

September 10, 2024

1. Call to Order of the Randolph County Planning Board.

There was a meeting of the Randolph County Planning Board on September 10, 2024, at 6:30 PM in Meeting Room A, Randolph County Office Building, 725 McDowell Rd, Asheboro, NC. Chairman Pell called the meeting to order and welcomed those in attendance. Pell reminded those in attendance that the *Planning Board Rules of Procedure* state that anyone wishing to speak must sign up to speak and that speakers other than the applicant are limited to three minutes.

2. Roll call of the Board members. (Completed by staff.)

The County Planning staff completed the roll call of the members of the Board as they arrived to the meeting. Reid Pell, Kemp Davis, John Cable, Melinda Vaughan, Reggie Beeson, Ken Austin, Brandon Hedrick were present. was absent. County Planning Director Tonya Caddle and County Attorney Ben Morgan were also present, along with County Planning staff members Kayla Brown, Melissa Burkhart, Dustin Grant, David Harris, Cory Hartsoe, Kim Heinzer, Tim Mangum, and Eric Martin.

3. Consent Agenda:

- Approval of agenda for the September 10, 2024, Planning Board meeting.
- Approval of the minutes from the August 6, 2024, Planning Board meeting.

*On the motion of Cable, seconded by Beeson, the Board voted 7-0 to **approve** the Consent Agenda as presented.*

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.)*

There were no Conflicts of Interest or *ex parte* communication identified by any Planning Board member.

5. Old Business.

SPECIAL USE PERMIT REQUEST #2024-00022013

The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **EVAN BURKS**, Asheboro, NC, and their request to obtain a Special Use Permit at 3845 Bachelor Creek Rd,

Richland Township, Tax ID #7687466565, 12.52-acres, *RA - Residential Agricultural District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow a second residence for a family member.

Caddle presented the case along with site plans and photographs of the Special Use Permit Request.

Pell opened the public hearing and explained that anyone wishing to speak during the Special Use Permit Requests must be sworn in.

Morgan administered the oath to Evan Burks, the applicant.

Evan Burks, 3845 Bachelor Creek Rd, Asheboro, explained to the Board that he would like to place a mobile home on his property so that he could help take care of his mom and dad.

Morgan explained to Burks that if the request was approved, there was no guarantee that the parcel could be split in the future, so if it were to be sold, the second residence would be sold as part of the parcel as well.

Cable asked if both residences would share the existing driveway and if the house would be a stick-built home. Burks said there would be a single-wide mobile home placed on the property, and it would use the existing driveway.

Pell asked the Board if they had any additional questions for Burks. Having none, Pell closed the public hearing for discussion among the Board or a motion.

Cable said there would be more of these requests due to economic conditions, and he was in favor. Kemp said he had no problems with the request.

*On the motion of Cable, seconded by Beeson, with a vote of 7-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

6. New Business.

SPECIAL USE PERMIT REQUEST #2024-00022022

The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **CRYSTAL HARMAN**, Staley, NC, and their request to obtain a Special Use Permit at 10262 US Hwy 64 E, Columbia Township, Tax ID #8732551126, 17.93 acres, *RA - Residential Agricultural District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow a second residence for a family member.

Caddle presented the site plans and photographs of the Special Use Request.

Pell opened the public hearing, followed by Morgan administering oath to Crystal Harmon, the applicant.

Crystal Harman, PO Box 955, Siler City, stated that her eighty-four-year-old mother has declining health, and she is requesting a second residence to have her close by.

Morgan explained to Harman that if the request was approved, there was no guarantee that the parcel could be split in the future, so if it were to be sold, the second residence would be sold as part of the parcel as well.

Pell closed the public hearing for discussion or a motion.

*On the motion of Austin, seconded by Cable, with a vote of 7-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

SPECIAL USE PERMIT REQUEST #2024-00022024

The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **JODY & CRYSTAL HUNT**, Archdale, NC, and their request to obtain a Special Use Permit at 3090 Tuttle Rd, New Market Township, Randleman Lake Protected Area Watershed, Tax ID #7738156494, 7.12 acres, *RA - Residential Agricultural District*. It is the desire of the applicant to obtain a Special Use Permit to specifically allow a second residence for a family member.

Caddle presented the site plans and photographs of the next Special Use Permit Request.

Pell opened the public hearing, followed by Morgan administering an oath to Jody and Crystal Hunt, 3090 Tuttle Rd, Randleman, NC, the applicants.

J. Hunt told the Board that Mrs. Hunt's mother is older and needs to be closer for healthcare. He said his father-in-law had just passed, and they planned to build a home on the property.

