

STATE OF NORTH CAROLINA

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OFFICE OF THE COMMISSIONERS

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STOKES COUNTY GOVERNMENT

COUNTY OF STOKES

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DANBURY, NORTH CAROLINA

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OCTOBER 7, 2003

The Board of Commissioners of the County of Stokes, State of North Carolina, met in regular session (planning) in the Council Chambers of the Administrative Building, located in Danbury, North Carolina, on Tuesday, October 7, 2003, at 7:00 pm with the following members present:

Chairman Sandy McHugh
Vice-Chairman John Turpin
Commissioner Howard Mabe
Commissioner Leon Inman
Commissioner Joe Turpin

Darlene Bullins, Clerk to the Board

Chairman McHugh introduced newly appointed County Manager Rick Morris who was also in attendance at the meeting. Mr. Morris will assume the County Manager's position on October 14th. Mr. Morris delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman McHugh opened the meeting by inviting the citizens in attendance to join the Board with the Pledge of Allegiance.

PUBLIC HEARING – SCATTERED SITE REHABILITATION HOUSING PROGRAM

Chairman McHugh called the Public Hearing for the Scattered Site Rehabilitation Housing Program to order.

There were no public comments concerning the Scattered Site Housing Program.

Chairman McHugh adjourned the Public Hearing for the Scattered Site Rehabilitation Housing Program.

PUBLIC HEARING – BIG DAN LAKE CLUB INC. –Special Use Permit Request

Chairman McHugh called the Public Hearing for the Big Dan Lake Club Inc. – Special Use Permit Request – 5 RV Park/Campground to order.

The following individuals spoke during the Public Hearing concerning the Big Dan Lake

Club Inc. request:

James Flippin

1065 North 40 Drive
Westfield, NC 27053

Mr. Flippin spoke in favor of the Big Dan Lake Club Inc. – Special Use Permit Request – 5 RV Park/Campground.

Frank Gordon

1168 Tom Gordon Road
King, NC 27021

Mr. Gordon, Board of Directors' Member, spoke in favor of the Big Dan Lake Club Inc. – Special Use Permit Request – 5 RV Park/Campground. (owns Lot #30)

James Cheek

PO Box 162
Westfield, NC 27053

Mr. Cheek, President of the Board of Directors, spoke in favor of the Big Dan Lake Club Inc. – Special Use Permit Request – 5 RV Park/Campground. Mr. Cheek stated that all regulations of the Club's By Laws had been followed and the vote was 32 to 24 in favor of the request. (owns Lot #18)

Larry Joyce

1235 Joyce Mill Road
Westfield, NC 27053

Mr. Joyce presented the Board with a copy that detailed information since the annual 2003 meeting for Big Dan Lake, Inc. on January 4, 2003 till the approval of the projects on May 24, 2003. Mr. Joyce spoke in favor of the Big Dan Lake Club Inc. – Special Use Permit Request – 5 RV Park/Campground. (submitted information will be attached to the approved minutes) (owns Lot #58)

Ernest Rogers

1450 Jessup Road
Westfield, NC 27053

Mr. Rogers, (member for over 50 years, past president, owns Lot #101) presented the Board with a petition with 65 signatures of members who opposed the Big Dan Lake Club Inc. – Special Use Permit Request – 5 RV Park/Campground. (submitted petition will be attached to the approved minutes) Mr. Rogers expressed that most of the members were not opposed to the camping but opposed to where the sites had been chosen and expressed concerns over who would oversee and award the sites to campers and on what day. Mr. Rogers also questioned who would be in charge of the campsites and the campers.

Becky White

1057 Lakeshore Lane
Mount Airy, NC 27030

Ms. White, owns 2 lots and live at the lake year round, spoke in opposition of the Big Dan Lake Club Inc. –Special Use Permit Request – 5 RV Park/Campground. Ms. White also stated that the membership had been given misinformation about hooking up the septic system, which would be against County regulations. Due to the misinformation, the issue should be returned back to the membership for a new vote.

Gloria Cameron

1220 Lakeshore Lane
Mount Airy, NC 27030

Ms. Cameron was not present to speak.

Chairman McHugh adjourned the Public Hearing for the Big Dan Lake Club – Special Use Permit Request – 5 RV Park/Campground.

GENERAL GOVERNMENT-PLANNING & COMMUNITY DEVELOPMENT BIG DAN LAKE CLUB INC – SPECIAL USE PERMIT REQUEST

Planning Director David Sudderth presented the Special Use Permit Request – 5 RV Park/Campground for Big Dan Lake Club Inc. to the Board.

**Big Dan Lake Club, Inc
Special Use Permit # 149
RV Park and Campground**

Director Sudderth presented the following information to the Board concerning the Special Use Permit Request:

REQUEST: Obtain a special use permit for an RV Park/ Campground (5) sites.

SITE OWNER: Big Dan Lake Club, Inc

APPLICANT: Big Dan Lake Club, Inc

SITE LOCATION: The property is located at the end of Wildlife Rd. in the Big Dan Lake Subdivision near the swimming pool.

Map: 509101 **Parcel:** 1669 **PIN #:** 5091-01-17-1669

Deed Book: 120 **Page:** 630 **Township:** Big Creek

SITE INFORMATION:

PARCEL SIZE: Total tract 24.680 acres.

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED USE: Campground RV / Park (5) sites on approximately .457 acres of 24.680 acre parcel.

FLOOD HAZARD AREA: Proposed site not located in flood hazard area.

FIRM MAP #: 370362 0025 B

FIRM MAP ZONE: Zone X - Area outside 500-year floodplain.

WATERSHED DISTRICT: N/A

SEPTIC/WATER APPROVAL: The site has been reviewed and approved for septic by the Stokes County Health Department (Environmental Health Section) for five (5) lots. The campground will be served by a well.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Francisco VFD, EMS –Lawsonville #102

EROSION CONTROL: At time of construction if necessary.

ACCESS: The proposed campground will have driveway access off of the private road Wildlife Rd. The access to the Big Dan Lake Club, Inc. subdivision comes off of Wildlife Rd. (SR# 1419) and continues as a private gravel road (Wildlife Rd. # 10206) to the proposed site. The road and the subdivision are accessible only through a gate located at the end of the state road. The applicants are required by the conditions of the ordinance to upgrade the private road to an all weather road (paved) and serve each campsite from this road.

SURROUNDING LAND USE: The surrounding land uses consist mainly of residential and club land.

ISSUES TO CONSIDER:

Impact on surrounding club development.
Impact on community infrastructure, traffic, public services etc.
Better accessibility to the site with the upgrading of the private road.

STAFF COMMENTS: The Planning staff does not see any major problems with the request if the applicant is able to meet all the applicable requirements for the issuance of the Special Use permit to operate a RV campground. The requirements for a "Campground R/V park are listed below. The proposed camp location has a history of recreational use and is located near the club's swimming pool and lake. The limited number of requested sites would mainly affect those who own property within the Big Dan Lake Club subdivision. As with all special use permit request the Board must review the request under the procedures for granting special uses.

Conditions for Special Use Permit.

Campground, RV Park (Temporary Occupancy)

1. Property shall be accessed from a street/road maintained and approved by the North Carolina Department of Transportation and able to serve any emergency vehicle (s).
2. The park shall have all weather roads and driveways that directly abut all spaces.
3. Parking space shall be provided to accommodate at least one (1) automobile and camping vehicle for each camping spaces.
4. A safe, adequate and conveniently located water supply shall be provided for each park in compliance with applicable regulations.
5. Each park shall provide a sewage disposal/dumping facility, approved by the Stokes County Environmental Health Department. Any dumping facility shall be located one hundred (100) feet from any adjoining property line, structure or campsite.
6. No Class A, B, manufactured home shall be allowed to be set-up or stored in a recreational park, except for a home being used exclusively for the park manager or operator dwelling.
7. The recreational park may contain a retail sales counter and/or a coin operated machines for the park residents' use only, provided they are completely enclosed within a structure and there is no exterior advertising.
8. Garbage and refuse disposal shall be provided in a permanent dumpster container (s). Each dumpster shall be enclosed by a wood fence of at least six (6) feet in height to prevent debris from leaving the containment area.
9. The use shall be of a temporary nature and the same occupant shall not occupy any campsite, cabin, or vehicle for a period of more than ninety (90) days.
10. All parking shall be on site in a designated area for that purpose.
11. The use shall be located on tracts of land that are at least 10 contiguous acres, unless otherwise determined by the Board.

Section 136 Procedures for obtaining a Special Use Approval

136.1 Intent of Special Use District

The development and execution of this Ordinance is based upon the division of the County's jurisdiction into districts where the use of the land and buildings and structures in relation to the land are substantially uniform. It is understood that certain uses which because of their unique characteristics, are not easily classified into any particular zoning district or districts. In this situation, individual consideration for each case must be taken to determine the impact of those uses upon surrounding land and the public need for that particular use in that specific location. In these situations, a special use permit must be obtained.

