

MINUTES

RANDOLPH COUNTY PLANNING BOARD

October 6, 1998

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

1. Chairman Maxton McDowell called the Randolph County Planning Board meeting to Order at 6:30 p.m.
2. Hal Johnson, Planning Director, called roll of the Members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice-Chairman, present; Larry Brown, present; Phil Brower, present; Lynden Craven, present; Al Morton, present; Tommy Boyd, absent; and Phil Ridge, Alternate, absent.
3. Phil Brower made the motion, seconded by Larry Brown, to approve the Minutes from the September 15, 1998 Randolph County Planning Board Meeting and the Minutes of the September 15, 1998 Zoning Board of Adjustment Meeting. The motion passed unanimously.
4. **REZONING REQUESTS:**

A: **JOHN DUNLAP**, Staley, North Carolina, is requesting that 21.67 acres located on N.C. Hwy 22 South (just south of Gracewood Road), Columbia Township, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use. Zoning Map #8701. The proposed Conditional Use Zoning District would specifically allow a residential subdivision of 19 lots for double-wide mobile homes (with permanent foundations) or modular homes. (William D. & Nancy Moffitt - Property Owners)

Johnson announced that Dunlap contacted the County Planning Office at 4:30 p.m. this afternoon to withdraw this request due to perking problems with the property. Johnson stated that this request will not be considered.

B: **CHARLES MILLER**, Trinity, North Carolina, is requesting that 2.08 acres on Kennedy Road (1/3 mile west of Meadowbrook Drive), Trinity Township, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Zoning Map # 7706. Lake Reese Watershed. The proposed Conditional Use Zoning District would allow the construction of a 28' x 70' building on site for a Computer Shop - Sales and Service.

Charles Miller (nor a representative) was not present at this meeting, therefore the Planning Board postponed this request until such time that he could be present.

C: **WILLIAM HOYT DAVIS**, Denton, North Carolina, is requesting that 1.76 acres located in the intersection of N.C. Hwy 49S/Brantley Gordon Road/Old N.C. Hwy 49, Concord Township, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Zoning Map #7608. The proposed Conditional Use Zoning District would specifically allow a convenience store.

Bill Davis, son of Hoyt Davis, said that it was their intention to allow some sort of convenience store to be built on the property - the property will be leased or sold. Davis said that Kirk Becker with the County Environmental Health Department has been out and approved a septic system for the property. Davis said they had met with Wayne Horton with the N.C.D.O.T. concerning sight easements on the property and that Horton had approved the proposed driveway accesses.

McDowell asked Davis if this store would have any type of restaurant facilities or additional activities. Davis answered that it would be something similar to a *Tank-n-Tummy*, gas and groceries.

Dorsett asked Davis if they had given thought to the traffic situation. Davis said that after discussion with Wayne Horton, NCDOT, the proposed accesses would require acceleration/deceleration lanes but this would be no problem. Dorsett said it seems that the situation should be examined by engineers. Dorsett said that Brantley Gordon Road probably would be no problem but the proposed accesses on Old Hwy 49 and New Hwy 49 would become a traffic hazard if they were developed.

Nancy German, 6853 NC Hwy 49 S, presented the Board with a petition of 80 signatures in opposition to this request. German said that Hwy 49 S has been designated a scenic highway and this should be considered. German since Davis will not be operating the store he will not be depending on this for his livelihood. German said that this area was zoned Residential Agricultural in 1987 and she didn't feel any land should be considered for rezoning that would change this character of this rural community.

Drew German, 6853 NC Hwy 49 S, said the traffic situation is a major concern due to the limited site ability at the intersection of Old 49/New 49 access. German described situations of traffic hazards that they currently deal with. German spoke of the 5 stop signs surrounding this site. German said there is already a convenience store a mile down the road so he didn't feel for the community sake this was needed. German mentioned its proximity to Farmer Elementary and expressed concern for safety of this children. German spoke about the run-off areas. German said that originally the property would not perk and now during the driest months of this year the lowest lying area of the property has passed the test. German said there is an existing out-fall at this area and the run off of this culvert runs to other properties and creeks. German asked the Board to consider what's best for the Farmer Community's heritage.

