

August 8, 2011

The Union County Board of Adjustment met in regular session on Monday, August 8, 2011 at 7:00 p.m. in the Union County Government Center, 1st Floor Board Room, 500 N. Main Street, with Vice-Chairman Darren Greene. presiding.

BOARD MEMBERS PRESENT: Vice-Chairman Darren Greene, Rick Davis, Neil Forrest Jr.
Mark Tilley and Louis Philippi

BOARD MEMBERS ABSENT: Chairman Bill McGuirt

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

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

REGULAR MEETING

A. Vote for Chairman/Vice-Chairman.

Mark Tilley made a motion for Bill McGuirt to return as Chairman, seconded by Rick Davis. Motion passed unanimously.

Mark Tilley made a motion to nominate Darren Greene as Vice-Chairman, seconded by Rick Davis. Motion passed unanimously.

B. Approval of Minutes from December 13, 2010 meeting.

December minutes were not available to be approved.

C. Approval of Minutes from May 9, 2011

Mark Tilley made a motion to approve the petition with the change noting that Chairman McGuirt opened the meeting and not Vice-Chairman Greene, seconded by Rick Davis. Motion passed unanimously.

D. Approval of the following "Temporary Mobile Home Permits"

#091 - Steve Wesenberg, 8006 Rillwood Drive, Waxhaw, NC 28173 Approved May 2, 1983

#125 - Ty P. Helms, 2812 Price Rushing Road, Monroe, NC 28110 Approved April 3, 1995

#126 - Donald W. Moore, 500 Blanchard Circle, Indian Trail, NC 28079 Approved April 3, 1997

#129 - Dennis & Connie Mangum, 6720 Rebel Road, Marshville, NC 28103 Approved July 3, 2001

#131 - Houston & Aileen McLain, 6103 R A Austin Road, Marshville, NC 28103 Approved April 7, 2003

#132 - Kelly Swaim, 3805 Mullis Newsome Road, Monroe, NC 28110 Approved November 6, 2006

#135 – Marilyn Purser, 1631 Ridge Road, Monroe, NC 28110 Approved September 14, 2009

Mark Tilley made a motion to approve the Temporary Mobile Home Permits as submitted with the exception on #091-Steve Wesenberg – we did not receive a notice back on him this time. Since he has had a Temporary Mobile Home Permit since 1983, we are going to revisit this one and discuss at next meeting, seconded by Rick Davis. Motion passed unanimously.

PUBLIC HEARING

- A. “Special Use 2011-003” – American Towers Inc. requesting a “Special Use” under Section 180E of the Union County Land Ordinance to construct a 195’ monopole telecommunication tower and fenced compound. Located at 1613 Hwy 205, being on Tax Map 02-139-004; 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. 2011-003

Property Owner: Warren Threatt

Petitioner: American Tower Corporation

Location: 1613 Highway 205.

Request: Grant request to construct and operate a 195’ monopole telecommunications tower and related equipment.

Summary

This petition seeks approval to construct and operate a 195’ monopole telecommunications tower and related equipment.

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 density residential development and agriculture.

East

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

South

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

West

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

Subject Property

The subject property is currently used as a single family residence and agriculture.

Proposed Land Use

The current land use plan calls for this area to develop as residential at a density of 0-1 dwelling units per acre.

Vice-Chairman Darren Greene asked if anyone was here in opposition. No one came forward.

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

Tom Johnson, Attorney for American Towers came forward and explained that both towers are to be used to get the coverage that this part of the county needs.

Charles McDonnell, design engineer for A T & T came forward and went over the statistics on why this tower would be beneficial in the area and stated the demand for clear cell phone service in the area.

Bill Howard came forward and stated that it was actually going to be a 199' monopole tower. 195' plus 4' lighting rod and requested that change to the petition. Mr. Jenson had no objection to that request.

Mr. Howard also noted that the tower site was moved 40 foot from what was submitted. He stated it still met the Union County Land Ordinance.

After more questions and deliberations, Mark Tilley made a motion to approve the petition as submitted, seconded by Rick Davis. Motion passed unanimously.

ITEM #2

- B. "Special Use 2011-004" – American Towers Inc. requesting a "Special Use" under Section 180E of the Union County Land Ordinance to construct a 195' monopole telecommunication tower and fenced compound. Located at 3323 Hwy 205, being on Tax Map 01-183-011; presently zoned RA-40.

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. 2011-004

Property Owner: Freddy & Sheila Treadaway

Petitioner: American Tower Corporation

Location: near 3323 highway 205.

Request: Grant request to construct and operate a 195' monopole telecommunications tower and related equipment.

Summary

This petition seeks approval to construct and operate a 195' monopole telecommunications tower and related equipment.

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 density residential development and agriculture.

East

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

South

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

West

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

Subject Property

The subject property is currently used as agriculture.

Proposed Land Use

The current land use plan calls for this area to develop as residential at a density of 0-1 dwelling units per acre.

Vice-Chairman Darren Greene asked if anyone was here in opposition. No one came forward.

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

Bill Howard came forward and stated that this tower also was going to be a 199' monopole tower. 195' plus 4' lighting rod and requested that change to the petition. Mr. Jenson had no objection to that request.

After questions and deliberations, Rick Davis made a motion to approve the petition as submitted, seconded by Mark Tilley. Motion passed unanimously.

There being no further business to come before the Board at this time, the public hearing was adjourned at 8:30 p.m.

Respectfully submitted,

Susan R. Calkins
Secretary to Board of Adjustment