

October 7, 2025

1. Call to Order of the Randolph County Zoning Board of Adjustment.

There was a meeting of the Randolph County Zoning Board of Adjustment on October 7, 2025, at 6:03 PM in the 1909 Historic Courthouse Meeting Room, 145-C Worth St, 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 Zoning Board of Adjustment as they arrived at the meeting. Reid Pell, John Cable, Reggie Beeson, Ken Austin, Brandon Hedrick, Susan Thompson, and Nicholas Mooney were present. Kemp Davis was absent. Alternate member Steven Maness was also present for the meeting. Assistant County Manager William Johnson was present, and County Attorney Ben Morgan was also present, along with County Planning staff members Kayla Brown, Melissa Burkhart, David Harris, Kim Heinzer, Tim Mangum, and Janet Moreno.

3. Consent Agenda:

- Approval of agenda for the October 7, 2025, Zoning Board of Adjustment meeting.

*On the motion of Cable, seconded by Austin, the Zoning Board of Adjustment voted 7-0 to **approve** the Consent Agenda as presented in the agenda packet.*

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 Zoning Board of Adjustment member.

5. Old Business.

There was no old business for the Zoning Board of Adjustment to consider.

6. New Business.

VARIANCE REQUEST 2025-00022025

The Randolph County Zoning Board of Adjustment will hold a duly published and notified quasi-judicial hearing on the Variance requested by **CODY RICHARDSON**, Sophia, NC, to use the property located at 2976 Shawnee Trl, Back Creek Township, Tax ID #7734460978, 4.45 acres, RA - *Residential Agricultural District* in a way not permissible under the literal terms of the *Randolph County Unified Ordinance*. The applicant desires to obtain a Variance to specifically allow changing the front yard setback to 28 ft. from the right-of-way, in lieu of the 35 ft. setback required by Section 631 of the *Randolph County Unified Development Ordinance*.

Johnson presented the variance request of Cody Richardson, Sophia, NC, to the Zoning Board of Adjustment.

Pell opened the public hearing.

Morgan administered the oath to Cody Richardson, the applicant.

C. Richardson told the Board that he has been trying to get into the new house since early August and that Clayton Homes had called him to inform him of a possible setback issue on the property. C. Richardson stated that he had contacted the Planning Department about the setback and was told that the home had to be thirty-five feet from the right-of-way, and C. Richardson stated that the zoning permit does list the thirty-five-foot setback from any roads. C. Richardson stated that he measured the road from the center of Shawnee Trail, and it was fifty-eight feet to his house.

C. Richardson testified that he was given different information on where and how to measure the right-of-way and that they thought we was okay until he called the North Carolina Department of Transportation (NCDOT) and they told him that Shawnee Trail has a sixty-foot right-of-way with thirty feet on each side.

C. Richardson submitted into evidence a petition (Exhibit 1) and a letter from an adjoining property owner (Exhibit 2) in support of his Variance request.

C. Richardson testified that Shawnee Trail would probably never be widened, as the road is for the community, and that it is a State-maintained road.

Hedrick stated that it sounded like the house was going to meet the NCDOT setback, and C. Richardson said the home would meet the NCDOT setback, but it was the setback from the *Randolph County Unified Development Ordinance (UDO)* that was causing the issue.

Austin asked if Shawnee Trail is a dead-end road and how far past the proposed residence the road continued. C. Richardson stated that Shawnee Trail dead-ends approximately 150 yards past his proposed residence. C. Richardson also

referenced the pictures in the agenda packet.

Cable asked C. Richardson if he had done most of the work himself and if he had asked for help on the setbacks. C. Richardson said that he had done most of the work himself with help from family members and that Clayton Homes was also involved in the construction. C. Richardson stated that he did know about the setbacks, but did not know the exact width of the right-of-way or where to measure the width of the right-of-way. C. Richardson stated that he tried to use the largest amount of setback to prevent any problems.

Hedrick asked C. Richardson if he measured from the middle of the road or if he found any marker, and C. Richardson replied that he measured from the seam in the road and that, based on that measurement, the front corner of the proposed house is fifty-eight feet from the seam in the road.

Hedrick asked C. Richardson if the pavement of Shawnee Trail had ever moved, and C. Richardson said that he did not know, but that he had talked to NCDOT, and they do not know when Shawnee Trail became a State-maintained road.