Morgan asked if the same driveway would be used for the second residence and if the new home would have its own septic and well. Hunt said the same driveway would be used and approval would be needed for the septic system and well.

Morgan explained to the Hunts that if the request was approved, there was no guarantee that the parcel could be split in the future, so if it were to be sold, the second residence would be sold as part of the parcel as well.

Pell asked if the Board had any questions for the applicants.

Beeson asked if the home would be site-built. Hunt said yes.

Hedrick asked if the home would be seen from the road. Hunt answered no. He said he would be located behind his current residence.

Pell closed the public hearing for discussion or a motion.

*On the motion of Cable, seconded by Austin, with a vote of 7-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

SPECIAL USE PERMIT REQUEST #2024-00022026

The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **JOHN ALLEN HARRINGTON, SR**, Asheboro, NC, and their request to obtain a Special Use Permit at 6201 Abner Rd, Union Township, Tax ID #7635604850, 16.69 acres, RA - Residential Agricultural District. It is the desire of the applicant to obtain a Special Use Permit to specifically allow a third residence for a family member.

Caddle presented the site plans and photographs of the last Special Use Permit Request.

Pell opened the public hearing.

Morgan administered the oath to John Allen Harrington, Sr., the applicant.

Harrington explained to the Board that he would like to be able to place a third residence near the road for his grandson.

Morgan asked if the new residence would use the same driveway. Harrington answered no.

Beeson asked if the new driveway would be off Abner Rd, and if the home would have its own septic and well. Harrington answered yes to both.

Cable asked if the home would be encompassed by trees, excluding what would be cleared for the driveway. Harrington answered yes.

Austin asked if he understood that he would have to leave the 3 residences on the same tract and no guarantee that the property could be split in the future.

Morgan suggested to Harrington that he table the request and talk to a surveyor and Planning staff before making a decision.

On the motion of Cable, seconded by Hedrick, with a vote of 7-0, the Board voted

to **table** this request until the next Planning Board meeting.

REZONING REQUEST #2024-00022011

The Randolph County Planning Board will hold a duly published and notified legislative hearing on the request by **REBECA OCAMPO**, Siler City, NC, and their request to rezone 25.85-acres on Kidds Mill Rd, Providence Township, Sandy Creek Balance Watershed, Tax ID #7794499852, Rural Growth Area, from *RA - Residential Agricultural District* to *RLOE-CD - Rural Lot Subdivision Overlay Exclusive - Conditional District*. The proposed Conditional Zoning District would specifically allow a six-lot subdivision for site built homes only.

Caddle presented the first rezoning request of the night.

Pell opened the public hearing and asked for the applicant to address the Planning Board.

Rebeca OCampo, 516 W 10th St, Siler City, the applicant, addressed the Planning Board and said that the plan is for the property to be a family compound and they would not be selling the lots.

Pell asked if there were any questions from the Planning Board members.

Davis asked if each lot would be deeded to family members and OCampo said that the lots would be deeded to family members only.

Davis then asked if the owners planned on building on these sites now or later in stages and OCampo said the plan was to build in a few years and for all the family to move to the site at the same time.

Austin stated that he went by the property and it appears to have been clear-cut and OCampo said that the property was clear-cut before they purchased it in 2023.

Austin asked OCampo if they planned to create the subdivision when she purchased the property and she stated that it was only going to be for one home site and then she and her brother decided to create a family compound.

Cable asked which lots would be developed and OCampo said that are not sure at this time.

Hedrick asked OCampo if she was going to build the road for it to be a State-maintained road and OCampo stated that the road would be a private road.

Austin asked OCampo if she had been contacted by those opposed to the request and she replied that she had not been contacted but knew they wanted larger lot

sizes.

Hedrick asked if the property is in a timber management plan and OCampo said that it was not in a timber plan.

Morgan advised the Planning Board that they should not think of this as a development for just family members and that it could go beyond just family members.

Vaughan asked about the lots along Kidds Mill Rd. OCampo said those lots are developed with site-built and mobile homes. Vaughan said that she thought it was great having large lots like those proposed on the plat and she would rather have the larger lots than those that surround this site.

Hedrick thanked OCampo showing the septic layout and an internal access road.

Cable said that he appreciated all of the information the OCampo had provided.

Pell asked if there were any further questions from the Planning Board for the applicant.

Dan Tanner, 154-B S Fayetteville, Survey Carolina, told the Planning Board that he did the site plan and could answer any other questions.

Davis asked about the size of the easement and Tanner said it was fifty feet.

Pell asked if there were any further questions for Tanner. Hearing none, Pell called for those in opposition to the rezoning request to address the Planning Board.

