

MINUTES

RANDOLPH COUNTY PLANNING BOARD

April 6, 2004

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, April 6, 2004, 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 **Dorsett**, to **approve** the Minutes of the March 2, 2004 County Planning Board Meeting. The motion passed unanimously.
4. **SPECIAL USE PERMIT REQUESTS:**

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."

Five citizens took this oath.

- A. **TRIAD TOWER, INC.**, Cornelius, North Carolina, is requesting a Special Use Permit to allow the construction of a 195' wireless communication lattice tower and service facility on 9.58 acres located off Trotter Country Road, Randleman Lake Critical Watershed, New Market Township, Zoning District RA, Tax ID# 7727796188. Maxine Trotter - Property Owner.

Ted Marlin, Triad Tower, 18512 Square Sail Road, Cornelius, North Carolina, stated that Triad Tower, Inc. has been asked by North State Telecommunications to construct a tower in this area. Marlin explained that the carrier has identified a general area of one mile to find a suitable site. Marlin explained that this tower will be designed to accommodate 4 carriers. **Brown** asked why a monopole was not chosen and **Marlin** said they just decided to go with a lattice tower. **Brown** asked the MSL of the site and **Marlin** answered that it will be 932 ft. mean sea level. Marlin provided the Board with a comprehensive study of the site.

Richard Warden, North State Telecommunications, 2412 Tweedmore Court, High Point, said that this tower will provide the coverage they need in this area.

Dorsett asked how much input FCC had in locating a tower. **Marlin** said that FCC has no input on where a tower is located, only that the site meets their requirements.

There was no one present in opposition to this request.

Dorsett said that there were junk vehicles and trailers on this site and asked if this junk had been removed. **Johnson** said that the Technical Review Committee recommends that the property owner be required to bring the property into compliance before the permit is actually issued.

Brown made the motion to **approve** this request for a Special Use Permit with the condition that the permit be held until the property is brought into compliance with the County's Zoning regulations. **Craven** seconded this motion and the motion passed unanimously.

- B. **GERALD HOLDEN**, Franklinville, North Carolina, is requesting a Special Use Permit to allow a short term law enforcement storage yard in a fenced in 100' x 100' area. Location: Smith Holden Road (off Mamie May Road), Polecat Creek Watershed, Providence Township, Zoning District RA, Tax ID# 7785383287. Virginia Brewer Holden - Property Owner.

Holden was present for this meeting and explained that he has been towing for the State Highway Patrol for approximately 26 years. Holden said that there is a critical need for a storage lot in the Randleman area for cars being towed for the State Highway Patrol. Holden said that the maximum number of days a car would be stored is thirty days. Holden said that he would bring 2 to 3 vehicles to the lot per month. Holden said that this would not be a junkyard and no vehicles would be worked on at this location. Holden said that it is strictly a storage yard and he would keep the lot neat and clean. Holden explained that there would only be wrecked vehicles stored at this site (no impound cars). Holden said he would have a 7 ft. fence around the area. **Dorsett** asked Holden if he would be at the site at all times and **Holden** answered no. **Dorsett** asked Holden if he had considered a fence that would completely screen the stored vehicles, and **Holden** said that he has considered this but it would be expensive. **Dorsett** asked if the lot could be seen from Mamie May Road and **Holden** said that it could be seen partially. Holden presented a picture of the type of fence that would be used. Holden said that he owns the property and his mother lives in the residence on the property. Holden said that he has spoken to the neighbors and they have no

objections.

Charles Ayers, 3686 Old Cedar Falls Road, Randleman, said that he has known Holden for more than 30 years and he feels sure that the property will be kept nice.

Judy Nance, 133 Cedar Run Drive, Randleman, said that she and her husband own 15+ acres adjoining this site. Nance said that they purchased the property last year and they have spent several thousand dollars in landscaping this property. Nance said that they have cleared the property of buildings, trailers, trees and underbrush. Nance said that they respect the service that Holden is providing, but they feel the lot should not be located in this residential area. Nance said that she respects Randolph County for the Growth Management Plan that has been adopted to protect properties. Nance said that Holden has spoken to her husband and he has had a change of heart for this request after seeing the current lot Holden owns and operates. Nance said that the site will be visible from Mack Lineberry Road. Nance showed the Board the proposed location of their future home. Nance said that she is concerned about this type of development coming to this community. Nance said that they are also concerned of how much buffer would remain between their property and the fenced area. **Craven** said that Holden indicated that he would only clear the trees necessary within the 100' x 100' area. **Nance** asked if other properties that are zoned properly were considered.