136.8 Action by the Responsible Body

The responsible body shall approve, modify, or deny the application for special use following the public hearing. In granting a special use, the responsible body shall insure:

- (a) The requested use is listed among the special uses in the district for which application is made.
- (b) The requested use is essential or desirable to the public convenience or welfare.
- (c) The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare.
- (d) Due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds, recreational area, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land.
- (e) Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.
- (f) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

136.9 Conditions and Guarantees

Prior to the granting of any special use, the Planning Board may recommend, and the responsible body may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in Subsection 136.5 above. In all cases in which special uses are granted, the responsible body shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated are being met. Conditions may include, but not limited to, the following:

- (a) Conditions may be imposed to abate or restrict noise, smoke, dust, or other elements that may affect surrounding properties.
- (b) Establish setback, side, front, and rear yard requirements necessary for orderly expansion and to prevent traffic congestion.
- (c) Provide adjoining property with a buffer or shield from view of the proposed use if necessary.
- (d) Establish a time limit at expiration of which the permit or approval shall no longer be valid, or shall require renewal.

PLANNING BOARD RECOMMENDATION: The Planning Board recommended by a vote of 8 to 0 to approve the Special Use permit request for (5) RV campsites. The Board felt that the development plan met the criteria for issuing a Special Use permit.

Mr. Sudderth noted several in attendance at the Planning Board Meeting and the following telephone calls:

Gray Joyce – owns Lot #7 – favor of camping
June Tilley – owns Lot #55 – favor of camping
Judy and Gilmer Jessup – owns Lot #39 – favor of camping
Carlton & Patti Martin – lot owners – opposed the Special Use Permit

Mr. Sudderth concluded that the mentioned Deed Restrictions were not for the County to enforce.

The Board discussed the information presented by Director Sudderth, the misinformation concerning the septic system, majority of the Big Dan Lake Inc voting, and the Action by the Responsible Body (Board of Commissioners) that will affect all members of the Club and the Community.

Chairman McHugh moved to table the Special Use Permit Request for (5) RV/Park Campground until the next Planning meeting and request Big Dan Lake property owners to revisit the issue and tried to submit another plan that the majority of the landowners are content with. Commissioner Inman seconded and the motion carried unanimously.

Commissioner Inman noted that all property owners should be notified of the correct information concerning the septic system issue.

PUBLIC HEARING – WESLEY A. HAWKINS – RA to M-1-CU
(Extension of existing zoning district)

Chairman McHugh called the Public Hearing for the Wesley A. Hawkins Rezoning Request - RA to M-1-CU (Extension of existing zoning district) to order.

There were no public comments concerning the Rezoning Request for the Wesley A. Hawkins –RA to M-1-CU (Extension of existing zoning district)

Chairman McHugh adjourned the Public Hearing for the Wesley A. Hawkins Rezoning Request - RA to M-1-CU (Extension of existing zoning district).

Director Sudderth presented the Rezoning Request from Wesley A. Hawkins to rezone approximately .590 acres from RA (Residential Agricultural) to M-1-CU- (Light Manufacturing – Conditional Use) for Building Material Sales & Storage.

Wesley A. Hawkins RA to M-1-CU # 151

REQUEST: Rezone approximately .590 acres from RA (Residential Agricultural) to M-1-CU (Light Manufacturing – Conditional Use) for Building Material Sales & Storage.

SITE OWNER: Wesley A. Hawkins

APPLICANT: Wesley A. Hawkins

SITE LOCATION: The property is located on NC Hwy 704 near the intersection of NC 704 and Delta Ch. Rd. (SR# 1674) on Easy Hauling Dr. (Private Road)

Map: 697904 **Parcel:** 0256 **PIN #:** 6974-04-73-0256 **Zoning Map:** 226-44A

Deed Book: 274 **Page:** 09 **Township:** Snow Creek

SITE INFORMATION:

PARCEL SIZE: Total tract .590 acres, (25,692.92) sq.ft. to be combined with existing M-1-CU property 2.739 acres, (119,311) sq.ft. Total acreage in combined tracts will be 3.329 acres, (145,011 sq. ft.)

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: M-1-CU (Light Manufacturing Conditional Use)

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 370362 0050 B

FIRM MAP ZONE: Zone X - Area outside 500-year floodplain.

WATERSHED DISTRICT: WS-IV

SEPTIC/WATER APPROVAL: N/A at this time.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Northeast Stokes VFD, EMS –Lawsonville #102

EROSION CONTROL: N/A

ACCESS: The existing business has a driveway access off of NC Hwy 704. (Easy Hauling Dr.)

