

MINUTES

RANDOLPH COUNTY PLANNING BOARD

May 8, 2007

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, May 8, 2007, 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, present; Phil Ridge, absent; Chris McLeod, present; Reid Pell, present; Wayne Joyce, present; and Danny Shaw, Alternate, present (substituting for regular member Ridge). **Alan Pugh**, County Attorney, was present for this meeting.
3. **Rains** made the motion, seconded by **McLeod**, to approve the minutes of the April 3, 2007 Randolph County Planning Board and the Zoning Board of Adjustment meetings. The motion passed unanimously.
4. **REQUEST FOR ZONING JURISDICTION RELEASE:**

The Town of Franklinville has requested to extend the town's Extra Territorial Jurisdiction (ETJ) to include the balance of the following property: Approximately 42 acres located at 5338 US Hwy 64 East **Tom Britt**, property owner, was present for this meeting and stated he was in favor of this request. The first approximately 500 ft. of his property is located within Franklinville's ETJ. **Terry Trotter**, Franklinville Commissioner, explained that Britt has come to them with development plans for the site. Trotter said that Franklinville's sewer lines extend to Faith Rock Road and they are in the process of finalizing plans to extend sewer to this location. Trotter explained that they are interested in overseeing this development.

Johnson said that Franklinville's growth plans for this area coincide with the County's plan for this area. Johnson said the extension of sewer for this area would be a positive development.

There was no one present in opposition to this request.

McLeod made the motion, seconded by **Joyce**, to recommend to the Commissioners that this request be approved. 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.”

Nine (9) people took this Oath.

- A. **WILLIAM EDDINGER**, Denton, North Carolina, is requesting a Special Use Permit to allow planned rural development of one existing house & one mobile home for family member located at 1875 Chapelwood Road, on 4.87 acres, Secondary Growth Area, Concord Township, Zoning District RA, Tax #6781848057.

Eddinger was present for this hearing and explained that he purchased the property with the intention of building his home and allowing his son to have a home on the property also. Eddinger said that he will only be clearing enough property to move the mobile home on the property. Eddinger said he had the property perked 3 years ago when he purchased the land. Eddinger said the property will not be subdivided and he will maintain a buffer on all sides of the mobile home site.

There was no one present in opposition to this request.

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

- B. **JOHN NICODEMUS**, Asheboro, North Carolina, is requesting a Special Use Permit to allow a dealership license at residence with a display of 2 cars maximum as per site plan located at 404 Dawson Miller Road, on 19.30 acres, Secondary Growth Area, Cedar Grove Township, Zoning District RA, Tax #7658218415.

Nicodemus was present for the hearing and explained his intentions to obtain his dealer’s license from the state. Nicodemus said that he wants this license to be able to go to wholesale used car sale auctions. Nicodemus said that there will be no storage of junk vehicles and he only plans to place a sign on the office building. Nicodemus said that he wholesales cars.

There was no one present in opposition to this request.

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

- C. **STEPHEN WRIGHT**, Asheboro, North Carolina, is requesting a Special Use Permit to allow a landscaping business behind residence as per site plan located at 3706 Buffalo Ford Road, on 2.00 acres, Secondary Growth Area, Grant Township, Zoning District RA, Tax ID #7780918491.

Johnson explained that this request came before the Board last month and the Board asked Mr. Wright to take into consideration the issues brought up by his neighbors. Johnson said Wright was asked to bring back a site plan that may answer some of those concerns. **Randle Brim**, Planning staff, explained that Wright has agreed to move the new driveway 15 ft. off the property line, construct a privacy fence, and

maintain a single row of leyland cypress trees between the drive and privacy fence.

Wright was present and explained that he was asking to use the property to store some of his landscaping equipment. Wright said he is only asking for the 5 existing outbuilding to be used to store this equipment. Wright said that he would store 2 pieces of equipment, 2 trucks, and 2 trailers at this location. Wright said he has no problem with the Board limiting his storage. Wright said he spoke with his neighbor, Mr. Auman, about his concern of the traffic on this new drive. Wright said that he can use his father's property at this time, but he has no way to access the back of his property from his property. Wright said that he is getting use of more property at his business site and now plans to use that for the storage of most of his equipment. Wright said that he won't put the driveway in at this time. Wright said he won't install the driveway unless something happens to his father and he doesn't have access across his father's property. Wright said that he has spoken with another neighbor, the Chiltons, and they have no problem with this request.

Richard Townsend, 3740 Buffalo Ford Road, said that he appreciates the fact that Wright has considered their concerns. Townsend said that he still doesn't understand why Wright can't obtain an easement from his father to continue to access through his property from now on.

Jerry Auman, 3720 Buffalo Ford Road, said that Wright has answered some of his questions but he still doesn't understand why Wright would have ever considered building a driveway this close to his property. Auman said that Wright has 9 employees and he is concerned about this many vehicles traveling on a drive this close to his home. Auman said he wants to get along with his neighbor. Auman said that Mr. Wright (Stephen Wright's father and neighbor) said that if something happened to him his son and grandson would get his property. Auman said that if Wright uses his father's driveway and plants some pines near his garage he would be alright with this request. Auman asked what happens if two years from now Wright begins to break these restrictions. **Johnson** explained the code enforcement process.

Sarah Auman, 3720 Buffalo Ford Road, said that she doesn't think Wright has enough room to build a driveway with a setback of 15 ft. from her property line as close as their double-wide is to their property line. Auman said that Wright's employees come to his home to get paid each week. Auman said if Wright is not going to use the driveway now, why did he start putting the driveway in. Auman showed pictures of the property to the Board.

McLeod asked Brim the distance from the house to the property line. **Brim** said he could not remember the exact distance, but Wright would have sufficient room to build the driveway. Brim said that it seemed like it was 40+ ft.

Wright said that if his father passes away his father's property would have to be sold. Wright said the home will not be given to him, he will have to buy it. Wright said that the driveway goes through the center of his father's property. Wright said that he plans to purchase his father's house, if something happens to his father, if he is

financially able.

Rains said that he made notes from the last hearing of concerns from the neighbors. Rains reviewed these concerns and Wright agreed to the following conditions to answer those concerns:

- **no chemical storage
- **no servicing of equipment at this location
- **no employee parking and no new building for an office
- **5 sheds for storage of 5 pieces of equipment (no outside storage of equipment)
- **no more than 2 trucks with trailers at the designated parking area at the rear of the property
- **plant and maintain 8-10 ft. leyland cypress now
- **standard d6 ft. privacy fencing before driveway is installed
- **driveway must have a 15 ft. setback from the property line

Rains made the motion, seconded by **Pell**, to **approve** the request for a Special Use Permit with the following conditions:

- **no chemical storage
- **no servicing of equipment at this location
- **no employee parking and no new building for an office
- **5 sheds for storage of 5 pieces of equipment (no outside storage of equipment)
- **no more than 2 trucks with trailers at the designated parking area at the rear of the property
- **plant and maintain 8-10 ft. leyland cypress now
- **standard d6 ft. privacy fencing before driveway is installed
- **driveway must have a 15 ft. setback from the property line

The motion passed unanimously.

6. **REQUESTS FOR PROPERTY REZONING:**

- A. **RICHARD KELLER**, Denton, North Carolina, is requesting 16.31 acres located at Little Bean Store Road, Richland Township, be rezoned from RA to RLOM-CD. Rural Growth Area. Tax ID# 7697608843. The proposed Conditional Zoning District would specifically allow a 4 lot residential subdivision with a variety of housing types.

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 the Growth Management Plan for this area.

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 6.23 *The County should encourage the use of rural lot subdivision designs where the size of lot allows for open space and groundwater recharge areas preserved by careful siting of the principal and accessory uses as noted through subdivision plat notations and related deed restrictions.*

Policy 8.8 *The County should seek land use decisions to continue to provide locations for affordable housing while maintaining a choice in compatible housing types in communities within the county.*

Keller was present and explained he wants to limit any manufactured homes to be 2000 or newer model. Keller said he has cleared all the underbrush along the road. Keller said there is an existing mobile home on the first lot.

Rhonda Howell, 5250 Little Beane Store Road, was present representing her family and her neighbors. Howell said that they feel that the request for this subdivision is not appropriate for their community. Howell said their community is a rural farming community. Howell said they don't want another mobile home park in this area. Howell said that the Board did deny a mobile home park expansion in this area. Howell said that the rural areas are disappearing in Randolph County. Howell asked the Board to protect their community.

Sixteen (16) people were present in opposition to this request.

Johnson said that he realized that it is always hard when a new subdivision comes into an area. Johnson said after much debate the Commissioners determined that a minimum lot size within a rural area should be 3 acres. Johnson said that this is 3 times the size that most County's allow. Johnson said that in some counties ½ acre is a minimum lot size. **Chairman Craven** said that before 2002 the minimum lot size in this area was 1 acre. **Rains** said that if this piece was divided it would be reflective of the lots across the street. **Johnson** agreed and added that these lots are larger in size.

Joyce made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **approved** as consistent with the Growth Management Plan. The motion passed unanimously

- B. RUSSELL LINEBERRY**, Siler City, North Carolina, is requesting 5.84 acres out of 7.46 acres located at Old Stagecoach Road, Franklinville Township, be rezoned from RA-CU to RR. Secondary Growth Area. Tax ID# 7781657830. It's the desire of the applicant to remove the existing conditional use permit to allow a minor 2 lot

residential subdivision.

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 6.13 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.g. leaving large vacant areas between developments).

Leslie Hatley was present representing Russell Lineberry.

County Attorney Alan asked for the record to show that Ms. Hatley is an employee of his and she has not discussed this case with him. Pugh excused himself from the case.

There was no one present in opposition to this request.

Pell made the motion, seconded by McLeod, to recommend to the Commissioners this request be approved, as consistent with the Growth Management Plan. The motion passed unanimously.

7. The meeting adjourned at 7:55 p.m. There were 39 people present for this meeting.

NORTH CAROLINA
RANDOLPH COUNTY

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary