

STATE OF NORTH CAROLINA)
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COUNTY OF STOKES)
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**OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
FEBRUARY 3, 2009**

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, February 3, 2009 at 7:00 pm with the following members present:

Chairman J. Leon Inman
Vice-Chairman Jimmy Walker
Commissioner Ron Carroll
Commissioner Ernest Lankford
Commissioner Stanley Smith

County Personnel in Attendance:
County Manager K. Bryan Steen
Clerk to the Board Darlene Bullins
Planning Director David Sudderth
Emergency Services Director Monty Stevens

Chairman J. Leon Inman called the meeting to order.

Commissioner Lankford 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.

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Inman entertained a motion to approve or amend the February 3rd Agenda that was submitted at tonight’s meeting by Clerk to the Board Darlene Bullins, which reflects the new order for Planning Meeting Agendas.

Commissioner Lankford moved to approve the February 3rd Agenda submitted at

tonight's meeting. Vice Chairman Walker seconded and the motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

**GENERAL GOVERNMENT – REZONING REQUEST #210- JOHN REX MATHIS III
PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS**

Public Hearing

Chairman Inman opened the Public Hearing for the Rezoning Request #210 - RA (Residential Agricultural) to H-B (Highway Business) – John Rex Mathis III.

There were no public comments.

Chairman Inman closed the Public Hearing.

Presentation

Planning Director David Sudderth presented the following information regarding Rezoning Request #210 (RA) Residential Agricultural to (H-B) Highway Business:

REQUEST: Request by property owner John Rex Mathis III to rezone approximately .8734 acres of property from RA (Residential Agricultural) to H-B (Highway Business).

SITE OWNER: John Rex Mathis III

APPLICANT: John Rex Mathis III

SITE LOCATION: The property is located at the corner of NC Hwy 66 and Denny Rd.(SR# 2000)

Map: 690404 **Parcel:** 8048 **PIN #:** 6904-04-60-4590, 6904-04-60-6530, 6904-04-60-5422

Deed Book: 578 & 579 **Pages:** 533 & 1991 **Township:** Yadkin

SITE INFORMATION:

PARCEL SIZE: Total tract .8734 acres, approximately 38,045.3 sq. ft.

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: H-B (Highway Business)

FLOOD HAZARD AREA: N/A.

FIRM MAP #: 3710690400J

FIRM MAP ZONE: Property is located in Zone X, area determined to be outside the 500-year floodplain.

WATERSHED DISTRICT: N/A

SEPTIC/WATER APPROVAL: Public water (City of King), septic approval has been issued for a business with four employees.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: Sauratown VFD, EMS - Station # 3 & 4 -Pinnacle.

EROSION CONTROL: When construction begins, if necessary, less than one (1) acre being disturbed.

ACCESS: Access is proposed off of NC Hwy 66. NCDOT must approve a commercial driveway access.

SURROUNDING LAND USE: The subject property is located at the corner of Denny Rd and NC Hwy 66. The property is currently zoned RA (Residential Agricultural). The City of King owns property adjacent to the site, which is utilized for a water tower. There is a small H-B (Highway Business) parcel next to the site that also has frontage on NC Hwy 66. There currently is a residence on this property. The driveway for this residence encroaches on the parcel involved in the rezoning request. The remaining surrounding property is zoned M-1 (Light Manufacturing). Property across NC Hwy 66 is zoned RA (Residential Agricultural) and is currently used for residential purposes. Property across from Denny Rd. is zoned RA (Residential Agricultural) and is a part of the Mount Olive Cemetery.

ISSUES TO CONSIDER:

- Impact on surrounding development.
- Consistency with surrounding development.
- Impact on community infrastructure, roads, public services etc.
- Potential tax base increase due to increased commercial development.

