

## MINUTES

### RANDOLPH COUNTY PLANNING BOARD

**September 15, 1998**

There was a meeting held of the Randolph County Planning Board at 6:30 p.m., on Tuesday, September 15, 1998, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. Vice Chairman Bill Dorsett called the meeting to Order at 6:30 p.m.

2. Hal Johnson, Planning Director, called roll of the members: Maxton McDowell, Chairman, absent; Bill Dorsett, Vice Chairman, present; Larry Brown, present; Phil Brower, absent; Lynden Craven, present; Al Morton, absent; Tommy Boyd, present; and Phil Ridge, Alternate, present.

3. Craven made the motion, seconded by Brown, to approve the Minutes of the August 4, 1998 Planning Board Meeting. The motion passed unanimously.

#### 4. REQUESTS FOR PROPERTY REZONING:

A: **LARRY MCKENZIE & DONALD STRIDER**, Asheboro, North Carolina, is requesting that 62.44 acres located at the intersection of Mt. View Church Road/Old Lexington Road, Back Creek Township, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use. Zoning Map #7722. The proposed Conditional Use Zoning District would specifically allow a 59 lot residential subdivision for site built homes only.

**Craig Branson**, partner of McKenzie & Strider, was present and presented pictures to the Board of another development they developed (Old Forest Subdivision) and said this is the type of development they are proposing. Branson said that they have been involved with development in the County and Asheboro for several years. Branson said the homes would be of brick or brick/vinyl construction and have a minimum heated square footage of 1200. Branson said the lots will be 100% landscaped and sewed prior to selling the homes. Branson said this will increase property values in the area and then presented the Board with a copy of the preliminary restrictions. Branson said that this would be the optimum number of lots but realistically there will probably be 35-40 lots.

Johnson expressed concern for the road entrance that is proposed diagonally across from Mt. View Church Road and asked if this along with the proposed driveway connections have been approved by N.C.D.O.T. Branson said he could not answer this. Branson apologized for his partners not being able to attend the meeting and said he was sure they would be able to answer this question.

**George Oleen**, Old Lexington Road, (owner of adjoining parcel) said that his house sits 24 feet from this property line and said he would like to request some sort of buffer be imposed on the development. Oleen said that there will be 8 lots backing up to his property. Oleen said there are no plans for a playground or park and the children of this development will need this. Oleen also discussed concerns about this many wells and septic systems, traffic and people congestion, and said all these things needed to be considered. Oleen said he was pleased to see this was being proposed for site built homes.

**John W. Pierce**, Old Lexington Road, said that this property has poor soils and will not perk. Pierce said that if all these wells being installed makes his well go dry, somebody is going to pay for his well. Pierce said he had offered to buy this property but the property owners just want to make a killing on the land. Pierce discussed sewer problems in Cliffwood Estates, another subdivision just outside the city limits and said they have sewer draining in the side ditches and this is what this development will have. Pierce said if the County can find someone to say the land will perk he will eat your hat.

**Kay Medlin**, 1051 Back Creek Road, said she didn't feel the representative for this request could give us enough information. Medlin questioned who would construct the homes - Branson said they would construct 30-40% of the homes and their builder is David Lucas. Medlin asked for the price range of the homes - Branson said the general range will be 100,000-130,000 dollars. Branson told Medlin if she would like a copy of the proposed restrictions should could call him or come by Clothes Warehouse.

**Phyllis Lewis**, 829 Green Farm Road, spoke about their recent development on Spencer Meadow Road and said that they timber all the land and should like to see this not happen here and asked if the nature could be protected.

**Regina Gordon**, Mt. View Church Road, said that they moved to the area because it is beautiful and country. Gordon said 59 homes would no longer allow the area to be country. Gordon spoke of concerns for the wells in the area going dry and said their tax assessments would increase. Gordon said this would take away their country living.

**There were 55 citizens present in opposition to this request.**

**John Gordon**, Mt. View Church Road, said that he is originally from Long Island, New York and that area was many years ago like this area. Gordon discussed the changes that community went through and the effect it had on the people. Gordon said it changed their animal regulations, increased their tax assessments, and increased their taxes to keep up all the sidewalks, parks, etc. Gordon said that he is 64 years old and they had retired and moved to Asheboro. Gordon said they love this community and would hate to see this same thing happen here.

**Claude Shiffered** said it looks like the County would want to know if the property would perk for all these homes before they put the community through all this.

**Bill Campbell**, Mt. View Church Road, discussed the traffic concerns and the dangerous road system.

**Charles Byrd** said that Randolph County has a real relaxed dog ordinance now and all they need is 59 dogs running loose. Byrd asked what would be their recourse if their wells went dry - Byrd said we have no water lines here. Byrd said he felt they were being put to a test here and he didn't feel this should happen.

