

MINUTES
RANDOLPH COUNTY PLANNING BOARD
February 6, 2001

There was a meeting held at 6:30 p.m. on Tuesday, February 6, 2001, of the Randolph County Planning Board in the Commissioners' Meeting Room, 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, absent; Phil Ridge, present; Larry Brown, present; and Mark Brower, Alternate, present.
3. **Chairman McDowell** said that he wanted to publicly compliment County Planning Director Hal Johnson for the very accurate and clear way Johnson presented Planning Board recommendations to the Board of County Commissioners. McDowell said Planning Board decisions are often complicated and seldom easy but he wanted to thank Johnson for presenting the requests and decisions in such a clear and fair manner to all the parties involved.
4. **Larry Brown** made the motion, seconded by **Lynden Craven**, to approve the Minutes of the January 9, 2001, Randolph County Planning Board Meeting. The motion passed.
5. **REQUESTS FOR PROPERTY REZONING:**

- A. **ALAN & JODI LONG**, Seagrove, North Carolina, are requesting that 0.52 acre located on Burney Road, Richland Township, be rezoned from Residential Restricted to Highway Commercial/Conditional Use. Parcel ID # 7665770080. The proposed Conditional Use Zoning District would specifically allow the operation of a pottery manufacturing and sales business in an existing building and a 40 x 48 addition to existing building to be constructed.

Long was present and explained there would be no employees at the location. Long said that there would be 5 potter's and 20 part-time potters. Long said that this would be a cooperative operation. The hours would be 9 am to 6 pm during the week and Saturday and 12 pm to 5 pm on Sunday. Long said that there is an indoor kiln and no outside production. Long said that in the future there would be an outdoor kiln.

There was no one present in opposition to this request.

Craven said that Seagrove is known to be the pottery capital of the world and this would be appropriate. **Craven** made the motion, seconded by **Brower**, to recommend to the Commissioners that this be approved. The motion passed unanimously.

- B. **RUSSELL LINEBERRY**, Siler City, North Carolina, is requesting that 15.07 acres (out of 64.30 acres) located on White Chapel Road, Columbia Township, Sandy Creek Watershed, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Parcel ID # 8724221558. The proposed Conditional Use Zoning District would specifically allow the development of a 14 lot subdivision for site built homes only with a minimum of 1,200 sq. ft. Property Owner: Leo Heilig Heirs.

Lineberry was present and explained his intentions to develop a subdivision for site built homes. Lineberry presented the Board with proposed deed restrictions that would include no modular or mobile homes. Lineberry said he had increased the minimum house size to 1250 sq. ft. Lineberry explained that the majority of the lots would front on the new road. Lineberry said that he has looked at the property with a soil scientist and was advised that the soils were good. Lineberry discussed where the homes would be located in relation to the power easements on the property. Lineberry said that with the restrictions he is placing on the property he expected the homes would start at a price of \$121,000. Lineberry said that this is an estate that he has purchased a portion of and he is also remodeling two homes on the remainder of the property for some of the heirs. Lineberry described the easement to the rear of the subdivisions as a private easement (for a single access) for the existing residence on the property. Lineberry said that the homes would only allow rock or brick foundations - no block foundations.

Leslie Thompson, Soapstone Mountain Road, said that she had received 116 phone calls concerning this request. Thompson said that the majority of the concerns were that the lot sizes of 3 to 5 acres and they felt the lots shouldn't be so small. Thompson said she felt this was a great plan other than the lot sizes that have been proposed.

Kevin Williams, 6397 Whites Chapel Road, stated that he would like to see that there be less lots proposed. The timber was sold on this property and he would like to see the lot sizes larger.

Jackie Barker, 2153 Soapstone Mountain Road, said that there are lots of farms being cut up and with private wells and septic tanks in this area, small lots could pollute the wells.

David Posely, 6763 Whites Chapel Road, said that he agrees with the others in opposition and would like to see the lot sizes increased.

