In addition the nature of this large-lot subdivision will provide sufficient open space for each lot.

As stated above there will be no street, sewer or water improvement. The development will be served by individual wells and septic systems.

Recommendation

Staff recommends approval of the subdivision.

Discussion

Joel Hunnicutt, Chairman, asked Mr. Tim Smith with Homestead Land and Timber to review his plans with the Board.

Mr. Smith reported there will be 25 lots with 5 acre tracts or larger. He also stated that his company was leaning towards 100% site-built homes but if they do allow double-wide they can be no older than 3 years from when they purchased the land and have a minimum of 1250 square feet. The property on the back tracts will have 30 foot deeded easement for right-of-way.

Cindy Edwards stated in the covenants that home occupations and some animals are permitted and she was wondering if it was a permitted use in A-R Zoning.

Mr. Rogers stated that it was permissible in A-R Zoning.

Mr. Smith also responded they would not allow raising of animals for commercial purposes.

Mr. Morgan asked if the deeded easement would be part of the property owner's title

Mr. Smith stated it would be part of their title and once the developer constructed the driveway it would be up to the property owner to maintain his driveway.

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Cindy Edwards asked if we could put conditions that they can not subdivide.

Mr. Morgan stated we could not.

Mr. Smith stated if they allow any subdividing it would only be once on the larger tracts and they could not be any smaller than a 5 acre tract.

Cindy Edwards asked if this would be in his restrictions.

Mr. Smith replied yes.

Cindy Edwards asked if we could require buffering.

Joel Hunnicutt stated it would be hard to require buffering with so many property owners.

Bernard Rogers reported that we have no buffer requirements on residential uses.

Joel Hunnicutt asked if there were any more questions or discussion, if not, he would obtain a motion for recommendation to the Town Board. Cindy Edwards made the motion and Leota Thompson seconded. Majority approved and a recommendation for approval is to be heard at the Town Board Meeting on August 18, 1997.

Agenda Item V

A. Rezoning Request/Zoning Map Amendments
REZ-002-97 - Henry G. And Lynda D. Smith

Joel Hunnicutt, Chairman, explained to the board why they are being asked to reconsider this application. At the last meeting there was discussion about the permissible uses in the O-I district and the request was tabled till we could amend our Ordinance for "conditional use districts". After discussion with Mr. Morgan, Town Attorney, and Mr. Rogers, Planning Director, under our Ordinance the Planning Board must within 35 days of considering a rezoning request must submit to the Board of Commissioners a written recommendation. By tabling the request we are not giving Mr. and Mrs. Smith the opportunity for a yes or no answer which is not consistent with our Ordinance.

Mr. Morgan explained that the Ordinance does not require a yes or no recommendation but by tabling the rezoning request we are inconsistent with precedent set with previous applications.

Tim Scheetz asked to exempt himself from discussion due to a conflict of interest.

Joel Hunnicutt stated the "conditional use districts" would be a very valuable planning tool but unfair to ask Mr. and Mrs. Smith to wait until we amend our Ordinance.

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Mr. Rogers explained to the Board that our UDO recommends amending the zoning map in only three instances. These situations include:

1. To correct manifest error in the zoning map; or,
2. Because of changed or changing conditions in a particular neighborhood or community as a whole; or,
3. To promote and forward the purposes of the adopted Siler City Land Use Plan.

The proposed rezoning will fall under situation #2. You must make a determination whether or not the subject has changed in such a way, that an O-I use will not have adverse effect on the public health, safety and general welfare.

Mr. Rogers referenced to the petition staff received on August 6, 1997 which was signed by residents living near the proposed rezoning site, supporting the rezoning effort. Also attached is a map which identifies, by address, the lots included on the petition. He explained that the map would help the Board to visualize the nature of the area, which includes rental and vacant property near the rezoning site.

A recommendation to the Town Board is in order.

