



Town of Fairview

PLANNING AND ZONING BOARD

Agenda

November 15, 2016 @ 6:30 p.m.

Meeting will be in the Council Meeting Room

1. Roll Call and Determination of Quorum --- *Vice Chairman Crowell*
2. Public Comments:
3. Report on Council actions: ---Ed Humphries
 - a. Decision on TC-16-049 (Text Amendment on similar uses)
4. Business:
 - a. Request for a Conditional Use permit #CUP-16055 to subdivide a residential lot (1.326 ac) from parcel #08282019H and create a conforming lot allowing a barn in the northwest corner of the lot to remain on the property
 - b. Approve: Minutes of October 18, 2016
 - c. Discuss town Survey 2016 results
5. Public Comments:
6. Adjourn

**Town of Fairview
Staff Report for:**

Planning Board

DATE: Nov.15, 2016

--CASE #: CUP-16-055	Conditional Use Permit
Applicant(s):	Tyler and Brittney Moss 980 Ben Black Road Midland NC 28107 Agent Steve Moss
Property Owner(s):	Robert Query 9623 Mill grove Road Indian Trail NC 28079
Requested Action:	Request for a Conditional Use permit to subdivide a residential lot (1.326 ac) from parcel #08282019H and create a conforming lot allowing a barn in the northwest corner of the lot to remain on the property.
Existing Zoning:	RA-40
Requested Zoning:	Conditional Use Permit in Residential
Location:	9606 Mill grove Road Indian Trail NC 28079
Property Size:	1.326 Ac.
Tax Parcel(s):	08282019H
Purpose/Narrative:	Residential
Surrounding Area Zoning:	Residential and Farming
Existing Conditions:	Lot is a total approx 6 acres used for farming with barn in the northwest corner of the property
Land Use Plan Recommendation:	The property is located in a residential neighborhood and can be subdivided. The only place the lot will perk is the northwest corner of the property next to the barn. Applicant wants to build a home on 1.326 acres and have the lot conform leaving the barn on the lot using a Conditional Use Permit .
Compliance with Zoning Ordinance:	Property can be subdivided and a home can be build using a CUP.
Conditional Use Permit Conditions: Moss	1. Located at 9606 Mill Grove Road. Indian Trail NC 28079 in the Fairview Zoning District. 2. Owner desires to subdivide the property creating a lot 1.326 ac in size from Parcel # 08282019H. 3. Owner desires to keep the barn which is shown

	<p>on the proposed survey.</p> <ol style="list-style-type: none">4. The applicant may use barn for any farm related or home use activity. Owner may maintain the barn, but not enlarge the footprint of the structure.5. The barn can be removed from the lot at any time.6. The lot would be a conforming residential lot.
Staff Recommendation on Application:	Staff would recommend with a Conditional Use Permit with above conditions

Town of Fairview

7400 Concord Highway
Monroe NC 28110

CONDITIONAL USE PERMIT APPLICATION Fees: \$325 to \$500

Application Number: CUP16055 Date of Application: 10-7-2016

I. Applicant / Owner Information

- A. Applicant's Name: Tyler & Brittany Moss (Brittany Moss 1021 @ gmail.com)
 Address: 980 Ben Black Rd. Midland, NC 28107
 Phone: 704-309-1288 Email: southflair@aol.com
- B. Owner's Name: Robert Query
 Address: 9623 Millgrove Rd. Indian Trail, NC 28079
 Phone: 704-753-1870 Email: southflair@aol.com

II. Property Information

- A. Property Location: Millgrove Rd. (see record map)
- B. Tax Parcel Number: 08282019 H
- C. Deed Book _____ Page _____
- D. Existing Zoning RA-40 Proposed Zoning RA-40
- E. Existing Use Farm Land Proposed Use Residential
- F. Property Size 43,560 / 1 acre (Sq. Ft./Acres)
- G. Is a Rezoning Application being submitted with CUP Application? NO

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. (see below)
- 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,

A. Subdivide this property to build new residence on new lot. (see survey attached)
This will create a non-conforming lot because of existing Barn that is located on side yard line. Our request is to have the Lot in compliance with the Land Use Ordinance

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. (see Attached Blue Print/Plans)
- 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 7400 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.

10-7-2016
DATE

Steve A. Moss
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: _____

Notice of Public Hearing Published On: _____

Notices to Applicant and Adjoining Property Owners Mailed on: _____
(Verification Attached)

MOSS Conditional Use Permit (CUP-16-055)

1. -Located at 9606 Mill Grove Road. Indian Trail NC 28079 in the Fairview Zoning District.
2. -Owner desires to subdivide the property creating a lot 1.326 ac in size from Parcel # 08282019H.
- 3.-Ower desires to keep the barn which is shown on the proposed survey.
4. The applicant may use barn for any farm related or home use activity. Owner may maintain the barn, but not enlarge the footprint of the structure.
5. The barn can be removed from the lot at any time.
6. The lot would be a conforming residential lot.

