



# RANDOLPH COUNTY

## PLANNING AND ZONING

204 E Academy Street, Asheboro NC 27203 (336) 318-6555

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### RANDOLPH COUNTY PLANNING BOARD

#### AGENDA

May 2, 2023

1. Call to Order of the Randolph County Planning Board.
2. Roll call of the Board members:
  - Reid Pell, Chair;
  - Kemp Davis, Vice-Chair
  - John Cable;
  - Melinda Vaughan;
  - Reggie Beeson;
  - Ken Austin;
  - Barry Bunting; and
  - Brandon Hedrick, Alternate.
3. Consent Agenda:
  - Approval of agenda for the May 2, 2023, Planning Board meeting.
  - Approval of the minutes from the April 4, 2023, Planning Board meeting.
4. Conflict of Interest
  - Are there any Conflicts of Interest or *ex parte* communication that should be disclosed?
  - If there is a Conflict of Interest, the Board must vote to allow the member with the Conflict of Interest to not participate in the hearing of the specific case where the Conflict of Interest has been identified.
5. Old Business.
6. New Business.

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#### SPECIAL USE PERMIT REQUEST #2023-00000880

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The Randolph County Planning Board will hold a duly published and notified Quasi-judicial Hearing on the request by **LARRY SPARKS**, Ramseur, NC, and his request to obtain a Special Use Permit at 424 Lee Layne Rd, Columbia Township, Tax ID #8712645602, 3.01 acres, *RA - Residential*

*Agricultural District and RR – Residential Restricted District.* It is the desire of the applicant to obtain a Special Use Permit to specifically allow a towing service with an outside storage lot as per the site plan.

**ALL WITNESSES FOR SPECIAL USE PERMITS MUST BE SWORN IN BEFORE GIVING TESTIMONY.**

**REZONING REQUEST #2023-00000886**

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The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **FSC II LLC**, Raleigh, NC, and their request to rezone 11.93 acres at 6867 Willard Rd, Liberty Township, Rocky River Balance Watershed, Tax ID # 8725766570, 8725757997 and 8725960159, Primary Growth Area, from *RA - Residential Agricultural District and HI – Heavy Industrial District to HI-CD - Heavy Industrial - Conditional District.* The proposed Conditional Zoning District would specifically allow to the expansion of the existing asphalt plant as per the site plan. Property Owners: FSC II, LLC and Russell Lineberry

**REZONING REQUEST #2023-00000873**

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The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **ALLEN RADFORD**, Randleman, NC, and his request to rezone 0.46 acres at 10973 Randleman Rd, Level Cross Township, Randleman Lake Protected Area Watershed, Tax ID #7758955367, Primary Growth Area, from *HC-CD - Highway Commercial - Conditional District to HC-CD - Highway Commercial - Conditional District.* The proposed Conditional Zoning District would specifically amend the existing site plan to allow a 40 ft. by 60 ft. pole shed and gravel lot with 25% impervious surface as per the site plan. Property Owner: Matthew Newman

**REZONING REQUEST #2023-00000876**

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The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **STEVE WISHON**, Asheboro, NC, and his request to rezone 1.68 acres out of 3.59 acres at 1319 Nance Rd, Franklinville Township, Tax ID #7783518921, Secondary Growth Area, from *RA - Residential Agricultural District to HC-CD - Highway Commercial - Conditional District.* The proposed Conditional Zoning District would specifically allow an auto repair garage and towing service in an existing building as per the site plan. Property Owners: Teresa C Wood and Robin C Bryant

7. Consider resolution in opposition to Senate Bill 317.
8. Adjournment.

**Attachments**



## RANDOLPH COUNTY PLANNING BOARD

### MINUTES

**April 4, 2023**

There was a meeting of the Randolph County Planning Board on Tuesday, April 4, 2023, at 6:30 p.m. in the 1909 Historic Courthouse Meeting Room, 145-C Worth St, Asheboro, NC.

Chairman **Pell** called the meeting to order at 6:30 p.m. and welcomed those in attendance and asked for a roll call of the members.

**Hal Johnson**, County Manager, called the roll of the Board members.

- Reid Pell, Chair, *present*;
- Kemp Davis, Vice-Chair, *present*;
- John Cable, *present*;
- Melinda Vaughan, *present*;
- Reggie Beeson, *present*;
- Ken Austin, *present*;
- Barry Bunting, *absent*; and
- Brandon Hedrick, Alternate, *present*, substituting for Bunting.

County Attorney, **Ben Morgan**, was also present.

**Johnson** informed the Chairman there was a quorum of the members present for the meeting.

**Pell** called for a motion to approve the consent agenda as presented.

Consent Agenda:

- Approval of agenda for the April 4, 2023, Planning Board meeting.
- Approval of the minutes from the March 7, 2023, Planning Board meeting.

**Cable** made the motion to **APPROVE** the consent agenda as presented, with **Austin** making the second to the motion. The motion was adopted unanimously.

**Pell** asked the Board members if there were any conflicts in the following cases. Hearing none, **Pell** turned to **Johnson** to present the first case of the night.

**Johnson** reminded the Board about the April 18, 2023, *Growth Management Plan* update meeting at Eastern Randolph High School. **Johnson** said that so many changes are happening in northeast Randolph County as a result of the Toyota Megasite and

Wolfspeed in Chatham County, the County wanted to recognize that we will have industrial and commercial developments coming to the area in due to Toyota and Wolfspeed. **Johnson** said that both of these construction projects will impact the future of Randolph County in many ways such as thousands of employees, State funding to develop the necessary infrastructure, and the need for housing. **Johnson** said that the purpose of the public meeting was to give the public a chance to look at northeast Randolph County to see changes that are taking place and provide input to the Planning Board and the Board of County Commissioners on policies the citizens would like to see to help regulate and channel growth. The meeting will touch on many issues such as water and sewer infrastructure and where these lines will be located along with how to address the areas of higher-density residential development that may happen as a result of the investments in these two sites. **Johnson** said that it will be important for the Planning Board to attend and that the public is invited to attend and let the County know things we need to take into consideration as we move forward with the update of the *Randolph County Growth Management Plan*. **Johnson** concluded his comments by saying that the construction at the Toyota Megasite is the largest construction project in the United States at this time. **Johnson** reminded those in attendance that the public meeting on April 18, 2023, is not a public hearing but an opportunity to make comments to the County Planning staff and the Piedmont Triad Regional Council staff.

**Johnson** presented the first case along with site plans, and pictures of the site and surrounding properties including a map of the *Growth Management Plan* around the request location. The issue, in this case, is the *Rural Growth Area*.

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### REZONING REQUEST #2023-0000382

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The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **JOE MILLIKAN**, Randleman, NC, and his request to rezone 15.88 acres at 1801 Naomi Rd, Providence Township, Polecat Creek Critical Area Watershed, Tax ID #7775062096, Rural Growth Area, from *RA - Residential Agricultural District* to *CVOE-CD - Conventional Subdivision Overlay Exclusive - Conditional District*. The proposed Conditional Zoning District would specifically allow a six-lot site-built subdivision as per the site plan. Property Owner: Nicholas Jason Millikan

**Pell** opened the public hearing and called for anyone wishing to speak in favor of the request to come forward and address the Planning Board.

**Joe Millikan**, 1788 Naomi Rd, presented a picture of what he is wanting to do by using the map that was used at the Neighborhood Information Meeting in March. **Millikan** said that the area in the yellow is the thirteen acres that he wants to rezone and the orange areas are developments that have one-acre tracts and that there are fifty-five homes in that area. **Millikan** went on to say that there are 494 site-built houses within the one-mile radius of the request location and that within one-fourth mile there are sixty-two homes and that there are twenty-four mobile homes located within the same one-mile radius.

**Millikan** relayed how he had applied for rezoning in 2018 using the same plan and he was asked to drop the request as the County had hired someone to evaluate the zoning ordinance and the *Growth Management Plan*. **Millikan** said that he talked to someone in August 2022 and asked what he could do with the property. **Millikan** made an appointment and **Jay Dale** told him that someone had asked about a place to put a subdivision. **Millikan** then told the Planning Board about conversations with **Commissioner Hope Haywood**. **Millikan** said that **Haywood** came and visited the site and she was surprised that it was so close to the municipal border for the City of Randleman. **Millikan** stated that due to the property's location near Polecat Creek that the lots are a minimum of 80,000 sq. ft. per residence but that the City of Randleman no longer uses Polecat Creek for its water supply. **Millikan** said that **Haywood** told him to ask the City of Randleman about annexing the property and **Millikan** stated that the City of Randleman did come to the property to discuss annexing the property but that he did not want to annex the property due to taxes. **Millikan** then stated that he went around to property owners within one-half mile and received twenty-seven signatures of people that are fine with the proposed development and that he thought it was foolish for the County to say that the six lots must be a minimum of three acres each while the City of Randleman may let him do forty to fifty lots on the same parcel. **Millikan** concluded that he wants to be able to sell the property in case he needs money for his health care and that he reserved the right to address any questions that are raised.

**Pell** asked if there were any questions from the Planning Board.

**Cable** asked **Millikan** about the road frontage of the lots on the site plan and **Millikan** responded that the lots have an average of 122 feet of State road frontage.

**Austin** asked **Millikan** about the numbers he cited when giving his presentation and he asked specifically about the number of homes in subdivisions or on individual lots. **Millikan** stated that there is one large subdivision in the area, Brown Oaks, and he assumes there are 150 to 160 houses in that development. **Austin** asked how long it has been since Brown Oaks was developed and **Millikan** said that he thought it was five to seven years ago.

**Austin** asked **Millikan** a question about the site plan showing only one driveway. **Millikan** replied that each lot would have its own driveway and that he would be using the same configuration for each lot.

**Pell** asked **Millikan** if he wanted to submit his petition to the Planning Board and **Millikan** gave the petition to the Clerk to the Planning Board. (See Exhibit #1.)

**Millikan** also mentioned that there had been some comments posted on Facebook about the request.

**Pell** asked if there were others present in favor of the request that wanted to speak.

**Bryan Scott Herndon**, 3774 Cedar Springs Rd, rose to address the Planning Board and he stated that he lives across the road from the request location and that **Millikan** has been very honest about the request, and that he does not want to get annexed into the City of Randleman. **Herndon** further stated that he navigates this stream beside the request location several times a year and that he supports the request of **Millikan**.

**Pell** asked if there was anyone else that wished to speak in favor of the request. Hearing none, **Pell** asked if there was anyone in attendance that wished to speak in opposition to the rezoning request.

**Tom Wright**, 301 N Elm St, Greensboro, stated that he has been retained as an attorney for Larry Routh and other farmers and neighbors that oppose this rezoning request. **Wright** stated that it has been said tonight that the request does not meet the three-acre lot size requirement from the *Randolph County Growth Management Plan* and that lots do not meet the dimensional requirements of the 1:4 lot width-to-depth ratio required by the *Randolph County Growth Management Plan* nor the *Randolph County Unified Development Ordinance* in that the lots are 122 ft. wide at the Naomi Rd and that with the 12.38 acres as shown on the application that is approximately two acres per lot. **Wright** asked if there is a compelling reason for this subdivision to be in this location and for it to deviate from *Randolph County Growth Management Plan*. **Wright** asked what is it about this track that would allow the lot sizes to be reduced and that it was the position of the neighbors that there is nothing about this track that would allow a smaller lot size.

**Wright** told the Planning Board that there are many first, second, and third-generation farmers in this area and many existing building lots in the areas are over the required three acres minimum, and that this is *Rural Growth Area* and other people came to this area or inherited their property with the idea that it would be rural and not houses after house after houses and **Wright** ask why is it that this subdivision seeks to deviate from the adopted *Growth Management Plan*.

**Wright** then read from the *Growth Management Plan* which describes the *Rural Growth Area* as:

*“This specialized area is characterized by traditional agricultural operations, pasture land, forestry, rural lot residential subdivisions, and open space scattered non-farm residences on large tracts of land. Rural scenic vistas are a natural part of the landscape.”*

**Wright** went on to discuss the Environmental and Watershed Restrictions that exist on the property and he stated that the only reason that he could find that would allow a deviation from the three-acre lot sizes is that State only requires an 80,000 sq. ft. lot size in a protected area and ash why the Planning Board and the Board of County Commissioners has determined that something more than 80,000 sq. ft. is necessary to protect the environment and that the Board of County Commissioners can change the minimum lot size but it should not be done in an unplanned fashion. **Wright** asked the Planning Board about what the harm would be in six lots. Ten lots. **Wright** stated that the

next property owner could come before the Planning Board to look to do lots that do not meet requirements and that there is no reason that this subdivision should be approved with two acres lots and there is no reason why it cannot qualify for three-acre lots sizes.

**Wright** further stated that this property is not a great place for subdivision as Naomi Rd is a windy, hilly road that has a fifty-five mile per hour speed limit and there was a fatality in this area just four years ago and many citizens used Naomi Rd as a short cut to get to the Randleman Wal-Mart from Liberty and other community. **Wright** stated that adding thirty-six trips per day might not be a lot but with the road conditions and school buses people not be able to stop in time due to it being a windy, hilly road/

**Wright** stated that **Millikan** said neighbors said that were in favor of the request when given a choice of being annexed or having two-acre lots and most people would prefer two acres lots. **Wright** said that three neighbors are living beside the request location now and they have said they will sell and move as the area would lose its rural character. **Wright** asked for those in opposition to stand and 19 people stood in opposition. **Wright** said that the agricultural nature of Randolph County is something that comes up a lot and that Randolph County is looking to build a Farm and Family Center at a cost of around \$29,000,000 and which further proves the value of agricultural land in the County. **Wright** reminded the Planning Board that residences *are allowed* in agricultural areas but not in such high density as being proposed at this location.

**Wright** referred to the upcoming *Growth Management Plan* meeting on April 18, 2023, and that all of this will impact how we should react to development and that the Board of County Commissioners may change the *Growth Management Plan* to allow higher densities but that the Board of County Commissioners would have neighbor input and seek expert opinions and that it does not make sense to walk away from the existing *Growth Management Plan* to approve this request. **Wright** concluded by saying that someone has to make a decision but it will be a hard decision and he urged the Planning Board to deny the request and follow the staff recommendation.

**Pell** asked if there were any questions from Planning Board members for Wright. Hearing none, **Pell** called for others in opposition that wanted to speak to come forward to address the Planning Board.

**Sharon Lamb Cannon**, 1942 Bull Run Creek Rd, rose to address the Planning Board and she said that she is a fifth-generation farmer and that her grandsons will be sixth-generation farmers on the same property. **Cannon** stated that all of the people attending the meeting behind her are farmers. **Cannon** said that **Millikan** said that he owns forty acres and that he is the closest to Randleman and that Randleman has proximity housing and that **Millikan** said that he could do forty houses on forty-eight acres and the State says that is not possible. **Cannon** told the Planning Board that **Millikan** owns other property in the area that he could sell that would not impact farms and she reminded the Planning Board that chicken houses do produce strong odors and that the three-acre minimum lot size would be a good thing to keep everything equal. **Cannon** stated that the citizens in the community want the property to be farmland and stay that way and that the

existing farms want to ride their tractors on their property and not have to worry about the dangerous intersections and that all of the issues to be considered in this case and to make sure that everyone abides by same rules.

**Pell** asked if there was anyone else in opposition to the request that wanted to speak. Hearing none, **Pell** asked **Millikan** if he wanted to address the concerns raised.

**Millikan** rose to give his rebuttal to those in opposition. **Millikan** said that in 2009, the goal of the *Growth Management Plan* was to not stop growth but to channel growth to areas served by public infrastructure for long-term growth. **Millikan** went on to say the that *Growth Management Plan* provides development options for environmental protection and that rezonings should be compatible with the area and that his map shows that the request is compatible with the City of Randleman on the west side and *Rural Growth Areas* on all the other sides. **Millikan** went on to say that if he was greedy, he would have built out the property instead of investing in a 401K and that he does not own any land for development, and the land that he does have has already been divided and given to his children. **Millikan** then told the Planning Board that the difference between four and six lots is that the four lots would sell for around \$120,000 whereas the six lots would sell for around \$180,000 and he asked the Planning Board why he should be willing to accept less money. **Millikan** went on to say that the property for the request location is not farmland due to the topography of the property and the site for the solar farm on his property hilly, rolling and the site of the solar farm in his property is not good for houses due to topography issues. **Millikan** advised the Planning Board that many young people are not able to pay \$30,000 for property to build a house and that much land is inherited and those people are set and everyone needs to remember about the people who are trying to get started in life.

**Morgan** told **Millikan** to address concerns from the opposition and nothing else.

**Millikan** asked if the Planning Board had any questions for him.

**Hedrick** asked if he had done a soil evaluation to see if the property could hand septic systems and **Millikan** stated that none had been done but that there were already three houses on the adjoining parcels.

**Kemp** reminded **Millikan** that unless he has the soil evaluated, there is no guarantee that he would be able to develop the property.

**Pell** asked if there were other questions for the Planning Board, Hearing none, **Pell** closed the public hearing.

**Beeson** stated that he is familiar with this location and the development on Camp Nawaka Rd and that his proposal would be an improvement over what is existing, but the plan as submitted will not work.

**Davis** commended **Millikan** for what he is doing and stated that the *Growth Management Plan* requires a minimum lot size of three acres and the State requires 80,000 sq. ft. per residence since the request location is in a water-critical area. **Davis** said that the current *Growth Management Plan* update is looking at areas that could change density but he does not know if the changes will occur in this area.

**Hedrick** stated that **Millikan** made multiple references to other developments and he said that things must be looked at what the current *Unified Development Ordinance* and the *Growth Management Plan* require at the time the application is filed. **Hedrick** went on to say that a conservation subdivision could possibly work on this parcel and **Hedrick** reminded **Millikan** that he decided to try to develop the property in the manner submitted.

**Hedrick** told **Millikan** that the Board of County Commissioners approved a new type of subdivision, a conservation subdivision, for transitional areas but that there are buffer standards and open spaces, requirements for that type of development.

**Austin** reminded the Planning Board that **Johnson** outlined at the beginning of the meeting that the County is updating the *Growth Management Plan* and that the update should be done in a few months and that **Millikan** needs to consider that before deciding on his proposed development.

**Johnson** said that the County should not take a parcel-by-parcel approach to zoning decisions but look at the bigger picture and think about the future. **Johnson** said that the original *Growth Management Plan* was done in 2002 and updated in 2009 and development pressures are different now in 2023 than they were in 2002 or 2009. **Johnson** said that he expects the *Growth Management Plan* will be completed around June 2023, and then given to the Planning Board and the Board of County Commissioners for their review and adoption of the changes.

**Cable** stated that the Planning Board has seen a steady stream of applications coming to this Board month after month and he commends everyone for coming to the meeting. **Cable** said that the public meetings are the first the Planning Board hears of this request and that they weigh testimony from both sides before making a decision. **Cable** went to things are changing and not always for the better. **Cable** related how he built his house and had 145 acres behind him that he would hike, hunt and ride four-wheelers. **Cable** said that then Randolph County Schools decided to build a school on that property and everything changed—the serenity went away. **Cable** went on to say that if everything remained the same, Providence Grove High School would have never been built. **Cable** reminded everyone that change is coming and this property will not be used for third or fourth-generation homes on the site and the development needs to be in a manner consistent with the community. **Cable** said that he is proud of the Planning Board members and how they take the responsibility given to them to make these tough decisions. **Cable** further stated that he thinks the property fits in the direction the Count is going and if the public would look at what the North Carolina General Assembly is trying to pass as new laws, it could get even worse. **Cable** concluded by saying that this is a

situation that the Planning Board needs to look at moving forward with the updated *Growth Management Plan*.

**Kemp** stated that the thought the new *Growth Management Plan* will look at green space requirements and it could make development a more complicated process in the future. **Kemp** went on to say that if **Millikan** would be patient and withdraw his request for a couple of months it might be the best thing to do in this situation.

**Pell** said the wanted to say the same thing as he would hate to see the Planning Board deny the rezoning request and for **Millikan** to have to wait a full year before coming back before the Planning Board.

**Austin** said that by being on *Growth Management Plan* Steering Committee there is going to be a lot of work and input on the new plan and much of what has been discussed tonight is in the new plan and he would suggest that **Millikan** consider delaying his rezoning request.

**Cable** made the motion to reopen the public hearing and seconded the motion to reopen the public hearing to allow **Millikan** to decide on this request.

**Pell**, having a proper motion and second, called the question on the motion to reopen the public hearing, and the motion was adopted unanimously.

**Millikan** stated that the same thing happened the last time and he withdrew his request then and **Millikan** asked if he had time to decide on this request.

**Morgan** said that **Millikan** can either withdraw or table his request and **Morgan** stated that he thought it would be proper for **Millikan** to withdraw his request.

**Millikan** stated that he wanted to **WITHDRAW** his rezoning request.

**Cable** said that he appreciates the three members on the *Growth Management Plan* Steering Committee and the difficult work they are doing to help the County.

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### **REZONING REQUEST #2023-0000567**

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The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **CAROLINA TRAVEL MANAGEMENT, INC**, Randleman, NC, and their request to rezone 5.09 acres out of 29.56 acres at 10367 Randleman Rd, Level Cross Township, Randleman Lake Protected Area Watershed, Tax ID #7758809298, Primary Growth Area, from *RA - Residential Agricultural District* to *HC-CD - Highway Commercial - Conditional District*. The proposed Conditional Zoning District would specifically allow an overflow parking lot as per the site plan.

**Pell** opened the public hearing and called for anyone wishing to speak in favor of the request to come forward and address the Planning Board.

**Jonathan Moody**, a representative from Carolina Travel Management, rose to address the Planning Board. **Moody** stated that the year 2004 was their last expansion at the present facility and between 2004 and 2016, the company grew even larger and their fleet of existing busses was starting to take up so much space they had to do something. During the COVID-19 pandemic, the company started selling the busses but the NC Department of Motor Vehicles notified the company that they were in violation by selling the busses. Carolina Travel received the necessary zoning approval to sell the extra busses and that, since that time, the business has mostly recovered from the COVID-19 pandemic.

**Pell** asked if there were any questions from the Planning Board members.

**Beeson** asked **Moody** if the area in white on the site plan was intended for bus sales. **Moody** responded yes and that they had sold buses from New York to Florida.

**Kemp** asked about the spillover parking that is being requested and **Moody** stated that—when the buses are on the road they do not have enough parking spaces for travelers, employees, drivers, etc., and that they need more parking spaces to be able to accommodate everyone at the site.

**Beeson** stated that it is good that the business is coming back to life and that the company is having to hire more people.

**Pell** asked if there was anyone else in attendance in favor of the rezoning request. Hearing none, **Pell** asked if there was anyone in attendance in opposition to the rezoning request. Hearing none, **Pell** closed the public hearing.

**Cable** asked if the property had been posted and if letters had been sent out and the Planning Staff responded that all requirements were completed. **Cable** said that he is glad the company was able to take a bad situation (COVID-19) and make it work to keep the business open. **Cable** related that he travels the State and country and nothing makes him prouder than to see their busses on road and that the request should be approved as the hard work of the company is paying off.

**Cable** made the motion to **APPROVE** the rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the **Determination of Consistency and Findings of Reasonableness and Public Interest** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with all agreed-upon revisions, also incorporated into the motion and that the request is consistent with the *Randolph County Growth Management Plan*. **Beeson** made a second to the motion to **APPROVE** the rezoning request.

**Pell**, having a proper motion and second, called the question on the motion to **APPROVE** the rezoning request, and the motion was adopted unanimously.

**Johnson** told the applicant that due to the potential of an appeal of the rezoning decision, the approval paperwork would be sent after the deadline for filing an appeal if no appeal is requested.

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### **REZONING REQUEST #2023-0000595**

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The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **JOSE FLORES**, Asheboro, NC, and his request to amend the existing Conditional District Permit on 2.39 acres at 7606 US Hwy 220 S, Richland Township, Tax ID #7665688138, Primary Growth Area, from *LI-CD - Light Industrial - Conditional District* to *LI-CD - Light Industrial - Conditional District*. The proposed Conditional Zoning District Amendment would specifically amend the existing Conditional District permit to allow an 80 ft. by 60 ft. addition to the existing building as per the site plan.

**Pell** opened the public hearing and called for anyone wishing to speak in favor of the request to come forward and address the Planning Board.

**Jose Flores**, 108 West Edgewood Cir, said that this is his fourth appearance before the Planning Board and that his business has grown so much that needs even more room for operations.

**Johnson** asked **Flores** what he makes at the facility and his number of employees. **Flores** replied that the business makes socks and that he currently has eight employees.

**Davis** asked **Flores** if the business manufactures and warehouses on the same parcel and **Flores** responded, "Yes."

**Pell** asked if there was anyone else in attendance in favor of the rezoning request.

**Krista Dunn**, 188 West Edgewood Cir, told the Planning Board that she owns 4.6 acres adjacent to this parcel and asked how many buildings will be on the parcel. **Dunn** stated that West Edgewood Cir is a private road and how many more employees and trucks will be using the road. (It was confirmed after the public hearing that West Edgewood Cir is a State maintained road (SR1128.)) **Dunn** stated that UPS trucks are coming through the area due to GPS routing and this is putting more of the burden on citizens that live in the area and that they are also concerned about the noise level.

**Davis** asked about the relationship between the request location and West Edgewood Cir. **Flores** stated that the old church fronts on US Hwy 220 S but also has a drive from West Edgewood Cir and his current application is only for the property on US Hwy 220 S.

**Flores** told the Planning Board that he owns all of the property where his business is located.

**Morgan** stated that the only thing before the Planning Board is the property in red on the map. The property on West Edgewood Cir is not involved in this request.

**Hedrick** stated that if the Planning Board approves the request, **Flores** has to adhere to the approved site plan.

**Cable** said that the Planning Board is only talking about the property this is outlined in red on the GIS maps or the specific site plan provided by **Flores**.

**Flores** stated that he is only wanting to do an addition to one building and **Beeson** said that **Flores** was just adding to the existing building.

**Cable** explained the site plan that was provided by **Flores**.

**Pell** asked if there was anyone else in attendance in opposition to the rezoning request that wanted to address the Planning Board. Hearing none, **Pell** closed the public hearing.

**Hedrick** said that by looking at the aerial site plan, it appears to show concrete across the property line.

**Kemp** asked if the proposed addition has anything to do with the adjoining property and he was told that the adjoining property is not part of this request.

**Hedrick** stated again that the aerial site plan shows concrete across the property line.

**Davis** congratulated **Flores** by saying that his hard work has paid off and that his business continues to grow.

**Davis** made the motion to **APPROVE** the rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the **Determination of Consistency and Findings of Reasonableness and Public Interest** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with all agreed-upon revisions, also incorporated into the motion and that the request is consistent with the *Randolph County Growth Management Plan*. **Cable** made a second to the motion to **APPROVE** the rezoning request.

**Pell**, having a proper motion and second, called the question on the motion to **APPROVE** the rezoning request, and the motion was adopted 6-1 with **Hedrick** voting against the motion to approve the rezoning request.

**Johnson** told the applicant that due to the potential of an appeal of the rezoning decision, the approval paperwork would be sent after the deadline for filing an appeal if no appeal is requested.

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### REZONING REQUEST #2023-0000599

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The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **ZACHARY DANIEL DAVIDSON**, Denton, NC, and his request to rezone 2.29 acres on Brantley Gordon Rd, Concord Township, Tax ID #6698784149, Rural Growth Area, from *RA - Residential Agricultural District* to *RBO-CD - Rural Business Overlay - Conditional District*. The proposed Conditional Zoning District would specifically allow a farm equipment repair and service business as per the site plan.

**Pell** opened the public hearing and called for anyone wishing to speak in favor of the request to come forward and address the Planning Board.

**Zachary Davidson**, 5898 Brantley Gordon Rd, rose to address the Planning Board and said that he wanted to rezone the property to *Rural Business Overlay – Conditional District* and that wanted to start his own farm equipment repair and service business at this location. **Davidson** relayed how he went to Tulsa Welding School in FL and now has his welding rig and is looking to start his own business at this site and the work hours would be from 5:00 pm to 9:00 pm, Monday through Saturday.

**Davidson** said that he would plant trees around the property and they would be fast-growing evergreen trees.

**Davis** asked about the type of buffer and **Davidson** said it would be a Level III buffer.

**Davidson** said that he works part-time at the business and two other part-time employees and the only full-time employee is his wife.

**Vaughan** stated that this is a very nice area, well maintained, and that she thought the neighbors would be happy to have this new business in the area from such a nice family.

**Davidson** said that homeowners in the area have been looking for this type of business for a while.

**Austin** asked about the existing drive and **Davidson** said it is just a gravel drive.

**Cable** said the drive is more like a path.

**Pell** asked if there was anyone else in attendance in favor of the rezoning request. Hearing none, **Pell** asked if there was anyone in attendance in opposition to the rezoning request. Hearing none, **Pell** closed the public hearing.

**Davis** said that he wanted to thank this young man for his work ethic and he seems respectable and responsible.

**Cable** said he thought that **Davidson** is a great young man and wished him much success in the future.

**Cable** made the motion to **APPROVE** the rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the **Determination of Consistency and Findings of Reasonableness and Public Interest** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with all agreed-upon revisions, also incorporated into the motion and that the request is consistent with the *Randolph County Growth Management Plan*. **Beeson** made a second to the motion to **APPROVE** the rezoning request.

**Pell**, having a proper motion and second, called the question on the motion to **APPROVE** the rezoning request, and the motion was adopted unanimously.

**Johnson** told the applicant that due to the potential of an appeal of the rezoning decision, the approval paperwork would be sent after the deadline for filing an appeal if no appeal is requested.

**Johnson** mentioned to the Planning Board about pending legislation on subdivisions by the NC General Assembly and that the State is looking at removing controls from the municipalities and counties and these changes could be bad as they would take away the ability of local governments to control growth in their jurisdictions.

**Morgan** stated that this bill is moving through the General Assembly and the proposal has gotten further this session than in previous sessions.

**Cable** stated that this bill is an example of a bad bill.

**Hedrick** said that he thinks this bill tries to penalize jurisdictions that try to control growth in an orderly fashion.

**Morgan** stated that he had heard that the Association of Realtors is behind this current proposal.

**Johnson** referred the Planning Board members to the e-mail sent out by **Hedrick** and that **Hedrick** did a good summary of the proposal.

**Hedrick** said that the current House bill is different than the Senate bill and the proposal is currently in committee.

**Pell** stated that he has gotten a couple of calls regarding the legislation and the intent is to try and make housing more affordable.

**Cable** said that this reminds him of when developers would pile housing on top of other houses as they did before to get the most money from the project.

**Hedrick** said that there are vague definitions in the proposal and that it adds more hoops for people to jump through when looking for affordable housing.

Having no further business, **Pell** called for a motion to **ADJOURN** the meeting. **Cable** made the motion to adjourn, with **Beeson** making the second to the motion.

**Pell**, having a proper motion, and second, called the question on the motion to **ADJOURN**. The motion passed unanimously.

The meeting adjourned at 8:13 p.m., with 33 citizens present.

---

**RANDOLPH COUNTY  
NORTH CAROLINA**

---

Chairman

---

Clerk to the Board

---

Date



## Millikan Property

If you agree with the county allowing us 6 lots on 13 acres, please sign below.

Robert Scott Rangle  
3810 Cedar Springs Rd.  
Randleman, NC. 27317

Charles + Teresa Maguire  
1903 Naomi Rd.  
Randleman, N.C. 27317

Jayman & Rachelle Crutcher  
2066 Naomi Rd.  
Franklinville, N.C. 27248

Wayne Williams  
2043 Naomi Rd FRANKLINVILLE 27248

Stana Todd Walker  
62063 Naomi Rd Franklinville 27248

2011 Naomi Rd Lot 2  
Jeremy F Martin  
Randleman, NC 27317

Amanda Carrico  
2011 Naomi Rd. lot 2  
Randleman, NC 27317

Melanie Condy  
2011 Naomi  
Randleman, NC  
27317

## Millikan Property

If you agree with the county allowing us 6 lots on 13 acres, please sign below.

Gerald Gasser

816 Avonlea Ln.



Stephanie Justice

800 Avonlea Ln

AENE DEERY

2833 CEDAR SPRINGS RD

Carol Raynor

3795 Cedar Springs Rd

Ronald Matthews

3843 CEDAR SPRINGS RD.

RANDLEMAN NC 27317

Stephanie Pugh

3945 Cedar Springs Rd

Randleman, NC 27317

Edna y. Casey

1637 Naomi Rd

Randleman NC.

Gregory A Brown

1671 NAOMI RD Randleman 27317

Linck A. Conrad

1548 Naomi Rd Randleman NC 27317

## Millikan Property

If you agree with the county allowing us 6 lots on 13 acres, please sign below.

Jan Wilkerson 2014 Naomi RD.  
 Jan York 3992 Conifer Rd.

James Hill 4097 Camp Nawaka rd Exd.

John 4093 Camp Nawaka Road

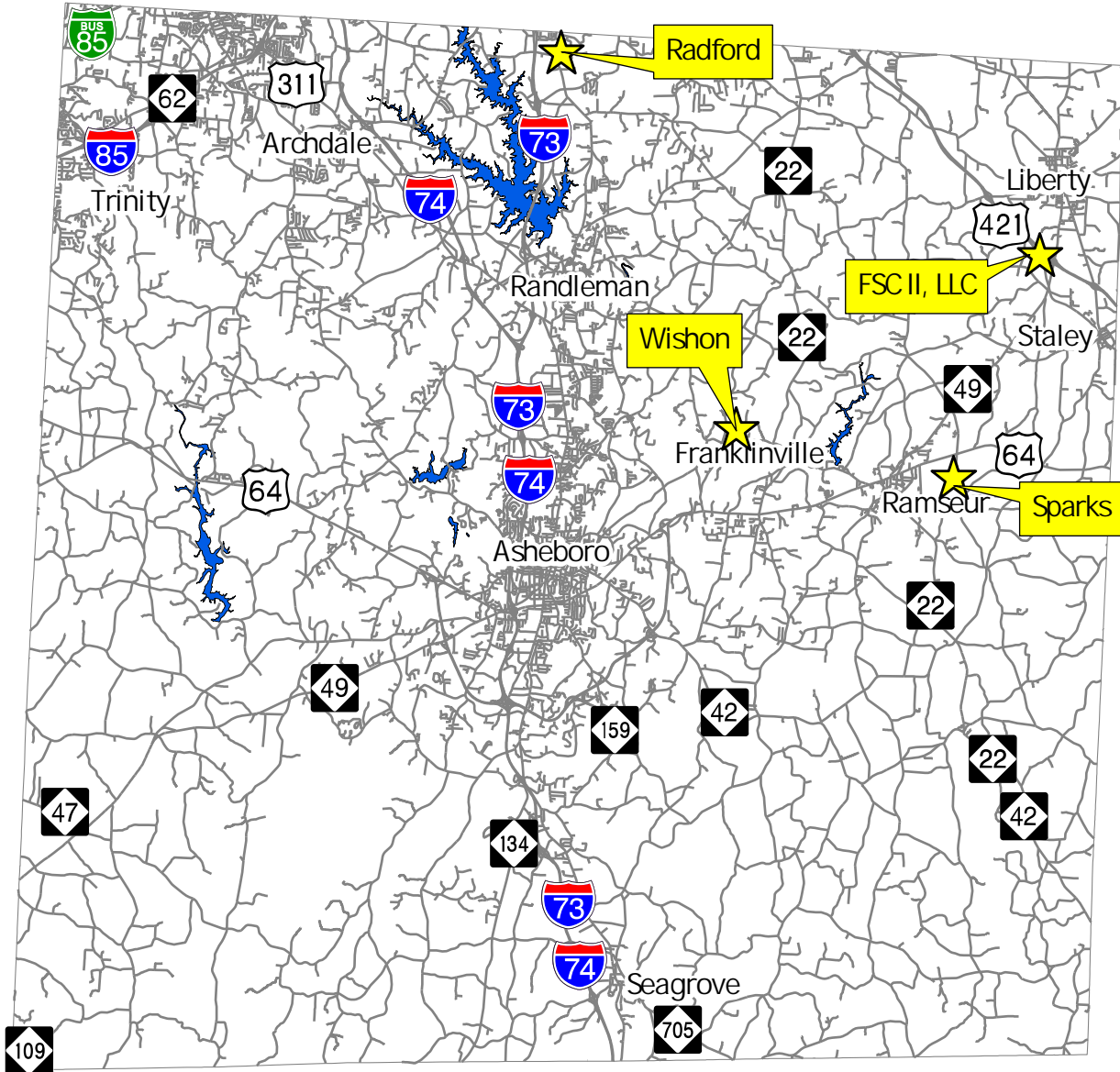
Michael Silver 4091 Camp Nawaka Rd.

Robert H. 4036 Laurel Lane, RFD 27317





Paul M. 4047 Laurel Lane RFD 27317

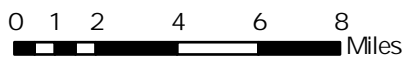
Jimmy R Hill 2340 Naomi Rd Franklinville NC 27248

# May Request Locat on Map



## Legend

-  Roads
-  Reservoirs
-  County line
-  Municipal Zoning





## CASE SUMMARY FOR

### SPECIAL USE REQUEST #2023-00000880

---

The Randolph County Planning Board will hold a duly published and notified Quasi-judicial Hearing on the request by **LARRY SPARKS**, Ramseur, NC, and his request to obtain a Special Use Permit at 424 Lee Layne Rd, Columbia Township, Tax ID #8712645602, 3.01 acres, *RA - Residential Agricultural District* and *RR – Residential Restricted District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow a towing service with an outside storage lot as per the site plan.

**ALL WITNESSES FOR SPECIAL USE PERMITS MUST BE  
SWORN IN BEFORE GIVING TESTIMONY.**



## OATH FOR QUASI-JUDICIAL HEARINGS (Special Use Permit Request, Variances or Appeals)

---

NORTH CAROLINA

RANDOLPH COUNTY

**Before opening the public hearing on a case,** the Chair must administer an oath or affirmation to those wishing to speak on a specific case. (This oath is specified in NCGS 11-11.)

The Chair should say,

*“The Planning Board will now hear testimony for and against this request. Anyone wishing to offer testimony on this request must come forward and take the oath. Only those taking the oath may give testimony for this request.”*

*“Do you swear, or affirm, that the evidence you shall give to the Board in this action shall be the truth, the whole truth, and nothing but the truth, so help you God.”*



**COUNTY OF RANDOLPH**  
 Department of Planning & Development  
 204 E Academy St - PO Box 771 - Asheboro NC 27204-0771

**SPECIAL USE PERMIT APPLICATION**

**Applicant:** SPARKS, LARRY  
**Address:** 424 LEE LAYNE RD  
**City, St. Zip:** RAMSEUR, NC 27316

**Date:** 03/30/2023  
**Parcel #:** 8712645602

**Owner:** SPARKS, LARRY TEKIA  
**Address:** 424 LEE LAYNE RD  
**City, St. Zip:** RAMSEUR, NC 27316

**Permit #:** 2023-00000880  
**Permit Type Code:** PZ 3

**Location Address:** 424 LEE LAYNE RD  
 RAMSEUR, NC 27316

**CONTACT NAME:** SPARKS, LARRY

**Contact Phone:** 336 953-0968

**PARCEL INFORMATION:**

**Lot number:** 1                      **Subdivision:** RICHARD E CANOY JR & JACQUELINE CANOY  
**Acreage:** 3.0100                **Township:** 06 - COLUMBIA

**ZONING INFORMATION:**

**Zoning District 1:** RR-RESIDENTIAL RESTRICTED DISTRICT  
**Zoning District 2:** RA-RESIDENTIAL AGRICULTURAL DISTRICT  
**Zoning District 3:**  
**Specialty District:** N/A  
**Watershed Name:** NONE  
**Class A Flood Plain On Prop?:** NO  
**Flood Plane Map #:** 3710871200J

**SPECIAL USE REQUESTED: TO ALLOW A TOWING SERVICE WITH AN OUTSIDE STORAGE LOT AS PER THE SITE PLAN.**

**Total Permit Fee: \$100.00**

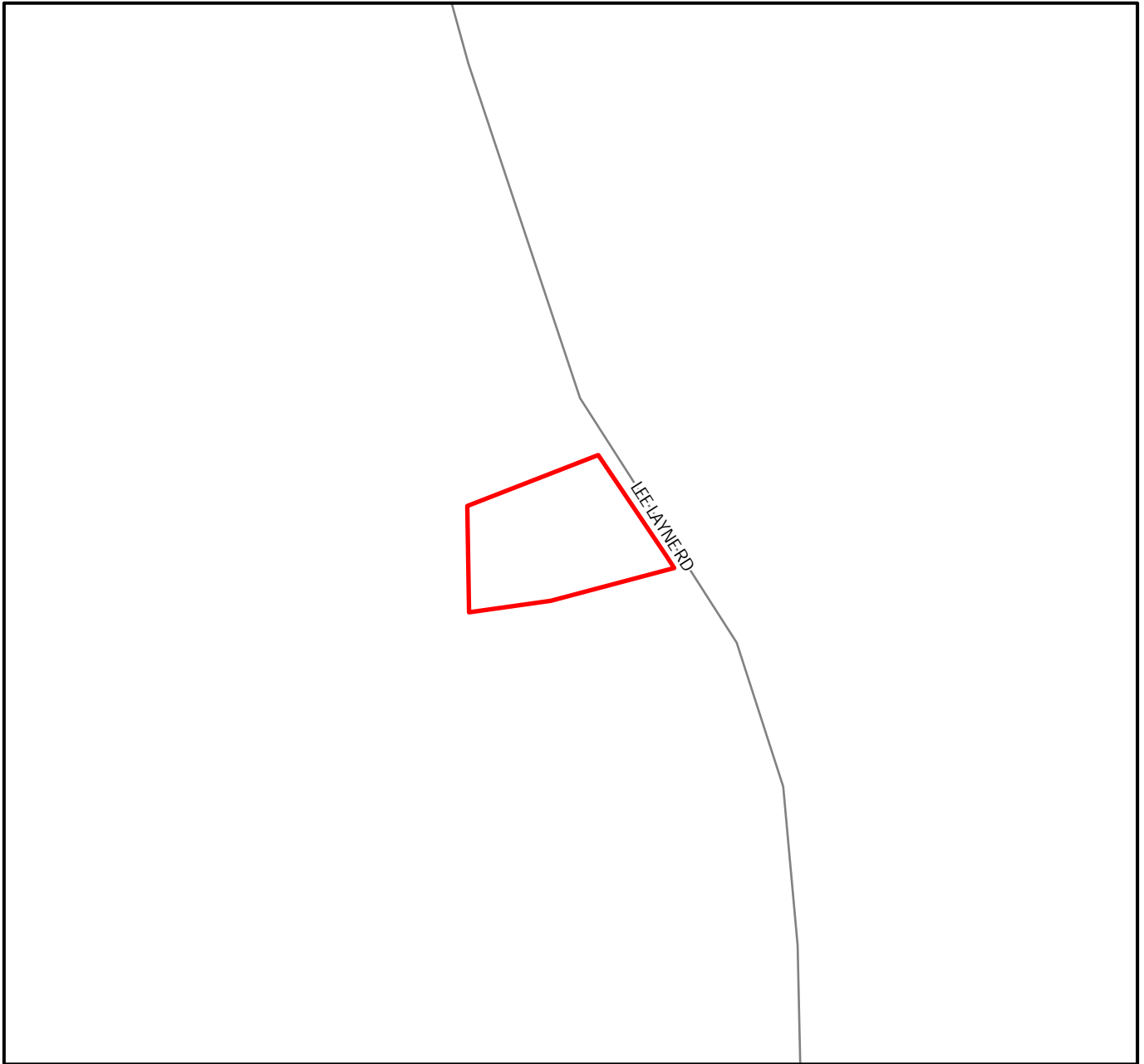
**COMMENTS:**

The undersigned owner/applicant do hereby make application for a SPECIAL USE PERMIT as required by the Randolph County Zoning Ordinance. By making this application the owner/applicants acknowledge that no work may be done pursuant to a Special Use Permit issued by the County Planning Board except in accordance with all conditions that may be imposed by the Board. It is also acknowledged that any restrictions or conditions imposed shall be binding on the owner/applicants and their successors in interest.

