

STATE OF NORTH CAROLINA

COUNTY OF STOKES

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OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
DECEMBER 2, 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, December 2, 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

County Manager Richard Morris
Darlene Bullins, Clerk to the Board

Chairman McHugh called the meeting to order.

Commissioner Inman 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.

GENERAL GOVERNMENT –GOVERNING BODY-APPROVAL OF MINUTES

Chairman McHugh entertained a motion to approve or amend the minutes of the November 24th meeting.

Chairman McHugh requested to amend the minutes by inserting the following wording: "For one CAP Worker"

Social Services – Budget Amendment #44

DSS Director Spencer stated that additional wages are being paid **for one CAP Worker** for after hours and weekend work for the CAP Program due to the vacancies.

Vice Chairman John Turpin requested to amend the minutes by replacing residents with EMS Personnel:

Surry Community College Request for Surplus Ambulances

Vice Chairman John Turpin requested Manager Morris to seek any arrangement for continuation education for Stokes County **EMS Personnel** in lieu of donating/selling the surplus ambulances.

Commissioner Joe Turpin moved to approve the minutes of the November 24th minutes with the noted amendments.

Commissioner Inman seconded the motion carried unanimously.

GENERAL GOVERNMENT – GOVERNING BODY – RESIGNATION OF COUNTY ATTORNEY TYRONE BROWDER

Chairman McHugh announced the resignation of County Attorney Tyrone Browder.

Chairman McHugh stated that County Attorney Browder had graciously resigned effective December 2, 2003.

Chairman McHugh acknowledged the dedicated service Attorney Browder had given the County for many years and expressed the Board's appreciation for his service rendered to Stokes County.

Chairman McHugh turned the meeting over to Clerk to the Board Darlene Bullins for selection of Chairman.

GENERAL GOVERNMENT – GOVERNING BODY – REORGANIZATION OF THE BOARD

Chairman

Clerk to the Board Darlene Bullins opened the floor for nominations for Chairman of the Stokes County Board of Commissioners.

Vice Chairman John Turpin nominated Commissioner Sandy McHugh to serve as Chairman of the Stokes County Board of Commissioners.

Commissioner Joe Turpin seconded the nomination.

There were no other nominations for Chairman.

Clerk to the Board Darlene Bullins entertained a motion to close the nominations.

Commissioner Joe Turpin moved to close the nominations for Chairman of the Stokes County Board of Commissioners.

Vice Chairman John Turpin seconded and the motion carried unanimously.

The appointment of Commissioner Sandy McHugh to serve as Chairman of the Stokes County Board of Commissioners was unanimous.

Clerk to the Board Darlene Bullins turned the meeting back over to Chairman Sandy McHugh.

Vice Chairman

Chairman Sandy McHugh opened the floor for nominations for Vice Chairman of the Stokes County Board of Commissioners.

Chairman McHugh nominated Commissioner John Turpin to serve as Vice Chairman of the Stokes County Board of Commissioners.

Commissioner Joe Turpin seconded the nomination.

There were no other nominations for Vice Chairman.

Chairman McHugh entertained a motion to close the nominations.

Commissioner Joe Turpin moved to close the nominations for Vice Chairman of the Stokes County Board of Commissioners.

Commissioner Inman seconded and the motion carried unanimously.

The appointment of Commissioner John Turpin to serve as Vice Chairman of the Stokes County Board of Commissioners was unanimous.

Clerk to the Board

Chairman Sandy McHugh opened the floor for nominations for Clerk to the Board of the Stokes County Board of Commissioners.

Commissioner Joe Turpin nominated Darlene Bullins to serve as Clerk to the Board of the Stokes County Board of Commissioners.

There were no other nominations for Clerk to the Board.

Chairman McHugh entertained a motion to close the nominations.

Commissioner Inman moved to close the nominations for Clerk to the Board of the Stokes County Board of Commissioners.

Commissioner Joe Turpin seconded and the motion carried unanimously.

The appointment of Darlene Bullins to serve as Clerk to the Board of the Stokes County Board of Commissioners was unanimous.

County Attorney

Chairman Sandy McHugh opened the floor for nominations for County Attorney of the Stokes County Board of Commissioners.

Vice Chairman John Turpin nominated Staff Attorney Jonathan Jordan to serve as County Attorney of the Stokes County Board of Commissioners.

Commissioner Joe Turpin seconded the nomination.

There were no other nominations for County Attorney.

Chairman McHugh entertained a motion to close the nominations.

Commissioner Inman moved to close the nominations for County Attorney of the Stokes County Board of Commissioners.

Commissioner Joe Turpin seconded and the motion carried unanimously.

The appointment of Staff Attorney Jonathan Jordan to serve as County Attorney of the Stokes County Board of Commissioners was unanimous.

Budget Officer

Chairman Sandy McHugh opened the floor for nominations for Budget Officer for Stokes County.

Commissioner Mabe nominated County Manager Richard Morris to serve as Budget Officer for Stokes County.

Commissioner Joe Turpin seconded the nomination.

There were no other nominations for Budget Officer.

Chairman McHugh entertained a motion to close the nominations.

Vice Chairman John Turpin moved to close the nominations for Budget Officer for Stokes County.

Commissioner Joe Turpin seconded and the motion carried unanimously.

The appointment of County Manager Richard Morris to serve as Budget Officer for Stokes County was unanimous.

Finance Officer

Chairman Sandy McHugh opened the floor for nominations for Finance Officer for Stokes County.

Vice Chairman John Turpin nominated Finance Director Julia Edwards to serve as Finance Officer for Stokes County.

There were no other nominations for Finance Officer.

Chairman McHugh entertained a motion to close the nominations.

Commissioner Inman moved to close the nominations for Finance Officer for Stokes County.

Commissioner Joe Turpin seconded and the motion carried unanimously.

The appointment of Finance Director Julia Edwards to serve as Finance Officer for Stokes County was unanimous.

Fire Marshal

Chairman Sandy McHugh opened the floor for nominations for Fire Marshal for Stokes County.

Commissioner Inman nominated Brad Cheek to serve as Fire Marshal for Stokes County.

There were no other nominations for Fire Marshal.

Commissioner McHugh entertained a motion to close the nominations.

Commissioner Mabe moved to close the nominations for Fire Marshal for Stokes County.

Vice Chairman John Turpin seconded and the motion carried unanimously.

The appointment of Brad Cheek to serve as Fire Marshal for Stokes County was unanimous.

Emergency Management Director

Chairman Sandy McHugh opened the floor for nominations for Emergency Management Director for Stokes County.

Commissioner Mabe nominated Ricky Tuttle to serve as Emergency Management Director for Stokes County.

There were no other nominations for Emergency Management Director.

Chairman McHugh entertained a motion to close the nominations.

Vice Chairman John Turpin moved to close the nominations for Emergency Management Director for Stokes County.

Commissioner Joe Turpin seconded and the motion carried unanimously.

The appointment of Ricky Tuttle to serve as Emergency Management Director for Stokes County was unanimous.

Planning Director

Chairman Sandy McHugh opened the floor for nominations for Planning Director for Stokes County.

Commissioner Inman nominated David Sudderth to serve as Planning Director for Stokes County.

Commissioner Mabe seconded the nomination.

There were no other nominations for Planning Director.

Chairman McHugh entertained a motion to close the nominations.

Vice Chairman John Turpin moved to close the nominations for Planning Director for Stokes County.

Commissioner Mabe seconded and the motion carried unanimously.

The appointment of David Sudderth to serve as Planning Director for Stokes County was unanimous.

Economic Development Director

Chairman Sandy McHugh opened the floor for nominations for Economic Development Director for Stokes County.

Commissioner Mabe nominated Ron Morgan to serve as Economic Development Director for Stokes County.

There were no other nominations for Economic Development Director.

Chairman McHugh entertained a motion to close the nominations.

Commissioner Joe Turpin moved to close the nominations for Economic Development Director for Stokes County.

Vice Chairman John Turpin seconded and the motion carried unanimous.

The appointment of Ron Morgan to serve as Economic Development Director for Stokes County was unanimously.

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

Planning Director David Sudderth re-introduced the special use permit request that was tabled at the October 7th meeting. Director Sudderth stated that Mr. James Cheek, President of the Board of Directors-Big Dan Lake Club, had telephoned the office on Monday, December 1st to request that the permit request be pinned over to the February 2004 meeting.

Mr. Sudderth had received a few telephone calls since the October 7th meeting from citizens who were opposed to the special use permit. Director Sudderth informed the Board that it would be the Board's discretion to table the permit request.