There were 5 people present in opposition to the request.

Brower said the lots exceed the County's requirements of 40,000 sq. ft. in a watershed.

Brower made the motion to recommend to the Commissioners that this request be **approved**.

Brown seconded the motion and the motion passed unanimously.

- C. **BOBBY EARNHARDT**, Asheboro, North Carolina, is requesting that 223.88 acres located on Old Mountain Road, Trinity Township, Lake Reese Watershed, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use (107 acres) and Residential Exclusive/Conditional Use (119 acres). Parcel ID # 6796505997. These two proposed Conditional Use Zoning Districts would allow the applicant to divide the property into two major subdivisions. 119 acres is being proposed for 99 lot subdivision for site built homes only (fronting on Old Mountain Road) and 107 acres is being proposed for a 72 lot subdivision for site built homes, modular homes or Class-A double wide mobile homes on permanent masonry foundation (fronting on Wright Road). Property Owner: Joseph Stevens.

Johnson explained that this request was considered 1 year ago and one of the concerns expressed was buffer areas between Gaddy Place and the proposed development. The developer had proposed buffers between the two developments and along Gaddy Place Subdivision. Johnson also discussed the issue of the number of driveways being proposed along Old Mountain Road and stated that this would be major concern the Board should consider. Johnson explained that (property fronting on Wright Road) the lots being proposed exceed the size that exist on Wright Road and the housing characteristics are also being increased. Johnson said this is one of the largest subdivisions that has been proposed in Randolph County. Johnson reminded the Board that the Old Mountain Road side would be strictly site built homes and the portion on Wright Road would be primarily double-wide homes.

Mac Whatley represented the property owner and developer explained that this piece of property is a classic example of a transitional area. Whatley described the areas adjoining as being single wide mobile homes to the west, double-wide mobile homes to the south and east, and site built homes to the north. Whatley said that his clients have met extensively with the Planning Staff and this property is located within the Primary Growth area of the proposed Growth Management Plan for Randolph County. Whatley said that there will be no development allowed within the Class A Flood Areas. Whatley said that the lots on the west side of the river that adjoins the Gaddy Place subdivision is approximately 5 acres in size and buffers are being proposed at least 50' in width for a no-cut buffer zone. Whatley explained that these lots are also restricted as to where the homes could be placed, and they are 500-800 feet from the nearest Gaddy Place property line. Whatley said that they are proposing to develop the Old Mountain Road portion of the property first. Whatley said that the number of lots fronting along Old Mountain Road would be in-keeping with the Gaddy Place Subdivision. Whatley said if they turned the houses around they felt there would be more opposition. Whatley discussed all the efforts that have been made to try to sale the property for site built development. Whatley provided the Board with letters the property owner received from people (appraisers, real estate agents) that showed his efforts.

Bobby Earnhardt, 4422 Earnhardt Road, Asheboro, described the proposed restrictions. Earnhardt said that all the homes on Old Mountain Road would be restricted to 1700 sq. ft. and the price range would be 160,000 to 225,000. Earnhardt said that the Wright Road side would require brick foundations and all front porches would be required to be masonry, landscaping restrictions, and they are considering requiring that all the driveways be paved. Earnhardt said that since the last rezoning they have increased the size of the lots and proposed a buffer zone. Earnhardt said that this would be in excess of \$23 million added to the tax base.

Johnson asked Earnhardt if N.C.D.O.T. had approved the driveway connections and Earnhardt said that he was told by DOT that they didn't regulate residential driveways. Earnhardt said that they would begin the development of Old Mountain Road. Dorsett asked the average front of the lots on Old Mountain Road and Earnhardt said at least 100 feet. Whatley said that all the lots that adjoin the river are more than 1 acre with some as large as 3 acres. Whatley said the smallest lot adjoin the Twin Oaks Mobile Home Subdivision. Earnhardt said that the preliminary soil tests shows the soils as good. Earnhardt said that the water would be provided by Davidson Water Inc.

