

May 9, 2011

The Union County Board of Adjustment met in regular session on Monday, May 9, 2011 at 7:00 p.m. in the Union County Government Center, 1st Floor Board Room, 500 N. Main Street, with Chairman Bill McGuirt presiding.

BOARD MEMBERS PRESENT: Chairman Bill McGuirt, Vice-Chairman Darren Greene, Mark Tilley, Louis Philippi and Neil Forrest

BOARD MEMBERS ABSENT: Rick Davis

ALSO PRESENT: Richard Lee Jenson, Land Use Administrator and Bill Sturges, Attorney for the Board

Chairman Bill McGuirt called the meeting to order at 7:00 p.m.

PUBLIC HEARING

- A. "Special Use 2011-002" – James Douglas Kiker requesting a "Special Use" under Section 54 and Section 147 of the Union County Land Ordinance to operate a banquet hall facility/food catering facility to also be used for receptions, reunions or birthday parties. Located at 7188 Santa Claus Road, being on Tax Map 08-002-001; presently zoned RA-40.

Chairman Bill McGuirt asked for Lee Jenson to come forward and be sworn in.

Chairman Bill McGuirt asked if the petition submitted was complete. Mr. Jenson stated the petition was complete.

Chairman Bill McGuirt asked if any Board member had a conflict with this agenda item. No one came forward.

Lee Jenson came forward and presented staff analysis.

PRE-HEARING STAFF ANALYSIS

Special Use Petition No. 2011-002

Property Owner: James Douglas & Terry L Rushing

Petitioner: James Douglas Kiker

Location: 7188 Santa Claus Rd.

Request: Grant request to operate a banquet hall and food catering facility.

Summary

This petition seeks approval to operate a banquet hall and food catering facility. After reviewing the proposed use it is determined that the use most closely matches and has similar impacts to a Food Catering Facility as defined in the Union County Land Use Ordinance. When an unlisted use is proposed and under, Section 149(a), the unlisted use has similar impacts to a listed use the unlisted use may be permitted in the same manner as the listed use.

Existing Zoning

North

The area to the north is zoned RA-40.

East

The area to the east is located in Stanly County.

South

The area to the south is zoned RA-40.

West

The area to the west is zoned RA-40.

Subject Property

The petitioned property is currently zoned RA-40.

Existing Land Use

North

The area to the north consists of low residential development and farmland.

East

The area to the east consists of low density residential development and farmland.

South

The area to the south consists of low density residential development and farmland.

West

The area to the west consists of low density residential development and farmland.

Subject Property

The subject property is currently used as farmland.

Proposed Land Use

The 2025 Land Use Plan calls for this area to develop as low density residential 0-1 dwelling units per acre and farmland.

Chairman Bill McGuirt asked if there was anyone present wishing to continue this to the next scheduled board meeting. No one came forward.

Chairman Bill McGuirt asked everyone presenting evidence to come forward and be sworn in.

Douglas Kiker came forward and was sworn in.

Mr. Kiker came forward and stated that the property is adjoined to all family property. He stated that they wanted to do a banquet hall facility. To be used for birthday parties, etc. He stated they have been in compliance with the Fire Marshal's office, Environmental Health and Building Inspections.

Mr. Kiker stated that they had the amount of parking that is required.

Lee Jenson said they were allowed to have a band at the facility as long it was for a private function.

After discussions and deliberations were made by The Board, Vice-Chairman Darren Greene made a motion to approve the petition with the following amendment, seconded by Mark Tilley. Motion passed unanimously.

1. Use of banquet hall and food catering facility limited to 2 story frame building and its immediate surrounding vicinity as shown on the approved site plan..

There being no further business to come before the Board at this time, the public hearing was adjourned at 7:45 p.m.

Respectfully submitted,

Susan R. Calkins
Secretary to Board of Adjustment