

# MINUTES

## RANDOLPH COUNTY PLANNING BOARD

November 7, 2006

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, November 7, 2006, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Lynden Craven** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: Lynden Craven, Chairman, present; Jim Rains, Vice Chairman, present; Larry Brown, absent; Phil Ridge, present; Chris McLeod, present; Reid Pell, present; Wayne Joyce, absent; and Danny Shaw, Alternate, present (representing regular member Joyce). **County Attorney Alan Pugh** was not present for this meeting.
3. **McLeod** made the motion, seconded by **Rains**, to approve the minutes of the October 3, 2006 Randolph County Planning Board meeting. The motion passed unanimously.
4. **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."*

Three (3) people took this oath.

- A. **JOHN SHEVILLE**, Bennett, North Carolina, is requesting a Special Use Permit to allow a rural family business to operate a taxidermy shop in a proposed 14' x 28' building at his residence as per site plan located on 2.00 acres at 4727 Lewis Brown Road, Rural Growth Area, Pleasant Grove Township, Zoning District RA, Tax ID# 8637491501.

**Sheville** was present and explained that this would be a small operation. Sheville said that he is required to have a license from the State.

**There was no one present in opposition to this request.**

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

5. **REQUESTS FOR PROPERTY REZONING:**

- A. **FIVE STAR RV RESORT PROPERTIES**, Asheboro, North Carolina, is requesting 8.24 acres located at 2296 Old Cedar Falls Road., Asheboro Township, be rezoned from HI-CU to LI-CD. Secondary Growth Area. Tax ID# 7761999025. The proposed Conditional Zoning District would specifically allow the operation of a RV storage facility as per site plan. Property Owner - Dimbaza Foundries, Inc.

- **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 recommends to the County Planning Board that this request be denied. The Technical Review Committee felt that any decision may be premature pending annexation of adjoining parcels, proposed for a RV resort facility, by the City of Asheboro. The current use has been incidental to the community and this proposed use would be of a higher intensity and would impact the community to a greater degree.***

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

***Policy 1.2 The benefits of economic development should be balanced against the possible detrimental effects such development may have on the quality of life enjoyed by area residents.***

***Policy 8.1 Coordinated intergovernmental planning for land use, transportation, water and sewer, tourism promotion, scenic preservation and economic development should be encouraged.***

***Policy 8.4 The County should approach land use and economic development decisions, not as isolated individual issues, but as part of a larger interconnecting framework of building sustainable growth within Randolph County.***

**T.C. Morphis**, Attorney, said they felt this would be less of an impact on the neighborhood than the current use. They plan a 50' buffer along the

road and a fence inside the buffer. If approved, the property would be used for the storage of recreational vehicles. The fence is proposed for 6', but they realize the regulations require an 8' fence. **Johnson** asked how many vehicles would be stored on the property. **Morphis** answered that they were not sure. **Morphis** said they will not be washing or repairing any vehicles on the property. They would only be using the property for storage. If the vehicles need any repair, they will be taken to Americamp RV sales. Morphis said the operation will have less traffic during the week and more traffic on the weekend. Morphis said they are pursuing the property across the road that has been annexed by the City of Asheboro. Morphis said it is their plan to operate a large RV park on that property. They have worked with the city staff to develop an ordinance for RV parks. The ordinance has been adopted. Morphis said his clients will need to obtain a Special Use Permit to operate their park. **Steve Grant**, Five Star RV Resorts, said he would like to store 100 RV's at any one time. **Morphis** explained that some of the RV lots in the park will be rental lots and extra RV's will be stored at this location for the rental lots. He explained that some of the RV's will be owned by Five Star. **Grant** explained that the tenants can also store their personal RV's at this location.

Dallas Turner, 2267 Old Cedar Falls Road, said that he lives directly across the road from this site. Turner said these people have skipped over the County Planning Board and the Board of County Commissioners and went to the City to get their RV park. Turner said the community doesn't even want the park here, much less a storage yard across the road. Turner said the entire community is against this development. Turner told the Board that Old Cedar Falls Road is a narrow road and the additional traffic will cause problems. Turner talked about the school buses that stop along this road.

**There were 2 people opposed to this request.**

**Greg Bryant**, Re/Max Century 21 Realty, showed the Board where the proposed RV park is being planned. The property is located to the northeast of this property across the road. Bryant said that the RV's shouldn't be seen from the road. Bryant said that the property will be surrounded by a 50' buffer. **Morphis** clarified the buffer as 50' along the road frontage and 35' on the additional 3 property lines.

**Ridge** asked Bryant if any of the park property would be used for this storage yard. Bryant answered no.

**Shaw** asked why the storage yard would not be on the RV park property.

**Bryant** said that the entire property will be developed as an RV park. Bryant said that the people staying in the park wouldn't want to stay next to the storage yard.

**Dallas Turner** said that he doesn't want to live near the storage yard either.

**Ridge** said that he thought it might be jumping the gun to approve a conditional zoning for this use if the City hasn't approve their request for a Special Use Permit to locate the RV park. **Johnson** said that the Technical Review Committee felt this might be premature to request this hearing, however the applicant wanted to proceed. **Rains** said that he agreed that it might be premature. **Shaw** said this was the same development company that went to the Town of Franklinville for an RV resort. Shaw said that a trailer storage yard was never mentioned to the Town Council in Franklinville. **Shaw** said it was proposed for lots to be sold to buyers planning to locate \$300,000 motor homes. Shaw said they were promoting a 5-star resort.

**Morphis** said that they want to move forward as quickly as possible and are respectfully requesting the Board approve the request.

**Rains** made the motion to recommend to the Commissioners that the request be **denied** due to this being an accessory to a project that has not been finalized.

**Morphis** tried to interrupt the Board Discussion to say that he wanted the request to stand on its own merit. **Chairman Craven** told Morphis that the Public Hearing had been closed.

**Ridge** seconded the motion, and the motion passed unanimously.

- B. JOSE PEREZ-VENCES**, Asheboro, North Carolina, is requesting that 5 acres out of 9.26 acres located on Business 220 South, Richland Township, be rezoned from RA to HC-CD. Primary Growth Area. Tax ID# 7666246861. The proposed Conditional Zoning District would specifically allow a commercial truck and automotive sales lot and a 50' x 100' building to be used for repairing and same type vehicles. Property Owner - Craig Kevin Brewer.

- **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 recommends to the County Planning Board that this request be approved with a Level 1 buffer starting on the north property line adjoining the 50' no-cut buffer along the creek, continuing on the west property line, and along the south property line to the 50' no-cut buffer along the creek.***

***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 4.5 Effective buffering and/or landscaping should be provided where commercial development adjoins existing or planned residential uses.***

***Policy 4.6 Compatible land uses such as rural neighborhood retail and service establishments located close to general residential areas should be considered during the rezoning process with the general goal of reducing automobile travel distances and promoting better livability in the community.***

**Perez-Vences**, 1393 Meadowview Road, Asheboro, said that he only wants to zone the area from the creek to the road. Perez-Vences said that he plans to build a home in the future on the other side of the creek. Perez-Vences said they would only do repairs on vehicles that would be sold. Perez-Vences said they will not work as a garage for the public. Perez-Vences said that he might have one or two employees in the future. Perez-Vences said he plans to sell medium to heavy duty vehicles and also small vehicles. Perez-Vences said he would have no more than 30 vehicles for sale on the property. The display area would be approximately 200' along the road. Perez-Vences said he would only be doing minor repairs to vehicles. Perez-Vences said he realized the fluids would have to be properly disposed.

**Danny Snipes**, Scott Farm Road, said that they have enough businesses

in this area. Snipes said that they have many farms in the area also. Snipes said they would like to see the land remain residential instead of commercial.

**Lloyd Locke**, 132 Scott Farm Road, said that he and his wife looked for more than a year to find this property. Locke said that the property had restrictions against businesses and that the property could not be subdivided. Locke said that he is an officer with the sheriff's office and he trains K-9's here on his property. Locke said he is on-call and doesn't want to hear diesel engines starting up. Locke said that he believed that this property had restrictions against commercial development. Locke said that the creek flows all the time. Locke mentioned concern for water contamination.

**Chris Elkins**, 6732 US Hwy 220 South, said that there were restrictions that were placed on the property by the Kings. Elkin said that they own horses south of this property and the horses drink from this creek. Elkin expressed concern for fluids contaminating their water.

**Laura Elkins**, 6732 US Hwy 220 South, said that they moved here from Raleigh 13 years ago to get away from the traffic. Elkins said they don't want businesses close by. Elkins said that they are concerned with the creek being polluted.

**Chairman Craven** said his biggest concern is the creek. Craven said he would be concerned for the farm animals in the area.

**Ridge** asked if there was any restrictions on the property. **Johnson** said that he wasn't aware of any restrictions on the property.

**Jerry King**, Surveyor, explained that the property was divided into 10 acres tracts approximately 9 years ago. King said he was not aware of any restrictions.

**April Locke** said that when they purchased the property they were told by the realtor that there were restrictions on the property. Locke said that they were told that the home must be site-built or modular and the property could not be divided.

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

- C. **WILLIAM & BETTY STAGE**, Asheboro, North Carolina, is requesting that 5.00 acres located on New Hope Church Road, Union Township, be

rezoned from RA to CVOM-CD. Secondary Growth Area. Tax # 7655347057. The proposed Conditional Zoning District would specifically allow the development of a 5 lot subdivision for single-wide mobile homes.