Discussion

Joel Brower, Town Manager, thanked the Board for reconsidering this rezoning request tonight. From his stand point he thinks a conditional use district would be a beneficial tool to add to our UDO but the time factor it would take to amend our UDO would be two to three month. He believes it would be unfair to ask Mr. and Mrs. Smith to wait till this could be done. He also reminded the board that in 1995 they had heard a similar rezoning request on North Fir Avenue rezoning it from a R-10 to O-I and it was an asset to the neighborhood and town.

James Edwards explained he did not table it for it not to be resolved. He was under the impression that Mr. and Mrs. Smith was not in a hurry for the rezoning. He was just trying to help the town and make a more unified ordinance for the future.

Cindy Edwards stated they thought it would go to the Town Board with the recommendation and the Town Board would make the decision. Also she stated that the 1995 rezoning was right across from Henry Siler School which is very much commercial and they had alot of support from the neighbors. In this instance what we are looking at is all R-10 on North Garden and if it rezoned to O-I all of the permissible use that would be allowed there.

Mr. Smith stated he was asking for it to be rezoned for a medical office and brought to our attention that the house next door is zoned O-I.

Joel Hunnicutt asked if there were any more questions or discussion, if not, he would obtain a motion for recommendation to the Town Board. James Patterson made the motion and Leota Thompson seconded. Five voting in favor and Cindy Edwards opposed. A recommendation for approval is to be heard at the Town Board Meeting on August 18, 1997.

Planning Board Minutes

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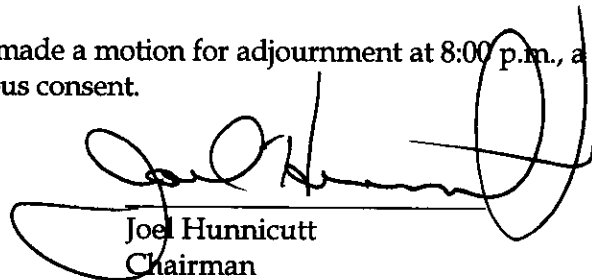
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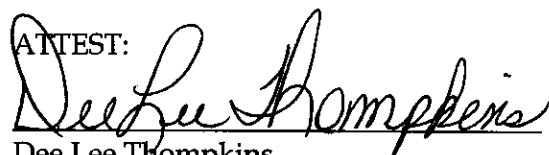
Project Update

Mr. Rogers reported the following developments progressed as follows:

- Kay Graybeal, Historic Resource Specialist with *DS Atlantic*, will be in Siler City Wednesday, August 13, 1997, to start taking pictures that will go in the Historic Register.
- Lincoln Point (Richard Fox) street has been paved, water and sewer completed, and will be coming before Board for Final Plat Approval in September.
- Hunter Court Apartments (Doug Ellis) *correction* has begun construction on two buildings, four units each.
- Cedar Lake (Mr. R. B. Whittington) is not owner of 2 of the 3 lots in question and has produced an update plat and correct concerns. There will be a Public Hearing on September 2, 1997, for his Conditional Use Permit.
- Conditional Use Districts - have received examples from 7 other cities and will be giving the Board some examples to look over.

With no further business, Arnold Headen made a motion for adjournment at 8:00 p.m., a second from Joyce Siler, and followed by unanimous consent.


Joel Hunnicutt
Chairman

ATTEST:

Dee Lee Thompkins
Recording Secretary

**Planning Board Meeting Minutes
September 8, 1997**

The Siler City Planning Board met on Monday, September 8, 1997 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:00 p.m. and Joyce Siler gave the invocation. Minutes of the August 11, 1997 meeting were unanimously approved by a motion from Cindy Edwards and second by Arnold Headen.