Joe Stevens, Cornelius, North Carolina, said that he has exhausted all his efforts to sale the property. Stevens provided letters of evidence to support his efforts. Stevens said that he has been told by many builders that they could sale the sites on Old Mountain Road but would not be able to do anything with the Wright Road site. Stevens said that all of the property along Wright Road was developed before County Zoning and several sites appear like they should be condemned. Stevens provided a letter from Eric Martin, County Public Works, about the dumping problems on Wright Road. Stevens said that he has paid contractors 5 times in the past 6 years to clean the property. Stevens said that he has put fences up and many other efforts to keep people off this property and they continue to come on to the property. Stevens said that he has contacted the Sheriff's Dept. for help but they have been unable to keep trespassers off. Stevens said that he has only received 2 offers for purchase in the past 8 ½ years and that has been from Bobby Earnhardt and Kyle Petty. Stevens said he has received a letter from Petty's Attorney withdrawing an interest in purchasing the property. Stevens said he felt this was the best use for this property.

Johnson asked Stevens if he had taken any consideration to the number of driveways on Old Mountain Road. **Stevens** said that this layout would make the development compatible with Gaddy Place. Stevens said he would be concerned with turning the houses around and the appearance of the area.

Ridge said his only comment would be to increase the lot sizes along the road to decrease the number of driveways along Old Mountain Road.

There were 46 people present in opposition to this request.

Ronnie Martin, 6625 Leah Justin Drive, said that they were told by Stevens that he would develop a pig farm on the property if he was not allowed to develop the property. Martin questioned the buffer zone and was told that it would be a natural uncut zone. Martin said that during the winter the buffer would not be there.

Bob Mae, 6570 Leah Justin Drive, welcomed the crowd to their 3rd annual reunion. Mae said that it was a wonderful presentation but only one person on our street received a letter notifying of this meeting. Mae said he was one of the people that told Stevens he knew someone that would purchase the property. Mae provided the Board with a written rebuttal. Mae said that the Petty's and the owner of Gaddy Place came to Stevens to offer to purchase the property. Mae said he turned the offer down because Stevens is wanting too much for the property. Mae provided a copy of the offer to Stevens. Mae said that we are in this together and we need to work this out. Mae said that the camp didn't work out (Petty's Camp) and they tried to get in touch with Stevens but he will not return their calls. Mae said that last year the price was 1.3 million dollars and said he would like to see their type of development expanded. Mae said he realized that there was some problem with the portion of the property along Wright Road but we just needed to find a solution to this problem.

Randy Johnson, 6599 Leah Justin Drive, provided the Board with pictures of the area. Johnson said he felt that a lot of the plan is not much that they can count on. Johnson said that the last time they met with the Commissioners they were told that they wouldn't be able to enforce the restrictions. Johnson said he was concerned that the double-wide mobile homes would creep over from Wright Road. Johnson expressed concern for the noise (gun fire, motorbikes, etc.) and this is getting worse instead of better. Johnson said he felt to put trailers here would only make it worse. Johnson said he is concerned about any more traffic on Old Mountain Road. Johnson said he is concerned for the investment of double-wide mobile homes that will depreciate quickly and he also expressed concern of the crime rate along Wright Road. Johnson showed pictures of abandoned and junked cars in Eagle Creek Subdivision along with the trash dumped here. Johnson said there is no landscaping in that subdivision and it is an eyesore. Johnson said that the older developments along Wright Road contained trailers with boarded up windows and rusted outbuildings. Johnson said the pictures showed that Stevens doesn't maintain the property. Johnson presented pictures of homes in Gaddy Place with landscaping. Johnson said the stick built idea is nice but it is flawed. Johnson said that the trailers will depreciate and bleed over to the site built development and cause problems.

Mae said that Randy pointed out all the problems and asked the Board to stop the "cancer" down here from spreading. Mae said he wanted this to be a development that would be decent for Randolph County.

