



## Stanly County Planning Board October 13, 2008 - Meeting Minutes

### **Call to Order.**

The Stanly County Planning Board held a meeting on October 13, 2008 at 7 p.m. in the Stanly County Commons Meeting Room located at the Stanly County Commons 1000 N 1<sup>st</sup> Street, Albemarle North Carolina.

### **Stanly County Planning Board Members Attending**

Joe McManus, Chairman  
Ronald Crawley, Vice Chairman  
Houston Clark  
Robert Davis  
Floyd Eudy  
John Horne  
**Absent:** Brenda Hunter

### **Stanly County Planning Staff Attending**

Michael M. Sandy, AICP, CZO Planning Director  
Jonas Perez, Planner

### **Others Present**

Vanessa Mullinix, Max Little, Daphne Smith, Chris Snyder and others.

### **Approval of minutes for the regular meeting held on August 18, 2008.**

**Motion:** Ronald Crawley made a motion to approve the minutes of August 18, 2008.

**Second:** Floyd Eudy seconded the motion.

**Action:** the Board unanimously approved this motion..

**Item 1 – Conditional Use 08-01 Zoning Amendment 08-02** Daphne A. Smith – Rezoning request for 1 tract totaling 2.5 acres from R-20 to CU R-A. Property owner is Daphne A. Smith. The property is a vacant lot 300 feet North of Morrow Mountain Road and to the rear of 32435 Guard Road. The purpose of this rezoning is to place a singlewide manufactured home on the property.

Ronald Crawley requested a clarification on the meaning of the word “lot” for Planning purposes. Michael Sandy answered with the definition from the ZONING Ordinance Section 1302.18, Lot: *“A physically defined parcel of land occupied or capable of being occupied by a building or group of buildings, recorded in the Office of the Register of Deeds of Stanly County.”*

Ronald Crawley read from Section 601.5 CU-R-A Conditional Use Residential Agriculture District and brought the motion that this issue should be tabled for a month until more information was gathered to decide if the Planning Board or the Board of Adjustment was the one to study and bring a recommendation before the Board of Commissioners. Bob Davis seconded this motion. Voting results Ronald Crawley, Bob Davis and Floyd Eudy to table CU-08 01 for a month, while John Horne, Joe McManus and Houston Clark voted against causing a tie, therefore no action was taken.

Chairman McManus called Planner Jonas Perez to present this case.

Mr. Perez reported that Ms Smith has not completed the needed soil evaluation pits to ensure enough room for the septic system and repair area for Environmental Health. Also, the following Conditions brought by Ms Daphne Smith in the CU-08-01 and ZA 08-02:

- Application with Environmental Health will be completed.
- The Manufactured home will be a 2004 model or newer.
- The Manufactured Home will be placed within the woods.
- Existing trees will be preserved as much as possible, avoiding cutting unnecessary trees.
- The Manufactured home is brick underpinned, vinyl sided and shingle roofed.

Bob Davis requested a site location for the manufactured home in the CU-R-A 08-01 application. He asked if this application was specific for one manufactured home or if later will allow more manufactured homes in the same property. Mr. Perez brought to everyone's attention that the application for CU 08-01 stated that only one manufactured home would be permitted. The exact location will have to be displayed within an attachment to the application.

Chairman McManus opened the floor for the public to voice their opinions. Ms Daphne Smith came to promise that she will do as it is written in the CU-08-01 application and she will plant trees in both sides (North and South) of her property so the manufactured home will not be seen from her neighbor, Max Little's property.

John Horne expressed concern with the person that will use the manufactured home as residence. Ms. Smith said that while her brother is not living in Stanly County, either one of her children or the children of the man she actually dates may come and live in near future. Mr. Horne stated that two months ago Ms Smith planned to bring the trailer for her brother to live and care for her as she is sick and now there is a possibility that other relatives may live in the said manufactured home.

Chris Snyder, from 32618 Guard Road, voiced his question on the possibility to join two lots and make one. He said that the area is saturated with manufactured homes and that in 4 to 5 years there will be more in the property that is being discussed. Max Little from 32453 Guard Road opposes passing this petition and that there is no more room for manufactured homes in Guard road. Vanessa Mullinix from 44588 Morrow Mountain Rd supports preserving the beauty of Morrow Mountain Rd and is concerned on the future of the manufactured home that could be placed on Ms Smith property after she does not live there anymore in 10 to 15 years from now.

Chairman McManus asked for more opinions and after no one else wanted to voice their opinion, the Planning Board was granted a five minutes recess. After recess, the Board took action.

**Motion:** John Horne made a motion to send back CU 08-01 and ZA 08-02 to the Board of County Commissioners with a negative recommendation.

**Second:** Ronald Crawley seconded the motion.

**Action:** the Board unanimously approved this motion.

The Planning Board members requested from the Planning Staff updated Stanly County Ordinances.

**Item 2. ZA 08-04 Text amendment to change: Section 905.4** to include the property owner /contractor as a person to be held responsible for zoning violations.

Michael Sandy explained the request from County attorney, John Roberts, to amend this section.

**Motion:** Ronald Crawley made a motion to pass this text amendment in Section 905.4.

**Second:** Bob Davis seconded the motion.

**Action:** the Board unanimously approved this motion.

### **Other Businesses**

Bob Davis called the Board on revision of section 405 of the Zoning Ordinance. Michael Sandy and Planning Staff were assigned to bring improvements for the November 10<sup>th</sup> meeting.

John Horne reported on the meeting of the sub-committee that was designated to study the possibility of allowing the Board of Adjustment to issue Special Use Permits for agricultural, fairs, carnivals, and entertainment activities. Because none of the Board of Adjustment members came to the meeting on September 11, 2008, no action was taken and any action was delayed until a later date.

### **Item 5. Adjournment**

**Motion:** Mr. Floyd Eudy made a motion to adjourn.

**Seconded:** Houston Clark seconded the motion.

**Action:** The meeting was adjourned at 8:40 pm.

---

Joe McManus, Chairman of the Board

---

Michael M. Sandy, Clerk of the Board.