

**A-G-E-N-D-A**  
**REGULAR MEETING**  
**PLANNING BOARD**  
**CITY HALL CONFERENCE ROOM**  
**308 E. STADIUM DRIVE**  
**TUESDAY, AUGUST 27, 2019**  
**5:30 P.M.**

1. Meeting called to order.
2. Roll Call.
3. Set Meeting Agenda.
4. Approval of minutes of the regular meeting on May 28, 2019.
5. New Business:

**ZONING CASE**

**Z-19-12**

**MAP AMENDMENT**

- (1) Consideration of a zoning map amendment request to rezone property on the east side of Friendly Road (PIN 7081-00-56-4381) from Residential-12S to Residential Suburban. Submitted by Ronald W. Walker, Property Owner.
  - (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property on the east side of Friendly Road (PIN 7081-00-56-4381) from Residential-12S to Residential Suburban.
6. Items from Staff:
  7. Items from the Planning Board:
  8. Adjournment.

**PLEASE CALL THE PLANNING AND  
INSPECTIONS DEPARTMENT IMMEDIATELY  
TO LET US KNOW YOUR PLANS FOR  
ATTENDING THE MEETING**

**336-623-2110 OPTION 2**

EDEN PLANNING BOARD  
MAY 28, 2019

A special meeting of the Eden Planning Board was held on Tuesday, May 28, 2019, at 5:30 P.M. in the conference room at City Hall. Members present:

Eddie Barker  
Amelia Dallas  
Barbara Garland  
Carol Helms  
Jerry W. Holland, Jr.  
Steve Morgan  
Matthew Smith  
Gwen Taylor

Members absent: Fred Ramsey  
Frank Wyatt

Staff Present: Kelly K. Stultz, Planning Director  
Debra M. Madison, Local Codes Administrator/GIS Analyst

Others Present: Jim Burnette  
Terry Wethington  
Barry McCorkle

\*Excused absence.

Chairman Matthew W. Smith called the meeting to order.

**ROLL CALL:**

Debra Madison took note of everyone that was present and established a quorum.

**SET MEETING AGENDA:**

A motion was made by Jerry W. Holland, Jr. and seconded by Amelia Dallas to set the meeting agenda as mailed to all members. Motion passed unanimously.

**APPROVAL OF MINUTES OF THE REGULAR MEETING ON APRIL 30, 2019.**

The minutes of the regular meeting on April 30, 2019, were presented to the Board. A motion was made by Eddie Barker and seconded by Carol Helms to approve the minutes as presented to all members. Motion passed unanimously.

**NEW BUSINESS:**

**(A) STREET CLOSING SC-19-01**

Consideration of closing an unopened portion of French Street on the east side of Cascade Avenue. Submitted by J R Land and Company LLC.

Kelly Stultz read the Staff Report and explained to the members present that “paper” streets exist all over town and how they became to be unopened streets. She explained the process to have the streets closed and the roll that the Planning Board had in that process. She, on behalf of the Planning and Inspections Department Staff, made a recommendation that the Planning Board recommend approval of the street closing to the City Council.

Eddie Barker made a motion, seconded by Amelia Dallas, that the Planning Board recommend to the City Council that the street be closed. The motion passed.

**(B) ZONING CASE Z-19-05 MAP AMENDMENT**

- (1) Consideration of a zoning map amendment request to rezone property at 531 Glovenia Street from Office & Institutional to Residential-6. Submitted by James C. Burnette.
- (2) Amend the request to include 26 additional parcels of land identified as:

522 Glovenia St. PIN 7070-1950-8770  
523 Glovenia St. PIN 7070-1950-8439  
524 Glovenia St. PIN 7070-1950-9639  
527 Glovenia St. PIN 7070-1950-9413  
528 Glovenia St. PIN 7070-1950-9671  
415 Boone Rd. PIN 7070-1960-2918  
421 Boone Rd. PIN 7070-1960-1859  
425 Boone Rd. PIN 7070-1960-0891  
429 Boone Rd. PIN 7070-1960-0679  
433 Boone Rd. PIN 7070-1960-0587  
502 Boone Rd. PIN 7070-1960-2374  
503 Boone Rd. PIN 7070-1960-0398  
506 Boone Rd. PIN 7070-1960-2265  
507 Boone Rd. PIN 7070-1960-0340  
510 Boone Rd. PIN 7070-1960-2155  
511 Boone Rd. PIN 7070-1960-0231  
514 Boone Rd. PIN 7070-1960-2035  
515 Boone Rd. PIN 7070-1960-0114  
518 Boone Rd. PIN 7979-0769-2927

522 Boone Rd. PIN 7979-0769-1889  
524 Boone Rd. PIN 7979-0769-2729  
528 Boone Rd. PIN 7979-0769-1740  
530 Boone Rd. PIN 7979-0769-1661  
Vacant Property PIN 7070-1961-2065  
615 Dumaine St. PIN 7979-0769-3549

- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property at 531 Glovenia Street and the additional 26 properties zoned Office & Institutional and Business-General to Residential-6.

Kelly Stultz summarized the Staff Report and recommended that the Zoning request, as amended, be approved. She explained how the area came to be zoned Office & Institutional and why it would be appropriate to change the zoning to Residential-6.

Carol Helms asked if the rezoning would affect the Bed and Breakfast? No, it could continue to operate.

Jim Burnette, the Applicant, thought it would make more sense if the properties in the Boone Road and Glovenia Street area were zoned residential.

Jerry Holland made a motion, seconded by Gwen Taylor, that the Consistency Statement be approved and recommend to the City Council that the rezoning request, as amended, be approved.

<b>(C)</b>	<b>ZONING CASE</b>	<b>Z-19-06</b>	<b>TEXT AMENDMENT</b>
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- (1) Consideration of a zoning text amendment request to amend Section 11.24(m)(5) to allow Mini-Storage (Self-Storage Facilities) – Indoor Access in the Business-Shopping Center District. Submitted by Terry Wethington.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.24(m)(5) to allow Mini-Storage (Self-Storage Facilities) – Indoor Access in the Business-Shopping Center District. Submitted by Terry Wethington.

Kelly Stultz presented the Staff Report. Kelly talked about the need for storage facilities and recommended that the request be approved.

Mr. Wethington passed out information and diagrams of his proposed business. Kelly reminded the board members that they could not make their decision based

on Mr. Wethington's specific plans because the zoning change would affect all properties currently zoned Business Shopping Center.

Mr. Wethington provided an explanation of the drawings and how the building will be used for indoor storage. He presented pictures of other buildings that had been converted to storage facilities and a letter from the current property owner that they agree with the zoning amendment request. There will not be any access to the storage units from the outside.

A question about signage was asked and Kelly explained that they would have to comply with the City's current sign ordinance regulations.

Steve Morgan made a motion to recommend approval of the request to the City Council and adopt the Consistency Statement. Jerry Holland seconded the motion and it passed.

**(D) ZONING CASE Z-19-07 TEXT AMENDMENT**

- (1) Consideration of a zoning text amendment request to amend Section 11.24(m)(5) to allow Mini-Storage (Self-Storage Facilities) and Warehouses in the Business-Shopping Center District. Submitted by Barry McCorkle.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.24(m)(5) to allow Mini-Storage (Self-Storage Facilities) and Warehouses in the Business-Shopping Center District.

Kelly Stultz presented the Staff Report and recommended that the zoning request be denied. She stated that staff did not think it would be appropriate to have outside storage facilities in the Business Shopping Center district. Most of these districts are surrounded by residential uses and the outside storage facilities would have a detrimental impact on the areas.

Steve Morgan asked where these storage facilities are proposed.

Kelly explained that the request was for these facilities to be constructed on the outparcels of existing shopping centers.

Barry McCorkle, the applicant, spoke to the board. He thought adding storage facilities would increase the business and traffic around the shopping centers.

Steve Morgan made a motion to recommend denial of the request to the City Council and adopt the Consistency Statement. Jerry Holland seconded the motion and it passed.

**(E) ZONING CASE Z-19-08 MAP AMENDMENT**

- (1) Consideration of a zoning map amendment request to rezone property on the east side of Harrington Highway identified as PIN 7969-0454-7315 and PIN 7969-0554-7259 from Business Highway-2 to Residential-Suburban. Submitted by Lewis A. Hampton, Sr.
  
- (2) Amend the request to include 8 additional parcels of land identified as:  

2491 Harrington Hwy.	PIN 7969-0454-6461
109 Beddingfield Rd.	PIN 7969-0464-2406
117 Beddingfield Rd.	PIN 7969-0464-1454
125 Beddingfield Rd.	PIN 7969-0464-0347
143 Beddingfield Rd.	PIN 7969-0454-8253
7530 NC 770	PIN 7969-0454-8482
Vacant Parcel NC 770	PIN 7969-0464-0439
Vacant Parcel NC 770	PIN 7969-0464-1500
  
- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property identified as PIN 7969-0454-7315, PIN 7969-0554-7259 and the additional eight (8) properties from Business Highway-2 to Residential-Suburban.

Kelly Stultz presented the Staff Report with a recommendation that the rezoning request be approved as amended. This area was zoned Business Highway because of the businesses in the surrounding area. There has not been any development pressures to support keeping the properties Business Highway.

Jerry Holland made a motion to recommend approval of the zoning request, as amended, to the City Council and adopt the Consistency Statement. The motion was seconded by Steve Morgan and passed.

**(F) ZONING CASE Z-19-09 TEXT AMENDMENT**

- (1) Initiate a zoning text amendment to define mini-storage facilities and make the terminology and use consistent throughout the Zoning Ordinance.
  
- (2) Consideration of a zoning text amendment to amend Section 11.29(a) to revise the definition for Mini-Storage Facilities and to amend Section 11.24(h)(2) to allow Mini-Storage (Self-Storage

Facility) as a conditional use and Sections 11.24(i)(1), 11.24(k)(1), 11.24(l)(1), 11.24(n)(1) and 11.24(n-1)(1) to allow Mini-Storage (Self-Storage Facility) as a permitted use.

- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment.

Kelly Stultz explained that mini-storage and mini-warehouse facilities are listed in different ways in the Zoning Ordinance.

Carol Helms made a motion for the Planning Board to initiate a zoning amendment to make the wording consistent throughout the Zoning Ordinance and to define such facilities. Amelia Dallas seconded the motion and it passed.

Kelly presented the Staff Report with a recommendation that the request be approved.

Steve Morgan made a motion to recommend to the City Council that the zoning request be approved and adopt the Consistency Statement. The motion was seconded by Jerry Holland and passed.

<b>(G)</b>	<b>ZONING CASE</b>	<b>Z-19-10</b>	<b>TEXT AMENDMENT</b>
(1)	Initiate a zoning text amendment to amend the regulations on Disabled Motor Vehicles.		
(2)	Consideration of a zoning text amendment to amend Section 11.22(t)(2) General Provisions pertaining to the storage of Disabled Motor Vehicles.		
(3)	Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment to change the storage of Disabled Motor Vehicles.		

Kelly Stultz present the Staff Report and explained that the zoning request to establish regulations for disabled vehicles earlier in the year was in conflict with the existing regulations on junk vehicles.

Steve Morgan made a motion to initiate a zoning amendment to change the regulations on the storage of disabled vehicles to be consistent with the regulations for storage of junk vehicles. The motion was seconded by Amelia Dallas and passed.

Eddie Barker made a motion to recommend approval of the zoning request to the City Council and adopt the Consistency Statement. Jerry Holland seconded the motion and it passed.

**(H) ZONING CASE Z-19-11 TEXT AMENDMENT**

- (1) Initiate a zoning text amendment to amend Section 11.26(c)(3)(c)(17) – Board of Adjustment to allow Light Industrial Uses with a Special Use Permit in the Business Shopping Center District.
- (2) Consideration of a zoning text amendment to amend Section 11.26(c)(3)(c) to add Light Industrial Uses with a Special Use Permit in the Business Shopping Center District.
- (3) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment to add Light Industrial Uses with a Special Use Permit in the Business Shopping Center District.

Jerry Holland made a motion, seconded by Steve Morgan, to initiate a zoning text amendment to allow Light Industrial Uses with a Special Use Permit in the Business Shopping Center district.

Kelly Stultz gave the Staff Report with a recommendation that the zoning request be approved. She stated that a Light Industrial use would be a good use of the large box store buildings located in vacant malls and shopping centers. A potential business owner has expressed an interest in locating in Eden.

Carol Helms asked for examples of businesses that might be considered light industrial. Furniture assembly, sewing operations and CBD were provided.

Steve Morgan made a motion to recommend approval of the zoning request to the City Council and adopt the Consistency Statement. The motion was seconded by Jerry Holland and passed.

**ITEMS FROM STAFF:**

None

**ITEMS FROM THE PLANNING BOARD:**

None



**ADJOURNMENT:**

There being no further business to come before the Board, Jerry Holland made a motion for adjournment. Steve Morgan seconded the motion. Motion carried unanimously.