- **Neighborhood Information Meeting Summary**

***One person attended the Neighborhood Information Meeting and asked that a buffer be required on the sides and rear of the property. This was to protect the pine trees they planted on their 75-acre adjoining tract.***

- **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. The Technical Review Committee recommended to the County Planning Board that this request be approved as consistent with existing development 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.***

**Jerry King**, Surveyor, said that this 5-lot subdivision would be served by individual wells and septic tanks. King said they would agreed to a 50' no-cut buffer along the eastern property line, and 40' no-cut buffer along the southern property line. King said the Stages are at a point where they are having some financial problems and need to sell the property. King said that the Brewers (adjoining property owners) expressed their concern for their pines on the adjoining property. King said they felt this proposed buffer would protect the 60 acres of pines on the Brewer property.

**Bertie Brewer** said they own the adjoining 70 acres. Brewer said they are concerned about something from this subdivision catching their pines on fire. Brewer said they have paid a lot of money for their pines. Brewer said that the buffer being proposed would be acceptable to them.

**Pell** made the motion to recommend to the Commissioners that this request be **approved** with the proposed buffers. **Ridge** seconded the motion and the motion passed unanimously.

- D. EARNHARDT BUILDERS**, Asheboro, North Carolina, is requesting that 58.27 acres located on Hoover Hill Road, Trinity Township, be rezoned from RA to CVOE-CD. Lake Reese Watershed. Tax ID#'s 7715871100, 7715863168, and 7715864217. The proposed Conditional Zoning District would specifically allow the development of a 37-lot residential subdivision for site-built homes only with a minimum house size of 1,400 sq. ft.

- **Neighborhood Information Meeting Summary**

*Eight (8) people attend the Neighborhood Information Meeting concerning this request. Concern was expressed for increased traffic congestion on Hoover Hill Road, and concern for stormwater runoff to adjoining properties located to the south of the proposed subdivision. Support was expressed for the proposed requirement of site-built homes with a minimum house size of 1,500 sq. ft.*

- **Technical Review Committee Recommendation**

*The Technical Review Committee met and found that the proposal is 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 **approved** as consistent with existing subdivision development in the area.*

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

***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 (i.e. leaving large vacant areas between developments).***

**Earnhardt** was present with his representative **Mike Pugh** and surveyor **Charles Morgan**. **Pugh** reminded the Board that **Earnhardt** proposed a cluster development a couple of years ago on this property. **Pugh** said the property was originally purchased at an estate auction. **Pugh** said they have had a for sale sign on the property all this time and no one has purchased the property. **Pugh** said that they are now asking for a traditional conventional residential subdivision. **Pugh** said they will be increasing the house size to a minimum of 1,500 sq. ft. **Pugh** said **Earnhardt** can't just sit on this property and he needs to sell it. **Pugh** said the highest and best use of the property would be residential development. **Pugh** said they have a buyer for 10 acres of the 56+ acres, and they also plan to sell the existing home with 8 acres. **Pugh** said they have also cut off 2 1-acre lots as a minor subdivision. **Pugh** said **Earnhardt** wants to build 35 site-built homes. **Pugh** said this development would be in-keeping with the Growth Management Plan in this Primary Growth Area. **Pugh** said normally builders will construct larger homes than the minimum restrictions. **Pugh** said **Earnhardt** has a sizable investment that he has had here for more than 2 years. **Ridge** asked if they plan to offer any buffers along the back side of the property and possibly plant a buffer along the south side. **Earnhardt** agreed to buffers. **Pell** asked how many homes were originally proposed and **Pugh** said there were approximately 42 home sites. **McLeod** asked **Morgan** the location of the 10 acre tract. **Morgan** said that it is on the north side of the property and is planning to be used for agricultural uses. **Morgan** said that the 8-acres tract may possibly be used for off-site septic easements. **Morgan** said they would have to file soil erosion control plans with the State prior to development.

**Kim Lee**, 4364 Old Park Road, said that she is speaking on behalf of her neighbors. **Lee** said that one of the their neighbors has been killed in a car accident and the family members are not able to attend this meeting. **Lee** quoted the Growth Management Plan on several statements of preserving the rural character of Randolph County. **Lee** said they feel their country way of life is being threatened. **Lee** said the current zoning in their community is RA. **Lee** said their family has lived here for over 100 years. **Lee** said they understand that the population is growing and they don't expect the developer to just “sit” on the property. **Lee** said they would welcome 5-10 acre mini-farms with 2,500 sq. ft. homes. **Lee** said the

