



Town of Fairview

PLANNING AND ZONING BOARD

Agenda

February 18, 2020 @ 6:30 p.m.

Meeting will be in the Fairview Town Hall Meeting Room.

1. Roll Call and Determination of Quorum --- Chair Randall
2. Public Comments
3. Report on Council actions: ---Ed Humphries
4. Business:
 - a. Discuss/Recommend Permit # CUP 20-013, a request by Prichard Laney and Danielle Duval to operate an "Event/Venue" (Bella Terra) on their property at 8920 Mill Grove Rd.
 - b. The Comprehensive Plan – Review of "Goals and Objectives"
5. Approval of Previous Minutes:
 - a. January 21, 2020---Regular meeting
6. Public Comments
7. Adjourn

Discuss
Conditional Use
CUP #20-013

**Town of Fairview
Staff Report for:
Planning Board**

DATE—1/18/2020

--CASE #: CUP 20-013	Event/Venue Bella Terra
Applicant(s):	Richard Laney and Danielle Duval 8920 Mill Grove Road Indian Trail NC 28079
Property Owner(s): N/A	Same Address
Requested Action:	to operate an Event Venue called 'Bella Terra'
Existing Zoning:	RA-40(Two homes on adjoining lots)
Requested Zoning:	RA 40 Event/ Venue with Conditional Use Permit
Location:	8920 Mill Grove Road
Property Size:	11 Acres (Two Lots) Home lot is 9002 Mill Grove
Tax Parcel(s):	08282026
Purpose/Narrative:	To operate an Events/ Venue and offer a venue for functions such as weddings, parties etc.
Surrounding Area Zoning:	Residential/Farming
Existing Conditions:	Barn Apartment on one lot and a home on the other
Land Use Plan Recommendation:	RA-40 Event Venue with Conditional Use Permit
Compliance with Zoning Ordinance:	Must obtain zoning before Conditional Use Permit is applied for or approved
Staff Comments on Conditional Use Permit Application:	All information required by the Ordinance has been submitted
Staff Recommendation on Conditional Use Permit Application:	Recommend to Council with conditions as follows: • To be used Friday, Saturday, Sunday and

holidays

- Could be used on any weekday by special request
- Up to but not exceeding 200 guests at any one event
- Staff for event, caterer, photographer, security or person(s) or equipment needed for event will be contracted (with proper insurance) either by Bella Terra or by the customer
- Music or any loud noise will end at 11:00 PM on weekends/Holidays and will end at 10:00 PM on weekdays
- All events to be held outside using rental tents, mobile restrooms, food truck/caterers, tables/chairs anything else that is needed for the event to be self-sufficient
- Any event that plans on serving alcohol will be required to have a licensed bartender to serve the beverages and all proper alcohol permits
- If signage is need, a proper permit will be obtained
- Proper insurance will be obtained for events as needed
- There will be approx. 92 parking spaces with handicap parking (approx. 12,000 sq. feet)
- Event areas will be approx. 3,000 sq. feet in area. There will be two (2) event areas as (shown on map)

Town of Fairview

7516 Concord Highway
Monroe NC 28110

CONDITIONAL USE PERMIT APPLICATION

Fees: \$325 to \$500

Application Number: CUP-20 013

Date of Application: 11-25-19

I. Applicant / Owner Information

- A. Applicant's Name: Richard Laney and Danielle Dural
 Address: 8920 Mill Grove Rd Indian Trail, N.C. 28079
 Phone: 704-301-3969 Email: Daniel.Dural@hotmail.com
- B. Owner's Name: Richard Laney and Danielle Dural
 Address: 9002 Mill Grove Rd Indian Trail, N.C. 28079
 Phone: 704-301-3969 Email: Danielle.Dural@hotmail.com

II. Property Information

- A. Property Location: 8920 Mill Grove Rd
Indian Trail, N.C. 28079
- B. Tax Parcel Number: 88' 08282026
- C. Deed Book _____ Page _____
- D. Existing Zoning Residential Proposed Zoning RA-40 C
- E. Existing Use _____ Proposed Use _____
- F. Property Size 11 Acres (Sq. Ft./Acres)
- G. Is a Rezoning Application being submitted with CUP Application? _____