Roger Bryant, 3587 Old Mountain Road, said that he does have some sympathy for the property

owners. Bryant said that the Eagle Creek development is a shame in the County and the Wright Road area is a disgrace. Bryant said that this increase in tax base will not educate our children. Bryant said that Gaddy Place and Steeple Gate are very nice developments. Bryant said that there are alternatives to developing this property and they could cross the creek like Steeple Gate when developing the property.

Lolita Wright, Wright Road, said she lives in a stick built home. She said she would welcome a modular home or double wide mobile home subdivision. Wright said this would allow this area to have more security from the Sheriff's Department. Wright said that they are not trailer trash. Wright added that the gunfire was coming from a "turkey shoot" on a road near Wright Road (not Wright Road).

Mack Reaves, 3548 Old Mountain Road, said that his home is tax valued at \$176,000. He said that he didn't want to see something come here that would destroy what he moved here to build.

Alan McHenry, 6548 Abigail Drive, said he works with crime unit in Greensboro Police Department. McHenry said that he felt this plan is much better but he felt there still should be some compromise. He said he couldn't image more traffic on Finch Farm Road. He said that he had a good friend to get killed 2 weeks ago on this road because he worked 3rd shift and fell asleep on this narrow road with small shoulders. He described the many road dangers in this area. He said he felt sorry for Stevens and said this area is economically diverse and that he felt there were enough mobile homes in this area.

Brown asked Bryant about the driveway connections. **Bryant** said this would be a large number of driveways on this road and he would be concerned with the DOT seeing that the road catch up with the traffic demands.

Dorsett said he thought the problem here was density and how are you going to keep lower quality development from inching across the river.

Craven said this is an improved plan but this is only a band-aid. Craven discussed the school crowding problems.

Brower said he felt the land owners have some rights. Brower said he (the property owner) is taxed on his property and who are we to say over and over that he can't develop the property.

Brown said you also need to be comfortable to tell the adjoining property owners that also.

Dorsett said that he didn't feel comfortable that this is the complete proper solution to the plan.

Ridge asked Hal Johnson if he knew any better way to handle a transition than this. Johnson said this was a unique situation involving two distinct and different housing patterns. The land

was laying between two highly concentrated population centers. Both subdivision proposals were consistent with housing characteristics, and existing lot sizes in the area. Johnson said the proposed development along Old Mountain Road was similar in layout to Gaddy Place where there were numerous driveway connections onto Old Mountain Road. Johnson said the main difference between the proposed development and Gaddy Place was that there are more driveway connections onto Old Mountain Road. Johnson said there were opportunities to reduce the number of connections.

Craven made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **denied** as being to intense for the area. The motion passed by a 5 to 1 vote - Brower voted against the motion.

- D. **ERICA POWELL**, Sophia, North Carolina, is requesting that 15.45 acres located on Hoover Hill Road, Tabernacle Township, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use. Parcel ID # 7713448583, 7713347301 and 7713448659. The proposed Conditional Use Zoning District would specifically allow the development of a 4 lot subdivision for site built homes, modular homes or Class-A double wide mobile homes on masonry foundation. Property Owner: April Moore.

Chuck Powell, Beeson Farm Road, (father of Erica Powell), said they are proposing to divide the property. Beeson said that the preliminary soil tests have shown the soils to be good. Powell said they have reduced the request from last year from 5 to 4 lots.

Larry East, Hwy 311N, Sophia, said that Powell is his step-daughter and this would be for double-wide mobile homes and that this area is mostly single-wide mobile homes. East said he got 56 signatures of people in the area that are no opposed to the development.

Chuck Hill, Hoover Hill Road, said he lives 2 lots down and he was not opposed to this development.

