

The Board of Commissioners of the County of Stokes, State of North Carolina, met for regular session (Planning) in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administrative Building) located in Danbury, North Carolina on Tuesday, August 1, 2006 at 7:00 pm with the following members present:

Chairman Leon Inman
Vice-Chairman Joe Turpin
Commissioner Sandy McHugh
Commissioner John Turpin
Commissioner Jimmy Walker

County Personnel in Attendance:
Clerk to the Board/Interim County Manager Darlene Bullins
Planning Director David Sudderth

Chairman Leon Inman called the meeting to order.

Planning Director David Sudderth delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING - REZONING REQUEST #182 - ARZELL TUTTLE (RA TO H-B)

Chairman Inman opened the Public Hearing for the Rezoning Request #182- Arzell Tuttle. There were no public comments.

Chairman Inman closed the Public Hearing.

GENERAL GOVERNMENT - PLANNING - REZONING REQUEST #182- ARZELL TUTTLE (RA to H-B)

Planning Director David Sudderth presented Rezoning Request #182 to rezone

approximately 1.331 acres from RA (Residential Agricultural) to H-B (Highway Business)

site owner Mary Lyndon Watts and applicant Arzell Tuttle.

REQUEST: Rezone approximately 1.331 acres from RA (Residential Agricultural) to H-B (Highway Business)

SITE OWNER: Mary Lyndon Watts

APPLICANT: Arzell Tuttle

SITE LOCATION: The property is located at 3496 NC Hwy 8 & 65 in Germanton, NC.

Map: 6931 **Parcel:** 1093 **PIN #:** 6931-11-77-1093

Deed Book: 519 **Page:** 2344 **Township:** Meadows

SITE INFORMATION:

PARCEL SIZE: Total tract 1.331 acres.

CURRENT USE: There is currently a single-family residence on the property.

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: H-B (Highway Business)

Minimum lot size is 20,000 sq. ft. (.549 acre)

FLOOD HAZARD AREA: Not located in flood hazard area. Rear portion of property is located in 100-year floodplain.

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 section has identified and inspected an existing septic system on the property.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Rural Hall VFD, EMS - Station # 101 Walnut Cove.

EROSION CONTROL: N/A until construction begins.

ACCESS: The site will have to have an approved commercial driveway permit from NCDOT. The current residential access is located off of NC Hwy 8 & 65.

SURROUNDING LAND USE: The adjacent surrounding properties are zoned RA (Residential Agricultural) to the east, south and north and H-B (Highway Business), Germanton Grocery to the west. Other commercial zones located nearby are the Germanton Gallery & Winery on the corner of NC Hwy 8 & 65 and Friendship Rd. This business is located less than .1 mile west of the site. Germanton Mercantile is located .1 mile west and the Germanton Shell station is located .5 mile east of the site.

ISSUES TO CONSIDER: As with all general use rezoning petitions the Board should consider all the impacts both positive and negative that a commercial development brings with it.

- Impact on surrounding development.
- Consistency with surrounding development
- Impact on community infrastructure, roads, public services etc.
- Increase in commercial tax base.
- Community acceptance
- Traffic

STAFF COMMENTS: The Planning staff does not see a problem with the request. The adjacent property is zoned H-B and there are multiple commercial zones within a mile of the site. There are mixed residential and commercial uses along NC Hwy 8 & 65 in the Germanton community. The addition of a commercially zoned property in this area should not have an adverse effect on the community.

PLANNING BOARD RECOMMENDATION: The Planning Board recommended by a vote of 6 to 0 to recommend approval of the rezoning request from RA (Residential Agricultural) to H-B (Highway Business). The Board felt the rezoning request was consistent with the pattern of zoning in the area.

Director Sudderth stated that there was no opposition to the rezoning request.

The Board discussed the rezoning request.

Vice Chairman Joe Turpin moved to approve the Rezoning Request #182 to rezone approximately 1.331 acres from RA (Residential Agricultural) to H-B (Highway Business) - Arzell Tuttle. Commissioner McHugh seconded and the motion carried unanimously.

PUBLIC HEARING - CONDITIONAL USE REQUEST - S&E PROPERTIES L.L.P - #183 (RENEWAL AND REVISION OF 8-LOT RESIDENTIAL SUBDIVISION)

Chairman Inman opened the Public Hearing for the Conditional Use Request #183 - S&E Properties L.L.P. (Renewal and Revision of 8-Lot Residential Subdivision). There were no public comments.

Chairman Inman closed the Public Hearing.

