



Planning Board/Board of Adjustment

Regular Meeting Agenda

Monday, August 10, 2026, 6:00 PM

Meeting Initiation

- | | |
|---|--------------------|
| 1. Call to Order | Chairman Witkowski |
| 2. Moment of Silence | Chairman Witkowski |
| 3. Pledge of Allegiance | Chairman Witkowski |
| 4. Determination of a Quorum (4 of 7) | Chairman Witkowski |
| 5. Approval of Minutes of July 13, 2026 | Board |
| 6. Adopt Proposed Agenda | Board |

New Business

- | | |
|---------------------------------------|----------------|
| 7. Lincoln Ave Annexation | |
| • Presentation | Planner Blount |
| • Discussion | Board |
| • Recommendation to BoA | Board |
| 8. John Street Rezoning | |
| • Presentation | Planner Blount |
| • Discussion | Board |
| • Recommendation to BoA | Board |
| 9. Salisbury Ave/US HWY 29 Restriping | |
| • Presentation | Planner Blount |
| • Discussion | Board |
| • Recommendation to BoA | Board |

Old Business (Planning Board)

- | | |
|---|----------------|
| 10. Hawkinstown Road Annexation and rezoning update | Planner Blount |
| 11. 600 S Salisbury Ave rezoning update | Planner Blount |

New Business (Board of Adjustment)

12. No new business

Old Business (Board of Adjustment)

- | | |
|-----------------------------|------------------------|
| 13. Variance process review | Planner Blount & Board |
|-----------------------------|------------------------|

Meeting Closing

- | | |
|---------------------------------|----------|
| 14. Public Comment | Chairman |
| 15. Comments from Board Members | Board |
| 16. Announcements | Chairman |
| 17. Adjournment | Chairman |



Planning Board/Board of Adjustment Regular Meeting Monday, July 13, 2026, 6PM

The meeting was called to order by Tim Witkowski, Chairman at 6:00 PM, followed by a moment of silence and the Pledge of Allegiance.

A quorum was established; Tim Witkowski, Anthony Nero, Donald Walser, Greg Lucas Beam, Terrall (Terry) Bryan, Bob Pendergrass and Donna Redfern were present. Town Planner, Steve Blount and Allison Myers, Office Assistant, were also in attendance.

Approval of minutes: A motion by Bob Pendergrass and seconded by Donnie Walser, all voted in favor of minutes approval.

Motion to approve proposed agenda by Anthony Nero, and seconded by Donna Redfern, all voted in favor of approval.

No new Business

No public comment

Motion to adjourn by Anthony Nero and seconded by Bob Pendergrass.

Board of Adjustment Meeting July 13, 2026

Meeting called to order at 6:15 pm by Tim Witkowski.

A quorum was established; Tim Witkowski, Anthony Nero, Donald Walser, Greg Lucas Beam, Terrall (Terry) Bryan, Bob Pendergrass and Donna Redfern were present. Town Planner, Steve Blount and Allison Myers, Office Assistant, were also in attendance.

New Business:

Variance Request: 440 Steeplechase Trail

Tim Witkoswhi discussed the order of the meeting and Steve Blount gave comments of thing to consider during the meeting.

Swearing in of Steve Blount, Bethanne York and Melinda Everhart.

Public Hearing declared open by Chairman Witkowski.

Bethanne York, applicant for 440 Steeplechase Trail, testified and answered board members questions. She reviewed a folder of horse records, testified about its contents, and submitted it to board members for review and was entered into evidence. Testimony was recorded, and handwritten notes are available.

Melinda Everhart, of 525 Steeple Chase Trail, testified in opposition to granting the variance and answered board members questions. She provided handouts to board members, which were entered into evidence. Testimony was recorded, and handwritten notes are available.

After board discussion Tim Witkowski closed the public hearing.

Steve Blount, Planner gave staff presentation and presented the findings and facts.