III. Other Required Information (Attach The Following)

- A. Narrative describing the requested conditional use in sufficient detail and a justification that the conditional use meets the standards and intent contained in the Land Use Ordinance.
- B. The owners' names, addresses, the tax parcel numbers use(s), and current Zoning Classifications of all adjoining properties. Please include this information on the Attachment "A" form.
- C. A scaled boundary survey drawn to an appropriate scale prepared by and certified to be correct by a surveyor or engineer registered with the State of North Carolina,

showing dimensions of the property and adjacent lots and streets, the total acreage, present zoning classification(s), date and north arrow. On copies of this survey shall be drawn the following Information:

- (1) All existing easements, reservations, right-of-way and all yard requirements for the zoning district.
 - (2) A site plan showing all existing and/or proposed buildings, storage areas, parking and access areas, proposed size layout and setbacks of land and proposed structures, and proposed number, type, and location of signs. For residential uses this shall include the number of units and an outline of the area here the structures will be located. For nonresidential uses, this shall include the approximate square footage of all structures and an outline of the area where the structures will be located.
 - (3) Traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets. (Shopping Centers, having two (2) or more individual uses shall show the parking spaces, channelization and ratios shown, service areas, off-street loading facilities, service drives and dimensions thereon; and all pedestrian ways.)
 - (4) Landscape plan at the same scale as the site plan showing existing and proposed trees, ground cover and landscape material, proposed screening, and buffering (if applicable) including walls, fences or planted areas as well as treatment of any existing natural features.
- D. Plans and elevations for all proposed structures.
- E. A map at the same scale as the site plan showing the following:
- (a) Delineation of areas within the floodplain as shown on the official flood hazard boundary maps.
 - (b) Accurate mapping of all soil classifications found on the site and general depths thereof. The applicant shall use the same classifications used by the U. S. Department of Agriculture.
 - (c) Existing and proposed topography at five (5) feet contour intervals.
 - (d) Plans for providing potable/public water and for the treatment of wastewater.
- F. Certification from owner of record that applicant has authorization to apply for this zoning action. (This is needed only if the applicant is not the property owner). Certification shall be notarized.

- G. State whether or not the applicant or owner, owns, has a proprietary interest, or in any way has any other contractual interest in any land that is contiguous to the land, which is the subject of this request. If so, please provide a sufficient legal description of such land and state the interest of the applicant or owner.
- H. Application processing fee of **\$325** for buildings 1000 square feet or less and **\$500** for buildings 1001 square feet or more. Attach check, payable to the *Town of Fairview*, Attn: Ed Humphries 7516 Concord Highway Monroe NC 28110

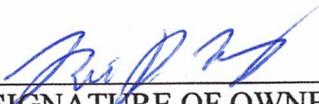
Comments: _____

I, the undersigned owner or authorized representative, hereby submit this application with the attached information. The information and documents provided are complete and accurate to the best of my knowledge.

JMW-16-2020

~~Nov 25 19~~

 DATE



 SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

(The Following Information is to be Completed by the Land Use Administrator)

RECOMMENDATIONS OF THE PLANNING BOARD: _____

PUBLIC HEARING DATE: MARCH 10 2020
Notice of Public Hearing Published On: FEB 27th AND FEB 29th
Notices to Applicant and Adjoining Property Owners Mailed on: FEB 27
 (Verification Attached)

Revised 11/8/18

Sign Posted On: _____

Conditional Use Permit "Findings of Fact" Checklist Attached: YES NO

Action Taken by Town Council _____

Conditions Imposed by the Town Council Upon Said Conditional Use _____

Notification of Action Mailed to Applicant On: _____
(Notification Attached)

To the Town of Fairview

Event Venue/Center – Bella Terra **Conditions for operations**

- To be used Friday, Saturday, Sunday and holidays
- Could be used on any weekday by special request
- Up to but not exceeding 200 guests at any one event
- Staff for event, caterer, photographer, security or person(s) or equipment needed for event will be contracted (with proper insurance) either by Bella Terra or by the customer
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Danielle Duval/Richard Laney
704-301-3969 704-201-7349

USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUND IN SECTION	RC80	RA40	RA20	R40	R20	O	B-1	B-2	B-3	B-4	HC	B-6	LI
Engineering, Architect or Surveying Service		3.11						Z	Z	Z	Z	Z	C		
Equipment Repair, Other, within an enclosed building (not Auto, Truck, Boat, Motorcycle, Appliance, Lawnmower, Power Saw Equipment)		4.12							Z	Z		Z	C		Z
Equipment Repair, Other, with outside storage or repair (not Auto, Truck, Boat, Motorcycle, Appliance, Lawnmower, Power Saw Equipment)		4.2		C		C						C	C		Z
Event Venue/Center		3.22							Z	Z	Z	Z	C		
Exterminators Office		2.12							Z	Z		C	C		
Fabric and/or Notions Store	179	6.21	C		C	C			C	C		Zs	C		
Fairgrounds		9.1							C		Z	Z	C		
Farm Equipment Sales and Service		2.12							Z	Z					
Farm Supply Store (no outside storage)		6.22										Z			Z
Firing Range, Target Practice, Indoors Only (Principal Use)		14	Z	Z	Z	Z	Z								
Fish Hatchery		2.12						Z	Z	Z		Z	C		
Fitness Center		19							C	Z		Z	C		
Flea Market (Indoor)															
Flea Market, Craft Market (Outdoor)												Z	C		

Z - Permitted By Right

C - Conditional Use Permit or Conditional Zoning District (As determined by Land Use Administrator)

D - Major Development Permit Required

S - Supplemental Regulations Apply

/ - or, (example Z/D)

Parcel Number

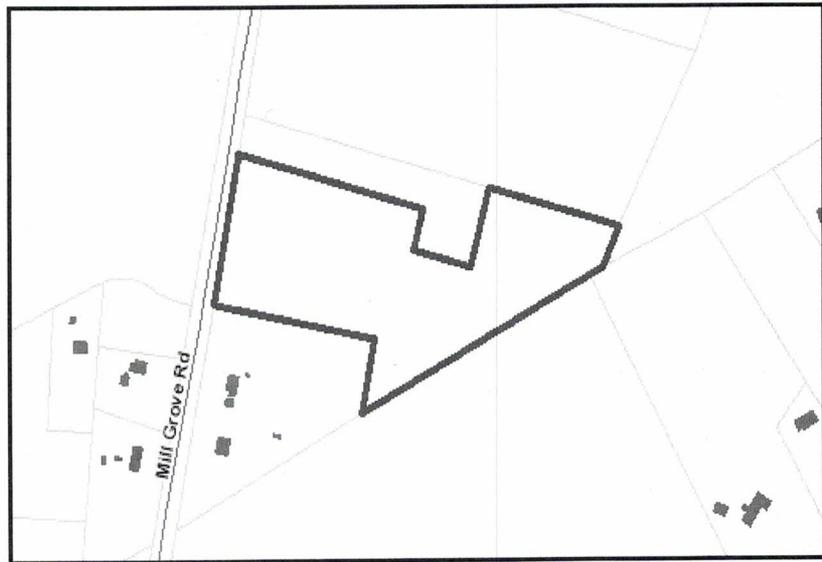
08282026

Owner

LANEY RICHARD DUVAL DANIELLE

Mailing Address

1548 HAWTHORNE DR
INDIAN TRAIL
NC, 28079



Account Information

Land Value	\$114,200.00	Subdivision	
Building Value	\$269,300.00	Description	#7 FRA RLTY & JAMES A MARTIN OPCC210
Total Value	\$383,500.00	Situs Address	9002 MILL GROVE RD
Acreage	10.8090	Property Class	RESIDENTIAL - SINGLE FAMILY

Sales Information

Sale Date	Sale Amount	Book & Page	Grantor
06/30/2017	\$194,000.00	6964 808	WELLS JAMES D WELLS JAMES D & WIFE ALICE J
01/01/2005	\$0.00		ALICE J WELLS JAMES D & WIFE ALICE J
06/20/1996	\$60,000.00	0880 0190	

