

MINUTES
BURKE COUNTY BOARD OF ADJUSTMENT
April 9, 2019

The Burke County Board of Adjustment Meeting was held on Tuesday, April 9, 2019 at 6:00 PM in the Commissioners Meeting Room located at 110 N. Green Street, Morganton, North Carolina.

MEMBERS PRESENT

Ed Hallyburton, Chairman
Doris Smith, Vice Chairman
Mario Sacchetti
Virginia Cook
Robert Love
Rick McClurd
Gary Kling

MEMBERS ABSENT

None

STAFF PRESENT: Bradley Kirkley, Zoning Administrator; Jennifer Forney, Planner

CALL TO ORDER:

Chairman Hallyburton officially called the Burke County Board of Adjustment meeting to order at 6:05 P.M.

PLEDGE OF ALLEGIANCE

Led by Mrs. Jennifer Wright – Burke County Citizen

APPROVAL OF THE MINUTES:

A motion for approval of the March 12, 2019 minutes, as presented, was made by Virginia Cook and was supported by Mario Sacchetti. The Board granted approval by a 7/0 vote.

All individuals wishing to comment during the public hearing were sworn in before the opening of the meeting.

PUBLIC MEETING

CUP 2019-03: A REQUEST FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AN ADDITION, TO AN EXISTING ACCESSORY STRUCTURE, TO INCLUDE A 6X80 PORCH AND A 20X20 LEAN ROOF AT 2635 MOOSE LODGE STREET OF BURKE COUNTY, ALLEN WHISNANT, APPLICANT.

Bradley Kirkley presented a summary of the case before receiving questions and comments from the Board.

Presentation by Allen Whisnant, Applicant:

Mr. Whisnant began by apologizing to the Board for being out of compliance. He did not realize that an open aired front porch was considered part of the square footage of the building lest, he

would have included it in his original request. The Whisnants felt that adding the porch would decrease the industrial look of the structure and make it look more like their home. According to Mr. Whisnant, the porch can only be seen from their house and briefly from Moose Lodge Street as you pass by. The 20x20 awning would cover the garage and access door on the front of the building. Mr. Whisnant planted eighty-one (81) Leland Cypress trees running along Summers Road for privacy. Mr. Whisnant says the trees run along the power line and down Moose Lodge Street to the intersection. The Whisnants have also planted ninety-five (95) creeping junipers along their bank to hide the mud and make it look nicer.

Open Public Meeting 6:29 pm

Close of Public Hearing 6:30 pm

No one was present for public comments

The Board discussed the following issues during the meeting:

- A. How staff became aware of the addition
- B. The nature of emails received by staff
- C. The number of adjoiners notified
- D. The types of properties near the structure
- E. Recognition of adjoiners present in the audience

Action by the Board

§ MOTION: Virginia Cook made a motion to approve CUP 2019-03: A request for a conditional use permit to construct an addition, to an existing accessory structure, to include a 6x80 porch and a 20x20 lean roof at 2635 Moose Lodge Street of Burke County, Allen Whisnant, Applicant according to staff's recommendation.

STAFF RECOMMENDATION

Staff recommends approval of the Conditional-Use Permit request based on the allowance as allowed use by the Burke County Zoning Ordinance for the use intended and/or requested. Any commercial use or activity for the proposed building or the additions noted herein is discouraged. Any additional conditions for the requested use as requested or set by the Board of Adjustment are welcomed and encouraged.

She was supported by Mario Sacchetti. The Board voted unanimously 7/0.

PUBLIC MEETING

CUP 2019-04: A REQUEST FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 40X60 FOOT ACCESSORY BUILDING FOR RESIDENTIAL USE/STORAGE AT 3248 HIGH PEAK MOUNTAIN ROAD OF BURKE COUNTY, JAMES WRIGHT, APPLICANT.

Bradley Kirkley presented a summary of the case before receiving questions and comments from the Board.

Presentation by Jennifer Wright, Property Owner:

Mrs. Wright explained that four (4) structures will be removed in order to clean the property up. The Wrights have already hauled off a dump truck of old metal and burnt the brush pile that was on the property. Mrs. Wright said that they wanted to put the storage building on the back side of the property where it would not affect the neighbors. She says the double wide on the property is currently rented and if the occupant ever leaves it will probably be removed. The Wrights are proposing to use the new building entirely for storage. The building would allow them to pull their camper, truck, tractor, and lawn mower etc. inside of it.

Open Public Meeting 7:08 pm

Close of Public Hearing 7:09 pm

No one was present for public comments

The Board discussed the following issues during the meeting:

- A. Timetable for removing the buildings
- B. Types of utilities allowed
- C. Responses for adjoiningers
- D. Length of time car port has been on the property

Action by the Board

- ✎ **MOTION: Virginia Cook made a motion to approve CUP 2019-04: A request for a conditional use permit to construct a 40x60 foot accessory building for residential use/storage at 3248 High Peak Mountain Road of Burke County, James Wright, Applicant.t, Applicant according to staff's recommendation.**

STAFF RECOMMENDATION

Staff recommends approval of the Conditional-Use Permit request as allowed for the use intended and requested as personal storage. All work and development of this requested use is subject to all standards and procedures for design qualifications and requirements prior to any permits being issued from any required county office. For the allowance to occur, and to limit the total number of accessory buildings on the parcel, demolition and removal of all other accessory structures, with exception to the two existing containers and the 20x40 metal shed, located at the rear of the property, shall occur. Any additional conditions for the requested use as requested or set by the Board of Adjustment are welcomed and encouraged.

She was supported by Gary Kling. The Board voted unanimously 7/0.

The next meeting is scheduled for May 14, 2019.

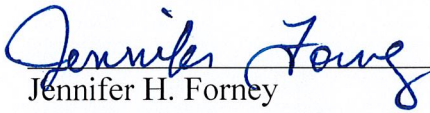
ADJOURNMENT: Chairman Hallyburton adjourned the meeting.

Submitted by,

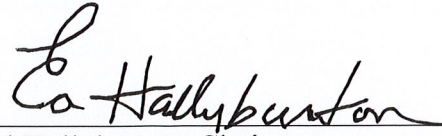
Jennifer H. Forney

**Jennifer H. Forney
Planner**

Approved this 11th day of June 2019



Jennifer H. Forney
Secretary to the Board



Ed Hallyburton, Chairman
Burke County Board of Adjustment