Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)
Monday, April 1, 2024
7:00 PM
AGENDA

I. Call to Order

II. Consent Agenda Items:

(a) Approval of Minutes from March 4, 2024.

(b) Acknowledgement of Board's previously approved continuance request for RZ-24-05: Request to rezone property located at 801 and 817 Sunset Avenue (Randolph County Parcel Identification Number 7751426889) from M (CZ) Mercantile Conditional Zoning and OA6 Office-Apartment to OA6 (CZ) Office-Apartment Conditional Zoning for a development with multiple family dwellings.
This request has been continued to the May 6, 2024 Planning Board meeting.

III. Review of Cases and Monthly Report on Major Subdivisions Administratively Approved.
Staff Note: There currently have been no major subdivisions approved since March 4, 2024.

IV. Old Business continued from March 4, 2024
Planning Board Functioning as Board of Adjustment: BOA-24-03: 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 508 Clegg Avenue (Randolph County Parcel Identification Numbers 7752891361).

V. New Business:

(a) RZ-24-07: Request to rezone property located at 919 Draper Street (Randolph County Parcel Identification Number 7762573909) from B2 General Commercial, I1 Light Industrial, and R10 Medium-Density Residential to R15 Low-Density Single-Family Residential.

(b) RZ-24-08: Request to rezone property located at 947 East Salisbury Street (Randolph County Parcel Identification Number 7761324663) from R7.5 Medium-Density Residential to B2 General Commercial.

VI. Items not on the agenda

VII. Adjournment

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MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, MARCH 4, 2024
7:00 p.m.

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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)
David Henderson) - Members Present
Van Rich)

Ritchie Buffkin) – Members Absent
Thomas Rush)

John Evans, Assistant Community Development Division Director
Justin Luck, Planning and Zoning Administrator
Bradley Morton, Planner/Deputy City Clerk
Trevor Nuttall, Community Development Division Director
Jeffrey Sugg, City Attorney

CALL TO ORDER

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

CONSENT AGENDA ITEMS:

a. **APPROVAL OF MINUTES FROM FEBRUARY 5, 2024**
b. **APPROVAL OF FINAL DECISION DOCUMENT FOR (CASE NO. BOA-24-02): REQUEST FOR VARIANCE FROM CHAPTER 4, SECTION 4.07(D)(2)(a)(iii) (FRONT YARD SETBACK) FOR PROPERTY LOCATED AT 428 SOUTH FAYETTEVILLE STREET**

Ms. Vuncannon moved to approve all consent agenda items. Mr. Rich seconded the motion and the motion carried unanimously.

Mr. Sugg stated that the Certification of Service for BOA-24-01 has been served in accordance with state law and city ordinance and noted that the appeal period has started.

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 February, 2024 Regular Meeting. He stated that there currently have been no major subdivisions approved since February 5, 2024.

OLD BUSINESS

RZ-24-02: REQUEST TO REZONE PROPERTY ADJACENT TO 1901 NORTH FAYETTEVILLE STREET (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBERS 7752988469 AND 7762091068) TO AN AMENDED RA6(CZ) HIGH-DENSITY RESIDENTIAL CONDITIONAL ZONING FOR MULTIPLE-FAMILY DWELLINGS

Mr. Evans provided a visual presentation for the above-referenced case. He stated that as this case was continued from last month's regular meeting that he would provide a brief overview of the case:

Applicant: Lyn Van Lurette Trust, LLC (Brian Newman)
Location: Adjacent to 1901 North Fayetteville Street
Request: Rezone to an amended RA6 (CZ) High Density Conditional Zoning to allow for a development with multiple family dwellings
Randolph County Parcel ID: 7752988469 and 7762091068
Size: 15.79 acres +/-
Existing Land Use: Undeveloped

He showed overview, rezoning, topographic/utilities, aerial, and oblique maps as well as a site plan showing a detailed look at the project. He pointed out the building elevations and design elements used, including masonry on the first floor and vinyl on the second and third floors. He then briefly provided staff's analysis, including updates since the February 5, 2024 meeting:

1. The property is inside the city limits.
2. North Fayetteville Street (US 220 Business North) is a state-maintained major thoroughfare. The adopted 2024-2033 State Transportation Improvement Plan identifies improvements for this segment of North Fayetteville Street (widen to multi lanes); the proposed improvements currently are not funded.
3. The property adjoins the Arlington Square apartments which were built in 1999. That development, which is owned by the applicant, includes a total of 120 units contained within 15 two-story structures and a clubhouse. The application proposes to add 180 units to be contained within 15 three-story buildings. Developments of this size typically require a full-time on-site property manager to be provided.
4. The submitted site plan shows access to the new units from the existing development's driveway on N. Fayetteville Street. NCDOT has indicated that an increase to existing right and left turn-lane storages likely will be required as part of the state permitting process. City departments have reviewed the plan related to service delivery. While a second means of access would be beneficial, no department has raised an objection to the proposal.
5. The site plan identifies two recreational picnic areas and one pavilion. A 6' wide private trail also is proposed that could provide a connection to North Asheboro Park. The city currently is studying the feasibility of a public greenway along Hasketts Creek and is proposing a condition that would facilitate its construction should the project move forward in the future. The development's private trail could connect to this future greenway.
6. The western portion of the property is located within a flood hazard area. No structures or parking is proposed within the flood hazard area. There may also be a jurisdictional tributary to Hasketts Creek that drains from east to west on the southern portion of the property. If jurisdictional, impacts may have to be mitigated. The applicant is advised to consult with NCDEQ.
7. The application proposes a Floor Area Ratio of 21% (habitable conditioned space) on the subject property; density would be 11.4 dwellings per acre. The existing Arlington Square development has a Floor Area Ratio of 30% and a density of 18.1 dwellings per acre. In 1999, multi-family developments with a ratio of up to 33% were permitted by right in the RA6 district. Current codes limit the ratio to 17% unless additional intensity is authorized through a public hearing process. Projects proposing a ratio of greater than 22% also are expected to comply with additional development standards; these primarily deal with enhanced landscaping, mandatory stormwater control, and requirements pertaining to building design, including acceptable exterior facades or cladding material. When combining the existing Arlington Square development's floor area ratio with that of the proposed application, the ratio exceeds 22%.
8. The zoning ordinance describes the RA6 District as "intended to produce a high intensity of residential uses in close proximity to major nodes of non-residential development, characterized primarily by group housing, plus the necessary governmental and other support facilities to service that level of development. Land designated RA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discouraged."

9. The zoning ordinance allows an applicant to propose a conditional zoning district that deviates from the zoning ordinance's pre-determined requirements. One deviation is the lack of recreational vehicle parking for residents that is typically required by the code. The second deviation is identified below in 10.C. The applicant has indicated that existence of two access easements intended to serve adjacent property makes should preclude installation of the typical buffer.

Mr. Henderson asked about the access easement mentioned in the analysis and if this easement is for utilities or vehicles. Mr. Evans stated that this would be an access easement for vehicle ingress/egress.

10. Since the February 5, 2024 Planning Board, the applicant has revised the site plan or provided written confirmation on the following items:

    a. 20 trees within the parking area plus foundation shrubs in front of the buildings.
    b. Buffer C, which is normally 25 feet in width along part of southern boundary of the property. The Buffer C normally consists of 2 canopy trees, 6 understory trees, and 10 shrubs per 100 linear feet. As allowable under ordinance standards, the applicant has proposed the option of using existing vegetation to meet this requirement.
    c. Confirmation that there is not a buffer or screen proposed along the property boundaries adjacent to two residentially zoned parcels, one of which also is owned by the applicant.
    d. Clarification that exterior building walls are clad in a combination of vinyl siding (2nd and 3rd story) and brick (1st).
    e. Confirmation that the units, at this time, are all expected to be two bedrooms. Note: unit layouts can change provided the approved Floor Area Ratio is not exceeded and the minimum amount of off-street parking is provided.

11. The applicant has indicated the possibility of phasing for the development, and staff is proposing a condition reflect this possibility and ensure adequate turnaround area is provided at phase lines.
12. If the rezoning is approved, the site plan submitted for the zoning compliance permit to authorize construction will need to satisfy all district and zoning ordinance requirements, including those related to accessible parking for persons with disabilities.

Mr. Evans paused at this time to address any questions the board has. Mr. O'Kelley inquired about the buffering and the reasoning of why this would be proposed to be eliminated. Mr. Evans showed the board the areas on the site plan where the buffering would not be present. Mr. Nuttall mentioned that Parcel C (1921 N. Fayetteville Street) and D (Phase 1 of Arlington Square, 1901 N. Fayetteville Street) on the map are in common ownership. He pointed out parcel B, to the Northeast, and stated that the applicant is not proposing a buffer along this property boundary, but this property is benefiting from the access easement. He stated that the intent is to honor the access easement that has been afforded to the adjoining property owner instead of a buffer planted within the access easement. Mr. Evans also noted that no buffer is required adjoining North Asheboro Park. Mr. Rich inquired if the additional apartments would affect density. Mr. Evans stated that the proposed phase will lower the overall net density of the total project. Mr. O'Kelley inquired if the masonry façade goes around the whole building. Mr. Evans deferred to the applicant's testimony regarding this question.

At this time, Mr. Evans then went over staff's proposed conditions:

a) The use approved shall be a Development with Multiple Family Dwellings, consisting of a total of 180 dwelling units with a floor area of up to 22 percent.
b) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
c) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.
d) If solid waste disposal facilities as shown on the site plan are deemed to be inadequate, the property owner shall be responsible for ensuring that additional facilities or measures are installed. Such facilities shall be consistent with city policies and codes.

e) Maintenance of all areas not within public easements or noted to be publicly maintained on the site plan shall be the responsibility of the property owner and any successors in interest.
f) Parking of recreational vehicles shall be prohibited.
g) Stormwater control measures designed by a licensed professional in accordance with the current North Carolina Department of Environmental Quality Stormwater BMP Manual shall be provided. Measures shall 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 measures were built according to the plans. Any open water retention or drainage areas shall be managed to control mosquitos. The maintenance of all runoff control measures shall be the responsibility of the property owner.
h) A 20' public use easement for the proposed Hasketts Creek Greenway shall be granted at no cost to the city within the 100-year floodplain, if sought by the city and consistent with engineering plans to be prepared for the greenway. The cost to prepare and record the easement shall be the responsibility of the city. The development's trail location depicted on the site plan may be changed to include a connection to a future North Asheboro Greenway. Any connection of the depicted trail to North Asheboro Park shall occur in coordination and after consultation with the city's recreation director.
i) The site plan indicates mail delivery through a cluster mailboxes. If the postal service and/or NCDOT require a different facility(s) or location for mail delivery, such a change will not be considered a modification requiring City Council action.
j) If future development of adjoining property provides an opportunity for a second access to be provided from N. Fayetteville Street, the property owner and city staff shall be authorized to work together to investigate the benefits of such a connection. If mutually agreeable and consistent with city codes, such connection shall be permitted and not be considered a modification requiring City Council action.
k) If phasing is implemented, the developer shall submit to staff information to ensure the adequacy of any required turnaround area needed for the provision of public and emergency services.
l) Prior to the issuance of a zoning compliance permit, construction plans concerning water, including provisions for fire hydrants determined to be required by Asheboro Fire and Rescue, and sanitary sewer that complies with city policies, shall be submitted. Surveying and permitting of any required public utility lines and the associated easements that may be necessary shall be the responsibility of the property owner.
m) Prior to issuance of a zoning permit for development depicted, the owner shall provide the following:
    i. A final site plan with all information necessary to determine compliance with city codes, and the applicable permit fee.
    ii. Details ensuring the functional equivalent of full-time on or off-site property management.
    iii. NCDOT permit(s) and updates to the plan as necessary to obtain said permit.
    iv. NCDEQ approval for land disturbance and, if applicable, stream impacts.
    v. Necessary information for a floodplain development permit, if required.
n) 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 the conditional zoning district in the chain of title for the Zoning Lot.

Mr. Evans asked the board if there were any questions at this time. Mr. O'Kelley inquired about NCDOT review and permitting and if a new permit would be required. Mr. Nuttall stated that NCDOT reviews each project individually and determines if there are improvements or new permits. There were no further questions for Mr. Evans or Mr. Nuttall at this time.

Mr. O'Kelley inquired if there was anyone to speak in favor of the request. Mr. Christian Vestal spoke on behalf of the applicant and addressed questions from the board, stating that there will be masonry all around the first floor of the project. He also explained in detail information on stormwater related to condition G, speaking on the installation of dry ponds for water retention. He also spoke on and pointed out the locations of dumpsters within the development. He then noted that the density of the project is not increasing. There were no further questions for Mr. Vestal at this time.

Mr. O'Kelley inquired if there was anyone to speak in opposition to the request. There was no one to speak in opposition to the request.

He then went over the staff's consistency statement:

"An RA6 (CZ) district is generally consistent with the Land Development Plan. The Plan's Proposed Land Use map recognizes the high-density zoning approved for the property in 2000 and designates it for Urban Residential development. The property is adjacent to two high-density multi-family developments and the Small Area Plan advocates accommodating new multi-family projects in certain areas along N. Fayetteville Street. The presence of nearby employment centers also supports the notion of expanding higher-density opportunities.

Staff has continued to work with the applicant on site plan revisions, and believes the request is approvable subject to reasonable conditions. As is common, more detail would be provided at the permitting and construction stage if the rezoning is approved. Noting that, staff does believe that the Land Development Plan provides sufficient support for the application."

He then stated staff's recommendation:

"Considering the aforementioned analysis, staff believes that the Proposed zoning map amendment is reasonable and in the public interest, subject to acceptance of the staff suggested conditions."

Ms. Vuncannon moved to approve Case No. RZ-24-02 based on the staff's consistency statement and proposed conditions. Mr. Anderson seconded the motion and the motion carried unanimously. Mr. O'Kelley stated that the City Council will consider the rezoning request on Thursday, March 7, 2024.

NEW BUSINESS

a) RZ-24-03: REQUEST TO REZONE PROPERTY LOCATED AT THE WESTERN INTERSECTION OF EAST CENTRAL AVENUE AND WILLOW ROAD (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7762297740) FROM R10 MEDIUM-DENSITY RESIDENTIAL TO R7.5 MEDIUM-DENSITY RESIDENTIAL ZONING

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

Applicant: Brian Lucas
Location: East Central Avenue and Willow Road
Request: Rezone from R10 Medium-Density Residential to R7.5 Medium Density Residential
Randolph County Parcel ID: 7762297740
Size: 0.98 acres +/-
Existing Land Use: Undeveloped

He showed overview, rezoning, topographic/utilities, aerial, and oblique maps, along with photographs of the subject property from all directions.

Mr. O'Kelley inquired if the use established on Property F on the Rezoning map is a nonconforming use. Mr. Evans stated that the mobile home park established on Property F of the rezoning map, to the Southwest of the subject parcel, is a nonconforming use due to situations with acreage, density and other items that may be required for a manufactured home park. Mr. O'Kelley asked more about the history of the property. Mr. Evans stated that no extensive research has been performed on this property, but the use has been established for multiple decades.

He then gave the staff's analysis of the request:

1. The property is inside the city limits.

2. East Central Avenue is a state-maintained minor thoroughfare. Willow Road is a local city-maintained street.
3. The request is for a general district R7.5 district. This district permits both single-family and two-family dwellings if zoning ordinance requirements are met. No specific use or site plan can be considered with this application.
4. The zoning ordinance describes the existing R10 and required R7.5 designations as follows:
R10: 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.
R7.5: 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.
5. The primary differences between the R10 and R7.5 districts relate to minimum lot sizes and setbacks. A detailed comparison is below:

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%		
	15,000 Duplex		1 Single Family or 1 Duplex Only				22%		
	10,000 NonRes						22%		
R7.5	7,500 SF	60	25	10	20	35	22%		
	11,500 Duplex		1 Single Family or 1 Duplex Only				22%		
	7,500 NonRes						22%		

*Except as specifically modified by this Ordinance — Revised 07/2021

6. The surrounding area includes a mix of single-family residential uses, including two legal-nonconforming manufactured home parks; one of the parks is commercially zoned.
7. 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."
8. With the current R10 zoning, it may be possible to divide the property into three lots, two of which would be adequately sized for a two-family dwelling for a total of 5 dwellings. If rezoned to R7.5, it is likely that the size and configuration of the property could support three lots for two-family dwellings for a total of 6 dwellings.

He then gave the Land Development Plan (LDP) recommendations:

Proposed Land Use Map: Neighborhood Residential
Small Area Plan: Northeast
Growth Strategy Map: Primary Growth

Goals/Policies Supporting Request (6):

- Checklist Item 3: Fits zoning ordinance district description
- Checklist Item 5: Complies with Growth Strategy Map
- Checklist Item 7: Complies with small area plan.
- Checklist Items 12-14: Located outside of watershed, areas of steep slope and flood area.

Goals/Policies Not Supporting Request (2):

- Checklist Item 1: Does not comply with LDP Plan map.
- Checklist Item 10: Not consistent with land category descriptions

He then provided staff's consistency statement:

"Both the current and requested zoning districts could allow construction of single-family and two-family dwellings. development of the application seeks a modest increase of potential density and reduced setbacks. Given the property's location on a minor thoroughfare and proximity to two legal non-conforming manufactured home parks, one of which could be redeveloped for commercial uses, an R7.5 district is a reasonable designation for the property. The presence of High Density RA6 zoning within 500 feet of the subject property and Land Development Plan's Proposed Land Use Map recommending neighborhood (medium-density) residential development also lends a degree of validity to the request."

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, April 4.

He then asked the board if there were any questions. Mr. Henderson inquired about adjoining properties and their zoning and what the R7.5 district would mean for future development. Mr. Evans stated regarding the adjoining properties, these would have to go through a rezoning process and would be evaluated independently. He also stated that due to the location on a minor thoroughfare and proximity to commercial and high density uses and zoning districts, staff supports the request. Mr. O'Kelley stated that the R7.5 is not the intent of this area, but this could serve as a transitional area due to nonconformities identified in the vicinity. There were no further questions for Mr. Evans at this time.

Mr. O'Kelley inquired if there was anyone to speak for this request. Mr. Brian Lucas, the applicant, spoke in favor of the request. He stated that there is currently the availability to develop two duplexes and one single-family dwelling, and he would like to have a zoning district to have three duplexes and a uniform look in the area. There were no further questions for Mr. Lucas at this time.

Mr. O'Kelley inquired if there was anyone to speak in opposition to the request. There was no one to speak in opposition to the request.

Mr. Henderson emphasized concern with the R7.5 district being inconsistent with the existing zoning throughout the area, but stated he understood the reasoning behind it. Mr. O'Kelley stated that the commercial zoning across E. Central Avenue already makes this location a transitional area. Ms. Vuncannon inquired on the manufactured home parks, specifically which one is zoned commercial. Mr. Evans noted that this is Property C on the rezoning map. Ms. Vuncannon asked if this property would stay the same use even if sold. Mr. Evans stated that the commercially zoned property has a conditional zoning that runs with the land. Ms. Vuncannon stated that the uses will likely always be utilized in the same manner unless a significant change in the land use is proposed. Mr. Evans stated that this is correct unless a land use change is requested or the use ceases to be in operation. Ms. Vuncannon stated that the future of this area will stay in the same character, and the requested zoning does not seem out of character. Mr. O'Kelley noted that there will be three (3) structures on this property regardless and no adjoining owners have come out in opposition.

Mr. Rich moved to recommend approval of Case No. RZ-23-03 based on the staff's consistency statement and recommendation. Ms. Vuncannon seconded the motion and the motion carried unanimously.

b) RZ-24-04: REQUEST TO REZONE 853 EAST SALISBURY STREET (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBERS 7761229556, 7761229618, AND 7761227703) TO AN AMENDED OA6(CZ) OFFICE-APARTMENT CONDITIONAL ZONING FOR A DEVELOPMENT WITH MULTIPLE FAMILY DWELLINGS

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

Applicant: Solstice Partners, LLC
Location: 853 East Salisbury Street
Request: Rezone to an amended OA6 (CZ) Office-Apartment Conditional Zoning district for a multi-family residential development with a floor area ratio of up to 22 percent.
Randolph County Parcel ID: 7761229556, 7761229618, 7761229996, 7761227703
Size: 5.4 acres +/-
Existing Land Use: Undeveloped

He presented overview, rezoning, topographic/utilities, aerial, and oblique maps, along with photographs of the subject property from all directions. He also showed a site plan as well as building elevations of the development.

He then presented staff's analysis of the request:

1. This application requests changes to the zoning district and site plan approved by City Council in 2023. The addition of significant parking area north of the proposed building location is viewed as a modification requiring re-review by Council. The application states that this change is necessitated by an NCDOT drainage and utility easement along the frontage of the property. One less apartment unit is proposed with this application.
2. The property is inside the City limits.
3. The 2014 Comprehensive Transportation Plan identifies this segment of East Salisbury Street/ NC Hwy. 42 (a state-maintained major thoroughfare) as over capacity. 2023 volumes indicated an average annual daily vehicles/day of 15,000, an increase from 14,500 in 2021. Current capacity is 11,600 vehicles.
4. In order to relieve congestion on NC Hwy. 42 North, the NCDOT Transportation Improvement Program is funding road improvements (Project No. U-5743) extending between the E. Salisbury St. intersection and US Hwy. 64 (E. Dixie Drive). Proposed improvements include the addition of a center turn lane, sidewalks, curbing, and guttering. The latest available NCDOT State Transportation Improvement Plan information indicates that right-of-way acquisition is currently in progress and construction is now anticipated in 2025.
5. The plan proposes two three-story buildings clad primarily in brick and vinyl siding. One building contains 22 units and a community room while the second building contains 24 units. The units are described as one, two and three bedrooms. There also is a recreation area with a tot lot/play area, child play area, and covered picnic area. The plan shows construction of a sidewalk along the frontage.
6. The conditional zoning process allows an applicant to propose a project-specific zoning district that establishes approval conditions and site development requirements. The project-specific zoning district is allowed to diverge from the zoning ordinance's predetermined land use requirements. The following deviation from the city's predetermined land use regulations is noted: no separate designated and screened area for recreational vehicles is provided (at least 3,312 square feet of such area typically would be required). However, the plan does include 3 more parking spaces than the code would otherwise require for the project.
7. The Land Development Plan's "Urban Residential" designation for the property is described as intended to provide for "medium to high density single- and multi-family residential uses" and its intent is to "accommodate existing & encourage new medium-high density residential uses in & around Activity Centers, and around Employment Centers." The Urban Residential description also includes design elements such as building placement close to the street, interconnectivity between neighborhoods, sidewalks, street trees, and recreational amenities such as pocket parks to create a sense of place.
8. The site plan was also routed to NCDOT, Asheboro City Schools, and US Postal Service. NCDOT initially responded stating that driveway permitting would be required, and that the need for turning lanes would be analyzed at the time of permitting. At the request of the applicant, NCDOT further evaluated the preliminary plans and on March 1, provided additional comments summarized below:

- The development entrance may need to shift approximately 100 feet to the east due to sight distance considerations. Additional engineering information could also be submitted to DOT demonstrating that adequate site distance is provided;
- Left and right turning lanes should be anticipated due to traffic volumes and to promote safety.

Staff has proposed a condition to address changes to the project that could result due to NCDOT requirements; no city compliance issues are anticipated based on the DOT feedback and ultimately, the state is responsible for access requirements to NC 42.

Mr. O'Kelley inquired if turning lanes required by NCDOT would affect how close the buildings are to the setbacks proposed. Mr. Evans stated that it could due to this potential requirement, but as long as it complies with city setbacks and doesn't encroach into screening requirements, then the condition would allow this change.

He then provided Land Development Plan (LDP) recommendations:

Proposed Land Use Map: Urban Residential
Small Area Plan: Central
Growth Strategy Map: Primary Growth

Goals/Policies Supporting Request (6):

- Checklist Item 1: Property is compliant with Proposed Land Use Map
- Checklist Item 3: Fits zoning ordinance description
- Checklist Item 5: Complies with Growth Strategy map.
- Checklist Item 12-14: Outside of watershed, flood area, area of steep slopes

Goals/Policies Not Supporting Request: (N/A)

He then paused for any questions before he went through the staff's proposed conditions. Mr. Henderson inquired if there are conditions regarding stormwater with this conditional request, similar to the previous conditional zoning request heard earlier, and what happens to the stormwater on the lower portion of the property. Mr. Evans stated that there is a condition related to stormwater control measures and stormwater management and deferred any technical questions to the applicant. There were no further questions at this time.

He then provided staff's proposed conditions:

(A) The use approved shall be a Development with Multiple Family Dwellings, consisting of a total of 46 dwelling units with a floor area of up to 22 percent.
(B) All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
(C) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.
(D) Mail delivery shall be provided on the final site plan. If the postal service and/or NCDOT require a different facility(s) or location for mail delivery, such a change will not be considered a modification of the Conditional Zoning district requiring Council action.
(E) The sidewalk as shown on the site plan, shall be extended along the entire frontage of East Salisbury Street, and shall be built to NCDOT standards. The applicant shall obtain any required encroachment authorization from NCDOT for the construction of the sidewalk.
(F) No outdoor recreational vehicle parking or storage shall be permitted on the property.
(G) Prior to the issuance of a zoning compliance permit, construction plans concerning water, including provisions for fire hydrants determined to be required by Asheboro Fire and Rescue, and sanitary sewage that complies with city policies, shall be submitted. Surveying and permitting of any required public utility lines and the associated easements that may be necessary shall be the responsibility of the property owner.
(H) Stormwater control measures designed by a licensed professional in accordance with the current North Carolina Department of Environmental Quality Stormwater BMP Manual shall be provided. Measures shall 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 measures were built according to the plans. Any open water retention or drainage areas shall be managed

to control mosquitos. The maintenance of all runoff control measures shall be the responsibility of the property owner.
(I) The exact placement of front yard landscaping shall be located in a manner that does not conflict with the NCDOT drainage and utility easement. If it is determined to be necessary to relocate such front yard plantings to a location, this may be done as long as such front yard landscaping is consistent with the number and types of plantings required by Section 6.10 (D) of the zoning ordinance.
(J) If NCDOT requires relocating the development's entrance and/or turning lanes for access and/or maneuvering, resulting changes to the placement of the buildings and/or parking areas shall not be considered modifications requiring a new Conditional Zoning approval, as long as the number of parking spaces, front yard landscaping, and buffering/screening against adjacent property remains consistent with ordinance requirements. In such case, the revised site plan shall be submitted, along with the application for the zoning permit, to City staff for review, approval, and inclusion into the file without further review by City Council.
(K) Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the applicant shall submit documentation showing approval from NC Department of Transportation and NC Department of Environmental Quality.
(L) Prior to the issuance of a zoning compliance permit, the applicant shall submit a final site plan with information necessary to determine compliance with all city codes, and the applicable permit fee.
(M) 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 the conditional zoning district in the chain of title for the Zoning Lot.

He then provided staff's consistency statement:

"With council previously having zoned the property OA6 (CZ), the request should be evaluated on the basis of the site plan's alignment with land use objectives established by the Land Development Plan and zoning ordinance. This application, like the prior request, proposes preservation of ample open space, includes various types of recreational and community amenities, pedestrian improvements, adequate parking, building design that incorporates masonry and decorative architectural elements, and stormwater controls. Project intensity, meanwhile, has been slightly reduced, with Floor Area Ratio (and overall density) now slightly less than what the current OA6 (CZ) district would permit. Staff, therefore, believes that the requested modified conditional district, with incorporation of reasonable conditions, is consistent with the city's adopted plans and approval would permit a reasonable use of the property."

He then provided staff's recommendation:

"Considering the aforementioned analysis, staff believes that the proposed zoning map amendment generally is reasonable and in the public interest, subject to acceptance of the staff suggested conditions."

Mr. O'Kelley inquired if there was anyone to speak in favor of the request.

Ms. Tammy Stern with Solstice Partners, LLC, the applicant, spoke in favor of the request. Ms. Stern provided a visual presentation which included an introduction about Solstice Partners:

Solstice Partners, based in Cary, NC, has been developing multifamily housing in North Carolina for 30 years. We build and maintain ownership of our housing communities.

She also gave a summary of the request:

- We are seeking conditional zoning (OA6 CZ) for 5.3 acres of land at 853 E Salisbury Rd
- It is currently zoned OA6 CZ with a different site plan.
- Rezoning notice letters were mailed to neighbors on 2/9/24 and included a location map and proposed site plan.

She provided maps and photographs showing existing conditions as well as a map of the City of Asheboro's Future Land Use Plan. She showed the board the preliminary plan of the project as well as the building design elements. She also pointed out information regarding utilities and infrastructure:

- Existing water/sewer is available and has capacity.
- Working with NCDOT to make a safe connection to E Salisbury Street

She then asked the board if there were any questions. Mr. O'Kelley inquired about the retaining wall around building number one (1) and if there is a height proposed. Ms. Stern does not know at this time, but there will be a civil engineer to do the final engineering work.

Mr. O'Kelley inquired if there was anyone else to speak for or against this case.

Mr. Tom Kemp, who represents the adjacent owner to the east, inquired if there has been a traffic study to this site. Mr. Nuttall stated that this is dictated by NCDOT and has not been requested. Mr. Nuttall stated that the city doesn't anticipate a need for a traffic study. Mr. Kemp stated that he was not opposed to the project but addressed the board and told them to consider that there could be a lot more traffic in the area due to the new Randolph County Farm Food and Family Education Center being constructed.

Mr. Henderson moved to recommend approval of Case No. RZ-24-04 based on the staff's consistency statement and acceptance of the proposed conditions. Ms. Vuncanon seconded the motion and the motion carried unanimously. Mr. O'Kelley stated that the City Council will consider this rezoning request on Thursday, April 4.

c) RZ-24-05: REQUEST TO REZONE PROPERTY CURRENTLY ADDRESSED AS 801 AND 817 SUNSET AVENUE (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7751426889) FROM M(CZ) MERCANTILE CONDITIONAL ZONING AND OA6 OFFICE-APARTMENT TO OA6(CZ) OFFICE-APARTMENT CONDITIONAL ZONING FOR A DEVELOPMENT WITH MULTIPLE FAMILY DWELLINGS

Mr. Nuttall stated that the applicant has requested a continuance to the May 6 regular Planning Board meeting. Mr. Rich moved to continue Case No. RZ-24-05 to the May 6 regular Planning Board meeting. Mr. Anderson seconded the motion and the motion carried unanimously.

d) RZ-24-06: REQUEST TO REZONE PROPERTY LOCATED ON THE EAST SIDE OF CLOVER STREET, APPROXIMATELY 115 FEET SOUTH OF PLUMMER STREET RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7751426889) FROM B2 GENERAL COMMERCIAL TO I1(CZ) LIGHT INDUSTRIAL CONDITIONAL ZONING FOR A VEHICLE STORAGE FACILITY

Mr. Nuttall gave a visual presentation on the above-referenced case. He presented an overview of the case:

Applicant: Gary Morris
Location: Clover Street
Request: Rezone from B2 General Commercial to I1 (CZ) Light Industrial for a Vehicle Towing Storage Facility
Randolph County Parcel ID: 7751971892
Size: 0.31 acres +/-
Existing Land Use: Undeveloped

He showed overview, rezoning, topographic/utilities, aerial, and oblique maps as well as photographs of the property from all directions. He then provided staff's analysis:

1. The property is within the city limits.
2. Clover Street is a state-maintained road for approximately 100 feet from the Plummer Street intersection, after which there is no public maintenance of the platted street. There is other property

utilizing the street and the subject property is viewed as abutting a street for zoning compliance purposes. NCDOT has indicated that it will not require a driveway permit for the use.

3. The proposed use is a vehicle towing storage facility, which is defined as "the use of land or buildings to park, store and maintain vehicles associated with vehicle towing. This includes storage of towed vehicles while awaiting proper disposition of these vehicles and storage of vehicles engaged in vehicle towing (i.e. tow trucks). A vehicle towing yard does not include a vehicle towing operation." The application does not include a vehicle towing operation, which is a separate use defined as "solely designated for administrative activities associated with vehicle towing."
4. The site plan shows a fenced storage yard for towed vehicles. A 10 ft. setback from all property lines is proposed; per the application, the fence will be 7' in height and include black privacy slats, evergreen trees no more than 10 feet apart and 15 shrubs along the southern and western sides of the property. Along the northern and eastern property lines, a 10' natural vegetative buffer is to be retained. The storage yard will be illuminated by a pole light. While some vehicle storage yards include an office as part of the operation, one is not proposed as part of this application. Staff has informed the applicant that the addition of any type of building, including any type of storage building, would require a new rezoning application and hearing.
5. The current B2 General Commercial zoning district is the most permissive commercial district in terms of the number of commercial uses that are allowed. It is described by the ordinance as "intended to serve the convenience goods, shoppers' goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets."
6. While there is a dwelling at the intersection of Plummer and Clover northwest of the subject property, the area consists primarily of non-residential uses, many of which are legal non-conforming uses or have legal non-conforming situations. In addition to uses related to repair of motor vehicles in the area, a legal, non-conforming manufacturing, processing, and assembly use is adjacent to the subject property to the west; this use also utilizes Clover Street.
7. The zoning ordinance states that the intent of the I1 district is to "produce areas for manufacturing, processing and assembly uses, commercial uses, distribution and servicing enterprises, controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts."
8. The zoning ordinance has supplemental requirements for vehicle towing and storage facilities. These are attached to this report.
9. A text amendment to the Zoning Ordinance adopted in 2008 (Case No. RZ-08-24) specified that storage yards for vehicle towing facilities must be in an I1 or I2 zoning district. Prior to the text amendments in 2008, vehicle storage yards were allowed in the B2 zoning district.

He then showed the applicant's site plan and outlined the plan details, including fencing, lighting, and landscaping proposed. He then went over the Land Development Plan (LDP) recommendations:

Proposed Land Use Map: Commercial
Small Area Plan: Central
Growth Strategy Map: Primary Growth

Goals/Policies Supporting Request (5):

- Checklist Item 3: Fits zoning ordinance description
- Checklist Item 4: Compatible with surrounding land uses
- Checklist Item 12-14: Outside of watershed, flood area, area of steep slopes

Goals/Policies Not Supporting Request (2):

- Checklist Item 1: Not compliant with LDP proposed land use map.
- 2.1.5: Not located in a transitional location between high-intensity commercial or industrial and residential

He then went over staff's proposed conditions:

a. The use approved shall be a Vehicle Towing Storage Facility

b. All parties involved in this request, including the owner, successors, heirs, and assigns, agree to the conditions and approved site plan.
c. Prior to the issuance of a Zoning Compliance Permit for the proposed land use, the owner shall provide city staff with written acceptance of any zoning district conditions discussed and accepted during the public hearing.
d. Storage of towed vehicles must be contained completely within the screened and fenced area.
e. Prior to the issuance of a zoning compliance permit, a final site plan and the applicable permit fee shall be submitted.
f. Outdoor lighting (pole mounted) shall comply with city ordinances and information on such lighting shall be provided to staff for review and approval prior to installation of this outdoor lighting.
g. Evergreen trees shown on the site plan shall be a minimum of 6 feet in height at the time of planting and evergreen shrubs shall be a minimum of 12 inches at the time of planting.
h. 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.

He then provided staff's consistency statement:

"Although the Land Development Plan designates the property for commercial use, given the surrounding land uses, the light industrial conditional zoning designation is reasonable for the property. Further, the existing general commercial zoning district could result in a land use that would generate much higher trip volumes that could be problematic in light of how the property is accessed and maintained and the condition of the street."

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, subject to acceptance of the staff suggested conditions."

He then asked the board if there were any questions. The board had no questions for Mr. Nuttall at this time. Mr. O'Kelley inquired if there was anyone to speak in favor of the request. Mr. Gary Morris, the applicant, addressed the board and stated that he agreed with the staff's presentation and stated that letters were mailed to all adjoining property owners regarding the request on February 20, 2024. He stated that there was no response to any of the adjoining property owners. There were no questions for Mr. Morris at this time. Mr. O'Kelley inquired if there was anyone to speak in opposition to the request. There was no one to speak in opposition to the request.

Mr. Anderson moved to recommend approval of Case No. RZ-24-06 based on the staff's consistency statement and subject to acceptance of staff's suggested conditions. Ms. Vuncannon seconded the motion and the motion carried unanimously.

e) PLANNING BOARD FUNCTIONING AS BOARD OF ADJUSTMENT: BOA-24-03: 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 508 CLEGG AVENUE (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7752891361)

Due to the required 4/5ths majority not being present, Mr. Rich moved to continue the case to the Board's April regular meeting. Ms. Vuncannon seconded the motion and the motion carried unanimously.

ITEMS NOT ON THE AGENDA

There were no 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

Planning Board Functioning as Board of Adjustment:

BOA-24-03: 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 508 Clegg Avenue (Randolph County Parcel Identification Numbers 7752891361) **continued from March 4, 2024**.

