

# MINUTES

## RANDOLPH COUNTY PLANNING BOARD

September 11, 2007

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, September 11, 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**, present; **Chris McLeod**, present; **Reid Pell**, present; **Wayne Joyce**, present; and **Danny Shaw**, Alternate, absent. **Alan Pugh**, County Attorney, was present for this meeting.
3. **Pell** made the motion, seconded by **Brown**, to approve the minutes of the August 7, 2007 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."*

Six (6) people took this Oath.

- A. **HERSHEL & BRENDA BRYSON**, Ramseur, North Carolina, is requesting a Special Use Permit to allow planned rural family occupation to operate a concrete finishing business at residence located at 8303 US Hwy 64 East, on 3.16 acres, Secondary Growth Area, Columbia Township, Zoning District RA, Tax ID #8712789515.

**Bryson** said he has lived here for 3 years and plans to operate a family business at this same location. **Bryson** said he finishes concrete all over North Carolina and needs to park his equipment and store some components in the proposed building.

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

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

- B. **SPRINT**, Cary, North Carolina, is requesting a Special Use Permit to allow a 195 ft. monopole cellular tower and support facility as per site plan to be located on 39.50 acres on Flint Hill Road across from Farlow Meadow Road, Secondary Growth Area, Back Creek Township, Zoning District RA, Tax ID# 7724791048. (Property Owners - Peter J Howard).

**Jeff Bandini**, Attorney, Parker Poe Adams & Bernstein LLP, represented Sprint for this request. Bandini submitted a notebook of evidence to be considered by the Board. Bandini said that Bobby Chin, Engineer for Sprint, and Harold Brubaker, Appraiser, were present to be considered expert witnesses if their testimony was needed.

**County Attorney Alan Pugh** asked Johnson if the application has been reviewed by the Staff and found to meet all requirements. **Johnson** answered yes. **Pugh** told the Board that the use meets all the required conditions and specifications of the ordinance.

**Bandini** said this would be a 195' monopole to provide coverage between Hwy 311 and Hwy 64 within Randolph County. Bandini presented maps of the gap in the existing coverage and also a map of coverage that will be provided by this tower. Bandini said the site is surrounded to the north, east, and south by trees and to the west by an agricultural field. Bandini said that the fall zone is contained on this parcel.

**Brown** asked the MSL height of the tower and **Bandini** answered 922 ft. Bandini said this information is provided in the materials provided.

**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 as having met all conditions and findings required by the Board through the testimony and information presented. The motion passed unanimously.

5. **REQUESTS FOR PROPERTY REZONING:**

- A. **RANDALL SCOTT**, Seagrove, North Carolina, is requesting 2.80 acres located at 9773 Erect Road, Brower Township, be rezoned from RR to RA. Rural Growth Area. Tax ID# 8604937876. It is the desire of the property owner to place a single-wide mobile home on the property.

- **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 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.*

*Policy 10.4 The County should recognize through land use decisions that properly designed development can co-exist along conservation areas, protecting our natural heritage and making Randolph County's quality of life sustainable.*

Scott was present and explained his intentions to locate a new mobile home at this site where another mobile home had been located.

**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 as consistent with the area. The motion passed unanimously.

- B. **MILL CREEK CROSSING, LLC**, Pleasant Garden, North Carolina, is requesting that 25.43 acres located on Whitt Hunt Road/Hockett Country Lane, Providence Township, be rezoned from RA to CVOE-CD. Tax ID#7778647962, #7778640739. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the development of a 21-lot residential subdivision for site-built and conventional modular homes with a minimum house size of 1,400 sq. ft. (Bonnie W Beaver - Property Owners).

- **Neighborhood Information Meeting Summary**

*The applicant, Joseph Hackett, was present for this meeting. There were 6 citizens present that expressed concern that the proposed house size was too small and should be more compatible to the housing size in Murphy Acres Subdivision located across the road. Hackett agreed to increase his minimum house to 1,400 sq. ft. to be compatible to Murphy Acres. There was also concern that Hockett Country Lane should be paved, due to the added traffic to the graveled road.*

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

**Joe Hackett**, developer, Hackett Road, Pleasant Garden, was present for this meeting. Hackett explained that he has had the property perked. **Johnson** asked Hackett if the private deed restrictions for this development would be consistent with Murphy Acres Subdivision located across the road from this site. **Hackett** answered that he will place the same private deed restrictions on this development. **Johnson** said there were questions at the Neighborhood Information Meeting about the paving of Hockett Country Lane. Johnson said that NCDOT had informed him that there have been some problems obtaining right-of-way from the owner of this property. **Hackett** said that he will provide right-of-way to NCDOT for the paving of Hockett Country Lane. **Ridge** said that he felt this should be a condition of the rezoning request. **Pugh** asked Hackett if he was willing to offer this as a condition to this request. **Hackett** said that he is a representative of the property owner and would agree to appropriate right-of-way to pave the road. **Pugh** told Ridge that he could place the restriction that the right-of-way be deeded to the State prior to lots being sold. **Rains** said that the preliminary plan appears to show that their intentions are to provide the right-of-way. **Hackett** agreed to this condition.

