

Town of North Wilkesboro
Planning Board Meeting Minutes
February 23rd, 2022
Town Hall and on Zoom at 5:30 pm

Planning Board Members Present: Nichols, Cox, Minton, Suddreth and Long
Also Present: Meredith Detsch, Planning Director, Danny Johnson, Town Attorney, Sherrill Faw, Elizabeth Glover (applicant), and Logan Roope.

Chair Nichols called the meeting to order at 5:33 pm. Chair Nichols asked for any deletions or additions to the agenda. Hearing none, Minton moved to approve the agenda as presented and Cox seconded the motion. The motion passed unanimously, 5-0.

Chair Nichols asked if there was any public comments that were not listed on the agenda, hearing none, we will move on.

The next order of business is the rezoning request at 101, 103, and 105 Boone Trail. Chair Nichols turned it over to Meredith Detsch, Planning Director to present. Detsch explained this rezoning request is similar to the ones the board had a few months ago on Sycamore Street. The property is zoned General Business and has a residential house on it that is non-conforming. The property is addressed 101, 103, and 105 Boone Trail, PIN# 3868-04-3152 Parcel ID: 1400237, 0.72 acres based on GIS. The request before the board is from General Business to R-6, High Density Residential which would make the property conforming to its use. Currently if something happened to the property where more than fifty percent of the tax value was destroyed then they couldn't rebuild. The surrounding land use is a mix of commercial and some low and high density residential. The Town does provide water and sewer to the property and it is accessed off Boone Trail. This property is within the Watershed II, Balanced area. If the property owner wishes to subdivide the property, they will need to create an acre lot for each house to meet the density requirement of one dwelling unit per acre. Currently this property is nonconforming with all of the zoning districts. When reviewing and making recommendations on proposed zoning map amendments, the Planning Board shall consider the Comprehensive Plan. Consistency with the Comprehensive Plan Map does show this area as General Business but that can be amended with a rezoning request. We also look to the current zoning in the area and there are several R-6 zoned properties in the vicinity. The property has been a single family home for many years. As the current zoning stands today, the house is a non-conforming use and structure. As staff mentioned earlier, since it is a non-conforming use and structure if anything was to happen to it damaging more than fifty percent of it, the property owners would not be able rebuild it as a single family residence. If rezoned to the R-6 High Density Residential zoning district this house would be conforming as a single family residence. In the process of selling the house, the conformity stance came up as the lender is requiring it to be conforming before the sale of the property. Staff feels there will be a low impact with the property being down zoned to residential. Since the property is already being used as residential, classifying it correctly would alleviate the non-conformity issue. Additionally there are many single family homes up Boone Trail less than 1,000 feet from this property zoned R-10 Low Density Residential and additionally in the area are properties zoned R-6 High Density Residential. This property if re-zoned would not be considered spot zoning since there are other properties in the area zoned R-6, High Density Residential including the property adjacent to it. Staff recommends the property to be rezoned to R-6 High Density Residential. While this may be inconsistent with the Comprehensive Plan it can be

considered reasonable as there are several residential properties in the area and this property is a non-conforming residentially used property. The Comprehensive Plan map can be amended to represent the actual land use if so chosen. Additionally, given the history and the current area being so diverse in land uses this change in zoning can be argued to be consistent with surrounding uses.

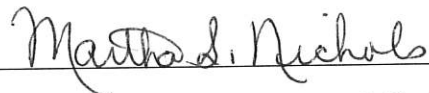
Chair Nichols asked if there was any discussion among the board members, hearing none she asked if any other parties would like to speak to this matter. The applicant Elizabeth Glover wished to and explained she inherited this property in 2016 from her mother and decided to sell the house after doing renovations on it surpassing ten thousand dollars. They found out the zoning was an issue when selling it and it was built in 1914 by her grandmother and has always been residential. She hopes the Planning Board will consider rezoning the property to residential. Logan Roope is the realtor for the buyer and wanted to speak on her behalf as she could not attend the meeting. Buying this house is a goal for her as a single mom and has sunk a lot of resources and money into pursuing the dream of owning a home. Ms. Glover's cousin noted this was her inheritance and also her retirement with the sale of this house. Chair Nichols noted that the comments were important but not relevant to the rezoning of the property but thanked them. Chair Nichols asked the board if they wanted to make a motion on the item. Mr. Long wished to make a motion and stated the Planning Board recommends to approve the proposed rezoning at 101, 103, & 105 Boone Trail, PIN(s): 3868-04-3152, Parcel ID #: 1400237 from GB, General Business to R-6, High Density Residential. The proposed rezoning is consistent with the North Wilkesboro 25 Year Comprehensive Plan and all other applicable plans, because it results in the potential development of a commercially zoned site to become conforming to the land use as a residential property. The Planning Commission considers the vote to be reasonable in the public's interest. Suddreth seconded the motion. The motion passed unanimously 5-0. Mr. Faw thanked the board and Detsch explained there are two Board of Commissioners meeting she will communicate to him about before the rezoning is final.

With no other discussion Chair Nichols asked for a motion to adjourn the meeting. At 5:38 pm Minton moved to adjourn the meeting and Suddreth seconded the motion. The motion passed unanimously 5-0.

Respectively submitted,



Meredith Detsch, Planning Director



Martha Nichols, Planning Board Chair *or*
Danny Long, Planning Board Vice-Chair