

**Town of Siler City Board of Adjustment  
July 11, 2011 Meeting Minutes**

The Siler City Board of Adjustment met on Monday, July 11, 2011 at 7:00 p.m. Harold Hart called the meeting to order and Mickey Pore gave the invocation. Mr. Hart asked for a motion to approve the minutes of June 13, 2011. *Motion made by Dan McMasters, JP Joyner seconded, followed by unanimous consent.*

**MEMBERS PRESENT:** Curtis Brown, Mary Harris, Harold Hart (Chair), Dacia Hayes, JP Joyner, Wallace Matthews, Dan McMasters, and Mickey Pore (Vice Chair)

**MEMBERS ABSENT:** Patty Poe

**STAFF PRESENT:** Joel J. Brower (Town Manager), William C. Morgan (Town Attorney), Jack Meadows (Planning Director), and Dee Lee Thompkins, (Administrative Support Specialist)

**NEW MEMBERS:** Harold Hart introduced and welcomed the new board members, Mary Harris and Curtis Brown.

**SPECIAL USE PERMIT – 207 CHATHAM SQUARE:** Mr. Hart explained that all testimony given tonight must be sworn testimony. Ben Atwater, Ronda K. Burton, Jack Meadows, and Jennifer H. Mun, were sworn in.

**Planning Director's Report:** Jack Meadows reported that Jennifer H. Mun and Ronda K. Burton request a special use permit for a game room (internet sweepstakes) in the H-C zoning district. The subject property is located at 207 Chatham Square. Mr. Meadows explained the subject property is surrounded by the following land uses; retail, vacant, site built home, restaurant, hotel, and service use. It is located within Chatham Square Shopping Center and includes an existing building (69,741 square feet) that contains the PTA Thrift Store and Dollar General. The proposed use will occupy 2,100 square feet (30' x 70'), have 30 computers, require 10 parking spaces, have 1 employee per shift (3 total employees), and open at 9:00 am and close at 2:00 am.

Mr. Meadows explained that the Land Development Plan (LDP) recommends general commercial development for the subject property. The LDP states the following: (1) Encourage attractive commercial development in appropriate locations suitable for commercial purposes; (2) Improve the appearance of commercial properties abutting major thoroughfares by providing landscaping to buffer parking lots and service areas; and (3) Encourage the continued development of major shopping centers along major thoroughfares.

**Staff Recommendation:** Mr. Meadows stated that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance. Based on the information received at this time, Staff recommends approval. If the Board of Adjustment finds that the application complies with all other provisions of the ordinance, it may still recommend denial of the permit if it concludes that the development more probably than not 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; or (4) Not be in conformity with the land development plan, thoroughfare plan, or other plan officially adopted by the Town Board.

The following conditions are recommended by staff: (1) Record the special use permit with the Chatham County Register of Deeds; (2) Obtain zoning permit from the Siler City Planning Department; (3) Obtain sign permits for any outdoor signage/advertising (if applicable) from the Siler City Planning Department; (4) Obtain license approval from the Town Board of Commissioners; and (5) Install one (1) small tree in the center of the planter shown on the site plan.

**Discussion:**

Dacia Hayes asked which unit was the proposed internet sweepstakes business to be located. Mr. Meadows responded that it was located at 207 Chatham Square (formerly Look-N-Good) and located beside the new martial arts studio (formerly Employment Security Commission).

Attorney Ben Atwater represented the applicants. Mr. Atwater stated that the applicants currently have an internet sweepstakes business in Haw River. Mr. Atwater explained that the internet cafe will include 30 computers, sale drinks and snacks but no alcohol, and permit customers only 18 years or older. Mr. Atwater added that the applicant's application was complete and met all four criteria for a special use permit.

Applicant Ronda K. Burton said the café will be a safe and happy atmosphere for people to go and relax. Dacia Hayes asked what are the computers used for. Ms. Burton replied that many customers do not have internet access in their homes therefore visit internet cafés to check email, Facebook, and play games to win money.


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

**Worksheet**

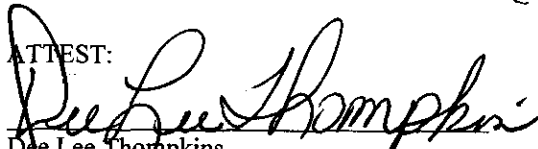
1. Application is complete  
*Motion made by Dan McMasters, JP Joyner seconded followed by unanimous consent.*
2. The application complies with all applicable requirements of the Unified Development Ordinance  
*Motion made by Wallace Matthews, Dan McMasters seconded followed by unanimous consent.*
3. The application is granted, subject to the following conditions:
  - i. The applicant shall complete the development strictly in accordance with plans submitted to and approved by the Board, a copy of which is filed in the City Hall
  - ii. 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
  - iii. Record the special use permit with the Chatham County Register of Deeds
  - iv. Obtain zoning permit from the Siler City Planning Department
  - v. Obtain sign permits for any outdoor signage/advertising (if applicable) from the Siler City Planning Department
  - vi. Obtain license approval from the Town Board of Commissioners
  - vii. Install one (1) small tree in the center of the planter shown on the site plan.  
*Motion made by Dan McMaster, Wallace Matthews seconded followed by unanimous consent.*

**OTHER BUSINESS:** Mr. Meadows reported that we would hold a workshop in the near future.

**ADJOURNMENT:** With no further business, *motion was made by Mickey Pore, Dacia Hayes seconded, followed by unanimous consent for adjournment at 7:15 p.m.*

  
Harold Hart  
Chair

ATTEST:

  
Dee Lee Thompkins  
Recording Secretary