

**MINUTES**  
**RANDOLPH COUNTY PLANNING BOARD**  
**October 5, 1999**

There was a meeting held at 6:30 p.m., on Tuesday, October 5, 1999, 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 to Order the Randolph County Planning Board meeting 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; Lynden Craven, present; Al Morton, present; Tommy Boyd, present; Phil Ridge, present; and Mark Brower, Alternate, present.
3. **Bill Dorsett** made the motion, seconded by **Lynden Craven**, to approve the Minutes from the September 14, 1999, Randolph County Planning Board Meeting. The Motion passed unanimously.
4. Chairman **Maxton McDowell** asked Planning Director **Hal Johnson** to review with those in attendance Special Use Permit standards and requirements.

**Johnson** said a "Special Use Permit" request refers to a situation in which a particular kind of land use is permitted in a zoning district only when the Planning Board issues the permit after making specific "findings" required by the Zoning Ordinance. The Planning Board may affix appropriate conditions to the Special Use Permit for the protection of and compatibility with neighboring properties and the public interest.

Much like the judge in a courtroom setting, the Planning Board sits as a "quasi-judicial" administrative body in its Special Use Permit review role. The main focus and role of the Board is on gathering relevant evidence and protecting the rights of citizens appearing before the Board. As a result, N.C. laws require that the Planning Board follow special rules of testimony and evidence in order to make a required decision to issue or deny a Special Use Permit. All citizens providing information or testimony to the Board must do so under sworn oath. In granting the permit, the Planning Board must find:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
2. That the use meets all required conditions and specifications;
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to located and in general conformity with the Land Development Plan for Randolph County.

**Johnson** said that as part of a presentation at the public hearing it is in the applicants or citizens interest to present specific testimony to support or oppose each of the above findings upon which the Board is required to make.

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?"

20 people took this Oath.

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

A. **RANDOLPH COUNTY BOARD OF EDUCATION**, Asheboro, North Carolina, is requesting a Special Use Permit to allow the construction of a new middle school to be located on Pleasant Union Road, 62.40 acres, Lake Reese Water Critical Area, Tabernacle Township, Zoning Map #7701, Zoning District RA.

**Hal Johnson** reminded the Board that they had considered this request at public hearing last month and several issues of concern were brought up, therefore their decision was delayed to allow the Schools to address those concerns.

**Worth Hatley**, Randolph County Schools Superintendent, explained that this is the proposed site of the new Uwharrie Middle School. Hatley said that they would be responding to the concerns expressed by this Board last month and they felt this request would meet all of the 4 tests required to issue a Special Use Permit. Hatley said that he felt the School Board and the Board of Commissioners had done an excellent job with long range planning for the school system. Hatley explained the process that had brought them to this point. There are well over 1000 students in attendance at Southwest Randolph Middle School and over the next 3 to 4 years this figure is expected to reach as high as 1300 if growth (and development) is allowed to continue at its current rate. Hatley described existing bus routes that travel a distance of 25 miles one-way that carry 11 and 12 year old children to school each day. Southwest Randolph Middle School also has a tremendous traffic problem due to the number of parents that bring their children to school by car. Hatley said this new facility would help to alleviate these problems and allow twice as many students to participate in extra activities such as team sports, clubs, etc. Hatley explained that there were no easy or perfect answers in how and why a site is selected. An area can be too dense where the development of a school can create traffic concerns, etc. An area can be too rural where a school can create environmental concerns, traffic concerns, and possible change of lifestyle concerns. Hatley said there is no perfect location but he felt they (Board of Education & Board of Commissioners) have done a good job in their selection. Hatley said there has been only one property owner (not resident) that has directly expressed opposition to the location of the school here. Hatley discussed another location they had considered that was sold during their selection process. Hatley said that DOT has provided a new good paved road here. Hatley said he realized that the road is curvy but all roads in Randolph County are curvy. Hatley said this use will only create traffic twice a day (for about an hour each time) for 180 days out of the year. Hatley guaranteed the Board that he would see that all bus routes would be planned in the safest manner possible. Hatley said concerning the hunting issued - this property is adjoining by a large farm and a residence. Hatley said a natural buffer will surround the school and he felt most hunters were responsible and could be credited with having safety skills. Hatley said they believed they met all the County requirements easily and that this facility would be a positive focal point in this community.

**Bob Wilhoit**, Attorney for the Board of Education, described the request of the School System and explained that this is a much needed facility. Wilhoit said that he has asked representatives to come tonight and speak to the Board and answer the concerns expressed during the last meeting.

**Dean Spinks**, Architect, described the site plan presented by the Schools. Spinks said the parcel is approximately 65 acres and they planned to develop and grade approximately 30 acres of the parcel. Spinks described the buffers as being at a minimum of 65-100 feet along the property lines. Spinks explained some of the requirements the State has in order to even consider a site for locating a school which include roads, environment, topographical issues, soil suitability, safety of children, noise factors, etc. Spinks described the proposal as compatible to the area due to this being a "green site" with special landscaping designs. Spinks said that the imperious surface amounts within the WQCA portion of the property would only be 2% and 8 ½ % along the remainder of the property. Spinks described the design of the facility as similar to the new Northeastern Randolph Middle School with no impact on the rural environment.

**Wilhoit** asked Spinks if the property would be suitable for a high school in the future and if he had heard of any planning for a high school here in the future. **Spinks** answered that the site would not be suitable for a high school (due to it being within a watershed area) and to his knowledge there were no plans for a high school at this site. **Wilhoit** asked if in his opinion he felt there would be any safety problems with hunting around this well buffered site - **Spinks** said he felt this would be unlikely. **Wilhoit** asked Spinks his opinion of the compatibility of this school to this area - **Spinks** said he felt this would be in harmony with the community due to the buffers and landscaping planned.

**Wilhoit** asked Bob Scherer to identify the pictures he presented to the Board - **Scherer** described the pictures as the site for the new school and its' surrounding community.

**Wilhoit** asked Will Garner, NCDOT Division 8 Traffic Engineer, to discuss the roads around the site. **Garner** said that he wanted it noted that he was neither for nor against this request. Garner said that he had been to the site and to the district

office to gather traffic counts of the area. Garner said that these counts were done during 1997 and to the south of the site there were 190 vehicles on that road per day at that time. Garner said north of the sites there were 100 vehicles per day traveling the road. Garner said that a road is only as safe as the users on it make it. Garner said that additional signs will need to be designed with school speed zones for school hours. **Wilhoit** asked Garner if there would be any need for traffic lights and **Garner** said that this would be along way off for this area because traffic lights are used along roads that have more than 4000 cars per day. **Wilhoit** asked Garner if this site had been preliminarily approved for the school - **Garner** said that he would have to ask the district DOT office this question.

**Wilhoit** asked Hiram Marziano, Engineer for this project, to discuss the sewer system to be used for this facility. **Marziano** said that Scherer contacted his office in June of this year to design the water and sewer systems to be used for this facility. Marziano said that there would be no problems with the water because they would be able to connect to Davidson Water, Inc. Marziano said however the sewer system would be more of a problem Marziano said that the system would have to be an on-site system therefore he contacted a company in Fayetteville to perform an on-site inspection for the suitability of the soils. 30-40 bores were drilled and the type of system (drip irrigation system) was determined for the facility. The system design is for 9-10,000 gallons of domestic waste per day however the facility will only create 5,300 gallons of domestic waste per day. This system will only be used 8-9 months out of the year for only 5 days a week. Marziano described the holding tanks to be used during inclement weather days. Marziano said there will be no grading for the sewer system and the site has been approved for an application rate of 2" per week however there will only be an actual application rate of .25" per week. Therefore no run-off will be created. Marziano said that the State had recommended this type of system and the soils were determined to be very sufficient for the system. This system will be approximately 7-10 acres in land size and is allowed in WQCA/watershed areas.

**Jerry Shackelford**, Assistant Superintendent, said that approximately 52% of the 17,000 students in Randolph County School System use the school busing system. Shackelford said that this area is served by approximately 14 school buses the remainder of children are delivered by car. Shackelford said that if this school is not built there will be over 1200 students at Southwestern Randolph Middle School, a school designed for only 650 students. Shackelford said the anticipate that the beginning population for this school will be 550 students.

