

Minutes

RANDOLPH COUNTY PLANNING BOARD

February 7, 2012

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, February 7, 2012, in the 2nd Floor Meeting Room, Randolph County Historic Courthouse, 145 Worth Street, Asheboro, North Carolina.

1. **Chairman Reid Pell** called to order the Randolph County Board of Adjustment meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: **Reid Pell**, Chairman, present; **Wayne Joyce**, Vice Chairman, present; **Chris McLeod**, present; **Phil Ridge**, present; **Jim Rains**, present; **Kemp Davis**, present; and **Larry Brown**, present. County Attorney **Ben Morgan** was also present.
3. **Rains** made the motion, seconded by **Brown**, to approve the Minutes of the January 10, 2012 Randolph County Planning Board meeting. The motion passed.
4. **SPECIAL USE PERMIT REQUEST:**

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."

One person took this oath.

KEITH OUSTERMAN, Trinity, North Carolina, is requesting a Special Use Permit for a Rural Family Occupation to obtain a Federal Firearms License at his residence located at 2416 Old Mountain Road, on 2.03 acres, Tabernacle Township, Primary Growth Area, Lake Reese Watershed, Zoning District RA, Tax ID# 6795236023 ([Click for map](#)).

Ousterman was present and explained that he is applying for a federal fire arms license. Ousterman said that there will be no shooting range at this location. Ousterman said that he will not have a sign at the property. Ousterman said that he will sell the guns through the computer (on-line web sales). Ousterman said that he will drop-ship the products to his customers. Ousterman said that ATF requires that he have a small safe to store any guns prior to shipping.

There was no one present in opposition to this request.

Johnson said that he had only one call concerning this request. Johnson said the neighbor just wanted to make sure that wasn't a on-site shooting range.

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

5. **REQUEST FOR PROPERTY REZONING:**

A. **L&JE DEVELOPMENT LLC**, Archdale, North Carolina, is requesting that the existing Conditional District Zoning of an Exclusive Residential Subdivision be amended to reduce the minimum house size from 1,400 sq. ft. to 1,200 sq. ft. Location: 52.09 acres located off of Stewart Street (on Mary Viola Drive), Savannah Woods Subdivision, New Market Township, Zoning District CLOE-CD, Primary Growth Area.

• **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in not compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be denied as consistent with the Growth Management Plan.

This request was first considered by the Planning Board in August, 2004. The Planning Board recommended denial of the request due to concerns that the 1,200 sq. ft. minimum house size was not compatible with the community. In September 2004, the Board of County Commissioners approved the request for rezoning after the property owner agreed to increase minimum house size to 1,400 sq. ft. The applicant is requesting that the September, 2004 Conditional Rezoning be amended to allow a minimum of 1,200 sq. ft. site-built residences. The Technical Review Committee (TRC) reviewed the request and recommended that the request be denied. No changes in the area have taken place to alter the growth management decision in 2004.

Example of a Growth Management Policy that the Technical Review Committee found supporting this recommendation is:

Policy 6.13. Conventional residential subdivisions are anticipated of similar housing characteristics of the community.

There was no one present to represent the applicants. Johnson explained that the Planning Board originally recommended that the request for 1,200 sq. ft. homes be denied due to concerns for the housing size. Johnson said that the applicant increased the minimum house size of the request to 1,400 sq. ft. at the

Commissioners hearing and the Commissioners approve the request (with this change). Johnson said that there TRC had reviewed this request and recognized that there had be no changes in the community since the original rezoning with the exception of the economy. For this reason, the TRC recommend that the Board deny the request.

William Essex, Stuart Street, said that at the previous proceedings the Board came to an agreement with the developers and the adjoining land owners for the minimum house size to be 1,400 sq. ft. Essex said that there has been no for sale signs posted on the property (attempting to sale the lots). Essex said that he believed if the house size was reduced it would bring lower income families to their community. Essex said that he feared this would bring more crime to their community. Essex said that law enforcement is minimal in the area. Essex said that a couple of months ago they had a stray dog in the community and it took 2 days to get any assistance removing the animal. Essex said that there are two mobile home parks that provide housing for lower income families in their community. Essex said that they have had 3 homes built in recent years and they all exceed 1,900 sq. ft. Essex said that they are a rural community and would like to see it remain rural. Essex said that they would like to keep the minimum house size at 1,400 sq. ft.

Beverly Shipton said that 1,200 sq. ft. is just not compatible to the homes in their neighborhood. Shipton said that the neighbors originally wanted the developers to build 1,600 sq. ft. homes and the developers wanted 1, 200 sq. ft. homes. Shipton said the two sides came to a compromise at 1,400 sq. ft. homes. Shipton said that they would like to keep it this way.

Brown said that he hasn't seen any change in the community. Brown said if the developer couldn't sell 1,400 sq. ft. homes, he wouldn't be able to sell 1,200 sq. ft. homes either.

Brown made the motion, seconded by **Ridge**, to recommend to the Commissioners that they **deny** this request. The motion passed by a vote of 4 to 3, McLeod, Rains, and Joyce voted against the motion.

- B. **BENJAMIN BEASLEY**, Sophia, North Carolina, is requesting that 1 acre (out of 2.06 acres) located at 6866 Flint Hill Road, Back Creek Township, be rezoned from RA to HC-CD. Tax ID# 7724695803 ([Click for map](#)). The proposed Conditional Zoning District would specifically allow a 20' x 30' existing building to be used as an automotive repair shop as per site plan. Property Owners - Timothy & Cindy Beasley.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in

compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be **approved** as consistent with the Growth Management Plan.

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

Policy 4.1 Provide for sites in Randolph County jurisdiction where rural commercial activity can locate; with the goal of increasing economic activity; job creation, and the provision of services to the rural community.

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.

Beasley was present and explained his intentions to operate an auto repair shop. **Beasley** said that he has done auto repair part-time for many years. **Beasley** said that he will not have any employees. **Beasley** said that he is a certified automotive technician. **Beasley** said that the property had a lot of junk here years ago and he and his father cleaned up the property. **Beasley** said that this is family land and he was born and raised next to this residence. **Beasley** said that he will not allow junk to pile up on the property.

There was no one present in opposition to this request.

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

- C. **LIGHTHOUSE BAPTIST CHURCH**, Seagrove, North Carolina, is requesting that 2.94 acres located at 6220 US Hwy 220 Bus South, Richland Township, be rezoned from HC-CU to RA. Tax ID# 7666179779 ([Click for map](#)). Primary Growth Area. It is the desire of the applicant to allow the existing church to comply with residential setback regulations for the expansion of their sanctuary.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be **approved** as consistent with the Growth Management Plan.

Example of a Growth Management Policy that the Technical Review Committee

found supporting this recommendation is:

Board of Commissioner Resolution Adopting the Growth Management Plan, 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.

Johnson explained that a church can locate in any district, but the front setback in a commercial district is greater than a residential district. Johnson said that if the property is rezoned commercial the front setback will be 35 ft.

Michael Poindexter, Pastor, said that the purpose of the addition to the church is for them to be able to construct handicap facilities for their members.

There was no one present in opposition to this request.

Johnson said that this zoning, if approved, would be how the property was originally zoned in 1987.

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

6. The meeting adjourned at 7:10 p.m. There were 16 citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary