

March 14, 2011

The Union County Board of Adjustment met in regular session on Monday, March 14, 2010 at 7:00 p.m. in the Union County Government Center, 1st Floor Board Room, 500 N. Main Street, with Chairman Bill McGuirt presiding.

BOARD MEMBERS PRESENT: Jimmy Bention Sr., Vice-Chairman Darren Greene,
Rick Davis and Mark Tilley

BOARD MEMBERS ABSENT: Chairman Bill McGuirt and Charles Campbell

ALSO PRESENT: Richard Lee Jenson, Land Use Administrator and Bill Sturges, Attorney
for the Board

Vice-Chairman Darren Greene called the meeting to order at 7:00 p.m.

PUBLIC HEARING

- A. "Special Use 2011-001" – Ralph Funderburk requesting a "Special Use" under Section 54 and Section 161 of the Union County Land Ordinance to operate a 6 event per year (to provide an agricultural entertainment area to include antique farm and tractor show; antique tractor & truck pull; children petting zoo and molasses mill/cook off. Located at 1631 Stack Road, being on Tax Map 04-090-003; presently zoned RA-40.

Vice-Chairman Darren Greene asked for Lee Jenson to come forward and be sworn in.

Vice-Chairman Darren Greene asked if the petition submitted was complete. Mr. Jenson stated the petition was complete.

Vice-Chairman Darren Greene asked if any Board member had a conflict with this agenda item. No one came forward.

Lee Jenson came forward and presented staff analysis.

Special Use Petition No. 2011-001

Property Owner: Ralph Funderburk

Petitioner: Ralph Funderburk

Location: 1631 Stack Rd.

Request: Grant request to conduct six special events per year for the purpose of conducting an antique farm and tractor show, antique tractor and truck pull, children's petting zoo, and a molasses mill/cook off.

Summary

This petition seeks approval to conduct six special events per year for the purpose of conducting an antique farm and tractor show, antique tractor and truck pull, children's petting zoo, and a molasses mill/cook off. Special events require the issuance of a Special Use Permit by the Board of Adjustment.

Existing Zoning

North

The area to the north is zoned RA-40.

East

The area to the east is zoned RA-40.

South

The area to the south is zoned RA-40.

West

The area to the west is zoned RA-40.

Subject Property

The petitioned property is currently zoned RA-40.

Existing Land Use

North

The area to the north consists of low residential development and farmland.

East

The area to the east consists of low density residential development and farmland.

South

The area to the south consists of low density residential development and farmland.

West

The area to the west consists of low density residential development and farmland.

Subject Property

The subject property is currently used as farmland.

Proposed Land Use

The 2025 Land Use Plan calls for this area to develop as low density residential 0-1 dwelling units per acre and farmland.

Vice-Chairman Darren Greene asked if there was anyone present wishing to continue this to the next scheduled board meeting. No one came forward.

Vice-Chairman Darren Greene asked everyone presenting evidence to come forward and be sworn in.

Ralph Funderburk came forward and was sworn in.

Mr. Funderburk stated that wasn't a local tractor pull do benefit Union County, he wanted to have a family orientated event here with no alcohol, he would have the fire department onsite during each event. He stated he would like to have up to 6 per year. He stated only 1 for this year. He also stated he would maintain insurance per event.

The Board asked Mr. Funderburk if they put the following conditions on the Special Permit if approved, would he be able to comply with them. Must comply with the Union County noise ordinance, no alcohol onsite, fire department to be onsite during events and must obtain insurance per event. Mr. Funderburk said he had no problem to comply if approved.

Mr. Funderburk also asked to make an amendment to the Special Use Permit to be able to have a live band. He will have to comply with the Union County Noise Ordinance.

Jimmy Bention Sr. made a motion to approve the petition with the following conditions, seconded by Mark Tilley. Motion passed unanimously.

1. Must comply with Union County noise ordinance
2. No alcohol onsite
3. Fire Department to be onsite during events
4. Must obtain insurance per each event

There being no further business to come before the Board at this time, the public hearing was adjourned at 9:00 p.m.

Respectfully submitted,

Susan R. Calkins
Secretary to Board of Adjustment