Findings of Facts

The Board of Adjustment finds the following Facts to be in evidence

1. Section 91.03 of the Town of Spencer's Code of Ordinances regulates the keeping of what are considered livestock animals on property within the jurisdiction of the Town.
2. Section 91.03(A)(1) states, "No person shall keep any horse within the corporate limits unless the following stipulations are adhered to ... Lot or parcel must be a minimum of two acres". Subsection (2) goes on to require at least one acre of land per animal.
3. On or about April of 2025, the York family purchased the house and land located on Rowan County tax parcel 045A092 located at 440 Steeplechase Trail, said property being located in the municipal boundaries of the Town of Spencer.
4. According to Rowan County GIS information, this property is 1.27 acres in size.
5. This neighborhood, designated as "Long Ferry Farms, Section 2", has been marketed in the past as a mini-farm, equestrian friendly neighborhood.
6. Of the approximately 32 lots (in some cases one person owns several lots), 17 or 53% are over two acres in size and could have horses if so desired.
7. Of the 32 lots, 9 have some level of fencing with several having barns.
8. Research on other municipal livestock ordinances in surrounding communities in North Carolina shows a variety of regulation types, and within those regulations, a variety of required lot sizes.
 - a. Some larger municipalities have no minimum lot size and depend on a required inspection by an animal control officer to make determinations on a case by case basis.
 - b. Those that do have minimum lot size limitations range from ½ acre to 2 acres.
9. Expected life expectancy for an American Quarter Horse is 25-30 years with some living into their later 30s. The horse in question is reported to be 36 years old.

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10. The animal in question is a 36-year old Quarter Horse that is kept in a fenced area which is 150-200 feet from adjacent residential structures. It is fed supplementally (not dependent on grazing within its enclosure). The enclosure is kept clean and free of waste.

11. The animal in question is an official Emotional Support Animal as designated by a licensed Clinical Social Worker as required by the Fair Housing Act (Title VIII Civil Rights Act of 1968).

12. The horse is elderly with a limited continued life expectancy.

13. Applicant points out that while minimum lot size is defined by the ordinance, there is no limitation on how small the fenced in area where the animal is kept shall be.

a. Is a horse kept in a small, fenced area on a large lot better off than a horse kept on a small lot with a larger fenced area?

14. Site is bordered on three sides by a buffer of trees and vegetative growth.

Based on the facts found to be in evidence, we, the Town of Spencer Board of Adjustment, by a 4/5th majority vote, do: Grant the requested variance with the following conditions:

1. This variance will expire at the time of the current horse's death or removal from the property. Another horse will not be allowed on this property after that time unless the current ordinance limitations are changed through required amendment procedures.

2. The current horse will not be walked or ridden in the public road right-of-way nor taken onto neighboring property without the express permission of that property owner.

3. Vegetative buffers along the edge of the property shall be maintained until horse is removed.

Lucas Daniels moved to approve the findings and facts, Donna Redfern seconded the motion, and all voted in favor.

Bob Pendergrass moved to grant the variance, allowing the horse to remain on the 1.27-acre property subject to the stated conditions. Lucas Daniels seconded the motion. Tim Witkowski opposed, and Anthony Nero, Donald Walser, Greg Lucas Beam, Terrall (Terry) Bryan, Bob Pendergrass, and Donna Redfern voted in favor. Motion carries.

Donna Redfern moved to adjourn the meeting, Lucas Daniels seconded, and all voted in favor.

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MEMO

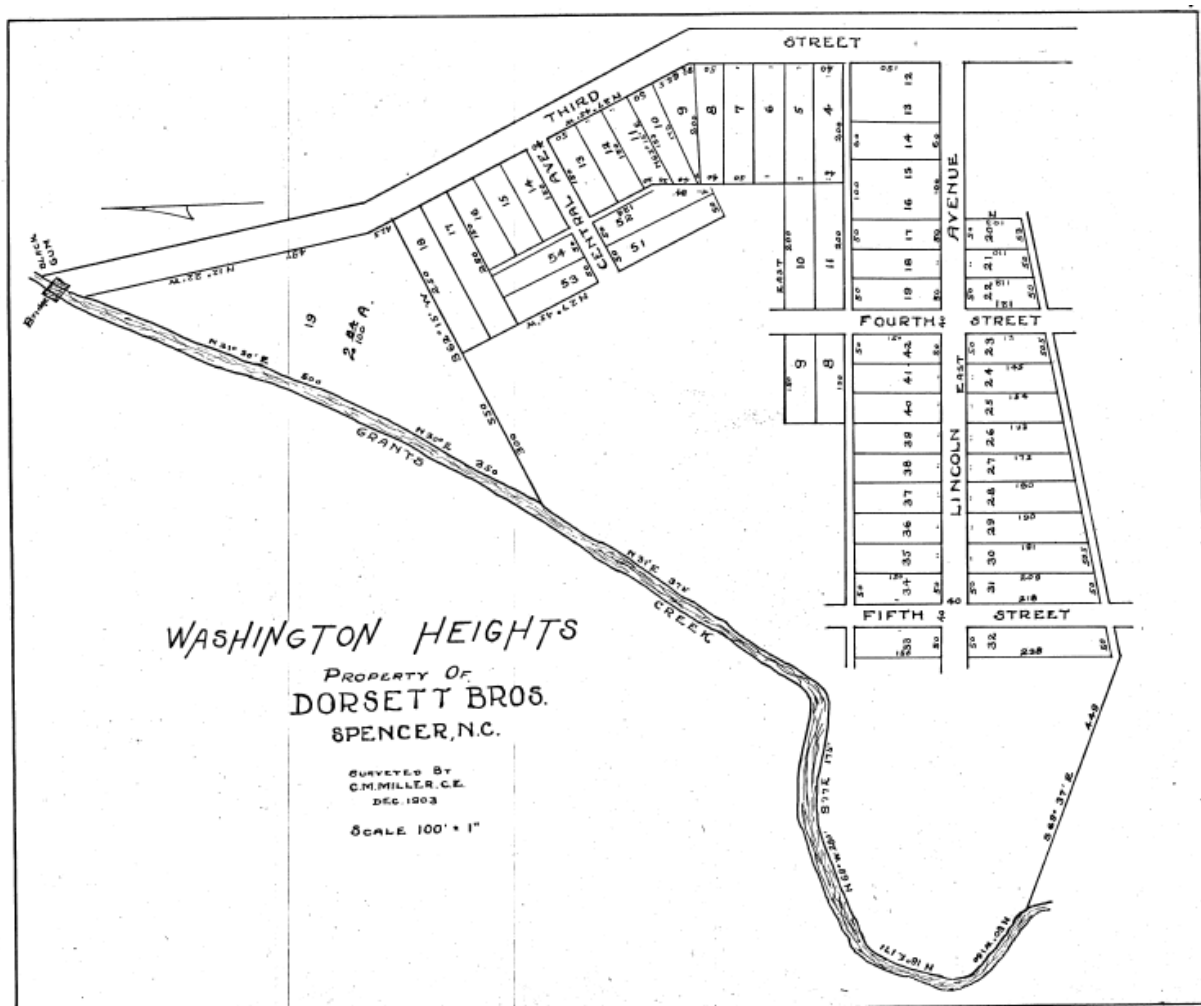
Date: 6.11.26

By: Steve Blount, Town Planner

RE: Lincoln Ave Annexation

Narrative:

The parcels on Lincoln Ave off Hollywood Drive near Grants Creek were part of a 1903 subdivision titled Washington Heights shown below. While Lincoln Ave was built and a few homes constructed, many lots remained undeveloped and the side streets were never completed. Water and sewer lines were extended along Lincoln Ave at some point.