Location Information

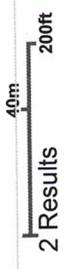
Municipal Administration	Fairview	12 Mile Service Area	No
County Zoning Code	CITY	School	School Assignment Information
Zoning Administration	Fairview	Census Tract Number	202.03
ETJ		FEMA Panel	5521
Fire District	Fairview	FEMA Zone	
Soils	GsB,CmB,BaB		

Building Information - [View Real Property Site](#)

Total Living Area	1008	Type of Building	DWELLING
Year Build	2017	Improvement Type	Single family

District Voting Assignments (Jurisdictions)

Polling Place	Fairview Elementary School Gym	School District	4	Congressional District	8
Precinct District	#32	State House	55	Senate District	36





BRIDES



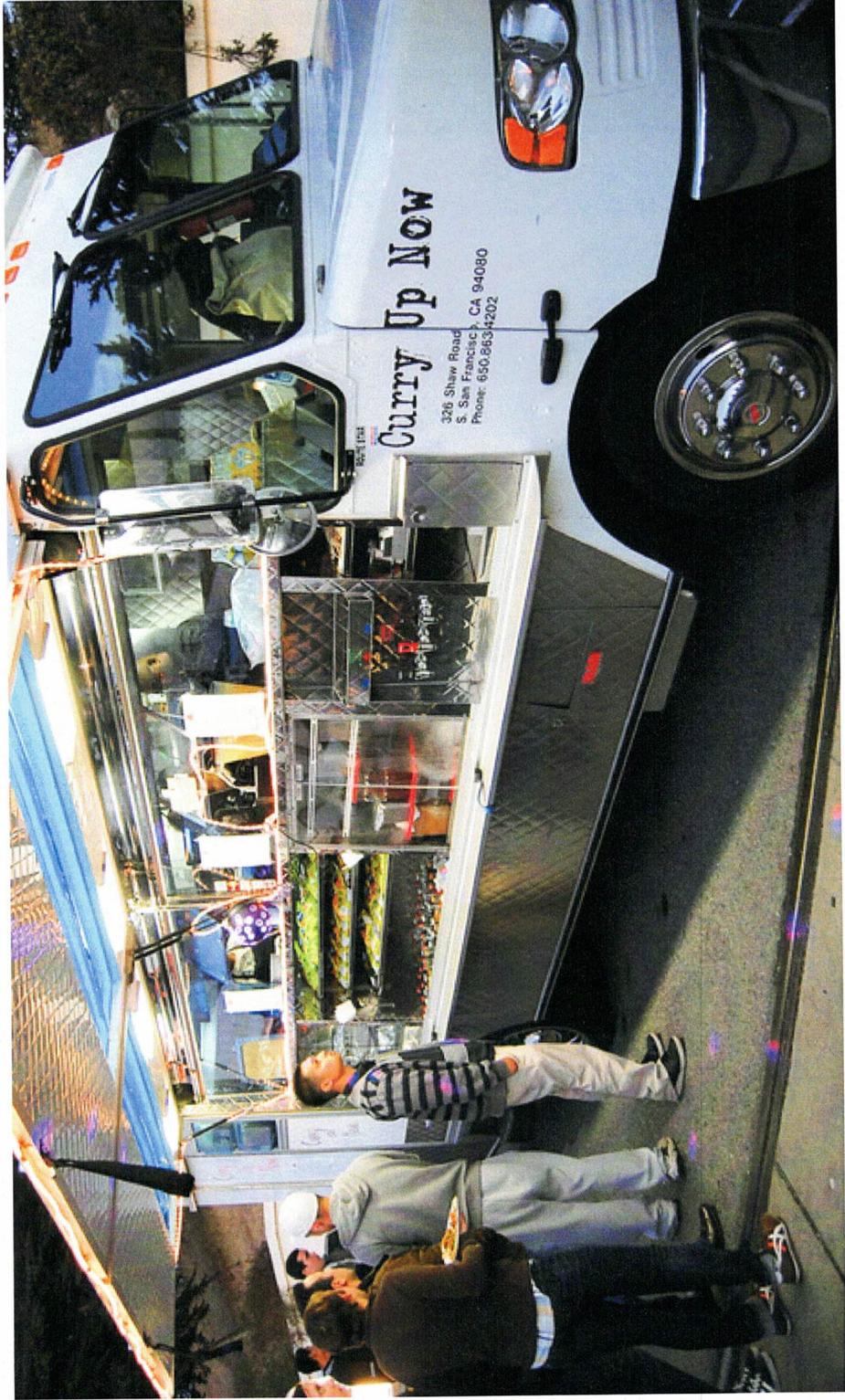
PHOTO BY SARA LC

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Review Comprehensive Plan

Fairview Land Development Plan

Fairview Comprehensive Plan

GUIDELINES

The Town of Fairview Land Development Plan combines the goals and objectives of its residents with sound planning principles in conjunction with the attached Future Land Use Map by way of the following general guidelines:

1. To provide a low-density, rural atmosphere allowing single-family residential and agricultural uses. Additionally, in select nodes small-scale office and retail developments will be allowed that serve the needs of the Fairview community. Light industrial uses that provide employment opportunities to residents will also be considered.
2. To avoid, where possible, destruction of trees and landscape.
3. To protect environmentally sensitive areas such as floodplains and watersheds and to promote and preserve open space.
4. To maintain the existing quality of residential neighborhoods through enforcement of land use and building codes.

The Land Development Plan provides an overall framework to guide operational decisions in planning and acts as a basis for rational decisions regarding zoning, subdivision control, redevelopment, and related issues. The Plan reflects an estimate of future land requirements. It indicates how and where development should proceed to ensure a desirable physical investment. The Plan adheres to the highest standards of health, safety, and welfare in a living environment.

For the purposes of this document "Comprehensive Plan" is defined as:

This plan serves as a guide to official decisions regarding the distribution and intensity of private development, as well as public decisions on the location of future public facilities and open spaces.

Goals and Objectives

