

MINUTES
RANDOLPH COUNTY PLANNING BOARD
December 2, 2003

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, December 2, 2003, 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; Larry Brown, present; Phil Ridge, present; and Chris McLeod, present.
3. **Craven** made the motion, seconded by McLeod, to approve the minutes of the November 4, 2003, Randolph County Planning Board meeting. The motion passed unanimously.
4. **REQUESTS FOR PROPERTY REZONING:**
 - A. **CLINTON & LINDA ALLEN**, Asheboro, North Carolina, are requesting that 11.28 acres (out of 70.39 acres) located on the corner of Ross Harris Road/Fairview Farm Road, Grant Township, be rezoned to allow a conventional residential exclusive subdivision overlay. Tax ID# 7677467494. The Conditional Use Zoning District would specifically allow the development of a 7-lot subdivision for site-built or modular homes with a minimum house size of 1,300 sq. ft.

The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be approved.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.

Policy 6.13 Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.

Jerry King, Surveyor, said that this property is naturally divided by the road. King explained that the property owner is nearing retirement age and is no longer able to farm the property. King said the lots will have individual septic tanks and wells. King said that the property owner lives in the area and plans to have a nice development. King said the property has not been perked.

Johnson said that the overlay district, if approved, would restrict the developer to site-built or modular homes with a minimum house size of 1,300 sq. ft. Johnson asked how long the property owners have owned the land, and **Linda Allen** answered they have owned the land for 50+ years.

Sherry Williams, 2222 Ross Harris Road, said that they have lived at this location for 8 years. Williams said that they purchased the property because of the country atmosphere. Williams said that they oppose the development because not all neighbors are good neighbors, and the

development could cause them well water problems. Williams said that they have a peaceful, quiet neighborhood and they would like to keep it that way.

Nick Richardson, 2217 Ross Harris Road, said that he purchased this property a couple of months ago with the impression that the adjoining property would only be divided into 2 lots. Richardson said that he would not have purchased the property if he had been told the property was going to be divided into 7 lots. Richardson said that he purchased his property from the Allens and was misled of their intentions for this tract of land.

Todd Cassell, 3974 Old Cox Road, said that he is concerned about the water table in this area and how the 7 new homes will affect the water table. Cassell said all these new homes may create run-off and affect the neighboring properties. Cassell said that he felt these lot sizes would not be compatible with the area.

Justin Kiser, 4595 Fairview Farm Road, said that this is a quiet neighborhood along a dirt road. Kiser said that this will add to the traffic on this dirt road. Kiser expressed concern also for the ground water. Kiser said that they purchased land on the dirt road with the knowledge that this would not be a trailer park. Kiser said that he asked the property owners to purchase a right-of-way to farm the property and got no response. Kiser said that the property has not been offered to the neighbors and the owners, therefore, are not considering what this development would do to the neighbors. Kiser asked the Board not to be fooled into thinking that this is what would be good for the neighborhood.

There were 10 citizens present in opposition to this request.

Sarah Tall, 236 East Terrace, Asheboro, said they farm the property they own in this area. Tall said she felt this type of development could adversely affect the community. Tall said that they realized that this zoning request, if approved, would not allow mobile homes, but they are worried that mobile homes would come into the area.

Board Member Larry Brown asked if this zoning request would allow on-frame modulars and **Johnson** answered no, it would only allow off-frame modulars or site-built homes.

Bill Dorsett asked Allen if they planned to ask the Board for additional 1-acre lots in the future. **Allen** said this is very likely.

Dorsett said that his concern is for the potential of the future development. Dorsett said if the entire tract of 70+ acres was developed it would change the character of the area. Dorsett said that he felt the property owners should make an effort to sell the property to the neighbors if they are interested. Dorsett said he realized that the Board could not require this be done.

McLeod asked Johnson how this request fits into the Growth Management Plan and **Johnson** explained that it exceeds the County's requirements.

Craven said the County has changed tremendously over the years and he understands both sides of this case. Craven said that the development fits in with the Growth Management Plan and the proposed housing type is compatible with existing development in the area. **Craven** made the motion, seconded by Ridge, to recommend to the Commissioners that this request be **approved**. The motion passed by a 5-1 vote; Dorsett voted against the motion.

B. **KENYON L. DAVIDSON, JR.**, Asheboro, North Carolina, is requesting that 22.30 acres located on NC Hwy 42S (across from Brownstone Hills Drive), Asheboro

Township, be rezoned to allow a conventional residential exclusive subdivision overlay. Tax ID# 7770238303. The Conditional Use Zoning District would specifically allow the development of a 15-lot residential subdivision for site built homes only with a minimum house size of 1,300 sq. ft.

The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be DENIED. The extreme topography and the creek running through the property would not lend the majority of the property to be divided into developable building lots.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 7.5 Site plans should be provided that design built-upon areas to specifically minimize stormwater runoff impact to streams and other receiving waters.

Policy 7.6 Stormwater impact should be minimized by designing new development in a manner that minimizes concentrated stormwater flow through maximizing the length of stormwater sheet flow through vegetated buffer areas.

Policy 7.7 County planning and development decisions should be interconnected to insure that concentrated development is located in upland areas and, to maximum extent possible, away from surface waters and drainageways.

