

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



**BOARD OF COMMISSIONERS CHAMBERS
ROCKINGHAM COUNTY GOVERNMENTAL CENTER
WENTWORTH, NC
NOVEMBER 14, 2022 AT 6:30 PM**

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

MEMBERS ABSENT: Matt Cardwell

ALTERNATES PRESENT: Dylan Moore
John Roberts

STAFF PRESENT: Hiram Marziano, Community Development Director
Victoria Pedigo, Planner
Ben Curry, Code Enforcement Officer

I. CALL TO ORDER

Chairperson Ksieniewicz called to order the regularly scheduled meeting of the Rockingham County Planning Board at 6:31 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. Mrs. Hayworth seconded. The board voted unanimously to adopt the motion (6-0).

IV. APPROVAL OF MINUTES

October 10, 2022 – Mr. Scott motioned to adopt the minutes as written, and Mr. Fink seconded. The board voted unanimously to adopt the minutes. (6-0)

V. PROCEDURES FOR LEGISLATIVE HEARINGS

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

VI. MATTERS BEFORE THE BOARD

- a. Rezoning Request 2022-23 Jonmac: A rezoning request for the property denoted by Tax PIN 7923-03-34-0683, located at 161 Gold Hill Road in the New Bethel Township. The request is to conditionally rezone the property from Light Industrial Conditional Use (LI-CU) to Light Industrial Conditional District (LI-CD) for a site plan amendment per the original conditions.

Mr. Marziano presented the application request and packet information to the board, including staff recommendation to approve the request.

Mr. Ksieniewicz asked Mr. Marziano about setbacks and dimensions of the site plan. Mr. Marziano explained the site characteristics as well as its location next to a residentially zoned property. Mr. Ksieniewicz also asked if any calls were received, and Mr. Marziano stated that staff received one inquiry.

Mrs. Talbert asked about setbacks, acreage, residential dwellings, and location.

Mr. Scott inquired about the location of the proposed building as well as access to the lot in relation to the request for reduced setback approval along the southern parcel boundary. Mr. Marziano stated that given the current development of the parcel, safe access to the proposed building may be hindered without the allowance.

Mr. Fink had a question regarding property lines and symbology that Mr. Marziano clarified.

The applicant, Johnathan Bradshaw, located at 161 Gold Hill Rd in Madison, responded to questions from the Planning Board.

Mrs. Talbert asked about the proposed use of the structure and why the building is not being moved further back from the southern parcel boundary. Mr. Bradshaw replied that the building will be used for warehousing purposes and explained the presence of a loading ramp associated with a current structure on the parcel would prevent feasible and safe access. Mrs. Talbert also inquired about the nature of the business as well as delivery truck access needs. Mr. Bradshaw replied that the business is an electrical contracting enterprise and the regular large-truck deliveries are necessary.

There was no additional discussion. There were no speakers signed up for the public comment period.

Mr. Ksieniewicz opened the floor for additional discussion, board motions and voting. Mr. Scott noted that according to the current parcel map, the location of current structures confirms the information offered by Mr. Bradshaw. Mrs. Talbert motioned to “recommend approval of this rezoning request to rezone the specified parcel on the rezoning application to the requested zoning district based upon the consistency and reasonableness determination statements that are included in the agenda packet, submitted during the rezoning presentation and as may be amended, incorporated into the motion, to be included in the minutes, as well as any and all agreed-upon conditions, also incorporated into the motion.” Mrs. Hayworth seconded. The board voted unanimously to recommend approval of the rezoning request (6-0).

- b. Rezoning Request 2022-24 Phillips: A rezoning request for the property denoted by Tax PIN 7912-00-07-0741, located at 144 Honey Road in the Huntsville Township. The request is to rezone the property from Residential Protected (RP) to Residential Agricultural (RA).

Mr. Marziano presented the application request and packet information to the board, including staff recommendation to deny the request. He noted that staff had received two phone calls about the request. One caller wanted more information, whereas the other stated opposition to the request, noting concerns about neighborhood characteristics and lot clearing prior to rezoning approval.

Mr. Ksieniewicz asked about the lot clearing. Mr. Marziano replied that the clearing is legal as long as it is under one acre according to NC DEQ standards.

Mr. Scott added that he had visited the parcel and the land did appear to have been recently cleared.

Mrs. Hayworth asked for clarification about lot clearing, and Mr. Marziano added that the cleared area appears to be less than one acre. Thus, according to NC DEQ regulations, there would be no requirement for approval of an erosion control plan prior to clearing. The Rockingham County UDO does not contain regulations regarding land-clearing.

Applicant Amy Phillips, of 101 Fallbrook Dr. in Reidsville, addressed the Planning Board. She stated that she had previously purchased the mobile home, after which her grandfather had gifted her this parcel on which to place the home.

Mr. Ksieniewicz asked if all homes surrounding this parcel are stick built, and Mrs. Phillips responded that they are all stick built.

Mrs. Hayworth inquired as to whether the neighbors were in support of the rezoning. The applicant stated that the neighbors she had spoken with were all in support.

Mr. Kallam had a question regarding the type of underpinning, and Mrs. Phillips responded that it would be brick.

Mr. Ksieniewicz inquired about the staff recommendation for denial. Mr. Marziano stated that the denial recommendation was based in concerns about the potential conflict between of land uses allowed in the Residential Protected (RP) district vs. the Residential Agricultural (RA) district.

Mrs. Talbert asked if conditions could be placed on this rezoning and if this rezoning would go through the Technical Review Committee. The answer to both of these questions was no. Mr. Marziano stated that staff is considering allowing future manufactured home use in Residential Protected with specific development standards.

Mr. Ksieniewicz sought clarification about well and septic and Mr. Marziano replied.

Mr. Scott asked about prior manufactured home use rezoning cases as it pertained to this case. Mr. Marziano stated the importance of abutting parcels in this particular case.

Mr. Ksieniewicz asked the applicant whether she purchased the home before or after she was given the land, to which the applicant replied that she had purchased the home first.

There then followed discussion among the board members about the nature of the request, personal considerations for the applicant and the allowed uses in the Residential Agricultural (RA) district.

Danny Damon, at 170 Honey Rd, spoke in support of the applicant, who is his daughter. He explained that the family has long-term plans to live in this neighborhood.

Mr. Ksieniewicz opened the floor for additional discussion, board motions and voting. Mrs. Hayworth motioned to “recommend approval of this request to rezone the specified parcel to the zoning district requested in the application, based upon the consistency and reasonableness determination statements that are included in the Board agenda packet, submitted during the rezoning request presentation and as may be amended, incorporated into the motion, to be included in the minutes.” Mrs. Talbert seconded. The board voted unanimously to recommend approval of the rezoning request (6-0).

Mr. Marziano added that the final decision would be made at the Board of Commissioners meeting. This meeting will take place in December or January, depending on the Commissioners' schedules. Further, he reminded the applicant that the Commissioners may either approve or deny the rezoning request.

VII. OTHER BUSINESS

- a. New Business: None.

There was no new business.

- b. Old Business: None.

There was no old business.

As there was no additional business or discussion, Mrs. Talbert motioned to adjourn the meeting. Mr. Fink seconded. The board voted unanimously to adjourn at 7:17 pm (6-0).

Minutes Read and Approved,

Paul J. King 01/09/23
Chairperson Date

Respectfully Submitted,

Alyssa Cole 1/9/2023
Planning Staff Date