**There were 10 people present in opposition to this request.**

**Collin Leach**, 6641 Rayle Farm Court, questioned that the lots were smaller than those lots in Murphy Acres.

**Darien Foust**, Whitt-Hunt Road, said she would like to see the lots increased to 2 acres.

**Bill Horne**, 6698 Hockett Country Lane, Pleasant Garden, said that he would like to see the County require that the road be paved before the lots are developed. Horne said that the traffic creates an extreme amount of dust on this dirt road. Horne said he is concerned that this problem will increase with the construction traffic. Horne said he is concerned about the effect this development will have on the well water supply in this area. Horne said that there are all ready stories of wells going dry in the eastern Piedmont. Horne said that some of this property is used by ATV's all hours of the night and day. Horne said the ATV's travel through Murphy Acres from this property and drive at dangerous speeds. Horne said he would ask that the developer put no trespassing signs up on the property.

**Rains** said that some of these lots are not 1 acre in size. Rains said they are close but they are not 1 acre in size. **Johnson** reminded the Board that the County's minimum lot size is 40,000 sq. ft.

**David McClintock**, 2073 Rayle Farm Road, Pleasant Garden, expressed his concern for the water table. McClintock said he would like to know if this will deplete the water table. McClintock asked how many homes would be site-built and how many would be modular homes. McClintock asked if the homes would be rent or sold. **Pugh** answered that under the law the Board is not allowed to restrict property from being rented or leased. McClintock said he felt development is good as long as it does not effect the neighborhood negatively.

**Steve and Debbie Roberts**, 6767 Taylor Woods Lane, said that Bill Whitt was the property owner of this property and has died. Whitt was the property owner that was the hold out for the paving project. Roberts said that he was promised that all the lots were at least 1 1/4 acres in Murphy Acres. Roberts said that he was promised that modular homes would not be allowed in Murphy Acres. **Rains** said that Hackett has testified that he will place the same restrictions as Murphy Acres. **Roberts** said they are only asking that the lots be increased to 1.25 acres and no modular homes. **Debbie Roberts** said that she thought the house size minimum in Murphy Acres was 1,800 sq. ft.

**Carolyn Stutts**, 1886 Rayle Farm Road, said that Mill Creek is dry and she is really concerned about the water table. Stutts said that they have had less than 13 inches of rain in the last 5 months and no rain this month.

**Ridge** expressed concern of the number of driveway connections to the existing state road system. **Johnson** said that the State will have to review this request to determine if driveway permits will be issued. Johnson said that Hackett will have to take this to NCDOT for their approval.

**Joyce** asked Hackett what percentage of modular homes will be in the

subdivision. **Hackett** said that he doesn't have a percentage at this time. Hackett said that some of the lot sizes will increase due to soil testing. Hackett also said that the off-frame modulars will be structurally and aesthetically the same as a site-built home.

**Ridge** said that he would like to see a standard of increasing the minimum road frontage due to the number of new building lots being created along existing state roads. Ridge said that he would like to see the lot frontage increased to 150 feet. **Craven** said that the lots may be decreased from 21 lots to 15 or 16 lots.

**Ridge** said he would like to make the motion to recommend this request be approved with the condition that the developer increase the lot frontage width to 150 ft. **Rains** said this would also increase the lot sizes. **Hackett** said if he could have a flag lot approved with less road frontage he could increase the frontages of the other lots.

**Ridge** made the motion to recommend that this request be approved with the condition that the road frontage requirement for each lot be increase to 150' and the right-of-way be dedicated to the State as to not impede the paving of Hackett Country Lane in the future. **Joyce** seconded this motion and the motion passed unanimously.

- C. **TERRY TROTTER**, Trinity, North Carolina, is requesting that 4.00 acres located on Ross Wood Road (at the County Line), Tabernacle Township, be rezoned from RA to CVOE-CD. Tax ID# 6782688800. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the expansion of an existing subdivision for 3 additional lots with a minimum house size of 1,200 sq. ft. (Jimmy F Trotter - Property Owner).

- **Neighborhood Information Meeting Summary**

*The applicant was present for this meeting. There was one citizen present that was concerned that the mobile homes may be permitted on the new lots. The citizen was informed that the development would be restricted to site-built homes.*

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

**Trotter** was present and explained his intentions to build 3 stick-built homes with a minimum house size of 1,200 sq. ft. Trotter said that most of the homes on Carl Lee Drive are trailers and he would like to change that trend to site-built homes.

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

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

- D. **GWYNN SHULER**, Trinity, North Carolina, is requesting .86 acres located at 9045 Hillsville Road, Trinity Township, be rezoned from RA to HC-CD. Primary Growth Area. Tax ID# 7726136109. The proposed Conditional Zoning District would specifically allow the operation of a business office and to lease one office out as per site plan. (Property Owner - Sharon Woodward).

- **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 as consistent with land use patterns in the community.*

*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 4.6 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.*

*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.*

**Shuler** was present and expressed her intention to move her income tax business to this site. Shuler said that her current office is across the road from this site.

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

**Rains** made the motion, seconded by **Pell**, to recommend to the Commissioners that this request be **approved** as consistent with the development in the area. The motion passed unanimously.

6. The meeting adjourned at 7:37 p.m. There were 33 people present for this meeting.

---

**NORTH CAROLINA  
RANDOLPH COUNTY**

*HAL JOHNSON*

---

**Planning Director**

*JILL WOOD*

---

**Date**

---

**Clerk/Secretary**