



RANDOLPH COUNTY

PLANNING AND ZONING

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

RANDOLPH COUNTY PLANNING BOARD

AGENDA

November 15, 2022

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 November 15, 2022, Planning Board meeting.
 - Approval of the minutes from the October 3, 2022, 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.

SPECIAL USE PERMIT REQUEST #2022-00002758

The Randolph County Planning Board will hold a duly published and notified Quasi-judicial Hearing on the request by **HERIBERTO TORRES**, Randleman, NC, and their request to obtain a Special Use Permit at 2970 Spoons Chapel Rd, Grant Township, Tax ID #7689592203, Squirrel Creek

Farms lot four, 27.68 acres, *RA - Residential Agricultural District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow an upholstery shop in a proposed 600 sq. ft. building as per the site plan.

**ALL WITNESSES FOR SPECIAL USE PERMITS MUST BE
SWORN IN BY CHAIR OR CLERK TO THE BOARD
BEFORE GIVING TESTIMONY.**

REZONING REQUEST #2022-00002756

The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **BOGER BROTHERS RE, LLC**, Greensboro, NC, and their request to rezone 30,409 sq. ft. out of 10.75 acres at 2488 Old Farmer Rd, Cedar Grove Township, Tax ID #7740788297, Municipal Growth Area, from *RR - Residential Restricted District* to *HC-CD - Highway Commercial - Conditional District*. The proposed Conditional Zoning District would specifically allow an 89 ft. by 170 ft. warehouse for the existing business as per the site plan.

REZONING REQUEST #2022-00002761

The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **RUSSELL WYATT BRADY**, Ramseur, NC, and his request to rezone 4.30 acres out of 13.31 acres at 3360 NC Hwy 22 S, Coleridge Township, Tax ID #8710601520, Secondary Growth Area, from *RA - Residential Agricultural District* to *RIO-CD - Rural Industrial Overlay - Conditional District*. The proposed Conditional Zoning District would specifically allow a sawmill in a proposed 40 ft. by 80 ft. building as per the site plan.

REZONING REQUEST #2022-00002764

The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **JAMIE LYNN CRUMLEY**, Asheboro, NC, and her request to rezone 5.90 acres out of 30.48 acres at 2469 Old Cox Rd, Grant Township, Tax ID #7678098499, Zoo Environmental Area, from *CEO-CD - Commercial Environmental Overlay - Conditional District* to *HI-CD - Heavy Industrial - Conditional District*. The proposed Conditional Zoning District would specifically allow a meat processing facility in a 60 ft. by 80 ft. building as per the site plan.

7. Adjournment.

Attachments



RANDOLPH COUNTY PLANNING BOARD

MINUTES

October 4, 2022

There was a meeting of the Randolph County Planning Board on Tuesday, **October 4, 2022**, 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, sitting in for Planning Director, called the roll of the Board members.

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

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 October 4, 2022, Planning Board meeting.
- Approval of the minutes from the September 13, 2022, Planning Board and Zoning Board of Adjustment meeting.
- Approval of the 2023 Planning Board Meeting schedule.

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

Pell asks the Board members if there are any conflicts in the following cases. Hearing none, **Johnson** presented the first case along with site plans, and pictures of the site and surrounding properties.

REZONING REQUEST #2022-00002514

RUSSELL LINEBERRY, Liberty, NC, is requesting to rezone 1.92 acres out of 14.42 acres at 6267 Richland Church Rd, Liberty Township, Tax ID #8728419786, Secondary 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 two-lot, site-built subdivision as per the site plan. Property Owner: Mickey B. Smith

Pell opened the public hearing and called for anyone supporting the rezoning request to come forward and speak.

Russell Lineberry, 6841 Layton Rd, Liberty, NC, addressed the Board on behalf of Mickey Smith. He said that Mr. Smith built his personal home on the property, is only asking for two, one-acre lots to be developed, and will retain the remaining acreage for himself. He said the request is comparable to other properties in the area and is needed for building lots due to the anticipated growth expected from the megasite.

Johnson asked Lineberry if there have been any preliminary tests completed on the soil. **Lineberry** said both tracts have been approved for septic areas by the County.

Davis asked if the access for both tracts will be on Lake Juno Rd. **Lineberry** answered yes.

Cable asked if the two proposed tracts are smaller than the surrounding lots. **Lineberry** said there are multiple one-acre lots in the surrounding area.

Hedrick asked about recommendations from NCDOT. **Lineberry** said he had received a letter from NCDOT. He said the property is not in a curve, and there is sufficient sight distance.

Pell asked if there was anyone else that would like to speak in favor of the request. Hearing none, **Pell** asked if anyone would like to speak in opposition to the request. Hearing none, **Pell** closed the public hearing for discussion among the Board members and a motion.

Cable asked if the request was duly posted and if proper notices were given to residents in the area. It was confirmed by staff that the notices were sent as required.

Hedrick 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 called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

Johnson presented the second case, site plans, and pictures of the site and surrounding properties.

REZONING REQUEST #2022-00002478

MIKE AND DARLENE GROCHOWSKI, High Point, NC, is requesting to rezone 0.92 acres out of 6.59 acres at 4663 Peaceful Ln, Trinity Township, Lake Reese Balance Watershed, Tax ID #7715697844, Primary Growth Area, from *RA - Residential Agricultural District* to *HC-CD - Highway Commercial - Conditional District*. The proposed Conditional Zoning District would specifically allow a contractor's storage yard as per the site plan.

Darlene Grochowski, 3814 Pineview Ave, High Point, NC, said they are requesting a rezoning to allow them to store their equipment such as skid steers, excavators, and other equipment on the property when not in use off-site.

Davis asked if any of the equipment would be for sale or if all of it is used for their business. **Grochowski** said it is all used for their business.

Austin asked if there would be fencing placed on the property. **Grochowski** said fencing would be installed along the neighbor's property line to the proposed building and storage yard location.

Davis asked if the access to the property is on a shared drive and asked who maintains the drive. **Grochowski** said the drive is shared access and they typically maintain the drive. She said her daughter lives on the property as well.

Beeson asked if debris is brought back to this storage yard. **Grochowski** answered yes.

Cable asked if debris is burned on site. **Grochowski** said they burn some material, some of it can be used at other job sites, and the rest will be disposed of when needed.

Davis asked if the property is already being used for this purpose and **Austin** asked if the driveway could handle this type of traffic. **Grochowski** answered yes to both. She said they have used the property for a couple of years.

Davis asked if there have been any complaints regarding the driveway. **Grochowski** said there have been complaints regarding nails possibly puncturing a couple of tires.

Cable asked what type of business they operate and how far they were hauling the items back to this site. **Grochowski** said they run a concrete business and have jobs all over the State.

Summer Grochowski, 4663 Peaceful Ln, Trinity, NC, daughter of the property owner, said she lives on the property and has no issues with the driveway.

There was a discussion with the Planning Board members as to the location of her residence, 4663 Peaceful Ln, in relation to the request. **Johnson** asked **S. Grochowski** if she helps maintain the driveway. **S. Grochowski** said if the driveway needs attention, she informs one of the employees to take care of it when they return to the site with equipment.

Vaughan asked where the on-site burning takes place. **S. Grochowski** described it to be cleared area just south of her home.

Pell asked if there was anyone else that would like to speak in favor of the request. Hearing none, he asked if anyone would like to speak in opposition to the request.

Clifton Gum, 4661 Peaceful Ln, Trinity, NC, submitted photos as evidence, Exhibit 1. He described the concrete business as being disruptive to his family daily. He said the employees load and unload equipment during late evening and early morning hours, and yell at one another next to his home. He said the employees drive at accelerated speeds up and down the driveway, causing damage and requiring additional gravel to be purchased. He said the trucks are constantly dropping objects into the driveway, and causing flat tires. He also said employees pick up their paychecks at this location on Fridays as well, causing additional traffic.

Gum said there have been security issues and theft on the property, employees have come to his home to ask for his Wi-Fi password, have asked to use his cell phone, and even approached visiting family members while in his driveway, to ask about the business.

Gum said he had spoken to the owner about his complaints and was told that he knew what he was getting into when he purchased his property. He asked the Board to deny the request because of the negative impact it has placed on their day-to-day life.

Johnson asked how long the business has been operating at this location. **Gum** said his family and the business have both been at this location for about four years.

Vaughan asked if the property was listed as a business. **Gum** answered no.

Cable said the photos submitted by **Gum** show bright lights on the property and asked how often those lights are turned on. **Gum** said they are on anytime someone is on the property.

Davis asked **Gum** about the location of his home in relation to the business. **Gum** described it as 4661 Peaceful Ln, to be located on the east side of the request.

Cable asked if everyone shares the same drive. **Gum** answered yes.

Austin asked what the latest or earliest hours of operation have been. **Gum** described it to be as early as 1:00 a.m., until 4:00 a.m.

Cable asked if this activity had been reported to the Planning and Zoning Department. **Gum** answered yes. **Gum** said that is why the request is now before the Board. **Cable** asked if the Sheriff's Department had been called. **Gum** said he had spoken to someone and was told that by the time someone could arrive on the scene, the workers would probably be gone so he has not filed a complaint.

Davis asked **Gum** if the business activity or the degradation of the driveway was his main concern. **Gum** said the business activity because you can hear everything because of the location of his home. **Davis** asked if he moved the mobile home to the property. **Gum** answered no. He said the home was already on the property when he purchased the property.

Cable asked how many properties share that drive and who maintains it. **Gum** said there are four properties and the Grochowski's usually maintain the drive because of the business. **Cable** asked what has been done by the Planning Department regarding the complaint. **Gum** said the property was found to be in violation of zoning, and they were required to ask for the rezoning and that is why the request is now before the Board. **Cable** asked how long ago the Planning Department was notified. **Gum** said the process started in January.

Robert Winfrey, 4532 Millers Mill Rd, Trinity, NC, told the Board he has lived on the property for over thirty years. He said the drive is not State Maintained and is constantly washing out, trucks are continually running up and down the drive, creating dust and noise. He asked the Board to deny the request because of all of the problems.

Randal E Chapel, 4616 Millers Mill Rd, Trinity, NC, expressed his concerns about the driveway being used for more than the residential use it was intended for and said he fears that even more of the property would be used for commercial use in the future.

Kay Winfrey, 4532 Millers Mill Rd, Trinity, NC, said their property has standing water issues from heavy rains and they have already had to hire someone to create a draining ditch to help with the problems. She said something needs to be done to stop the water from draining on her property. **Robert Winfrey** said when the driveway was installed, a tile was not installed to help with the water drainage. **Cable** asked who installed the driveway. **R. Winfrey** said Frank Lamb built the drive when he developed the property.

Having no more opposition, **Pell** asked **D. Grochowski** if she would like to address any of the questions or concerns that have been presented to the Board. **D. Grochowski** said

she would like to keep the peace with the neighbors and if the request is passed she will install a fence which will help, and they have and will continue to maintain the road.

Davis asked if this shared drive is the only access they have to their property and if it is the primary drive for the business. **D. Grochowski** answered yes. **Davis** asked where the concrete is dumped on the property. **D. Grochowski** said it is the cleared area shown in the aerial photo.

Cable asked **D. Grochowski** how long she has owned the property and how long they have used it for the business. **D. Grochowski** said she wasn't sure how long they owned it but started using it for the business shortly after the purchase.

Austin asked if there are any permanent structures on the property for an office. **D. Grochowski** answered no.

Cable asked about paychecks being picked up on the property. **Grochowski** said her daughter takes care of payroll so the employees come to the property to pick up paychecks at her house.

Johnson asked if they had asked anyone about using the property for business purposes when they purchased it. **D. Grochowski** said they previously ran the business out of her home and assumed it would be ok as long as no one said anything about it. **Johnson** asked if the business has grown over the last several years. **D. Grochowski** answered no. **Cable** asked how many trucks stay on the property. **D. Grochowski** said she does not have any trucks being left on the property but the excavators and skid steers are on the property if they are not in use on a job site. **Cable** asked what address the equipment is registered. **D. Grochowski** said they are registered to her home address on Pineview Street in High Point, NC.

Beeson said he is familiar with and in favor of **D. Grochowski's** type of business, but he does not feel this may be the best location. He said there will always be early morning or late evening activity disrupting the neighbors.

Pell asked if there were any additional questions from the Board. Hearing none, he closed the public hearing for discussion among the Board members and a motion.

Davis after visiting the site, he feels the driveway is not adequate for the commercial activity that is taking place on the property. **Cable** said he agrees with the other Board members in this case. He said strategic planning is to protect areas such as this, and he would have a hard time supporting this request.

Austin said he feels the driveway was never intended to handle this type of traffic and doesn't feel the request would be the best use of the property.

Hedrick said relating this situation to the *Unified Development Ordinance* and *Growth Management Plan*, it appears it would be kind of a spot zoning situation because there

are no other *Highway Commercial* businesses nearby and it does not appear to meet the development requirements.

Cable made the motion to deny 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 not consistent with the *Randolph County Growth Management Plan*. **Austin** made a second to the motion to deny the rezoning request.

Pell called the question on the motion to deny the rezoning request, and the motion was adopted unanimously.

Johnson presented the third case, site plans, and pictures of the site and surrounding properties.

REZONING REQUEST #2022-00002370

EVARARDO SUAREZ CANAS, Sophia, NC, is requesting to rezone 2.99 acres out of 12.00 acres along US Hwy 311, New Market Township, Randleman Lake Protected Area Watershed, Tax ID #7736399235, Primary Growth Area, from *RA - Residential Agricultural District* to *LI-CD - Light Industrial - Conditional District*. The proposed Conditional Zoning District would specifically allow a dumpster rental and concrete business and a total of 17.76% SNIA as per the site plan.

After presenting the case to the Board, the applicant decided to **WITHDRAW** the request until a later date, to allow additional time for necessary site work for the request.

Johnson presented the fourth case of the night along with site plans and pictures of the site and surrounding properties.

REZONING REQUEST #2022-00002485

FERRELL AND LOFLIN PROPERTIES, LLC, Denton, NC, is requesting to rezone 5.00 acres out of 45.37 acres at 9566 NC Hwy 49 S, New Hope Township, Tax ID #6687618451, Rural Growth Area, from *RA - Residential Agricultural District* to *HI-CD - Heavy Industrial - Conditional District*. The proposed Conditional Zoning District would specifically allow the production of engines and engine parts with a storefront as per the site plan.

Terry Ferrell, 1382 Cranford Rd., Denton, NC, explained to the Board the need for locating a portion of their business on this property. He said they have outgrown their

current location, and anticipate additional growth. He said there are multiple businesses in the area, it makes sense to be located on Hwy 49 because there will be good exposure, and it will be good for the County and for providing employment.

Davis asked if this business is for racing. **Ferrell** said they build racing engines.

Davis asked if there would be outside storage, if they would be testing engines, and if there would be a concern for noise. **Ferrell** said he currently tests the engines in the existing location and does not have intentions of bringing the machines to this facility for testing but cannot guarantee that he will not move the machines to this location. **Ferrell** said there are no complaints from the neighboring properties at his current location.

Austin asked Ferrell to describe his proposed building. **Ferrell** said they would like to start with a 100 ft. by 200 ft. building with an expandable wall for the future. **Davis** asked if he planned to have manufacturing in the building also. **Ferrell** said they do plan to manufacture parts for building the engines.

Cable asked how many employees he planned to have. **Ferrell** said he currently has fifteen to twenty and hopes to double or even triple that number in the next couple of years.

Cable asked if he had reached out to any of the neighbors. **Ferrell** answered yes. **Davis** asked how well he got along with the farmers in the area. **Ferrell** said they provide parts needed for some of the farming equipment used so it works well.

Vaughan asked if there had been issues with the State in the past about storing equipment next to the highway. **Ferrell** said that would have been Mid-State Company, and he has nothing to do with that company. He said they have a nice facility and have never had complaints. He said his company deals with customers that have \$500,000 cars and they will not want to deal with a low-scale company.

Stephanie Ferrell, T. Ferrell's wife rose to address the Board. **S. Ferrell** said that she has been a commercial lender for twenty-two years and that she anticipated economic growth to have a ten percent downturn for new facilities and TKM has nearly doubled since 2015 for business and employees.

Pell asked if there was anyone else that would like to speak in favor of the request. Hearing none, he asked if anyone would like to speak in opposition to the request. Hearing none, **Pell** closed the public hearing for discussion among the Board members and a motion.

Davis said understands some of the concerns the Planning staff had for the business fitting into the area. He said after hearing the testimony, he believes the facility will be top-notch. **Cable** agrees with **Davis** and said he appreciates the fact that his neighbors are calling him for manufactured parts and he stops whatever he's doing to help someone out. **Austin** said Randolph County needs this type of business from a marketing

standpoint, he believes it will draw attention to our County.

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*. **Vaughan** made a second to the motion to approve the rezoning request.

