

# MINUTES

## RANDOLPH COUNTY ZONING BOARD OF ADJUSTMENT

April 2, 2002

There was a meeting held at 6:30 p.m. on Tuesday, April 2, 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 Zoning Board of Adjustment meeting.
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. **Brown** made the motion, seconded by **Craven**, to approve the minutes of the March 5, 2002 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?"

Seven citizens took this oath.

5. **REQUESTS FOR A VARIANCE:**

- A. **ROGER BROWN**, Ramseur, North Carolina, is requesting an appeal from the decision of the Zoning Administrator that the conditional use permit does not allow outside storage to be located behind the business. Location: 1132 Pleasant Ridge Church Road, 14.45 acres, Columbia Township, Parcel ID # 8701147489. Zoning District HC-CU.

**Johnson** presented the Board with copies of the minutes of the September 11, 2001 Planning Board meeting and the minutes of the October 1, 2001 Board of County Commissioners meeting. **Johnson** explained that after lengthy discussion at both the Planning Board meeting and Commissioners' meeting, special conditions were placed on the conditional use permit. **Johnson** also presented the Board with the notice of violation that was sent to Brown on January 18, 2002, notifying him of the violations noted after site inspection. **Johnson** explained Brown has the right to appeal to this Board prior to the County's taking him to court.

**Johnson** presented a series of photographs that were taken of the property and said it was his opinion, as Zoning Administrator, based upon on-site inspections, that the property is in violation of his conditional use permit.

**\*\* Arguments for Granting this Request**

**Brown** said that he was in violation of not having the fencing up that was required. **Brown** said it was his understanding that there would be no outside storage in front of the

building. **Brown** said that most of the cars are customers' cars, some are his cars, and the buses have been on the property and he uses them for storage. **Brown** said that he didn't know that he couldn't have cars behind the building. **Brown** said that Randle Brim was supposed to come to meet him to talk about the fence that is to be installed, and he has never seen him. **Brown** said that his father died and it has taken almost everything he owns to bury him. **Brown** said that he is in violation of the fence not being installed, but he had talked with Kenny Brown (adjoining property owner) about this problem and that he would put the fence up later.

**Dorsett** asked Brown about the materials behind the building. **Brown** said that he didn't understand why this mess had not been cleaned up in the months since. **Dorsett** said that he didn't feel that cars were outside storage.

**Larry Brown** told Roger Brown that he had voted against this permit because of this type of storage. **Larry** asked Roger what he was going to do with the cars. **Larry** asked Roger where all the people were that supported him at the last meeting. **Roger** said that he didn't go around and ask them to come.

**McDowell** said that there have been several months for this mess to be cleaned up and it's still there. **McDowell** said that there was no discussion of storage in front of or behind the building. **McDowell** said that there was to be no outside storage.

**Tina Brown** said that when they first came to the Board it was presented as a fence for storage behind the building. **Tina** said that her father-in-law has died and she has a mother-in-law to take care of now. **Tina** said this is why it has not been cleaned up.

**Johnson** said that the record presented, presented as evidence, shows the conditions have not been met. **Johnson** said it is unfortunate that the County has to begin legal enforcement action to obtain compliance with terms of the conditional use permit.

**Roger Brown** said that Randle Brim was supposed to meet him on the property and didn't.

**Morton** asked Roger if he had taken a landscaping or fence plan to the Planning Department. **Roger** said no, but he was supposed to meet Randle Brim on the property and Mr. Brim didn't come.

#### **\*\* Arguments Against Granting this Request**

There were six citizens present in opposition. No testimony was presented.

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

**Dorsett** said that the trash behind the building is obvious from the road. **Dorsett** said that, based on evidence and pictures presented, Mr. Brown is not in compliance with his permit and the permit should be revoked.

#### **\*\* Order of the Board of Adjustment**

**Dorsett** made the motion, seconded by **Larry Brown**, to deny Roger Brown's appeal from the decision of the Zoning Administrator that Roger Brown is in violation of conditions of the Conditional Use Permit as approved by the Board of County Commissioners. The motion passed unanimously.

6. The meeting adjourned at 7:03 p.m.

---

**NORTH CAROLINA  
RANDOLPH COUNTY**

---

**Planning Director**

---

**Date**

---

**Clerk/Secretary**