October 7, 2016

Re: Tax ID 08282019H

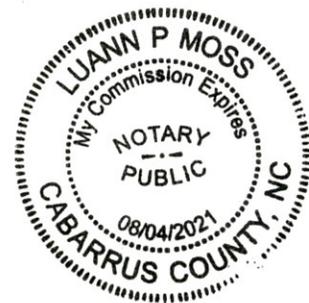
To: Ed Humphries &
The Town of Fairview

I Robert Query would like to assign Steve Moss
as the Authorized Representative for the Conditional
Use Permit Application process.

Sincerely,



Robert Query



LuAnn Moss

LuAnn Moss 8

Parcel Number

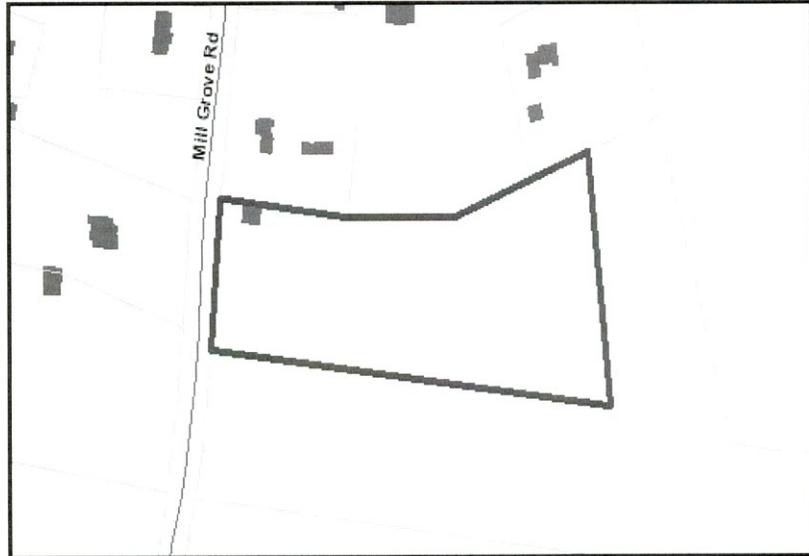
08282019H

Owner

QUERY
ROBERT W

Mailing Address

9623 MILL GROVE RD
INDIAN TRAIL
NC, 28079



Account Information

Land Value \$79,500.00
Building Value \$1,000.00
Total Value \$80,500.00
Acreage 6.4100

Subdivision
Description #1 MILL GROVE RD OPCK299
Situs Address MILL GROVE RD
Property Class RESIDENTIAL

Sales Information

Sale Date	Sale Amount	Book & Page	Grantor
06/18/2016	\$0.00	D129 0664	QUERY BETTY JO & ROBERT W
11/08/2007	\$0.00	4733 082	SASSER MINNIE B TRUSTEE
01/01/1900	\$0.00		

Location Information

Municipal Administration	Fairview	School	School Assignment Information
County Zoning Code	CITY	Census Tract Number	202.03
Zoning Administration	Fairview	FEMA Panel	5521
ETJ		FEMA Zone	
Fire District	Fairview	Soils	TbB2,CmB

