



**Asheboro Planning Board  
Asheboro City Hall (146 N. Church Street)  
Monday, May 3, 2021  
7:00 PM  
AGENDA**

- I. Call to Order
- II. Approval of Minutes from April 5, 2021
- III. Review of Cases
- IV. Old Business
  - (a) RZ-21-02 (Old Business): Text amendments to the zoning ordinance for compliance with NC General Statutes 160D (Local Planning and Development Regulations)
  - (b) Requests involving property located on the north side of Kidd Drive (Randolph County Parcel Identification Number 7761458800)
    - i.) RZ-21-03: Request to rezone property from R10 Medium-Density Residential to R40 Low-Density Residential
    - ii.) BOA-21-01 (Planning Board Acting as Board of Adjustment): Variance request from Section 106 (Every Lot Must Abut a Street...)
- V. RZ-21-05: Request to rezone property located at the southeastern corner of Cliff Road and Emerson Drive (Randolph County Parcel Identification Number 7760066359) from R15 Low-Density Single-Family Residential to R10 Medium-Density Residential
- VI. SUB-95-06: Windcrest Acres Preliminary Plat
- VII. Annual Report concerning Planning Board activities, expenditures, and budget estimates
- VIII. Items not on the agenda
- IX. Adjournment

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**MEETING OF THE ASHEBORO PLANNING BOARD**  
**CITY COUNCIL CHAMBERS, 146 N. CHURCH ST.**  
**MONDAY, APRIL 5, 2021**  
**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:

Van Rich ) - Chair  
Michael O'Kelley ) – Vice Chair

Harold Anderson )  
Ritchie Buffkin )  
David Henderson ) - Members Present  
Thomas Rush )  
Pamela Vuncannon )

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

**CALL TO ORDER**

Mr. Rich called the Asheboro Planning Board to order.

**APPROVAL OF MINUTES FROM MARCH 1, 2021**

Mr. Rich inquired if there were any corrections or additions to the minutes presented. Hearing no corrections or additions, the minutes were approved as presented.

**REVIEW OF CASES**

Mr. Luck informed the board of the zoning related cases that were heard at the regular March, 2021 City Council Meeting.

At this time, Mr. John Evans requested permission from the chair that the next item, RZ-21-02 (old business), be moved to the end of the agenda. After hearing no opposition from board or those in attendance, Mr. Rich approved the request.

**REQUESTS INVOLVING PROPERTY LOCATED ON THE NORTH SIDE OF KIDD DRIVE (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7761458800)**

**a.) RZ-21-03: REQUEST TO REZONE PROPERTY FROM R10 MEDIUM-DENSITY RESIDENTIAL TO R40 LOW-DENSITY RESIDENTIAL**

Mr. Evans informed the board that a written continuance request has been made for the above referenced rezoning case. Mr. Rich entertained a motion to continue. Mr. O'Kelley moved to continue the case until the Regular May 3, 2021 meeting. Mr. Rush seconded the motion and the motion carried unanimously.



**b.) BOA-21-01 (PLANNING BOARD ACTING AS BOARD OF ADJUSTMENT): VARIANCE REQUEST FROM SECTION 106 (EVERY LOT MUST ABUT A STREET...)**

Mr. Rich opened the public hearing at this time for BOA-21-01 and Mr. Luck was sworn in to give his testimony. Mr. Luck informed the board that a written continuance request has been made for the above referenced Board of Adjustment case. Mr. Rich entertained a motion to continue. Mr. Anderson moved to continue case BOA-21-01 until the Regular May 3, 2021 meeting. Ms. Vuncannon seconded the motion and the motion carried unanimously.

**RZ-21-04: REQUEST TO REZONE FROM I2 GENERAL INDUSTRIAL TO B2 GENERAL COMMERCIAL: 532 WEST SALISBURY STREET (RANDOLPH COUNTY PARCEL IDENTIFICATION NUMBER 7751640197)**

Mr. Evans gave a visual presentation of the above referenced rezoning request. He first gave an overview of the request:

Applicant: Farmers Mutual Insurance Company

Location: 532 W. Salisbury Street

Request: Rezone from I2 General Industrial to B2 General Commercial

Randolph County Parcel ID: 7751640197

Size: 2.67 acres +/-

Existing Land Use: Undeveloped (Formerly Furniture Manufacturing)

He then showed an overview map, rezoning map, Center City Planning Area map, topographic/utilities map, and an aerial map of the property in question and the adjacent and surrounding properties. He also showed photographs of the property from all directions.

He then gave the analysis:

1. The property is inside the city limits.
2. West Salisbury Street (NC Hwy. 42 N.) is a state-maintained major thoroughfare. North Park Street and Summit Avenue are both city-maintained streets. North Park Street has a signalized intersection with West Salisbury Street (NC Hwy. 42 N.).
3. The property is adjacent to Norfolk Southern Railroad. While a driveway cut was previously used to access the property from West Salisbury Street, any encroachment across the railroad requires approval from Norfolk Southern.
4. The area is within the Center City Planning Area (Commercial and Employment Center Planning Area). This area has restrictions on the proportion of property that can be built upon with impervious surfaces.
5. The zoning ordinance requires sidewalks for new commercial development on streets with curb/gutter and adequate public right-of-way.
6. The area includes a mix of industrial, commercial, office, and residential uses.
7. The zoning ordinance states that the intent of the current I2 district is *to produce areas for intensive manufacturing, warehousing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts*. The intent of the requested B2 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 major or minor thoroughfares, never local streets*.