**Eric Martin**  
 \_\_\_\_\_  
**Authorized County Official**

\_\_\_\_\_  
 Signature of Applicant:

# Sparks Request Locat on Map



Direct ons to site: US Hwy 64 E -  
(R) Lee Layne Rd - Site on (R)  
approx. 6/10 mile at 424  
Lee Layne Rd.



1 inch equals 400 feet

# Sparks Special Use Permit Request

## Legend



Parcels

## Structures

### Type



Permanent Structure



Temporary Structure



Roads



Streams



50 ft. Stream buffer

## County zoning

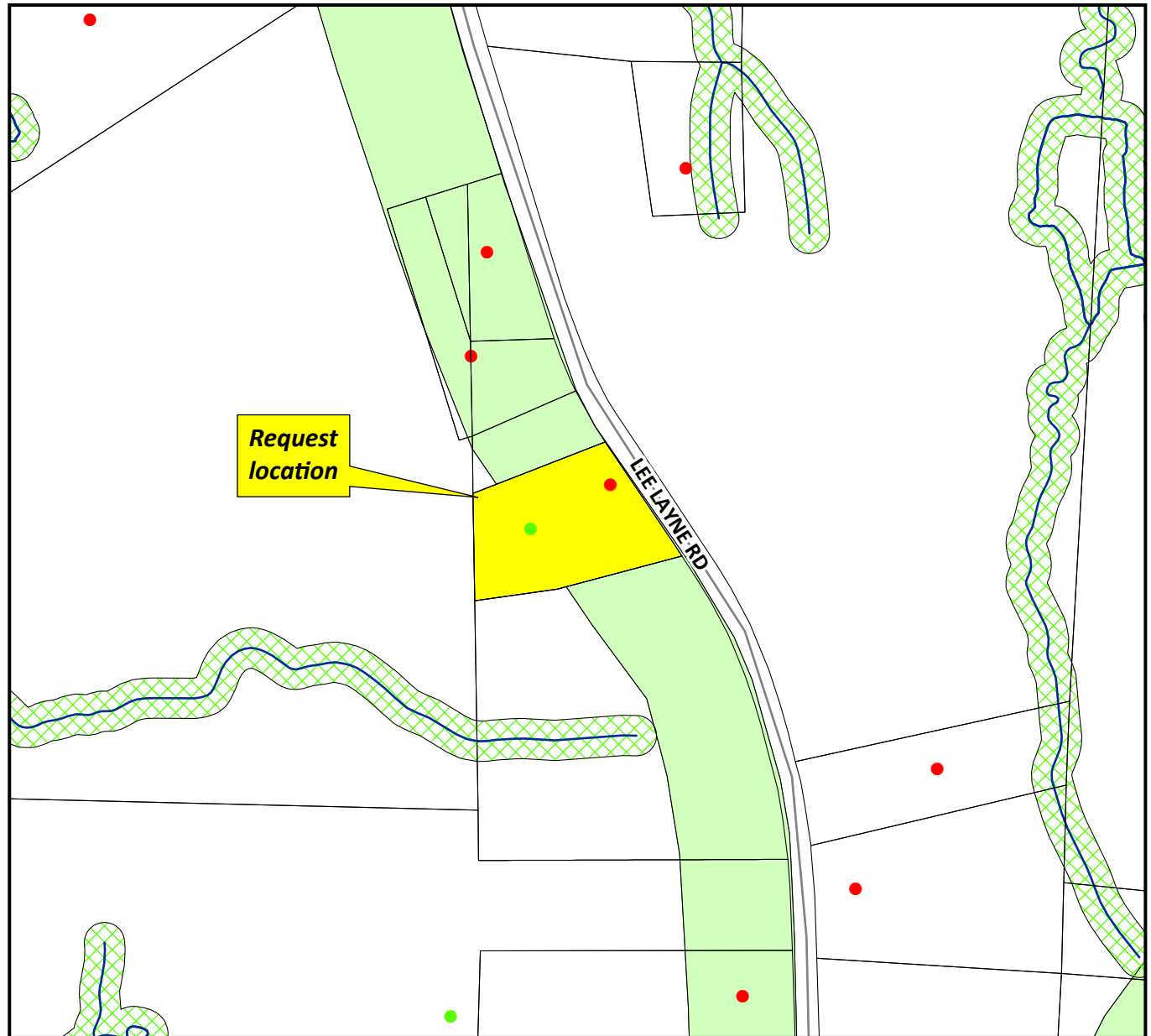
### Districts



RA





RR



1 inch equals 400 feet

# Sparks Special Use Permit Request

## Legend





-  Parcels
-  Roads



1 inch equals 100 feet

# Sparks Special Use Permit Request

## Legend

-  Parcels
-  Roads
-  Streams
-  50 ft. Stream buffer



1 inch equals 200 feet




# Sparks Special Use Permit Request

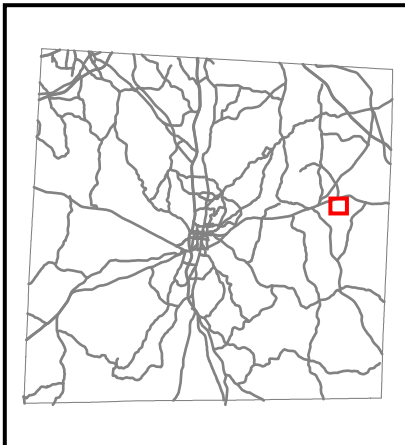
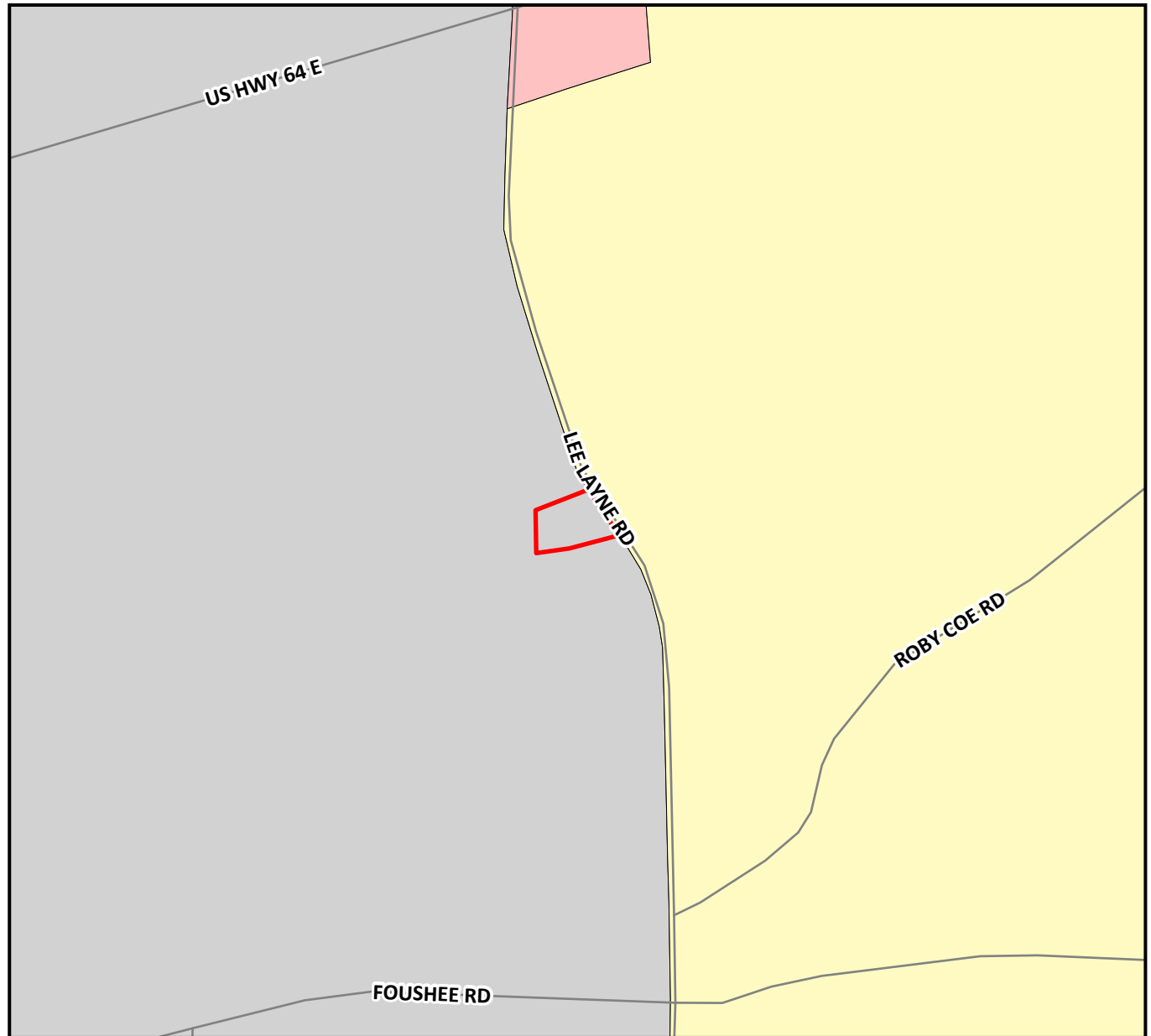
## Legend



Roads

## Growth Management

-  Municipal Growth Area
-  Primary Growth Area
-  Secondary Growth Area



1 inch equals 1,000 feet

# Sparks Special Use Permit Request



**Picture 1:**  
Request location.



**Picture 2:**  
Property across  
road from request  
location.



**Picture 3:**  
Adjacent  
residence.



**Picture 4:**  
Adjacent  
residence.



**Picture 5:**  
Request location on  
left as seen looking  
toward US Hwy 64  
E.



**Picture 6:**  
Request location on  
right as seen looking  
toward Foushee Rd.



4/4/2023

### Randolph County GIS Current Owner Information

Randolph County, Its Agents and Employees  
make not warranty to the correctness of the  
information set forth on this document.

PIN	TAX_ACRES	DESCRIPTION	DEED BOOK/PAGE	OWNER	ADDRESS	ADDRESS2	CITY_STATE_ZIP
8712542636	114.23	R2626;W	002241/00919	CARMAC, PHILLIP CHAD (CARMAC, MELANY W)	550 LEE LAYNE RD		RAMSEUR, NC 27316
8712644823	1	R2626;W	002207/01306	JESSUP, DAVID M (JESSUP, JOYCE)	386 LEE LAYNE RD		RAMSEUR, NC 27316
8712645602	3.01	RICHARD E CANOY JR & JACQUELINE CANOY	002850/00601	SPARKS, LARRY TEKIA (NELSON, KRISTINA K)	424 LEE LAYNE RD		RAMSEUR, NC 27316
8712751160	69.01	R2626;BOTH	002211/00332	CANOY, RICHARD E JR (CANOY, JACQUELINE M)	6087 ROBY COE RD		RAMSEUR, NC 27316



**COUNTY OF RANDOLPH**  
**ORDER Choose the decision. SPECIAL USE PERMIT**

**IN THE MATTER OF THE APPLICATION FOR SPECIAL USE PERMIT**  
**BY LARRY SPARKS**  
**SPECIAL USE REQUEST #2023-00000880**

---

**NORTH CAROLINA**

**RANDOLPH COUNTY  
PLANNING BOARD**

Having heard all the evidence and argument presented at the hearing on May 2, 2023, the Randolph County Planning Board finds that the application is complete, that the application complies with all of the applicable requirements of the *Randolph County Unified Development Ordinance* for the development proposed, and that therefore the application to make use of the property located at 424 Lee Layne Rd for the purpose indicated is hereby **Choose the decision.**, subject to all applicable provisions of the *Randolph County Unified Development Ordinance*.

HAVING CONSIDERED ALL THE EVIDENCE PRESENTED, THE RANDOLPH COUNTY PLANNING BOARD **Choose the decision.** THE APPLICATION FOR A **SPECIAL USE PERMIT** FOR LARRY SPARKS BASED UPON THE FOLLOWING:

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. This conclusion is based on the following FINDINGS OF FACT:  
**[Click here to enter findings of fact.](#)**
2. That the use meets all required conditions and specifications. This conclusion is based on the following FINDINGS OF FACT:  
**[Click here to enter findings of fact.](#)**
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. This conclusion is based on the following FINDINGS OF FACT:  
**[Click here to enter findings of fact.](#)**
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 be located and in general conformity with the *Growth Management Plan* for Randolph County. This conclusion is based on the following FINDINGS OF FACT:  
**[Click here to enter findings of fact.](#)**

**IN WITNESS WHEREOF**, the Randolph County Planning Board has caused this Special Use Permit to be issued in its name and the property owners do hereby accept this Special Use Permit, together with all its conditions as binding on them and their successors in interest.

Adopted on May 2, 2023.

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Chair, Randolph County Planning Board

**ATTEST**

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Kimberly J. Heinzer,  
Clerk to the Randolph County Planning Board



## **MOTION TO APPROVE SPECIAL USE PERMIT**

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**NORTH CAROLINA**

**RANDOLPH COUNTY  
PLANNING BOARD**

“I make the motion to **APPROVE** this Special Use Permit request on the specified parcel(s) on the Special Use Permit application, based upon the sworn witness testimony that is included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, and that the use will not materially endanger the public health or safety, the use meets all required conditions and specifications, the use will not substantially injure the value of adjoining property, that the use is a public necessity and the location and character of the use if developed according to the plan(s) as submitted and approved, will be in harmony with the area and in general conformity with the *Randolph County Unified Development Ordinance*.”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



## **MOTION TO DENY SPECIAL USE PERMIT**

---

**NORTH CAROLINA**

**RANDOLPH COUNTY  
PLANNING BOARD**

“I make the motion to **DENY** this Special Use Permit request on the specified parcel(s) on the Special Use Permit application, based upon the sworn witness testimony that is included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, and that the use may materially endanger the public health or safety, or the use does not meet all required conditions and specifications, or the use may substantially injure the value of adjoining property, that the use is not a public necessity and the location and character of use if developed according to the plan(s) as submitted and approved, or will not be in harmony with the area and in general conformity with the *Randolph County Unified Development Ordinance.*”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



**RANDOLPH COUNTY PLANNING & ZONING  
STAFF REPORT AND MAP AMENDMENT EVALUATION**

**APPLICATION #2023-00000886**

---

**GENERAL INFORMATION**

**Applicant:** FSC II, LLC

**Property Owner:** FCS II, LLC

**Hearing Type:** Legislative

**Request:** To rezone 11.93 acres to allow the expansion of the existing asphalt plant as per the site plan.

**Current Zoning:** *HI-CD – Heavy Industrial – Conditional District*

**Requested Zoning:** *HI-CD – Heavy Industrial – Conditional District*

**Small Area Plan:** None

**Growth Management:** Primary Growth Area

**Watershed Overlay:** Rocky River Balance

**Flood Plain Overlay:** None

**Airport Overlay:** None

**Location:** 6867 Willard Rd

**Parcel Number:** 8725766570, 8725757997 and 8725960159

**Parcel Size:** 11.930

**Existing Use:** Asphalt plant

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## SITE INFORMATION AND SURROUNDING LAND USES

Direction	Adjacent Zoning	Adjacent Land Use
North	RA - Residential Agricultural District	Vacant
South	RA - Residential Agricultural District	Single-family residential
East	RA - Residential Agricultural District	US Hwy 421
West	RA - Residential Agricultural District	Vacant

## TRANSPORTATION INFORMATION

### Information from North Carolina Department of Transportation:

No comments have been received from NC Department of Transportation.

## ZONING INFORMATION

**Zoning History:** There is no history of a rezoning, Variance or Special Use Permit at the request location.

**Proposed Zoning District Standards from the *Randolph County Unified Development Ordinance*, Article 600, Section 613 (ex. Fencing, buffers, etc.):**

<b>HI: HEAVY INDUSTRIAL DISTRICT</b>	
<b>PURPOSE</b>	
The purpose of the <i>Heavy Industrial (HI) District</i> is to provide a place to accommodate those industries whose normal operations include dust, noise, odor, or other emissions that may be deemed as objectionable.	
<b>DIMENSIONAL STANDARDS FOR PRIMARY STRUCTURE</b>	
<b>Lot size with a minimum of 100 ft. of State road frontage</b>	40,000 sq. ft. Water Quality Critical Area: 80,000 sq. ft.
<b>Lot size with less than 100 ft. of State road frontage</b>	5 acres
<b>Lot width</b>	100 ft. at building line
<b>Front setback</b>	35 ft. from any road right-of-way
<b>Corner side setback</b>	35 ft. from any road right-of-way
<b>Side setback</b>	10 ft. from any side property line
<b>Rear setback</b>	30 ft. from the rear property line
<b>DIMENSIONAL STANDARDS FOR ACCESSORY STRUCTURES</b>	

<b>Road setback</b>	20 ft. from any road right-of-way
<b>Property line setback</b>	5 ft. from any property line
<b>DIMENSIONAL STANDARDS NOTES</b>	
<ol style="list-style-type: none"> <li>1. Lot areas and setbacks shall be increased if required by Randolph County Public Health.</li> <li>2. Lot areas in designated Watershed and Protected Areas are controlled by the Randolph County Watershed Protection Regulations.</li> <li>3. Front yard setback shall be maintained on all road rights-of-way.</li> <li>4. Minimum lot size requirements within <i>Primary Growth Areas</i> may be reduced to a minimum of 30,000 sq. ft. or 20,000 sq. ft. with public utilities.</li> <li>5. Minimum lot size requirements within <i>Rural Growth Areas</i> are 3 acres.</li> <li>6. Lots in major subdivisions within <i>Rural Growth Areas</i> must maintain a 1:4 ratio.</li> <li>7. The minimum lot size requirements within the <i>Natural Heritage Overlay</i> are 6 acres.</li> <li>8. Conditional Districts are identical to the general use districts except for site plans and individualized development conditions are imposed only upon signed petition of all owners of the land to be included in the Conditional District.</li> </ol>	

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## **STAFF ANALYSIS AND RECOMMENDATION**

The Planning and Zoning Staff has reviewed this request finds that this request:

- Meets all technical requirements of both the Ordinance and the Plan;
- Is consistent, reasonable, and in the public interest; and
- Should be **APPROVED** by the Randolph County Planning Board.

The following policies from the *Randolph County Growth Management Plan* were identified by the Technical Review Committee and Planning and Zoning Staff as supporting the above conclusion.

***Policy 1.1 Sustainable economic development, environmental protection, and quality of life, shall be pursued together as mutually supporting public policy goals.***

**Consistency Analysis:** The existing asphalt plant has been in operation for many years. Due to recent market demands, the company has found it necessary to expand operations. Instead of going to a different location they have chosen to expand at this site. By remaining at this location, the applicant will be able to continue its existing economic development while protecting the environment and the quality of life of the area citizens at the same time.

***Policy 3.1 Industrial development should be on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged.***

**Consistency Analysis:** By expanding the existing facility, the applicant will be using land that is physically suitable and had advantages for the business such as its proximity to NC Hwy 49 and US Hwy 421.

**Reasonableness and Public Interest Analysis:** The policies listed above illustrate how this request is consistent with the Ordinance, the Plan, and applicable General Statutes. The parcel in this rezoning request is subject to the Conditions agreed upon between the property owner and the Planning Board. These Conditions will limit the amount and type of development on the property reducing the impact on adjoining parcels. The proposed use will also increase the tax base and increase economic activity within the County.





**COUNTY OF RANDOLPH**  
 Department of Planning & Zoning  
 204 E Academy St - PO Box 771 - Asheboro NC 27204-0771

**APPLICATION FOR ZONING CHANGE**

**Applicant:** FSC II LLC  
**Address:** 701 CORPORATE CENTER DR  
**City, St. Zip:** RALEIGH, NC 27607

**Owner:** FSC II LLC  
**Address:** 701 CORPORATE CENTER DR #101  
**City, St. Zip:** RALEIGH, NC 27607

**Date:** 03/30/2023  
**Parcel #:** 8725766570

**Permit #:** 2023-00000886  
**Permit Type Code:** PZ 2

**Location Address:** 6867 WILLARD RD STALEY, NC 27355

**Contact Name:** WERENKO, DALE  
**Contact Phone:** 919 535-5171

**PARCEL INFORMATION:**

**Lot number:** 1B-2                      **Subdivision:** RACHEL WESTMORELAND  
**Acreage:** 8.4400                      **Township:** 11 - LIBERTY

**ZONING INFORMATION:**

**Zoning District 1:** HI-HEAVY INDUSTRIAL DISTRICT  
**Zoning District 2:** RA-RESIDENTIAL AGRICULTURAL DISTRICT  
**Zoning District 3:**

**Growth Management Areas:** PRIMARY GROWTH AREA  
**Specialty District:** N/A  
**Watershed Name:** ROCKY RIVER WATERSHED  
**Class A Flood Plain On Prop?:** NO  
**Flood Plane Map #:** Flood Plain Map #: 3710872400K

**REQUESTED CHANGE:**

**Area To Be Rezoned:** 11.9300  
**Lot Size Indicator:** ACRE(S)  
**Proposed Zoning District:** HI-CD-HEAVY INDUSTRIAL CONDITIONAL DISTRICT  
**Proposed Use(S):** TO REZONE 11.93 ACRES TO ALLOW THE EXPANSION OF THE EXISITING ASPHALT PLANT AS PER THE SITE PLAN

**Condition(S):**

**Total Permit Fee: \$100.00**

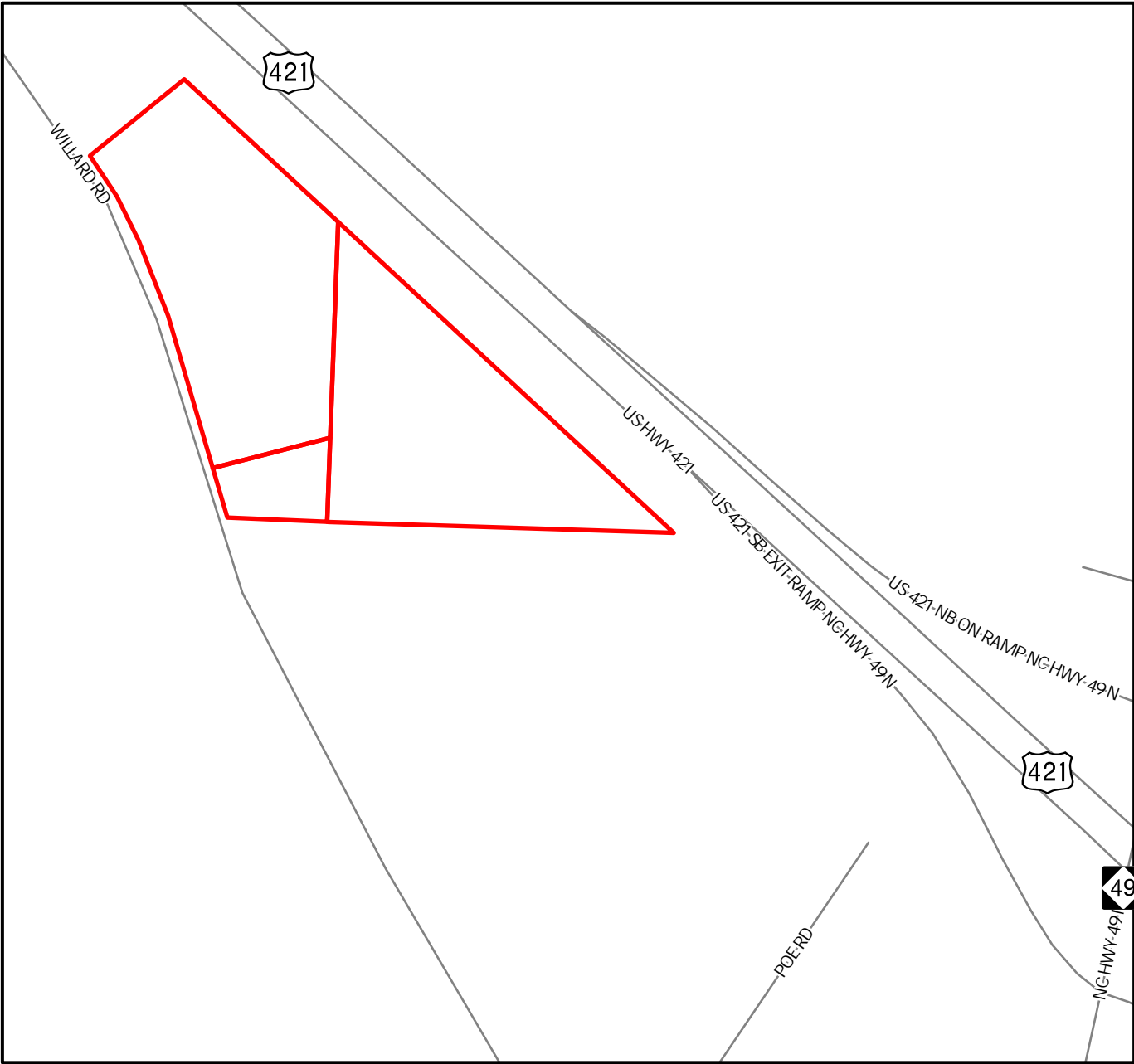
**COMMENTS:**

The undersigned owner/applicant do hereby make application for a PROPERTY ZONING CHANGE as allowed by the Randolph Couty Zoning Ordinance.

**Eric Martin**  
 \_\_\_\_\_  
 Authorized County Official

\_\_\_\_\_  
 Signature of Applicant:

# FSC II, LLC, Request Locat on Map



Direct ons to site: NC Hwy 49 N - (L)  
Willard Rd - Site on (R) approx 1/2  
mile past Poe Rd at 6867 Willard Rd.



1 inch equals 400 feet

# FSC II LLC, Rezoning Request

**Legend**

Parcels

**Structures**

Type

- Permanent Structure
- Temporary Structure
- Miscellaneous Structures

Roads

Streams

50 ft. Stream buffer

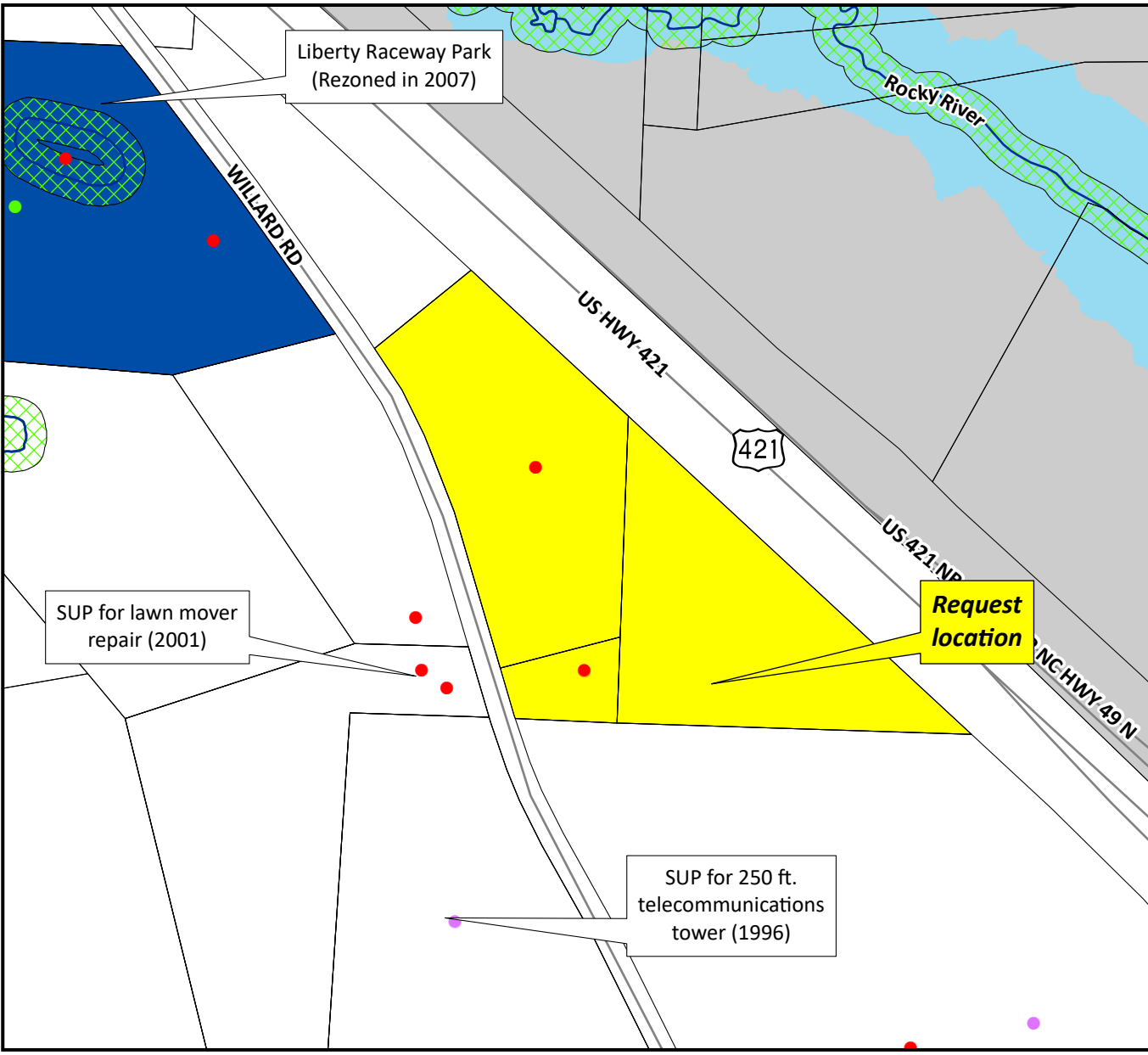
Flood plains

Town of Liberty Zoning

**County zoning**

Districts

- HI
- RA



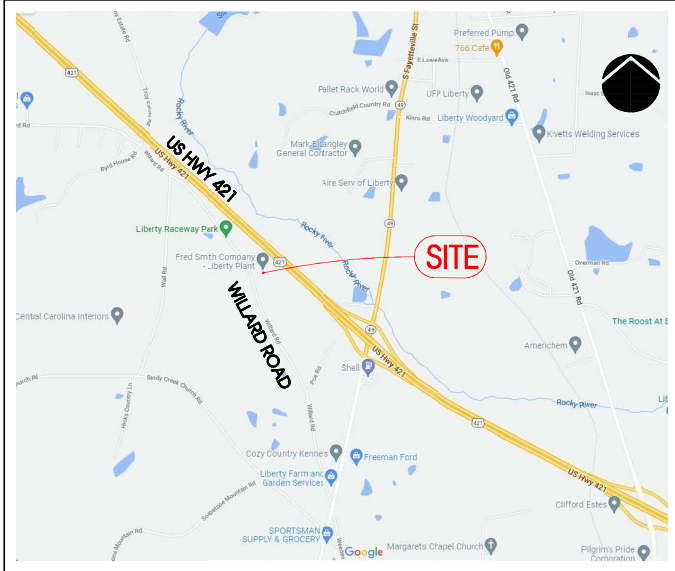
*The request is located in Rock River Watershed Area.*

1 inch equals 400 feet

# ZONING SITE PLANS for FSC LIBERTY ASPHALT PLANT

## Randolph County, North Carolina

March 24, 2023



VICINITY MAP  
NOT TO SCALE



### INDEX OF SHEETS

SHT No.	DRAWING DESCRIPTION
1	Existing Conditions Plan
2	Preliminary Sketch Plan
3	BUA Exhibits

### PURPOSE & NARRATIVE

THE PURPOSE OF THE APPLICATION REQUEST IS TO APPLY ZONING CLASSIFICATIONS TO AN EXISTING AND ONGOING USE (ASPHALT PLANT) LOCATED ON MULTIPLE PARCELS WITH A VARIETY OF ZONING CLASSIFICATIONS. THIS ZONING ADJUSTMENT WILL ALLOW FOR PERMITTING OF INDUSTRIAL USES TYPICALLY ASSOCIATED WITH ASPHALT PLANT OPERATIONS ON THE ASSOCIATED PARCELS.

**PRELIMINARY**  
NOT APPROVED FOR CONSTRUCTION



#### Owner/Developer:

FSC II, LLC  
701 Corporate Center Drive  
Suite 101  
Raleigh, NC 27607  
919-740-7325  
Contact: Bailey Watkins

#### Land Use Counsel:

FOX ROTHSCHILD LLP  
434 Fayetteville Street  
Suite 2800  
Raleigh, NC 27601  
919-755-8728  
Contact: Erin Catlett  
ECatlett@foxrothschild.com

#### Plans Prepared By:



115 MacKenan Drive Cary, NC 27511 | t: 919.469.3340 | license #: C-0832 | www.withersravenel.com  
Contact: Dale Werenko, PE  
dwerenko@withersravenel.com

#### PROPERTY / SITE DATA INFORMATION

PARCEL	OWNER	PIN	REID	DB/PG	PB/PG	LOT #	TOTAL ACRES	ACREAGE (NET R/W)	LAND USE		ZONING	
									EXISTING	PROPOSED	EXISTING	PROPOSED
①	FSC II, LLC	8725766570	80648	2722/1326	107/6	1B	3.00 AC	2.82 AC	ASPHALT PLANT OPERATIONS	ASPHALT PLANT OPERATIONS	RA	HI
②	FSC II, LLC	8725766570	80648	2722/1326	107/6	2	6.00 AC	5.61 AC	ASPHALT PLANT OPERATIONS	ASPHALT PLANT OPERATIONS	HI	HI
③	FSC II, LLC	8725757997	76602	2221/1224	107/6	3	1.21 AC	1.13 AC	SF RESIDENCE	ASPHALT PLANT OPERATIONS	RA	HI
④	FSC II, LLC	8725960159(portion)	76656(portion)	2819/1182	-	-	7.98 AC	7.98 AC	VACANT/AGRICULTURAL	ASPHALT PLANT OPERATIONS	RA	HI
							18.19 AC	17.54 AC				



1. THE FOLLOWING INFORMATION WAS USED TO OBTAIN NC GRID NAD 83 (2011) NAVD 83 (GEOID 18) STATE PLANE COORDINATES (SPO) FOR THIS PROJECT.
- 1.1 CLASS OF SURVEY: IRM/LAND SURVEYS (CLASS A)
- 1.2 POSITIONAL ACCURACY: 0.05 (ft, 0.017 (m))
- 1.3 GPS FIELD PROCEDURE: VRS
- 1.4 DATE OF SURVEY: 12/22
- 1.5 DATUM/EPOCH: NAD 83 (2011), EPOCH 2010.00
- 1.6 PUBLISHED DATUM/CONTROL USED: VRS, NAD 83
- 1.7 GEOID MODEL: GEOID 18
- 1.8 COMBINED GRID FACTOR: 0.99980886643
- 1.9 UNITS: U.S. SURVEY FEET
- 1.10 GRID/EPOCH POINT: YNY 755 893 887 (S) 1827 847 233
2. ALL DISTANCES ARE HORIZONTAL, GROUND UNLESS NOTED.
3. ALL AREAS DERIVED BY THE COORDINATE COMPUTATION METHOD OF RECORD. THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMANCE WITH NORTH CAROLINA STANDARDS, G.S. 47-30, AND REQUIREMENTS OF LAW, BUT A NORTH CAROLINA LICENSED ATTORNEY AT LAW SHOULD BE CONSULTED REGARDING CORRECT OWNERSHIP, WIDTH AND LOCATION OF EASEMENTS AND OTHER TITLE DEFICIENCIES REVEALED BY TITLE EXAMINATION.
5. LINES NOT SURVEYED ARE SHOWN AS BROKEN LINES FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT.
6. SUBJECT PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAP 17080A0100 (DATED JANUARY 02, 2008).
7. LOCATION OF UTILITIES, WHETHER PUBLIC OR PRIVATE, IS BASED UPON FIELD LOCATION OF VISIBLE APPURTENANCES ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY LOCATION PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. WITHERSRAVENEL CANNOT ASSUME RESPONSIBILITY FOR MISIDENTIFICATION OR OMISSION OF UNDERGROUND UTILITIES.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 82°27'48" E	33.68'
L2	N 18°43'38" W	119.96'
L3	N 16°44'03" W	75.63'
L4	N 16°28'00" W	247.83'
L5	N 17°41'43" W	121.95'
L6	N 20°15'50" W	109.63'
L7	N 29°34'09" W	5.70'
L8	N 29°34'09" W	104.69'
L9	N 29°43'59" W	107.93'
L10	N 33°54'29" W	54.05'

**PRELIMINARY**  
NOT APPROVED FOR CONSTRUCTION



No.	Revision	Date	By	Checked	Scale
					1" = 60'

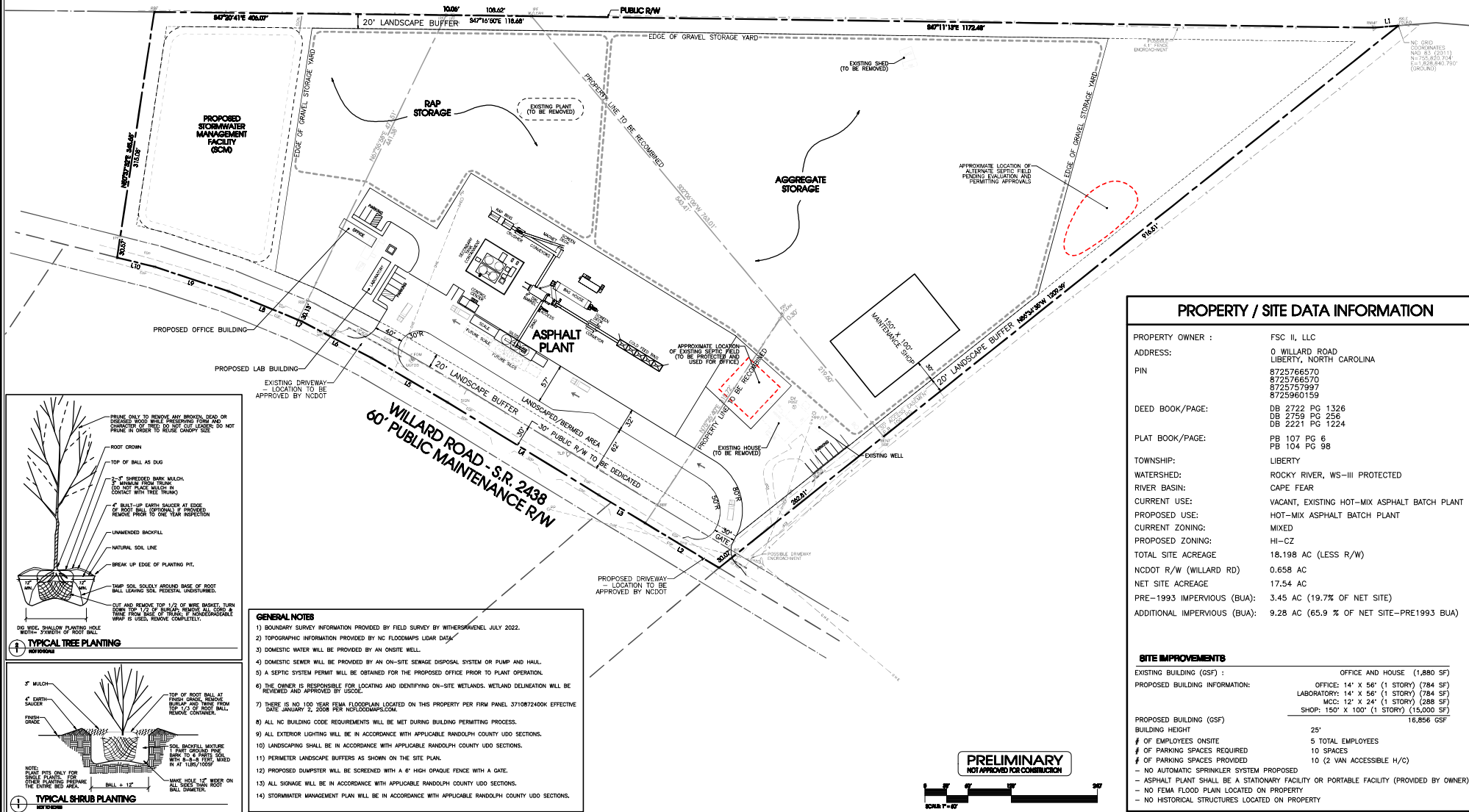
**FSC LIBERTY ASPHALT PLANT**

LIBERTY TOWNSHIP      RANDOLPH COUNTY      NORTH CAROLINA

**Existing Conditions Plan**

**WithersRavenel**  
 Engineers | Planners | Surveyors  
116 Mountain Dale Way, NC 27011 | 919-499-8600 | Home 919-499-1470 | [info@withersravenel.com](mailto:info@withersravenel.com)

SOUTHBOUND →  
**US HIGHWAY 421**  
 VARIABLE WIDTH PUBLIC R/W

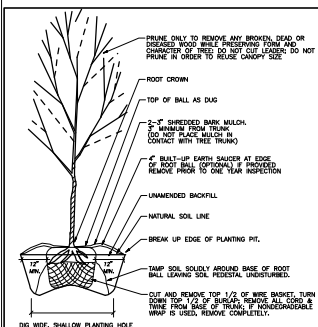


**PROPERTY / SITE DATA INFORMATION**

PROPERTY OWNER :	FSC II, LLC
ADDRESS:	0 WILLARD ROAD LIBERTY, NORTH CAROLINA
PIN	8725766570 8725766570 8725757997 8723960159
DEED BOOK/PAGE:	DB 2722 PG 1326 DB 2759 PG 056 DB 2221 PG 1224
PLAT BOOK/PAGE:	PB 107 PG 6 PB 104 PG 98
TOWNSHIP:	LIBERTY
WATERSHED:	ROCKY RIVER, WS-III PROTECTED
RIVER BASIN:	CAPE FEAR
CURRENT USE:	VACANT, EXISTING HOT-MIX ASPHALT BATCH PLANT
PROPOSED USE:	HOT-MIX ASPHALT BATCH PLANT
CURRENT ZONING:	MIXED
PROPOSED ZONING:	HI-CZ
TOTAL SITE ACREAGE	18.198 AC (LESS R/W)
NC DOT R/W (WILLARD RD)	0.658 AC
NET SITE ACREAGE	17.54 AC
PRE-1993 IMPERVIOUS (BUA):	3.45 AC (19.7% OF NET SITE)
ADDITIONAL IMPERVIOUS (BUA):	9.28 AC (65.9 % OF NET SITE- PRE1993 BUA)

