

MINUTES

RANDOLPH COUNTY PLANNING BOARD

March 7, 2000

There was a meeting held at 6:30 p.m., on Tuesday, March 7, 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 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; **Tommy Boyd, absent**; Al Morton, present; Phil Ridge, present; Larry Brown, present; and Mark Brower, Alternate, present (substituting for regular member Tommy Boyd).
3. **Bill Dorsett** made the motion, seconded by **Lynden Craven**, to approve the Minutes of the February 8, 2000, Randolph County Planning Board 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?” - 3 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.

Hal Johnson explained that this case was postponed from last month's agenda because Meredith could not be present for that meeting. Johnson said that Meredith has operated his business here for years and this case came to our attention because Meredith began construction of his building without the proper permits.

Meredith explained that he has owned the property for 15 years and is in the landscaping business. Meredith said he was told by general contractors that a pole shed didn't require any building permits. Meredith said that the shed would be use primarily for the storage of wheat straw and some of his equipment. Meredith told the Board that the business is owned/operated by him and his son (there are no other employees).

There was no one present in opposition to this request.

Dorsett asked Meredith why he built the building so close to the road. **Meredith** answered that it was the only level place on his property that he wouldn't have to have dirt hauled in to level the surface.

Dorsett said that normally when he visits the sites he doesn't talk with the applicants out on the site but Meredith was there when he drove to this site. Dorsett said that after talking with Meredith he felt that this was an honest mistake and he had been given bad advise (concerning the permits). Dorsett said that he felt this would be a great hardship (financially) if the Board required him to remove this structure that he has constructed.

Brown said that he agreed with Dorsett but what would the Board do if this case had been presented without the building being on the property. Brown said he did feel that if we did issue the permit the we would be able to limit the amount of outside storage. Brown asked Meredith if he could get all of his outside storage in the new building. **Meredith** explained that he would not be able to get all of his storage inside the building but he would maintain all of his outside storage behind this new building (so it wouldn't be visible from the road).

Craven made the motion, seconded by **Brower**, to approve this request for a Special Use Permit. The motion passed unanimously.

- B. **GEORGE & CAROLYN COLE**, Denton, North Carolina, are requesting a Special Use Permit to operate a welding shop in an existing 24 x 34 building at their residence, 4533 Jackson Creek Road, 5.50 acres, Concord Township, Zoning District RA, Parcel ID #7710530511.

Cole was present for this meeting and explained that he has lived here for 29 years. Cole said that the building is already set-up to be able to run this welding shop and the only employees would be a couple of family members.

Dorsett asked Cole if there would be in additional traffic - Cole answered not much because the business would only operate on a part-time bases.

Brown asked Cole if there would be any outside storage - Cole answered he didn't think there would be any outside storage, if any it would not be visible from Jackson Creek Road.

McDowell said that the Cole's are his neighbors and good folks. McDowell said he was sure they would property would be kept nice.

There was no one present in opposition to this request.

Brown made the motion, seconded by **Dorsett**, to approve this request with the condition that there be no outside storage visible from Jackson Creek Road. The motion passed unanimously.

- C. **JAMES & MARY STANLEY**, Sophia, North Carolina, are requesting a Special Use Permit to permit a 40 x 60 building to be constructed behind residence to store contract equipment and operate a welding shop at their residence, 2758 Sawyer Road, 7.92 acres, Back Creek Township, Zoning District RA, Parcel ID #7734835157.

Stanley said that he has owned this property for 27 years and it is located on a graveled State road. Stanley said that the building would be to bring in a lot of bob-cat equipment inside. Stanley said he would be doing some stick welding for other people on logging

equipment mainly just repairing equipment. Stanley said there would be no employees and all the storage of equipment to be repaired would be kept inside this metal building.

There was no one present in opposition to this request.

Craven made the motion, seconded by **Brower**, to **approve** this request for a Special Use Permit with the condition that any outside storage be minimal and out of view from Sawyer Road. The motion passed unanimously.

6. **REQUESTS FOR PROPERTY REZONING:**

- A. **CHARLES VUNCANNON**, Asheboro, North Carolina, is requesting that 61.40 acres (out of 290.95 acres) located on Hwy 49 South, Cedar Grove Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Parcel ID #7639281902. The proposed Conditional Use Zoning District would specifically allow an addition of 25 lots to Farmwood Subdivision for site built homes only.

Vuncannon explained that this is another phase to the existing Farmwood Subdivision. Vuncannon said that these lots would have the same restrictions as the existing lots and there would be no driveways permitted along Hwy 49. Vuncannon said that all the lots would have driveways off the new road. Vuncannon said that each lot would have a minimum of 175' of road frontage and be a minimum of 1.50 acres.

Dorsett expressed concern about the additional traffic on the subdivision road. Vuncannon stated that if he makes any more additions to Farmwood, he would see that a new entrance was created.

