

MINUTES

RANDOLPH COUNTY PLANNING BOARD

November 3, 2009

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, November 3, 2009, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Chris McLeod** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: **Chris McLeod**, Chairman, present; **Reid Pell**, Vice Chairman, present; **Larry Brown**, present; **Phil Ridge**, present; **Jim Rains**, present; **Lynden Craven**, absent; **Wayne Joyce**, present; and **Danny Shaw**, Alternate, present (substituting for regular member Craven). **County Attorney Darren Allen** was present for the meeting.
3. **Pell** made the motion, seconded by **Brown**, to approve the Minutes of the October 6, 2009 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 people took this Oath.

- A. **ENERGY UNITED**, Statesville, North Carolina, is request a Special Use Permit for a electrical utility substation to be located at the intersection of Post Road/Old Mountain Road on 4.85 acres, Whispering Woods @ Welborn Ridge Subdivision section 3 lot 29, Tabernacle Township, Lake Reese Watershed, Primary Growth Area, Zoning District CVOE-CU, Tax ID# 6794182527.

Steve McCachern and **Steven Estes** were present representing Energy United. McCachern explained their need to construct electric substation. The area is currently being serviced by a substation located on Hwy 64. McCachern said that due to the growth in this area this substation is necessary. McCachern said this would be a standard substation and typically a buffer is maintained or planted on the premises. McCachern said they would maintain a buffer at this site. McCachern said this substation should have a minimal impact on this area. McCachern said that typically only two to three visits are required monthly by

their staff to this site. McCachern said the proposed 100' tower would be for their use to keep up with what is going on at the station. McCachern said this would not be a large tower. McCachern said the distribution lines from the station would be installed underground and meet up with the overhead facilities that exist. **Johnson** asked McCachern to explained how Energy United selects sites for substations. **McCachern** answered that the load center is determined for the area to be served. McCachern said the further from the center increases the cost for the service. McCachern said once this site is determined, they consider the visual impact the facility would have on the community, accessibility to the site, topography of the site, environmental impacts, etc. **Brown** asked if this substation would create any danger to the public, and **McCachern** answered no. **Allen** asked if the facility would be fenced, and **McCachern** answered the facility would be enclosed by an 8 ft. chain-linked fence. **Rains** asked what type of buffer would be on the site. **McCachern** said they will plant buffers around the site were they are needed and maintain existing foliage were possible. **Johnson** asked if there have been any studies concerning the transmission power lines and their affect on public health. **Estes** said that there have been several studies but nothing has been proven conclusively. Estes said that there are higher magnetic fields within the average home.

There was no one present in opposition to this request.

Having presented information sufficient for meeting the required test for issuance of a Special Use Permit, **Rains** made the motion, seconded by **Brown**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- B. **DOUGLAS ROGERS**, Ramseur, North Carolina, is requesting a Special use Permit for a Rural Family Occupation to operate an automotive repair shop from a proposed 40' x 40' building at his residence located at 1940 Mill Creek Road, on 1.23 acres, Coleridge Township, Secondary Growth Area, Zoning District RA, Tax ID# 8700864759.

Rogers was present and explained that he would like to construct a small garage. Rogers said that he retired from the Postal Service in July where he has served as a mechanic. Rogers said that he was told when he retired that he would be able to contract with USPS as a mechanic. Rogers said that he will mainly repair vehicles for local post offices. Rogers said that he plans to construct a building that would look similar to his residence. His contractor will use the same materials and color as his residence. **Brown** asked Roger if he plans to have outside storage. **Rogers** said that he would maintain no more than 6 or 8 vehicles outside of the building. **Rogers** said that he would park them in front of the building. **Brown** asked Rogers if he would be willing to park the vehicles behind

the building. **Rogers** agreed to store the vehicles behind the building. **Allen** asked Rogers how far the building would sit from the road. **Rogers** answered approximately 100 ft. Rogers said the doors would be on each end of the building (not facing the road). **Allen** asked Rogers if he planned to install a sign. **Rogers** answered he would want a small sign. Rogers said that a car, waiting for repair, would not sit on the property more than a week at a time. Rogers agreed to this condition. Rogers said his bay doors would face the house and a bay door would also be on the far end.

There was no one present in opposition to this request.

Rains made the motion to **approve** this request with the following conditions:

- **No more than 8 customer vehicles stored on the property at any one time
- **The parking lot and storage of vehicles must be behind the building (not in front)
- **Existing buffer (as much as possible) must be maintained
- **No customer vehicle allowed to be kept on the property more than 2 weeks

Ridge seconded the motion. The motion passed unanimously.

5. **Proposed Amendments to the Unified Development Ordinance allowing Code Enforcement Officers to issue Citations.**

Johnson introduced the County Code Enforcement Officers, Jay Dale and Eric Martin to the Board. Johnson gave a summary of the County's code enforcement program and the proposed amendments to issue citations. Johnson said that the Public Hearing for the Board concerning this issue will be held next month. The Board's recommendation will then go to the County Commissioners a for their public hearing in January. Johnson complimented Dale and Martin by saying they do a good, professional job. Johnson said that some zoning violation issues take as much as 1 ½ years to process through the Court System. Johnson said that Citations would give the staff another tool to correct zoning violations. Johnson complemented Allen and the job he does for the County. Johnson said that Allen is the man to have representing the County in Court. Johnson said that these proposed amendments would give the Code Enforcement Officers the ability to write tickets to those that continue to violate the zoning ordinance.

Allen explained that some people may be aware of the Ordinance and take advantage of it. Allen said that the Ordinance allows for 30 days to correct a violation. Allen described a situation that the City of Asheboro had during the alcohol debate where two large cranes were installed to express that person's stand against alcohol. Allen said the City's ordinance is similar to the County's ordinance and provides the violator 30 days to

correct their violation. Allen said the proposed amendment would not automatically give the violator a 30-day time period. The amendments will allow the officer the ability to set a reasonable time period for correcting a violation and also the ability to set appropriate fines. Allen said that the appeal process for citations would be through the Zoning Board of Adjustment. Allen said that this amendment is something that is needed. **Johnson** said that you need a professional staff that realizes when citations should be issued.

Rains said that the Code Enforcement Officer should have the ability to protect themselves. **Johnson** said that he would not want Code Enforcement Officers to carry firearms. Johnson said if the situation seems dangerous, the Sheriff Department will get involved. Johnson said that zoning laws need to be enforced.

Brown said that some people have an attitude that the County will not do anything to enforce the Zoning Ordinance regulations. Brown said he agreed that the County needed something like this amendment.

Rains said that this would provide recourse in a matter of weeks instead of months.

6. The meeting adjourned at 7:39 pm. There were 3 citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary