

## MINUTES FOR THE FRANKLIN COUNTY PLANNING BOARD

OCTOBER 16, 2007

The Franklin County Planning Board held its regular monthly meeting on Tuesday, October 16, 2007 in the Franklin County Administration Building, 113 Market Street, Louisburg, North Carolina.

**PRESENT:** Willie Bartholomew, Fannie Brown, Melvin Cheaves, Ricky May, Henry Nelms, Mary Solomon, Robert VanGraafeiland, Mark McArn and William Wallace.  
**ABSENT:** Philip Bues, William Holden, Richard Hoyle, Phillip Jeffreys, and Ronnie Pearce.  
**STAFF:** Tammy Davis, Scott Hammerbacher, Patrick Young and Darnell Batton.

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

Willie Bartholomew moved, seconded by William Wallace to approve the agenda as presented. The motion passed unanimously.

Willie Bartholomew moved, seconded by Mary Solomon to approve the minutes from the July 10, 2007, August 14, 2007 and September 11, 2007 meetings as presented. The motion passed unanimously.

### **Agenda Items:**

#1. Subdivision Request Extension: Ashton Meadows, Preliminary Plat, Youngsville Township, Hill Road (State Road 1113), R-15 District, 121 Lots.

Scott Hammerbacher stated the preliminary plan was approved on October 11, 2005 for a period of two years. He stated the preliminary plan is for the subdivision of an approximate 70.53 acre tract into 121 residential lots. He stated the owner is requesting an extension of the previously approved plan for 12 months. He stated the following permits have been obtained for the development:

- NC DOT Subdivision Approval
- NC DOT Driveway Permit
- NC DOT Right-Of-Way Encroachment
- NC Division of Water Quality (DWQ) Sewer Extension Permit
- NC DWQ Buffer Impact Permits
- NC Division of Natural Resources (DENR) Water and Sewer Extension Permit
- NC DENR Land Disturbing Permit

Mr. Hammerbacher stated the development would be subject to the recently adopted Adequate Public Schools Ordinance and a Certificate of Adequate Public Schools would be required prior to securing building permits. He stated the development is designed to be served by public water and sewer. He stated staff is recommending that the development be approved conditional upon formal allocation of utilities by the Board of County Commissioners. He stated that staff would recommend that should the Board of Commissioners grant allocation of utilities to the development that a deposit for utilities be made and that milestones for the completion of the development be established. He stated Planning staff recommends approval of an extension of the preliminary plan with the following conditions:

- Allocation of water and sewer shall be approved by the Board of Commissioners within 60 days of Planning Board action.

- All utility plans will be approved by the Public Utilities Department prior to construction.
- All road designs and entrances must meet NCDOT standards.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the UDO are satisfied.
- A Certificate of Adequate Public Schools shall be secured prior to the issuance of building permits.
- The original preliminary plan was approved with the following previous conditions:
  - A left turn lane into the subdivision will be required as per the Traffic Impact Analysis and recommendations from the NC DOT.
  - Area along Hill Road will be allocated for the future widening of the road to two 12-foot lanes.
  - A report regarding the safety and drainage of the dam at the pond will be required prior to the start of any site improvements.

Mark McArn questioned what would have to happen before the Planning Board would not support an extension like the proposed. Mr. Hammerbacher stated staff is still evaluating these procedures since this is a new process and staff is looking at the merits of each subdivision in order to make any determinations. William Wallace questioned at what point does the allocation of these resources occur. Pat Young stated as long as the applicant records lots within the 2 year period timeframe. He stated staff will evaluate each extension request carefully. He stated this extension request is very close to recordation.

Robert VanGraffeland made a motion, seconded by Fannie Brown to approve the subdivision request extension. The motion passed unanimously.

#2. Map Amendment: Bobbie E. Wrenn, Dunn Township, Wrenn Way (located off Hwy 39), R-30 Residential to Rural Business (RB), 1.05 Acres.

Pat Young stated the applicant has expressed she wants to use an existing building as an antique and frame shop and occasional auctions. He stated the Land Use Plan has this property designated as low density residential. He went over the purpose of Rural Business as stated in the Land Use Plan. He stated Hwy 39 is showing characteristics of a sprawl development pattern with uses not compatible with the immediate area. He stated Hwy 39 has the average daily traffic of 4,100 vehicles per day with a capacity of 4,700 vehicles per day. He stated staff is recommending an approval be done as a Special Use Rural Business to limit the scope of the type of uses allowed. Mr. Young explained the Special Use rezoning would only allow the defined certain uses the petitioner would like.

Patria Wrenn Smith stated her family owns land around the proposed area. She questioned if a Special Use would carry with the property or just with the petitioner. Mr. Young stated it would carry with the property allowing for it to be used only for the particular uses the applicant is approved for. Mrs. Smith expressed her concern involving liability to her mother's property, which adjoins the Applicants since the public would be coming to the proposed site. She questioned how it would be regulated to ensure traffic stay away from her mother's property during auctions. She expressed concern with her mother's safety since the public would be coming to the proposed property. She stated she is concerned with the safety of the children that play on the path. She stated she doesn't

have a problem with the use the applicant is proposing but is very worried what happens if property is sold to another party.

Bobbie Wrenn stated she lives at the end of Wrenn's Way. She stated she doesn't want to have the public on this private path but she has no control if someone does go down the path. She stated she has an existing established business and would like to move the business to be closer to home since she cares for her two elderly aunts.

Mrs. Smith stated she is concerned with her mother's privacy and the privacy of any family members in the future and the liability that will come with the general public being allowed to come to the business that Mrs. Wrenn is proposing.

Darnell Batton questioned if parking had been addressed for auctions. Pat Young stated staff hasn't had the time to put together a staff recommendation for a Special Use Permit. He stated staff would be more than happy to do so if it is the pleasure of the Planning Board.

William Wallace made a motion, seconded by Mary Solomon to table the agenda item until the November meeting to allow staff time to work out details for a Special Use Permit Rural Business with the issues addressed such as parking.

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

With their being no further business before the Planning Board, Chairman Nelms adjourned the meeting at 7:35 P.M.

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Henry Nelms, Chairman  
Franklin County Planning Board

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Tammy Davis, Clerk  
Franklin County Planning Board