Chairman McHugh allowed the following to speak:

Attorney Mike Bruce

Representation for some of the individuals opposing the permit.

Attorney Bruce stated that it was his understanding that on Sunday, November 30th, there was a meeting held by the Board of Directors-Big Dan Lake Club. The Board of Directors voted unanimously to ask Mr. Cheek to ask the Board of Commissioners to postpone a decision on this request until after the first of the year.

Mr. James Cheek

President-Board of Directors

Mr. Cheek stated that the meeting was not just a Board of Directors meeting, but also a membership meeting. Mr. Cheek stated that the membership voted to ask for an extension until February or March 2004.

Mr. Ronnie Venable

Member

Mr. Venable stated that he was at the meeting and there were approximately 50-60 club members at the meeting. Mr. Ernest Rogers, Member, asked to make a motion to the Board of Directors that the permit request submitted to the Planning Board be tabled for an indefinite time. Mr. Venable requested to amend the motion by requesting the Board vote on withdrawing the petition for the special use permit from the Commissioners' Tuesday night meeting and have it removed from their agenda. Mr. Cheek informed the audience that the motion was approved unanimously. Mr. Venable reiterated that it was the wishes of the Club Members on Sunday afternoon to have this item be removed from the Board of Commissioners' agenda.

Chairman McHugh entertained a motion to take the Big Dan Lake Club, Inc Special Use Permit out of consideration of the December 2nd agenda and the decision be left to the Big Dan Lake Club members if the item will be on the agenda for the February 2004 meeting.

Commissioner Inman moved to approve the motion to take the Big Dan Lake Club, Inc-Special Use Permit out of consideration of the December 2nd agenda and the decision be left to the Big Dan Lake Club members if the item will be on the agenda for the February 2004 meeting.

Commissioner Mabe seconded and the motion carried unanimously.

Director Sudderth requested the Board of Directors-Big Dan Lake Club, Inc, to submit in writing notification if the item is to be on the February agenda for the Board of Commissioners.

PUBLIC HEARING-ZONING TEXT AMENDMENTS/REZONING REQUEST

Chairman McHugh opened the Public Hearing for the Zoning Text Amendments and Rezoning Request.

There were no public comments.

Chairman McHugh closed the Public Hearing for the Zoning Text Amendments and Rezoning Request.

GENERAL GOVERNMENT-PLANNING & COMMUNITY DEVELOPMENT REZONING TEXT AMENDMENTS (Minimum Lot Size Increase)

ZONING TEXT AMENDMENTS

Director Sudderth requested the Board's approval to amend the zoning text to adjust minimum lot sizes to a one (1) acre minimum is the result of looking at the average size of subdivision lots over the past couple of years, and the county's desire to promote a rural environment for its citizens.

Director Sudderth discussed the statistical information concerning lot sizes that had been created over the past two years and the Planning Board's approval (7 to 0) to recommend each separate zoning text amendment concerning lot sizes.

PLANNING BOARD RECOMMENDATION: The Planning Board voted 7 to 0 to recommend each separate zoning text amendment concerning lot sizes.

The following is statistical information concerning lot sizes that have been created over the past two years. Danny Nelson in the Tax Department and David Jones in Information Systems created a spreadsheet showing acreage size of parcels created from **January 2000 to August 2003**. The spreadsheet includes parcels created over the entire county. Some of these parcels would not fall into the county's jurisdiction. A total of 815 parcels were generated. Of these 815, there were 94 parcels that were eliminated for various reasons, leaving 726 parcels for review. The following results were found. The minimum residential lot sizes that we typically deal with in the counties are .4591 ac. (20,000 sq.ft.) in areas with public water and .6887 ac. (30,000 sq. ft.) in areas without public water.

<u>ACREAGES</u>	<u>PARCELS</u>
.002 acres to .44 acres	24 parcels
.45 acres to .68 acres	19 parcels
.69 acres to 1.0 acres	131 parcels
1.01 acres to 1.99 acres	134 parcels
2.0 acres to 2.99 acres	65 parcels
3.0 acres to 3.99 acres	46 parcels
4.0 acres to 4.99 acres	25 parcels
5.0 acres to 5.99 acres	37 parcels
6.0 acres to 6.99 acres	16 parcels
7.0 acres to 7.99 acres	12 parcels
8.0 acres to 8.99 acres	19 parcels
9.0 acres to 9.99 acres	12 parcels
10.0 acres and greater	186 parcels

Director Sudderth stated the following sections will be required to be changed.

CURRENT REQUIREMENTS FOR RESIDENTIAL LOT SIZES ARE AS FOLLOWS:

RA (Residential Agricultural)

80.3 Dimensional Requirements

80.31 Thirty thousand (30,000) square feet minimum required lot area per dwelling unit. Lots with access to public water will be allowed a minimum twenty thousand (20,000) square feet lot area per dwelling unit provided that there is an adequate supply of water to provide fire suppression. (According to NFPA 1231) (Amended 12-8-98)

R-20 (Residential Low Density)

81.3 Dimensional Requirements

- 81.31 Twenty thousand (20,000) square feet minimum required lot area per dwelling unit. When public sewer and/or water systems are not available, and there is not an adequate supply of water for fire suppression, (Reference NFPA 1231) the minimum lot size shall be 30,000 square feet. However, the Stokes County Health Department may require a larger lot size where public sewer is not available. (Amended 12-8-98)

R-15 (Residential Moderate Density)

82.3 Dimensional Requirements

- 82.31 Fifteen thousand (15,000) square feet minimum lot area per dwelling unit.

R-8 (Residential High Density)

83.3 Dimensional Requirements

- 83.31 Eight thousand (8,000) square feet; minimum required lot area for the first dwelling unit; four thousand (4,000) square feet additional lot area required for the second dwelling unit; and three thousand (3,000) square feet additional lot area per dwelling unit for each unit in excess of two (2), up to a maximum of twelve (12) dwelling units per acre.

RE (Residential Exclusive)

84.3 Dimensional Requirements

- .6887 acre, 30,000 square feet minimum required lot area per dwelling unit. When a public water system is available, and there is an adequate supply of water for fire suppression, (Reference NFPA 1231) the minimum lot size could be 20,000 square feet .459 acres. The Stokes County Health Department may require a larger lot size where public sewer is not available.

RR (Residential Restricted)

85.3 Dimensional Requirements

- .6887 acre, 30,000 square feet minimum required lot area per dwelling unit. When a public water system is available, and there is an adequate supply of water for fire suppression, (Reference NFPA 1231) the minimum lot size could be 20,000 square feet .459 acres. The Stokes County Health Department may require a larger lot size where public sewer is not available.

RM (Residential Mixed)

86.3 Dimensional Requirements

- .6887 acre, 30,000 square feet minimum required lot area per dwelling unit. When a public water system is available, and there is an adequate supply of water for fire suppression, (Reference NFPA 1231) the minimum lot size could be 20,000 square feet .459 acres. The Stokes County Health Department may require a larger lot size where public sewer is not available.

RMF (Residential Multi-family)

87.1 Dimensional Requirements

- For multi-family development, the minimum lot shall be 30,000-sq. ft. for the first dwelling, 20,000-sq. ft. for the second through fifth dwelling, and 15,000 sq. ft. per unit in excess of five. However, the Stokes County Health Department may require larger lot sizes where public water and sewer is not available.

Director Sudderth requested the Board's approval to amend the following proposed amendments to the zoning text:

Chairman McHugh entertained a motion to amend the following zoning text:

Amend Stokes County Zoning Ordinance Article VIII, Section 80 (**Residential Agricultural**), Section 84 (**Residential Exclusive**), Section 85 (**Residential Restricted**), and Section 86 (**Residential Mixed**), subsections concerning dimensional requirements 80.31, 84.3, 85.3 and 86.3 to change minimum lot requirements to read as follows:

One-acre (43,560) square feet minimum required lot area per dwelling unit. Lots with access to public water will be allowed a minimum thirty thousand (30,000) square feet lot area per dwelling unit provided that there is an adequate supply of water to provide fire suppression. (According to NFPA 1142)

Commissioner Joe Turpin moved to amend the submitted zoning text.

Commissioner Mabe seconded and the motion carried unanimously.

Director Sudderth requested the Board's approval to amend the following proposed amendments to the zoning text:

Chairman McHugh entertained a motion to amend the following zoning text:

Amend Stokes County Zoning Ordinance Article VIII, Section 81 (**R-20 Residential – Low Density**) subsection 81.31 to read as follows:

Twenty thousand (20,000) sq. ft. minimum required lot area per dwelling unit. Public sewer and water systems are required. Where there is not an adequate supply of water for fire suppression, (Reference NFPA 1142) the minimum lot size shall be one-acre (43,560) sq. ft.

