

**MINUTES OF THE BURLINGTON PLANNING  
AND ZONING COMMISSION MEETING**

**March 22, 2010**

**Council Chamber, Burlington Municipal Building**

**CITY MEMBERS:**

George Byrd, Chairman, Present  
Paul Cobb, Secretary, Present  
John Black, Absent  
Lynn Cowan, Present  
Early Kenan, Jr., Present  
Gordon Millsbaugh, Present

**EXTRATERRITORIAL MEMBERS:**

Bud Apple, Present  
Richard Franks, Present  
Earl Jagers, Present  
Jim Johnson, Present  
Rebecca Lashley, Present

**STAFF PRESENT:**

David Beal, Assistant Director of Planning Services  
Joey Lea, Zoning/Subdivision Administrator  
Dianne Fogleman, Office Assistant

**ITEM NO. 1:** Chairman Byrd called the meeting to order at 7:00 p.m.

**ITEM NO. 2:** Minutes of the meeting held February 22, 2010, were unanimously approved. This was a City and extraterritorial item.

**ITEM NO. 3:** Mr. Marshall Ray Evans, Jr., presented an application to rezone from I-1A, Planned Industrial-Residential District, to CI, Conditional Industrial District, for the use of a church with related activities. The property is located at 2051 Anthony Road as shown on Alamance County Tax Map 12-5, Lot 44A, consisting of 1.92 acres.

Mr. Evans requested that all uses permitted in I-1A zoning be included on the application form.

Assistant Director of Planning Services David Beal stated that since this was a request for Conditional zoning and the property was currently zoned I-1A, staff could recommend that the applicant's request that all uses permitted in I-1A be included in addition to the church use.

Mr. Evans stated that he had contacted adjacent property owners and discussed the rezoning request and had received favorable responses.

With the aid of an overhead audio visual, Mr. Beal showed the current site plan where four handicapped parking places had been relocated under an awning farther away from Anthony Road. He stated that the City's Technical Review Committee, which includes a DOT representative, had approved the accesses. He stated that staff recommended approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner.

Commission Chairman Byrd asked if staff had received any calls inquiring about the rezoning. Zoning/Subdivision Administrator Lea stated that an adjoining property owner, Mr. Larry Norris, called asking about the rezoning sign posted on the property.

Commission Member Franks made a motion to recommend approval of the request for rezoning with the Use and Development Conditions submitted by the petitioner. Bud Apple seconded the motion. The Commission voted unanimously to recommend approval of the request for rezoning. The Commission recommended that the official zoning map and the Comprehensive Land Use Plan be amended to reflect the change. The petitioner has submitted the following Use and Development Conditions:

**Use Conditions**

Church facility and all related activities and all uses permitted in I-1A zoning.

**Development Conditions**

1. Existing gravel parking and landscaping shall remain.
2. Signage shall comply with I-1A zoning district.
3. Building shall comply with NC Building Codes for a church.

The Commission found that the zoning change as requested would not adversely affect the adjoining property and would be in keeping with land use planning in the area. The Commission further found that the request was consistent with the Comprehensive Land Use Plan for Burlington and its environs.

Commission Chairman Byrd stated that two Commission members representing the City would not be able to attend the April meeting and asked the other four City members if they would be able to attend. They stated that they would be able to attend.

Commission Secretary Cobb asked for an update on the Webb Avenue situation.

Mr. Beal stated that Code Enforcement staff had issued several violation notices to property owners not in compliance with City ordinances and that everything not in compliance had been addressed. Mr. Beal stated that he knew Mr. Cobb had concerns with the partially demolished mill, but inspectors had found that the owner was in full compliance. He stated that he thought Planning Director Harkrader had tried to get in touch with the owner and added that he would pass this request for an update to Mr. Harkrader.

There being no further business to discuss, the meeting was adjourned at 7:08 p.m.

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**George Byrd, Jr., Chairman**

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**Paul A. Cobb, Jr., Secretary**