

**Asheboro Planning Board
Asheboro City Hall (146 N. Church Street)**

Monday, March 4, 2019

7:00 PM

AGENDA

- I. Call to Order
- II. Approval of Minutes from February 4, 2019
- III. Review of Cases
- IV. RZ-19-03: Request for text amendments to the zoning ordinance concerning maximum allowable floor area ratios for multiple family dwellings filed by Wynnefield Properties, Inc.
- V. RZ-19-04: Request for rezoning on property located at 481 NC 49 South (Randolph County Parcel Identification Numbers 7740941140 & 78740931871): B2 (General Commercial) to CU-RA6 (Conditional Use High-Density Residential)
- VI. RZ-19-05: Request for rezoning on property located at 1644, 1702, & 1712 N. Fayetteville St. (Randolph County Parcel Identification Numbers 7762064208, 7762065123, 7762067634): R10 (Medium-Density Residential) to O&I Office & Institutional)
- VII. Planning Board Functioning as Board of Adjustment: (Case No. BOA-19-01): Variance from required side and rear yard setback (Asheboro Zoning Ordinance, Table 200-1 & Section 303): 759 Newbern Avenue
- VIII. Planning Board Functioning as Board of Adjustment (Case No. BOA-19-02): Variance from required side yard setback (Asheboro Zoning Ordinance, Table 200-1): 612 Hemlock Drive
- IX. Items Not on the Agenda
- X. Adjournment

#

**MEETING OF THE ASHEBORO PLANNING BOARD
CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.
MONDAY, FEBRUARY 4, 2019
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:

Van Rich) - Chair
Lynette Garner) - Vice Chair

Ritchie Buffkin)
David Henderson)
Michael O'Kelley) - Members Present
Thomas Rush)
Pamela Vuncannon)

John Evans, Assistant Community Development Division Director
Justin Luck, Planning and Zoning Administrator
Brad Morton, Planning Technician/Deputy City Clerk
Jeff Sugg, City Attorney

Eight (8) citizens were present at this meeting.

CALL TO ORDER

Mr. Van Rich called the Asheboro Planning Board to order.

CONSENT AGENDA ITEMS

- a. Approval of Minutes from December 3, 2018 (Old Business)
- b. Approval of Minutes from January 7, 2019

Mr. Rich inquired if there were any corrections to be made to the consent agenda items. Hearing no corrections, the consent agenda items were approved as presented.

REVIEW OF CASES

Mr. Justin Luck informed the board of the zoning related cases which were heard at the regular January meeting of the Asheboro City Council.

RZ-19-01: REQUEST TO REZONE VARIOUS PROPERTIES ON COX AND GREENSBORO STREETS, BETWEEN EAST PRESNELL STREET AND EAST DORSETT AVENUE FROM R7.5 (MEDIUM-DENSITY RESIDENTIAL) AND RA6 (HIGH-DENSITY RESIDENTIAL) TO OA6 (OFFICE-APARTMENT)

Mr. John Evans gave a visual presentation of the above proposed rezoning case. He stated that the applicant is the City of Asheboro. He stated that there were a total of 52 parcels included in the request. He stated the total size of the area is 15.1 acres +/- . He also stated that the existing land use was primarily residential or undeveloped. He stated the intent of the OA6 district as intending to produce moderate intensity office and residential development to serve the adjacent residential areas and to provide a transition from residential to commercial uses. Land designated OA6 shall normally be located with access to a minor thoroughfare or higher classification street with access to local residential streets discourages. He also stated that residential uses, office & institutional uses, light commercial uses are permitted. He

then stated that heavier commercial uses, such as retail, and eating establishments, motor vehicle sales and repairs are not permitted. He showed overview, rezoning, topographic/utilities, Center City Planning Area maps, as well as showing aerial maps of the subject properties and photographs from all directions. He then gave the property analysis:

- Recent text amendments (adopted 11-8-18) allow single and two-family dwellings in the OA6 district to have the same maximum floor area ratio (22 percent) as other residential zoning districts. Previously, maximum floor areas (17 percent) for single & two-family residential properties were more restrictive in the OA6 district than other residential districts.
- A public workshop concerning the proposal was held on February 27, 2018. Attendees were generally supportive of the request.
- Mailing to property owners on Friday, January 18th gave owners an opportunity to send written request opting out of proposed rezoning.
- Two (2) property owners have opted out of this request:
 - 232 Worth Street property owner has requested that the property adjacent to them not be rezoned to OA6.
 - 1026 South Cox street property owner has requested that their property not be included in the proposed rezoning.

He gave the Land Development Plan recommendations as follows:

Proposed Land Use Map:

Activity Center/Office & Institutional/Urban Residential

Growth Strategy Map:

Primary Growth

Goals/Policies Supporting Request (8):

- **Checklist Item 1: Complies with LDP Proposed Land Use Map**
- **Checklist Item 3: Fits zoning ordinance intent**
- **Checklist Item 4: Compatible with surrounding land uses**
- **Checklist Item 5: Complies with Growth Strategy Map**
- **Checklist Item 7: Small Area Plan compliance**
- **Checklist Items 12-13: Outside of watershed, flood area**
- **Policy 2.1.5: Transition from heavier commercial/industrial uses to less intense residential uses**

Goals/Policies Not Supporting Request (0):

He then gave staff's statement of consistency with adopted plans, reasonableness and public interest, which included the following:

- **Transition over time from primarily residential uses to mix of residential, office & institutional uses with uncontested rezoning requests.**
- **Small Area Plan calls for both mix of compatible uses and preservation of residential neighborhoods. OA6 district allows both residential and lighter non-residential uses.**
- **Transitional function of the corridor (between high intensity commercial and low intensity residential uses).**

He stated that in light of the above analysis, staff recommends approval of this request, noting that if there were any other request(s) of property owner(s) to opt out of the rezoning, staff's recommendation is to honor these request(s) absent of a compelling reason not to. He stated that the next step was for City Council to consider this request on Thursday, March 7, 2019 at 7 p.m. He then asked if the board had any questions for him at this time. Mr. Ritchie Buffkin asked if there were any road changes that would go along with the request, including widening or turning lanes, to which Mr. Evans stated that there were no road changes with this request. Mr. Michael O'Kelley wanted to get clarification on the opt-out process,

particularly which parcels were opting out of the rezoning request, to which Mr. Evans showed the map of each property that requested opting out of the rezoning request, which included the property adjacent to 232 Worth Street (City owned Parcel Identification Number 7751921296) as well as 1026 South Cox Street. Ms. Pamela Vuncannon inquired on how many mailings were sent out regarding this request, to which Mr. Evans stated that over 150 +/- were sent out. Ms. Vuncannon then inquired how this will affect tax bills of property owners, to which Mr. Evans stated that according to feedback from the Randolph County Tax Department, there would not likely be a significant change in most cases, but if property owners had concerns they could contact the tax department. Mr. David Henderson inquired on sidewalk requirements, specifically if the request would alter any requirements for sidewalks with new development, to which Mr. Evans stated that sidewalks are required of any new non-residential developments. Chairman Rich asked if there was any opposition to the request. There was no opposition.

Mr. David Henderson moved to recommend approval of RZ-19-01 based on staff's recommendation and consistency statement. Ms. Lynette Garner seconded the motion and the motion carried unanimously.

REQUESTS RELATED TO PROPERTY LOCATED AT 145/159 WHITLEY STREET, ON NORTH SIDE OF SHERWOOD AVENUE (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7750249743)

a. RZ-19-02: REQUEST TO REZONE A PORTION OF THE PROPERTY FROM B2 (GENERAL COMMERCIAL) TO R10 (MEDIUM-DENSITY RESIDENTIAL)

Mr. John Evans gave a visual presentation of the above proposed rezoning case. He stated that the applicant is Larry McKenzie. He gave the parcel identification number as a portion of 7750249743. He stated the size of the parcel totaled 1.77 acres +/- of 7.34 acres +/- (The remaining 5.57 +/- acres on parcel is currently zoned R10). He stated that if granted, the R10 zoning would allow all uses permitted by right in the district. He also stated that the existing land use was formerly two single-family dwellings. He showed overview, rezoning, topographic/utilities, as well as showing aerial maps of the subject property and photographs from all directions. He then gave the property analysis:

- Sherwood Avenue & Harvell Street Extension are city-maintained local streets. Whitley Street is a private street.
- There are currently two structures previously used for single-family residential purposes.
- The intent of the B2 zoning district is to serve the convenience goods, shopper's 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.
- The intent of the R10 zoning district is for 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.
- No commercial activity exists on the B2 portion of the property.
- The zoning ordinance generally prohibits accessing commercial property through private residential property. The portion of the property zoned B2 has no public street access without using the portion of the property currently zoned R10 residential.

He gave the Land Development Plan recommendations as follows:

Proposed Land Use Map:
Commercial

Growth Strategy Map:
Primary Growth

Goals/Policies Supporting Request (4):

- Checklist Item 3: Fits zoning ordinance intent
- Checklist Item 5: Complies with Growth Strategy Map

- **Checklist Items 12-13: Outside of watershed and flood area**

Goals/Policies Not Supporting Request (2):

- **Checklist Item 1: Does not comply with LDP proposed land use map**
- **Checklist Item 14: Located within area of steep slopes**

He then gave staff's statement of consistency with adopted plans, reasonableness and public interest, which included the following:

- **R10 district is consistent with use of the property and surrounding single and two-family dwellings.**
- **Commercial use cannot use residential access on its own per Zoning Ordinance requirements.**

He stated that in light of the above analysis, staff recommends approval of this request. He stated that the next step was for City Council to consider this request on Thursday, March 7, 2019 at 7 p.m. He then asked if the board had any questions for him at this time. Mr. Henderson inquired on what type of land use was bordering the property on the north side, to which Mr. Evans stated that there are commercial uses bordering the property on the north side. Chairman Rich asked if there was any opposition to the request. There was no opposition.

Mr. Henderson moved to recommend approval of RZ-19-02 based on staff's recommendation and consistency statement. Ms. Garner seconded the motion and the motion carried unanimously.

b. SUB-19-01: SUBDIVISION SKETCH DESIGN (RESIDENTIAL PLANNED UNIT DEVELOPMENT)

At this time, Mr. O'Kelley disclosed that he owned property across the street from the proposed subdivision. Mr. Sugg stated that according to statutes there must be a direct, substantial and readily identifiable impact on the member. Mr. O'Kelley stated that he did not have a direct, substantial and readily identifiable financial impact on this project. Mr. Rich inquired if there was any objection from citizens or applicants that the board could proceed with hearing the case. No objections were made. Mr. Evans gave a visual presentation of the above proposed subdivision sketch design request. He stated that the applicant was Larry McKenzie. He stated that the location was 141 and 159 Whitley Street. He stated that the size of the property is 7.34 acres +/- . He listed the parcel identification number at 7750249743. He stated that the total number of lots is proposed to be 27 + common area. He stated that the average lot size is pending at the moment. He then showed the proposed sketch design plan.

Mr. Evans then presented all development issues as follows:

1. The development (Residential Planned Unit Development) also requires a Special Use Permit and rezoning from B2 (General Commercial) to R10 (Medium-Density Residential) on a portion of the property.
2. The applicant proposes a mix of detached patio style homes and attached duplex style units, with two dwellings in each structures.
3. The applicant proposes a combination of city maintained and privately maintained streets. Whitley Street, proposed as a city maintained street, contains approximately 640 linear feet. The other privately maintained streets include 1,000 linear feet.
4. One recreation area near the northeastern corner of the property is proposed.
5. The subdivision ordinance generally specifies that proposed streets provide future access to adjacent properties. All properties that area adjacent to the subject property are developed, making this requirement impractical.

Mr. Evans then reviewed Departmental Comments as follows:

Engineering/Public Works:

- Plat corrections are pending.

Planning:

- Homeowner's documents are required to be recorded with the final plat, which must include maintenance mechanisms for the common area, and restrictions concerning RV parking.
- Plat corrections are pending.

Other:

- The plat was shared with Asheboro City Schools and NCDOT and neither had any concerns over the project.

Mr. Evans stated that staff's recommendation is to approve the subdivision sketch design noting staff comments and conditions. He also inquired if the board had any questions at this time. There were no questions for Mr. Evans at this time.

Mr. O'Kelley asked why one of the units removed from the original configuration, to which Mr. McKenzie stated that grade difficulties wouldn't have made it cost effective to build. He also stated that another lot could potentially be dropped due to costs. Ms. Garner asked if another was dropped, which lot would be dropped. He stated that the small unit halfway up the development on the right by itself would be the lot that would be removed due to costs of street paving. Mr. Henderson inquired about fencing around the property, to which Mr. McKenzie stated that there would be a fence across the north side and most of the way down the west side to buffer his development from the adjoining commercial uses. He also stated that there would be a wooded buffer on the east side of the property as well. Ms. Vuncannon inquired on the cost of the units, to which Mr. McKenzie stated that the units would range from \$152,000 to \$169,000. There were no further questions for Mr. McKenzie at this time.

Mr. Buffkin moved to recommend approval SUB-19-01, noting staff comments and conditions. Mr. O'Kelley seconded the motion and the motion carried unanimously.

ITEMS NOT ON THE AGENDA

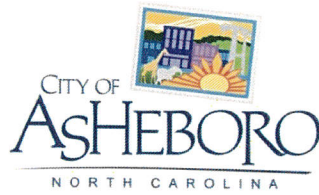
There were no items at this time.

ADJOURNMENT

With no further business to come before the board, Mr. Rich adjourned the meeting.

Bradley Morton, Planning Board Secretary

Van Rich, Planning Board Chair



RZ-19-03: Request for Text Amendments to the zoning ordinance concerning maximum allowable floor area ratios for multiple family dwellings filed by Wynnefield Properties, Inc.

Staff Report

Rezoning Staff Report

RZ Case # **RZ-19-03**

Date 3/4/19 PB

General Information

Applicant Wynnefield Properties, Inc. C. Craig Stone

Address PO Box 395

City Jamestown NC 27282

Phone 336-822-0765

Location N/A

Requested Action Text amendment to the zoning ordinance concerning permissible maximum floor area ratios for multi-family residential developments

Existing Zone N/A

Existing Land Use N/A

Size N/A

Pin # N/A

Applicant's Reasons as stated on application

See attached. Applicant response included both RZ-19-03 and RZ-19-04. Staff notes that these are two separate cases.

Surrounding Land Use

North N/A

East N/A

South N/A

West N/A

Zoning History 3-1999: FAR in RA6 district was reduced from 0.33 by right and 0.45 with SUP to 0.17. 4-2000: FAR with SUP increased to 0.22 in RA6 district. 3-2018: Last update concerning FAR for uses other than multi-family.

Legal Description

Text amendments to the zoning ordinance related to permissible floor area ratios for multiple family residential developments

Analysis

1. The applicant has filed a request to amend the zoning ordinance in order to establish a maximum allowable floor area ratio of 43% for multiple family developments within the RA6 High-Density residential district and OA6 Office and Apartment zoning districts that adhere to certain standards and obtain a Special Use Permit.
2. Floor Area Ratio (FAR) is a ratio of gross floor area to land area. Gross floor area is defined as follows: "The sum in square feet of the horizontal areas on all floors of a building or buildings measured from the outside faces of the exterior walls including halls, lobbies, arcades, stairways, elevator shafts, enclosed porches and enclosed balconies, and any below-grade floor area used for habitation, access and storage. Attic area shall be counted when used for habitation. In calculating attic space, only areas enclosed for habitation shall be counted. Open porches, balconies, patios, decks, and attached garages and/or carports shall not be considered in Floor area calculations."
3. Currently, multiple family dwellings are allowed by right in the RA6 and OA6 districts with a FAR of up to 17%; a FAR of up to 22% may be authorized with a Special or Conditional Use Permit.
4. Prior to 1999, the maximum floor area ratio allowed was 33% by right and 45% with a Special Use Permit in the RA6 zoning district. A zoning ordinance amendment that year established the current FAR standards concerning maximum FAR permitted by-right (17%), with a subsequent amendment in 2000 allowing a FAR of up to 22% with a Special Use Permit..
5. For illustration purposes, an allowable FAR of 17% on a lot with 100,000 square feet would permit development with a total gross floor area of 17,000 SF. This cumulative gross floor area is allowed regardless of the number of stories in a structure (i.e. a single-story 4,000 SF structure has the same gross floor area as a two-story structure with 2,000 SF on each level).
6. Floor area ratio provisions do not apply within the Center City Planning Area. Within this area, overall density and bulk is regulated through maximum permitted impervious area (area that can be built upon with features such as structures, parking, and sidewalks), along with height restrictions.

Rezoning Staff Report

RZ Case # RZ-19-03

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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 N/A

Small Area Plan N/A

Growth Strategy Map Designation N/A

LDP Goals/Policies Which Support Request

Goal 2.3: Compact, interconnected and sustainable development patterns

Goal 3.2: Quality design demanding appropriate scale and context

3.2.2: The City will require a variety of landscaping techniques that are appropriately designed based on the desired function (i.e. riparian buffers around creeks, shade trees in parking lots, dense and expansive screening between uses of significantly different intensities, preservation of environmental character, front yard landscaping and street trees, etc.).

Rezoning Staff Report

RZ Case # RZ-19-03

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LDP Goals/Policies Which Do Not Support Request

Goal 3.1: Enhancement, maintenance, and preservation of the built environment

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

Staff's primary interest related to the proposal's is ensuring consistency with the goals, objectives and policies of the Land Development Plan (LDP), as well as an outcome that promotes the public interest while providing for reasonable use of property. The LDP generally encourages site design, density and architecture of new residential development to be compatible with adjoining neighborhoods and land uses. During LDP preparation, significant public input was received related to the appropriate size and scale of multi-family developments. The LDP also states its vision for "urban residential" development to be located "within walking distance of commercial areas and major thoroughfares."

Staff concurs with the applicant that an increase to Floor Area Ratio as proposed necessitates the need for additional development standards, evaluated through a Special Use Permit process, to address where such developments should be permitted, incorporate enhanced buffers, landscaping, parking setbacks, and include elevated site and architectural development criteria.

Recommendation

Due to the complex nature of the request, staff recommends the Planning Board continue this matter to its April 1, 2019 Planning Board meeting to provide more time for input and analysis.

PROPOSAL AS SUBMITTED BY APPLICANT WITH APPLICATION. NOTE: Staff comments as of 2-27-19 are in red.

RECOMMENDED MINIMUM STANDARDS FOR ALL PROJECTS REQUESTING A "FAR" OF UP TO 43%

This may be added to supplement the current Note 15 (attached). Table 200-1 (attached) and Article 600 (Special Uses) may also need to be amended to reflect a change in the permitted floor area ratio of up to 43%. Additional sections of the Zoning Ordinance may need to be amended, which will be identified prior to the time of legal advertisement.

- Special Use Permit required
- development shall comply with all applicable zoning and subdivision ordinance standards except as modified herein
- development's access shall be from a minor thoroughfare or higher classification street
This requirement does not currently apply to multiple-family developments.
- stormwater control measures designed by a licensed professional in accordance with the current North Carolina Department of Environmental Quality Stormwater BMP Manual. 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
This requirement does not currently apply to multiple-family developments.
- no parking shall be permitted within the first 25 feet of the required front yard
Currently, parking is prohibited in the front yard setback for multiple-family developments with less than 45,000 SF of land area or zoned OA6 zoning. Parking is prohibited within the first 10 feet of multiple family developments of greater than 45,000 SF of land area or with RA6 zoning.
- Front yard landscaping shall be as follows:

1. At least one tree of 3 inches caliper minimum, measured 6 inches above ground, shall be planted for each 25 feet for small maturing trees and for each 35 feet for large maturing trees of the entire lot which abuts any public street right-of-way with a minimum of one tree required for any distance up to 35 feet. Trees shall be located in the required front yard. Plant materials should be selected which are appropriate to soil and site conditions. It is recommended that species be selected which are resistant to heat, drought, insects, and diseases and which require little maintenance. Selected plant materials shall meet the requirements and be installed according to ANLA (American Nursery and Landscape Association) standards. The common names of approved small, medium and large maturing trees are found in Appendix B of Article 300A; and

2. There shall be planted and maintained one evergreen shrub (as defined in Table of Minimum Plant Size Section 304A.4A 2) for each ten linear feet of street frontage or portion thereof. The balance of the required front yard shall be covered with evergreen ground cover or mulch.

Front yard landscaping requirements are enhanced from the current requirement. Front yard landscaping standards apply to multiple family developments with OA6 zoning or less than 45,000 SF of land area.

PROPOSAL AS SUBMITTED BY APPLICANT WITH APPLICATION. NOTE: Staff comments as of 2-27-19 are in red.

- a Type D buffer or screen shall be provided adjacent to single or two-family uses or zoning districts
- a Type A buffer or screen shall be provided adjacent to all other uses or zoning districts

Current ordinance requirements specify that multiple-family residential developments of less than 12 dwelling units per acre require an "A" buffer or screen when adjacent to single-family or two family residential uses while developments of 12 or more dwelling units per acre require a "C" type buffer when located adjacent to single-family or two-family residential uses. Currently an "A" buffer or screen is required only when a multiple-family residential development of 12 or more dwelling units per acre is located adjacent to a multiple-family residential development with less than 12 dwelling units per acre. Currently no buffer/screen is required between a multiple-family residential development and non-residential uses.

- foundation plantings consisting of evergreen shrubs shall be installed along the entire front foundation wall of each building. Plant installation shall be a minimum of two feet in height planted at six-foot intervals.

This requirement does not currently apply to multiple-family developments.

- All Facades: One hundred (100) percent of the area below the fascia of any building, including doors and windows, shall be finished with any Building Code approved material except:
 1. Unfinished wood, concrete block (except split-faced block), vinyl siding, metal panels, metal painted panels and any metal panel with "rib" or "u" configuration.
 2. Laminated, composite or press board wood type materials composed of layers of firmly united wood materials made by bonding or impregnating superposed layers with resin and compressed under heat. Architectural metal panels secured to substrate with concealed fasteners are a permitted material iii.

Trim and similar architectural detailing may be composed of any code approved materials.

This requirement is enhanced as currently fewer restrictions exist, such as vinyl siding being permitted and only prohibited if it is Horizontal vinyl siding with an apparent board width of more than 6 inches.

- all multifamily structures less than three (3) stories in height using a sloped roof shall have a minimum slope of 5 in 12 on the principal roof. All multifamily structures not using a sloped roof shall have a parapet wall above the roof of at least three (3) feet in height.

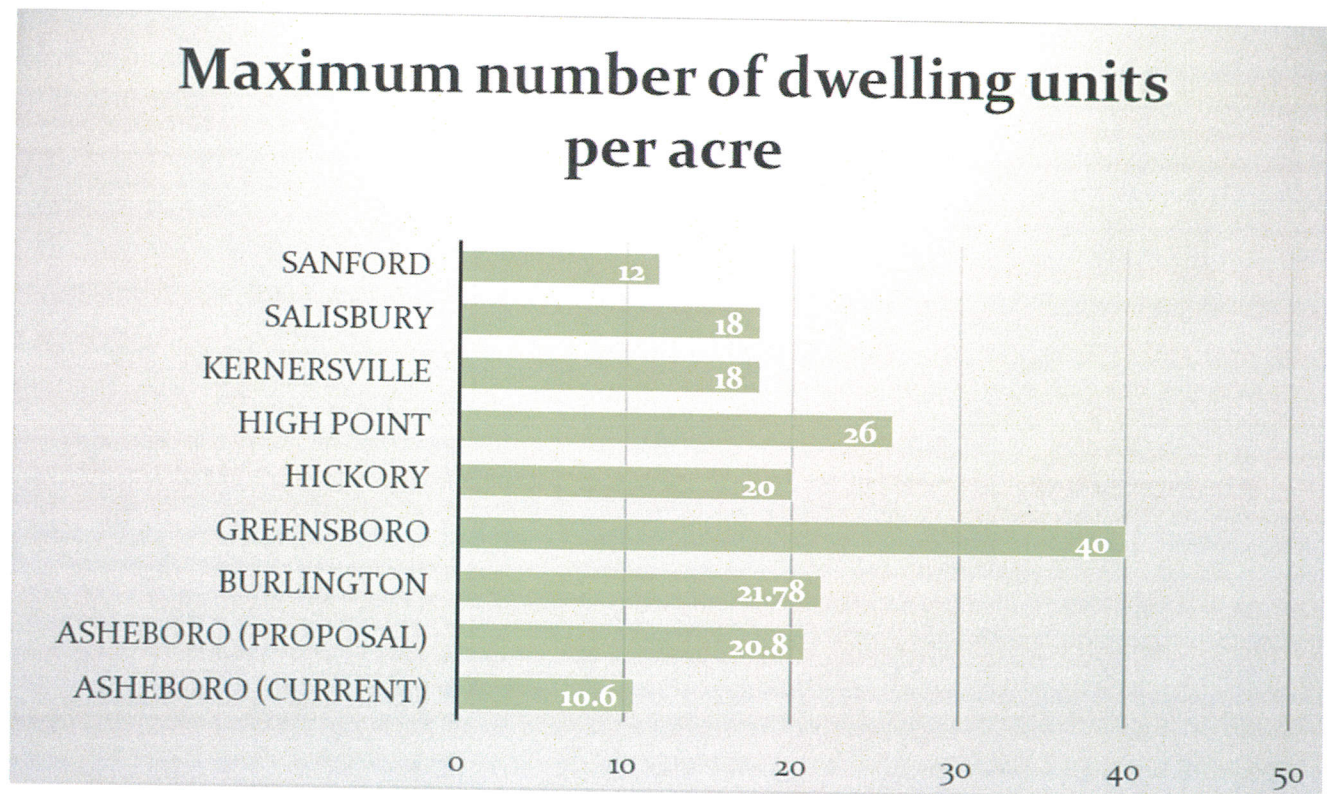
This reiterates the current requirement found in Section 318A.D (Design Standards for all Residential Districts) and also reiterates that this is a requirement when a multi-family residential development is located in an OA6 or CU-OA6 zoning district.

Staff notes that the above proposal are minimum general requirements. Additional conditions and requirements may be suggested or required to comply with the four tests for a Conditional or Special Use Permit on a case-specific basis. An example is if the Land Development, Pedestrian Plan, or Comprehensive Transportation Plan recommends pedestrian facilities for certain locations, these features would also need to be incorporated into a site's design.

The chart below shows Asheboro's allowable density compared to other cities within and just beyond the Piedmont Triad region. Asheboro's density calculation differs from some of the cities by regulating maximum floor area, rather than having a specific maximum number of dwelling units per acre. Asheboro's density, which is shown below assumes an average dwelling unit size of 900 square feet. Larger units would decrease the allowable number of dwelling units per acre while smaller units would increase this figure. The comparison of Asheboro to the jurisdictions below are meant only for a broad comparison. Please note that other jurisdictions noted below may have other criteria that could change the figures below, but the figures note the maximum number of units generally permissible in multi-family zoning districts for the respective jurisdictions.

Staff also notes that this figure (10.6 dwelling units per acre with 900 SF per dwelling) is based on an applicant receiving approval of a Special or Conditional Use Permit under the maximum 22% floor area ratio. Assuming that each dwelling unit contains 900 square feet, the maximum number of dwellings per acre in an OA6 or RA6 zoning district that is allowed by right without a Special or Conditional Use Permit (having a maximum 17% FAR) would be reduced from 10.6 dwellings per acre to 8.2 dwellings per acre (the maximum that would be allowed by right).

Also, if the average size of each dwelling unit changed, the number of dwellings per acre would change. At 900 SF per dwelling unit with maximum FAR of 43%, 20.8 dwellings per acre would be allowed. For instance, if each dwelling were 1,000 SF, the maximum number of units under the proposal would be 18.7 dwelling units per acre. If the size of each dwelling unit were 800 SF, the maximum number of units would be 23.4 dwelling units per acre.



CURRENT ORDINANCE INCLUDED FOR REFERENCE

Table 200-1
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 Yard In Feet*	Rear Required Yard in Feet*	Maximum Height in Feet*	Maximum Floor Area Ratio*	Open Space Ratio*	Recreation Ratio*
R40	40,000 SF 80,000 Duplex 40,000 NonRes	100	30	15	25	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
R15	15,000	100	30	15	25	35	22%		
			1 Single Family Only						
R10	10,000 SF 15,000 Duplex 10,000 NonRes	75	30	10	25	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
R7.5	7,500 SF 11,500 Duplex 7,500 NonRes	60	25	10	20	35	22% 22% 22%		
			1 Single Family or 1 Duplex Only						
RA6	Residential (SF & Duplex) 6,000	60	25	10	20	35	22%		
	Multi Family: Maximum 4 Units Permitted Less than 45,000						17%	30%	
	Multi Family: Greater than 45,000						17%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP						22%	52%	3.3%
	Non-residential 6,000	60	25	10	20	35	22%		
OA6	Residential (SF & Duplex) 6,000	60	25	10	20	35	22%		
	Multi Family: Maximum 4 Units Permitted Less than 45,000						17%	30%	
	Multi Family: Greater than 45,000						17%	52%	3.3%
	Multi Family: Greater than 45,000 with SUP						22%	52%	3.3%
	Non-residential 6,000	60	25	10	20	35	30%		
	Multi Use: Minimum 45,000 for 5 or more units						30%		
O&I	6,000	60	25	10	20	35	30%		
	Multi Use: Minimum 45,000 for 5 or more units						30%		
B1	6,000	60	25	15	15	25	33%		
M	10,000	75	25	10	10	25	33%		
B2	10,000	75	25	0 or 5	0 or 5	35	100%		
TH	40,000	100	30	10	10	35	100%		
B3	N/A	N/A	0	0 or 5	0 or 5	50	N/A		
I1	10,000	75	10	10	10	45	N/A		
I2	20,000	100	10	10	10	45	N/A		
I3	30,000	100	50	20	20	45	N/A		

*Except as specifically modified by this Ordinance

Revised 11/2018

CURRENT ORDINANCE INCLUDED FOR REFERENCE

Notes to Table 200-2: Supplemental Requirements

Note #

Note

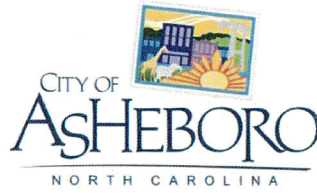
- 11 All structures (towers, poles, etc.) used to support communication receiving or transmitting apparatus shall comply with the applicable height and setback regulations of the district in which such structure is located and as modified and permitted by Section 302.4.
- 12 Facilities meeting the definitions established in General Statute Chapter 168, Article 3 Family Care Homes. Such facilities shall not be located within 1/2 mile radius of each other.
- 13 Open storage yards as accessory uses to a contractor's office are permitted in B2, I1, I2, and I3 districts by right subject to screening and buffering requirements as per Article 300A. No open storage shall be permitted the in OA6, O&I or M Districts. Open storage yards, where permitted, shall be considered as Group 3 use for buffering and screening purposes.
- 14 Amended 8-6-2015: Drive Inn Theaters are subject to the following regulations: **A.** No part of any theater screen, projection booth, or other building shall be located closer than three hundred feet from any residential district nor closer than fifty feet from any lot line. **B.** The image on the theater screen shall not be visible from any minor thoroughfare or higher classification street as shown on the current Asheboro Comprehensive Transportation Plan or from any residential district. **C.** Queuing space within the zoning lot shall be provided for patrons awaiting admission in an amount equal to thirty percent of the vehicular capacity of the theater. **D.** No ingress and egress shall be permitted except from major and minor thoroughfares, as shown on the Asheboro Thoroughfare Plan. **E.** Emergency exits shall be provided and shall meet the approval of the Asheboro Fire Department. Such exits may be allowed on local streets. **F.** Any lights used to illuminate the theater site shall be so arranged as to reflect the light away from adjoining property and streets. No unshaded light sources shall be permitted. Necessary safety lighting of roads and buildings, and lighting required by governmental regulations shall be permitted. **G.** The theater site shall be graded, surfaced, drained, and suitably maintained to the extent necessary to avoid nuisances of dust, erosion, or excessive water flow across public ways or adjacent lands. Storm water management shall be provided to protect adjoining property from erosion or flooding. **H.** Buffers and screens shall be provided as required by this Ordinance. **I.** No central loudspeaker system shall be permitted as part of the theater operation. Sound shall be transmitted by means of individual speakers mounted adjacent to the automobile parking stalls.
- 15 **Amended 8-6-2015:** A full-time on-site manager shall be provided for multifamily dwellings with a total of **75 units or more**. A permanent office shall be provided for the manager. The floor area contained in the on-site manager's office shall not be counted in the total FAR. The required recreation space (*areas for common passive or active recreation use*) may include, but not be limited to a swimming pool, picnic areas with tables, basketballs goals with paved play areas, and playground(s) with play equipment; outdoor seating areas and the like where the facilities are available for common use by tenants and visitors. Active recreation space shall be at least 20 feet from any residential unit. The project may be developed in phases. Phase 1 shall include the required amenities. No Certificate of Occupancy for any phase of the project shall be issued until all required or proposed improvements are installed for that phase.

A designated storage area for parking of recreational vehicles, boats, camp/travel trailers shall be provided in all multifamily housing developments containing more than four residential units.

The designated storage area(s) shall provide 72 square feet for every residential dwelling unit with a minimum of 720 square feet to be provided. Such area(s), when visible from the public right-of-way, shall have screening consisting of landscaping and/or fencing compatible with the development's architectural and landscaping design and compliant with applicable design standards. Required and non-required storage area(s) shall comply with the screening requirements of this sub-section and the requirements of Section 303A.1.

Additionally, one overflow parking space shall be provided for every ten (10) required parking spaces within the development.

Storage of junked and/or nuisance vehicles is not permitted in the recreational vehicle storage area and/or the overflow parking area.



**RZ-19-04: Request to rezone from B2 (General Commercial) to CU-RA6
(Conditional Use High-Density Residential)**

481 NC Hwy. 49 South

Staff Report

Rezoning Staff Report

RZ Case # RZ-19-04

Date 3/4/2019 PB

General Information

Applicant Wynnefield Properties, Inc. C. Craig Stone

Address PO Box 395

City Jamestown NC 27282

Phone 336-822-0765

Location 481 NC Hwy. 49 South

Requested Action Rezone from B2 General Commercial to CU-RA6 Conditional Use High-Density Residential

Existing Zone B2 General Commercial **Existing Land Use** Single-Family Dwelling

Size 4.01 acres +/-

Pin # 7740931871 & 7740941140

Applicant's Reasons as stated on application

See attached. Applicant response included both RZ-19-03 and RZ-19-04. Staff notes that these are two separate cases.

Surrounding Land Use

North Industrial/Commercial/Single-Family

East Commercial

South Undeveloped commercial

West Commercially zoned with legal non conforming residential

Zoning History

Legal Description

The properties of Debra Burrows Setzer, Milton F. Yates Estate, and Roger Yates (481 NC Hwy. 49 S.), totaling approximately 4.01 acres +/- & more specifically identified by Randolph County Parcel Identification Numbers 7740931871 & 7740941140.

Analysis

1. The property is inside the city limits.
2. NC 49 South is a state-maintained major thoroughfare.
3. The applicant has requested rezoning to a Conditional Use High-Density Residential zoning district. The zoning ordinance describes the underlying RA6 zoning district as follows: "...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."
4. The applicant has also filed a Conditional Use Permit for a multi-family residential development.
5. The area is characterized by a mix of commercial, industrial, and residential uses, including a multi-family residential development to the southeast consisting of 216 dwelling units.

Rezoning Staff Report

RZ Case # RZ-19-04

Page 2

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	Southwest
Growth Strategy Map Designation	Primary Growth

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*)

Checklist Item 5: Complies with Growth Strategy Map

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-19-04

Page 3

LDP Goals/Policies Which Do Not Support Request

Checklist Item 1: Does not comply with LDP 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

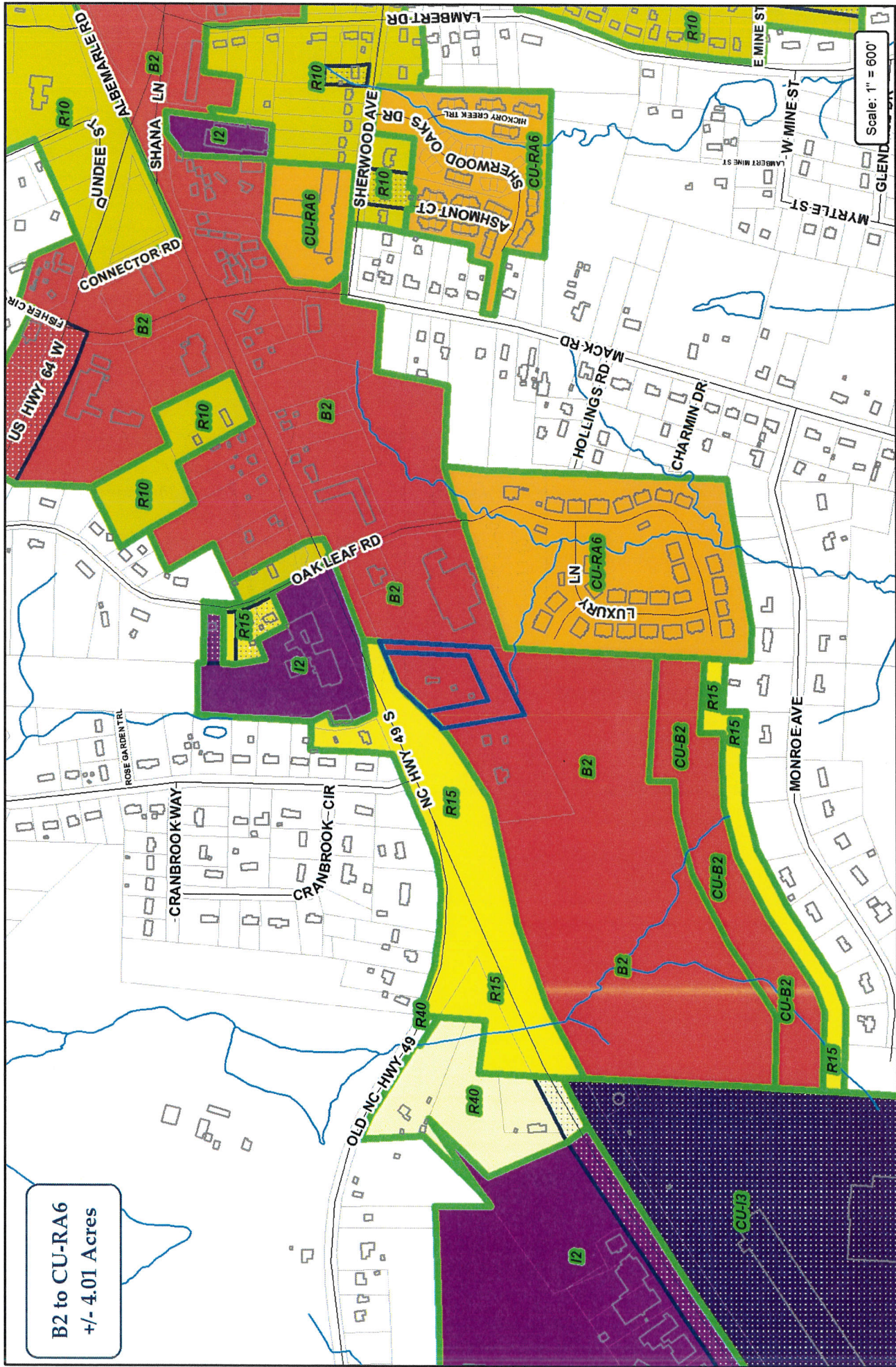
Although the request doesn't align with the Land Development Plan map designation of the property for commercial use, several factors support the requested Conditional Use High-Density Residential district.

