



RANDOLPH COUNTY PLANNING BOARD

MINUTES

December 6, 2022

There was a meeting of the Randolph County Planning Board on Tuesday, December 6, 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, called the roll of the Board members.

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

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

H. 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 December 6, 2022, Planning Board meeting.
- Approval of the minutes from the November 15, 2022, Planning Board meeting.

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

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

SPECIAL USE PERMIT REQUEST #2022-00002953

The Randolph County Planning Board will hold a duly published and notified Quasi-judicial Hearing on the request by **BRANDON L TESSIER**, Asheboro, NC, and his request to obtain a Special Use Permit at 390 Mack Rd, Cedar Grove Township, Tax ID #7750036615, 0.70 acres, *RE - Residential Exclusive District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow an automobile sales lot with as many as ten used automobiles on the site as per the site plan.

Pell opened the public hearing and called for anyone wishing to speak for or against the request to come forward and take the oath before giving testimony on the request. **Morgan** administered the oath to Brandon Tessier.

Brandon L Tessier, 390 Mack Rd, Asheboro, told the Planning Board that he has lived on the property for some time and that he and his other two brothers like to buy, fix, and then sell used automobiles. **B. Tessier** said that he and his brothers want to do all that work and all the operations will be off Mack Rd and out of site. **B. Tessier** said that customers would come to the property only via online appointments.

H. Johnson asked **B. Tessier** how long he had owned the property and **B. Tessier** said that he had owned the property for four or five years. **H. Johnson** asked **B. Tessier** if there would be any junk vehicles and **B. Tessier** said there would be no junk vehicles on the property but that they may buy a used automobile that needs a little work before being sold.

Cable asked about the hours of operation and **B. Tessier** said that their hours would be 9:00 am to 7:00 pm, Monday through Friday and that the weekend would be by appointment only as **B. Tessier** and his brothers all work full time and this will be a part-time operation.

Tommy Tessier, 1491 Buck Ford Rd, Asheboro, rose to address the Board and **Morgan** administered the oath. **T. Tessier** said that he is the brother of the applicant and that they were wanting to start small, with this rural family business.

Pell asked if there were any questions from Board members.

Cable asked if **Tessier** if he has a business plan or outline for business operations and growth. **T. Tessier** said they do have a business plan and that he will be helping along with their younger brother. **T. Tessier** said that the business plan is to take it slow and see where it goes and that they hope this business will be a stepping-stone to move to a different location but that now it is too expensive to go somewhere else to start the business.

Kevin Luck, 376 Mack Rd, Asheboro, rose to address the Planning Board and **Morgan** administered the oath. **Luck** said that he owns the property to the north of the request location, and he does not have a problem with the request. **Luck** said the south property line has a lot of vegetation so the operation would not be seen.

Brentley Tessier, 330 Montana Ln., Spring Lake, rose to address the Planning Board and **Morgan** administered the oath. **Brentley Tessier** said that he is the third brother, and he would be the one getting the dealer's license from the NC Department of Motor Vehicles.

H. Johnson asked **Brentley Tessier** if the dealer's license limited the number of vehicles to be displayed on the site and **Brentley Tessier** replied that the number of vehicles on display would be regulated by County zoning and the Special Use Permit.

Cable asked how the cars will arrive at the site. **B. Tessier** said they plan to purchase the model year 2000 and newer at the auto auction. **B. Tessier** said they want cars that just need tune-ups and other minor work.

Davis asked **B. Tessier** if he understood that they are probably maxing out property with the proposed development and if anything changes, they will have to come back to the Planning Board. **B. Tessier** said that they understand.

Alvin Voncannon, 420 Mack Rd, Asheboro, rose to address the Planning Board and **Morgan** administered the oath. **Voncannon** wanted to say that he is next door property owner and has no issue with the request as there is a fence around the property and it protects him and the applicant.

Davis asked **Voncannon** where his property is in relation to the request location and **Voncannon** said that his property is on the left and cannot be seen on the site plan.

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.

Marty Hunt, 353 Mack Rd, Asheboro, rose to address the Planning Board and **Morgan** administered the oath. **Hunt** said that she was wondering about the zoning and if this Special Use Permit would impact property taxes and **H. Johnson** replied that the Special Use Permit would not impact her property.