Members Present

Joel Hunnicutt, Chairman
Cindy Edwards, Vice Chair
Joyce Siler
Roger Hinshaw
Arnold Headen
Dr. Tim D. Scheetz
Leota B. Thompson, Alternate
James Patterson, Alternate

Members Absent

James Edwards

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

Town Board Present

Earl Fitts, Mayor
Pemberton Hobbs, Town Commissioner

BUSINESS SESSION

Agenda Item IV

Final Plat Review - Lincoln Point - Mr. Richard Fox

Mr. Rogers, Planning Director reported Mr. Richard Fox is requesting final plat approval for Lincoln Point Subdivision. The proposed subdivision will create fourteen (14) single family residential sites from an existing 3.25 acre tract. Proposed residences will be greater than 1,000 square feet in size and comprise a mix of 1, 1 1/2, and 2 story homes. The site is located on the south side of Highway 64 East between 4th Avenue and East 9th Street.

During its January 16, 1996 meeting the Town Board approved a conditional use permit (CUP) for the above mentioned development. The CUP authorized the applicant to proceed with physical improvements to the land. Mr. Fox has constructed a road, and installed water and sewer lines to the satisfaction of the Town's Public Works Director. Final plat approval will permit Mr. Fox to sell lots.

Staff Recommendation

Staff recommends final plat approval for Lincoln Point Subdivision.

Discussion

Joel Hunnicutt asked if there were any questions or discussion, if not, he would obtain a motion for recommendation to the Town Board. Cindy Edwards made the motion and James Patterson seconded. Majority approved and a recommendation for approval is to be heard at the Town Board Meeting on October 6, 1997.

Agenda Item V

A. Conditional Use Permit Requests
CUP-002-97 - Cedar Lake MHP - Mr. R. B. Whittington

Mr. Rogers, reported the following item was tabled during the July 14, 1997, Planning Board meeting to address concerns about adjacent property owner notification. Staff has determined that three (3) lots which appear to be included in the proposed subdivision are not owned by the applicant. These three lots were not notified of the scheduled joint public hearing as required by the Unified Development Ordinance (UDO). Therefore, staff has notified all adjacent property owners and a new public hearing was conducted.

R. B. Whittington is requesting to develop a manufactured home community on a 48.7 acre tract. The property is zoned Agricultural-Residential (A-R) which normally requires a minimum lot size of 40,000 square feet. However, the Town's Manufactured Home Community Ordinance permits 10,000 square foot lots for manufactured home communities (rental or for sale lots). Mr. Whittington proposes to develop a 109 lot manufactured home community (rental) in four (4) phases. The site is located on the west side of Hampstone Road (North Chatham Avenue Extension), north of Country Living Mobile Home Village and south of the Southern Railway corridor. The site is currently served by sanitary sewer service and the applicant plans an extension of the Town's water line to obtain water services.

Staff Analysis

Mr. Whittington has returned a preliminary plat which includes changes requested during the Planning Board's July 14, 1997 meeting. Changes include adequate open space, recreational area, and streets names. However, the lots with direct access to Hampstone Rd. still exist. Wayne Whorton of NCDOT stated that the average daily traffic (700 vehicles) did not warrant constructing a turning lane for the new development. The capacity of Hampstone Rd. is 2,000 vehicles per day. However, Mr. Whorton did not recommend direct lot access.

Staff Recommendation

Staff recommends approval of CUP-002-97 subject to the following conditions:

- No direct lot access to Hampstone Rd.
- Provide access for adjacent property(Deloache)
- Provide a buffer along Hampstone Rd.

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Discussion

Joel Hunnicutt asked Mr. Whittington if he would like to address the board.

Mr. Whittington declined because his engineer, Mr. Dixon, has done all the work on this project for him.

Mr. Hunnicutt stated he had questions about the open space requirements in our UDO under §183 (b) (4) *Is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation, and* (6) *Consists of land no more than 50 percent of which lies within a floodplain or flowery as those terms are defined in §235.* He wanted to know if Mr. Rogers was satisfied with the answers he had received from the engineer.

Mr. Rogers explained that the property itself is not located in a floodplain and the Town's maps does not show that area as a floodplain area. He also stated the engineer said the pond would be alleviated.

Mr. Whittington explained that it was not a pond, but a low place in the property. They would be taking dirt from the high point beside it and leveling the low place.

Mr. Rogers stated that this would have to be satisfied before final plat approval.

Cindy Edwards noted she had major concerns about the lots having direct access to Hampstone Road. She thought the information that NCDOT had supplied us was very good, but it shows 500 vehicles per day. She feels it would constitute a major artery.

Joel Hunnicutt wanted to know if we had any requirements on when the miniparks have to be completed. The map shows that the second minipark will not be completed until after phase 4. This would result in 91 lots with one minipark.

Mr. Rogers answered that we do not have any requirements when the miniparks have to be completed, they just have to show us on the preliminary site plans at which phase they are to be completed.

Mr. Hunnicutt wanted to know if we could put as one of the conditions that the second minipark is to be completed at phase 3 instead of phase 4.

Mr. Morgan answered only if it becomes a public health or safety issue.

Mr. Hunnicutt stated if there were 91 lots and one child per lot the result would be 91 kids with one minipark. This appears to be alot of kids for one minipark.

Cindy Edwards wanted to know if the 6 lots that have direct access to Hampstone Road need to be addressed now or after the Conditional Use Permit is issued.

Mr. Morgan explained that Mr. Rogers had addressed it with his recommendation.

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Mr. Hunnicutt asked Mr. Rogers in his recommendation to provide a buffer along Hampstone Road. Question: What type of buffer is preferred?

Mr. Rogers answered a broken screen similar to Country Living.

Mr. Hunnicutt asked Mr. Whittington about his plans on his utilities.

Mr. Whittington stated that his utilities would be buried.

Arnold Headen wanted to know if the creek was going to be filled or would some type of buffer be put around it.

Mr. Whittington stated it would need to be addressed and it has to be cleaned up and seeded.

Cindy Edwards recommended the following conditions:

- No direct lot access to Hampstone Road
- Provide access for adjacent Deloache property
- Provide a buffer along Hampstone Road - older trees left, if possible
- Pond to be drained
- Second minpark completed at the end of phase 3 instead of phase 4

Arnold Headen motioned for approval of Cedar Lake Mobile Home Park Conditional Use Permit with said conditions to the Town Board. Roger Hinshaw seconded with majority approved.

Agenda Item VI

A. Conditional Use Permit Requests

CUP-004-97 - Autumn Estates Subdivision - Owen Ventures

Bernard Rogers reported this 58.3 acre site is located adjacent to and north of Loves Creek Mobile Home Park and is within the corporate limits. During its October 19, 1994, meeting, the Town Board approved a conditional use permit for a 134 lot subdivision/manufactured home community. Mr. Ernest Evans initial owner proposed to develop the property as "for sale" modular and manufactured home sites. The property has access to Alston Bridge Road by way of a 60' right-of-way (Pony Farm Road). The CUP was approved pursuant to the establishment of a legally recordable instrument of restrictive covenants. Construction of infrastructure for the development is currently in progress.

The subject property has been purchased by Owen Ventures Inc. The Town's Unified Development Ordinance allows the transfer of a CUP as long as the property is used for the purposes for which the permit was granted. Owen Ventures Inc. wishes to modify the conditional use permit by deleting numbers two and four of the restrictive covenants and allowing lot leases. The UDO requires that these changes be processed as a new application. Therefore, new conditions can be added.

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Staff Analysis

Removal of the previously mentioned covenants and providing rental lots will change the nature of the previously approved development. As previously approved the development provided lots which would be sold as permanent sites for modular and double-wide manufactured homes. The applicants current proposal will also allow more transient single-wides and lease lots.

According to local banks, homes on permanent foundations can be financed as real property rather than personal property. Kim Whorton, County Tax Department, stated that a well maintained manufactured home which is considered real property will retain its assessed value. Ms. Whorton also stated that personal property loses value yearly. The conclusion is that a manufactured home community is worth potentially less if homes are considered personal property than if they are considered real property.

