

Fairview Planning and Zoning Meeting
July 19, 2011
6:30 p.m.
(Meeting held at Fire Department)

The following members were present: Chairman, Phil Thomas; Vice Chairman, Jesse Hargett; Patricia Kindley, Nancy Randall, John Phifer and Patti Freeman.

Staff: Land Use Administrator, Ed Humphries

Chairman Thomas opened the meeting.

Committee Reports: None

Public Comment: None

New Business

The Land Use Administrator explained a request from James Robert Paneque to place a Class B manufactured home on Parcel #08261003F with a Conditional Use Permit (CUP-11-038). The property is located at 9030 Indian Trail-Fairview Road.

The ordinance requires Class B mobile homes to be under a Conditional Use Permit. The conditions for the CUP-11-038 are as follows:

Conditions

- a) All manufactured homes, whether located inside or outside of manufactured home parks, must have a continuous curtain wall, un-pierced except for required ventilation and access, installed under the home after placement on the lot and before occupancy. With respect to class A and class B manufactured homes located outside of manufactured home parks, a permanent masonry curtain wall shall be required, however if stucco is used, it shall be applied to a masonry foundation only. In all other circumstances, a curtain wall or skirting composed of vinyl, masonite, fiberglass, treated lumber, or similar weather resistant material shall be acceptable; however stucco alone is unacceptable.

As indicated on the Table of Permissible Uses, class C and D manufactured homes are not allowed in any zoning district (except as a legitimate, nonconforming use).

- b) The table of Permissible Uses indicated that certain classes of manufactured homes are permissible within certain districts only pursuant to a conditional use permit. Notwithstanding the provisions of Sections 54 and 55, the Town Council may not issue a conditional use permit for such uses unless it makes an affirmative finding that the proposed use will not substantially injure the value of adjoining or neighboring properties. The burden of proof on this issue lies with the applicant. However, if the applicant presents a petition, signed by the owners of all properties entitled to receive

notice of the hearing on the application pursuant to Section 102(b), and stating that such property owners believe their property values will not be adversely affected by the proposed use, this shall be sufficient evidence from which the board may make the required finding.

- c) All manufactured home roof structures shall provide an eave projection of no less than ten (10) inches, which may include a gutter.
- d) All manufactured homes shall be set up in accordance with the standards set by the North Carolina Department of Insurance. Furthermore, stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the manufactured home shall be installed or constructed in accordance with the standards set by the North Carolina Department of Insurance, and attached firmly to the primary structure and anchored securely to the ground.
- e) All manufactured homes shall be orientated on the site in such a manner that the side having the main entrance, and by design intended to be the front of the manufactured home is generally parallel to a public street abutting the site.
- f) The pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;
- g) The exterior siding shall consist of wood, hardboard, or aluminum (vinyl covered or painted), comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
- h) The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.
- i) Provide an up to date survey showing the easement to the property and water (well) and septic tank locations.

Jesse Hargett made a motion to approve CUP-11-038 for James Robert Paneque to put a Class B manufactured home on Parcel #08261003B with the conditions above. This motion directs the Land Use Administrator to set the Public Hearing. The following statement is added to this motion:

The proposed zoning amendment under consideration **is** found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (Revised September 13, 2010), and the Town of Fairview Land Use Ordinance (effective July 1, 2005)

The motion was seconded by Patricia Kindley. All members voted yes.

The Land Use Administrator discussed the proposed amendment to the Sign Ordinance. The proposed amendment will again be discussed at the next meeting.

Patricia Kindley made a motion to approve the minutes of June 21, 2011 as corrected. Nancy Randall seconded the motion. All members voted yes.

Patti Freeman updated the Board on two events happening at the Fire Department: the Fire Department Annual Meeting and an "Open House".

John Phifer made a motion to adjourn the meeting. Jesse Hargett seconded the motion. All members voted yes.

Respectfully submitted,

Land Use Administrator
Ed Humphries

Chairperson
Phil Thomas

Approved this _____ day of _____, 2011.