Carol Campbell, 4548 Kidds Mill Rd, Franklinville, addressed the Planning Board and stated that she was against the rezoning request for agricultural reasons and that subdivisions should not be in every area of the County. Campbell said that approving this request could start the taking of farmland and the request is not a good fit for the area.

Pell asked if there were any questions from the Planning Board members.

Kathy Kirkman, 2284 Ramseur Julia Rd, Liberty, said she is all for growth but if the request is only for three lots then why is it showing six lots? Kirkman stated that she wanted restrictions to keep the area clean and for larger lot sizes.

Alan York, 2969 Ramseur Julian Rd, Liberty, said that he agreed with Campbell about keeping the agricultural character of the neighbor and he is opposed to the proposed subdivision. York said that he knows there is housing pressure but there are other places in the County where growth is anticipated and growth should go there.

Mark Gibbons, 5723 Old Liberty Rd, Franklinville, asked about the one-hundred-foot farm well setback in case the property to the south of the proposal starts farming again. Gibbons stated that the farm property would have to have the farm well setback on the farming property instead of the proposed subdivision. He asked the Planning Board to preserve rural Randolph County.

Carol Gibbons, 5723 Old Liberty Rd, Franklinville, said that the County needs to preserve farmland and she is against the request as not a good fit for the area.

Bobby Mears, 3381 Old Brower Mill Rd, Franklinville, told the Planning Board that he owns property on the south side of the proposal and that his property is fenced in and his only problem is where timber was previously cut. Mears said he had no objections to nice homes.

Pell asked if OCampo or Tanner wanted to address the concerns of those opposed to the request.

Hedrick explained the difference in housing types but that the Planning Board cannot stipulate housing types due to North Carolina Court cases.

Morgan reminded everyone that the rezoning application is for site-built or modular homes only.

Tanner stated that OCampo voluntarily proposed to place the one-hundred-foot farm well setback along her south property line.

Pell asked if there were any questions from the Planning Board.

Cable asked when the property to the south of the proposal was last used for farming purposes and OCampo said she did not know.

Morgan said that OCampo would need to re-sign the updated rezoning application with the new condition of placing the one-hundred-foot farm well setback along her south property line.

OCampo signed the updated application.

Austin stated that the preliminary plat shows the proposed lot sizes as exceeding the minimum requirements.

Hedrick said there had been much discussion over farmland preservation and this concern was considered when updating the *Randolph County Growth Management Plan* and that he likes to see these types of plats.

Austin agreed with Hedrick and said that the protection of agricultural land was the

number one consideration when updating the *Randolph County Growth Management Plan* and that it was the intent of this Board and the Board of County Commissioners when the updated plan was developed and adopted.

Beeson said he likes that the plat keeps the houses off of the road and will help protect the scenic corridor along Kidds Mill Rd.

Davis said that he would like to see more plans like this that show considering the Randolph County Growth Management Plan.

Cable said it is not always easy to speak in public and that he is sympathetic to the agricultural community, but this Board cannot stop farming families from selling their property. He thanked everyone for making good points and for being polite.

Pell closed the public hearing.

Davis said that there are farmers on this Board, and we know how you feel about the loss of farming property.

*On the motion of Davis, seconded by Hedrick, with a vote of 7-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

REZONING REQUEST #2024-00022016

The Randolph County Planning Board will hold a duly published and notified legislative hearing on the request by **J AND J OF ASHEBORO, LLC**, Asheboro, NC, and their request to rezone 9.02-acres on the corner of Browers Chapel Rd and Inwood Rd, Asheboro Township, Tax ID #7760459133, Primary Growth Area, from *RE - Residential Exclusive District* to *CVOE-CD - Conventional Subdivision Overlay Exclusive - Conditional District*. The proposed Conditional Zoning District would specifically allow a seven-lot subdivision for site-built homes only.

Caddle presented the rezoning request of J And J of Asheboro, LLC.

Pell opened the public hearing.

Jason Robbins, 3022 Spoons Chapel Rd, Asheboro, the applicant, said that he has been approached by several people wanting to buy this property but that he wants to keep any development uniform with the existing development in the area.

Pell asked if there were any questions from the Planning Board.

Beeson said that some of the lots are shallow and Browers Chapel Rd has a fifty-five mile-per-house speed limit and asked if the lots would have turn-around. Robbins stated that each lot would have a turnaround provided.

Cable asked if the site has city water and Robbins said that each lot would be served by a well and septic system and the soil work had been done by Joe Johnson.

Pell asked if there were any questions from the Planning Board.

Dan Tanner, 154-B S Fayetteville St, Survey Carolina, told the Board of the challenges in designing this subdivision due to the topography of the land.