Walter Gordon, Asheboro Airport Authority, said that he was not specifically opposed to this request but he would like to appeal to the Board that plans to extend the runway of Asheboro Airport are under construction now. Gordon said that when this expansion was completed, the size of the airplanes using the airport would increase. Gordon said that the ideal use of land around an airport is commercial and industrial but unfortunately there are no public water and sewer to support this type of development around this airport. Gordon said that he would like to see an attachment to each deed in this area that would say that the property is located within the Airport Overlay District to let people know that they are around and under the traffic pattern of an airport. Gordon asked the Board to consider this in their motion that some notice be required to be given to the purchases about this airport. Gordon discussed the situation occurring around the Greensboro Airport.

Hal Johnson commended the Asheboro Airport Authority and Walter Gordon's efforts he has made to make people aware that they are there and their future growth plans.

Morton made the motion, seconded by **Craven**, to recommend to the Commissioners that this request be **approved**. **Morton** said that he would like to see the Commissioners require some kind of notice of the airport placed on deeds prior to land sales. The motion passed with a 6 to 1 vote - **Brown** voted against the motion.

- B. **FREDRICK & KRISTY KINNEY**, Randleman, North Carolina, are requesting that 6.90 acres located on Old Cedar Falls Road, Franklinville Township, be rezoned from Residential Restricted to Residential Agricultural/Conditional Use. Parcel ID #7782162720. The proposed Conditional Use Zoning District would specifically allow the placement of a Class B single-wide mobile home for a family member.

Kinney said that his family has owned this property for 64 years and the property has been in his name of the past 13 years. Kinney said that this mobile home would be for his daughter until she and her husband have saved enough money to build a house (this would probably take 5 to 7 years). Kinney said that at that time they may would move the mobile home to the lake. Kinney said that he does have 4 children and if this plan changed down the road he would only allow a family member to live in the mobile home - it would not become rental property.

There was no one present in opposition to this request.

Dorsett said that some of the homes in the area are old but they are houses. Dorsett said that if we really want to preserve the area would should require the home to be a double-wide mobile home (instead of a single-wide).

Craven said that he felt we should take into consideration that this family has owned the land for 64 years and the single-wide mobile home would only be for family use.

Brower made the motion, seconded by **Craven**, to recommend to the Commissioners that this request be **approved**. The motion passed by a 5 to 2 vote - **Dorsett** and **Brown** voted against the motion.

- C. **KENNETH JOYCE**, Kernersville, North Carolina, is requesting that 27.00 acres located on Grantville Lane, Grant Township, be rezoned from Residential Mixed to Residential Mixed/Conditional Use. Parcel ID # 7790266462. The proposed Conditional Use Zoning District would specifically allow an addition of 17 spaces in Scenic Oaks Mobile Home Park.

Joyce explained that he has operated this park since 1986 and he has an on-site manager (Doug and Virginia Burch). Joyce said that the park has had no perking problems and has a community water system. There would be no access to Foxfire Road and there would be a 200' natural buffer area along Foxfire Road (that he would maintain).

Johnson asked Joyce if there had been any law enforcement problems in the park - Joyce answered that there had been a few domestic calls, animal calls, and heavy breathing calls but he didn't considered these to be extreme problems. Joyce said that he was sure that everyone here would like to say that they had not had an argument with their wife, but the fact is this is just not so - these things happen. Joyce said that he (and/or his manager) spends a minimum of 40 hours per week doing maintenance work, clean-up, mowing, and repairs within the park. Joyce said that his main concern, even before developing this park, is the health and well-being of his fellow man.

McDowell and other Board members expressed concern with the development's encroachment on the creek. McDowell said that it didn't appear that he would be able to get 17 lots without coming within 50 feet of this creek and crossing the creek. **Joyce** said that he would abide by any conditions that the Board would place on the property, he just wanted to be able to develop his property.

Doug Burch, on-site manager, said that he was a 30 year retired NCDOT worker. Burch said that the park is kept clean, the grass is kept mowed, and there is no trouble in this park. Burch said that they keep the place clean and respectable. Burch said if you are a hunter you know that if you throw 20 dogs in the same lot sooner or later your going to have a fight. Burch said these things happen but they take care of any of these problems. **Brower** asked Burch about the problems at the pond (located on the neighboring property owned by Vance and Lee Roberts) that were brought up during the last public hearing in December. Burch said that he was not aware of any problems and stated that there is a buffer off trees and a fence along this property line. Burch said that he couldn't control what went on outside of the park but if he found out that this problems were being caused by anyone from this park he would put a stop to it and if he couldn't he would call the Sheriff's Office.

John Gatlin, Foxfire Road, said that he and his neighbors were here in December opposing the expansion of this park. Gatlin said that 6 of the people that were here that night were unable to attend due to a death in the community. Gatlin presented the Board with a petition of opposition and provided copies of the records from the Sheriff's Department that showed the types of complaints they have had in this park. Gatlin said that these calls have increased yearly and they are now up to 10 calls per year. Gatlin said that they latest call was due to a man threatening to kill his daughter for hitting a satellite pole. Gatlin said that the creek that has been discussed is not a small creek and it doesn't run up against Foxfire Road. Gatlin said there would not be enough room between the creek and the existing park for 17 additional mobile home sites. Gatlin also questioned if the land would even perk for this number of sites. Gatlin said that the kids are still coming from this park over to the pond. Gatlin said that they are not opposed to growth but not this type of growth. Gatlin said that the park is visible from 3 sides and is not good for this community just based upon the Sheriff's records.

John Burrow, 1778 Foxfire Road, said that his main concern is for the safety of his family. Burrow said that his parents ran a mobile home park when he was young and they were threatened by a man with a gun one time. Burrow said that the park down the road had a serial killer living there and any more rental trailers will just increase the number of law problems for this community. Burrow said that his main concern is not the mobile homes but the people in them. Burrow said that he is concerned for the welfare of his family and his neighbors.

Bernice Bullard, 3986 Young Road, said that his parent own the pasture that adjoins this park to the south. Bullard said that they have experienced a lot of problems with trash coming from this park and balls rolling into the pasture from kids playing. Bullard said that it's only natural for kids to climb over the fence and go after their ball. Bullard said but there is a bull in this fence and if it hurts one of these children you know who will get the law suit.

John Maness, 3642 Shady Knoll Drive, said that he farms the land across from this park on Grantville Lane. Maness aid that they are always picking up trash from this park and they also have problems with the dogs and cats. Maness said that this park is just a nuisance to the community.

There were 9 people present in opposition to this request.

Burch said that they have BFI to pick up their trash every Monday morning and each mobile home site is provided with it's own trash can. Burch said that the trash Maness is talking about is thrown out on the road by vehicles. Burch said that he also picks up this type of trash on the

park property. Burch said that there may be 4 dogs and 4 cats in the whole park and they are on leashes if they are outside the residences. Burch said that they run a respectable place and if the property owners can prove to him that this trash they are talking about is coming from this park, he would take care of it being cleaned up. Burch said that they didn't complain when Gatlin puts chicken manure out on his property and he said he felt this was much more of an environmental concern for this creek than their park. Burch said that there is a buffer zone around the entire park.

Dorsett said that his concern is with proposed lots 42, 43, 44, 48, 49, 56, and 57. Dorsett said that it appears that the creek would do away with all of these lots and Joyce may at most have 10 lots.

Morton said that he wanted a stipulation that would require a 100 ft. buffer on each side of this creek if this request was approved.

Craven said that the only thing he could see that was changed for this request is a few lots and the fact that he is now asking for a rezoning and not a special use permit.

Craven made the motion, seconded by **Morton**, to recommend to the Commissioners that they **deny** this request.

Dorsett said that he didn't feel the request was appropriate because of the creek and he would need to determine how many lots he could have and still provide adequate buffers along the creek. Dorsett said he didn't feel the Board should deny Joyce use of his property.

Morton said that this Board turned down the request in December to expand this park and he felt the Board should stick to their "guns".

The motion to **deny** this request passed by a 5 to 2 vote - **Dorsett** and **Brower** voted against the motion.

Morton left the meeting at 8:30 p.m.

- D. **ROBERT TAYLOR**, Thomasville, North Carolina, is requesting that 18.72 acres located on Post Road, Tabernacle Township, be rezoned from Residential Restricted to Residential Exclusive/Conditional Use. Parcel ID #'s 6795503324, 6794592254, 6794593715, and 6794596715. Lake Reese Watershed. The proposed Conditional Use Zoning District would specifically allow the development of 17 additional lots for site built homes only (Phase 2).

Taylor explained that this would be an addition to his future plans to develop his property that adjoins this tract. Taylor said that he plans to begin development now that he has acquired the land to allow for the accesses he felt would be necessary for the subdivision. Taylor said that the lot sizes would be a minimum of 40,000 sq. ft. and a minimum of 1,400 sq. ft. site built homes.

There was no one present in opposition to this request.

Brower made the motion, seconded by **Brown**, to recommend to the Commissioners that they **approve** this request for rezoning. The motion passed unanimously.

7. **Election of Officers:**

Dorsett said that this Board made the decision many years ago to elect new officers each to prevent too much control of the Board by one person. Dorsett said that he felt that now the Board has totally changed (except for he, Craven, and McDowell) and he didn't feel this was necessary any longer. Dorsett said he felt McDowell was doing a good job and if it was okay with the Board members he would like to make the motion for McDowell to remain as Chairman of this Board. **Craven** agreed and seconded this motion. The Board voted unanimously for McDowell to remain Chairman.

McDowell said he agreed and didn't see any reason for the Vice Chairman to change either. **Brown** made the motion, seconded by **McDowell**, and the Board voted unanimously in favor of Dorsett remaining Vice Chairman.

The Board decided that McDowell and Dorsett would remain Chairman and Vice Chairman until such time they felt new officers would need to be elected.

8. The meeting adjourned at 8:35 p.m. There were 36 citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

Chairman

Date

Clerk/Secretary