The property is in close proximity to another significant multi-family residential use as well as complementary commercial development. This immediacy supports the LDP's objective of locating urban residential uses in close proximity to supportive non-residential uses.

The Conditional Use permitting process can also help ensure that the property develops in a manner consistent with the Land Development Plan's "urban residential" description, including design features that promote walkability and harmony with surrounding land uses.

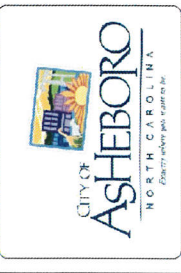
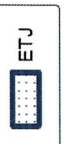
Considering these factors, staff believes that the proposed zoning map amendment is reasonable and in the public interest

Recommendation In light of the above analysis, staff's recommendation is to approve the CU-RA6 district request.



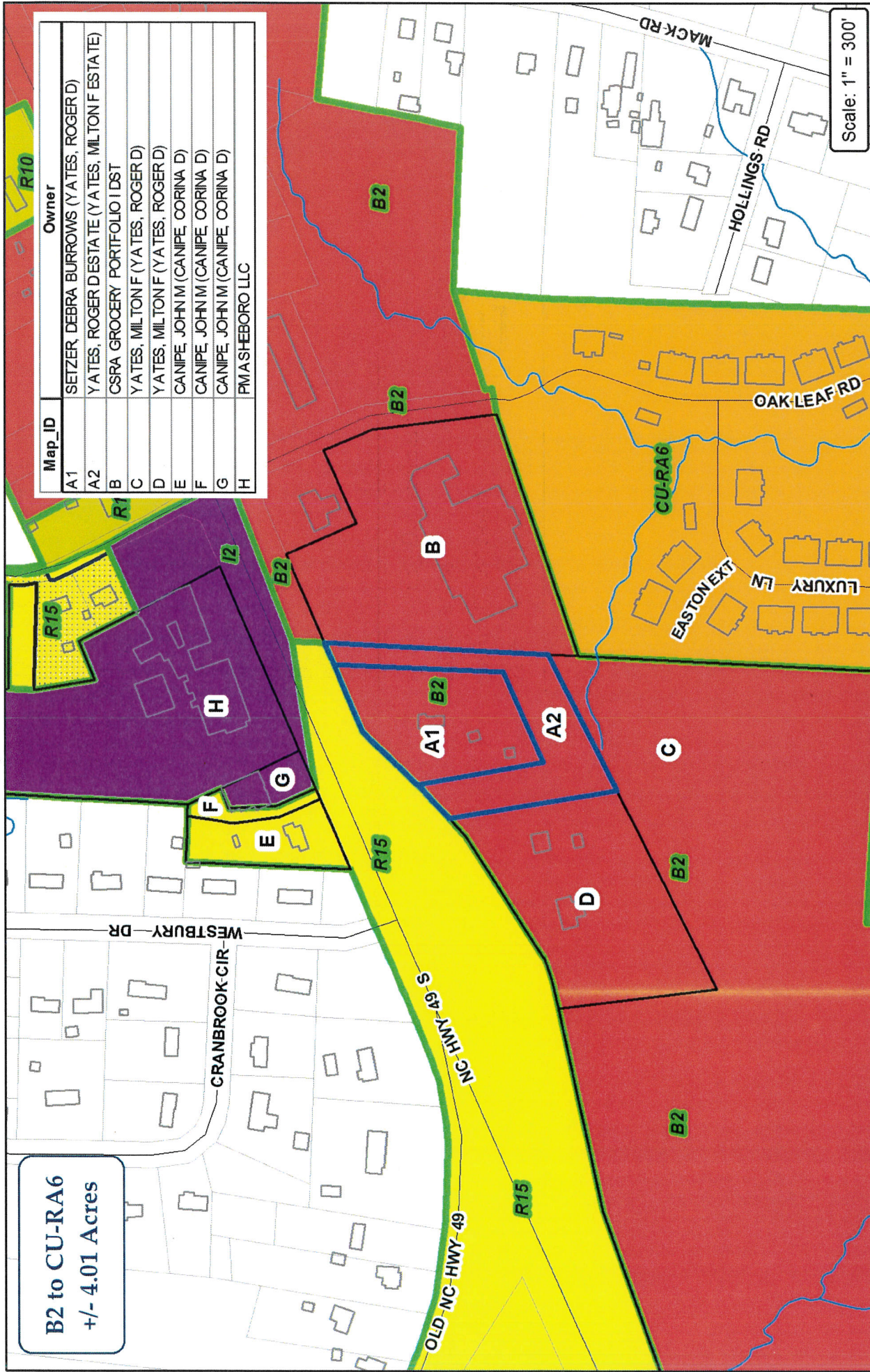
Subject Property
Zoning

City of Asheboro Planning & Zoning Department
Rezoning Case: RZ-19-04
Conditional Use Permit: CUP-19-04
Parcel: 7740931871 & 7740941140



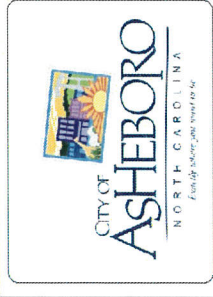
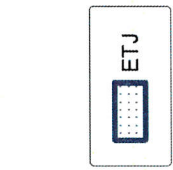
**B2 to CU-RA6
+/- 4.01 Acres**

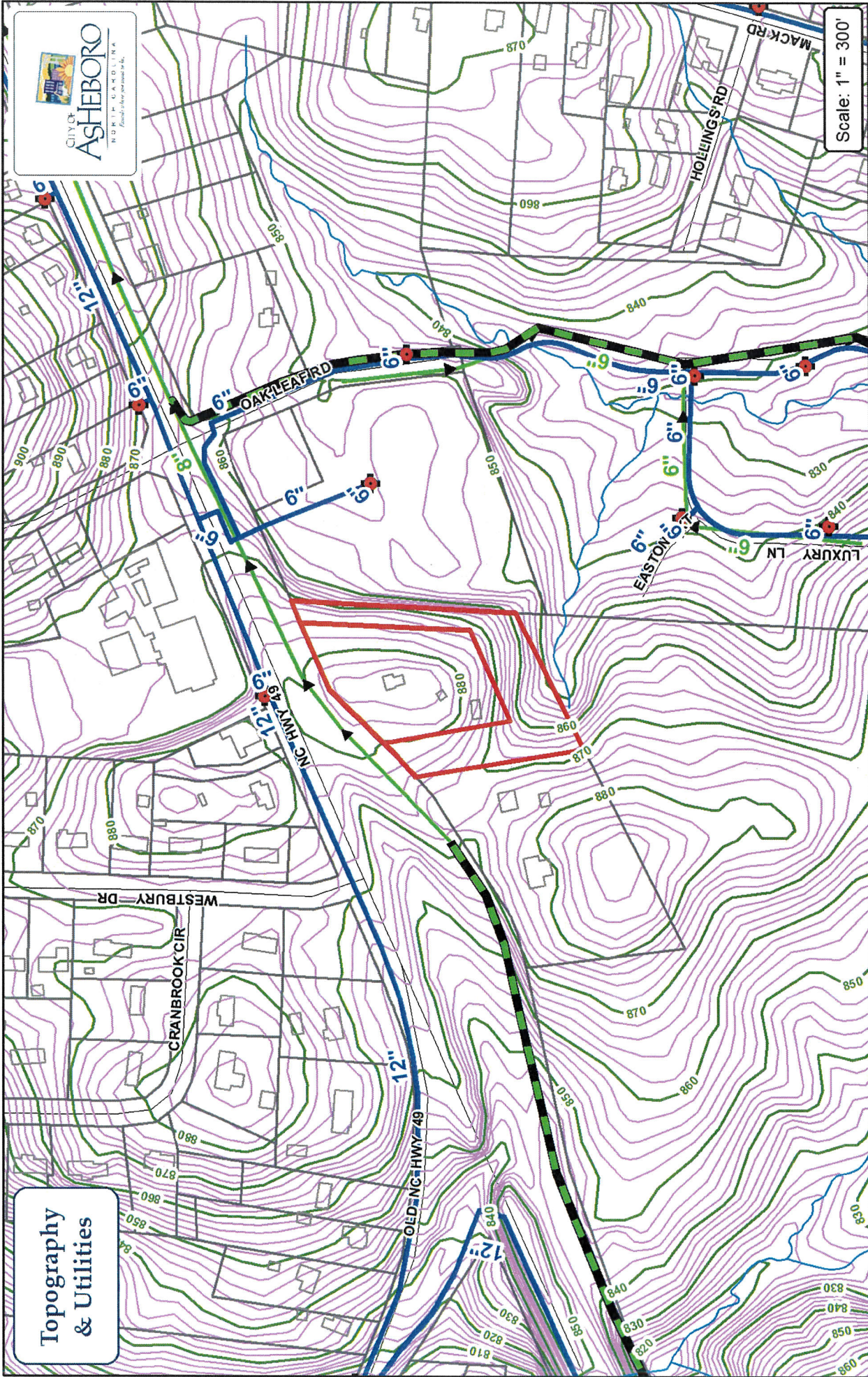
Map_ID	Owner
A1	SETZER, DEBRA BURROWS (YATES, ROGER D)
A2	YATES, ROGER DESTATE (YATES, MILTON F ESTATE)
B	CSRA GROCERY PORTFOLIO I DST
C	YATES, MILTON F (YATES, ROGER D)
D	YATES, MILTON F (YATES, ROGER D)
E	CANIPE, JOHN M (CANIPE, CORINA D)
F	CANIPE, JOHN M (CANIPE, CORINA D)
G	CANIPE, JOHN M (CANIPE, CORINA D)
H	PMASHEBORO LLC



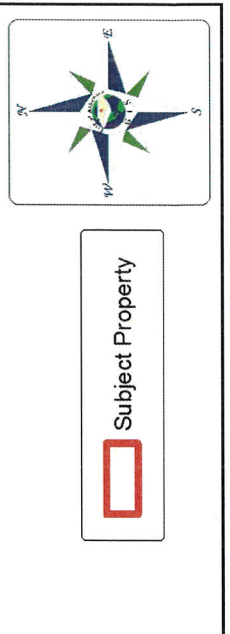
☐ Subject Property
☐ Adjoining Properties
☐ Zoning

City of Asheboro Planning & Zoning Department
 Rezoning Case: RZ-19-04
 Conditional Use Permit: CUP-19-04
 Parcel: 7740931871 & 7740941140





City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-19-04
Conditional Use Permit: CUP-19-04
Parcel: 7740931871 & 7740941140





Aerial

Scale: 1" = 300'



Subject Property



Zoning

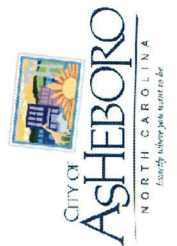


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-04

Conditional Use Permit: CUP-19-04

Parcel: 7740931871 & 7740941140





**RZ-19-05: Request to rezone property from R10 Medium-Density Residential
to O&I (Office & Institutional)**

1644, 1702, & 1712 North Fayetteville St.

Staff Report

Rezoning Staff Report

RZ Case # RZ-19-05

Date 3/4/19 Planning Board

General Information

Applicant Balfour Baptist Church
Address 1644 N. Fayetteville St.
City Asheboro NC 27203
Phone 336-672-0075
Location 1644, 1702, 1712 N. Fayetteville St.

Requested Action Rezone from R-10 Medium-Density Residential to O&I Office & Institutional

Existing Zone R10
Size 6.3 acres +/-
Existing Land Use Place of Worship (A portion of the property is undeveloped).
Pin # 7762064208, 7762065123, 7762067634

Applicant's Reasons as stated on application

Office & Institutional zoning is more compatible with the long term goals of Balfour Baptist Church. Office and Institutional offers more effective potential as it relates to the future programming needs of Balfour. Needs assessments require appropriate planning for the management of future growth.

Surrounding Land Use

North Commercial/Institutional/Manufactured home
East Single-family residential/undeveloped
South Single-family
West Single-Family/Commercial

Zoning History N/A

Legal Description

The properties of Balfour Baptist Church, located at 1644, 1702 & 1712 N. Fayetteville St., consisting of a portion of Randolph County Parcel Identification Numbers 7762064208, 7762065123, 7762067634, and totaling approximately 6.3 acres +/-.

