

# MINUTES

## RANDOLPH COUNTY PLANNING BOARD

December 8, 2009

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, December 8, 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. **Hal Johnson** stated that Board member **Lynden Craven** passed away Sunday night, December 6, after a long fight with cancer. Johnson said Lynden was the longest serving member of the Randolph County Planning Board, having been first appointed by the Board of County Commissioners in 1987, and reappointed every three years for a 22 year membership until his death. Johnson asked for a moment of silence in memory of our friend and colleague, Lynden Craven.
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; **Wayne Joyce**, present; and **Danny Shaw**, Alternate, absent. **County Attorney Darren Allen** was present for the meeting.
3. **Rains** made the motion, seconded by **Pell**, to approve the Minutes of the November 3, 2009 Randolph County Planning Board meeting. The motion passed unanimously.
4. **REQUESTS FOR A ROAD NAME CHANGE:**
  - A. Segment #1 of Cedar Square Road (1928) as per site plan, New Market Township, Randolph County. *The public necessity for this road change is a result of road closings made necessary by the new I-74/Hwy 311 Loop and to insure the continued ability of Randolph County Emergency Services to provide timely 911 responses.*
    - **Technical Review Committee Recommendation**

The Technical Review Committee suggestion is to name the road **Old Cedar Square Road**.
  - B. Segment #2 of Cedar Square Road (1928) as per site plan, New Market Township, Randolph County. *The public necessity for this road change is a result of road closings made necessary by the new I-74/Hwy 311 Loop and to insure the continued ability of Randolph County Emergency Services to provide timely 911 responses.*

- **Technical Review Committee Recommendation**

The Technical Review Committee suggestion is to name the road **Poole Road**.

**Terry Strom**, 5559 Cedar Square Road, said he has lived here since 1964 and is in support of these recommendations.

**Pell** made the motion, seconded by **Rains**, to recommend **approval** of these road names to the Commissioners. Motion passed unanimously.

5. **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."*

- A. **MICHAEL LUTHER**, Asheboro, North Carolina, is requesting a Special Use Permit for a Rural Family Occupation to obtain a Federal Firearm License in an existing 30' x 30' Gun Shop next to his residence. Location: 6124 Abner Road, Union Township, 1 acre, Rural Growth Area, Zoning District RA, Tax ID# 7635517500.

**Luther** was present and explained that he has lived here and operated a gun repair shop at this location since 1981. Luther said he has no employees. Luther said he would be required to meet Federal Firearm requirements. Luther said he will continue to repair guns, but this would allow him to sale guns also. Luther said he doesn't have a range for public use.

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

**Rains** made the motion to **approve** this request for a Special Use Permit. **Joyce** seconded this motion and the motion passed unanimously.

- B. **DAVID CRAVEN**, Ramseur, North Carolina, is requesting a Special Use Permit for a Planned Unit Development to be located at 5453 Foushee Road on 4.06 acres, Columbia Township, Municipal Growth Area, Zoning District RA, Tax ID# 8712216863. It is the intent of the property owner to construction a second duplex.

**Craven** said he has built one duplex on this lot and wants an additional duplex. Craven said he is building the structures to townhouse requirements. Craven said if he sold the units he would sell them as townhouses. Craven said he would have an attorney draw up a homeowners association agreement if he sold the structures as townhouses. Craven said he talked with all his neighbors and had no negative response from his neighbors.

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

*Phil Ridge entered the meeting.*

**Rains** said that Craven has done a good job with what he has built on the property. **Rains** made the motion, seconded by **Joyce**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

6. **REQUESTS FOR PROPERTY REZONING:**

**NORMA JEAN AUMAN**, Asheboro, North Carolina, is requesting that 1.01 acres located on Hwy 705 (just south of Mustang Trail), Richland Township, be rezoned from HC-CU to RA. Secondary Growth Area. Tax ID# 7684237230. It is the desire of the applicant to use the property for residential purposes.

• **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**.

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

**Resolution of Adoption - Policy #2** *Recognize that growth management policies should afford flexibility to County boards and agencies that will enable them to adapt to the practical requirements often necessary for rural development.*

**Resolution of Adoption - Policy #3** *Ensure the opportunity for landowners to achieve the highest and best uses of their land that are consistent with growth management policies in order to protect the economic viability of the County's citizens and tax base.*

**Auman** was present and explained that she is representing the property owner. Auman said the owner tried to sell the property as zoned with conditions, but has had no one interested in the property for commercial development. Auman said the property owner would like to sell the property for residential purposes. Auman said the area is developed mainly residential. Auman said that the property has been perked and could be used for a four bedroom house.

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

**Pell** made the motion, seconded by **Joyce**, to recommend to the Commissioners this

request be **approved**. The motion passed unanimously.

7. **PUBLIC HEARING - Proposed Amendments to the Unified Development Ordinance allowing Code Enforcement Officers to issue Citations.**

**Johnson** explained that this was an advertised public hearing to allow public input on the previously discussed proposed Unified Development Ordinance amendments that would enable Code Enforcement Officers the ability to issue citations for zoning or other Unified Development Ordinance code violations. Johnson said that the proposed amendment would give the County another enforcement tool. Johnson said the purpose of the amendment is to give the County another enforcement option that may encourage a violator to comply with the regulations in a more timely manner. Johnson said that any individual who has been issued a citation would be given the opportunity to appeal to the Board of Adjustment. The fine would not be imposed immediately, and the property owner, or renter, will be given a time to come into compliance with the specific regulations. Johnson said that the Planning Department always works with citizens who are making real efforts to comply with regulations. However, because of the length of time that is currently necessary for enforcement procedures in the court system, many violators ignore the County's warnings until right before a matter might be heard in court. This sometimes can take up to 6 months or longer. Citizens have expressed frustration at the length of time it can take to enforce zoning/land use regulations. Johnson commended the work of County Attorney Darren Allen who works with the County Code Enforcement Officers on a weekly basis; and drafted the proposed amendments after lengthy consultations with the Planning staff. (A copy of the proposed Amendments are attached to these minutes.)

**No persons spoke at the public hearing.**

**Pell** made the motion, seconded by **Ridge**, to recommend to the Commissioners that this amendment be **approved**. The motion passed unanimously.

8. The meeting adjourned at 7:06 pm. There were 3 citizens present for this meeting.

---

**NORTH CAROLINA  
RANDOLPH COUNTY**

*HAL JOHNSON*

---

Planning Director

*JILL WOOD*

---

Date

---

Clerk/Secretary