In 2024, a developer approached the Town with a plan to build ten homes along the western end of Lincoln Ave. The Town agreed to annex these properties so that the developer could connect to municipal water and sewer lines to serve these new homes. At some point, that developer decided to build duplexes instead of single family homes (which is allowed in our Development Ordinance) but Salisbury Rowan Utilities (SRU) told the developer he would need to increase the water main size to accommodate this level of housing density. He is still working with SRU on this water main design and installation.

Another developer has purchased two lots closer to the east end of Lincoln Ave with plans to build two duplexes. He has requested annexation to allow these to be connected to municipal water and sewer lines. SRU has approved his development without the need to increase the water main size.

Annexing single parcels or even small subdivisions can be questionable from a cost benefit point of view when, for example, considering the creation of an additional garbage route just for one or two homes. Since we have already annexed ten parcels along this same road, we don't consider that a factor in this annexation decision.

Conclusion:

Based on these findings, staff recommends that after proper procedure, notification, and public hearings are held, that the Board of Aldermen vote to approve this annexation of these two parcels.



MEMO

Date: 7.30.26

By: Steve Blount, Town Planner

RE: John St Rezoning

Narrative:

This 3.21 acre parcel has been purchased by a Concord developer who plans to develop a small residential subdivision. As this development will require a new road and other infrastructure improvements, the developer would like to build out this property at a higher density than the current zoning classification will allow. Amending the zoning classification from SFR-3 to RMST will allow 12-16 lots to be created and homes to be built.

Existing zoning in this area includes primarily RMST to the east and south with SFR-2 & 3 to the west. Small to moderate sized homes on small lots is the prevalent development pattern in this area.

The Town's Comprehensive Land Use Plan supports higher density residential development in this area.

Conclusion:

Based on these findings, staff recommends that after proper procedure, notification, neighborhood meeting, and public hearings are held, that the Board of Aldermen vote to approve this rezoning and adopt the required Statement of Consistency for this action.



MEMO

Date 5.10.22

By: Steve Blount

RE: Salisbury Ave Restriping Project

Narrative:

History

In July of 2012, NCDOT adopted their ***Complete Streets Planning and Design Guidelines*** recognizing roadway corridors were important for more than travel by automobiles. This program encouraged municipalities to incorporate sidewalks and bike lanes into all street planning efforts.

In June of 2015, Spencer and East Spencer were awarded a Bicycle and Pedestrian Planning Grant. The plan resulting from that professionally led process was adopted by both local governments in July of 2016. The planning process included many public input opportunities including professional surveys and selected as its highest bicycle related priority for Spencer, bike lanes from 17th Street to the Wilcox Bridge at the Yadkin River.

In the summer of 2021, NCDOT announced to the Town their plans to resurface Salisbury Ave from 17th Street to Long Ferry Road later that year or in early 2022. They asked for input from the Town as to possible reconfiguration of the road “profile” via restriping. Based on the adopted recommendations of the ***2016 Bicycle/Pedestrian Masterplan***, town staff put together a brief online survey used to gather public input on this issue. The online survey garnered only 14 responses with 9 in favor and 5 opposed to the proposed restriping of the road which would result in a reduction of traffic lanes to single lanes in each direction, a center turn lane, and bike lanes on either side.

By January of 2022, NCDOT advised we could have until mid-summer of this year to present a proposed restriping plan for Salisbury Ave. The Town hired a consultant, Kimley Horn to help draft proposed maps and cross sections that would be used to present this plan to the public, the Planning Board, and ultimately to the Board of Aldermen for approval. Staff worked with Kimley Horn who provided us with preliminary maps in late March and final maps on May 3rd. These maps and other information were presented to the Planning Board at their May 9, 2022 meeting and that board voted unanimously to recommend approval to the Board of Aldermen.