**SITE IMPROVEMENTS**

EXISTING BUILDING (GSF) :	OFFICE AND HOUSE (1,880 SF)
PROPOSED BUILDING INFORMATION:	OFFICE: 14' X 56' (1 STORY) (784 SF) LABORATORY: 14' X 56' (1 STORY) (784 SF) MCC: 12' X 24' (1 STORY) (288 SF) SHOP: 150' X 100' (1 STORY) (15,000 SF)
PROPOSED BUILDING (GSF)	16,856 GSF
BUILDING HEIGHT	25'
# OF EMPLOYEES ON-SITE	5 TOTAL EMPLOYEES
# OF PARKING SPACES REQUIRED	10 SPACES
# OF PARKING SPACES PROVIDED	10 (2 VAN ACCESSIBLE H/C)
- NO AUTOMATIC SPRINKLER SYSTEM PROPOSED	
- ASPHALT PLANT SHALL BE A STATIONARY FACILITY OR PORTABLE FACILITY (PROVIDED BY OWNER)	
- NO FEMA FLOOD PLAIN LOCATED ON PROPERTY	
- NO HISTORICAL STRUCTURES LOCATED ON PROPERTY	



- GENERAL NOTES**
- BOUNDARY SURVEY INFORMATION PROVIDED BY FIELD SURVEY BY WITHERSRAVENEL JULY 2022.
  - TOPOGRAPHIC INFORMATION PROVIDED BY NC FLOODMAPS UDAR DATA.
  - DOMESTIC WATER WILL BE PROVIDED BY AN ON-SITE WELL.
  - DOMESTIC SEWER WILL BE PROVIDED BY AN ON-SITE SEWAGE DISPOSAL SYSTEM OR PUMP AND HAUL.
  - A SEPTIC SYSTEM PERMIT WILL BE OBTAINED FOR THE PROPOSED OFFICE PRIOR TO PLANT OPERATION.
  - THE OWNER IS RESPONSIBLE FOR LOCATING AND IDENTIFYING ON-SITE WETLANDS. WETLAND DELINEATION WILL BE REVIEWED AND APPROVED BY USFCD.
  - THERE IS NO 100 YEAR FEMA FLOODPLAIN LOCATED ON THIS PROPERTY PER FIRM PANEL 3710872400K EFFECTIVE DATE JANUARY 2, 2008 PER NCDOI.COM/COM.
  - ALL NC BUILDING CODE REQUIREMENTS WILL BE MET DURING BUILDING PERMITTING PROCESS.
  - ALL EXTERIOR LIGHTING WILL BE IN ACCORDANCE WITH APPLICABLE RANDOLPH COUNTY UDO SECTIONS.
  - LANDSCAPING SHALL BE IN ACCORDANCE WITH APPLICABLE RANDOLPH COUNTY UDO SECTIONS.
  - PERIMETER LANDSCAPE BUFFERS AS SHOWN ON THE SITE PLAN.
  - PROPOSED DUMPSTER WILL BE SCREENED WITH A 6' HIGH OPAQUE FENCE WITH A GATE.
  - ALL SIGNAGE WILL BE IN ACCORDANCE WITH APPLICABLE RANDOLPH COUNTY UDO SECTIONS.
  - STORMWATER MANAGEMENT PLAN WILL BE IN ACCORDANCE WITH APPLICABLE RANDOLPH COUNTY UDO SECTIONS.

**PRELIMINARY**  
 NOT APPROVED FOR CONSTRUCTION



No.	Revision	Date	By	Checked	Scale

**FSC LIBERTY ASPHALT PLANT**

Preliminary Sketch Plan

LIBERTY TOWNSHIP      RANDOLPH COUNTY      NORTH CAROLINA

**FSC LIBERTY ASPHALT PLANT**




Preliminary Sketch Plan

**WithersRavenel**  
 Engineers | Planners | Surveyors  
 110 Mountain Drive, Cary, NC 27513 | 919.487.8600 | www.withersravenel.com



# FSC II LLC, Rezoning Request

**Legend**

-  Parcels
-  Roads
-  50 ft. Stream buffer



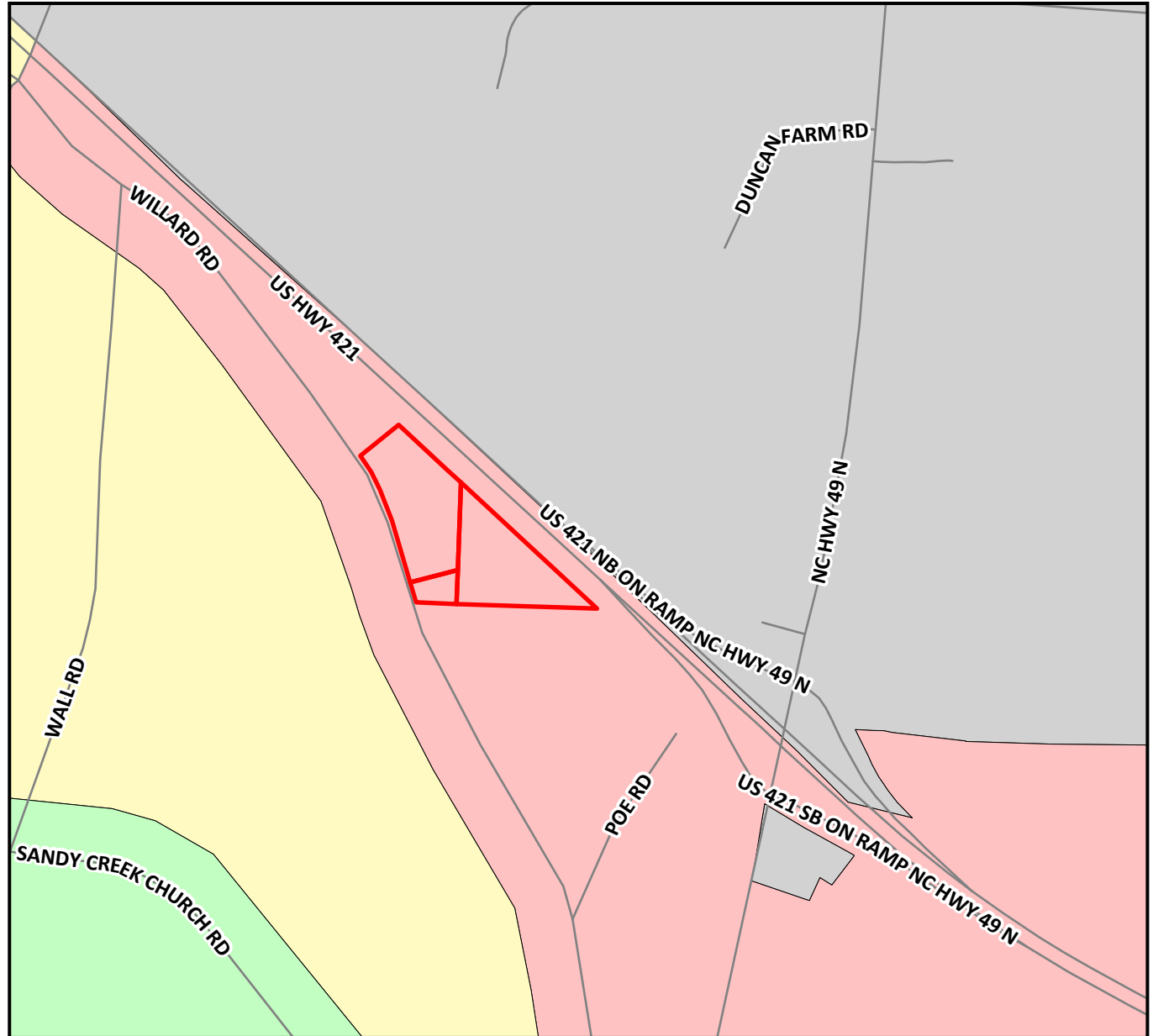
*The request is located in Rock River Watershed Area.*

1 inch equals 400 feet

# FSC II LLC, Rezoning Request

## Legend

- ~ Roads
- Growth Management**
- Municipal Growth Area
  - Primary Growth Area
  - Secondary Growth Area
  - Rural Growth Area



*The request is located in Rock River Watershed Area.*

1 inch equals 1,000 feet

# FSC II, LLC, Rezoning Request



**Picture 1:**  
Request location.



**Picture 2:**  
Request location.



**Picture 3:**  
Adjacent residence.



**Picture 4:**  
Liberty Raceway Park.



**Picture 5:**  
Request location on right as seen looking Wall Rd.



**Picture 6:**  
Request location on left as seen looking toward Poe Rd.



4/4/2023

### Randolph County GIS Current Owner Information

Randolph County, Its Agents and Employees  
make not warranty to the correctness of the  
information set forth on this document.

PIN	TAX ACRES	DESCRIPTION	DEED BOOK/PAGE	OWNER	ADDRESS	ADDRESS2	CITY STATE ZIP
8725677142	18.59	DONALD R WESTMORELAND;L1A +L1	002297/01133	LIBERTY RACEWAY PARK LLC	1228 E ALLRED ST		ASHEBORO, NC 27203
8725753940	11.13	R2438;W	001491/00334	ISOM, SHARON MARIE (ISOM, JOE THOMAS)	6910 WILLARD RD		STALEY, NC 27355
8725755454	33.96	R2438;W	001093/00321	LOWE, BOBBY V	7214 WILLARD RD		STALEY, NC 27355
8725757997	1.13	DONALD WESTMORELAND;L3	002819/01173	FSC II LLC	701 CORPORATE CENTER DR	STE 101	RALEIGH, NC 27607
8725761470	6.59	RACHEL WESTMORELAND;L3	001420/01293	WESTMORELAND, RACHEL	6898 WILLARD RD		STALEY, NC 27355
8725766570	8.44	DONALD WESTMORELAND LO 1B-2	002722/01326	FSC II LLC	701 CORPORATE CENTER DR	STE 101	RALEIGH, NC 27607
8725855297	35.84	R2438;E	001938/01945	NUNN, MELVIN CORNELL JR (NUNN, ERIKA H)	7093 WILLARD RD		STALEY, NC 27355
8725877212	20.56	R421;N	002181/01122	ISOM, STEPHEN M (ISOM, LISA H)	5401 NC HWY 49 N		LIBERTY, NC 27298
8725941393	19.08	WHITE & MCMASTERS TR 1 +TR	002564/01011	WHITE, THEODORE MARDEN (ZHANG, JUN)	914 S KIRKMAN ST		LIBERTY, NC 27298
8725955627	0.6	R421;N	002759/00256	LINEBERRY, RUSSELL SCOTT	6841 LAYTON RD		LIBERTY, NC 27298
8725960159	28.9	R421;BOTH SIDES	002759/00256	LINEBERRY, RUSSELL SCOTT	6841 LAYTON RD		LIBERTY, NC 27298
8725969059	0.78	R49;W	001246/00403	ISOM, ROY L (ISOM, RACHEL S)	5423 NC HWY 49 N		LIBERTY, NC 27298
8725978002	18.17	R49;W	00009E/00979	ISOM, RACHEL	5423 NC HWY 49 N		LIBERTY, NC 27298



**COUNTY OF RANDOLPH  
CONSISTENCY DETERMINATION AND  
FINDING OF REASONABLENESS AND PUBLIC INTEREST**

**IN THE MATTER OF THE APPLICATION FOR REZONING  
BY FSC II, LLC  
REZONING REQUEST #2023-00000886**

---

**NORTH CAROLINA**

**RANDOLPH COUNTY  
PLANNING BOARD**

According to North Carolina General Statutes § 160D and the *Randolph County Unified Development Ordinance*, the Randolph County Planning Board finds that the proposed zoning district map amendments to *HI-CD - Heavy Industrial - Conditional District* as described in the application of FSC II, LLC, are consistent with the *Randolph County Unified Development Ordinance* and the 2009 *Randolph County Growth Management Plan* and are reasonable and in the public interest for the following reasons:

**1. Determination of Consistency with the *Growth Management Plan*.**

**A. Consistency with *Growth Management Plan Map***

The *Randolph County Growth Management Plan* map for the southeast area shows the parcel to be rezoned in an area designated as *Primary Growth Area* which generally lie along major transportation corridors and have access to urban services. This parcel is along US Hwy 421 which is a major transportation corridor.

**B. Consistency with Growth Policies in the *Growth Management Plan***

***Policy 1.1*** *Sustainable economic development, environmental protection, and quality of life, shall be pursued together as mutually supporting public policy goals.*

**Consistency Analysis:** The existing asphalt plant has been in operation for many years. Due to recent market demands, the company has found it necessary to expand operations. Instead of going to a different location they have chosen to expand at this site. By remaining at this location, the applicant will be able to continue its existing economic development while protecting the environment and the quality of life of the area citizens at the same time.

***Policy 3.1*** *Industrial development should be on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged.*

**Consistency Analysis:** By expanding the existing facility, the applicant will be using land that is physically suitable and had advantages for the business such as its proximity to NC Hwy 49 and US Hwy 421.

**2. Statement of Reasonableness and Public Interest**

**Reasonableness and Public Interest Analysis:**

The policies listed above illustrate how this request is consistent with the Ordinance, the Plan, and applicable General Statutes. The parcel in this rezoning request is subject to the Conditions agreed upon between the property owner and the Planning Board. These Conditions will limit the amount and type of development on the property reducing the impact on adjoining parcels. The proposed use will also increase the tax base and increase economic activity within the County.

Adopted on May 2, 2023.

---

Chair, Randolph County Planning Board

**ATTEST**

---

Kimberly J. Heinzer,  
Clerk to the Randolph County Planning Board



## AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF RANDOLPH COUNTY, NORTH CAROLINA

**WHEREAS**, a 11.93 acre parcel, having the Randolph County Parcel Identification Number of 8725766570, 8725757997 and 8725960159 is currently zoned *RA - Residential Agricultural District* and *HI-CD – Heavy Industrial – Conditional District* by Randolph County, North Carolina;

**WHEREAS**, the Randolph County Planning Board has conducted a duly noticed public hearing on May 2, 2023 to consider the proposed rezoning on application number 2023-00000886, and all procedural requirements found in North Carolina General Statute 160D and the *Randolph County Unified Development Ordinance* have been satisfied;

**WHEREAS**, the Randolph County Planning Board has found that the proposed rezoning is consistent with the *Randolph County Unified Development Ordinance* and the *Randolph County Growth Management Plan* and is reasonable and in the public interest, and the Randolph County Planning Board has adopted a separate statement to this effect;

**NOW THEREFORE, BE IT ORDAINED BY THE RANDOLPH COUNTY PLANNING BOARD THAT**, the property is hereby rezoned to *HI-CD - Heavy Industrial - Conditional District*. The official Randolph County Zoning Map and the *Randolph County Growth Management Plan Map* is hereby amended, if necessary, to reflect the same and this Ordinance shall become effective upon adoption.

Adopted on May 2, 2023.

---

Chair, Randolph County Planning Board

**ATTEST**

---

Kimberly J. Heinzer,  
Clerk to the Randolph County Planning Board



## MOTION TO APPROVE A CONDITIONAL DISTRICT REZONING

---

NORTH CAROLINA

RANDOLPH COUNTY  
PLANNING BOARD

“I make the motion to **APPROVE** this rezoning request to rezone the specified parcel(s) on the rezoning application and the Map Amendment Ordinance, to the requested zoning district based upon the ***Determination of Consistency and Findings of Reasonableness and Public Interest*** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, also incorporated into the motion and that the request is also consistent with the *Randolph County Growth Management Plan.*”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



## MOTION TO DENY A CONDITIONAL DISTRICT REZONING

---

NORTH CAROLINA

RANDOLPH COUNTY  
PLANNING BOARD

“I make the motion to **DENY** this rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the ***Determination of Consistency and Findings of Reasonableness and Public Interest*** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, also incorporated into the motion and that the request is not consistent with the *Randolph County Growth Management Plan.*”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



**RANDOLPH COUNTY PLANNING & ZONING  
STAFF REPORT AND MAP AMENDMENT EVALUATION**

**APPLICATION #2023-00000873**

---

**GENERAL INFORMATION**

**Applicant:** Allen Radford

**Property Owner:** Matthew Newman

**Hearing Type:** Legislative

**Request:** To amending the existing site plan to allow a 40 ft. by 60 ft. pole shed and gravel lot with 25% impervious surface as per the site plan.

**Current Zoning:** *HC-CD – Highway Commercial – Conditional District*

**Requested Zoning:** *HC-CD – Highway Commercial – Conditional District*

**Small Area Plan:** None

**Growth Management:** Primary Growth Area

**Watershed Overlay:** Randleman Lake Protected Area

**Flood Plain Overlay:** None

**Airport Overlay:** None

**Location:** 10973 Randleman Rd

**Parcel Number:** 7758955367

**Parcel Size:** 0.46 acres

**Existing Use:** Vacant building on the property

---

### SITE INFORMATION AND SURROUNDING LAND USES

Direction	Adjacent Zoning	Adjacent Land Use
North	<i>RA - Residential Agricultural District</i>	Single-family residence
South	<i>RA - Residential Agricultural District</i>	Single-family residence
East	<i>RA - Residential Agricultural District</i>	Single-family residence
West	<i>RA - Residential Agricultural District</i>	Single-family residence

### TRANSPORTATION INFORMATION

**Information from North Carolina Department of Transportation:**

No comments have been received from NC Department of Transportation.

### ZONING INFORMATION

**Zoning History:**

The property was rezoned to *HC-CD – Highway Commercial – Conditional District* in November, 2002, to allow a used car sales lot with the display of a maximum of 10 vehicles. The conditions further state that there can be no more than three vehicles displayed in front of the residence and that they must maintain adequate sight line for the adjoining private drive.

**Proposed Zoning District Standards from the *Randolph County Unified Development Ordinance, Article 600, Section 613 (ex. Fencing, buffers, etc.):***

<b><i>HC: HIGHWAY COMMERCIAL DISTRICT</i></b>	
<b>PURPOSE</b>	
The purpose of the <i>Highway Commercial (HC) District</i> is to provide a place in which the principal use of land is for the retailing of durable goods, the provision of commercial services to industrial areas, and the provision of services to tourists.	
<b>DIMENSIONAL STANDARDS FOR PRIMARY STRUCTURE</b>	
<b>Lot size with a minimum of 100 ft. of State road frontage</b>	40,000 sq. ft. Water Quality Critical Area: 80,000 sq. ft.
<b>Lot size with less than 100 ft. of State road frontage</b>	5 acres
<b>Lot width</b>	100 ft. at building line

<b>Front setback</b>	35 ft. from any road right-of-way
<b>Corner side setback</b>	35 ft. from any road right-of-way
<b>Side setback</b>	10 ft. from any side property line
<b>Rear setback</b>	30 ft. from the rear property line
<b>DIMENSIONAL STANDARDS FOR ACCESSORY STRUCTURES</b>	
<b>Road setback</b>	20 ft. from any road right-of-way
<b>Property line setback</b>	5 ft. from any property line
<b>DIMENSIONAL STANDARDS NOTES</b>	
<ol style="list-style-type: none"> <li>1. Lot areas and setbacks shall be increased if required by Randolph County Public Health.</li> <li>2. Lot areas in designated Watershed and Protected Areas are controlled by the Randolph County Watershed Protection Regulations.</li> <li>3. Front yard setback shall be maintained on all road rights-of-way.</li> <li>4. Minimum lot size requirements within <i>Primary Growth Areas</i> may be reduced to a minimum of 30,000 sq. ft. or 20,000 sq. ft. with public utilities.</li> <li>5. Minimum lot size requirements within <i>Rural Growth Areas</i> are 3 acres.</li> <li>6. Lots in major subdivisions within <i>Rural Growth Areas</i> must maintain a 1:4 ratio.</li> <li>7. The minimum lot size requirements within the <i>Natural Heritage Overlay</i> are 6 acres.</li> <li>8. Conditional Districts are identical to the general use districts except for site plans and individualized development conditions are imposed only upon signed petition of all owners of the land to be included in the Conditional District.</li> </ol>	

---

## STAFF ANALYSIS AND RECOMMENDATION

The Planning and Zoning Staff has reviewed this request finds that this request:

- Meets all technical requirements of both the Ordinance and the Plan;
- Is consistent, reasonable, and in the public interest; and
- Should be **APPROVED** by the Randolph County Planning Board.

The following policies from the *Randolph County Growth Management Plan* were identified by the Technical Review Committee and Planning and Zoning Staff as supporting the above conclusion.

**Policy 4.2** *Highway oriented commercial uses should be clustered along segments of arterial streets and contain land uses that are mutually compatible and reinforcing in use and design. They should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip development.*

**Consistency Analysis:** This property was rezoned on November 4, 2002, with the conditions to allow a used car sales lot with a maximum display of ten vehicles and that no more than three vehicles could be displayed in front of the existing house. Another condition was that the applicant must maintain adequate sight lines for the adjoining private drive. That business never opened for operation. The current proposal is less intense as it is for a pole shed and a gravel parking lots. By using this location, the

proposed development will be compatible with the existing land uses and will minimize lengths of commercial development.