Maria Vasquez, 3108 Mamie May Road, Franklinville, said that Holden didn't speak with her or her husband about this request. Vasques said that they decided to move to this area because this is a family-farming community. Vasquez said that this area is a pretty area and expressed concern of how this would affect the area. Vasquez said that she thought this was a residential area and felt that this type of establishment didn't belong in this area. Vasquez said that they have saved their money to move to this location. Vasquez expressed concern for the groundwater, noise problems, and operation hours. Vasquez said that the service is merited, but she felt this type of business should be in the Business Hwy 220 area or the Martin Luther King Road area.

Cesar Oviedo, 3108 Mamie May Road, Franklinville, asked how long the storage yard would be at this location. **Johnson** explained that if the permit is approved by the Board, the storage yard will be a permanent location. **Oviedo** said that their home is approximately 100 ft. from Smith Holden Road. Oviedo said that he is also opposed to this request. Oviedo said that they moved to this area because it is a quiet residential community.

Dorsett said that Holden should be required to have a concreted containment area

for any wrecked vehicles. Dorsett said that he didn't have a problem with abandoned vehicles being parked on a graveled lot. **Brown** said he didn't feel that a concrete pad should be required for 2-3 vehicles per month. **Craven** said that there are many vehicles riding up and down the road leaking oil. **Dorsett** said this would just be a small concreted area with a small brick wall to contain any run-off problems.

Ridge asked if Holden would be required to contain the site. **Johnson** said not from EPA because it is a small area, but it could be required by the County. **Ridge** said he felt there should be a limit to the number of cars permitted.

Ridge made the motion to approve this request with the following conditions:

- **no more than 5 cars permitted
- **50 ft. no-cut buffer along the southeast property line
- **spill containment plan required

Craven seconded this motion and the motion passed by a 5 to 1 vote - Brown voted against the motion.

5. **REQUESTS FOR PROPERTY REZONING: (Board of County Commissioners Public Hearing - May 3, 2004)**

- A. **EARNHARDT BUILDERS, INC.**, Trinity, North Carolina, is requesting that 57.99 acres located on Hoover Hill Road (just past Old Park Drive), Trinity Township, be zoned to allow a residential exclusive cluster subdivision overlay. Lake Reese Watershed. Parcel ID# 7715861818. Zoning District RA. The Conditional Use Zoning District would specifically allow a 55-lot cluster residential subdivision for site built or conventional modular homes with a minimum house size of 1,300 sq. ft.

- **Neighborhood Information Meeting Summary**

Bobby Earnhardt, developer, was not present for this meeting. The surveyor was present. Fifteen (15) citizens were present in opposition to this request. The following concerns were expressed:

1. *Minimum house size should be increased and site-built homes only (no modular homes)*
2. *Density too high, lots should be increased to a minimum size of 3 acres*
3. *Density incompatible with immediate area*
4. *Development would increase traffic burden along a dangerously*

- traveled road*
5. *Storm-water run-off to adjoining properties*
 6. *This large number of septic tanks would negatively affect adjoining wells, ponds, and creeks that serve homes and livestock in the area.*
 7. *Domestic animal control problems could affect existing pets and livestock.*
 8. *Use of the existing private road easement by ATC vehicles and children. The 25' private road should be widened, paved and taken over by the state to prevent this type of trespassing.*
 9. *Development would devalue adjoining properties.*
 10. *Development would increase the noise level and affect existing privacy.*
 11. *Development would negatively affect the existing rural scenic landscapes.*
 12. *Cluster subdivisions are incompatible with the community.*
 13. *Lots adjoining the existing private road should not have access to the private road.*

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that the proposal was not 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 for the following reasons:

1. *The open space design is not providing any amenities for anyone other than the developer, who is clustering lots to use good soils and leaving the remainder vacant.*
2. *The proposed density level is extreme for this community.*
3. *The proposed house size is below the average house size in the community.*

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 6.12 *Factors to be considered in major subdivision approval in Primary and Secondary Growth Areas will include suitability of soils, access to major thoroughfares, the potential availability of public services and facilities and community compatibility.*

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

Earnhardt was present and provided a map of the development. Earnhardt explained that the shaded areas on the map are the good soils areas. Earnhardt said this proposal would eliminate the need for off-site septic systems. Earnhardt said they are proposing a 25' common area along Old Park Road. Earnhardt said that they have changed the map since the Neighborhood Information Meeting and the difference is that there will only be 55 lots (instead of the proposed 58 lots) and only one entrance (instead of 2) on Hoover Hill Road. Earnhardt said there is enough good soil on the majority of each lot that would allow septic tank systems to be contained on the lots. Earnhardt asked the Board if he could sell the proposed open space area to an individual or would he be required to establish a homeowner's association. **Johnson** said that conservation/cluster subdivisions should be designed in a way that the 50% open space benefits the new lot owners and the surrounding community. Johnson said the Technical Review Committee saw no benefits the open space in the proposed development would provide to new lot owners or the surrounding community. **Ridge** said that he felt there was a problem with the impact that this proposed development would have on Hoover Hill Road. Ridge said that a cluster subdivision should have a minimal impact on Hoover Hill Road. **Brown** said that he felt if the open space was sold to the neighbor, it would reduce the number of lots he could develop. **McDowell** said that he didn't know of any reason why the developer would keep the property, but it should be deeded to a homeowners' association. **McLeod** asked why a cluster development should be allowed in this area if the property could be developed in a conventional subdivision.

Jon Megerian, Attorney on behalf of adjoining land owners, said that a conservation subdivision is a way to lessen the impact a development has on an existing community. Megerian said that it is not a plan to conserve money for the developer. It is a way to conserve land and resources in a community. Megerian said that the average lot size within 1 mile of this property is about 3.25 acres and the average acreage on adjoining parcels is approximately 14 acres. Megerian asked all the adjoining land owners to stand. Fifteen people stood. Megerian said that all the landowners are present and were present for the Neighborhood

Information Meeting. Megerian said that Earnhardt was not present for that meeting. Megerian said that all of the neighbors filled out the forms provided by the County, at the Neighborhood Information Meeting, to express their concerns. Megerian provided pictures of the adjoining properties and also pictures of another Earnhardt development. Megerian said that the plan will not conserve community resources and would only conserve money for the developer. Megerian said that this proposal is for Davidson Water to supply the development, but the adjoining property owners all use private wells. Megerian said that this will be 55 septic tanks added in this small area. Megerian said Old Park Road is a private road and is not a public access for Earnhardt to use. Megerian said that he is proposing 14 lots along this private access. Megerian said that it takes gall to propose a plan to this Board that would cram all the homes together on half the property and then sell the other half of the property to an adjoining property owner for their buffer. Megerian said that the reason for open-space subdivisions is to provide amenities such as walking trails and playground areas, etc. Megerian said there has been no deep thought to developing this property. Megerian quoted the Ordinance and its intentions for open space development. Megerian said that this plan does not assist in achieving any of the goals or policies of the County Unified Development Ordinance or the County Growth Management Plan. Megerian said that it goes against any intentions set by the County Development Policies. Megerian said they have concerns for traffic, groundwater, and several other environmental issues. Megerian said that Earnhardt is opposed by everyone that lives in this area. Megerian said that he didn't feel Earnhardt was trying to be hard to get along with, but he just doesn't understand the purpose of a cluster subdivision. Megerian said that Earnhardt just doesn't get it.

Dorsett said that there is a road provided inside the subdivision for the 14 lots adjoining Old Park Road. **Megerian** said that the lots were adjoining Old Park Road on the original plan.

Kim Lee, 4364 Old Park Road, Trinity, said that they live at the end of Old Park Road. Lee said that she is concerned for their farm. Lee said that their property is down hill from this property and runoff would end up in their pond. Lee said that they have lots of small livestock and they are concerned about a large number of small lots adjoining this farm. Lee said that they have safety concerns for their farm animals and their children. Lee said that bringing in a large development does increase the crime in a community.

