

MINUTES
RANDOLPH COUNTY PLANNING BOARD
September 11, 2001

There was a meeting held at 6:30 p.m., on Tuesday, September 11, 2001, 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. Roll Call of the Members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice Chairman, present; Lynden Craven, present; **Al Morton, absent**; Phil Ridge, present; Larry Brown, present; Chris McLeod, present; and **Mark Brower, Alternate, absent**.
3. **Larry Brown** made the motion, seconded by **Lynden Craven**, to approve the Minutes of the August 7th, 2001, Randolph County Planning Board Meeting. The motion passed unanimously.

Chairman McDowell addressed those citizens in attendance and said that a public hearing is an expression of democracy and those freedoms all Americans hold precious. Chairman McDowell asked all persons present to stand in a moment of silence and prayer for the lives lost and the families affected by the terrorist attack on the World Trade Center (New York) and Pentagon (Washington) this 11th day of September 2001. All citizens in attendance stood in silence and prayer.

4. **REQUESTS FOR PROPERTY REZONING:**

- A. **ROGER BROWN**, Ramseur, North Carolina, is requesting that 1.00 acre (out of 14.45 acres) located on Pleasant Ridge Church Road, Columbia Township, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Parcel ID # 8701147489. The proposed Conditional Use Zoning District would specifically allow a tractor and general automotive repair business.

Brown was present and told the Board that before he purchased the property he went to Kenny Brown (adjoining property owner) if he would have a problem with him purchasing the property and he was told he wouldn't have any problem. Brown said then he purchased the property. Brown explained that his business on Hwy 64 is being closed this week and he would like to move to this location. Brown said that he plans to construct a 6 ft. privacy fence along the property line and the hours of operation will be Monday through Friday 8 am to 5 pm. Brown said after this time everything in front of his building would be put into the building and nothing will be seen. Brown said that he has a petition with 41 signatures from Pleasant Ridge Church

Road and the other 300+ signatures are from his customers. Brown said that he purchased the property and plans to live here. Brown provided pictures of the natural buffer between the 2 properties. Brown said that he would be more than happy to work out any noise problems with the neighbors if there are any. Brown told the Board that his life is in their hands. Brown said that he currently has 4 employees and he's not sure that his business at this location would support that many employees. Brown said the building was built in 1973 as a furniture frame shop and in 1987 he operate a garage here for 2 years. After this time Robert Williams built small storage buildings here until approximately 3 years ago. Brown said that when he purchased the property he thought it was commercial. Brown said that when he purchased the property at the Courthouse steps, William Brown (another resident of Pleasant Ridge Church Road) was present and he said he didn't have a problem with him having his business here.

Dorsett asked if he would be working on tractor trailer trucks and Brown said no that he would only work on farm tractors. **Brown** said that he would be doing tire work but all the tires would be stored inside the building and the used tires would be stored in a dump truck. Brown said nothing will be kept in front of the building. Brown said that he coaches little league ball and will not operate on Saturdays.

McDowell asked about when he would be moving his home here. **Brown** answered within 2 to 3 months. **McDowell** asked about the fence and **Brown** said it would be a 6 ft. wooden (solid) fence.

Doris Isom, 994 Pleasant Ridge Church Road, said I've known Roger for 10-15 years and we've always thought a lot of him. She said that she didn't think that he should be kept from having his business here at his home.

Leland Massie, 151 King Road, Randolph Hills, Said Roger has been a great help to him for the last 3 years and he works for the senior citizens.

Sharon Thompson, Pleasant Ridge Road, said that she has known them for several years and they have done so much for the people of Ramseur. Thompson said that they think a lot of Roger and Tina and feel he should have his business.

Steven Morgan, Pleasant Ridge Road, said that he is a single parent and works for Brown and said that if you take his business you will be taking my livelihood. Morgan said Brown has always been good to work with him when he needs to leave work for his children for any reason.

Jimmy Brown, 1103 Luck Road, Asheboro, Brown's brother, said that he felt he should be able to have this business here because there have been business here in the past.

Virginia Luther, 722 Pleasant Ridge Road, said that he helps the elderly and they think a lot of Brown.

Myrna Davis, Brown's mother, 2216 Dixon Street, said that her husband is dying of cancer and she wouldn't be able to make it without him. Davis said that Brown works on people's car that doesn't even have the money to pay for work but he does the work to help them. Davis said that he helps all of his employees and their families.

Danny Kinney, Pastor (of the Brown family), said that he has kept their (the church) van on the road at no cost and said that he is supportive of Brown and his family.