Pell called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

Johnson presented the fifth case, site plans, and pictures of the site and surrounding properties.

REZONING REQUEST #2022-00002367

MIGUEL URIBE FLORES, Asheboro, NC, is requesting to rezone 5.49 acres out of 19.39 acres at 2528 NC Hwy 49 N, Columbia Township, Tax ID #8713988508, Primary Growth Area, from *HC-CD - Highway Commercial - Conditional District* to *HI-CD - Heavy Industrial - Conditional District*. The proposed Conditional Zoning District would specifically allow an existing furniture frame shop in an existing building as per the site plan.

Miguel Flores, 1046 Briles Dr., Asheboro, NC, said he started his business sometime in 2021 and is trying to expand.

Johnson asked how many employees he has. **Flores** said there are ten.

Cable asked what type of furniture he builds. **Flores** said he builds frames only for living room-type furniture. **Cable** asked if there are spray booths for painting or if there is any hazardous material. **Flores** answered no.

Cable asked about the hours of operation. **Flores** said it is normally 7:00 a.m. until 3:00 p.m. Monday through Saturday and weather conditions may cause some variations if it is too hot. He said don't like to work on Saturdays but the demand has required them to recently.

Davis asked if the hours ever extend past 3:00 p.m. Flores said they have to stay late some days because of a CNC machine that is run by his brother who has another job. **Cable** asked if it would be safe to say their hours are until 5:30 or 6:00 p.m. **Flores** said the goal is to work eight to nine hours a day. **Cable** asked if any of the neighbors had approached him with complaints. **Flores** said he has not received any complaints directly.

Kelly and Mark Tabor, 7900 Ferguson Rd, Liberty, NC. **K. Tabor** said she lives across the street and it is sometimes very noisy with saws, equipment, and loud music, sometimes as late as 10:00 or 11:00 at night. She said she does not have a problem having the business run from 7:00 a.m. until 3:00 p.m. but she has concerns that if the property is re-zoned, the business will eventually run a second and third shifts as well.

Cable asked if the music is the biggest issue. **K. Tabor** said she has concerns in general for additional shifts and an increase in noise. **Cable** asked if she would be opposed to the business if the hours of operation were limited to 5 or 6:00 p.m. **K. Tabor** said she would be fine with that.

Austin said he would like to point out the rezoning is for 5.49 acres only. **K. Tabor** said the buildings are located right next to the road and she is directly across the road and she can hear everything.

Hedrick asked when she purchased her property. **K. Tabor** did not give a clear answer. **Austin** asked if their property is across the street. **M. Tabor** described the location of the house in relation to the business. He said their main concern is having a second shift.

Perry Conner, 216 W Main St, Franklinville, NC, said he owns the property directly south of this request and although he does not currently live on the property, he has been visiting his renter and can hear the loud noise on the property. He said he has concerns that someone has appeared to have opened a business that is not properly zoned and is asking for permission after the fact. He said he does not have a problem with having a frame shop but would not like other permitted uses that fall within the *HI* zoning.

Candi Langley, 2454 NC Hwy 49, Ramseur, NC, said she lives two houses down from the property. She feels the *HI* zoning allows too many options and feels there should be more control over what is located in an area with the number of residences they have in the area. Langley said there is not sufficient parking for the number of employees at the business, it is still operating sometimes at 8:00 p.m. when she is just getting home and is noisy. She said they put the cart before the horse and should have gotten all of this approved before purchasing the property and starting their business.

Flores said he currently works off-site and will try to control the music issue. He said he would make sure it is not heard after 5:00 p.m. He said in response to one of the previous comments, he originally started leasing the property, was approved for wood-working and thought he fell within that category and purchased the property with the same understanding and has now found out that he is within another category and does not have the appropriate zoning for his operations.

Flores said he said he can require there be no music after 5:30 or 6:00 p.m., although the noise from the saws will be more of a challenge and the CNC machine will have to run after normal operations to keep up with the demand of the rest of the operation. He said he has plenty of space to expand, and would not need to build additional space.

There were additional conversations between **Flores** and the Planning Board regarding options for controlling noise.

Flores said he was unaware of the noise complaints because he is normally not on-site and he could eliminate that issue moving forward.

Davis asked how late the CNC machine will have to run. Flores said his brother is normally on-site from 4:00 until 8:00 pm.

Hedrick said the Board would be looking at the request as presented and if he were to make concessions on the noise issues, he would be doing that as a courtesy to his neighbors. **Flores** said he is going to address the music issues. **Hedrick** said it appears the original rezoning took place in 1994 according to the information given to the Board members and asked Flores if he was aware of the conditions. **Flores** said that it was his understanding that the rezoning allowed woodworking. **Hedrick** asked if he was aware of any hours of operations restrictions. **Flores** answered no.

Having no further questions for Flores, **Pell** closed the public hearing for discussion among the Board members and a motion.

Davis said he would like to clarify that the request is a conditional district and any changes made to this request would have to come back to the Board. **Hedrick** said as it is spelled out in the agenda, the request would have to remain specific to the site plan presented. He said he would also add that when you look at the existing zoning which allows manufacturing of wood products and the current owner purchased the property not realizing there is a difference for frames and under the current use, they would be allowed to run saw all hours of the night, they just can't build furniture frames. **Cable** said it seems that everyone's testimony had music as a common denominator. **Austin** said the concerns for Heavy Industrial zoning were mentioned and have already been addressed. **Cable** said there were also concerns about having a second shift. He said the manufacturing sounds like it would fit within the timeline until 5:30 or 6:00 p.m. but the CNC runs later. He said he believes the major issue is noise. He said you have a growing business and the owner is willing to work to be a good neighbor and then you have neighbors who don't want noise all hours of the night with bright lights, keeping them up all night and he would like to make sure there is a happy medium.

Hedrick said it sounds like **Flores** is planning to be respectful of the neighbors. **Cable** said **Flores** seems to want to work on the neighbor's issues. He said would also like to point out that the current zoning allows woodworking would allow saws to run all hours of the night.

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*. **Hedrick** made a second to the motion to approve the rezoning request.

Pell called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

Johnson presented the sixth case, site plans, and pictures of the site and surrounding properties.

REZONING REQUEST #2022-00002366

SCOTTY OUTDOOR, LLC, Snow Hill, NC, is requesting to rezone 1.32 acres out of 9.61 acres at 369 Frazier Rd, Columbia Township, Tax ID #8732453126, Secondary 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 Conditional District Permit to allow an outdoor advertising sign as per the site plan. Property Owners: Mandi Dawn and Ned Scott Beasley

Mike Sutherland, PO Box 974, Snow Hill, NC, said that the property meets all of the requirements and they would like to build a billboard 14 ft. by 48 ft. sign which will be 35 ft. tall.

Johnson asked what is currently on the property. **Sutherland** said there is a house on one portion of the property, which is separated by a large buffer of trees, from the commercial portion on the front edge of the property.

Austin asked if it would be a lighted sign. **Sutherland** said it would be a lighted sign but will be programmed to turn off around 9:00 or 10:00 p.m.

Johnson explained to the Board that the existing conditional district did not include an outdoor advertising sign so the conditions have to be amended to allow the sign.

Pell asked if there was anyone else present to speak in favor of the request. Hearing none, he asked if there was anyone in opposition to the request. Hearing none, **Pell** closed the public hearing for discussion among the Board or a motion.

Cable asked if everything was duly posted and the required notifications sent. There was an affirmation by the Planning staff. **Davis** said he wants to protect the scenic beauty and discourage unnecessary billboards. **Johnson** said that is why they are not allowed by right and are before the Board.

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*. **Hedrick** made a second to the motion to approve the rezoning request.

Pell called the question on the motion to approve the rezoning request, and the motion was adopted with 5 for and 2 against the request.

Johnson presented the seventh case, site plans, and pictures of the site and surrounding properties.

REZONING REQUEST #2022-000002368

ROBERT L EVANS, Dallas, OR, is requesting to rezone 2.93 acres at 334 Dawson Miller Rd, Cedar Grove Township, Tax ID #7658316071, Secondary Growth Area, from *HC-CD - Highway Commercial - Conditional District* to *RA - Residential Agricultural District*. The proposed rezoning would allow any uses permitted by right in the *RA – Residential Agricultural District*.

Pell asked if there was anyone present to speak in favor of the request. Hearing none, he asked if there was anyone to speak in opposition to the request. Hearing none, **Pell** closed the public hearing for discussion among the Board or a motion.

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*. **Cable** made a second to the motion to approve the rezoning request.

Pell called the question on the motion to approve the rezoning request, and the motion was adopted unanimously.

Cable asked about the Variance request that was tabled from the previous month. It was announced that the application was withdrawn.

As the last item of business, **Cable** made a motion for **Kemp Davis** to become Vice-Chairman of the Planning Board, and **Hedrick** made a second to that motion. **Pell** called the question on the motion, and the motion was adopted unanimously.

Having no further business, **Pell** called for a motion to adjourn the meeting. **Austin** made the motion to adjourn, with **Beeson** making the second to the motion; the motion was adopted unanimously.

The meeting adjourned at 8:55 p.m., with 21 citizens present.