**Policy 4.4** *Commercial uses should be encouraged to develop by consolidation and deepening of existing commercially zoned property, only when such consolidation and deepening can be developed in a way that lessens the effect of incompatibility with adjoining residential land uses.*

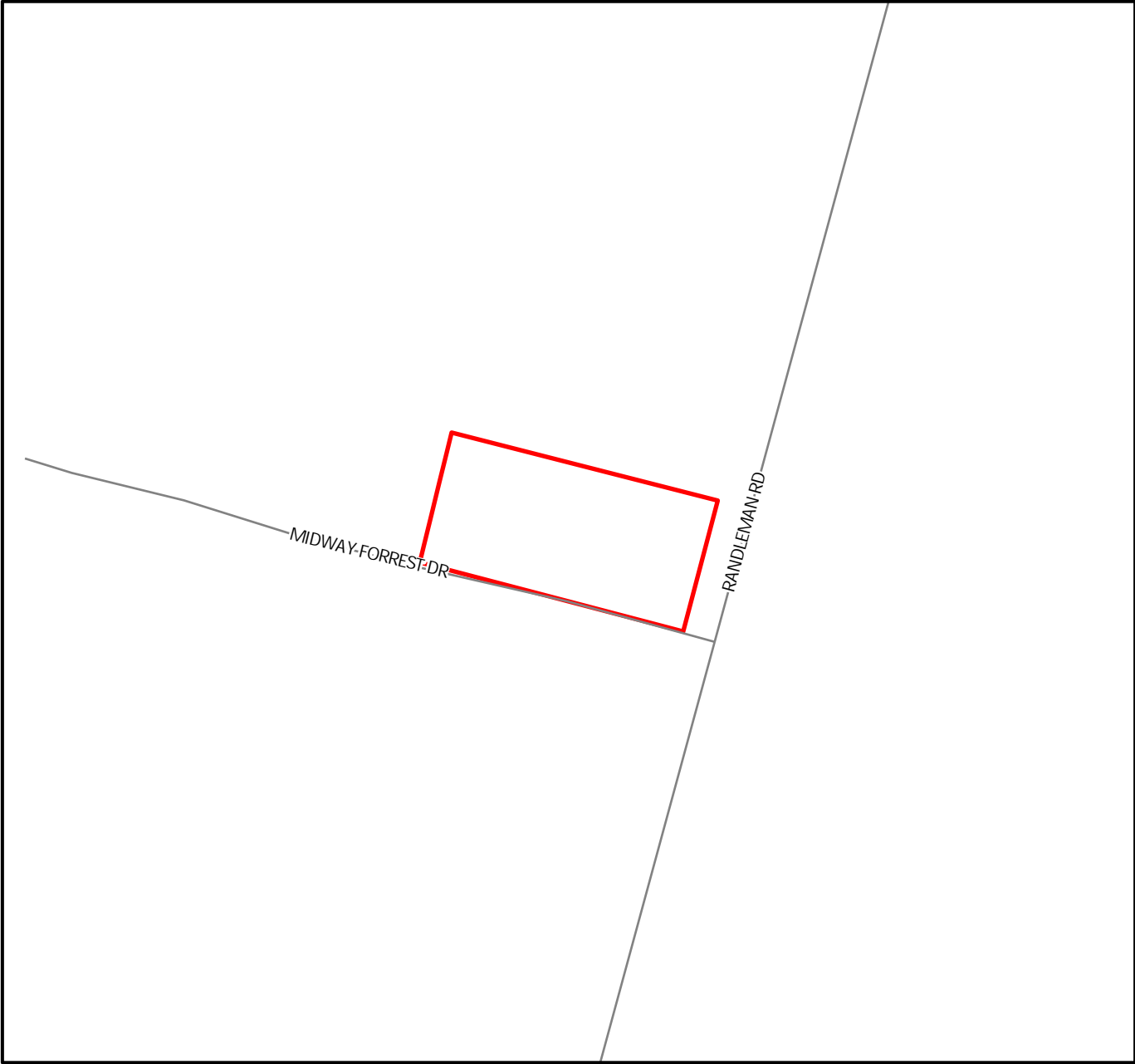
**Consistency Analysis:** By using the previously zoned *HC-CD – Highway Commercial – Conditional District* parcel, the applicant is making use of the existing zoned property that will lessen the impact of a more dense development.

**Reasonableness and Public Interest Analysis:** The policies listed above illustrate how this request is consistent with the Ordinance, the Plan, and applicable General Statutes. The parcel in this rezoning request is subject to the Conditions agreed upon between the property owner and the Planning Board. These Conditions will limit the amount and type of development on the property reducing the impact on adjoining parcels. The proposed use will also increase the tax base and increase economic activity within the County.





# Radford Request Locat on Map




US Hwy 220 Bus N - Cont nue on  
Randleman Rd - Site on (L) just past  
Midway Forrest Dr at 10973  
Randleman Rd.



1 inch equals 125 feet




# Radford Rezoning Request


**Legend**


 Parcels


**Structures**

**Type**

-  Mult -address Structure
-  Permanent Structure
-  Temporary Structure





 Roads

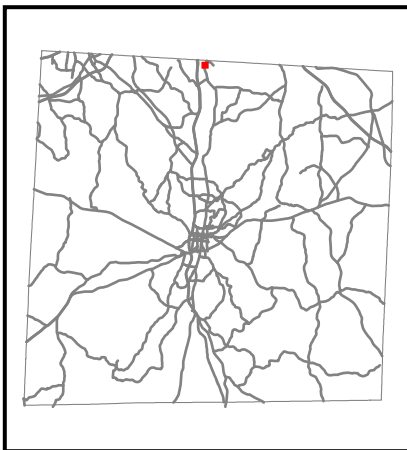
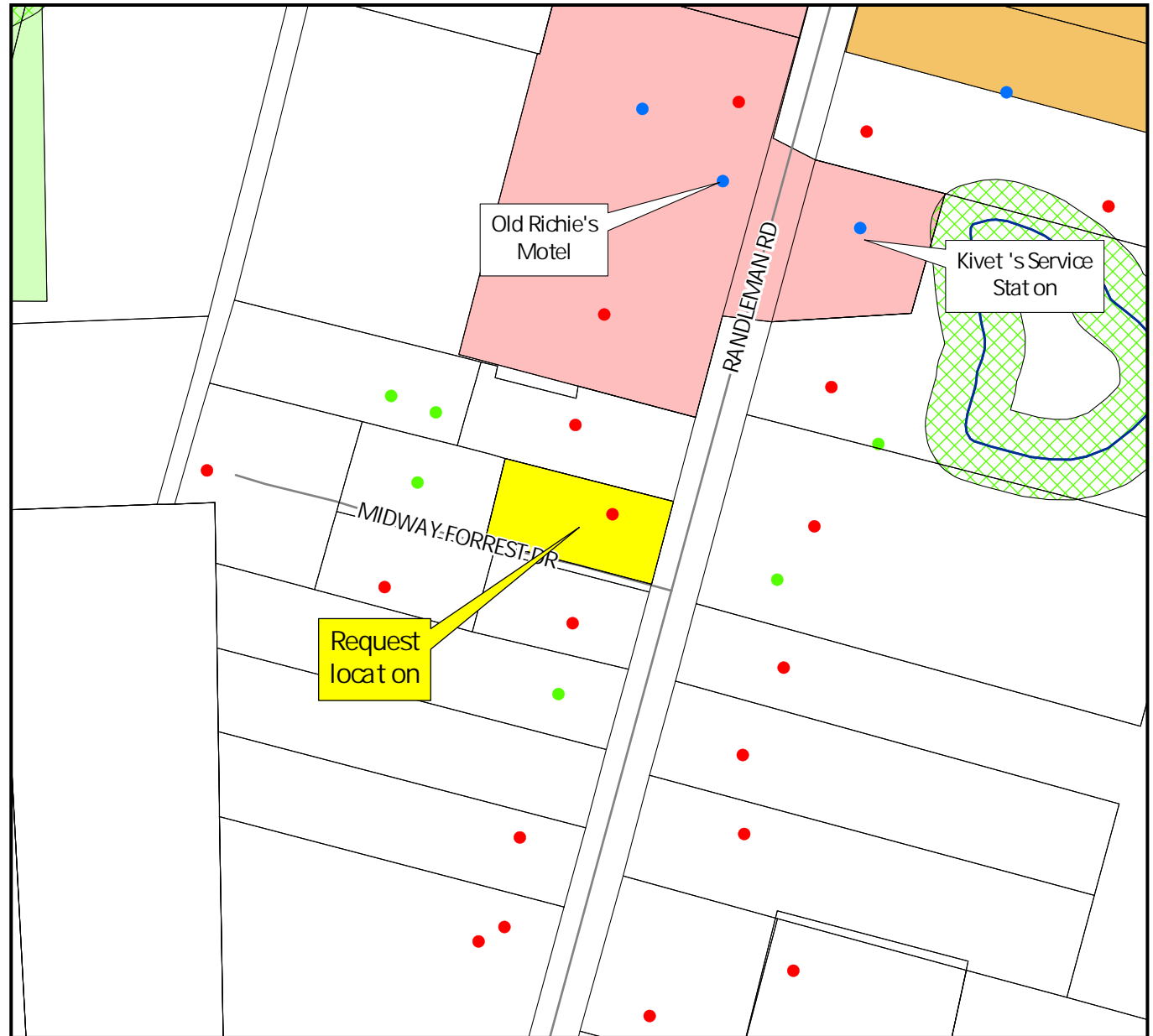
 Streams

 50f . Stream buf er

**County zoning**

**Districts**

-  HC
-  RA
-  RM
-  RR



The request is located in Randleman Lake Watershed Area.

1 inch equals 200 feet

- Notes:**
- This project is not located within a special flood hazard area per NCFRIS. Map # 3710773800K Effective Date: 1/2/2008
  - Area calculated by coordinate geometry.
  - All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
  - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
  - Tax PIN: 775895347

County of Randolph  
Certificate of Exemption

Approved: \_\_\_\_\_  
Date \_\_\_\_\_ Planning Director

STATE OF NORTH CAROLINA  
I, \_\_\_\_\_ Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_

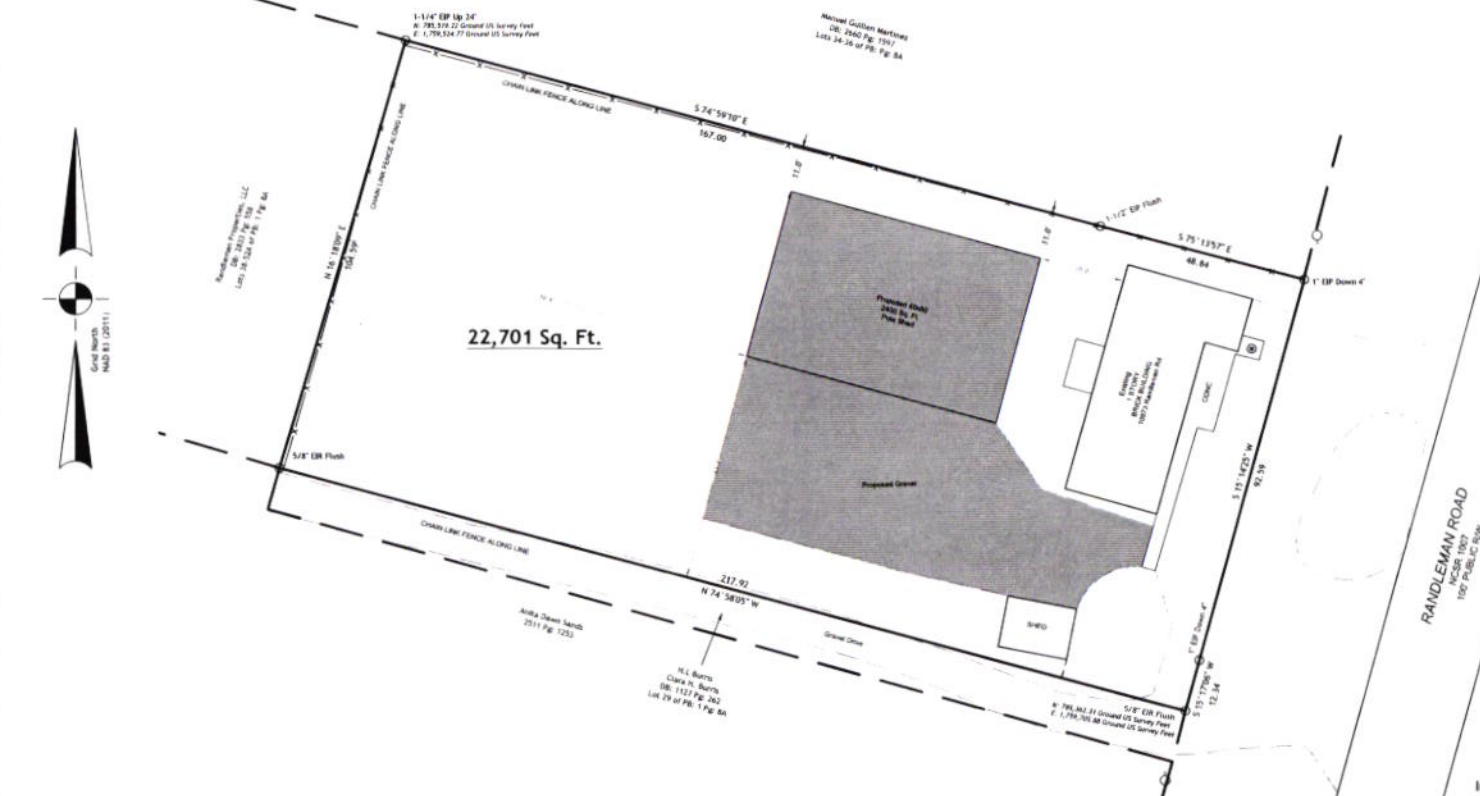
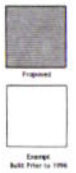
- |                            |                          |                         |                                    |
|----------------------------|--------------------------|-------------------------|------------------------------------|
| Property Line              | ○ Communications Manhole | ● Hardwood Tree         | ■ Catch Basin                      |
| Right of Way Line          | ○ SS Sanitary Sewer      | ● Evergreen Tree        | ■ Yard Inlet                       |
| Easement Line              | ○ SS Manhole             | ○ Storm Sewer Manhole   | ○ Storm Sewer Manhole Junction Box |
| Titelines                  | ○ SS Cleanout            | ○ Storm Inlet           | ○ Irrigation Control Valve         |
| Setback Lines              | ○ G/G Power Box          | ○ Back Flow Preventer   | ○ Water Valve                      |
| Gas Line                   | ○ PF                     | ○ Water Manhole         | ○ Water Meter                      |
| Sanitary Sewer Line        | ○ Light Pole             | ○ Fire Dept. Connection | ○ Fire Hydrant                     |
| Storm Sewer Line           | ○ Trip Pole              | ○ Utility Pole          | ○ Telephone Pedestal               |
| Water Line                 | ○ Gate Valve             | ○ Telephone Pole        | ○ Transformer                      |
| Fence                      | ○ Gas Valve              | ○ Electric Meter        |                                    |
| Overhead Utility Line      | ○ Gas Meter              | ○ Electric Manhole      |                                    |
| Overhead Power Line        | ○ Electric Meter         | ○ Electric Manhole      |                                    |
| Underground Electric Line  | ○ Electric Meter         | ○ Electric Manhole      |                                    |
| Underground Gas Line       | ○ Electric Meter         | ○ Electric Manhole      |                                    |
| 100-Year Flood Hazard Line | ○ Electric Meter         | ○ Electric Manhole      |                                    |
| Freeway                    | ○ Electric Meter         | ○ Electric Manhole      |                                    |
| CA Railroad                | ○ Electric Meter         | ○ Electric Manhole      |                                    |



Location Map  
(Not to Scale)

**IMPERVIOUS SURFACE DATA**

Total Area In Tract:	22,701 Sq. Ft.
Proposed Building:	2,400 Sq. Ft.
Proposed Gravel:	3,374 Sq. Ft.
Total Impervious:	5,774 Sq. Ft. / 25%



I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)(1)d That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in:

Book 2372, page 1012;

that the boundaries not surveyed are clearly indicated as drawn from information found in Book See, page Notes; that the ratio of precision or positional accuracy as calculated is 1:10000+, that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this the 28th day of February, A.D., 2023.



- I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/ GNSS survey made under my supervision and the following information was used to perform the survey:
- (1) Class of survey: Class A
  - (2) Positional accuracy: <math>-0.10'</math>
  - (3) Type of GNSS field procedure: Real-Time Kinematics Networks
  - (4) Dates of survey: February 23, 2023
  - (5) Datum/Elevation: NAD83(2011) / 2010.00
  - (6) Published/Field-control used: North Carolina Real Time Network
  - (7) Geoid model: Geoid 12A
  - (8) Combined grid factors(s): 0.99990830
  - (9) GPS/GNSS Scale Factor:
  - (10) Units: US Survey Feet

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor L-4787

Impervious Surface Survey For:  
**Allen Radford**  
Level Cross Township Randolph County  
North Carolina February 28, 2023  
Deed Book: 2372 Pg: 1012  
Plat Book: 1 Pg: 8A  
Scale: 1" = 20 US Survey Feet



**SURVEY CAROLINA, PLLC**  
154 S. Fayetteville St, Suite B, Asheboro, NC 27203  
Phone Number: 336 625-8000  
Email: mall@surveycarolina.com




Firm #: P-1110  
Dan W Tanner II L-4787  
© 2023 Survey Carolina, Plc

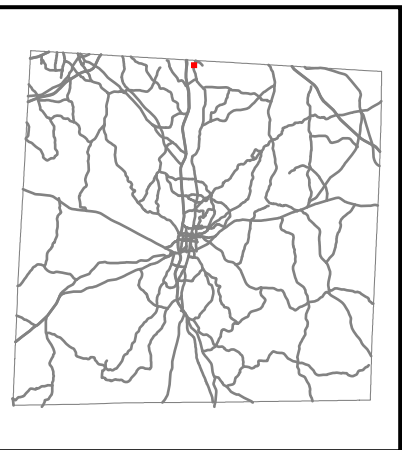
Job #: 14927

Owners:  
Matthew Newman  
3607-37 McCuiston Road  
Greensboro, NC 27407

# Radford Rezoning Request

## Legend

-  Parcels
-  Roads
-  50 ft. Stream buffer



*The request is located in Randleman Lake Watershed Area.*

1 inch equals 125 feet

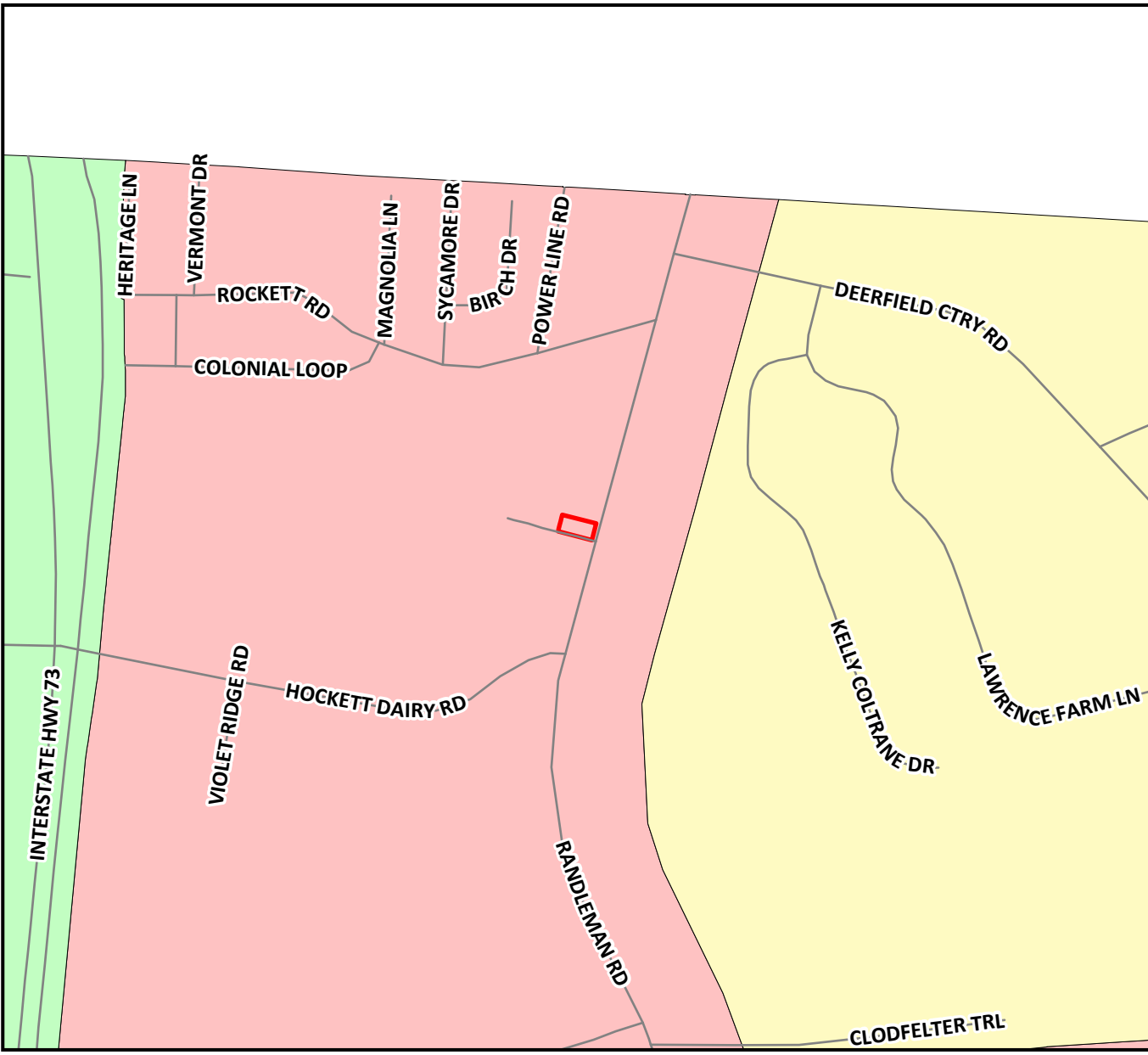
# Radford Rezoning Request

**Legend**

~ Roads

**Growth Management**

- Primary Growth Area
- Secondary Growth Area
- Rural Growth Area



*The request is located in Randleman Lake Watershed Area.*

1 inch equals 1,000 feet

# Radford Rezoning Request



**Picture 1:**  
Request location.



**Picture 2:**  
Property across  
road from request  
location.



**Picture 3:**  
Nearby Old Richie's  
Motel.



**Picture 4:**  
Adjacent residence.



**Picture 5:**  
Request location on  
right as seen looking  
toward Hockett  
Dairy Rd.



**Picture 6:**  
Request location on  
left as seen looking  
toward Rockett Rd.



4/4/2023

### Randolph County GIS Current Owner Information

Randolph County, Its Agents and Employees  
make not warranty to the correctness of the  
information set forth on this document.

