

**TOWN OF FOUR OAKS
PLANNING BOARD MEETING MINUTES
NOVEMBER 14, 2023 at 6:30 p.m.**

- 1) Call to Order
Albert Brewer, Chairman called to order at 6:30 pm. Members present were Loretta Beasley, Jamey Caudill, Tamara Dunn, Diane Holland, Steve Kelly, Casey Matthews, Chad Stewart, and Ashton Wood. Absent was DeLaine Jackson. Also present were staff: Mike Cook, Rhonda Lee, & Martha Garris.
- 2) Pledge of Allegiance – Led by Chairman Brewer
- 3) Welcomes and Mission Statement – Chairman Brewer
- 4) Approval of Minutes
 - (a) Planning Board Meeting – October 10, 2023
Motion to approve the October 10th, 2023 Planning Board minutes as presented was made by Ashton Wood, seconded by Steve Kelly, voting unanimous.
- 5) Public Hearings:
Chairman Brewer called the meeting into a public hearing. Mike Cook presented the cases.
 - (a) Caitlyn and Coty Hickman, Petitioners & Owners – Request for a Special Use Permit to allow for an Oversized Building on their Property located at 199 Juniper Church Road in the Town’s ETJ; Parcel # 08H11077E.

NOTES ON CASE BY STAFF:

- **Owner would like to build a 30 ft x 40 ft oversized building with a 16 ft shelter on their 2-acre property at 199 Juniper Church Rd.**
- **Parcels are in the Town’s ETJ**
- **Zone R-A (Residential Agriculture) – Zoning ordinance requires a special use for buildings over 1,000 sq ft.**
- **Can meet setbacks.**
- **Public notice was in the FO Benson News in Review on November 1 & 8, 2023**
- **Sign was placed on property**
- **Letters were mailed to 9 property owners within a 500 ft radius on November 1, 2023.**
- **Staff has determined the findings meet requirements and recommends approval.**
- **Meets the following Chapter 160D special use 4 finding of facts requirements. According to Chapter 160D, the 4 finding of facts are:**
 1. **Will not endanger the public health or safety (yes)**

2. Will not injure the value of the adjoining property (yes)
3. Will be in harmony with the area in which it is located (yes)
4. Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)

Coty Heckman, applicant, was present to represent. Mr. Heckman commented this would be a recreation building and the colors will match his home. They plan to have electricity in it.

Motion to recommend the special use permit to allow for an oversized building on their property located at 199 Juniper Church Road to the Board of Commissioners for approval was made by Ashton Wood, seconded by Chad Stewart, motion passed unaniously.

- (b) Austin-Parker Village, LLC, Petitioner& Owner – Request a Variance on Front and Rear Setbacks on parcel located at 33 Culver Ave. in the Town’s City Limits; Parcel # 08I11014E.

NOTES ON CASE BY STAFF:

- Owner is requesting a variance for the front and rear setbacks on this parcel at 33 Culver Ave. They have built 29 houses and would like to build the 30th house to the same specifications as the other 29 to complete the project.
- Parcel is in the Town’s City Limits
- Zone R-6 (High Density Residential District)
- Does NOT meet required setbacks: Front – 30 ft; **Proposed 17.50 ft**
Rear -20 ft: **Proposed 14.78 ft**
Side – 10 ft; Meets requirements
- Public notice was in the FO Benson News in Review on November 1 & 8, 2023
- Sign was placed on the property
- Letters were mailed to 38 property owners within a 500 ft radius on November 1, 2023.
- Staff recommends hearing the information because it was advertised for the planning board to hear but the planning board not make any recommendation because this is a variance request which should be heard by the Board of Adjustments (“BOA”), whom is the Board of Commissioners.
- The BOA shall determine if the strict application of the zoning ordinance would create unnecessary hardship. Four conclusions for a variance determination, set by general statute, are: (applicant must show each)
 1. Unnecessary hardship would result from a strict application of the ordinance.
 2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography.

- 3. The hardship did not result from actions taken by the applicant or the property owner.**
- 4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.**

A resident inquired which street the house will be facing because the address for this parcel is 33 Culver Ave. Mike Cook explained this is the address assigned on GIS. The front of the house will be facing Kevior Ave. therefore the address will need to be changed.

Residents from the Austin-Parker Village Community expressed concerns about the HOA; dissatisfactions about the front porch posts on the homes, the community not meeting expectations as advertised, and the lack of amenities as advertised. These concerns & comments were not related to the case.

The Planning Board heard the comments from the public and encouraged them to be at the Board of Commissioners meeting on Monday, November 20, 2023. However, the board stressed the public hearing would be about the variance request only.

Martha Garris gave the Board a copy of the zoning ordinances.

Mayor and Board of Commissioners will hear the recommendations of the Planning Board at their monthly meeting on Monday, November 20, 2023 at 6:30 p.m. at the Four Oaks Town Hall Chamber.

Mark your calendar for the next Planning Board Meeting, Tuesday, December 12, 2023 at 6:30 p.m.

Meeting Adjourned

Motion to adjourn at 7:24 pm was made by Chad Stewart, seconded by Casey Matthews, voting unanimous.

Attest

Albert Brewer, Chairman

Martha L. Garris, NCCMC
Town Clerk