



YADKIN COUNTY PLANNING BOARD

Meeting Minutes
March 9, 2020

Members Present

Dean Swaim, Chairman
Jerry Hutchens, Vice Chairman
Steve Brown
Teresa Swain
Resha Peregrino-Brimah
Sam Wagoner (Alternate)

Members Not Present

Ercel Carter (Alternate)

Staff Present:

Dawn Vallieres, Planner

Guests

Adam Lane

Call To Order

Chairman Swaim called the March 9, 2020 Meeting to order promptly at 7:00 PM. The attendance and quorum were noted. Sam Wagoner was made a voting member for tonight's meeting.

Minutes Approved

Chairman Swaim asked if everyone had a chance to review the minutes from January 13, 2020. No changes to the minutes were requested. Sam Wagoner made a motion to approve the minutes. Resha Peregrino-Brimah seconded. The Board voted 5 - 0 to approve the minutes. (Board Member Teresa Swain arrived shortly after minutes were approved but Sam Wagoner had already been made a member for the evening)

Public Comments

There were no public comments. The guest present was here for the rezoning application.

Old Business

Staff reported that the County Commissioners were discussing how they want to proceed with the process of updating the Future Land Use Plan. County Manager Lisa Hughes will update staff when the commissioners decide which way they want to proceed. There has been talk of having the Commerce Department do it again.

A Board member asked about the update of the zoning ordinance. Staff reported that a smaller municipality expressed concern on redoing an ordinance. County Manager Lisa Hughes reached out to the Piedmont Triad Council of Governments and there will be an informational meeting this Friday. Staff has not proceeded on the updates while waiting to see how management chooses to move forward.



New Business- Oath of Office

Staff explained that the updated zoning enabling legislation (160D) from the State of North Carolina requires that anyone serving as an appointed board member take an oath of office. Aric Wilhelm, Register of Deeds, gave all board members present their oath of office for the Planning Board.

New Business- Adam Lane Rezoning Request

Chairman Swaim told the Board that the request before them tonight was a little bit unusual from what they usually have and asked staff to provide background on the application.

Staff explained that this area is predominantly agricultural. You would not typically put manufacturing/industrial out in an area that is overwhelmingly rural agricultural. That is why this request is a conditional rezoning instead of a blanket rezoning and permits only the use specified on the site plan. The site plan is in the Board's agenda packet.

In this case, it is an automotive repair facility. The owner is the only employee. It is a 1,925 square foot proposed building. With it being conditional, should the Planning Board feel it is needed, conditions can be recommended to the Commissioners who can require that conditions be placed on the use to protect the character of the neighborhood.

A Board member asked what happens years down the road if it is no longer a business...does it just revert back to rural agriculture? Staff replied no that it would have to go back through the rezoning process. If they wanted to change the use, or even expand the use. Even if they wanted to go back to residential...the property would need to go back through the rezoning process.

A Board member asked if it was for the one time owner? Staff replied that it (rezoning) would run with the land but the use could not be changed without going through the rezoning process.

Should the owners decide that they no longer want to have a business and would like a house then they would have to come back through the rezoning process. If they wanted to change to a plumbing business...they would still need to come back through the process. Even if it was the same building with no additional traffic? Yes, it would still have to come back through the rezoning process.

Staff gave a presentation on the application for rezoning. The applicant was asked where his house is.

Mr. Lane said he has recently bought the house in front of this property from his aunt's estate. So that he is living in front of this property and next door to his father. Mr. Lane also owns the parcel behind this.



YADKIN COUNTY PLANNING BOARD

Meeting Minutes
March 9, 2020

A Board member had a question...that this going to be an automotive repair business. This is a 5 acre parcel...now, the concern is that some automotive places end up with a whole lot more cars that need repairs than those going back to the owners....the concern is that it could become five acres of cars that need to be fixed.

Applicant stated that he has been in business on Highway 67 for 12 years and there are no cars left there. His company policy is once it has been there for 90 days he is going to the court house and filing.

Applicant stated he grew up on the land and there is very little agriculture in the area now. History of the area was discussed.

Staff continued with the presentation.

A Board member asked how far it was from downtown East Bend. Applicant stated 5.2 miles.

Staff stated that this seems to be closer to a home occupation but it could not be done as a conditional use for home occupation of a commercial nature due to it being motor vehicle repair. The ordinance does limit junked vehicles at a repair shop to five. Which is more than at a private residence but is not unlimited.

A Board member asked if there would be buffering requirements? Buffers were discussed. Staff said it would require buffers, either vegetation or a fence to shield adjacent residential properties.

The driveway was discussed. This parcel would be considered a flag lot. Minimum width is counted starting at the front setback line.

A Board member asked why Manufacturing/Industrial 2 Conditional was chosen rather than Motor Repair in MI-1 or as a conditional use in Highway Business or Community Business. Staff replied that there is not any Highway Business or Community Business zoned parcels in the area. For Manufacturing Industrial 1 you would typically expect to see more services available such as water and sewer.

It is not in accordance with the Future Land Use Map as this area is classified as agricultural. The agritourism area centered on the wineries was discussed.

The downhill location of this parcel was discussed. Being downhill shields the road and the neighbors from the building and any noise.

The width of the driveway was discussed. It is 24 feet wide. While NCDOT right of way typically varies from 45-60 feet, most rural roads are 18-24 feet in actual road width.



YADKIN COUNTY PLANNING BOARD

Meeting Minutes
March 9, 2020

There was discussion about the applicant's facility fire in the location where his business had been for 12 years.

Resha Peregrino-Brimah made a motion to recommend approval and adoption of the consistency statement. Steve Brown seconded. The Board voted 5 - 0 to recommend favorably and adoption of the statement of zoning consistency and that both be submitted to the County Commissioners.


Board Member Comments

There was discussion on islands in the Yadkin River and the changes up in that area.

Adjournment

Chairman Swaim called for a motion to adjourn. A motion to adjourn was made and seconded. The Board voted 5 - 0 to adjourn. There being no further business, the meeting was adjourned at approximately 7:42 pm.

Respectfully Submitted,
Dawn Vallieres, Secretary to the Planning Board


Dean Swaim, Chair

Approved on 13 July 2020