

TOWN OF UNIONVILLE MINUTES OF PUBLIC HEARING

The May 17, 2010 public hearing was held at 7:00 p.m. in Town Hall, 1102 Unionville Church Road, Monroe, NC. The purpose of this hearing was to hear public comments regarding Text Amendment TC10-02, regarding removing duplexes as allowed by right in RA-40 zoning. Mayor Simpson and Commissioners Randy Baucom, Robert Croutch and Edd Little were present. Commissioners Jim Baucom and Ken Brown were absent. Town Attorney Ken Helms was present.

Mayor Simpson welcomed everyone and called the public hearing to order.

Although no one had signed up to speak, an audience member made inquiry as to what this text amendment entails.

Ms. Jana Finn, Unionville Land Use Administrator, addressed Council and stated that this text amendment was generated by the Planning Board, after Ms. Finn relayed information to them that duplexes are currently allowed in RA-40 zoning and asked if this is the appropriate district for duplexes by right, which means that the Land Use Administrator must make a legal decision. Now, if the applicant meets the 150% square footage requirement, the Land Use Administrator must approve the permit if it also meets setbacks and size requirements.

Someone asked a question that if a dwelling is attached in the RA-40 district, is that appropriate without notifying adjoining property owners who may not realize that is the case. Ms. Finn stated that the Board of Adjustment would have the opportunity to review a special use permit in RA-40. The Council is able to review a special use permit in RA-40. The concern was that if the property owner did a minor subdivision with 5-6 lots and came through later and instead of single-family houses, it was now duplexes, there is nothing the Land Use Administrator can do to prohibit that. This text amendment would remove that as a permitted use by right in RA-40 as it is now. It would remain as a special use permit.

Town resident Hoyt Rushing questioned further, asking if the Town is not saying you can't build duplexes unless a subdivision has already been started and that you must get a special use permit. Ms. Finn clarified that the way the text amendment is being presented tonight, duplexes would no longer be permitted by right in RA-40. A resident must get a special use permit and the property would need to be rezoned to R-20 or R-40. The Board of Adjustment would have the opportunity to review the duplexes. This would provide more discussion and notification to adjoining property owners. Ms. Finn has heard concerns that in a subdivision, the developer could put duplexes on each and every lot as the ordinance reads now.

Town resident Kathy Oropesa made inquiry as to the 30,000 square foot minimum in RA-20 zoning, and stated that there are few areas of R-40 zoning in the Town. She stated that duplexes would be eliminated in RA-40 zoning with 60,000 square-foot minimums, and asked how much of the Town is zoned R-20. Ms. Finn stated that not much of the Town is zoned R-20, but asked if that is the proper question. It is to determine if RA-40 is the appropriate place for duplexes. With that question, there could be other alternatives with public interaction and notification that is not currently required. Ms. Finn stated that she would be happy to answer any other questions or explore other options if the Council would like for her to do so.

There being no one else to speak on this issue, Mayor Simpson closed the public hearing regarding the duplex text amendment.

Respectfully submitted,

Sonya W. Gaddy
Clerk

Approved as to form:

R. Kenneth Helms, Jr., Town Attorney