Analysis

1. The property is inside the city limits.
2. North Fayetteville St. is a state-maintained major thoroughfare.
3. The applicant is requesting that the portion of the property that is currently zoned B2 remain B2. The requested O&I (Office & Institutional) district is only proposed for the portion of the property currently zoned R10.
4. The zoning ordinance describes the O&I Commercial District as "intended 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."
5. There is currently a place of worship occupying the properties. Tax records indicate that the current structures have been in place since 1950 (1644 N. Fayetteville St.), 1967 (1702 N. Fayetteville St.), and 1976 (1712 N. Fayetteville St.). A place of worship is permitted by right in an O&I district along with the other permitted uses (such as medical/professional offices, schools, cultural centers, light services uses such as hair salons). Significant additions or modifications (such as adding more than 5 percent additional parking) requires a Special Use Permit when located in a residential zoning district.
6. The majority of the property located at 1644 N. Fayetteville St. and 1702 N. Fayetteville St. is developed with structures and/or parking. The majority of the property located at 1712 N. Fayetteville St. (Parcel ID 7762067634) is undeveloped.

Rezoning Staff Report

RZ Case # RZ-19-05

Page 2

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/Neighborhood Residential

Small Area Plan Northeast

Growth Strategy Map Designation Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Complies with LDP proposed land use map (portion of the property)

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

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, 13, and 14: 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area. 14.) Rezoning is not located on steep slopes of greater than 20%.

Rezoning Staff Report

RZ Case # RZ-19-05

Page 3

LDP Goals/Policies Which Do Not Support Request

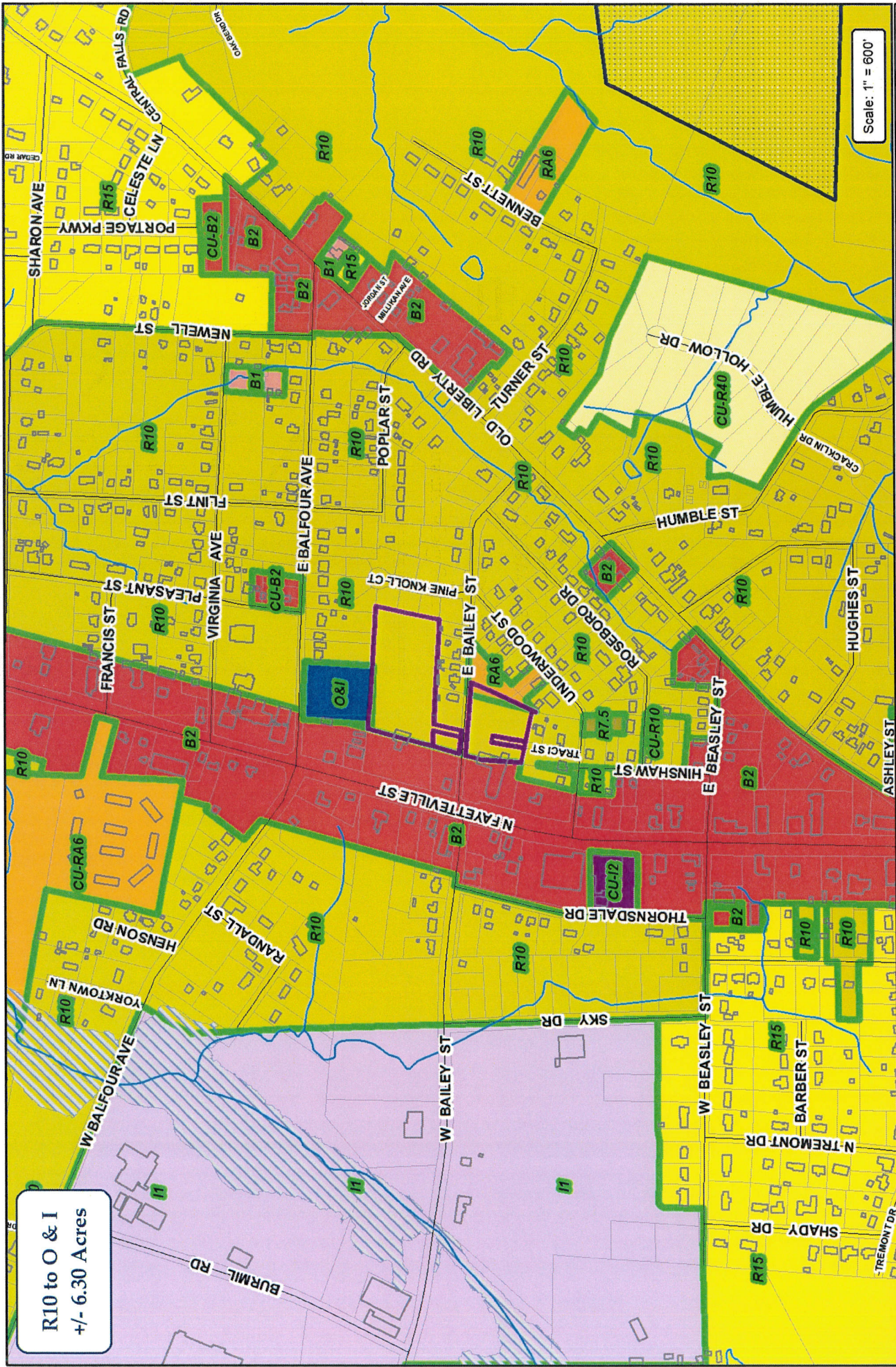
Checklist Item 1: Does not comply with LDP proposed land use map (rear/eastern portion of properties)

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

Staff believes that the request is generally consistent with the Land Development Plan. The LDP directly supports extending commercial zoning an additional 100 feet east of the B2/R10 zoning line. Further the established use of each of the properties is also consistent with an Office & Institutional designation and there are surrounding uses in the vicinity (such as a school, emergency public use facility, and other places of worship) that make an O&I zoning district an appropriate zoning designation. Additionally, the O&I district can serve as an effective transition between the existing B2 zoning on the front portion of the property and residential uses to the east.

While there are a number of residential properties directly abutting parcel 7762067364, the limited number of non-residential uses allowed in the O&I district combined with O&I landscaping requirements help to mitigate concerns over possible adverse impacts to adjoining residential properties.

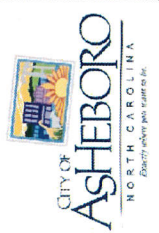
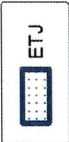
Recommendation In light of the above analysis, staff's recommendation is to approve the O&I district request.

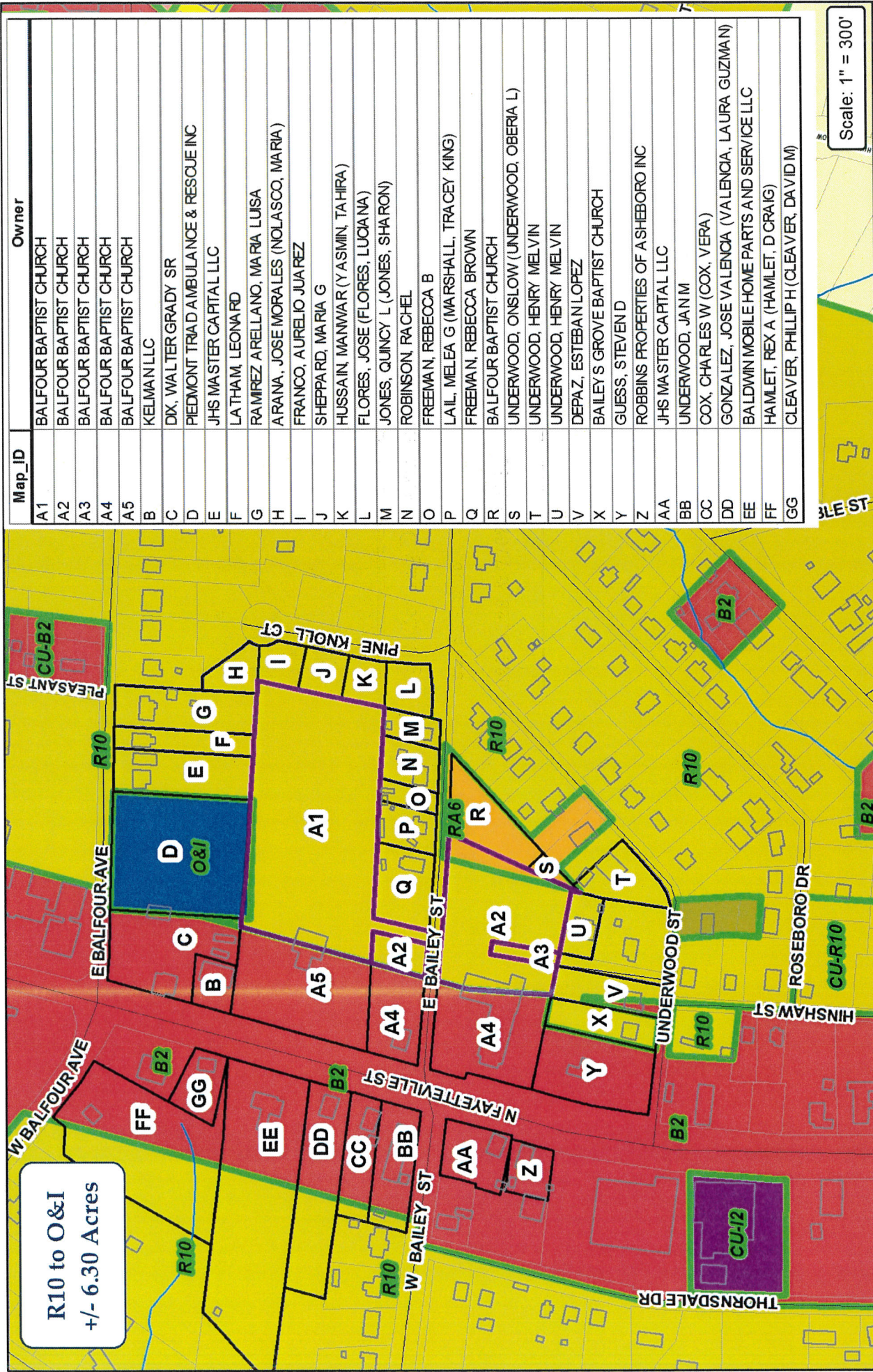


City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-05

Parcel: 7762064208, 7762065123 & 7762067634





Map_ID	Owner
A1	BALFOUR BAPTIST CHURCH
A2	BALFOUR BAPTIST CHURCH
A3	BALFOUR BAPTIST CHURCH
A4	BALFOUR BAPTIST CHURCH
A5	BALFOUR BAPTIST CHURCH
B	KELMAN LLC
C	DX, WALTER GRADY SR
D	PIEDMONT TRIAD AMBULANCE & RESCUE INC
E	JHS MASTER CAPITAL LLC
F	LA THAM, LEONARD
G	RAMIREZ ARELLANO, MARIA LUISA
H	ARANA, JOSE MORALES (NOLASCO, MARIA)
I	FRANCO, AURELIO JUAREZ
J	SHEPPARD, MARIA G
K	HUSSAIN, MANWAR (YASMIN, TAHIRA)
L	FLORES, JOSE (FLORES, LUCIANA)
M	JONES, QUINCY L (JONES, SHARON)
N	ROBINSON, RACHEL
O	FREEMAN, REBECCA B
P	LAIL, MELEA G (MARSHALL, TRACEY KING)
Q	FREEMAN, REBECCA BROWN
R	BALFOUR BAPTIST CHURCH
S	UNDERWOOD, ONSLOW (UNDERWOOD, OBERIA L)
T	UNDERWOOD, HENRY MELVIN
U	UNDERWOOD, HENRY MELVIN
V	DEPAZ, ESTEBAN LOPEZ
X	BAILEY'S GROVE BAPTIST CHURCH
Y	GUESS, STEVEN D
Z	ROBBINS PROPERTIES OF ASHEBORO INC
AA	JHS MASTER CAPITAL LLC
BB	UNDERWOOD, JAN M
CC	COX, CHARLES W (COX, VERA)
DD	GONZALEZ, JOSE VALENCIA (VALENCIA, LAURA GUZMAN)
EE	BALDWIN MOBILE HOME PARTS AND SERVICE LLC
FF	HAMLET, REX A (HAMLET, D CRAIG)
GG	CLEAVER, PHILLIP H (CLEAVER, DAVID M)

Scale: 1" = 300'

