



RANDOLPH COUNTY ZONING BOARD OF ADJUSTMENT

MINUTES

APRIL 5, 2022

The Randolph County Zoning Board of Adjustment held its monthly public hearing on April 5, 2022, at the 1909 Historic Courthouse, 145-C Worth St, Asheboro, NC.

Vice-Chair **Wayne Joyce** called the meeting to order at 6:30 p.m. and welcomed those in attendance.

County Attorney **Ben Morgan**, in the absence of the Planning Director, called the roll of the Zoning Board of Adjustment members:

- Reid Pell, Chair, *absent*;
- Wayne Joyce, Vice-Chair, *present*;
- John Cable, *present*;
- Keith Slusher, *present*;
- Kemp Davis, *present*;
- Melinda Vaughan, *absent*;
- Reggie Beeson, *present*;
- Barry Bunting, Alternate, *present*;
- Brandon Hedrick, Alternate, *absent*.

Morgan informed the **Chair** that there was a quorum of the Planning Board members present.

The **Chair** called for consideration and approval of the consent agenda.

- Approval of agenda for April 5, 2022, Zoning Board of Adjustment meeting.

Cable made the motion to approve the consent agenda as presented, and **Davis** made the second to the motion to approve the consent agenda as presented. **Joyce**, having a proper motion and a second, called the question on approving the consent agenda, and the Zoning Board of Adjustment members voted unanimously to approve the consent agenda.

Joyce asked the Board if there were any conflicts of interest with the case before them. Hearing none, he asked **Morgan** to proceed with the case.

Morgan presented the case along with site plans and pictures of the site and surrounding properties.

VARIANCE REQUEST #2022-00000591

DENNIS N BAGGETT, Archdale, NC, is requesting a variance to use the property located on Village Dr across from Riverview Dr, Trinity Township, Tax ID #7726581104, 6.14 acres, *RR – Residential Restricted*. in a way not permissible under the literal terms of the *Randolph County Unified Ordinance*. It is the desire of the applicant to obtain a Variance to specifically allow a 24 ft. front setback from the right-of-way in lieu of the required 35 ft. front setback from the right-of-way as per the site plan.

Morgan reminded the Board to use criteria referred to as the “*four-part test*” when making their decision on the variance request.

Joyce administered the oath to **Dennis Baggett**.

Dennis Baggett, 1601 Chestnut St., High Point, NC, said he and his wife are planning to build on this property, allowing them to live closer to their grandchildren, and with the required setbacks of the existing stream on the back of their property, they will have to move the house forward, not meeting the current setback from the right of way.

Davis asked if there is a particular point on the property that does not allow him to meet the setback. **Baggett** said he measured from the right of way to the stream, finding a point of the stream that is ten feet closer to the right of way, requiring him to ask for this variance.

Morgan asked **Baggett** to explain to the Board where the home would be located. **Baggett** said the right side of their home would be located across from the driveway located at 4733 Riverview Dr. He presented a map as evidence for his request. (**Exhibit 1**). **Davis** asked if the “grid lined” area on his map is the proposed septic area for the home. **Baggett** answered yes. He said he plans to construct the home as close to the septic area as possible. **Joyce** asked if his septic area has already been approved for the property. **Baggett** said he has not applied for septic because he must make sure a home will be allowed on the property.

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

Cable asked if all notifications and advertisements were sent out correctly for this request. **Morgan** said the Planning staff has indicated they were.

Cable said it looks like it will be a tight fit for the home, but all the notifications were sent out with no opposition to the request, and the property will not be used otherwise.

Davis said it will only be one single-family residence on six acres. **Slusher** said his only concern would be the septic and the Board has nothing to do with that outcome.

Cable said he does not see anything on the four-part test that is negative to the request. **Joyce** agreed with Cable and said this issue was not caused by the owner.

Davis made the motion to approve the variance from the *Randolph County Unified Development Ordinance* on the specified parcel(s) on the Variance application, based upon the sworn witness testimony that is included in the minutes, as well as the site plan(s) with all agreed-upon revisions, that unnecessary hardship would result from the strict application of the Ordinance, that the hardship results from conditions that are peculiar to the property, or that the hardship did not result from actions taken by the applicant or the requested variance is consistent with the spirit, purpose, and intent of the Ordinance such that public safety will be secured and substantial justice is achieved.

