

AGENDA

ORANGE COUNTY BOARD OF ADJUSTMENT

**LOWER LEVEL CONFERENCE ROOM
(ROOM #004)
WEST CAMPUS OFFICE BUILDING
131 W. MARGARET LANE
HILLSBOROUGH, NORTH CAROLINA**

**APRIL 22, 2014
7:30 p.m.**

No.	Page(s)	Agenda Item
1.		CALL TO ORDER
2.		CONSIDERATION OF ADDITIONS TO AGENDA
3.	1-124	APPROVAL OF MINUTES a. November 11, 2013
4.	125-130	APPROVAL – ORDER OF INTERPRETATION (MICHAEL BUCK)
5.		PUBLIC CHARGE <i>The Board of Adjustment pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. All electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate.</i> <i>The Board of Adjustment is a quasi-judicial administrative body established in accordance with the provisions of local regulations and State law to perform specified functions essential to the County's planning program. Action(s) taken by the board are based solely on competent, substantial, and material evidence presented during a previously scheduled and advertised public hearing on a specific item. As detailed within Section 2.12.2 of the UDO the Board chair reserves the right to exclude evidence and testimony that is deemed: 'incompetent, irrelevant, immaterial, or unduly repetitious' and therefore fails to reasonably address the issues before the Board of Adjustment. While it should be noted there is no time limit on the presentation of evidence, the Chair asks that the presentation of evidence be consistent with established policies, rules of procedure, and acceptable levels of decorum to ensure a fair and equitable hearing for all parties.</i>

6. 131-219 A-1-14 – Class B Special Use Permit – Telecommunication Facility

In accordance with Section(s) 2.7 *Special Uses*, 5.2.2 *Table of Permitted Uses*, 5.3.2 *Application of Use Standards – Special Uses*, and 5.10 *Standards for Telecommunication Facilities* of the UDO American Tower and AT and T Mobility have submitted a Class B Special Use Permit application seeking a permit to erect a 199 foot telecommunication tower on a 55 acre parcel of property at 5309 Carr Store Road within the Cedar Grove Township of the County, further identified utilizing Orange County Parcel Identification Number (PIN) 9839-55-8588, which is owned by the Kirby family.

The property in question is zoned Agricultural Residential (AR) and Back Creek Protected Watershed Protection Overlay District. The proposed use is permitted on the property subject to the issuance of a Class B Special Use Permit. The property is currently utilized as a farm.

As detailed within the application, the applicant wishes to erect a telecommunication tower within a 100 foot by 100 foot leased area on the aforementioned parcel. There will be an equipment cabinet at the base of the tower to house equipment for the various communication providers utilizing the tower within a 60 foot by 60 foot fenced compound.

Access to the proposed facility shall be through an existing driveway with direct access to Carr Store Road.

7. ADJOURNMENT

IF UNABLE TO ATTEND THIS MEETING, PLEASE CALL THE PLANNING DEPARTMENT (NUMBERS LISTED BELOW – PRESS 1 PLUS EXTENSION 2575 OR 2585). STAFF CAN THEN DETERMINE IF A QUORUM WILL BE PRESENT FOR THE MEETING.

**HILLSBOROUGH - 732-8181
CHAPEL HILL - 967-9251**

**MEBANE - 227-2031
DURHAM - 688-7331**