current proposal would not be compatible to their community. Lee provided the Board with a handout book with pictures of the homes in the community. Lee said she felt this information provided substantiates their claims that the development would not be compatible to their community. Lee expressed concern for the watershed. Lee discussed the creek that feeds her livestock and also the well on her property. Lee expressed concern for the Lake Reese watershed as well as her water supply. Lee discussed how much water the property holds after it rains. Lee provided the Board with additional pictures of the site and adjoining properties. Lee quoted the watershed ordinance and asked for a plan of how the developer plans to protect the creek and how stormwater run-off would be controlled. Lee said their water has been tested by the County Health Department and it is good water. Lee said that the property was sold at auction and the developer took a gamble when the property was purchased. Lee said that when the property was sold there was no guarantees that the property would perk or that the property could be rezoned for development. Lee discussed the traffic congestion that they experience now. Lee said they are also concerned about the small easement of Old Park Road. Lee expressed her concern for the welfare of their farm animals and their neighbors animals. Lee said they would be concerned about dogs running loose and possibly injuring their livestock. Lee discussed the development that was built across the road from their past residence 1/2 mile down the road. Lee said that many residents of conventional residential subdivisions just don't understand the way of life for a farmer. Lee said they will fight as long and as hard as necessary to protect their way of life. Lee said the house sizes being proposed are half the size of the adjoining property owners and the proposed lot sizes a quarter of the size of the adjoining lots.

**Darlene Bristow**, Old Park Road, said that Earnhardt has started a mini-shopping center on the corner of Hoover Hill Road and this will increase their traffic. Bristow said these home sites will increase the traffic by 70 additional vehicles. Bristow said that someone is going to get killed at the intersection. Bristow said they understand that Earnhardt wants to development the land, but they don't even need half this many homes. Bristow said that she didn't understand how he could divide 3 lots without having the property rezoned.

**Joe Bristow**, Old Park Road, said that he wants Earnhardt to build homes like he built in Bradford Downs. Bristow said that if you build quality homes you get quality people.

**Russell Draughn**, 5650 Hoover Hill Road, talked about the creek near the property and expressed concern about the run-off that would come

from the new development.

**There were 12 people present in opposition to this request.**

**Rains** said that there are many questions that were raised and he would like to try to answer some. Rains answered that the calculated impact of how the schools would be impacted is 11 kids. Rains said the Board is provided with information concerning traffic counts along Hoover Hill Road, however he didn't understand that information. Rains said there will be 220 additional trips per day if the development is approved. Rains said the existing average lot size within a mile of this site is 3.33 acres and the average house size is 1,400 sq. ft. Rains said that proposed lot 37 would allow horses.

**Johnson** said that the State requires a minimum of 1/2 acre for lot sizes in watershed areas and the County has doubled that requirement to 1 acre.

**Craven** said that perking is regulated by the County Health Department. **Pell** said that soil erosion control is regulated by the State.

**Johnson** said that this is a fast growing area. Johnson said that doesn't mean that there are no farms in the area. Johnson said one of the struggles that the County has is a balance between manufactured housing and site-built homes. Johnson said that if Earnhardt was asking for a rezoning for a manufactured housing subdivision it would not be compatible to the area. Johnson said there is a place for site-built homes and there are places for manufactured homes. Johnson said some counties just allow a subdivision by right and it is only a technical review process. Johnson said Randolph County does it a little bit different to allow these issues to be discussed.

**Shaw** said that listening to Lee's case she is only asking for what the Growth Management Plan has set forth. Shaw said he felt the Commissioners would have a hard time approving this request based on the case she set forth.

**Shaw** made the motion to recommend to the Commissioners that this request be denied. **The motion died for a lack of a second.**

**Ridge** said that he understands where Lee is coming from but this is a Primary Growth Area. Ridge said that the road in general has subdivisions developed in this area. Ridge said that he felt the adjoining homes should be protected by appropriate buffers and lot sizes. Ridge said he felt the lots on the west side should be reduced from 8 lots to 4 lots and the south

side should be reduced from 8 lots to 4 lots. Ridge said this would help with the stormwater run-off and also provide a transition between the larger existing adjoining lots and the lot sizes along the road. Ridge proposed a no-cut buffer of 50' along the west side and a 35' buffer on the south property line with appropriate plantings worked out by the planning staff with the developer. **Ridge** made the motion to recommend to the Commissioners that the request be **approved** with the following conditions:

\*\*the lots on the west side should be reduced from 8 lots to 4 lots and the south side should be reduced from 8 lots to 4 lots

\*\*a no-cut buffer of 50' along the west side and a 35' buffer on the south property line with appropriate plantings worked out by the planning staff with the developer

**McLeod** seconded this motion, and the motion passed by a vote of 4 to 2. **Shaw and Rains voted against the motion.**

6. The meeting adjourned at 8:50 p.m. There were 35 people present for this meeting.

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NORTH CAROLINA  
RANDOLPH COUNTY

*HAL JOHNSON*

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Planning Director

*JILL WOOD*

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Date

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Clerk/Secretary