

AGENDA

**Town of Stoneville
Planning Board Meeting
May 26, 2026 - 4:00 PM
Council Chambers at 101 Smith St**

CALL TO ORDER – Chair Mitzi Evans

PLEDGE OF ALLEGIANCE & INVOCATION

APPROVAL OF MINUTES

1. Meeting – November 3, 2025

APPROVAL OF MAY 26, 2026 AGENDA

OATH OF OFFICE - Alternate Inside Board Member appointed by the Stoneville Town Council – Mr. Joe Rose

PUBLIC HEARING

1. Consideration of text amendments to the Flood Damage Prevention Ordinance in order to maintain compliance with the National Flood Insurance Program (NFIP).

NEW BUSINESS

1. Discussion and recommendation regarding proposed text amendments to the Flood Damage Prevention Ordinance

Announcement: The Second Public Hearing for the proposed text amendments will be held on June 2, 2026, at 6:00 p.m. in the Council Chambers located at 101 Smith St., Stoneville, N.C. The Town Council may adopt, reject, or make modifications to the proposed text amendments.

ADJOURNMENT

**Town of Stoneville
Planning Board/Board of Adjustment
Meeting Minutes
November 3, 2025 – 5:30 PM
Council Chambers – 101 Smith St.**

Board members present: Ray Wiggins, Tammy Evans, Joey Claybrook, and Chair Mitzi Evans. Staff present: Town Administrator Michael Sands and Town Clerk Deleia Hutcherson. Town Attorney Eugene Russell was also present.

Welcome: Chair Mitzi Evans welcomed the assembly and, with a quorum present, called the joint meeting of the Board of Adjustment and Planning Board to order at 5:30 p.m.

Minutes: Board Member Tammy Evans made a motion to approve the minutes from the September 2, 2025 meeting. Seconded by Board Member Joey Claybrook. Motion carried unanimously. Board member Ray Wiggins made a motion to approve the minutes from the October 2, 2025 meeting. Seconded by Board Member Joey Claybrook. Motion carried unanimously.

Agenda: Board Member Tammy Evans made a motion to approve the November 3, 2025 agenda. Board Member Ray Wiggins seconded. Motion carried unanimously.

Board of Adjustment Proceedings

Public Evidentiary Hearing (Quasi-Judicial) Case AP-2025-02 – Consideration of Appeal submitted by Jaccob 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.

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

Chair Mitzi Evans read into the record the procedures governing quasi-judicial hearings. These included requirements that all testimony be given under oath, that evidence be factual rather than opinion-based, that witnesses be subject to cross-examination, and that board members base their decisions solely on the evidence presented during the hearing. The Chair also emphasized that ex parte communications were prohibited and invited board members to disclose any conflicts of interest; none were stated. She asked that witnesses in the case step forward and then proceeded to swear in the applicant Jaccob Merricks, Code Enforcement Officer, Eric Clem, and Elizabeth Chavez.

Submission of Evidence: The Chair entered into the record a series of documents totaling 17 pages. These included the notice of violation, photographic evidence of the fence, public hearing notices, a certified appeal letter dated September 27, 2025, relevant zoning ordinance provisions, and a property map. Additional supporting documentation was submitted by the applicant, including a letter describing family circumstances.

Code Enforcement Testimony: Mr. Eric Clem, contracted Code Enforcement Officer for the Town, presented the case. He reported that a complaint was received on September 19, 2025 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 Testimony: Mr. Jaccob Merricks provided sworn testimony explaining the circumstances leading to the construction of the fence. He stated that his daughter is autistic and nonverbal, with a tendency to wander. He expressed concern for her safety due to the proximity of the home to both a roadway and nearby train tracks. The fence was installed as a protective measure to prevent her from leaving the property unsupervised.

Mr. Merricks further explained that reducing the fence height to four feet would create a safety risk, as the fence connects to a porch structure that could enable his daughter to climb over it. He also noted financial constraints and additional family hardship, including his wife's physical disability, which limits supervision capacity. While expressing understanding of the ordinance, he requested consideration to maintain the existing fence height.

Public Testimony: Ms. Elizabeth Chavez, a neighboring resident, also provided sworn testimony. She stated that the fence obstructs visibility when exiting her driveway, creating a hazardous condition. She described multiple near-accidents, including incidents involving passing vehicles and a postal worker, due to limited sight distance caused by the fence. She expressed concern about overall traffic safety in the area.

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

Board Deliberation: Board members acknowledged the difficult personal circumstances presented by the applicant and expressed empathy. However, discussion focused on the requirement to apply zoning ordinances uniformly. Members noted that the front portion of the fence exceeded the permitted height and contributed to visibility issues for neighboring properties. The Board discussed possible alternatives, including lowering only the front portion of the fence to four feet while maintaining taller fencing in the side or rear areas, as well as modifying the porch structure to improve safety. Members emphasized that granting a variance in this case could establish precedent and undermine consistent enforcement of zoning regulations.

Following deliberation, a motion was made by Board Member Ray Wiggins to require the applicant to bring the fence into compliance with the ordinance by reducing its height to four feet in the front yard. The motion was seconded by Board Member Joey Claybrook. Motion carried unanimously with a 3-0 vote.

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.

Planning Board Public Hearing

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.

A motion was made by Board Member Tammy Evans to open the Public Hearing. Seconded by Board Member Ray Wiggins. Motion carried.

The applicant was not present at the meeting. Zoning Administrator, Deleia Hutcherson introduced

the request to the Planning Board. She explained that the parcel identified as Tax PIN 794900018175 had been subdivided from the property owner's commercial business property and was intended for residential development consisting of two to three stick-built homes. She stated that the proposed rezoning was consistent with the surrounding land uses. She further explained that the adjacent parcel identified as Tax PIN 794900110157 is currently zoned Residential Agriculture/Residential Protected and, based on discussions with the applicant and the Senior Planner for Rockingham County, will remain unchanged.

No members of the public came forward to speak during the Public Hearing.

A motion to close the Public Hearing was made by Board Member Ray Wiggins. Seconded by Board Member Tammy Evans. Motion carried.

Board Discussion: Board members discussed the compatibility of the proposed rezoning with the surrounding area. It was noted that residential use would be more appropriate and less disruptive than potential commercial uses previously allowed under the existing zoning classification. Members expressed support for the change, citing alignment with community development goals and reduced risk of incompatible land use.

The board members went through the Findings of Fact and considered the following:

- a) Size of the tract in question – 1.6 acres (+/-)
- b) Compatibility of rezoning requested with the existing comprehensive zoning plan – Proposed residential use aligns with existing nearby residential uses
- c) Benefits and detriments of proposed zoning action – The change would prevent undesirable commercial encroachment into a primarily residential area
- d) Uses under rezoning compared to the uses with adjacent tracts – Uses are similar to adjacent tracts
- e) Reasonableness to grant the rezoning request – Appropriate use of property and allows for population growth in the area.

Based on the stated Findings of Fact, Board Member Joey Claybrook made a motion to recommend approval of the rezoning request for Tax PINS 794900018175 from Mixed Zoning (Commercial/Residential Agriculture) to Residential Suburban. 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 rezoning request would be held on November 6, 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 recommendation of the Stoneville Planning Board.

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

Adjourned at 5:58 p.m.