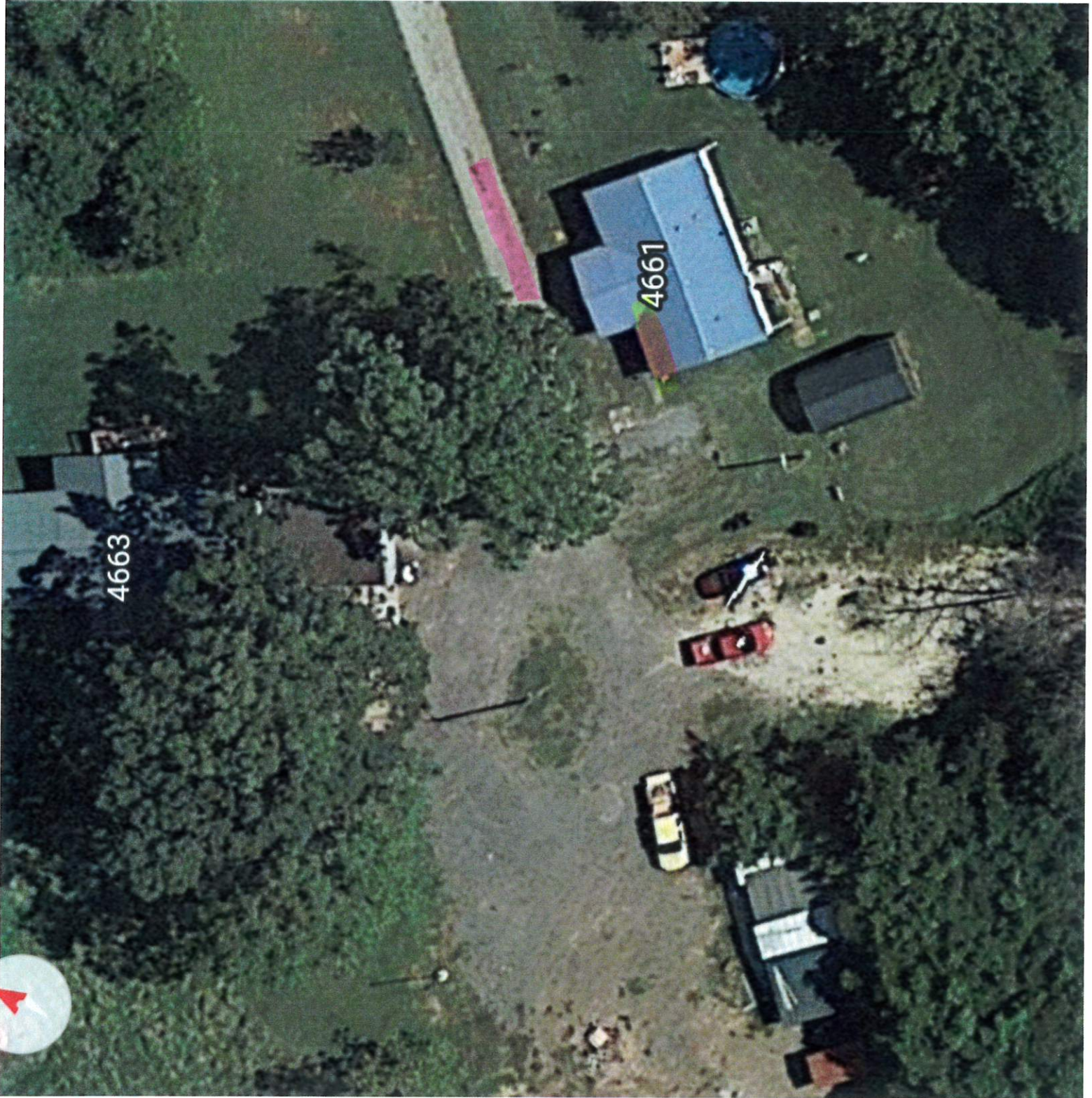
**RANDOLPH COUNTY
NORTH CAROLINA**

Chairman

Clerk to the Board

Date

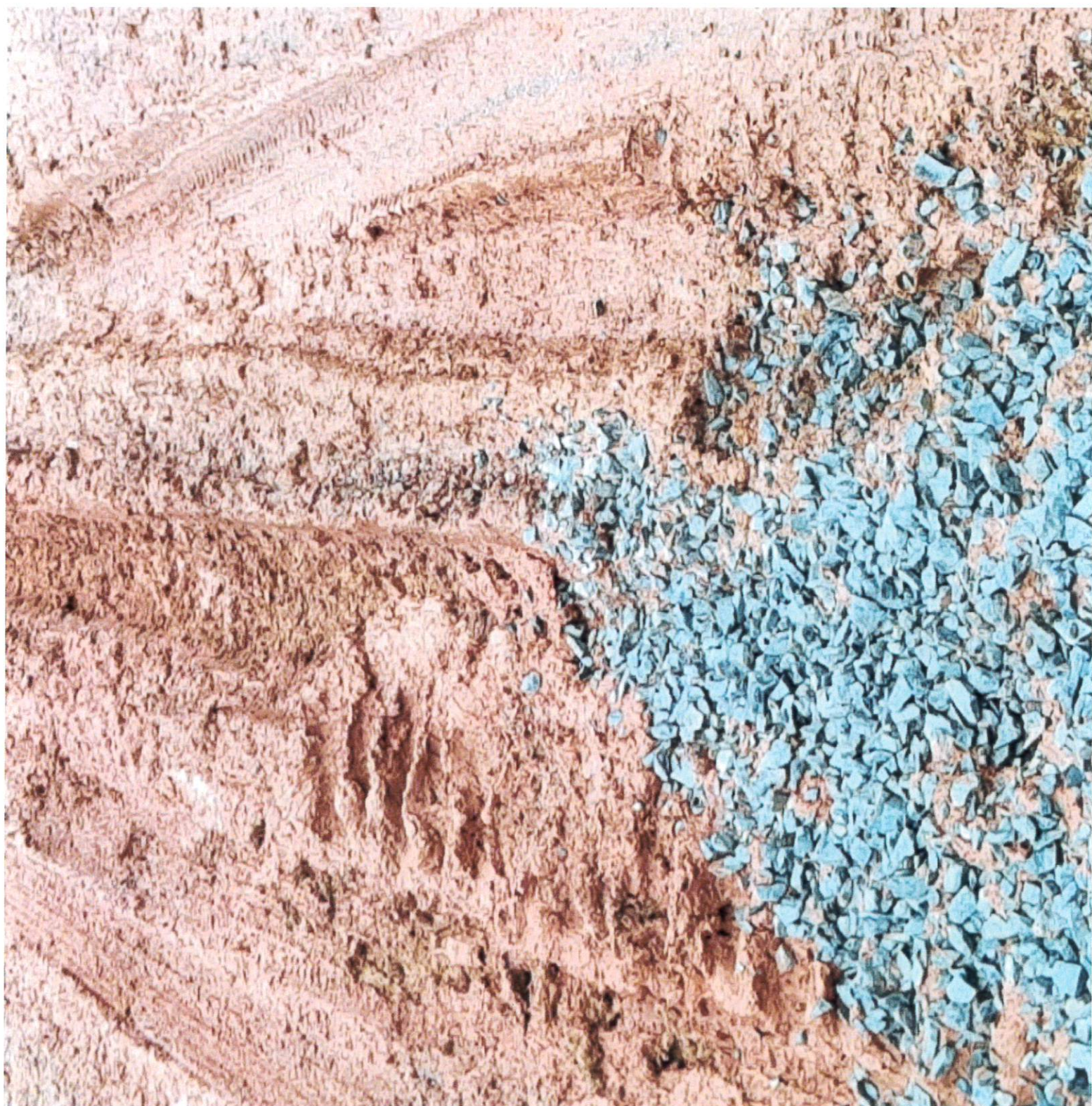
















-03-29 11:40:41





2022-01-13 11:18:50

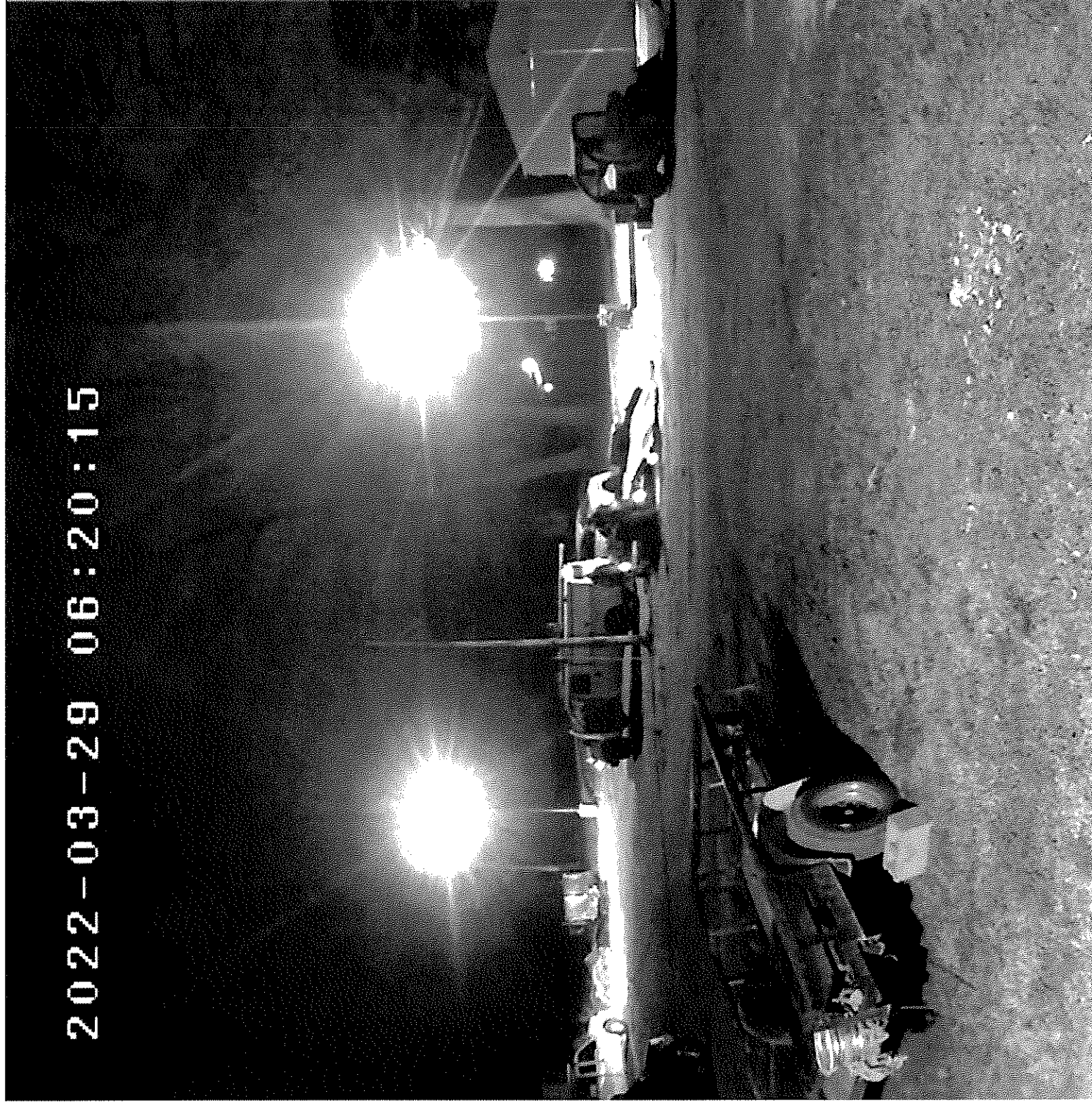








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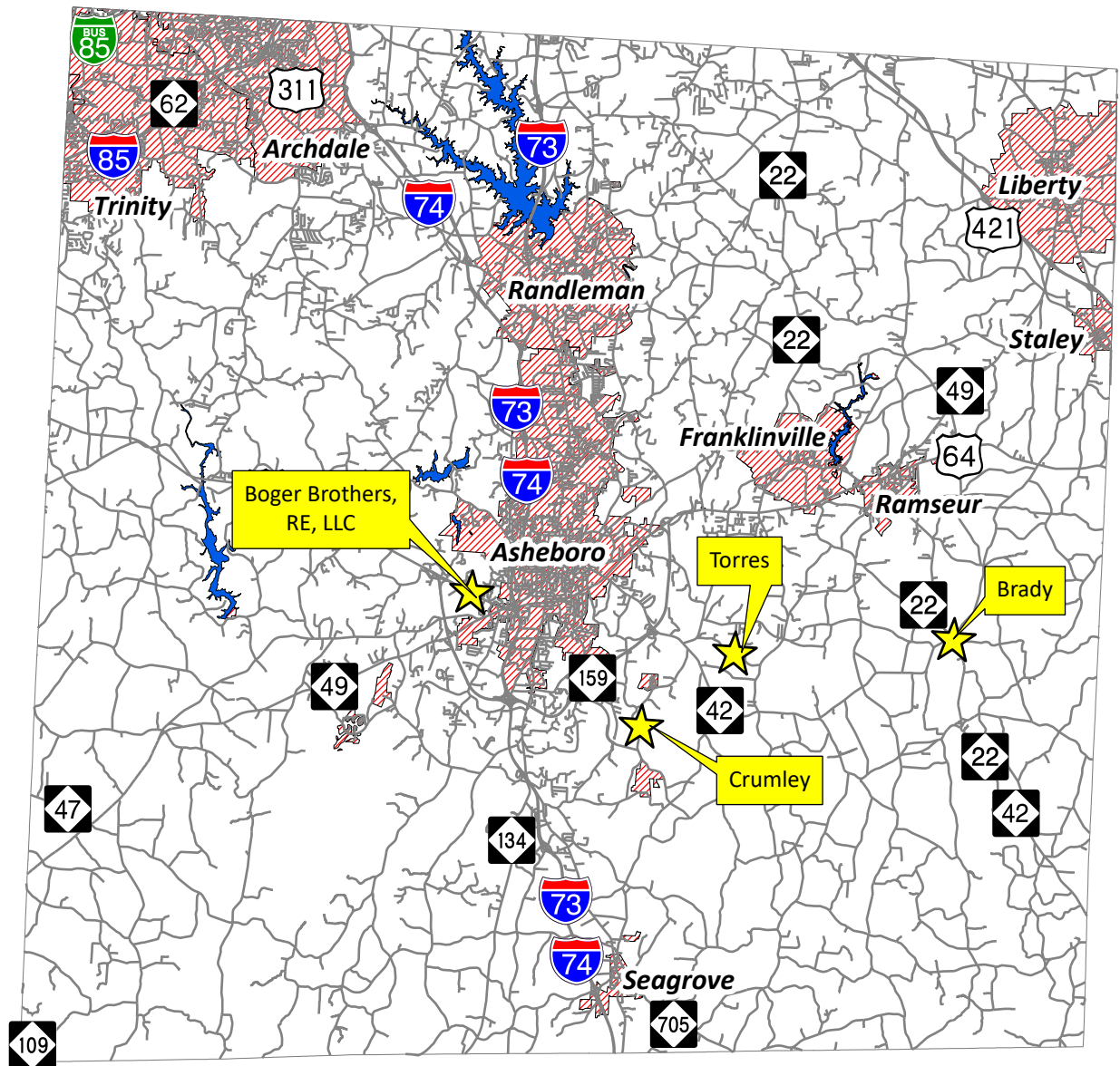
2022-01-27 15:55:27







November Request Location Map



Legend

-  Roads
-  Reservoirs
-  County line
-  Municipal Zoning

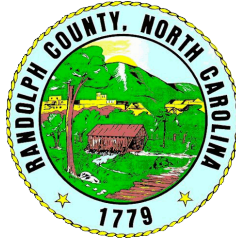
0 1 2 4 6 8 Miles



CASE SUMMARY FOR
SPECIAL USE REQUEST #2022-00002758

The Randolph County Planning Board will hold a duly published and notified Quasi-judicial Hearing on the request by **HERIBERTO TORRES**, Randleman, NC, and their request to obtain a Special Use Permit at 2970 Spoons Chapel Rd, Grant Township, Tax ID #7689592203, Squirrel Creek Farms lot four, 27.68 acres, *RA - Residential Agricultural District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow an upholstery shop in a proposed 600 sq. ft. building as per the site plan.

**ALL WITNESSES FOR SPECIAL USE PERMITS MUST BE
SWORN IN BY CHAIR OR CLERK TO THE BOARD
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: TORRES, HERIBERTO & CELIA
Address: 2970 SPOONS CHAPEL RD
City, St. Zip: ASHEBORO, NC 27205

Date: 10/05/2022
Parcel #: 7689592203

Owner: TORRES, HERIBERTO
Address: 2970 SPOONS CHAPEL RD
City, St. Zip: ASHEBORO, NC 27205

Permit #: 2022-00002758
Permit Type Code: PZ 3

Location Address: 2970 SPOONS CHAPEL RD
ASHEBORO, NC 27205

CONTACT NAME: TORRES, CASSANDRA

Contact Phone: 336 943-3089

PARCEL INFORMATION:

Lot number: 4 **Subdivision:** SQUIRREL CREEK FARMS
Acreage: 27.6800 **Township:** 09 - GRANT

ZONING INFORMATION:

Zoning District 1: RA-RESIDENTIAL AGRICULTURAL DISTRICT
Zoning District 2:
Zoning District 3:
Specialty District: N/A
Watershed Name: NONE
Class A Flood Plain On Prop?: NO
Flood Plane Map #: 3710768900J

SPECIAL USE REQUESTED: TO ALLOW AN UPHOLSTERY SHOP IN A PROPOSED 600 SQ. FT. BUILDING 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:

Torres Request Location Map



Directions to site: US Hwy 64 E -
(R) Iron Mountain Rd - (L) Spoons
Chapel Rd - Site on (R) just before
Squirrel Creek Rd at 2970
Spoons Chapel Rd.



1 inch equals 400 feet

Torres Special Use Permit Request

Legend



Parcels

Structures

Type



Permanent Structure



Temporary Structure



Roads



Streams



50 ft. Stream buffer

County zoning

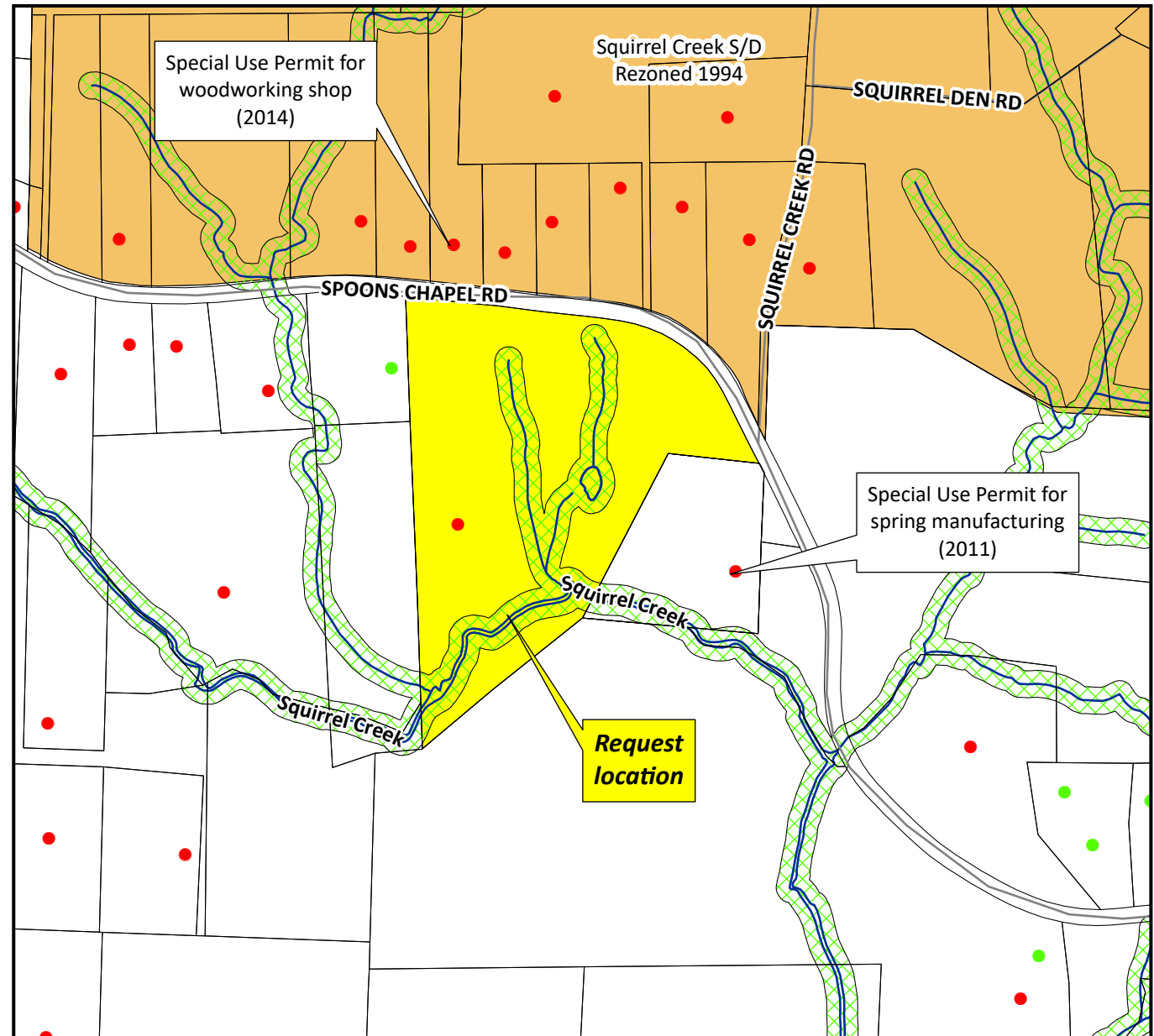
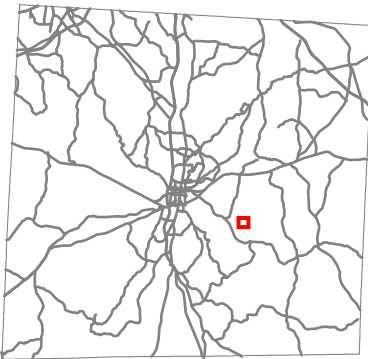
Districts



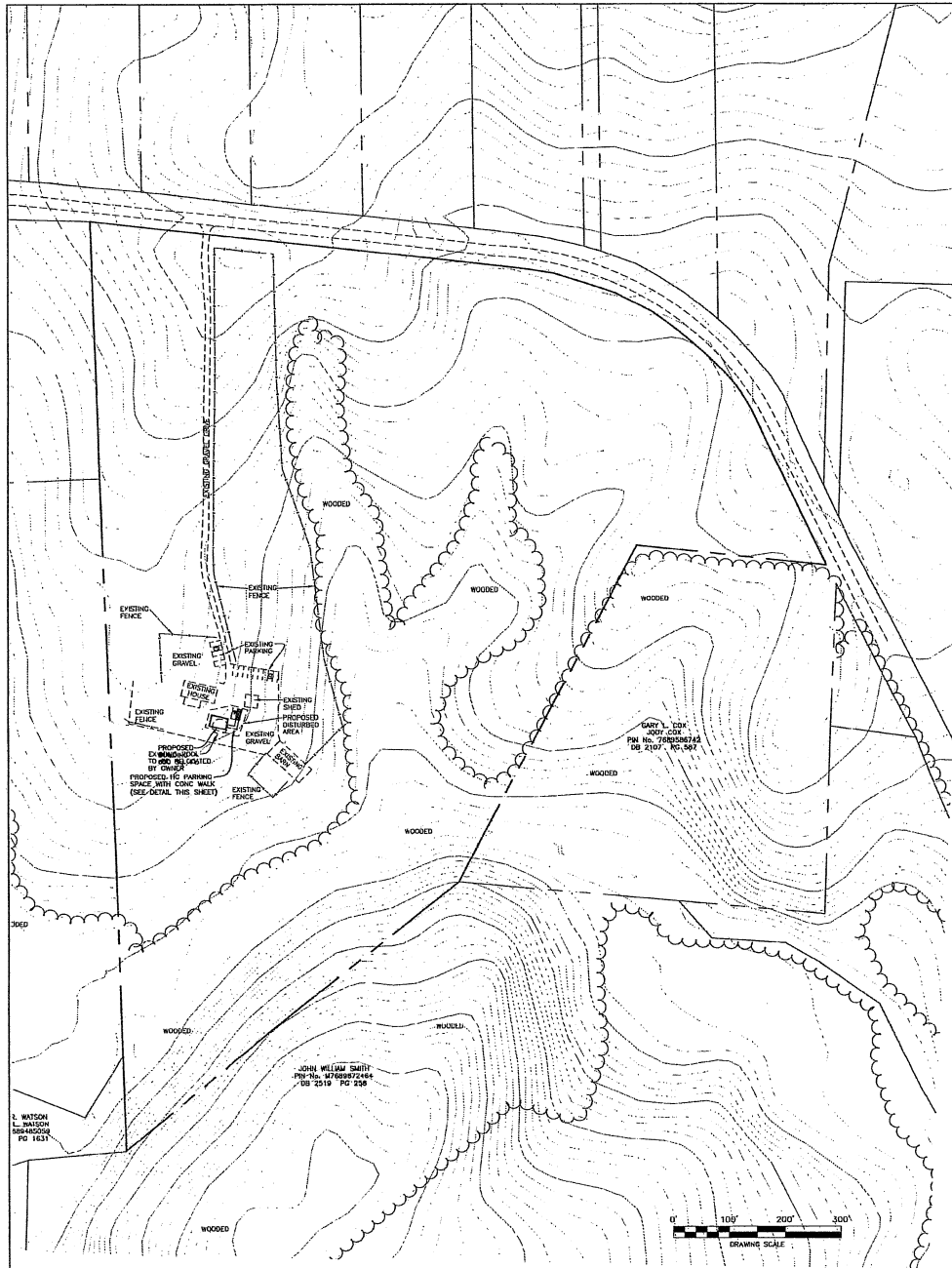
RA



RM

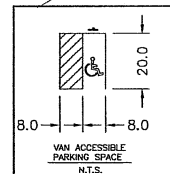
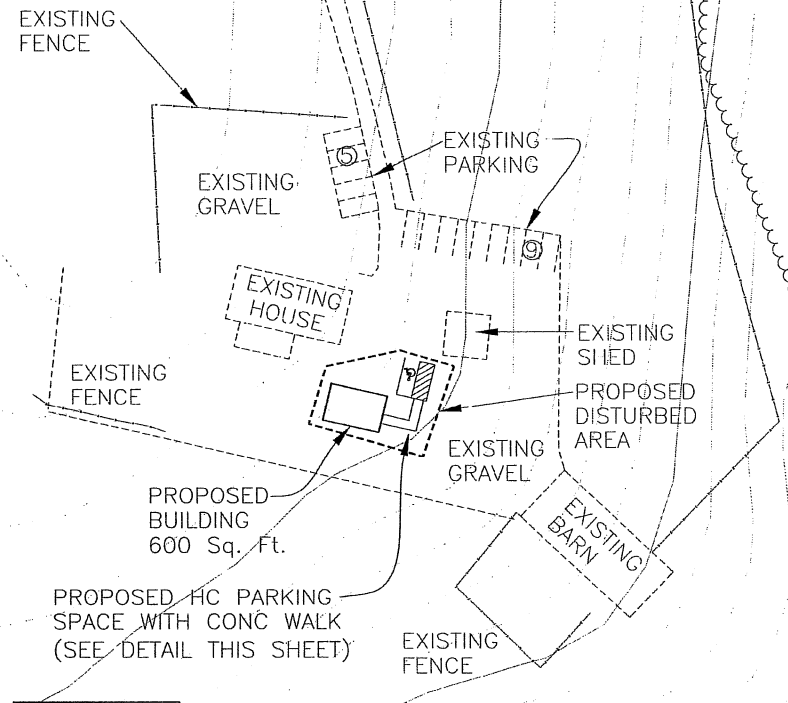
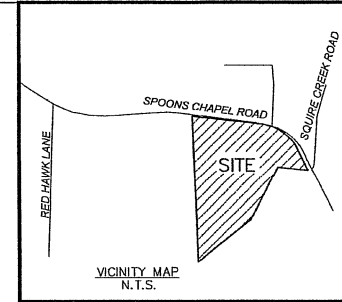


1 inch equals 600 feet



SITE NOTES:

1. PROPERTY INFORMATION
OWNERS: HERBERTO TORRES
PIN NUMBERS: 789592203
EXISTING ZONING: RM
EXISTING LAND USE: RESIDENTIAL
SITE ADDRESS: 2970 SPOONS CHAPEL ROAD
OWNER ADDRESSES: 2970 SPOONS CHAPEL ROAD
THE PROJECT IS LOCATED WITHIN THE TOWN OF ASHEBORO.
2. PARCEL BOUNDARIES, TOPOGRAPHIC DATA, EASEMENTS, EXISTING WATER METER AND SANITARY SEWER ARE SHOWN PER FIELD SURVEY FROM PLANS AND MAPS BY OTHERS.
3. PROPOSED USE: UPHOLSTERY SHOP.
4. PARKING REQUIRED: ONE SPACE PER 1,500 Sq. Ft.
REQUIRED: 600 Sq. Ft. = 1 SPACE
PROVIDED: 14 EXISTING SPACES & 1 NEW HC SPACE.
5. SETBACKS:
FRONT: 35 FT
SIDE: 10 FT
REAR: 30 FT
6. DISTURBED AREA: 2,903.14 SF (0.066 ACRES)
7. HANDICAP SPACES SHALL BE INSTALLED PER ADA REQUIREMENTS.
8. MAXIMUM SEPARATION BETWEEN SANITARY SEWER CLEANOUTS SHALL BE 50'.
9. OBTAIN ALL APPLICABLE PERMIT APPROVALS PRIOR TO ANY CONSTRUCTION.
10. CONFIRM UTILITY TIE INS WITH ARCHITECTURAL DESIGN PRIOR TO CONSTRUCTION.
11. WATER AND SEWER UTILITY TIE IN LOCATIONS ARE SHOWN ON THIS PLAN FOR REFERENCE ONLY.



Summy Engineering Associates, PLLC
Engineering - Consulting - Surveying
PO Box 424
Asheboro NC 27209
Phone 316-3460002 Fax 316-3460022
E: jsummy@summyeng.com
NC Professional Engineering Firm License No. P-2416

No.	Revised	By	Date

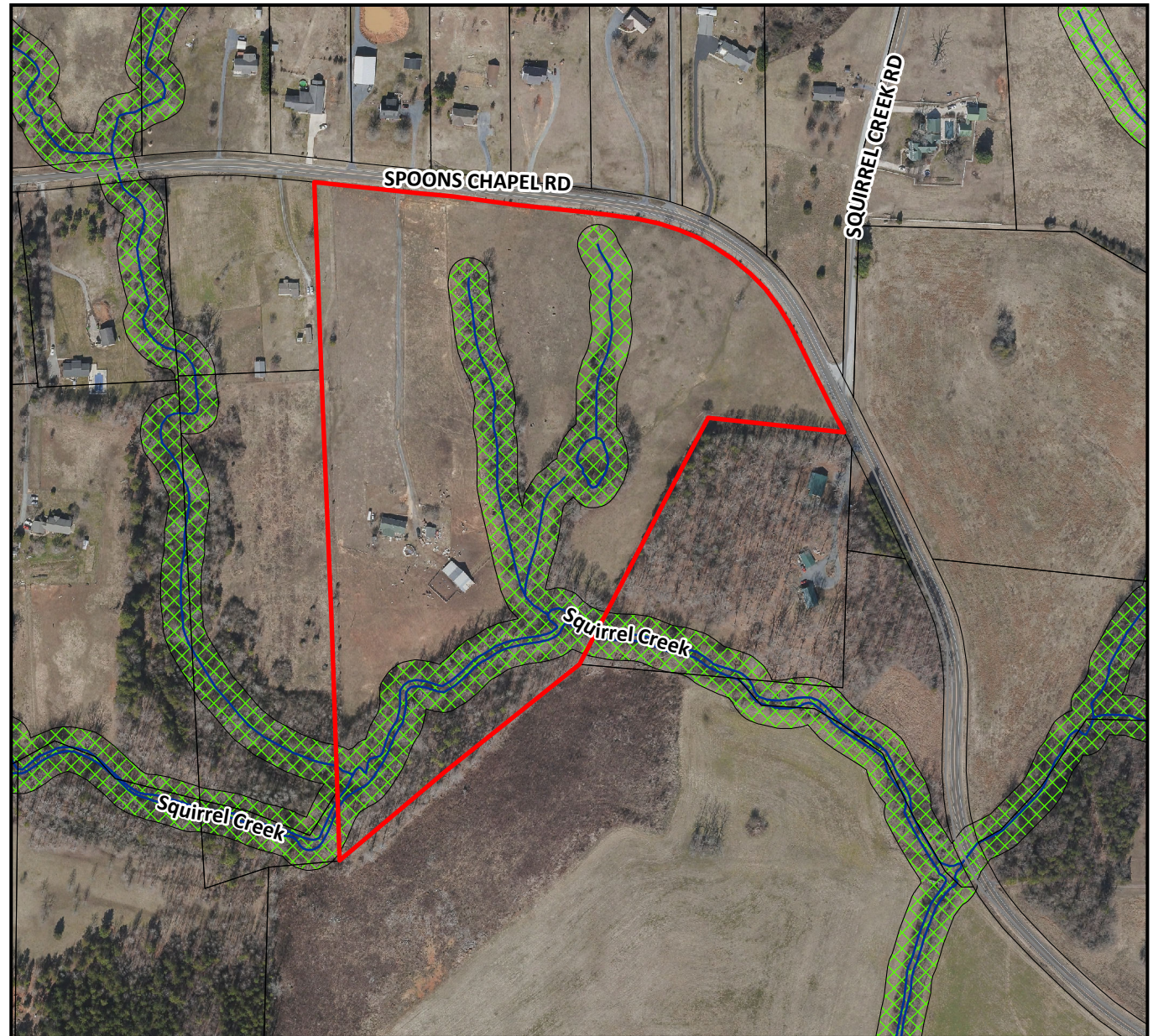
PROPOSED SITE PLAN AND BLOWUP
CASSANDRA TORRES
2970 SPOONS CHAPEL ROAD
RANDOLPH COUNTY - NORTH CAROLINA

NOTED:	DATE:	DATE:	DATE:
5/21/2022	5/21/2022	5/21/2022	5/21/2022
Drawn By:	Checked By:	Scale:	Scale:
Sheet No. C-3			

Torres Special Use Permit Request

Legend

-  Parcels
-  Roads
-  50 ft. Stream buffer



1 inch equals 400 feet

Torres Special Use Permit 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 Spoons
Chapel Church Rd.



Picture 6:
Request location on
right as seen looking
toward Squirrel
Creek Rd.



COUNTY OF RANDOLPH
ORDER Choose the decision. SPECIAL USE PERMIT

IN THE MATTER OF THE APPLICATION FOR SPECIAL USE PERMIT
BY HERIBERTO TORRES
SPECIAL USE REQUEST #2022-00002758

NORTH CAROLINA

**RANDOLPH COUNTY
PLANNING BOARD**

Having heard all the evidence and argument presented at the hearing on November 15, 2022, 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 2970 Spoons Chapel 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 HERIBERTO TORRES 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.](#)

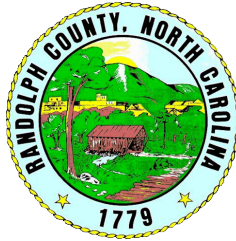
IN WITNESS WHEREOF, the Randolph County Planning Board has caused this Special Use Permit to be issued in its name and the property owners do hereby accept this Special Use Permit, together with all its conditions as binding on them and their successors in interest.

Adopted on November 15, 2022.

Chair, Randolph County Planning Board

ATTEST

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



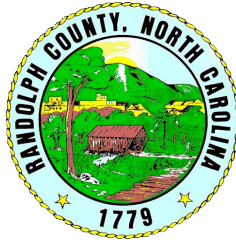
MOTION TO APPROVE SPECIAL USE PERMIT

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 #2022-00002756

GENERAL INFORMATION

Applicant:	Boger Brothers RE, LLC
Property Owner:	Boger Brothers RE, LLC
Hearing Type:	Legislative
Request:	To rezone 30,409 sq. ft. to allow an 89 ft. by 170 ft. warehouse for the existing building as per the site plan.
Current Zoning:	<i>RR- Residential Restricted District, HC – Highway Commercial District</i>
Requested Zoning:	<i>Highway Commercial – Conditional District</i>
Small Area Plan:	None
Growth Management:	Municipal Growth Area
Watershed Overlay:	None
Flood Plain Overlay:	None
Airport Overlay:	Yes
Location:	2488 Old Farmer Rd
Parcel Number:	7740788297
Parcel Size:	30,409 sq. ft. out of 10.75 acres
Existing Use:	Warehouse storage building

SITE INFORMATION AND SURROUNDING LAND USES

Direction	Adjacent Zoning	Adjacent Land Use
North	<i>RE - Residential Exclusive District</i>	Single-family residential
South	<i>HC - Highway Commercial District</i>	Planned business development
East	<i>RR - Residential Restricted District</i>	Single-family residential
West	<i>RE - Residential Exclusive District</i>	Single-family residential

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. The majority of this parcel was zoned *HC – Highway Commercial District* when the City of Asheboro withdrew their zoning from this area in 2013. The portion that is zoned *RR – Residential Restricted District* was assigned that zoning when the City of Asheboro withdrew their zoning from this area in 2013 before it was merged with the larger portion.

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

HC: HIGHWAY COMMERCIAL DISTRICT

PURPOSE

The purpose of the *Highway Commercial (HC) District* 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.

DIMENSIONAL STANDARDS FOR PRIMARY STRUCTURE

**Lot size with a minimum of 100 ft. of
State road frontage**

40,000 sq. ft.

Water Quality Critical Area: 80,000 sq. ft.

Lot size with less than 100 ft. of State road frontage	5 acres
Lot width	100 ft. at building line
Front setback	35 ft. from any road right-of-way
Corner side setback	35 ft. from any road right-of-way
Side setback	10 ft. from any side property line
Rear setback	30 ft. from the rear property line
DIMENSIONAL STANDARDS FOR ACCESSORY STRUCTURES	
Road setback	20 ft. from any road right-of-way
Property line setback	5 ft. from any property line
DIMENSIONAL STANDARDS NOTES	
1. Lot areas and setbacks shall be increased if required by Randolph County Public Health. 2. Lot areas in designated Watershed and Protected Areas are controlled by the Randolph County Watershed Protection Regulations. 3. Front yard setback shall be maintained on all road rights-of-way. 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. 5. Minimum lot size requirements within <i>Rural Growth Areas</i> are 3 acres. 6. Lots in major subdivisions within <i>Rural Growth Areas</i> must maintain a 1:4 ratio. 7. The minimum lot size requirements within the <i>Natural Heritage Overlay</i> are 6 acres. 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.	

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 **not** consistent, **not** reasonable, and **not** in the public interest; and
- Should be **DENIED** 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: In reviewing this case, the Technical Review Committee (TRC) noted several concerns on the site plan that are directly tied to the “public health, welfare and safety” issues assigned to land use planning. Another concern expressed by the TRC

was the ability of trucks being able to back into the loading docks of the proposed building and its impact on traffic. Also, as shown on the site plan, there could potentially be three entrances into this property which also adds to safety concerns along Old Farmer Rd and the policy cited above states that the site “*should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip development.*”

Policy 4.5 *Effective buffer and/or landscaping should be provided where commercial development adjoins existing or planned residential development.*

Consistency Analysis: The site plan does not include and buffers to protect the adjacent residential property as the proposed building is located on the site plan very close to the side property line and the property rights of the adjoining residential properties should be considered when making this decision. Another concern raised by the TRC is there is no lighting plan for the proposed building and the TRC would recommend indirect lighting to lessen the impacts on the adjoining residential properties.

Reasonableness and Public Interest Analysis: The policies listed above illustrate how this request is **not** 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 could increase the tax base and increase economic activity within the County but the detrimental impacts on the adjoining residential properties must be carefully weight against any increase in economic activity.





