

BOARD OF ADJUSTMENT MINUTES
Regular Meeting
Stanly County Commons Meeting Room
September 9, 2008

Call to Order

Chairman Steve Watson called the Board meeting to order at 7:30 p.m. on Tuesday, September 9, 2008, at Stanly County Commons.

Roll Call

Board Members Presiding

Steve Watson, Chairman
Grover Stewart, Vice Chairman
Cathy Bennett
Dr. John Eckman
Todd Swaringen
Andrew Eades

Absent

Alternate Courtney Hildreth absent.

Staff Attending

Linda Evans, Planner II, Clerk to the Board

Others Present: List filed with September 9, 2008 minutes.

Approval of Minutes

Chairman Watson asked if there were any corrections to the minutes of August 19, 2008. Hearing none, Chairman Watson stated that he had spoken with the clerk and asked her to amend the Other Business section to clarify the statements concerning selection of a committee to study the zoning amendment currently before the Planning Board. He then had the clerk read the amended Other Business section.

After this reading, Chairman Watson asked for a motion to approve the minutes of August 19, 2008, as amended.

Motion: Todd Swaringen made a Motion to approve the minutes of August 19, 2008, as amended.

Second: Grover Stewart seconded the motion.

Action: The Board voted unanimously to approve the minutes of August 19, 2008, as amended.

Chairman Watson announced that it is required by law that each person speaking at this public hearing be sworn in and requested that everyone who intends to speak stand and be sworn in. Scott Welker and Linda Evans stood and were sworn in by the Chairman.

Chairman Watson called the first case and asked the Clerk, Linda Evans, to present the case: ZV 08-06 Scott C. Welker is requesting a variance to allow him to increase the size of his residence so that it extends to ten (10) feet from the southern property line and fourteen (14) feet from the northern property line. Property is zoned R-20 and is located at 17182 Randalls Ferry Road.

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Chairman Watson called on the applicant to come forward and present his case to the Board.

Scott Welker stated that he purchased the property in January, 2007, and has recently made this his permanent residence. He has a family of five and desperately needs more room.

Grover Stewart asked Mr. Welker how many square feet the existing residence has. Mr. Welker replied 1350 square feet.

Chairman Watson stated that he assumes from the drawing that adding a second story is not an option and Mr. Welker replied that is correct.

Grover Stewart asked Mr. Welker if he is currently living in the home and Mr. Welker replied yes.

Cathy Bennett asked Mr. Welker if he plans to add to the existing structure or remove it and rebuild. Mr. Welker stated that he will be adding to the existing structure.

Grover Stewart asked Mr. Welker if he has been approved for a septic system for the addition and Mr. Welker replied yes.

Chairman Watson called on anyone else who would like to speak in favor of this case. No one came forward.

Chairman Watson called on anyone wanting to speak against this case to come forward. No one came forward.

Chairman Watson stated that, if there were no other questions, he would have the Secretary read the findings of fact. The Secretary read and the Board found each fact as follows:

That applicant cannot secure a reasonable return from this property without the variance.

Motion: Grover Stewart made a motion to find this fact true based on the fact that this is a sub-sized lot that is legally buildable because it was created prior to the adoption of the zoning ordinance and that the existing structure's size is not suitable to meet applicant's needs.

Second: Andrew Eades seconded the motion.

Action: The Board voted unanimously to approve the motion.

That a hardship exists resulting from unique circumstances related to applicant's land.

Motion: Andrew Eades made a motion to find this fact true based on the fact that the lot does not provide enough space to construct an addition to the existing residence of adequate size without the variance.

Second: Dr. Eckman seconded the motion.

Action: The Board voted unanimously to approve the motion.

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That the existing hardship is not the result of applicant's own actions.

Motion: Steve Watson made a motion to find this fact true based on the fact that a minimum lot size was not required when this lot was created and has passed on to current owner as originally platted, without a reduction in size.

Second: Cathy Bennett seconded the motion.

Action: The Board voted unanimously to approve the motion.

That, if granted, the variance will be in harmony with the general purpose and intent of the ordinance and will preserve its spirit.

Motion: Grover Stewart made a motion to find this fact true based on the fact this variance will not substantially detract from the neighborhood and this request is the least possible deviation from the ordinance. No evidence was given at the public hearing to disprove this fact.

Second: Andrew Eades seconded the motion.

Action: The Board voted unanimously to approve the motion.

That, if granted, the variance will secure the public safety and welfare and will do substantial justice.

Motion: Steve Watson made a motion to find this fact true based on the fact that the benefit to the applicant will outweigh the harm to the public and no evidence was given at the public hearing to disprove this fact.

Second: Todd Swaringen seconded the motion.

Action: The Board voted unanimously to approve the motion.

Chairman Stephen Watson called for a motion to either grant or deny the Variance for ZV 08-06.

Motion: Grover Stewart made a motion to grant the Variance ZV 08-06 as requested based on the foregoing findings of fact.

Second: Andrew Eades seconded the motion.

Action: The Board voted unanimously to approve the motion.

Chairman Watson called for a motion to adjourn. Andrew Eades made a motion to adjourn. Cathy Bennett seconded the motion and Chairman Watson declared the meeting adjourned at 8:00 P.M.

Date

E. Stephen Watson, Chairman

Date

Clerk to the Board