Ken Topper, 331 Lawrence Dr, Asheboro, told the Planning Board that he is not opposed to the request but wanted to know why the property has to be rezoned since a new house was built in the area several months ago.

Caddle stated that the *Randolph County Unified Development Ordinance* requires the property to be rezoned due to the number of lots shown on the preliminary plat.

Topper stated that the applicant stated at the Neighborhood Information Meeting that the houses would be 1,500 square feet and that he has problems on his property with run-off and would like for that to be addressed.

Pell asked if Robbins or Tanner wanted to address the concerns raised by Topper. Robbins said that the washout was caused by the easement that someone else did but that it should be taken care of once the houses are built.

Pell asked if there were any other questions from the Planning Board.

Cable said that it is good for the applicant and citizens to be able to talk about problems and resolve the issues.

Pell closed the public hearing.

*On the motion of Austin, seconded by Cable, with a vote of 7-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

REZONING REQUEST #2024-00022015

The Randolph County Planning Board will hold a duly published and notified legislative hearing on the request by **LARRY MCKENZIE** and **MARK BRASWELL**, Asheboro, NC, and their request to rezone 13.63-acres on Ludlum Ln, Cedar Grove Township, Tax ID #7649743395, Primary 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 six-lot subdivision for site-built homes only. Property Owner: Mark T. Braswell

Caddle presented the rezoning request by Larry McKenzie and Mark Braswell.

Pell opened the public hearing.

Larry McKenzie, 1095 Bunting Rd, Asheboro, the applicant, stated that the proposal is for six lots and they are talking with Seagrove-Ulah Metropolitan Water District to provide water and each will have a turnaround. McKenzie said the houses would sell for around \$290,000 to \$300,000.00

Pell asked if there were any questions from the Planning Board.

Pell closed the public hearing.

Hedrick stated that the property is along the US 64 Bypass and he would like to see a buffer to protect the view.

Davis said that the applicant would have to accept the new condition but that the Board would also have to reopen the public hearing.

*On the motion of Cable, seconded by Beeson, with a vote of 7-0, the Board voted to **reopen** the public hearing for this request.*

McKenzie said that he would be willing to include a buffer along US 64 Bypass but that all houses would be at the front along Ludlum Ln and asked if a fifty-foot buffer is sufficient.

Hedrick said he thought that a fifty-foot buffer should be okay.

McKenzie signed the updated rezoning application.

Pell closed the public hearing.

*On the motion of Hedrick, seconded by Beeson, with a vote of 7-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

REZONING REQUEST #2024-00022025

The Randolph County Planning Board will hold a duly published and notified legislative hearing on the request by **THOMAS GWYN**, High Point, NC, and their request to rezone 4.89-acres on Prospect St, Trinity Township, Lake Reese Balance Watershed, Tax ID #6799504396, 6799505389, 6799506483, 6799507580, 6799509642, Primary Growth Area, from *HC-CD - Highway Commercial - Conditional District* to *LI - Light Industrial District*. It is the desire of the applicant to rezone the property to allow any uses allowed by right in the LI - Light Industrial District. Property Owner: Deborah Lynn James.

Caddle presented the last rezoning case of the night for Thomas Gwyn.

Pell opened the public hearing.

Thomas Gwyn stated that he wanted the property rezoned to *LI - Light Industrial District*.

Davis asked Gwyn how long he had owned the property and Gwyn said that he does not own the property yet.

Pell asked if there were any questions from the Planning Board.

Davis said he is not a fan of straight rezoning except in this case where it fits.

Pell closed the public hearing.

*On the motion of Beeson, seconded by Cable, with a vote of 7-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

HC - HIGHWAY COMMERCIAL DISTRICT UPDATE DISCUSSION

HC - Highway Commercial District Update Discussion

Caddle stated that she wanted to revisit the *HC - Highway Commercial District* updates and take the current draft to the public. Caddle presented possible dates for a public Open House and a Planning Board work session.

Pell said that the Planning Board would not have to be at the public open house. The date for the Open House was set for Thursday, October 3, 2024, from 5:00 pm to 6:30 pm in Meeting Room A, Randolph County Office Building, 725 McDowell Rd, Asheboro, NC 27205.

After some discussion, the Board agreed to hold a work session on October 29, 2024, at 1:00 pm at the Historic Courthouse, 145-C Worth St, Asheboro, NC 27203.

7. Update from the Planning Director.

There were no updates from the Planning Director.

8. Adjournment.

Having no further business, on the motion of Cable, seconded by Davis, the Board voted 7-0 to adjourn at 8:20 pm.

Chairman

Clerk to the Planning Board

**Approved by Randolph County Planning Board
October 8, 2024**