Dorsett said he felt our Ordinance needs some fine tuning. Dorsett said he felt a cluster development would give a more pleasing view to the community and this plan would not meet this intent.

Craven expressed concern that the proposed density would be incompatible with immediate area, that the development would devalue adjoining properties, and the development would negatively affect the existing rural scenic landscaping.

Dorsett said that this Board is here for the good of the County and he didn't feel this development would be for the good for the County.

Johnson said that this request was an excellent example of how not to design a conservation/cluster subdivision. Johnson said the County has established a lengthy process where the developer can obtain comments from the Technical Review Committee and the community at neighborhood Information meetings, however, a developer or property owner always has the right to submit his request to the Planning Board and County Commissioners without adjustments made as a result of this review process.

Dorsett made the motion, seconded by **Craven**, to recommend to the Commissioners that this request be **denied** as not consistent with standards and policies in the new Growth Management Plan. The motion passed unanimously.

- B. **HARRY RUSHBROOK**, Asheboro, North Carolina, is requesting that 3.50 acres located on Old Stagecoach Road (across from Walnut Creek Lane), Franklinville Township, be rezoned from Residential Agricultural/Conditional Use to Rural Business Overlay/Conditional Use. Parcel ID# 7781750797. The Conditional Use Zoning District would specifically allow a landscaping business.

- **Technical Review Committee Recommendation**

*The Technical Review Committee met and found that this proposal was not in compliance with the 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** as out of character with the many residential subdivision developments in the community.*

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

Policy 3.1 Industrial development should not be located in areas that would diminish the desirability of existing and planned residential uses, nor should major subdivisions be allowed to encroach upon existing or planned industrial sites without appropriate buffers.

Policy 6.5 *The protection of viable rural neighborhoods shall 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.*

Rushbrook said that the property is zoned for a nursery and greenhouse. Rushbrook said that he wants to be able to sell landscaping materials also. Rushbrook said he plans to place a residence on the property for his parent in the future. Rushbrook said this will be a small family business. Rushbrook said he has no intent to place anything here to take away from the neighborhood. Rushbrook said there would be no other employees except his family. Rushbrook said that he has invested a lot of time and money and plans to have a nice family business. Rushbrook said once the residence is built, the business will not be visible from Old Stagecoach Road. **Dorsett** asked if Rushbrook plans to operate a landscaping business or just sell the materials. **Rushbrook** said that he only plans to operate a retail business. Rushbrook said that he will not be landscaping properties.

Rick Smith, 1462 Goldhill Road, Asheboro, said that he is the developer of the subdivision across the street from this site. Smith said that originally the property was zoned for 10 acres but has since been subdivided. Smith said that they have a restricted subdivision that allows only site-built homes. Smith said that he is not opposed to the business but he felt all protective measures should be taken. Smith said that Leyland Cypress trees should not be used for buffers. Smith said that those trees do not stand up to our weather conditions and ice destroys them.

McLeod said he felt this would have a minimal impact to the area.

Dorsett said that this type of business is nice to have in a residential area.

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

- C. **FIRST PENTECOSTAL CHURCH**, Ramseur, North Carolina, is requesting the Conditional Use Permit issued to the 2.64 acres located on Hwy 64 (just past Meadow Drive), Franklinville Township, Zoning District HC-CU, be amended to allow a church in the existing 60' x 200' building (currently the building is permitted for an indoor flea market). Parcel ID# 7781783945. Terry Tucker - Property Owner.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the 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 approved.

Samuel Dean Staley, Pastor, 455 Weatherly Street, Ramseur, said that his church would be moving into the facility. Staley said that they are currently at 489 Spinks Road.

Johnson advised that churches are allowed in all our zoning districts, but this property is currently zoned with a Conditional Use.

Staley said that they are purchasing the building.

Darrell Cagle, Pineridge Road, Asheboro, said that he is a property owner adjacent to this property. Cagle said that he is pleased that the church will be his neighbor. Cagle said there is a drainage ditch on the property line and the collection pool this ditch drains into has filled with sediment. Cagle said he is asking the Board to require that this problem be fixed. Cagle said the collection pool creates a bad mosquito problem. Cagle said other than this problem, he hoped the church would be approved.