There were 22 citizens present in opposition to this request.

Dorsett said that he is concerned about the traffic problems but he does realize the property is not adequate for farming or residential use. Dorsett said at some time the Board will probably have to determine what type of commercial use would be adequate for the property.

McDowell said that this is his backyard and these folks are from his community and he has a lot of respect for them. McDowell said he was not sure that this would be changing the character of the community with Maple Grove Store, more recently ran as Maple Grove Video, up the road. German told McDowell that business is closed, but that when it was open it was a small country store that served the local community (and in character with the community) and not the same type facility.

German asked the Board if this was approved what would stop land across the road from being approved for additional commercial development. McDowell said that each request would be reviewed individually and this would not mean that just anything could be approved. German said this would not answer their concerns for the traffic problems.

Davis said that they would be required by D.O.T. to install the traffic lanes. Davis said that these proposed accesses were originally approve in 1961 by D.O.T. (when he began considering such development for the property).

McDowell asked **Gary Nance**, a community member in attendance, his thoughts on the request. Nance said that he felt Davis is a good steward of their community but he didn't feel this convenience store is something they need. Nance said that he realized that the community must experience growth and change but he didn't feel this is what they need. Nance said he felt the store up the road served the community.

Davis said that he stopped at that store and it took 20 minutes to get 20 gallons of gas.

Morton expressed concern with the storm water drainage of the site. Morton said it would be important to consider the amount of coverage (pavement/asphalt) the use would create.

Drew German said that most of the members of the community own 100-200 acre tracts of land. German said there are 3 people present for this request and 22 against the request and he felt this was a big representation of this community. German said he felt they (the community members) should have a say in what goes on in their area.

Another member of the community said that he was trying to remain neutral in the case and all he want to say was that they have a house 1000 feet off the highway and they now hear the trucks shifting gears about 3 times to pick up speed for the hill and if this is approved it will cause more truck/traffic noise.

Johnson said that at first glance (of this request) it's easy to say that we should allow the property to be developed commercially but there are 2 things that doesn't make it as unique:

**one is the topography of the land (which makes the run-off and issue), and

**two is the traffic concerns that can't really be addressed through site easements.

Dorsett said he didn't feel the property was long enough to build lanes that would be needed to slow the traffic enough to help. Dorsett said he could see pros and cons on both sides of the issue. Dorsett said most of the time there are alternate types of development to consider when there is controversy on the type of development for a particular parcel, but in this case there really isn't any other except alternate types of commercial uses.

Morton said there will be so much traffic coming in and out for this type of use that something will happen. For the concerns expressed Morton made the motion, seconded by Brower, to recommend to the Commissioners that this request 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."

There were 11 people that took this Oath.

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

A: **DONALD AND BOBBYE WELLINGTON**, Asheboro, North Carolina, are requesting a Special Use Permit for a Planned Unit Development of four (4) houses (one for property owner and three for property owners children) to be located on their property on Old Lexington Road, in Back Creek Township, on 16.76 acres, Lake Lucas Watershed, Zoning District RA.

Billie Wilson, Wilson Realty (representative for the Wellington's), explained their intentions to allow their children to be able to build on their property, without subdividing it, if they so choose. Wilson said the Health Department has approved 4 sites on the property for the septic systems if this is approved.

Wellington said they have constructed the roads and they will be removing the water tower that exists on the property.

There was no one present in opposition to this request.

Dorsett said that he was surprised that they roads were all ready in. Dorsett said that they have done a really nice job on the roads and the landscaping of the property.

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

B: **JACKEY BRIM**, Asheboro, North Carolina, is requesting a Special Use Permit to operate a part-time welding shop in an existing 30' x 50' building located at his residence at 4153 Zoo Parkway, on 4.60 acres, Zoning Map # 7668, Zoning District E-1.

