

MINUTES

RANDOLPH COUNTY PLANNING BOARD

February 8, 2000

There was a meeting held at 6:30 p.m., on Tuesday, February 8, 2000, of the Randolph County Planning Board in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. Chairman **Maxton McDowell** called Randolph County Planning Board Meeting to Order 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; **Tommy Boyd, absent**; Al Morton, present; **Phil Ridge, absent**; Larry Brown; and Mark Brower, Alternate, present.
3. **Brown** made the motion, seconded by **Morton** to approve the Minutes of the January 11, 2000, Randolph County Planning Board Meeting. The motion passed.

*Johnson announced that there were 2 requests withdrawn prior to tonight - the variance request of **Ogburn Yates** and the rezoning request of **Patsy Woodruff**.*

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?"

9 citizens took this Oath.

5. **SPECIAL USE PERMIT REQUESTS:**

- A. **DAVID & ALICE MEREDITH**, Randleman, North Carolina, are requesting a Special Use Permit to allow a landscaping and construction storage business in an existing 24 x 80 building at their residence, 6569 Hockett Trail, 4.01 acres, Level Cross Township, Randleman Lake Watershed, Zoning District RA, Parcel ID # 7757599354.

There was no one present to represent the Meredith's. There was no one present in opposition to this request.

Dorsett said that when he visited this site he spoke with Meredith who told him that he would be out of town on business (tonight) but he would have a representative present. For this reason **Dorsett** made the motion, seconded by **Craven**, to **postpone** this request until next month allowing Meredith or a representative to be present when this case is heard. The motion passed unanimously.

- B. **JESSE HILL**, Randleman, North Carolina, is requesting a Special Use Permit to allow a gun shop in proposed 40 x 50 building at his future residence at 5906 Old Liberty Road, 4.92 acres,

Providence Township, Sandy Creek Watershed, Zoning District RA, Parcel ID # 7795546964. Property Owner: James and Susan Burk.

Hill was present and explained his intentions to purchase the property to construct his residence and a building that would be used to operate a gunsmith business. Hill said he felt this would be a desirable addition to this community. Hill explained that he is a student at Montgomery Community College in gun smithing and would like to operate a full time business at this location. Hill said that he would not have a firing range and described the type of device that would be used inside the building to test fire guns.

Johnson asked Hill if he would have any employees, he answered no. Johnson asked Hill why he would need this size building. Hill answered that he had quite a bit of equipment and he would like to contain the entire operation under one roof.

Dorsett asked if he would be selling firearms and Hill answered yes.

Johnson asked if he planned to build his residence first and Hill answered that he would build the home and building at one time.

Dorsett asked about the location of other residences in relation to this property. Hill answered that there are 3 dwellings on the property adjoining to the west (they also have horses), and there are 2 dwellings across the road. Hill said that he considered these factors when determining the proposed site for these residence and the business.

Ervin Riley, Burney Mill Road, spoke highly of Mr. Hill and said that he didn't feel type business would be a detriment to any community.

Ron Oldaugh, 5906 Old Liberty Road, said that he owned the property adjoining along the west property line. Oldaugh presented a petition of 100+ signatures of people within the community opposed to this request. Oldaugh expressed concern for noise, additional traffic, and safety for the children in the area. Oldaugh described the close proximity of this location to the school and church. Oldaugh expressed concern for the safety of his horses with his pasture against this property line. Oldaugh expressed concern for discharging firearms because Hill didn't say he would exclusively test fire guns inside the building. Oldaugh said that there is all residences and farms in this community and he would hate to see a business move in.

There were 18 citizens present in opposition to this request.

Tommy Routh, 3113 Routh Road, said that he has a horse farm with 28 horses and they board an additional 19 horses. Routh said that they ride their horses along trails on the Routh property adjoining this parcel and sometimes there are as many as 19 people riding these trails at one time. Routh said that he was opposed to guns near where people are riding horses. Routh said that they didn't feel they needed a commercial operation here and they wanted to maintain their farming community.

L. K. Routh, 558 Windsor Drive, Asheboro, said that they felt they could do without this in this part of the country. Routh described the school as being only 4/10 mile (as the crow flies) from this property. Routh said that his grandson camps out here on the property he owns adjoining this property and he would fear for his safety.

Sandy Crotts, 5912 Old Liberty Road, said that her back door is less than 50 feet from this property line. Crotts said that she is alone at night and she wouldn't feel safe here if this was allowed. Crotts said that she feels guns draw a criminal element.

Dan Routh, 3694 Routh Road, questioned the appropriateness of a retail business in general in this area. Routh said that they felt the rural agricultural zoning should be maintained in Grays Chapel.

