

## **AGENDA**

**Town of Stoneville  
Board of Adjustment/Planning Board Meeting  
Public Hearing  
November 3, 2025 - 5:30 PM  
Council Chambers at 101 Smith St**

**CALL TO ORDER – Chair Mitzi Evans**

**PLEDGE OF ALLEGIANCE & INVOCATION**

**APPROVAL OF MINUTES**

1. Meeting – September 2, 2025
2. Meeting – October 2, 2025

**APPROVAL OF NOVEMBER 3, 2025 AGENDA**

**BOARD OF ADJUSTMENT NEW BUSINESS**

1. Public Evidentiary Hearing (Quasi–Judicial) Case AP-2025-02 – Consideration of Appeal submitted by Jacob Merricks, property owner of 511 N. Glenn Street, identified as Parcel #126751. The appeal concerns a Notice of Zoning Violation issued on September 19, 2025, regarding a fence located in the front yard of the property.

**PLANNING BOARD NEW BUSINESS**

1. Consideration of a rezoning request from applicant, Patrick Smith, to rezone two parcels identified as Tax PIN 794900018175 (1.6 AC +/-) from Mixed Zoning (Commercial/Residential Agriculture) to Residential Suburban and Tax PIN 794900110157 (0.9 AC +/-) from Residential Agriculture/Residential Protected to Residential Suburban.

**Announcement: The Second Public Hearing for the Rezoning request will be held on November 6, 2025, at 6:00 p.m. in the Council Chambers located at 101 Smith St., Stoneville, N.C. The Town Council will consider and possibly act on the recommendation of the Stoneville Planning Board.**

**ADJOURNMENT**

**Town of Stoneville  
Planning Board/Board of Adjustment  
Meeting Minutes  
September 2, 2025 – 6:00 PM  
Council Chambers – 101 Smith St.**

Present were Board Members Ray Wiggins, Mitzi Evans, Tammy Evans, and Joey Claybrook. Town Clerk Deleia Hutcherson, Town Administrator Michael Sands and Town Attorney Eugene Russell were also present.

**Welcome:** Chair Mitzi Evans welcomed the assembly and called the meeting to order at 6:00 p.m.

**Minutes:** Board Member Ray Wiggins made a motion to approve the minutes from May 22, 2025. Board Member Tammy Evans seconded. Motion carried unanimously.

**Agenda:** Board Member Tammy Evans made a motion to approve the Agenda for September 2, 2025. Board Member Joey Claybrook seconded. Motion carried unanimously.

**Board of Adjustment New Business**

**Quasi-Judicial Hearing (Case AP-2025-01) Appeal of Zoning Violation** - Board Member Ray Wiggins made a motion to open the Public Hearing. Seconded by Board Member Joey Claybrook. Motion carried unanimously.

Chair Mitzi Evans outlined procedures for evidentiary hearings, including oath requirements, fact-based testimony, prohibition of ex parte communications, and participation rights. She asked that witnesses in the case step forward and then proceeded to swear in the applicant Jesus Bustos, along with Allison Bustos, Juliett Bustos, and Code Enforcement Officer, Eric Clem.

Chair Mitzi Evans stated that she was entering twenty-one (21) pages into evidence, consisting of the following documents: Notice of Zoning Violation dated July 24, 2025, including photographs of the fence in question; Notice of Public Hearing as advertised in the newspaper; notifications sent to abutting property owners; a copy of Zoning Ordinance Section 151.068 – *Appeals from Decision of Zoning Administrator*; acknowledgment of receipt of the certified letter; letter of appeal from Mr. Jesus Bustos dated July 31, 2025; a copy of Zoning Ordinance Section 151.086(B)(3) – *Residential Agriculture District/Fences*; and property maps. Copies of all materials were provided to Town Clerk Deleia Hutcherson and to the applicant, Mr. Jesus Bustos. The documents were incorporated into the official record of the minutes.

**Case Overview:** Mr. Bustos of 102 Simpson Street submitted a written appeal regarding a violation notice he received for constructing a fence exceeding the allowable height in his property's front yard. The ordinance stipulates that front yard fences shall not exceed four feet.

**Code Enforcement Testimony:** Mr. Eric Clem, Code Enforcement Contractor for the Town of Stoneville, presented the case. He reported that a complaint was received on July 24<sup>th</sup> and investigated the same day. A notice of violation was issued, citing Section 151.06 of the zoning ordinance, which restricts front yard fences to four feet in height. Mr. Clem confirmed that the existing fence exceeded that limit.

**Applicant's Testimony:** Mr. Jesus Bustos, Allison Bustos, and Juliett Bustos addressed the Board. Through translation, Mr. Bustos explained that the fence was installed for safety and privacy and that

a previous conversation with a former town representative led him to believe the construction was permissible and did not mention height restrictions. He expressed frustration over inconsistent enforcement and emphasized that the fence was intended for security, not aesthetics.

Board Member Joey Claybrook made a motion to close the Public Hearing. Board Member Tammy Evans seconded. Motion carried unanimously.

**Board Deliberation & Findings:** Board Members reviewed the ordinance and confirmed that it applied uniformly throughout town and the requirements are clear: (1) Front yard fences must not exceed 4 feet. (2) Privacy and safety concerns are common to the neighborhood and not sufficient grounds for a variance. (3) Allowing exception would set precedent undermining existing zoning laws (4) Fence installed without a permit. The Board acknowledged the applicant's concerns but stressed that compliance with the ordinance is mandatory.

**Decision:** Board Member Ray Wiggins made a motion to deny the appeal request based on the Findings of Fact. Seconded by Joey Claybrook. Motion carried unanimously with a 4-0 vote. The Board advised Mr. Bustos to work with the Code Enforcement Officer and Zoning Officer for compliance.

**Transition from Board of Adjustment to Planning Board** – Following the conclusion of Board of Adjustment business, a motion was made by Board Member Ray Wiggins to transition to the Planning Board. Seconded by Board Member Joey Claybrook. Motion carried unanimously.

**Rezoning Case RZ-2025-02** – Consideration of a rezoning request from applicant, CRGG Development LLC (Charles Rakestraw), to rezone Parcel 125910/Tax PIN 793807573566 (40.6 AC +/-) from Residential Suburban/Residential Agriculture to Residential Suburban/Conditional Zoning District. Board Member Joey Claybrook made a motion to open the Public Hearing. Board Member Tammy Evans seconded. Motion carried unanimously.

Mr. Charles Rakestraw, representing CRGG Development, LLC, outlined plans for an 81-lot subdivision with single-family, stick-built homes ranging from 1,500 to 2,800 square feet. The project includes open space with ponds remaining as common areas, a Homeowners Association (HOA) with detailed covenants, and a landscaped entrance similar to the River's Edge community in Mayodan, NC. Mr. Rakestraw noted that the North Carolina Department of Transportation (NCDOT) approved the proposed entrance off Ponderosa Road. He mentioned a second entrance if an adjacent property acquisition occurs in the future.

**Public Comments:** Mr. Richard Bridges (Church Street resident) voiced concern over potential traffic increases and stormwater drainage issues, particularly near the existing school route. He was in favor of the entrance off of Ponderosa Road versus Church Street. Mr. Paul Ewing (owner of Southern View Mobile Home Park) on Church Street supports the development for its economic benefits from tax base growth but emphasized the need for infrastructure improvements to manage runoff and drainage. He spoke of flooding on Church Street and in the area of his mobile home park during heavy rain. Mr. Ewing suggested that approval of the development be contingent upon NCDOT installing sufficient pipes at Church Street to handle the ongoing drainage issue.

Board Member Joey Claybrook made a motion to close the Public Hearing. Seconded by Board Member Ray Wiggins. Motion carried unanimously.

**Board Discussion:** The Planning Board discussed concerns regarding storm drainage, emergency vehicle access, and potential traffic congestion. The applicant confirmed that any second entrance in the future would be off of Ponderosa and not Church Street. Staff noted that the town engineer is currently conducting a stormwater study and Church Street's drainage system will be reviewed. The applicant suggested he and the Town Administrator meet with Jeremy DeLapp (NCDOT) to review the situation as Church Street is a state-maintained road. The Board agreed that while drainage remains a valid concern, the project aligns with the town's comprehensive plan and supports growth and tax revenue.

Board Member Joey Claybrook made a motion to recommend approval of the rezoning request to the Town Council based on the Findings of Fact review and consistency with the existing comprehensive land use plan for the Town of Stoneville. Seconded by Board Member Ray Wiggins. Motion carried unanimously with a 4-0 vote. Copy incorporated into the minutes.

**Rezoning Case RZ-2025-03** – Consideration of a rezoning request from applicant, AVENTZ LLC, (Chris and Kelly Avis) to rezone three parcels identified as TAX PIN 793806490861, 793918309122, and 793918400162 (2.2 AC +/-) from Residential Agriculture to Residential Agriculture/Conditional Zoning District to allow combined development of three properties.

Board Member Ray Wiggins made a motion to open the Public Hearing. Seconded by Board Member Joey Claybrook. Motion carried unanimously.

**Applicant Presentation:** Mr. Chris Avis described plans to revitalize three historic properties—the former Presbyterian Church (to be renamed *The Meeting House*), the Ruby Rose Tea Room, and the Taylor House. The project aims to establish a small-to-medium event venue supported by Airbnb accommodations, preserving the historic character of the properties while encouraging tourism and community use. The applicant described planned traffic flow improvements, dedicated parking, and limited event hours ending by 9:00 PM.

**Public Comments:** Mr. Eric Belton of 204 East Main Street expressed cautious support but requested assurance that the project would not negatively impact neighboring homes. The applicant responded with mitigation plans: traffic rerouting, event hours, screening, and preservation of historic structures. He also spoke about approval from NCDOT for two or three on street parking spots.

Board Member Joey Claybrook made a motion to close the Public Hearing. Seconded by Board Member Tammy Evans. Motion carried unanimously.

**Board Discussion:** Members commended the preservation efforts and discussed the need to include future regulations for Airbnbs in the town's ordinance. The Board reviewed proposed site improvements, including ADA parking, traffic circulation, and a 15-foot building addition to *The Meeting House* to accommodate restrooms and event space that will require a minor variance due to proximity to the property line.

The Board reviewed the Findings of Fact and noted that the project supports historic preservation and local economic development.

Board Member Tammy Evans made a motion to recommend approval of the rezoning request to the Town Council based on the Findings of Fact review and consistency with the existing comprehensive land use plan for the Town of Stoneville. This recommendation also includes the variance approval for the Meeting House addition. Seconded by Board Member Joey Claybrook. Motion carried unanimously with a 4-0 vote. Copy incorporated into the minutes.

Chair Mitzi Evans thanked everyone for attending. She announced the second Public Hearing for the rezoning request would be held on September 9, 2025 at 6:00 p.m. in the Council Chambers located at 101 Smith St., Stoneville, N.C. for the Town Council to consider and possibly act on the recommendations of the Stoneville Planning Board.

Motion to adjourn made by Board Member Ray Wiggins. Seconded by Board Member Joey Claybrook. Motion carried unanimously.

**Adjourned at 6:58 p.m.**

---

Chair, Mitzi Evans

---

Town Clerk, Deleia Hutcherson

**Town of Stoneville**  
**Planning Board/Board of Adjustment**  
**Meeting Minutes**  
**October 2, 2025 – 5:00 PM**  
**Council Chambers – 101 Smith St.**

Present were Board Members Ray Wiggins, Mitzi Evans, and Joey Claybrook. Town Administrator Michael Sands and Attorney Casey Snyder were also present. Board Member Tammy Evans and Town Clerk Deleia Hutcherson were absent. A quorum was present.

**Welcome:** Chair Mitzi Evans welcomed the assembly and called the meeting to order at 5:00 p.m.

**Agenda:** Board Member Ray Wiggins made a motion to approve the Agenda for October 2, 2025. Board Member Joey Claybrook seconded. Motion carried unanimously.

Chair Mitzi Evans announced the Public Hearing for consideration of text amendments to the zoning ordinance, specifically Chapter 150, Building Regulations, Section 150.09, Non-Residential Maintenance Code.

Board Member Joey Claybrook made a motion to open the Public Hearing. Board Member Ray Wiggins seconded. Motion carried unanimously.

**Public Comments:** Mr. Robert Stanley of 180 Priddy Loop in Stoneville, NC addressed the Board in support of the proposed changes. He reported ongoing water damage issues between properties at 103, 105, and 107 North Henry Street, noting that poor maintenance by neighboring owners was causing serious structural deterioration. He urged the town to enforce building maintenance standards or require property owners unwilling to repair their properties to sell them. Mr. Stanley emphasized that downtown revitalization depended on active building upkeep, comparing the town's challenges to the successful revitalization efforts in Madison and Mayodan. The Board thanked him for his comments and agreed that enforcing maintenance standards was crucial for community growth.

Board Member Joey Claybrook made a motion to close the Public Hearing. Seconded by Board Member Ray Wiggins. Motion carried unanimously.

The Board discussed the proposed amendments in detail. The revisions primarily involved procedural clarifications, such as directing appeals for code violations to Code Enforcement instead of Town Administration, with unresolved matters proceeding to the Board of Adjustment. Another significant update involved civil penalties, establishing a fine of \$100 for violations, with each day of non-compliance considered a separate offense. Board members expressed concern that \$100 per day would not be an adequate deterrent, citing that the City of Eden imposes penalties of \$400 per day for similar violations. After discussion, members agreed that a \$300 per day penalty would be more suitable for the town's size and circumstances. It was further clarified that violators would have 90 days from notification to make necessary repairs before additional enforcement actions could be taken. The town would also retain the ability to recover administrative costs and, if necessary, place liens on non-compliant properties.

A motion was made by Board Member Joey Claybrook to recommend approval of the proposed text amendments to Chapter 150, Section 150.09, with the modification to increase the civil penalty to \$300 per day instead of \$100. Seconded by Board Member Ray Wiggins. Motion carried unanimously with a 3-0 vote.

Chair Mitzi Evans thanked everyone for attending. She announced the second Public Hearing for the text amendments would be held on October 7, 2025 at 6:00 p.m. in the Council Chambers located at 101 Smith St., Stoneville, N.C. for the Town Council to consider and possibly act on the recommendations of the Stoneville Planning Board.

Motion to adjourn made by Board Member Ray Wiggins. Seconded by Board Member Joey Claybrook. Motion carried unanimously.

**Adjourned at 5:10 p.m.**

---

Chair, Mitzi Evans

---

Town Clerk, Deleia Hutcherson