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

Total Living Area	0	Type of Building	OTHER
Year Build	0	Improvement Type	

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

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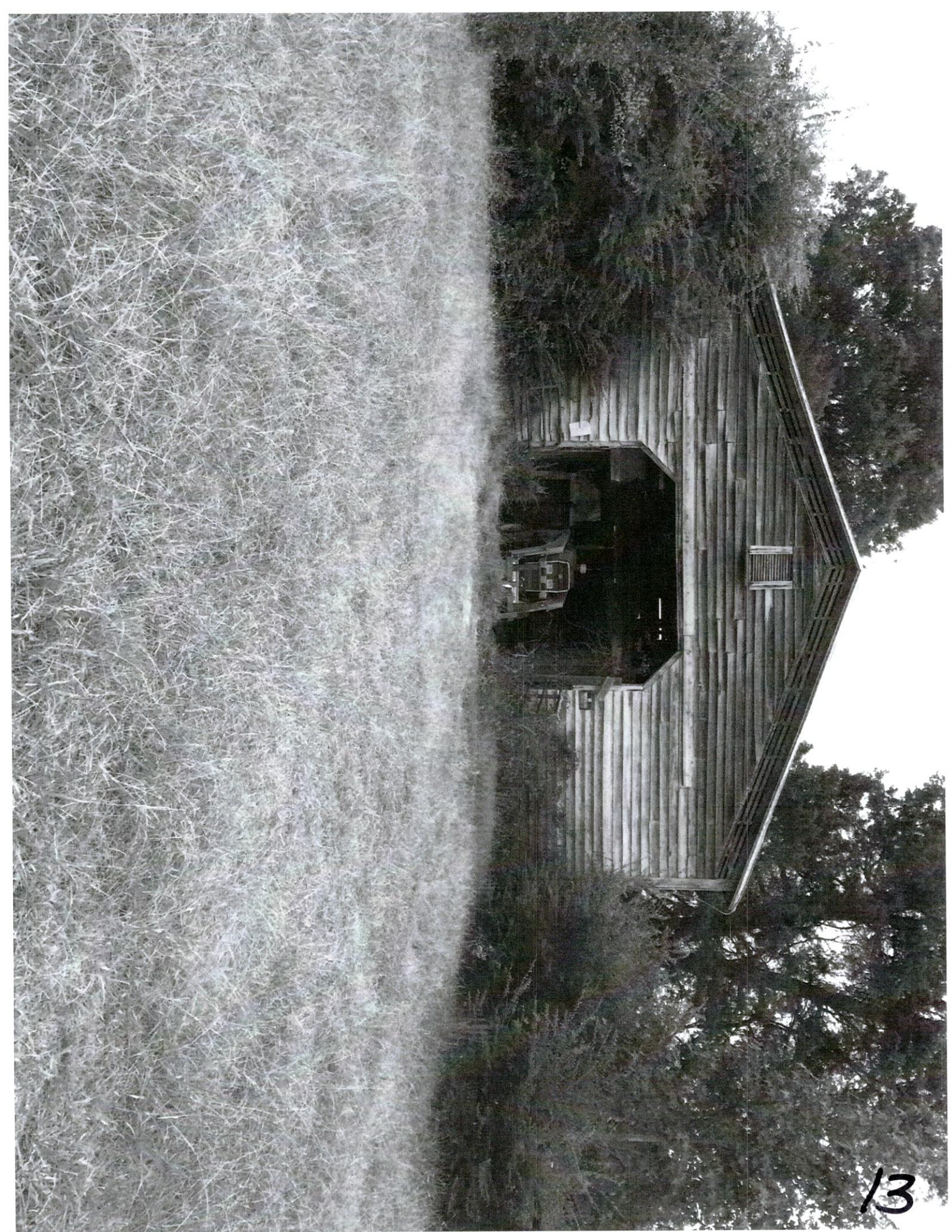
1993

© 2016 Google

35°09'58.68" N 80°34'33.32" W elev 560 ft

Go





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PUBLIC HEARING NOTICE

The Fairview Town Council will conduct a Public Hearing starting at 7:00pm on Monday, **Dec 12, 2016 during the Council Regular monthly meeting** at the Old Fairview School (location address: 7514 Concord Highway, Monroe, N.C.). The purpose of this hearing is to consider the following:

To hear public comment concerning

A request from Tyler and Brittany Moss to obtain a
Conditional Use Permit # CUP 16-055

to subdivide a lot residential lot (1.326 ac) from parcel #08282019H and create a conforming lot to allowing a barn in the northwest corner of the lot to remain on the property with conditions as follows:

1. –Lot to be located at 9606 Mill Grove Road, Indian Trail NC 28079 in the Fairview Zoning District.
2. –Owner desires to subdivide the property creating a lot 1.326 ac in size from Parcel # 08282019H.
- 3.–Ower desires to keep the barn which is shown on the proposed survey.
4. The applicant may use barn for any farm related or home use activity. Owner may maintain the barn, but not enlarge the footprint of the structure.
5. The barn can be removed from the lot at any time.
6. The lot would be a conforming residential lot.

The Public is invited to attend the public hearing and make comments. As a result of testimony, the Town council reserves the right to make changes to the proposed request prior to adoption. For More information, call Ed Humphries, Land Use Administrator at (704) 564.3412 during business hours. (Tuesday and Thursday 8:00am to 3:00pm)

The Town of Fairview does not discriminate on the basis of disability. If you need an auxiliary aid or service or other accommodation in order to attend or fully participate at this meeting, please contact the Ed Humphries at (704) 564.3412 as far in advance of the meeting as possible so that your request can be considered.



**Town of Fairview
Planning Board Meeting
October 18, 2016**

The following Planning Board members were present: John Crowell, Patricia Kindley, Greg Morgan, Rick Pigg, Nancy Horak Randall, Doug Buchanan, and Sara Furr

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

Public Comments

Mayor Phil Thomas expressed his appreciation to the Planning Board members for their service to the community.

Reports

Ed Humphries had no report

Items of Business

- A. Presentation from Brian Matthews, Executive Director of Growth Management for Union County
- B. Minutes

Nancy Randall made a motion to approve the September 20, 2016 minutes as amended. Rick Pigg seconded the motion. Board members Crowell, Kindley, Morgan, Pigg, Randall, Buchanan, and Furr voted yes (7-0).

Patricia Kindley made a motion to adjourn. Rick Pigg seconded the motion. Board members Crowell, Kindley, Morgan, Pigg, Randall, Buchanan, and Furr voted yes (7-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

John Crowell
Vice Chairman

Approved this _____ day of _____, 2016