

MINUTES OF THE MEETING OF
ROWAN COUNTY BOARD OF COMMISSIONERS
MAY 27, 1998 – 7:00 P.M. – PUBLIC HEARING
COMMISSIONER’S MEETING ROOM, ADMINISTRATION BUILDING

PRESENT: Jim Neely, Chairman
 J. Newton Cohen, Vice-Chairman
 Steve Blount, Member
 Dave Rowland, Member
 Frank Tadlock, Member

STAFF PRESENT: Tim Russell, County Manager
 John Holshouser, County Attorney
 Kelly Dickinson, Clerk to the Board
 Don Conner, Environmental Services Director
 Ed Muire, Assistant Planner

Chairman Neely called the meeting to order and Commissioner Tadlock provided the invocation. Chairman Neely indicated that the purpose of the meeting was to hold a public hearing for a conditional use permit on Victory Lane RV Campground located at 8230 West 152 Highway-Tax Parcel 228-019. He stated that Gregory Felton was the applicant seeking the permit.

Chairman Neely asked staff to come forward and be sworn in for testimony. The Clerk to the Board administered the oath to Ed Muire, Assistant Planner. Mr. Muire stated that staff had previously presented the Board with a memorandum outlining the procedural guidelines for considering a conditional use permit. He stated that he, Don Conner and Marion Lytle had visited the site and presented the Board with an aerial photograph of the property. He also stated that notice of the public hearing was advertised on May 18 and 25.

Commissioner Blount asked Mr. Muire if the application as submitted to staff meets the requirements for consideration. Mr. Muire answered that it met Section 10, “Technical Requirements”.

At this time Chairman Neely asked the applicant to come forward and be sworn in for testimony. Attorney Cliff Holmesly, applicant representative, was administered the oath by the Clerk to the Board.

Mr. Holmesly told the Board that he was the attorney representing Mr. Felton and asked the Board to evaluate the application based on the merit that it did indeed meet the requirements as outlined in the ordinance. He noted that page 22 of the Zoning Ordinance in regards to a Rural Agricultural Zoning District allowed RV parks as a special use. He stated his clients had followed all of the outlined requirements to acquire the permit.

Mr. Charles Appenal presented the Board with a video depicting the property and its surroundings. He also reviewed each criteria for a special use permit and addressed how he and his partner complied with each section.

Commissioner Blount asked if alcoholic beverages would be allowed. Mr. Appenal answered yes, but it must be consumed on an individual campsite.

Commissioner Blount asked if Victory Lane RV Park would be similar to those located around the Charlotte Motor Speedway. Mr. Appenal stated that it was not, because the sites around the Speedway did not have electrical or sewer hook-ups.

Mr. Appenal also addressed the policy of daily garbage collection and how noise control requirements would be enforced. He described the lighting in the park stating that they would use low voltage lighting on the trails and security gates and to protect neighbors the lights would be directed toward the middle of the property.

Commissioner Blount asked Mr. Appenal about a possible traffic problem. He answered that they planned on using shuttle services from the campground to the Speedway during major events.

Commissioner Cohen asked about the cost of the project to which Mr. Appenal replied approximately \$900,000.

Commissioner Tadlock asked if Mr. Felton and Mr. Appenal had given consideration to locating in Iredell County. Mr. Appenal replied that they had applied for a conditional use permit in Iredell County but were denied because they felt the property would be better suited for industry.

Mr. Felton was then sworn in by the Clerk for testimony. He reviewed the proposed rules for the campground and described the investment he sought in the property.

Mr. Holmesly asked to submit Dave Roberts, project engineer to answer any questions for the Board. The Clerk administered the oath to Mr. Roberts. Commissioner Blount asked if the septic system was designed around the average use of the number of campers in the park. Mr. Roberts answered yes and described the design of the system. Commissioner Blount asked if the criteria for the design was in a design manual specifically for RV campgrounds. Mr. Roberts answered yes.

Mr. Holmesly then presented his closing statement and summary, asking the Board to approve the permit based on the fact that it met all of the criteria as outlined in the ordinance for approval.

Commissioner Blount moved to open the public hearing for comments on the permit application. Commissioner Tadlock seconded and the motion passed unanimously.

Chairman Neely asked all those who planned to testify to the Board to come forward to be sworn in. The Clerk to the Board then administered the oath to those citizens who wished to address the Board.

Citizens speaking in favor of the application were:

James Miller
Arlene Broadway
Joyce Freeze

Citizens who addressed the Board in opposition to the permit were:

Sue Lowery
Robbie Morrison
Christopher Martucchi
Allen Jackson
David Rice
Steve Wall
Kim and Ernie Irvan
Carol Boone and Husband
Miriam Parrott
Jennifer Jackson
Brian Jackson
Lisa Jackson Burgess
Tony Robinson
Ray Karriker
Gaylen Grant
Ann Jackson

Mike Lowery

Attorney John Greene, representing surrounding property owners then addressed the Board with a summary of those in opposition and reviewed why they felt the permit should be denied.

There being no further speakers, Commissioner Rowland moved to close the public hearing. Commissioner Blount seconded and the motion carried.

Commissioner Blount stated that it was evident that:

- 1) the residents were the only ones who could determine if the campground would detract from the character of the area and they had overwhelmingly stated they felt that it would;
- 2) there would increased traffic on 152 which would create a hazard for residents and the recreational vehicles could not adequately accelerate or decelerate as required on the road;
- 3) the volunteer fire department could not adequately respond to an increased number of people with open fires which created a hazard because wind could easily cause the fire to spread to surrounding fields with crops;
- 4) the addition of 36 RV's would create noise no matter how well noise control was enforced and using a graveled road would create dust during dry summers no matter how slowly a vehicle traveled;
- 5) any traffic created after 1:00 a.m. would be excessive
- 6) property owners had testified that the RV's and the berm would not be attractive visually to them

Commissioner Blount then moved to deny the permit based on the facts presented. Commissioner Rowland seconded the motion and it passed upon unanimous vote.

There being no further business, Commissioner Tadlock moved to adjourn the meeting. Commissioner Cohen seconded and the motion carried.

Respectfully Submitted,

Kelly Dickinson, CMC
Clerk to the Board