

## Town of Siler City Planning Board

The Siler City Planning Board met on Monday, April 8, 2013 at 7:16 p.m. Wallace Matthews called the meeting to order.

**MEMBERS PRESENT:** Steve Crotts, Mary B. Harris, Dacia Hayes, JP Joyner, Wallace Matthews (Vice Chair), Dan McMasters and Chris Murchison

**MEMBERS ABSENT:** Curtis Brown and Harold Hart (Chair)

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

**AGENDA ADJUSTMENTS/APPROVAL OF AGENDA:** *Motion made by JP Joyner to approve the agenda, Dan McMasters seconded, followed by unanimous consent.*

**CONSENT AGENDA:** Mr. Matthews asked for motion to approve the consent agenda including the minutes of March 11, 2013. *Motion made by Dan McMasters to approve the consent agenda including the minutes of March 11, 2013, JP Joyner seconded, followed by unanimous consent.*

### **NEW BUSINESS**

#### **UDO Text Amendment – Noncontributing Residential Exemption Permit:**

**Planning Director's Report:** Mr. Meadows reported that the Town of Siler City proposes text amendments to §119 Noncontributing Residential Exemption Permit of the UDO. The amendment affords property owners a procedural remedy for existing nonconforming residential accessory buildings. Mr. Meadows explained that the Town recognizes that property containing nonconforming accessory buildings are currently owned by individuals who acquired such property without knowing of the existing nonconformities and that such owners did not contribute to the establishment of the nonconforming issue(s). A guiding principle of this process is that the burden of proof in establishing eligibility for consideration of this process rests with the property owner/applicant. A Noncontributing Residential Exemption Permit may be issued by the Town if the nonconforming accessory building deviates no greater than twenty-five percent (25%) from the Town's UDO requirements. Mr. Meadows stated that the proposed text amendments are attached. The texts underlined are new. He added that the LDP recommends modifying the development ordinances to be more user friendly where possible.

**Discussion:** Mr. Matthews asked how height could be a violation. Mr. Meadows gave several examples of how property owners could be in violation. With no further discussion, Mr. Matthews directed the board to their worksheet to go through each finding.

#### **Text Amendment Worksheet:**

1. Mr. Matthews read when adopting or rejecting any zoning amendment, the Planning Board shall approve a statement describing whether its action is consistent with the adopted Land Development Plan and any other officially adopted plan this is applicable. *Motion made by Dan McMasters that the amendment is consistent with adopted Land Development Plan and any other officially adopted plan this is applicable, seconded by Dacia Hayes, followed by unanimous consent.*
2. Mr. Matthews asked for a motion to approve or deny the text amendment. *Motion made by Dan McMasters to approve the text amendment to correct manifest error in the zoning ordinance, seconded by JP Joyner, followed by unanimous consent.*

**PLANNING DEPARTMENT ACTIVITY UPDATE:** Mr. Meadows reviewed the planning department activity memo.

**ADJOURNMENT:** With no further business, *motion made by Mary Harris to adjourn at 7:35 p.m., JP Joyner seconded, followed by unanimous consent.*

  
Wallace Matthews, Vice Chair

ATTEST:

  
Dee Lee Thompkins, Recording Secretary