

MINUTES
RANDOLPH COUNTY PLANNING BOARD
August 8, 2000

There was a meeting held at 6:30 p.m., on Tuesday, August 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 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. **Brown** made the motion, seconded by **Craven**, to approve the Minutes of the July 11, 2000, Randolph County Planning Board Meeting. The motion passed unanimously.
4. **REQUESTS FOR PROPERTY REZONING:**

- A. **BARRY LAWRENCE**, Thomasville, North Carolina, is requesting that 11.09 acres located on Wright Road, Trinity Township, be rezoned from Residential Agricultural and Light Industrial/Conditional Use to Light Industrial/ Conditional Use. Parcel ID# 6786917284. The property is located within the Lake Reese Watershed and the applicant is also requesting a SNIA allocation of 42.6%. The proposed Conditional Use Zoning would specifically allow a Planned Business Development of three 20,000 sq. ft. buildings and one 10,000 sq. ft. building for light manufacturing and warehousing; and five 2,200 sq. ft. mini-warehouse storage buildings.

Lawrence was present and explained that he purchased the property 12 years ago and received zoning for light industrial use. Lawrence said they have moved their business (6 years ago) to Thomasville but have continued to lease the building for industrial purposes. Lawrence said that they would like to expand their facility for leasing and wants to build mini-storage buildings in the rear. Lawrence said that he would pave the private drive that would access this new facility. Lawrence discussed that he moved their business because of perking problems that would not allow them to increase the number of employees they have. Lawrence described the small businesses that operate here. Johnson asked if he could see any problems with the type of traffic that would use the mini-storage buildings coming by the industrial buildings. Lawrence said that the property would be fenced and gated to control the type of traffic that would use the property. Lawrence said he didn't feel this would adversely impact the subdivision that adjoins the property. Morton asked how many trees he plans to leave adjoining the subdivision. Lawrence said that there is a 20' easement along that property line that is all grown up and the new buildings should not be seen from the housing development.

Donald Peterson, 7150 Wright Road, said that he didn't care to have all this noise along my property and he has cut off all the trees along his property. Peterson said that he adjoins this property and this facility is within 8 feet of his home. Peterson said that they already have enough businesses here. Peterson said he didn't want any more industry moving in on top of him. Peterson said that he has tried to get someone to talk to him about all these trees he has cut from his property. Peterson also mentioned the problems that would be caused for the housing development (Southgate Estates).

Lawrence said that Peterson's house is along the portion of property that would be used for the septic tank system and there would be no buildings located near his home. Lawrence said that he left a 10 ft. buffer on the property along this line. Lawrence said that he has had 3 people in this area call wanting a job but no one in opposition.

Ridge expressed concern for a buffer along the subdivision. Morton agreed and said it should be a minimum of 50 ft.

Ridge made the motion that to recommend to the Commissioners that this be **approved** with the condition that there be a 50' buffer along Southgate Estates. **Brower** seconded this motion and the motion passed unanimously.

- B. **R B INVESTMENT COMPANY**, Linden, North Carolina, is requesting that 120.57 acres located on Bachelor Creek Road (off Old NC Hwy 13), Richland Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Parcel ID# 7687338135. The proposed Conditional Use Zoning would specifically allow the development of a 60 lot residential subdivision of site built homes only.

Doug Turner, Attorney for RB Investments, provided a handout to the Board. Turner said that they have discussed this with the Heath Department and D.O.T. and have corrected the plan to not allow any new private driveways along Bachelor Creek Road. Turner said that this is a beautiful piece of property and they plan to leave as many hardwoods as possible. Turner provided the soil summary from their soil scientist's extensive work and said that the site plan has been worked with this information. Turner said that he spoke with Mike Walker, Randolph County Health Department, and he said that this is compatible with the soil types of this area. Turner provided the proposed restrictions that would include a minimum of 1350 sq. ft. homes with no lots being used for commercial purposes. Turner said that Bachelor Creek Road with 10 mobile homes and 11 site built homes. Turner said that the closest subdivision is Hayfield Acres and it is approximately 4.5 miles with .90 acre lot sizes. Turner spoke of other subdivisions in the community and said that they also have compatible lot sizes (to this proposal). Turner also said that the newest home built on Bachelor Creek Road is on less than an acre of land. Turner stated that there could be a potential increase of \$40,015 per year and currently it only creates \$482 per year. Turner also discussed conversations of working with D.O.T. with the proposed entrances to Bachelor Creek Road. **Johnson** complimented Turner on his presentation that seemed to help answer some concerns that do arise in subdivision development. Johnson asked if they had done any testing on the water concerns and Turner said that he had spoken with Mike Walker and he said that the State answers this concern with the required setbacks and he didn't feel there would be any problems here. Johnson asked if there would be no new driveway connections to Bachelor Creek Road and Turner answered that is correct they would all access the new roads. **Dorsett** asked Turner if D.O.T. would have any problems with upgrading the road and the single-lane bridge existing here. Turner said that they have a priority system but that they have paved the road approximately up to a 1/4 mile from this property and that the priority list would be updated probably in January or February and if additional homes are here it would be moved up on the priority list. Turner said for the bridge, they did talk about this, but this is kind of a "catch 22" because they don't make improvements until the houses are built and they won't make improvements before they are built.