Staff Report

Board of Adjustment Staff Report

Case: BOA 24-03 **Date:** April 1, 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: Beverly Needham Garner

Applicant Address: 508 Clegg Ave. Asheboro, NC 27203

Location of Affected Property: 508 Clegg Ave. (PIN 7752891361)

Property Size: 0.44 Acres (19,254 sq.ft.)

Underlying Zone: R10

Overlay Zone: None

Existing Land Use: Single Family Dwelling

Surrounding Land Use:

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

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

Land Development Plan: Neighborhood Residential/Primary Growth

ANALYSIS

508 Clegg Ave. ("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 (Table 4-1; 5.04(31)). 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 45.5’, calculated as follows:

Address	**Apparent Existing Setback**
516 Clegg Ave.	39’
514 Clegg Ave.	49’
504 Clegg Ave.	48’
500 Clegg Ave.	46’
Average	**45.5’**

The existing single-family dwelling conforms with all required yards; however, the existing open carport, constructed prior to current permitting records, is legal, nonconforming with respect to the required side yard and the averaged front yard. The existing carport is located 5 feet from the side property line and 35 feet from the front property line. The applicant proposes to remove the existing carport, replacing it with a new open, metal carport. This proposed carport would come no closer than 6 feet from the side property line, and 23 feet from the front property line, thus a required side yard variance of four feet and a front yard variance of 22.5 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.

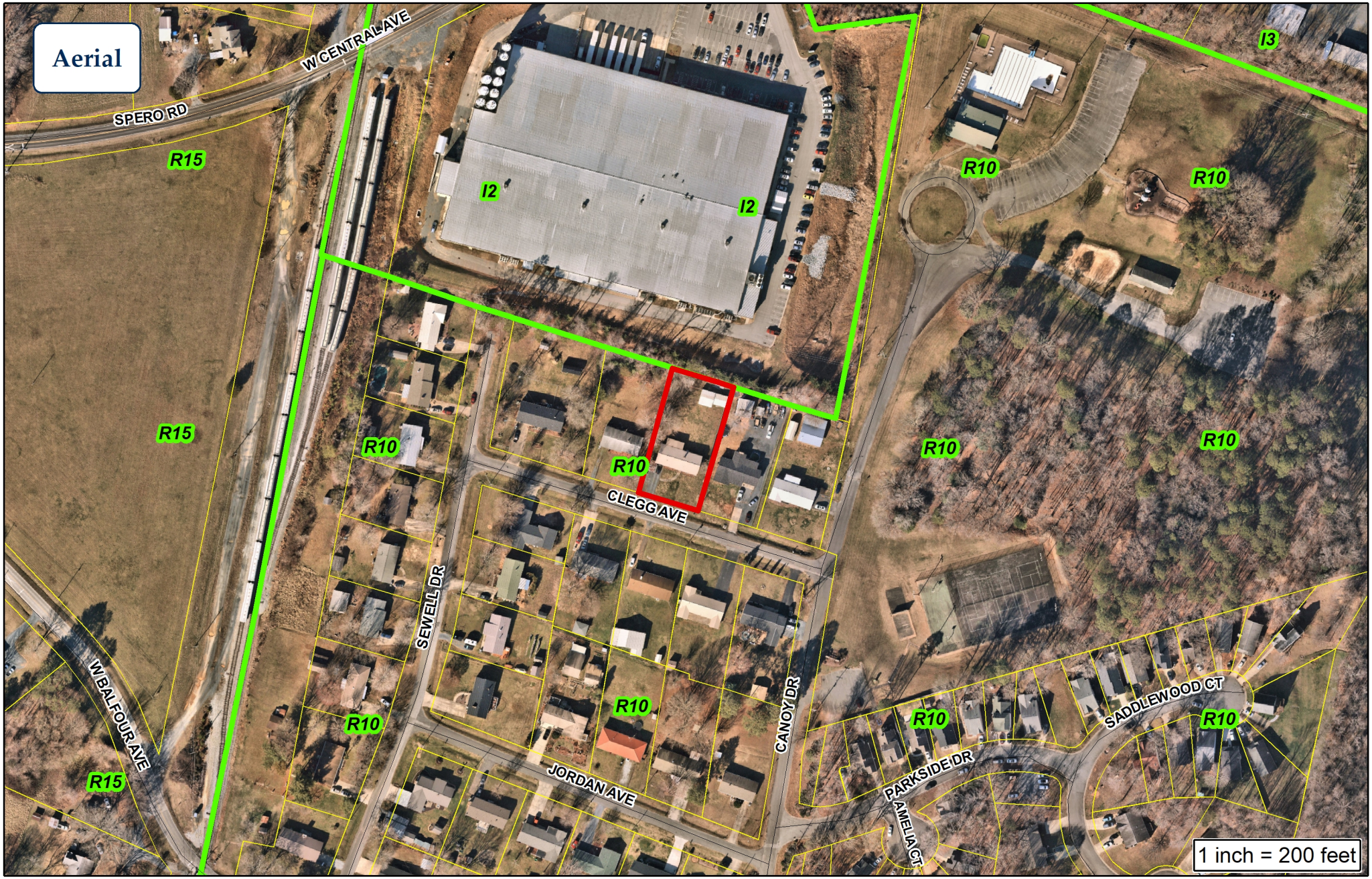
Board Action 1: Approve a variance from Table 4-1 of the Asheboro Zoning Ordinance to reduce the required side yard setback to 6 feet. Provided, however, the variance is limited by any conditions stated in the final decision document.

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 23 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_____

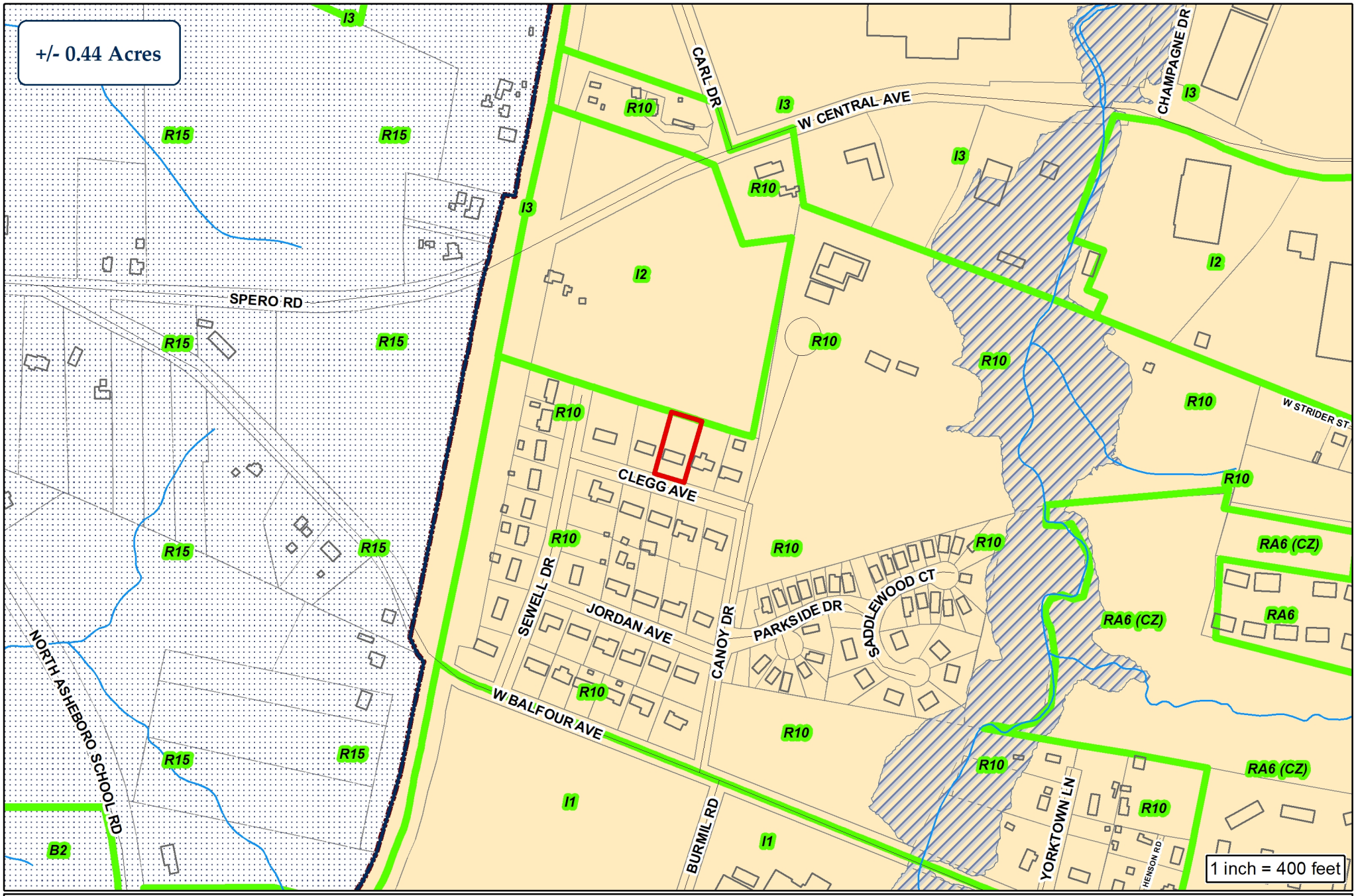


City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-24-03
Variance

Parcel: 7752891361

Subject Property
Zoning



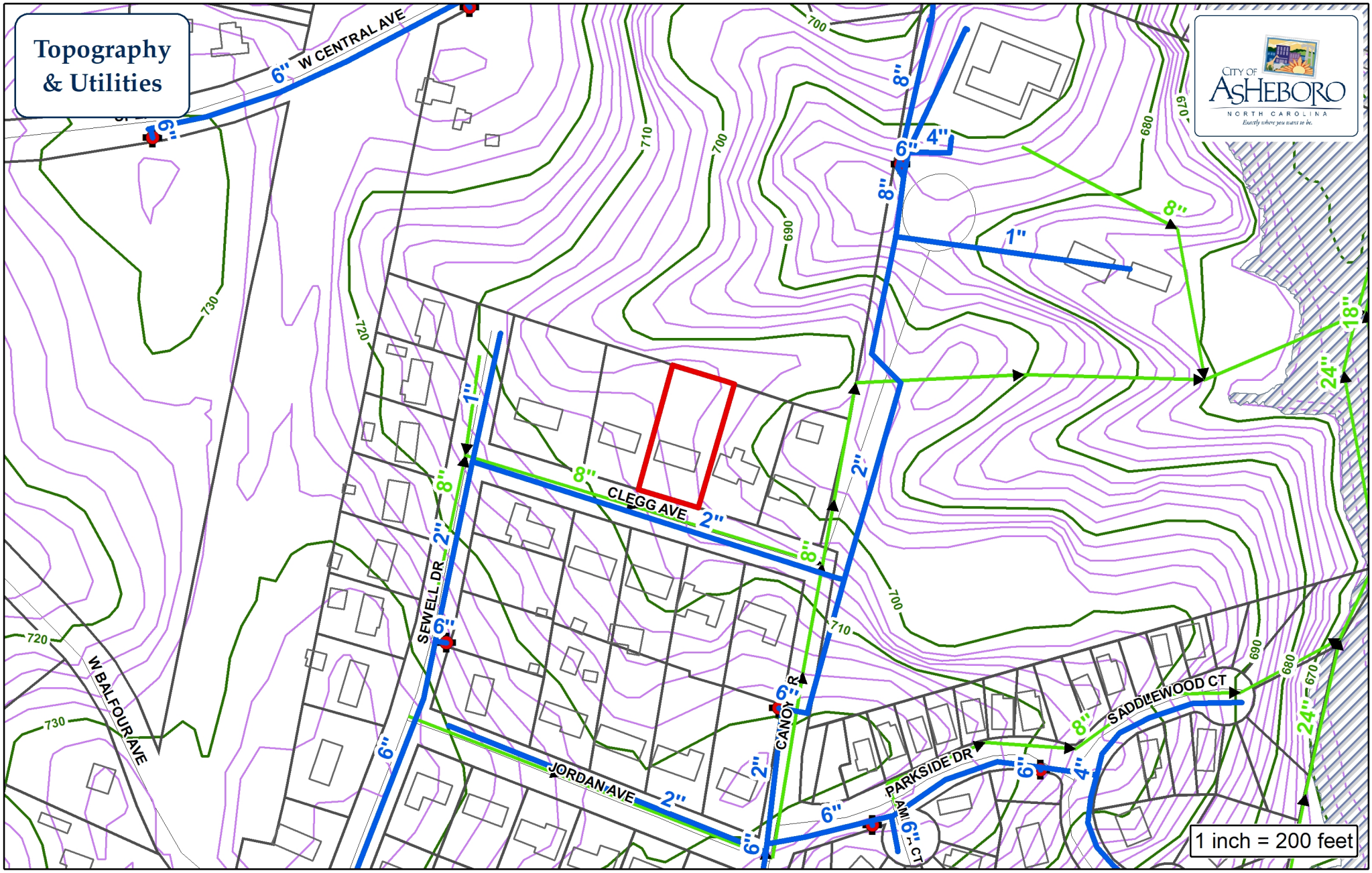
City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-24-03
Variance

Parcel: 7752891361

City Limits
ETJ

Subject Property
Zoning



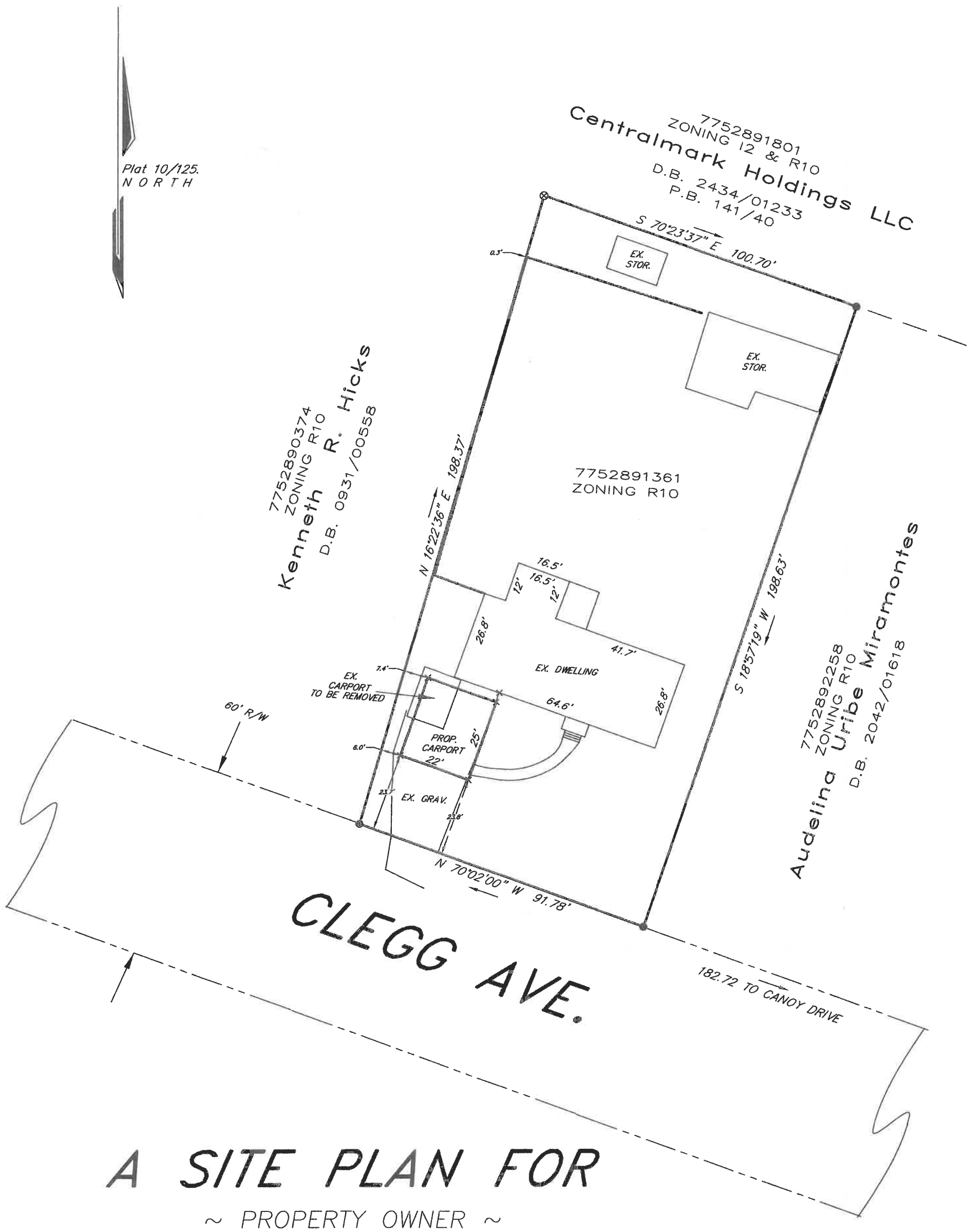
Force Main
Water Main
Sewer Main
Fire Hydrant
Pump Station
Parcels

City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-24-03
Variance

Parcel: 7752891361

Subject Property



A SITE PLAN FOR

~ PROPERTY OWNER ~

Beverly Needham Garner

508 Clegg Ave. ~ Asheboro, NC 27203

Asheboro Township
City Of Asheboro
Scale: 1" = 30'

Randolph County
North Carolina
January 22, 2024

Deed Ref.: 1123/0750

~ Surveyed & Mapped By ~

Joseph D. Moore

Professional Land Surveyor, L-3210

120 S. Fayetteville St.
P.O. Box 1086
Liberty, N.C. 27298-1086
Phone: 336-622-4638
Fax: 336-622-5730
E-mail: moorepls@rtelco.net

NORTH CAROLINA PROFESSIONAL SEAL L-3210 LAND SURVEYOR JOSEPH D. MOORE

Joseph D. Moore
1-22-24

Legend
- ● – Existing Iron Pipe
- ⊗ – New Iron Pin
- ⊙ – Point Not Set
- ø – Utility Pole
- ◬ – Stone

Job No. 4165-SP

BEHRS BUILDINGS

Nick McNeill
(336) 465-1212
nickmbehrsbuildings@gmail.com

Quote

Authorized Dealer

Dealer ID: d0015059-main
Dealer Name: BEHRS BUILDINGS
Phone Number: 877-526-1849
Order Date: 1/29/2024
Email: nickmbehrsbuildings@gmail.com

Ship To

Name: Beverly Garner
Install Address:
City: State: NC Zip Code: 27203
County: Email:
Cell #: Phone #:

Building Info

ROOF STYLE	Vertical Style
BUILDING TYPE	3D Builder
FRAMING GAUGE	☑ 14 GA. ☐ 12 GA.

Size

22' WIDTH X 25' FRAME LENGTH X 11' HEIGHT

Color

ROOF	Pebble Beige
SIDES/ENDS	Pebble Beige
TRIM	Earth Brown

Anchoring & Rating

INSTALLATION SURFACE	Gravel
GROUND ANCHOR	☑ YES ☐ NO
WIND/SNOW RATING	140MPH / 35PSF

LOT MUST BE LEVEL, NO MORE THAN 3" OFF-LEVEL, AND CLEAR OF OBSTACLES OR UNIT MAY NOT BE INSTALLED.
EAGLE CARPORTS, INC. IS NOT RESPONSIBLE FOR STOPPING OR REPAIRING LEAKS UNDER BASE RAILS.

Customers may incur extra labor fees if additional labor is required to install unit because of un-level surfaces, or for building over obstacles. Furthermore, inability of installation due to before mentioned circumstances could result in restocking fee.

READY FOR INSTALLATION? ☐ YES ☐ NO

NOTE: FRAMES ARE 5' ON CENTER
Ex: 20', 25', 30', ETC.

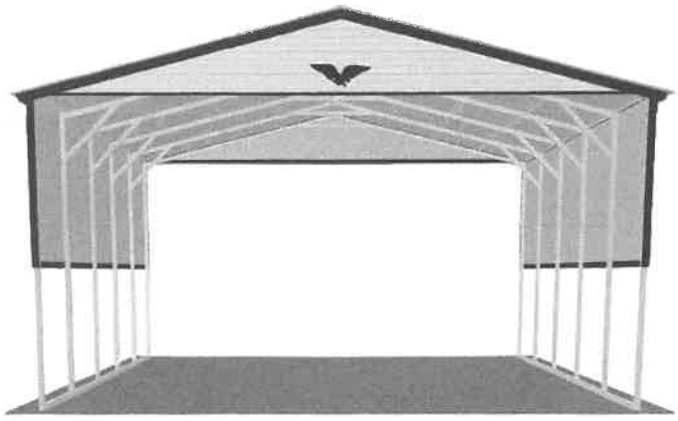
IS YOUR SURFACE LEVEL? ☐ YES ☐ NO

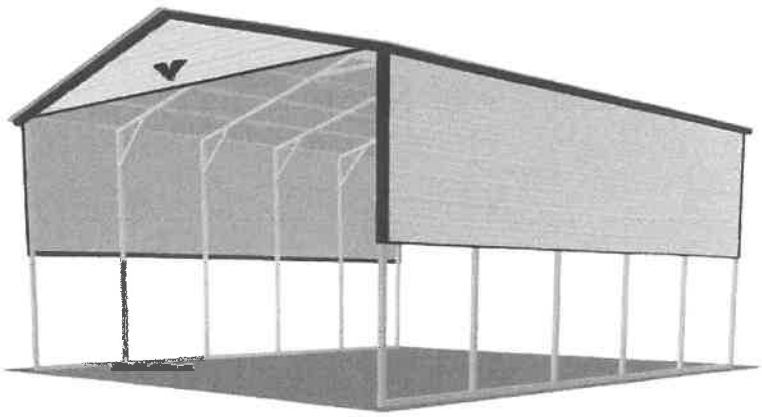
ELECTRICITY AVAILABLE? ☐ YES ☐ NO

Description	Qty	Unit Price	Price
Style: Standard Carport			-
Base Price: 22'x25'	1	$3,095.00	$3,095.00
Engineer Certified: 140MPH / 35PSF	1	$180.00	$180.00
Leg Height: 11'	1	$400.00	$400.00
Sides: 6' Panel (Horizontal)	2	$250.00	$500.00
Left Side J-Trim: Add J-Trim	1	$45.00	$45.00
Right Side J-Trim: Add J-Trim	1	$45.00	$45.00
Ends: Gable End (Horizontal)	2	$325.00	$650.00

Totals

SUBTOTAL	$4,915.00
TAX + 7.00 %	$344.05
PRICE	$5,259.05
DOWN PAYMENT 16.00 %	$786.40
DISCOUNT IF APPLICABLE	$0.00
TOTAL DOWN PAYMENT	$786.40
ADDITIONAL FEES	$0.00
BALANCE DUE	$4,472.65
CARD BALANCE DUE 2.50 $111.82	$4,584.47





CITY OF ASHEBORO
Application for Board of Adjustment Hearing

APPLICANT INFORMATION

Applicant Beverly N. Garner Applicant's Phone # 336-964-2856

Applicant's Address 508 Clegg Avenue
Asheboro, N.C. 27203

Applicant's Email Address bgarner@embarqmail.com

PROPERTY INFORMATION

Property Owner's Name Beverly Needham Garner

Location of Property 508 Clegg Avenue

Property Size (ac. or sq.ft.) 0.44 or 19779

Randolph County Property Identification Number (PIN#) 7752891361

Current Zoning District R10 Asheboro

Date Property Title Acquired 12-16-1980 Deed Book 001123 Page 00750

Subdivision Hilltop ACR Section _____ Lot # 28/29

Plat Book 10 Page 125

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)

Beverly Needham Garner

_____

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, Beverly Needham Garner hereby petition the Board of Adjustment to grant the following variance from the Asheboro Zoning Ordinance (please specify the variance that is requested):

I need a variance in the front of my house on the westside next to Kenneth Hick's property, also one on the south end next to Clegg Avenue in order for me to have a double metal carport 22' width x 25' long x 11' high to accomodate my vehicles

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.

Beverly Needham Sarver 30 JAN 2024
Applicant Date

STAFF USE

Received by: JTL ***Date:*** 1-30-24 ***Case Number:*** 24-03

750

5

Excise Tax

Recording Time, Book and Page

Tax Lot No. ..... Parcel Identifier No. .....

Verified by ..... County on the ..... day of ....., 19.....

by .....

Mail after recording to Beverly Needham Routh Key, 508 Clegg Ave., Asheboro, NC 27203

This instrument was prepared by MOSER, OGBURN & Neely, P.A., Asheboro, NC 27203

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 16 day of December, 19 80, by and between

GRANTOR	GRANTEE
Roger Dale Key	Beverly Needham Routh Key

Enter in appropriate block for each party: name, 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, XXXXXX all of his one-half undivided interest in that certain lot or parcel of land situated in the City of ....., Asheboro Township, ... County, North Carolina and more particularly described as follows:

BEGINNING at an iron pipe in the northern right of way line of Clegg Avenue, at a point North 70 degrees 02 minutes West 182.72 feet from the northwest intersection of the right of way lines of Clegg Avenue and Canoy Drive, J. B. Small's corner; thence North 19 degrees 35 minutes East along Small's line 198.42 feet to a stake in Canoy's line; thence along said line North 69 degrees 59 minutes West 100.70 feet to a stake, Hicks' corner; thence along Hicks' line South 16 degrees 46 minutes West 198.37 feet to a stake in the northern right of way line of Clegg Avenue (said iron stake being located South 70 degrees 02 minutes East 241.35 feet from the northeast intersection of Clegg Avenue and Sewell Drive) Hicks' (formerly Jordan's) southeast corner; thence with said right of way line South 70 degrees 02 minutes East 91.35 feet to the beginning, and being the western portion of Lot No. 28 and the eastern portion of Lot No. 29 of Hilltop Acres, as shown by plat recorded in Plat Book 10, Page 125, in the Office of the Register of Deeds for Randolph County, North Carolina.

And being all of the property in Book 906, Page 602, except a triangular strip conveyed K. R. Hicks by deed in Book 1063, Page 975, and being all of the property in Book 1063, Page 974, Randolph County Registry.

N. C. Bar Assoc. Form No. 3 © 1976, Revised 1977.

RZ-24-07: Request to rezone property located at 919 Draper Street (Randolph County Parcel Identification Number 7762573909) from B2 General Commercial, I1 Light Industrial, and R10 Medium-Density Residential to R15 Low-Density Single-Family Residential

Staff Report

Rezoning Staff Report

RZ Case # **RZ-24-07** **Date** 4-1-2024 Planning Board

General Information

Applicant Pablo Beltran Martinez

Address 711 Hunters Ridge Road

City Randleman NC 27317

Phone 862-373-3407

Location Central Falls Road and Draper Street

Requested Action Rezone from B2 General Commercial and I1 Light Industrial and R10 Medium-Density Residential to R15 Low-Density Single-Family Residential

Existing Zone B2/I1/R10 **Existing Land Use** Undeveloped/Formerly

Size 3.5 acres +/- **Pin #** 7762573909

Applicant's Reasons as stated on application

Suburban residential

Surrounding Land Use

North Solar Farm **East** Place of Assembly- non commercial/single-family dwelling

South Single-family dwelling **West** Single-family dwellings

Zoning History RZ-74-04: A portion of the property was rezoned from R10 Medium-Density to B2 General Commercial

Legal Description

The property of Pablo Beltran Martinez, located at 919 Draper Street, totaling approximately 3.5 acres +/-, located at 919 Draper Street, and more specifically identified by Randolph County Parcel Identification Number 7762573909.

Analysis

1. The property is inside the city limits.
2. Central Falls Road and Draper Street are both state-maintained minor thoroughfares.
3. The property has multiple zoning designations including B2 General Commercial, I1 Light Industrial, and a small amount R10 Medium-Density Residential. The B2 district is the most permissive commercial district in terms of allowable commercial uses; I1 zoning, in addition to allowing several industrial uses, also allows limited commercial development. The small area of R10 zoning could allow single and two-family development if certain criteria were met.
4. The requested R15 zoning district generally permits only single-family dwellings; one principal dwelling per property is allowed. Developable lots must possess at least 15,000 square feet of land area and 100 feet of lot width. Descriptions from the zoning ordinance for these districts are attached to this report (Attachment 1).
5. There was formerly a non-residential use on the property according to tax assessment information. The use, a "Storage-Shop", was noted as previously burned.
6. The area consists primarily of single-family residential uses, with scattered two-family dwellings and manufactured housing. Non-residential uses include an adjoining parking lot serving a place of assembly (church) and a solar farm.
7. The request is for a general district rezoning. No specific use or site plan can be considered with this application. There are property constraints, such as regulated floodplain, areas of steeper slopes, and an existing city-maintained utility easement that will affect the property's development potential.

Rezoning Staff Report

RZ Case # **RZ-24-07**

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	Suburban Residential
Small Area Plan	Northeast
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map.

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)*

Checklist Item 4: The proposed rezoning is compatible with surrounding land uses.

Checklist Item 5: Complies with Growth Strategy Map

Checklist Item 7: The proposed rezoning is compatible with the applicable Small Area Plan.

Checklist Item 12: Property is located outside of the watershed area

Rezoning Staff Report

RZ Case # **RZ-24-07**

LDP Goals/Policies Which Do Not Support Request

Checklist Items 13-14: Property is located within Special Hazard Flood Area, and area with steep slopes

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

The requested R15 residential zoning district promotes single-family residential development and is consistent with the Land Development Plan map's Suburban Residential designation for the property. The Northeast Small Area Plan, which advocates protection of existing residential neighborhoods from incompatible non- residential development, also lends support to the application. Development under the current commercial and industrial zoning could result in land use conflicts; amending the property's zoning and applying an R15 designation is advisable.

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

Attachment 1 (RZ-24-07): Zoning Ordinance Statements of Intent (Section 4.04) and Table of Area, Height, Bulk and Placement Regulations (Table 4-1) for existing and proposed zoning districts related to rezoning request at 919 Draper Street

Current zoning designations (B2, I1, and R10 district)

B2 General Commercial District **(existing zoning):** The B2 General Commercial District is intended to serve the convenience goods, shoppers' goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets.

I1 Light Industrial District **(existing zoning):** The intent of the I1 Industrial Development District is to produce areas for manufacturing, processing and assembly uses, commercial uses, distribution and servicing enterprises, controlled by performance standards to limit the effect of such uses on uses within the district and on adjacent districts.

R10 Medium-Density Residential District **(existing zoning):** The R10 Residential District is intended 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.

Proposed zoning designations (R15 district)

R15 Low-Density Single-Family Residential District **(proposed zoning):** The Rl5 Residential District is intended to provide regulations which will produce a low intensity of single family residential use with the necessary governmental and other support facilities to service such suburban intensity living.

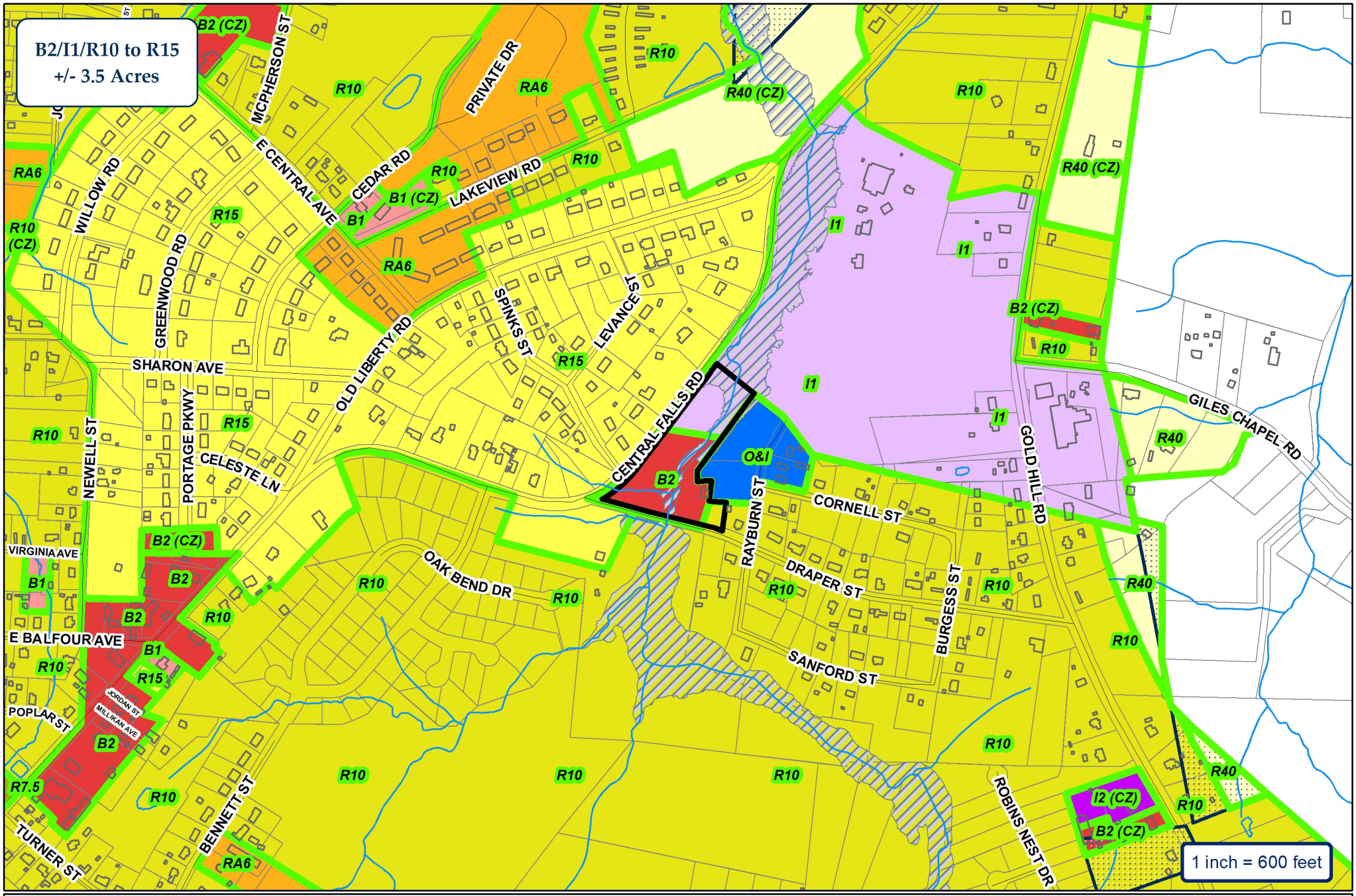
Table 4-1

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*
R15	15,000	100	30	15	25	35	22%		
		1 Single Family Only							
R10	10,000 SF	75	30	10	25	35	22%		
	15,000 Duplex	1 Single Family or 1 Duplex Only					22%		
	10,000 NonRes						22%		
B2	10,000	75	25	0 or 5	0 or 5	35	100%		
I1	10,000	75	10	10	10	45	N/A		

