

MINUTES

RANDOLPH COUNTY PLANNING BOARD

December 7, 1999

There was a meeting held at 6:30 p.m., on Tuesday, December 7, 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 the Randolph County Planning Board meeting to Order at 6:30 p.m.
2. **Hal Johnson**, Planning Director, announced that this is the last County Planning Board meeting of the 20th Century and explained the historical significance of this meeting. **Johnson** said that the record will show that the meeting was a packed house with standing room only. **Johnson** called roll of the Members: Maxton McDowell, Chairman, present; Bill Dorsett, Vice-Chairman, present; Lynden Craven, present; Al Morton, present; Tommy Boyd, present; Phil Ridge, present; Larry Brown, present; and Mark Brower, Alternate, present.
3. **Brown** made the motion, seconded by **Boyd**, to approve the Minutes from the November 2, 1999, Randolph County Planning Board Meeting. The motion passed unanimously.

4. REZONING REQUESTS:

Johnson announced that the Walker Moffitt & Terry Tucker Request (described below) has been withdrawn due to perking problems. Johnson explained that if any further requests were filed concerning this property, the adjoining property owners will be re-notified.

- A. **WALKER MOFFITT & TERRY TUCKER**, Asheboro, North Carolina, are requesting that 76.31 acres located off of Iron Mountain Road and Luck Road, Grant Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Zoning Map # 7770. This property Conditional Use Zoning would specifically allow the development of a 64 lot subdivision for site built homes only with a minimum house size of 1,300 sq. ft. Property Owner: Gary Pugh.
- B. **STEVEN MOFFITT**, Asheboro, North Carolina, is requesting that 27.00 acres (out of 40.60 acres) located on Picketts Mill Road, Brower Township, be rezoned from Residential Agricultural to Residential Mixed/Conditional Use. Zoning Map # 8607. This proposed Conditional Use Zoning would specifically allow the development of a 25 space mobile home park. Property Owner: Sylvia Moffitt.

Moffitt was present and explained that they wanted to operate a clean respectable park and that there are mobile homes developed at the end of this road. Moffitt said that this portion of the property is his and the remainder of the parcel is his brothers. Moffitt said that the timber has been sold and the property will be clear-cut. No preliminary site evaluations (for septic systems) have been done. Moffitt said that he would not live here but he would have an on-site manager for the park. **Dorsett** asked Moffitt if had any proposed regulations for the park and Moffitt answered yes, then provided the Board with a copy. **Johnson** asked Moffitt if he resided in the area and Moffitt answered no. **Dorsett** asked if there were any plans for the type of garbage collection he would use and Moffitt answered no but he would either provided a dumpster or have garbage pickup. **McDowell** asked Moffitt if this was his first adventure of this type and Moffitt answered yes but his father-in-law owns another park. **Morton** asked if he had proposed any restriction of the year model of homes he would allow in the park - Moffitt answered not really but he could put a restriction of 98 models or newer. **Morton** asked if he planned to pave the road - Moffitt answered no because Picketts Mill Road is not paved but if they paved this road he would pave the road in his park. **Dorsett** asked Moffitt how far the property was located down this dirt road (how far from the nearest paved road) - Moffitt answered 1 ½ miles to the next paved road. **Morton** asked if he had proposed any recreation areas within the park - Moffitt answered no but he had area he could do so. **Morton** said it looked to him that this would not be possible within the proposed plan presented. **Moffitt** said that he just wanted to say that he realized that there were a lot of his friends and family here and he didn't want this to get personal. Moffitt said that he is not a farmer and he is just trying to do want he can.

Ben Albright, Attorney, asked those present to stand and **76 citizens stood in opposition**. Albright said that this is a rare opportunity he has been given to speak for the area where he lives. Albright explained that this proposal is not compatible to the area or their way of life. Albright said that you don't just cram a lot of mobile homes together. Albright said that they must defend their way of life and this would definitely be a problem for their community. Albright said that mobile home parks create an extreme number of sheriff's calls and they pay very little tax (to support the County services they use). Albright said that these place historically bring transient people into the area and they decrease property values due to their intense population (coming into a low density area). Albright told the Board that there have been no facts presented to show there is even a need for this in the community. Albright said that this many new homes down a long dirt road will cause road problems with the increased traffic. Albright said that he couldn't think of any reason why this should be approved or why their way of life should change.

Stephanie Moffitt, 627 Rushwood Road, Asheboro, said that they are currently building a home on the adjoining property. Moffitt said that this would change the peace and tranquility of the area. Moffitt said that this is the reason they are moving this far out and she would like to see the Board help to keep this area nice. Moffitt said that this is a narrow road and this many vehicles traveling on it would create possible traffic concerns and dust that would affect the health of the community. Moffitt said that they are the 5th generation to own this property and they would like to see the area remain the same. Moffitt mentioned the effect this would have on their property values. Moffitt also showed the Board pictures of the area including a single-lane bridge on this road.

Dean Moffitt, Asheboro, said that his family owned the land across the road for approximately 1 mile. Moffitt said that their property is undeveloped with the exception of his sister's home. Moffitt said that his land is undeveloped and if he ever requested something like this and had this many family members and neighbors, he would get down on his knees and beg for their forgiveness.

Dorsett said he felt like the applicant was very ill prepared with no definite plans for garbage disposal, recreation areas, etc.

Morton said he didn't think this plan was very well thought out. Morton said he felt the proposed park road should be paved and the proposal presented was too dense.

Brown made the motion, seconded by **Craven**, to recommend to the Commissioners that this request be **denied** as inconsistent with the area. The motion passed unanimously.

- C. **LEE ROBERTS**, Asheboro, North Carolina, is requesting that 49.40 acres located on NC Hwy 49 South, Cedar Grove Township, be rezoned from Residential Agricultural to Residential Exclusive/Conditional Use. Zoning Map # 7629. This proposed Conditional Use Zoning would specifically allow the development of a 37 lot subdivision for site built homes only. Property Owner: Edith Lowe.

The applicant was not present for the meeting (nor anyone opposed to the request).

Brown made the motion, seconded by **Ridge**, to **postpone** this request until next month giving the applicant the opportunity to be present and explain their request. The motion passed unanimously.

More action was taken on this request after the Corder Request was heard.

- D. **HAZEL CORDER**, Seagrove, North Carolina, is requesting that .62 acres located on Little River Road, Richland Township, be rezoned from Residential Restricted to Residential Agricultural/Conditional Use. Zoning Map # 7665. This proposed Conditional Use Zoning would specifically allow the placement of a single wide mobile home.

Corder's son explained that his mother wanted to move into the mobile home and allow some of her family to reside in her house.

Johnson said that there are varied housing patterns in this strip of RR zoning district. Johnson said that this would not really be changing any existing housing patterns.

There was no one present in opposition to this request.

Dorsett said that he had gone by this site and this wouldn't change the character of this community.

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

Vance Roberts entered the meeting and explained to the Board their desire to withdraw their request for rezoning consideration due to perking problems. Roberts apologized for not being present at the start of this meeting. The Board accepted this withdrawal.

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?"

18 Citizens took this Oath.

6. REQUESTS FOR A SPECIAL USE PERMIT:

- A. KENNETH JOYCE**, Kernersville, North Carolina, is requesting a Special Use Permit to allow a twenty (20) space addition to Scenic Oaks Mobile Home Park to be located on Grantville Lane, 27.00 acres, Grant Township, Zoning Map # 7790, Zoning District RM.

Joyce was present and presented pictures of mobile home park. Joyce said that the park was originally established in 1988. Joyce referred to the September 1998 Planning Board Meeting and discussed the changes in this application from his request that was denied last year. Joyce said that all the traffic would be directed on to Grantville Lane and there would be no access to Foxfire Road. Joyce said that this would be an optimum number of 20 lots but realistically there will probably be only 14 lots. Joyce said that he has an on-site manager (Virginia & Doug Burch - lot 23) and he is at the park 3 to 4 times a week since he has taken an early retirement. Joyce said he is in the process of paving the roads within the park. When questioned if he was aware of any problems with his tenants Joyce described only one incident with a tenant's son being on drugs. Joyce discussed the concerns Gatlin had during the last meeting about the Sheriff's Office patrolling the area - Joyce said that he had asked them to do so because he felt "an ounce of prevention is worth a pound of cure". Joyce described the new aware as being totally surrounded by trees and that none of the development will be west of the creek. **Johnson** said that the proposed plan shows the mobile home lots to be crossing that creek. **Joyce** said that it was just a preliminary proposal but he could assure the County that he would not cross the creek. Joyce described mobile homes as having a stigma, he said he didn't start his park for the money but rather that he enjoyed having the park. Joyce said that is when a park becomes trouble is when the dollar signs get in the way and an owner lets just anyone move into it.

Ridge asked how many lots are existing in the park and Joyce answered 31 lots.

Joyce said he has put cluster mailboxes off the road to help the safety issue when delivering the mail to the park.

John Gatlin, Foxfire Road, (adjoining resident and land owner) said that it September of last year the County unanimously denied a request for Mr. Joyce to expand this park. Gatlin said that to increase this park would only decrease property values that have already been damaged by the park. Gatlin described the property as having perking problems and explained that Joyce is wrong - the park is visible by at least three sides along Foxfire Road and Grantville Lane.

There were 9 citizens present in opposition to this request.

Gatlin told the Board that in the last 6 years there have been 39 calls of disturbance to the Sheriff's Department dealing with crime. Gatlin presented Sheriff's Department record to prove this fact. Gatlin said Joyce mentioned that his manager lives on lot 23 and 2 of the calls to the Sheriff's Department were concerning lot 24. Gatlin said that kids are hanging out at the pond on the adjoining property (not owned by Joyce). Gatlin said this is no place for them to play and they have been building bonfires, camping out, having loud music, and cutting trees near this pond. Gatlin said that the creek that crosses this property is not just a small creek and described times when the water rises.

McDowell asked if there is adequate tree buffering at this site and Gatlin said no that on the south side of the property it is joined by a cleared pasture and the timber has been removed from the property adjoining to the north of this property. Gatlin said the park is visible from all sides.

Curtis Bowen, 1535 Foxfire Road, said that he was concerned of what effect the sewage would have on the creek. Bowen said if Joyce is not operating the park for the money why is he raising the rent. Bowen said that the kids wonder on to everyone's land and they have even been as far up as his property.

Carl Davis, 1633 Foxfire Road, said that there isn't any real buffers there is just undergrowth. Davis said that there is continuous problems with loud noises and music and shooting at this park. Davis expressed concern for his horses.

Reggie Matthews, 1736 Grantville Lane, said they are having trouble with people coming on to their property from the park. Matthews said they also watch over the land that the pond is on for the Roberts' and that people come here to camp out. The leave beer bottles/cans and trash, and they are cutting the trees, etc.

John Burrow, 1778 Foxfire Road, emphasized the crime that is going on at this park. Burrow said that he owns the greenhouses on Foxfire Road and that he didn't like to leave his wife there alone because he was concerned for her safety. Burrow said to move 20 more mobile homes here would just increase this problem. Burrow said that this is just bad news for their community.

Bernice Bullard, 3986 Young Road, said that his parents live here at 1892 Grantville Lane and they are in their 80's. Bullard said that they protested this park years ago (when it was originally developed) and it has only been a problem for his parents since. Bullard said that the only buffers the park will have are a strip of trees that his father owns (not Joyce). Bullard discussed parking problems. Bullard said this would only be adding to the nuisance that is currently there.

Joyce said that his development would not come close to the creek and that there are woods buffering this park that is on the Roberts' property. Joyce said those white pines are as high as this building. Joyce said he was not aware of any crime problems but that the record speaks for itself. Joyce said that he does have an on-site manager. Joyce said that the people he interviews (applicants for the park) always compliment him on how quiet the park is.