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

APPLICATION FOR ZONING CHANGE

Applicant: BOGER BROTHERS RE LLC
Address: P O BOX 10345
City, St. Zip: GREENSBORO, NC 27404

Date: 10/05/2022
Parcel #: 7740788297

Owner: BOGER BROTHERS RE LLC
Address: P O BOX 10345
City, St. Zip: GREENSBORO, NC 27404

Permit #: 2022-00002756
Permit Type Code: PZ 2

Location Address: 2488 OLD FARMER RD
ASHEBORO, NC 27205

CONTACT NAME: BOGER, RYAN

Contact Phone: 919 883-6063

PARCEL INFORMATION:

Lot number: 1	Subdivision: BRANCO ENTERPRISES INC
Acreage: 10.7500	Township: 04 - CEDAR GROVE

ZONING INFORMATION:

Zoning District 1:	RR-RESIDENTIAL RESTRICTED DISTRICT
Zoning District 2:	HC-HIGHWAY COMMERCIAL DISTRICT
Zoning District 3:	
Growth Management Areas:	MUNICIPAL GROWTH AREA
Specialty District:	MUNICIPAL AIRPORT OVERLAY DISTRICT
Watershed Name:	CEDAR CREEK WATERSHED
Class A Flood Plain On Prop?:	NO
Flood Plane Map #:	Flood Plain Map #: 3710774000J

REQUESTED CHANGE:

Area To Be Rezoned:	30409.0000
Lot Size Indicator:	SQUARE FEET
Proposed Zoning District:	HC-CD-HIGHWAY COMMERCIAL CONDITIONAL DISTRICT
Proposed Use(S):	TO ALLOW A 89 FT X 170 FT WAREHOUSE FOR THE EXISITING BUSINESS AS PER THE SITE PLAN
Condition(S):	

Total Permit Fee: \$100.00

COMMENTS:

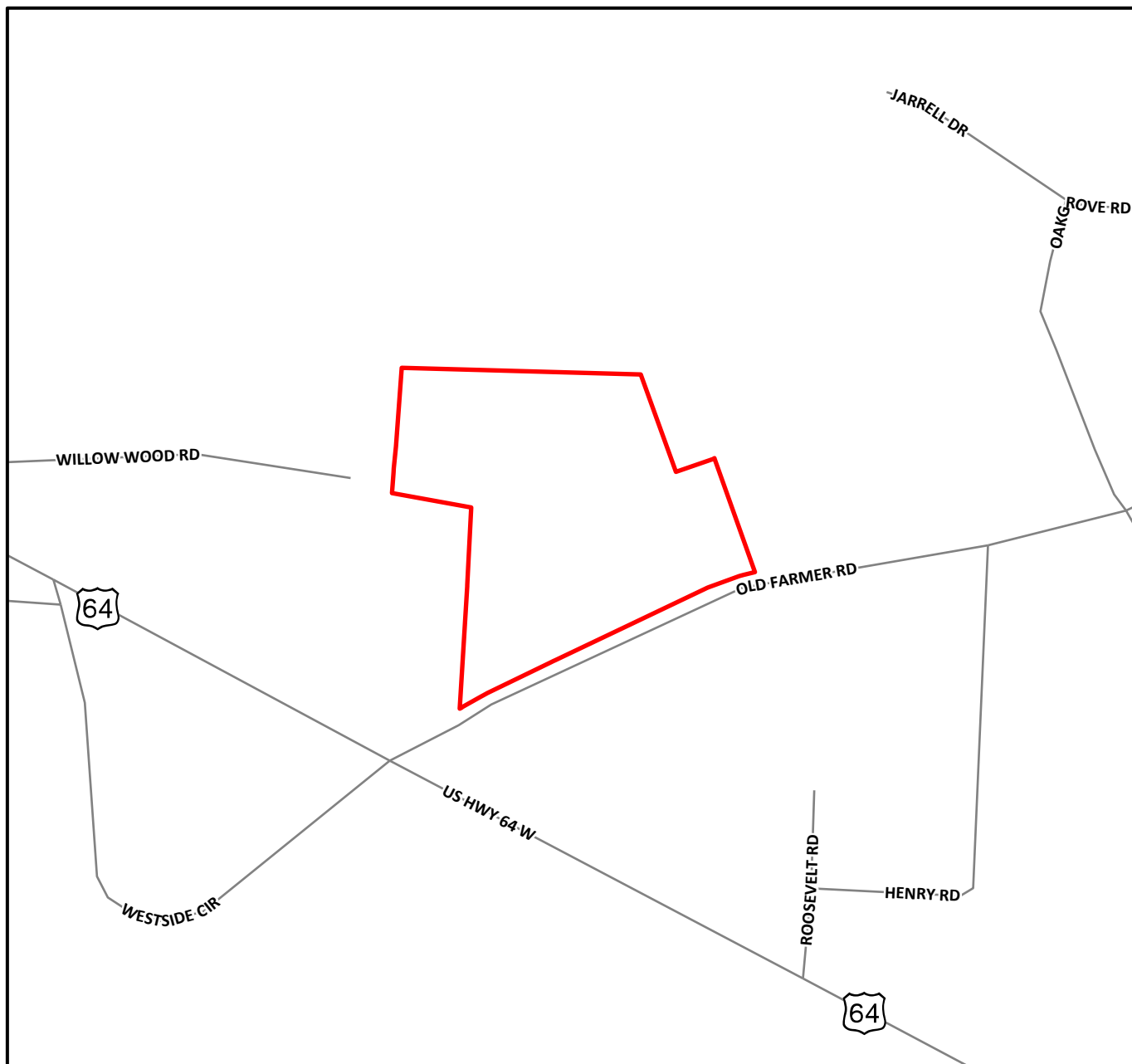
The undersigned owner/applicant do hereby make application for a PROPERTY ZONING CHANGE as allowed by the Randolph Couty Zoning Ordinance.

Eric Martin

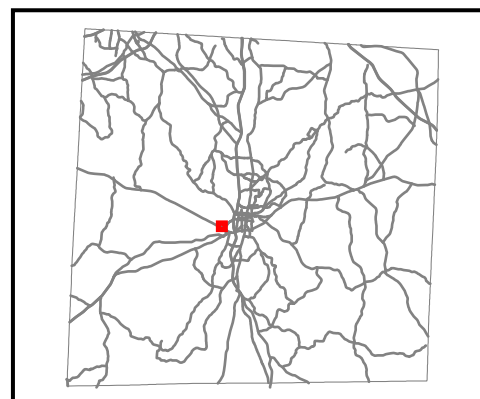
Authorized County Official

Signature of Applicant:

Boger Brothers RE, LLC, Request Location Map



Directions to site: US Hwy 64 W -
(R) Old Farmer Rd - Site on (L)
at 2488 Old Farmer Rd.

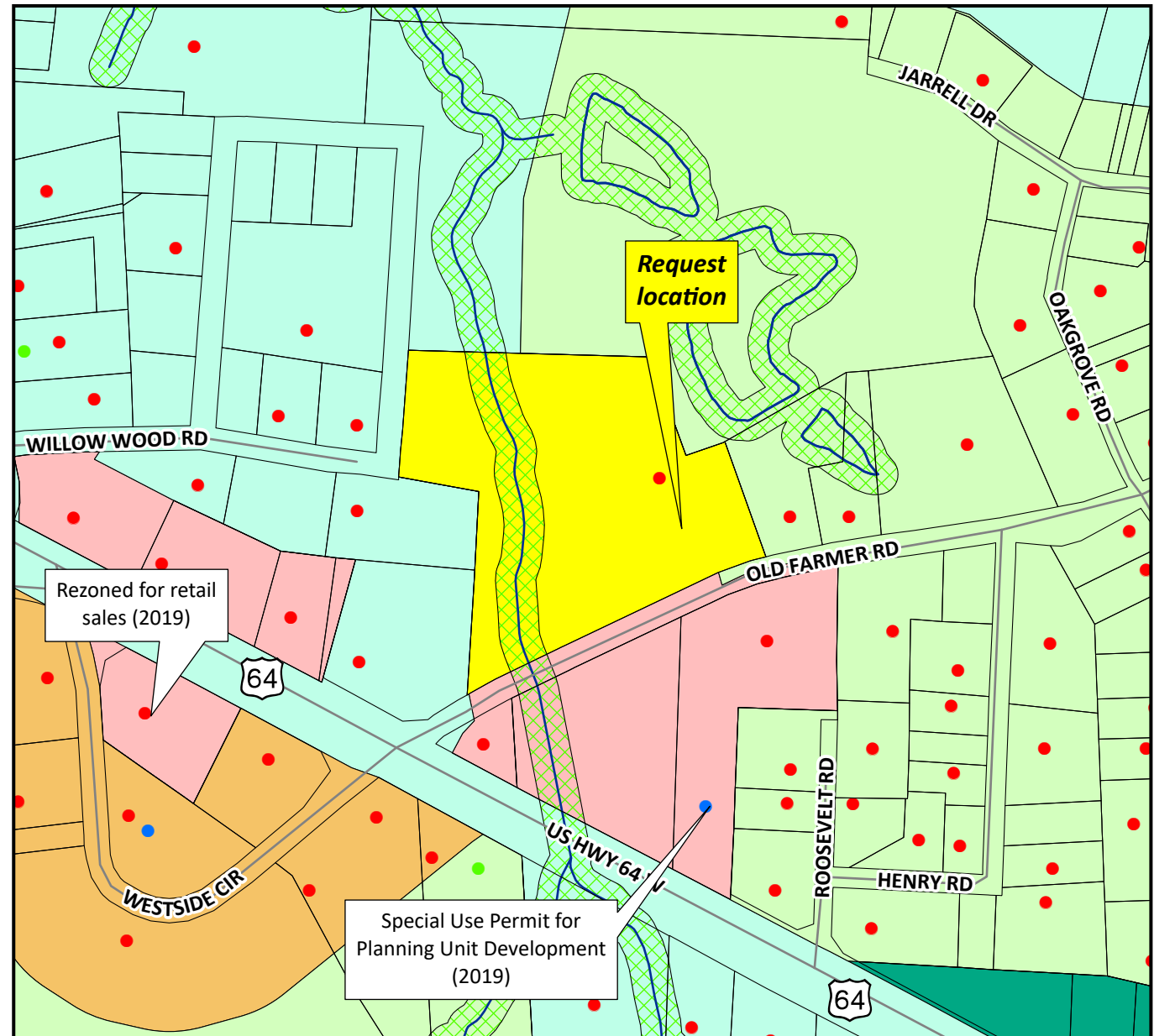


1 inch equals 400 feet

Boger Brothers RE, LLC, Rezoning Request

Legend

-  Parcels
- Structures**
- Type**
-  Multi-address Structure
-  Permanent Structure
-  Temporary Structure
-  Roads
-  Streams
-  50 ft. Stream buffer
- County zoning**
- Districts**
-  HC
-  OI
-  RE
-  RM
-  RR

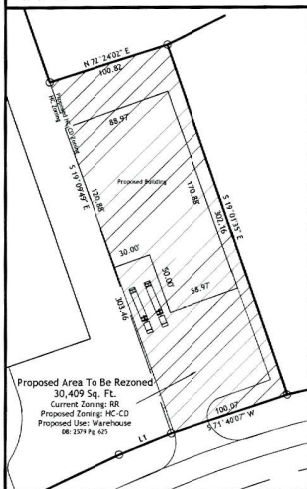


The request is located in McCrary Lakes Watershed Area and Municipal Airport Overlay District.

1 inch equals 400 feet

Notes:

1. This project is not located within a special flood hazard area per NCFRIS.
2. Map #: 3710774000J Effective Date: 1/2/2008
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: 774C788297



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

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

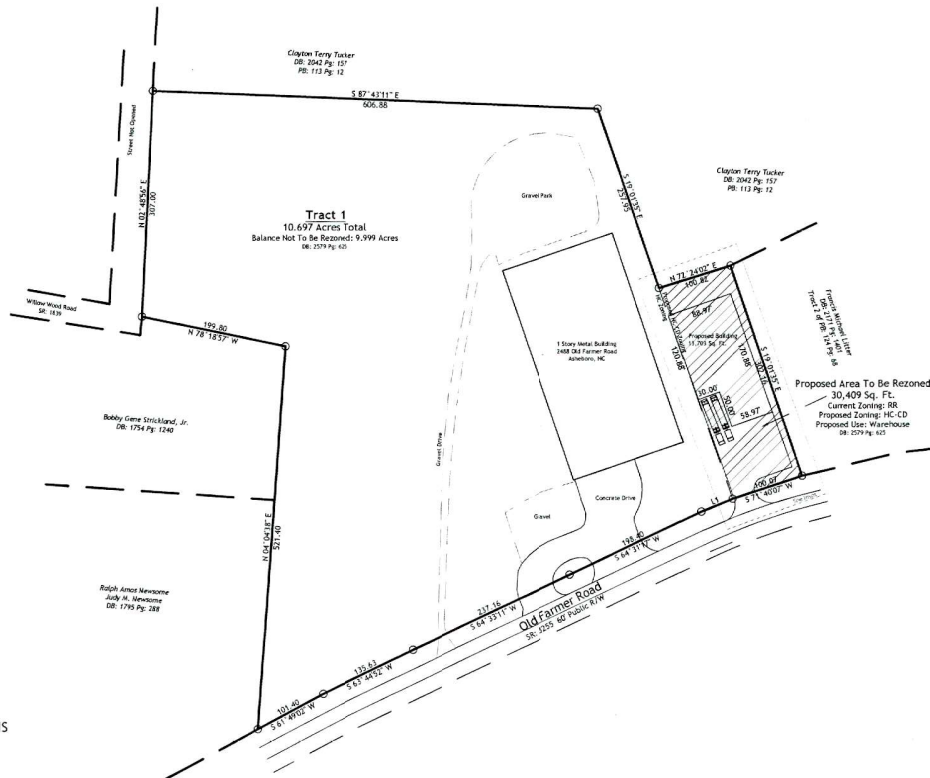
This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

I, Dan W Tanner II certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 2579, page 625; that the boundaries not surveyed are indicated as drawn from information in Book 2579, page 180; or other reference source is 1:10,000 +/-; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).
This 13th day of September, 2022.

Seal

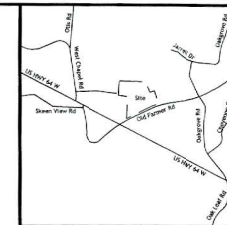
PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Professional Land Surveyor

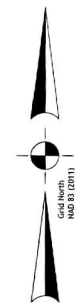


Impervious Surface Data

Total Sq. Ft.-	465,974 Sq. Ft.
Existing Impervious-	63,691 Sq. Ft.
Proposed Impervious-	23,880 Sq. Ft.
Impervious Total-	18%



Location Map
(Not to Scale)



North Arrow
NAD 83 (2011)

- Evergreen Tree
- Stone
- R/W - Right of Way Monument
- MS - Railroad Spike
- MS - New Iron Rod
- MS - New Iron Pipe
- MS - Existing Nail
- MS - Existing Iron Rod
- MS - Existing Iron Pipe
- MS - Existing Concrete Monument
- MS - Bench Mark
- MS - Computed Point / Point Not Set
- MS - Well
- MS - Transformer
- MS - Communications Manhole
- MS - Sanitary Sewer
- MS - SS Manhole
- MS - SS Cleanout
- MS - MS Power Box
- MS - PP
- MS - Power Pole
- MS - Light Pole
- MS - Guy Pole
- MS - Gas Valve
- MS - Gas Meter
- MS - Gas Manhole
- MS - Electric Meter
- MS - Electric Manhole
- MS - 2.00 Spot Elevation

LINE	BEARING	DISTANCE
L1	S 87° 31' 32" W	45.75

Owners:
Boger Brothers RE, LLC
3027-C US Hwy 64 W
Asheboro, NC 27205

Site Plan For:

Schneider Stone

Cedar Grove Township Randolph County
North Carolina September 13, 2022
Deed Book: 2579 Pg: 625
Plat Book: 124 Pg: 68
Scale: 1" = 100 US Survey Feet

Bar Scale:



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

Firm #: P-1110
Dan W Tanner II L-4787
© 2022 Survey Carolina, PLLC

Job #: 14437

Boger Brothers RE, LLC, Rezoning Request

Legend



Parcels

Roads

50 ft. Stream buffer



The request is located in McCrary Lakes Watershed Area and Municipal Airport Overlay District.

1 inch equals 200 feet

Boger Brothers RE, LLC, Rezoning Request



Picture 1:
Request
location.



Picture 2:
Existing building at
request location.



Picture 3:
Adjacent
residence.



Picture 4:
Adjacent business.



Picture 5:
Request location on
right as seen looking
toward US Hwy 64
W.



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



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

**IN THE MATTER OF THE APPLICATION FOR REZONING
BY BOGER BROTHERS RE, LLC
REZONING REQUEST #2022-00002756**

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 Boger Brothers RE, LLC, are **not** consistent with the *Randolph County Unified Development Ordinance* and the 2009 *Randolph County Growth Management Plan* and are **not** reasonable and **not** 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 *Municipal Growth Area* which generally are located within the municipal limits and are areas of urban density along with mixed land uses.