Cable asked when Shawnee Trail was originally laid out and paved, and C. Richardson replied that he did not know.

C. Richardson stated that the proposed house has not been set on the property, but that the footers have been dug.

Austin asked about the location of the well and septic system. C. Richardson stated that the well is approximately forty feet behind the house, and the septic system is beside the proposed house location.

Cable asked C. Richardson if this was his first house, and C. Richardson said it was and that he would not make this mistake again.

Morgan asked for the people in support of the request to stand, and everyone at the meeting stood. C. Richardson said that the people at the meeting are his neighbors.

Austin asked when his house was scheduled to be set, and C. Richardson said it depended on the answer from the Zoning Board of Adjustment.

Pell asked if there were any questions from the Zoning Board of Adjustment.

Beeson said that he is familiar with the location and traffic on the road and that there is no traffic on Shawnee Trail.

Morgan administered the oath to Tracy Runyon, 2920 Shawnee Trail. Runyon stated that he was not opposed to the Variance request.

Morgan administered the oath to Jade Whiteheart, 3041 Shawnee Trail, and she stated that she lives at the end of Shawnee Trail in the cul-de-sac.

Morgan administered the oath to C. Richardson's mother, and she stated that C. Richardson had worked for many months to get everything ready and that the proposed home would not impact other people. She stated that everyone present was neighbors and that no one was upset with the proposed residence.

Cable said that it seems that most everyone present is in support of the request, and for the purposes of time, he requested that those in attendance present any evidence that has not already been presented.

Morgan asked if there was anyone present in opposition to the request.

Morgan administered the oath to Amanda McGee, 2967 Shawnee Trail, and she stated that she lives across the road from this house, and it is possible that the road could have shifted at some point, and that she wanted to see C. Richardson be able to put his home on this property.

Morgan administered the oath to Brian Richardson, 3016 Shawnee Trail, and he said that he was the applicant's father and that he worked for APAC when Shawnee Trail was originally paved, and that there was a junction box along the road that was too close, and they had to move Shawnee Trail to get the road paved. B. Richardson said that he would appreciate anything that the Zoning Board of Adjustment could do to help his son.

Pell asked if there were any other questions from the Zoning Board of Adjustment.

Cable asked C. Richardson if denying the Variance would create an undue financial hardship. C. Richardson stated that denying the request would cause a "major" hardship and that he would probably not be able to finish the construction.

Mooney asked if anyone could confirm the NCDOT right-of-way. Hedrick replied that the question is about the setback and not Shawnee Trail.

Pell asked if there were any other questions from the Zoning Board of Adjustment.

Hearing none, Pell closed the public hearing.

Cable stated that this request is a classic example of doing what is best and right, and he felt that if the Variance was denied, it would be more of a hardship on the applicant.

Hedrick stated that Variance decisions are tough as the applicant cannot create hardship per the North Carolina General Statutes. Hedrick said he thought the applicant had not created his own hardship, and he used available resources and

acted in good faith.

Austin stated that this request is a perfect example of why we have Variances in the UDO.

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

7. Adjournment.

Having no further business, on the motion of Beeson, seconded by Cable, the Zoning Board of Adjustment voted 7-0 to adjourn at 06:35 AM.

Chairman

Clerk to the Board

**Approved by Randolph County Zoning Board of Adjustment
November 4, 2025**

[illegible]

Reference:

Planning and Zoning

Variance Public Hearing

2976 Shawnee Trail Sophia, NC

To Whom it May Concern,

My name is Kim Therrien, and I live at 3964 Beckerdite Road Sophia NC. My property borders Shawnee Trail. I will be a neighbor of the Richardson's.

I am in full support of the variance adjustment request changing the set back of 2976 Shawnee Trail from 35 ft from the right-of-way to 28 feet

Shawnee Trail is a dead-end road with minimal homes. Most of the properties border a creek with portions of the land in a flood zone. The variance will not negatively affect the neighborhood, property values, traffic or safety of the neighborhood.

In addition. denying the request would place an undue hardship on the Richardson's at no fault of their own. I personally feel there was a breakdown in the inspection process, and the issue should have been identified and addressed earlier.

It is my hope that the board will take these considerations into account when making the final decision.

Thank you for your time. Please feel free to contact me if you have any questions or need any clarification.

Thank you,

Kim Therrien

3964 Beckerdite Road
Sophia, NC

336-688-4646