PIN	TAX_ACRES	DESCRIPTION	DEED_BOOK/PAGE	OWNER	ADDRESS	ADDRESS2	CITY_STATE_ZIP
7758952546	0.46	MIDWAY FOREST;L34A-37A	002833/00558	RANDLEMAN PROPERTIES LLC	P O BOX 1758		LAURENS, SC 29360
7758953312	0.46	R220;W DEEDED ACCESS	002473/00129	UNITED REAL ESTATE AQUISITIONS LLC	P O BOX 1805		NEW PORT RICHEY, FL 34656
7758953431	0.48	R1007;W DEEDED ACCESS	002614/01389	RENT TO WORK LLC	1367 BARKER DR		RANDLEMAN, NC 27317
7758954382	0.05	R220;W PT L29	001127/00262	BURRIS, CLARA ESTATE	1634 E ALLRED ST	C/O TONYA CHRISCOE TRUSTEE	ASHEBORO, NC 27203
7758955255	0.48	R220;W	002511/01253	SANDS, ANITA DAWN	10961 RANDLEMAN RD		RANDLEMAN, NC 27317
7758955367	0.46	R220;W	002372/01012	NEWMAN, MATTHEW	3607-37 MCCUISTON RD		GREENSBORO, NC 27407
7758955469	0.65	MIDWAY FOREST;PT L34-37	002660/01597	MARTINEZ, MANUEL GUILLEN	1111 DUKE ST		GREENSBORO, NC 27406
7758959123	4.25	MIDWAY FOR;L102-105,102A-105A,83A	002646/00634	MACHUCA, NELSON RAUL	6224 HORSESHOE DR		SUMMERFIELD, NC 27358
7768050209	3.28	MIDWAY FOR;L106-115,106A-115A	001701/00001	HONEYCUTT, RAYMOND D JR	708 WEATHERBY LN		GREENSBORO, NC 27406



**COUNTY OF RANDOLPH  
CONSISTENCY DETERMINATION AND  
FINDING OF REASONABLENESS AND PUBLIC INTEREST**

**IN THE MATTER OF THE APPLICATION FOR REZONING  
BY ALLEN RADFORD  
REZONING REQUEST #2023-00000873**

---

**NORTH CAROLINA**

**RANDOLPH COUNTY  
PLANNING BOARD**

According to North Carolina General Statutes § 160D and the *Randolph County Unified Development Ordinance*, the Randolph County Planning Board finds that the proposed zoning district map amendments to *HC-CD - Highway Commercial - Conditional District* as described in the application of Allen Radford are consistent with the *Randolph County Unified Development Ordinance* and the 2009 *Randolph County Growth Management Plan* and are reasonable and in the public interest for the following reasons:

**1. Determination of Consistency with the *Growth Management Plan*.**

**A. Consistency with *Growth Management Plan Map***

The *Randolph County Growth Management Plan* map for the southeast area shows the parcel to be rezoned in an area designated as *Primary Growth Area* which generally lie along major transportation corridors and have access to urban services. This parcel is along US Hwy 220 Bus N which is a major transportation corridor.

**B. Consistency with Growth Policies in the *Growth Management Plan***

***Policy 4.2*** *Highway oriented commercial uses should be clustered along segments of arterial streets and contain land uses that are mutually compatible and reinforcing in use and design. They should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip development.*

**Consistency Analysis:** This property was rezoned on November 4, 2002, with the conditions to allow a used car sales lot with a maximum display of ten vehicles and that no more than three vehicles could be displayed in front of the existing house. Another condition was that the applicant must maintain adequate sight lines for the adjoining private drive. That business never opened for operation. The current proposal is less intense as it is for a pole shed and a gravel parking lots. By using this location, the proposed development will be compatible with the existing land uses and will minimize lengths of commercial development.

**Policy 4.4** Commercial uses should be encouraged to develop by consolidation and deepening of existing commercially zoned property, only when such consolidation and deepening can be developed in a way that lessens the effect of incompatibility with adjoining residential land uses.

**Consistency Analysis:** By using the previously zoned *HC-CD – Highway Commercial – Conditional District* parcel, the applicant is making use of the existing zoned property that will lessen the impact of a more dense development.

**2. Statement of Reasonableness and Public Interest**

**Reasonableness and Public Interest Analysis:**

The policies listed above illustrate how this request is consistent with the Ordinance, the Plan, and applicable General Statutes. The parcel in this rezoning request is subject to the Conditions agreed upon between the property owner and the Planning Board. These Conditions will limit the amount and type of development on the property reducing the impact on adjoining parcels. The proposed use will also increase the tax base and increase economic activity within the County.

Adopted on May 2, 2023.

---

Chair, Randolph County Planning Board

**ATTEST**

---

Kimberly J. Heinzer,  
Clerk to the Randolph County Planning Board



## AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF RANDOLPH COUNTY, NORTH CAROLINA

**WHEREAS**, a 0.46 acre parcel, having the Randolph County Parcel Identification Number of 7758955367 is currently zoned *HC-CD - Highway Commercial - Conditional District* by Randolph County, North Carolina;

**WHEREAS**, the Randolph County Planning Board has conducted a duly noticed public hearing on May 2, 2023 to consider the proposed rezoning on application number 2023-00000873, and all procedural requirements found in North Carolina General Statute 160D and the *Randolph County Unified Development Ordinance* have been satisfied;

**WHEREAS**, the Randolph County Planning Board has found that the proposed rezoning is consistent with the *Randolph County Unified Development Ordinance* and the *Randolph County Growth Management Plan* and is reasonable and in the public interest, and the Randolph County Planning Board has adopted a separate statement to this effect;

**NOW THEREFORE, BE IT ORDAINED BY THE RANDOLPH COUNTY PLANNING BOARD THAT**, the property is hereby rezoned to *HC-CD - Highway Commercial - Conditional District*. The official Randolph County Zoning Map and the *Randolph County Growth Management Plan Map* is hereby amended, if necessary, to reflect the same and this Ordinance shall become effective upon adoption.

Adopted on May 2, 2023.

---

Chair, Randolph County Planning Board

**ATTEST**

---

Kimberly J. Heinzer,  
Clerk to the Randolph County Planning Board



## MOTION TO APPROVE A CONDITIONAL DISTRICT REZONING

---

NORTH CAROLINA

RANDOLPH COUNTY  
PLANNING BOARD

“I make the motion to **APPROVE** this rezoning request to rezone the specified parcel(s) on the rezoning application and the Map Amendment Ordinance, to the requested zoning district based upon the ***Determination of Consistency and Findings of Reasonableness and Public Interest*** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, also incorporated into the motion and that the request is also consistent with the *Randolph County Growth Management Plan.*”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



## MOTION TO DENY A CONDITIONAL DISTRICT REZONING

---

NORTH CAROLINA

RANDOLPH COUNTY  
PLANNING BOARD

“I make the motion to **DENY** this rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the ***Determination of Consistency and Findings of Reasonableness and Public Interest*** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, also incorporated into the motion and that the request is not consistent with the *Randolph County Growth Management Plan.*”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



**RANDOLPH COUNTY PLANNING & ZONING  
STAFF REPORT AND MAP AMENDMENT EVALUATION**

**APPLICATION #2023-00000876**

---

**GENERAL INFORMATION**

**Applicant:** Steve Wishon

**Property Owner:** Teresa C Wood and Robin C Bryant

**Hearing Type:** Legislative

**Request:** To rezone 1.68 acres out of 3.59 acres to allow an auto repair garage and towing service in an existing building as per the site plan.

**Current Zoning:** *RA – Residential Agricultural District*

**Requested Zoning:** *HC-CD – Highway Commercial – Conditional District*

**Small Area Plan:** None

**Growth Management:** Secondary Growth Area

**Watershed Overlay:** None

**Flood Plain Overlay:** None

**Airport Overlay:** None

**Location:** 1319 Nance Rd

**Parcel Number:** 7783518921

**Parcel Size:** 1.68 acres out of 3.59 acres

**Existing Use:** Single-family residential

---

### SITE INFORMATION AND SURROUNDING LAND USES

Direction	Adjacent Zoning	Adjacent Land Use
North	<i>RA - Residential Agricultural District</i>	Single-family residential
South	<i>RA - Residential Agricultural District</i>	Single-family
East	<i>RR - Residential Restricted District</i>	residential
West	<i>RA - Residential Agricultural District</i>	Single-family

### TRANSPORTATION INFORMATION

**Information from North Carolina Department of Transportation:**

No comments have been received from NC Department of Transportation.

### ZONING INFORMATION

**Zoning History:** There is no history of a rezoning, Variance or Special Use Permit at the request location.

**Proposed Zoning District Standards from the *Randolph County Unified Development Ordinance, Article 600, Section 613 (ex. Fencing, buffers, etc.):***

<b>HC: HIGHWAY COMMERCIAL DISTRICT</b>	
<b>PURPOSE</b>	
The purpose of the <i>Highway Commercial (HC) District</i> is to provide a place in which the principal use of land is for the retailing of durable goods, the provision of commercial services to industrial areas, and the provision of services to tourists.	
<b>DIMENSIONAL STANDARDS FOR PRIMARY STRUCTURE</b>	
<b>Lot size with a minimum of 100 ft. of State road frontage</b>	40,000 sq. ft. Water Quality Critical Area: 80,000 sq. ft.
<b>Lot size with less than 100 ft. of State road frontage</b>	5 acres
<b>Lot width</b>	100 ft. at building line
<b>Front setback</b>	35 ft. from any road right-of-way
<b>Corner side setback</b>	35 ft. from any road right-of-way
<b>Side setback</b>	10 ft. from any side property line
<b>Rear setback</b>	30 ft. from the rear property line

DIMENSIONAL STANDARDS FOR ACCESSORY STRUCTURES	
<b>Road setback</b>	20 ft. from any road right-of-way
<b>Property line setback</b>	5 ft. from any property line
<b>DIMENSIONAL STANDARDS NOTES</b>	
<ol style="list-style-type: none"> <li>1. Lot areas and setbacks shall be increased if required by Randolph County Public Health.</li> <li>2. Lot areas in designated Watershed and Protected Areas are controlled by the Randolph County Watershed Protection Regulations.</li> <li>3. Front yard setback shall be maintained on all road rights-of-way.</li> <li>4. Minimum lot size requirements within <i>Primary Growth Areas</i> may be reduced to a minimum of 30,000 sq. ft. or 20,000 sq. ft. with public utilities.</li> <li>5. Minimum lot size requirements within <i>Rural Growth Areas</i> are 3 acres.</li> <li>6. Lots in major subdivisions within <i>Rural Growth Areas</i> must maintain a 1:4 ratio.</li> <li>7. The minimum lot size requirements within the <i>Natural Heritage Overlay</i> are 6 acres.</li> <li>8. Conditional Districts are identical to the general use districts except for site plans and individualized development conditions are imposed only upon signed petition of all owners of the land to be included in the Conditional District.</li> </ol>	

---

## STAFF ANALYSIS AND RECOMMENDATION

The Planning and Zoning Staff has reviewed this request finds that this request:

- Meets all technical requirements of both the Ordinance and the Plan;
- Is consistent, reasonable, and in the public interest; and
- Should be **APPROVED** by the Randolph County Planning Board.

The following policies from the *Randolph County Growth Management Plan* were identified by the Technical Review Committee and Planning and Zoning Staff as supporting the above conclusion.

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

**Consistency Analysis:** This request location is the site of an old lawnmower dealership that has been closed for several years. By rezoning the property in this rural commercial area, the applicant can increase economic activity, job creation and the provision of services to the entire community and County.

**Policy 4.3** *Individual Rural Business or Highway Commercial rezoning decisions will depend upon the scale of the proposed development as it relates to the specific site and location weighed against impacts to adjoining rural land uses.*

**Consistency Analysis:** As previously state, the request location is the site of an old lawnmower dealership that has been closed for several years. The applicant is requesting

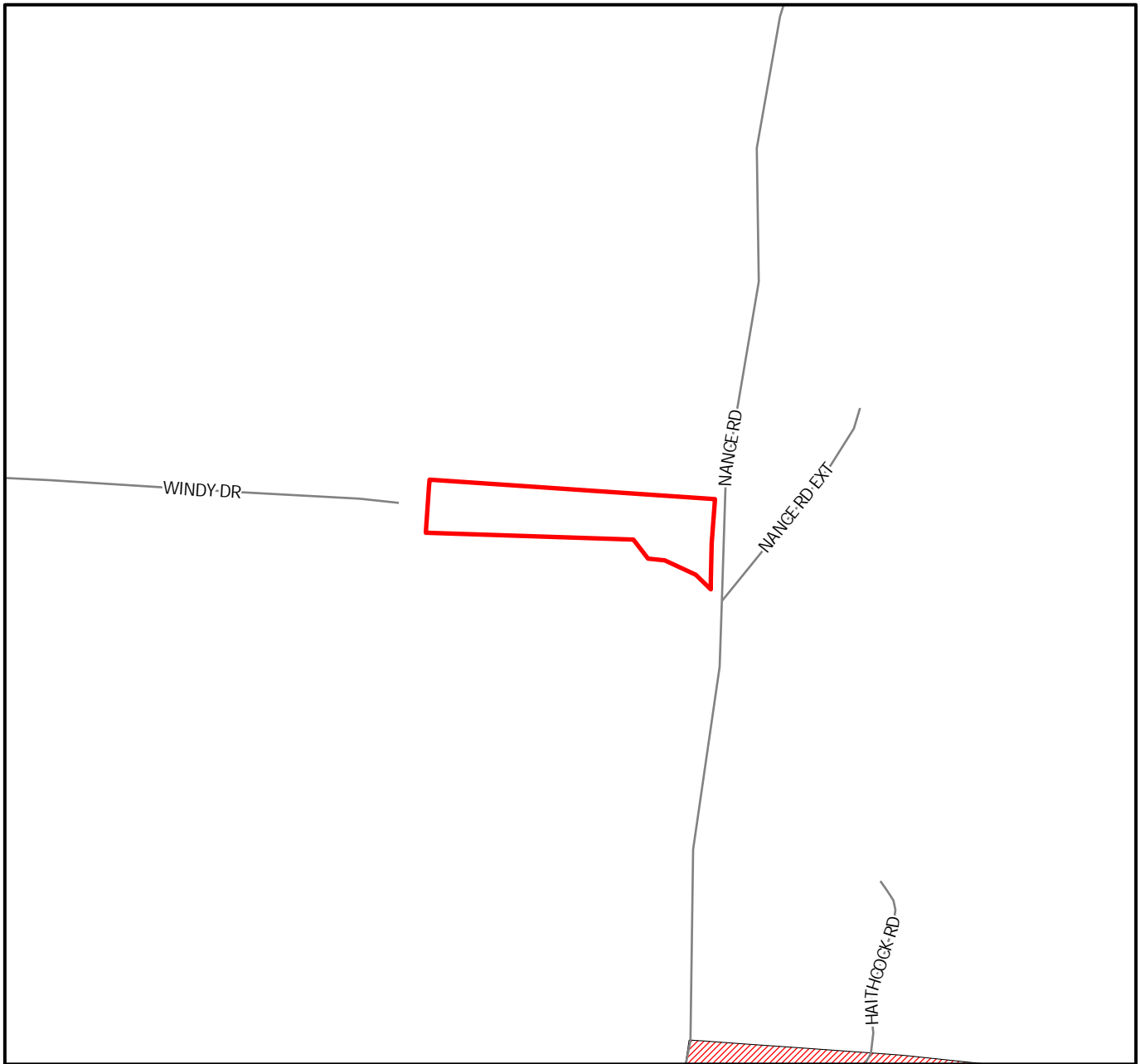
to rezone 1.68 acres out of 3.59 acres and, as such, should have minimum impact on the adjoining land uses.

**Reasonableness and Public Interest Analysis:** The policies listed above illustrate how this request is consistent with the Ordinance, the Plan, and applicable General Statutes. The parcel in this rezoning request is subject to the Conditions agreed upon between the property owner and the Planning Board. These Conditions will limit the amount and type of development on the property reducing the impact on adjoining parcels. The proposed use will also increase the tax base and increase economic activity within the County.

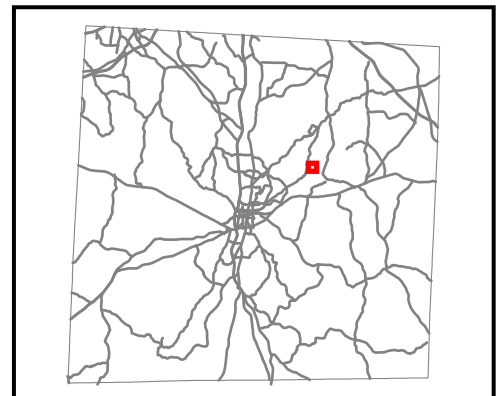




# Wishon Request Locat on Map



Direct ons to site: US Hwy 64 E -  
(L) Lof in Pond Rd - (R) Cedar  
Falls Rd - (L) Nance Rd - Site on  
(L) across from Nance Rd Ext  
at 1319 Nance Rd.

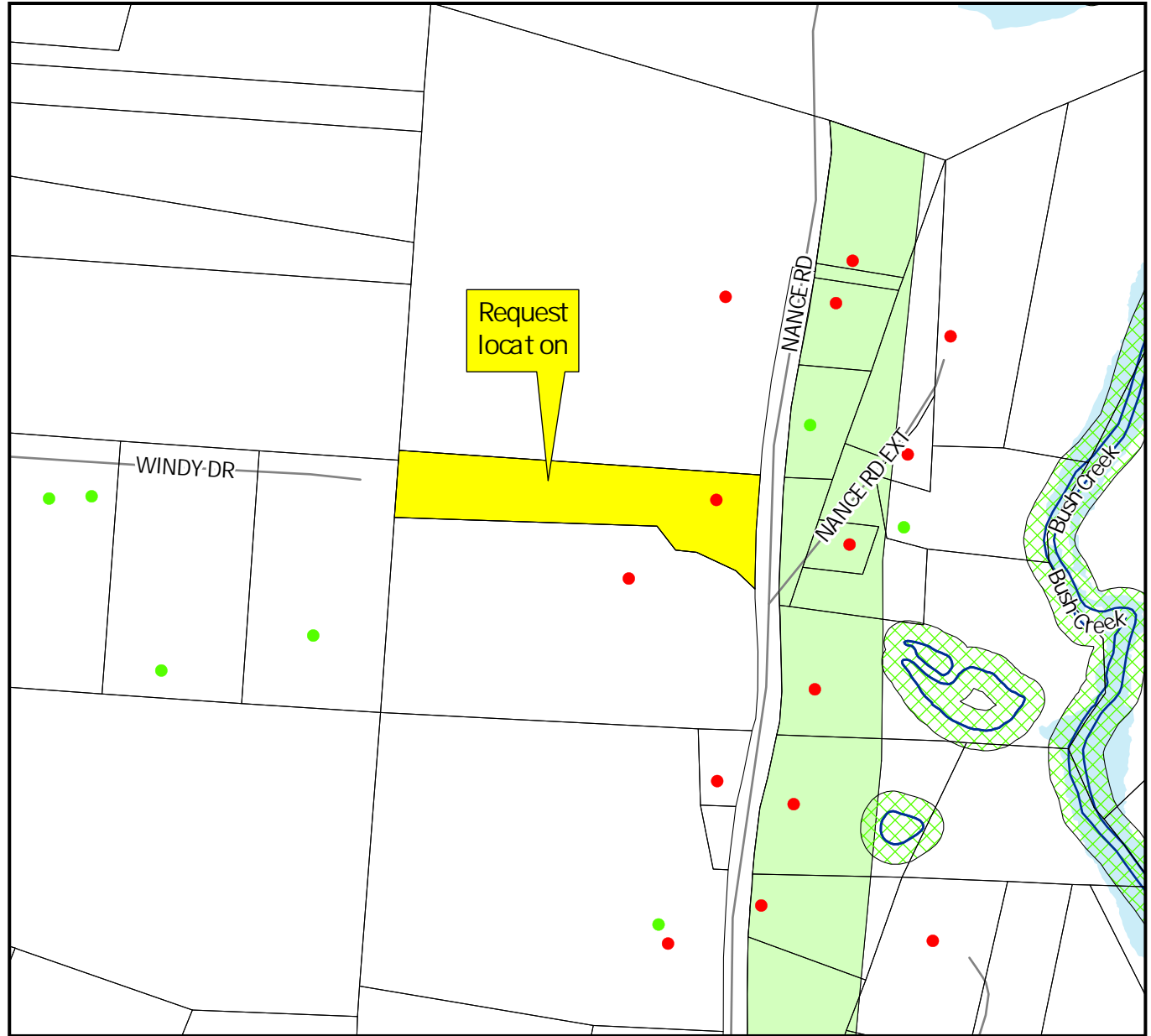


1 inch equals 500 feet

# Wishon Rezoning Request

## Legend

- Parcels
- Structures**
  - Type
    - Permanent Structure
    - Temporary Structure
- Roads
- Streams
- 50f. Stream buffer
- Flood plains
- County zoning**
  - Districts
    - RA
    - RR