Dorsett said that this decision has to be based on proof and the Sheriff's Record is the only proof that has been provided. Dorsett said this is a clean park but he realized that no one wants a trailer park next to their property. Dorsett said this is a hard decision to make.

Craven said that the Sheriff's Report speaks for itself and he didn't see any substantial change in this request from the one proposed last year. Craven added that he had a problem with the creek and said he was real concerned with the possibility of septic tanks polluting the creek.

Morton said he felt the applicant had failed the first test that says:

"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."

Craven made the motion to **deny** this request due to the applicant failing to meet this first test. **Ridge** seconded this motion and the motion passed unanimously.

B. SPRINT PCS/SBA INC., Greensboro, North Carolina, is requesting a Special Use Permit to construct a 250 ft. lattice telecommunications tower on US Hwy 64 West (across from Gallimore Town Road) on

137.30 acres, Tabernacle Township, Lake Reese Watershed, Zoning Map # 6792, Zoning District RA.
Property Owner: Janet Summey.

Johnson said that the Planning Staff had reviewed this application and from a technical stand point found the application to meet all the requirements of the Ordinance.

Katherine Wilkerson, Attorney representing Sprint PCS, Raleigh, introduced Joel Ravitz with SBA and distributed notebooks describing this request. Wilkerson asked for the record that two affidavits be submitted stating they would be in compliance with FCC requirements on signals.

Brown questioned the number of towers being proposed. Brown said that he was told at the time of the working sessions in developing the new ordinances that we would only see 10-12 towers and we are now being presented with more. **Wilkerson** said that this particular tower site was included and discussed during those meetings (during the moratorium) and this is not a site that they didn't make this Board aware of. **Brown** said he realized this tower site does have one carrier but he thought our ordinance required co-location. **Johnson** said that the ordinance does require the tower to be constructed with the ability to co-locate but to prove need for a tower only requires a contact for one carrier. **McDowell** said that he has noticed the lighting that is been used during the construction of those new sites and complimented SBA. **Wilkerson** said that she didn't want to take up any unnecessary time but that she did have the engineer and appraiser here if the Board had any questions for them.

There was no one present in opposition to this request.

Dorsett said that the Board did realize there would be a tower site here.

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

- C. **JOSEPH TOOMES**, Randleman, North Carolina, is requesting a Special Use Permit to obtain an auto dealers license in an existing 12 x 12 building with the display of 5 vehicles to be located at 115 Lawrence Smith Drive, .60 acres, Polecat Creek Watershed, Level Cross Township, Zoning Map # 7767, Zoning District RA.

Toomes said that his son lives on this property but he would like to obtain a dealer's license at this address to have a car lot of 4 to 5 cars. Toomes said that there would be no repair work done at this location just strictly sales. Toomes said that he would only place a small sign to meet State requirements on the building.

There was no one present in opposition to this request.

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

- D. **BILLY GREENE**, Biscoe, North Carolina, is requesting a Special Use Permit to allow a taxidermy shop in a 24 x 40 building (to be constructed on site) to be located on his future residence on Business 220 South, 2.31 areas, Bear Creek Watershed, Richland Township, Zoning Map # 7664, Zoning District RA. Property Owner: DPE, LLC.

Greene said that this business would only be part-time. Greene said he had been to school for 3 years to do taxidermy work. Greene said his residence would be at this site before his shop, he just wanted to try to obtain this permit before he purchased the property. Greene said that he has a company from Oakboro that would come to pick up the waste/parts not used from the animals.

Wanda Spivey, adjoining resident to the south of this property, said that she had no objection to this request but she did have a problem with the original owners concerning their property line. Spivey said that she just wanted Greene to be aware of this before he purchased the property. Spivey said she felt this would be good for the area.

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

7. The meeting adjourned at 8:40 p.m. There were 141+ citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**