



**OAK RIDGE PLANNING & ZONING BOARD MEETING  
JULY 23, 2015 - 7:00 P.M.  
OAK RIDGE TOWN HALL**

**MINUTES**

**Members Present**

Doug Nodine, Chair  
Ron Simpson, Vice Chair  
Nancy Stoudemire  
Carl Leybourne  
Bobbi Baker  
Larry Stafford  
Steve Wilson, Alternate (Sitting)

**Staff Present**

Sandra Smith, Town Clerk  
Bill Bruce, Planning Director

**Members Absent**

Tammy Gardner  
Patti Paslaru, Alternate  
Brian Eichlin, Alternate

**1. CALL TO ORDER**

The meeting was called to order by Doug Nodine at 7:00 p.m.

**2. APPROVE AGENDA**

Nodine requested the Board switch the order of the public hearings. With that change, the Board approved the agenda by consensus.

**3. APPROVE MINUTES OF THE MAY 28, 2015, AND JUNE 25, 2015, MEETINGS**

Nancy Stoudemire made a **motion** to approve the two sets of meeting minutes. **Bobbi Baker** seconded the motion, and it was approved unanimously (7-0).

**4. PUBLIC HEARING**

**A. Rezoning Case #RZ-15-04. AG to CU-RPD.** The property is located on the west side of Bridgehead Road, approximately 1,900 feet south of Oak Ridge Road, in Oak Ridge Township. It is comprised of Guilford County Tax Parcels 0167806 and 0167835, consists of approximately 29.3 acres, and is owned by Gregory H. and Mary B. Campbell, and Richard Parker Barrow. The property is located in the Greensboro (GW-III) Watershed and the Oak Ridge Extraterritorial Jurisdiction (ETJ).

Planning Director Bill Bruce stated that the applicant had requested the case be continued to the next meeting. He said one property owner had recently passed away, and the applicant was working with the heirs to get everything in order. Bruce recommended the continuance be approved.

**Carl Leybourne** made a **motion** to approve the continuance. **Ron Simpson** seconded the motion, and it was approved unanimously (7-0).

- B. Rezoning Case #RZ-15-03. RS-40 to CU-HB.** The property is located at the rear of 2202 Oak Ridge Road, in Oak Ridge Township. It is a portion of Guilford County Tax Parcel 0165780, is comprised of approximately 0.348 acres, and is owned by Jerry M. Cooke. The property is located in the Scenic Corridor Overlay Zone, the Greensboro (WS-III) Watershed Overlay Zone, and the Historic District.

Planning Director Bill Bruce read the property description into the record and presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said a series of conditions had been included in the request, which are identical to conditions in the acre or so that comprises the front portion of this property, and that the owner is trying to just make the zoning on the entire tract the same. He said the portion of property that the rezoning applies to had previously been a portion of a residential property to the rear of this tract. Bruce also explained that setbacks would be identical to the adjacent commercial property to the west (the Josie's Boutique property) and sidewalk requirements would be the same. He said because the tract is located in the Historic District, the Historic Preservation Commission had been asked to review the rezoning request; the Commission had voted unanimously that the rezoning was compatible with the Historic District Guidelines. Bruce also said the request was consistent with the Land Use Plan, and he recommended approval.

Nodine opened the public hearing, noting that each side would be given 20 minutes to speak and 5 minutes each for rebuttal, if necessary.

*Proponents:*

Philip Cooke spoke in favor of the rezoning, saying he was representing his father, Jerry Cooke, who is the property owner. He said there was not much to add to Bruce's report, but that his father had owned the property for several years and there had been no real commercial interest in it. He added that his father had reached out to several of the neighboring property owners regarding the rezoning. He said neither he nor his father had heard any concerns about the rezoning request and they had not received any calls at their homes or at their office. He said water and sewer would be made available to the site and would be provided by the private utility company they own.

*Opponents:*

None

With no other speakers and no reason for rebuttal, Nodine closed the public hearing.

*Board questions/discussion:*

Larry Stafford asked if the applicant was just trying to make the entire property larger so it would be more viable as a Highway Business lot. Cooke said yes, and that his father had recently purchased the residential property behind this one and was adding a portion of that property to the front property. Stafford asked if

the residential lot still met the 40,000-square-foot size requirement, and Bruce said yes.

