

Town of Indian Trail



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PLANNING AND DEVELOPMENT DEPARTMENT

BOARD OF ADJUSTMENT MINUTES

June 26, 2014

6:30 P.M.

Call to Order

Roll Call

The following members of the governing body were present:

Board Members: Patricia Laws-Chair, Christopher Chopelas- Vice Chair, Shirley Howe, and Robert Thurbon.

Staff Members: Shelley DeHart- Planning Director, Kevin Icard-Associate Planner, and Pam Good- Board Secretary

Approval of Minutes - March 27, 2014 and May 22, 2014

Chair Laws called for a motion to approve minutes.

Christopher Chopelas- Vice Chair made a motion to approve minutes of March 27 2014, seconded by Shirley Howe

Approval of Minutes for March 27, 2014 was unanimous.

Christopher Chopelas- Vice Chair made a motion to approve Approval of Minutes for May 22, 2014, seconded by Robert Thurbon.

Approval of Minutes for May 22, 2014 was unanimous.

a) Public Hearings-

Continued) SUP2014-003 Patrick O'Connor, Dog Kennel, Major Home Occupation: The owner (Mr. O'Connor) of the property and the business has submitted a MHO request to allow for a Dog Kennel at 201 Allen Way. The request is a result of an active code violation for operating a business in a residential district without a home occupation permit. A dog kennel in a

residential district requires a Special Use Permit. It was noted that the applicant of the case was not present for the meeting.

Staff Planner Kevin Icard was sworn in to present the case SUP2014-003. He stated that the case was now a withdrawal request. The applicant had been operating his business for almost 15 years at that location but Staff was unaware. At that time, there was a code violation for operating the business so a Special Use Permit process was needed. The meeting from May 22, 2014 had been continued as Staff needed additional information from the Town's attorney. Staff was able to determine that the use was grandfathered due to the length of time that the business had been in operation at that location. Staff provided the applicant with a Nonconforming Use Certificate (Permit M-001439).

The applicant is not allowed to increase his business. If the applicant decides to do so in the future, then he would be required to go through the Special Use Permit process. As Staff requested the case be withdrawn, the case was closed.

Member Shirley Howe questioned Mr. Icard whether the lettering on the side of the applicant's building had been removed. Mr. Icard replied that he'd not been out to the site to inspect as technically the case had still been continued and he ensured he will see that it is removed. Also, the applicant is aware the lettering needs to be removed.

Shirley Howe made a motion to withdraw the application. Seconded by Robert Thurbon. Board voted unanimously in favor of the motion.

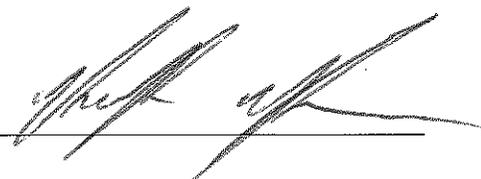
Other Business- none

Ms DeHart stated that Town Council hasn't conducted interviews yet for the upcoming 2014-2015 year. Ms DeHart asked that the present members continue in their positions until new members are appointed as based on the Town's bylaws. The question was asked about clarification of the amended appointment policy. Staff explained that persons may not have to do an interview but the process still follows that each person must be appointed.

Adjournment

Vice Chair Christopher Chopelas made a motion to adjourn the meeting. Seconded by Robert Thurbon. Board voted unanimously in favor of the motion.

Chairman:



Secretary: