

TOWN OF ABERDEEN
PLANNING BOARD RESCHEDULED REGULAR MEETING
May 23, 2002
Minutes

Members Present: Mike Dunn
Mark Edwards
Maurice Holland
Sherrill Lee

Members Absent: Jim Thomas
Linda Duncan

Staff Present: Giles Hopkins, Planning Director
Heather Brown, Secretary to the Board
Tom Marsh, Code Enforcement Officer

Vice Chairman Lee called the meeting to order at 7:02 PM.

Mr. Mark Edwards made a motion, seconded by Mr. Maurice Holland, to approve the minutes of the Regular Meeting of April 18, 2002 as presented. The motion was approved 4-0.

Old Business:

None.

New Business:

Vice Chairman Lee presented Application for Conditional Use Permit CU#02-02 submitted by Dr. Robert H. Gilbert to operate an orthodontist office in a residence that he owns at 400 N. Sandhills Boulevard. Mr. Hopkins informed the Board that Dr. Gilbert was issued Conditional Use Permit CU#96-02 on May 13, 1996 and Conditional Use Permit CU#99-03 on June 14, 1999 for him alone to operate an orthodontist office at this location. Both Conditional Use Permits were good for three years, which can be renewed upon application. He also explained that the property is zoned R-6 Residential District and home occupations of this type that do not exceed 25% of the primary residence are permitted as a Conditional Use in this district. Following discussion of Application for Conditional Use Permit

CU#02-02 a motion was made by Mr. Mike Dunn, seconded by Mr. Maurice Holland, to make the following findings:

- A. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values within the neighborhood;
- C. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- D. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district as to cause a substantial depreciation in the property values within in the neighborhood;
- E. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
- G. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located except as such regulations may in each instance be modified by the Board of Commissioners pursuant to the recommendation of the Planning Board,

and to approve and recommend approval as submitted of Application for Conditional Use Permit CU#02-02 to the Town Board of Commissioners. The motion was approved 4-0.

Vice Chairman Lee presented Preliminary Plat PLP#02-01 submitted by RAB Investments, Inc. Mr. Hopkins stated that RAB Investments, LLC wanted to

reconfigure 4.00± acres they now own from one (1) parcel/lot to six (6) parcels/lots. He also informed the Board that one new street/road would be created and single family dwellings are planned to be built on these lots with the size of each dwelling to be determined following the results of the current Application for Rezoning RZ#02-01 also submitted by RAB Investments, LLC scheduled for the Board of Commissioners' Workshop Meeting on May 30, 2002. He also stated that regardless of which residential zoning district the property is in, each lot must be at least 20,000 square feet in size as shown on Preliminary Plat PLP#02-01. Following brief discussion, a motion was made by Mr. Mark Edwards, seconded by Mr. Mike Dunn, to approve and recommend approval of Preliminary Plat PLP#02-01 to the Town Board of Commissioners. The motion was approved 4-0.

Vice Chairman Lee presented Zoning Code Text Amendment ZA#02-03 concerning funeral home(s) and/or crematory(ies) in the C-I Commercial and Industrial (Light) District. There was discussion and concern regarding the owner of the funeral home/crematory that currently exists in the C-I Commercial and Industrial (Light) District and the possibility of an accident in the future that would destroy the current site. Several of the Board Members stated that the current owners were in complete compliance with all requirements at the time of their development and would not want them to be required to obtain a Conditional Use Permit should an accident in the future occur. A motion was made by Mr. Maurice Holland, seconded by Mr. Mark Edwards, to approve Zoning Code Text Amendment ZA#02-03 with additional wording as follows:

“This amendment does not apply to any funeral home(s)/crematory(ies) existing in the Town of Aberdeen's jurisdiction at the time of adoption of this amendment (May 2002).”

The motion was approved 4-0.

Other Business:

None

Staff Report:

Mr. Hopkins reviewed Building and Zoning Monthly Summaries for April as well as the Ordinance and Code Enforcement Summary and Status of Development

Projects Approved, Pending Approval or Under Consideration with the Board. He also advised that the next Planning Board Meeting would be held on June 20, 2002.

With no further business, the meeting adjourned at 7:28 PM.

Respectfully submitted,

Heather N. Brown, Secretary to the Board