**Jackie Giovanti**, Whippoorwill Drive, discussed the added pollution and crime.

**Vickie Parrish**, Jarvis Miller Road, said that the schools in this district are already using mobile units and this will dramatically effect the school system.

**John Wayne Pierce** said that the water runs off his property on to this site. Pierce said he already has 2 wells (because of water problems) and if this is developed he will probably lose all his water.

**Denise Street**, Mt. View Church Road, said that this area is covered with creeks and this could cause water contamination. Street said that they own horses and would be concerned for the water in those creeks.

Dorsett said that he felt the issue is density and all the problems that go along with it.

Craven said that he felt the density is an issue and so is the proposed entrance on Old Lexington Road. Craven said he felt the developer should resolve the road entrance with D.O.T. and the only way to fix the density problem is to increase the lot sizes. Craven said Branson has already mentioned there could only be 35-40 lots.

Boyd said his main concern is with the roadway.

Dorsett said we cannot address buffers in a residential area or what if the wells go dry but we can address density.

Craven said that due to the density problems he would make a motion to recommend to the Commissioners that this request be **denied**. Boyd seconded the motion and the motion passed unanimously.

B: **LOUISE RAYLE**, Randleman, North Carolina, is requesting that 1.87 acres located on both sides of the U.S. Hwy Bus 220N Connector (at the intersection of Randleman Road), Level Cross Township, be rezoned from Residential Agricultural to Highway Commercial. Zoning Map #7767. Randleman Lake Watershed. It is the desire of the applicant to allow the property to be developed for commercial purposes. Property Owner: Hallie Sheldon Sexton Estate.

**Dean Harris**, representative for Louise Rayle, said that Rayle has been directed by the courts to sell the property. She is executor of her mother's property.

Johnson asked Harris if there was any specific interest for the property. Harris said they have talked with a couple of banks and a utility company.

**Jerry Mills**, Pastor of Level Cross Baptist Church, said that they are opposed to this next to their school, church and cemetery. Mills said this is their place of worship and they stand opposed because of the type of business that could go here such as dance halls, massage parlors, etc.

**Bleese Toomes**, said that he is one of the heirs of these two pieces of property and he is opposed like the pastor. Toomes said that there is a wild bunch around this area like in many areas and the church would have no guarantee that this would be for a bank next to the church. Toomes said he owns the property that the Texaco is leasing across from the north parcel and he would not be opposed to that parcel (the northern side of the intersection) being zoned but he would be opposed to the parcel next to the church.

**Sharon Toomes** said that she owns/lives on the property in behind this site and attends church here. Toomes said in August they laid her husband to rest in the cemetery and she didn't want to see this happen to the church.

**Jerry Toomes**, adjoining property owner and deacon of the church, said that this is his grandmother's property and she would roll over in her grave if she knew this was going on. Toomes said his grandmother was a member of this church and a godly woman. Toomes said his children go to school here and you can say its going to be a bank but there are no guarantees. Toomes said this would be a mistake.

Dorsett said he had a problem with this being a straight rezoning and felt this should be considered as two separate requests. Dorsett asked for a show of hands for all those present in opposition - **There were 21 people present in opposition to this request.**

Ridge said he felt the request should be divided in to two separate request. For this reason, Ridge made the motion, seconded by Brown, to recommend to the Commissioners that the **northern parcel be approved** and the **southern parcel be denied.** The motion passed unanimously.

#### 5. **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."

8 people took this Oath.

#### 6. **REQUESTS FOR A SPECIAL USE PERMIT:**

A: **KENNETH JOYCE**, Kernersville, North Carolina, is requesting a Special Use Permit to expand Scenic Oaks Mobile Home Park with an additional 20 spaces located at 1802 Grantville Lane, on 27 acres, in Grant Township, Zoning Map #7792, Zoning District RM.

Joyce said that he feels his park was a good positive development and that he tries hard to screen applicants to keep out undesirable people without discriminating. Joyce said that mobile home parks provide places for residences for lower income families and he only allows new homes to come into the park. Joyce said he has a lady in the park that helps him manage the park when he's not there.

Johnson asked Joyce if he was proposing a new access on Foxfire Road and if he had contacted N.C.D.O.T. about this. Joyce said he was planing another entrance but he has not contacted N.C.D.O.T.

Dorsett asked Joyce how many total lots does he have now - Joyce answered 31 lots. Dorsett said that he felt Joyce needed some sort of playground for the children in this park. Joyce said he was glad he mentioned this and he would take care of this.

