

**MINUTES OF THE REGULARLY SCHEDULED MEETING OF:
THE ROCKINGHAM COUNTY PLANNING BOARD**



**BOARD OF COMMISSIONERS CHAMBERS
ROCKINGHAM COUNTY GOVERNMENTAL CENTER
371 NC HIGHWAY 65, REIDSVILLE (WENTWORTH), NC
OCTOBER 28, 2019 AT 7:00 PM**

MEMBERS PRESENT: T. Matt Cardwell
James Fink
James Harris
Paul Ksieniewicz
Mike Lee
Julie Talbert
Timothy Wyatt

MEMBERS ABSENT: Ann Cunningham

STAFF PRESENT: Carrie Spencer, Planning Director
Emily Bacon, Planner
Roy Sawyers, A/V Tech
Bricen Wall, Code Enforcement Officer

I. CALL TO ORDER

**PAUL K CALLED TO ORDER THE REGULARLY SCHEDULED MEETING OF THE
ROCKINGHAM COUNTY PLANNING BOARD AT 7:01 PM.**

II. INVOCATION

Mr. Harris conducted the invocation.

III. REVIEW OF PROCEDURES

Vice Chairperson Cunningham reviewed procedures. There were no minutes to review.

Speakers were sworn in by Paul K.

IV. PLANNING BOARD PUBLIC MEETINGS

1. Case # 2019-021: Rezoning Request for Tax Pin: 7913-00-50-8532 to rezone from RA to RP-CD. The applicant requests the condition that a major subdivision on this parcel be limited to 10.

Mrs. Spencer presented the case. She noted that this is an applicant who has reapplied with different conditions but that had a similar case heard earlier this year.

The board asked Mrs. Spencer some questions.

Speakers signed up to speak were invited to take the stand.

Bill Craney, of 8311 Patricia Drive, who is the land owner Diane Priddy's brother in-law. He spoke about this rezoning expressing family support. They can no longer care for the land and wish to sell it.

Several members of the board asked questions about how the land has been previously used. The land has been previously farmed and timbered.

Bonnie Mills, of 8312 Patricia Drive in Stokesdale, one of the landowners, stated that the land has not made enough money to pay its taxes and they would really like to sell the land.

John Gentry Jr., of 1117 Gideon Grove Church Rd, a farmer is concerned about water levels. Runoff and light pollution will be created by a major subdivision on Gideon Grove Church Rd. There is a high volume of heavy-duty trucks that use the road for construction projects.

Board members asked him questions. He has lived on this road his whole life, it is one of the last of his family's farms left in this area. He has not spoken to the Sheriff, NC DOT, or the Commissioners about his complaints. In his opinion this road is in a rural area and farmers should still be able to safely use this road to access different fields with farm equipment etc.

Robert Griffin Jr., of 1138 Gideon Grove Church Rd, took the stand to express opposition for this rezoning. He believes this area should stay rural.

PAUL K OPENED THE FLOOR FOR MOTIONS. MRS. CUNNINGHAM MOTIONED FOR APPROVAL. IT FITS WITHIN THE LANDUSE PLAN, AND FITS WELL WITH THE CONTEXT OF THE COMMUNITY. JULIE TALBERT SECONDED. VOTE WAS (4-2). MATT CARDWELL AND JAMES HARRIS VOTED AGAINST APPROVAL.

2. Text amendment Case# T2019- 003. Mailing Notices.

The case was presented Carrie Spencer. It was requested by Board of Commissioners to change the required mailing radius from adjacent parcel owners to residences within 1000 ft.

Mrs. Cunningham asked if that was from the edge of the property or the center.

PAUL KSIENIEWICZ ASKED FOR MOTIONS. JUILE TALBERT MOTIONED FOR APPROVAL. ANN CUNNINGHAM SECONDED. THE BOARD VOTED UNANIMOUSLY (7-0) TO APPROVE THE TEXT AMENDMENT AS PROPOSED.

~* PAUL KSIENIEWICZ CALLED FOR A MOTION TO ADJOURN AS PLANNING BOARD AND RECONVENE AS BOARD OF ADJUSTMENT. MRS. TALBERT MOTIONED TO DO SO, JIM HARRIS SECONDED. *~

MATT CARDWELL MADE A CONFLICT OF INTEREST FOR THE VARIANCE CASE KNOWN TO THE BOARD. JULIE TALBERT MOTIONED TO RECUSE MR. CARDWELL FROM THE MEETING. JIM HARRIS SECONDED THAT MOTION. THE BOARD VOTED (7-0) TO RECUSE HIM OF VOTING.

PAUL KSIENIEWICZ WENT OVER BOARD OF ADJUSTMENT PROCEDURES.

BOARD OF ADJUSTMENT PUBLIC HEARING

1. **VARIANCE CASE# 2019-019:** 270 Woodsong drive. A request for the applicant to build 30 ft from their front property line.

Mrs. Spencer presented the case based on the Staff Report, and recommended approval. She highlighted what is needed to grant a variance.

Paul Ksieniewicz, swore in the applicant Patrick Williams.

Patrick Williams, of 270 Woodsong Drive, took the stand as the applicant. This variance is requested because of a permitted residential construction project that is already underway. In May of 2019 he applied for permits to enclose his home's garage so that he could homeschool his children. He wanted to add a porch so that closing in the garage did not look funny. Currently they have French doors that are off of the ground and no steps. When he went to get the garage inspected it was brought to his attention by a building inspector that he was not meeting setbacks. He got all of the required permits. Setbacks were not noted on a site plan with the permit. He was not aware that the setbacks were an issue, and had obtained all of the required permits.

Mrs. Spencer was sworn-in to testify about permitting protocol. That site plans are now required as part of issuing of a zoning permit. That protocol was added in June of 2019. His permit was issued in May of 2019 prior to that protocol.

Williams was recalled and he submitted his permits as evidence. Mrs. Spencer was recalled to corroborate the permits and insure that this is all of the documents that he was given were real.

Paul Ksieniewicz asked for a motion. Julie Talbert motioned to approve it this variance with the following motion. Due to the fact that Williams had not created this hardship himself, since he bought a home that was already built, and that he had obtained all of the correct permits, his variance should granted. James Fink seconded. The Board voted (5-0).

The Board motioned to adjourn and reopen the Planning Board meeting. Ann Cunningham seconded, the Board voted (6-0).

No old business

New business

1. Planning Board recommendations:

- a. Paul Ksieniewicz has been nominated by Julie Talbert to be Chairperson. James Fink seconded. The Board voted 5-0 to recommend Ksieniewicz as Planning Board Chairperson to the Board of Commissioners.
- b. Julie Talbert was nominated to be Vice Chairperson by Paul Ksieniewicz. Ann Cunningham seconded. The Board voted 5-0 to recommend Talbert as Planning Board Vice-Chairperson to the Board of Commissioners.

2. Land use plan: A design consultant has put in a proposal to do the land use plan.

James Harris asked if applicant has to be present. The applicant does not need to be there but maybe if they need to hear to get proper evidence.

Vote to adjourn. James Harris motioned. Julie Talbert seconded. The Board voted 5-0 to adjourn.

VI. ADJOURN

AS THERE WAS NO FURTHER BUSINESS, MR. WYATT OPENED THE FLOOR FOR MOTIONS TO ADJOURN. MRS. TALBERT MOTIONED TO ADJOURN AND MR. LEE SECONDED. THE BOARD VOTED UNANIMOUSLY TO ADJOURN (7-0) at 7:32 PM.

Minutes Read and Approved,

Respectfully submitted,

Chairperson, Planning Board Date

Planning Staff Date