Patsy Hunt, 1909 Hoover Hill Road, said that he didn't go around the neighbors right here at this property. Hunt said that they are opposed due to the traffic problems on Hoover Hill Road. Hunt said he is proposing 4 lots now but what he didn't say was that they have already sold 1 lot off so it would still be a total of 5 lots. Hunt discussed the school facility problems and the type of traffic on this road (big trucks, vehicles with boats, buses, etc.). Hunt said that once you allow trailer parks in the area even more will come. Hunt discussed the potential safety problems for the children getting on and off the school buses.

David Hunt, 1909 Hoover Hill Road, said that making a little money is not worth a child's life.

Joe Beeson, adjoining property owner, discussed the water system and the traffic problems on

this road. Beeson said we need something done about the road traffic problems.

Dorsett said that if this is passed a condition should be added that there be no expansion.

Brower made the motion to recommend that this request be **approved** with no further subdivision and no more than 1 residence per tract. **Ridge** seconded the motion and the motion passed unanimously.

- E. **COUNTY MOTORS**, Randleman, North Carolina, is requesting that the current Conditional Use Permit issued to the 1.00 acre (out of 5.18 acres) site located at 9627 US Hwy 220 Business North, Level Cross Township, Randleman Lake Watershed, Zoning District Highway Commercial/Conditional Use (HC/CU) be amended. Parcel ID # 7767350825. This amendment would change the current Conditional Use Zoning District (that currently allows a retail tire & repair shop with no outside storage) to allow an automotive repair business and used car sales and display. Property Owner: Gary Richardson.

Ben Richardson was present and explained that they are renting the property to Wayne Handy for this business. Johnson said that one of the concerns for this property is that there not be any outside storage. Johnson said the County has had problems in the past and this is a concern of this Board that the property not become an eyesore. Richardson said that he realized that there have been some violations in the past. Handy said that only thing that would be there outside the building would be cars that they are working on but there would be no junk cars. Dorsett asked about the parts taken off the cars and Handy said that they would have someone haul off those parts.

Johnson explained to Handy that a Spill Containment Plan is required by the State Watershed Regulations and if this was approved he would need to work this out with the County Planning Office.

Handy said that he purchase wrecked vehicles from insurance companies and restores them, but there will not be storage of junk vehicles on the property. Handy said that the parts would be carried to Cranford's Junkyard. Handy said these parts would be taken off everyday.

The Board impressed upon Handy this concern of maintaining the property properly and not allowing junk scrap material outside.

No opposition to this request.

Craven made the motion, seconded by **Brower**, to recommend to the Commissioners that this request be **approved** with the condition of no outside storage of scrap materials/parts and no more than 12 vehicles displayed. The motion passed unanimously.

6. **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?”

2 people took this Oath.

7. **SPECIAL USE PERMIT REQUEST:**

- A. **WILBANKS RESOURCES**, Denver, Colorado, is requesting a Special Use Permit to allow a newly constructed 26 x 13 equipment shed for an expanded AT&T utility sub-station to be located at 4767 Old NC Hwy 49, 39.20 acres, Concord Township, Zoning District RA, Parcel ID # 7710809487. Property Owners: Robert and Mary Loflin.

Chad Bergeron, Real Property Representative for Wilbanks Resources, said that they have moved the proposed site to behind the existing facility. He said that the first site has had plans to fall through but the site will be restored to its original condition.

McDowell said that this would be an improvement because less attention would be brought to this new building than where originally proposed last month.

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. The motion passed unanimously.

- B. **DON LANIER**, Asheboro, North Carolina is requesting a Special Use Permit for a Planned Unit Development (one existing rental mobile home and 2 site built rental homes) to be located on Farmer Denton Road, 6.39 acres, Concord Township, Zoning District RA, Parcel ID # 7609760056. Property Owners: John and Sue Lowe.

Lanier was present and explained that he is representing Mr. Lowe. Lowe is developing this property and this would be for his retirement income. Lowe lives on the adjoining property

There was no one present in opposition to this request.

Lanier said that all the soil tests have been approved by the County.

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

8. The meeting adjourned at 9:20 p.m. There were approximately 115 people were present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**