He then gave the LDP Recommendations:

**Proposed Land Use Map:**

City Activity Center

**Small Area Plan:** Central

**Growth Strategy Map:** Primary Growth

**Goals/Policies Supporting Request (7):**

- Checklist Item 1: Complies with LDP proposed land use map
- Checklist Item 3: Fits zoning ordinance description
- Checklist Item 5: Complies with Growth Strategy map
- Checklist Item 7: Compatible with small area plan
- Checklist Item 8: Adaptive reuse of vacant lot, infill lot
- Checklist Item 12-13: Outside of watershed, flood area

**Goals/Policies Not Supporting Request (1):**

- Checklist Item 14: Presence of steep slopes >20%

He then gave the statement of consistency with adopted plans, reasonableness and public interest:

- Part of City Activity Center, encouraging “pedestrian-friendly community focal points which includes a complementary mix of residential and commercial uses. This exists in area today, especially to South and East
- Better fit with City Activity Center than industrial designation and property has not seen industrial use in over a decade.
- New residential development either planned or recently occurring.

He then stated that staff’s recommendation was to approve the request. He stated that the City Council would hear the request at the Thursday, May 6, 2021 regular City Council meeting. He then stated if the board had any questions for him he would answer at this time.

Mr. O’Kelley inquired if the structure located on property “B” of the rezoning map is encroaching onto the subject property’s rear lot line, to which Mr. Evans stated that a survey has been seen and did not reflect this. He stated that this could also be confirmed during a site plan review.

Mr. Henderson had general questions regarding access to the property. Ms. Vuncannon stated that Summit Avenue is in better condition than the other streets this property has frontage along. She also stated that there may be concerns with ingress/egress on the local streets regarding traffic. Mr. O’Kelley inquired as to the significance of the B2 zoning request, to which Mr. Evans stated that the applicant’s representative could speak to this. He also asked what changes between the B2 and I2 zoning, to which Mr. Evans stated that the possibility of broader commercial uses would be allowed with the B2 zoning district. Mr. Henderson inquired on where sidewalks would be required, to which Mr. Evans stated that sidewalks would be required on curb and gutter streets where they are adequate with respect to the right of way width. There were no more questions at this time for Mr. Evans.

Mr. Scott Eggleston, the attorney representing the applicant, spoke at this time on the question proposed by Mr. O’Kelley regarding the reason for a B2 zoning, stating that the applicant would like to work with a developer or an intended party to lease or sell the property to be developed. He stated that the applicant feels that the B2 district would be better suited to market the property. He then stated that if the board had any questions, he would answer them at this time. There were no more questions at this time for Mr. Eggleston.

Mr. Henderson moved to recommend approval of case number RZ-21-04. Mr. Rush seconded the motion and the motion carried unanimously.

**RZ-21-02 (OLD BUSINESS): TEXT AMENDMENTS TO THE ZONING ORDINANCE FOR COMPLIANCE WITH NC GENERAL STATUTES 160D (LOCAL PLANNING AND DEVELOPMENT REGULATIONS)**

Mr. Luck gave a presentation on the above referenced agenda item. He stated that the applicant is the City of Asheboro and the request is text amendments to the zoning ordinance concerning compliance with Chapter 160D (Local Planning and Development Regulation). He then gave an analysis:

1. Changes to state law concerning land use were adopted in 2019 (Senate Bill 355, NCGS 160D) the provisions consolidated provisions for city and county land use regulations into one chapter.

Many of the provisions were focused on reorganizing existing law, and making primarily technical changes rather than sweeping policy changes. However, some provisions have a greater impact on how land use decisions are made.

2. One of the most significant mandated changes is replacement of combined legislative rezoning and quasi-judicial Conditional Use Permit applications with legislative Conditional Zoning, which places conditions on a property as part of a rezoning process. Quasi-judicial proceedings for Special Use Permits would continue to exist for sensitive land uses that already require a Special Use Permit. The text amendments also propose amendments to sign provisions.

3. Other changes include requiring an applicant/landowner's written consent to enforce conditional zoning district or special use permit, prohibition of non-governmental third party "downzonings" (from commercial to residential for example).

4. The law now also requires an adopted land use plan that is reasonably maintained. Also, a Land Use Plan's Future Land Use Map must be updated each time a rezoning this is not consistent with the map is approved.

5. NCGS 160D requires that amendments be made by July 1, 2021 for local zoning provisions to remain valid.

6. As noted in (1) above, a key goal of NCGS 160D was to consolidate and reorganize existing state law into a more coherent fashion. Similar reorganization of the zoning ordinance's format is proposed.

He then showed a table of Reorganization of the Zoning Ordinance to comply with NCGS 160D, including new chapter locations and where the existing ordinance chapters fit into the reorganization.

At this time, Mr. Luck discussed Conditional Zoning in detail, stating the purpose, district layouts, and outlined the process of applying for Conditional Zoning. He also went over information regarding amendments to the sign ordinance that would better align the ordinance with the outcome of the *Reed V. Town of Gilbert* Supreme Court decision involving signage. He also noted that there would be a "reasonable accommodation" section in the ordinance that would allow the Board of Adjustment to provide relief from ordinance requirements related to the Federal Fair Housing Act, ADA, and the Rehabilitation Act if the request is reasonable and necessary. He gave an example of a ramp for wheelchair accessibility within a setback as a possible situation for a Reasonable Accommodation granted by the Board of Adjustment.

He then listed the Land Development Plan Recommendations for RZ-21-02:

### **Goals/Policies Supporting Request (3)**

- Policy 1.2.4: Expedited permitting process and user-friendly permitting process and user-friendly land development process
- Policy 2.1.1: Periodic updates to zoning ordinance
- Policy 2.2.3: Periodic updates of LDP maps to reflect current conditions

He then gave a statement of consistency with adopted plans, reasonableness and public interest:

- Proposed primarily to comply with state law
- Formalizes many of staff's existing practice (ensuring updates of LDP, ensuring consistency of zoning designations with LDP or offering rationale as to why a zoning amendment is contrary to plan)
- Current practice offers citizens various procedural options to change a land use designation of their property, and legislative conditional zoning will provide a new option, replacing conditional use district permits.
- Reflects federal case law related to signs.

He then stated staff's recommendation to continue the case, and if continued, the case will be on the May 3, 2021 Planning Board agenda. Staff's recommendation to City Council during the April 8, 2021 meeting is to continue the request. He stated that if the board had any questions he would answer them at this time.