Hill said that he would not do any shooting outside in association with the business but as an American he would not waive his right to the personal use of firearms on his property.

Morton said that he felt Mr. Hill was a professional in his trade but he didn't feel this use was appropriate for this area, for this reason he made the motion to **deny** this request. **Craven** seconded this motion.

Dorsett described a case he read for the newspaper where individuals were accidentally injured by firearms. Dorsett said that Hill would not be able to control people that may purchase a gun from him and then go outside the building and fire it.

Brown said that he felt that this request didn't meet at least two of the test it is request to meet in order to issue a Special Use Permit:

“That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;

and, That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to locate and in general conformity with the Land Development Plan for Randolph County.”

Johnson noted that there was a good point that an adjoining property owner made that made a distinction that this would be a retail business not just the fact that this would be a gun shop.

The motion passed unanimously.

6. **REQUESTS FOR PROPERTY REZONING:**

- A. **BOBBY EARNHARDT**, Asheboro, North Carolina, is requesting that 107 acres (out of 223.98 acres) located on Wright Road, Trinity Township, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use. Parcel ID # 6796505997. Lake Reese Watershed. The Conditional Use Permit would specifically allow the development of a 75 lot residential subdivision for modular homes, site built homes or Class A double-wide mobile homes on permanent foundations. Property Owner: Joseph Stevens.

Earnhardt described that the property has been for sale for over 6 years and has not been sold. Earnhardt said that he has spoken with the adjoining property owner that owns 400+ acres (to the north) and that they have no problem with this request. Earnhardt said that he was denied this request 3 years ago but he felt this type development would upgrade the housing along Wright Road. Earnhardt said that he would have deed restrictions and would be glad to require that each home be a new home on permanent foundations.

Brown asked Earnhardt if he felt he could sale the lots for site built homes. Earnhardt said that he would not try to because he wasn't sure that he could.

Dorsett asked Earnhardt about buffering those higher cost homes along the north side of this property (Gaddy Place Subdivision). **Earnhardt** said that there is a buffer and described it as the river and the land locked property owned by the developer of Gaddy Place. **Dorsett** told Earnhardt that he felt the buffer should be his responsibility and not the developer of Gaddy Place. Dorsett said the buffer should be maintained on Earnhardt's property.

Joseph Stevens, 7400 Waterview Drive, Charlotte, said that he grew up here and the property has been owned by his family for several generations. Stevens said that Gaddy Place is buffered by a land locked piece of property and he felt this type of development would be the best use for the property. Stevens described the property as a liability for him since he doesn't live here anymore. Stevens talked about the trespassers that ride motorcycles on the property, build fires on the property and also leave drug paraphernalia on the property.

Michael Brazeil, 6655 Leah Justine Drive, said that this river is much like a small stream that is no larger than the desk the Board is sitting at. Brazeil described the tree buffer as not being very thick. Brazeil said the property would be better for stick built homes or left natural. Brazeil said that their only complaint they have about their quiet community is the gun firing coming from a range that they aren't sure of its location.

George Hazelwood, 6437 Starlite Lane, said that they have had problems in this area with break-ins and the sheriff's department stays in that mobile home community on Wright Road. Hazelwood said he felt the development should be for stick built homes.

Fred Goad, 6587 Leah Justine Drive, said that there is already a lot of trouble in the single-wide mobile home development. Goad said that this area's growth lately has been nice housing developments and if this development was allowed it would destroy the property values.

Randy Johnson, 6599 Leah Justine Drive, presented a picture that he took of this property from his back deck and showing how thin the buffer is along this property. Johnson presented pictures of double-wides that are only 2 to 3 years old that are already showing deterioration. Johnson said that the landscaping of mobile home lots verses site built home lots are also different. Johnson said that site built homeowners spend a noticeable difference on their yards. Johnson said that the mobile home community has abandoned trucks, trash, and timbered lands. Johnson said that these things usually don't come with site built developments.

Bob Maye, 6570 Leah Justine Drive, said he didn't know when Earnhardt spoke with Mr. Petty but he had spoken with his sister, Rebecca Petty, and she said that the Petty's would not be for this type of development. Maye asked what type of investment is he proposing (per residence) and **Earnhardt** answered \$85,000 - \$120,000. **Maye** proceeded to describe other recently developed subdivisions in this area that exceed \$200,000 investments per residence (Gaddy Place, Steeple Gate, etc.). Maye stated that he had a builder from Guilford County ride out to this property and he said that he would be interested in developing it for site built homes. Maye also said that Bobby Clodfelter (developer of Gaddy Place) had showed an interest in this property for development. Maye said that for this reason, he questioned where and how this property has been marketed. Maye ended by saying that there are much better opportunities to develop this property that would protect their investments.