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: In reviewing this case, the Technical Review Committee (TRC) noted several concerns on the site plan that are directly tied to the “public health, welfare and safety” issues assigned to land use planning. Another concern expressed by the TRC was the ability of trucks being able to back into the loading docks of the proposed building and its impact on traffic. Also, as shown on the site plan, there could potentially be three entrances into this property which also adds to safety concerns along Old Farmer Rd and the policy cited above states that the

site “*should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip development.*”

Policy 4.5 *Effective buffer and/or landscaping should be provided where commercial development adjoins existing or planned residential development.*

Consistency Analysis: The site plan does not include and buffers to protect the adjacent residential property as the proposed building is located on the site plan very close to the side property line and the property rights of the adjoining residential properties should be considered when making this decision. Another concern raised by the TRC is there is no lighting plan for the proposed building and the TRC would recommend indirect lighting to lessen the impacts on the adjoining residential properties.

2. Statement of Reasonableness and Public Interest

Reasonableness and Public Interest Analysis:

The policies listed above illustrate how this request is **not** 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 could increase the tax base and increase economic activity within the County but the detrimental impacts on the adjoining residential properties must be carefully weight against any increase in economic activity.

Adopted on November 15, 2022.

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 40,000 sq. ft. area out of a 10.75 acre parcel, having the Randolph County Parcel Identification Number of 774788297 is currently zoned *RR - Residential Restricted* by Randolph County, North Carolina;

WHEREAS, the Randolph County Planning Board has conducted a duly noticed public hearing on November 15, 2022 to consider the proposed rezoning on application number 2022-00002756, 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;

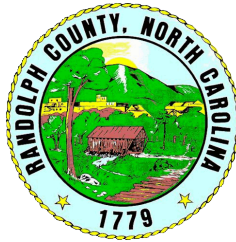
NOW THEREFORE, BE IT ORDAINED BY THE RANDOLPH COUNTY PLANNING BOARD THAT, the property is hereby rezoned to *HC-CD - Highway Commercial - Conditional District*. The official Randolph County Zoning Map and the *Randolph County Growth Management Plan Map* is hereby amended, if necessary, to reflect the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

Adopted on November 15, 2022.

Chair, Randolph County Planning Board

ATTEST

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



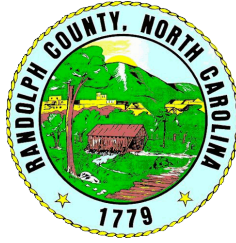
MOTION TO APPROVE A CONDITIONAL DISTRICT REZONING

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 #2022-00002761

GENERAL INFORMATION

Applicant:	Russell Wyatt Brady
Property Owner:	Russell Wyatt Brady
Hearing Type:	Legislative
Request:	To rezone 4.30 acres out of 13.31 acres to allow a sawmill in a proposed 40 ft. by 80 ft. building as per the site plan.
Current Zoning:	<i>RA – Residential Restricted and RR – Residential Restricted District</i>
Requested Zoning:	<i>RIO – CD – Rural Industrial Overlay – Conditional District</i>
Small Area Plan:	None
Growth Management:	Secondary Growth Area
Watershed Overlay:	None
Flood Plain Overlay:	None
Airport Overlay:	None
Location:	3360 NC Hwy 22 S
Parcel Number:	8710601520
Parcel Size:	4.30 acres out of 13.31 acres
Existing Use:	Single-family residential

SITE INFORMATION AND SURROUNDING LAND USES

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

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 614 (ex. Fencing, buffers, etc.):

A. *RIO: RURAL INDUSTRIAL OVERLAY DISTRICT*

(1) PURPOSE AND USES PERMITTED

This overlay district is designed for *Rural Growth Areas* and in rare instances *Secondary Growth Areas* as reflected on the *Randolph County Growth Management Plan* where such a district would provide for the location of sites that would increase economic activity, job creation, and the tax base of Randolph County. This specialized district is intended to accommodate industrial activities and uses requiring proximity to rural resources where the use of site-specific development plans, natural buffers, and landscaping, would lessen the adverse impact upon the general growth characteristics anticipated by the *Randolph County Growth Management Plan*. Examples of permitted uses in this district are the processing and manufacturing of forest-related products; agricultural goods; minerals and aggregates; special trade contractors; maintenance and repair of mechanical equipment; agri-business research and development;

alternative energy facilities; and similar activities requiring proximity to rural resources.

The *Rural Industrial Overlay District* shall be considered as an overlay district to the *Residential Agricultural District*. Uses permitted within the underlying district shall be permitted provided they meet the requirements within the overlay zone subject to the restrictions provided by this section.

(2) PERMITTED USES

The following uses, which require proximity to rural resources, shall be permitted in the *Rural Industrial District*:

- (a) Production, process, assembling, packaging, storage, treatment of farm or forest products;
- (b) Sawmills, lumber manufacturing, and processing of forest products;
- (c) Manufacturing of stone, clay, glass, and concrete products;
- (d) Mineral and aggregate materials manufacturing;
- (e) Asphalt and concrete plants;
- (f) Farm and forest-related machinery repair, truck and incidental automobile repair, welding, and service part facilities;
- (g) Special trade contractors include excavating, septic installers, construction, concrete, distribution, trucking, and electrical;
- (h) Recycling facilities;
- (i) Alternative energy facilities (e.g., wind, solar, biofuels, geothermal); and
- (j) Research and development facilities (new products and technologies for farm, forest, and renewable products).

(3) CONDITIONS

- (a) The minimum lot size is three acres.
- (b) The minimum State road frontage is one hundred feet.
- (c) The front setback area shall only be used for driveways, landscaping, and screening. The side and rear setbacks shall only be used for landscaping and screening.

- (d) The site shall have a minimum open space requirement of thirty percent.
- (e) The use shall not exceed the capacity of the site to provide adequate water and wastewater absorption.
- (f) All areas shown on the site plan not devoted to development (e.g., building, storage, driveways, parking) shall include retention of Level III buffer.
- (g) New development shall be in areas of the site that would lessen noise and operational impact to adjoining residential and agricultural land uses.
- (h) Security lighting shall be directed and designed to reduce glare for adjoining residences.
- (i) No new development is allowed within Class A Flood Zone or fifty feet of a perennial stream.
- (j) Site plans shall be submitted to reduce stormwater impact by designing new development in a manner that minimizes concentrated stormwater flows using as a minimum vegetated buffer area.

(4) COMPLIANCE MONITORING

The applicant shall agree to furnish Randolph County Planning and Zoning, on an annual basis, information showing that the use complies with the development approval and all State and federal guidelines on dust, noise, and related issues.

(5) MINIMUM SITE PLAN REQUIREMENTS

- (a) Dimensions of the property and adjacent lots and streets.
- (b) Location, use, and ownership of all existing and proposed buildings and dimensions.
- (c) Streets, traffic circulation, and parking areas with spaces marked.
- (d) Service areas, off-street loading facilities, service drive, and dimensions of all areas.

- (e) Location of all proposed landscaping with Level III buffer between other uses and open spaces.
- (f) Location of all flood zones and streams.
- (g) Stormwater drainage and sanitary sewer where applicable.
- (h) Size and location of signs.
- (i) Erosion and sedimentation control plan.
- (k) Location and type of security lighting.
- (k) Signage.

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 **not** consistent, **not** reasonable, and **not** in the public interest; and
- Should be **DENIED** 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 3.6 *The County should encourage the use of performance-based rural industrial overlay zoning when the use of large acreage, natural buffer extensive landscaping would not have substantial adverse impact upon the general area growth characteristics, and the location of such a site would substantially increase economic activity, job creation, and the tax base of Randolph County.*

Consistency Analysis: The Technical Review Committee (TRC) spent a lot of time reviewing this request. The TRC noted that the applicant has clear cut the property of the existing vegetation that could have created a good buffer for the surround community. The site plan does show an area around the site that will be landscaped but there is no information on the type of landscaping that will be used. Other concerns raised by the TRC is the amount of school traffic, both busses and regular vehicles, that use these roads and there is concern for the safety of the traveling public when combined with potential logging trucks that would also be using these same roads. The TRC also noted

that the rezoning could cause more potential hazards that would outweigh and potential economic development benefits.

Policy 3.11 *New rural industrial development shall be located in areas of the site that would lessen impacts to adjoining residential and agricultural lands.*

Consistency Analysis: The TRC feels that there have been no efforts made by the applicant to lessen the impacts to the adjoining residential land uses since the applicant has clear-cut the property before applying for this rezoning. By removing the existing vegetation, the applicant removed vegetation that could have been used as a buffer to “lessen the impacts to the adjoining residential and agricultural lands.”

Reasonableness and Public Interest Analysis: The policies listed above illustrate how this request is **not** 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 could increase the tax base and increase economic activity within the County but at what cost to the surrounding community and potential travelers along the roads around this request location.





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

APPLICATION FOR ZONING CHANGE

Applicant: BRADY, RUSSELL WYATT
Address: 6744 ROBY COE RD
City, St. Zip: RAMSEUR, NC 27316

Owner: BRADY, RUSSELL WYATT
Address: 3356 NC HWY 22 S
City, St. Zip: RAMSEUR, NC 27316

Date: 10/05/2022

Parcel #: 8710601520

Permit #: 2022-00002761

Permit Type Code: PZ 2

Location Address: 3360 NC HWY 22 S
RAMSEUR, NC 27316

CONTACT NAME: BRADY, WYATT

Contact Phone: 336 953-2509

PARCEL INFORMATION:

Lot number: 2	Subdivision: R ODELL & CAROLYN A BRADY
Acreage: 13.3100	Township: 05 - COLERIDGE

ZONING INFORMATION:

Zoning District 1:	RA-RESIDENTIAL AGRICULTURAL DISTRICT
Zoning District 2:	RR-RESIDENTIAL RESTRICTED DISTRICT
Zoning District 3:	
Growth Management Areas:	SECONDARY GROWTH AREA
Growth Management Areas:	RURAL GROWTH AREA
Specialty District:	N/A
Watershed Name:	NONE
Class A Flood Plain On Prop?:	NO
Flood Plane Map #:	Flood Plain Map #: 3710871000J

REQUESTED CHANGE:

Area To Be Rezoned:	4.3000
Lot Size Indicator:	ACRE(S)
Proposed Zoning District:	RIO-CD-RURAL INDUSTRIAL OVERLAY CONDITIONAL DISTRICT
Proposed Use(S):	TO ALLOW A SAWMILL IN A PROPOSED 40 FT BY 80 FT BUILDING AS PER THE SITE PLAN
Condition(S):	

Total Permit Fee: \$100.00

COMMENTS:

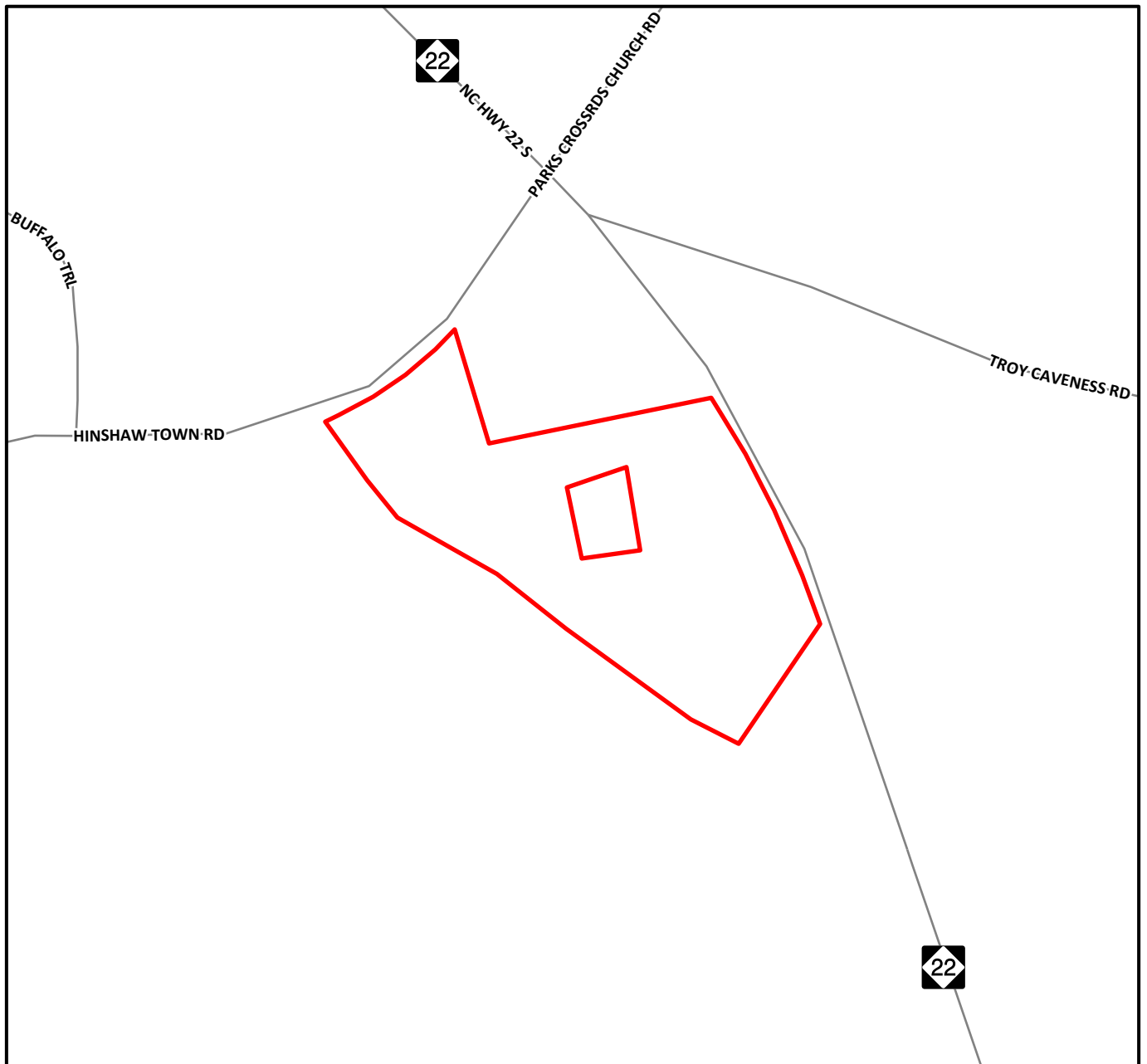
The undersigned owner/applicant do hereby make application for a PROPERTY ZONING CHANGE as allowed by the Randolph Couty Zoning Ordinance.

Eric Martin

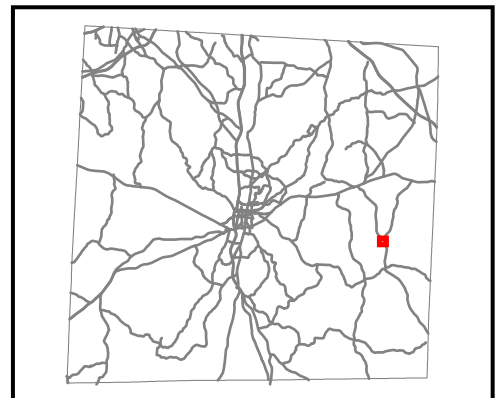
Authorized County Official

Signature of Applicant:

Brady Request Location Map



Directions to site: NC Hwy 22 S -
(R) Hinshaw Town Rd - Site on
(L) approx. 600 ft.



