

**MINUTES**  
**BURKE COUNTY PLANNING BOARD**  
**March 28, 2019**

The Burke County Planning Board met on Thursday, March 28, 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  
Bobby Costner  
Gary Kling  
William Tunstill

**MEMBERS ABSENT:**

Nick Newton

**STAFF PRESENT:**

Scott Carpenter, Deputy County Manager; Jennifer Forney, Planner

**CALL TO ORDER:**

Chairman Scholl officially called the Burke County Planning Board to order at 5:36 PM.

**APPROVAL OF THE MINUTES:**

A motion for approval of the January 24, 2019 minutes, as presented, was made by Bobby Costner and was supported by Gary Kling. The Board granted approval by a 5/0 vote.

**PUBLIC MEETING**

**ZONING MAP AMENDMENT (ZMA 2019-02) - A REQUEST TO REZONE ONE (1) PARCEL OF LAND CONSISTING OF APPROXIMATELY 8.23 ACRES FROM THE INDUSTRIAL (IND) ZONING DISTRICT TO THE RESIDENTIAL TWO (R-2) ZONING DISTRICT. (PIN# 2762573578) (REID# 19838), RAY WEAVER/ROW PROPERTIES, LLC, APPLICANT.**

**Report by Planning Department**

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

**Presentation by Ray Weaver, Applicant**

Mr. Weaver stated that he has rented out the property for years and that the renter wants to buy the property. According to Mr. Weaver the bank will not give the renter a loan on industrial property. Mr. Weaver said that when he spoke with the County office he was told he would probably have to rezone the property to sell it. Mr. Weaver used to own the adjoining property that had a manufacturing plant, but he sold it. Mr. Weaver does not think the property could support an industrial use because it only has a 10 ft right-of-way. He says there are apartments and a lot of children on Franklin street making it dangerous for an industrial use. The renter only wants to live on the property.

**Public Comment – Open 5:45 pm**

No one was present for public comment.

**Public Comment – Closed 5:46 pm**

## **Board Discussion**

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

- A. Type of access road to the property
- B. Conformity with County Plans
- C. The possibility of expanding structures on the property
- D. Consistency with the Zoning Ordinance

## **Board Decision**

Following the discussion, the Board reached the following decision:

- ⌘ **Richard Evey made a motion to approve ZMA 2019-02 A request to rezone (1) parcel of land consisting of 8.23 acres from the Industrial (IND) Zoning District to the Residential Two (R-2) Zoning District Ray Weaver/RQW Properties, LLC, Applicant based on its consistency with the 2016-2030 Burke County Strategic Land Use Plan. He was seconded by Gary Kling. The motion passed with a 5/0 vote.**

## **PUBLIC MEETING**

**ZONING MAP AMENDMENT (ZMA 2019-03) - A REQUEST TO REZONE ONE (1) PARCEL OF LAND CONSISTING OF APPROXIMATELY 0.50 ACRE FROM THE RESIDENTIAL THREE (R-3) ZONING DISTRICT TO THE GENERAL BUSINESS (G-B) ZONING DISTRICT. (PIN# 1761582298) (REID# 32420), EDWARD ROBINSON/FARKASH FAMILY LIMITED PARTNERSHIP TRUST, APPLICANT.**

## **Report by Planning Department**

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

## **Presentation by Rebecca Sigmon, Representative**

Ms. Sigmon is the manager of the current business located on the property. She began by apologizing for operating an illegal business. She stated that she, the owner, and the land lord wanted to come to some kind of agreement but if an agreement could not be reached, they would understand that. Ms. Sigmon said that the (2) properties on both sides of the subject parcel were vacant.

## **Public Comment – Open 6:05 pm**

### **Pearl Toms, Adjoining property owner:**

Ms. Toms owns a home beside the subject property. According to Ms. Toms the subject property used to house a church fellowship hall years ago. Ms. Toms wanted to know if the surrounding property values would go up if the request was approved because she is getting ready to do renovations on her adjoining property. Ms. Toms wanted know what would happen before she began renovating.

## **Public Comment – Closed 6:10 pm**

## **Board Discussion**

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

- A. What is spot zoning
- B. The process to reapply

**Board Decision**

Following the discussion, the Board reached the following decisions:

- ✎ **Richard Evey made a motion to table ZMA 2019-043 A request to rezone (1) parcel of land consisting of 0.50 acres from Residential Three (R-3) Zoning District to the General Business (G-B) Zoning District, (PIN# 1761582298) (REID# 32420), Ray Weaver/RQW Properties, LLC, Applicant. He was seconded by Bobby Costner. The motion passed with a 5/0 vote.**

**Chairman Scholl:** The next meeting will be April 25, 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:

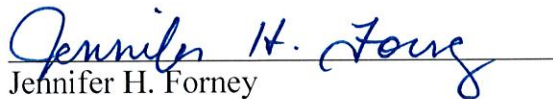
*Jennifer Forney*

Jennifer Forney  
Planner

Approved this 25<sup>th</sup> day of April 2019



Alan Scholl, Chairman  
Burke County Planning Board



Jennifer H. Forney  
Secretary to the Board