

# Town Of Oakboro

Board of Commissioners

Minutes

Public Hearing

October 4, 2016

7:00 PM

Mayor Burgess called the Public Hearing to order. We are here, tonight, to discuss three items; (1) a Text Amendment to amend Appendix I to add "Recreational and Entertainment Activities" as a Conditional Use in the R-A zoning District. (2) Text amendment to delete "Dwelling, Multi-Family" from the R-9 Zoning District in Appendix I and create a New "R9-M" zoning district and insert the use "Dwelling, Multi-Family" as a "CD" in the Table of Permitted Uses. All other uses listed in the R-9 to be copied to the new R9-M district. (3) Amendment to rezone the official zoning map, Tax Record Numbers 10447 and 6675 from R-20 to R-A. The property located is in an area of other R-A zoned property and is in accordance with the General Land Use Plan for Oakboro. This is in reference to the property on Eighth Street/McCoy's Creek Circle in Oakboro.

Mayor Burgess asked if anyone would like to respond either for or against this Text Amendment change. Ms. Tamara Hahn asked what this would be concerning? Chris Wiley, potential buyer for said property, addressed the public. He and his wife are looking to build a wedding venue/blueberry farm. They've been looking for the perfect property for over 2 years. They found the property in Oakboro and fell in love with it. They live in Union County, not far from Oakboro. They feel that it will bring revenue to Oakboro as well as people. They want to build a structure that is totally enclosed; heated and cooled. This would cut down on noise. They will put in a commercial driveway. They want to build a "craftsman" style building with cedar beams and shakes. It will be beautifully landscaped. Mr. Wiley showed pictures of his own home, stating that the venue would be built in the same style. Mrs. Hahn stated that she would be worried about the noise since her mom's property is directly across the road and would like the neighborhood to stay quiet. Mr. Wiley stated that he purposely would put up an enclosed building to keep noise down and he has talked with DOT in regards to keeping the driveway down towards the McCoy's circle so the headlights will not be shining into homes at night.

Mr. Gary Hamilton spoke up, stating that he knows something will be done with that piece of property one day and he would rather see this wedding venue/blueberry farm instead of a housing development. His only issue would be the noise.

Michael Sandy with Albemarle Planning encouraged the Mayor to go ahead and discuss the land use part of this so we could get sworn testimony from participants and the Board of Commissioners can hear that.

Mayor Burgess asked Mr. Sandy to describe the “conditional use” permit. Mr. Sandy stated that the Conditional Use process is what the State considers as Quasi-judicial; similar to a Board of Adjustments. We can take sworn testimony by officials and people with firsthand knowledge of the property. It’s an agreement between the property owner and the town.

Mayor Burgess invited anyone that would like to speak on the conditional use permit for that property to please come forward and be sworn in. Several, including Michael Sandy, swore to tell the truth in this matter.

Mr. Sandy asked Chris Wiley to present his ideas before the Board and whatever stipulations he would need on the property.

Mr. Wiley addressed the group, stating he didn’t have blueprints yet because every piece of property would require different blueprints. He says the venue will hold approximately 130 people, and that should work out to be around 33 cars. It would be available for use 7 days a week from 8:00 AM until 11:00 PM, although most weddings won’t last past 10:00 PM. Usually 4:00 PM until 11:00 PM would be times that most weddings would be at the venue. It will be a Craftsman style building with stone, cedar and brick accents. Any and all food will be catered in. They would like to build a covered shelter for anyone that would need to cook something like BBQ. City water and sewer is available. They may drill a well for irrigation. He has owned his own business for over 20 years and he also has a blueberry farm in Union County. It’s a “pick your own” farm and they probably have 4000 lbs. of blueberries every summer.

Mr. Sandy asked Mr. Wiley if he had talked to Department of Health and informed them that he would not be cooking onsite. Mr. Wiley said he had done so. He also asked if he had talked to the DOT for driveway location and if the driveway would be located across from the wooded area. He said he had done so and DOT couldn’t tell him a definite yes but they’re pretty sure that would be the best location for the driveway. Mr. Sandy reminded him that if he opens up, for business, the venue at 7:00 AM instead of 8:00 AM, he would be in violation of zoning. Mr. Sandy also informed him that the county does have a noise ordinance and 11:00 PM cutoff.

Barbara Drye Whitley, present owner of the land, asked to speak. She wanted everyone to know that she is in favor of this. She thinks the beautiful wedding venue and the blueberry farm would be a wonderful addition to the community. She couldn't think of one negative. This property has been in her family for 4 or 5 generations and it took her a very long time to even think about selling it until she found out what it could become.

With no one else wanting to speak, Mayor Burgess declared the Public Hearing closed.

Mayor Burgess reminded everyone that this is a continued meeting, so we can cover anything that we need to. He asked if the Board was ready to take action on the Public Hearing.

Commissioner Huneycutt made the motion for Text Amendment to amend Appendix I to add "Recreational and Entertainment Activities" as a Conditional Use in the R-A zoning District. The motion was seconded by Commissioner Efird and it carried.

Commissioner Efird made the motion to amend Text amendment to delete "Dwelling, Multi-Family" from the R-9 Zoning District in Appendix I and create a New "R9-M" zoning district and insert the use "Dwelling, Multi-Family" as a "CD" in the Table of Permitted Uses. All other uses listed in the R-9 to be copied to the new R9-M district. Commissioner Huneycutt seconded the motion and it carried.

Commissioner Efird made the motion for Amendment to rezone the official zoning map, Tax Record Numbers 10447 and 6675 from R-20 to R-A. The property located is in an area of other R-A zoned property and is in accordance with the General Land Use Plan for Oakboro. The motion was seconded by Commissioner Huneycutt and it carried.

Commissioner Huneycutt made a motion to issue the Conditional Use Permit. Commissioner Broadway seconded it and the motion carried.

Board goes into Closed Session.

No action Taken

**The Board is back in Open Session.**

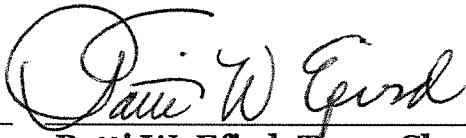
**The Board gives Interim Chief Smith permission to start background checks on three potential officers.**

**Commissioner Efird made a motion to sell the 2003 and 2004 Crown Vic Police Cars. Commissioner Huneycutt seconded the motion and it carried.**

**Mayor Burgess continued the meeting until October 10, 2016 at 6:30 in order to interview 3 applicants for the Chief of Police position.**

**This the 4<sup>th</sup> day of October, 2016.**

  
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**Doug Burgess, Mayor**

  
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**Patti W. Efird, Town Clerk**