Christy Tracy, 3544 Buffalo Ford Road, said that the Brown's have helped her a single mother get her home and works with the kids in the community.

Dorothy Jernigan spoke in favor of Brown and asked the Board to please let the Brown's have their business.

There were 26 people present in support of this request.

Kenny Brown, adjoining property owner, said that the issue is not whether Brown is a good man, he thinks Roger is a fine man. Brown said he is here to protect his way of life that he enjoys. Brown said that when he told Roger he didn't have a problem with it he thought it was a done deal and that the property was zoned for the business. Brown said he has lived here for 18 years and the building is right next to his house. Brown had a petition signed of people within the immediate area with 30+ signatures. Brown said that he's not trying to put him out of business and Roger knew of the business being moved over a year ago. Brown talked about how people have been in that building were over there cursing. Brown talked about the traffic that would be added to their road. Brown said he was concerned with the clutter and he presented pictures of how the property looks now. Brown said that Vance Roberts appraised the property and that this business would reduce his property value by 20 to 30 percent. Brown said that there are no other businesses on their road. Brown said that he just is trying to protect his way of life. Johnson asked Brown when he built his house and Brown said 1984. Johnson asked if the building was there when he built his home and Brown answered yes. Brown said if this is approved he would be a good neighbor to Roger but he asked the Board to deny the request. Dorsett asked how far was his home from the property line and Brown answered 110 feet from the building and less than this from the property line. Brown said that Roger has addressed anything he has asked of him.

Sherry Eyler, Pleasant Ridge Church Road, said that the problem was with the traffic that is being added. Eyler said she is bothered by the fact that this could bring more commercial activity and traffic in the area.

William Brown, Pleasant Ridge Church Road, said that he would like to see it remain agricultural. Brown said he is the 3rd generation on this farm.

There were 11 people present in opposition to this request.

Johnson said this is a difficult request because there are several issues involved. The commercial building was built before county zoning regulations and had been used for commercial purposes but then left unused for a period of time. Brown, who opposes the request, built his house after the commercial building had been built. The citizens who spoke at this hearing were giving character references for Brown in support of his request, however, Johnson said he interpreted what the citizens were saying as to mean that this was a commercial use that would provide a much needed service to this rural community. Johnson said that in most instances such as this the county seeks to find ways for compromise. However, in this instance, Brown, the adjoining property owner, does not appear to desire any compromise.

Brown asked how many people in favor of the request live within site of the building and 6 people raised their hands. Brown asked how many people live in site opposed to the request and 8 people raised their hands.

Dorsett said that if he lived out here he would be more concerned with the mess. Dorsett said that the building and site is already a mess but this is a rural area.

Larry Brown said that the petition shows that the immediate neighbors are opposed to the request.

Craven said that he has heard the concerns of businesses out in the country. Craven said that we can't control traffic going to businesses. Craven said he felt for Roger. Craven said he didn't feel he would be doing his neighbors a favor if he voted against the request. Craven added that he did feel that restrictions should be placed on the property.

Craven made the motion to recommend to the Commissioners that this request be **approved** with the following conditions:

- **fence along the entire 1 acre
- **no outside storage
- **Monday-Friday 8 am-5 pm
- **Planning Staff approved buffer along property line

Dorsett seconded the motion.

Ridge said this is a tough one but he felt there should be some type of landscaping in front of the building.

Brown agreed and said that he felt the Board should make it fit as best as possible. Brown

expressed concern for enforcement of the Zoning violations.

Craven added this condition of landscaping in front of the building approved by the staff.

The motion passed with a 3 to 2 vote - **Brown** and **Ridge** voted against the motion.

- B. **BILLIE DUNNING**, Asheboro, North Carolina, is requesting that 3.10 acres located on Little Beane Store Road, Richland Township, be rezoned from Residential Agricultural to Residential Mixed/Conditional Use. Parcel ID # 7696454426. The proposed Conditional Use Zoning District would specifically allow a 3 lot subdivision for single-wide mobile homes (extension of a previous minor subdivision). Property Owners: Barry & Audrey Gatlin.

Dunning was present and said that she represents Gatlin (the property owner). Dunning explained that another owner created 3 lots and sold one of the lots to Gatlin and he now wants to subdivide the property for single wide development.

Johnson said that this is really a six lot subdivision being subdivided out of a base tract of land. Johnson said that the three little dots that are shown are the new single-wides that were located on the base tract and they now want to cut 3 more lots for single-wides.