These goals and objectives are an essential element of this plan. The formulation of goals and objectives reflect sound planning principles and, most importantly, express the values of the community.

The Town of Fairview is viewed by its residents to be a friendly and safe place to live. Fairview treasures the absence of higher-density development, traffic congestion, and other related problems of larger cities in its jurisdiction. This development plan seeks to protect this quality of life as it represents the foundation upon which land use decisions will be based.

Goals supported by the community provide a sound basis for planning and subsequent action. Further, as Planning is a continuous process, periodic review of priorities will provide for later revisions of objectives and land development recommendations. The following goals of the community are distributed into these categories:

Quality of Life

Environment

Housing

Office/Commercial and Industrial

Approve Minutes



**Town of Fairview
Planning Board Meeting
January 21, 2020**

The following Planning Board members were present: Kelvin Baucom, Doug Buchanan, Mike Medlin, Rick Pigg, Nancy Randall and Bill Thomas

Others present: Ed Humphries, Land Use Administrator / Deputy Clerk, Teresa Gregorius, Town Clerk

Public Comments

None

Items of Business

A. The Comprehensive Plan

Mr. Humphries stated that the Board will be reviewing the land development plan and changing the name to Fairview Comprehensive Plan. We will look at each section to make sure we have what is wanted/needed in our community.

B. Updates for Ordinance Requirements for 160D

Mr. Humphries stated that he plans to take to Council a contract with NFocus to update the land use ordinance to include all amendments and requirements of the new 160D chapter in the statute. We hope to have this completed by July 1, 2020.

C. Council 2020 Retreat

Mr. Humphries reported that the Council will have their 2020 Retreat on February 29th from 8:30 AM till 12:30 PM. Mrs. Randall will be attending and anyone else on the Planning Board is also welcome. Please let the Town Clerk know if you plan to attend so food arrangements can be completed.

D. Minutes

Rick Pigg made a motion to approve the November 19, 2019 minutes. Kelvin Baucom seconded the motion. Board members Baucom, Buchanan, Medlin, Pigg, Randall and Thomas voted yes (6-0).

Doug Buchanan made a motion to adjourn. Bill Thomas seconded the motion. Board members Baucom, Buchanan, Medlin, Pigg, Randall and Thomas voted yes (6-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Nancy Randall
Chair

Approved this _____ day of _____, 2020