Supporting Concepts

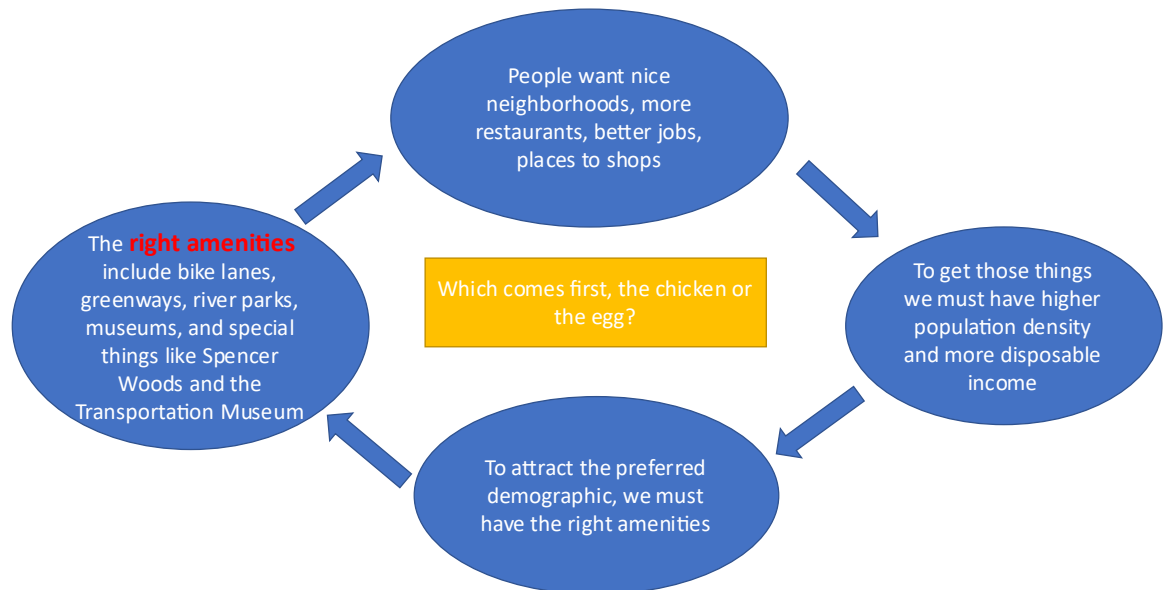
- Per the NCDOT Complete Streets design philosophy, we should incorporate sidewalks and bike lanes into our street designs wherever possible.

- Per our 2016 Bicycle/Pedestrian Master Plan, bike lanes, sidewalks and other alternative transportation “facilities” offer many benefits to our community as follows:

1.4 Benefits of Bicycle and Pedestrian Facilities

Any good investment provides a beneficial return. Bicycle and pedestrian facilities provide a great return on the investment required to implement if properly planned, built, and maintained. The benefits of bicycle and pedestrian facilities are multifaceted and the subject of numerous studies and reports. The following overview of the many benefits provided by bicycle and pedestrian facilities is divided into four categories:

- *Connecting Communities*
 - *Health Benefits*
 - *Economic Impacts*
 - *Environmental Benefits*
- Per previous presentations, bicycle lanes are considered the types of amenities our community needs to attract new resident here:



- Reducing traffic lanes and adding bike lanes will create a traffic calming effect and reduce the implied speed limit of Salisbury Ave.
- Bike lanes and sidewalks are an integral part of a larger concept of community development. Tying various amenities (Downtown, Transportation Museum, 8th Street Ballpark, Stanback Forest, future River Park, etc.) together with transportation links that are an amenity in and of themselves creates a multiplier effect.
- This is a once in 15-20 year opportunity to take the first steps toward upgrading our most prominent roadway into a pedestrian friendly corridor at no cost to the town.