Pell said that with the Special Use Permit, the property owner could not do anything else on the property. **Hunt** asked questions about the traffic on Mack Rd.

Pell asked if there were any questions from Board members.

Davis asked **Hunt** where he lived, and he replied that he lived across the street at 353 Mack Rd.

Beeson said that he originally had reservations on the application due to traffic on Mack Rd but since it will be operated by appointment only, that will take care of traffic

Hunt asked if the Special Use Permit impacts just one parcel and **H. Johnson** answered yes.

Amy Kearns, 752 Mack Rd, Asheboro, rose to address the Planning Board and **Morgan** administered the oath. **Kearns** said her family has owned property in this area for one hundred years and, if approved, the Special Use Permit could set a precedent for other operations in the area. **Kearns** also expressed concerns about so much traffic on Mack Rd and that she has been trying to get the NC Department of Transportation to change the speed limit as it is dangerous pulling out into Mack Rd.

Pell asked if there were any other questions from Board members.

H. Johnson said the decision by the Board will be for this property only and will not set precedent for later development along Mack Rd.

Terry Johnson, 373 Mack Rd, Asheboro, rose to address the Planning Board and **Morgan** administered oath. **T. Johnson** showed the Planning Board on the site plans where his residence is located and said he had moved to the site approximately one and one-half years ago from Greensboro. **T. Johnson** told the Planning Board that he had letters from the adjoining property owners in opposition to the request and submitted those to the Clerk to be included as part of the record (*Exhibit 1*).

T. Johnson told the Board that the letters he has submitted are from other property owners that are widows or people that had to work and could not attend the meeting. He said that they are not worried about traffic or taxes but just want to make sure that the Special Use Permit will not change their property zoning. **H. Johnson** said that the Special Use Permit does not impact any other properties on Mack Rd. **T. Johnson** said he was a little wary about what the applicant said regarding Saturday operations until two or three o'clock because they have heard the applicants working at night and on weekends in the past.

Cable asked **T. Johnson** if he submitted six letters as evidence and **T. Johnson** replied that he was not sure.

Davis said that the applicants stated they work full-time jobs at other locations and do not understand how they could work the proposed hours of operation with full-time jobs.

Pell asked if there was anyone else that wanted to speak in opposition to the Special Use Permit.

Hearing none, **Pell** closed the public hearing for discussion among the Board members and a motion.

Davis said that the evidence shows that most of the impact will be on neighbors.

Hedrick said the request location is in a *Primary Growth Area* and he did have some concerns about how this request would be consistent with the *Growth Management Plan*. **Hedrick** said that after looking at the *Unified Development Ordinance*, it provided

clarification about parts and storage of vehicles as these uses are defined in the *Unified Development Ordinance*.

Cable said the Planning Board members know that he is a strong supporter of growth and new business and commends the applicant for trying to start a business. He said he has concerns about the number of cars and parking area, whether it would be conducive to the area and if it will be properly hidden. He said he worries it will be turned into an area of blight.

Bunting said that he has the same concerns as **Cable** and wonders if this is the right venue for the area.

Pell called for a motion. **Davis** said that he hates to discourage them and if they stick to what they have said stick to the rules, he thinks it meets the required tests to approve a Special Use permit.

Davis made 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*. **Beeson** seconded the motion to **APPROVE** the Special Use Permit.

Pell, having a proper motion and second, called the question on the motion to approve the Special Use Permit request, and the motion was adopted by a six-to-one vote.

H. Jonson announced the approval of the request and reminded the applicant that he must remain in compliance with the conditions that have been set for the approval.

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

SPECIAL USE PERMIT REQUEST #2022-00002952

The Randolph County Planning Board will hold a duly published and notified Quasi-judicial Hearing on the request by **VINCENT HARRIS HILL**, Asheboro, NC, and his request to obtain a Special Use Permit at 1222 Henley Ctry Rd, Franklinville Township, Tax ID #7772352623, 3.50 acres, *RA - Residential Agricultural District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow obtaining a federal firearms license for the sales of firearms at the existing residence as per the site plan.

Pell opened the public hearing and called for anyone wishing to speak for or against the request to come forward and take the oath before giving testimony on the request. **Morgan** administered the oath to Vincent Hill.

Vincent Hill, 1222 Henley Ctry Rd, Asheboro, rose to address the Planning Board and said that he plans to have a small business, located within the existing house. **Hill** said the business would be from internet sales and word of mouth and he would handle transfers of ownership. He said there would be residential traffic and no large trucks.

H. Johnson asked **Hill** if there would be a shooting range and **Hill** responded that there will not be a shooting range and all the business will be in the house. He said the US Bureau of Alcohol, Tobacco, and Firearms requires local approval before issuing the federal license.

Pell asked if there were any other questions from Board members.

Cable asked **Hill** if he will be gunsmithing on site and **Hill** responded that he is not a gunsmith. He said he will just be a clearing house with a maximum of ten firearms at one time and there will be no inventory at the house. **Cable** asked **Hill** if he has a security system and **Hill** responded that he does have a security system. **Cable** then asked **Hill** approximately how many firearms he will keep available for sale. **Hill** said there may be as many as ten per month.

Austin asked if there would be hours of operation. **Hill** responded that his schedule would be by appointment only.

Davis asked **Hill** if he would be selling ammunition. **Hill** responded that he hadn't thought about ammunition but he would possibly pick up some occasionally for clients.

Pell asked if there would be signs posted. **Hill** answered no.

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 the staff if the request was properly posted and if neighbors were notified. The staff confirmed proper notifications and postings were completed.

Hedrick mentioned that the property is surrounded by *Primary Growth Area* as well.

Cable made 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*. **Beeson** seconded the motion to **APPROVE** the Special Use Permit.

Pell, having a proper motion and second, called the question on the motion to approve the Special Use Permit request, and the motion was adopted unanimously.

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

REZONING REQUEST #2022-00002998

The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **TARNIK FUNDS, LLC**, Springs, TX, and their request to rezone 2.99 acres out of 11.52 acres at 2549 Old 421 Rd, Columbia Township, Rocky River Balance Watershed, Tax ID #8734595597, Primary Growth Area, from *RA - Residential Agricultural District* to *HI - Heavy Industrial District*. The proposed rezoning would allow any uses permitted by right in the *HI – Heavy Industrial District*.

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

H R Gallimore, 231 S Fayetteville St, Asheboro, rose to address the Planning Board and stated that he is the agent for the property owner, Tarnik Funds, LLC. **Gallimore** said the property is located adjacent to the railroad as well as Pilgrim's Pride chicken processing plant. He said this entire section of the County will be in transition due to the Toyota Megasite so the owner would like various options for development.

Davis asked if the property would be leased and **Gallimore** replied that the owner would like to lease the property but doesn't know how realistic that would be.

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 meeting was properly published, and the property owners were notified. County staff stated that all legal requirements were met. **Cable** said this area of the County is changing due to the Megasite and he has no problems with the request based on what has been presented.

Hedrick stated that the *Consistency, Reasonableness, and In the Public Interest Statement* from the agenda packet was "spot on" for the request.

Pell asked if there was any other discussion among the Planning Board members.

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*. **Bunting** made a second to the motion to **APPROVE** the rezoning request.

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

H. Johnson then presented the last case of the night along with site plans and photographs of the request location.

REZONING REQUEST #2022-00003031

The Randolph County Planning Board will hold a duly published and notified Legislative Hearing on the request by **EVERARDO SUAREZ CANAS**, Sophia, NC, and his request to rezone 2.99 acres out of a 11.93 acres on 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 as per the site plan.

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

Everado Canas, 4423 Pine Needle Ln., Sophia, rose to address the Planning Board and stated that he would like to put a building on the property for two different companies.

Davis asked **Canas** about changes that were made since the last public hearing. **Canas** said that the questions about the septic system have been addressed and fencing has been added along the property lines which are both being shown on the new site plan.

Davis asked if the fence would be along all the property lines and **Canas** stated there would be a fence along all the property lines, except the natural buffer remaining on the rear of the property. He said the only trees that will be removed from the property will be what is necessary for the septic system and construction of the building area and storage.

Davis asked about a fence along the drive next to the golf course and **Canas** said it would be fenced until you reached the existing wood line.