Respectfully submitted,

Attest:

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Kelly K. Stultz, Administrative Assistant  
To the Planning Board

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Matthew W. Smith, Chairman



PLANNING & INSPECTIONS DEPARTMENT  
APPLICATION FOR ZONING ORDINANCE AMENDMENT

PETITION FOR MAP AMENDMENT

**INSTRUCTIONS:** Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

**(1) APPLICANT INFORMATION:**

NAME: RONALD W. WALKER TELEPHONE: 434-203-9378 (TRACY)  
MAILING ADDRESS: 241 CICCERO TRAIL  
CITY EDEN STATE NC ZIP CODE 27288  
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S):  
OWNER

**(2) PROPERTY OWNER INFORMATION:**

NAME: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_  
MAILING ADDRESS: SAME ABOVE  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

**(3) PROPERTY INFORMATION:**

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 708100564381  
STREET LOCATION: 0 FRIENDLY Rd Eden NC 27288  
DEED BOOK: \_\_\_\_\_ PAGE NUMBER \_\_\_\_\_  
YEAR CURRENT OWNER ACQUIRED PROPERTY: 2019  
PROPERTY SIZE (in acres or in square feet if less than 1 acre): 20.81 Acres  
PUBLIC WATER AVAILABLE  YES  NO PUBLIC SEWER AVAILABLE  YES  NO  
CURRENT USE OF PROPERTY: Vacant Land

**(4) ZONING INFORMATION:**

EXISTING ZONING DISTRICT: R-12 S REQUESTED ZONING DISTRICT: R-S (Agric)

**(5) ADDITIONAL INFORMATION:**

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.  
INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

**(6) APPLICANT CERTIFICATION:**

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

Ronald W. Clark  
Applicant's Signature

8-5-2019  
Date of Signature

**(7) PROPERTY OWNER(S) CERTIFICATION:**

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

Ronald W. Clark  
Property Owner's Signature

8-5-2019  
Date of Signature

Property Owner's Signature

Date of Signature

**(8) CORPORATION CERTIFICATION:**

IT IS HEREBY CERTIFIED, that \_\_\_\_\_, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

CORPORATE SEAL

Name of Corporation

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_

\_\_\_\_\_  
President

**DEPARTMENTAL USE ONLY**

APPLICATION NUMBER: 2-19-12

FEE PAID: \$150.

RECEIVED BY: B. Vincent

DATE: 8/5/2019

**PLANNING AND INSPECTIONS DEPARTMENT**  
**ZONING CASE REPORT**  
**August 19, 2019**

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<b>CASE NUMBER:</b>	<b>Z-19-12</b>
<b>EXISTING ZONING DISTRICT:</b>	<b>R-12S</b>
<b>REQUESTED ZONING DISTRICT:</b>	<b>RS</b>
<b>APPLICANT:</b>	<b>Ronald W. Walker</b>
<b>APPLICANT'S STATUS:</b>	<b>Property Owner</b>

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**PROPERTY INFORMATION**

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<b>LOCATION:</b>	Friendly Rd.
<b>PIN:</b>	7081-0056-4381
<b>SIZE:</b>	20.81 acres
<b>ACCESS:</b>	Friendly Rd.
<b>LAND USE:</b>	Vacant
<b>PHYSICAL CHARACTERISTICS:</b>	Vacant, undeveloped, mostly wooded parcel
<b>ZONING HISTORY:</b>	Zoned I-2 at the time of original ETJ zoning; Rezoned to R-12S on August 20, 1985

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**AREA INFORMATION**

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<b>CHARACTERISTICS:</b>	Bordered on the north by vacant R-12S property; bordered on the east by vacant R-S property; bordered on the south by R-12S property containing a single-family residence and property containing an agricultural use; bordered on the west (across Friendly Road) by vacant R-4/PUDR property and a residential neighborhood.		
<b>ADJACENT ZONING:</b>	North:	R-12S	
	South:	R-12S	
	East:	R-S	
	West:	R-4/PUDR	

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## PLANNING AND DEVELOPMENT INFORMATION

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STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Dan River Water
PUBLIC SEWER AVAILABLE:	No
LAND DEVELOPMENT PLAN (2007):	Rural Residential
FLOOD HAZARD AREA:	None
WATER SUPPLY WATERSHED:	None

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## STAFF ANALYSIS

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The request is to rezone approximately 20.81 acres from Residential-12S to Residential-Suburban. The R-12S Residential District is established as a district in which the principal use of the land is for single family residences. The primary purpose of the regulations in this district is to permit a more dense development of the land while retaining the integrity of the neighborhood as a tranquil residential area. The R-S district is established to provide reasonable safeguards for areas characterized by suburban residential and agricultural uses. The intent of the district is: (1) to encourage the continued use of land for low density residential and agricultural purposes; (2) to retain the open characteristics of land areas on the fringe of the city; (3) to provide a transitional zone between higher density residential districts in the city and low density residential and agricultural districts of the county; and (4) to provide interim land use control to land areas until such time a more intense use of land is warranted. Provision is made for reduction of the minimum lot size where public or community sewerage and water systems are available.