George Bain, said that he owns 230+ acres bordering this property. Bain said he is a farm owner, neighbor, and geologist. Bain discussed a creek location dispute and said that he wanted to know where that was before he put in his pig pin. (Bain said he wasn't serious about this.) Bain provided a picture of deer that was taken from his home last week. Bain discussed the

problems wildlife would have if this type of development was approved. Bain also provided a picture of a family of turkeys that was taken on Sunday. Bain also discussed a rare woodpecker that is also seen in this area. Bain talked about how remote this area is and all its wildlife. Bain talked about the bridge problem and said that there is not the infrastructure in this area to support this type of development. Bain talked about the dust problems created from this road when it is dry. Bain said the minimum house size of 1350 sq. ft. would not be compatible to their homes that are well over 2000 sq. ft. Bain talked about the U.S. Geological Survey done for Guilford County and provided a copy of this for the Board. (Portions of Randolph County which include this area were also on this map.) Bain explained discharge measurements on Bachelor Creek and Richland Creek from this report (dated in the 1960's). Bain said that the report shows that the water yields would not support this number of additional homes during the Fall of the year. Bain said that this part of Randolph County can't support 1 acre lot sizes.

Randy Cavalier, 3902 Bachelor Creek Road, discussed his problem with the dust and said that the last request for this road was for a 40 lot subdivision and the tests showed that those lots would increase the dust problem by 200% and now this request is for 60 lots. Cavalier said discussed the problems with the bridge and the no speed limit signs on the road. Cavalier said that his home is on a .86 acre tract but this is for loan purposes, they also own an additional 3+ acres. Cavalier said that Bain is his father-in-law and he told them where to drill their well on the property to get water - Cavalier said that they got water. Cavalier said that if Bain said that these new wells (for all these homes) would cause their well to go dry, he would believe him.

William Jones, resident of this community, said that they moved here from Guilford County to avoid this. Jones said that they bought here because it is so rural.

Foy Gann, adjoining property owner, said that as a whole you could probably have 5-7 acre homes site with a well and septic tank, but the property would not support smaller lot sizes.

Brower said that this is exactly what we would like to see but there is not appropriate infrastructure with the dirt road and one land bridge to support this type of development here.

Craven said that he agreed and that there is a really density problem with this, he agreed with Mr. Gann on 5-7 acre lot sizes. For these reasons Craven made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **denied**. The motion passed unanimously.

- C. **SOPHIA INVESTMENTS**, Sophia, North Carolina, is requesting that 20.21 acres located on Spencer Road, New Market Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Parcel ID# 7747003766. Randleman Lake Watershed. The proposed Conditional Use Zoning would specifically allow that development of a 10 lot residential subdivision for site built homes only.

Jerry King, Surveyor, said that this would be for 10 lots with 1.9 average lot sizes. King said it would be restricted to 1600 sq. ft. homes and provided the proposed restrictions. King said that this is part of an old dairy and his (Mr. Davis) sister currently lives across the road from this property.

No opposition was present for this request.

Johnson said that this development would be compatible to the existing development in the community.

Dorsett made the motion, seconded by **Craven**, to recommend that this request be **approved**.

The motion passed unanimously.