Austin asked if **Canas** would be fencing the entire 2.99 acres that is the area to be rezoned and **Canas** said it would be fenced with a gate to limit access.

Cable asked **Canas** if he is now leaving trees on the property that he planned to remove at the last public hearing. **Canas** said the trees will now remain as shown on the updated site plan.

Austin stated that at the previous public hearing that the golf course was in support of the rezoning request, and he wondered if **Canas** still has the support of the golf course. **Canas** said that he has talked with the golf course and they are still in support of the request.

Cable said that based on the site plan, the only entrance is the gated drive on US Hwy 311 and **Canas** replied that **Cable's** statement was correct.

Davis stated that the site plan shows a display area for containers along US Hwy 311 and asked **Canas** if that is correct and **Canas** responded that the site plan is correct.

Pell asked if the Board members had other questions for the applicant. **Pell** also said that **Mack Summey**, the engineer for the site was present if the Board had any questions.

Mack Summey, 150 S. Fayetteville St., Asheboro, rose to address the Planning Board and explained to the Board that his office would be preparing all of the necessary plans and obtaining permits to begin development if the request is approved.

Davis asked **Summey** if the plan for the septic system includes two bathrooms and **Summey** replied that the permitting would be processed through the County and their requirements would be based on the number of employees.

Richard Hollingsworth, 7933 US Hwy 311, Archdale, owner of the adjacent Golf Course, rose to address the Planning Board about the septic field in the south rear corner of the property and asked if that area would be completely cleared. **Hollingsworth** was told that, based on the statement by **Canas**, he would only remove the trees that are necessary to install the septic system and the remainder of the tree should stay on the property.

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 **Hollingsworth** if all his questions were answered, and **Hollingsworth** said his questions had been answered.

Davis said that the site plan shows the septic area to be in the rear of the property and that **Canas** said they would only clear the trees necessary for the septic system. **Hollingsworth** said he is satisfied with their proposal.

Cable stated that **Canas** was asked to withdraw his request and work on improving his plan. He said the site does not take away from the appearance of the Golf Course, and he appreciates Canas improving his plan to benefit all involved.

Davis stated that he feels the current site plan is more complete than the one presented at the previous Planning Board meeting.

Hedrick thanked **Canas** for making the necessary adjustments that were discussed at the last meeting and although not everyone saw the opaque fencing as the best solution for the property, it is required by the *Randolph County Unified Development Ordinance* for outdoor storage.

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*. **Austin** made a second to the motion to **APPROVE** the rezoning request.

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

H. Johnson reminded the applicant that the rezoning approval would not be sent until the sixteenth day after the public hearing because of the possibility of an appeal.

Pell announced that the December 13, 2022, Planning Session has been canceled.

H. Johnson said that never in his career has he seen as many changes taking place in the County, and he cannot imagine what this County will look like in five years. **H. Johnson** explained how the *Randolph County Growth Management Plan* needs to be updated due to the Greensboro-Randolph County Megasite and Chatham megasite and that we all need to make sure that the *Randolph County Growth Management Plan* is the best we can get. **H. Johnson** said that the current plan was designed for a different world and, moving forward, the County will be working with the municipalities to coordinate utilities and that will also cause more updates needed for the *Randolph County Growth Management Plan*. **H. Johnson** said that he has been discussing the *Randolph County Growth Management Plan* with the Board of County Commissioners as they will have to allocate funding to update the *Randolph County Growth Management Plan*. **H. Johnson** said that he expects the Board of County Commissioners and the Planning Board to come together to update the *Randolph County Growth Management Plan*. **H. Johnson** told the Planning Board that he expects to work with the Piedmont Triad Regional Council to do the update and that he will be presenting the request for funding to the Board of County Commissioners in January 2023, to enable the process to begin as soon as possible. He

said the plan is to have all interested parties work on the update together because 2023 will be a crucial time for the County and the decisions the Planning Board makes are critical. **H. Johnson** then asked the Board to think about where we want growth to go and how that will work for everyone as we move forward.

Davis said that it has been nice to have someone with **H. Johnson's** experience as the Planning Board tackles the issues the County is facing.

Austin asked about a potential timeline and **H. Johnson** said there is no timeline set, but he is hoping to have the process completed in six months if possible.

Beeson said both megasites will bring employees to reside in Randolph County and many good things are going to happen in the future.

Davis asked if this means more meetings for the Planning Board and **Johnson** answered yes.

Hedrick thanked **H. Johnson** for the insights and said that the current *Randolph County Growth Management Plan* is good compared to other Counties and he hopes it will make the process easy for everyone to understand and use the updated plan.

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

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

The meeting adjourned at 7:58 p.m., with 18 citizens present.

**RANDOLPH COUNTY
NORTH CAROLINA**

Chairman

Clerk to the Board

Date



Approved by Randolph County

Planning Board

January 10, 2023



RANDOLPH COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
204 East Academy Street • Post Office Box 771
Asheboro, North Carolina 27204-0771
Telephone: (336) 318-6555 • Fax: (336) 318-6550



November 17, 2022

Dear Adjoining Property Owner:

This is to notify you that at 6:30 p.m., on **Tuesday, December 6, 2022**, the Randolph County Planning Board will meet in the 2nd Floor Meeting Room, Randolph County Historic Courthouse, 145-C Worth Street, Asheboro, to consider the following request:

BRANDON L TESSIER, Asheboro, NC, is requesting to obtain a Special Use Permit at 390 Mack Rd, Cedar Grove Township, Tax ID #7750036615, 0.70 acres, *RE - Residential Exclusive District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow an automobile sales lot with as many as ten used automobiles on the site as per the site plan.

A copy of the current Planning Board Agenda can be viewed on the Randolph County website.

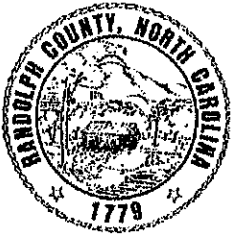
Interested citizens are invited to attend this meeting and will be allowed to express their views. As a result, changes to the request could be made during this public hearing process.

Kim Heinzer

Kim Heinzer
Clerk to the Planning Board
Randolph County

NOT IN FAVOR

370 MACK RD



RANDOLPH COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
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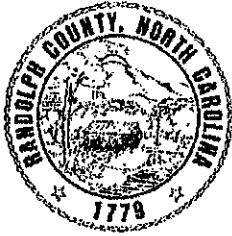
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Kim Heinzer

not in favor.

Shawn Lassiter 405 Mack Rd

Kim Heinzer
Clerk to the Planning Board
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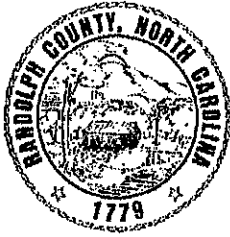
Kim Heinzer

Kim Heinzer
Clerk to the Planning Board
Randolph County

NOT IN FAVOR

Terry & Clarice Johnson

373 MACK Rd.



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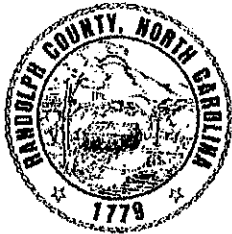
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Clerk to the Planning Board
Randolph County

Not in favor
Christof Ren B
367 Mack Rd



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BRANDON L TESSIER, Asheboro, NC, is requesting to obtain a Special Use Permit at 390 Mack Rd, Cedar Grove Township, Tax ID #7750036615, 0.70 acres, *RE - Residential Exclusive District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow an automobile sales lot with as many as ten used automobiles on the site as per the site plan.

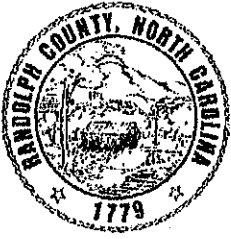
A copy of the current Planning Board Agenda can be viewed on the Randolph County website.

Interested citizens are invited to attend this meeting and will be allowed to express their views. As a result, changes to the request could be made during this public hearing process.

Kim Heinzer

Kim Heinzer
Clerk to the Planning Board
Randolph County

Not In Favor
405 Mack Rd.
Shirley Lassiter



RANDOLPH COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
204 East Academy Street • Post Office Box 771
Asheboro, North Carolina 27204-0771
Telephone: (336) 318-6555 • Fax: (336) 318-6550

November 17, 2022

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Kim Heinzer

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*Not in favor
Beverly Whitson
433 Mack Rd.*