Vice Chairman John Turpin moved to amend the submitted zoning text.

Commissioner Joe Turpin seconded and the motion carried unanimously.

Director Sudderth requested the Board's approval to amend the following proposed amendments to the zoning text:

Chairman McHugh entertained a motion to amend the following zoning text:

Amend Stokes County Zoning Ordinance Article VIII, Section 82 (**R-15 Residential – Moderate Density**) to delete the following text: **“although the residential development may be dependent upon septic tanks for sewage disposal”**.

Vice Chairman John Turpin moved to amend the submitted zoning text.

Commissioner Inman seconded and the motion carried unanimously.

Director Sudderth requested the Board's approval to amend the following proposed amendments to the zoning text:

Amend Stokes County Zoning Ordinance Article VIII, Section 83 (**R-8 Residential – High Density**) to delete **“expected”** and replace with **“required”**.

Director Sudderth explained this amendment was actually a wording issue – that the word “expected” had posed a problem whether “expected” meant it was required or just recommended. Director Sudderth suggested that this should also be applied to the wording in R-15 Zoning District.

Chairman McHugh requested to amend the submitted zoning text amendment to include the R-15 Zoning District.

Vice Chairman John Turpin moved to amend the submitted zoning text for the R-8 Zoning District with the requested amendment to include the R-15 Zoning District.

Commissioner Inman seconded and the motion carried (4-1) with Commissioner Joe Turpin voting against the motion.

Director Sudderth requested the Board's approval to amend the following proposed amendments to the zoning text:

Chairman McHugh entertained a motion to amend the following zoning text:

Amend Stokes County Zoning Ordinance Article VIII, Section 87 (**Residential – Multi-family**) subsection 87.1 Dimensional Requirements to require as follows:

“ one-acre (43,560) sq.ft. for first dwelling, 30, 000 sq. ft. for second through fifth dwelling, and 20,000 sq. ft. per unit in excess of five”

Commissioner Inman moved to amend the submitted zoning text.

Commissioner Joe Turpin seconded and the motion carried unanimously.

**GENERAL GOVERNMENT-PLANNING & COMMUNITY DEVELOPMENT ZONING TEXT AMENDMENT FOR HIGHWAY BUSINESS (H-B)
REZONING TEXT AMENDMENTS
(Limousine Service)**

Director Sudderth requested the Board's approval to amend the zoning text for a zoning text amendment for highway Business (H-B). The following text amendment is being requested to expand the permitted use in the **Highway- Business (H-B)** zoning district.

PLANNING BOARD RECOMMENDATION: The Planning Board voted 7 to 0 to recommend the zoning text amendment to the (H-B) Highway Business zoning district.

Amend Stokes County Zoning Ordinance Article VIII, Section 89 (**H-B Highway Business**), sub-section 89.1 (Permitted Uses) **Add: Limousine service.**

The Planning Board recommended this text amendment by a vote of 7 to 0. The recommendation included adding the following statement: **The owner of the business shall obtain all applicable licenses and certifications that are necessary to operate.**

Director Sudderth requested the Board's approval to Amend Stokes County Zoning Ordinance Article VIII, Section 89 (H-B Highway Business), sub-section 89.1 (Permitted Uses) Add: Limousine service.

Chairman McHugh entertained a motion to amend the zoning text as follows:

Amend Stokes County Zoning Ordinance Article VIII, Section 89 (**H-B Highway Business**), sub-section 89.1 (Permitted Uses) **Add: Limousine service. The owner of the business shall obtain all applicable licenses and certifications that are necessary to operate.**

Commissioner Joe Turpin moved to amend the submitted zoning text.

Commissioner Inman seconded and the motion carried unanimously.

TEXT AMENDMENT – EFFECTIVE DATE

Director Sudderth requested the Board designate an effective date for the zoning text amendments in order to make the public, surveyors, and attorneys aware of the changes.

Director Sudderth made the Board aware of the effects these amendment changes would have on major subdivision rezoning proposals.

Chairman McHugh entertained a motion to designate an effective date for the zoning text amendments.

Commissioner Joe Turpin moved to make the zoning text amendments to be effective January 1, 2004 and that any new major subdivisions proposed before the effective date of January 1, 2004 be required to be submitted to comply with the new regulations. Commissioner Inman seconded and the motion carried unanimously.

GENERAL GOVERNMENT-PLANNING & COMMUNITY DEVELOPMENT REZONING REQUEST (RA TO H-B-CU) (LIMOUSINE SERVICE)

PUBLIC HEARING – REZONING REQUEST (RA TO H-B-CU) (LIMOUSINE SERVICE)

Chairman McHugh opened the Public Hearing for the Rezoning Request.

There were no public comments

Chairman McHugh closed the Public Hearing for the Rezoning Request.

Andrew David Hundley - RA to H-B-CU # 152

Director Sudderth presented the Rezoning Request from Andrew D. Hundley to rezone approximately 2.861 acres from RA (Residential Agricultural) to H-B-CU (Highway Business) for a "**Limousine service**". The owner of the business shall obtain all applicable licenses and certifications that are necessary to operate.

REQUEST: Rezone approximately 2.861 acres from RA (Residential Agricultural) to H-B-CU (Highway Business) for a "**Limousine service**".

SITE OWNER: Andrew D. Hundley

APPLICANT: Andrew D. Hundley

SITE LOCATION: The property is located at 1604 Mountain View Rd., King, NC 27021.

Map: 691304 **Parcel:** portion of 0734 **PIN #:** 6913-04-82-0734
Deed Book: 423 **Page:** 366 **Township:** Yadkin

SITE INFORMATION:

PARCEL SIZE: Total tract 2.861 acres. Total acreage in tract is 5.7 acres

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: H-B-CU (Highway-Business Conditional Use) Minimum lot size is 20,000 sq. ft. (.459 acres). Requested lot size is 2.861 acres.

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 370362 0125 B

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

WATERSHED DISTRICT: No

SEPTIC/WATER APPROVAL: Stokes County Environmental Health.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: King VFD, EMS - Station # 3 Pinnacle.

EROSION CONTROL: If applicable, when construction begins.

ACCESS: The proposed business will have driveway access off of Mountain View Rd. (SR# 1973). NCDOT must approve any new commercial driveway permit.

SURROUNDING LAND USE: The subject property is located at 1604 Mountain View Rd. The surrounding land use consists of mixed residential uses and agricultural land. The nearest residence is located beside the proposed site and is occupied by the applicant. There are other residences adjacent to the proposed site. The closest commercial zone (H-B) is located approximately .3 mile away. There are (3) three existing (H-B) commercial zones located on Mountain View Rd. within ½ mile from the proposed site.

ISSUES TO CONSIDER:

- Impact on surrounding development.
- Impact on community infrastructure, roads, public services etc.
- Increase in commercial tax base.

STAFF COMMENTS: The Planning staff does not see a major problem with the request. There are other commercial zones located on Mountain View Rd. within close proximity to the proposed site that are next to residential structures. The request is consistent with the mixed development pattern in the area, however each situation may have specific problems associated with the location of the site. The rezoning petition comes to the Board as a conditional use re-zoning request. The Board may ask specific questions about the development request to determine the effect on the surrounding community.

PLANNING BOARD RECOMMENDATION: The Planning Board voted 7 to 0 to recommend the zoning request to change the 2.861 acres from (RA) to Residential Agricultural (H-B) Highway Business zoning district. The Board then voted 7 to 0 to approve the Conditional Use permit with the recommended following conditions.

CONDITIONS RECOMMENDED:

- Lighting shall be attached to the building and positioned not to shine on surrounding property.
- Building size shall not exceed 50' x 120' (6000 sq. ft.) as noted on site plan.
- Signage shall be limited to two (2) square feet.
- Applicant shall obtain commercial driveway permit from NCDOT (North Carolina Department of Transportation)

Director Sudderth only had one adjoining neighbor at the Planning Board Meeting concerned about the rezoning concerning lighting and a barking dog.

Director Sudderth concluded the presentation by reiterating the (7-0) Planning Board approval for the Rezoning Request and the Conditional Use Permit.

Chairman McHugh entertained a motion to approve the rezoning request from Rezoning Request from Andrew D. Hundley to rezone approximately 2.861 acres from RA (Residential Agricultural) to H-B-CU (Highway Business) for a "**Limousine service**". (The owner of the business shall obtain all applicable licenses and certifications that are necessary to operate.)