1 inch equals 400 feet

James Daniel Cox  
Janice Michelle  
DB: 2315 Pg. 891

Edwina S. Williams  
DB: 1242 Pg. 1610

Urbano Mercado  
Ute K. Mercado  
DB 2726 Pg. 2495

Micah Samios  
Kaitley Samios  
DB: 2776 Pg. 2295  
Tract 2 of PB: 171 Pg: 91

Area Not To Be Rezoned  
2.109 Acres

Tract 1  
3.795 Acres Total  
3.585 Acres Clear of R/W

Area To Be Rezoned  
1.686 Acres  
Proposed Zoning: HC-CD  
Current Zoning: RA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2404.65	252.27	252.15	S 01°26'43" W	6°00'39"
LINE	BEARING	DISTANCE			
L1	N 87°44'23" W	12.05			
L2	N 87°44'23" W	30.25			
L3	N 87°44'23" W	29.65			
L4	N 44°52'50" W	43.43			
L5	S 83°51'36" E	30.32			
L6	S 83°51'36" E	17.62			
L7	N 06°37'19" E	25.23			
L8	S 87°39'06" E	30.04			

THIS SURVEY IS NOT SUBJECT TO GS 47-30 AND IS NOT TO BE USED FOR RECORDING

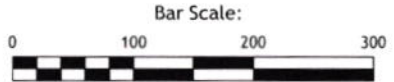
- Legend**
- Property Line
  - Computed Property Line
  - - - Right of Way Line
  - - - Easement Line
  - - - Tie Lines
  - - - Old Plat Book Line
  - Existing Iron Rod/Pipe
  - NIR
  - △ Point Not Set/Computed Point
  - ⊕ Well

**Notes:**

1. No NCGS Monuments found within 2000' of property.
2. This project is not located within a special flood hazard area.
3. Area calculated by coordinate geometry.
4. All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
5. No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
6. Tax PIN: 7783518921



Site Plan For:  
**Steve Wishon**  
Franklinville Township Randolph County  
North Carolina March 29, 2023  
Estate File: 11E-519  
Plat Book: 171 Pg: 91  
Scale: 1" = 100 US Survey Feet



**SURVEY CAROLINA, PLLC**  
154 S. Fayetteville St, Suite B, Asheville, NC 27203  
Phone Number: 336 625-8000  
Email: mail@surveycarolina.com

Firm #: P-1110  
Dan W Tanner II L-4787  
© 2023 Survey Carolina, PLLC

Job #: 15012

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

# Wishon Rezoning Request

## Legend

-  Parcels
-  Roads



1 inch equals 200 feet

# Wishon Rezoning Request

## Legend



Roads

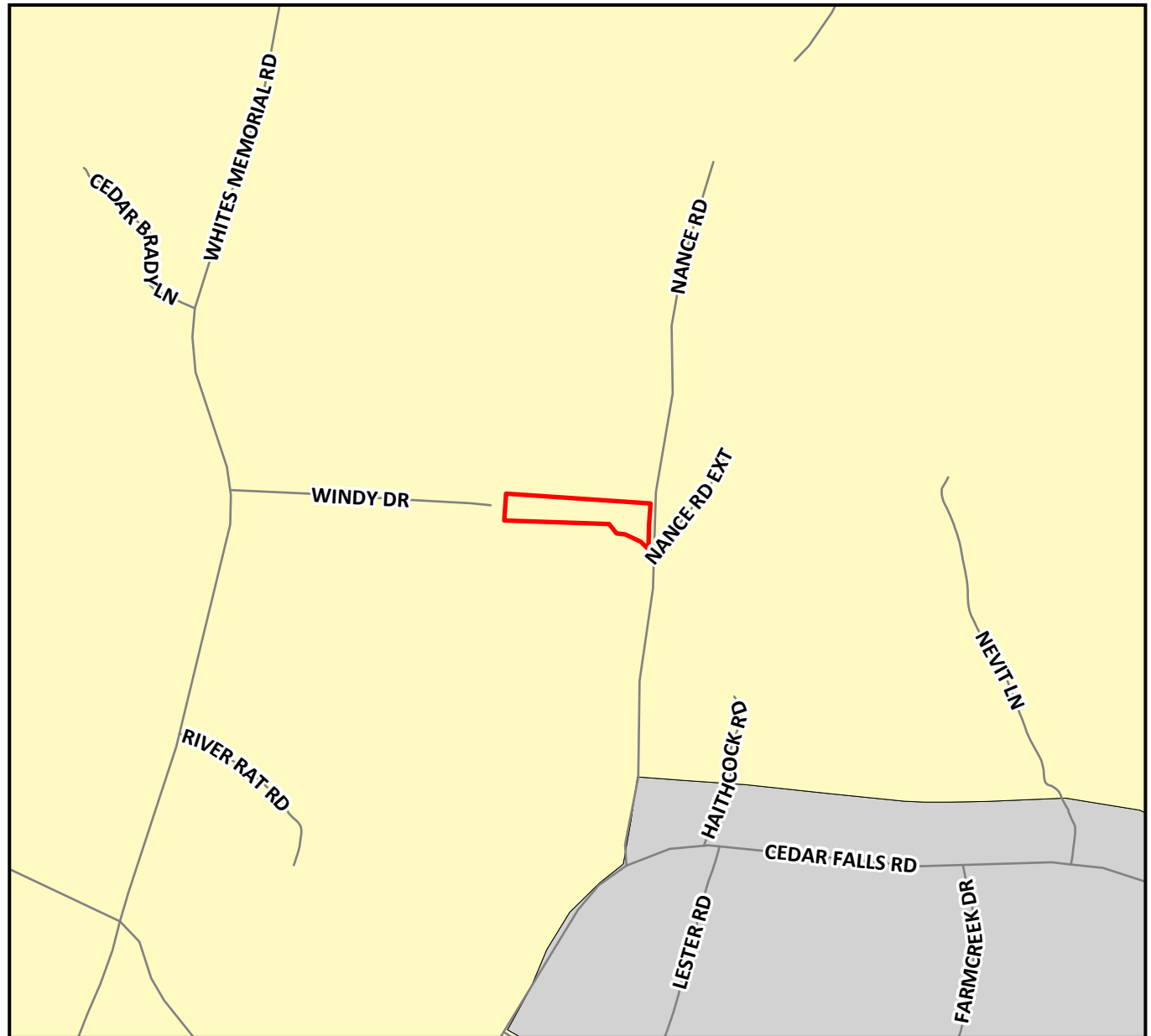
## Growth Management



Municipal Growth Area



Secondary Growth Area



1 inch equals 1,000 feet

# Wishon Rezoning Request



**Picture 1:**  
Request location.



**Picture 2:**  
Adjacent residence.



**Picture 3:**  
Adjacent residence.



**Picture 4:**  
Adjacent residence.



**Picture 5:**  
Request location on left as seen looking toward end of Nance Rd.



**Picture 6:**  
Request location on right as seen looking toward Cedar Falls Rd.



4/4/2023

Randolph County GIS  
Current Owner Information

Randolph County, Its Agents and Employees  
make not warranty to the correctness of the  
information set forth on this document.

PIN	TAX_ACRES	DESCRIPTION	DEED_BOOK/PAGE	OWNER	ADDRESS	ADDRESS2	CITY_STATE_ZIP
7783423290	18.1	R2141;E L15-17	002315/00891	COX, JAMES DANIEL (COX, JANICA MICHELLE)	1442 WHITES MEMORIAL RD		FRANKLINVILLE, NC 27248
7783510671	5	R2141;E NO RD FRTG	001242/01610	WILLIAMS, EDWINA STRICKLAND	P O BOX 234		CEDAR FALLS, NC 27230
7783517579	10.05	MICAH & KAILEY SAMIOS TR 2	002776/02295	SAMIOS, MICAH (SAMIOS, KAILEY)	1281 NANCE RD		FRANKLINVILLE, NC 27248
7783518921	3.59	MICAH & KAILEY SAMIOS	00011E/00519	WOOD, TERESA C (BRYANT, ROBIN C)	1093 FARM CREEK DR		FRANKLINVILLE, NC 27248
7783527465	22.3	R2225;W	002726/02495	MERCADO, URBANO (MERCADO, UTE K)	1540 NANCE RD		FRANKLINVILLE, NC 27248
7783613844	0.51	HURLEY BENJAMIN NANCE TR A	002746/02571	KIDD, TOMMY RANDALL SR (KIDD, KAREN NANCE)	1424 NANCE RD EXT		FRANKLINVILLE, NC 27248
7783617520	6.76	HURLEY BENJAMIN NANCE TR B +TR	002846/00414	NANCE, HURLEY B (NANCE, FRANCES B)	1182 NANCE RD		FRANKLINVILLE, NC 27248
7783624101	0.95	BETTY LOU CALLICUTT CRAVEN	002755/00879	RANGEL, ELPIDIO HERRERA (HERNANDEZ, ALEJANDRIA VILLALOBOS)	1366 NANCE RD		FRANKLINVILLE, NC 27248



**COUNTY OF RANDOLPH  
CONSISTENCY DETERMINATION AND  
FINDING OF REASONABLENESS AND PUBLIC INTEREST**

**IN THE MATTER OF THE APPLICATION FOR REZONING  
BY STEVE WISHON  
REZONING REQUEST #2023-00000876**

---

**NORTH CAROLINA**

**RANDOLPH COUNTY  
PLANNING BOARD**

According to North Carolina General Statutes § 160D and the *Randolph County Unified Development Ordinance*, the Randolph County Planning Board finds that the proposed zoning district map amendments to *HC-CD - Highway Commercial - Conditional District* as described in the application of Steve Wishon are consistent with the *Randolph County Unified Development Ordinance* and the 2009 *Randolph County Growth Management Plan* and are reasonable and in the public interest for the following reasons:

**1. Determination of Consistency with the *Growth Management Plan*.**

**A. Consistency with *Growth Management Plan* Map**

The *Randolph County Growth Management Plan* map for the southeast area shows the parcel to be rezoned in an area designated as *Secondary Growth Area* which generally has medium density, predominately residential and may contain transitional land use patterns.

**B. Consistency with Growth Policies in the *Growth Management Plan***

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

**Consistency Analysis:** This request location is the site of an old lawnmower dealership that has been closed for several years. By rezoning the property in this rural commercial area, the applicant can increase economic activity, job creation and the provision of services to the entire community and County.

***Policy 4.3*** Individual Rural Business or Highway Commercial rezoning decisions will depend upon the scale of the proposed development as it relates to the specific site and location weighed against impacts to adjoining rural land uses.

**Consistency Analysis:** As previously state, the request location is the site of an old lawnmower dealership that has been closed for several years. The applicant is requesting to rezone 1.68 acres out of 3.59 acres and, as such, should have minimum impact on the adjoining land uses.

**2. Statement of Reasonableness and Public Interest**

**Reasonableness and Public Interest Analysis:**

The policies listed above illustrate how this request is consistent with the Ordinance, the Plan, and applicable General Statutes. The parcel in this rezoning request is subject to the Conditions agreed upon between the property owner and the Planning Board. These Conditions will limit the amount and type of development on the property reducing the impact on adjoining parcels. The proposed use will also increase the tax base and increase economic activity within the County.

Adopted on May 2, 2023.

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Chair, Randolph County Planning Board

**ATTEST**

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Kimberly J. Heinzer,  
Clerk to the Randolph County Planning Board



## AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF RANDOLPH COUNTY, NORTH CAROLINA

**WHEREAS**, a 1.68 acre parcel, having the Randolph County Parcel Identification Number of 7783518921 is currently zoned *RA - Residential Agricultural District* by Randolph County, North Carolina;

**WHEREAS**, the Randolph County Planning Board has conducted a duly noticed public hearing on May 2, 2023 to consider the proposed rezoning on application number 2023-00000876, and all procedural requirements found in North Carolina General Statute 160D and the *Randolph County Unified Development Ordinance* have been satisfied;

**WHEREAS**, the Randolph County Planning Board has found that the proposed rezoning is consistent with the *Randolph County Unified Development Ordinance* and the *Randolph County Growth Management Plan* and is reasonable and in the public interest, and the Randolph County Planning Board has adopted a separate statement to this effect;

**NOW THEREFORE, BE IT ORDAINED BY THE RANDOLPH COUNTY PLANNING BOARD THAT**, the property is hereby rezoned to *HC-CD - Highway Commercial - Conditional District*. The official Randolph County Zoning Map and the *Randolph County Growth Management Plan Map* is hereby amended, if necessary, to reflect the same and this Ordinance shall become effective upon adoption.

Adopted on May 2, 2023.

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Chair, Randolph County Planning Board

**ATTEST**

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Kimberly J. Heinzer,  
Clerk to the Randolph County Planning Board



## MOTION TO APPROVE A CONDITIONAL DISTRICT REZONING

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NORTH CAROLINA

RANDOLPH COUNTY  
PLANNING BOARD

“I make the motion to **APPROVE** this rezoning request to rezone the specified parcel(s) on the rezoning application and the Map Amendment Ordinance, to the requested zoning district based upon the ***Determination of Consistency and Findings of Reasonableness and Public Interest*** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, also incorporated into the motion and that the request is also consistent with the *Randolph County Growth Management Plan.*”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



## MOTION TO DENY A CONDITIONAL DISTRICT REZONING

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NORTH CAROLINA

RANDOLPH COUNTY  
PLANNING BOARD

“I make the motion to **DENY** this rezoning request to rezone the specified parcel(s) on the rezoning application to the requested zoning district based upon the ***Determination of Consistency and Findings of Reasonableness and Public Interest*** statements that are included in the Planning Board agenda, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as the site plan(s) with any and all agreed-upon revisions, also incorporated into the motion and that the request is not consistent with the *Randolph County Growth Management Plan.*”

If making a second to the motion, please change to say, “I second the motion . . .” and continue reading the rest of the motion.



April 7, 2023

# REVIEW OF SENATE BILL 317: ADDRESSING THE WORKFORCE HOUSING CRISIS

This document provides a review of SB317, Addressing the Workforce Housing Crisis, which was filed in the Senate on 3/15/23. The bill seeks to establish workforce housing developments, which are 10-acre residential developments comprised of single-family detached, duplex, and attached residential development that are **pre-empted from basic local government planning requirements**, including:

- Allowable zoning districts
- Residential densities
- Dimensional requirements
- Landscaping
- Utility system fees
- A maximum 60-day approval period

APANC agrees that there is a crisis of housing availability and affordability for North Carolinians that needs to be addressed, but pre-emption of local government regulations as the primary means of addressing these challenges falls short of the mark and is likely to produce more problems than it solves. We offer the following observations about the proposed language of SB317.

**WORKFORCE HOUSING DEVELOPMENTS ALLOWED IN ANY ZONING DISTRICT**  
 SB317v1 - p. 3 §160D-802.1 (a)  
*Requires local governments to permit workforce housing developments in any zoning district regardless of the district's intent or range of uses.*

**This is contrary to NC law requiring communities to adopt comprehensive plans to direct certain uses to most appropriate areas** (NCGS §160D-501)

**Ignores many State and federal limitations on residential development locations established to protect public safety:**  
 (e.g., airport overlay districts, flood damage prevention districts, water supply watershed districts, etc.)

**EXEMPTION FROM DENSITY AND DIMENSIONAL REQUIREMENTS**  
 SB317v1 - p. 3 §160D-802.1 (a)  
*Prohibits the application of maximum density or minimum dimensional requirements within a workforce housing development.*

**This ignores health/safety aspects related to:**

- Stormwater management
- On-site wastewater system separation requirements
  - Roadway access management
  - Driveway spacing
- Firefighting capability

**The lack of density requirements confounds the ability to plan for future school and infrastructure needs.**

**HOUSING UNIT AFFORDABILITY ONLY ENSURED FOR 1 YEAR**  
 SB317v1 - p. 3 §160D-802.1 (b)(4)(b)  
*Occupancy of affordable units by owners meeting qualifying income limits is only required for one year, and there are no deed restrictions or other protections for long-term affordability.*

**Affordable units created can be sold as market-rate units after 12 months.**  
 No mechanism to ensure availability of affordable housing over the long term.

**Only 20% of units in the workforce housing development must be affordable, and only half of those must be designated for purchasers making less than 100% of AMI.**

**AFFORDABILITY  
ENFORCEMENT PROCEDURES  
UNCERTAIN**

SB317v1 - p. 4 §160D-802.1 (e)  
*Bill language indicates developer as party responsible for confirming income eligibility.*

**No standards, procedures, or oversight in the bill for initial determination of income eligibility.**

Oversight is not needed for purchasers using State or federal downpayment assistance funds but is required for purchasers not using this assistance.

**No provisions for eligibility tracking once developer finishes project.**

This creates an unfunded tracking mandate for local governments who have no authority to request or mandate income information.

*The bill permits certificates of occupancy to be withheld to ensure a “balance” of affordable/market rate units.*

**Court rulings have barred local governments from withholding COs for reasons other than building code-related concerns.**

**10-ACRE MINIMUM SIZE /  
NO MULTIFAMILY UNITS  
ALLOWED**

SB317v1 - p. 3 §160D-802.1 (b)(1)

*Requires developments to be at least 10 acres in size, and limits uses to single-family and two-family dwellings.*

**Focuses workforce developments on large vacant tracts in suburban/exurban locations, away from employment centers, transit, and necessary public services.**

**60-DAY APPROVAL DEADLINE**

SB317v1 - p. 3 §160D-802.1 (d)  
*Requires approval/denial of a workforce development application within 60 days.*

**60 days is insufficient to review a preliminary subdivision plat, construct and accept public infrastructure, and review and record a final plat in North Carolina.**

**EXEMPT FROM  
IMPACT/SYSTEM  
DEVELOPMENT FEES**

SB317v1 - p. 4 §160D-802.1 (h)  
*Local governments may not impose impact fees or water or wastewater system development fees on workforce lots.*

**This results in increased costs/charges that must be borne by other ratepayers and taxpayers beyond those in the workforce development.**

**NO LANDSCAPING MAY BE  
REQUIRED**

SB317v1 - p. 3 §160D-802.1 (d)  
*Prohibits local governments from requiring any landscaping internal to the development (other than a 20-foot-wide perimeter vegetated buffer).*

**This violates State and federal requirements for sedimentation and erosion control and may also violate other State requirements for riparian buffers.**

**The remaining 80% of the lots in the workforce development contain market rate homes but no landscaping requirements.**

**We believe the legislation could be improved with the following revisions:**

1. Inclusion of a better balance between reseller equity capture and long-term provision of affordable units, such as deed restrictions.
2. Use of an outside agency or other mechanism to track purchaser income eligibility rather than the developer or a local government.
3. Assistance to local governments from the General Assembly with housing planning mandates and funding incentives for provision of workforce housing (as is currently being done in other states) rather than legislation that rests primarily on regulatory pre-emption.

The North Carolina Chapter of the American Planning Association stands ready to assist and engage the Legislature and other groups in whatever capacity would be appropriate, including providing more detail on anticipated repercussions of this legislation or working to develop collaborative solutions to the State’s affordable housing crisis. Thank you for your consideration and your hard work towards making North Carolina a better place to live.



# Resolution of the Randolph County Board of Commissioners On SB 317

**WHEREAS**, the legislation proposed in Senate Bill 317, *Addressing the Workforce Housing Crisis*, is of great concern to the County of Randolph and other local governments within North Carolina as it takes authority from local government to make important, major land use decisions; and

**WHEREAS**, provisions within this legislation are contrary to State law requiring communities to adopt comprehensive plans as required by NCGS § 160D-501; and

**WHEREAS**, provisions within this legislation ignores State and federal limitations on residential development locations such as Airport Overlay Districts, Flood Damage Prevention Ordinances and Watershed Protection Ordinances; and

**WHEREAS**, provisions within this legislation ignore health and safety aspects and firefighting capability; and

**WHEREAS**, provisions within this legislation remove the ability to control density; and

**WHEREAS**, provisions within this legislation allow affordable units created under the proposal to be sold a market-rate after twelve months and contains no mechanism to ensure availability of affordable housing for the future; and

**WHEREAS**, provisions within the legislation requires twenty percent of the residences in the development to be affordable and half of those must be designated for citizens making less than one hundred percent of the average median income; and

**WHEREAS**, provisions within the legislation includes no standards for initial determination of income eligibility, no provisions for eligibility tracking and thereby creates an unfunded tracking mandate for local governments who have no authority to request or mandate income information; and

**WHEREAS**, provisions within the legislation focuses workforce developments on large vacant tracts in suburban locations; and

**WHEREAS**, provisions within the legislation limits the review period to sixty days which is insufficient to review a workforce development or subdivision; and

**WHEREAS**, provisions within the legislation violate State and federal requirements for sedimentation and erosion control; and

**WHEREAS**, provisions within the legislation allows the remaining eighty percent of the lots in the development to contain market rate homes but eliminates any landscaping requirements.

**NOW, THEREFORE BE IT RESOLVED** that copies of this resolution are sent to our legislative delegation and to the leadership of the North Carolina General Assembly to stop Senate Bill 317 from becoming law and to work together to find real ways to advance affordable housing opportunities.

Adopted this the fourth day of May, 2021.

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Chair, Randolph County Board of Commissioners

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Clerk to the Board