Mr. Henderson inquired if conditional zoning would likely lead to more of these types of hearings, to which Mr. Luck stated that the city could see more activity than currently, however, this would depend on development trends and it may not significantly change the number of hearings that the Planning Board will act on. Mr. Sugg mentioned as a general note that legislative hearings and quasi-judicial hearings are different in nature and that conversations between applicants and council members could occur in a more legally compliant manner with legislative hearings as opposed to the current quasi-judicial Conditional Use Permit process. There were general questions regarding the process of notifying adjoining property owners prior to the Planning Board meeting, to which Mr. Sugg mentioned that the ordinance and state statutes technically do not require notice prior to Planning Board meetings. Mr. Evans stated that in practice, city staff instructs applicants to mail notices and staff also provides a template for notifications.

Mr. O'Kelley moved to continue the case until the May 3, 2021 Planning Board meeting. Ms. Vuncannon 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.

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Bradley Morton, Planning Board Secretary

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Van Rich, Planning Board Chair



**RZ-21-02:** Text Amendments to the zoning ordinance to be consistent with North Carolina General Statutes 160D (Local Government Planning and Development Regulation) & Signs

### **Staff Report**

## Rezoning Staff Report

**RZ Case # RZ-21-02**

**Date** 5/3/2021 Planning Board  
(continued from 4-5-2021)

### General Information

**Applicant** City of Asheboro

**Address** 146 North Church Street

**City** Asheboro NC 27203

**Phone** 336-626-1201

**Location** N/A

**Requested Action** Text amendments to the zoning ordinance to be consistent with North Carolina General Statutes 160D (Local Planning and Development Regulation) & Federal Case Law related to signs.

**Existing Zone** N/A

**Existing Land Use** N/A

**Size** N/A

**Pin #** N/A

### Applicant's Reasons as stated on application

See attached statement.

### **Surrounding Land Use**

**North** N/A

**East** N/A

**South** N/A

**West** N/A

**Zoning History** See analysis for historic background.

### **Legal Description**

Request by City of Asheboro to amend the text of the Zoning Ordinance to align it with NC General Statute Chapter 160D (Local Planning & Development Regulation) and Federal case law related to sign regulations. The proposed amendments include reorganization and clarification of various miscellaneous provisions throughout the zoning ordinance.

### **Analysis**

1. Changes to state law concerning land use were adopted in 2019 (Senate Bill 355, NCGS 160D) . The provisions consolidated provisions for city and county land use regulations into one chapter. Many of the provisions were focused on reorganizing existing law, and making primarily technical changes rather than sweeping policy changes. However, some provisions have a greater impact on how land use decisions are made.
2. One of the most significant mandated changes is replacement of combined legislative rezoning and quasi-judicial Conditional Use Permit applications with legislative Conditional Zoning, which places conditions on a property as part of a rezoning process. Quasi-judicial proceedings for Special Use Permits would continue to exist for sensitive land uses that already require a Special Use Permit. The text amendments also propose amendments to sign provisions.
3. Other changes include requiring an applicant/landowner's written consent to enforce conditional zoning district or special use permit, prohibition of non-governmental third party "downzonings" (from commercial to residential for example).
4. The law now also requires an adopted land use plan that is reasonably maintained. Also, a Land Use Plan's Future Land Use Map must be updated each time a rezoning this is not consistent with the map is approved.
5. NCGS 160D requires that amendments be made by July 1, 2021 for local zoning provisions to remain valid.
6. As noted in (1) above, a key goal of NCGS 160D was to consolidate and reorganize existing state law into a more coherent fashion. Similar reorganization of the zoning ordinance's format is proposed.

# Rezoning Staff Report

RZ Case # RZ-21-02

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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** Not applicable

**Small Area Plan** Not applicable

**Growth Strategy Map Designation** Not applicable

## LDP Goals/Policies Which Support Request

**1.2.4** The City will promote its expedited permitting process and continue to make the land development process user-friendly for citizens and organizations.

**2.1.1** The Zoning Ordinance will periodically be reviewed to ensure that the specific regulations for each Zoning District are aligned with the desired character and focus of each district.

**2.2.3** The City will periodically update maps in the Land Development Plan to ensure they accurately represent current conditions in our city and are consistent with the goals and policies.

## Rezoning Staff Report

RZ Case # RZ-21-02

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### LDP Goals/Policies Which Do Not Support Request

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

These amendments are proposed primarily to comply with recent changes in state law. In addition, the proposed changes formalize many of staff's existing practices (ensuring that the Land Development Plan is regularly updated, ensuring consistency of zoning designation with the Land Development plan or offering a rationale for why a decision was made that was contrary to the plan). Current practice offers citizens various procedural options to change a land use designation of their property, and legislative conditional zoning will provide a new option, replacing conditional use district permits. The proposed language will also reflect model language related to federal case law pertaining to signs. As noted above, staff is also proposing some organizational changes to the zoning ordinance that offer improvements in how it is formatted and useable for applicants and staff.

Considering these factors and state law requiring these changes, staff believes that the proposed text amendment is overall consist with the Land Development Plan and is therefore reasonable and in the public interest.

#### Recommendation

At this time, staff is asking the Planning Board to continue the request. This is to allow additional time for public input, and to provide additional time for necessary administrative staff-level actions and processes to be finalized.





## Application for Zoning Ordinance/Map Amendment

### **APPLICATION FEE**

A \$200 filing fee is required for any amendment.

### **APPLICATION INSTRUCTIONS**

The rezoning process can be complex. It is highly recommended that the applicant speak with Planning and Zoning Department staff prior to submitting the application and paying the filing fee. Contact staff at (336) 626-1201 ext. 225 to ensure application requirements are satisfied.