**John Gatlin**, adjoining property owner, presented a petition of opposition to the additional spaces. Gatlin said that this reduces property values and said he didn't feel the soils were suitable to handle the 31 existing spaces along with 20 more. Gatlin said he was not opposed to growth in the area but they don't want this type of growth. Gatlin discussed the traffic in the area and said they already have 5 or 6 mobile home parks within a 3 mile radius of this property. Gatlin said they enjoyed the country setting they once had and this park has homes on top of each other. Gatlin said that this man lives out of town and originally he had said that he would be moving to

the property and he never has. Gatlin asked why isn't he doing this in his county instead of ours. Gatlin said the new entrance would be dangerous in this curve and asked how can he do a good job of managing this park in Kernersville. Gatlin spoke of the Sheriff's Department Vehicles being in the area (said he didn't know if it was because of this park) and asked for a set of rules and regulations for this park.

**There were 13 people present in opposition to this request.**

Joyce presented the Board with a set of rules and regulations. Joyce said he thought he had proven himself by developing a nice, clean, descent park. Joyce said he didn't feel the Sheriff's Department was there because of his park. Joyce said he is at the park every 2 or 3 days and the homes in his park is not cramped up on each other. Joyce said he has a C-Well License to take care of the water at this park, he maintains the road and he is proud of his park.

Dorsett asked if he kept records of how many times the Sheriff's Office has come out to the park. Joyce said no but that he was sure they would tell him if the Sheriff's Department had come out - Joyce added that he only knew of 1 incident in the last 6 months.

**Louise Gatlin**, Foxfire Road, said that she is opposed to the addition and to the driveway connection to Foxfire Road.

Craven said that this curve (the proposed driveway connection) is a dangerous curve and this area in the past 5-6 years has been plagued with rezoning request and a lot of new construction of homes is going up. Craven said enough is enough. Craven said these people have had enough and he didn't blame them. Craven added that he couldn't see the D.O.T. approving a driveway here. Craven said if development keeps up at the rate it has been going in this community, you can put a Wal-Mart here and make it a little city. For these reasons Craven made the motion, seconded by Brown, to **deny** this request for a Special Use Permit. The motion passed unanimously.

B: **ROGER SIMMONS**, Ramseur, North Carolina, is requesting a Special Use Permit to relocate his dealer's license (with a display lot of 6 cars) at his residence located at 7393 N.C. Hwy 42 South, on 3.59 acres, in Coleridge Township, Zoning Map #7792, Zoning District RR.

Simmons said that he owns R & S Auto Sales and has a license now at that location. Simmons said he has suffered from heart problems and has been on disability. Simmons said there won't be any work on the cars because he can't physically done that. Simmons said he will have no more than 6 cars for the business at any one time. The cars will sit back off the road in the field west of his house at least 50 feet from Hwy 42. Simmons said he has purchased a new building for the office and wouldn't have any lights on the lot. Simmons said he can put up a small sign on the side of the building.

Teresa Simmons, wife, said they have been here in their new home for one month and they are proud of their home. Simmons said there will be no junk.

**Sheridan Kahle**, 7346 NC Hwy 42S, said that he lives across the road and has no opposition to the request.

Craven said that he lives around the corner from the Simmons and didn't know the Simmons until this came up. Craven said that he has spoke with Simmons and he agreed to some conditions being added to the request:

\*\*6 vehicles for the business

\*\*no junk vehicles

\*\*no repair work

\*\*minimum setback of 50' off Hwy 42

Craven said that with these conditions added he would made the motion to **approve** this request for a Special Use Permit. Boyd seconded the motion and the motion passed unanimously.

C: **DANNY & BARBARA CORUM**, Franklinville, North Carolina, is requesting a Special Use Permit to construct a 28'x40' building for a hobby shop and to operate a fabrication business at his residence located at 1893 Creekwood Drive (McDowell Timber Company Subdivision - lot 3), on 5.24 acres, in Franklinville Township, Zoning Map #7783, Zoning District RA.

Corum said that he builds machines for Asheboro Elastics. Corum said that he works a full-time job at Asheboro Elastics and this will just be part-time. Corum said there is some grinding noise but he probably wouldn't be doing any work past 8 p.m. Corum said that this is a machine/welding type business. Corum presented the Board with a signed petition from all the residents on Creekwood Drive and they are not opposed to this request.

Johnson commended him on visiting his neighbors and getting this petition.

Corum said that the building would have vinyl siding and have the same roof pitch as his home.

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

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

7. The meeting adjourned at 9:25 p.m. There were 128 citizens present for this meeting.