There was no one present in opposition to this request.

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

- D. **LOU ELIAS**, Ramseur, North Carolina, is requesting that 0.53 acres located at 4422 U.S. Hwy 220S, Cedar Grove Township, be rezoned from Residential Agricultural to Office Institutional/Conditional Use. Parcel ID# 7658493736. The Conditional Use Zoning District would specifically allow a language translation office in the existing building. Mark Braswell - Property Owner.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the 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 approved.

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

Policy 4.2 *Highway oriented commercial uses should be clustered along segments of arterial streets and contain land uses that are mutually compatible and reinforcing in use and design. They should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip development.*

Policy 5.1 *Office and institutional development should be encouraged to locate as transitional land use between activities of higher intensity and those of lower intensity.*

Elias was present and explained her intention to open and operate a language translation office. **Elias** said that there will be only two people working in this office. **Elias** said that all the plumbing in the structure has been updated and is now on city sewer. **Dorsett** asked how much traffic this would create. **Elias** said that they are operating an office on Fayetteville Street now and they only have 2 to 3 clients per day.

There was no one present in opposition to this request.

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

- E. **KEITH CHRISMON**, Denton, North Carolina, is requesting that 4 acres located at 9035 N.C. Hwy 49S, New Hope Township, be rezoned from Highway Commercial to Light Industrial/Conditional Use. Parcel ID# 6697023630. The Conditional Use Zoning District would specifically allow a welding & fabricating metals operation (as per site plan). Cliff Loflin - Property Owner.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the 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 approved with the following conditions:

1. *Install and maintain a level 3 buffer along Conelson Road.*
2. *All buildings must be approved for occupancy by the Building*

Inspections Department.

An example of a Growth Management Policy that the Technical Review Committee found supporting this recommendation is

Policy 3.5 *Warehousing, storage and distribution facilities should have direct access to appropriate thoroughfares and should be visually buffered according to their location.*

Chrismon said that he wants to operate a welding business at this location. Chrismon said that he makes metal enclosure buildings and carport covers. Chrismon said that he has 10 employees. Chrismon said that he has been working with Building Inspections to bring all the buildings up to code. Chrismon said that they make all the components for the buildings in the large building on the property. Chrismon said that he has agreed to a buffer along Conelson Road. Dorsett asked how long Chrismon has been working at this location. Chrismon answered approximately 1 ½ years.

Cliff Loflin, property owner, said that the property has been cleaned up and is in much better condition than it was before he bought the property.

There was no one present in opposition to this request.

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

- F. **JAMES LEROY WALKER**, Trinity, North Carolina, is requesting that 28.55 acres located on Flint Hill Road, Back Creek Township, be zoned to allow a conventional exclusive residential subdivision overlay. Parcel ID# 7725408450 and 7724591647. Zoning District RA. The Conditional Use Zoning District would specifically allow an 8-lot residential subdivision for site-built homes with a minimum house size of 1,500 sq. ft.

- **Neighborhood Information Meeting Summary**

The developer was not present for this meeting , but the surveyor represented him. Two citizens were present and expressed concerns for the number of lots being proposed, the size of the homes, and the added traffic to their community.

- **Technical Review Committee Recommendation**

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. However, some staff members expressed concerns for public safety with a major residential subdivision adjoining an active railroad. The Technical Review Committee recommended to the County Planning Board that this request be approved as consistent with the existing land use patterns.

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.

Policy 6.14 Residential subdivisions should, in order to promote efficiencies in the delivery of urban services, be encouraged to develop in a fashion which minimizes “leap frog” development (e.g. leaving large vacant areas between developments).

Mark Terry, Surveyor, 10837 North Main Street, Archdale, said that the minimum lot size proposed is in excess of 1 acre. Terry said that the private drive will be constructed as per the County’s regulations. **Johnson** asked if there have been any soil inspections on the property. **Terry** answered all the lots appear to perk.

There was no one present in opposition to this request.

Dorsett said that his only concern would be the number of new driveways along the existing road.

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

- G. **GARY WHITE**, Trinity, North Carolina, is requesting that 48.02 acres located on Edgar Road, New Market Township, be zoned to allow a conventional exclusive residential subdivision overlay. Parcel ID# 7736335284, 7736325514, and 7736413917. Zoning District RA. The Conditional Use Zoning District

would specifically allow a 42-lot residential subdivision for site built homes only with a minimum house size of 1,800 sq. ft. (Property Owners - Harvey & Nancy Williams).

- **Neighborhood Information Meeting Summary**

The developer was present for this meeting and there was no one present in opposition to this request.

- **Technical Review Committee Recommendation**

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. However, some staff members expressed concerns for public safety with a major residential subdivision adjoining an active railroad. The Technical Review Committee recommended to the County Planning Board that this request be approved with the condition of a 6' chain link fence along the railroad right-of-way.

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

Policy 3.1 Industrial development should not be located in areas that would diminish the desirability of existing and planned residential uses, nor should major subdivisions be allowed to encroach upon existing or planned industrial sites without appropriate buffers.

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.

White was present and explained his intentions to develop a 42-lot residential subdivision. White said that the fertilizer plant is planning to close.

Johnson asked White if he has considered the safety issues adjoining the railroad. White said that they plan to build an 8' privacy fence along the railroad right-of-

way.

Barry Spencer, 2879 Old Edgar Road, said that the fertilizer plant doesn't plan to close. Spencer said he owns a poultry farm across the road and puts litter on his property. Spencer said his farm has been here in their family since 1867. Spencer said he has to be 200 ft. from a dwelling with his poultry litter. Spencer said that the railroad has a 100 ft. right-of-way and he places chicken litter on his property located on the other side of the railroad. Spencer said that he thought there were farming zones passed by the Commissioners recently, but he was told by an agent with Cooperative Extension that they have not received anything yet. Spencer said that the N.C. Department of Water Quality requires him to stay 200 ft. from a dwelling and the County's 100 ft. well setback requirement doesn't handle this problem. Spencer said it is not fair to make him change what he is doing now. Spencer said that he has a waste management plan filed with the County Soil & Water Department. Spencer said he is concerned that these new residents would complain about his chicken farm. **Johnson** advised Spencer to get into a Voluntary Agricultural District and to get in touch with Barry Foushee at the Cooperative Extension Office. Johnson said that the Voluntary Agricultural District is designed to protect citizens' rights as a farmer.

There was no one present in opposition to this request.

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

- H. **STEVE MANESS**, Randleman, North Carolina, is requesting that the Conditional Use Permit on 23.17 acres located on Caudle Road, Randleman Township, be amended. Parcel ID# 7764424302. Zoning District CVOE-CU. The specific amendment would allow a 30-lot residential subdivision for site-built homes only with a minimum house size of 1,400 sq. ft. (The original Conditional Use Permit would only allow 22 residential lots).

- **Neighborhood Information Meeting Summary**

Steve Maness was present for this meeting. There was an adjoining neighbor that expressed concern with reducing the minimum lot sizes and allowing 30 individual wells and septic tanks in such as small area.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that the proposal was not 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 staff feels the Conditional Use Permit issued in 2003 is appropriate due to the fact that no information was presented for public sewer connections necessary to reduce lot sizes.

Maness said that there is not public water here now, and he plans to use private wells and septic tanks. Maness said that if they get the adjoining property, they plan to run water and sewer connections from the City of Asheboro. **Johnson** said that if there is a chance for water and sewer connections, the County would consider lot sizes lower than 40,000 sq. ft.

Roger Highfield said that it is not feasible to run water and sewer if they cannot purchase the adjoining property. Highfield said that all the soil tests were good. Highfield said that the City of Randleman plan to take the property into their jurisdiction.

Robert Lamb, 648 Caudle Estate Drive, Randleman, said that he owns 10 acres adjoining this property. Lamb expressed his concern for the groundwater, septic tanks in the area, traffic congestion, and the high density levels. Lamb said that he maintains this private road and their road will have run-off from this property being developed.

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

7. The meeting adjourned 9:27 p.m. There were 59 people present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

Hal Johnson
Planning Director

April 6, 2004
Date

Jill Wood
Clerk/Secretary