Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)
Monday, July 8, 2024
7:00 PM
AGENDA

I. Call to Order

II. Approval of Minutes June 3, 2024

III. Review of Cases and Monthly Report on Major Subdivisions Administratively Approved. *There have been no new subdivisions approved since the June, 2024 Planning Board meeting.*

IV. New Business

(a) RZ-24-10: Request to rezone property located at 909, 911,and 915 Meadowbrook Road (Randolph County Parcel Identification Number 7761182410) from R10 Medium-Density Residential to O&I Office & Institutional

(b) RZ-24-11: Request to rezone property rezone property on the west side of Zoo Parkway and the south side of Newbern Avenue to an amended R7.5 (CZ) Medium-Density Residential Conditional Zoning district for a residential planned unit development.

(c) Planning Board Functioning as Board of Adjustment: BOA-24-04: Request for variances from Table 4-1 and Section 3.02(D) of the Asheboro Zoning Ordinance which regulates required yards (setbacks) and front yard averaging for property located at 1001 Parkview St. (Randolph County PIN# 7761313052).

(d) Planning Board Functioning as Board of Adjustment: BOA-24-05: Request for variance from Section 3.01(C) of the zoning ordinance requiring every lot to abut a street for property located on Rosemont Road (Randolph County PIN# 7761841055).

V. Items not on the agenda

VI. Adjournment

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MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, JUNE 3, 2024
7:00 p.m.

****

This being the time and place for the regular meeting of the Asheboro Planning Board, a meeting was held with the following officials and members present:

Michael O'Kelley) – Chair
Pamela Vuncannon) – Vice Chair

Harold Anderson)
Ritchie Buffkin)
David Henderson) - Members Present
Van Rich)
Thomas Rush)

John Evans, Assistant Community Development Division Director
Bradley Morton, Planner/Deputy City Clerk

CALL TO ORDER

Mr. O'Kelley called the Asheboro Planning Board to order.

APPROVAL OF MINUTES FROM MAY 6, 2024

Mr. O'Kelley inquired if there were any corrections or additions to the May 6, 2024 minutes. Hearing no corrections or additions, the minutes were approved as presented.

REVIEW OF CASES AND MONTHLY REPORT ON MAJOR SUBDIVISIONS ADMINISTRATIVELY APPROVED

Mr. Evans went over the land use cases that the City Council heard at the May, 2024 Regular Meeting. He stated that there currently have been no major subdivisions approved since the May 6, 2024 Planning Board meeting.

NEW BUSINESS

a) **RZ-24-09: REQUEST TO REZONE PROPERTY LOCATED AT 337 WEST WARD STREET (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7751742316) FROM I2 GENERAL INDUSTRIAL TO M MERCANTILE ZONING**

Mr. Evans provided a visual presentation for the above-referenced case. He gave an overview of the case:

Applicant: Dr. Zach Dunbar
Location: 337 West Ward Street
Request: Rezone from I2 General Industrial to M Mercantile
Randolph County Parcel ID: 7751742316
Size: 0.4 acres +/-
Existing Land Use: Contractor's Office (former)

He showed overview, rezoning, Center City Planning, topographic/utilities, aerial and oblique maps as well as photographs of the subject property from all directions. He then went over the analysis:

1. The property is located inside the city limits.
2. West Ward Street is a city-maintained, local street containing a mix of residential (single-family and multi-family) and non-residential (commercial, office/medical) uses.
3. The request is for a general district Mercantile (M) rezoning. No specific uses, site plan, or conditions can be considered with this request.
4. The property is located in Tier 3 (Commercial and Employment Center) of the Center City Planning Area. Certain supplemental development standards, pertaining but not limited to permissible off-street parking locations and impervious coverage, apply in Tier 3.
5. The zoning ordinance describes the Mercantile's (M) district intent as to provide for a greater number of potential business activities than the B1 Zoning District. The Mercantile District is distinguished from the B2 General Commercial District by excluding certain uses permitted in the B2 District that are likely to create the greatest external impact (traffic, noise, lighting, etc.) and by its additional standards that address compatibility with adjoining residential neighborhoods. These districts should be located in nodes along minor thoroughfares or higher classification street.
6. The Mercantile district specifies a maximum of 6,000 SF for all permitted uses, restricts drive-through services, and prohibits more intensive commercial uses such as bars, rental/sales of motor vehicles, mobile home sales, flea markets, motor vehicle repair and other more intensive commercial uses.
7. According to tax records, the building was constructed in 1960 and contains approximately 2,400 square feet.
8. As is common with many properties of similar age, there are certain nonconforming situations that exist on the property. One such nonconformity is a previously used open storage yard to the side and rear of the structure that may require additional screening if used in the future.

He then went over the Land Development Plan (LDP) Recommendations:

Proposed Land Use Map: City Activity Center
Small Area Plan: Central
Growth Strategy Map: Primary Growth

Goals/Policies Supporting Request (7):

- Checklist Item 1: Complies with LDP Plan proposed land use map
- Checklist Item 5: Complies with Growth Strategy Map
- Checklist Item 7: Complies with small area plan
- Checklist Items 12-14: Property is located outside of the watershed area, Special Hazard Flood zone, and area with steep slopes.
- 2.1.5**:** The City will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.

Goals/Policies Not Supporting Request (1):

- Checklist Item 3**:** The property on which the rezoning district is proposed does not fit the description of the Zoning Ordinance.

He provided staff's consistency statement:

"The Mercantile District customarily warrants frontage on a thoroughfare or roadway classifications higher than W. Ward Street in order to ensure adequate access. However, the subject property is adjacent to more permissive general commercial (B2) zoning as well as a higher intensity general industrial (I2) district, and the parcel and most properties along this section of West Ward Street have been used for commercial activity for decades. The Mercantile (M) district can offer a suitable transition between residential and non-residentially used properties and reduces the potential for land use conflicts in the area.

In addition, the Land Development Plan's Central Small Area Plan and City Activity Center encourage a "mix of commercial, office, institutional, residential, and public open space uses" in the area, and the Mercantile (M) district aligns with the plan's vision."

He then provided staff's recommendation:

"Considering the aforementioned analysis, staff believes that the proposed zoning map amendment is reasonable and in the public interest and recommends approval of the request."

He stated that the City Council will consider the rezoning request on Thursday, July 11, 2024. He then asked the board if there were any questions. Mr. O'Kelley inquired if there was a possibility to add more to the building given the impervious calculations. Mr. Evans stated that this was subject to site plan review, but it may be possible if development doesn't exceed the 55% impervious calculation. Mr. O'Kelley also inquired about the nonconforming situation regarding open storage and if it can be used as is. Mr. Evans stated that it likely would have to be screened from visibility in order for it to be used.

Mr. O'Kelley inquired if there was anyone to speak in favor of the request. Dr. Zach Dunbar, the applicant, was present and spoke in favor of the request. He stated that letters to adjoining property owners were mailed on May 14th, 2024. He stated that he would answer any questions the board may have at this time. There were no questions from the board for Dr. Dunbar.

Mr. O'Kelley inquired if there was anyone in opposition to the request. There was no one in opposition to the request. Mr. Anderson moved to recommend approval of RZ-24-09 as presented with the staff's consistency statement and recommendation. Ms. Vuncannon seconded the motion and the motion carried unanimously.

ITEMS NOT ON THE AGENDA

Mr. Evans reported that there will be at least two (2) variance cases and one (1) rezoning case at the July 8, 2024 Planning Board meeting. He asked the board to let staff know in advance of the meeting if they would be unable to attend. There were no further items at this time.

ADJOURNMENT

Hearing no further business to come before the board, Mr. O'Kelley adjourned the meeting.

Bradley Morton, Planning Board Secretary

Michael O'Kelley, Planning Board Chair

CITY OF ASHEBORO
NORTH CAROLINA

RZ-24-10: Request to rezone property located at 909 Meadowbrook Road (Randolph County Parcel Identification Number 7761182410) from R10 Medium-Density Residential to O&I Office & Institutional

Staff Report

Rezoning Staff Report

RZ Case # **RZ-24-10** **Date** 7/8/2024 Planning Board

General Information

Applicant David Snyder

Address 322 Carriage Lane

City Asheboro NC 27205

Phone Asheboro, NC 27205

Location 909, 911, and 915 Meadowbrook Rd.

Requested Action Rezone from R10 Medium-Density Residential to O & I Office & Institutional

Existing Zone R10 **Existing Land Use** Place of Assembly - Non Commercial (Church)

Size 13.3 acres +/-

Pin # 7761182410

Applicant's Reasons as stated on application

This new zoning will allow us to expand in the future and have zoning other churches already have that would allow for modern signage. The current zoning for our church is limiting. We would like to have the option to erect an electronic sign. We would also like the option of future building without the need for a public hearing. We have noticed other churches are zoned commercial. We believe we should have that same zoning.

Surrounding Land Use

North Commercial communication facility/residential **East** Park (Kiwanis Park)

South Residential Planned Unit Development **West** Single-family residential

Zoning History N/A

Legal Description

The property of First Assembly of God located at 909, 911, and 915 Meadowbrook Road, totaling approximately 13.3 acres +/-, and more specifically identified by Randolph County Parcel Number 7761182410.

Analysis

1. The property is outside the city limits but within the city extraterritorial jurisdiction.
2. Meadowbrook Road is a state-maintained minor thoroughfare.
3. The request is for a general district Office & Institutional (O&I) rezoning. No specific uses, site plan, or conditions can be considered with this request.
4. The zoning ordinance describes the intent of the existing R10 district as "to provide regulations which will produce a moderate intensity of residential uses, usually single family or two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living".
5. The requested O&I district is described as "to produce moderate intensity office and institutional development to serve adjacent residential areas and to provide a transition from residential to commercial uses. Land designated O&I shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."
6. The O&I district allows primarily office uses, such as business and professional services, health practitioner offices, and other office uses, personal service uses such as hair salons, and non-commercial places of assembly. It does not permit more intense commercial uses such as retail, eating establishments (restaurants), motor vehicles rental/sales/repair, manufactured home sales, bars, flea markets and other higher intensity commercial uses.
7. Tax records indicate that the existing structures on the property were constructed in 1975 and 1980. The land use classification of the property is a "non-commmercial place of assembly" (church), which is a permitted use in the requested O&I zoning district. The ordinance allows expansion of a non-commercial place of assembly only after approval of a Special Use Permit or following rezoning of the property.

Rezoning Staff Report

RZ Case # **RZ-24-10**

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation	Neighborhood Residential
Small Area Plan	Central
Growth Strategy Map Designation	Adjacent Developed

LDP Goals/Policies Which Support Request

Checklist Item 3: The property on which the rezoning district is proposed fits the description of the Zoning Ordinance. *(Article 200, Section 210, Schedule of Statements of Intent)*

2.1.5: The City will ensure development regulations provide appropriate transitional land uses, such as office and institutional, between high-intensity industrial/commercial and low-intensity residential uses.

Checklist Items 12 and 13: 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area.

Rezoning Staff Report

RZ Case # **RZ-24-10**

LDP Goals/Policies Which Do Not Support Request

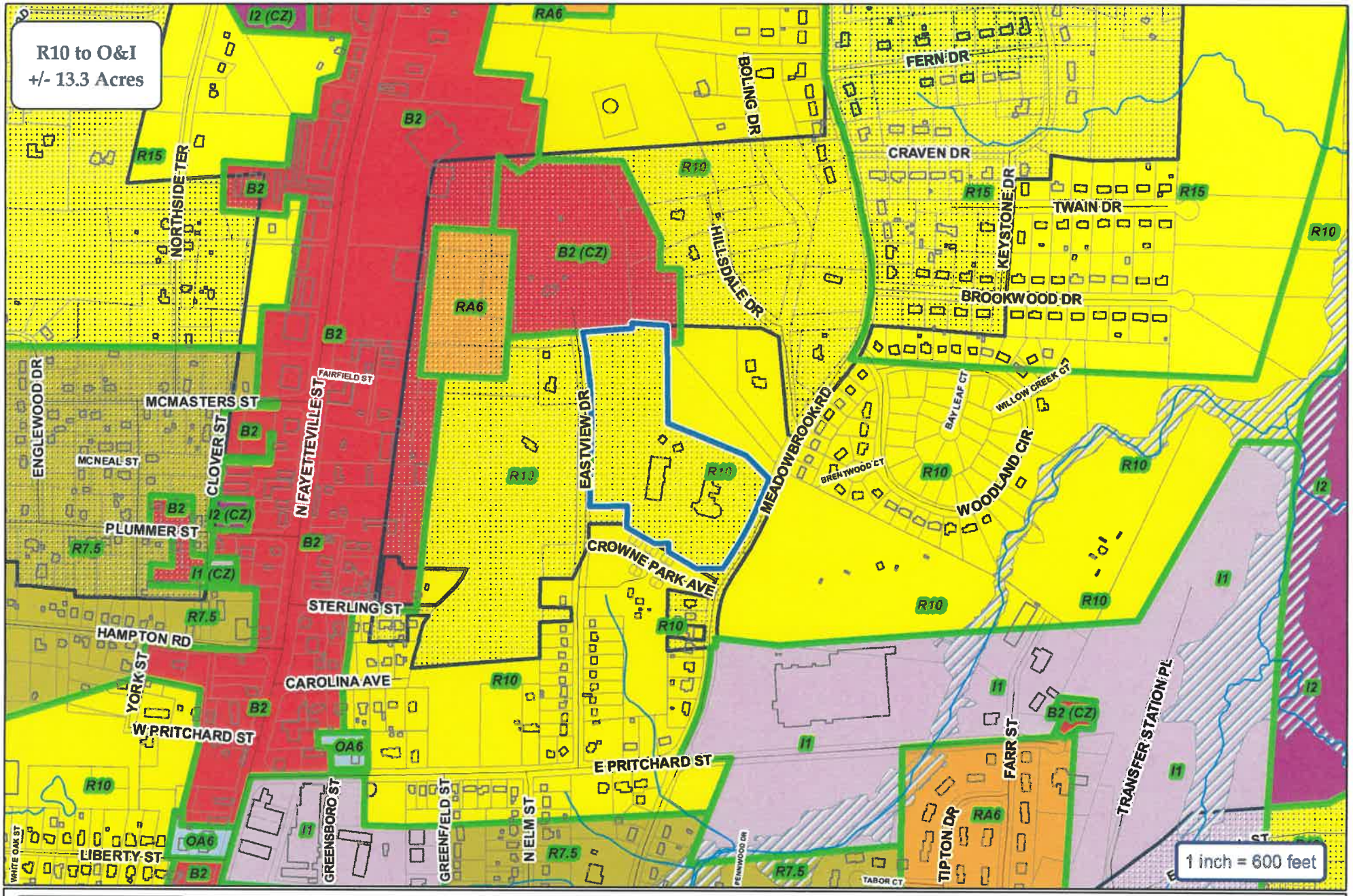
Checklist Item 1: Rezoning is not compliant with the Proposed Land Use Map.

Checklist Item 14: Rezoning is located on steep slopes of greater than 20%.

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

While the Land Development Plan maps this property for "Neighborhood Residential" development, the property's long-standing institutional use makes an Office & Institutional zoning district an appropriate designation; other non-residential zoning and land uses are in the vicinity and the property is located on a minor thoroughfare. Furthermore, the O&I district's limited number of permitted institutional and office uses diminishes the potential for incompatibility with nearby homes.

Recommendation Considering the aformentioned analysis, staff believes that the proposed zoning map amendment is reasonable and in the public interest.



CITY OF ASHEBORO NORTH CAROLINA

ETJ

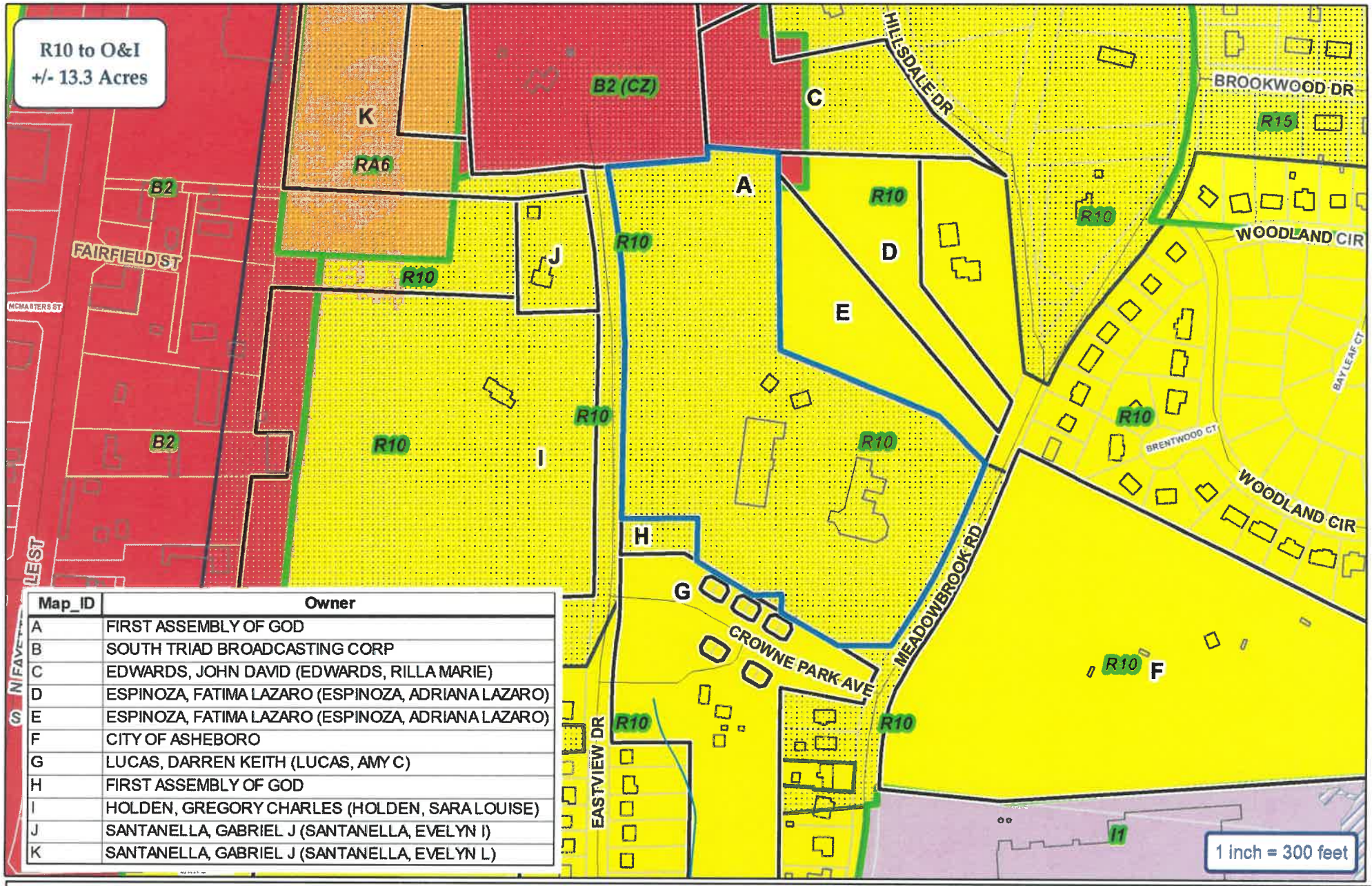
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-10