**Hal Powell**, Realtor and Appraiser for 25 years, provided a copy of the study he preformed for the school system. Powell said that his study of schools in general in Randolph County was of a 1 mile radius to school sites. Powell described the areas around Eastern Randolph High School, Southwest Randolph High School, Level Cross Elementary School, and Southeastern Randolph Middle School. Powell said that in all of these cases the schools have improved the property values and described post development as nice residential subdivisions. Powell said that there are 1931 acres in 48 tax parcels within one mile of the proposed site. Powell described the area as sparsely populated with only 2 land sales within the last 3 years. Powell said that the school help the property values in the area and would definitely be in harmony with the community.

**Wilhoit** summarized the facts presented to the Board and asked all those present in favor of this request to stand - 70 people stood. Wilhoit asked Hal Johnson if he felt they had met all the specific site plan requirements for issuance of a Special Use Permit. **Johnson** answered that the specific site plan requirements required by the Ordinance had been met by the applicants. **Wilhoit** asked Johnson if he felt this proposal would be compatible to the Land Development Plan for this area. **Johnson** answered if the Special Use Permit is issued and the other 3 tests were met - yes.

*Chairman Maxton McDowell afforded the opposition the opportunity to cross-examine any witnesses.*

**Stephen Schmidly**, Attorney retained by the residents of Pleasant Union Road, asked for those in favor of this request to stand - the 70 citizens stood again. Schmidly then asked for every one except the residents of Pleasant Union Road to sit down - no one was left standing. Schmidly asked Powell how many schools he studied - **Powell** answered 4. **Schmidly** asked if the new development (after a school is built) around a school is subdivision development - **Powell** said yes because people like to be located near a school. **Schmidly** asked if he felt this (subdivision development) would be the type of development Pleasant Union Road can expect - **Powell** said yes but this would be good for this area. **Schmidly** asked Powell if he lived in the area - **Powell** answered no. **Schmidly** asked if there were only 48 tax parcels in the area and if he considered this sparsely populated - **Powell** answered yes. **Schmidly** asked if this area is truly rural - **Powell** answered yes. **Schmidly** asked Powell if the property owners he talked to during his study were homeowners around those schools - **Powell** answered yes. **Schmidly** asked Powell if he spoke to those people on Pleasant Union Road - **Powell** answered no. **Schmidly** asked Spinks if had spoken to anyone about a criteria (from the State) for a school not to be

located next to a shooting range - **Spinks** answered no sir. **Schmidly** asked Spinks what his knowledge of the history of this area - **Spinks** said none.

*Schmidly stated that he had further cross-examination at this time.*

**Sharon Ridge Hughes**, 6142 Jackson Creek Road, said that she is a life long resident and parent of 2 school children in this area. Hughes said that she does respect the opinions of the residents of Pleasant Union Road and she hoped they respected hers. Hughes said that she lives just over 2 miles from this site (a mile as the crow flies). Hughes said that no one likes to be told what they can or cannot do with their property or who they can sell their property to. Hughes said that those land owners near those existing schools made a conscious decision to develop those subdivisions that came after the schools. Hughes said that this land owner chose to sell his property to the schools. Hughes said this development will assure that the roads are well maintained, it will increase property values, bring jobs to the area, and be a neighbor that will provide facilities to community groups, and directly improve the quality of life for the children of this area. Hughes said her child is 1 of 374 6-graders at Southwest and in 1 of 12 6-grade home-room classes. Hughes said that school was built for 650 students and as of last week there were 1017 students enrolled. Hughes said that she travels 56 miles per day for 2 round trips to school because the bus comes by their house at 6:15 a.m. Hughes said that if her child did ride the bus this mean her child would ride for 1 hour and 45 minutes each way each day with 18 year-olds. Hughes said this situation is unacceptable. Hughes said that she talked to the bus driver of this route and was told that the first rider got on the bus at 5:55 a.m. each day. Hughes said every day this development is delayed this situation continues. Hughes said that there have been 75 new students enrolled to this school since the beginning of the year. Hughes said there are new requests for subdivisions each month before this Board and if they are going to continue to allow this you will need to continue to add to the school system. The children must be provided for. Hughes discussed schools that use to be in the area and provided the Board with a petition with 350 signatures in support of this school. Hughes also provided a letter of support from Ms. Snyder's 5<sup>th</sup> grade class.

**Wanda Stake**, 273 Applegate Lane, said that the students have to share lockers (due to over-crowding). Stake said she would rather have a school here than a housing development.

**Dorsett** asked Shackelford about his concerns of school traffic's use of Rush Mountain Road. **Shackelford** said that they will plan to use Bescher Chapel Road which would possibly be a safer route.

**Brown** asked Marziano if he designed the system at New Market School - **Marziano** answered no. **Brown** asked school representatives about possible fencing of the property. **Wilhoit** said they felt they could post the property heavily along property lines.

**Stephen Schmidly**, attorney for the residents of Pleasant Union Road, said that they would prove that the Schools do not meet the 4 tests required to issue a Special Use Permit. Schmidly said that the Schools have simply provided no evidence to show that the use would be "in harmony with the area in which it is to be located". Schmidly said in fact their own evidence shows that it will not be in character with the area. Schmidly reminded the Board that this is in an area that the County Planning Board had recommended to the County Commissioners to protect as a rural conservation area (Schmidly was speaking of the proposed Growth Management Plan). Schmidly said that all around this 65 acres the property is owned or leased by hunting clubs and has been used like this for 100's of years. Schmidly asked what would happen if the school is located here - either the nature of the use (of the area) will change or it will continue to be used by hunters with high powered rifles. Schmidly said there are 7 hunting clubs in this area and no one can fully control the poachers that hunt here every night. Schmidly said that everything around this site is a shooting range. Schmidly presented pictures to the Board of the area. Schmidly said that the road is not asphalt it is a tar and graveled roadway that is hilly, curvy, and narrow. Schmidly said that there are no traffic signs what so ever along this road. The property has been used as a gun reserve for many years and the signs are still posted on the property (stating this). Schmidly said that the burden to prove these 4 tests rest with the applicant and this proposed use would change the entire nature of this community. Schmidly said that folks in this area have used hunting as their "cash crop" and if the school was located here it would completely change the rural character of the area and create extreme safety concerns. Schmidly discussed how the on-site sewage system at Southwest Randolph School was designed by an engineer and it failed miserably, therefore they had concerns that an on-site system would work here. Schmidly said that the applicants cannot prove that this school would be in harmony with the area. Schmidly asked if all those present that live along Pleasant Union Road and are opposed to this request to stand - **24 people stood in opposition.**

**Bob Finley**, 1685 Pleasant Union Road, said that he had a hunting dog that has made \$36,000. Finley said that he makes his living breeding hunting dogs and being a hunting guide to people from all over the Country. Finley said that he has most of the property in this area leased for his hunting reserve. Finley described his services and explained how he raises dogs and places tracking systems on his dogs. Finley discussed his concern of bullets traveling off his leased properties and about kids "cutting" school and coming on to his property. Finley said that the community profits from these hunting reserves (including the local stores, hotels, etc.).

**Betsy Fisher**, Varner Road, discussed her conversation she had with those in Raleigh with School Planning (Harry Wilson, attorney and Jerry Knot, planner) and that they said a designated hunting area would be considered hazardous by most and they felt this would be common sense (therefore not necessary to place a specific restriction of not allowing a school nearby).

**Bob Fritz**, 513 Fritz Farm Road, said there is no doubt that we do need a school but he felt it should be located in a safe place and this is not it. Fritz said that there is also a dangerous narrow bridge on Bescher Chapel Road. Fritz said that he has at times feared for his life when dealing with the poachers. Fritz also spoke of "low flying aircraft" along this road (and mentioned the sign posted that warn such planes).

**Corby Kennedy**, 1706 Pleasant Union Road, said he is a tractor-trailer truck driver and that the bridge on Bescher Chapel Road is too narrow for him to pass with another vehicle. Kennedy said that he must wait for cars to pass before he can drive his truck across. Kennedy also discussed the school entrance being proposed right in a curve and said that there is no other entrances to schools in a curve like this.

**Jackie Carter**, 861 Fritz Farm Road, spoke of his concern for the water run-off from the school site on to his property.