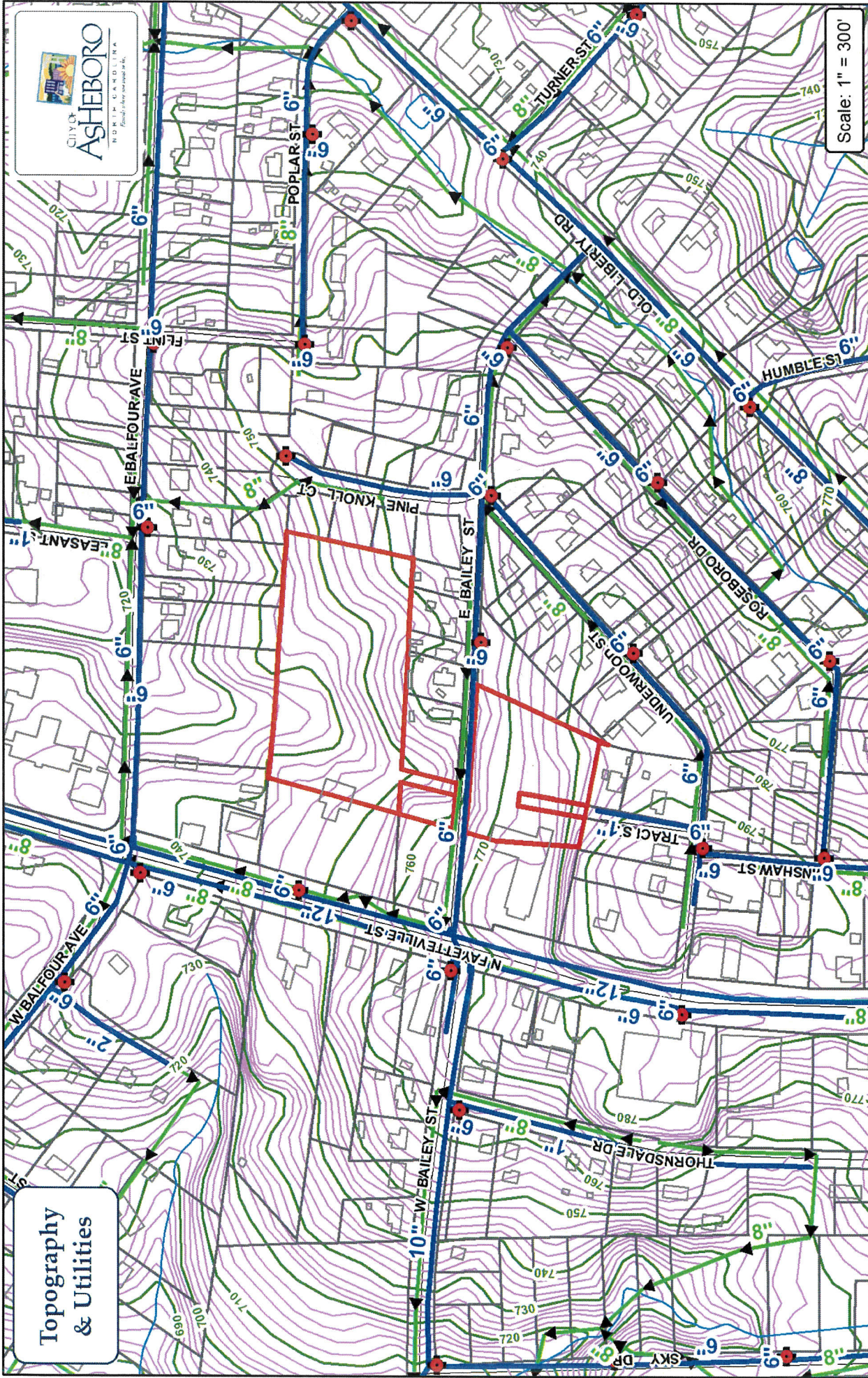
Subject Property
 Adjoining Properties
 Zoning

City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-05

Parcel: 7762064208, 7762065123 & 7762067634

ETJ



City of Asheville
Planning & Zoning Department
Rezoning Case: RZ-19-05
Parcel: 7762064208, 7762065123 & 7762067634

Subject Property

Water Main

Sewer Main

Force Main

Fire Hydrant

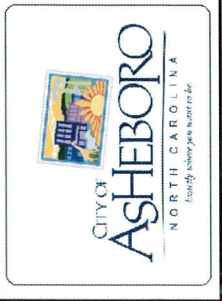
Pump Station



City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-19-05

Parcel: 7762064208, 7762065123 & 7762067634





BOA-19-01: Variance from required side and rear yard setbacks (Asheboro Zoning Ordinance, Table 200-1 & Section 303):

759 Newbern Avenue

Staff Report

Board of Adjustment Staff Report

Case: BOA 19-01

Date: March 4, 2019

Requested Action: Variance from Table 200-1 and Section 303 of the Asheboro Zoning Ordinance, which regulates required yards (setbacks).

GENERAL INFORMATION:

Applicant: Bobby Crumley

Address: 759 Newbern Ave.

Location of Affected Property: 759 Newbern Ave. (PIN 7760226318)

Size: 0.68 Acres **Existing Zone:** R10: Residential

Existing Land Use: Dwelling, Single Family

Surrounding Land Use:

North: Residential

East: Residential

South: Residential

West: Residential

Land Development Plan: Primary Growth/Neighborhood Residential

ANALYSIS

The Zoning Lot is located in Pinecroft Village subdivision on Newbern Ave., a city maintained street. The subdivision was created in 1986 and the applicant purchased the Zoning Lot in 1992. Both the Zoning Lot and Dwelling, Single Family are legal, conforming.

The applicant would like to construct an Accessory Detached Structure. Table 200-1 of the Zoning Ordinance requires a 10 foot side required yard and 25 foot rear required yard for principal structures. Section 303 of the Zoning Ordinance reduces the 25 foot rear required yard to a 10 foot required yard for Accessory Detached Structures. The applicant requests to reduce the side and rear required yards to 5 feet.

The concurring vote of four-fifths of the Board shall be necessary to grant a variance. (904.2)

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.

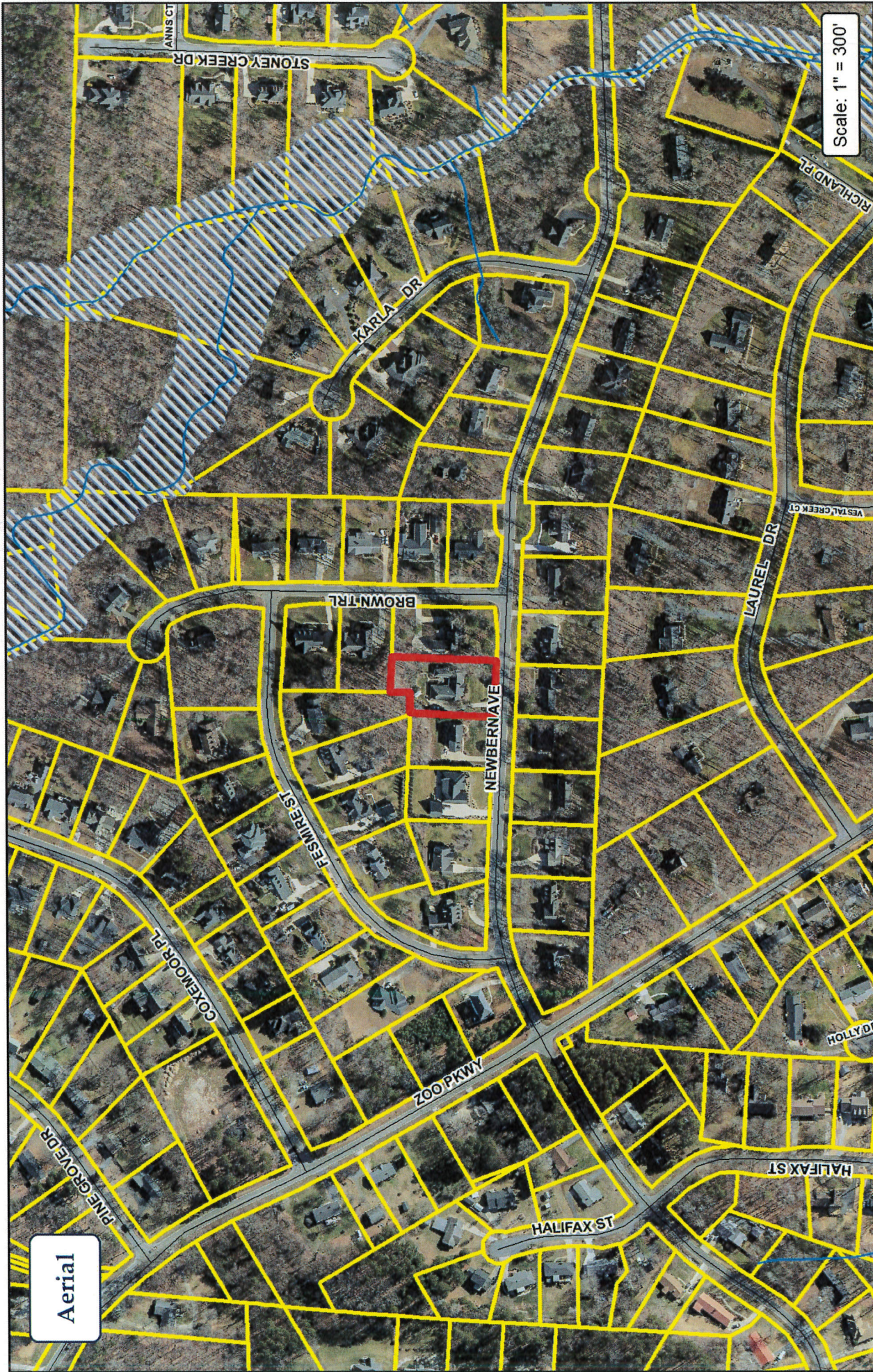
The Board may impose appropriate conditions upon the granting of any variance provided that the conditions are reasonably related to the variance. Violation of such conditions shall be a violation of this Ordinance. (905)

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

Variance: Reduction in minimum Required Side and Rear Yards, as required by Table 200-1 and Section 303, to 5 feet.

Member's Vote: Yes _____ No _____

Signature _____



Aerial

Scale: 1" = 300'



Subject Property



City of Asheboro Planning & Zoning Department

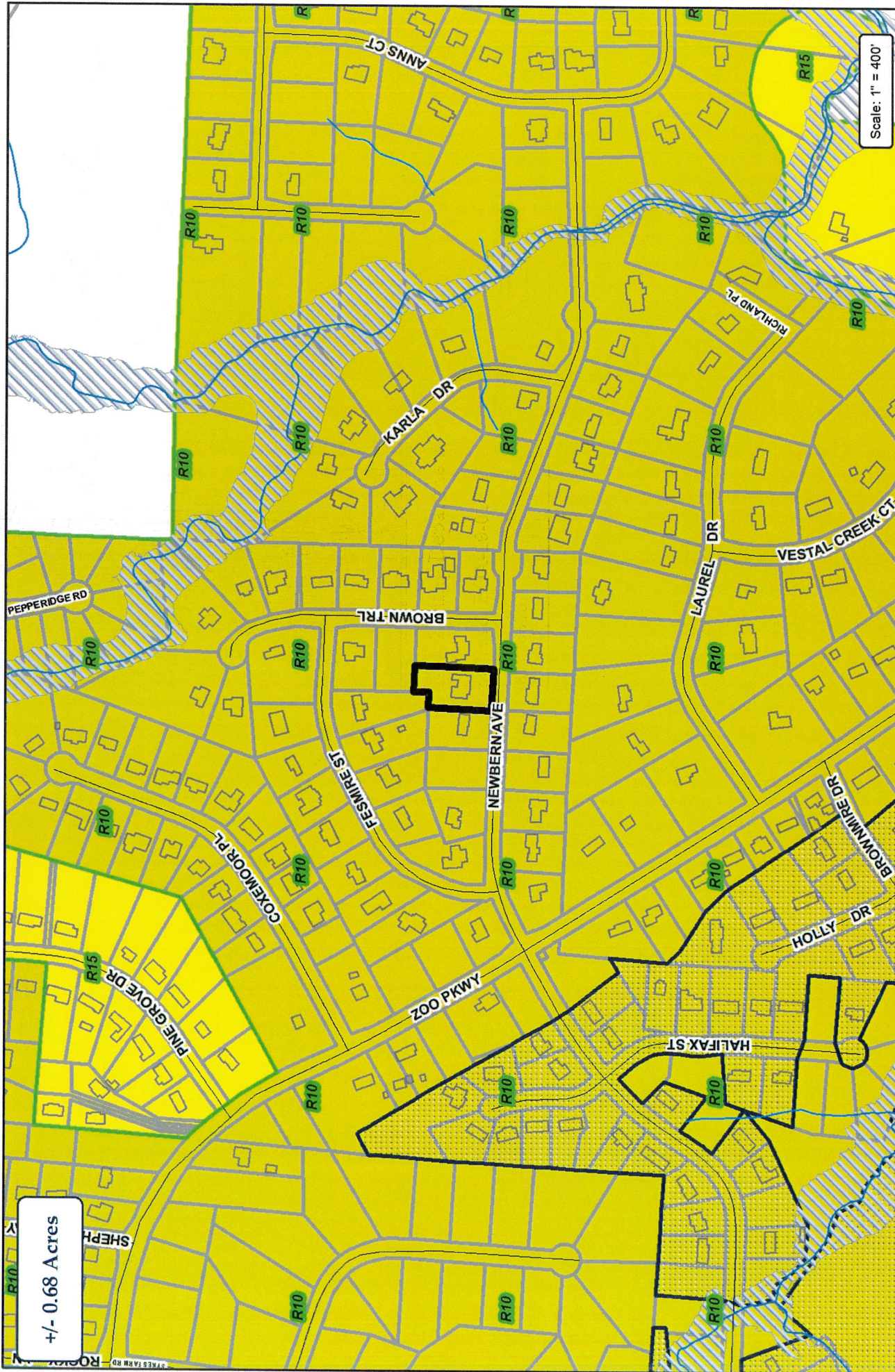
Board of Adjustment Case: BOA-19-01

Parcel: 7760226318



CITY OF
ASHEBORO
NORTH CAROLINA

Locality shown just north of the



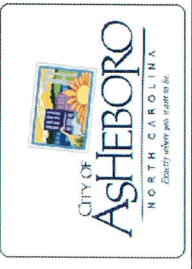
City of Asheboro Planning & Zoning Department
 Board of Adjustment Case: BOA-19-01

