

MINUTES
RANDOLPH COUNTY PLANNING BOARD
December 4, 2001

There was a meeting held at 6:30 p.m. on Tuesday, December 4, 2001, of the Randolph County Planning Board in the Commissioner's 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; Al Morton, present; Phil Ridge, present; Larry Brown, present; Chris McLeod, present; and Mark Brower, Alternate, present.
3. **Dorsett** made the motion, seconded by **Craven**, to approve the Minutes of the November 6th, 2001, 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?”

9 people took this Oath.

5. **SPECIAL USE PERMIT REQUEST:**

- A. **JEFFREY SCHWARZ**, Asheboro, North Carolina, is requesting a Special Use Permit to allow a Planned Unit Development for 3 residences on a 14.30 acre tract (2 existing and 1 proposed) to be located at 3409 Old NC Hwy 13, Grant Township, Zoning District RA, Parcel ID # 7688972440.

Donnie Davis, Woodfern Road, Seagrove, agent for Schwarz, said that the existing house has been there for 10-15 years and has recently been inspected by the Building Inspector and he stated that the home meets all the standards of the County. Davis said that the 2nd mobile home was placed on the property a couple of months ago. Davis said that there was an existing residence at the site for the proposed mobile home and they are waiting to get the permits after this request is heard. Johnson questioned the maintenance of the drive and Davis said that a load of gravel went on the drive this week. Davis said that there are no plans for future residences beyond this request. Craven asked if all the residences would use one well and Davis said yes, that this well provided for 3 residences when 3 homes existing here. Johnson asked if there are

other rental properties in the area and Davis explained that there isn't a lot of rental properties in the area but this is a large demand.

Steve Potts, 3407 Old NC Hwy 13 (adjoining property), said that 3rd residence was a very small cabin that had been moved on the property and was never set up properly. Potts said that he has lived here for 32 years and he is speaking on behalf of the community. Potts said that the present owner has had renters here since 1982 and most of the renters live here only a short time and the only long time renter created a junk yard on the property that the County had to force to clean up. Potts said that the tenants have been loud, fighting, junky, and illegal drugs. Potts said that these complaints are in no way in connection to the current tenants. Potts said that this would create 6 homes on this existing driveway. Potts said that the past renters have driven fast and wreckless along this drive. Potts presented pictures of the junk that was on the property at one time. Potts said that the landlord has paid little attention to this property or its tenants. Potts said that an additional residence here would devalue the privately owned residences in the surrounding community. Potts said that they would not be opposed to privately owned residences on individual lots. **There were 14 people present in opposition to this request.** Potts expressed concern of the driveway and said he felt this should be paved and adequate screening should be provided to protect the adjoining neighbors.

Charles Norris, Old NC Hwy 13 (32+ acres adjoining this tract), said that he has had nothing but problems from this property. Things stolen, people sneaking in to his pond. Norris said that the County had condemned one residence on the property.

Dorsett said that past history is usually a good indication of how property will be taken care of and should be considered. Dorsett said that if this is approved there should be a stipulation that there be no other residences allowed.

Craven said that he didn't know of any other rental properties in the area and this could cause problems in this very rural area. Craven said that this is not compatible to this area.

Johnson said that he could technically be subdivided as a minor subdivision but it would have to be owner occupied and would not be allowed to be rented.

Craven made the motion to **deny** this request based on the following:

1. That the use will substantially injure the value of adjoining or abutting property and that the use is not a public necessity; and
2. That the location and character of the use if developed according to the plan as submitted would not be in harmony with the area in which it is to be located nor in general conformity with the Land Development Plan for Randolph County.

Dorsett seconded this motion, and the motion passed unanimously.

- B. **SANDRA WOODELL**, Randleman, North Carolina, is requesting a Special Use Permit to allow a Planned Unit Development for 4 residences on a 32.20 acre tract (3 existing and 1 proposed) to be located on Bachelor Creek Road, Richland Township, Zoning District RA, Parcel ID # 7686581427. Property Owner: Grady Jarrell, Jr.

Woodell was present and said that her father and 2 brothers that currently live on the property (and have for 15+ years). Woodell said she would like to place a mobile home here for herself.

There was no one present in opposition to this request.

McLeod made the motion, seconded by **Morton**, to **approve** this request. The motion passed unanimously.

6. **REQUESTS FOR PROPERTY REZONING:**

- A. **YER XIONG**, Asheboro, North Carolina, is requesting that 10.01 acres located at 5401 Millie Lane, Union Township, be rezoned from Residential Agricultural to Residential Mixed/Conditional Use. Parcel ID # 7645527476. The proposed Conditional Use Zoning would specifically allow the division of a 10.01 acre tract (within an exempt subdivision) into 2 lots.

Xiong was present and explained that there are currently 2 residences on the property and he plans to take the 2 old single wide mobile homes off and replace it with 2 new larger homes (either double-wides or stick built homes). Xiong said that they need the 2 separate deeds to be able to finance their new homes. Xiong said that he would like to thank the Brooks because they are the only ones that have worked on the road.

Charlotte Brooks, adjoining resident, questioned how 2 residences could be on the property when it has private deed restrictions that only allows 1 residence per tract.

Rodney Welch, developer, said that he was not opposed to this request because this would be improving the homes on the property.

