

**VILLAGE OF WESLEY CHAPEL
BOARD OF ADJUSTMENT MEETING
September 17, 2012, at 7 PM**

MINUTES

The Board of Adjustment of the Village of Wesley Chapel, North Carolina, met at Wesley Chapel United Methodist Church, 120 Potter Road, Monroe, NC 28110.

Present: Vice Chairman Bruce Ewing; Members David Boyce, and Stan Schwartz
(alternate sitting as regular member)

Absent: Chairman Butch Byrum, Member Bill Rodriguez, Creig Williard

Village Staff present: Cheryl Bennett - Village Clerk; Joshua Langen – Planning and Zoning Administrator

1. Pledge and Invocation

Vice Chairman Ewing led the pledge and invocation.

2. Oath of Office

Clerk Bennett administered the oath of office to Stan Schwartz and David Boyce.

3. Additions, Deletions and Approval of Agenda

No changes were made to the agenda.

4. Approval of Minutes – March 21, 2011; March 19, 2012; August 20, 2012

David Boyce made a motion to approve the minutes from the March 21, 2011 meeting; Stan Schwartz seconded the motion.

The motion passed unanimously.

David Boyce made a motion to approve the minutes from the March 19, 2012 meeting; Stan Schwartz seconded the motion.

The motion passed unanimously.

David Boyce made a motion to approve the minutes from the August 20, 2012 meeting; Stan Schwartz seconded the motion.

The motion passed unanimously.

5. Order approving Conditional Use Permit for CUP_12_2

David Boyce made a motion to approve the order approving Conditional Use Permit for CUP_12_2. Stan Schwartz seconded the motion.

The motion passed unanimously.

The order will be signed by the Chairman Butch Byrum.

NORTH CAROLINA

CASE # CUP_12_02

UNION COUNTY

**THE VILLAGE OF WESLEY CHAPEL, NORTH CAROLINA
CONDITIONAL USE PERMIT**

On August 20, 2012 the Board of Adjustment of the Village of Wesley Chapel met and held a public hearing to consider the following application:

Record Owner: Village of Wesley Chapel, NC
Property Location: NC Highway 84: 1,895 feet east of the Waxhaw-Indian Trail Road Intersection
Tax Parcel Number: 0648007F/06048010B
Deed Reference: Book: 2087 Page: 679
Type of Use: Town Hall
Property Size: 6.31 Acres
Meeting Date: August 20, 2012 **Approval Date:** August 20, 2012

SECTION 1 FINDINGS: Having heard all of the evidence and arguments presented at the hearing, the Board of Adjustment, finds and determines that the application is complete, all notice requirements were complied with, the applicant produced competent material and substantial evidence establishing the existence of the facts and conditions required under the Wesley Chapel Zoning Ordinance, and subject to the conditions imposed below the following findings of fact are made:

1. The use will not materially endanger the public health, safety or welfare if located where proposed and developed according to the submitted plan and will not create dangerous traffic conflict points, noxious odors/sounds/glare, or environmental hazards.
2. The use meets all required conditions and specifications. The property is currently zoned Office/Institutional and Government Use is allowed under such zoning; however the building will be in excess of the allowed 2,000 square feet.
3. The use will not substantially injure the value of adjoining or abutting property and will not hinder future development potential of adjacent properties by the introduction of incongruous land use or incompatible development scale/intensity.
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located, will not disrupt the integrity of existing land use districts, and will be in general conformity with this Ordinance and the Village of Wesley Chapel Land Use Development Plan.

5. Public water and sewer are available as they currently service the shopping center and can be accessed and tapped into. The applicant has already received verbal confirmation from Union County Public Works that adequate sewer capacity and water are available for this project. The stormwater plans for the proposed use have been given preliminary approval by the Village's Stormwater Engineer. In an attempt to avoid potential stormwater issues, a dry pond will be constructed on the property.
6. The proposed development will generate minimal peak hour trips and will not significantly contribute to intersection or thoroughfare congestion. There is proper access to public streets and the adequacy of those streets to carry anticipated traffic is adequate. Parking is deemed adequate. Internal circulation for vehicle and pedestrians are deemed adequate.
7. The site is designed to provide adequate access for safety and emergency services (police, fire, and EMS).
8. There are no other additional review criteria stated in the ordinances of the Village of Wesley Chapel to be considered.

Now, therefore, the application to make use of the above described property for the purposed indicated is hereby **APPROVED** and **GRANTED**.

SECTION 2. VESTED RIGHTS Approval of this permit confers upon the property the right to develop with the type and intensity of uses as herein specifically described and as shown on the approved site plan.

The Board of Adjustment Decision on this matter may appealed to the Superior Court of Union County within thirty (30) days from the date set forth below.

This the _____ day of _____, 2012

Henry Byrum, Jr.
Chairman, Wesley Chapel Board of
Adjustments

I, Brad Horvath, Mayor of the Village of Wesley Chapel, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned official does further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Mayor Horvath, on behalf of the
Village of Wesley Chapel

Attested by:

Cheryl Bennett, Village Clerk

Minutes 09.17.2012

6. Other Business

Joshua Langen noted on both the park and town hall CUP's that if there is a minor amendment he can approve it, but if a major amendment it comes back to the Board of Adjustment. A minor amendment would be something like more landscaping, or anything of less impact. A major amendment is anything that adds to traffic or parking.

7. Adjournment

Bruce Ewing made a motion to adjourn, and David Boyce seconded it.

The motion passed unanimously.

Respectfully submitted,

Cheryl Bennett, Clerk

Henry C. Byrum, Chairman