Nodine asked if the lot would become part of Oak Ridge Marketplace shopping center, and Cooke said no. He said if they were ever able to obtain the Josie's Boutique property, that might be a logical step.

**Steve Wilson** made a **motion** to recommend the rezoning be approved. **Bobbi Baker** seconded the motion, and it was approved unanimously (7-0).

## 5. NEW BUSINESS

**A. Subdivision Case #Sub-15-11. Tolbert, David W. and Sherry L.** The property is located at 2011 Beeson Road in Oak Ridge Township and is Guilford County Tax Parcel 0168270. This minor subdivision consists of one lot and a 20-acre remaining tract for a total of 21.74 acres. The property is zoned AG, and is located in the Greensboro (GW-III) Watershed. It is owned by David and Sherry Tolbert. Surveyor: Fleming Engineering, Inc.

Ron Simpson asked to be recused from hearing the case because he is a neighbor and close personal friend of the applicant. Larry Stafford also disclosed that he is an adjoining property owner.

**Ron Simpson** made a **motion** that he be recused from hearing the case. **Carl Leybourne** seconded the motion, and it was passed unanimously (7-0).

Nodine said he did not feel that because Stafford was an adjoining property owner was necessarily a reason for him to be recused, but asked for the opinions of other members of the Board as to whether they objected to Stafford hearing the case. No objections were voiced.

After discussion, **Carl Leybourne** made a **motion** to approve the subdivision plan. **Bobbi Baker** seconded the motion, and it was passed by a 6-0 vote (Simpson recused).

**B. Subdivision Case #Sub-15-12. Oak Tree Estates.** The property is located at the southwest corner of Haw River Road and Warner Road, in Oak Ridge Township, and is Guilford County Tax Parcel 0166765. This minor subdivision consists of four lots for a total of approximately 5.99 acres. The property is zoned AG, is located in the Oak Ridge Extraterritorial Jurisdiction (ETJ), and is owned by James M. Floyd. Surveyor: Land Solutions.

**Steve Wilson** made a **motion** to approve the subdivision plan. **Nancy Stoudemire** seconded the motion, and it was passed unanimously (7-0).

**C. Subdivision Case #Sub-15-13. Lockridge Farm.** The property is located at 5912 Pepper Road, in Oak Ridge Township and is Guilford County Tax Parcel 0165669. This minor subdivision consists of one lot for a total of approximately 6.45 acres. It is zoned AG and is owned by Martha Lee Marvin. Surveyor: Joseph G. Stutts.

Bruce explained that an illegal subdivision was created by deed and approving the subdivision case would rectify the issue.

**Carl Leybourne** made a **motion** to approve the subdivision plan. **Nancy Stoudemire** seconded the motion, and it was passed unanimously (7-0).

**D. Subdivision Case #Sub-15-14. Daniel, Ethel Virgil.** The property is located at 8506 Haw River Road, in Oak Ridge Township, and is Guilford County Tax Parcel 0166421. This minor subdivision consists of two lots for a total of approximately 2.55 acres. The property is zoned AG and is owned by Ethel Virgil Daniel. Surveyor: Accurate Surveying PLLC.

Bruce explained that there were two houses on one tract, which had created a nonconforming lot. This subdivision would rectify that, although there appears to be a gap in the deeds with property adjoining this one that it appears no one owns. He said the property owners would have to deal with that, and it was not the Board's responsibility to fix it.

**Ron Simpson** made a **motion** to approve the subdivision plan. **Bobbi Baker** seconded the motion, and it was passed unanimously (7-0).

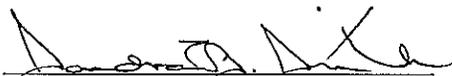
## 6. PUBLIC COMMENTS

None

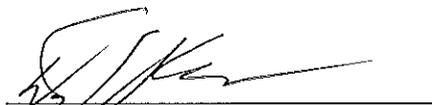
## 7. ADJOURNMENT

**Carl Leybourne** made a **motion** to adjourn the meeting at 7:27 p.m. **Larry Stafford** seconded the motion, and it was passed unanimously (7-0).

Respectfully Submitted:



Sandra B. Smith, CMC, Town Clerk



Doug Nodine, Chair