Slusher made a second to the motion to approve the Variance.

Joyce called the question on the motion to approve the Variance request and the motion was adopted unanimously and the Variance was granted.

Having no further business, **Bunting** made the motion for the Zoning Board of Adjustment meeting to adjourn. **Beeson** seconded the motion. **Joyce**, having a proper motion and second, called the question on adjourning the meeting. The Zoning Board of Adjustment members voted unanimously to adjourn the meeting.

The meeting adjourned at 6:44 pm, with twenty citizens in attendance.

**RANDOLPH COUNTY
NORTH CAROLINA**

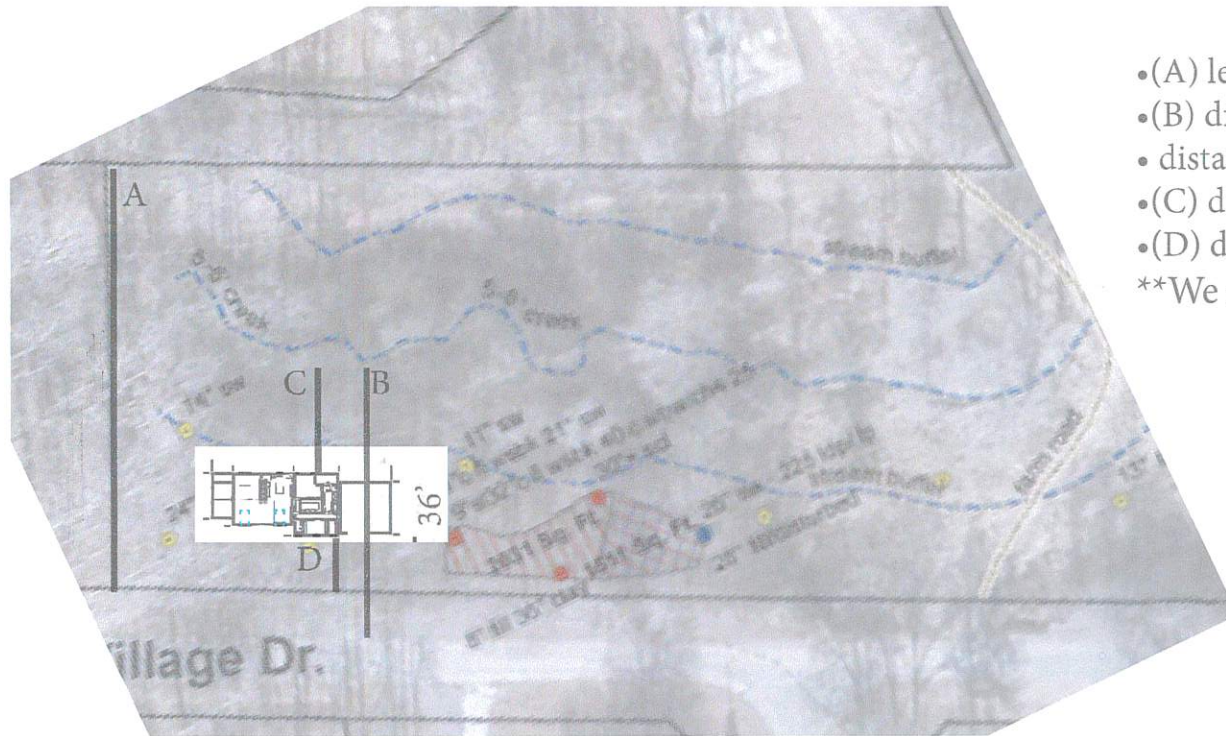
Planning Director

Clerk to the Board

Date



**Approved by Randolph County Zoning Board of Adjustment
May 3, 2022**



- (A) left property line is 203'
 - (B) distance from road to stream is 130'
 - distance from right of way to stream is 110'
 - (C) distance from stream to back of house is 50'
 - (D) distance from front of house to right of way is 24'
- **We need a variance of at least 11'