

TOWN OF SILER CITY BOARD OF ADJUSTMENT

The Siler City Board of Adjustment met in Regular Session on **Monday, September 13, 2021** at 6:30pm in Wren Memorial Library and remote electronic meeting conducted by simultaneous communication via Zoom with Chair Hudson presiding. Alston gave the invocation with the recitation of the Pledge of Allegiance following. Meadows recited the Town of Siler City Mission Statement and Vision Statement.

MEMBERS PRESENT: Albert Alston, Dennis Brooks, Butch Hudson, Linda Kolpack-Martindale, Travis Patterson,

MEMBERS PRESENT REMOTELY: Ann Radcliffe until 6:50

MEMBERS ABSENT: Darrel Andrews, Randy Parks

REMOTE ATTENDEES: Ben Atwater, Laura Brown.

TOWN STAFF PRESENT: Planning Director Jack Meadows, Town Attorney William Morgan & Permit Specialist Justin Bridges.

AGENDA ADJUSTMENTS/APPROVAL OF AGENDA

A motion to move 4 (b) Board of Adjustment Training – Variances to the Planning Board agenda and approve the agenda as presented was made by Kolpack-Martindale, seconded by Alston and unanimously approved.

CONSENT

A motion to approve the consent agenda which includes the August 9, 2021 Minutes was made by Kolpack-Martindale, seconded by Alston and unanimously approved.

NEW BUSINESS

Special Use Permit – 1101 W. Raleigh St. – Child day care within R-20 zoning district
Hudson requested a motion to declare the public hearing open. ***A motion to open the public hearing for Special Use Permit – 1101 W. Raleigh St. – Child day care within R-20 zoning district – was made by Brooks, seconded by Frank, and unanimously approved.***

Meadows read the opening statement.

Meadows stated that since we have seven Board of Adjustment members present; therefore, we have a quorum.

Meadows acknowledged that adjoining property owners received letters, and a sign was posted.

Meadows read the staff findings of the subject case. First United Methodist Church submitted a special use permit application on July 27, 2021 to request a child day care use in the R-20 zoning district. A letter was mailed to the attached list of adjoining or abutting property owners and a public hearing sign was posted near the driveway by Raleigh St.

Hudson asked if there any exparte communication disclosures from Board members. No one had any.

Hudson asked if there were any possible conflicts of interest. There were no conflicts.

Hudson stated that if the Board of Adjustment is interrupted, disturbed, or disrupted, then the Board of Adjustment by majority vote can order the person to leave the room.

Hudson asked all persons who have standing in the subject case and wish to testify please stand. The following came forward:

1. Jack Meadows, 311 N. 2nd Ave., Siler City, NC 27344 (Town staff)

Hudson then administered the following oath:

"Do you solemnly swear or affirm that the testimony and information you are about to give is true and accurate to the best of your knowledge?" Mr. Meadows replied with yes.

Hudson asked the Town of Siler City Planning and Community Development Director to present a summary of the case. Meadows stated that the staff findings for the special use permit application were:

1. Serve 50 children ranging in age from infant to pre-K
2. 10-15 employees
3. Monday through Friday, 8a-6p
4. Obtain approval from NC Division of Child Development, Chatham County Environmental Health, and Chatham County Central Permit and Inspections
5. No new buildings or land disturbance are proposed
6. The subject property is:
 - a. Identified as 1101 W. Raleigh St. and parcel #73037
 - b. Owned by First United Methodist Church
 - c. Located within the R-20 zoning district
 - d. Currently used as a church
 - e. Recommended low density residential development on the future land use map
 - f. Located within the Town's corporate limits
7. The adjoining or abutting land uses are: multifamily residential, single family residential, church, vacant, forestry, Town park
8. The adjoining or abutting zoning districts are R-20, R-10, and R-6
9. The adjoining or abutting future land use categories are low density residential
10. The land development plan recommends:
 - a. Maintain the integrity of existing neighborhoods
 - b. Promote walkable interconnected neighborhoods
 - c. Preserve the existing density and scale of development in established residential neighborhoods by excluding the introduction of intensive, non-residential land uses into such neighborhoods
11. The Pedestrian Master Plan recommends a multi-use side path along W. Raleigh St. and intersection improvements (ADA compliant curb ramps, high visibility crosswalks, appropriately located stop bars, contiguous sidewalk on all roads) at W. Raleigh St. and W. Elk St.

Meadows stated the staff recommendations:

The application is complete. The proposal meets the development criteria of the Unified Development Ordinance. If the Board grants the application, then Staff recommends the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board, a copy of which is filed in the City Hall; and
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; and
3. Prior to any work applicant shall obtain site plan review and zoning permit approval from Town Staff

A motion to close the public hearing for Special Use Permit – 1101 W. Raleigh St. – Child day care within R-20 zoning district was made by Kolpack-Martindale, seconded by Patterson and unanimously approved.

Hudson stated that the public hearing is now closed.

Hudson directed the Board of Adjustment members to the worksheet.

A motion that the application is complete was made by Brooks, seconded by Alston and unanimously approved. A motion that the application complies with all applicable requirements of the Unified Development Ordinance was made by Frank, seconded by Kolpack-Martindale and unanimously approved. A motion that the application is granted, subject to the following conditions; conditions recommended by Staff was made by Frank, seconded by Alston and unanimously approved. The application was approved.


ADJOURNMENT

With no further business Hudson declared the meeting closed at 6:45 p.m.



Butch Hudson, Chair

ATTEST:



Justin Bridges, Permit Specialist