### **REQUIRED APPLICATION CONTENTS**

- 1) A dimensional map, at a scale of not more than 200 feet to the inch, showing the land that would be covered by the proposed amendment, if the amendment would require a change in the zoning atlas.
- 2) A legal description/deed reference of such land.

It is recommended that the applicant mail letters to the adjoining property owners a minimum of 10 days prior to the scheduled Planning Board meeting. A template showing the required information contained in the letters is on Page 4 of this application. Please verify location and meeting times with staff prior to mailing.

One copy is to be filed with the city manager and one copy filed with the Zoning Administrator by 5:00 pm on the day which is at least 55 days prior to the City Council meeting at which the request will be considered. At no time shall the city council hear more than five (5) cases per month. If five applications have been received prior to the cut-off date, the request will be heard the following month.

### **MEETING INFORMATION\* Dates are subject to final Planning Board/Council approval in December, 2019.**

| <b><i>Application Deadline</i></b>       | <b><i>Planning Board Meeting</i></b> | <b><i>City Council Meeting</i></b>              |
|------------------------------------------|--------------------------------------|-------------------------------------------------|
| December 11, 2020                        | Monday, January 4, 2021              | Thursday, February 4, 2021                      |
| January 8, 2021                          | Monday, February 1, 2021             | Thursday, March 4, 2021                         |
| <b>February 12, 2021</b>                 | <b>Monday, March 1, 2021</b>         | <b>Thursday, April 8, 2021</b>                  |
| March 12, 2021                           | Monday, April 5, 2021                | Thursday, May 6, 2021                           |
| April 16, 2021                           | Monday, May 3, 2021                  | Thursday, June 10, 2021                         |
| May 21, 2021                             | Monday, June 7, 2021                 | Thursday, July 15, 2021                         |
| June 11, 2021                            | Monday, July 12, 2021                | Thursday, August 5, 2021                        |
| July 23, 2021                            | Monday, August 2, 2021               | Thursday, September 16, 2021                    |
| August 13, 2021                          | Monday, September 13, 2021           | Thursday, October 7, 2021                       |
| September 10, 2021                       | Monday, October 4, 2021              | Thursday, November 4, 2021                      |
| October 15, 2021                         | Monday, November 1, 2021             | Thursday, December 9, 2021                      |
| *Confirm application deadline with staff | Monday, December 6, 2021             | *January, 2022: Confirm meeting date with staff |

**\*January, 2022 Council meeting dates are not set by Council until December, 2021.**

## Application for Zoning Ordinance/Map Amendment

### **APPLICANT INFORMATION**

Applicant: City of Asheboro

Applicant's Phone #: 336-626-1201

Applicant's Address: 146 N. Church Street

Applicant Email Address: jevans@ci.asheboro.nc.us

### **PROPERTY INFORMATION FOR MAP AMENDMENTS** Not applicable as this is a text amendment.

Property Owner's Name \_\_\_\_\_

Location of Property \_\_\_\_\_

Property Size (ac. or s.f.) \_\_\_\_\_

Randolph County Property Identification Number (PIN#) \_\_\_\_\_

Current Zoning District \_\_\_\_\_

Requested Zoning District \_\_\_\_\_

Date Property Title Acquired \_\_\_\_\_

Deed Book \_\_\_\_\_ Page \_\_\_\_\_

Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Lot # \_\_\_\_\_

Plat Book \_\_\_\_\_ Page \_\_\_\_\_

### **ORDINANCE AMENDMENT INFORMATION**

Section 1011.2 of the Asheboro Zoning Ordinance requires the applicant to answer the following questions. The application may not be accepted unless all questions are completed.

1. 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.

There are no specific errors but there is a mandate by North Carolina General Statutes for municipalities who want to apply zoning to codify the newly organized Chapter 160D, which pertains to land use law, into local zoning ordinance. Additionally, the proposed amendments to the sign ordinance are to comply with federal case law.

2. 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?

It is important that the Asheboro Zoning Ordinance reflect changes to state and federal legislation and case law.

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

Goal 2.1.1 of the Land Development Plan states “The Zoning Ordinance will periodically be reviewed to ensure that the specific regulations for each Zoning District are aligned with the desired character and focus of each district.” This has been interpreted broadly to include updates to the zoning ordinance which make sure that it is responsive to changes in local, state, and federal laws, regulations, and mandates. It applies to this case.

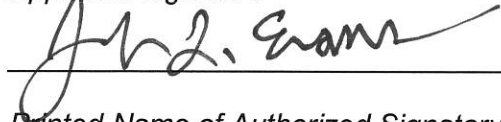
4. Are there any other circumstances, factors, or reasons that the applicant offers in support of the proposed amendment?

NCGS 160D mandates that local governments enact legislation in a timely manner, no later than July 1, 2021. This makes filing this amendment in a timely manner essential to give adequate time for public review and comment. Additional supportive information will be presented in future staff analyses.

### **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*



*Printed Name of Authorized Signatory (if different from Applicant)*

John L. Evans, Assistant Community Development Director, City of Asheboro

Position/Relationship of Authorized Signatory to Applicant

*Owner Signature (if different than Applicant)*

*Owner Address*

146 N. Church Street

*Telephone Number*

336-626-1201 Ext. 225

*Printed Name of Authorized Signatory (if different from Owner)*

*Position/Relationship of Authorized Signatory to Owner*

### **STAFF USE**

*JLE*

**Received by: Filed by JLE Date: 2-12-2021 and updated 3-29-2021 Case Number: RZ-21-02 (tentative case #)**



**RZ-21-03: Request to rezone from R10 (Medium-Density Residential) to R40 (Low-Density Residential): Kidd Drive (Randolph County Parcel Identification Number 7761458800)**

**Staff Report**

## Rezoning Staff Report

**RZ Case #** RZ-21-03

**Date** 5/3/2021 Planning Board  
(continued from 4-5-2021)

### General Information

**Applicant** Jacqueline M. Cheek

**Address** 1387 Old Cedar Falls Rd.

**City** Asheboro NC 27203

**Phone** 336-964-8585

**Location** north side of Kidd Dr., approximately 375 ft. west of Gold Hill Road and 1100 ft. north of Old Cedar Falls Road

**Requested Action** Rezone from R10 Medium-Density Residential to R40 Low-Density Residential

**Existing Zone** R10

**Existing Land Use** Undeveloped\* (see (4) of analysis)

**Size** 1.99 acres +/-

**Pin #** 7761458800

### Applicant's Reasons as stated on application

My current property that I reside is now R40. which is only a few hundred feet away from this location. I will put a permanent foundation under my home which would only make the value of my home more. It will be on the standard of a home, and with a permanent foundation. It will bring property value up. 20 years ago, I came before the board concerning putting a manufactured home at 1387 Old Cedar Falls Rd. which was approved and I did not let the board down.

