

**Board of Adjustment Meeting Minutes  
November 12, 2001**

The Siler City Board of Adjustment met on Monday, November 12, 2001 at 7:35 p.m. Minutes of October 9, 2000 meeting were unanimously approved by a motion from Don Tarkenton and seconded by Arnold Headen.

**Members Present**

Jimmy Pugh, Chairman  
Don L. Tarkenton, Vice Chairman  
Arnold Headen  
Jeff C. Brewer  
Cindy B. Bray  
Larry Mendenhall, Alternate  
Larry Cheek, Alternate

**Members Absent**

Leota Thompson  
John Brown

**Staff Present**

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

**BUSINESS SESSION**

**Agenda Item III**

**Special Exception Permit Request**

**A. SEP-001-01 – R. F. Huddleston, Jr.**

Bernard Rogers, Planning Director reported R. F. Huddleston, Jr., at 111 South Dogwood would like to construct a storage building which will encroach on his side setback. The proposed storage building will not meet the fifteen foot side setback, required by Section 170 of the Unified Development Ordinance. Therefore, Mr. Huddleston wishes to obtain a Special Exception Permit to encroach the setback by 7.5 feet, thus resulting in a side setback of 7.5 feet.

Staff recommends approval of SEP-001-01. Mr. Huddleston's application is complete and meets the findings required to grant a special exception. Included with the application is a petition, signed by adjacent property owners, stating that they have no objections to the proposed addition. The petition may be used to make the required finding in Section II (G) of the worksheet. The section entitled "Denying the Application" gives the three situations that could warrant denial of the application.

**Discussion**

Chairman Jimmie Pugh declared the public hearing open and swore in Mr. Huddleston. Mr. Huddleston stated he would like to build a storage building that would encroach on his side property lines. Mr. Huddleston stated his adjacent property owners have no objection to the building.

Mr. Pugh directed the board to their worksheet to go through each finding.

- Completeness of application – application was complete.  
*Motion made by Jeff Brewer, Larry Mendenhall seconded, and majority approved.*
- Findings Required By Section 83
  - A. Existing building is a conforming residential use in a residential district.  
*Yes – Motion made by Jeff Brewer, Don Tarkenton seconded, and majority approved.*
  - B. Existing building has existed for at least three (3) years prior to the date of the application for a special exception permit.  
*Yes – Motion made by Don Tarkenton, Larry Mendenhall seconded, and majority approved.*

**Board of Adjustment Minutes**  
**November 12, 2001**  
**Page two**

- C. Special exception requested applies only to a setback from a lot line boundary.  
*Yes – Motion made by Jeff Brewer, Cindy Bray seconded, and majority approved.*
- D. The special exception being requested does not exceed 50% of the required setbacks of section 170(a), nor would it permit any part of a building to be located closer to a lot boundary than a distance equal to one-half of the minimum building separation requirement of the North Carolina State Building Code (i.e.-5 feet).  
*Yes – Motion made by Jeff Brewer, Arnold Headen seconded, and majority approved.*
- E. The special exception being requested would not permit any part of a building to be located closer to a pre-existing building than the distance equal to the minimum building separation requirement of the North Carolina State Building Code (i.e.-10 feet).  
*Yes – Motion made by Larry Cheek, Arnold Headen seconded, and majority approved.*
- F. The special exception, if granted, will not create a threat to the public health or safety.  
*Yes – Motion made by Arnold Headen, Larry Cheek seconded, and majority approved.*
- G. The special exception if granted, will not adversely affect the value of adjoining or neighboring properties.  
*Yes – Motion made by Arnold Headen, Larry Cheek seconded, and majority approved.*

• **Consideration Of Proposed Conditions**

If the application is granted, the permit shall be issued subject to the following conditions:


1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Siler City Town Hall. Any deviations from or changes in these plans must be submitted to the Zoning Administrator in writing and specific written approval obtained as provided in section 60 of the Unified Development Ordinance.
  2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
  3. That the special exception is granted only to the extent necessary to provide for the proposed addition (including roof overhangs), and that no other additions, or enlargements of any other portion of the house is permitted by this special exception permit.
  4. Other conditions as necessary or desired.
- **Granting The Application** - The application is granted subject to the above conditions.  
*Motion made by Jeff Brewer, Arnold Headen seconded, and majority approved.*

**Agenda Item V**

**Other Business**

With no further business, Don Tarkenton made a motion for adjournment at 7:50 p.m., a second from Cindy Bray followed by unanimous consent.

  
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Jimmie Pugh, Chairman

ATTEST:  
  
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Dee Lee Thompkins, Recording Secretary

**Board of Adjustment Meeting Minutes  
December 10, 2001**

The Siler City Board of Adjustment met on Monday, December 10, 2001 at 8:20 p.m. in the Siler City Court Room at City Hall. Minutes of November 12, 2001 meeting were unanimously approved by a motion from Don Tarkenton and seconded by Jeff Brewer.

**Members Present**

Jimmie Pugh, Chairman  
Don Tarkenton, Vice Chairman  
Arnold Headen  
John Brown  
Jeff C. Brewer  
Cindy B. Bray  
Larry Mendenhall, Alternate  
Larry Cheek, Alternate

**Members Absent**

Arnold Headen  
Leota Thompson

**Staff Present**

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

**BUSINESS SESSION**

**Agenda Item III**

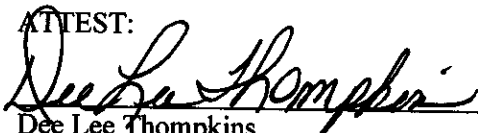
**Other Business**

Jimmie Pugh, Chairman reported there were no business items to be heard tonight.

Don Tarkenton made a motion for adjournment at 8:21 p.m., a second from Jeff C. Brewer followed by unanimous consent.

  
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Jimmie Pugh  
Chairman

ATTEST:

  
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Dee Lee Thompkins  
Recording Secretary