**Michael Finley**, 1549 Pleasant Union Road, discussed his concern of the small airport nearby.

*Chairman Maxton McDowell afforded the applicant the opportunity for any cross-examination.*

**Wilhoit** asked Bob Finley if he (in his hunting business) tried to control safety with the families and children in this area - **Finley** answered yes, but he could not control if bullets ricocheted off the rocks in front of his property.

**Brown** asked Finley if most of his business was operated on the weekends - **Finley** said no sir, that as this meeting is going on there is a tournament being held at his hunting reserve. Brown asked Fritz the owner of the airport they were speaking of - **Fritz** answered Cletus Swainey. Brown asked the residents if they had any bullet holes in their homes or vehicles - **Fritz** answered yes in his home, he felt by poachers.

**McDowell** asked the community if they had run poachers off their property - several in the audience said yes.

**Dorsett** asked Hatley how much of the property they planned to fence because he felt the back and sides of the property should be - **Hatley** answered they had no definite plans at this time. **Dorsett** asked Hatley if he realized the Board could require fencing if, in the opinion of the Planning Board, fencing was necessary to better insure student safety - **Hatley** answered that he realized the Board's power. **Dorsett** said that his main concern was the traffic entering on Rush Mountain Road and this has been answered but he did feel the entire property should be fenced and not just fence around the actual physical facility.

**Morton** asked Marziano about the repair area for the proposed sewage system - **Marziano** said that the State does not require a repair area but they have enough land to replace the system if necessary.

**Morton** asked Spinks about storm water detention ponds - **Spinks** said that they try to prevent this because of the obvious hazardous conditions they can cause and possible breeding grounds for insects. Spinks added that during construction there will be quite a few temporary retention ponds.

**Wilhoit** discussed the possibility of heavily posting the property lines. **Hatley** said that if fenced in the cleared area it would be less likely to be damaged.

**Boyd** asked Finley where the largest percentage of his income came from - **Finley** answered from training dogs. **Boyd** asked when most of his hunting was done - **Finley** answered both day and night.

**Dorsett** asked Finley in his opinion would a hunter be apt to cut or go over a fence - **Finley** answered no. **Dorsett** asked Finley if he felt a hunter would go on to land that is posted - **Finley** said yes.

**McDowell** questioned Schmidly's knowledge of the history of the area and asked Schmidly if he knew where Ira McDowell went to school - **Schmidly** answered no.

**Dorsett** said that when it comes to the children public safety is his primary concern. Dorsett said that he felt Finley was right that hunters will go on to posted land but would be less likely to cross over a fence. Dorsett said to turn this request down would be a problem greater than finding the money to fence the property. Dorsett said that he had some doubts concerning the 4<sup>th</sup> test (that the location of and character of the use if developed according to the plan as submitted and approved will be in harmony with the area . . .) but he felt the need for the school would out way the harmony of the neighborhood because a school is a public necessity.

**McDowell** said that the reason he questioned Schmidly about his knowledge of the history of the area was because Ira McDowell attended school in a school that once was located on Pleasant Union Road.

**Schmidly** said all due respect but he felt this request should be considered as to how compatible it is to the area today and not many years ago.

**Morton** told the Board of how he had took a lot of time with this issue and visited DOT on Thursday to discuss the traffic concerns he had. Morton said that the district engineer's office had statistics of the traffic accidents that have occurred along Hwy 64 (which was one of Morton's main concerns) and determined that 99% of them were caused by the driver.

**Dorsett** said that he didn't feel the Board could find a better place to locate the school therefore it is this Board's job to help make this a safer place.

**Dorsett** made the motion to **approve** this request for a Special Use Permit with the stipulation that traffic use (created by the school) on Rush Mountain Road be to a minimum and a 6 ft. chain linked fence be constructed along all property lines except for the road frontage.

**Morton** asked Dorsett if he would add a 150' natural buffer be maintained with the exception that they keep as much buffer as possible (but not require 150') behind the ballfield.

**Dorsett** agreed to amend the motion. **Brown** seconded this motion and the motion passed unanimously.

Planning Director **Hal Johnson** advised the applicants and opposition that a written decision of the Planning Board issuing the Special Use Permit would be prepared along with official Minutes of this Public Hearing. Johnson said that any party has the right to appeal a decision of the Planning Board to Superior Court within 30 days after receipt of official notice of the Board's decision.