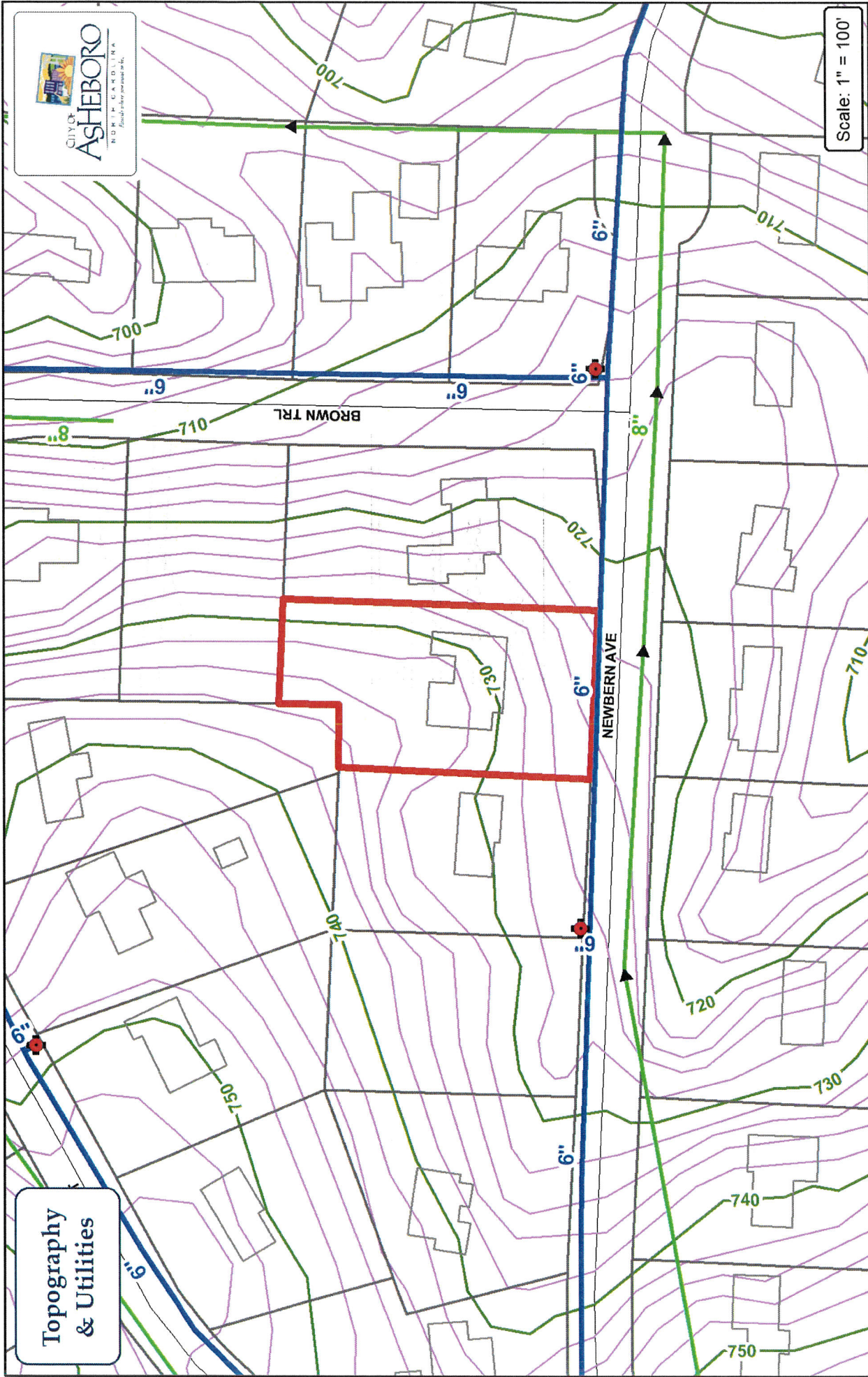
Parcel: 7760226318



Legend:

- Subject Property (Black outline)
- Zoning (Green outline)
- ETJ (Hatched pattern)





City of Asheboro
Planning & Zoning Department
Board of Adjustment Case: BOA-19-01
Parcel: 7760226318

Subject Property

Water Main

Sewer Main

Force Main

Fire Hydrant

Pump Station

STATEMENT BY APPELLANT/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 appeal, request for a variance, or request for an interpretation of the Zoning Ordinance. In providing this information, please state the precise action that you would like to see taken by the Board of Adjustment.

We desire to build a detached 2 car garage. Because of the odd shape of our lot and the position of the house on the lot, we need a 5' variance to build. We will, if the variance is allowed, construct from same type of brick, same roof line style as house, and allow for water runoff from same system as that for house roof runoff. The area where the variance is requested will not obstruct existing homes nor abut existing homes or garages. The other side of our lot has 3-4 feet fall and would make it difficult to build or result in high building height or retaining wall towards the neighboring property. Building where we desire would reduce required driveway resulting in less impervious surfaces. We request a 5' variance on side & back.

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

Notes:

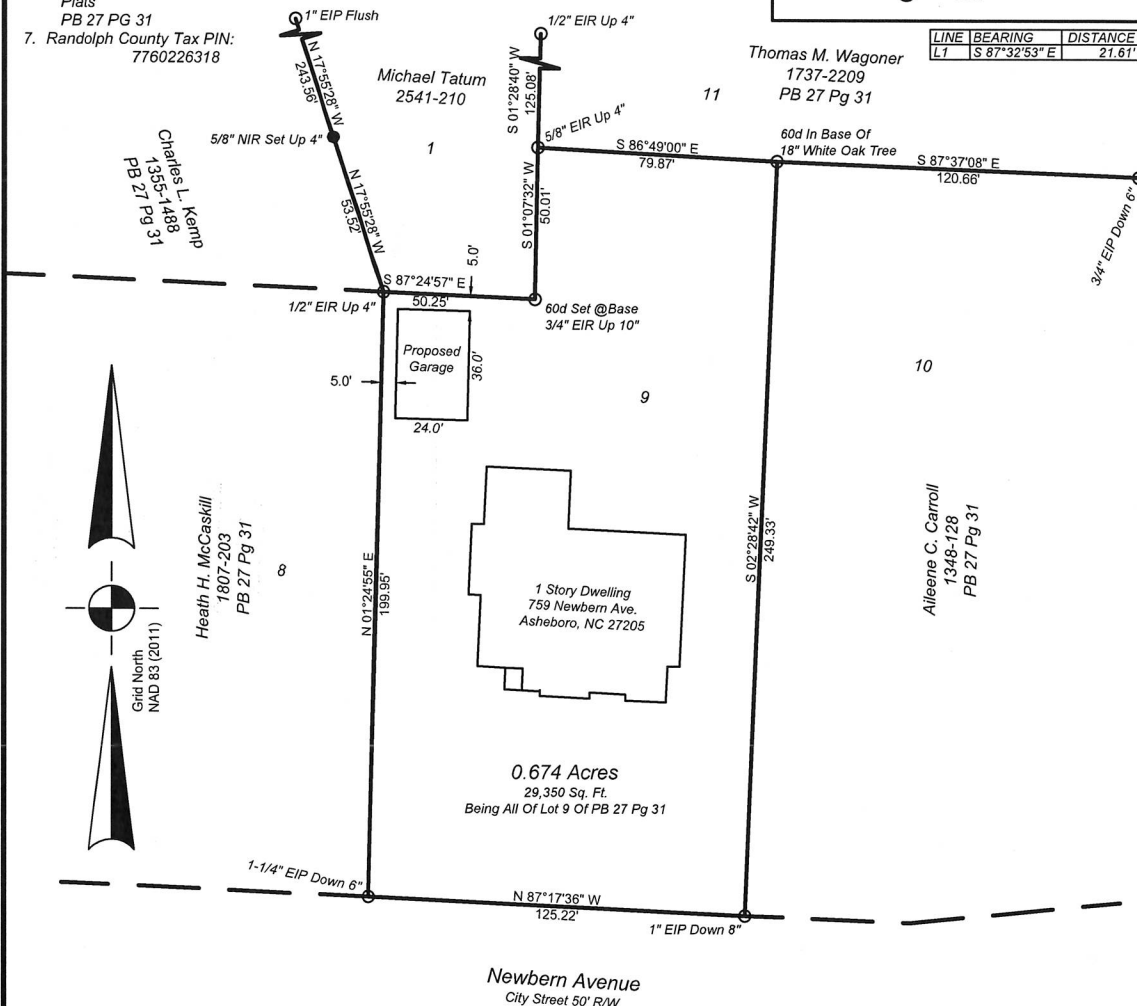
1. No NCGS Monuments found within 2000' of property.
2. This project is not located within a special flood hazard area.
3. Area calculated by coordinate geometry.
4. All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated by dashed lines.
5. No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
6. Deeds and plats referenced (Randolph Co. registry):
Deeds:
DB 1320 PG 241
Plats
PB 27 PG 31

7. Randolph County Tax PIN:
7760226318

Legend

	Property Line
	Computed Property Line
	Right of Way Line
	Easement Line
	Tie Lines
	Old Plat Book Line
	Existing Iron Rod/Pipe
	NIR
	Point Not Set/Computed Point
	Well

LINE	BEARING	DISTANCE
L1	S 87°32'53" E	21.61'



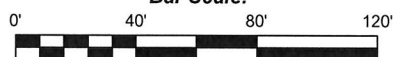
THIS SURVEY IS NOT SUBJECT TO GS 47-30
AND IS NOT TO BE USED FOR RECORDING

Site Plan For:

Bobby Crumley

Asheboro Township Randolph County
North Carolina January 1, 2018
Scale: 1" = 40 US Survey Feet

Bar Scale:



SURVEY CAROLINA, PLLC

154-B S. Fayetteville St,
Asheboro, NC 27203

Phone Number: 336 625-8000

Email: mail@surveycarolina.com

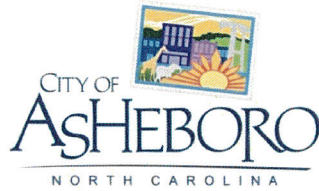
Firm #: P-1110

Dan W Tanner II L-4787

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Job #:

10794_rev_crumley



BOA-19-02: Variance from required side yard setback (Asheboro Zoning Ordinance, Table 200-1 & Section 303):

612 Hemlock Dr.

Staff Report

Board of Adjustment Staff Report

Case: BOA 19-02

Date: March 4, 2019

Requested Action: Variance from Table 200-1 of the Asheboro Zoning Ordinance, which regulates required yards (setbacks).

GENERAL INFORMATION:

Applicant: William Fredrick Barker

Address: 1506 Westmont Ct.

Location of Affected Property: 612 Hemlock Dr. (PIN 7760069000)

Size: .442 Acres **Existing Zone:** R15 Residential

Existing Land Use: Dwelling, Single Family

Surrounding Land Use:

North: Residential

East: Residential

South: Residential

West: Residential

Land Development Plan: Primary Growth/Neighborhood Residential

ANALYSIS

The Zoning Lot is located on Hemlock Dr., a city maintained street. The existing Dwelling, Single Family was constructed in 1964 according to Randolph County Tax Department records. At the completion of construction, the dwelling was legal, conforming and zoned R10 Residential. In 1991, a rezoning (RZ 92-4) of approximately 105 acres in Dixieland Acres from R10 to R15 Residential was approved by City Council. This rezoning made the dwelling legal, nonconforming with respect to both side required yards as regulated by Table 200-1 of the Zoning Ordinance. R10 requires a 10 foot side required yard and R15 requires a 15 foot side required yard. The applicant purchased the property in November 2018 and subsequently purchased an additional small strip of land from the western adjoining property owner. After this recombination, the dwelling is legal, conforming with regards to the western side required yard, and legal, nonconforming with regards to the eastern side required yard. The applicant proposes to construct a 12 foot wide unenclosed carport attached to the existing dwelling. The applicant requests a reduction in the side required yard along the western lot line from 15 feet to 8 feet.

The concurring vote of four-fifths of the Board shall be necessary to grant a variance. (904.2)

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.

