

MINUTES FOR THE FRANKLIN COUNTY PLANNING BOARD

June 8, 2010

The Franklin County Planning Board held its regular monthly meeting on Tuesday, June 8, 2010 at the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

Present: Henry Nelms, Willie Bartholomew, Richard Hoyle, Mark McArn, Mary Solomon, William Wallace and Ricky May.

Absent: Ronnie Pearce, Robert VanGraffeland, Robert Mann, Fannie Brown, William Holden and Phillip Jeffreys.

Staff: Tammy Davis, Jason Rogers and Scott Hammerbacher

Chairman Henry Nelms called the meeting to order at 7:07 P.M.; and welcomed everyone in attendance. Willie Bartholomew gave the invocation. Mark McArn made a motion, seconded by Mary Solomon to approve the minutes from the March 9, 2010 and April 13, 2010 meetings. The motion passed unanimously.

Agenda Items:

#1. Map Amendment: Parrish Realty, Old US 64 Hwy, 2.184 Acres, R-30 (Residential) to Highway Business (HB), Dunn Township.

Jason Rogers stated there is a shop that has been constructed on the property that has not been permitted by the Franklin County Planning & Inspections office. He stated the UDO states the purpose of the Highway Business district shall be to provide for and encourage the proper grouping and development of roadside uses which will best accommodate the needs of the motoring public, the reduction of highway congestion and hazard, and the minimization of blight. He stated Planning Staff is recommending denial of the requested rezoning for the following reasons:

- The Comprehensive Land Use Plan has this property designated as Low-Density Residential and does not support the rezoning request.
- The subject property is surrounded by R-30 (Residential) zoning.
- This property is not located along a major thoroughfare nor is it located at an intersection.
- There is no water and sewer currently available at this site.

Richard Hoyle questioned if the request would be considered spot zoning. Scott Hammerbacher stated there are several factors to look at:

- Size of property
- Compatibility with Land Use Plan
- Not compatible with surrounding properties
- Uses allowed in Highway Business District (Pawn Shop, Truck Stop, etc)

William Parrish stated he wants to put a tax base use for the property. He stated he is willing to go through the Special Use Permit process if necessary. He stated the building on the property was built 8-10 years ago. He stated there are some existing businesses in the surrounding areas. He stated the

property doesn't have a history of disturbing the neighborhood. He stated he doesn't see how it can be a tax entity without getting septic permits and other necessary building permits as required. Willie Bartholomew questioned what was being planned for the property. Mr. Parrish stated his clients are interested in a machine/farm production facility. Mark McArn questioned why Neighborhood Business zoning being requested versus Highway Business. Mr. Parrish stated he isn't opposed to it being Neighborhood Business if the Board deems fit. He stated he would prefer Highway Business with conditions because Neighborhood Business limits use of the property. He stated the septic and well is located on another property. He stated he doesn't feel it would be spot zoning because the use fits in with the neighborhood.

Damon Poole stated the proposed property was his family's land previously. He stated the shop on the property was built in 2006 to store equipment. He stated he had complaints with trucks coming in and out so they stopped moving equipment in and out. He stated his family tried to negotiate with the bank in order to keep the property but wasn't able to come to any terms. He stated the easement to the property has never been notarized. He presented the Board with a petition of signatures against the rezoning request.

David Poole stated the proposed property is the lowest property in Pilot and has drainage issues because of stormwater draining to the property. He stated there are waterlines running across the property and if there is heavy traffic, it will damage waterlines and drain lines.

Evelyn Horton stated the soil on the property is terrible. She stated cars and trucks would get stuck due to drainage issues. She stated the area is residential and needs to stay this way.

Alice Greenly (Parrish Realty) stated the Poole's are the ones who created the problems. She stated the property was foreclosed on and the commercial building was built without permits. She stated the Poole's want the property back so they are trying to keep anyone else from purchasing the property and getting any use of it. Mr. Parrish stated he wants to sell the property and is willing to put any type of septic system that will work for the proposed property.

William Wallace made a motion, seconded by Richard Hoyle to recommend denial due to the fact the proposed map amendment isn't in accordance with the Future Land Use Plan or in harmony with the area. The motion passed unanimously.

#2. Map Amendment: E&S Property Management, 3516 West River Road, 1.33 Acres, Special Use Rural Business to Agricultural Residential, Franklinton Township.

Jason Rogers stated the property is located where West River Road and Montgomery Road intersects. He stated there is a vacant building located on the property. He stated the property was rezoned to Special Use Rural Business in October, 2005 to allow for an arts, craft and gift shop only. He stated the applicant has expressed a wish to open a convenience/grocery store at the proposed location. He stated the proposed rezoning is in harmony with the surrounding zoning and is in conformance with the Franklin County Land Use Plan.

Richard Hoyle stated the property is located near an existing store and he also expressed a concern with traffic coming in and out at this bad spot.

Tim Shearin stated he doesn't want a store business in the neighborhood. He stated he would rather see a controlled business at the location if any. Chairman Nelms reminded everyone that the Board was only here to look at the zoning of the property and not the intended use.

John Manson expressed a concern with the intended use of the property.

Katie Manson expressed a concern with the traffic.

Mark McArn made a motion, seconded by William Wallace to recommend approval of the map amendment. The motion passed unanimously.

William Wallace stated the Board made the decision that has to be made. He explained that everyone who had concerns with the use of the property needs to voice their concerns when it's time for the applicant to go before the Board of Adjustment. He explained the Board of Adjustment look at the intended uses for properties.

- #3. Other Business/Reports/Discussion
 - A). Departmental Report
 - B). Other Business/Reports/Open Forum

With there being no further business before the Planning Board, Chairman Nelms adjourned the meeting at 8:00 P.M.

Henry Nelms – Chairman
Franklin County Planning Board

Tammy Davis – Clerk
Franklin County Planning Board