**B. WAYNE & SUSAN CRAVEN**, Franklinville, North Carolina, are requesting a Special Use Permit to allow a Planned Unit Development of one house for property owner, 1 rental house and 2 rental mobile homes to be located at 2791 Carl Allred Road, 6.70 acres, Franklinville Township, Zoning Map # 7783, Zoning District RA.

Craven explained that he has 3 residences on his property and this mobile home would be for his son. Craven said that he did want to be able to rent the home if his son moved out. Craven said the home would be 100 ft. behind the existing residence and approximately 400 ft. off Carl Allred Road.

**Dwight Trogdon**, adjoining property owner, said that this would be for his grandson and he wouldn't have any problem with the request.

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

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

## 6. REZONING REQUESTS:

A. **WORTH HEATH**, Randleman, North Carolina, is requesting that 35.96 acres located on Bull Run Creek Road, be rezoned from Residential Agricultural to Residential Restricted/Conditional Use. Zoning Map # 7775. Polecat Creek Watershed. This proposed Conditional Use Zoning would specifically allow a thirty-three (33) lot subdivision for site built homes, modular homes or Class A double-wide mobile homes with masonry underpinning. Property Owner: Russell and Brenda Ward.

*Brown excused himself from this request and stated that he knew the parties involved.*

**Jon Megerian**, attorney for the applicant, said that their request is for 33 lots on this property of which they have purchased. Megerian said the area is largely agricultural with some structures nearby (Megerian presented pictures of the area). Megerian said it is the applicant's intention to refurbish the existing house which will be on proposed lot 1. Megerian said there is a mobile home park less than ½ mile away and that they are not asking for solely double-wide mobile homes. Megerian said that this is a Conditional Use Zoning Request and they would be willing to consider any conditions the Board may would request (that they realize could become a condition of their permit by the Commissioners).

**McDowell** asked Megerian if they had a minimum house size that they were considering - **Megerian** said not at this time but his clients were flexible.

**Mac Whatley**, attorney representing those neighbors in opposition, described this as an inappropriate use of the land. Whatley said this would be a complete transition of this area. Whatley said there are currently 93 dwellings within the 643 acres that makes up this area. Whatley said that this is a third of what currently exists here. Whatley reminded the Board that it is the policy of this County that growth take place in an area where it should go. Whatley told the Board that there are several here in opposition to this request and they would like to speak to the Board.

**Mark Comfort**, 3994 Bethany Church Road, said that this proposed use would substantially impact this area. Comfort said that it is totally out of character and if approved this would place the majority of this area's farm land in the direct path of developers.

**Sam Pugh**, 2062 Mamie Mae Road, said that he lives in a 3000+ sq. ft. home here and is only .4 miles from this property. Pugh showed the Board pictures of the family farms that have been in this community for generations (Capps, Caudle, Routh, Fagg, Fay, etc.). Pugh said they didn't want to be another bedroom community, they liked their rural lifestyles of slow moving tractors (along their roads) and freshly cleaned chicken houses. Pugh described them a close knit community.

**Jerry Graham**, Bull Run Creek Road, said he is a tree farmer and some of his trees were killed or harmed (on his property) during the clearing of this land (that adjoins him). Graham discussed the visibility along the road and said they were denied a bus stop because of the poor visibility.

**Larry Routh**, 1902 Mamie Mae Road, discussed traffic concerns (accidents, etc.) and provided the Board with traffic counts calculated by the neighbors:

\*\*Jewel Lamb - from 1 pm - 3 pm - 103 cars

\*\*Jerry Graham - from 4 pm - 6 pm - 172 cars

\*\*Walter Ethridge - from 6 pm - 8 pm - 191 cars

**Mark Comfort** described the area along Bull Run Creek Road as mostly stick built homes with only 3 trailers on the road. Comfort discussed the over-crowded school system and said that new development doesn't necessarily mean

increase in tax revenues. Comfort asked all the full time farmers to stand - 12 full time farmers were present. Comfort asked for the part time farmers to stand - 21 farmers stood. Comfort then asked for all those present in opposition to the request to stand - 78 people stood in opposition.

