

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



**BOARD OF COMMISSIONERS CHAMBERS  
ROCKINGHAM COUNTY GOVERNMENTAL CENTER  
WENTWORTH, NC  
APRIL 11, 2022 AT 6:30 PM**

MEMBERS PRESENT: Paul Ksieniewicz, Chairperson  
Julie Talbert, Vice-Chairperson  
James Fink  
Cyndy Hayworth  
Dylan Moore  
Cory Scott

STAFF PRESENT: John Morris, County Attorney  
Hiram Marziano, Community Development Director  
Lynn Cochran, Senior Planner  
Ben Curry, Code Enforcement Officer  
Bricen Wall, Code Enforcement Officer

**I. CALL TO ORDER**

Chairperson Ksieniewicz called to order the regularly scheduled meeting of the Rockingham County Board of Adjustment at 6:30 pm.

**II. INVOCATION**

Mr. Scott conducted the invocation.

**III. ADOPTION OF THE AGENDA**

Chairperson Ksieniewicz confirmed a quorum for conducting business. Mrs. Talbert motioned to adopt the agenda as written. Mr. Scott seconded. The board voted unanimously to adopt the motion (6-0).

**IV. APPROVAL OF MINUTES**

November 8, 2021 – Mr. Ksieniewicz noted a correction needed to a name in section 6, last page, next to last paragraph. With the corrections, Mrs. Talbert motioned to adopt the minutes, Mr. Scott seconded. The board voted unanimously to adopt. (6-0)

\*Chairperson recognized staff to make an announcement. Mr. Cochran addressed attendees, announcing that Case 2022-07, which had been scheduled to be heard this evening, had been postponed until the June Planning Board meeting at the earliest.

**V. PROCEDURES FOR LEGISLATIVE HEARINGS**

Mr. Ksieniewicz reviewed the procedures for legislative (zoning amendment hearings).

## VI. MATTERS BEFORE THE BOARD

- a. Rezoning Request 2022-04: A request to rezone two parcels of land from Residential Agricultural (RA), Residential Protected (RP) and Light Industrial (LI) to Residential Protected Conditional District (RP-CD) for a major subdivision. Tax PINs: 7921-02-59-4942 (two portions) & 7921-02-59-4942, located at along Friddle Road, Bennett Farm Road and US 220 – Huntsville and New Bethel Townships.

Mr. Cochran presented the application request and packet information to the board, including staff recommendation to approve the request. He noted the purpose of the request, a residential subdivision, and pointed out the conditions. He noted a creek that is present on the parcel, which will require bilateral 30-foot riparian buffers. He described the aspects of the G-3 Land Class which support this request. Mr. Cochran noted the requested conditions, noting that they are in addition to all other allowed uses in the Residential Protected (RP) zoning district. He referenced the current UDO lot width and set back standards in relation to the requested conditions.

Mr. Ksieniewicz asked for clarification regarding the 40-foot lot widths. He noted that they seem small. Mr. Cochran noted that this minimum lot width is allowed according to the UDO dimensional standards table for single-family homes, thus the recommendation for the minimum side yard setback reduction to five feet. Mr. Cochran relayed that staff is currently working on a suggested complete update to the dimensional standards table to clarify conflicting points. Mr. Ksieniewicz asked how many lots are planned within the subdivision. Mr. Cochran responded that he believed it is in the 200s, but deferred to the applicant to confirm.

Mrs. Talbert asked how close this subdivision comes to being a clustered development of the type envisioned in the G-3 Land Class. Mr. Cochran pointed out that this project is not technically a clustered development or subdivision according to the UDO definition. He noted there are no standards for a cluster subdivision included in the zoning or subdivision ordinances, only in the watershed ordinance. Mrs. Talbert asked if this project will meet the goal of what a cluster development is envisioned to be. Mr. Cochran stated that it does to a certain extent, given the medium to high density nature of the subdivision relative to historical subdivision standards. Mrs. Talbert noted that this request seems to be the first of its kind according to the newly adopted land use plan and ordinance goals. Mr. Cochran agreed, noting the specificity of the conditions for lots.

Mr. Scott asked if the conditions allowed with this request are granted, would it create the first of a unique type of subdivision in Rockingham County. And, in doing so, if the planning board would be setting a precedent. Mr. Cochran confirmed that this will be the first of new class of subdivisions but noted that the concept of precedence wouldn't apply since different conditions can be requested with any given rezoning application, significantly changing the nature of individual residential developments on a case by case basis.

Mrs. Hayworth asked about the number of lots proposed in the original site plan versus the addition of another parcel to the rezoning request. Mr. Cochran and Mr. Marziano replied with a recollection of a lot number in the 190s as part of the original request. She then asked to confirm that all allowed uses in the RP district would be permitted with this rezoning and that the conditions are additional in nature. Mr. Cochran confirmed this and pointed out that the number of permitted uses in the RP district is lower and more limited than other residential districts.

Brent Nesom of 8518 Triad Drive, Colfax NC, FEI Engineering and Surveying addressed the board as applicant. He addressed the question of smaller lots and setback requirements, stating that the current plans do not include lots that small but the request was made because 40-foot lot widths are allowed

according to the dimensional standards table and having this option will allow more flexibility in how lots will be created and developed. He noted that even though the maximum density would be five (5) dwellings per acre in this subdivision, with access to public water and sewer, the topography and other issues prevent a full lot yield that high. He noted that the total proposed lot count with the addition of the Knight parcel would be around 300, creating a density of about 3.5 dwellings per acre. Mr. Nesom noted that he and the other applicants from Allied Development have worked closely with planning staff, engineering and utilities, NC DOT and the fire marshal's office.

Mrs. Hayworth asked for clarification regarding the average planned lot widths. Mr. Nesom confirmed that the current plans rely primarily on lot widths of 50 and 60 feet, not the allowed minimum of 40 feet.

Mrs. Talbert asked about the build-out time frame. Mr. Nesom replied that the TRC planning stage would likely take about six months and that no ground-breaking would likely take place before the autumn of 2022.

Mr. Ksieniewicz asked about the total build-out time for the entire project. Mr. Nesom stated that he really couldn't provide an accurate estimation of that at present, noting the project will be phased into sections, each developed in a sequential process. The current number of planned phases is four (4) to five (5).

Mrs. Talbert asked approximately how many homes would be planned in the first phase. Mr. Nesom stated that, subject to change, about 50 lots and homes would be planned for phase 1. Mr. Ksieniewicz commented that given the number of phases and lots in each phase, this would appear to be a five (5) to six (6) year build-out.

Mr. Fink asked about the possibility of including greenways and trails in the plans since they are called for in the G-3 Land Class development process. Mr. Nesome replied that these are possible and that these can be discussed at the TRC level, along with planning staff. Mr. Fink asked what type of trails might be proposed. Mr. Nesome replied that walking trails would be proposed first. Mr. Fink asked about bike trails. Mr. Nesome replied that bike trails could be included.

The board posed no additional questions.

Nancy Bennett of Bennett Farm Road, Stokesdale addressed the board with concerns about this project. She relayed a primary concern about the use of Bennett Farm Road on the north end of the project area. This road is currently a private, graveled roadway used by a limited number of local residents. She added concerns about the number of possible homes proposed with this rezoning and the increase in the number of people potentially living in the area, increased traffic and increased noise. She described the current nature of lots in her neighborhood, most of which are 1.5 acres or larger and many of which are occupied by manufactured homes and stated that the area is primarily rural. She stated that she moved to Rockingham County from Greensboro specifically seeking less densely populated, rural living environment.

Mr. Ksieniewicz replied that it is a current goal of state-level planning and development guidelines to increase housing density, especially in rural areas where farm land is often converted into large-lot residential subdivisions. He asked the applicant, Brent Nesom if any of the proposed lots with frontage on Bennett Farm Rd will pull their driveways from the road. Mr. Nesom confirmed that no lots will be accessed by driveways on Bennett Farm Rd.

Brent Nesome returned to speak in rebuttal to expressed concerns. He confirmed that the portion of Bennett Farm Rd that is a private road will be brought up to minimum NC DOT specifications for state-maintained roads as part of this development process.

Mr. Hayworth inquired about proposed lot sizes, including potential 40-foot wide lots. Brent replied that the conditional request for this minimum lot width is based in the requirements of the current dimensional standards table contained in the UDO.

Mr. Marziano addressed the board, clarifying that the requested conditional approvals for reduced setback requirements will only apply to 40-foot wide lots. Larger lots will be subject to the standard UDO dimensional standards and setbacks. Mr. Cochran concurred.

**There was no further discussion. Mr. Ksieniewicz opened the floor for board motions and voting. Mrs. Talbert motioned to recommend approval of the request as reasonable and consistent with the Rockingham County Land Use Plan, future land use map and current land uses in the local area, including the conditional approvals as described in the staff report. Mr. Scott seconded. The board voted unanimously to recommend approval of the conditional rezoning request (6-0).**

- b. Rezoning Request 2022-05: A request to rezone two parcels of land from Residential Agricultural (RA) to Light Industrial (LI). Tax PINs: 7921-01-39-5888 (two portions) and 7921-01-17-2668 (two portions), located along Sylvania Road and Boone Road – Huntsville Township.

Mr. Cochran presented the application request and packet information to the board, including staff recommendation to approve the request. He noted that the subject parcels are immediately west, across US 220 from Case 2022-04. The subject parcels are immediately north and west of those that are in development as part of the South Rockingham Corporate Park. He also noted that a portion of the parcel area is located within the protected Troublesome Creek WS III drinking water watershed. Thus, the noted area will be subject to the regulations contained in the applicable watershed ordinance as part of the UDO. He pointed out that the land use plan encourages linking parcels in this area by greenways and trails.

The board members posed no questions.

Al Leonard, Senior Vice President of Carroll Companies, also of 201 N Elm Street, Greensboro NC took the stand representing the applicant. He provided information handouts to the board members. He described the two current SRCP projects and provided photos to demonstrate the type of facilities that will be developed if this rezoning application is approved. He noted that he is in talks with the Fire Marshall's office and that the company's environmental consultant has surveyed the streams and wetlands located on a portion of the subject parcels.

Mr. Ksieniewicz asked if the Ontex Building (SRCP spec building #1) is occupied with operations in place. Mr. Leonard confirmed that Ontex has started up operations in the building.

There were no additional questions.

Daryl Aheron of 231 Boone Rd, Stokesdale NC addressed the board with concerns regarding well contamination and waste. Mr. Ksieniewicz replied, confirming that all developments within SRCP are and will be served by public water and sewer. Mr. Aheron stated that he has understood the watershed protections in the area to be "critical." He also expressed concerns about noise. Mr. Ksieniewicz acknowledged Mr. Aheron's concerns and added that there are considered in detail when site plans for projects such as this are submitted for Technical Review Committee (TRC) review. He also described the professional membership of the TRC. Mr. Aheron asked about measures that might be put in place for

noise mitigation and landscaping. Mr. Marziano replied, describing the development requirements for non-residential projects contained in the UDO, which address landscaping, noise and sight barriers, and other site concerns. He also added that information regarding TRC meetings is made available on the County website for Planning & Zoning.

Ryan Angleses of 127 Sylvania Rd, Stokesdale NC addressed the board expressing concerns regarding buffers and screening, drainage and grading and how a local pond might be impacted by site development. He also described diverse wildlife in the area.

Richard Monday, member of the Davidson County Bar of 206 W 2<sup>nd</sup> Street, Lexington, NC, addressed the board as counsel for the Angleses. He expressed concerns about clear-cutting during development which might reduce the current forested areas near the Angleses parcel and reduced natural landscape barriers.

Wayne Thompson of 227 Boone Rd, Stokesdale NC addressed the board. He expressed concerns about contamination of his well water, the traffic supporting capabilities of Boone Rd, and the consistency of the rezoning request within the context of current residential development in the area. Mrs. Talbert replied, describing how the land use plan, nearby uses, statutes, the UDO and other factors are taken into consideration when recommending a decision on a rezoning request. She also described how each case request is often unique with differing sets of consideration. Mr. Thompson stated the he feels the concerns of the homeowners in the area are not being fully considered. Mr. Ksieniewicz replied with an explanation of the rezoning process and its considerations. Mrs. Hayworth replied also, describing the requirements for riparian buffers, watershed protections and other development standards that will apply to all industrial projects if the rezoning is approved. Mr. Moore expressed concerns about the limits of approved developments such as these. Mrs. Talbert replied, describing long-range US 220 corridor plans and the county land use plan which identify this area as targeted for commercial and industrial growth, along with other mixed uses. Mr. Moore repeated his concerns. Mr. Ksieniewicz replied that there are no arbitrary standards which would determine the limits of growth such as this. He also emphasized the efforts of professional planning staff in researching and preparing staff reports and recommendations. Mr. Fink asked if the Carroll Companies would be willing to work with neighbors on buffers, screening and other matters. Mr. Leonard stated that the companies would be willing to work with neighbors on reasonable matters in efforts to also be “good neighbors.”

**There was no further discussion. Mr. Ksieniewicz opened the floor for board motions and voting. Mrs. Hayworth motioned to recommend approval of the request as reasonable and consistent with the Rockingham County Land Use Plan, future land use map and current land uses in the local area. Mrs. Talbert seconded. The board voted unanimously to recommend approval of the rezoning request (6-0).**

- c. Rezoning Request 2022-06: A request to rezone a parcel of land from Residential Protected (RP) to Residential Agricultural (RA). Tax PIN: 7987-00-61-4622, located at 144 Dee Dees Drive – Wentworth Township.

Mr. Cochran presented the case for this rezoning application request. The majority of the subject parcel acreage is located in the County jurisdiction and 400 feet of parcel frontage is located in the Town of Wentworth. There is a dual rezoning process in place for concurrent hearings between the County and Wentworth, both for a change of district from RP to RA. Staff recommends approval of the request as reasonable and consistent with the county land use plan, UDO and other adopted plans. The primary interest of the landowner is access to a broader range of housing options.

The board posed no questions for staff or the applicant, who was present.

Mr. Ksieniewicz opened the floor for board discussion, motions and voting. As there was no discussion, Mr. Scott motioned to recommend approval of the request as consistent with the Rockingham County Land Use Plan, future land use map and current land uses in the local area. Mrs. Hayworth seconded. The board voted unanimously to recommend approval of the rezoning request (6-0).

VII. OTHER BUSINESS

- a. New Business: None
- b. Old Business: None

As there was no additional business, Mrs. Talbert motioned to adjourn the meeting. Mr. Fink seconded. The board voted unanimously to adjourn at 8:22 pm (6-0).

Minutes Read and Approved,

Respectfully Submitted,

Paul J. King      07/11/2022  
Chairperson                      Date

M. Talbert                      7/11/2022  
Planning Staff                      Date