

MINUTES

RANDOLPH COUNTY ZONING BOARD OF ADJUSTMENT

January 8, 2002

There was a meeting held at 6:30 p.m. on Tuesday, January 8, 2002, of the Randolph County Zoning Board of Adjustment in the Commissioner's Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Maxton McDowell** called to Order the Randolph County Planning Board Meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the Members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; Al Morton, present; Phil Ridge, present; Larry Brown, present; Chris McLeod, present; and Mark Brower, Alternate, absent.
3. **McLeod** made the motion, seconded by **Morton**, to **approve** the Minutes of the December 4th, 2001, Randolph County Zoning Board of Adjustment Meeting. The motion passed unanimously.

4. **Swearing in of the Witnesses:**

"Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."

5 citizens took this Oath.

5. **REQUESTS FOR A VARIANCE:**

- A. **ROBERT TATE**, Asheboro, North Carolina, is requesting a variance to allow a 20' setback from the road in lieu of the required 35' setback on a corner lot. Location: 886 Iron Mountain Road, 1.350 acres, Grant Township, Creekridge Subdivision, Lot # 4. Parcel ID # 7781226257. Zoning District RA.

**** Arguments for Granting this Request**

Johnson explained that the 35' setback is required from both roads and actually our Building Inspector didn't catch this error before it was approved.

Tate said he has owned the land since 1984. Tate said he moved the single-wide home out and placed this double-wide here. Tate said he was not aware that he needed to be 35 ft. Tate said that the inspector told him he only needed to be 10 ft. off this side property line. Dorsett asked how long the trailer is and Tate answered 80 ft. Tate said that he is 37 ft. from the center of the road.

**** Arguments Against Granting this Request**

Shirley Gabard, 2356 Creekway Ridge, said that she owns 2 lots at the end of this road and that she felt sorry for the Tate's but he should have checked on his setbacks before he placed his home on the lot. Gabard said that she was concerned that if the home was not moved it would effect whether the NCDOT took the road over or not.

Tony Edwards, 2448 Creekway Ridge, said that Mr. Tate is not considerate of the people that live on this road. Edwards said that Tate allows things such as mop buckets, etc., to get into the road. Edwards said that Tate has placed a deck on this side of his residence that actually brings him closer to the road than 20'.

Bruce Honeycutt, 2480 Creekway Ridge, said that he owns 20 acres with a site built home on this road. Honeycutt said that if this situation had been looked at by the County, the County would have realized that you can't place an 80' home on a lot that is 125' wide with a 22.5' road right-of-way easement, 10' interior side setback requirement on one side of the home, and a 35' side setback from a road right-of-way on the other side of the home. Honeycutt said that the lot would have to be at least 147.5' wide. Honeycutt said that the County Building Inspector screwed up and he felt the County should have to pay to fix this problem. Honeycutt said that the home looks bad this close to their road and he felt the County Building Inspector should have to fess up to his mistake. Honeycutt said that the home is not but 10' from the road not 20'.

Gary Robbins, 311 Andrew Hunter Road, said that he owns the mobile home at 896 Iron Mountain Road (located beside Tate's home on the other side of Creekway Ridge). Robbins said he would not be willing to give up any of his lot if the NCDOT required more property on his side of the road before they would take the road over.

Tate said that the road is wide enough for cars to get through.

Honeycutt said that this is a gross error and not just 5'.

There were 4 people present in opposition to this request.

**** Board Discussion: Conclusions Based on Findings of Fact**

Dorsett said that this Board can't make the County pay to move Mr. Tate's home, he would have to sue the County.

McDowell said that Tate would have to sign before NCDOT could even consider take the road over (because a portion of the right-of-way is on his property).

Morton said the NCDOT won't care where the home is as long as it's not in the right-of-way.

Craven said the property owner could have met the setbacks if his home faced Creekway Ridge.

Tate said that he couldn't turn his home to face Creekway Ridge because of his septic tank system.

Dorsett said that this Board couldn't agree in Tate's favor just because an employee of the County made a mistake.

**** Order of the Board of Adjustment**

Dorsett made the motion, seconded by **Brown**, to deny this request for a Variance. The vote was 3 to 4 with **Craven, Ridge, Morton, and McLeod** voting against the motion.

The Variance was deny because it would take a 4/5 vote to approve the request.

6. The meeting adjourned. There were 6 people present for this hearing.

**NORTH CAROLINA
RANDOLPH COUNTY**

Planning Director

Date

Clerk/Secretary