### Surrounding Land Use

**North** Undeveloped residential

**East** Undeveloped residential

**South** Manufactured home/commercial

**West** Medium-density residential (single-family)

**Zoning History** N/A

### Legal Description

The property of Jacqueline M. Cheek, located on the north side of Kidd Drive, approximately 1100 ft. north of its intersection with Old Cedar Falls Road and 375 feet west of its intersection with Gold Hill Road, totaling approximately 1.99 acres +/- and more specifically identified by Randolph County Parcel Identification Number 77614458800 and Plat Book 164, Page 57.

### Analysis

1. The property is outside of the city limits. The property is not served by city water or sewer.
2. Kidd Drive/Sunset Circle is platted as an unopened 50' right-of-way (PB, 164, PG. 57). The applicant has also requested a variance from Section 106 of the zoning ordinance, requiring every lot to abut a public street.
3. The property is accessible from Old Cedar Falls Road. While Sunset Circle is platted as an unopened right-of-way that extends to Gold Hill Road, the subject property is not accessible from Gold Hill Road.
4. A manufactured home has been moved onto the property, but is not currently permitted or occupied because a manufactured home is not a permitted use in the current R10 zoning district. The R40 district allows manufactured homes that are built to "Class A" standards. Other manufactured homes are located in the area.
5. There are three additional single-family dwelling units between Kidd Drive and the subject property. The property to the east has major motor vehicle repair, which was permitted by a Conditional Use Permit in 1977.
6. The closest R40 zoning designation is located at 1387 Old Cedar Falls Rd, approximately 550 ft. south of the subject property.
7. The intent of the current R10 district is *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.* The intent of the requested R40 district is *to provide regulations which will produce a low intensity mixture of single family, duplex dwellings, and Class A Mobile Home dwellings usually served by individual wells and/or sewage disposal systems, plus the necessary governmental and other support facilities to provide service to such suburban intensity living.* A comparison between the existing R10 and proposed R40 districts is attached.



# Rezoning Staff Report

RZ Case # RZ-21-03

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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** Neighborhood Residential

**Small Area Plan** East

**Growth Strategy Map Designation** Economic Development

## 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 6:** Existing infrastructure is adequate to support the desired zone (*water, sewer, roads, schools, etc.*). **Note:** This item was selected because there is currently no water and public sewer.

**Checklist Items 12-15:** 12.) Property is located outside of the watershed area, or the rezoning request will not impose a significant, negative environmental impact.

13.) The property is located outside of Special Hazard Flood Area.

14.) Rezoning is located on steep slopes (>20%). **Note:** Staff notes that a portion of the property is located on slopes exceeding 20%. However, an R40 designation may be more suitable to having more options to place a building footprint appropriately because of the larger minimum lot size.

15.) The rezoning is not located on poor soils or the rezoning district is unlikely to create additional problems caused by poor soil conditions. **Note:** The property is identified by the Land Development Plan Physical Limitations map as potentially having poor soils. Approval of

a private well and septic system at a density allowable by R10 standards is less likely than a private well and septic built to lower-density R40 standards.

## Rezoning Staff Report

RZ Case # RZ-21-03

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### LDP Goals/Policies Which Do Not Support Request

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

**Checklist Item 5:** The proposed rezoning is not compliant with the objectives of the Growth Strategy Map.

**Checklist Item 7:** The proposed rezoning is not compatible with the applicable Small Area Plan.

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

Although the property is designated as “neighborhood residential” by the proposed land use map and as an “economic development” area by the growth strategy map, infrastructure limitations of this property create challenges to develop the property with density envisioned by the Land Development Plan.

