



Stanly County Planning Board November 12, 2013 - Meeting Minutes

Call to Order

Vice Chairman Burleson called the meeting to order on November 12, 2013, at 7:00 p.m. in the Commons Meeting Room at 1000 N First Street, Albemarle, North Carolina.

Stanly County Planning Board Members Attending

Marvin Smith via telephone
Billy Franklin Lee
Robert Loflin
Joseph Burleson

Planning Board Members Absent:

Terry Smith
Robert Davis
Brenda Hunter

Stanly County Planning Staff Attending

Michael Sandy, Planning Director

Others Present: List filed with the November 12, 2013, minutes.

Vice Chairman Burleson asked if there were any corrections to the October 14, 2013, minutes, Hearing none, he asked for a motion.

Motion: Billy Franklin Lee made a motion to approve the October 14, 2013, meeting minutes as written.

Second: Robert Loflin seconded the motion.

Action: The Board unanimously approved this motion.

Vice Chairman Burleson called the first item on the agenda and asked Michael Sandy to present the case.

ZA 13-09, Rezoning from RA Residential Agricultural to RA/TO Residential Agricultural -Tower Overlay District. Michael Sandy stated that American Towers, and the property owner Rita Karen A Estridge, respectfully request a rezoning of a 100' x 100' section of a 78.7 acre parcel from RA to RA/TO. Under Sec. 614 of the Stanly Zoning Ordinance, approval of this rezoning and the issuance of a telecommunications tower permit would allow the applicant to erect a telecommunications tower to the height allowed by such permit. The permit

application states that they intend to erect a 195 foot monopole tower. Staff has reviewed the application and it appears to meet the subjective requirements of the ordinance. Adjoining zoning is RA.

No other towers are in the immediate search area; therefore, co-locating on an existing tower was not an option. The propagation study submitted by the applicant for the tower location shows that with the erection of the tower, the area would be adequately served. The applicant has notified, in writing, property owners within 300 feet of the proposed application for the tower. Adjoining property owners of the site have received notice of this meeting in accordance with state law. The applicant has documentation that the proposed tower location will not seriously injure the values of the adjoining properties.

Section 614.4 of the Zoning Ordinance states that the following factors may be used to evaluate a tower for aesthetic reasons: To protect the view in scenic areas, unique natural features, scenic roadways, etc., and to protect the concentration of towers in one specific area, the height, design, placement, and other characteristics of the tower can be modified to have a less intrusive visual impact on the county.

This site is located approximately 325 feet from the centerline of Ridgecrest Road, in an open area and should not be clearly visible from the highway. This site appears to be an above average site for a monopole tower.

Staff recommends the following conditions of approval: Public Safety, (State, City, County, etc), shall be permitted to co-locate on this tower at no cost. A zoning permit shall be obtained within six months from the date of the Board of County Commissioners approval to rezone the property and the tower shall be completed and a Certificate of Occupancy obtained within one year from issuance of the zoning permit.

Vice Chairman Burlison asked anyone who wished to speak regarding this case to come forward.

Brian T. Pearce came forward and stated that he represents American Towers, LLC. He stated that he had followed the required procedures for filing an application for placement of a 195 foot monopole communications tower on the subject site. He stated that he had sent letters to adjacent property owners regarding placement of the tower and notified them of certain tests to be performed. He stated he had received no complaints and that he would be happy to answer any questions.

Vice Chairman Burlison asked if anyone else wished to speak regarding this case. Hearing no requests to speak, he called for a motion from the Board.

Motion: Robert Loflin made a motion to send this case to the Board of County Commissioners with a recommendation to approve ZA 13-09.

Second: Billy Franklin Lee seconded the motion.

Action: The Board voted unanimously to approve the motion.

Vice Chairman Burlison called the next item on the agenda.

ZA 13-10 Revisions to the zoning ordinance to permit major subdivisions in certain zoning districts. Michael Sandy submitted a proposed Resolution to Amend the Zoning Ordinance. After some discussion it was decided to send this matter back to the sub-committee for further study. The sub-committee was created on September 9, 2013, and consists of Joe Burleson, Robert Davis, and Marvin Smith.

Motion: Robert Loflin made a motion to send this matter back to the sub-committee for further study and to table any further discussion by the Planning Board until the Board's January 13, 2014, regular scheduled meeting.

Second: Billy Franklin Lee seconded the motion.

Action: The Board voted unanimously to approve the motion.

Vice Chairman Burleson called the next item on the agenda.

Minor revisions to the SEPGS Overlay District. Michael Sandy discussed concerns heard at the Board of Commissioners public hearing regarding the limitation of the amount of electricity a residence can generate for sale to the power company. Currently, a residence cannot generate more than the amount used on site. Mr. Sandy suggested that the amount generated as a permitted use should be increased to 1.5 or 2 times the amount used on the site. Following discussion, the Board took the following action.

Motion: Billy Franklin Lee made a motion to recommend that the amount of electricity a residence can generate as a permanent use be increased to 2 times the amount used on the site.

Second: Robert Loflin seconded the motion.

Action: The Board voted unanimously to approve the motion.

Vice Chairman Burleson called the next item on the agenda.

Adoption of 2014 Planning Board meeting date schedule. Michael Sandy presented the meeting date schedule for consideration. The following action was taken.

Motion: Billy Franklin Lee made a motion to approve the proposed 2014 Planning Board meeting date schedule as written.

Second: Robert Loflin seconded the motion.

Action: The Board voted unanimously to approve the motion.

Adjournment

Vice Chairman Burleson asked for a motion to adjourn. A motion to adjourn was made by Marvin Smith and seconded by Robert Loflin. The meeting was adjourned at 7:45 p.m.

Joseph Burleson, Vice Chairman

Linda Evans, Clerk