Parcels: 7761182410

Subject Property

Zoning



Map_ID	Owner
A	FIRST ASSEMBLY OF GOD
B	SOUTH TRIAD BROADCASTING CORP
C	EDWARDS, JOHN DAVID (EDWARDS, RILLA MARIE)
D	ESPINOZA, FATIMA LAZARO (ESPINOZA, ADRIANA LAZARO)
E	ESPINOZA, FATIMA LAZARO (ESPINOZA, ADRIANA LAZARO)
F	CITY OF ASHEBORO
G	LUCAS, DARREN KEITH (LUCAS, AMY C)
H	FIRST ASSEMBLY OF GOD
I	HOLDEN, GREGORY CHARLES (HOLDEN, SARA LOUISE)
J	SANTANELLA, GABRIEL J (SANTANELLA, EVELYN I)
K	SANTANELLA, GABRIEL J (SANTANELLA, EVELYN L)

CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

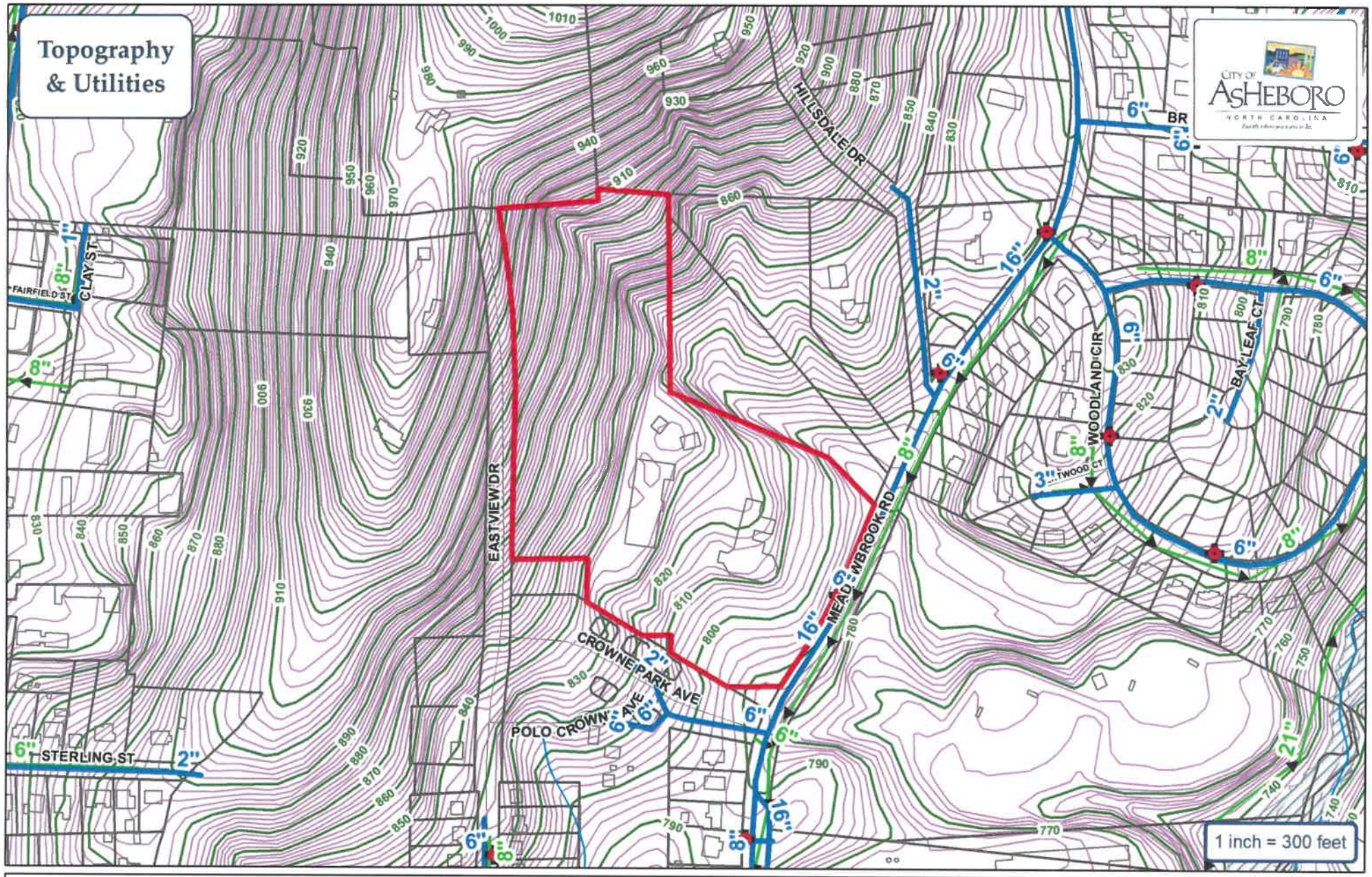
ETJ

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-10

Parcels: 7761182410

Subject Property
Adjoining Properties
City Zoning



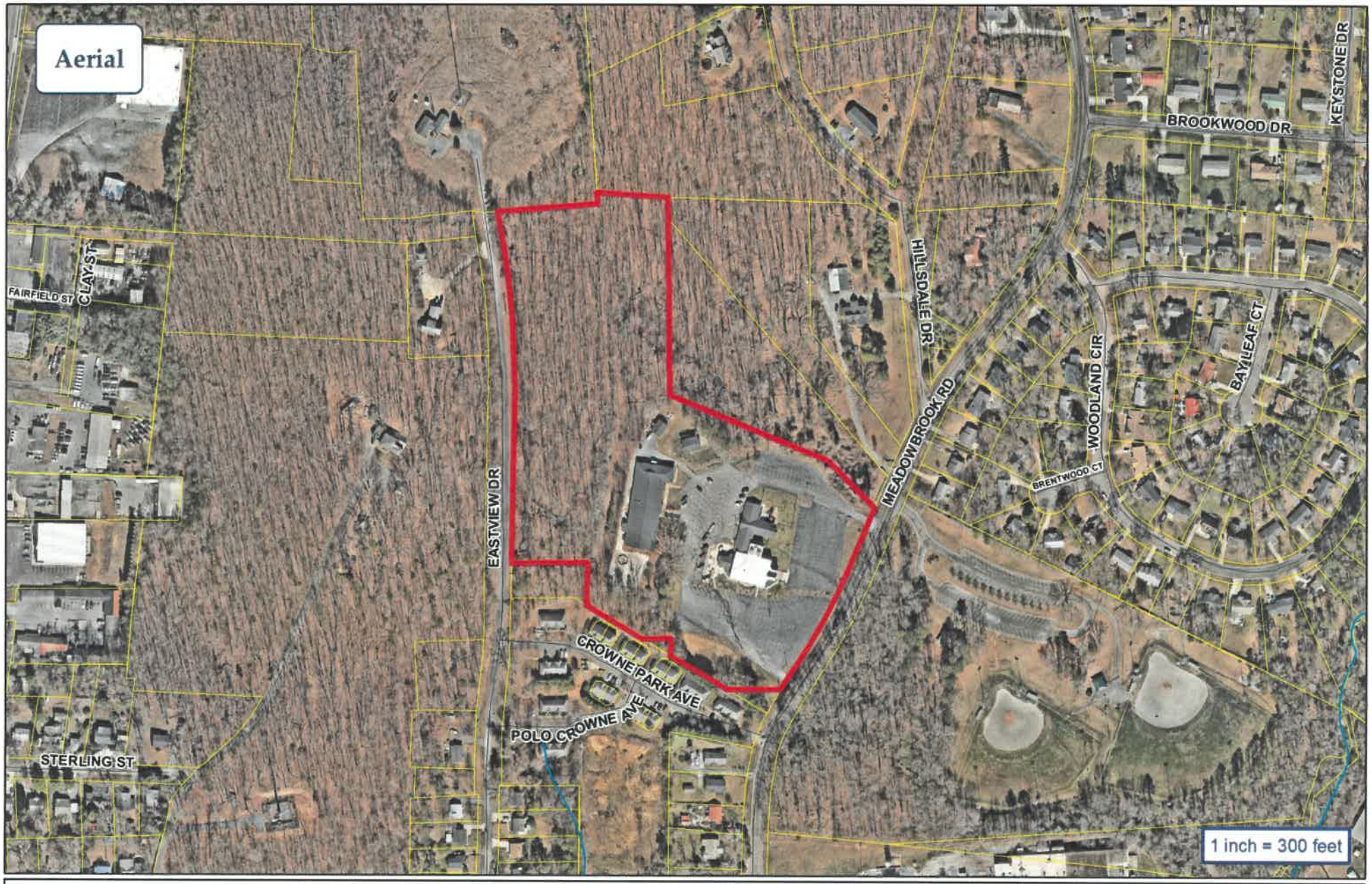
Water Main
Sewer Main
Force Main
Fire Hydrant
Pump Station
Watershed

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-10

Parcels: 7761182410

Subject Property



CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-10

Parcels: 7761182410

Subject Property

N
W
E
S

APPLICANT INFORMATION

Applicant DAVID SNYDER

Applicant's Phone # 336-465-3102

Applicant's Address 322 CARRIAGE LANE
ASHEBORO, NC 27205

Applicant Email Address DSNYDER@AFAChurch.net

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name First Assembly of God - Asheboro

Location of Property 909 MEADOWBROOK RD. - Asheboro, NC 27203

Property Size (ac. or s.f.) 13.3 ACRES

Randolph County Property Identification Number (PIN#) 7761182410

Current Zoning District R10 - Asheboro - Residential

Requested Zoning District ~~B2 - Commercial~~ Office + Institutional

Date Property Title Acquired JUNE 7, 1994

Deed Book 1406 Page 892

Subdivision Not Available Section — Lot # —

Plat Book — Page —

ORDINANCE AMENDMENT INFORMATION

1. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

This new zoning will allow us to expand in the future and have zoning other churches already have that would allow for modern signage.

For questions (2) and (3), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

2. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

The current zoning for our church is limiting. We would like to have the option to erect an electronic sign.

Does not apply ☐

3. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

Does not apply ☒

4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

We would also like the option of future building without the need for a public hearing. We have noticed other churches are zoned commercial, we believe we should have that same zoning.

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant. The applicant for rezoning to any district other than a conditional use district shall be prohibited from offering any testimony or evidence concerning the specific manner in which he or she intends to use or develop the property.

Applicant Signature

D. M. Sn

Printed Name of Authorized Signatory (if different from Applicant)

David Snyder

Position/Relationship of Authorized Signatory to Applicant

Pastor/President

Owner Signature (if different than Applicant)

Owner Address

322 Carriage Ln

Asheboro, NC 27205

Telephone Number

336-465-3102

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: JLE **Date:** 5-29-24 **Case Number:** RZ-24-10

RZ-24-11: Request to rezone property rezone property on the west side of Zoo Parkway and the south side of Newbern Avenue to an amended R7.5 (CZ) Medium-Density Residential Conditional Zoning district for a residential planned unit development.

Staff Report

Rezoning Staff Report

RZ Case # **RZ-24-11** **Date** 7/8/2024 Planning Board

General Information

Applicant Ridge Road Partners, LLC (c/o Drew Boggs)

Address PO Box 1609

City Asheboro NC 27203

Phone 980-722-1010

Location Zoo Parkway and Newbern Avenue

Requested Action Rezone from R7.5 (CZ) Medium-Density Residential Conditional Zoning to an amended R7.5 (CZ) district for a Residential Planned Unit Development

Existing Zone R7.5 **Existing Land Use** Undeveloped

Size 94.27 acres +/- of 104.27 acres +/-

Pin # 7760008593 (portion) and 7760013008

Applicant's Reasons as stated on application

To construct 350 residences to help supply the growing residential needs of this area. Residential growth using the clustering of homes in area most suitable for development. This development balances the need for residential growth in areas that are supported by the NC Zoo and City Sportsplex. Coming growth from nearby industrial facilities. Promoted neighborhood setting with nearby sportsplex and NC Zoo.

Surrounding Land Use

North Medium-Density Residential & Teachey School **East** Medium-Density Residential

South Low-Density Residential & Undeveloped **West** Medium-Density Residential

Zoning History The property was rezoned to R7.5 (CZ) in January, 2024; the district permitted up to 350 dwellings subject to development per the approved site plan presented with the application (RZ-24-14).

Legal Description

The property of Hillcrest Farm Estates, LLC, located on the west side of Zoo Parkway, between 2358 and 2476 Zoo Parkway, and the south side of Newbern Avenue, between 294 and 360 Newbern Avenue, totaling approximately 94.27 acres +/- of 104.27 acres +/- and more specifically identified by a portion of Randolph County Parcel Identification Number 7760008593 and Parcel ID 7760013008.

Analysis

See attachment 1

Rezoning Staff Report

RZ Case # **RZ-24-11**

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation	Neighborhood Residential
Small Area Plan	Central
Growth Strategy Map Designation	Secondary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map. (regarding the residential land use, pedestrian connections, and the provision of some recreational amenities)

Checklist Item 5: Complies with Growth Strategy Map

LDP Design Principles (PRINCIPLE #4): Move from "Conventional Development" toward "Cluster Development"

Rezoning Staff Report

RZ Case # **RZ-24-11**

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Rezoning is not compliant with the Proposed Land Use Map. (regarding density similar to surrounding neighborhoods and convenient access to neighborhood commercial center).

Checklist Items 13 and 14: 13.) The property is located within of Special Hazard Flood Area. 14.) Rezoning is located on steep slopes of greater than 20%.

Staff's Final Analysis Concerning Consistency with Adopted Comprehensive Plans, Reasonableness and Public Interest

Much of the analysis provided with RZ-24-14 remains applicable. The Land Development Plan has long anticipated medium-density residential development on this property and the application still includes several design characteristics advocated by the plan, including mixed housing options, open space and sensitive lands preservation. The development proposal again proposes recreational amenities, a street network that provides internal connectivity as well as options for external connections, and pedestrian infrastructure that generally is viewed as necessary for the number of homes proposed.

The applicant's Traffic Impact Analysis previously completed most likely remains relevant despite the changes to densities requested between phases but city staff is awaiting input from NCDOT on this matter. Roadway improvements expected to be mandated by NCDOT previously are expected to be required of this new application; with the Newbern Avenue entrance serving as the primary access to more units, it is possible that the off-site improvement at Zoo Parkway and Newbern Avenue may be warranted sooner.

The requested zoning district is seeking densities at the upper limit of the city's medium-density residential designation and approval would authorize development more dense than nearby neighborhoods, the development is designed in a manner that buffers provides separation between those neighborhoods, increasing the project's compatibility with surrounding land uses.

Recommendation Notwithstanding the above, staff requests a continuance to the Planning Board's August 5 meeting in order to afford NCDOT time to provide a formal response to the application.

Attachment 1: RZ-24-11 (Hillcrest Farms rezoning request): Staff analysis as of 7-3-24

1. The property is currently outside of the city limits. Annexation, in accordance with city policy, is required to connect to city-maintained utilities.

2. The zoning ordinance allows minor changes to conditional zoning site plans to be approved administratively; significant changes, including those proposed with this application, require review and approval by City Council.

3. The application is re-filed for a residential Planned Unit Development to allow 350 dwellings on 350 subdivided lots. The current zoning district permits a total of 350 dwellings on 350 lots. This application differs from the previously approved application as follows:

(a) Phases 1 and 2 now are between Vestal Creek and Newbern Avenue, with phases 3 and 4 located between Vestal Creek and Zoo Parkway.
(b) The previous site plan proposed 286 detached single-family dwellings and 64 townhome-style dwellings. The new site plan proposes 252 detached single-family dwellings and 98 townhome-style dwellings (plan submitted on July 2, 2024).
(c) The previous site plan identified all townhomes to be located between Vestal Creek and Zoo Parkway. The current site plan shows townhomes on both sides of Vestal Creek.
(d) Modest changes to the development's street network are proposed, including a new cul-de-sac.
(e) The number of dwellings between Vestal Creek and Newbern Avenue increased from 182 to 203 and decreases the number of dwellings between Vestal Creek and Zoo Parkway from 168 to 147.
(f) Visitor parking/common area parking has been reduced from 88 to 58 off-street parking spaces; on-street parking availability at various locations throughout the development is retained.
(g) The site plan depicts up to 8 townhome units now attached; the previously approved plan depicted up to 7 units attached.

4. The site plans identifies several common areas; amenities within common area may include pickle ball, a dog park, garden areas, and a trail network. Some of the common area is designated specifically as conservation area. The plans note that "the exact amenity provided at each location will be determined at a later date" but the expectation will be that final decisions related to amenities generally will be consistent with the site plan. Proportional amounts of community amenities would need to be built and available with each phase. Notes also indicate that passive open space with planted grass will comprise the remainder of each area. All common areas will have a minimum of 2 understory trees and 6 shrubs, with "landscaping to have defined boundaries and complement amenity entrance points."

5. Zoo Parkway is a state-maintained major thoroughfare. Newbern Avenue is a state-maintained collector road. The development proposes two access points, one from each roadway and also shows several potential locations where the development's street network could be extended into adjacent property. Connectivity between Zoo Parkway and Newbern Avenue is shown via a stream crossing to be built by the developer.

6. Previously, a Traffic Impact Analysis (TIA) was completed by a traffic engineering firm. That TIA and NCDOT's review resulted in zoning conditions related to roadway improvements (right and left turn lanes on Zoo Parkway into the development and right turn lane on Zoo Parkway at Newbern Avenue. Both the applicant and city have shared the revised plans with NCDOT and are awaiting feedback from the District Office.

7. A portion of the property is in a Special Hazard Flood Area. There is one roadway crossing shown traversing the floodway.

8. The plans identify certain areas for tree preservation, primarily within flood-prone areas of the property. There also is some landscape buffering shown to be provided between the development and adjacent property, with a minimum 15 ft. natural buffer noted to be retained in places. Each development entrance will be landscaped with at least 4 understory trees and 12 shrubs, and street trees will be installed at a rate of 1 understory tree per 25 residential units.

9. Sidewalks customarily are required for a Residential Planned Unit Development and typically are expected to connect all lots and amenities to existing streets. There are several lots that have no connection to a sidewalk or to the development's trail; there also are several intersections that lack a pedestrian connection (Newbern Avenue intersection as an example). Staff recommends that the plans be modified to address these deviations to the maximum extent practicable.

10. The zoning ordinance does allow an applicant to propose a conditional zoning district that deviates from the zoning ordinance's pre-determined requirements. The aforementioned pedestrian network deficiencies are the primary deviation identified on the site plan.

11. The zoning ordinance describes the intent of the R7.5 Medium-Density Residential district as "to provide regulations which will produce a moderate intensity of residential uses, usually single family and no more than two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living."

12. The neighborhood residential designation of the property is described by the Land Development Plan's Land Category Description as intended "to accommodate existing medium-density, single family residential neighborhoods, while encouraging new neighborhoods of similar density to provide a greater sense of community." This classification is also described as having a "pedestrian-friendly neighborhood, with convenient access to surrounding neighborhoods, parks and walking trails, and designated neighborhood commercial centers."

13. This property is considered a Secondary Growth Area by the LDP's growth strategy classification. This is described as "Areas with prime access to an existing city gravity sewer interceptor and/or an existing or potential future thoroughfare, and located outside of, but adjacent to existing city limits. Suitable development sites within SGAs should be given a moderately high level of encouragement and incentives for mid-range development."

14. The overall density of the development remains at approximately 4.4 dwellings per acre (when excluding public right-of-way as stipulated by the code). The Site Data calculations, however, on the plan Cover Sheet need to be reviewed for accuracy.

15. Staff returned comments to the applicant's representatives on June 27, 2024. On July 2, 2024, revised plans were submitted; staff is reviewing the updated drawings.

Attachment 2: RZ-24-11 Hillcrest Farms: Proposed conditions as of July 3, 2024
(Subject to change following comprehensive review of latest plan submitted)

(A) The use approved shall be a Residential Planned Unit Development with no more than 350 dwelling units on 350 lots and development shall be per the approved site plan and materials submitted in support of the application.
(B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
(C) Enclosure of concrete pads or other additions to the rear of townhome-style dwellings shall not be considered a modification requiring City Council review provided such additions are located on a recorded lot.
(D) Maintenance of all recreation areas, any utilities not publicly maintained, and roadways and drainage facilities that are not specifically labeled on the approved as public or not within public-right-of-way shall be the responsibility of the property owner and any successors in interest.
(E) Any utility infrastructure indicated by the city as required to be publicly maintained shall be located within a City of Asheboro utility easement. Surveying of any required easements shall be the responsibility of the property owner.
(F) Solid waste disposal for the project shall be consistent with city policies and codes.
(G) Landscaping, including street trees, front yard landscaping, tree preservation, perimeter buffering, and fencing shall be installed or retained consistent with the details and specifications shown on the site plan and as modified by these conditions.
(H) Prior to the recording of Memorandum of Land Use Restrictions outlined in (CC), the site plan shall be revised with the following information and resubmitted to the Planning Department for review of code compliance and inclusion in the file without further review by the Council:
(i) Labeling of recreation area on plan sheets.
(ii) Labeling of adjacent property zoning within 50' of subject property.
(iii) Labeling of all lot dimensions.
(iv) Sidewalk width and grass strip dimension in accordance with the Asheboro Subdivision Ordinance: sidewalks to be maintained by the city shall be 5' wide with a 2.5' grassed strip.
(v) Clarification on site plan that stormwater management is the responsibility of the property owner and/or homeowners' association outside of the public right-of-way.
(vi) Extension of sidewalks to roadway intersections consistent with Condition (P).
(vii) Clarification of minimum proposed setbacks for single-family dwellings and attached dwellings within each phase of the development.
(viii) Confirmation of property acreage, linear feet of new street, and other Site Data calculations consistent with code requirements.
(xii)
(I) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation detailing the following approvals or providing:
(i) Driveway permit(s) from NCDOT
(ii) Permitting from NC Department of Environmental Quality, and any related environmental permitting as required.
(iii) Subdivision Sketch Design and Preliminary Plat
(iv) A sealed survey plat by a Professional Land Surveyor for recording identifying the boundaries of the approved Conditional Zoning District.
(J) Prior to the preliminary plat approval, plans concerning water, including provisions for fire hydrants, street lights, and sanitary sewage that comply with city policies, shall be submitted and approved.

(K) All dwellings shall be located on a subdivided lot, with sufficient buildable area in compliance with Zoning Ordinance Section 3.01(C), and recorded in the public registry in accordance with the city's land development requirements.
(L) Front yard averaging provisions shall not be applicable within any phase of the development.
(M) Open space shall be created and recorded consistent with the conditional zoning district site plan.
(N) Recreational elements proposed within each phase shall be constructed and available for use prior to the recording of subdivision plats resulting in the creation of more than 75% of the lots approved for that phase as ultimately shown on the preliminary plats to be presented.
(O) Outdoor recreational vehicle (RV) parking shall be prohibited throughout the development by the homeowners' association documents.
(P) A trail and sidewalks meeting ADA standards shall be provided to connect all units and lots, parking areas, recreation facilities, trash facilities, and community mailboxes. Sidewalks shall extend to intersections with existing streets and along existing public streets where new curb and gutter is added; a trail network shall be built as shown on the final approved zoning district site plan. Where existing and proposed streets exceed five percent (5%) grade and sidewalks area added along those streets, sidewalks shall meet ADA standards at the intersection(s).
(Q) Stormwater control measures, designed by a licensed professional in accordance with the current North Carolina Department of Environmental Quality Stormwater BMP Manual (Manual), shall be provided, unless the city is provided and accepts a professional engineer's report determining and demonstrating that such measures would be contrary to the public interest. Such report shall include, but not be limited to, a determination that the Manual's stormwater measures, if built, would increase peak flood impacts on downstream properties. The report shall also recommend design elements that can be implemented to minimize adverse stormwater impacts. In the absence of such a report, stormwater control measures shall be built to control the ten-year post-development peak discharge rates to pre-development peak flow rates. Prior to a Certificate of Occupancy, a licensed professional shall provide certification that the storm water control structures, if built, were constructed according to the plans. Any open water retention or drainage areas shall be managed to control mosquitos. The maintenance of all stormwater control measures shall be the responsibility of the property owner.
(R) All terminations of public streets, whether permanent or temporary, shall comply with city ordinances and policies pertaining to turnaround and maneuvering area.
(S) Each dwelling unit constructed shall, at a minimum, possess a garage capable of holding one passenger vehicle and at least one additional off-street parking space.
(T) Final roadway names shall be subject to city and Randolph County approval.
(U) Floodplain development permits shall be issued by the city prior to any construction within regulated floodplain areas.
(V) Annexation shall be required prior to extension of city water and sewer.
(W) Evaluation of changes necessitated by NCDOT permitting requirements resulting from the development's traffic impact analysis shall be reviewed consistent with Section 4.05(C)(13).
(X) If the postal service requires a cluster box unit (CBU) for mail delivery, such a change will not be considered a modification of the conditional zoning district requiring council action. If required within the public right-of-way, an area shall be provided that, at a minimum, is adequate for one drop-off space for a motor vehicle, including any maneuvering area. Any drop-off area shall be designed in accordance with commonly accepted traffic engineering practices. Construction of this area shall be the responsibility of the developer and is subject to approval of

the City of Asheboro Public Works Division and/or Engineering Department. Alternatively, should the developer choose to construct the community mailbox and any associated vehicular areas in a location completely on private property, this activity shall not be considered a modification, subject to Section 4.05 of the Asheboro Zoning Ordinance.

(Y) Prior to recording a final plat for any phase of the development, homeowners' association documents, which contain provisions consistent with this order, shall be recorded in the office of the Randolph County Register of Deeds. Such homeowners' documents shall include provisions required by city ordinance and prohibit the parking of recreational vehicles (boats, campers, travel trailers, etc.) outdoors.

(Z) If Phase 1 is the first phase commenced, the connection between Phases 1 and 3 that is provided by Wagon Creek Road shall be built, accessible, and offered for public dedication prior to the platting of any lot(s) within Phases 3 and/or 4 of the development; no lots within Phase 4 shall be platted prior to Phase 1 and 3 roadways being built, accessible, and offered for public dedication to such an extent that continuous uninterrupted public access is assured between Zoo Parkway and New Bern Avenue through the development. If Phase 3 is the first phase commenced, the connection between Phases 3 and 1 that is provided by Wagon Creek Road shall be built, accessible, and offered for public dedication prior to the platting of any lot(s) within Phases 1 and/or 2 of the development; no lots within Phase 2 shall be platted prior to Phase 1 and 3 roadways being built, accessible, and offered for public dedication to such an extent that continuous uninterrupted public access is assured between Zoo Parkway and New Bern Avenue through the development.

(AA) At least one public street stub enabling a future public road extension into the Donna Ruth Brown Heirs property, identified as Randolph County Parcel Number 7669292429, shall be built. The location and design of the street stub shall be reviewed and approved with the preliminary plat and engineering plans and in consultation with NCDOT.

(BB) At least one public street stub enabling future public road extension into the Christopher Boyd Hayes property, identified by Randolph County Parcel Identification Number 7669170872, shall be built. The location and design of the street stub shall be reviewed and approved with the preliminary plat and engineering plans and in consultation with NCDOT.

(CC) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner(s) of the Zoning Lot shall properly execute and deliver to the Zoning Administrator for recordation in the office of the Randolph County Register of Deeds a Memorandum of Land Use Restrictions prepared by the City Attorney for the purpose of placing notice of the conditions attached to this Conditional Zoning in the chain of title for the Zoning Lot.

DRAWING LEGEND

- TOWNHOMES
- 51 FT SINGLE FAMILY
- 41 FT SINGLE FAMILY
- COMMON OPEN SPACE
- VEGETATIVE BUFFER AREA
- CONSERVATION / WOODED AREA
- STREAM

VICINITY MAP
N.T.S.

Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying

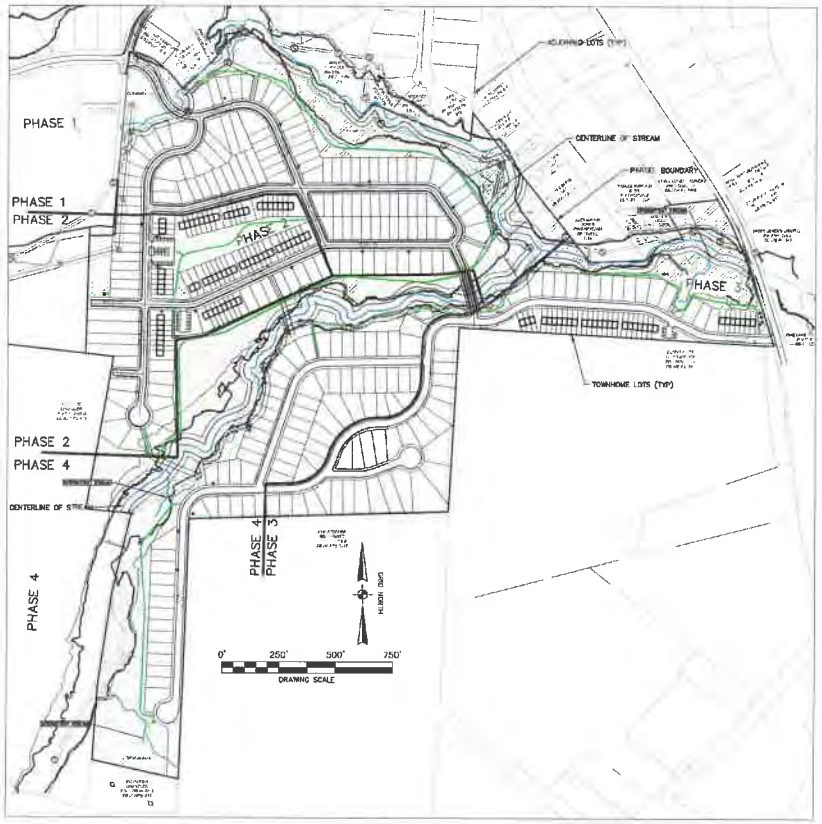
CONCEPTUAL REZONING PLAN
HILLCREST FARM SUBDIVISION
RANDOLPH COUNTY, ASHEBORO, NC
JAN. 2024

NOTE: NOT FOR CONSTRUCTION, CONCEPTUAL PLANS ONLY LAYOUT AND LOT YIELD SUBJECT TO CHANGE

PRELIMINARY SITE SKETCH PLANS

HILLCREST FARM SUBDIVISION

ZOO PARKWAY
RANDOLPH COUNTY - ASHEBORO - NC
PROJECT NO.: E-8561
MAY 2024



VICINITY MAP
N.T.S.

SITE DATA

1.	TOTAL PARCEL AREA:	73.34 AC.
2.	TOTAL AREA IN ROW:	14.61 AC
	PARCEL AREA MINUS ROW:	78.73 AC
3.	TOTAL AREA IN TREE CONSERVATION:	29.45 AC
4.	TOTAL AREA IN LOTS:	44.88 AC
	TOTAL NUMBER OF RESIDENCES:	350
	TOTAL NUMBER OF TOWNHOMES:	98 UNITS
	TOTAL NUMBER OF SFR:	252
5.	TOTAL OPEN SPACE AREA:	69.73 AC (74.70%)
6.	TOTAL REC SPACE:	9.00 AC (9.64%)
7.	LOTS PER ACRE:	3.7
8.	LINEAR FEET IN PROPOSED STREETS:	12,050 LF
9.	DEED REFERENCE:	DB 2214 PG 1281, DB 2251 PG 896
10.	PARCEL NO.	7760008593, 7760013008
11.	EXISTING ZONING -	R15 / R10 / R40
12.	PROPOSED ZONING -	CZ R7.5
13.	NCFIRM PANEL NO.:	3710776008J

14. THE PROPOSED DEVELOPMENT WILL COMPLY WITH THE CITY OF ASHEBORO SIGN REGULATIONS
15. THE PROPOSED PROJECT WILL COMPLY WITH THE CITY OF ASHEBOROS LIGHTING REGULATIONS
16. TOPOGRAPHY IS SHOWN PER NC ONE MAP DATA
17. WATER AND WASTEWATER SERVICES PROVIDED BY CITY OF ASHEBORO
18. PROPOSED STREETS, WATER, SEWER, AND STORMWATER TO BE MAINTAINED BY THE CITY OF ASHEBORO
19. PERMITS TO BE OBTAINED INCLUDE:
    - NCDOT DRIVEWAY PERMIT
    - CITY OF ASHEBORO PLANNING AND ENGINEERING APPROVALS
    - NCDEQ EROSION CONTROL PERMIT
    - NCDEQ PUBLIC WATER AND SEWER EXTENSIONS
    - USACE AND NCDEQ 401/404 STREAM CROSSING PERMIT
18. DETAILED CONSTRUCTION AND CIVIL ENGINEERING PLANS TO INCLUDE:
    - SITE GRADING, EROSION CONTROL, AND STORM DRAINAGE
    - STREET AND UTILITY PLAN AND PROFILES
    - ALL SUPPORTING PLANS, DETAILS, AND SPECIFICATIONS

PROJECT DATA

CURRENT OWNER:	HILLCREST FARM ESTATES, LLC
SUBDIVISION NAME:	HILLCREST FARM SUBDIVISION
DEVELOPER:	RIDGE ROAD PARTNERS, LLC
APPLICANT:	RIDGE ROAD PARTNERS, LLC
CIVIL ENGINEERING:	SUMMEY ENGINEERING ASSOCIATES, PLLC

AMENITIES NOTES:

1. ALL COMMON AREA LOCATIONS TO BE CONSTRUCTED AND RECORDED WITH PLAT. HOA TO MANAGE AMENITIES AND SITE LANDSCAPING
2. THE PROPOSED COMMON SPACE AREAS ARE TO INCLUDE AMENITIES SUCH AS PICKLE BALL, DOG PARKS, AND GARDEN AREAS. ALL COMMON OPEN SPACE WILL HAVE ACCESSIBILITY AND ACCESS FROM PUBLIC R/W AND BE MAINTAINED BY THE HOA. THE EXACT AMENITY PROVIDED AT EACH LOCATION WILL BE DETERMINED AT A LATER DATE
3. HOA TO MAINTAIN ALL COMMON AREAS AND ENTRY SIGNAGE
4. ALL AREAS NOT IN ROW, LOT AREAS, OR CONSERVATION AREA ARE TO BE CONSIDERED OPEN SPACE. IT IS THE RESPONSIBILITY OF THE HOA TO PRESERVE ALL COMMON SPACE AND MAINTAIN THEM FOR THE BENEFIT OF THE RESIDENTS

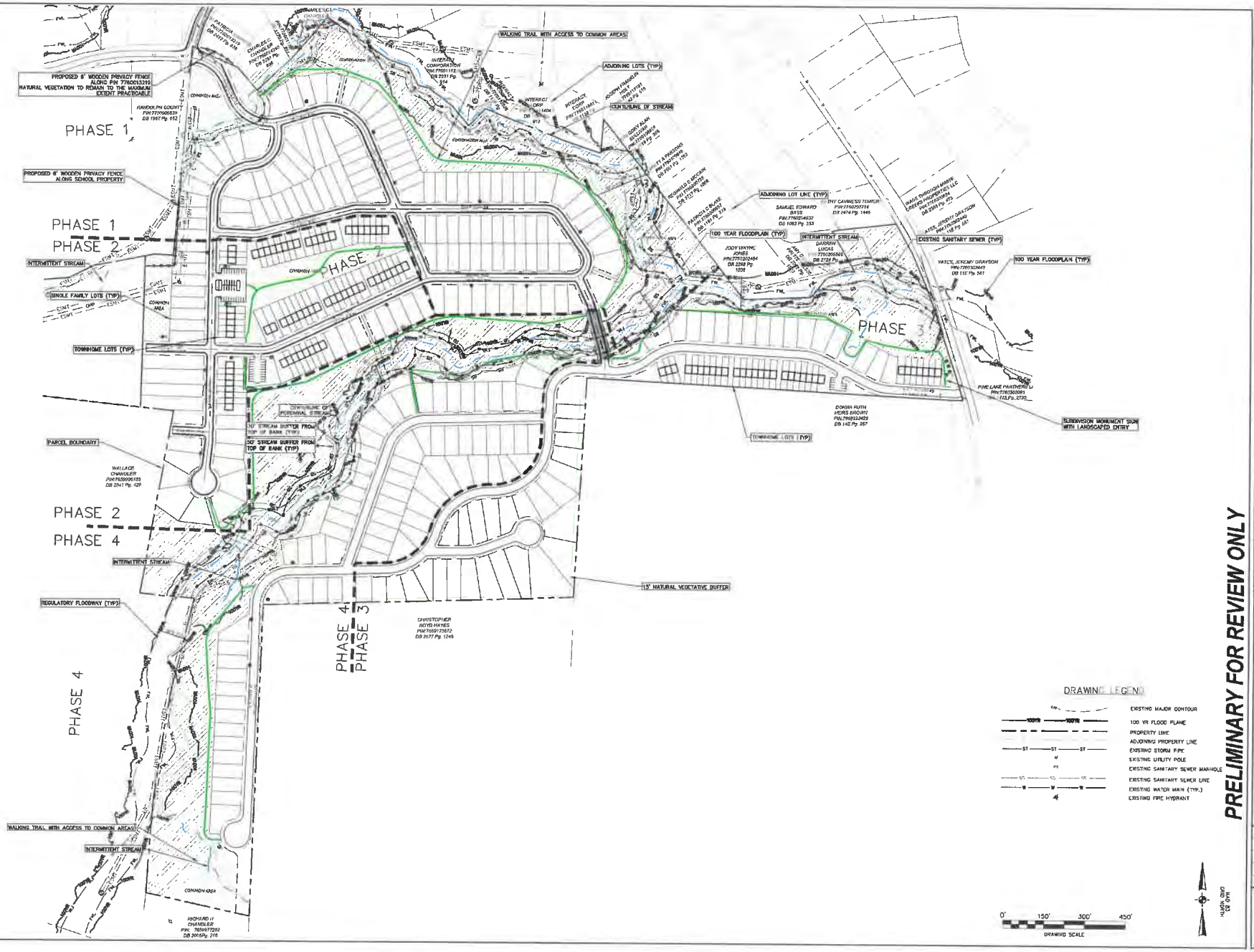
LANDSCAPE NOTES:

1. STREET YARD LANDSCAPING TO BE INSTALLED AT A RATE OF 1 UNDERSTORY TREE PER 25 RESIDENTIAL UNITS.
2. DEVELOPMENT ENTRANCES TO BE LANDSCAPED WITH A MIN. OF 4 UNDERSTORY TREES AND 12 SHRUBS.
3. ALL COMMON AREAS TO BE PROVIDED WITH A MIN. OF 2 UNDERSTORY TREES AND 6 SHRUBS. LANDSCAPING TO HAVE DEFINED BOUNDARIES AND COMPLEMENT AMENITY ENTRANCE POINTS.
4. ALL TREES AND SHRUBS ARE TO BE SELECTED FROM THE CITY OF ASHEBORO APPROVED PLANTING LIST IN THE COA LAND DEVELOPMENT ORDINANCE

SHEET INDEX

#	SHEET INDEX
C-0	COVER SHEET
C-1	OVERALL SITE MAP
C-2	PHASE 1 SITE AREA
C-3	PHASE 2 SITE AREA
C-4	PHASE 3 SITE AREA
C-5	PHASE 4 SITE AREA
C-6	TYPICAL DETAILS

Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying



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Engineering - Consulting - Surveying
PO Box 906, Asheboro, NC 27204
Ph 336-629-2002 Fax 336-629-0922
www.summeyengineering.com
NC ENGINEERING FIRM CERTIFICATE OF AUTHORIZATION P-0238