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

- B. **THOMAS CROSS**, Franklinville, North Carolina, is requesting that 2.78 located on Whites Memorial Road, Belle Cross Subdivision, Lot # 1, Franklinville Township, be rezoned from Residential Restricted to Residential Agricultural/Conditional Use. Parcel ID # 7784743270.

The proposed Conditional Use Zoning would specifically allow the placement of a single wide mobile home.

Cross said that he wants to put a mobile home here beside his elderly mother's home for him to live in. **Cross** said that there are other single-wide homes on the road up from this road.

There was no one present in opposition to this request.

Brown made the motion, seconded by **Craven**, to recommend to the Commissioners that this request be **approved** with the condition that it not be used for rental purposes. The motion passed unanimously.

- C. **DONALD LANIER**, Asheboro, North Carolina, is requesting that 38.27 acres located on Soapstone Mountain Road, Columbia Township, Sandy Creek Watershed, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use (30.06 acres) and Residential Restricted/Conditional Use (8.21 acres). Parcel ID #'s 8724198743, 8724293843, 8724296876 and 8724395822. The proposed Conditional Use Zoning would specifically allow a 23 lot subdivision with 17 lots (totaling 30.06 acres) to be zoned Residential Exclusive/Conditional Use to allow site built and conventional modular (off-frame) homes only and 6 lots (totaling 8.21 acres) to be zoned Residential Restricted/Conditional Use to allow site built, modular or double-wide mobile homes on permanent masonry foundations.

Lanier was present and explained his intentions to develop the property for single family residential homes. **Lanier** said that the average lot size is 1.7 acres. **Lanier** said that 17 lots on the western portion of the property would be for stick built/off-frame modulars and the 6 lots on the eastern portion of the property would also allow double-wides on permanent foundations. **Lanier** said that these homes would be a minimum of 1400 sq. ft. **Lanier** said that he is proposing these housing types in relation to what exists adjoining the property. **Lanier** said that the lots on the eastern section would not be marketed easily for stick built homes and this proposal would be equal to what adjoins it or an upgrade. **Lanier** said that the cemetery on the property will be deeded to the appropriate incorporation (the Kivett family). **Lanier** talked about all the debris and old mobile homes that have been removed from the property. **Lanier** said that the street proposed would be paved and has been proposed sensitive to the curve in the road with DOT's assistance. **Lanier** said that they also plan to give the Annie Black Estate access to their property that is currently landlocked. **Lanier** said that he felt this plan was sensitive to the neighbors and community. **Lanier** said that he didn't feel a precedence has been set on Soapstone Mountain Road, that the community has mixed uses.

Craven asked what was the purpose of the 6 acre tract and **Lanier** said that it is to protect the stream that crosses the middle of the property.

Brown asked how big the cemetery is and **Lanier** said that it is ½ acres and is dated back to 1729 and is protected by the State.

Lois Linch, Warren Drive, expressed concern for the water (wells) in the area. Linch asked for us to protect the countryside. Linch said that there is too much traffic on the road and she counted 8 cars and 2 motorcycles in 8 minutes passed along the road. Linch expressed concern for the cemetery and said they felt there should be 5 acre lot size requirements.

Ted Faulk, Soapstone Mountain Road, said that the land that has been cleared here was requested for this many houses and turned down. Faulk said that they don't want any subdivisions in their community. Faulk said they have requested that all the lots in this area be a 5 acre minimum and no trailer homes.

Elsie Elkins, Warren Drive, talked about the cemetery being vandalized and said that there are Indians buried in behind the graveyard. Elkins said that they didn't need anyone else on this road.

David Posey, Whites Chapel Road, said that this area is getting dense and they just had a battle like this on Whites Chapel Road. Posey said that he wished the Commissioners had passed the Growth Management Plan yesterday so that this wouldn't be an issue tonight. Posey said that he felt this density issue is a problem and the water problems in the community should be considered. Posey said that if this request is approved how will it effect that Plan. Posey said that he felt that Plan should be considered tonight even though it has not bee approved by the Commissioners.

Leslie Thompson, 2050 Soapstone Mountain Road, said that they want to see any developments in their area have 4 to 5 acre minimum lot sizes. Thompson talked about the traffic problems and the road dangers. Thompson expressed concern for the watershed. Thompson said that they hope that the Growth Management Plan will be approved but they don't feel that it is strict enough. Thompson said that the rural atmosphere should be protected.

11 citizens were present in opposition to this request.

Brown asked Lanier how many driveways would be along Soapstone Mountain Road. Lanier said roughly 10 new driveways. **Lanier** said that they make ever attempt for the driveways to be built where no one would be backing out on a street. Lanier said that the property has a higher elevation and there is good site distances.

Morton commended Lanier with exceeding the current County requirements.

Dorsett said there is a lot of opposition to density but currently there is nothing in effect legally

that the County can do.

Craven said that he understands the traffic and density concerns. Craven said that every road in the County has traffic concerns and it is not up to this Board to cure this problem. Craven said that he felt Lanier has done a fantastic job with this request and didn't know how he could improve it. **Craven** made the motion, seconded by **Morton**, to recommend to the Commissioners that this request be approved. The motion passed unanimously.

7. The meeting adjourned at 8:31 p.m. There were 64 people present for this hearing.

**NORTH CAROLINA
RANDOLPH COUNTY**