



ROCKINGHAM COUNTY PLANNING BOARD

MINUTES

ROCKINGHAM COUNTY PLANNING BOARD AND BOARD OF ADJUSTMENT REGULAR MEETING – May 11, 2020 - 7:00 P.M.

The Rockingham County Planning Board met in regular session on May 11, 2020, 7:00 pm, Governmental Center, Commissioner's Chambers, Wentworth, North Carolina.

1. Chairman Ksieniewicz called the meeting to order at 7:00 pm.
Carrie Spencer announced location and means of conducting meeting. The meeting was live streamed to the public via Rockingham County's website and was conducted with social distancing measures.
2. Invocation was given by Timothy Wyatt.
3. Attendance:
Regular members present: Paul Ksieniewicz, Julie Talbert, Michael Lee, and Phillip Stone.
Alternate members: Timothy Wyatt

Staff and others present: Carrie Spencer- Planning Director, John Morris – County Attorney, Emily Bacon - Planner, Roy Sawyers – A/V Technician, Benjamin Curry – Code Enforcement, and citizens.

Members Absent: T. Matt Cardwell, James Fink, James Harris, Ann Cunningham, Stacey Southern, Corey Scott, and Dylan Moore.
4. **The following Minutes were approved.**
October 14th, 2019: Tim Wyatt motioned, Julie Talbert seconded, 5-0 approved. It was submitted with the change of Chairperson Wyatt to Chairperson Ksieniewicz.
September 9th, 2019:
Michael Lee, motioned, Julie Talbert seconded, 5-0 approved.
March 9th, 2020:
Julie Talbert motioned, Michael Lee seconded, 5-0 approved.
5. **PROCEDURES**
Chairman Ksieniewicz read the Rules of Procedure for public hearings.
John Morris, stated that for Quazi-Judicial hearings, evidence submitted is considered to be facts.

6. CASES

- a) **SPECIAL USE PERMIT CASE # 2020-10, CMH Homes:** A request for a Special Use Permit to allow a Class AA Manufactured Home in a Residential Protected zoning district. 8645 Friendship Church Rd, Tax PIN 8901-00-93-8866, Reidsville Township.

Carrie Spencer presented the case based on the staff report. Surrounding Manufactured Homes were highlighted via an additional map. The application is considered evidence in this case.

Julie Talbert asked Carrie how far the map shows, which is $\frac{1}{4}$ of a mile. The home directly beside this home is a Doublewide Manufactured Home.

Michael Lee, commented that he did not think a new Manufactured Home would lower the tax value of the surrounding areas.

There were no submitted comments or speakers present to submit evidence. The public comment period was closed.

Michael Lee motioned for approval with the following adopted statement, Julie Talbert seconded. The Special Use Permit request is will maintain or promote the public health, safety, and general welfare of the neighborhood, it will comply with all applicable regulation, it will maintain the value of contiguous property, and is consistent with the adopted Land Use Plan. The Board voted 5-0 to approve the Special Use Permit.

- b) **SPECIAL USE PERMIT CASE # 2020-06, Harrison & Sons:** A request for a Special Use Permit for a Rural Family Occupation, Auto Repair and Sales. At 117 Rolling Hills Drive, Tax PIN 8911-00-33-3139, Reidsville Township

Carrie Spencer presented case. This case has come to the Board via a Building Inspector. They noticed a commercial business on the property during an adjacent building inspection. The business is supported by the surrounding neighbors, and it is screened from the road by mature trees. Staff recommends approval of this Special Use permit.

Chester Harrison Sr, of 117 Rolling Hills took the stand as the applicant. He was sworn in by Paul Ksieniewicz. His plan is to purchase cars wholesale and repair them to sell to local car dealers.

Julie Talbert asked how long the business has been in operation on this site. The business has been in operation on this site for 2 years. He stated 2 years. Tim Wyatt asked if he resided on the property, he does.

Chester Harrison Jr, of Greensboro NC, took the stand supporting the application. This is a family-oriented business. They do not plan on having commercial traffic on the residential street and a low volume of cars is worked on at the site at one time.

Board Discussion: Michael Lee noted that 10 calls of approval for their business was something that the applicants should be proud of.

Julie Talbert motioned to approve the Special Use permit and adopt the following statement, Phillip Stone seconded. The request is consistent with the Land Use Plan, and they have found the following core conclusions: that the development promotes general health safety and welfare, it is public necessity, it conforms with the UDO development standards. The Board voted 5-0, the motion carried.

- c) **REZONING CASE # 2020-09, South Rockingham Corporate Park, LLC:** A request for rezoning from Residential Agricultural and Residential Mixed to Light Industrial. NC 65 & US 220, Tax PINs 7921-01-46-1484 & 7921-02-56-3455, New Bethel Township.

Carrie Spencer presented the case according to the staff report. The area is identified as a desirable area and will be included in the Land Use Plan. Public water and sewer will be serving this site through an approved extension. The area is a key growth interchange. The TRC, Technical Review Committee, will need to approve the site plan. This is a straight rezoning, and no conditions can be considered. The applicant was not present for questions.

The following citizen comments were submitted:

Cindy Nelson, of 389 Sylvania Rd, submitted a comment in opposition to the request. She cited concerns over property values declining, and a conflict between residential and industrial uses.

James Gunter II, of 517 Ogburn Mill Rd, an adjacent land and mobile home park owner, took the stand to oppose the rezoning, due to the lack of conditions and overall plan for the area. He was concerned about water pollution and contamination of an underlying aquifer. They want the business to add value to the area and to be properly screened.

Carrie Spencer stated that erosion control measures would be regulated at the state level. The technical review committee will consider measures for runoff. The 70% built up on area includes all impervious surfaces. Existing systems will need to be properly abandoned, as part of a site plan approval. This case's applicant does own other adjacent tracts in this area. This is just the first rezoning they have requested.

Board Discussion: Julie Talbert would like to see conditions set on this property, and to make the growth intentional. Michael Lee commented that harm could come to the

surrounding residential properties from this rezoning. Tim Wyatt stated that this rezoning is compatible with the adjacent Industrial land use across US 220.

Tim Wyatt moved to recommend approval of the request and adopted the following statement. This request is consistent with the adopted Land Use Plan, it is reasonable request for the area, and is in the public interest. Philip Stone seconded. The Board voted 5-0, to recommend approval of this case to the Board of Commissioners. One member abstained from voting, Michael Lee, his vote counted for the request.

Planning Board was adjourned.

Board of Adjustment Convened.

- d) **VARIANCE REQUEST # 2020-11, Peters:** A request for a Variance from UDO Chapter 1, Article II to allow a Home Occupation in a building other than the dwelling. 1143 Whetstone Creek Rd, Tax PIN 7957-02-57-6941, Mayo Township.

Carrie Spencer presented the case based on the staff report and the application submitted by the applicant. She stated that building the applicant wishes to use for her home occupation was previously used as commercial car wash. Its commercial use is not grandfathered into conformance because it has been in disuse for multiple years.

Tim Wyatt, asked why they could not have applied for a Special Use Permit to operate Rural Family Occupation. The applicant's property does not meet the acreage requirement for a Rural Family Occupation.

Deborah Peters, of 1143 Whetstone Creek Rd, took the stand as the applicant. She stated that she wishes to operate her existing business on her property.

Julie Talbert asked the applicant what the nature of her business is. Peters answered Therapeutic Massage, with only one client at a time. Tim Wyatt, asked about the operation of the structure as a carwash. It has not been used for over 10 years.

Michael Lee motioned for approval and adopted the following statement, Julie Talbert seconded. Strict application of the ordinance would prevent Deborah Peters from conducting a business from her home causing her unnecessary hardship, the hardship is particular to her property because of its size, the hardship did not result from actions taken by the property owner, and the variance is consistent with the spirit and intent of the UDO. The Board voted 5-0 to approve the variance.

The Board of Adjustment adjourned and reconvened as the Planning Board.

6. OTHER BUSINESS

a) Old Business

- Land Use Plan update: The Consultant, Destination by Design has restructured the UDO and will present it to the Land Use Plan steering committee this week.

b) New Business

7. ADJOURN

Julie Talbert motioned, Philip Stone seconded. The Board 5-0 voted to adjourn at 8:27pm.

Minutes Read and Approved,

Respectfully submitted,

Chairperson, Planning Board

Date

Planning Staff

Date