- D. **CAROLINA FAIRWAYS, LLC.**, Asheboro, North Carolina, is requesting that 210.88 acres located on Old Lexington Road (across from Mountain Brook Road), Back Creek Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Parcel ID# 7722705800, 7721893703, and 7722729433. The Conditional Use Zoning would specifically allow a Planned Unit Development for traditional site built single family residences, townhouses, and cluster residential developments.

Breck Richardson, one of the partners of this project, talked about the project and their intentions for the property. Richardson said there is approximately 110 residential units - 46 residential lots, 20 cluster homes, and 44 townhouses. Richardson presented pictures of the type of homes they plan. Richardson discussed the water resources for the property. Richardson said that this would be done in phases and discussed their work with the Health Department and D.O.T. **Dorsett** asked about the driveway along Hwy 64 and Jim Bivens (Engineer) said that it would be accessed by the existing private drive. **Morton** asked Bivens if they would have to do a turn lane and said that they might have to do a 50-100 ft. tapered lane (this is the indication they got from D.O.T.).

Jim Burk, 3480 Hillsdale Court, expressed concern for 110 homes in this small area. Burk discussed the traffic problems this would create for this area. Burk said that this would not be in-keeping with the area (cluster homes, etc.).

Gary Gumpert, 3490 Hillsdale Court, said that he is not opposed to development but expressed concern for what this will become in years to come. Gumpert expressed concern that the fairways could possibly be developed later.

Columbus Baker, Whitney Mountain View Estates, expressed concern for possibly the size homes that would be built. Baker said that they would be concerned that it could be developed with non-compatible housing. Baker said that they are just concerned to protect their investments. Baker talked about the water tables in this area. Baker said he didn't feel the plan was specific enough.

Dillis Baker, 5280 Old Lexington Road, discussed his concern that this could create traffic jams for this community.

Richardson said that this would in no way be sub-standard development. Richardson said that this will be a country club community. Richardson said that his current home has 2900 sq. ft. and he plans to build here and would be larger than what he currently owns. Richardson said that the townhouses will be around \$175,000 - \$200,000 each with approximately 1900-2000 sq. ft. in size. Richardson said that the covenants will be very strong and there will be no rental properties. Richardson said that these are not apartments and would be owner occupied. Richardson said that normally these cluster homes and townhouses would be for retired persons.

There were 8 people present in opposition.

Brower expressed concern for the entrance on Hwy 64. **Craven** agreed. **Morton** said that this would be a D.O.T. call and he felt this should be left for D.O.T. to determine.

McDowell said that he felt this would be an enhancement to this area. **Craven** said that he didn't feel this would impact the school system.

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

5. **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.

6. **REQUESTS FOR SPECIAL USE PERMITS**

- A. **ROGER BROWN**, Ramseur, North Carolina, is requesting a Special Use Permit for a Rural Family Occupation to operate a car dealership with a maximum of 8 vehicles and an automotive repair shop from an existing 34' x 84' building at his future residence. Location: 14.45 acres, 1132 Pleasant Ridge Church Road, Columbia Township, Parcel ID# 8701147489, Zoning District RA.

Brown said that he purchased the property to keep a developer from coming in and developing the property. **Brown** said that when he purchased the property he was told the property was commercial. **Brown** said that the building has been used commercially in the past. **Brown** said that his business is currently on Hwy 64 but it is being widened and he wants to move here to retire. **Brown** said that the 8 cars would be on the front of the building. **Brown** described the property as being well buffered and said all his waste would be picked up and recycled.

Brower asked what his plans were for his station on Hwy 64. **Brown** said that this place is obsolete and he felt the property would be done away with. **Morton** asked about the property he had zoned on Hwy 49 for this and **Brown** said that it would not perk and he wasted approximately \$9000 there. **Brown** said that if he doesn't get this he would probably be out of business in 8-9 months. **Brown** said that he would not allow junk cars on the property with the repair business. **Brown** said that the road is not a heavily traveled road. **Brown** said that he talked with the neighbors and he hasn't heard any complaints. **Brown** said that he is not wanting to hurt the community, they are good neighbors.

Laura Brown, adjoining property owner and resident, presented the Board with a petition of 25 names in opposition to this request. **Brown** said that she is opposed to this based on #3 & #4 on the Special Use Permit Summary. **Brown** provided a letter from her appraisers of Robert Realty. **Vance Roberts** said that this would change the character of the neighborhood and would not be compatible to the community. **Roberts** said that the use would injure the property values and would reduce these values by 10-20% with a higher percentage change for those properties greater than \$75,000. **Brown** described the area as quiet and this use would be detrimental to the community.