STAFF COMMENTS: The rezoning request comes to the Board as a general use rezoning request in the H-B (Highway Business) zoning district; you may discuss the plat plan and commercial use of the property in general not specific terms. There is currently an older house on parcel 6904-04-60-5422 and a singlewide mobile home on parcel 6904-04-60-5422. The applicant has indicated that these would be removed from these parcels. The property, which is currently used for residential purposes, is surrounded by commercial property to the south, (H-B) and commercial property (M-1) and a City of King water tower to the east. The commercial property to the south (H-B) is currently used for residential purposes and was zoned commercially under the original adoption of the zoning ordinance in 1983. The commercial property to the east was recently amended with a Conditional Use Permit, which was approved on 10-02-07 for (12) mini-storage warehouses. The requested change of the property to H-B (Highway Business) does not appear to be out of context with the immediate surrounding property. Residential use of the property may be an option, but the most appropriate use may be for commercial purposes. The property has access to public water but will be served by a septic system. There are limitations to the uses that can be allowed on the property due to existing infrastructure and the size of the parcel. If the rezoning petition is approved, a site plan would have to be submitted for any specific use proposed.

PLANNING BOARD RECOMMENDATION: The Planning Board voted 8 to 0 to recommend approval of Rezoning Request #210 from RA (Residential Agricultural) to H-B (Highway Business). The Board felt that the request for a commercial zoning district was consistent with the surrounding zoning classifications and the mixed uses along NC Hwy 66.

Planning Director Sudderth noted that there was no opposition to the Rezoning Request and that the Planning Board voted 8 to 0 to recommend approval of the request.

Discussion

The Board discussed the Rezoning Request.

Planning Director Sudderth noted that when a project is proposed, there could be a need for a Conditional Use Permit.

The Board had no issues with the Rezoning Request.

Action

Chairman Inman entertained a motion.

Commissioner Smith moved to approve Rezoning Request #210 (RA to H-B).

Vice Chairman Walker seconded and the motion carried unanimously.

GENERAL GOVERNMENT – CONDITIONAL USE PERMIT #211 – STOKES COUNTY EMS FACILITY

PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS

Public Hearing

Chairman Inman opened the Public Hearing for Conditional Use Permit #211 Stokes County – EMS Facility.

The following spoke during the Public Hearing:

Carolyn Bost
1010 Sterling Point Drive
King, NC 27021

Ms. Bost stated she lives across the street from the proposed site. Ms. Bost expressed concerns that with the rezoning, the City of King might annex their property. Ms. Bost stated that she has no issues with an EMS Station being in the neighborhood, other than the fear of being annexed by the City of King and possibly being forced to connect to sewer services if provided in the area. Ms. Bost did request if the unit could refrain from using their sirens at night due to young

children being in the bed.

Chairman Inman closed the Public Hearing.

Planning Director Sudderth noted that information recently received from the City of King, indicates there are no intentions to run sewer to the area in question, the EMS Station will have its own septic system. Planning Director Sudderth also noted a proposed bill in the General Assembly, if adopted, will allow individuals being considered for annexation the right to vote on the issue.

EMS Director Monty Stevens noted that by law, if the red lights are on, the siren must be on, but using the siren depends on the traffic volume, the time of day, and assured Ms. Bost that the Units would take their request into consideration.

Presentation

Planning Director David Sudderth presented the following information regarding the Conditional Use Permit #211 - Stokes County EMS Station:

REQUEST: The County of Stokes is requesting a Conditional Use Permit for the construction of an Emergency Medical Service Facility.

SITE OWNER: Stokes County

APPLICANT: Stokes County

SITE LOCATION: The property is located on the west side of Chestnut Grove Rd. (SR# 1139) approximately .2 mile south of the Chestnut Grove Rd. and Volunteer Rd. intersection across from Sterling Pointe Dr., (Prestwick subdivision).

Map: 5993
Deed Book: 404

Parcel: 6915
Page: 828

PIN #: 5993-01-17-6915
Township: Yadkin

SITE INFORMATION:

PARCEL SIZE: Total tract 1.52 acre

ZONING DISTRICT: R-20 (Residential Low Density) this property is a combination of lots 1 & 2 in the Wildwood Cove subdivision recorded 8-24-77 and amended 12-29-78.

FLOOD HAZARD AREA: Not located in flood hazard area.