Commissioner Joe Turpin moved to approve the rezoning request Rezoning Request from Andrew D. Hundley to rezone approximately 2.861 acres from RA (Residential Agricultural) to H-B-CU (Highway Business) for a "**Limousine service**". (The owner of the business shall obtain all applicable licenses and certifications that are necessary to operate.)

Commissioner Mabe seconded and the motion carried unanimously.

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

- Lighting shall be attached to the building and positioned not to shine on surrounding property.
- Building size shall not exceed 50' x 120' (6000 sq. ft.) as noted on site plan.
- Signage shall be limited to two (2) square feet.
- Applicant shall obtain commercial driveway permit from NCDOT (North Carolina Department of Transportation)

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- 5-0)
2. The requested use is essential or desirable to the public convenience or welfare. (yes- 5-0)

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- 5-0)
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- 5-0)
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- 5-0)

Commissioner Inman moved to approve the conditional use permit for Andrew D. Hundley.

Commissioner Joe Turpin seconded the motion.

The Board discussed the signage issue in the recommended conditions.

Chairman McHugh amended the motion to approve all the recommended conditions except the "signage shall be limited to two (2) square feet"

Vice Chairman John Turpin seconded and the amendment carried unanimously.

The amended motion to approve the conditional use permit for Andrew D. Hundley with the recommended conditions except for the "signage shall be limited to two (2) square feet" carried unanimously.

PUBLIC COMMENTS

There were no public comments.

GENERAL GOVERNMENT – GOVERNING BODY – ARTS COUNCIL-MATCHING FUNDING –FISCAL YEAR 2003/04

County Manager Rick Morris presented a request from the Arts Council for clarification concerning the matching funds for the director's salary that was included in this year's fiscal year budget. The matching fund designated in this year's budget was \$20,312. The question for clarification is whether the matching funding be up to \$20,312 which would allow the Arts Council to spend less than the full amount of \$20,312.

Vice Chairman John Turpin requested information concerning the amount that the Arts Council would have available to match.

Chairman McHugh, with full consent of the Board, requested Manager Morris to obtain the amount the Arts Council would have available to match for the next meeting on December 8th.

GENERAL GOVERNMENT – GOVERNING BODY – COUNTY ATTORNEY TRANSITION PERIOD

County Manager Rick Morris reported to the Board that Attorney Tyrone Browder has agreed to help in anyway possible during the transition period for the new County Attorney Jonathan Jordan. Attorney Browder will charge the County his standard rate of \$175 per hour. County Attorney Jordan will be meeting with Attorney Browder to determine what kind of time frame will be needed for the transition.

Manager Morris requested the Board's approval to use Attorney Browder during the transition period at a rate of \$175 per hour.

Chairman McHugh entertained a motion to use Attorney Browder during the transition period at a rate of \$175 per hour.

Commissioner Mabe moved to approve the motion to use Attorney Browder during the transition period with County Attorney Jonathan Jordan at the standard rate of \$175 per hour.

Commissioner Inman seconded and the motion carried unanimously.

GENERAL GOVERNMENT – JUVENILE CRIME PREVENTION COUNCIL-REQUEST FOR ADDITIONAL FUNDING FOR EXPANSION FUNDING

Chief Court Counselor Jack Moore, along with Tiffany Cone and Kevin Lanning – Juvenile Probation – presented the following recommendation from the Stokes County Juvenile Crime Prevention Council to utilize additional State Expansion Funding of \$4,343 available to expand services for existing programs that work to meet the needs of Stokes County children who are at risk of exhibiting delinquent behavior:

- \$2,172 to the Stokes Emergency Shelter Program which requires a 30% matching County funding of \$652
- \$2,171 to Stokes Friends of Youth Restitution Pool- no matching funding needed

Counselor Jack Moore (who also serves as JCPC Vice Chairman) explained the programs' purpose and its success in detail to the Board.

Chairman McHugh entertained a motion to approve the additional State Expansion Funding of \$4,343, which requires \$652 County match.

Commissioner Inman moved to approve the JCPC recommendation for State Expansion Funding of \$4,343 and the required County match of \$652.

Commissioner Mabe seconded and the motion carried unanimously.

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