Nancy Howard, Nancy Howard Realty, 1520 Burnett's Chapel Road, Greensboro, said that she has had this property listed all this time (for 6 years) and there has been no one (developers, builders, etc.) interested in purchasing this property for any other purpose than to develop mobile home lots. Howard informed Maye that Clodfelter did show and interest at one time to develop the property for mobile homes.

Ronnie Martin, 6625 Leah Justine Drive, said that there is no buffer zone here and that he is a cousin to the Petty's and that he could speak for them and this would not be in their best interest. Martin discussed the drug use, break-ins, and motorcycles on this property and said that these people are not coming from Gaddy Place nor the Petty place. Martin said maybe there could be a transition of \$125,000 site built homes placed here but it would not be right to place mobile homes all the way against Gaddy Place or the Petty place.

Steve Green, 6615 Leah Justine Drive, said that at the applicant's own admission they have said they can't sale the property for stick built homes so why should they be allowed to extend this type of development up to the edge of Gaddy Place.

Joe Stevens, property owner, said that the gun range is on this property and this would eliminate a lot of the problems that are occurring because of trespassers. Stevens said he felt this development would be a good transition being double-wide mobile homes between an area of single-wide mobile homes and an area of site built homes. Stevens said that Earnhardt plans to make this a better area (at the end of Wright Road) with restrictions.

Dorsett said that he didn't feel filling this property up with mobile homes against Gaddy Place would be considered smart development. Dorsett made the motion, seconded by **Craven**, to recommend to the Commissioners that this request be **denied**.

Craven said that if this portion of this 200+ acre tract is approved for mobile homes now, the applicants could come back for the other half of the property to be for mobile homes later. Craven said he felt this would be slapping the developments that have been developed here recently in the face.

Dorsett said that one option would be for the developers to put a buffer along Wright Road and place a road in from Old Mountain Road with lots for medium stick built homes. Dorsett said he felt this would be a better transitional zone.

The motion passed unanimously.

Maxton McDowell left the meeting at 7:47 p.m. and turned the meeting over to Vice Chairman Bill Dorsett.

- B. **RANDALL HILL**, Asheboro, North Carolina, is requesting that 39.06 acres located on Sawyersville Road, Cedar Grove Township, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use. Parcel ID # 7721712399. The Conditional Use Permit would specifically allow the development of a 12 lot residential subdivision for modular homes, site built homes or Class A double-wide mobile homes on permanent foundations.

Hill presented proposed restrictions and explained that they would add the requirement that all the double-wide homes be new. Hill said that he lives on the property and plans to sell 7 tracts off to

neighbors and family. Hill said that he plans to live on the large tract and keep the 2 tracts with existing homes and 1 additional vacant tract. Hill said that the 50' wide tract along the east side of the property would be sold to the adjoining property owner, Junior Lambeth. Hill described the housing type around this property as mixed (both site built homes and mobile homes).

Louis Southern, 993 Sawyersville Road, presented the Board with a petition of opposition with 62 signatures. Southern said that the community disapproves of this request because double-wide mobile homes are not compatible with the type of housing that exists in this community. Southern said that last night (during the Commissioners Hearing) the property directly across the road from this site was rezoned for Residential Exclusive (RE). Southern said that they didn't feel that this request would be in line with that decision. Southern discussed other subdivisions in the area that have recently been approved that have set a precedence in this area for site built housing developments.

Rod Jackson, 1378 Moore Road, said that last night during the Commissioners Hearing they motion was made by Frye to disapprove an 85 lot residential subdivision for 1200 sq. ft. homes and the property request was changed and approved for a 65 lot residential subdivision with a minimum house size of 1350 sq. ft. Jackson said he felt these same restrictions should be required on this request.

Frank Rose, 3564 Sam Jackson Road, discussed problems they have experienced, in this Community, with wells both the quality and quantity of the water. Rose explained that all wells in the area are an average of 400+ feet deep. Rose then stated that the only difference he could see between a single-wide mobile home and a double-wide mobile home is that it takes 2 trucks to get it there.

Hill said that this portion of this property cannot be seen from Sawyersville Road. Hill said that he didn't think that 10 wells on 39 acres would deplete the water supply of this community.

There were 20 citizens present in opposition to this request.

Morton said that he lives on Stutts Road and most of the mobile homes that are located here where here before zoning. Morton said that the County needs to continue to require stick built and modular homes in this area.

Craven made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **denied**. The motion passed unanimously.

7. The meeting adjourned at 8:08 p.m. There were 61 citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

Planning Director

Date

Clerk/Secretary