*Except as specifically modified by this Ordinance

Revised 07/2021



City of Asheboro Planning & Zoning Department

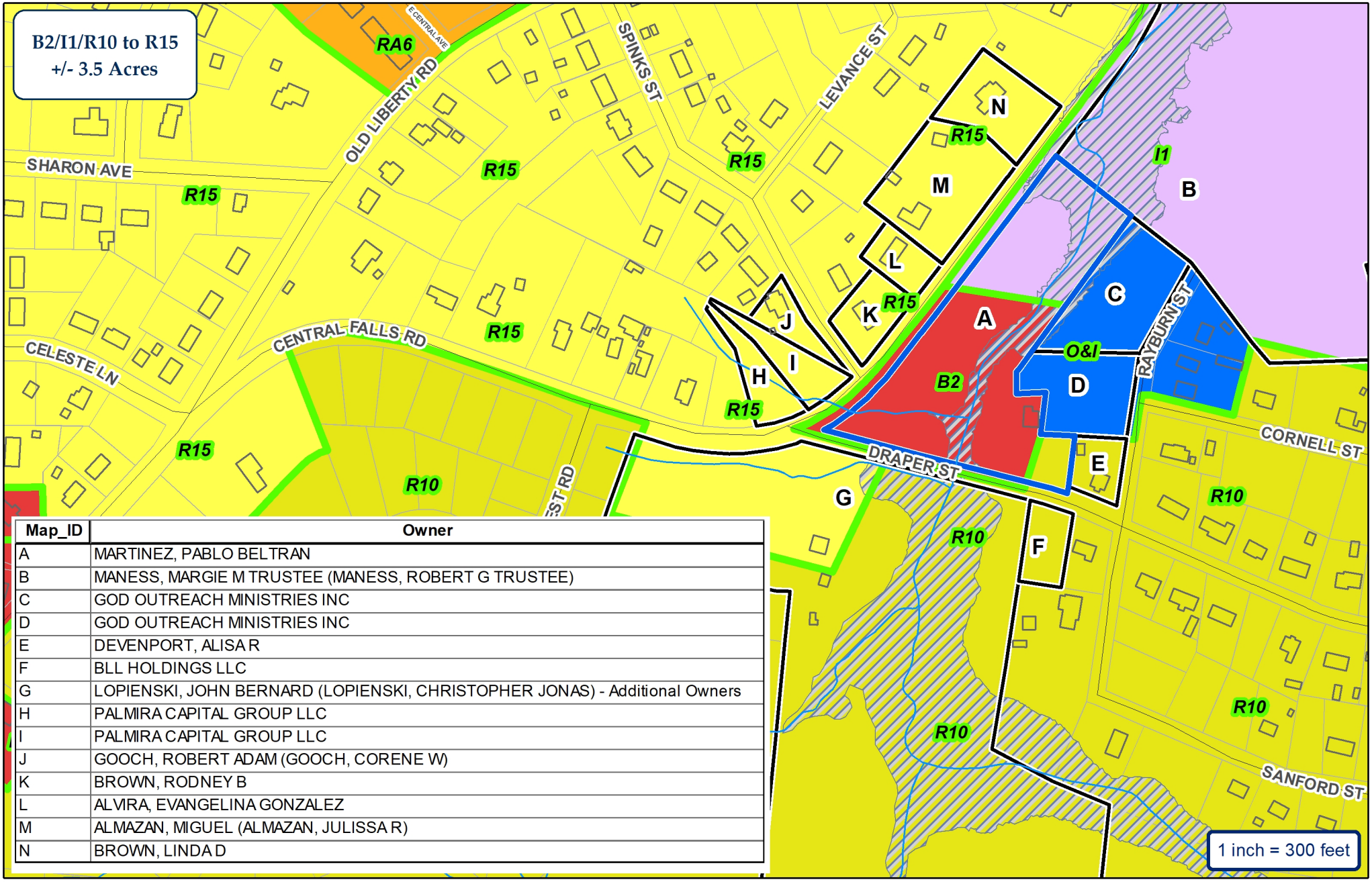
Rezoning Case: RZ-24-07

Parcels: 7762573909

ETJ

Subject Property

Zoning



Map_ID	Owner
A	MARTINEZ, PABLO BELTRAN
B	MANESS, MARGIE M TRUSTEE (MANESS, ROBERT G TRUSTEE)
C	GOD OUTREACH MINISTRIES INC
D	GOD OUTREACH MINISTRIES INC
E	DEVENPORT, ALISA R
F	BLL HOLDINGS LLC
G	LOPIENSKI, JOHN BERNARD (LOPIENSKI, CHRISTOPHER JONAS) - Additional Owners
H	PALMIRA CAPITAL GROUP LLC
I	PALMIRA CAPITAL GROUP LLC
J	GOOCH, ROBERT ADAM (GOOCH, CORENE W)
K	BROWN, RODNEY B
L	ALVIRA, EVANGELINA GONZALEZ
M	ALMAZAN, MIGUEL (ALMAZAN, JULISSA R)
N	BROWN, LINDA D

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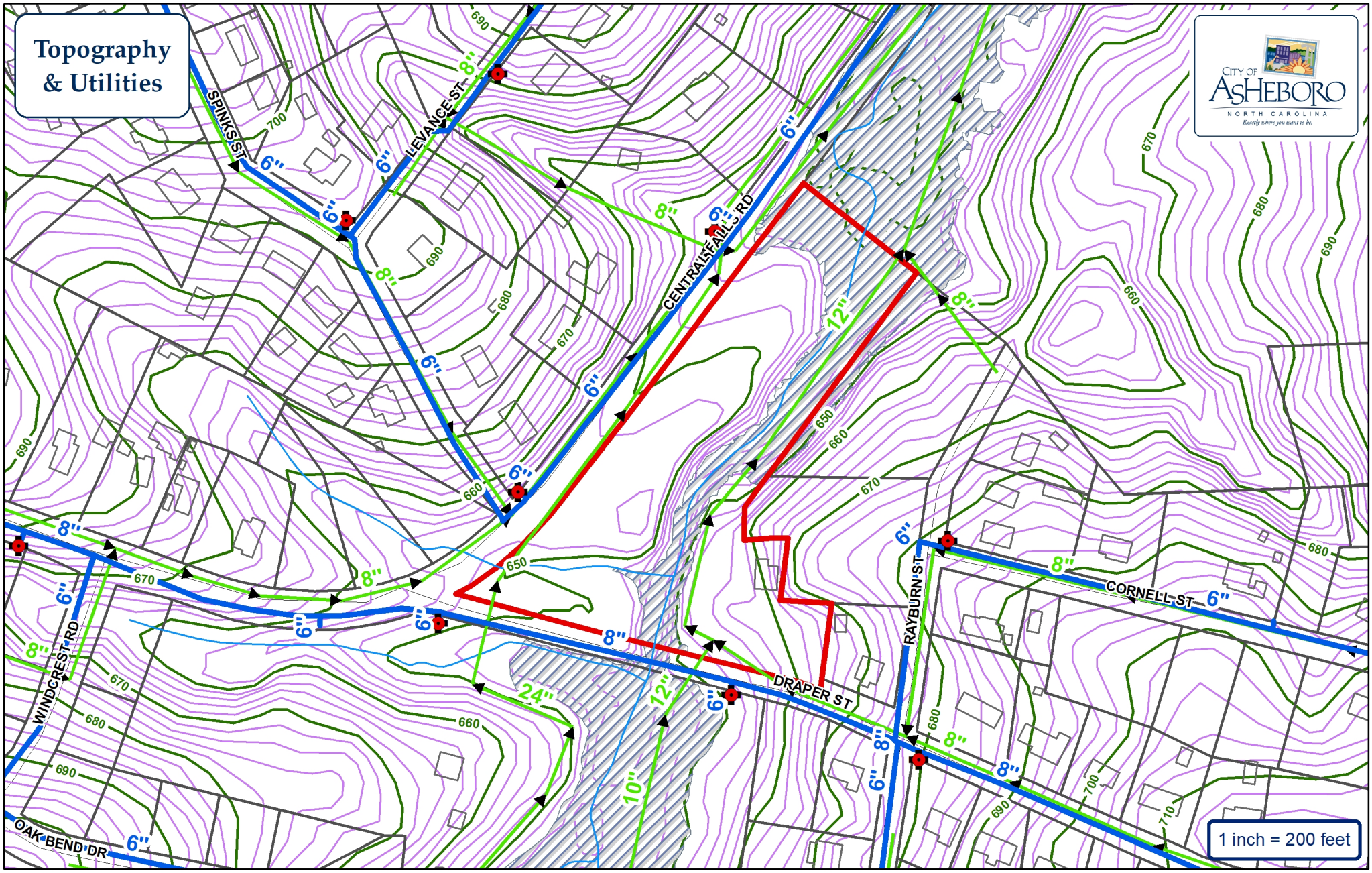
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-07

Parcels: 7762573909

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-24-07

Parcels: 7762573909

Subject Property

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-07

Parcels: 7762573909

Subject Property

APPLICANT INFORMATION

Applicant Pablo BelTran mortines

Applicant's Phone # 862-373-3407

Applicant's Address 919 DRAPER ST
ASHeboro N.C

Applicant Email Address

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name Pablo BelTran mortines

Location of Property 919 DRaPER ST

Property Size (ac. or s.f.) 3.5 ACRES

Randolph County Property Identification Number (PIN#) 7762573909

Current Zoning District B.2 A 1

Requested Zoning District R15

Date Property Title Acquired 08-22-2022

Deed Book 2820 Page 395-401

Subdivision NON Section Lot #

Plat Book Page NA

ORDINANCE AMENDMENT INFORMATION

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

SUBORBAN RESIDENTIOL

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.

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?

_____

_____

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_____

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

Pablo Beltran Martin

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

Owner Address

919 Draper St Asheboro

Telephone Number

862-373-3407

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: JLE ***Date:*** 3-12-24 ***Case Number:*** RZ-24-07

RZ-24-08: Request to rezone property located at 947 East Salisbury Street (Randolph County Parcel Identification Number 7761324663) from R7.5 Medium-Density Residential to B2 General Commercial

Staff Report

Rezoning Staff Report

RZ Case # **RZ-24-08** **Date** 4-1-2024 Planning Board

General Information

Applicant Robert Small

Address 1818 Bescher Chapel Road

City Denton NC 27239

Phone 336-736-0462

Location 947 East Salisbury Street

Requested Action Rezone from R7.5 Medium-Density Residential to B2 General Commercial

Existing Zone R7.5 **Existing Land Use** Repair Services and Retail Shoppers Goods

Size 0.78 acres +/-

Pin # 7761324663

Applicant's Reasons as stated on application

There is no intent for new land development. This business has been in operation for over 2 decades.

Surrounding Land Use

North Multiple family dwellings **East** Undeveloped Commercial/Single-family dwelling

South Commercial development with multiple uses **West** Undeveloped Commercial

Zoning History

Legal Description

The property of Robert Small, located at 947 East Salisbury Street, totaling approximately 0.78 acres +/-, and more specifically identified by Randolph County Parcel Identification Number 7761324663

Analysis

1. The property is inside the city limits.
2. East Salisbury Street (SR 2237) is a state-maintained minor thoroughfare at this location.
3. The existing R7.5 zoning district is described 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.* The proposed B2 district is described as *Intended to serve the convenience goods, shoppers' goods retail and service needs of the motoring public, both local and transient. This district should always be located with access directly to minor thoroughfares or higher classification streets, but never local residential streets.*
4. The request is for a B2 General Commercial district. No specific use or site plan can be reviewed with this request.
5. There is currently a commercial use existing on the property (repair services and retail shoppers' goods). It is considered a legal nonconforming land use. Tax records indicate that the two structures on the property were constructed in 1972 and 1980. City zoning regulations limit the extent of changes that can be made to legal non-conforming uses.
6. As is common with many long-standing legal non-conforming land uses, the property is not developed in a manner that complies with all respects of current city codes. The application filed seeks to make the land use legal and conforming; any present non-conforming situations would be permitted to remain unless a new use is proposed for the property.

Rezoning Staff Report

RZ Case # **RZ-24-08**

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	Commercial
Small Area Plan	Central
Growth Strategy Map Designation	Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map.

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)*

Checklist Item 5: Complies with Growth Strategy Map

Checklist Item 7: The proposed rezoning is compatible with the applicable Small Area Plan.

Checklist Items 12-14: Property is located outside of the watershed area, Special Hazard Flood Area, and area with steep slopes

