

TOWN OF FOUR OAKS
PLANNING BOARD MEETING MINUTES
July 11, 2023 at 6:30 p.m.

- 1) Call to Order
Ashton Wood, Vice-Chairman called to order at 6:30 pm. Members present were Ashton Wood, Loretta Beasley, Jamey Caudill, Steve Kelly, and Casey Matthews. Absent were Diane Holland, DeLaine Jackson, and John Martin. Also present were staff: Mike Cook, Martha Garris, & Barry Stanley.
- 2) Pledge of Allegiance – Led by Ashton Wood
- 3) Welcomes and Mission Statement – Ashton Wood
- 4) Approval of Minutes
 - (a) Planning Board Meeting – June 13th, 2023
Motion to approve the June 13th, 2023 Planning Board minutes as presented was made by Casey Matthews, seconded by Loretta Beasley, voting unanimous.

Albert Brewer, Chairman, arrived and Ashton Wood turned the meeting over to him.

- 5) Public Hearings:
Albert Brewer called the meeting into a public hearing.
 - (a) Tabled in June until July: Johan Enns Boldt & Johnny Loewen Boldt, Petitioners & Owners – Request for a Special Use Permit to allow for a Venue for Events located at 403 Old Olive Road in the Town's ETJ; Parcel # 15H09020D

NOTES ON CASE BY STAFF: Same as in June

- Owner would like approval to use the property for a venue for events at 403 Old Olive Rd on 19.85 acres
- Parcel is in the Town's ETJ
- Zone R-A SUD (Residential Agriculture) – Zoning ordinance requires a special use for a venue for events.
- Prior owner got a special use permit for a venue for events on the same property contingent that it expired when the property was sold. New owner is now seeking a special use permit.
- Petitioner/Owner indicates the venue would be in the Big Barn and have the same layout as the initial owner. The house will be personal residence.
- Does not meet all the special use Chapter 160D finding of fact requirements

- Public notice was in the FO Benson News in Review on May 31 & June 7, 2023
- Sign was placed on properties on May 31, 2023
- Letters were mailed to 5 property owners within a 500 ft radius on May 31, 2023.
- We have the descriptive information from the petition and multiple letters and information from oppositions.
- Staff recommends denial of SUP because it is a high probability that it could impede public safety officials from perform duties proficiently if needed which could endanger the public health & safety.
- According to Chapter 160D, the 4 finding of facts are:
 1. Will not endanger the public health or safety (NO – could impede public safety officials from perform duties proficiently)
 2. Will not injure the value of the adjoining property (yes)
 3. Will be in harmony with the area in which it is located (yes)
 4. Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)

At the June meetings the following discussions were from the petitioner and oppositions:

Johnny Boldt, petitioner presented: The venue business name will be: Boldt's Events and More. Events will consist of weddings, quince eras, dances, church events, etc. The venue barn is 60' x 60' with capacity of approx. 150 people; parking on approx. 4 acres adjacent to the barn; operating hour from 11 am to 11 pm; bathrooms will be 1 portable toilet per 30 people & 1 handicap accessible toilet with plans to build a building with bathrooms in the future; would have event liability insurance; if approved would like to get alcohol license to sell beer & wine; will have a deputy on site if alcohol is served & 2 deputies if over 100 people at event; have certified bartenders; no hard liquor allowed; and will not allow music to be played at an excessive volume. NC DOT has indicated they will put up speed limit signs once paving is complete on Old Olive Road.

Oppositions that spoke consisted of: Michael Blansett; Dr. Kathy Ward; Amanda Olive on behalf of Hunter Olive, Janie Olive, Dawn Olive, Mary Hunter Olive Waller, & Herself; Phil Long; & Michael Ward – summary of concerns: commercial type operations in a residential agriculture zone, high traffic volume issues; safety issues with the narrow road for emergency vehicles being able to pass thru if needed; loud music & noises; and alcohol use during events and any other times if have a premise license. Per the oppositions, these disrupt neighborhood harmony, property values, & safety

Motion recommending to deny the special use permit to allow a venue for events located at 403 Old Olive Rd based on not meeting all the special use Chapter 160D finding of fact requirements, specifically (1) that could endanger the public health & safety, was made by Ashton Wood, seconded by Casey Matthews, voting unanimous.

Michael Blansett commented there doesn't appear to be a description or any standards that apply to the venue special use in a residential / agricultural district. He presented an appeal to the Planning Board to put a temporary moratorium on any application or approvals for venues or any other uses that the Board or staff are aware of that may not be adequately defined in the Table of Uses.

- (b) Lonnie & Cynthia Allen, Petitioner & Owner – Request for a Special Use Permit to allow for a Singlewide Manufactured Home located at 1335 A Parker Road in the Town's ETJ; Parcel # 08H1008

NOTES ON CASE BY STAFF:

- **Owner would like to place a manufactured singlewide home on his parcel at 1335 A Parker Rd on 5.98 acres**
- **Parcel is in the Town's ETJ**
- **Zone R-A (Residential Agriculture) – Zoning ordinance requires a special use for SWMH. Meets the R-A minimum requirement of 20,000 sq ft.**
- **Can meet required setbacks of: 40'; 15'; 30'.**
- **Meets the Chapter 160D special use 4 finding of fact requirements**
- **Public notice was in the FO Benson News in Review on June 28 & July 5, 2023**
- **Sign was placed on property June 30, 2023**
- **Letters were mailed to 24 property owners within a 500 ft radius on June 30, 2023.**
- **Received one inquiry about what was going on.**
- **Staff has determined the findings meets requirements and recommends approval.**
- **According to Chapter 160D, the 4 finding of facts are:**
 1. **Will not endanger the public health or safety (yes)**
 2. **Will not injure the value of the adjoining property (yes)**
 3. **Will be in harmony with the area in which it is located (yes)**
 4. **Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)**

Lonnie Allen was present but had nothing to add.

Danny Lassiter, an adjacent property owner, inquired about when the town changed ordinances and began allowing singlewide manufactured homes. He indicated he and his brother-in-law had been turned down before for a singlewide manufactured home on the account of the ordinance before they had a chance to get a SUP. He was told there had not been one on the property and there could not be one. He has no problem but just wants to be treated equally. Barry Stanley asked if he had just been told or had he applied. Mr. Lassiter responded he had never applied. Albert Brewer told Mr. Lassiter to be at the Town Council meeting on Monday, July 19 if he would like to discuss further.

Motion to recommend the special use to the Board of Commissioners for approval was made by Ashton Wood, seconded by Casey Matthews, voting unanimous.

- (c) Danny & Joy Wood, Petitioner & Owner – Request for a Special Use Permit to allow for an Oversized Building on their property located at 1531 Parkertown Road in the Town's ETJ; Parcel # 08H11011A

NOTES ON CASE BY STAFF:

- **Owner would like to build an oversized 1,440 sq ft building on is property at 1531 Parkertown Rd on 34.69 acres**
- **Parcel is in the Town's ETJ**
- **Zone R-A (Residential Agriculture) – Zoning ordinance requires a special use for buildings over 1,000 sq ft.**
- **Meets the Chapter 160D special use 4 finding of fact requirements**
- **Public notice was in the FO Benson News in Review on June 28 & July 5, 2023**
- **Sign was placed on property June 30, 2023**
- **Letters were mailed to 12 property owners within a 500 ft radius on June 30, 2023.**
- **Received one inquiry about what was going on and had not issues.**
- **Staff has determined the findings meets requirements and recommends approval.**
- **According to Chapter 160D, the 4 finding of facts are:**
 5. **Will not endanger the public health or safety (yes)**
 6. **Will not injure the value of the adjoining property (yes)**
 7. **Will be in harmony with the area in which it is located (yes)**
 8. **Will be in conformity with the future land use plan, thoroughfare plan, or other plan officially adopted by the Board of Commissioners (yes – rural agriculture)**

Danny Wood, petitioner, was present. Mr. Wood commented the building will be used for general farm use, for storage, and personal use. He presented a sketch of where it will be located on the property and add it will be red vinyl siding like the other barn on the property.

Motion to recommend the special use for an oversized building on parcel # 08H11011A located at 1531 Parkertown Rd, based on it meeting zoning ordinance in Chapter 160D requirements, to the Board of Commissioners for approval was made by Ashton Wood, seconded by Jamey Caudill, voting unanimous.

Mr. Blansett suggested the Planning Board make a recommendation for a moratorium until the Town's ordinances can be reviewed and understood.

Motion to recommend placing a moratorium on venues in the city limits and ETJ until the ordinances can be reviewed was made by Ashton Wood, seconded by Casey Matthews, voting unanimous.

Noted: Mayor and Board of Commissioners will hear the recommendations of the Planning Board at their monthly meeting on Monday, July 17, 2023 at 6:30 p.m. at the Four Oaks Town Hall Chamber.

Noted: Mark your calendar for the next Planning Board Meeting, Tuesday, August 15, 2023 at 6:30 p.m.

Meeting Adjourned

Motion to adjourn at 7:21 pm was made by Casey Matthews, seconded by Jamey Caudill, voting unanimous.


Albert Brewer, Chairman

Attest


Martha L. Garris, NCCMC
Town Clerk