

**Town of Yadkinville  
Board of Adjustment  
Minutes  
May 20, 2013 @ 7:00 P.M.**

**MEMBERS PRESENT:**

Rhyne Dowell  
Mary Driver Reavis  
Dale Wilhelm  
Virgil Dodson  
Kelly Oliver  
H.L. Wooten

**STAFF PRESENT:**

Christopher Ong, Town Manager  
Paul Lowe, Director of Development & Planning

**Meeting Called to Order**

Chairman called the meeting to order at 7:00 P.M., in the Yadkinville Town Hall, and established that a quorum was present to conduct Board business

**Minutes**

Upon a motion by Mr. Dodson and a second by Mr. Wilhelm, the board voted unanimously to approve the minutes from the November 28, 2012 meeting as presented.

**New Business**

Chairman Dowell recognized Mr. Wilhelm as the alternate member permitted to vote on the various hearings. Afterwards, Wayne Dixon, Clerk of Court for Yadkin County, NC, swore in the Chairman and the rest of the Board. Mr. Dixon also swore in Mr. Ong.

**Variance Request**

Mr. Ong introduced Lupton Wood who was seeking a variance to Town Zoning Ordinance 9-3-51, which regulates the number of parking spaces that are required. Mr. Ong provided background on the case stating that Mr. Wood was sent a certified letter after complaints were made regarding the lack of parking spaces provided at the property located at 403 East Main Street. After receiving the letter, Mr. Wood met with Ong and filed an official appeal. Mr. Ong reminded members of the Board of Adjustment that the Findings of Fact should guide their discussion, which is included below:

1) There (are/ are not) practical difficulties or unnecessary hardships in the way of carrying out the strict letter of these regulations. This shall be construed to mean:

*a.* If the property owner complies with the provisions of the ordinance, he can secure no reasonable return from, nor make reasonable use of his property, *b.* The hardship results from the application of the requirements of the ordinance. *c.* The hardship is suffered by the applicant's property. *d.* The hardship is not the result of the applicant's own actions. *e.* The hardship is peculiar to the applicant's property.

The variance (is/ is not) in harmony with the general purpose and intent of this ordinance and preserves its spirit.

- 3) In granting the variance, the public safety and welfare (has/has not) assured and substantial justice has been done.
- 4) That the reasons set forth in the application (justify/does not justify) the granting of a variance and that the variance is the minimum one that will make possible the reasonable use of the land or structure.

After Mr. Ong's introduction-Wood began his appeal to the Board. Mr. Wood stated that he was representing his mother, Pauline Wood. Mr. Wood informed the Board that between twelve and fifteen employees worked at the 1800 sq. ft. facility. Wood said he disagreed with Town Zoning Code 9-3-51, which regulates the number of parking spaces to be provided. He stated that the property bordered the B-3 (Central Business) district, which does not require property owners to provide off street parking. Due to the proximity to the B-3 District, Mr. Wood felt that he should not be obligated to provide parking. (Staff Note: The property owner under the current Zoning Ordinance would have to provide nine (9) paved parking spaces at the site.) Mr. Wood was also concerned with the overall cost of improving the site and installing the needed parking. Wood also cited run off from an enlarged impervious area as being a concern. Wood closed his case by reading to the Board other establishments in Town which lacked the required parking spaces.

No one spoke in opposition to the variance request. After a brief discussion, Mr. Wilhelm had a motion to approve the motion with a second from Mrs. Reavis; the vote to approve the variance was unanimous. Vote: 5/0.

The Board of Adjustment also heard two requests for off premise directional signs. The first applicant, Robert Baldwin, stated that he was seeking a directional sign to help market his Parkview Town Home project on Tennessee Street. Mr. Baldwin informed the Board that the sign would be sixteen (16) square feet and would list the name of the real estate firm marketing the property and other pertinent information. Mr. Dodson asked if Mr. Baldwin owned both properties, why did he need an off premise directional sign. Baldwin stated even though he owns both parcels, each is controlled by separate corporations- necessitating the need for the off premise sign application. (Staff Note: Mr. Baldwin needed to apply for an off premise directional sign permit because the proposed sign would be used to direct traffic from one parcel to another.)

After a brief discussion, Board members asked about the Yadkin Farmers Market sign application- which was the second applicant. Mr. Everette Hartzog, representing the Farmers Market, said that his group wanted to install a directional sign near Hwy 601 to create greater interest in the Market. The Yadkin Farmers Market was required to provide a letter from the property owner agreeing to the placement of the off premise sign on their land. Mr. Hartzog provided the letter as requested. The Farmers Market proposed to place their directional sign on Mr. Baldwin's shopping center property- located at 604 Tennessee Street. This is the same location, address, which Mr. Baldwin proposed to install his own off premise sign to market the Parkview Town Home community. Members then discussed the requests. Concerned with the overall number of signs already occupying the location, the Board resolved to approve a multiunit sign-which the Parkview Town Home Community and the Yadkin Farmers Market would share. Both parties agreed to the arrangement. The proposed sign would be no more than twenty (20) square feet. Mr. Wilhelm made a motion to approve the request with a second from Mrs. Reavis; the vote to approve was unanimous. Vote 5/0.

### Adjournment

With no further businesses, Mr. Wilhelm made a motion to adjourn the meeting with a second from Mr. Oliver. The vote to adjourn was unanimous. The meeting adjourned at 7:50 P.M.

  
Rhyne Dowell, Chairman

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Paul Lowe, Director of Development & Planning

Paul Lowe is no longer with  
the town, CH