**Tommy Pugh** said that he lived across the street from this property and he didn't feel this would fit into the existing setting. Pugh said that there are 5<sup>th</sup> generation farmers in this community. Pugh discussed concerns of perking, run-off, creeks & springs, and the Polecat Creek Reservoir. Pugh said that he spoke with Greg Patton, Randleman Planning Director, today and he said that he would be unable to attend the meeting but he is very concerned for the Polecat Creek Watershed.

**Marlin Schlein**, 3067 Bull Run Creek Road, talked to the Board about perking problems in this area and concern for what this development would do to their well water supplies.

**Craven** said that this is rural farmland and this development would adversely effect this area. The development would not be consistent with the housing patterns in the community. For these reasons, **Craven** made the motion to recommend to the Commissioners that they **deny** this request.

**Boyd** seconded this motion and said he felt the density would be a definite problem, but 33 double-wide mobile homes should not be allowed here. The motion passed unanimously.

B. **CHRISTINA BROWN**, Ramseur, North Carolina, is requesting that 1.00 acre (out of 2.10 acres) located on NC Hwy 49 North, be rezoned from Residential Mixed to Highway Commercial/Conditional Use. Zoning Map # 8713. The proposed Conditional Use Zoning would specifically allow an auto sales lot for sale of 15 to 20 vehicles and a 40 x 60 repair garage to be constructed on site.

**Roger Brown** was present and explained that they own the Ramseur BP Station and they would like to move their car lot outside the city. Brown said that they sell middle range cars and they would like to eventually build a garage here for repairs. Brown said that they would like to retire here someday. Brown said the building would have 6-bays inside.

**Johnson** asked Brown if he was currently in violation any Ramseur Zoning Regulations - **Brown** said not to his knowledge.

**Lee McQueen**, McQueen Road, said that this would not be compatible to their community. McQueen said that this would create more crime in the area. McQueen also questioned the perking and run-off of the property. McQueen presented a petition of opposition with 64 signatures. McQueen told the Board of Brown's existing business with trucks that are filled with used tires.

**There were 6 people in opposition to this request.**

**David Isley**, McQueen Road, said this would add to traffic problems, noise, etc. in the community. Isley said this is an all residential area.

**Estelle Goldston**, Hwy 49, said this area is not ready for a business like this now. Goldston said that the majority of the community is elderly and can't afford to leave this area and she was there to speak for these people.

**Dorsett** said he felt this would have a tremendously bad impact on the community.

**Brown** made the motion, seconded by **Craven**, to recommend to the Commissioners that they **deny** this request. The motion passed unanimously.

C. **WARREN LOVIN**, Climax, North Carolina, is requesting that 1.10 acres (out of 2.40 acres) located at 4630 Sylvan Oaks Road, Providence Township, be rezoned from Residential Restricted to Residential Agricultural/Conditional Use. Zoning Map # 7786. Polecat Creek Watershed. This proposed Conditional Use Zoning would specifically allow the placement of a Class B mobile home on property for family member.

Lovin said that he wants to move a \$35,000 single wide mobile home here for his son. Lovin said that the real estate agent said and provided a listing sheet that said he could locate a mobile home here when he purchased the property. Lovin said this would only be temporary for 4 to 5 years. Lovin presented the Board with a copy of the listing sheet and pictures of the area. Lovin said that he has buffers along his property line and he felt he had always been a responsible neighbor. Lovin presented a copy of the variance that was given to the previous owners allowing them to locate a single wide home here.

Dorsett asked Lovin if he had a title search done when he purchased the property - Lovin said yes that it was done by Ricky Cox.

Howard Lamb, neighbor, said that he didn't feel this would hurt his property and he didn't have a problem with this either way.

Gregory Spurlin, 4644 Sylvan Oaks Road, said that Lovin is a good neighbor and he lives next door. Spurlin told the Board that it was nothing personal with Lovin but he has a \$100,000 home here and this is not just a community of mobile homes. Spurlin presented a petition of those in opposition to this request. Spurlin said this will be extremely visible in the community and this will diminish property values. Spurlin said that they were is restricted against mobile homes until August 1, 1995 when their private deed restrictions expired.

There were 7 people present opposed to this rezoning.