Date:	Description:	By:

OVERALL SITE MAP

HILLCREST FARM SUBDIVISION

ZOO PARKWAY - NEWBERN AVE
RANDOLPH COUNTY - ASHEBORO - NC

Scale:	
Date:	
Drawn By:	
Checked By:	
Job No.:	L-8-01
Sheet No.	C-1

PHASE 1 SITE NOTES:

LOT INFORMATION

SINGLE FAMILY RESIDENTIAL – 103 LOTS

TOTAL UNITS – 103 LOTS

- EACH SINGLE FAMILY RESIDENTIAL UNIT TO HAVE A GARAGE AND DRIVEWAY TO ACCOMMODATE 2 TOTAL VEHICLES

TOTAL PARKING SPACES FOR PHASE 1: 206 SPACES

PHASE 1 TOTAL AREA: 28.08 AC

PHASE 1 REC AREA: 3.61 AC (12.88%)
PHASE 1 OPEN SPACE: 19.79 AC (70.49%)

- SETBACKS:
  FRONT= 20 FT
  SIDE= 5 FT
  REAR= 20 FT
- MIN. LOT SIZE 4,100 SF
- MIN. LOT WIDTH 41'

MIN. HEATED SF: 1,200 SF

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SFA

Sunney Engineering Associates, PLLC
Engineering - Consulting - Surveying
PO Box [illegible], Asheboro, NC 27203
Ph 336-625-[illegible] Fx 336-625-[illegible]
www.sunneyengineering.com
NC ENGINEERING FIRM CERTIFICATE OF AUTHORIZATION: P-0238

No.:	Date:	Descriptions:	By:

PHASE 1 SITE AREA

HILLCREST FARM SUBDIVISION

ZOO PARKWAY - NEWBERRY AVE
RANDOLPH COUNTY - ASHEBORO - NC

Scale:	
Date:	JAN. 2024
Drawn By:	[illegible]
Checked By:	[illegible]
Job No.:	[illegible]
Sheet No.	C-2

PHASE 2 SITE NOTES:

LOT INFORMATION

SINGLE FAMILY RESIDENTIAL – 33 LOTS

TOWNHOME LOTS – 67

TOTAL UNITS – 100 LOTS

- EACH UNIT TO HAVE A GARAGE AND DRIVEWAY TO ACCOMMODATE 2 TOTAL VEHICLES
- 50 ADDITIONAL SPACES PROVIDED IN PHASE 2

TOTAL PARKING SPACES FOR PHASE 2: 250 SPACES

PHASE 2 TOTAL AREA: 15.73 AC

PHASE 2 REC AREA: 2.27 AC (14.41%)
PHASE 2 OPEN SPACE: 10.92 AC (69.44%)

- SETBACKS:
  FRONT= 20 FT
  SIDE= 5 FT
  REAR= 20 FT

- MIN. LOT SIZE 4,100 SF
- MIN. LOT WIDTH 41'

MIN. HEATED SF: 1,200 SF

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PO Box 9?6, Mebane, NC 2?03
Ph 336.?24.?05? Fx 336.?24.?722
www.summeyengineering.com
NC ENGINEERING FIRM CERTIFICATE OF AUTHORIZATION P4028

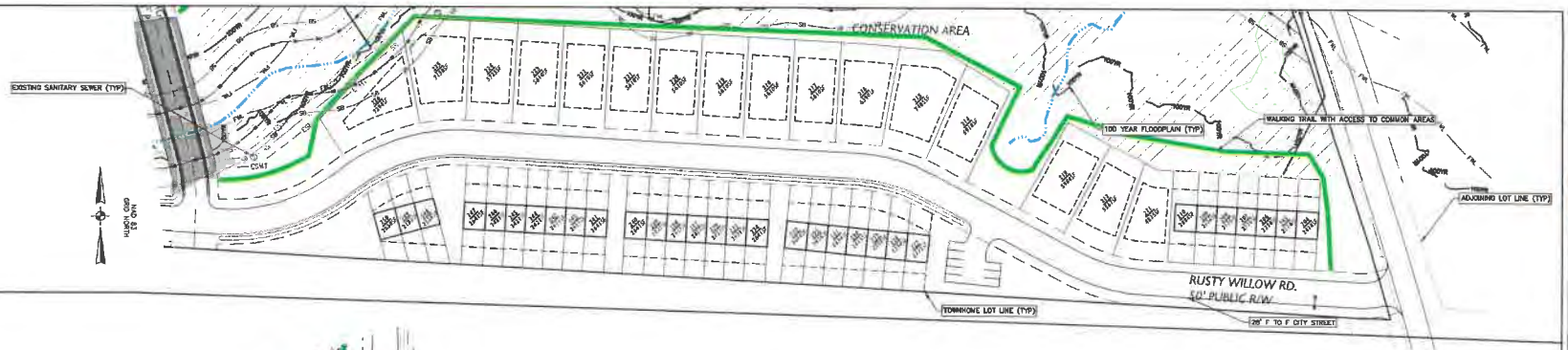
No.	Date:	Description:	By:

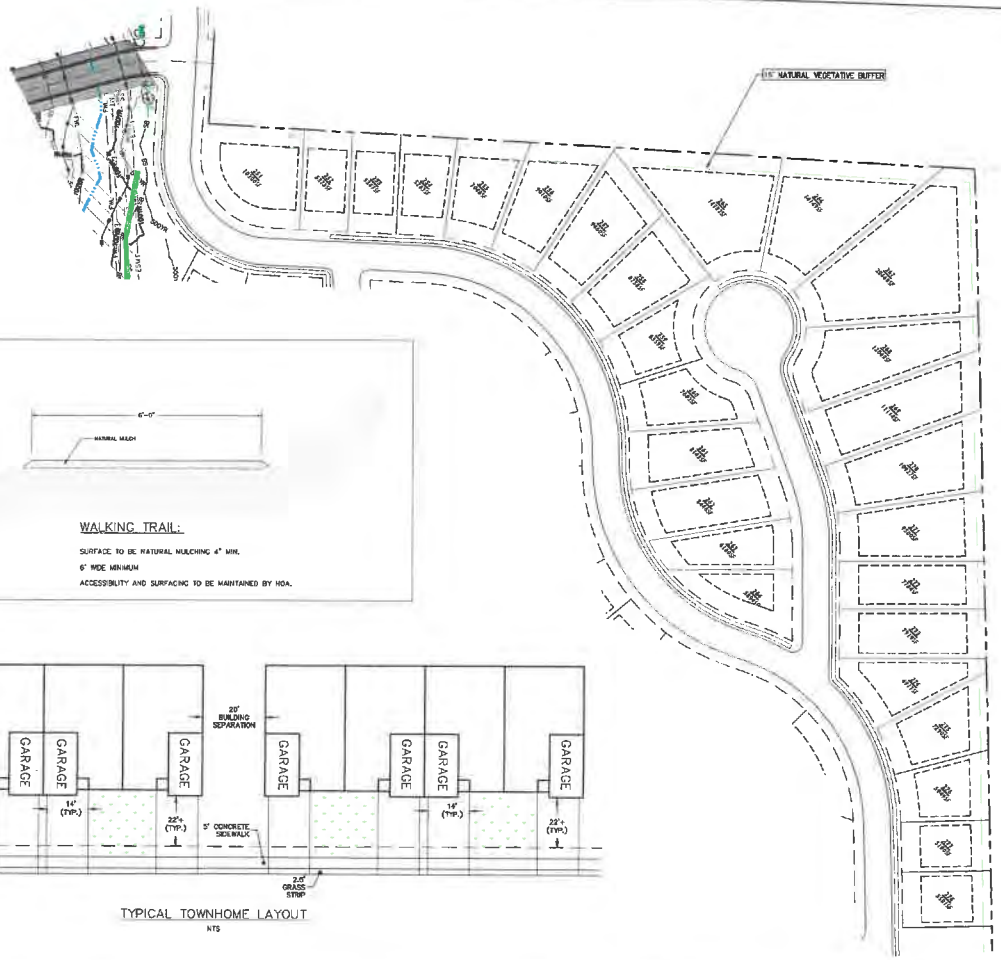
PHASE 2 SITE AREA

HILLCREST FARM SUBDIVISION

200 PARKWAY - NEWBERN AVE
RANDOLPH COUNTY - ASHEBORO - NC

Scale:	
Date:	JAN. 2024
Drawn By:	T.E.
Checked By:	
Job No.:	6-8.3
Sheet No.	C-5





TYPICAL TOWNHOME LAYOUT

NTS

WALKING TRAIL:

SURFACE TO BE NATURAL MULCHING 4" MIN.

6' WIDE MINIMUM

ACCESSIBILITY AND SURFACING TO BE MAINTAINED BY HOA.

PHASE 3 SITE NOTES:

LOT INFORMATION

SINGLE FAMILY RESIDENTIAL – 43 LOTS

TOWNHOME LOTS – 31

TOTAL UNITS – 74 LOTS

- EACH UNIT TO HAVE A GARAGE AND DRIVEWAY TO ACCOMMODATE 2 TOTAL VEHICLES
- 8 ADDITIONAL SPACES PROVIDED IN PHASE 3

TOTAL PARKING SPACES FOR PHASE 3: 156 SPACES

PHASE 3 TOTAL AREA: 18.76 AC

PHASE 3 REC AREA: 2.27 AC (12.09%)
PHASE 3 OPEN SPACE: 12.69 AC (67.66%)

- SETBACKS:
  FRONT= 20 FT
  SIDE= 0 FT
  REAR= 20 FT

- AVG. LOT SIZE 4,000 SF

MIN. HEATED SF = 1,150 SF

DRAWING LEGEND

120	EXISTING MAJOR CONTOUR
100YR 100YR	100 YR FLOOD PLANE
	PROPERTY LINE
	ADJOINING PROPERTY LINE
	EXISTING SANITARY SEWER MANHOLE
	EXISTING SANITARY SEWER LINE
	EXISTING WATER MAIN (TYP.)
	EXISTING FIRE HYDRANT

NAD 83
GRID NORTH

0' 60' 120' 180'
DRAWING SCALE

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Ph 336-626-0902 Fx 336-626-0922
www.summeyengineering.com
NC ENGINEERING FIRM CERTIFICATE OF AUTHORIZATION P-0516

No.	Date:	Description:	By:

PHASE 3 SITE AREA

HILLCREST FARM SUBDIVISION

ZOO PARKWAY - NEWSERN AVE
RANDOLPH COUNTY - ASHEBORO - NC

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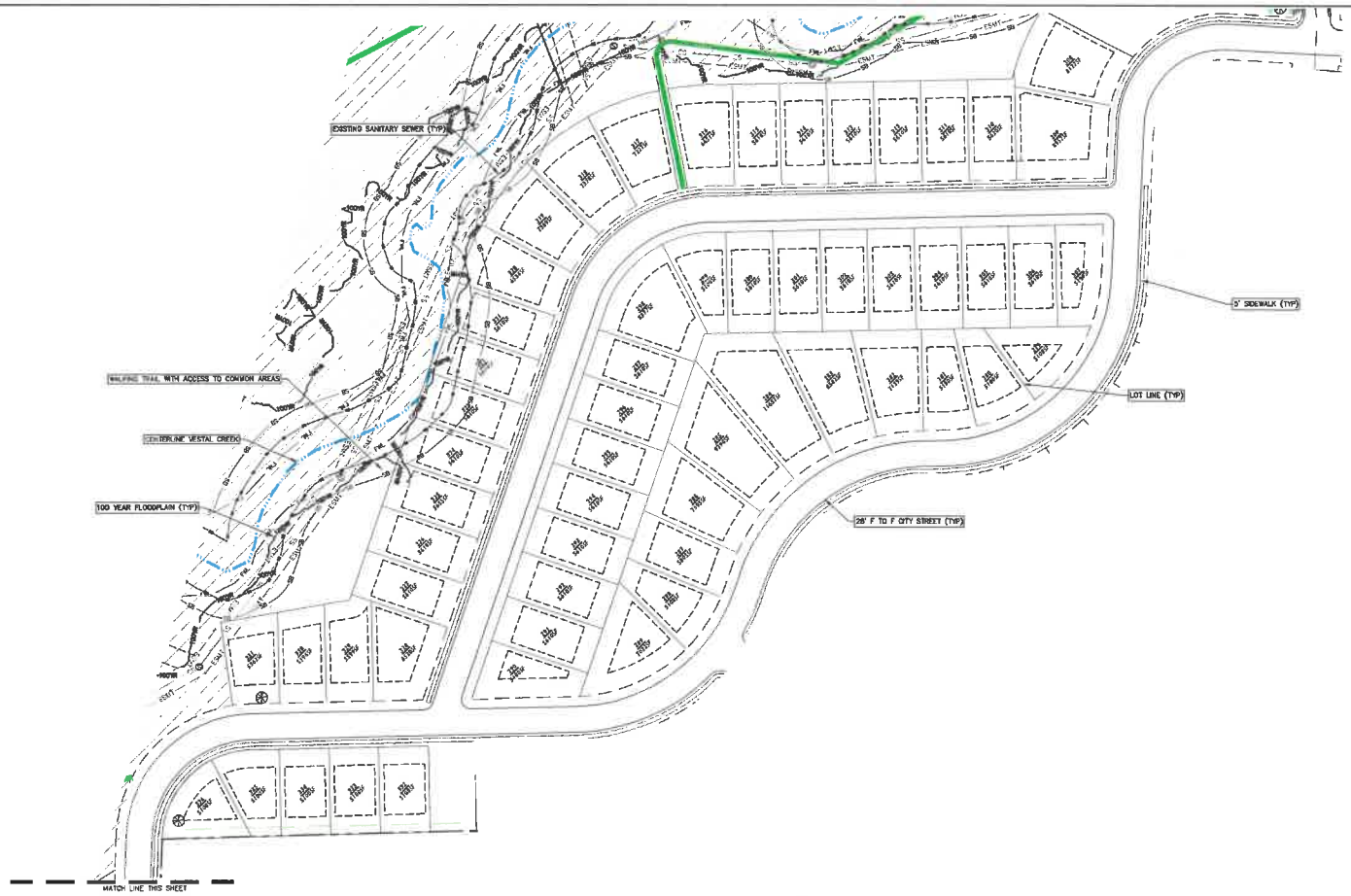
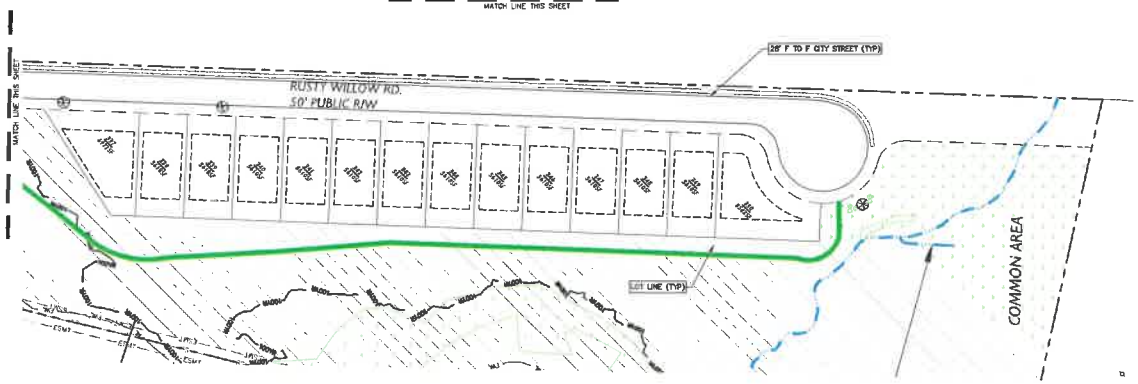
Job No.:	[illegible]
Sheet No:	C-2





PHASE 4 SITE NOTES:

LOT INFORMATION

SINGLE FAMILY RESIDENTIAL – 72 LOTS

- EACH UNIT TO HAVE A GARAGE AND DRIVEWAY TO ACCOMMODATE 2 TOTAL VEHICLES

TOTAL PARKING SPACES FOR PHASE 4: 144 SPACES

PHASE 4 TOTAL AREA: 30.77 AC

PHASE 4 REC AREA: 0.65 AC (2.11%)
PHASE 4 OPEN SPACE: 26.32 AC (85.54%)

- SETBACKS:
  FRONT= 20 FT
  SIDE= 5 FT
  REAR= 20 FT
- MIN. LOT SIZE 5,100 SF
- MIN. LOT WIDTH 51'

MIN. HEATED SF: 1,200 SF

DRAWING LEGEND

- EXISTING MAJOR CONTOUR
- 100 YR FLOOD PLANE
- PROPERTY LINE
- ADJOINING PROPERTY LINE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER LINE
- EXISTING WATER MAIN (TYP.)
- EXISTING FIRE HYDRANT

0' 60' 120' 180'
DRAWING SCALE

NORTH
GRID NORTH

PRELIMINARY FOR REVIEW ONLY

No.:	Date:	Description:	By:

Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying
PO Box 913, Asheboro NC 27204
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www.summeyengineering.com
NC ENGINEERING FIRM CERTIFICATE OF AUTHORIZATION: P-0336

PHASE 4 SITE AREA
HILLCREST FARM SUBDIVISION
ZOO PARKWAY - NEWSBERY AVE
RANDOLPH COUNTY - ASHEBORO - NC

Scale:	
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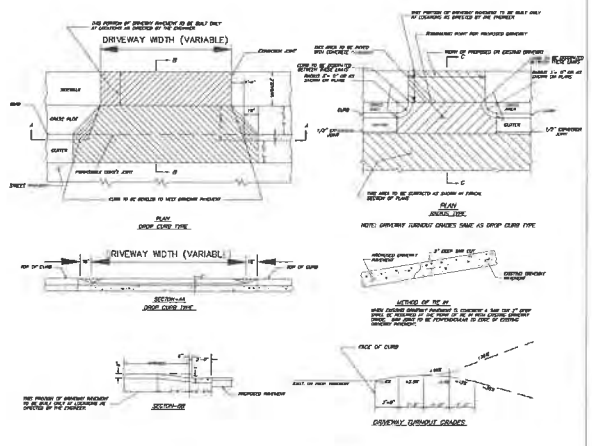
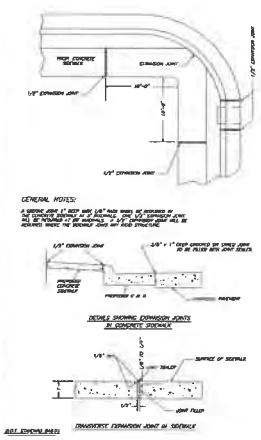
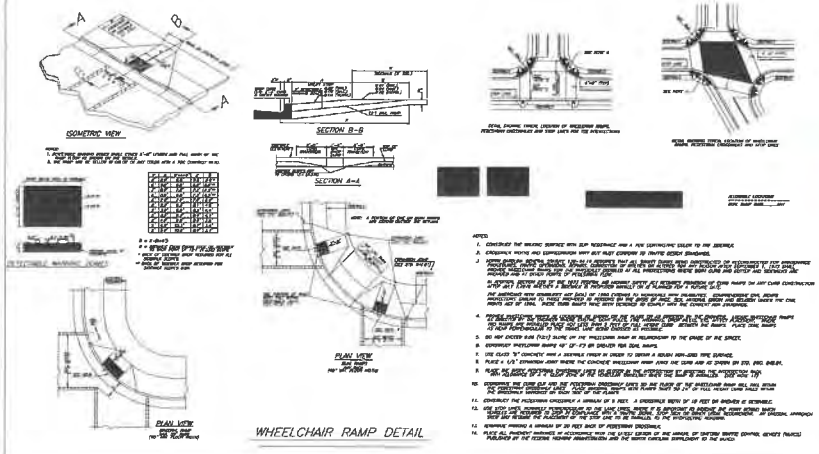
Checked By:	[illegible]
Job No.:	L-8.4
Sheet No.	C-3



STANDARD DRIVEWAY TURNOUT



STANDARD CONCRETE SIDEWALK



WHEELCHAIR RAMP DETAIL

NOTE:
ALL MATERIALS SHALL BE IN ACCORDANCE WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROADS & STRUCTURES LATEST EDITION.

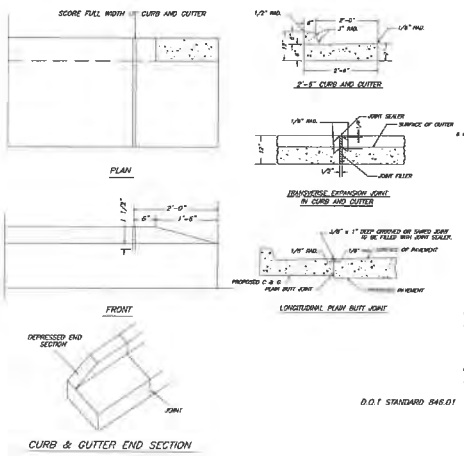
GENERAL NOTES:

CONTRACTION JOINTS SHALL BE SPACED AT 10 FOOT INTERVALS. CREDIT HAVE A 10 FOOT SPACING MAY BE USED WHEN A MACHINE IS USED OR WHEN DOWELS OR SUPPORT SUPPORT FOR THE FULL FORM CAN BE OBTAINED BEYOND THE USE OF TEMPLATES AT 10 FOOT INTERVALS. JOINT SPACING MAY BE ALTERED BY THE ENGINEER TO PREVENT UNCONTROLLED CRACKING.

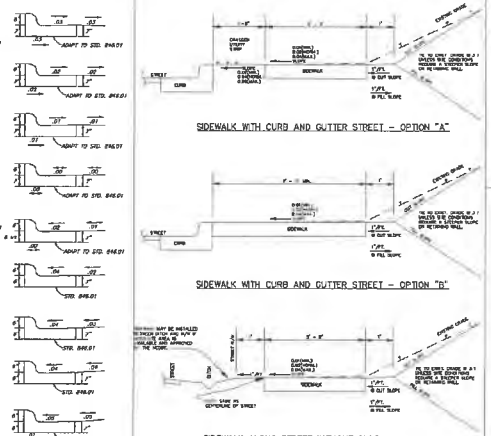
CONTRACTION JOINTS MAY BE INSTALLED BY THE USE OF TEMPLATES, OR FORMED BY OTHER APPROVED METHODS. SPACE SUCH JOINTS ARE NOT FORMED BY TEMPLATES A MINIMUM DEPTH OF 1 1/4" SHALL BE OBTAINED.

ALL CONTRACTION JOINTS EXCEPT IN 2'-4" MEDIAN CURB SHALL BE FILLED WITH JOINT SEALER.

EXPANSION JOINTS SHALL BE SPACED AT 80 FOOT INTERVALS AND ADJACENT TO ALL FIXED OBJECTS.

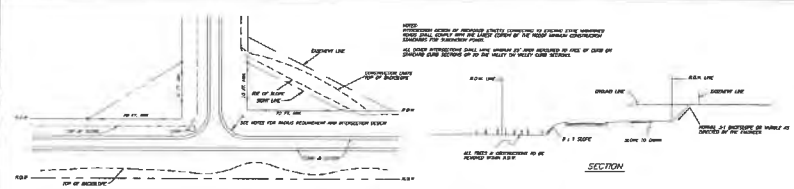


STANDARD CONCRETE CURB AND CURB & GUTTER

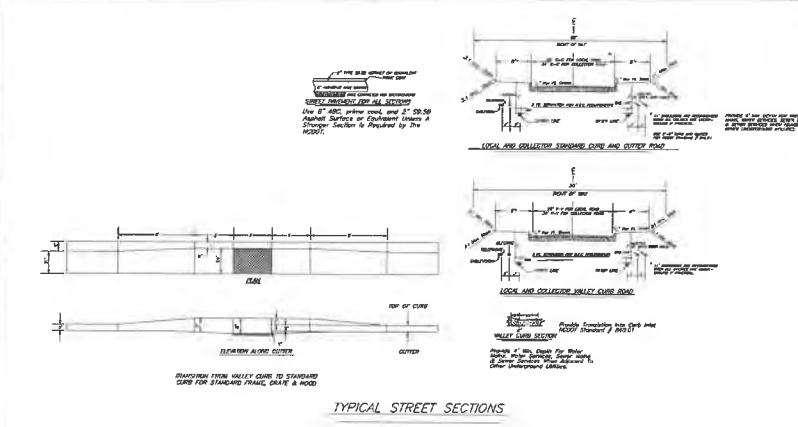


NOTES
- THE NCDOT WILL NOT ALLOW SIDEWALK ON THE SHOULDER OF A STREET WITHOUT CURB AND GUTTER.
- OPTION "A" OR OPTION "B" MAY BE USED ALONG STREETS WITH CURB AND GUTTER, AS NEEDED TO BE COMPATIBLE WITH THE CHARACTER OF THE AREA BEING DEVELOPED AND THE LOCATION OF EXISTING UTILITY POLES.
- DIMENSIONS MAY VARY IF REQUIRED BY THE NCDOT.
- USE 4" THICK SIDEWALK ALONG STANDARD CURB AND GUTTER.
- USE 6" THICK SIDEWALK ACROSS DRIVEWAYS AND ALONG VALLEY CURB.

SIDEWALK STANDARDS



STANDARD METHODS OF GRADING SIGHT DISTANCE AT INTERSECTIONS



TYPICAL STREET SECTIONS

PRELIMINARY FOR REVIEW ONLY

SFA
Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying
PO Box 256, Asheboro, NC 27204
Ph. 336-626-0202 Fx. 336-626-0222
www.summeyengineering.com
NC ENGINEERING FIRM CERTIFICATE OF AUTHORIZATION: P-0339

No.	Date:	Description:	By:

STANDARD STREET DETAILS

HILLCREST FARM SUBDIVISION

ZOO PARKWAY - NEWSBERRY AVE

RANDOLPH COUNTY - ASHEBORO - NC

Scale:

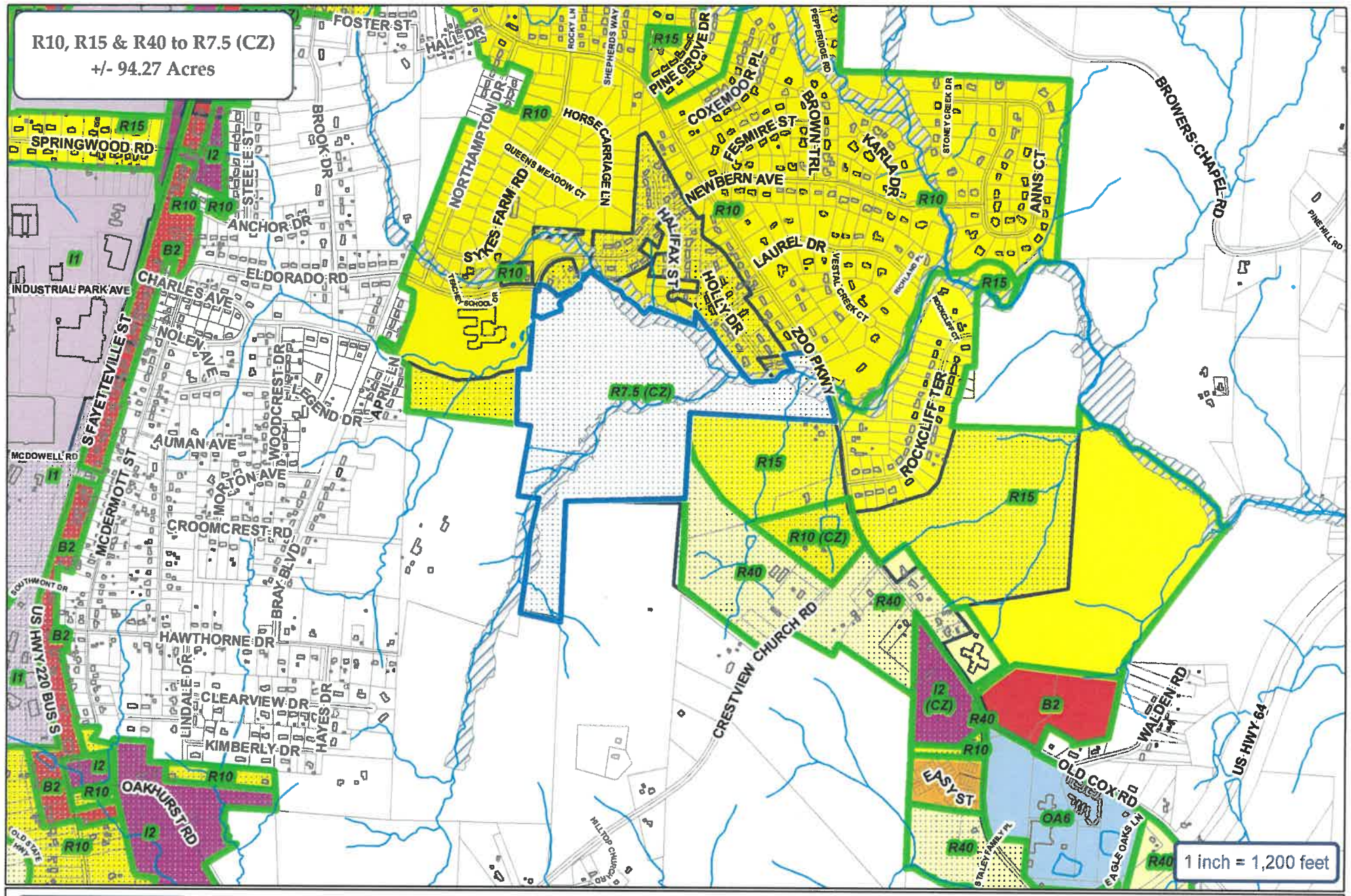
Date:

Drawn By: DLB

Checked By: HMSJ

Job No.: F 08-21

Sheet No. C-6



CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

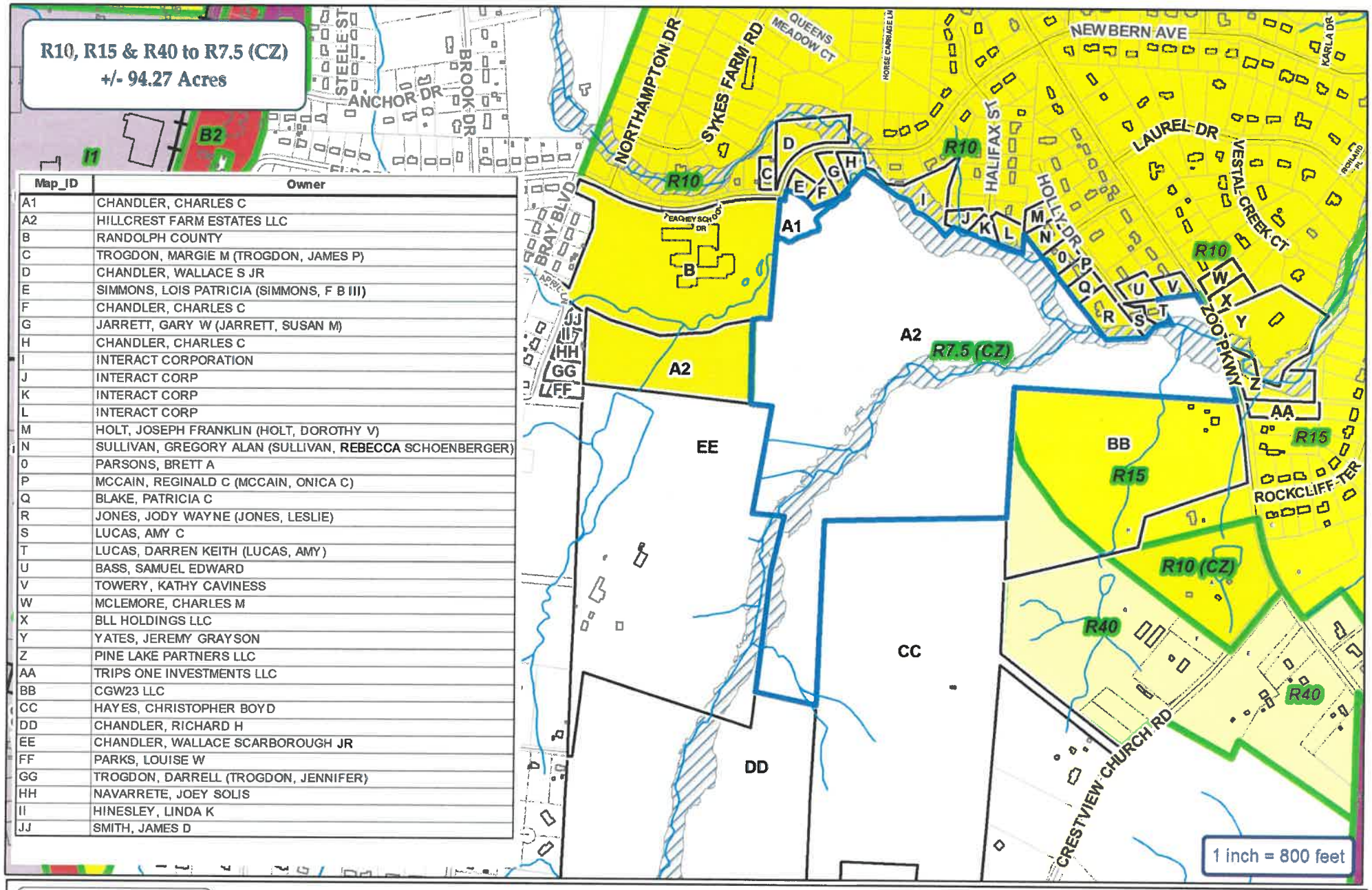
ETJ

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-11

Parcels: 7760008593 (pt.) & 7760013008

Subject Property
Zoning



Map_ID	Owner
A1	CHANDLER, CHARLES C
A2	HILLCREST FARM ESTATES LLC
B	RANDOLPH COUNTY
C	TROGDON, MARGIE M (TROGDON, JAMES P)
D	CHANDLER, WALLACE S JR
E	SIMMONS, LOIS PATRICIA (SIMMONS, F B III)
F	CHANDLER, CHARLES C
G	JARRETT, GARY W (JARRETT, SUSAN M)
H	CHANDLER, CHARLES C
I	INTERACT CORPORATION
J	INTERACT CORP
K	INTERACT CORP
L	INTERACT CORP
M	HOLT, JOSEPH FRANKLIN (HOLT, DOROTHY V)
N	SULLIVAN, GREGORY ALAN (SULLIVAN, REBECCA SCHOENBERGER)
0	PARSONS, BRETT A
P	MCCAIN, REGINALD C (MCCAIN, ONICA C)
Q	BLAKE, PATRICIA C
R	JONES, JODY WAYNE (JONES, LESLIE)
S	LUCAS, AMY C
T	LUCAS, DARREN KEITH (LUCAS, AMY)
U	BASS, SAMUEL EDWARD
V	TOWERY, KATHY CAVINESS
W	MCLEMORE, CHARLES M
X	BLL HOLDINGS LLC
Y	YATES, JEREMY GRAYSON
Z	PINE LAKE PARTNERS LLC
AA	TRIPS ONE INVESTMENTS LLC
BB	CGW23 LLC
CC	HAYES, CHRISTOPHER BOYD
DD	CHANDLER, RICHARD H
EE	CHANDLER, WALLACE SCARBOROUGH JR
FF	PARKS, LOUISE W
GG	TROGDON, DARRELL (TROGDON, JENNIFER)
HH	NAVARRETE, JOEY SOLIS
II	HINESLEY, LINDA K
JJ	SMITH, JAMES D

CITY OF ASHEBORO
NORTH CAROLINA
Exactly where you want to be.

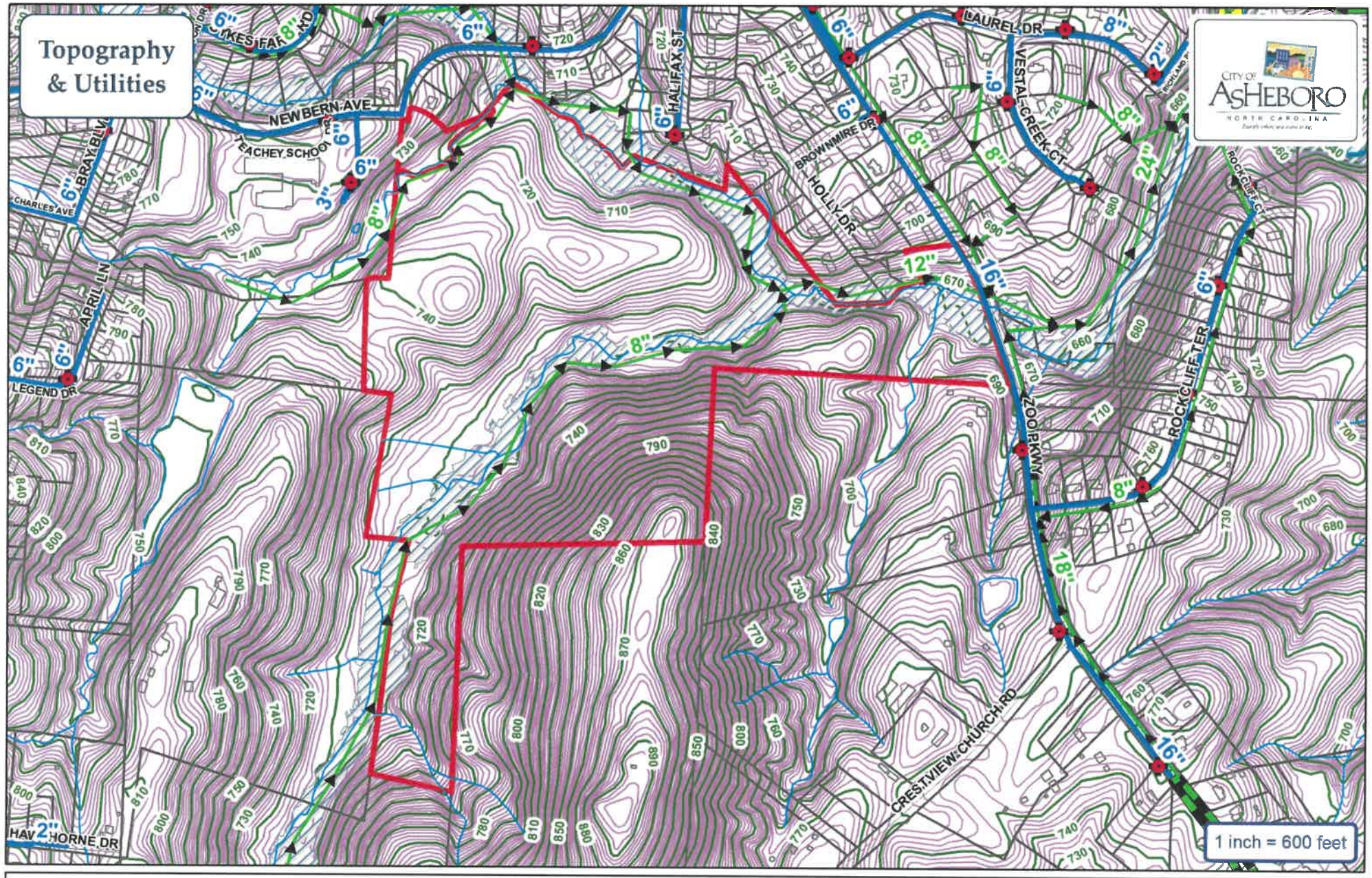
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-11

