

**MINUTES**  
**RANDOLPH COUNTY PLANNING BOARD**  
**June 5, 2001**

There was a meeting held at 6:30 p.m., on Tuesday, June 5, 2001, of the Randolph County Planning Board in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Maxton McDowell**, Chairman, 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; Al Morton, present; Phil Ridge, present; Larry Brown, present; and Mark Brower, present.
3. **Lynden Craven** made the motion, seconded by **Larry Brown**, to approve the Minutes of the May 8<sup>th</sup>, 2001, Randolph County Planning Board Meeting. The motion passed unanimously.

*Hal Johnson, Planning Director, announced that the Lester Brown Request scheduled for this meeting had been postponed. There was no one present for this request.*

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 REQUEST:**

- A. **KENT SMITH**, Troy, North Carolina, is requesting a Special Use Permit to operate a machine/gunsmith shop in an existing 25' x 40' building, to be located at his future residence at 5864 Whites Chapel Road, 9.82 acres, Columbia Township, Sandy Creek Watershed, Zoning District RA. Parcel ID # 8714833840.

Smith was present for the meeting and explained that he has owned the property for 3 years and lives here currently. Smith said he originally built the building for a hobby because he had been injured in 1990 (broke his back). Smith said he has gone to school in Troy for this hobby and he now feels that he could operate a business of repairing guns and some machine shop work for polishing and small amount of wood working. Smith said that he lives alone and plans to work alone. Smith described the business as a very small business. **Brower** asked if he would be test firing his work and Smith said yes, but he would be very considerate of his neighbors. Smith said that he is a machinist by trade and is not able to shoot often. Smith said that he has a short

range for personal shooting on the property and would not be having people over to shoot. Smith said it would only be used to make sure the gun repair work is safe.

**Judith Hahn**, 5188 Whites Chapel Road, asked about where the firing would be and she was told that it would be away from her property. Hahn asked about types of guns and he said mainly hunting rifles but would work on any legal fire arms. Hahn asked about any intent to operate a commercial firing range and Smith said no. Hahn also asked about signs and he said there would be none. Hahn asked about if he has applied for his license from ATF and he said that he is in the process of applying for this license. Hahn asked if the county could place a condition on the business that the commercial business not be transferred. Johnson explained that a Special Use Permit runs with the land and not the individual.

**David Posey**, 6367 Whites Chapel Road, said that he has no problems with the business but he did question if the business could expand. Johnson said the Special Use Permit would be limited to the site plan and intended use presented at this public hearing. Any expansion or change of use would require the property owner to apply for another Special Use Permit that would be reviewed by the Planning Board at public hearing.

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

- B. **CHARLES ROEMBKE, JR.**, Liberty, North Carolina, is requesting a Special Use Permit for an office, storage and service of textile machine and embroidering business in a 60' x 60' building to be constructed at his residence at 2033 Soap Stone Mountain Road, 47.10 acres, Columbia Township, Sandy Creek Watershed, Zoning District RA. Parcel ID # 8714887530.

Roembke explained his intentions to build a 60' x 60' building. **Johnson** asked Roembke to explain his business and he said that they sell and refurbish sewing machines. Roembke said that they have been in business for 7 years and he wants to decrease his business size at his residence. Roembke said that the structure would be more of a farm building look and the business would be contained within the structure. **Johnson** asked what his plans are for the remainder of the property and Roembke said that they would like to have a lake and horses on the property and their residence. Roembke said that they have purchased the property and live there in a mobile home currently but they plan to build in the future. Roembke said that there would be no more than 4 employees (including himself) for the business and hours would be 9 to 5 Monday thru Friday. Roembke said the only traffic they would have would be UPS once a month and maybe a tractor trailer once a month. **Johnson** said that the Board is always concerned about expansion and asked Roembke if he understood that his business would not be able to expand beyond what he is proposing if it is approved. Roembke said that he was aware of this and he is planning this small of a structure. Brower asked about outside storage and Roembke explained that the machines are weather sensitive and all the storage would be within the building. **Brower** asked

about walk-in traffic and Roembke said even the embroidery is contract and there would be very little walk-in traffic.

**Tom Langley**, 2015 Soapstone Mountain Road (adjoining residence), said that Roembke is a good neighbor, but he is concerned about the adverse impact such a large commercial building could have on his property value. Langley said that he has invested everything in his home and property and although Roembke's business may not affect him directly, it would affect the value of his property if he were to sale. Langley said this is a residential and agricultural area with no similar businesses located in buildings the size planned by Roembke. Langley express concern of the building being used for another type of business if the property was ever sold. Langley said that the building would be approximately 150 feet from his property line and said that there would be a small buffer of trees between his property and the proposed building. Langley talked about the concern of security for the neighborhood. Langley said that a buffer along the property line would help.

**Johnson** asked Roembke if he was aware of the zoning restrictions on the land when he purchased the property and Roembke stated he was aware of the zoning.

