

## MINUTES

### RANDOLPH COUNTY ZONING BOARD OF ADJUSTMENT

**April 3, 2007**

The Randolph County Zoning Board of Adjustment met at 6:30 p.m., on Tuesday, April 3, 2007, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Lynden Craven** called to order the Randolph County Zoning Board of Adjustment meeting.
2. **Hal Johnson**, Planning Director, called roll of the members: Lynden Craven, Chairman, present; Jim Rains, Vice Chairman, present; Larry Brown, present; Phil Ridge, present; Chris McLeod, present; Reid Pell, present; Wayne Joyce, present; and Danny Shaw, Alternate, present. **Alan Pugh**, County Attorney, was present for this meeting.
3. **Pell** made the motion, seconded by **McLeod**, to **approve** the minutes of the March 6, 2007 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."

Three (3) people took this Oath.

5. **REQUEST FOR A VARIANCE:**

**KEVIN HILL**, Seagrove, North Carolina, is requesting a Variance to allow a well setback from the front property line of 40' in lieu of the required 100' farm well setback on four (4) residential building lots located on Ridge Road, 5.90 acres, Secondary Growth Area, Richland Township, Zoning District CVOR-CD, Tax ID #7675395001, 7675383949, and 7675385802.

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

**Jerry King**, Surveyor, explained that he surveyed the property for a site-built subdivision. King said Hill is needing this variance because of problems that this setback would create with locating the wells and septic tanks. King said that in this case there is a 60' state road right-of-way and Hill is willing to comply with a 40' well setback. King said this would maintain a 100' setback from the farm property across the road. **Ridge** asked King what the well setback would be if there was not a farm setback requirement. **King** answered 35 feet. **Craven** said that it appeared Hill would still be maintaining a 100' setback from the farm. **King** stated that the current use of the farm property is a tree farm. **Rains** noted that there are residences across the road that would prevent the farm operation from being directly across the road.

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

**Jason Borden**, 5152 Ridge Road, expressed his concern for the water table and what effect the four new homes would have on their water supply. **Johnson** explained that the request being considered is for Hill to be able to place the wells in the front of the lot instead of the back. **Rains** explained that the development was approved at a previous hearing.

**Glenn Smith**, 5197 Ridge Road, said that in previous meetings the Board approved this property for four new dwellings. Smith said Hill his developing seven home sites. Smith said he didn't understand why Hill couldn't meet County regulations. Smith said there was suppose to be enough land to place two septic tanks on each lot. Smith said he felt Hill should be required to meet the standard setback requirements. **Smith** expressed concern that this clustered subdivision would be damaging to the water supply in this area. **Johnson** explained that the building lots have been approved and this meeting is to discuss the well locations only.

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

**Johnson** said that the well setbacks were originally intended to protect residential wells from active farms such as chicken farms, hog farms, etc., not tree farms.

**Craven** said that it appeared Hill would still be maintaining a 100' setback from the farm property.

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

**Brown** made the motion, seconded by **Joyce**, that this request be approved as having met all the seven (7) factors used by the Planning Board in deciding a Variance. The motion passed unanimously.

- 6. The meeting adjourned. There were three (3) people present for this meeting.

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**NORTH CAROLINA  
RANDOLPH COUNTY**

*HAL JOHNSON*

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**Planning Director**

*JILL WOOD*

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**Date**

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**Clerk/Secretary**