The subject parcel is located in an area of primarily large tracts of vacant wooded parcels and agricultural uses, some with single-family residences. Across Friendly Road is a large parcel of undeveloped R-4/PUDR property and a development of manufactured homes and new construction single-family homes. The subject property is wooded and vacant. The subject property is adjacent to (across Friendly Road) the WS-IV watershed. There is an adjoining tract of vacant R-S property to the east of the subject tract. Based on the character of the area and the land uses in the area, staff is of the opinion that R-S zoning would be appropriate for the subject parcel.

Based upon the character of the area and the residential and agricultural uses in the area, staff recommends in favor of the request.

**STAFF RECOMMENDATION:**

**Approval of the R-S request.**

**ZONING CASE**

**Z-19-12**

**AERIAL MAP**



**NC - VA State Line**

**Subject Property**



**Vacant Lot on the  
East Side of  
Friendly Road**

**PIN 7081-00-56-4381**

**Zoned:  
Residential-12S**

**Requested:  
Residential Suburban**

**ZONING CASE**

**Z-19-12**

**ZONING MAP**

NC - VA State Line



**Subject Property**



**Vacant Lot on the  
East Side of  
Friendly Road**

**PIN 7081-00-56-4381**

**Zoned:  
Residential-12S**

**Requested:  
Residential Suburban**

A RESOLUTION ADOPTING A  
STATEMENT OF CONSISTENCY REGARDING  
PROPOSED AMENDMENT TO THE  
CITY OF EDEN ZONING ORDINANCE  
**CASE NUMBER Z-19-12**  
**MAP AMENDMENT**

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, all City of Eden zoning decisions must be made in accordance with the Land Development Plan. Prior to adopting or rejecting any zoning amendment, the City of Eden Planning Board shall advise and comment in writing as to whether the proposed amendment is consistent with the Land Development Plan and why the Board considers the action taken to be reasonable and in the public interest; and

WHEREAS, on August 21, 2007, the Eden City Council adopted the Land Development Plan. Plans such as the City of Eden Land Development Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances; and

WHEREAS, the City of Eden Planning Board received a request for an amendment to the Zoning Ordinance to rezone property located on the east side of Friendly Road (PIN 7081-0056-4381) from Residential-12S to Residential Suburban.

STATEMENT OF NEED:

The subject property was zoned R-12S on August 20, 1985. Prior to that date the subject property had been zoned Industrial-2 when the ETJ was originally zoned in 1979. The parcel has remained undeveloped since that time. The current zoning pattern and the lack of access to public sewer make the parcel more viable as an agricultural or large lot residential use. R-12S permits high density development. The Land Development Plan indicates that the highest and best use of this property is Rural Residential. That is why the zoning change to Residential-Suburban, our large lot/agricultural district is in keeping with the plan.

STATEMENT OF CONSISTENCY.

The goals of the 2007 City of Eden Land Development Plan, as amended, are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.



WHEREAS, The Board finds that this amendment will be consistent with the goals and policies expressed in the Land Development Plan, as amended, including, but not limited to, strategically locating new land development in appropriate places; maintaining the city's character; using infrastructure investments as effectively as possible, attracting new jobs and a more diverse tax base; and protecting natural, cultural and historic resources and open space with growth consistent with our Growth Strategy Map and Future Land Use Map;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD THAT:

1. The Planning Board of the City of Eden finds that the proposed amendment to the City of Eden Zoning Ordinance is consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended.
2. At no time are land use regulations or plans of the City of Eden, nor any jurisdiction in the State of North Carolina, permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Zoning Ordinance is reasonable and in the public's best interest.

Approved, adopted and effective this 27th day of August, 2019.

CITY OF EDEN PLANNING BOARD

By \_\_\_\_\_  
Matthew W. Smith, Chair

ATTEST:

\_\_\_\_\_  
Kelly K. Stultz, Administrative  
Assistant to the Planning Board