Possible Arguments Against Restriping

- **Roads are for cars, not bicycles-** Actually, public roads are meant to be used for a variety of modes of transportation including cars, mass transit (buses), bicycles, and in appropriate places, even electric vehicles like golf carts or trolleys. Sidewalks and greenways collocated with roads are meant to promote walking and bicycling.
- **Salisbury Avenue is too busy for bike lanes-** When Salisbury Ave/ US HWY 29 was the main connector for north-south traffic, four traffic lanes were kept full and busy with local and thru traffic. With the building and then widening of I-85 this demand was reduced to a small percentage of its maximum use in years past.
- **Reducing traffic lanes will cause slower traffic and traffic jams-** In some places, like our downtown district, we want slower traffic, and we want cars to obey the posted speed limits everywhere, a difficult task when the “implied speed limit” caused by long, straight, and wide traffic lanes suggest much higher speeds might be appropriate. Traffic “calming” efforts like narrower lanes and added bike lanes help lower the “implied speed limits.” Salisbury’s adoption of this same “road diet” and addition of bike lanes on their Main Street from 17th St into and through their downtown area has not caused undesired slowdowns or traffic jams.
- **The citizens of Spencer don’t want and won’t use bike lanes-** This claim is certainly debatable, but this type of amenity is meant as much to encourage healthy exercise and alternative transportation options for our current citizens as it is to attract new residents and businesses to our community.
- **Don’t waste taxpayer money repainting the traffic lanes-** NCDOT, as a part of their routine road maintenance plan periodically resurfaces roads and will entertain possible restriping plans at no cost to local taxpayers during that process. That is the case with this restriping project.



MEMO

Date: 8.3.26

By: Steve Blount, Town Planner

RE: Salisbury Ave/US HWY 29 Restriping

Narrative:

In May of 2022, The Town of Spencer became aware of an opportunity to restripe a portion of Salisbury Ave. during NCDOT's periodic resurfacing program at little cost to the Town. The project would result in our main street changing from two traffic lanes in each direction to a single traffic lane in each direction, a center turn lane, and bike lanes on either side. Although neighboring Salisbury had successfully restriped their main street in a similar manner, some were skeptical of losing traffic lanes on what was once a major transportation corridor.

The attached memo from May of 2022 spells out planning's staff's thoughts on the issue so I won't repeat them here. The Town's Board of Aldermen voted to proceed with the restriping from 17th St to Jefferson and the proof is in the pudding. A great amenity (bike lanes) has been added to our downtown area (and just recently to Whitehead, too!). The traffic calming effect has slowed traffic speeds. Traffic jams during events, predicted by those opposing the change, never occurred. The restriping project was a success.

As mentioned in that earlier memo, NCDOT is now scheduling their resurfacing of the remainder of Salisbury Ave/US HWY 29 from Jefferson to the Yadkin River Bridge. NCDOT contacted the Town to suggest they would willingly and at no cost to the Town, restripe this portion of the highway during their resurfacing work scheduled for late 2027 or early 2028. By accepting this offer, the Town can accomplish a task supported by NCDOT's **2012 Complete Streets Program**, Spencer's **2016 Bicycle/Pedestrian Master Plan**, and our **EB-5861 Plan** to connect downtown Spencer with the proposed **Yadkin River District Development**.

Staff discussed future development plans for the Salisbury Ave/US HWY 29 corridor with NCDOT and were assured the new lane configuration would be more than adequate to handle predicted traffic with the center turn lane actually being safer than having to turn across two active traffic lanes. It was suggested that the center turn lane could be temporarily used as an active traffic lane if a wreck on the I-85 bridge required a diversion of that traffic.

Conclusion:

Completion of the revised road profile from 17th St to the Yadkin River Bridge providing a center turn lane with designated bike lanes will be a desirable amenity for the Town. It will provide a pedestrian/bike connection from our thriving downtown area to the new attractions proposed at the Yadkin River District development. Working with NCDOT, this can be accomplished at no cost to the Town and per NCDOT, with no negative impact on current and predicted traffic flows.