GENERAL GOVERNMENT - PLANNING - CONDITIONAL USE REQUEST - S&E PROPERTIES- L.L.P.- #183 - (RENEWAL AND REVISION OF 8-LOT RESIDENTIAL SUBDIVISION)

Planning Director David Sudderth presented the Conditional Use Request - (S&E Properties L.L.P. #183) to renew and revise Conditional Use Permit #145 granted on June 3, 2003 for an 8-lot residential subdivision and increase minimum lot sizes to one acre or greater - Site owner S&E Properties-applicants Edwin Johnson and Sarah Stevens. Director Sudderth noted that the applicant failed to exercise the Conditional Use permit by recording a plat or creating infrastructure improvements on the property within one year of approval.

**S&E Properties Request to Renew and Revise Conditional Use Permit
183**

REQUEST: To renew and revise Conditional Use permit #145 granted on June 3, 2003 for an 8-lot residential subdivision and increase minimum lot sizes to one acre or greater.

SITE OWNER: S&E Properties

APPLICANT: Edwin Johnson & Sarah Stevens

SITE LOCATION: The property is located on the east side of Asbury Rd. (SR# 1416) approximately 1.0 mile south of Asbury Rd. (SR# 1432)

Map: 5080 **Parcel:** 3857 **PIN #:** 5080-00-19-3857
Deed Book: 473 **Page:** 641 **Township:** Big Creek

SITE INFORMATION:

PARCEL SIZE: Total tract 12.444 acres. 11.444 acres minus lot transferred.

ZONING DISTRICT: RR-CU (Residential Restricted Conditional Use) for an 8-lot subdivision.

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 370362 0025 B

FIRM MAP ZONE: Zone X - Area outside 500-year floodplain except along branch

WATERSHED DISTRICT: N/A

SEPTIC/WATER APPROVAL: Richard Farris, RS Licensed Soil Scientist has evaluated the property for septic disposal. Individual septic permits would have to be issued by the Stokes County Health Dept. (Environmental Health Section).

SCHOOL DISTRICTS: Francisco Elementary, Piney Grove Middle, North Stokes High

EMERGENCY SERVICES: Westfield VFD, EMS - Station # 102 Lawsonville

EROSION CONTROL: Would be submitted prior to construction.

ACCESS: The proposed lots will have driveway access off of Asbury Rd. (SR# 1416). (NCDOT must approve driveway permits and any permits for new road construction for the subdivision).

SURROUNDING LAND USE: The subject property is surrounded by mixed residential and agricultural uses. The Asbury section of the county consists of rural low-density mixed development.

ISSUES TO CONSIDER:

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

STAFF COMMENTS: The applicant failed to exercise the Conditional Use permit by recording a plat or creating infrastructure improvements on the property within one year of approval. The original rezoning of the property and the approval of the Conditional Use permit for an 8-lot residential subdivision took place on June 3, 2003. At the time of approval minimum lot sizes were 30,000 sq. ft. On January 1, 2004 minimum lot sizes were increased to (1) one acre. The applicant transferred one lot on April 20, 2006 to the Pilot Mountain Area Habitat for Humanity. This lot is one (1) acre in size. The remaining seven (7) lots have been resubmitted to meet current minimum standards. The applicants would like to renew their Conditional Use permit under the revised standards; the staff does not have a problem with this request. Listed below are the conditions agreed to by the applicant at the time the original permit was issued. If the request for renewal of the Conditional Use permit is approved, the Board may revise the approved conditions for the project.

Approved Conditions for S&E Properties RR-CU #145

(Conditions originally approved 6-3-03)

1. Adequate storm water facilities shall be provided for each lot, including the placement of a fifteen (15) inch reinforced concrete drain tile under each driveway.
2. All streets/drives be constructed as recommended by the North Carolina Department of Transportation and in compliance with applicable design and construction standards, including grade and slope requirements, unless approved otherwise by the County.
3. All required permits must be obtained from the County Inspections Department prior to placing structures on the property, as well as any signage that may accompany the project.
4. Street name and necessary safety and directional signs shall be installed at the developer's expense, subject to the names and sign hardware meeting County specifications. Each dwelling unit shall also have a visible lot number in a numbering scheme approved by the County to facilitate rapid emergency response (E- 911).
5. If conflict arises between any conditions or the developer's proposed site plan or written text, the most stringent conditions or requirements shall be considered the governing requirement.
6. All costs and expenses associated with complying with these conditions shall be borne by the landowner/developer, with no expense being borne by the County.
7. Upon written request by the County, evidence of compliance with any of these conditions shall be provided to the County within ten (10) days after each request.
8. The Rules and Regulations of the Developer, as modified by the developer at the prior hearing (s) on this request, shall not be inconsistent with these conditions. Any conflict between said Rules and Regulations shall be resolved in favor of these conditions.

9. If any of the conditions shall be found to be unreasonable, invalid or otherwise impermissible by a court of competent jurisdiction then the County may impose such alternative reasonable conditions as it finds to be necessary and appropriate.
10. If any of these conditions are not met or complied with or the permit has not been exercised in or before one (1) year from the granting of the permit, the permit shall become void and of no effect.
11. If any of these conditions once met are not continuously maintained, the permit may be revoked by the County upon the failure of the owner/developer to cure the deficiency in any specific condition within thirty (30) days after written notice to the owner/developer of the specific failed condition.
12. The lots approved shall not be further subdivided.
13. Or any other condition that the Boards may deem necessary at the time the project is approved.

PLANNING BOARD RECOMMENDATION: The Planning Board recommended by a vote of 6 to 0 to renew the Conditional Use permit for an 8-lot residential subdivision in the RR-CU (Residential Restricted Conditional Use) zoning district as previously approved. This recommendation for approval also included the revised site plan to have lots one (1) acre or greater.

Director Sudderth noted that the applicant had transferred one lot on April 20, 2006

to the Pilot Mountain Area Habitat for Humanity. This lot is one (1) acre in size.

Director Sudderth reiterated the request included increasing the lot sizes from 30,000 sq. ft. to (1) acre or greater.

Director Sudderth noted that there was no opposition to the renewal and revision of Conditional Use Permit #183 (original Conditional Use Permit #145-granted 6-3-03).

The Board discussed the renewal and revision of the Conditional Use Permit #183.

Commissioner McHugh moved to renew and revise Conditional Use permit #145 granted on June 3, 2003 for an 8-lot residential subdivision and increase minimum lot sizes to one acre or greater. Commissioner John Turpin seconded and the motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

GENERAL GOVERNMENT - PLANNING - PART TRANSPORTATION

Director Sudderth informed the Board that he had been contacted by Mr. James Yarborough, Jr. -PART (at the request of Brent McKinney-PART) to discuss a proposed Resolution for the Board's consideration. The Resolution supports PART's 2025 Policies and Actions for Regional Growth.

Director Sudderth presented Board members with a copy of the policies and actions and had also presented the information to Planning Board.

(a copy of the polices and actions will be retained by the Clerk to the Board and by the Planning Department)

Nearby counties -Rockingham, Surry, Forsyth, and Guilford have already approved the plan with a total of (29) twenty-nine Planning and Governing Boards also approving the Policies and Actions for Regional Growth.

The policies and actions for growth are general planning issues that the Board would consider when land use development is involved and also consider transportation issues that involve PART. Mr. Yarborough offered to attend a meeting to discuss these policies and actions.

The Board directed Director Sudderth to invite Mr. Yarborough to attend a future meeting to discuss these issues.

Chairman Inman presented information to the Board regarding the proposal given to the City of King for paving of Central Park for a PART park and ride location.

Chairman Inman had recently spoken with Mayor Jack Warren who stated that the agreement presented to the City of King was \$100,000.00 to pave the parking lot and for maintenance - there would be no yearly amount for maintenance as previously discussed.

Chairman Inman had understood that there would be a (20) twenty-year lease at \$5,000 per year (\$100,000) for maintenance, lights, etc. and that PART would be doing the paving through a grant.

Commissioner John Turpin who had attended the meeting with Chairman Inman, City of King officials, and PART representative Brent McKinney confirmed that was the understanding he had also heard.

Commissioner McHugh noted that during Mr. McKinney's presentation to the Board he indicated that there were grants to pay for the paving.

The Board discussed the presentation that Mr. McKinney had presented to the Board.

Commissioner Walker requested the Clerk to review the tape of the meeting of Mr. McKinney's presentation to the Board for any further information regarding the paving of Central Park for a Park and Ride.

Chairman Inman stated that this would be reviewed at the next PART meeting and would return information to the Board. (Chairman Inman serves on the Board of Directors for PART).

There being no further business to come before the Board, Chairman Inman entertained a motion to adjourn the meeting.

Commissioner McHugh moved to adjourn the meeting.

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

Darlene M. Bullins
Clerk to the Board

J. Leon Inman
Chairman