FIRM MAP #: 3710599300J

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

WATERSHED DISTRICT: WS-IV (Yadkin River)

SEPTIC/WATER APPROVAL: Public water (City of King). Soil has been found to be provisional suitable for a septic system. Final plans for the building need to be submitted before the septic system layout can be finalized.

EMERGENCY SERVICES: King VFD, EMS - Station # 3 & 4 Pinnacle

ACCESS: Driveway access will be off of Chestnut Grove Rd. and should be approved by NCDOT

SURROUNDING PROPERTY: The surrounding property is zoned R-20 (Residential Low-Density) to the north, RA (Residential Agricultural) to the south and west and RE (Residential Exclusive) Prestwick subdivision to the east. The surrounding housing types are manufactured housing and stick built homes.

STAFF COMMENTS: The Planning staff views this request as a necessary public safety facility, which will provide benefits for the entire county. The Conditional Use Permit for this facility falls under County Government uses in the R-20 (Residential Low-Density) zoning district. The County Government uses category was created for any public use of land or a building that the County may need to provide public services to the citizens. The current EMS building in Pinnacle needs repairs and is not adequate to handle expanded growth in the area and is not suitable for expansion. The Board may add conditions to the request to ensure the use will be compatible and acceptable to the community.

PLANNING BOARD RECOMMENDATION: The Planning Board voted 8 to 0 to recommend approval of Conditional Use Permit # 211 for an EMS Facility under County Governmental Uses. The Board made some general comments and expressed some concerns about the proposed facility. They asked if there was adequate land available for future expansion of the facility. The Board also asked if there would be provisions for more than two ambulances an onsite fueling station and an area for washing the vehicles.

Planning Director Sudderth noted that there was no opposition to the Conditional Use Permit and that the Planning Board voted 8 to 0 to recommend approval of the request.

Discussion

The Board discussed the Conditional Use Permit.

Commissioner Smith confirmed with EMS Director Monty Stevens that the Office of Emergency Services recommended the proposed site as the best site for an EMS Facility in that particular area.

Vice Chairman Walker noted that the proposed site is classified as governmental use, which is not taxable, which would probably discourage the city from annexing the site. Vice

Chairman Walker also noted that the City of King is currently challenged in providing sewer in other areas in the city and would not expect the City to venture out that way unless a large housing development occurred in the area.

Chairman Inman stated that the City of King and County of Stokes are two separate entities and the Conditional Use Permit is not being done so that the City of King can annex the area, it is being done to rezone an area in order to place an EMS Facility on the site which will serve the northern part of the County as well as the King area.

The Board had no issues with the Conditional Use Permit.

Director Sudderth noted that in approving a change in the existing Conditional Use Permit, the Board should follow these guidelines and must respond and vote on each of the following items concerning the issuance of a Conditional Use Permit:

The responsible body shall approve, modify, or deny the application for conditional 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. Yes (5-0)
- (b) The requested use is essential or desirable to the public convenience or welfare. Yes (5-0)
- (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. Yes (5-0)
- (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. Yes (5-0)
- (e) Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided. Yes (5-0)
- (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. Yes (5-0)

Action

Chairman Inman entertained a motion.

Commissioner Lankford moved to approve Conditional Use Permit #211 – Stokes County EMS Facility. Commissioner Smith seconded and the motion carried unanimously.

Planning Permits

Planning Director Sudderth informed the Board that January 2009 was the first month since 1988 that there was not a permit issued for a stick built home in the County. Planning Director Sudderth noted there were a few permits for modular and single wide mobile homes and that March is usually the beginning of “building season” which should indicate where the economy is going. Planning Director Sudderth stated that he would keep the Board informed.

New Cell Tower

Planning Director Sudderth informed the Board that a new cell tower is being proposed to be located in the Lawsonville area which should help service in that area. The proposed cell tower should be on the March Planning Agenda.

Adjournment

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

Commissioner Smith moved to adjourn the meeting. Vice Chairman Walker seconded and the motion carried unanimously.

Darlene M. Bullins
Clerk to the Board

J. Leon Inman
Chairman