



Stanly County Planning Board August 8, 2011 - Meeting Minutes

Call to Order

Chairman Estridge called the meeting to order on August 8, 2011, at 7:15 p.m. in the Commons Meeting Room at 1000 N First Street, Albemarle, North Carolina.

Stanly County Planning Board Members Attending

Billy Franklin Lee
Allan McGuire
Houston B. Clark, II
Marvin Smith
Sam Estridge, Jr.

Planning Board Members Absent:

William Lilly, Jr.
Brenda Hunter

Stanly County Planning Staff Attending

Linda Evans, Planner II
Michael Sandy, Planning Director

Others Present: List filed with August 8, 2011, Planning Board minutes.

Chairman Estridge asked if there were any corrections to the July 18, 2011, minutes

Motion: Marvin Smith made the motion to approve the July 18, 2011, meeting minutes as written.

Second: Houston Clark seconded the motion.

Action: The Board unanimously approved this motion.

Chairman Estridge called the first item on the agenda and asked Michael Sandy to present the case, ZA 11-12.

Michael Sandy stated that Ryan Jones is requesting to rezone a 3.65 acre parcel of land from RA to GB, tax record number 4916. The property is located on the east side of NC 138 Hwy approximately 400 feet north of the Chapel Road intersection. The purpose of this requested amendment is to allow for the operation of an automobile repair business.

The adjoining properties are zoned RA Residential Agricultural. Public water is available to the property but public sewer is not available. This property is not located in a regulated floodplain and is not located in a WSIV Water Supply Watershed. The property in question is not located within a growth area according to the Stanly County 2010 Land Use Plan. Traffic on this section

of NC 138 Hwy is approximately 3000 cars per day as of 2009 NCDOT data. Planning staff recommends this request due to fact that rezoning is located in an area of a transportation route and in proximity to other business zoned property.

Houston Clark asked if there is a structure currently on the property and Mr. Sandy answered no.

Chairman Estridge called the applicant to come forward and present his case.

Mr. Jones came forward and stated that he has recently bought this property with the intention of placing a building there for storage of his cars. He stated that he lives on property across the road from this property. He stated that he is a car enthusiast and he collects and restores old cars. He is still in possession of the first car he bought when he was twelve years old. He thought he could place a structure here and tinker on his cars but was told by zoning that he could not because this would be an accessory use. After learning this, he decided to place a building on the property and operate an alignment and restoration shop. He stated he is a builder by trade and does not have enough to keep him working in the current economy. He is just looking for something to keep him busy and support his family. He plans to fence in the property and there are pines that will eventually hide any business that is operated there.

Marvin Smith asked Mr. Jones how far this property is from the transmission shop in the area. Mr. Jones answered about one-half mile.

Allan McGuire asked if he could put the building on the property with his house. Mr. Jones stated that the property his house is located on will not perk for another septic tank and he wants a restroom in the building.

Chairman Estridge asked if anyone else would like to speak regarding this case. No one came forward.

Chairman Estridge stated that he would entertain a motion at this time.

Motion: Marvin Smith made a motion to send this case to the County Commissioners with a recommendation to approve this request for rezoning.

Second: Billy Franklin Lee seconded the motion.

Action: Four Board members voted in favor of the motion, with Allan McGuire voting against the motion. Motion passed

Chairman Estridge informed Mr. Jones that he would need to attend the Board of Commissioners meeting on September 12, 2011, for a final decision on this matter.

Allan McGuire stated that this type rezoning could be considered spot zoning. Michael Sandy stated that the definition for spot zoning is very vague. Discussion from other Board members pointed out that there are other businesses in the immediate area which validates the recommendation by the Planning Board to rezone this property.

Adjournment

Chairman Estridge asked for a motion to adjourn. A motion to adjourn was made by Marvin Smith and seconded by Houston Clark. The meeting was adjourned at 7:30 p.m.

Sam Estridge, Jr., Chairman

Linda Evans, Clerk