



TOWN OF YADKINVILLE

"A TOWN IN PROGRESS"

BOARD OF ADJUSTMENT BOARD

REGULAR MEETING

MONDAY, MARCH 20, 2023

5:30 P.M.

Yadkinville Town Hall

Commissioners Chambers

213 Van Buren Street, Yadkinville, NC 27055

MINUTES

BOARD OF ADJUSTMENT MEMBERS

(PRESENT/ABSENT):

Anna Logan Howe, Chair – Present

Virgil Dodson - Present

R.J. Speaks - Present

Danny Coe – Present

Tony Snow – Present

TOWN OFFICIALS PRESENT:

Mike Koser, Town Manager

Abigaile Pittman, Planning Director

CALL MEETING TO ORDER

Anna Logan Howe, Chair called the meeting to order at 5:30 p.m. and determined that a quorum was present.

1. APPROVAL OF MINUTES

- Approval of the Minutes of October 17, 2022

Virgil Dodson moved to approve the October 17, 2022 Minutes. Tony Snow seconded the motion, and the motion passed unanimously by a vote of 5-0.

2. NEW BUSINESS

- Minor Special Use Permit (mSUP) 23-1
NGB Enterprises, Inc. dba Crystal Self Storage #1 is requesting a Minor Special Use Permit for a new self-storage building at 232 N. Lee Avenue, in a Highway Business (HB) zoning district. The property is further identified as Parcel 130312 and comprises approximately 4.6 acres.

Planning Director Abigaile Pittman introduced the request by NGB Enterprises, Inc. to add one new 34-unit self-storage building to their existing three buildings with 84 units. The new total for the site would be 118 units.

Planning Director Pittman reviewed the criteria in support of the request:

- Self-storage units are at or near capacity in Yadkin County and would be desirable and essential to area residents.
- The self-storage facility is a very low traffic business. The project will not require a change to the NCDOT right-of-way along N. Lee Ave. and will be able to use the existing driveway, which would remain adequate to accommodate the proposed addition.
- Tenants generally do not require parking other than loading and unloading directly in front of their units.
- Noise levels are also low and there is no reason to expect that they would increase.
- The proposed building will match the existing three buildings in construction, color, and appearance, and thus meets the requirements of the Ordinance.
- No additional water or sewer connections will be required. Trash from the site is transported to the landfill when required.
- Existing lighting on the site is good and sufficient for safety concerns.
- Existing signage for the complex will not change.
- Existing vegetation fronting N. Lee Avenue will be preserved as a landscaping yard and will continue to be utilized as a landscaping buffer to the street. Existing vegetation in the rear of the property will be preserved as a landscaping yard and will continue to be utilized as a landscaping buffer to the adjacent properties. There is approximately 400-535 feet, densely wooded between the self-storage buildings and the nearest houses on Beech St. to the south.
- The applicant will utilize the existing drainage plan and on-site pond previously approved by DEHR in 1996.
- For reference, the applicant has provided staff with a copy of the original 1996 site plan and zoning permit for the site, which has expired. The original 1996 site plan does include the proposed new building.
- The applicant has also provided a copy of the original approved 1996 Grading, Erosion Control & Utility Plan, and the original 1996 DEHNR erosion control and sedimentation plan including the sediment pond at the rear of the property, which was sized for the ultimate full build-out of the site, including the requested new storage building and three additional potential future buildings shown on the original 1996 site plan.

Planning Director Pittman explained the quasi-judicial nature of the request. She state that every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record to establish facts of the case. The evidentiary hearing must have testimony under oath and must allow parties with standing to participate fully in the evidentiary hearing, including presenting evidence, cross-examining witnesses, objecting to evidence, and making legal arguments; and may allow non-parties to present competent, material, and substantial evidence that is not repetitive. Each quasi-judicial decision shall be reduced to writing and reflect the Board's determination of contested facts and

their application to the applicable standards. The written decision shall be signed by the chair or other duly authorized member of the Board. A quasi-judicial decision is effective upon filing the written decision with the clerk to the Board or such other office or official as the ordinance specifies.

Planning Director Pittman recommended that the Board of Adjustment approve the subject request for a Minor Special Use Permit.

RJ Speaks made a motion to close the public hearing and the motion was seconded by Virgil Dodson. The motion passed by a vote of 5-0.

Following review of the Minor Special Use Permit, Virgil Dodson made a motion that the Board of Adjustment approve the request for a Minor Special Use Permit for a new self-storage building at 232 N. Lee Avenue, in a Highway Business (HB) zoning district based on the following findings of fact:

1. The use will not materially endanger the public health or safety, if located where proposed according to the plan submitted and approved. The proposed new self-storage building would be located on a level area of land previously planned for this future building. Also, minor new asphalt paving would be required, and the site has a large stormwater quality pond at the rear of the site, which was approved by the NC Department of Environmental Quality.
2. The use complies with all required standards, conditions and specifications of this Ordinance.
3. The use will not substantially injure the value of adjoining or abutting property; and additional self-storage space is in public demand and thus a necessity.
4. The location and character of the minor special use, developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
5. The location and character of the special use, if developed according to the plan as submitted and approved, will be in general conformity with the Comprehensive Plan and other adopted plans and policy guidance.

The motion was seconded by Danny Coe and unanimously approved by a vote of 5-0.

3. UPDATES

Planning Director Pittman provided an update on Zoning Test Amendment (ZTA) 2022-03, Ordinance 2023-02, a request to amend the sign standards of the Development Ordinance regarding clarifying signs exempt from the requirements, removal of signs in the right-of-way, and signage for a nonconforming use, as well as sign variances. She stated that this request was unanimously approved by the Board of Commissioners at its March 6, 2023 meeting.

4. OTHER BUSINESS

Planning Director Pittman informed the Board members that Danny Coe had been reappointed to the Planning Board and Board of Adjustment for a 3-year term ending in March, 2025; and there are two Board vacancies that need to be filled (Mary Reavis' and Rhyne Dowell's)

5. ADJOURNMENT – The next regularly scheduled Board of Adjustment meeting is April 17, 2023.

RJ Speaks made a motion for the Board of Adjustment to adjourn. Tony Snow seconded the motion and the motion passed unanimously by a vote of 5-0.



Anna Logan Howe, Chair



Date