

**Town of Siler City Board of Adjustment
September 12, 2011 Meeting Minutes**

The Siler City Board of Adjustment met on Monday, September 12, 2011 at 7:40 p.m. Mickey Pore called the meeting to order. Mr. Pore asked for a motion to approve the minutes of August 8, 2011. *Motion made by JP Joyner, Dan McMasters seconded, followed by unanimous consent.*

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

MEMBERS ABSENT: Harold Hart (Chair) and Patty Poe

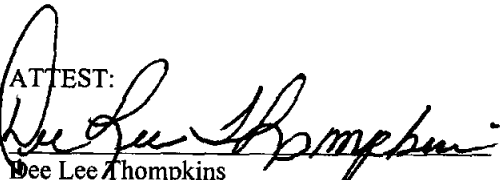
STAFF PRESENT: Joel J. Brower (Town Manager), William C. Morgan (Town Attorney), Jack Meadows (Planning Director), and Dee Lee Thompkins, (Administrative Support Specialist)


VARIANCE – PINEY GROVE CHURCH ROAD – RAUL & CARMEN LUJAN: Mr. Meadows explained that the board had voted to table this item last month and directed staff to find a way for the applicant to not have to pave the vehicle accommodation area. He reported that the ordinance has a parking formula that is based on the number of employees rather than gross floor area. Mr. Lujan's business will have less than 20 employees therefore less than 10 parking spaces will be required. Therefore, Mr. Lujan will be allowed to gravel his vehicle accommodation area except that the entrance must be paved at least 15 feet back from the edge of Piney Grove Church Road. Since the variance was no longer needed the case was closed. Board member Dan McMasters left the meeting.

WORKSHOP: Mr. Meadows directed the board to the Workshop Agenda Notes that was included in their agenda. Mr. Meadows and Mr. Morgan reviewed and explained the role of being a Planning Board and Board of Adjustment (BOA) member. The discussion included attendance, bias, no ex-parte contact, conflict of interest, evidence, testimony, burden of proof, voting, precedent, appeals, and site visits. The planning board acts as an advisory board, can be lobbied, and makes recommendations on rezoning, text amendment, conditional use permit, and conditional use rezoning applications. The BOA is a quasi judicial board, cannot be lobbied, and makes final decision on variance, special use permit, special exception permit, appeal, and zoning map interpretation applications. Mr. Morgan recommended that the chair of the BOA leave the public hearing open until the BOA is ready to make its decision. Mr. Meadows asked the members if there was an item they would like to discuss at a future workshop. Mr. Morgan suggested variances, which is an important reason why the BOA was created.

ADJOURNMENT: With no further business, Mr. Pore asked for a motion to adjourn. *Motion by JP Joyner, seconded by Curtis Brown, followed by unanimous consent.* Adjourned at 8:15 p.m.

ATTEST:


Dee Lee Thompkins
Recording Secretary


Harold Hart
Chair