Policy 7.12 The County should clearly define land areas that are appropriate for development, as well as defined areas of environmentally sensitive, natural, or heritage asset land areas that need special protection.

Ken Davidson was present and explained that he has owned the property for approximately 20 years. Davidson said that this is the sixth section of this subdivision. Davidson said there would be only one driveway connection to Hwy 42 (it is existing). Davidson said that the house size would be a minimum of 1,300 sq. ft.

Larry Brown asked if the lots had been perked and **Davidson** answered no. Davidson said there is such a high cost for perk test through the County, he planned to wait until the Board acted on this request.

Craven asked if this was a wet weather branch and **Davidson** said that there has been water in the creek this year. **Dorsett** said that he thought there was water in the creek when he visited the property.

Ridge asked if Davidson would be willing to leave any buffer along Hwy 42 and **Davidson** said that he would have to address each lot individually because of the creek. Davidson said that they meet the County's requirements on each lot.

There was no one present in opposition to this request.

Craven asked if this was the area where the Hwy 64 By-pass is going. **Davidson** said that they purchased the property in the 80's and within 30 days the State proposed the road. Davidson said they have sold 70+ lots since that time. Davidson said that he called Raleigh last week and still can't be told when the highway will be built. Davidson said they are developers and can't hold on to the property any longer.

Craven made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **approved**. **Dorsett** said with the topography problems on the property the Board should recommend as many trees as can should be retained.

Davidson said that he didn't want to get into a definite amount of timber required to be retained.

The motion passed unanimously.

- C. **CHARLES POWELL**, Sophia, North Carolina, is requesting that 6.43 acres (out of 21.36 acres) located on Beeson Farm Road (just off Hwy 311), New Market Township, be rezoned to allow a conventional residential exclusive subdivision overlay. Parcel ID# 7745360918. The Conditional Use Permit would specifically allow a 10-lot residential subdivision for modular or site-built homes only with a minimum house size of 1,300 sq. ft.

The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the new Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recommended to the County Planning Board that this request be approved. However, the Technical Review Committee did have some concerns about all the new driveway connections being added along Beeson Farm Road. The Technical Review Committee felt the applicant should provide the Board with information of how the remainder of the property would be developed or used.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long-term quality of life in Randolph County.

Policy 6.13 Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.

Phil Ridge asked to be removed from this request due to a conflict of interest.

Jerry King, Surveyor, said that the average lot size is 40,038 sq. ft. King said that the width of the lots is 100 ft. **Johnson** said that this request is at the very minimum requirements of the County. **King** said that in the future he plans to possibly request a commercial lot at the northern end of the property and the remainder would be kept as farmland. King said that the developer plans to maintain the rear of the property for their grandchildren. **Brown** asked if Powell plans to retain the land for his grandchildren. **King** answered that his father-in-law, Larry East, plans to retain the land for his grandchildren.

Mark Hollingsworth, 2242 Beckerdite Road, said they own the adjoining farm. Hollingsworth said

that there is waste management that is placed on his fields each year. Hollingsworth said that their concern would be for new wells coming to this area.

Ronnie Pugh, 4717 Beeson Farm Road, Sophia, said that this is a very busy road for 10 new driveways to be added. Pugh said that the traffic along this road is very dangerous for the school buses and other morning traffic. Pugh said that he would be for quality development coming to the area but he would not be for this development with this many new driveways.

There were 7 citizens present in opposition to this request.

Larry Brown said that when you cross over Beeson Farm Road you travel into a different area. Brown said that there are not this many driveways within 1000 ft. of any section of Beeson Farm Road. Brown said he could not vote for anything that would allow this many driveway connections to the existing road.

Brown made the motion, seconded by **McLeod**, to recommend to the Commissioners that this request be **denied**. The motion passed unanimously.

5. REQUESTS FOR A SPECIAL USE PERMIT:

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.”*

Two people took this oath.

- A. **GARY BALLARD**, Archdale, North Carolina, is requesting a Special Use Permit to operate a rural family occupation for sheet metal fabrication in a proposed 50' x 100' building to be constructed at his residence located at 7055 Suits Road, 16.28 acres, New Market Township, Zoning District RA, Randleman Lake Watershed, Tax ID# 7728674188.

Ballard was present and explained that he purchased the property 8 years ago. Ballard said that he maintains the road. Ballard said he has received some money from one of his neighbors for gravel, but he has a tractor and keeps the road up. Ballard said that he currently has 3 employees that build duct work for heating contractors. Ballard said he doesn't want to do anything that would hurt his neighbors. Ballard said if his business grew substantially he would move his business.

There was no one present in opposition to the request.

Craven said that the property is well maintained and he felt Ballard would keep the property up. **Craven** made the motion, seconded by **Dorsett**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- B. **CHRIS MCLEOD**, Denton, North Carolina, is requesting a Special Use Permit for a rural family occupation to obtain his automotive dealer's license in an existing 30' x 40' building with a 5-car display lot at his residence located at 2200 Bescher Chapel Road, 4.36 acres, Concord Township, Zoning District RA, Tax ID# 7701001782.

There was no one present in opposition to this request.

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

6. The meeting adjourned at 7:55 p.m. There were 27 citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

Hal Johnson, Planning Director

Jill Wood, Clerk to the Board