Morton said that the buyer should have checked with zoning or been advised by his attorney prior to purchasing the property.

Dorsett said that he felt he would have recourse through the Courts.

Brown made the motion, seconded by Craven, to recommend to the Commissioners that the deny this request for rezoning. The motion **passed** unanimously.

**D. ROBERT WILSON**, High Point, North Carolina, is requesting that 7.31 acres located on Albertson Road, be rezoned from Residential Agricultural to Light Industrial/Conditional Use. Zoning Map # 6798. This proposed Conditional Use Zoning District would specifically allow for a leather sales/distribution in a 23,000 sq. ft. warehouse/office to be constructed on site and allow future expansion. Proposed 20 ft. buffer on side property lines and 50 ft. buffer on rear property line. Property Owner: Plato Wilson Trustee.

**Wilson** explained that they are currently leasing a building approximately 1/4 mile down the road. Wilson said that they would like to own their building. Wilson said that they would have 20 ft. buffers along the west and east property lines and a 50 ft. buffer along the south property line. Wilson said there would be no access to Albertson Road and no real noise created by the business. The business is a wholesale packaging operation with hours of 8 to 5.

**Billy Ransom**, 5773 Zelma Blvd., said that he owns the property adjoining along the south property line. Ransom said that Auction Road was not fit for tractor trailer trucks. Ransom discussed problems with perking and concern that boxes would be kept outside the business.

**Linda Johnson**, 5653 Albertson Road, expressed concern because this would soon become a dead end road and there is a church at the end of Albertson Road. Johnson also talked about perking problems.

**Susie Goff**, 5793 Zelma Blvd., said the auction house generates a lot of traffic already.

**Amy Norton**, 5663 Albertson Road, expressed her concern of additional crime.

**Morton** said that he felt this area was heading industrial. For this reason Morton made the motion, seconded by **Brown**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

E. **STEVEN GORDON**, High Point, North Carolina, is requesting that 4.89 acres located on Prospect Street, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Zoning Map # 6799. Lake Reese Watershed. This proposed Conditional Use Zoning would specifically allow automobile sales/service and request to develop 70% of watershed coverage area.

**Joe Humble**, Davis Martin Powell, said that Gordon has been in this business for 27 years at 1920 Bethel Drive. Humble said that there will only be car sales from this location and all the repairs will be done at the garage on Bethel Drive.

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

**Craven** said that the area appears to be primarily commercial.

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

F. **BARBARA LOWE**, Liberty, North Carolina, is requesting that 16.70 acres located on Old 421 Road, be rezoned from Residential Agricultural to Highway Commercial/Conditional Use. Zoning Map # 8735. Rocky River Watershed. The proposed Conditional Use Zoning would specifically allow the operation of a mobile homes sales/service lot. Property Owner: G. O. Holt.

Lowe was not present. **Johnson** said that this was consistent with the type of development in this area.

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

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

G. **EDWARD RICH**, Asheboro, North Carolina, is requesting that 2.50 acres located on Mack Road, Cedar Grove Township, be rezoned from Residential Agricultural and Highway Commercial to Residential Agricultural/Conditional Use. Zoning Map # 7649. This proposed Conditional Use Zoning would specifically allow for a planned unit development to place a 3<sup>rd</sup> residence on property for rental purposes. Property Owner: Junior & Mary Strickland.

Rich was present and expressed his desire to ad a mobile home to this property. Rich said that he has a good buffer of trees and this property does adjoin a mobile home park.

**Jeff Underwood**, 1969 Mac Road, said that he was not anti-mobile homes but he had a problem with a couple up the road. Underwood said that he was concerned that this could set a precedence for the future.

**Rich** said that he realized that he would not have any additional homes and that if approved he could not subdivide the property.

**Morton** said that this was tough because we are in a "catch 22". Morton said that if this was not rezoned then he could use the property commercially. Morton noted that a portion of the property is zoned commercially now.

**Craven** made the motion to recommend to the Commissioners that this request be **approved**. Craven said he felt this would blend in to the development that exist adjoining the property and he didn't feel this would be setting a precedence.

**Ridge** seconded the motion and the motion passed unanimously.

7. There were 260+ people present for this hearing. The meeting adjourned at 11:14 p.m.