

Minutes
Unified Land Management
Board of Appeals
May 24, 2005
4:30 p.m.

Members Present

Gerald Lawson, Chairman
Ray Morris
Gerry Noe
Craig Sims
Kyle Atkins
Roy Pinckney

Members Absent

Ronnie Culbreth
Kerry O'Brien
Jackie Moss

Staff Present

Joan Holliday
Billy Smith
Laurie Horton
Albert Lee
Savannah Sabo
(Transcriptionist from Freelance)

1. Call To Order

Gerald Lawson, Chairman, called the meeting to order.

2. Approval of Minutes of April 26, 2005

Kyle Atkins made a motion to approve the April 26, 2005 minutes. Craig Sims seconded the motion. The vote carried unanimously.

3. Old Business

None

Sandra M. Hansen – Laurie Horton, Land Use Inspector, was sworn in and read the findings of fact to the Board:

Dr. & Mrs. Hansen would like to place a second residence on the property with their home at 1300 Shaw Road, Woodruff. They are asking to build a

second house that will be handicap accessible on the 64-acre parcel. They do not want to tear down the 1914 farmhouse. They do not have road frontage to meet the requirements of the Unified Land Management Ordinance. The property is accessed by way of easement.

According to the ULMO, Section 2.02-6 Number of Principal Buildings on a Lot, two residential dwelling units may be established on the same parcel “provided the dimensional requirements on Table 3 are met for both dwellings as if they were established on separate lots . . .”

The Hansens do not have road frontage and a single-family residence is located on the property. A variance in road frontage will be required in order to meet Table 3. All other requirements of Table 3 can be met.

Dr. Hansen was sworn in and stated

Sto’ & Go Storage – Laurie Horton, Land Use Inspector, was sworn in and read the findings of fact to the Board:

Michael Foster of Foster Enterprises, owner of the property located at 2605 Boiling Springs Road, has been approved for mini warehouses at this location. He is proposing to expand the number of units on this site and is requesting a variance from the Unified Land Management Ordinance Section 2.02-1 Dimensional Standards Table 3 rear setbacks and also Section 2.02-2 Buffer yards.

Mr. Foster is requesting to reduce the setback on the rear from 20 feet to 5 feet. He is requesting a 15-foot variance.

The Unified Land Management Ordinance requires a Class 4d buffer along the rear property line between proposed site, medium intensity and all other residential property. Mr. Foster is requesting to reduce this buffer to a Class 1d buffer, which will be a five-foot wide strip with 8-foot wooden fence instead of a 6-foot wooden fence.

Michael Foster was sworn in and presented to the Board a notarized statement of a neighbor who was not opposed to the variance. He also stated that all the adjoining property owners were commercial property. This variance would not affect the adjoining properties. They are requesting a variance for an 8-foot wooden fence

instead of an 8-foot block wall. This may be a temporary situation and an 8-foot wooden wall would better suite the property. They intend to eventually sell the property.

Gerald Lawson closed the Public Hearing.

The Board members looked over the plat of the property.

Craig Sims stated that the Sto' & Go Storage did meet the four criteria for granting a variance.

Carolina Family Dentistry – Laurie Horton, Land Use Inspector, was sworn in and read the findings of fact to the Board:

Dr. Brian D. Ray, owner of the property located at 1256 Boiling Springs Road, is proposing to add on to his existing dentist office that is 10 feet off of the side property line. He would like for the addition to continue in line with the existing building.

Dr. Ray is requesting a variance from the Unified Land Management Ordinance Section 2.02-1 Dimensional Standards Table 3 side setbacks he is requesting to reduce the setback on the side from 15 feet to 10 feet. He is requesting a 5-foot variance.

Dr. Ray has authorized Piedmont Construction to represent him before the board in this matter.

Souther Properties- Laurie Horton, Land Use Inspector, was sworn in and read the findings of fact to the Board:

George Souther, owner of the property located in the triangle at 10940 Asheville Highway, is proposing to place a three tenant building on the property. Three roads surround the property.

Mr. Souther is requesting a variance from the Unified Land Management Ordinance Section 2.02-1 Dimensional Standards Table 3 front setbacks. Due to its location, the property has three front setbacks, one on an arterial (Asheville Highway) and two on collectors (the split of East Main Street).

East Main Street is a collector street, which requires a 40-foot setback. Mr. Souther is requesting to reduce the setback on East Main Street from 40 feet to 10 feet.

The Tire Shop – Albert Lee, Land Use Inspector, was sworn in and read the findings of fact to the Board:

Mr. Bobby Crisp is the owner of the Tire Shop and property located at 740 Carolina Drive Extension, Roebuck. Mr. Crisp is requesting a variance from the Unified Land Management Ordinance Section 2-02.02 Bufferyards. The Tire Shop has been operating for at least two years without a development permit. A building permit was issued on January 1999 for a 750' garage. The garage has been expanded twice.

On the adjoining left side of the property is a single-family residence. The property line between Mr. Crisp's and the adjoining property is the center of a creek. There is an embankment of approximately a 7-foot fall on Mr. Crisp's side.

The use of this property as stated in the Unified Land Management Ordinance is classified as High Intensity and calls for a Class 5 bufferyard, which is a 50-foot wide strip. Mr. Crisp's building(on the left side) is approximately 30 feet from the center of the creek and would be encroaching into the 50-foot bufferyard.

Mr. Crisp is requesting a variance from the Class 5 bufferyard to a class not in the ordinance. He is requesting that the Board allow him to place an 8-foot wooden privacy fence along the embankment instead of the Class 5 buffer.

4. Adjourn

There being no other business, Craig Sims made a motion to adjourn and Gerry Noe seconded the motion. The vote carried unanimously.

The meeting adjourned at 5:41 p.m.