Brim explained his intentions for he and his son to operate a part-time welding business in an existing building on the weekends and evenings. Brim said there will be no additional employees and all the storage will be within the building. Brim said they will not be putting up any signs.

Johnson told the Board that the property is buffered well and asked Brim if he realized that if this was approved it would be only for what has been explained and if the activity continued to grow he would need to find a more appropriate location. Brim said he understood this.

There was no one present in opposition to this request.

Johnson said that he had received one call from a neighbor concerning noise. Brim said he would be willing to work out any problems of noise or anything else with his neighbors.

Dorsett complimented Brim on his property and said that he has one of the neatest places in the area. Dorsett went on to say that is usually some indication of how the business will be maintained. Dorsett said he would like to see some restrictions concerning outside storage, noise, and maintaining the existing buffers.

Brim said that they would work primarily 6:30 - 9:30 p.m. in the evenings and 8 am - 12 pm on Saturdays and some Sundays.

Dorsett made the motion to **approve** this request for a Special Use Permit with the following restrictions:

**no outside storage

**no noise after 8:00 p.m

**maintain existing natural buffers

Brown seconded the motion, and the motion passed unanimously.

C: **YOUTH UNLIMITED, INC.**, High Point, North Carolina, is requesting a Special Use Permit to construct two (2) group homes (for a total of three (3) homes) at 3434 Beeson Farm Road, on 140.71 acres, in Back Creek Township, Zoning # 7734, Zoning District RA.

Cliff Parker was present and explained their intentions to build 2 additional group homes. Parker said that this facility is for adolescent boys ages 11-19. This facility has been in operation since 1975 and has seen 120+ boys. Parker said that they operate from a small grant from Guilford County, the State, and private donations. Parker said they have some boys from Randolph County and several from Guilford.

Johnson said he has received only positive calls with high compliments of this program.

Parker said that the program is highly regimented and tightly ran. The boys come from DSS, the Courts, and some from parents' request. Parker said each child must have a form filled out each day from each teacher (in each class) concerning what homework/tests they have and their behavior.

Craven asked how many children would be in each home. Parker said only 5 - one floor of the house will have 5 bedrooms/2 baths for the boys and the second floor will have 2 bedrooms/2 baths for the house parents. Parker said that they don't believe that the bunk-house type facilities work because you can't manage them. Parker said this type of home creates a more family atmosphere and this is what they want. Parker said they have a large hayfield that the boys work and they have horses that they take care of. Parker said work is an important part of this program. Parker said they kids go back home every other weekend to allow them to work closely with the families.

There was no one present in opposition to this request.

The Board felt this was a good and important program.

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

D: **TERRY HUTCHINS**, Trinity, North Carolina, is requesting a Special Use Permit to obtain his auto dealer's license (with a display of 5 vehicles) and dealer's license for utility trailers at his residence located at 6301 Snyder Country Road, on 56.39 acres, in Tabernacle Township, Zoning Map # 7704, Lake Reese Watershed, Zoning District RA.

Hutchins present a petition of support from his adjoining neighbors and a picture of the type of trailers he would be selling. Hutchins said that he will not display the vehicles to the public and the utility trailers will be kept 300-400 feet off the road. These trailers will be delivered up to 4 times a month on a flatbed truck (10-15 trailers). He will have a small sign that is the size of a real estate sign.

There was no one present in opposition to this request.

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

E: **KENNETH DELK**, Trinity, North Carolina, is requesting a Special Use Permit to construct a 40' x 60' building to be used for a septic tank service business at his residence located at 2918 Ross Wood Road, on 14.96 acres, Zoning Map # 7701, Zoning District RA.

Delk explained that the building will be primarily for his equipment storage and to maintain the equipment. Delk said he has lived here since 1990 and does both installation and pumping of septic systems.

Morton said knowing Kenneth and his wife, she will make him keep the place nice.

Roy Pierce, building contractor, said that he would support the request.

There was no one present in opposition to this request.

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

7. The meeting adjourned at 8:00 p.m. There were 47 people present for this meeting.

NORTH CAROLINA

RANDOLPH COUNTY