

## FRANKLIN COUNTY PLANNING BOARD

June 14, 2016

The Franklin County Planning Board held its regular monthly meeting on Tuesday, June 14, 2016 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

**Present:** William Wallace, Mark McArn, Mary Solomon, John Sledge, Steve Mitchell, Ricky May, Steven Buescher

**Staff:** Scott Hammerbacher, and Katie Rhyne.

Chairman William Wallace called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. Steven Mitchell gave the invocation.

A motion to approve the agenda was made by Mark McArn with a second by Steve Mitchell. The motion passed unanimously.

A motion to approve the minutes from May 10, 2016, was made by Steve Mitchell, seconded by Ricky May. The motion passed unanimously.

### **Agenda Items:**

1. 16\_REZ\_04 Mark C. & Shelia N. Leonard is requesting to rezone 1.11 acres at 3542 NC 58 HWY in the Goldmine Township from Agricultural Residential (AR) to Highway Business (HB).

The petitioner stated within the application that they wish to use this location to sell vehicles and perform automobile repair work. They would like to use the existing accessory/shop building for the automobile repair work. Within the petition the applicants state that there is an existing business within 200 yards of their home and the rezoning would allow for better use of their property. All of the surrounding properties are zoned Agricultural Residential (AR). There is an approved Conditional Use permit for a manufactured housing/wood building production business approximately 300 yards to the north of this property. This property is located just over 200 yards from the Centerville Town Limits and 500 yards from the intersection of NC 58 HWY and NC 561 HWY.

Scott Hammerbacher added that staff had reviewed the proposal and found that Highway Business (HB) is the only zoning use category that allowed for both auto sales and repair. He explained that staff had concerns about the Highway Business zoning due to all of the uses allowed within the zone, so staff recommended General Business (GB) which would allow for automotive repair, or Neighborhood Business (NB) which would allow for automotive sales.

Mark McArn asked if a Highway Business Conditional Use (HB-CU) Zoning could be an alternate route to suggest for the property owners. He explained that this would allow the property owners to continue residing within the home, and would restrict the use of the site to only single family dwelling, automotive repair, and automobile sales.

Scott Hammerbacher explained that due to the size of the property in question, he felt the restricted uses would not harm the adjacent property owners.

Mark Leonard (3542 NC 58 HWY Louisburg, North Carolina)

Mr. Leonard confirmed that single family dwelling, automotive repair and automobile sales were the only two uses he wished to utilize the property for.

Scott Hammerbacher added that if the change of zoning were approved, any outdoor storage pertaining to the business in question would have to be screened via a buffer or privacy fence.

Mr. Leonard explained that he understood and accepted those restrictions.

Arnold Davis (3549 NC 58 HWY Louisburg, North Carolina)

Mr. Davis explained that he was a neighboring property owner and was in favor of this rezoning.

Steve Mitchell made a motion to approve the rezoning as a Highway Business Conditional Zoning to allow only for a single family dwelling, automobile sales and automotive repair as uses allowed on the lot. Johnnie Sledge seconded the motion. The motion passed unanimously.

2. 16\_MAS\_10 A preliminary plan has been submitted for Bailey Farms Subdivision Phase I & II. This property is located on US 401 Hwy in Harris Township in the R-30 Residential and R-1 Residential Zoning Districts. It is also located within the Airport Overlay District. The preliminary plan is for the subdivision of approximately 80.69 acres into 71 lots. Phase I of this subdivision was approved by this Board on July 14, 2015. Construction of the first phase is currently underway. The subdivision is designed to be served by a community water system and septic systems. The subdivision is designed using the cluster provision of the Unified Development Ordinance requiring a minimum of 20% open space. There are 10.76 acres of dedicated open space in this development.

Royal Elementary, Bunn Middle, and Bunn High are the schools that will serve this subdivision.

The following conditions for approval from Planning Staff have been added to the permit:

- Sedimentation and erosion control plan approval.

- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- Approval by the North Carolina Department Of Transportation.
- All road designs and entrances must meet North Carolina Department Of Transportation standards.
- Prior to Final Plat, ensure all lots can accommodate on-site septic treatment and disposal. If a variance of Unified Development Ordinance development standards is applied for in the future, a hardship will not be present.
- Water system approved by the North Carolina Department of Environmental and Natural Resources.
- Community wells and 100 ft radius for Beaver Creek Subdivision and Woodlake Subdivision shall be reflected on final plat. Setbacks from the well must be maintained. If a variance of Unified Development Ordinance development standards is applied for in the future, a hardship will not be present.
- Final Tar-Pamlico stormwater Review approval.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- The following statement shall be on the final plat: Property shown on this plan/plat is within the Franklin County Airport Conical Zone-AHOC and all or portion of the property described hereon is within an area that is subject to an average noise level near to or exceeding 55 DNL.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan Staff Report to the Planning Board Page 4
  - Recorded Covenants
  - Street lighting plan
  - Mail center is subject to County and North Carolina Department Of Transportation approval.

Tom Spaulding (972 Trinity Rd, Raleigh North Carolina)

Mr. Spaulding explained that the first phase that had been approved was 29 lots and the cost of the required road improvements and the well caused the property owners to want to finish up the plans for the subdivision as soon as possible. He explained that each lot was roughly one acre with few exceptions, making them fairly sizable lots.

Mark McArn asked if the project only had two wells for their system and if there would be a backup well to be put in place.

Tom Spaulding explained that due to the number of proposed lots for the project, the State was requiring them to have two wells.

John Sledge asked if Franklin County required community well systems.

Scott Hammerbacher responded that the County used to require community wells, but no longer did. He explained that developers are still welcome to utilize community wells and that there were benefits to Community Wells over private wells. Community wells are required to be monitored by the State which would happen less frequently with private wells. If the Community Wells were to dry up it would be more likely that the county could run a water line to serve the properties than it would if an individual well were to run dry.

William Wallace asked the petitioner if he understood the requirements that Planning Staff had proposed and if he accepted them.

Tom Spaulding explained that he understood, and accepted the requirements.

Steven Buescher made a motion to approve the subdivision with the additional requirements submitted by planning staff. Steven Mitchell seconded the motion. The motion passed unanimously.

In additional business Scott Hammerbacher informed the Board that the County was working on finalizing the budget for the fiscal year, Solar Farms that had been approved through the Special Use process at the beginning of the year were beginning to submit plans for development, and there was new legislature that could have an impact on the current Unified Development Ordinance that the planning staff was closely monitoring.

With there being no further business before the Planning Board, Chairman William Wallace adjourned the meeting at 7:30 P.M.

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William Wallace – Chairman  
Franklin County Planning Board

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Katie Rhyne – Clerk  
Franklin County Planning Board