1 inch equals 400 feet

Brady Rezoning Request

Legend



Parcels

Structures

Type



Permanent Structure



Temporary Structure



Duplex/Complex



Roads



Streams



50 ft. Stream buffer



Flood plains

County zoning

Districts



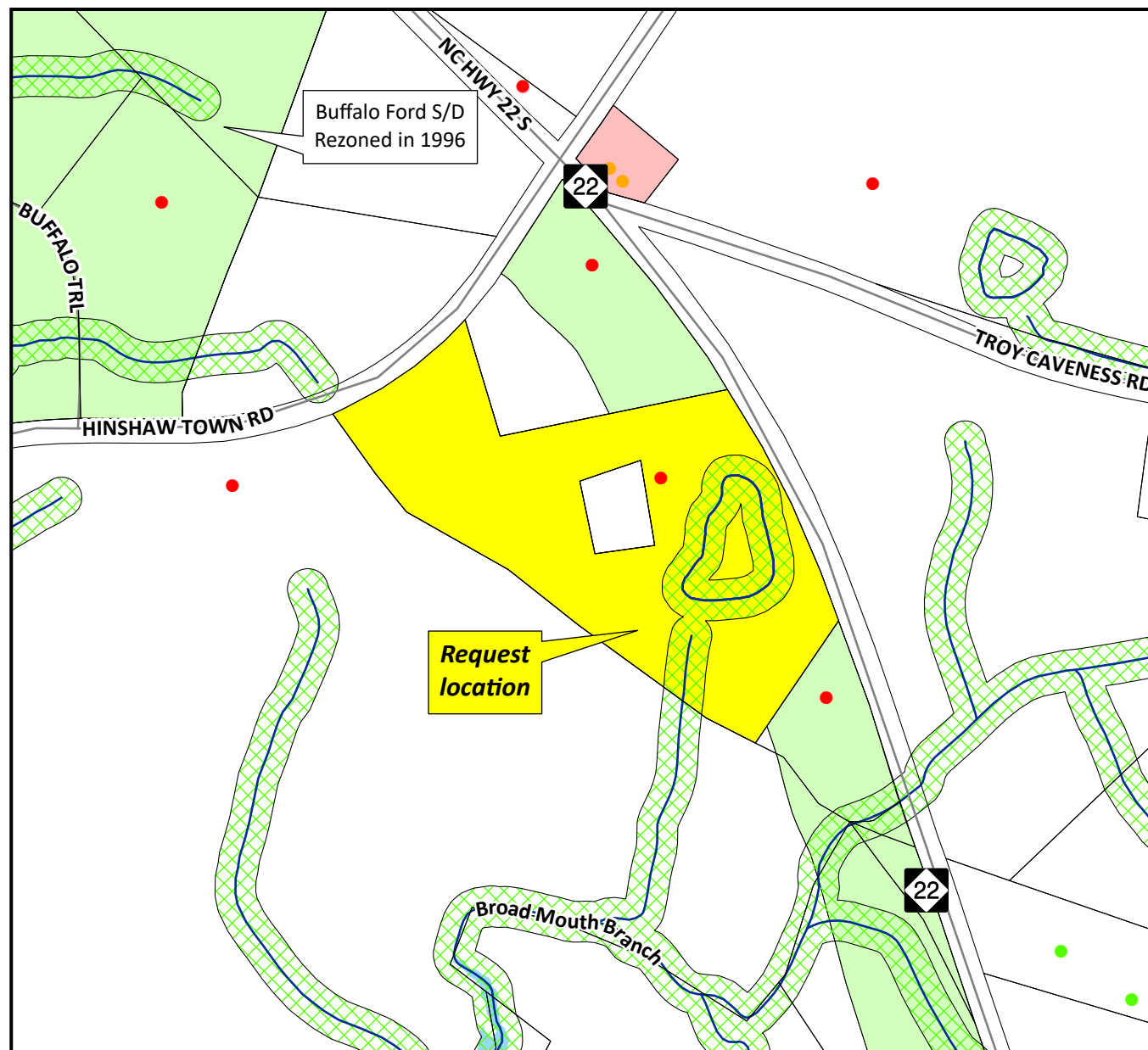
HC



RA



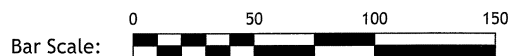
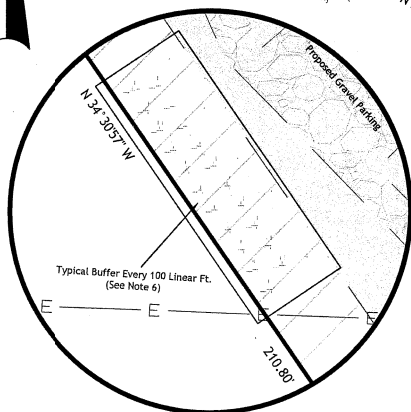
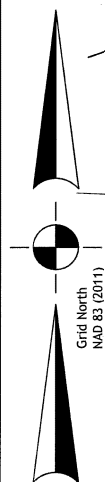
RR



1 inch equals 400 feet



NO FIELD WORK
PERFORMED AT THIS TIME.
MAPPED FROM DEEDS AND
PLATS OF RECORD

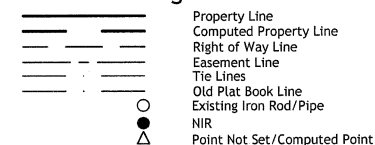


LINE	BEARING	DISTANCE
L1	S 32° 24' 21" E	100.70'
L2	N 66° 05' 07" E	55.30'
L3	N 62° 17' 18" E	60.94'
L4	N 57° 51' 30" E	64.09'
L5	N 53° 37' 10" E	64.62'
L6	N 49° 11' 26" E	61.78'
L7	N 45° 20' 28" E	63.84'
L8	N 41° 21' 28" E	41.10'

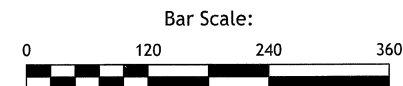
Notes:

1. This project is not located within a special flood hazard area per NCFRIS.
Map #: 3710871000J Effective Date: 1/2/2008
2. Area calculated by coordinate geometry.
3. No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
4. Tax PIN: 8710601520
5. Proposed Use: Sawmill
6. Level III Buffer Requirements: Two staggered rows of fast-growing evergreen trees evenly spaced 10 ft. apart with 10 ft. between each row and 1 row of mixed vegetation including evergreen trees and shrubs, canopy trees, and under-story trees. This row shall include at least 4 trees and 14 shrubs per every 100 Linear ft.

Legend



Site Plan For:
Russell Wyatt Brady
Coleridge Township Randolph County
North Carolina September 12, 2022
Deed Book: 2648 Page: 341
Plat Book: 160 Page: 10
Scale: 1" = 120 US Survey Feet



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

Firm #: P-1110
Dan W Tanner II L-4787
© 2022 Survey Carolina, PLLC

Job #: 14386

13.743 Acres
Balance Not To Be Rezoned: 9.433 Acres
13.035 Acres Clear of R/W
DB 2648 Pg. 341

R. Odell Brady
Carolyn A. Brady
DB 1393 Pg. 1264
T1 of PB 160 Pg. 10

Joseph Russell Brady
Sherry C. Brady
DB 1276 Pg. 279

Philip Ward
Faye Ward
DB 1147 Pg. 844

Danny Keith Simmons
Phyllis B. Simmons
DB 1172 Pg. 940

Brady Rezoning Request

Legend

-  Parcels
-  Roads
-  50 ft. Stream buffer



1 inch equals 200 feet

Brady Rezoning Request



Picture 1:
Request location.



Picture 2:
Request location.



Picture 3:
Adjacent property.



Picture 4:
Adjacent property.



Picture 5:
Request location on right as seen looking toward NC Hwy 22 S.



Picture 6:
Request location on right as seen looking toward Craven Branch Rd.



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

**IN THE MATTER OF THE APPLICATION FOR REZONING
BY RUSSELL WYATT BRADY
REZONING REQUEST #2022-00002761**

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 *RIO-CD - Rural Industrial Overlay - Conditional District* as described in the application of Russell Wyatt Brady are **not** consistent with the *Randolph County Unified Development Ordinance* and the 2009 *Randolph County Growth Management Plan* and are **not** reasonable and **not** 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 are medium density, predominately residential and has transitional land use patterns

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

Policy 3.6 *The County should encourage the use of performance-based rural industrial overlay zoning when the use of large acreage, natural buffer extensive landscaping would not have substantial adverse impact upon the general area growth characteristics, and the location of such a site would substantially increase economic activity, job creation, and the tax base of Randolph County.*

Consistency Analysis: The Technical Review Committee (TRC) spent a lot of time reviewing this request. The TRC noted that the applicant has clear-cut the property of the existing vegetation that could have created a good buffer for the surround community. The site plan does show an area around the site that will be landscaped but there is no information on the type of landscaping that will be used. Other concerns raised by the TRC is the amount of school traffic, both busses and

regular vehicles, that use these roads and there is concern for the safety of the traveling public when combined with potential logging trucks that would also be using these same roads. The TRC also noted that the rezoning could cause more potential hazards that would outweigh and potential economic development benefits.

Policy 3.11 *New rural industrial development shall be located in areas of the site that would lessen impacts to adjoining residential and agricultural lands.*

Consistency Analysis: The TRC feels that there have been no efforts made by the applicant to lessen the impacts to the adjoining residential land uses since the applicant has clear-cut the property before applying for this rezoning. By removing the existing vegetation, the applicant removed vegetation that could have been used as a buffer to “lessen the impacts to the adjoining residential and agricultural lands.”

2. Statement of Reasonableness and Public Interest

Reasonableness and Public Interest Analysis:

The policies listed above illustrate how this request is **not** 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 could increase the tax base and increase economic activity within the County but at what cost to the surrounding community and potential travelers along the roads around this request location.

Adopted on November 15, 2022.

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 4.30 acre parcel out of 13.31 acre parcel, having the Randolph County Parcel Identification Number of 871601520 is currently zoned *RA - Residential Agricultural District* and *RR – Residential Restricted District* by Randolph County, North Carolina;

WHEREAS, the Randolph County Planning Board has conducted a duly noticed public hearing on November 15, 2022 to consider the proposed rezoning on application number 2022-00002761, 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;

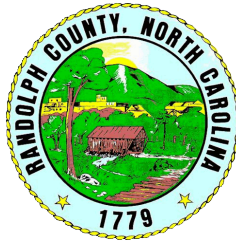
NOW THEREFORE, BE IT ORDAINED BY THE RANDOLPH COUNTY PLANNING BOARD THAT, the property is hereby rezoned to *RIO-CD - Rural Industrial Overlay - Conditional District*. The official Randolph County Zoning Map and the *Randolph County Growth Management Plan Map* is hereby amended, if necessary, to reflect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

Adopted on November 15, 2022.

Chair, Randolph County Planning Board

ATTEST

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



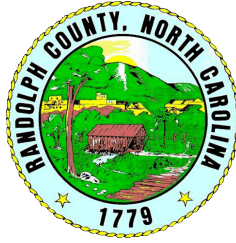
MOTION TO APPROVE A CONDITIONAL DISTRICT REZONING

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*.”

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

APPLICATION #2022-00002764

GENERAL INFORMATION

Applicant:	Jamie Crumley
Property Owner:	Jamie Lynn Crumley
Hearing Type:	Legislative
Request:	To rezone 5.90 acres out of 30.48 acres to allow a meat processing facility in a 60 ft. by 80 ft. building as per the site plan.
Current Zoning:	<i>CEO – CD – Commercial Environmental Overlay – Conditional District</i>
Requested Zoning:	<i>HI – CD – Heavy Industrial – Conditional District</i>
Small Area Plan:	None
Growth Management:	Zoo Environmental Area
Watershed Overlay:	None
Flood Plain Overlay:	None
Airport Overlay:	None
Location:	2469 Old Cox Rd
Parcel Number:	7678098499
Parcel Size:	5.90 acres out of 30.48 acres
Existing Use:	Meat processing facility

SITE INFORMATION AND SURROUNDING LAND USES

Direction	Adjacent Zoning	Adjacent Land Use
North	<i>E-1 - First Environmental District</i>	Single-family residential
South	<i>E-1 - First Environmental District</i>	Single-family residential
East	<i>E-1 - First Environmental District</i>	NC Zoological Park
West	<i>E-1 - First Environmental District</i>	Single-family residential

TRANSPORTATION INFORMATION

Information from North Carolina Department of Transportation:

No comments have been received from NC Department of Transportation.

ZONING INFORMATION

Zoning History:

In May, 2021, the Randolph County Planning Board rezoned 5.90 acres out of 30.48 acres to *CEO-CD – Commercial Environmental Overlay – Conditional District* to allow a taxidermy shop and three rental cabins as per the site plan.

In August, 2022, the Randolph County Zoning Board of Adjustment approved a Variance on the property to allow a meat processing plant as per the site plan in a *CEO-CD – Commercial Environmental Overlay – Conditional District* in lieu of the *HI – Heavy Industrial District* as required by the *Randolph County Unified Development Ordinance*. **This approval of the Variance has been appealed to the Superior Court of Randolph County.**

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

HI: HEAVY INDUSTRIAL DISTRICT

PURPOSE

The purpose of the *Heavy Industrial (HI) District* 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.

DIMENSIONAL STANDARDS FOR PRIMARY STRUCTURE

Lot size with a minimum of 100 ft. of State road frontage	40,000 sq. ft. Water Quality Critical Area: 80,000 sq. ft.
Lot size with less than 100 ft. of State road frontage	5 acres
Lot width	100 ft. at building line
Front setback	35 ft. from any road right-of-way
Corner side setback	35 ft. from any road right-of-way
Side setback	10 ft. from any side property line
Rear setback	30 ft. from the rear property line

DIMENSIONAL STANDARDS FOR ACCESSORY STRUCTURES

Road setback	20 ft. from any road right-of-way
Property line setback	5 ft. from any property line

DIMENSIONAL STANDARDS NOTES

1. Lot areas and setbacks shall be increased if required by Randolph County Public Health.
2. Lot areas in designated Watershed and Protected Areas are controlled by the Randolph County Watershed Protection Regulations.
3. Front yard setback shall be maintained on all road rights-of-way.
4. Minimum lot size requirements within *Primary Growth Areas* may be reduced to a minimum of 30,000 sq. ft. or 20,000 sq. ft. with public utilities.
5. Minimum lot size requirements within *Rural Growth Areas* are 3 acres.
6. Lots in major subdivisions within *Rural Growth Areas* must maintain a 1:4 ratio.
7. The minimum lot size requirements within the *Natural Heritage Overlay* are 6 acres.
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.

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 **not** consistent, **not** reasonable, and **not** in the public interest; and
- Should be **DENIED** by the Randolph County Planning Board.

The Technical Review Committee (TRC) has the following comments regarding this request and its recommendation that the request be denied.

The *Randolph County Unified Development Ordinance*, Article 600, Section 613, describes the *E-1 – First Environmental District* as:

“The purpose of the First Environmental (E-1) District is to provide an area around the North Carolina Zoological Park for low-density mixed land uses, where environmental sensitivity, retention of natural features, and preservation of heritage assets combine to maintain the rural setting. The uses permitted in this District are intended to enhance and preserve the character of the Zoo site. Requests for higher-intensity residential use are considered through standards established in this Ordinance.”

The TRC noted that all zoning changes in the *E-1* zoning district have been for residential development that is keeping with the characteristics of the community and there has never been a rezoning for commercial use. The *Table of Permitted Uses* in the *Randolph County Unified Development Ordinance*, Article 600, Section 618 lists various uses that are allowed in the *E-1* zoning district. This list includes, but is not limited to, the following:

- Amusements, indoor commercial with a Special Use Permit;
- Athletic fields, recreation buildings, playgrounds, etc., by right;
- Camping facilities with a Special Use Permit;
- Community centers for assembly and recreation with a Special Use Permit;
- Subdivisions with an Overlay rezoning;
- Freestanding day care centers with a Special Use Permit;
- Planned Business, Rural or Unit Developments with a Special Use Permit; and
- Pottery shops by right.

All of the uses listed above, along with the remainder of the uses listed in the *Randolph County Unified Development Ordinance*, shows how various commercial operations can be allowed by either a Special Use Permit or allowed by right. Nowhere in the *Randolph County Unified Development Ordinance* are industrial uses such as a meat processing facility allowed in the area around the North Carolina Zoological Park. The TRC thought it was important to note that without the *E-1 – First Environmental District* having been the first zoning in the County in 1973, the State of North Carolina would not have placed the North Carolina Zoological Park in Randolph County.

Reasonableness and Public Interest Analysis: The policies listed above illustrate how this request is **not** 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 could increase the tax base and increase economic activity within the County but are the negative impacts in such close proximity to the North Carolina Zoological Park worth risking the investments from the State of North Carolina?