Kenny Brown, adjoining property owner and resident, said that they are not opposed to **Roger Brown** and he didn't have a problem with the garage except for the cars that would be left out on the property. **Brown** said he felt **Brown** has a good heart and he doesn't have a problem with **Brown** and wishes him well but he just doesn't want this to happen here. **Brown** said that he would welcome **Roger** as a neighbor.

Todd Brown said that he felt the property values would be devalued and this is a very nice residential area. **Brown** said that the BP Station is very unattractive and he didn't want to see this in this community.

William Brown, Pleasant Ridge Church Road, said that he felt it would be impossible to make a living at this type of business in this area. Brown said that his son and daughter will be the 4th generation to own this farm and he said he would like to see this farm life be able to continue for his family.

Doug Wilson, 1210 Pleasant Ridge Road, said that they moved here from Florida for its rural atmosphere and said that there is no other business in this area. Wilson discussed that car lots are usual targets for vandals. Wilson talked about possible environmental concerns.

Brown said that he plans to fix the building up but said that there has always been a business here therefore it couldn't lower the property values.

Brower asked if it would be possible to run the business behind close doors completely - Brown answered yes. Brown said he could run a wholesale business without a lot.

Brown said that all of the land owners would be buffer with plenty of natural growth.

Morton said that this request does not pass the 3rd and 4th test that is required by law.

Larry Brown said that he felt the neighbors have well proven that this request does not meet test 3 and 4, for this reason he made the motion, seconded by **Craven**, to **deny** this request for a Special Use Permit based on the following:

**The use will substantially injure the value of adjoining or abutting property, and the use is not a public necessity; and

**The location and character of the use if developed according to the plan as submitted and approved will not be in harmony with the area in which it is to locate nor would it be in general conformity with the Land Development Plan for Randolph County.

The motion passed unanimously.

- B. **TOMMY DAVIS**, Archdale, North Carolina, is requesting a Special Use Permit to allow produce sales, flea market sales, and landscaping material sales. Location: 9.66 acres, corner of US Hwy 311N and Hogslide Road, New Market Township, Randleman Lake Watershed, Parcel ID# 7736668943, Zoning District RA.

Davis was not present but his daughter, Kelly Harrell, was present to speak for him. Harrell said that she lives here and all of this has been discussed with the neighbors. Harrell said that most of the response has been positive.

There was no one present in opposition to this request.

Dorsett said that he felt this would be more appropriate to be rezoned instead of this Special Use Permit.

Johnson said that the intent of the property owner was wanting this to be a low impact and if it worked well he would asked for it to be rezoned.

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

- C. **LEWIS DANIELS**, Randleman, North Carolina, is requesting an amendment to their Special Use Permit for a Rural Family Occupation, to allow a used car dealership in a 10' x 10' building with a maximum display of 12 cars, at their residence. Location: 1.10 acres, 2809 Old Liberty Road, Franklinville Township, Parcel ID# 7773588820, Zoning District RR. (The Lewis' currently have a Special Use Permit to operate a variety/grocery store.)

Daniels was present and said that he current has a grocery and variety store on the property.

Johnson asked about where the cars would be parked. Daniels said that he would increase the parking for the business closer to the residence. Daniels said that his father sold cars here in the early 70's and he wanted to get back into this type of business.

Morton expressed concern of cars being parked in front of the store and said he felt the permit should restrict this.

Ridge asked about the number of cars and said he felt it was pretty high for the number we've been allowing.

Craven agreed and said no more than 6 or 8 cars.

Daniels said that 6 or 7 would probably be the most.

Morton said he felt he should be restricted to 8 cars.

There was no one opposed to this request.

Brower made the motion to **approve** this request for a Special Use Permit with the Conditions:

**no more than 8 cars

**cars may not be parked in front of the store

**minimum size sign (only sign as required by N.C.D.M.V.)

Brown seconded the motion, the motion passed unanimously.

8. The meeting adjourned at 9:28 p.m. There were 46 citizens present.

**NORTH CAROLINA
RANDOLPH COUNTY**