

MINUTES
BURKE COUNTY PLANNING BOARD
January 24, 2019

The Burke County Planning Board met on Thursday, January 24, 2019 at 5:30 PM in the Commissioners Meeting Room, located at 110 N. Green Street, Morganton, North Carolina.

MEMBERS PRESENT:

Alan Scholl
Richard Evey
Gary Kling
Nick Newton
William Tunstill

MEMBERS ABSENT:

Bobby Costner

STAFF PRESENT:

Peter Minter, Senior Planner; Jennifer Forney, Planner,

CALL TO ORDER:

Chairman Scholl officially called the Burke County Planning Board to order at 5:30 PM.

APPROVAL OF THE MINUTES:

A motion for approval of the December 6, 2018 minutes, as presented, was made by Richard Evey and was supported by Gary Kling. The Board granted approval by a 5/0 vote.

ELECTION OF OFFICERS:

Office of Chairman: Gary Kling nominated Alan Scholl for Chairman. There were no other nominations. Alan was nominated Chairman by a 5/0 vote.

Office of Vice Chairman: Gary Kling nominated Richard Evey for Vice Chairman. There were no other nominations. Richard was nominated Vice Chairman by a 5/0 vote.

Office of Secretary: Richard Evey nominated Jennifer Forney for Secretary. There were no other nominations. Jennifer was nominated Secretary by a 5/0 vote.

PUBLIC MEETING

ZONING MAP AMENDMENT (ZMA 2019-01) – A REQUEST TO REZONE ONE (1) PARCEL OF LAND CONSISTING OF 0.46 ACRE FROM THE RESIDENTIAL THREE (R-3) ZONING DISTRICT TO THE GENERAL BUSINESS (G-B) ZONING DISTRICT. (PIN# 1785048960), MIKE CIOFFOLETTI, APPLICANT.

Report by Planning Department

The Board was provided with a staff report prior to the meeting. Peter Minter gave an overview of the report at the meeting.

Presentation by Mike Cioffoletti, Applicant

Mr. Cioffoletti began by introducing himself and distributing two letters of indorsement from Matt Gupton and Rex Powell who are residents on Goodman Lake Road. Mr. Cioffoletti stated that he was only trying to get the property back to where it was several years ago. According to Mr. Cioffoletti the property owner past away several years ago and all business had moved out of the

property. The property has been vacant ever since. He maintains that there is still a business use on the property in the form of a billboard. To his knowledge the property has always been used for business and the only residential use was a small apartment located over the business space that the owners of the business lived in. Some of the previous business uses on the property included a convenience store, private club, and a beauty salon. Mr. Cioffoletti says he is only trying to use the buildings for what they were built and intended for.

Public Comment – Open 6:01 pm

Robert Miller, Adjoining Property Owner

Mr. Miller lives at 2942 NC 181. His first job was in the building in question when it was a café and convenience store. Mr. Miller stated that the septic system was subpar and that it would leak on the ground when the business was in operation. Furthermore, he states that he does not consider a billboard as a business use but as an advertisement. According to Mr. Miller this business has been a retail operation for close to twenty years and after the café closed Mr. Spenser used it primarily as junk storage. The smaller building was built for Mr. Miller's mother to run a beauty shop. The other business shown on the map is junk storage owned by Mr. Miller's cousin. Mr. Miller pointed out several structures on the overhead map including his home. He also pointed out a blind hill that has seen countless wrecks over the years and expressed the difficulties that he has getting out of his driveway especially in the summer time. He also pointed out water runoff issues from the property. Mr. Miller feels that with the traffic count that this is a dangerous location for a business and without a traffic light there will be wrecks. Mr. Miller is worried about Mr. Powell's endorsement because, according to him, Mr. Powell runs a commercial business on residential property. Mr. Miller doesn't feel like this rezoning is in his neighborhoods best interest and hopes the Board will give the request further review before making a decision.

Cammy Bollinger, Adjoining Property Owner

Ms. Bollinger owns the yellow house beside the property in question. The property is currently for sale with a potential buyer in mind. Ms. Bollinger says her biggest concern is the safety on Goodman Lake Road and feels a business across the road from Goodman Lake Road would be a hazard for the community. Ms. Bollinger says she has lived there for five years and that it is a very quiet area. She implored the Board to go out and look at the area themselves and not to send a committee.

August March, Adjoining Property Renter

Mr. March moved here in July and rents a house a few blocks away. Mr. March likes Morganton and wants to stay for a long time. He is retired and plans to purchase Ms. Bollinger's house. Mr. March says he will be home most of the day and likes his peace and quiet. He doesn't know what type of business Mr. Cioffoletti is proposing but he is opposed to noise and people coming and going.

David Miller, Adjoining Property Owner

Mr. Miller owns the property across from the subject parcel and he also lives near the parcel. Mr. Miller isn't against a business on the parcel if it isn't a retail business because of the traffic and parking. Mr. Miller stated that he has lived in the surrounding community all his life and the traffic on NC 181 is nowhere near what is used to be. Mr. says, to his understanding, there are still abandoned gas tanks on the property from when it was a convenience store. Mr. Miller isn't opposed to a business if it's the right kind of business.

Public Comment – Closed 6:17 pm

Board Discussion

Following the public meeting the Board discussed the following issues pertaining to the case

- A. Possible commercial uses for the property
- B. Proximity to other nearby general business locations
- C. The departments that would review a general business site plan
- D. How the dirt road adjoining the property is used
- E. The owner's plans for improvements of the property

Board Decision

Following the discussion, the Board reached the following decisions:

- ✎ **Richard Evey made a motion to approve ZMA 2019-01 A request to rezone (1) parcel of land consisting of 0.46 acres from the Residential Three (R-3) Zoning District to the General Business (G-B) Zoning District Mike Cioffoletti, Applicant. He was seconded by Gary Kling. The motion passed with a 3/2 vote with Richard Evey and William Tunstill voting in opposition.**

Chairman Scholl: The next meeting will be February 28, 2019. At this time, I will adjourn this meeting of the Burke County Planning Board.

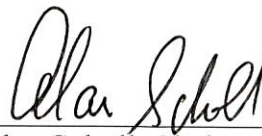
Note: *Verbatim minutes of this meeting are available upon request via recording in the Burke County Planning Office.*

Submitted by:

Jennifer Forney

Jennifer Forney
Planner

Approved this 28th day of March 2019



Alan Scholl, Chairman
Burke County Planning Board



Jennifer H. Forney
Secretary to the Board