Rezoning Staff Report

RZ Case # **RZ-24-08**

LDP Goals/Policies Which Do Not Support Request

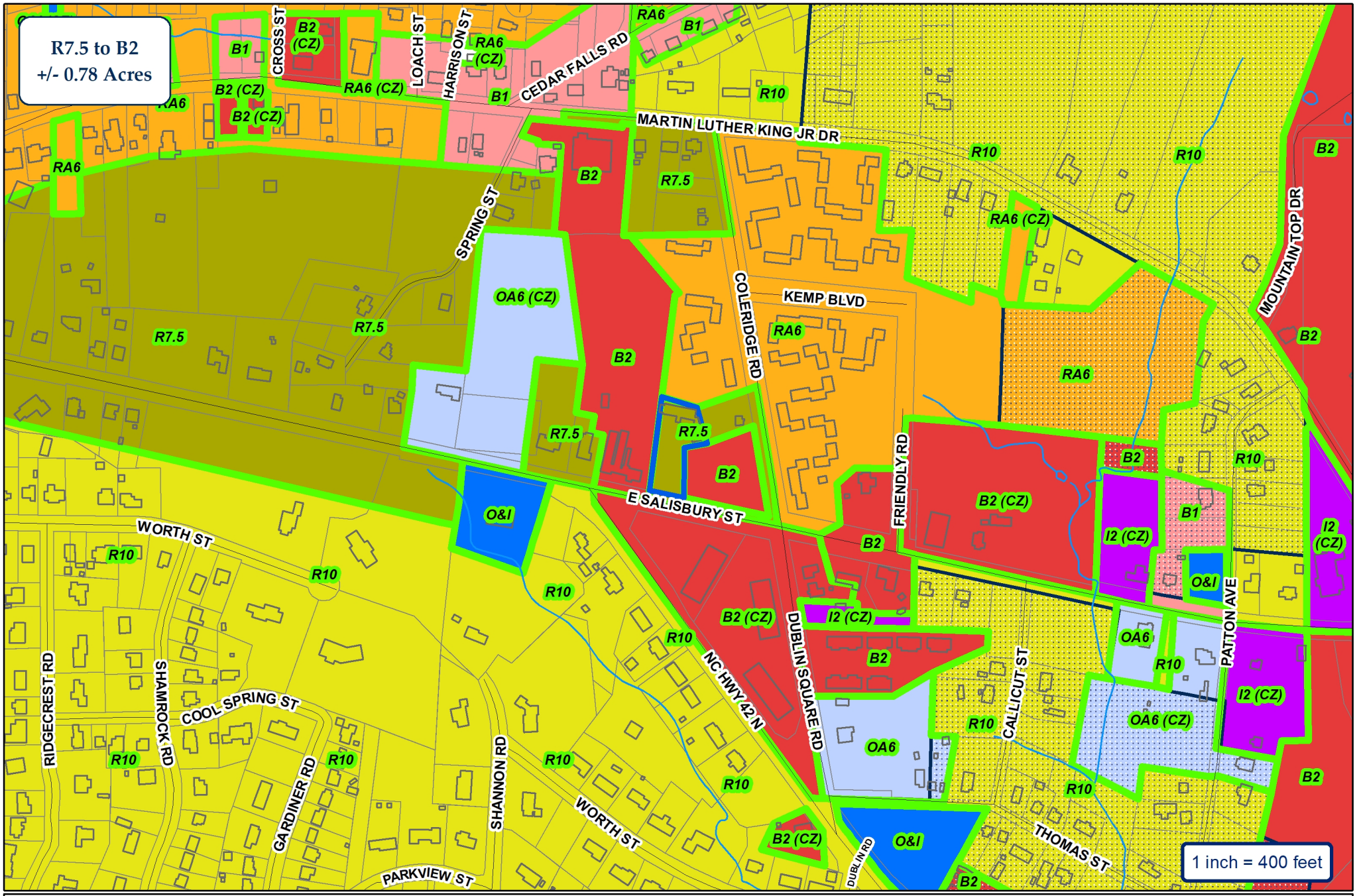
2.1.5: The City will ensure development regulations provide appropriate transitional land uses, such as office & institutional, between high-intensity industrial/commercial & low-intensity residential uses.

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

The Land Development Plan designates the subject property and several adjoining properties for commercial use. Approval of the rezoning would recognize the property's lengthy commercial history and be consistent with surrounding zoning; much of the East Salisbury Street corridor in the immediate vicinity already is zoned B2 General Commercial.

The Central Small Area plan identifies "accommodating existing, and some future commercial development" as an objective in appropriately designated locations along minor thoroughfares or higher classification streets. Staff believes changing the property's zoning to B2 could help facilitate investment into the property by eliminating its non-conforming status.

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



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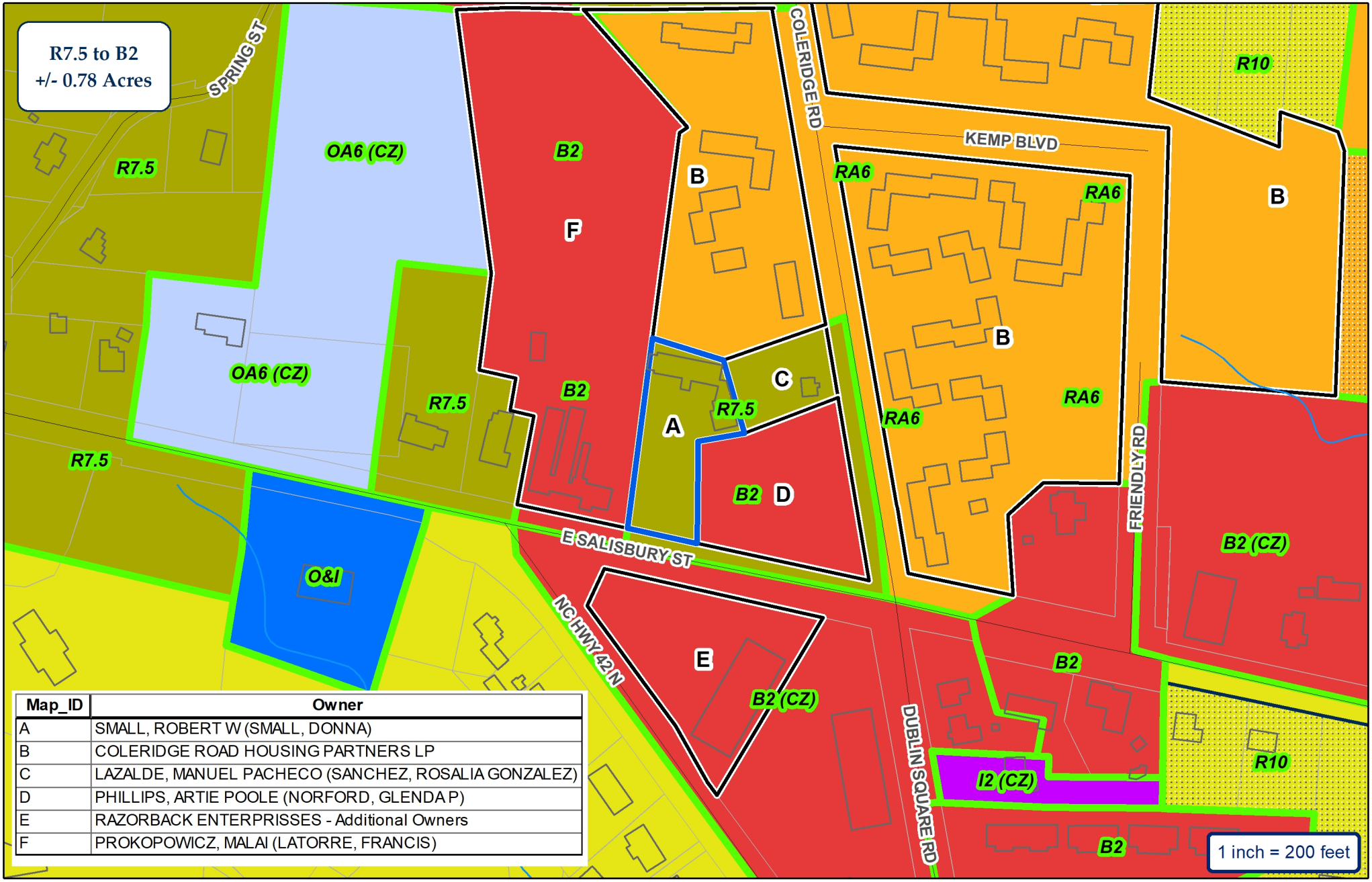
City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-08

Parcels: 7761324663

Subject Property
Zoning



Map_ID	Owner
A	SMALL, ROBERT W (SMALL, DONNA)
B	COLERIDGE ROAD HOUSING PARTNERS LP
C	LAZALDE, MANUEL PACHECO (SANCHEZ, ROSALIA GONZALEZ)
D	PHILLIPS, ARTIE POOLE (NORFORD, GLENDA P)
E	RAZORBACK ENTERPRISSES - Additional Owners
F	PROKOPOWICZ, MALAI (LATORRE, FRANCIS)

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City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-08

Parcels: 7761324663

Subject Property
Adjoining Properties
City Zoning

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W
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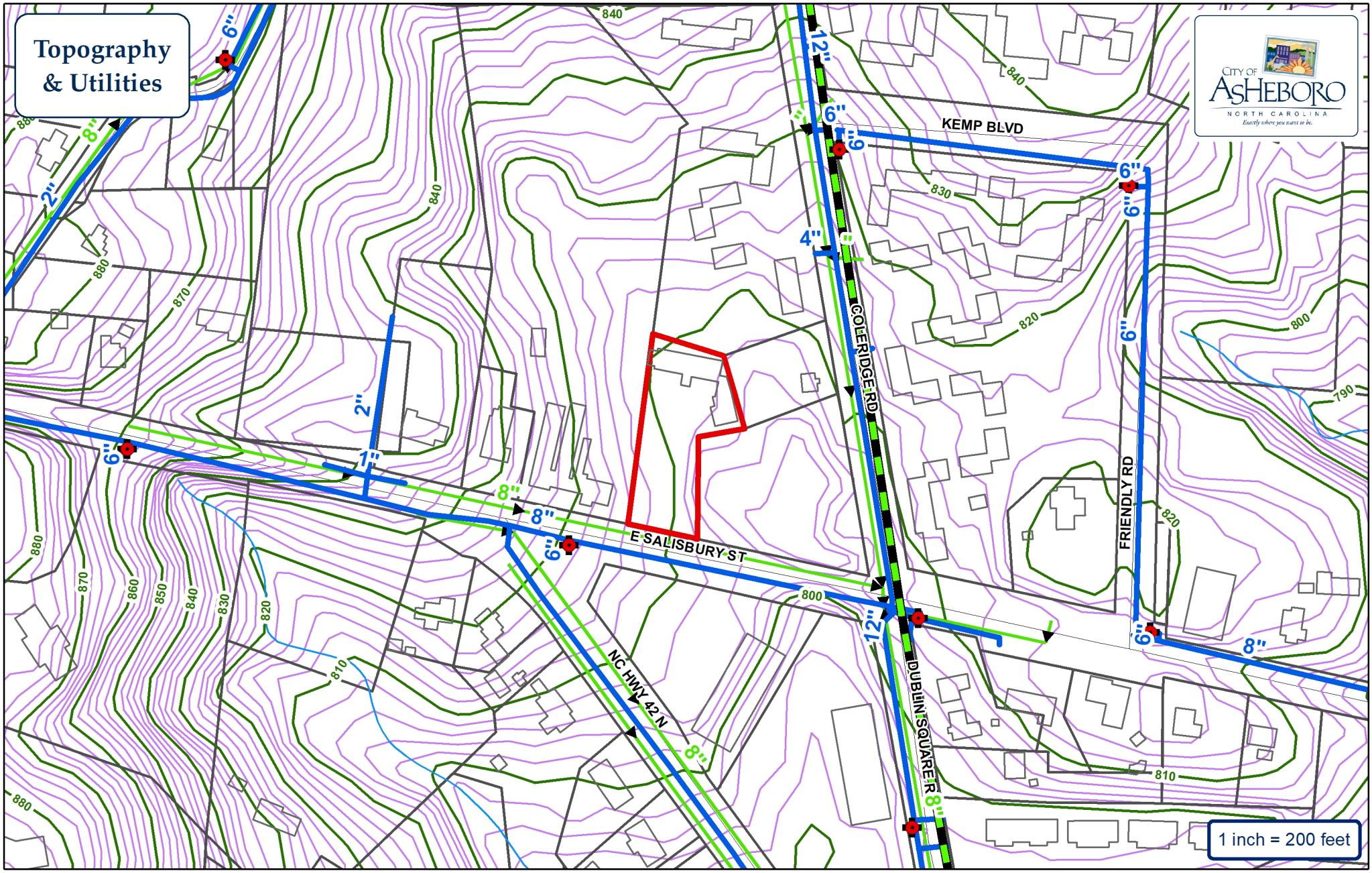
S



Water Main
Sewer Main
Force Main
Fire Hydrant
Pump Station
Watershed

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-08

Parcels: 7761324663

Subject Property

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-24-08

Parcels: 7761324663

Subject Property

APPLICANT INFORMATION

Applicant Robert Small

Applicant's Phone # 336-736-0462

Applicant's Address 1818 Bescher Chapel Rd.

Denton, NC 27239

Applicant Email Address alaqcc@gmail.com

PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name Robert Small

Location of Property 947 E. Salisbury St.

Property Size (ac. or s.f.) 0.78

Randolph County Property Identification Number (PIN#) 7716132466 3

Current Zoning District R7.5

Requested Zoning District B2

Date Property Title Acquired 10/30/2002

Deed Book 1788 Page 2333

Subdivision — 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?

There is no intent for new land development. This business has been in operation for over 2 decades.

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.

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?

No

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

Robert Small

Printed Name of Authorized Signatory (if different from Applicant)

Position/Relationship of Authorized Signatory to Applicant

Owner Signature (if different than Applicant)

Owner Address

1818 Bescher Chapel Rd.
Denton, NC 27239

Telephone Number

336-736-0462

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

STAFF USE

Received by: JLE ***Date:*** 7-13-24 ***Case Number:*** RZ-24-08