According to a publication by the Urban Land Institute most developers avoid mixing rental homesites and for-sale homesites, because homeowners on "sold sites" generally dislike living among renters and vice versa. One possible solution to this problem is to clearly separate rental and for-sale lots.

Discussion

Joel Hunnicutt asked Butch Hudson, a partner in Owen Ventures, to address the Board.

Mr. Hudson explained to the Board that it did not matter to them if the lots were leased, bought, or sold. What they are asking for is amendment of the covenant #2 which states that *no dwelling shall be constructed or moved on location which is less than 28' wide* and they would like it to be 14' instead where it would allow for single wides. Some of the lots would be better for a single wide than a double wide. Covenant #4 states *all homes must be underpinned with brick or stone and have front and rear decks or porches of brick, concrete or treated lumber. One such deck must be of a minimum size of 8' by 8' and the other deck or porch must be of a minimum size of 6' by 6'*. They would like to allow for vinyl underpinning. Brick and stone are fine if the lots are sold, but they need to allow for vinyl underpinning for the lots that are leased. What they are trying to do is provide some alternate financing for those who can not afford to purchase the land when they buy a new home and to alleviate themselves from the expense of the brick or stone foundation if they had to move their home to another lot. Their primary plan is for all the lots to be sold. They do not wish to turn Autumn Estates into a mobile home park.

Don Owen asked Bud Larrimore, a business associate of Owen Ventures, to address the Board.

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Mr. Larrimore explained to the Board he had some figures that had been supplied to him from the North Carolina Manufactured Housing Institute in Raleigh. An average manufactured home buyer in the Chatham County market has a combined family income of \$25,000.00. The average buyer can afford total monthly housing payments of \$520.00 per month including both the home and land. That is 25% percent of his income and that is all he can be approved for by a loan officer. The average selling price for a single wide home is \$22,000.00. Financed for 15 years, the payment would be \$264.00 per month. If a lot that sells for \$15,000.00 was financed for 15 years the payment would be \$180.00 per month. The two combined would be a payment of \$444.00 per month and when you add \$30.00 a month for taxes and insurance it would be \$474.00 a month. If you look at your double wide the average selling price is \$45,000.00 and financed for 20 years the payment would be \$550.00 per month. The lot financed for 20 years would be a payment of \$165.00 per month which is a combined payment of \$715.00 per month without taxes and insurance. The combined family income for a family to be able to afford a double wide mobile home would have to be \$35,000.00. This does not include the approximate \$3,200.00 cost to install brick underpinning. The majority of their buyers are young first time buyers. By amending covenants #2 and #4 would provide affordable home and land ownership for the buyers. Within three to seven years 60 to 70% upgrade from a single wide home to a double wide home and they have already bought the land at today's price not what it would be valued at then.

Cindy Edwards wanted to know if a single wide buyer could not afford to purchase the land, would you be leasing them the land and for how long.

Mr. Hudson responded that it depends on the person's financial rating is to how long they would carry a lease. The lease can be down payment when they get ready to purchase the land.

Joel Hunnicutt asked Mr. Ernie Evans to address the Board.

Mr. Evans explained that he had a lot of experience with mobile homes due to owning a mobile home park and also manufacturing of mobile homes. He emphasized the importance of maintaining the subdivision as originally approved in order to preserve real property values. If restrictive covenant #4 is removed, the home placed on the lot will not be permanently underpinned. A home with a permanent foundation is appraised as real property and increases in value over the years. With temporarily underpinning the home on a rental lot it is considered personal property and is valued much lower, and will decrease in value over time. Also if single wides are allowed with vinyl underpinning you will not be getting "good appraisal". Mr. Evans believes it would be a "dangerous" thing to change the covenants because they were originally put there where the homes would be appraised as real property and increases in value over the years and not decrease.

Joel Hunnicutt asked Mr. Don Owen to address the Board.

Mr. Owens explained he owns Don's Home Sales and had found that in Chatham County a lot of the land will not perk. This is why he bought Autumn Estates so he would have a place for the mobile homes he sells. Fifty to sixty percent of their sells are for single wide homes because it is all the people can afford. This is why they are asking to modify the covenants so they can provide affordable housing for the people in this area.