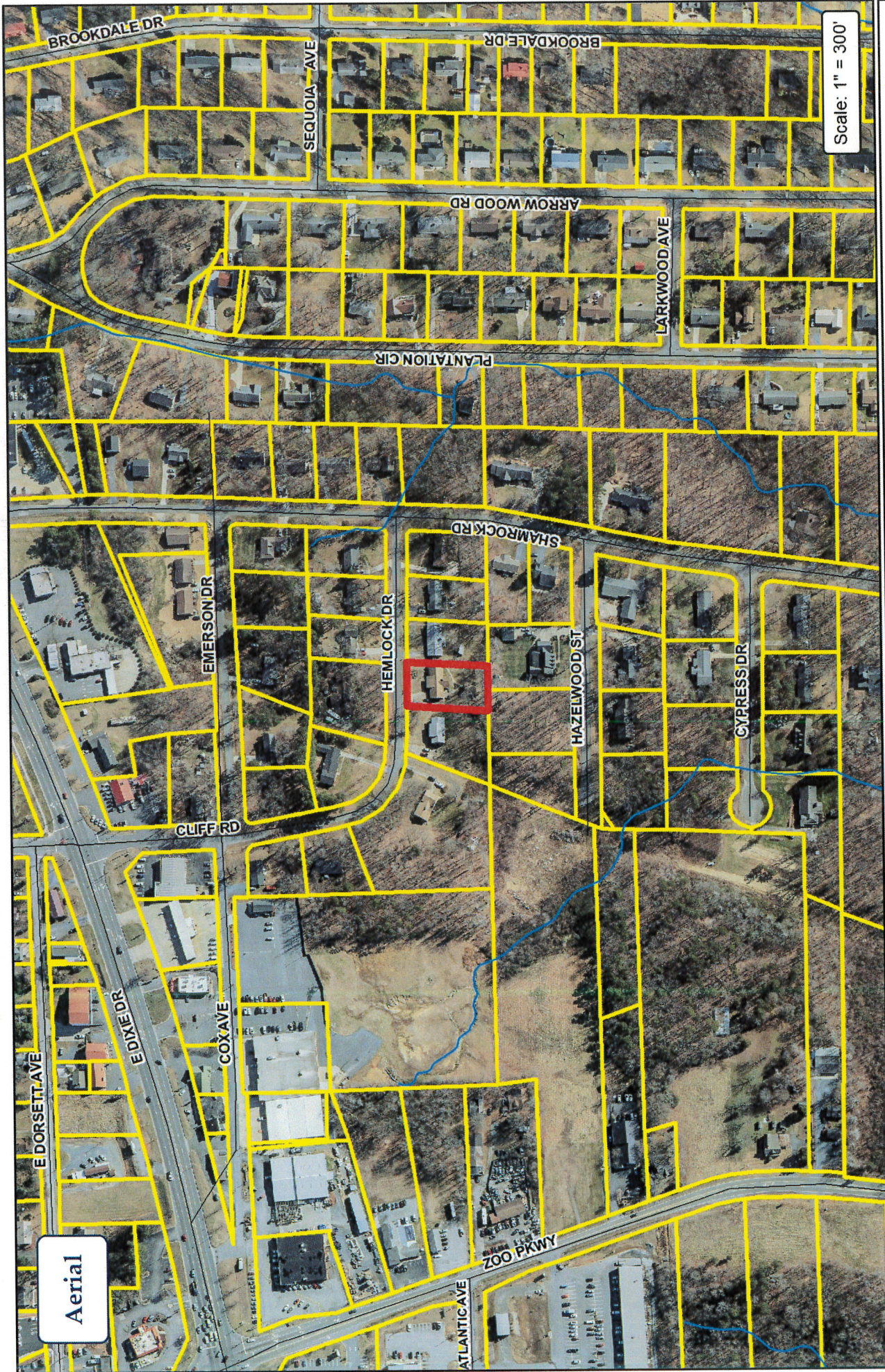
The Board may impose appropriate conditions upon the granting of any variance provided that the conditions are reasonably related to the variance. Violation of such conditions shall be a violation of this Ordinance. (905)

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

Variance: Reduction in minimum Required Side Yard, as required by Table 200-1, to 8 feet along the western portion of the lot.

Member's Vote: Yes _____ No _____

Signature _____



Aerial

Scale: 1" = 300'

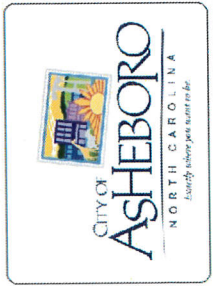


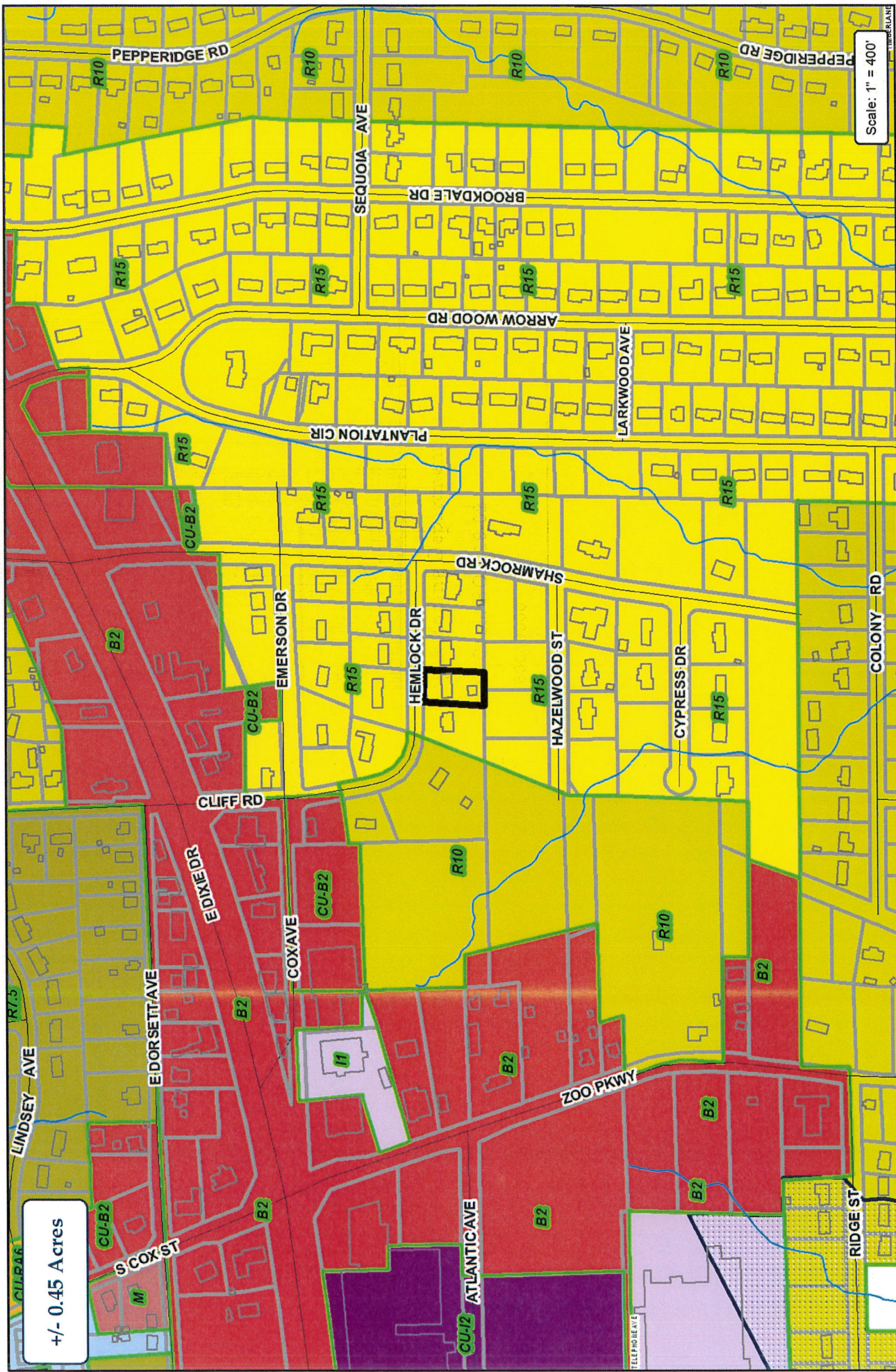
Subject Property

City of Asheboro Planning & Zoning Department

Board of Adjustment Case: BOA-19-02

Parcel: 7760069000





+/- 0.45 Acres

Scale: 1" = 400'

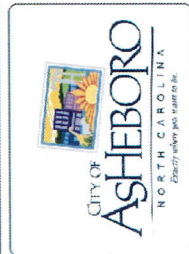


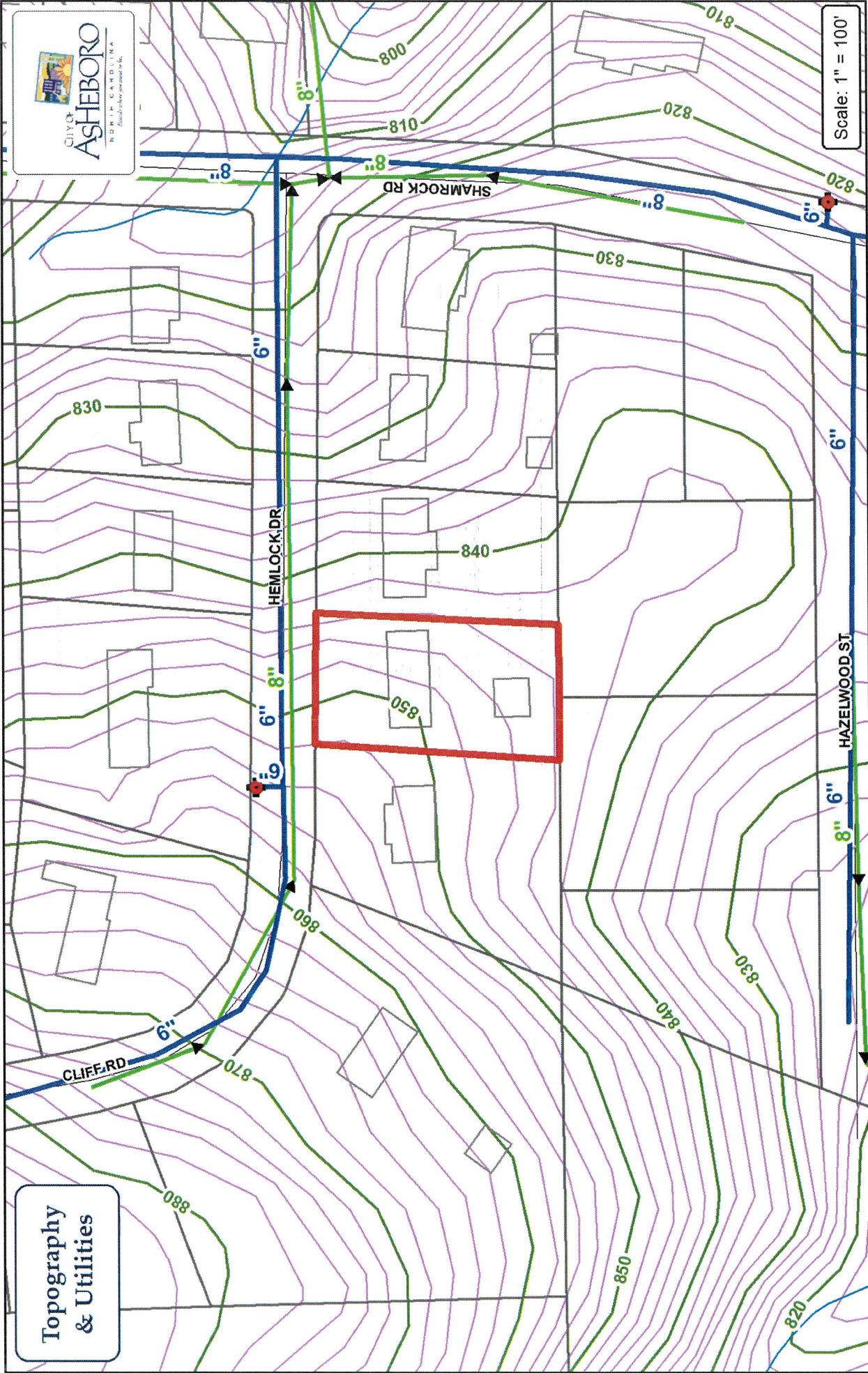
Subject Property
 Zoning
 ETJ

City of Asheboro Planning & Zoning Department

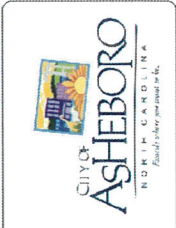
Board of Adjustment Case: BOA-19-02

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Topography
& Utilities



Scale: 1" = 100'



City of Asheboro
Planning & Zoning Department
Board of Adjustment Case: BOA-19-02
Parcel: 7760069000



	Water Main		Fire Hydrant
	Sewer Main		Pump Station
	Force Main		

STATEMENT BY APPELLANT/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 appeal, request for a variance, or request for an interpretation of the Zoning Ordinance. In providing this information, please state the precise action that you would like to see taken by the Board of Adjustment.

This 100 Foot wide lot had a house built centering the lot. This house was built in 1964. The distance from the original carport to the property line is 13.7 feet. I would like to build an additional carport beside the present one. I need 12 feet to do this. My next door Neighbor sold me 10 feet of his land joining my property. This adds to my property and gives me 20 feet 10 inches of land from my present carport. I cannot add my carport without a variance as I will not have a 15 foot setback.

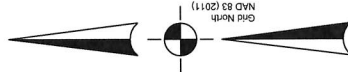
I would appreciate your help as I want an attached carport so it will not look out of place but like it belongs.

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

William Fredrick Barton

Signature of Applicant

7. Randolph County Tax PIN: 7760069000



Variance For:
William Barker

City Of Asheboro
Asheboro Township
North Carolina
Randolph County
December 20, 2018
Scale: 1" = 30 US Survey Feet



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ERM #: P-1110
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