



Stanly County Planning Board May 10, 2010 - Meeting Minutes

Call to Order

The Stanly County Planning Board held its regular meeting on May 10, 2010, at 7 p.m. in the Commons Meeting Room at 1000 N 1st Street, Albemarle North Carolina.

Stanly County Planning Board Members Attending

Billy Franklin Lee

Houston B. Clark, II

Brenda Hunter

Floyd Eudy

Allan McGuire

Marvin Smith

Sam Estridge Jr., Vice –Chairman, joined the meeting at 7:20 p.m.

Planning Board Members Absent: None

Stanly County Planning Staff Attending

Michael Sandy, Planning Director, AICP, CZO

Linda Evans, Planner II

Others Present: None

The meeting was called to order at 7:00 p.m. by Clerk Michael Sandy. In the absence of Vice-Chairman Sam Estridge, Jr., Michael Sandy asked for volunteers to Chair tonight's meeting. No one volunteered and Michael stated that Marvin Smith has had several years experience as Chair on the Board of Adjustment. The Board concurred with Michael and asked Marvin if he would chair tonight's meeting and he agreed. Acting Chairman Smith called the first item on the agenda and asked staff to present the case.

Michael Sandy stated that cases ZA 10-02, ZA 10-3, ZA 10-04 are requests for rezoning from RA (Residential Agricultural) to H-B (Highway Business). Mr. Max Hinson, Mr. William Faulkner, Mr. Steven Bowers all respectfully request rezoning of four parcels (tax record numbers 3209, 7732, 11602, 11598) totaling approximately 1.64 acres adjoining Canton Heights or NC 24/27 currently zoned RA be rezoned to H-B. The property in question is located to the west of Canton Road and NC 24/27. The purpose of this requested amendment is to allow the property to be used for business or commercial purposes.

The adjoining properties are zoned R-A to the south, and west and H-B (Highways Business) zoning in proximity to the east and north. Public utilities including water are provided to the property in question with sewer located to the east in NC 24/27. This property is not located in a

regulated floodplain or in the WS-IV water supply watershed. The property in question is located within a growth area according to the Stanly County Land Use Plan and its proposed revision. Traffic on this section of Canton road is approximately 3100 cars per day and NC 24/27 with an approximately 14000 cars per day as of 2008 NCDOT data.

The Planning Staff recommends H-B (Highway Business) as a general use.

This rezoning would be in conformance with the 2002 Stanly County Land Use plan due to the fact that this property is in a growing area with recently added utilities and should be added in the future growth area designation.

Acting Chairman Smith asked if anyone present wished to speak regarding this case.

Teresa Smith came forward and stated that she is representing all the property owners involved in this rezoning request. She stated that this is prime location for highway business, considering the properties' proximity to NC 24/27 Hwy. She stated that she has the property listed and would like to advertise it as highway business zoning.

Mr. Smith asked her if there is a buyer who is interested in the property. She stated that she has had several inquiries regarding the property but no offer has been made at this point.

Acting Chairman Smith asked if anyone opposed this request.
No one came forward.

Acting Chairman Smith asked for a motion.

Motion: Allan McGuire made a motion to forward the proposed zoning map amendments to the Stanly County Board of Commissioners with a favorable recommendation for approval.

Second: Floyd Eudy seconded the motion.

Action: The Board unanimously approved this motion.

Acting Chairman Smith called the next case, ZA 10-05, and asked staff the present it to the Board.

Michael Sandy stated that case ZA 10-05 is a request for rezoning from RA (Residential Agricultural) to GB-CU (General Business – Conditional Use). Benji and Kristy Burris respectfully request that a 2.61 acre portion of Tax Record Number, 31239 currently zoned RA be rezoned to GB-CU. The property in question is located at 20024 Newsome Road (SR 1219), approximately 1600 feet north from its intersection with Frog Pond Road (SR 1221). The purpose of this requested amendment is to allow expansion of the existing automotive shop to be used for an automobile repair shop.

The adjoining properties are zoned R-A. No public utilities including water are provided to the property in question. This property is not located in a regulated floodplain or located in the WS-IV water supply watershed. The property in question is not located within a growth area according to the Stanly County Land Use Plan and its proposed revision. Traffic on this section of Newsome is approximately 400 cars per day as of 2008 NCDOT data.

Mr. Burris has agreed with the following conditions:

- Hours of operation limited to 8:00 am to 5:30 pm. Monday through Friday and Saturday 8:00 am to 12:00 Noon.
- Lighting limited to the property in question
- Outside storage limited to (5) five inoperable, unlicensed or dismantled vehicles
- No vehicle parts stored outside of the building
- Screening on the north and south side installed within one year and maintain existing vegetation along Newsome Road.

The Planning Staff recommends GB-CU (General Business – Conditional Use).

This rezoning and conditional use permit would be in conformance with the 2002 Stanly County Land Use plan due to the fact that this is a growing area and there is an increasing need for this type service. Demand for this service requires expansion of the existing established business. It is also advantageous that this type of service only requires a small area to operate effectively.

Chairman Estridge asked anyone who wished to speak regarding this request of come forward.

Mr. Burris came forward and stated that he has operated a business on this property for several years and needs to expand. He stated he is very mindful of his neighbors and wants to run a clean and safe operation that his community can be proud of.

Mrs. Burris came forward and stated that, from the beginning of the business, her husband's goal had been to expand. She stated that the business provides \$500 to \$1000 sales tax to the county and state each month. She stated that the business hosts a customer appreciation gathering each year and all of the community attends. She stated that her husband is very civic minded and donates generously to local charities.

Allan McGuire stated that he lives in the community and he noticed that the property has more than adequate screening.

Mr. Burris stated that very thick, tall Leland Cypress trees were planted along three sides of the property.

Motion: Buddy Clark made a motion to forward the proposed zoning map amendments to the Stanly County Board of Commissioners with a favorable recommendation for approval.

Second: Billy Franklin Lee seconded the motion.

Action: The Board unanimously approved this motion.

Michael Sandy asked the Board to consider one more item, ZA 10-06, Text Amendment to the Telecommunications Towers, Antennae and Facilities Overlay District. Staff proposes that, in Section 614.6, a new sub-section (H) shall be added to read as follows: *An annual inspection shall be performed on all pre-existing and approved telecommunication towers to ensure the following: Adequate insurance, signage for owner and emergency contact, screening as required, access for emergency response, vegetation removal from within the tower area, and adequate safety fencing. An annual inspection fee may be required per the county fee scheduled as adopted by the County Commissioners.*

Adjournment

Vice-Chairman Estridge asked for a motion to adjourn. A motion to adjourn was made by Floyd Eudy and seconded by Brenda Hunter. The meeting was adjourned at 7:35 p.m.

Sammy E. Estridge, Jr., Vice-Chairman

Michael M. Sandy, Clerk