

**Town of Siler City Board of Adjustment
March 12, 2012 Meeting Minutes**

The Siler City Board of Adjustment met on Monday, March 12, 2012 at 7:00 p.m. Harold Hart called the meeting to order and Dacia Hayes gave the invocation. Mr. Hart asked for a motion to approve the minutes of February 13, 2012. *Motion made by Mickey Pore, seconded by Dan McMasters, followed by unanimous consent.*

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

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

SPECIAL USE PERMIT – 108 WALMART SUPERCENTER – INTERNET SWEEPSTAKES: Mr. Hart explained that all testimony given tonight must be sworn testimony. Jack Meadows and Kai Siu were sworn in.

Planning Director's Report: Jack Meadows reported that Kai Siu requests a special use permit to operate an internet sweepstakes business at 108 Walmart Supercenter. The subject property is: 1) owned by Siler City (Chatham) WMC, LLC (c/o Rivercrest Realty Association); 2) the current tenant is the Gold Exchange; 3) served by Town water and sewer; 4) located within the Corporate Limits; 5) surrounded by H-C zoning; 6) surrounded by the following land uses; services, retail, and restaurant; and 7) located within an existing shopping center that includes Walmart, Dollar General, Shoe Show, etc.

Mr. Meadows added that the proposed use will: 1) occupy 1,998 square feet; 2) have 20 terminals for sweepstakes; 3) accommodate 20 patrons at a time; 4) not sell any food or beverage; 5) require 10 parking spaces; 6) have 2 employees; and 8) open 11:00 am and close at 10:00 pm daily. East 11th Street has 19,000 average daily trips. The Land Development Plan (LDP) recommends general commercial development for the subject property.

Staff Recommendation: Mr. Meadows stated that the application is complete. The proposal meets the development criteria of the Unified Development Ordinance (UDO). Based on the information received at this time, Staff recommends approval with the following conditions: 1) Record the special use permit with the Chatham County Register of Deeds; 2) Screen the garbage dumpster per the UDO; 3) Obtain site plan, zoning permit and sign permit; 4) Obtain electrical permit and schedule fire inspection; and 5) Obtain game room/internet sweepstakes license approval from the Town Board of Commissioners.

Discussion: Kai Siu stated she would like to be the first online internet sweepstakes business to open in Siler City. She added that they would offer entertainment games, sweepstakes, and internet service. With no further discussion, Mr. Hart directed the board to their worksheet to go through each finding.

Special Use Permit Worksheet:

1. The application is complete.
Motion made by Dacia Hayes, seconded by Mary Harris, followed by unanimous consent.
2. The application complies with all applicable requirements of the UDO. *Motion made by Wallace Matthews, seconded by JP Joyner, followed by unanimous consent.*
3. The application is granted, subject to the following conditions:
 - a. 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
 - b. 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.
 - c. Record the special use permit with the Chatham County Register of Deeds.
 - d. Screen the garbage dumpster per the UDO.
 - e. Obtain site plan, zoning permit, and sign permit.
 - f. Obtain electrical permit and schedule fire inspections.
 - g. Obtain game room/internet sweepstakes license approval from the Town Board of Commissioners.

Motion made by Dan McMasters, seconded by Wallace Matthews, followed by unanimous consent.

SPECIAL USE PERMIT – 1105 NORTH CHATHAM AVE. – CHILD DAY CARE FACILITY: Mr. Hart explained that all testimony given tonight must be sworn testimony. Jack Meadows and Tracie Smith were sworn in.

Planning Director's Report: Jack Meadows reported that Tracie Smith requests a special use permit to operate a child day care facility at 1105 N. Chatham Ave. The subject property is: 1) owned by John Glenn Smith and Tracie M. Smith; 2) approved for single family residential; 3) served by Town water and sewer; 4) located within the Corporate Limits; 5) surrounded by O-I, R-10, and L-I zoning; and 6) surrounded by the following land uses; single family residential, church, and retail/game room.

Mr. Meadows added that the proposed use will: 1) occupy an existing 1,625 square feet site built single family residential dwelling; 2) have 2 employees; 3) serve 20 children; 4) install a handicap ramp; 5) require and propose 10 parking spaces in the new parking area, including one van accessible handicap space; a) surface the parking area with gravel; b) provide a minimum drive isle width of 24 feet between parking spaces; c) define the perimeter of the parking area with bricks, stones, railroad ties, parking blocks, landscape timbers, or other similar devices; 6) Obtain a NCDOT driveway permit for the existing driveway only; a) The driveway will be a minimum of 18 feet wide; b) Provide an adequate turn radius per the NCDOT Policy on Driveway Access; 7) Install Type A Screen along the northern boundary (adjacent residential) and Type C Screen along southern and eastern boundary (adjacent streets); and 8) be served by a ¾" water meter and a garbage cart (no dumpster). North Chatham Avenue has 1,800 average daily trips. The LDP recommends general commercial development for the subject property.

Staff Recommendation: Mr. Meadows stated that the application is complete. The proposal meets the development criteria of the UDO. Based on the information received at this time, Staff recommends approval with the following conditions: 1) Record the special use permit with the Chatham County Register of Deeds; and 2) Obtain site plan, zoning permit, and sign permit.


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

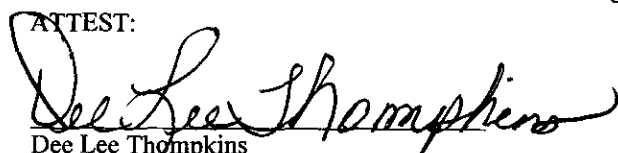
Special Use Permit Worksheet:

1. The application is complete.
Motion made by Wallace Matthews, seconded by JP Joyner, followed by unanimous consent.
2. The application complies with all applicable requirements of the UDO. *Motion made by JP Joyner, seconded by Wallace Matthews, followed by unanimous consent.*
3. The application is granted, subject to the following conditions:
 - a. 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
 - b. 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.
 - c. Record the special use permit with the Chatham County Register of Deeds.
 - d. Obtain site plan, zoning permit, and sign permit

Motion made by Dan McMasters, seconded by JP Joyner, followed by unanimous consent.

ADJOURNMENT: With no further business, Mr. Hart asked for a motion to adjourn. *Motion made by Mickey Pore, seconded by Mary Harris, followed by unanimous consent.* Adjourned at 7:15 p.m.


Harold Hart
Chair

ATTEST:

Dee Lee Thompkins
Recording Secretary