

**Town of Siler City Board of Adjustment
November 14, 2011 Meeting Minutes**

The Siler City Board of Adjustment met on Monday, November 14, 2011 at 7:00 p.m. Harold Hart called the meeting to order and Mary Harris gave the invocation. Mr. Hart asked for a motion to approve the minutes of October 10, 2011. *Motion made by JP Joyner, Wallace Matthews seconded, followed by unanimous consent.*

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

MEMBERS ABSENT: Dan McMasters

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

SPECIAL USE PERMIT – 1314 EAST 11TH STREET – GAME ROOM: Mr. Hart explained that all testimony given tonight must be sworn testimony. Jack Meadows, Mayank Parekh, and K. Rupal Patel were sworn in.

Planning Director's Report: Jack Meadows reported that Mayank Parekh (Game Zone) requests a special use permit for a game room in the H-C zoning district. The subject property is located at 1314 East Eleventh Street. The subject property is: 1) owned by Sherwood Holdings, LLC (the former Tylers building); 2) served by Town water and sewer; 3) located within the Corporate Limits; 4) surrounded by H-C and H-I zoning; 5) surrounded by the following land uses (hotel, automobile service, and manufacturing); and 6) located within an existing building (8,300 heated square feet).

The proposed use will: 1) occupy 2,025 square feet (45' x 45'); 2) have 15-25 games machines (not internet sweepstakes); 3) accommodate 10-15 patrons at a time; 4) 1 pool table; 5) sell snacks and drinks (no cooking and no alcohol); 6) require 10 parking spaces; 7) have 2-3 employees; and 8) open at 11:00 am and close at 12:00 am (Sunday – Thursday) and close at 2:00 am (Friday and Saturday).

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 (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) obtain site plan and zoning permit approval from the Siler City Planning Department; 3) obtain sign permits for any outdoor signage/advertising from the Siler City Planning Department; and 4) obtain game room license approval from the Town Board of Commissioners.

Discussion: Wallace Matthews asked why we are not approving the special use permit for the future gym in the rear of the building. Mr. Meadows explained that a gym does not require a special use permit. Patty Poe asked what is the difference between a game room and an internet sweepstakes. Mr. Meadows explained that there is no difference in our UDO under the table of uses. Mr. K. Rupal Patel answered that this was not an internet sweepstakes business but a game room. Patty Poe asked how will you charge. Mr. Patel stated there is a \$5.00 minimum charge.

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 Patty Poe, Mary Harris seconded followed by unanimous consent.
2. The application complies with all applicable requirements of the Unified Development Ordinance.
Motion made by Patty Poe, Wallace Matthews 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 site plan and zoning permit approval from the Siler City Planning Department;
- v. Obtain sign permits for any outdoor signage/advertising from the Siler City Planning Department: and
- vi. Obtain game room license approval from the Town Board of Commissioners.

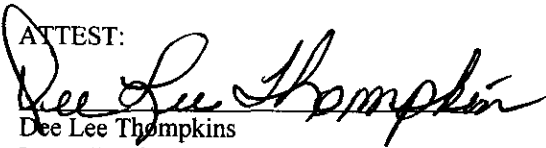
Motion made by JP Joyner, Dacia Hayes seconded followed by unanimous consent.

OTHER BUSINESS: Mr. Meadows gave an update on the variance the board considered at their last meeting. He reported that the applicant has obtained a zoning permit and moved the car shelter to the rear yard where it meets the required setbacks.

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


Harold Hart
Chair

ATTEST:


Dee Lee Thompson
Recording Secretary