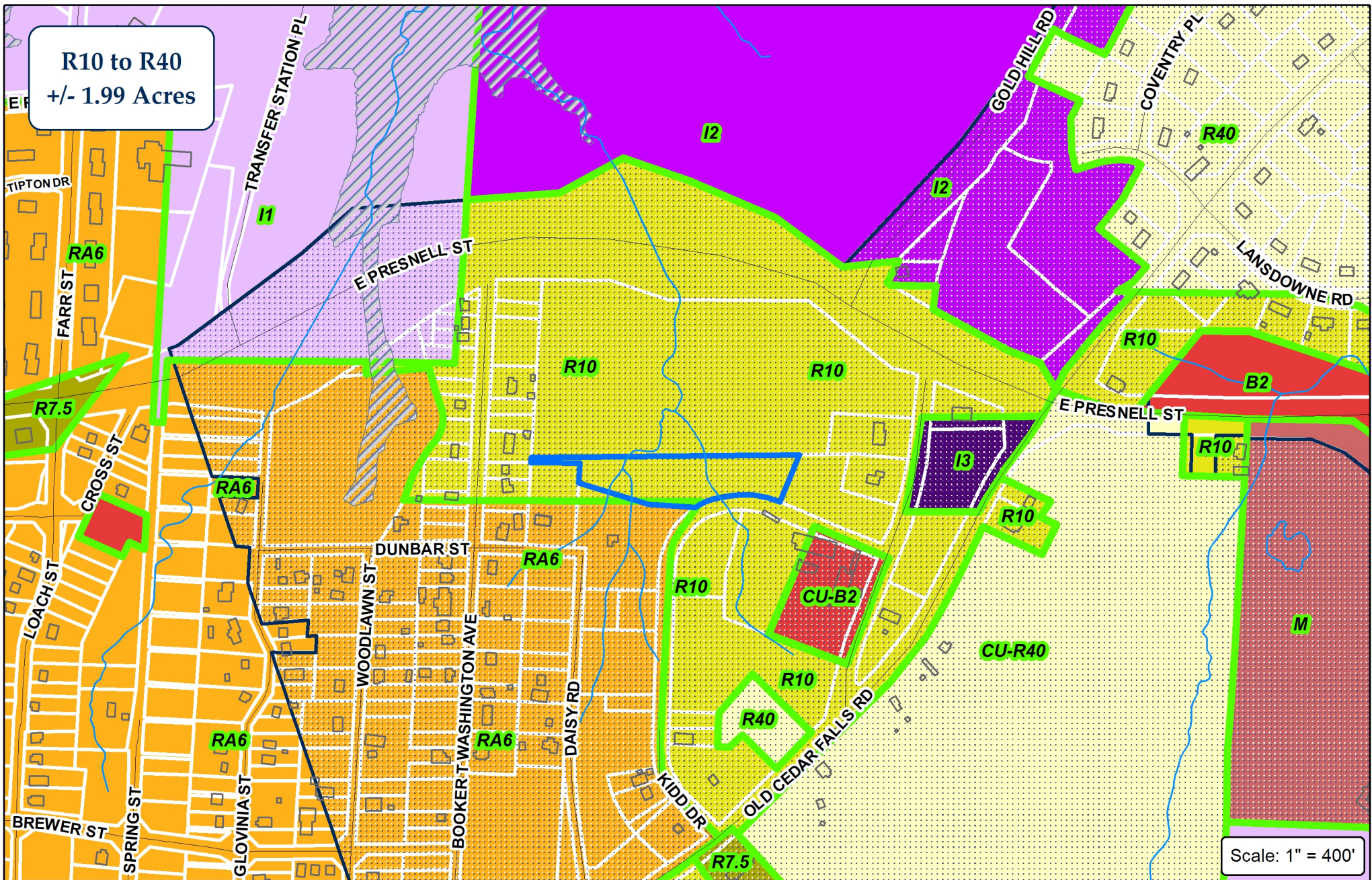
The zoning ordinance describes the R40 district as having the “necessary governmental and other support facilities to provide service to such suburban intensity living”. The R40 description more accurately characterizes the property than the existing R10 district. The property's lack of access to public water/sewer, plus the lack of street frontage that is built to city or state standards limit the ability for the property to be developed at a density typically seen in an R10 Medium-Density district.

While the R40 district differs from the R10 district by allowing manufactured homes on individual lots, zoning ordinance standards require manufactured homes to have a base consisting of solid materials, such as masonry and minimum roof pitch requirements, which help create an appearance more similar to site-built homes.

Considering these factors, staff believes that the requested R40 district maintains overall consistency with the Land Development Plan and therefore is reasonable and in the public interest.

