

April 14, 2014

The Union County Board of Adjustment met in regular session on April 14, 2012, at 7:00 p.m. in the Union County Government Center, 1st Floor Board Room, 500 N. Main Street, with Chairman Darren Greene presiding.

BOARD MEMBERS PRESENT: Darren Greene, Chairman  
Mark Tilley, Vice Chairman  
Rick Davis  
Louis Philippi  
Jennifer Stewart

ALTERNATES PRESENT: Doug Hutton

ALSO PRESENT: Richard Lee Jenson, Land Use Administrator  
Bill Sturges, Board Attorney  
Susan Calkins, Secretary to the Board

Chairman Darren Greene called the meeting to order at 7:00 p.m. He announced that a quorum was present.

Mr. Tilley made a motion, seconded by Mr. Davis, that the minutes of the December 9, 2013 meeting be approved as written; motion carried.

It was announced that Items A and B on the agenda were not ready for hearing.

**PUBLIC HEARING:**

"Special Use 2014-002" - Monroe Child Care Development Center requesting a "Special Use" under Section 54 and Appendix I of the Union County Land Use Ordinance to allow the use of a portion of the building as a day care center associated with a church. Located at Secrest Shortcut Road, being on Tax Map 09-213-029; presenting zoned RA-40.

Chairman Greene asked if any board member had a conflict of interest with this agenda item. It was determined there were none.

Lee Jenson was sworn.

Chairman Greene asked Mr. Jenson if the petition was complete. Mr. Jenson stated that the petition was complete.

Mr. Tilley moved that the petition be heard; seconded by Mr. Phillippi; motion carried.

There was no request for continuance.

Mr. Jenson presented the following staff analysis:

**Property Owner:** Monroe New Life Church of God

**Petitioner:** Monroe Child Care Development Center

**Location:** 3210 Secrest Shortcut Rd.

**Request:** To operate a portion of the building as a Day Care Center.

**Summary**

This petition seeks approval to operate a portion of the building as a Day Care Center.

**Existing Zoning**

North

The area to the north is zoned RA-40.

East

The area immediately to the east is zoned RA-40. Further south is the Monroe city limits. The area inside Monroe is zoned R-20, which is consistent with the County's R-20 zoning district.

South

The area immediately to the south is inside the Monroe city limits. The area inside Monroe is zoned R-20, which is consistent with the County's R-20 zoning district.

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 density residential development and agricultural uses.

East

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

South

The area to the south consists of low to medium density residential development and agricultural uses.

West

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

Subject Property

The subject property is currently a church.

**Proposed Land Use**

The Union County, North Carolina 2025 Comprehensive Plan calls for this area to develop as Low Density Residential, 0-1 Dwelling Units per acre.

Mr. Jenson answered questions posed to him by the Members.

Chairman Greene invited witnesses in favor of the petition to be sworn.

Virginia Iris, having first been duly sworn, testified as follows:

Ms. Iris gave an overview of the application and stated she had been licensed for day care for 42 children; and that the day care is operated as part of the church's ministry.

Ms. Iris answered questions posed by the Members. She stated that the property was owned by the Church of God.

There was no further evidence on behalf of the applicant.

Chairman Greene invited witnesses in opposition of the petition to come forward and be sworn. There were none.

Chairman Greene closed the public hearing and the Board deliberated.

Mr. Tilley made a motion and Mr. Davis seconded that the petition be approved. The motion carried.

Chairman Greene opened the Public Hearing for Agenda Items # E and F.

Public Hearing:

"Special Use 2013-003" - Immanuel Church requesting a "Special Use" under Section 54 and Appendix I of the Union County Land Use Ordinance to allow the use of a portion of the building as a day care center associated with a church. Located at 6010 Mill Grove Road, being on Tax Map 07-060-902-06; presently zoned RA-40.

Chairman Greene asked if any board member had a conflict of interest with this agenda item. It was determined there were none.

Lee Jenson was sworn.

Chairman Greene asked Mr. Jenson if the petition was complete. Mr. Jenson stated that the petition was complete.

Mr. Tilley moved that the petition be heard; seconded by Ms. Stewart; motion carried.

There was no request for continuance.

Mr. Jenson presented the following staff analysis:

**Property Owner:** Craig Avenue Tabernacle Associate Reformed Presbyterian Church

**Petitioner:** Immanuel Church

**Location:** 6010 Mill Grove Rd.

**Request:** To operate a portion of the building as a Day Care Center.

**Summary**

This petition seeks approval to operate a portion of the building as a Day Care Center.

**Existing Zoning**

North

The area to the north is zoned RA-40 and is located inside the Town of Indian Trail.

East

The area immediately to the east is zoned RA-40 and B-4. Further to the east is the Town of Indian Trail.

South

The area to the south is zoned RA-40 and B-4.

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 medium density residential development.

East

The area to the east consists of low to medium density residential development and commercial development around the intersection of Mill Grove Rd., Idlewild Rd., and Indian Trail Fairview Rd.

South

The area to the south consists of low to medium density residential development and agricultural uses and some commercial uses along Indian Trail Fairview Rd.

West

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

Subject Property

The subject property is currently a church.

**Proposed Land Use**

The Union County, North Carolina 2025 Comprehensive Plan calls for this area to develop as Low Density Residential, 0-1 Dwelling Units per acre.

Mr. Jenson answered questions posed to him by the Members.

Chairman Greene invited witnesses in favor of the petition to be sworn.

Don Hall, having first been duly sworn, testified as follows:

Mr. Hall explained the ownership history of the church and stated he has a lease on the church building; will furnish ownership information. He stated there are 23 children in day care in the 1st shift and 23 in the second shift. They operate from 6:00 a.m. to midnight.

Mr. Hall answered questions posed by the Members.

There was no further evidence on behalf of the applicants.

Chairman Greene invited witnesses in opposition of the petition to come forward and be sworn. There were none.

Chairman Greene closed the public hearing and the Board deliberated.

Mr. Phillipi made a motion to approve the application as submitted; seconded by Mr. Tilley. The motion carried.

The meeting adjourned at 8:30.

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