**Leslie Thompson**, 2050 Soapstone Mountain Road, asked about the type of signs he plans. Roembke said that he doesn't really plan to place a sign but maybe a small cedar post sign maybe 18" x 4". Thompson asked if the buffer could be increased between Langley's residence and the building. Thompson said they are concerned about their speed limit of 55 on the road and if the area is going to go commercial she would like to see the speed limit lowered for the safety of the children in the area. Thompson said Roembke had been a good neighbor and she did not feel he would intentionally do anything to hurt the neighborhood.

**Dorsett** said he was concerned about the size of the building being considered. Dorsett said that a building this size for a commercial purpose was out of character with the community. Dorsett also said that he was concerned about future expansion of the business into a rural residential neighborhood. Dorsett said he had no problem with the business activity Roembke described, but felt a building of this size should require location in a more appropriate commercial zoning district.

**Brower** asked Johnson how he felt about the requested use. **Johnson** said that the Special Use Permit for a Rural Family Occupation was intended to offer a rural family the opportunity to have a small, low impact family business located on the same tract of land upon which they reside. Johnson said the proposed business use should be secondary to the primary use of the property which remains residential/agricultural. Johnson said one of the unique features of Roembke's request was that the 3600 sq. ft. building would be located on a 47 acre tract. However, the current home on the property is smaller than the commercial building Roembke desires to construct, although Roembke has advised the Board his intent to construct a new

residence.

**Dorsett** said he would feel better about the request if he had taken a small portion of the property and created a screening totally around the building.

**Brown** said that all the businesses in the area are very small and low impact to the neighborhood.

**Morton** said the thing that bothered him was the driveway so close to the adjoining residence. Morton said if this wasn't the case and it was properly buffered he wouldn't have a problem with it.

**Craven** said this would be a commercial business in a residential area. Craven said he realized that there were several home businesses in the area but he didn't feel this was a home business and asked if this would set a precedence for other larger commercial businesses to come in to the area.

**Craven** made the motion, seconded by **Dorsett**, to **deny** this request for a Special Use Permit based on the following Findings of Fact:

1. That the use will substantially injure the value of adjoining or abutting property, or that the use is not a public necessity; and
2. That the location and character of the use if developed in according to the plan as submitted and approved will not be in harmony with the area in which it is to be located and will not be in general conformity with the Land Development Plan for Randolph County.

The motion passed by a 6 to 1 vote - **Brower** voted against the motion.

- C. **LACY KENNEDY**, Seagrove, North Carolina, is requesting a Special Use Permit to allow an automobile dealership, with the maximum of a 10 car display, to be located at his residence at 6075 Maple Springs Road, 1.60 acres, Richland Township, Zoning District RA. Parcel ID # 7664485374.

**Kennedy** was present and **Bronna Hoover**, 1762 Sunny Lane, Asheboro (his daughter). Hoover said that he would only have 2 to 3 cars at the property for sell at one time and most of the business would be wholesale. Hoover explained that he had his license at one time but for health reasons he let them expire. Now that his health is better he has to obtain this permit to renew his license. Hoover said the business would not be any more than what it was in the past. Hoover said her father would use a 10 x 12 existing building for the office. Hoover presented a letter in favor of this request (from the neighbor).

There was no one in opposition to this request.

**Brown** made the motion, seconded by **Craven**, to **approve** this request. The motion passed unanimously.

6. **REQUESTS FOR PROPERTY REZONING:**

- A. **NORMAN LIVENGOOD**, Asheboro, North Carolina, is requesting that 20.97 acres (out of 39.47 acres) located on Luck Road, Grant Township, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use. Parcel ID # 7771511603. The proposed Conditional Use Zoning would specifically allow the development of a 4 lot subdivision for site built homes, modular homes and Class A doublewide mobile homes on permanent foundation.

Livengood was present and explained his intention to subdivide the property along an existing road on the property. Livengood said that he wants to retire and this would help him with his retirement. Livengood said that the property hasn't been perked but everything adjoining the property has perked fine. Livengood said that the double wides would be new and all the homes would be 1200 sq. ft. minimum. Livengood said he lives adjoining the proposed lots.

There was no one present in opposition to this request.

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

- B. **IAI PROPERTIES**, Sophia, North Carolina, is requesting that 5.70 acres (out of 34.00 acres) located on Leigh Lane, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Parcel ID # 7746542155. The proposed Conditional Use Zoning would specifically allow the a 6 lot addition to Kersey Acres to allow site built homes only with a 1,400 sq. ft. minimum.

Jerry King, Surveyor, was present to represent this request. King explained that this is an addition to Kersey Acres Subdivision. King said that the cul-de-sac has been constructed and the remainder of the property would be sold in acreage tracts.

There was no one present in opposition to this request.

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

7. Approval of Order Denying Special Use Permit - James Worth Heath Request

Craven made the motion, seconded by Dorsett, to **approve** the Order to Deny the Heath Request. The motion passed unanimously.

8. The meeting adjourned at 7:35 p.m. There were 23 citizens present for this hearing.

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**NORTH CAROLINA  
RANDOLPH COUNTY**