

MINUTES

RANDOLPH COUNTY PLANNING BOARD

September 13, 2011

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, September 13, 2011, in the 2nd Floor Meeting Room, Randolph County Historic Courthouse, 145 Worth Street, Asheboro, North Carolina.

1. **Chairman Reid Pell** called to order the Randolph County Board of Adjustment meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: **Reid Pell**, Chairman, present; **Wayne Joyce**, Vice Chairman, present; **Chris McLeod**, present; **Phil Ridge**, present; **Jim Rains**, present; **Kemp Davis**, present; and **Larry Brown**, absent. County Attorney **Ben Morgan** was also present.
3. **Rains** made the motion, seconded by **Davis**, to approve the Minutes of the August 16, 2011 Randolph County Board of Adjustment meeting. The motion passed.
4. **SPECIAL USE PERMIT REQUESTS:**

Swearing in of the Witnesses - "Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."

Two citizens took this Oath.

- A. **JOHN HEERSCHAP**, Asheboro, North Carolina, is requesting a Special Use Permit for a Rural Family Occupation to allow automotive sales (with a maximum 5-car display lot) at his residence located at 6012 US Hwy 64w, on .51 acres, Tabernacle Township, Secondary Growth Area, Tax ID# 7712538330, Zoning District RA. Derrick & Cathy Causey - property owners.

Heerschap was present for this hearing. Heerschap explained his intentions to obtain a dealer's license to sale automobiles. Heerschap explained that he has lived here for approximately 1 ½ years. He rents the residence. Heerschap said that he will not have any junk vehicles on the site and he will not have any employees. **Johnson** said that he has received a call questioning possible traffic concerns. **Heerschap** said he would never have more than 5 vehicles at the site and most of the time he would only have a couple of vehicles.

There was no one present in opposition to this request.

McLeod said that he felt there was plenty of access to the property and this small business shouldn't create any additional traffic concerns.

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

- B. **JOSEPH EZZELL**, Seagrove, North Carolina, is requesting a Special Use Permit for a Rural Family Occupation to operate a welding shop from an existing 30' x 30' building at his residence located at 8708 Erect Road, on 24.83 acres, Brower Township, Rural Growth Area, Tax ID# 8605623058, Zoning District RA.

Ezzell was present for the hearing. Ezzell explained that he doesn't have any employees in this business. Ezzell said that he has a partner in this business (in Pittsboro) and hopes that they will grow the business to be able to have a couple of employees in the future. Ezzell said that they fabricate bio-diesel and bio-fuel equipment. Ezzell said that they do design builds for Piedmont Bio-Diesel Equipment and other customers. Ezzell said that they do a lot of this work at Piedmont. Ezzell said that he wanted to get a phone in his accessory building at his residence for this business. Ezzell said that they will be doing some of the work of their business in this building. Ezzell said that most of the work is done in Pittsboro. Ezzell said that when he started trying to get an address (in order to get a phone) for his building he realized that he needed this permit. **Rains** asked Ezzell if this shop would be for new equipment. **Ezzell** said that he doesn't have any intention of opening the business up for repair work.

There was no one present in opposition to this request.

Rains said that since this would be a new construction facility and not repair work, he made the motion, seconded by **Davis**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

5. **REQUEST FOR REZONING:**

- A. **MERIC, INC.**, Randleman, North Carolina, is requesting that his current Conditional Zoning District, on 10.60 acres, 9755 US Hwy 220 Bus North, Level Cross Township, HC-CD, be amended. Primary Growth Area. Randleman Lake Watershed. Tax ID# 7767265344. The current Conditional Zoning District allows a Planned Business Development of a Flea Market and Carnival. The applicant has specifically requested an outdoor handgun range be added to the

Planned Business Development as per site plan.

- **Technical Review Recommendation:**

The Technical Review Committee met and found that this proposal was not in compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommended to the County Planning Board that this request be **denied** due to location on the same parcel as a high pedestrian traffic flea market and its proximity to other high density residential and commercial land uses.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

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 land uses.

Zoning Ordinance Introduction. This ordinance is designed to encourage the protection and development of the various physical elements of the county in accordance with a comprehensive plan of land use and population density and for the purpose of promoting the public health, safety, morals and general welfare; promoting the orderly development of the county, preventing the overcrowding of land; and regulating the location and use of structures and land for trade, industry, residences or other purposes except farming.

Eric Davis, MERIC, Inc., was present for this meeting. Davis explained his intentions to put in an outdoor shooting range/archery range. Davis said they will be shooting down range (west) toward his father's property. Davis said that they will be installing berms around the range in a horseshoe fashion. Davis said that there were 4500 concealed weapons permits issued in Randolph County in the last year. Davis said there are currently no shooting ranges in this area for these shooters. Davis said that most of these people shoot on private property. Davis said that there will be a shed with sound barriers to help control the noise. Davis said that they have had several teachers of weapons classes that would like to use this range. Davis said this will be in a controlled environment. Davis said they will have a range master, berms, and a fenced facility. Davis said there will be protections between each shooter. Davis said that the closest neighbor is over 700 ft. away from the proposed range. Davis said that Cedar Run Subdivision is 1175 ft. from the proposed range. Davis said that hours of operation will be Tuesday through Saturday from 8 am to 6 pm. Davis said that there will be no one using the range without the range master present. Davis said that the facility will be

fenced and locked when not in use. **Johnson** asked what the maximum number of people that could use the facility at one time. **Davis** said there would be 20 to 25 shooting lanes at the most. **Davis** said the range will have lights and fans in the shed. **Davis** said only handguns will be allowed and archery. **McLeod** asked about other businesses in the area. **Davis** said that there is a car sales lot, the flea market, beauty shop, etc. **Davis** said that the owner of the car sales lot was present with him.

Wayne Parrish and Robin Benson, owners of the flea market across the street expressed their opposition. **Parrish** said that there is just too many people in the area. **Parrish** said that a bullet can travel 1500 ft per second. **Parrish** said they are opposed to this range. **Parrish** said that there is at least 26 occupied residences within a 1/4 mile of the site. **Parrish** said that he would also be concerned for the church 1/2 mile up the road and Cedar Run subdivision 1/2 mile down the road.

Robin Benson said that she is concerned for her small children that are at her business all day. **Benson** said that there are many children in the trailer park. **Benson** said that she is concerned for their safety and also the noise.

Ken Dunn said that he has a horse ranch on the other side of this site. **Dunn** said that he would be concerned with an outdoor shooting range. **Dunn** said that he has people that work on the ranch and many horses. **Dunn** said that he would also be concerned for the safety of the children in the area and the church. **Dunn** said that Level Cross is just too populated of an area for this type of activity. **Dunn** said that he wouldn't be opposed to an indoor range or if he could move the range. **Dunn** said that if the range could be moved closer to Eric's house on the property instead of this location.

Jack Miller, 334 Cedar Run Drive, said that he is concerned for the safety of the residents in their development. **Miller** said that he didn't think that his neighbors were aware of this request. **Miller** said that he would be concerned for the childrens' safety in the area and also the noise. **Miller** said that they have enough trouble with people shooting in the area and he didn't think this would be good for the area.

Ridge asked **Davis** if they would be shooting from the shelter. **Davis** said that they would be. **Davis** said that he felt this would be a safe facility. **Davis** said that **Ken Dunn** has a shooting range beside his (Davis) home, and he felt this was a contradiction.

Ridge asked **Johnson** his opinion. **Johnson** said that the TRC was concerned about the land uses that surround the proposed site such as mobile home parks,

churches, agricultural, subdivisions, and other commercial businesses. Mr. Davis's property is currently zoned for a flea market and potential carnival activities that would draw more people to the area. Johnson complimented Davis on his site plan which Johnson said indicated that Mr. Davis intended to operate a professional outdoor shooting facility. Johnson said the County does not regulate private, non-profit shooting ranges on private property, however, commercial shooting ranges fall within the jurisdiction of county zoning. Johnson said an argument could be made that it is better to allow commercial shooting ranges in a controlled safe environment where citizens have a place to shoot. Johnson said the only problem with this site and proposed plan was the adjoining land uses. **Ridge** said that he felt this was a well thought out plan. **Johnson** said that a Conditional District does allow the Board to place conditions on the property. Johnson said if the conditions are not met, the permit can be revoked. **Rains** asked if the surveyor realized the berm would be 30 ft. tall. Davis said that the berm would be 20 ft. to 30 ft. tall, that he didn't want to be tied to 30 ft. **Rains** said that if the berm was 30 ft. it would be a very different plan.

Joyce made the motion to recommend to the Commissioners that this request be **denied**, based on the TRC recommendation and the past action of denial from the Board for another request 4000 ft. away from this site for an indoor range. **Rains** seconded the motion and the motion passed unanimously.

6. The meeting adjourned at 7:23 p.m. There were 13 citizens present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary