



TOWN OF YADKINVILLE
BOARD OF ADJUSTMENT
MONTHLY MEETING MINUTES
JANUARY 28, 2019
6:00 P.M.

TOWN HALL – COMMISSIONERS CHAMBERS
213 VAN BUREN STREET, YADKINVILLE NC 27055

BOARD OF ADJUSTMENT MEMBERS

(PRESENT/ABSENT):

Steve Brown – Chair
Virgil Dodson
Anna Howe
Mary Reavis
Tony Snow
R. J. Speaks - ABSENT
Chip Thomas- Vice Chair

TOWN OFFICIALS

PRESENT:

Perry Williams – Town Manager
Shelia Weathers – Town Clerk
Nick Smith – Town Planner

Quorum is met – Meeting proceeded

1. MEETING CALLED TO ORDER

Mr. Steve Brown called the meeting to order at 5:33 p.m. and established that a quorum was present to conduct board business.

2. SWEARING IN NEW BOARD OF ADJUSTMENT MEMBERS

Town Manager Perry Williams discussed the relationship between the Planning Board and the Board of Adjustment. Town Clerk Shelia Weathers recited the oath of office to the members of the Board of Adjustment. At 5:34 pm, the members of the Board of Adjustment were sworn into their roles.

3. RECESS

At 5:36 pm, the Board of Adjustment went into recess.

4. END OF RECESS

At 6:06 pm, the Board of Adjustment reconvened.

5. ELECTION OF BOARD CHAIR AND BOARD VICE CHAIR

Virgil Dodson moved to appoint Steve Brown as Chair of the Board of Adjustment. The motion was seconded by Mary Reavis. After some discussion and no additional nominations, the Board of Adjustment voted unanimously to appoint Steve Brown as Chair of the Board of Adjustment.

Vote: 6/0

Chair Steve Brown asked for nominations for Vice-Chair of the Board of Adjustment. Mary Reavis moved to appoint Chip Thomas as Vice-Chair of the Board of Adjustment. The motion was seconded by Virgil Dodson. After some discussion and no additional nominations, the Board of Adjustment voted unanimously to appoint Chip Thomas as Vice-Chair of the Board of Adjustment.

Vote:6/0

6. APPROVAL OF MINUTES

Virgil Dodson moved to approve the June 18, 2018 Board of Adjustment meeting minutes. Tony Snow seconded the motion and the motion passed unanimously.

Vote: 6/0

7. NEW BUSINESS

Chair Steve Brown asked for a motion setting the 2019 public meeting dates for the Board of Adjustment. Mary Reavis moved to set the 2019 public meeting dates for the Board of Adjustment. Tony Snow seconded the motion and the motion passed unanimously.

Vote: 6/0

Chair Steve Brown swore in Town Planner Nick Smith, Mr. Robert Baldwin, and Mr. Calvin Carter. Mr. Smith gave an overview of the Conditional Use Permit (CUP-2019-01) request made by Robert Baldwin, to increase the number of dwelling units allowed by CUP-2009-01 from 12 units to 14 units. The development is located on Parkview Drive, with the original parcel having a PIN of 5817-03-3942. Mr. Smith detailed the timeline for the Parkview Drive development. In 2009, Mr. Baldwin applied for a conditional use permit to build a Planned Unit Development, which requires a conditional use permit for properties in Zoning District R-10. The original Conditional Use Permit, approved by the Board of Adjustment on November 30, 2009, gave Mr. Baldwin permission to build 16 units. In 2014, Mr. Baldwin applied for another conditional use permit, CUP-2014-01. CUP-2014-01 sought to reduce the number of approved units from 16 to 12, as well as convert some attached dwelling units into single-family dwellings. The Board of Adjustment approved CUP-2014-01 on June 30, 2014. On November 29, 2018, Mr. Baldwin applied for another conditional use permit, CUP-2019-01, to increase the number of allowed dwelling units from 12 units to 14 units.

Mr. Baldwin provided additional details on the background of the situation. Mr. Baldwin stated that the original conditional use permit that was approved in 2009 approved a site plan that had 8 building pads with 16 dwelling units on them, with 2 dwelling units on each building pad. The change in the economy because of the Great Recession necessitated a change in plans for the development. CUP-2014-01 approved 12 units, with the units being a mix of single-family dwellings and attached housing.

Mr. Carter brought an additional situation before the Board of Adjustment regarding the Parkview Drive development. Mr. Carter stated that there was no clear boundary between the Parkview Drive development and the neighboring church. Mr. Baldwin stated that he and his surveyor were working on fixing the issue, and that they would be contacting Mr. Carter in the coming days. Mr. Baldwin stated that the boundary issue is separate from the conditional use permit issues. Mr. Carter replied saying he wants some guarantees on the deeds for his property. Mr. Baldwin stated that his surveyor is working on registering the deed in the coming days. Mr.

Carter also brought up how people are having to use the town park's parking lot to attend church because of the space taken up by the Parkview Drive development. Mr. Virgil Dodson asked if Mr. Baldwin and Mr. Carter were in agreement on trying to solve these issues outside of the Board of Adjustment public meeting. Mr. Baldwin and Mr. Carter both said yes.

Mr. Smith read off an email from a person who is under contract to purchase either the 13th or 14th unit Mr. Baldwin is seeking approval to build. Mrs. Pat Edmonds sent an email to Mr. Smith at 4:00 pm on January 29, 2019. The email statement detailed Mrs. Edmonds background and her hope that the Board of Adjustment would approve the conditional use permit applied for by Mr. Baldwin.

Mr. Smith stated the four findings of fact that the Board needed to evoke when making a decision regarding the request. Vice-Chair Chip Thomas made a motion to approve the finding of the facts for CUP-2019-01. Mr. Tony Snow seconded that motion and the motion passed unanimously.

Vote: 6/0

Mr. Virgil Dodson made a motion to approve the Conditional Use Permit (CUP-2019-01), noting that approval would grant permission for the two additional units as requested in the application. Mr. Tony Snow seconded the motion and the motion passed unanimously.

Vote: 6/0

4. OTHER BUSINESS

There was no other business to discuss.

5. ADJOURNMENT

With no further business, Mr. Virgil Dodson moved to adjourn. The motion was seconded by Tony Snow and the motion passed unanimously. The Board adjourned at approximately 6:22 p.m.

Vote: 6/0



Steve Brown
Chair



Nick Smith
Planning Director