Parcels: 7760008593 (pt.) & 7760013008

Subject Property
Adjoining Properties
City Zoning

N
W
E
S



Water Main

Sewer Main

Force Main

Fire Hydrant

Pump Station

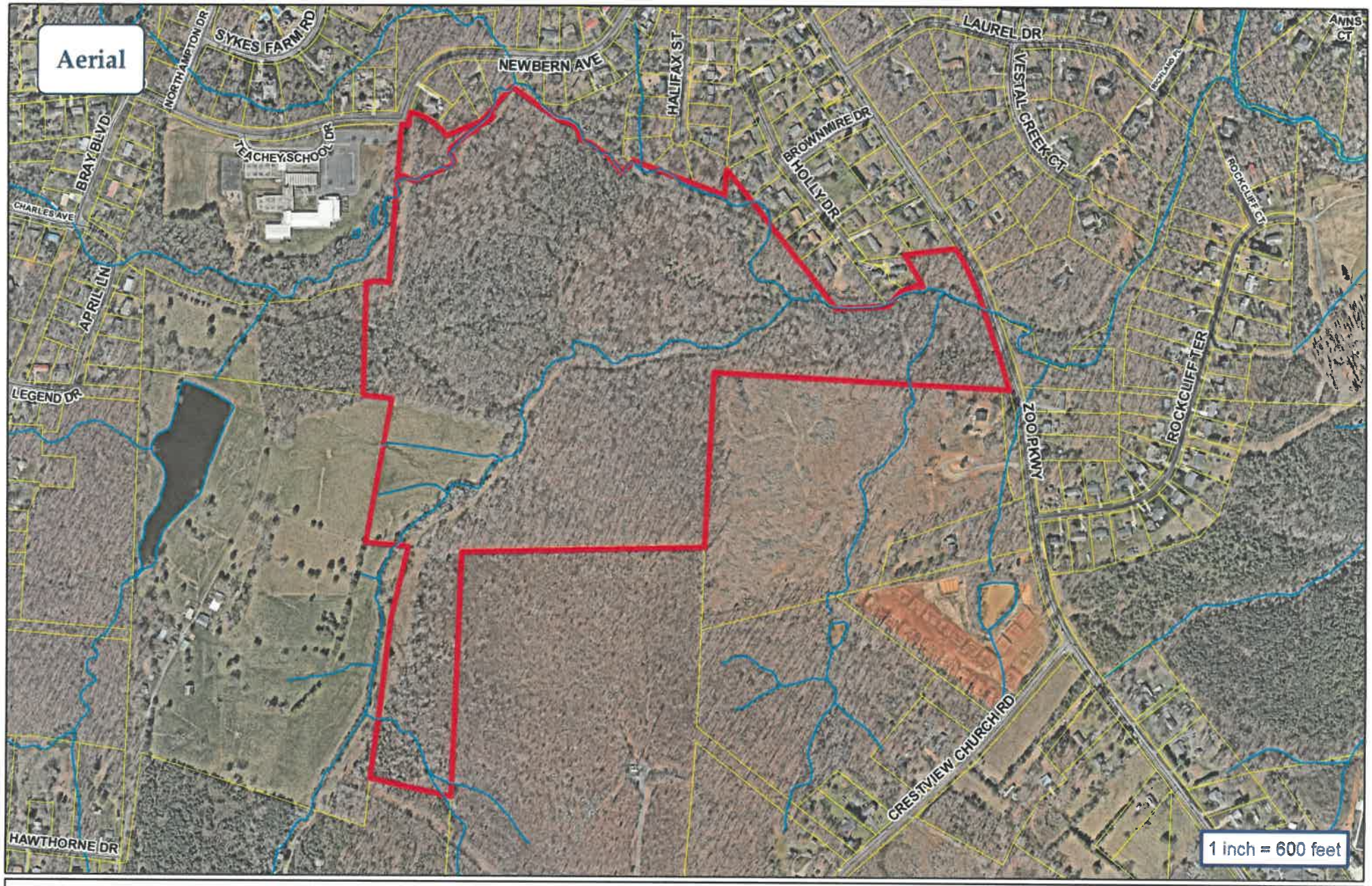
Watershed

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-11

Parcels: 7760008593 (pt.) & 7760013008

Subject Property



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-11

Parcels: 7760008593 (pt.) & 7760013008

Subject Property

limitation, the North Carolina Department of Transportation and the North Carolina Department of Environmental Quality.

APPLICANT INFORMATION

Applicant Ridge Road Partners, LLC *Applicant's Phone #* 980-722-1010

Applicant's Address PO Box 1609

Monroe NC 2811

Applicant email address jerry@fitzcomm.net

PROPERTY INFORMATION

Property Owner's Name Hillcrest Farm Estates, LLC

Location of Property Zoo Parkway *Property Size (ac. or s.f.)* 94.27+/-

Randolph County Property Identification Number (PIN#) 7760008593, 7760013008

Current Zoning District R7.5 CZ *Requested Zoning District* R7.5 CZ

Date Property Title Acquired _____ *Deed Book* 2214, 2251 *Page* 1281, 896

Subdivision _____ *Section* _____ *Lot #* _____

Plat Book _____ *Page* _____

CONDITIONAL ZONING DISTRICT INFORMATION (Attach additional sheets if necessary)

1. Application is hereby made to the City of Asheboro for a Conditional Zoning District for the following purpose:

To construct 350 new residences to help supply the growing residential needs of this area.

2. In what manner will the proposed amendment carry out the intent of the Land Development Plan?

Residential growth using the clustering of homes in area most suitable for development.

This development balances the need for residential growth in areas that are supported by the NC zoo and city sportsplex

For questions (3) and (4), if either of these questions apply, please state a reason. If you believe these do not apply, please check "does not apply".

3. Are there alleged errors in this Ordinance that would be corrected by the proposed amendment? If so, give a detailed explanation of such error and detailed reasons how the proposed amendment will correct the errors.

Does not apply ☐

4. What are the changed or changing conditions, if any, in the jurisdiction of the City of Asheboro generally, which would make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare?

Coming growth from nearby industrial facilities.

Promoted neighborhood setting with nearby sportsplex and NC Zoo.

Does not apply ☐

5. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for a Conditional Zoning District rests with the applicant.

No application for a Conditional Zoning District will be advertised for public hearing until the Planning and Zoning Department has received all required materials. If all required materials are not received prior to the specified deadlines, hearings for the case may be delayed.

Per Section 4.05 of the zoning ordinance, it is intended that property will be reclassified to a Conditional Zoning District only in the event of firm plans to develop the property. Accordingly, subject to any specific durational limits imposed by the ordinance applying conditional zoning to the Zoning Lot, if no action has been taken to obtain a Zoning Compliance Permit in conformance with the conditional zoning ordinance within 36 months of the City Council's approval of conditional zoning for the Zoning Lot, the Community Development Director or his or her designee shall initiate appropriate action to rezone the Zoning Lot to a general zoning classification that is consistent with the adopted comprehensive plan.

Applicant Signature

_____

Printed Name of Authorized Signatory (if different from Applicant)

Drew Boggs

Position/Relationship of Authorized Signatory to Applicant

Member Manager

Owner Signature (if different than Applicant)

_____

Owner Address

_____

_____

Telephone Number

703-628-9366

Printed Name of Authorized Signatory (if different from Owner)

_____

Position/Relationship of Authorized Signatory to Owner

_____

STAFF USE

Received by: JTL **Date:** 6-12-24 **Case Number:** 24-

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for a Conditional Zoning District rests with the applicant.

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Applicant Signature

Drew Boggs

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

HILLCREST FARMS ESTATES, LLC

Owner Signature (if different than Applicant)

DocuSigned by: Charles C. Chandler 6C8B0B000C7472... DocuSigned by: Robert G. Chandler 1411CF4B4A364F3...

Charles C. Chandler: Member-Manager

Robert G. Chandler

Owner Address

Telephone Number

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: JTL **Date:** 6-12-24 **Case Number:** 24-

Planning Board Functioning as Board of Adjustment: BOA-24-04: Request for variances from Table 4-1 and Section 3.02(D) of the Asheboro Zoning Ordinance which regulates required yards (setbacks) and front yard averaging for property located at 1001 Parkview St. (Randolph County PIN# 7761313052).

Staff Report

Board of Adjustment Staff Report

Case: BOA 24-04 **Date:** July 8, 2024

Requested Action: Request for variances from Table 4-1 and Section 3.02(D) of the Asheboro Zoning Ordinance which regulates required yards (setbacks) and front yard averaging.

GENERAL INFORMATION:

Applicant: Edwin E. Pollard Jr.

Applicant Address: 1001 Parkview St. Asheboro, NC 27203

Location of Affected Property: 1001 Parkview St. (PIN 7761313052)

Property Size: 0.40 Acres (17,308 sq.ft.)

Underlying Zone: R10

Overlay Zone: None

Existing Land Use: Single Family Dwelling

Surrounding Land Use:

North: Single Family Residential **East:** Single Family Residential

South: Single Family Residential **West:** Single Family Residential

Land Development Plan: Neighborhood Residential/Primary Growth

ANALYSIS

1001 Parkview St. ("The Lot") is a conforming R10 lot with an existing single family dwelling use. Required yards for the R10 zoning district are regulated through Table 4-1 as follows:

Table 4-1
Table of Area, Height, Bulk and Placement Regulations

District	Minimum Lot Size in Sq. Ft.	Lot Width (Frontage) In Feet*	Front Required Yard in Feet*	Side Required Yard In Feet*	Rear Required Yard in Feet*	Maximum Height in Feet*	Maximum Floor Area Ratio*	Open Space Ratio*	Recreation Ratio*
R10	10,000 SF	75	30	10	25	35	22%		

The 10-foot required side yard is applicable to both principal and accessory structures. The required 30-foot front yard setback is modified by Section 3.02(D), Averaging a Front Setback Line, as follows:

3.02(D)(2) Increase to Front Yard Setback

In a residential district, where the average of the front setbacks for all adjacent lots, which are located within two hundred feet of either side of a lot is greater than the required front setback specified in this Ordinance, a required setback line shall be provided on the lot equal to this greater average depth but not to exceed sixty feet. For the purpose of computing such average, an adjacent vacant lot shall be considered as having the minimum required front setback specified for the zoning district.

There are a total of four adjacent lots within two hundred feet of either side of The Lot. Utilizing Section 3.02(D), the required front yard becomes 52.35', calculated as follows:

Address	Apparent Existing Setback
935 Parkview St.	61'
943 Parkview St.	61.2'
1009 Parkview St.	37.2'
1017 Parkview St.	50'
Average	**52.35**

The existing single-family dwelling conforms with all required yards. The applicant proposes to construct a new, unenclosed carport. This proposed carport would come no closer than 7 feet from the side property line, and 42 feet from the front property line, thus a required side yard variance of three feet and a front yard variance of 10.35 feet are requested.

The concurring vote of four-fifths of the Board shall be necessary to grant a variance.

When unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self created hardship.

4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

All of these findings of fact shall be made in the indicated order by the Board of Adjustment, which is not empowered to grant a variance without an affirmative finding of fact on all four categories above. Each finding of fact shall be supported by substantial evidence in the record of proceedings before the Board.

The Board may impose appropriate conditions upon the granting of any variance provided that the conditions are reasonably related to the variance. Violation of such conditions shall be a violation of this Ordinance.

I have found all the findings of fact as listed above in favor of the applicant.

Board Action 1: Approve a variance from Table 4-1 of the Asheboro Zoning Ordinance to reduce the required side yard setback to 7 feet. Provided, however, the variance is limited by any conditions stated in the final decision document.

Member's Vote: Yes_____ No_____ Yes with Conditions _____

Board Action 2: Approve a variance from Section 3.02(D) of the Asheboro Zoning Ordinance to reduce the required front yard setback to 42 feet. Provided, however, the variance is limited by any conditions stated in the final decision document.

Member's Vote: Yes_____ No_____ Yes with Conditions _____

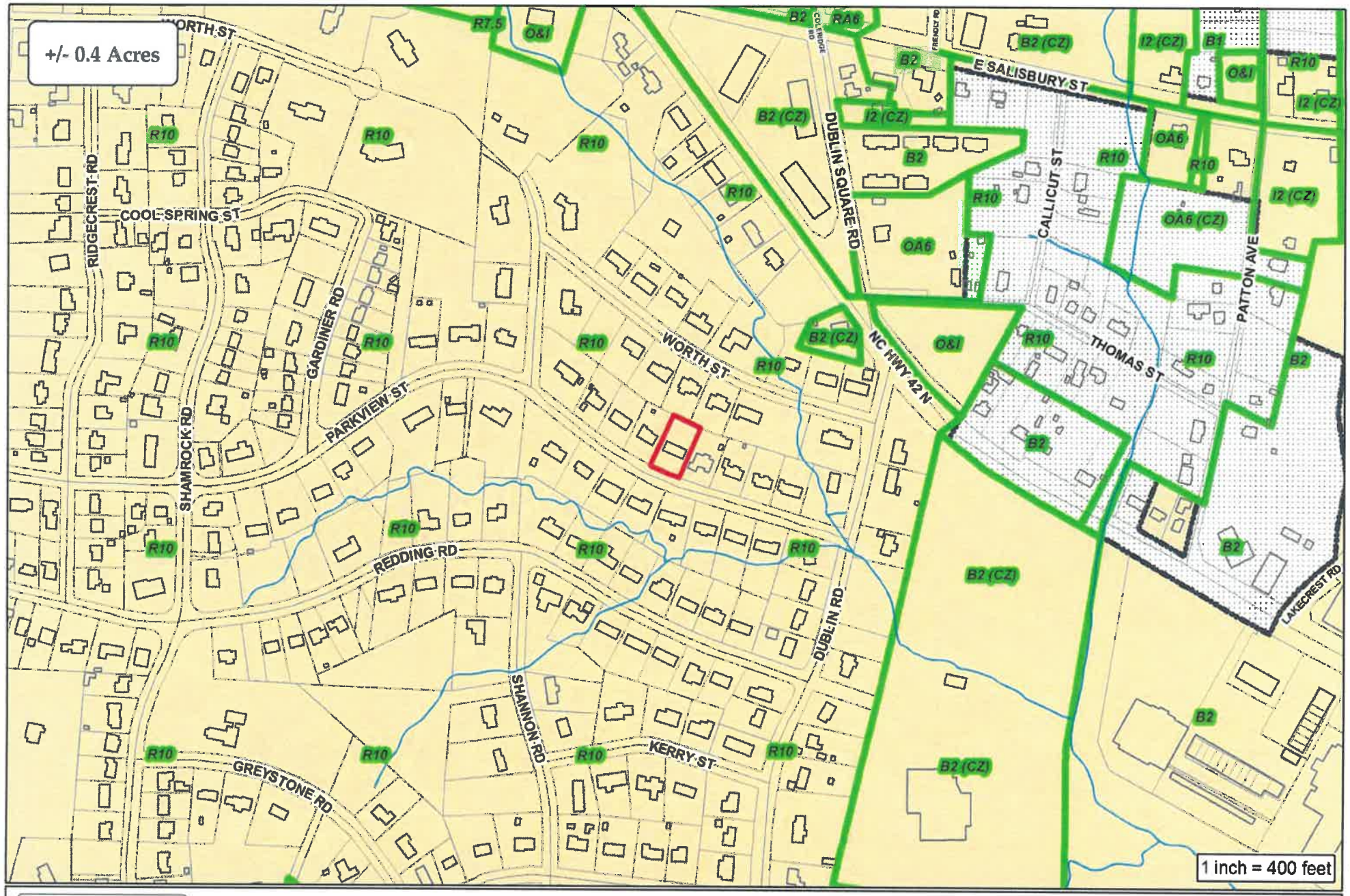
Signature_____

City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-24-04
Variance

Parcel: 7761313052

Subject Property
Zoning



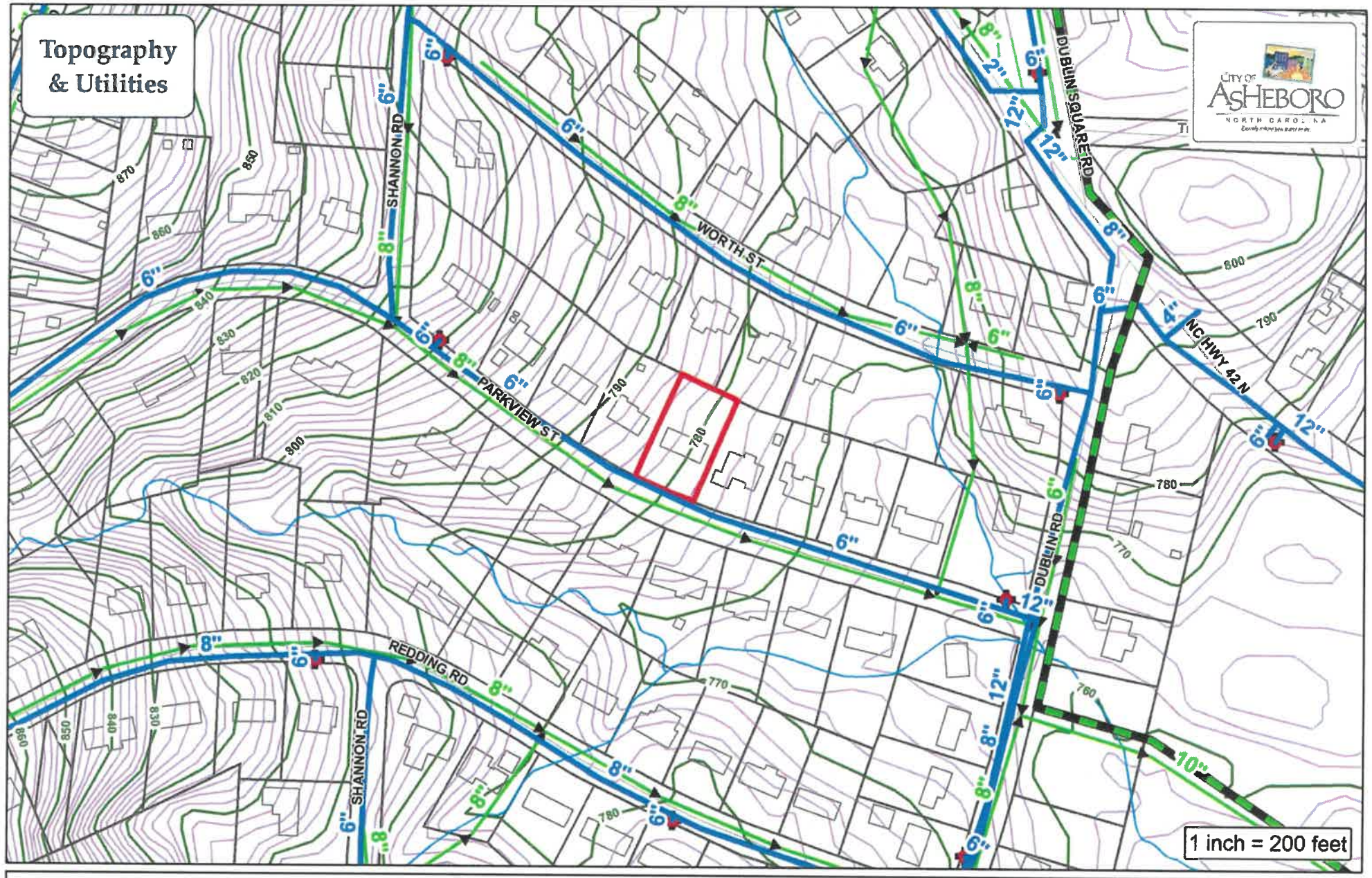
City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-24-04
Variance