**Recommendation** In light of the above analysis, staff’s recommendation is to approve the request.

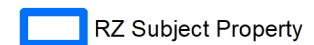




# City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-03

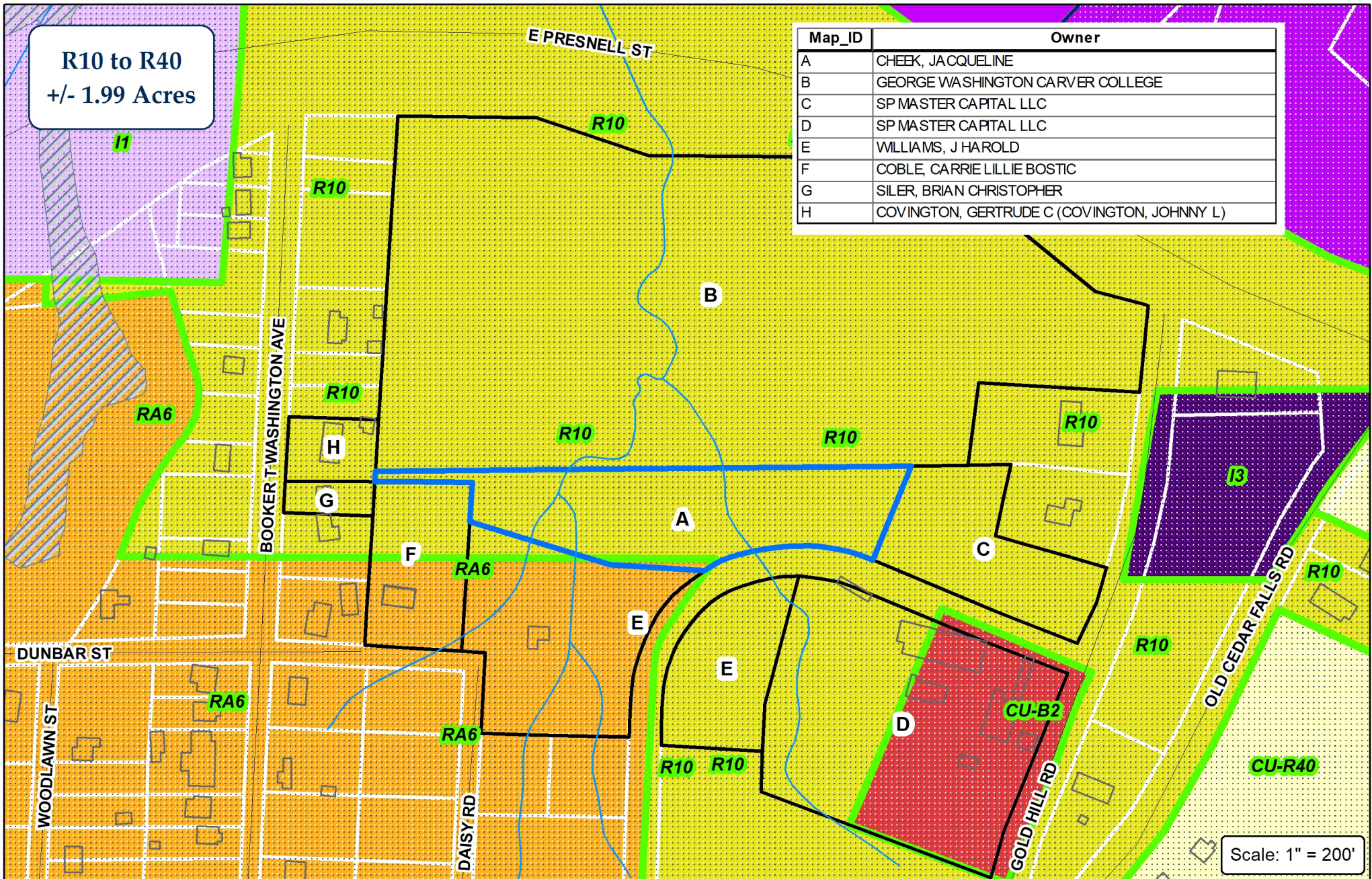
Parcel: 7761458800





R10 to R40  
+/- 1.99 Acres

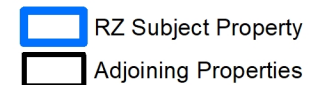
| Map_ID | Owner                                       |
|--------|---------------------------------------------|
| A      | CHEEK, JACQUELINE                           |
| B      | GEORGE WASHINGTON CARVER COLLEGE            |
| C      | SP MASTER CAPITAL LLC                       |
| D      | SP MASTER CAPITAL LLC                       |
| E      | WILLIAMS, J HAROLD                          |
| F      | COBLE, CARRIE LILLIE BOSTIC                 |
| G      | SILER, BRIAN CHRISTOPHER                    |
| H      | COVINGTON, GERTRUDE C (COVINGTON, JOHNNY L) |



## City of Asheboro Planning & Zoning Department

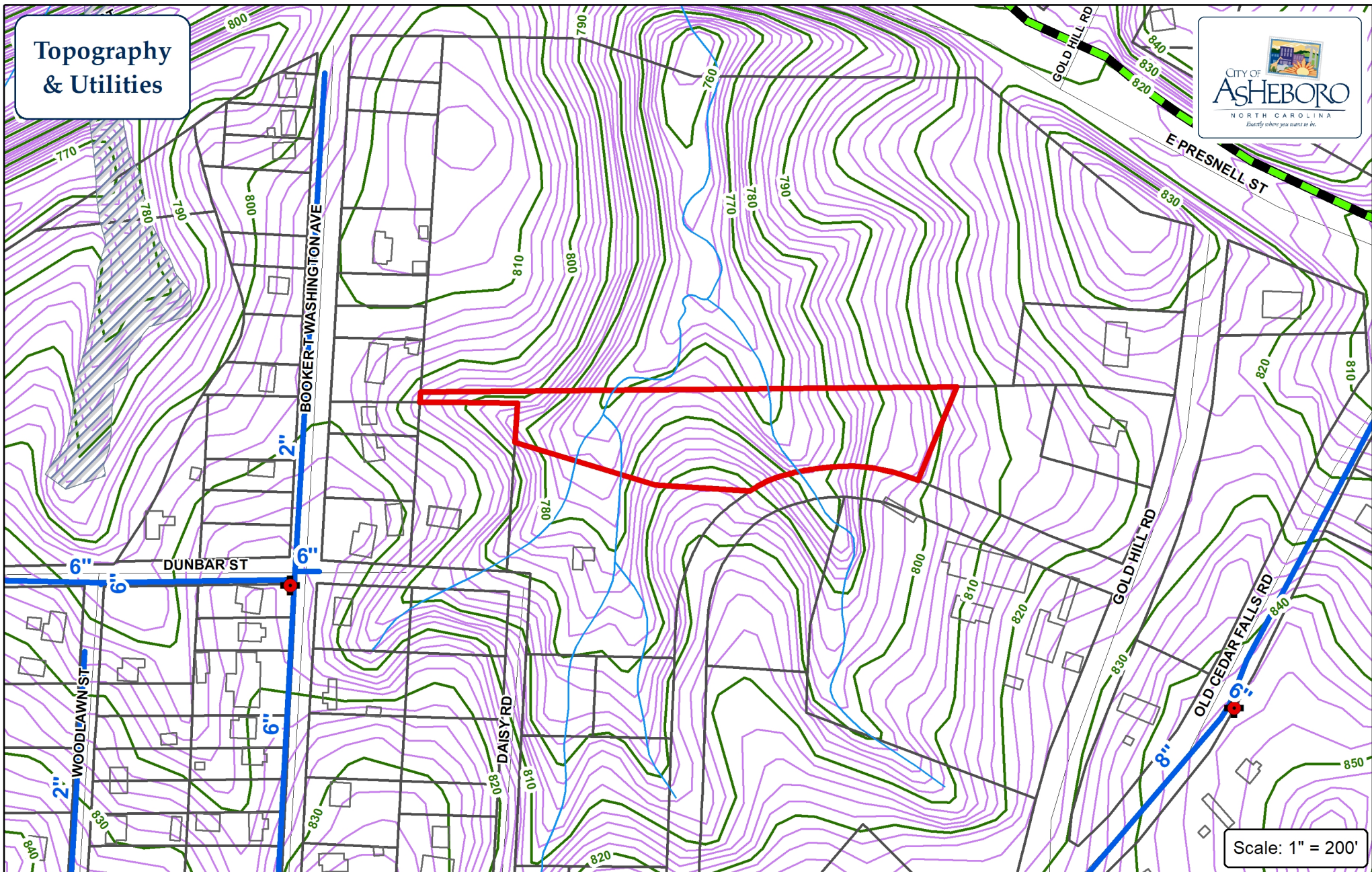
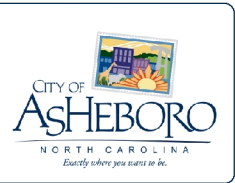
Rezoning Case: RZ-21-03