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

APPLICATION FOR ZONING CHANGE

Applicant: CRUMLEY, JAMIE LYNN & HARPER,
Address: 2469 OLD COX RD.
City, St. Zip: ASHEBORO, NC 27205

Owner: CRUMLEY, JAMIE LYNN
Address: 471 E DORSETT AVE
City, St. Zip: ASHEBORO, NC 27203

Date: 10/06/2022

Parcel #: 7678098499

Permit #: 2022-00002764

Permit Type Code: PZ 2

Location Address: 2469 OLD COX RD
ASHEBORO, NC 27205

CONTACT NAME: CRUMLEY, JAMIE

Contact Phone: 336 953-8700

PARCEL INFORMATION:

Lot number:	Subdivision:
Acreage: 30.4800	Township: 09 - GRANT

ZONING INFORMATION:

Zoning District 1:	CEO-CD-COMMERCIAL ENVIRONMENTAL OVERLAY CONDITIONAL DISTRICT
Zoning District 2:	E-1-FIRST ENVIRONMENTAL DISTRICT
Zoning District 3:	
Growth Management Areas:	ZOO ENVIRONMENTAL AREA
Specialty District:	VARIANCE
Watershed Name:	NONE
Class A Flood Plain On Prop?:	NO
Flood Plane Map #:	Flood Plain Map #: 3710767800J

REQUESTED CHANGE:

Area To Be Rezoned:	5.9000
Lot Size Indicator:	ACRE(S)
Proposed Zoning District:	HI-CD-HEAVY INDUSTRIAL CONDITIONAL DISTRICT
Proposed Use(S):	TO ALLOW A MEAT PROCESSING FACILITY IN A 60 FT X80 FT BUILDING AS PER THE SITE PLAN
Condition(S):	

Total Permit Fee: \$100.00

COMMENTS:

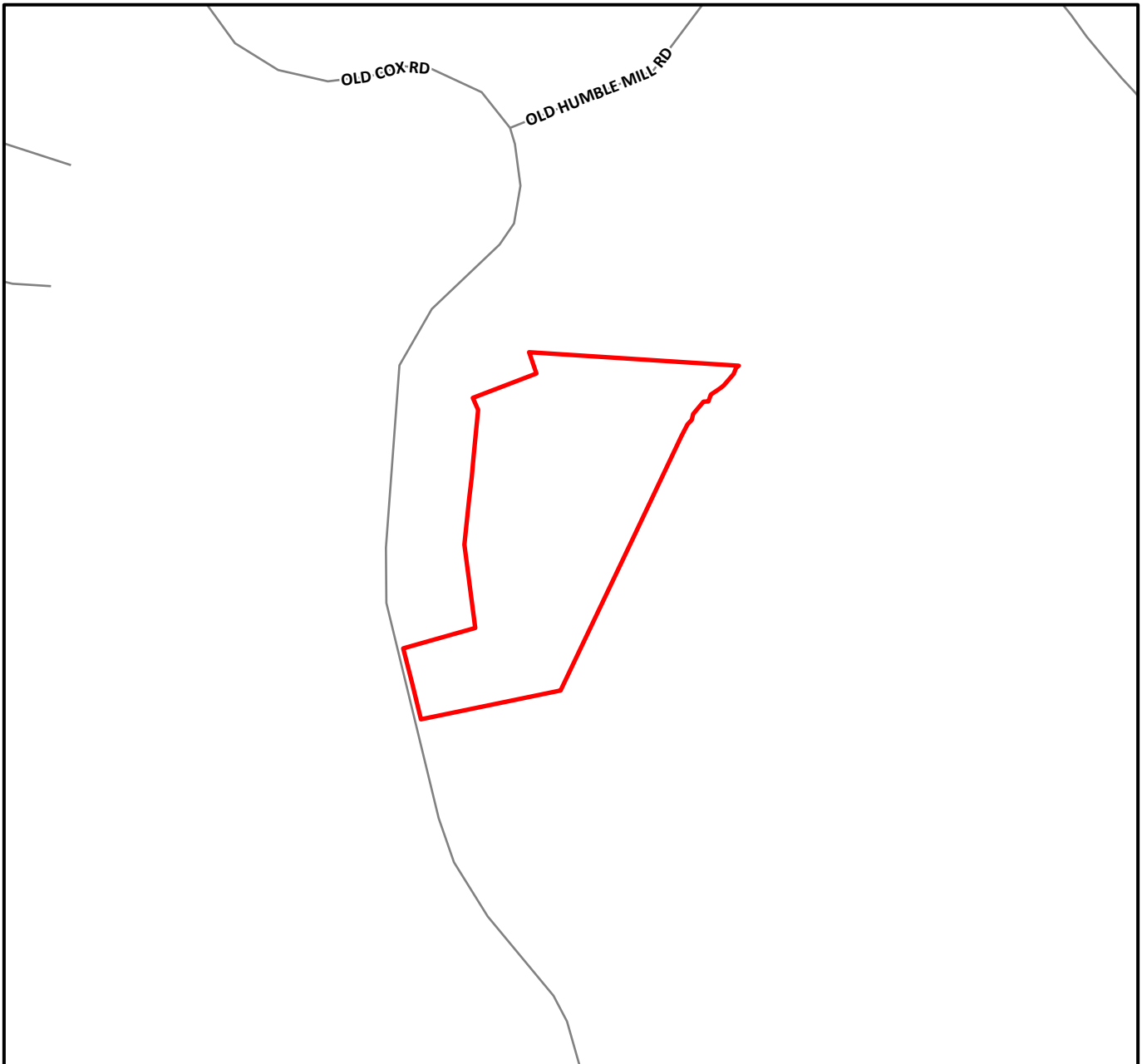
The undersigned owner/applicant do hereby make application for a PROPERTY ZONING CHANGE as allowed by the Randolph Couty Zoning Ordinance.

Eric Martin

Authorized County Official

Signature of Applicant:

Crumley Request Location Map



Directions to site: NC Hwy 159 S -
(L) Old Cox Rd - Site on (L) approx
3/4 mile past Old Humble Mill Rd
at 2469 Old Cox Rd.



1 inch equals 750 feet

Crumley Rezoning Request

Legend



Parcels

Structures

Type



Permanent Structure



Temporary Structure



Roads



Streams



50 ft. Stream buffer



Flood plains

County zoning

Districts



CEO



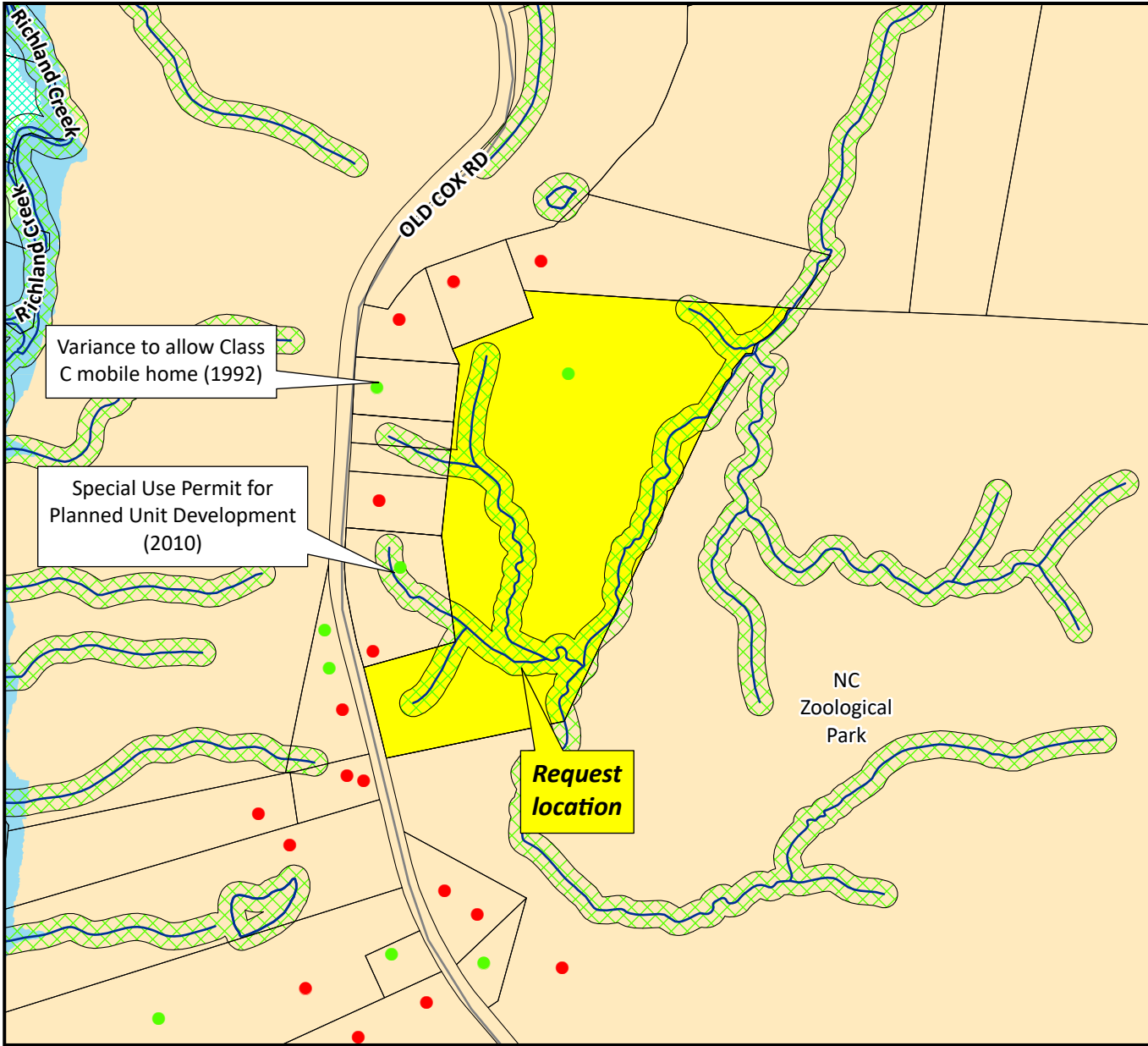
CVOE



E-1



RR

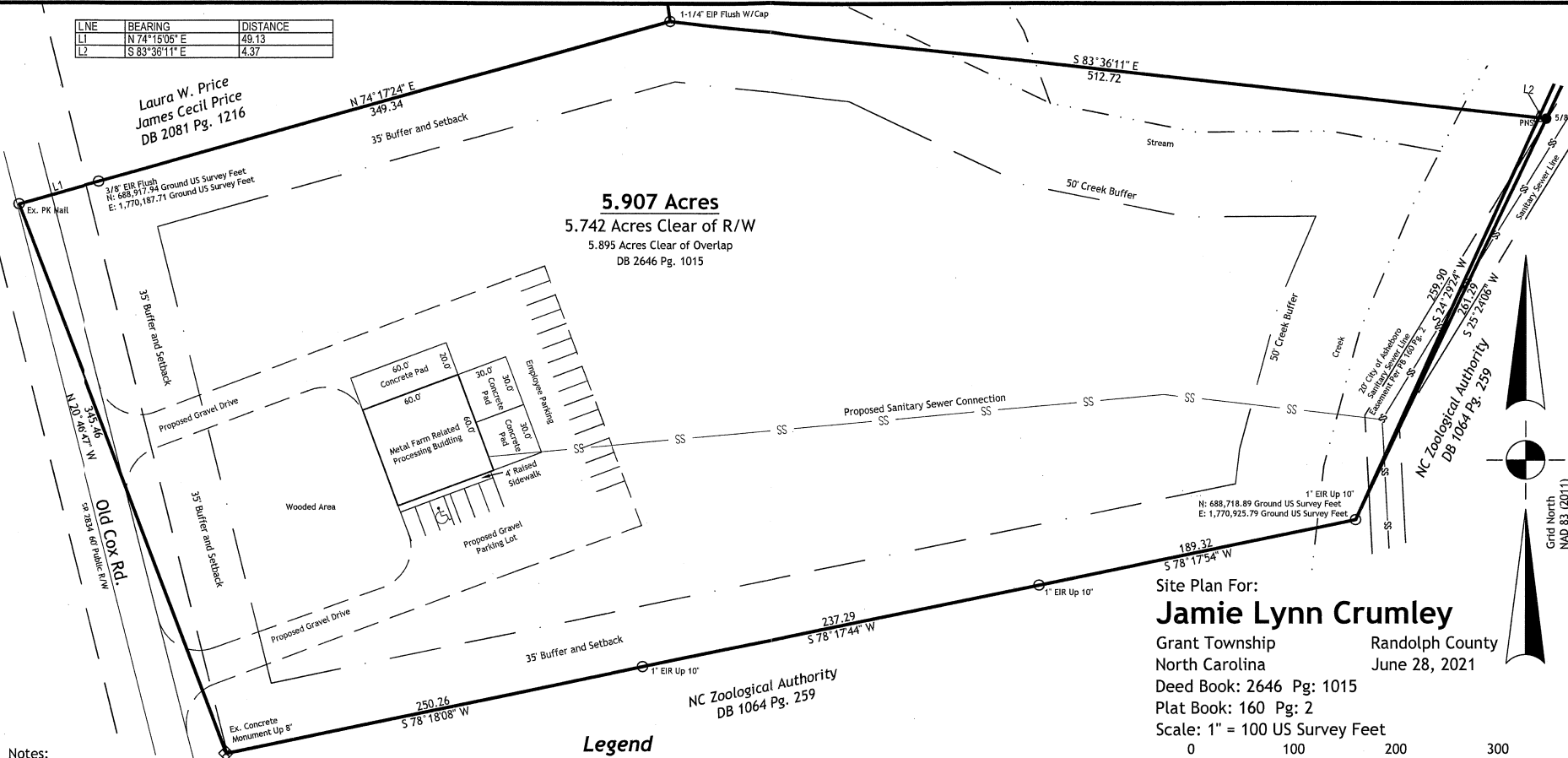


1 inch equals 600 feet

LNE	BEARING	DISTANCE
L1	N 74°15'05" E	49.13
L2	S 83°36'11" E	4.37

Laura W. Price
James Cecil Price
DB 2081 Pg. 1216

5.907 Acres
5.742 Acres Clear of R/W
5.895 Acres Clear of Overlap
DB 2646 Pg. 1015



- Notes:**
1. This project is not located within a special flood hazard area.
 2. Tax PIN: 7678098499
 3. Address of Property:
(No Physical Address - Just Southeast of 2567 Old Cox Rd.)
Old Cox Rd.
Asheboro, NC 27205
 4. Current Zoning: CEO-CD
 5. Proposed Zoning: HI-CD
 6. Zoo Environmental Area
 7. No Watershed
 8. Proposed Use: Farm Related Processing Building
 9. Rezoned Area will be Served by Private Water and Public Sewer

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

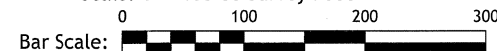
Site Plan For: Jamie Lynn Crumley

Grant Township Randolph County
North Carolina June 28, 2021

Deed Book: 2646 Pg: 1015

Plat Book: 160 Pg: 2

Scale: 1" = 100 US Survey Feet



SURVEY CAROLINA, PLLC

154 S. Fayetteville St, Suite B, Asheboro, NC 27203
Phone Number: 336 625-8000
Email: mail@surveycarolina.com

Firm #: P-1110
Dan W Tanner II L-4787
© 2021 Survey Carolina, Plc

Job #: 12826

Owners:
Jamie Lynn Crumley
Burnie Ware Harper
2469 Old Cox Rd.
Asheboro, NC 27205

Crumley Rezoning Request

Legend

-  Parcels
-  Roads
-  50 ft. Stream buffer



1 inch equals 400 feet

Crumley Rezoning Request



Picture 1:
Request
location.



Picture 2:
Adjacent
residence.



Picture 3:
Adjacent
residence.



Picture 4:
Adjacent
residence.



Picture 5:
Request location on
right as seen looking
toward Old Humble
Mill Rd.



Picture 6:
Request location on
left as seen looking
toward Zoo
Connector.



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

**IN THE MATTER OF THE APPLICATION FOR REZONING
BY JAMIE LYNN CRUMLEY
REZONING REQUEST #2022-00002764**

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 Jamie Lynn Crumley are **not** consistent with the *Randolph County Unified Development Ordinance* and the 2009 *Randolph County Growth Management Plan* and are **not** reasonable and **not** 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 *Zoo Environmental Area* which is an area established in 1973 to protect the NC Zoological Park. Large tracts of undeveloped lands can have major impact on the character of the NC Zoological Park. Changes in this area must be developed in a manner intended to enhance and preserve the character of the NC Zoological Park.

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

The Technical Review Committee (TRC) has the following comments regarding this request and its recommendation that the request be denied.

The *Randolph County Unified Development Ordinance*, Article 600, Section 613, describes the *E-1 – First Environmental District* as:

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2. Statement of Reasonableness and Public Interest

Reasonableness and Public Interest Analysis:

The policies listed above illustrate how this request is **not** 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 could increase the tax base and increase economic activity within the County but are the negative impacts in such close proximity to the North Carolina Zoological Park worth risking the investments from the State of North Carolina?

Adopted on November 15, 2022.

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 5.90 acre parcel out of a 30.48 acre parcel, having the Randolph County Parcel Identification Number of 7678098499 is currently zoned *CEO-CD - Commercial Environmental Overlay - Conditional District* and *RA – Residential Agricultural District* by Randolph County, North Carolina;

WHEREAS, the Randolph County Planning Board has conducted a duly noticed public hearing on November 15, 2022 to consider the proposed rezoning on application number 2022-00002764, 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;

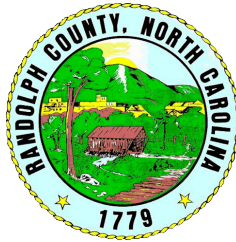
NOW THEREFORE, BE IT ORDAINED BY THE RANDOLPH COUNTY PLANNING BOARD THAT, the property is hereby rezoned to *HI-CD - Heavy Industrial - Conditional District*. The official Randolph County Zoning Map and the *Randolph County Growth Management Plan Map* is hereby amended, if necessary, to reflect the same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

Adopted on November 15, 2022.

Chair, Randolph County Planning Board

ATTEST

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



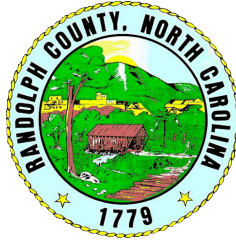
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MOTION TO DENY A CONDITIONAL DISTRICT REZONING

NORTH CAROLINA

RANDOLPH COUNTY
PLANNING BOARD

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