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Mr. Morgan informed the Board this application should be treated as a new application. It has been considered a major change by the zoning administrator, therefore he can not administratively authorize it. This is why they have to go back through this process. What is being proposed is the same thing as before, with two requested changes. You can look at it as a modification, but legally it has to be treated as a new application.

Mr. Hudson stated that they thought this was a modification and when they were looking at the restrictive covenants, they were just looking at the two that affect them the most. If they had known it was going to be treated as a new application they would have added some more covenants to meet some of their particular needs.

Joel Hunnicutt asked Mr. Hudson what their plans for miniparks and open space were, for he could not find any on the plat.

Mr. Hudson and Mr. Evans stated there were not any.

Cindy Edwards suggested that they should table it and look at the whole development again. She feels at this time we are not prepared to review the entire development.

Joel Hunnicutt feels if we are redressing it now, the Developer needs new plats drawn up to address the open space and minipark requirements.

Bernard Rogers explained the development was approved on the Town UDO requirements. Most of its requirements as far as the streets, lots size, and open space were met. As far as designating miniparks they would have to have a new plat drawn up, but this could be done at the final plat approval.

Butch Hudson wanted to know if miniparks apply to mobile home parks or just subdivisions.

Joel Hunnicutt referred to the UDO §180 which states *(a) Subject to Subsection (c), all residential developments shall provide (through dedication or reservation) recreational areas in the form of miniparks in an amount equal to .0025 acres per person expected to reside in that development.*

Bernard Rogers stated that the only residential developments excluded from miniparks were ones that have under 25 lots.

Joel Hunnicutt explained that he needed a motion on which direction the Board would like to proceed with this request. If the Board chooses to release them from the 2 restrictive covenants then we need to address some of the other issues that have arose and he feels the Board is not prepared to do at this time.

Cindy Edwards motioned to deny the request based on the information Mr. Rogers had provided in the agenda. According to a publication by the Urban Land Institute, most developers avoid mixing "rental" homesites and "for sale" homesites, because homeowners on "sold" sites generally dislike living among renters and vice versa. Also, the people that spoke at the public hearing about the real estate values was important to her. She feels that changing the restrictive covenants would be detrimental to use and value of adjoining or abutting property.

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James Patterson seconded.

Roger Hinshaw questioned his uncertainty about treating this as a new application or modification.

Mr. Rogers explained, the ordinance allows for a modification. If it is a minor change, he can approve it but if it has an overall affect on the community, then we have to review it as a new application.

Mr. Morgan informed the Board this was explained in the UDO §60 (c) *All other requests for changes in approved plans will be processed as new application. If such requests are required to be acted upon by the town board or board of adjustment, new conditions may be imposed in accordance with §56, but the applicant retains the right to reject such additional conditions by withdrawing his request for an amendment and may the proceed in accordance with the previously issued permit.* Mr. Rogers had determined this was not a minor design modification, therefore it puts it in a new application process.

Mr. Hudson reported he has a receipt saying he applied for a modification.

Mr. Morgan noted based on what he has heard tonight and at the public hearing, nothing in our Land Use Ordinance requires double wides as opposed to single wides. We cannot deny something that is otherwise permissible under our ordinance. There is very limited criteria to base it on or we need to have some evidence at the public hearing. What the Board needs to consider is if the application is complete and whether or not it complies with all exceptions of the ordinance. If it meets all criteria the only two things you can deny it on is §50 (d) (1) *Will materially endanger the public health or safety, or (2) Will substantially injure the value of adjoining or abutting property.* He also noted that the ordinance is very clear on the three ways a conditional use permit can be changed. If it's an *insignificant deviations from the permit* Mr. Rogers can authorize it or if it's a *minor design modifications* the Town Board can do that without the process we are going through. If it is something more major it will be treated as a new application under our ordinance and that is the way we need to be looking at it.

Mr. Hudson asked for a definition of "major".

Mr. Morgan stated that was on the discretion of the zoning administrator. If he wanted to appeal the decision he may do so by coming before the Board of Adjustment.

Mr. Rogers wanted to add that the applicant's biggest concern is if this is being considered as a new application tonight, will he be able to come before us with another application. The way he has looked at this is it will be treated as a new application as far as how we vote on it and come to a conclusion, but in essence it is a modification of the previous conditional use permit.

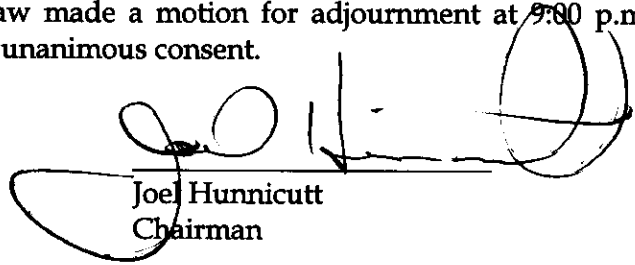
Cindy Edwards stated it is very important to her to be fair so she withdrew her motion and made a motion to table this and to allow the applicant time to review it as a new conditional use permit. The motion was seconded by Roger Hinshaw and unanimously carried.

Project Update

Mr. Rogers reported the following:

- Conference on Manufactured Housing will be held in Hendersonville County on September 18 and 19 if anyone would like to attend.
- Kay Graybeal, Historic Resource Specialist with *DS Atlantic*, has started taking pictures of the inside and outside of homes to go into the National Register.

With no further business, Roger Hinshaw made a motion for adjournment at 9:00 p.m., a second from Joyce Siler, and followed by unanimous consent.



Handwritten signature of Joel Hunnicutt, Chairman, written in black ink over a horizontal line.

Joel Hunnicutt
Chairman

ATTEST:



Handwritten signature of Dee Lee Thompkins, Recording Secretary, written in black ink.

Dee Lee Thompkins
Recording Secretary

**Planning Board Meeting Minutes
October 27, 1997**

The Siler City Planning Board met on Monday, October 27, 1997 at 7:00 p.m. in the Siler City Court Room at City Hall. Joel Hunnicutt, Chairman, called the meeting to order at 7:00 p.m. and James Patterson gave the invocation. Minutes of the September 9, 1997 meeting were unanimously approved by a motion from Roger Hinshaw and seconded by Leota Thompson.

Members Present

Joel Hunnicutt, Chairman
Cindy Edwards, Vice Chair
Joyce Siler
Roger Hinshaw
Arnold Headen
James Patterson
Leota B. Thompson, Alternate
Pat Lowman, Alternate

Members Absent

James Edwards

Staff Present

H. Bernard Rogers, Planning Director
Joel J. Brower, Town Manager
William C. Morgan, Town Attorney

Town Board Present

Earl Fitts, Mayor
Pemberton Hobbs, Town Commissioner
Charles Turner, Town Commissioner
Adam Smith, Town Commissioner
Robert Siler, Town Commissioner

BUSINESS SESSION

Agenda Item IV

**A. Rezoning Request/Zoning Map Amendments
REZ-003-97 - Golden Poultry Inc.**

Bernard Rogers, Planning Director, stated he had received a petition signed by some of the residents who live near the property that is being considered for rezoning. The effect of a petition on the Town Board decision is that the petition can require the Board to have a 4/5 majority vote. The petition given to you will not meet the criteria due to the fact that the residents on the petition are not residents who are within 100 feet of the proposed rezoning site. Therefore, the petition will not affect the voting requirements for the Board of Commissioners.

Mr. Rogers reported Gold Kist requests to rezone an 8.018 acre parcel from Residential 10 (R-10) to Light Industrial (L-1). The property is located on the east side of South Chatham Avenue (old Hwy 421) between College Street and the intersection of South Chatham Avenue and South Fayetteville Avenue.