Myra Brown, 5346 Bennett Road (speaking for her mother on Little Bean Store Road). Brown said that her mother has lived on the tract north of here for 40+ years and the neighbors in this area are opposed to this. Brown talked about the busing problems in this area and feel if this is permitted this would just create additional mobile homes here in the future.

Ridge asked if the other 3 lots were 1 acre lots. Ridge said he felt the question is if they had come with 6 lots originally would we have approved this request and Ridge said he felt the answer would be no.

Brown asked if there was any reason why they are asking for mobile homes and Dunning said it is just to make more money.

Craven said that he was afraid that if this is approved it would be opening pandora's box.

Craven made the motion to recommend to the Board that this request be **denied** because it is not compatible to the area. **Ridge** seconded this motion and the motion passed unanimously.

- C. **THOMAS & ANNESSA DAVIDSON**, Asheboro, North Carolina, are requesting that 1.00 acre (out of 4.50 acres) located on Spero Road, Back Creek Township, Lake Lucas Watershed, be rezoned from Residential Agricultural to Highway Commercial/ Conditional Use. Parcel ID # 7743768355. The proposed Conditional Use Zoning District would specifically allow a 30' x 80' building to be used for storage of insulation materials from their business.

Davidson said that he runs a business up north of town and because of widening the road, he will be losing the building. Davidson said he wants to move his business here and plans to have his residence here in the next year or two. Davidson described the community as being owned by his family.

Johnson said that there are no major businesses down Spero Road that would be like this business.

Ina Coley, 2421 Spero Road, said that this joins their property and they are not opposed to this building being located here.

Tammy Davidson said that she owns land that adjoins this property and she's not opposed to it.

Davidson's mother said that she owns property adjoining her land and she had no objections to the building.

There was no one present opposed to this request.

Ridge asked him how soon he plans to move here and Davidson said that he is looking at house plans at this time. Ridge said that he would be more comfortable with a Special Use Permit if he lived on the property.

McLeod said he felt sure that Tommy would build a house here and he was sure that there would be no problems with this storage building.

Ridge made the motion to recommend to the Commissioners that this request be **approved** with the following conditions:

**no outside storage

**landscaping in front of the building to screen it from the road

**insulation material storage only

McLeod seconded the motion and the motion passed unanimously.

- D. **ANNA KINDLEY**, Asheboro, North Carolina, is requesting that 5.60 acres (out of 8.30 acres) located on Waynick Meadow Road, Concord Township, be rezoned from Residential Agricultural to Residential Mixed/Conditional Use. Parcel ID # 7618219562. The proposed Conditional Use Zoning District would specifically allow the development of a 4 space mobile home park.

Kindley was present and explained that she lives on the adjoining property. Kindley said that the

homes would be kept in the woods to keep the from being as visible as possible.

There was no opposition present for this request.

Johnson said that this would not be a substantial increase and she does live on the property.

Craven made the motion, seconded by **Brown**, to recommend to the Commissioners that this be **approved** with the condition that no additional mobile home spaces are approved in the future.

Dorsett said he would like to see that the homes are placed in the woods.

The motion passed unanimously.

- E. **ALTON & SHARON SHARPE**, Asheboro, North Carolina, is requesting that 18.52 acres located on High Pine Church Road, Union Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Parcel ID# 7637644662. The proposed Conditional Use Zoning District would specifically allow the re-division of High Pine Acres Subdivision, Lot # 6 into 3 lots for site built homes only.

Sharpe was present and explained his intentions to subdivide the property for site built homes. Sharpe said that he had originally planned to build on this property but due to aging parents they feel the need to move closer to their parents. Sharpe said that the homes must be a minimum of 2000 sq. ft. and only site built homes allowed.

Diane Hicks, 584 Brady St. Ext., Ramseur, asked what would prevent the lots from being resubdivided. Johnson said that it would have to come back to this Board and the likelihood would be that this would not be approved.

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

- F. **TRAVIS WHITAKER**, Franklinville, North Carolina, is requesting that 1.00 acre (out of 14.35 acres) located at 4745 US Hwy 64 East, Franklinville Township, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Parcel ID # 7792006701. The proposed Conditional Use Zoning District would specifically allow a produce store with office sales and storage in a 30' x 40' building and greenhouses.

Shane Whitaker (brother) represented Travis Whitaker, said that they have a family farm in the country and they needed a retail location for produce and plants.

There was no one present in opposition to this request.

Craven said knowing the family as well as he does he feels the property will be well maintained.

Craven made the motion, seconded by **McLeod**, to recommend to the Commissioners that this request be **approved** as consistent with existing land use patterns. The motion passed unanimously.

5. The meeting adjourned at 8:20. There were approximately 65 people present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**