SURROUNDING LAND USE: The surrounding land uses consist of commercially zoned property and residential property. The applicant lives in front of the existing business and the tract requested to be rezoned. There is also other commercial zoning districts located on NC Hwy 704 near the proposed site.

ISSUES TO CONSIDER:

- Increase in tax value of the property.
- Existing commercial zoning districts near the property.

STAFF COMMENTS: The Planning staff does not see any problems with the request for expanding an existing zoning district where there is an active business. Easy Hauling & Landscaping occupies the existing 2.739 ac. M-1-CU zoning district that was approved on June 6, 1995. The additional acreage requested will allow the applicant to build a structure on the property to house equipment. The rezoning of this parcel would be consistent with the land use development pattern found along NC Hwy 704 and the current use of the surrounding property. The rezoning request comes to the Board as a conditional use-zoning district. When the property was rezoned in 1995, the following conditions were placed on the property.

1. All fuel storage and equipment maintenance will be conducted in a manner to meet all applicable codes and environmental regulations.
2. All storage area and equipment associated with the business shall maintain a 100 ft. setback from the Gaynelle D. Amos property. (PIN # 6979-04-63-3358)

PLANNING BOARD RECOMMENDATION: The Planning Board recommended by a vote of 8 to 0 to approve the rezoning request from RA to M-1-CU. The Board felt that the .590-acre expansion of the existing M-1-CU district was appropriate. The Board also approved the Conditional Use permit by a vote of 8 to 0 with a recommendation that the conditions remain the same as were placed on the original permit issued on June 6, 1995.

Director Sudderth noted that there had been no opposition to the rezoning request.

Chairman McHugh entertained a motion to approve the rezoning request from Wesley A. Hawkins to rezone approximately .590 acres from RA (Residential Agricultural) to M-1-CU- (Light Manufacturing – Conditional Use) for Building Material Sales & Storage.

Commissioner Joe Turpin moved to approve the rezoning request from Wesley A. Hawkins to rezone approximately .590 acres from RA (Residential Agricultural) to M-1- CU- (Light Manufacturing – Conditional Use) for Building Material Sales & Storage.

Commissioner Mabe seconded and the motion carried unanimously.

Director Sudderth presented the Planning Board's conditions that was placed on the property in 1995:

1. All fuel storage and equipment maintenance will be conducted in a manner to meet all applicable codes and environmental regulations.
2. All storage area and equipment associated with the business shall maintain a 100 ft. setback from the Gaynelle D. Amos property. (PIN # 6979-04-63-3358)

Mr. Sudderth requested the Board's approval for the conditional use permit:

CONDITIONAL USES

The responsible body shall approve, modify, or deny the application for conditional use following the public hearing. In granting a conditional use, the responsible body shall insure the following:

1. The requested use is listed among the conditional uses in the district for which application is made. (yes-unanimously)
2. The requested use is essential or desirable to the public convenience or welfare. (yes-unanimously)

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. (yes-unanimously)
4. Due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth or change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds, recreational area, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land. (yes-unanimously)
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.(yes-unanimously)
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. (yes-unanimously)

Commissioner Mabe moved to approve the conditional use permit for Wesley A. Hawkins.

Vice Chairman John Turpin seconded and the motion carried unanimously

PUBLIC COMMENTS

The following individual spoke to the Board:

Linda Hicks

1130 Rock Road
Pine Hall, NC 27042

Topic: Salary Proposal

Ms. Hicks expressed concerns over the proposed salary/incentive plan for County employees, using Hold Harmless funding, services effect in the County, and county employee salary increases. Ms. Hicks presented information to the Board concerning county salaries.

GENERAL GOVERNMENT – PLANNING AND COMMUNITY DEVELOPMENT

Director Sudderth noted the following comments to the Board:

Lot Size Acreage

Planning Board discussed the one-acre lot size and advised Director Sudderth to proceed with the issue.

Cellular Towers

Continued work being done for the possibility of a cellular tower in the Germanton area and possible location within this area.

Resignation of Planning Board Member

Mr. John Neal submitted his resignation-Meadows Township due to attending additional education and training for his job. The Planning Board had submitted David Chaney for a possible replacement.

There being no further business to come before the Board, Commissioner Mabe moved to adjourn meeting.

Commissioner Joe Turpin seconded and the motion carried unanimously.

Darlene Bullins
Clerk to the Board

Sandy McHugh
Chairman