



Minutes

RANDOLPH COUNTY PLANNING BOARD

July 7, 2015

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, July 7, 2015, 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 Planning Board meeting at 6:30 p.m.
2. **Jay Dale**, Planning Director, called roll of the members: **Reid Pell**, Chairman, present; **Wayne Joyce**, Vice Chairman, present; **Chris McLeod**, present; **Phil Ridge**, absent; **Jim Rains**, present; **Kemp Davis**, present; **Larry Brown**, absent; **Ralph Modlin**, Alternate, present. County Attorney **Ben Morgan** was also present.
3. **Rains** made the motion, seconded by **McLeod**, to **approve** the Minutes of the May 5, 2015 Randolph County Planning Board meeting. The motion passed unanimously.
4. **REQUESTS FOR A SPECIAL USE PERMIT:**

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."

8 people took this Oath.

- A. **THOMAS ELLISON**, Asheboro, North Carolina, is requesting a Special Use Permit for a Rural Family Occupation to obtain a federal firearms license and for manufacture & sales of reloaded ammunition in an existing 24' x 24' building at his residence (as per site plan) located at 1834 Spoons Chapel Church Road, on 8.02 acres, Grant Township, Secondary Growth Area, Zoning District RA, Tax ID# 7780127476.

Ellison was present and explained that he plans to have internet sales (only) of reloaded ammunition. There will be no storefront and no employees, only he and his son. Ellison said he will be test-firing weapons into a test-firing mechanism known as a bullet trap, in front of a berm. No one other than he and his son will be test-firing weapons. He said there will be no one coming to his residence for the business. Ellison said he will be discharging the weapons toward the west,

approximately 50 ft. from the building to be used for the business. He plans to use a bullet trap (which is an enclosed box filled with sand or shredded tires). 308 will be the largest bullet made.

Bobby Pugh, 106 Avenue of Trees, Elon, North Carolina, said he is the owner of the 28 acres adjoining this site to the west. Pugh said he would be opposed to weapons being fired toward his property.

Pell asked Ellison if he would be firing in the direction of the Pugh property. **Ellison** answered that he would be facing west, however, he would be firing into a bullet trap and all bullets should be contained in the trap. Ellison added that there is also a large berm between where he would be firing and his property line. **Pell** asked how far he would be shooting from the property line, and **Ellison** answered approximately 150 to 180 ft. **Morgan** asked if the bullet trap would stop noise, and **Ellison** answered no. **Joyce** asked if there would be any shooting or business on Sunday. **Ellison** answered no, only Monday through Friday. **Rains** asked if the berm was already in place. **Ellison** answered yes, he has had it for personal shooting. Ellison explained that you need to capture the bullet to see how the gun is firing, so bullets shouldn't travel outside of the trap.

Joyce said based on Ellison's testimony, he felt he had met the requirements for a Special Use Permit. **Joyce** made the motion to approve the request for a Special Use Permit. **McLeod** seconded the motion. The motion passed unanimously.

- B. **LORETO BENITEZ**, High Point, North Carolina, is requesting a Special Use Permit for a Rural Family Occupation to construction a 30' x 50' building for furniture re-upholstery business (as per site plan) at his residence located at 3335 Old Glenola Road, on 1.03 acres, Primary Growth Area, Zoning District RR, Tax ID# 7727932911. Lesly Mora - Property Owner.

Benitez was present and was represented by the property owner, Lesly Mora. Mora said they plan to build and re-upholster furniture at this location. Mora said no frames will be manufactured on-site, they will be purchased off-site. Mora said sewing machines and air-compressors would be used inside the building. She said the air-compressor will be housed inside. **Rains** asked Mora what their business hours would be, and Mora said they will work Monday through Saturday 8 am to 5 pm and will be closed on Sundays. **Rains** asked how their furniture would be delivered. **Mora** answered there will be individuals picking up furniture and they will have some deliveries.

Dale said that he has experience with furniture manufacturing and the air-compressors are used with staple guns. Dale said the staple guns used to

upholster furniture are not near as loud as those used to build frames.

There was no one present in opposition to the request.

Morgan reminded the Board that they can place restrictions on special use requests.

Davis said he didn't see any problems with this business as long as everything was kept inside.

Dale said that he hasn't received any calls concerning this request.

Davis said he felt the applicants appear to meet all requirements. For this reason, **Davis** made the motion, seconded by McLeod, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- C. **JOE THOMAS**, Asheboro, North Carolina, is requesting a Special Use Permit to operate a 3-space mobile home park located at 3678 Golden Meadow Road, on 4.24 acres, Rural Growth Area, Zoning District RM, Tax ID# 7720049128.

Thomas, 908 Old Liberty Road, Asheboro, was present and explained that he plans to locate one additional mobile home space on the property. **Thomas** said that he didn't want a mobile home park. He now plans to deed a lot (one space) to his daughter, therefore, he won't need this permit. He said he deeded one lot to his son (with two spaces). He would keep one lot (with two spaces) and he would deed one lot to his daughter (with one space). He said that the Health Department man said he would come out there and work out the septic fields.

Dale asked **Thomas** if he was sure he wanted to withdraw his request for a mobile home park. **Thomas** said he didn't want a mobile home park. **Rains** asked if the property is granted a Special Use Permit would it be possible to divide the property later. **Morgan** advised the Board that he has represented **Thomas** many times in the past but he has not talked to him about this issue. **Morgan** said that if the Special Use Permit was granted he could not subdivide the property.

Morgan advised **Thomas** to request that the issue be tabled until he had time to review the situation.

There were people present opposed to this request. They expressed concern for this type of development setting a presence in their community. There were also questions concerning if the septic systems or wells could be used for more than one mobile home.

Rains made the motion to **table** this request until further clarification can be made of what Thomas really wants to do with the property. Joyce seconded this motion. The motion passed unanimously.

5. **REQUESTS FOR PROPERTY REZONING:**

- A. **HENRY DELK**, Asheboro, North Carolina, is requesting that 9.41 acres located on the corner of Old NC Hwy 49/McDaniel Road, Cedar Grove Township, be rezoned from RA/RR to CVOE-CD. Tax ID# 7730004959. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the a 5-lot residential subdivision for site built or conventional modular homes with a minimum house size of 1,200 sq. ft. as per site plan.

Technical Review Committee Recommendation:

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be **approved**.

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

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long term quality of life in Randolph County.

Policy 6.13 Conventional residential subdivisions are anticipated of similar housing characteristics to the community.

Delk, 5284 Henry Delk Road, Denton, was present and said that he wants to divide this site of 9+ acres with over 1000 ft. of road frontage into building lots. Delk said he felt this would help the neighborhood and the economy. He said he thought the houses would look better on the property than cows, pigs, or chickens. **McLeod** asked if any of the property had been perked, and **Delk** said no, but it is good red dirt and he thought it would.

Terry Voncannon, 3151 Old NC Hwy 49, Asheboro, adjoining property owner, said that he sold this property to Delk and his neighbors should all be mad at him. Voncannon said Delk came to him to buy the property because his wife liked the

property and if anything every happened, where they needed to live closer to town, they could build on it in the future. Voncannon said that this was less than a year ago and he felt Delk was a man of his word, so he sold him the property. He didn't get Delk's intentions in writing, so his neighbors should be mad at him for this. Voncannon said that he owns 300 acres beside of this tract. He said that he also owns Silos Restaurant and lives down below this property. This is a one-lane state maintained road and is not adequate to handle this much added traffic. He expressed concern of how this many new wells would affect their existing wells. He said that this proposal is very much like apartments but they aren't touching each other. It was his opinion that the homes would be too close and this would be too many homes in such a small area.

Bob Hussey, 3330 Old NC Hwy 49, Asheboro, said that they are concerned with how this might affect their wells (drilling more in the area). He said the land hasn't been perked and the land across the road from this site was difficult to perk. They are concerned with the traffic that would be added to this small one-lane road. He described the road as so small that if you meet a car on the road, you must pull over into the side ditch. **Davis** asked Hussey where he lives in relation to this site, and **Hussey** answered across Old NC Hwy 49 from this property.

The Board was presented with a preliminary set of deed restrictions for the property.

Davis said that he would like to see more specific site plans and appropriate corrections to the proposed restricted covenants. **Davis** asked if they could postpone their decision until such time the applicant could provide more detailed information. **Morgan** said that the Board cannot postpone a request for property rezoning, only the applicant could postpone his request. He advised the Board that they would have to make a decision. For this reason, **Davis** made the motion to recommend to the Commissioners that this request be **denied**. **Joyce** seconded this motion and the motion passed by a vote of 4 to 2. **McLeod and Rains** voted against the motion.

- B. **HENRY DELK**, Asheboro, North Carolina, is requesting that 5.85 acres (out of 44.73 acres) located on the corner of Mechanic Road/Lassiter Mill Road, Cedar Grove Township, be rezoned from RA to CVOE-CD. Tax ID# 7629012488. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the a 6-lot residential subdivision for site built or conventional modular homes with a minimum house size of 1,200 sq. ft. as per site plan.

Technical Review Committee Recommendation:

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be **approved**.

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

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long term quality of life in Randolph County.

Policy 6.13 Conventional residential subdivisions are anticipated of similar housing characteristics to the community.

Delk, 5284 Henry Delk Road, Denton, explained that this is 6 acres on the opposite side of the road where he owns 40 acres more. Delk said that there is a lot of road frontage in this 6 acre tract and he wants to create a 6-lot subdivision for houses.

Larry McDowell, 6854 Old NC Hwy 49, Denton, asked the Board if they had received the letter he had sent to them. **Morgan** advised McDowell that he would need to read the letter into the record. **McDowell** said that he is concerned that the development should be buffered from the adjoining property. He said they (the neighbors) had asked about deed restrictions but they were not available at the Neighborhood Information Meeting and he hasn't seen any restrictions. McDowell said that his mother owns the adjoining property and she leases it for a farming operation for her income. He said that he felt the subdivision could adjoin the operation if he (the developer) was willing to build a 6 ft. chain-linked fence and install a buffer of tight evergreen plantings along the adjoining property line. McDowell said that he felt this was necessary due to the chemicals that are used in the farming operation. He said a sudden breeze could carry these chemicals onto the land being proposed for development and possibly affect children that could reside in the proposed development. He said without this buffer, the money his mother receives from the lease would be in jeopardy. McDowell said that Delk stated (at the Neighborhood Information Meeting) that he would not provide this buffer. **Medlin** asked McDowell if this was his mother's home place. **McDowell** said that this is his home place, but his mother is 96 years old and moved here after she and his father were married, many years ago.

Max Lanier, 2854 Lassiter Mill Road, Asheboro, told the Board that his property was just north of this location. Lanier said this is a quiet area and he fears that what is on the western end of the road will move east and their quiet will be gone.

Davis said that he would like to see more specific site plans and some corrections to the deed restrictions concerning this request also. For this reason, **Davis** made the motion to recommend to the Commissioners that this request be **denied**.

Joyce seconded the motion and the motion passed by a vote of 6 to 2. **Rains and McLeod** voted against the motion.

6. The meeting adjourned at 7:38 p.m. There were 26 citizens present for this meeting.

Joy Dale

Planning Director

Date

7-9-15

NORTH CAROLINA
RANDOLPH COUNTY

Gene M. Wood

Clerk/Secretary