Parcel: 7761313052

City Limits
ETJ

Subject Property
Zoning



Force Main
Water Main
Sewer Main
Fire Hydrant
Pump Station
Parcels

City of Asheboro Planning & Zoning Department

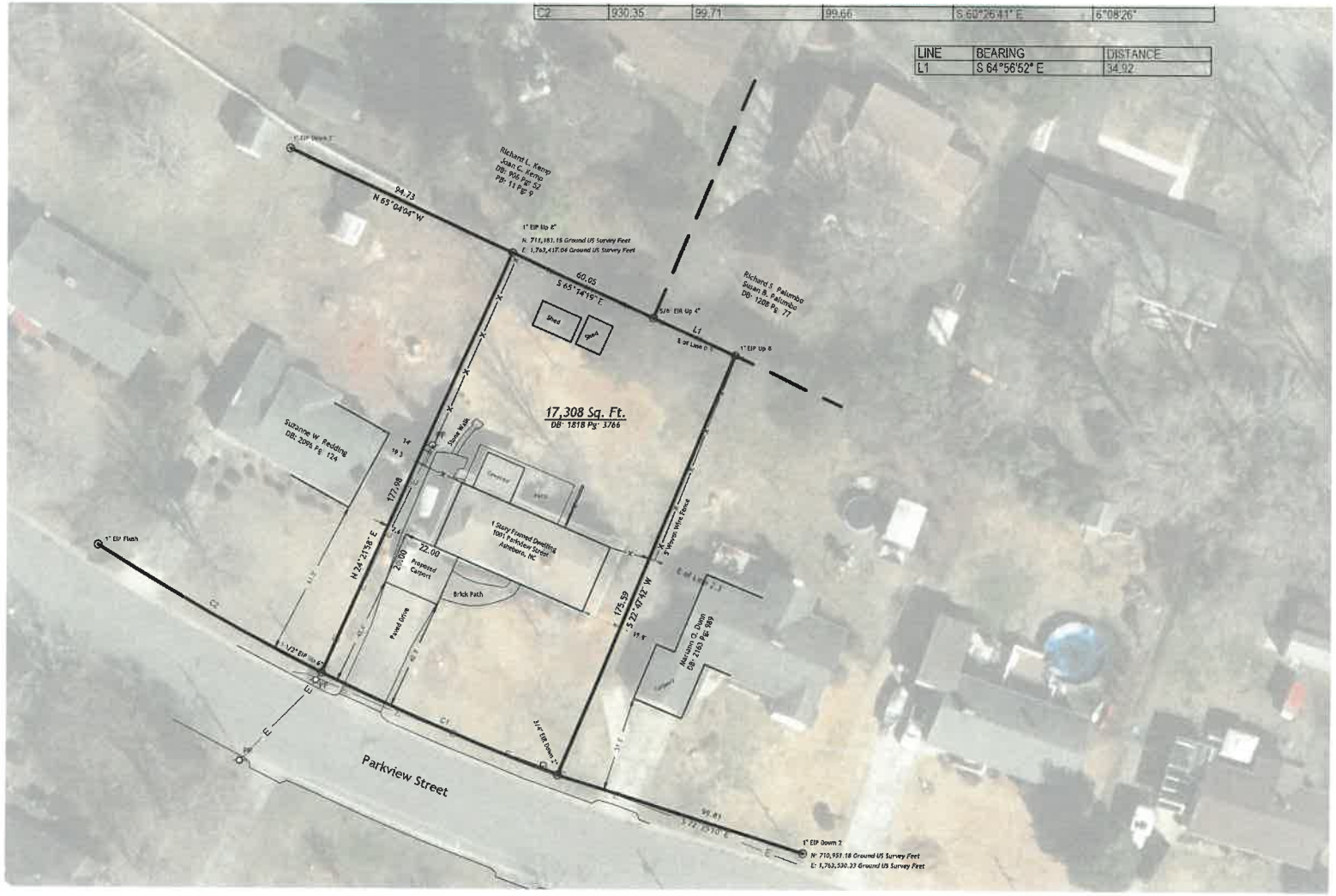
Board of Adjustment Case: BOA-24-04
Variance

Parcel: 7761313052

Subject Property

C2	930.35	99.71	99.66	S 60°26'41" E	6°08'26"

LINE	BEARING	DISTANCE
L1	S 64°56'52" E	34.92



CITY OF ASHEBORO
Application for Board of Adjustment Hearing

APPLICANT INFORMATION

Applicant EDWIN E. POLLARD JR Applicant's Phone # 336-953-8048

Applicant's Address 1001 PARKVIEW ST
ASHEBORO NC 27203

Applicant's Email Address EPOLLARDJR@YAHOO.COM

PROPERTY INFORMATION

Property Owner's Name EDWIN E POLLARD JR &

Location of Property 1001 PARKVIEW ST ASHEBORO, NC 27203

Property Size (ac. or sq.ft.) 1600 SQ.FT

Randolph County Property Identification Number (PIN#) _____

Current Zoning District _____

Date Property Title Acquired _____ Deed Book _____ Page _____

Subdivision _____ Section _____ Lot # _____

Plat Book _____ Page _____

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed variance rests with the applicant.

Applicant Signature(s)

E E Pollard Jr

_____

If Applicant is not the Property Owner, has Property Owner been notified?

☐ Yes ☐ No

Printed Name of Authorized Signatory (if different from Applicant)

_____

Position/Relationship of Authorized Signatory to Applicant

_____

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov Revised 2021

CITY OF ASHEBORO
Application for Board of Adjustment Hearing

REQUEST FOR A VARIANCE

TO THE CITY OF ASHEBORO BOARD OF ADJUSTMENT:

I, EDWIN E. POLLARD JR hereby petition the Board of Adjustment to grant the following variance from the Asheboro Zoning Ordinance (please specify the variance that is requested):

ALLOW MY NEW CARPORT TO BE
42 FT FROM THE STREET

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov Revised 2021

STATEMENT BY APPLICANT:
In the space provided below and/or on the back of this form, please state the facts and line of argument that you believe support your request for a variance. In providing this information, please state the precise action that you would like to see taken by the Board of Adjustment.

I WANT TO BUILD A CARPORT IN FRONT OF MY HOUSE FREE STANDING. THERE IS ALREADY A DRIVE WAY THAT I WILL BULID THE 2 CAR CARPORT ON. THIS IS THE ONLY LOCATION THAT IS FEASIBLE. ACCESS TO THE BACKYARD IS NOT GOOD, TOO NARROW BETWEEN THE END OF THE HOUSE & THE PROPERTY LINE. MY GRANDKIDS PLAY IN ~~MY~~ THE BACK YARD. I WOULD LIKE THE CITY TO ISSUE ME A PERMIT, PLEASE.

I certify that all the information presented by me in this application is accurate to the best of my knowledge, information and belief.

E E Pellard Jr.
Signature of Applicant

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov Revised 2021

VARIANCE REQUEST - BASIC INFORMATION

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the State Enabling Act, the Board is required to reach four conclusions as a prerequisite to issuance of a variance. Specifically, the four findings are as follows:

(1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self created hardship.

(4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

All of these findings of fact shall be made in the indicated order by the Board of Adjustment, which is not empowered to grant a variance without an affirmative finding of fact on all four categories above. Each finding of fact shall be supported by substantial evidence in the record of proceedings before the Board.

The Board may impose reasonable conditions upon the granting of any variance to insure that the public health, safety, and general welfare shall be protected and substantial justice done. Violation of such conditions shall be a violation of this Ordinance.

I received a copy of the above requirements outlining the conclusions required to be found for the granting of a Variance by a Board of Adjustment and have been informed that the burden of providing evidence to support such conclusions to obtain such variance rest with the applicant. I have also been advised of the application process by staff and received the opinion of the North Carolina Bar Association regarding legal representation in quasi-judicial proceedings.

EE Pellandra 5/7/24

Applicant Date

STAFF USE

Received by: JTL **Date:** 5-7-24 **Case Number:** 24-04

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov Revised 2021

RE BOOK Book: 1818
Page: 3766

FILED 2003-019433
May 30 2003 04:35:33 pm

Randolph County, NC
Ann Shaw, REGISTER of DEEDS

Recording Fee 17.00
NC Real Estate ExTx 216.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: 216.00

Parcel Identifier No. _____ Verified by _____ County on the _____ day of _____, 20___
By _____

Mail/Box: Grantee

This instrument was prepared by: Alie E. Yates, Attorney At Law

Brief description for the Index: _____

THIS DEED made this 30th day of May, 2003 by and between

GRANTOR	GRANTEE
MARY KING SMITH, married (formerly Mary Ella King)	**EDWIN E. POLLARD JR. and wife, CAROL J. POLLARD** **1001 Parkview Street** **Asheboro, NC 27203**

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and Shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that

Certain lot or parcel of land situated in the City of Asheboro Township, Randolph County, North Carolina and more particularly as follows:

Beginning at an existing iron pipe, in the northern right-of-way of Parkview St., said iron pipe bieng located 0.1 mile from Dublin Road (NCSR 2197) and also being Andrew Garner's southwestern corner; thence from the point and place of beginning along the northern right-of-way line of Parkview St. along a curve with a bearing and distance of North 67 deg 10' 13" West with a chord distance of 99.82 feet and a radius of 930.35 feet to an existing iron pipe, Hiatt Morgan's southeastern corner; thence leaving the right-of-way of Parkview St. and along Morgan's eastern line, North 23 deg 45' 00" East 18.02 feet to an existing iron pipe; thence leaving Morgan's line South 65 deg 45' 11"East 94.90 feet to an existing iron pipe, Garner's northwestern corner; thence along Garner's western line, South 22 deg 08' 42" West 175.66 feet to an existing iron pipe, the point and place of beginning and containing 0.397

N.C. Bar Assoc. Form No. 3 © 1976, Revised © 1977, 2002
Printed by Agreement with the NC Bar Association – 1981

RE BOOK Book: 1818
Page: 3767

The property hereinabove described was acquired by Grantor by instrument recorded Book 1408 page 593.
A map showing the above described property is recorded in Plat Book _____ page ____
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to The Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other that the following exceptions:

All other easements, Right(s) of Way, and Restrictions of record, if any.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate has caused this instrument to be signed in its Corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Entity Name) MARY KING SMITH (SEAL)

By: _____ Title

By: _____ Title

By: _____ Title

WILLIAM V. SMITH (SEAL)

ALIE E. YATES (SEAL)
Notary Public, State of North Carolina
Wilkes County
My Commission Expires Oct. 14, 2006

(SEAL)

State of North Carolina – County of Randolph

I, the undersigned Notary Public of the ~~County~~ Wilkes and State aforesaid, certify that Mary King Smith and William V. Smith personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 30th day of May 2003.

My Commission Expires: 10-14-06

Notary Public

State of North Carolina – County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, a North Carolina corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this ____ day of _____, 2002

NORTH CAROLINA — RANDOLPH COUNTY
The foregoing certificate(s) of Alie E. Yates

Notary/Notaries Public is/are certified to be correct.
This 30 day of May, 2003.
ANN SHAW, REGISTER OF DEEDS
by: _____ Register of Deeds
My Commission Expires: _____

Notary Public

The foregoing Certificates(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

_____ Register of Deeds for _____ County
By: _____ Deputy/Assistant – Register of Deeds

N.C. Bar Assoc. Form No. 3 © 1976, Revised © 1977, 2002
Printed by Agreement with the NC Bar Association – 1981

Planning Board Functioning as Board of Adjustment: BOA-24-05: Request for variance from Section 3.01(C) of the zoning ordinance requiring every lot to abut a street for property located on Rosemont Road (Randolph County PIN# 7761841055).

Staff Report

Board of Adjustment Staff Report

Case: BOA 24-05 **Date:** July 8, 2024

Requested Action: Variance request from Section 3.01(C) of the Asheboro Zoning Ordinance which requires that every lot must abut a street.

GENERAL INFORMATION:

Applicant: Alexus Knott

Applicant Address: 4702 Emerald Drive, Liberty, NC 27298

Location of Affected Property: Rosemont Road (Randolph County PIN# 7761841055)

Property Size: 1.85 Acres

Underlying Zone: R40

Overlay Zone: None

Existing Land Use: Undeveloped

Surrounding Land Use:

North: Single Family Residential **East:** Undeveloped

South: Single Family Development **West:** Undeveloped

Land Development Plan: Commercial/Economic Development

ANALYSIS

Randolph County PIN# 7761841055 (The Zoning Lot) is a legal lot created in 1953 (Plat Book 7, Page 57). It is the intention of the applicant to develop a single-family dwelling or class A manufactured home.

Section 3.01(C) of the Asheboro Zoning Ordinance states:

> ***Every Lot Must Abut A Street and Possess Sufficient Buildable Area***
> *No building, structure or use of land other than for agricultural purposes or for a special purpose lot shall be established on a lot that does not abut and have direct access to a dedicated public street and does not have at least one thousand (1,000) square feet of contiguous buildable area of a shape sufficient to hold a principal building.*

The Ordinance defines a public street as:

Street, Public

> *Effective January 1, 2007: A right-of-way or fee simple tract of land that has been set aside for public travel, offered for dedication to the public by the recording of a subdivision plat, built to public street standards, and eligible for maintenance by either the City of Asheboro or the State of North Carolina.*

The Zoning Lot does abut and have direct access to a platted street; however, it has not been built to public street standards, has no record of being accepted for maintenance by the City of Asheboro or State of North Carolina, and is currently ineligible for maintenance by either the City of Asheboro or State of North Carolina. Therefore, presently, no building, structure, or use of land other than for agricultural purposes or for a special purpose lot shall be established on The Zoning Lot.

The concurring vote of four-fifths of the Board shall be necessary to grant a variance.

When unnecessary hardships would result from carrying out the strict letter of the zoning ordinance, the board of adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following:

1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self created hardship.

4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

All of these findings of fact shall be made in the indicated order by the Board of Adjustment, which is not empowered to grant a variance without an affirmative finding of fact on all four categories above. Each finding of fact shall be supported by substantial evidence in the record of proceedings before the Board.

The Board may impose appropriate conditions upon the granting of any variance provided that the conditions are reasonably related to the variance. Violation of such conditions shall be a violation of this Ordinance.

I have found all the findings of fact as listed above in favor of the applicant.

Board Action: Approve a variance from Section 3.01(C) of the Asheboro Zoning Ordinance which requires that every lot must abut a street. Provided, however, the variance is limited by any conditions stated in the final decision document.

Member's Vote: Yes_____ No_____ Yes with Conditions _____

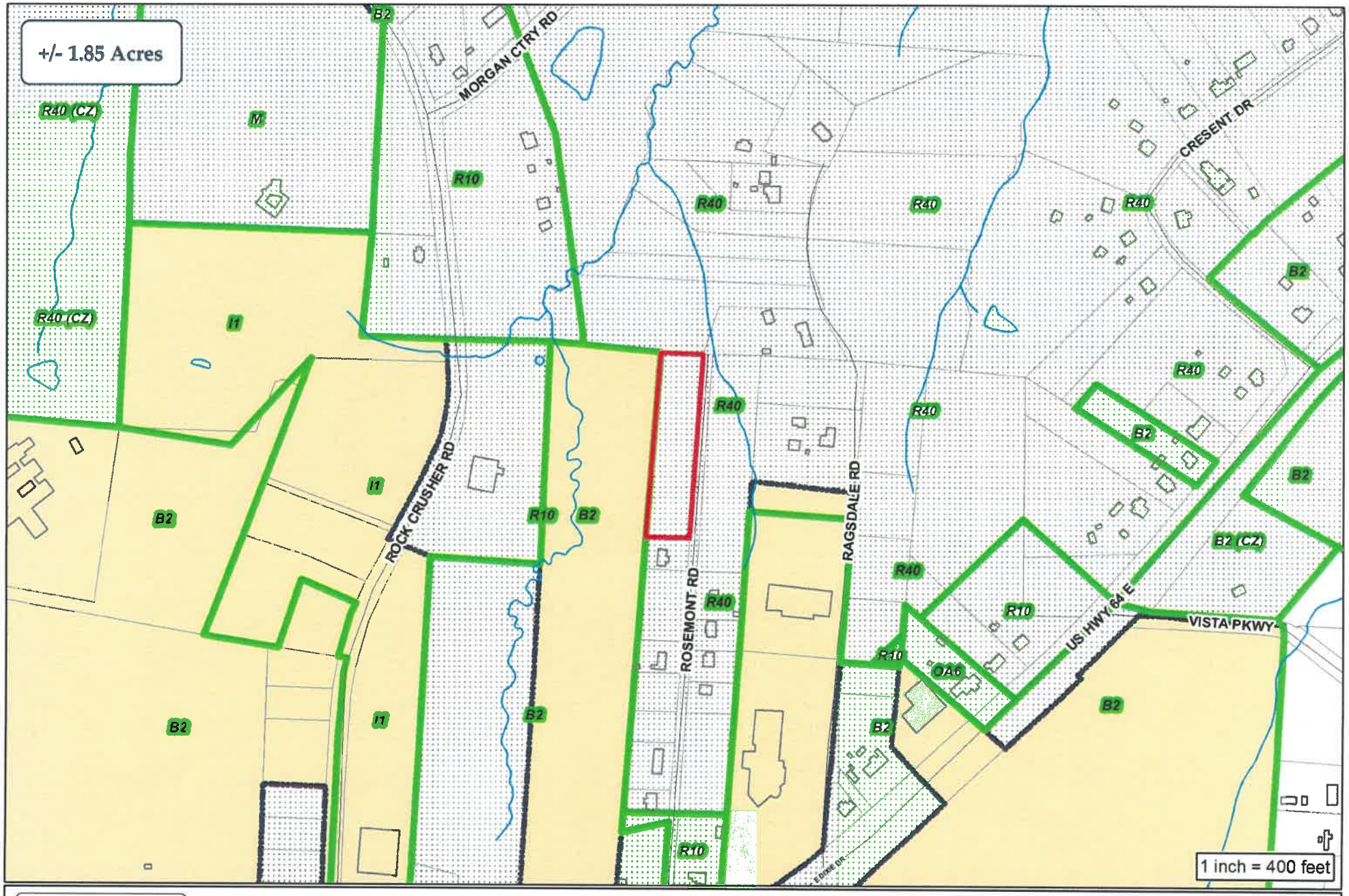
Signature_____

City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-24-05
Variance

Parcel: 7761841055

Subject Property
Zoning



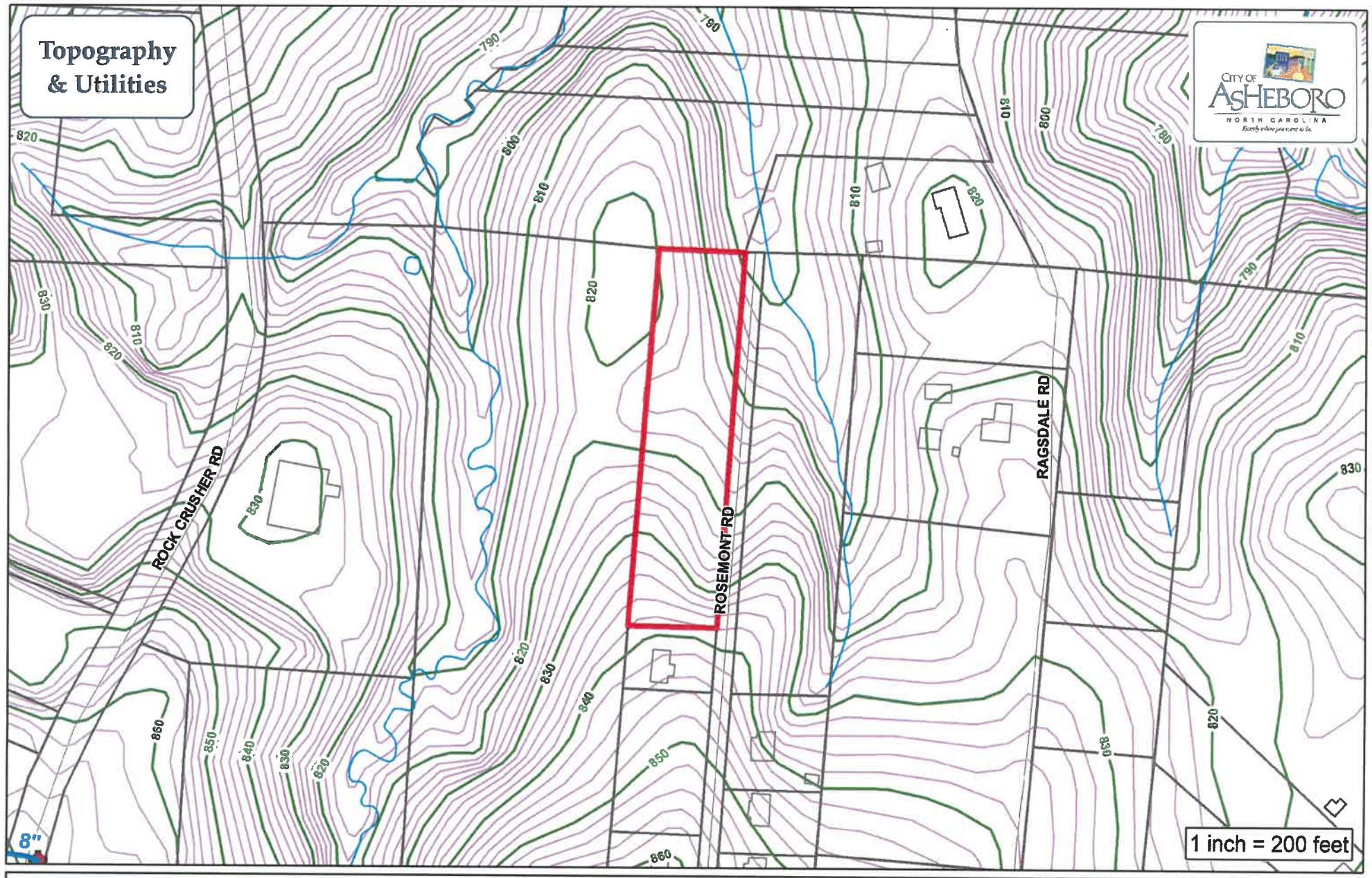
City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-24-05
Variance

Parcel: 7761841055

City Limits
ETJ

Subject Property
Zoning



Force Main
Water Main
Sewer Main
Fire Hydrant
Pump Station
Parcels

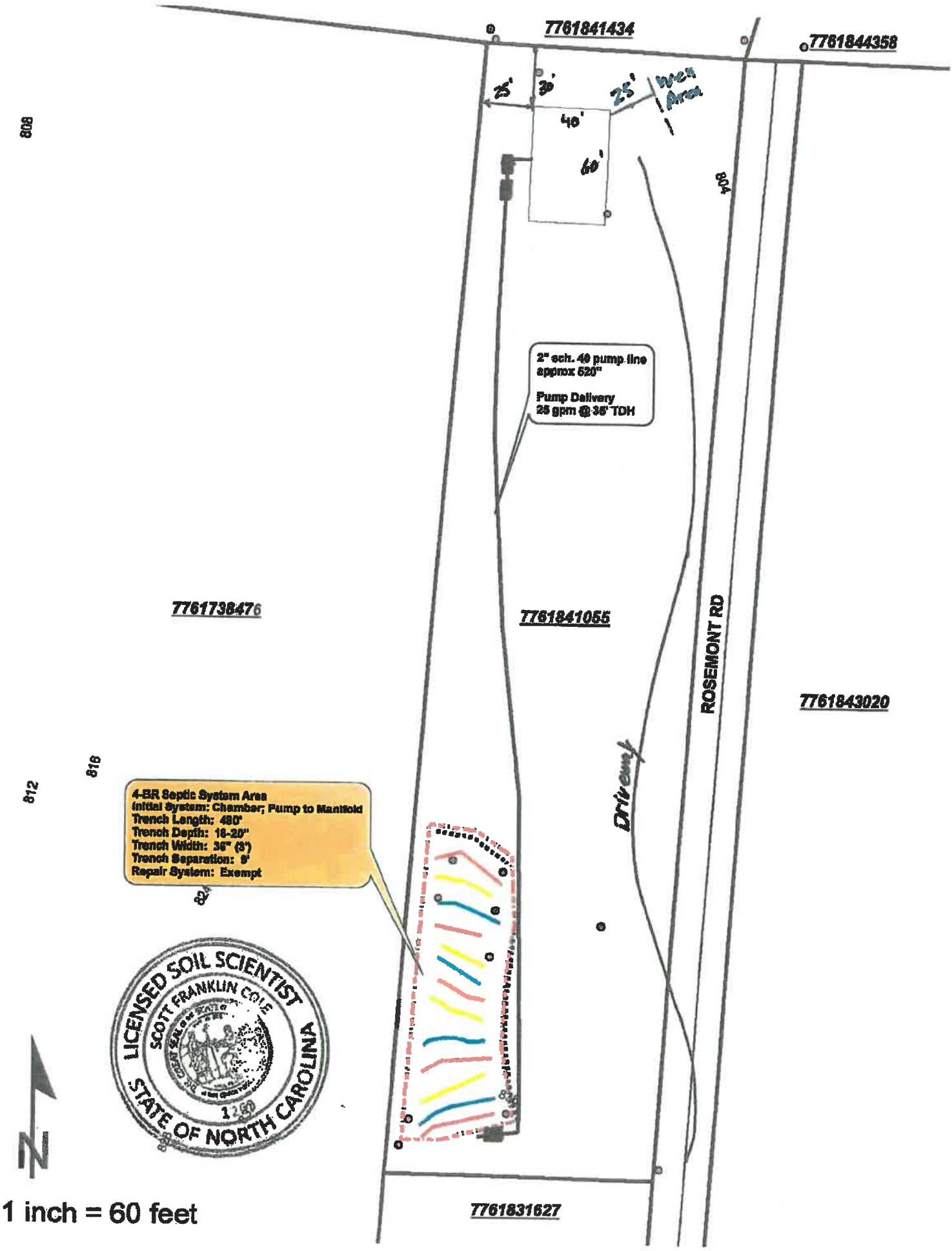
City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-24-05
Variance

Parcel: 7761841055

Subject Property

N
W
E
S


7761841434
7761844358
25'
30'
25'
Well Area
40'
60'
808
804
2" sch. 40 pump line approx 620"
Pump Delivery 25 gpm @ 35' TDH
7761738476
7761841055
ROSEMONT RD
7761843020
Driveway
816
812
4-BR Septic System Area
Initial System: Chamber; Pump to Manifold
Trench Length: 480'
Trench Depth: 16-20"
Trench Width: 36" (3')
Trench Separation: 9'
Repair System: Exempt
824
LICENSED SOIL SCIENTIST
SCOTT FRANKLIN COLE
STATE OF NORTH CAROLINA
1260
7761831627
1 inch = 60 feet

CITY OF ASHEBORO
Application for Board of Adjustment Hearing

APPLICANT INFORMATION

Applicant Alexus knott Applicant's Phone # 336-601-5174

Applicant's Address 4702 Emerald Drive, liberty NC 27298

Applicant's Email Address knottalexus@gmail.com

PROPERTY INFORMATION

Property Owner's Name Alexus knott

Location of Property Rosemont Road, Asheboro NC 27203

Property Size (ac. or sq.ft.) 1.85

Randolph County Property Identification Number (PIN#) 7761841055

Current Zoning District R40

Date Property Title Acquired _____ Deed Book 2902 Page 860

Subdivision HW Hinshaw Section _____ Lot # _____

Plat Book 7 Page 57

APPLICATION SIGNATURES

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed variance rests with the applicant.

Applicant Signature(s)

Alexus Knott

If Applicant is not the Property Owner, has Property Owner been notified?

☑ Yes ☐ No

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov Revised 2023

CITY OF ASHEBORO
Application for Board of Adjustment Hearing

REQUEST FOR A VARIANCE

TO THE CITY OF ASHEBORO BOARD OF ADJUSTMENT:

I, Alexus knott hereby petition the Board of Adjustment to grant the following variance from the Asheboro Zoning Ordinance (please specify the variance that is requested):

I have purchased a lot on Rosemont Road an while going through the ~~nes~~ necessary permits to build a home I was told by the zoning dept. I did not have a buildable lot. Im asking for a varience from 3.01 General Regulations c that states ~~I~~ every lot must abut a public street. I was under the assumption that the paper street would've been my acess.

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov Revised 2023

STATEMENT BY APPLICANT:
In the space provided below and/or on the back of this form, please state the facts and line of argument that you believe support your request for a variance. In providing this information, please state the precise action that you would like to see taken by the Board of Adjustment.

This property will be consistent with the other homes in the neighborhood.

It has it's on pin number and it's a legal lot.

I certify that all the information presented by me in this application is accurate to the best of my knowledge, information and belief.

Signature of Applicant

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov Revised 2023

VARIANCE REQUEST - BASIC INFORMATION

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the State Enabling Act, the Board is required to reach four conclusions as a prerequisite to issuance of a variance. Specifically, the four findings are as follows:

1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self created hardship.

4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

All of these findings of fact shall be made in the indicated order by the Board of Adjustment, which is not empowered to grant a variance without an affirmative finding of fact on all four categories above. Each finding of fact shall be supported by substantial evidence in the record of proceedings before the Board.

The Board may impose reasonable conditions upon the granting of any variance to insure that the public health, safety, and general welfare shall be protected and substantial justice done. Violation of such conditions shall be a violation of this Ordinance.

I received a copy of the above requirements outlining the conclusions required to be found for the granting of a Variance by a Board of Adjustment and have been informed that the burden of providing evidence to support such conclusions to obtain such variance rest with the applicant. I have also been advised of the application process by staff and received the opinion of the North Carolina Bar Association regarding legal representation in quasi-judicial proceedings.

Alvaro Ramos 5-30-24

Applicant Date

STAFF USE

Received by: JTL ***Date:*** 5-30 ***Case Number:*** 24-05

146 N. Church St., Asheboro, NC 27203
Telephone: (336) 626-1201; Fax: (336) 626-1218; www.asheboronc.gov Revised 2023

CHAPTER 3
GENERAL REGULATIONS AND MEASUREMENT

3.01 GENERAL REGULATIONS

(A) Zoning Affects Every Building and Use

No building shall be erected, reconstructed, or structurally altered, nor shall any building or land be used, except in compliance with all the regulations established by this Ordinance for the district in which the building or land is located.

(B) Open Space Not to Be Encroached Upon

The minimum yards or other spaces or off-street parking or loading space required by this Ordinance, including those provisions regulating intensity of use, for each and every building hereafter erected or structurally altered shall not be encroached upon or considered as meeting the yard or open space requirements for any other building.

(C) Every Lot Must Abut A Street and Possess Sufficient Buildable Area

No building, structure or use of land other than for agricultural purposes or for a special purpose lot shall be established on a lot that does not abut and have direct access to a dedicated public street and does not have at least one thousand (1,000) square feet of contiguous buildable area of a shape sufficient to hold a principal building.

(D) One Principal Building Per Lot

Not more than one principal building shall be constructed on any R40, R15, R10, and R-7.5 lot.

(E) Required Open Space May Not Be Used By Another Building

No part of any yard, open space, off-street parking or loading space required in connection with any building, structure or use by this Ordinance shall be considered to be part of a required yard, open space, off-street parking or loading space for any other buildings, structure or use, except as provided in Chapter 6 for joint use of off-street parking spaces.

(F) Mixed Uses

When two or more uses occupy the same building, the greatest yard and buffering and screening requirements applicable to any such uses in the district in which the lot is located shall apply to such buildings. Off-street parking and loading requirements shall be met in full for all uses in such buildings.

(G) Fractional Requirements Under This Ordinance

When any requirement of this Ordinance results in a fraction of a unit, a fraction of one-half or more shall be considered a whole unit and a fraction of less than one-half shall be disregarded.

East Side Fire Department

Station 14: 614 Daniel Road • (336) 629-5294
Station 19: 3033 Old Highway 13 • (336) 625-0654
Station 24: 2444 Buffalo Ford Road • (336) 521-4902
Fax: (336) 629-6065

Post Office Box 1511
Asheboro, NC 27204

May 22, 2024

To whom it may concern,

On Monday, May 20, 2024, East Side Fire Department personnel had the opportunity to visit Rosemont Road off of East Salisbury Street near Asheboro, North Carolina. We were able to drive Engine 241 the entire length of Rosemont Road without a great deal of difficulty and found the entire length of the road to be accessible to our fire trucks.

Should you have any further questions, please do not hesitate to contact me at (336) 629-6064.

Regards,

Eric J. Hoffman, Chief

East Side Fire Department

BK 2902 PG 860 (4)
This document presented and filed:
03/21/2024 09:58:48 AM
DEED
Fee $26.00 Excise Tax: $36.00
20178768
Randolph County North Carolina
Krista M. Lowe, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $36.00

Parcel Identifier No. 7761841055 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: Grantee: 5913 Sunrise Trail, Pleasant Garden, NC 27313

This instrument was prepared by: Richard L. Cox, Gavin & Cox, Attorneys 113 Worth Street, Asheboro, NC 27203 (L)

Brief description for the Index: _____

THIS DEED made this 15TH day of MARCH 2024, by and between

GRANTOR	GRANTEE
GLENDA P. NORFORD AND SPOUSE, WALKER P. NORFORD ARTIE POOLE PHILLIPS, WIDOWER	DAVID ILDERTON III, UNMARRIED AND ALEXUS KNOTT, UNMARRIED PROPERTY ADDRESS: LOTS 98-120 ROSEMONT RD ASHEBORO, NC 27205

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, that certain lot or parcel of land situated in the City of _____, ASHEBORO Township, RANDOLPH County, North Carolina and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference

NC Bar Association Form No. 3 © 1976, Revised © 1/1/2010
Printed by Agreement with the NC Bar Association

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1953, Page 1644

PLEASE INITIAL:

All or a portion of the property herein conveyed ___ includes or APW does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 7 Page 57

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Glenda P. Norford (SEAL)
Name: GLENDA P. NORFORD

Walker P. Norford (SEAL)
Name: WALKER P. NORFORD

State of North Carolina- County or City of Randolph

I, the undersigned Notary Public of the County or City of Waynesboro and Commonwealth of Virginia, certify that GLENDA P. NORFORD and WALKER P. NORFORD personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 19th day of March, 2024.

My Commission Expires: 06/30/2024
(Affix Seal)

MARTHA LOUISE JOHNSON
NOTARY PUBLIC
REGISTRATION # 7516617
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
06/30/2024

Martha Louise Johnson
Martha Louise Johnson, Notary Public
Notary's Printed or Typed Name

NC Bar Association Form No. 3 © 1976, Revised © 1/1/2010
Printed by Agreement with the NC Bar Association

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Artie Poole Phillips (SEAL)
Name: ARTIE POOLE PHILLIPS

State of North Carolina- County or City of Randolph

I, the undersigned Notary Public of the County or City of Randolph and State of North Carolina, certify that **ARTIE POOLE PHILLIPS** personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 21st day of March, 2024.

My Commission Expires: 4-1-2028
(Affix Seal)

Lisa Willenborg Notary Public
Notary's Printed or Typed Name

LISA WILLENBORG NOTARY PUBLIC RANDOLPH COUNTY, NC

NC Bar Association Form No. 3 © 1976, Revised © 1/1/2010
Printed by Agreement with the NC Bar Association

EXHIBIT "A"
David Ilderton
Asheboro Township, Randolph County, North Carolina
Rosemont Road, Asheboro, NC 27205

BEING Lots Nos. 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119 and 120 of the Property of H.W. Hinshaw. For further reference see plat recorded in Plat Book 7, Page 57, in the Register of Deeds office of Randolph County, North Carolina.

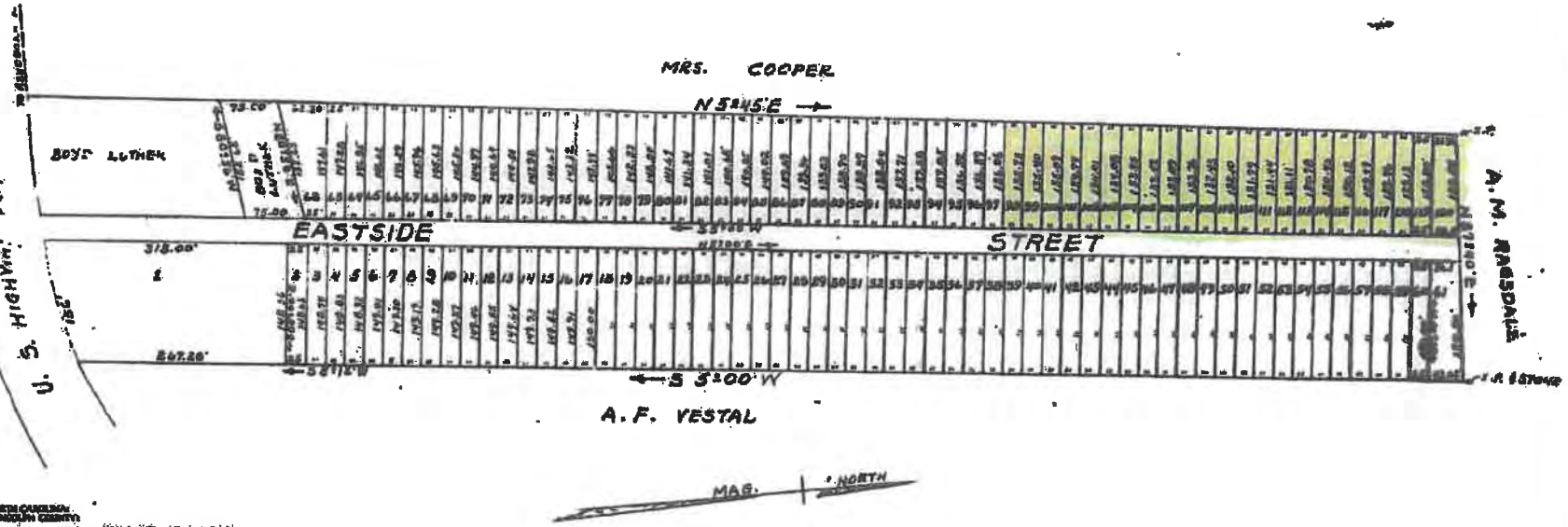
PROPERTY OF

H. W. HINSHAW

RANDOLPH COUNTY NORTH CAROLINA

SCALE 1" = 100' AUGUST 1953

CLOTH CRAVEN REG. CURLEE, C.E.



NORTH CAROLINA
RANDOLPH COUNTY

Personally appeared before me this date, Clerk of Court, who being duly sworn, says that he is a Registered Land Surveyor, and that the foregoing plat was made by him from actual survey made in AUGUST 1953 for the owner, Celia Cooper, the land herein shown and described, and that he executed the foregoing plat and affixed his official seal this the 18th day of August 1953.

Andrew Curlee, Clerk

Filed for registration this 18th day of Aug 1953 and registered in the office of the register of Deeds for Randolph County, in Book 20, Page No.

Register of Deeds