



# Board of Adjustment Minutes

## April 11, 2019

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**Members Serving:**

David Nail, Chairman  
Steve McGlothlin, Vice Chairman  
Rosalind Campbell  
Danny Martin  
Mark Brady

**Also, Present:**

Rawls Howard, Director  
Craig Culberson, Senior Planner  
Jackie Thompson, Administrative Specialist  
Becca Bleich, Zoning Administrator

**Not Serving:**

John Robertson  
Alan Johnson  
Mitch Abraham  
Joan Hutton

Mr. Nail called the meeting to order at 6:41 P.M.

- 1.) Approval of the minutes from the March 14, 2019 board of Adjustment meeting.

**ACTION: A motion by Mr. Brady, seconded by Mr. McGlothlin to approve the minutes. The motion was unanimously approved.**

- 2.) Consider a **VARIANCE** request from James McKnight. The properties are located on Shearers Road, further referenced by Iredell County Tax Map PINs 4665-28-7065, 4665-27-4830, 4665-18-9010, 4665-27-7970, and 4665-27-5447. The request is in reference to Section 9.2.4 cul-de-sac length.

Mr. Culberson was sworn in.

Craig Culberson: The applicant is Jimmy McKnight. The owners of the property are Deanna Lipe, Elsie McConnell, Jon & Johna Blackwelder and Mrs. Jimmie Cagle. The request is for a variance seeking relief from Section 9.2.4 (6):

(C) Total Road Frontage: No more than 10% of the total road frontage

(D) Maximum Length: Not to exceed 400 feet in length and serve no more than 25 lots.

The property is currently zoned R-2 under the Town of Mooresville. The property has very limited road frontage. Section 9.2.4 Streets sets out design criteria for all streets. Section 9.2.4 (6) (C) sets criteria for cul-de-sac road frontage. Section 9.2.4 (6) (D) sets the criteria for length and number of lots that can be served by a cul-de-sac.

Applicant is seeking relief from (1) the length of the cul-de-sac, (2) the number of units that may be served by a cul-de-sac, and (3) the total percentage of street frontage that can be covered by a cul-de-sac. There are currently no adjacent streets for connections to the north, south, or west of the property.

Proposed plan would include stubs for potential cross streets adjacent properties develop. Ordinance requires that no more than 10% of the road frontage be in cul-de-sacs. Ordinance states that no more than 25 lots may be on a cul-de-sac.

No site plan has been submitted to the town for official review. The property will need to be rezoned in order to be developed in the manner that the applicant wishes. The variance is needed to facilitate the applicants desired plan. The property is long and narrow. In consideration of the variance, conditioning the variance to include street stubs to the north, south and west may be appropriate.

In a variance case, the findings of fact must be answered in the affirmative:

1. There are practical difficulties or unnecessary hardships in application of the Ordinance requirements; and
2. Any Practical difficulties or unnecessary hardships are not the result of the actions of the applicant;
3. The reasons set forth in the application justify the granting of a Variance, and that the Variance is the minimum action that will make possible the reasonable use of land or structures; and
4. The Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit; and
5. In the granting of the Variance, the public safety and welfare have been assured and substantial justice has been done.

The Board can:

1. Approve the request based on affirmative findings of fact
2. Approve the request with reasonable conditions
3. Deny the request

Note: if any of the findings are voted in the negative, the request must be denied.

Jimmy McKnight was sworn in. He explained his desires for the project and thanked the board.

**ACTION: A motion by Mr. Brady with conditions, seconded by Mr. McGlothlin to approve the Finding of Facts. The motion was unanimously approved. The Variance was granted unanimously with the condition that they include road stubs.**

**ACTION: A motion by Mr. Brady, seconded by Mr. McGlothlin, to adjourn the April 11, 2019 Board of Adjustment meeting. The motion was unanimously approved.**

The meeting adjourned at 7:03 P.M.