Parcel: 7761458800





# Topography & Utilities

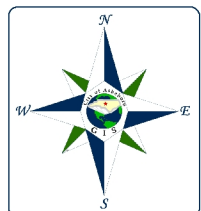


Scale: 1" = 200'

- |  |            |  |              |
|--|------------|--|--------------|
|  | Force Main |  | Fire Hydrant |
|  | Water Main |  | Pump Station |
|  | Sewer Main |  |              |

City of Asheboro  
Planning & Zoning Department  
Rezoning Case: RZ-21-03  
Parcel: 7761458800

RZ Subject Property







## City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-03

Parcel: 7761458800

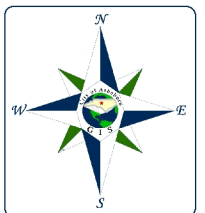
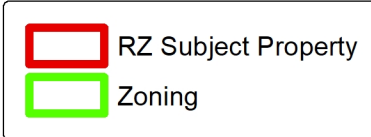




Table 200-1

## Table of Area, Height, Bulk and Placement Regulations

| District                                           | Minimum Lot<br>Size in Sq. Ft. | Lot Width<br>(Frontage)<br>In Feet* | Front Required<br>Yard in Feet* | Side<br>Required<br>Yard In Feet* | Rear Required<br>Yard in Feet* | Maximum<br>Height in<br>Feet* | Maximum<br>Floor Area<br>Ratio* | Open<br>Space<br>Ratio* | Recreation<br>Ratio* |
|----------------------------------------------------|--------------------------------|-------------------------------------|---------------------------------|-----------------------------------|--------------------------------|-------------------------------|---------------------------------|-------------------------|----------------------|
| R40                                                | 40,000 SF                      | 100                                 | 30                              | 15                                | 25                             | 35                            | 22%                             |                         |                      |
|                                                    | 80,000 Duplex                  | 1 Single Family or 1 Duplex Only    |                                 |                                   |                                |                               | 22%                             |                         |                      |
|                                                    | 40,000 NonRes                  |                                     |                                 |                                   |                                |                               | 22%                             |                         |                      |
| 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%                             |                         |                      |
| *Except as specifically modified by this Ordinance |                                |                                     |                                 |                                   |                                |                               |                                 | Revised 10/2019         |                      |

**Application for Zoning Ordinance/Map Amendment****APPLICANT INFORMATION**

Applicant Jacqueline M. Check  
Applicant's Phone # 336-964-8525  
Applicant's Address 1387 Old Cedar Falls Rd.  
Asheboro, NC -27203-  
Applicant Email Address jaki.check@aol.com

**PROPERTY INFORMATION FOR MAP AMENDMENTS**

Property Owner's Name same as above  
Location of Property TBD - Kinn Drive  
Property Size (ac. or s.f.) 1.83 - .86 acres  
Randolph County Property Identification Number (PIN#) 1761458800  
Current Zoning District R10  
Requested Zoning District R40  
Date Property Title Acquired 5/2020  
Deed Book 2708 Page 1469  
Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Lot # \_\_\_\_\_  
Plat Book 164 Page 57

**ORDINANCE AMENDMENT INFORMATION**

Section 1011.2 of the Asheboro Zoning Ordinance requires the applicant to answer the following questions. The application may not be accepted unless all questions are completed.

1. 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.

\_\_\_\_\_

\_\_\_\_\_

2. 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?

My current property is now that I reside  
 is I40 which is only ~~100~~ ~~100~~ feet away;  
 from this location. A few hundred

I will put a permanent foundation under  
 my home which would only make the value  
 of my home more.

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

It will be on the standard of a  
 home, and with a permanent foundation  
 it will bring property value up.

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

20 yrs ago I came before the board concerning  
 putting a manufactured home at 1387 Old Cedar  
 Falls Rd. which it was approved and I did not let  
 the board down.

#### 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

Jacqueline M. (Check)

Owner Signature (if different than Applicant)

Printed Name of Authorized Signatory (if  
 different from Applicant)

Owner Address

Position/Relationship of Authorized  
 Signatory to Applicant

Telephone Number

Printed Name of Authorized Signatory (if  
 different from Owner)

Position/Relationship of Authorized  
 Signatory to Owner

#### STAFF USE

Received by: JLE Date: 3-4-2021 Case Number: RZ-21-03

NOTICE OF ZONING MAP AMENDMENT (REZONING)  
TO ADJOINING PROPERTY OWNERS

This is to notify you that I (we), Jaqueline Check  
have filed an application with the City of Asheboro to rezone property located at  
TBD Kidd Dr from \_\_\_\_\_  
to \_\_\_\_\_.

On Monday, April 5, 2021, at 7:00 pm the Asheboro  
Planning Board will meet to hear this request and forward their report to the City  
Council. On Thursday, May 10, 2021, at 7:00 pm the  
City Council will hold a public hearing on the rezoning request.

The meetings will be held in the City Council Chambers, 146 North Church Street,  
Asheboro, NC. The Council, after considering the information/testimony presented  
during the public hearings and reviewing the reports of the Planning Board and Planning  
and Zoning Department, will take action on the application. Such action may include  
approval of the request, denial of the request, or approval of a modified version of the  
request on the basis of the Council's determination that such action is reasonably  
necessary to promote the public health, safety, or general welfare and to achieve the  
purposes of the adopted Land Development Plan. The meeting is open to the public and  
your participation is encouraged. If you have any questions, please contact the Planning  
and Zoning Department at 336-626-1201 Ext. 225. You may also contact me at

Jaqueline Check - 336-964-8585





**BOA-21-01: (Planning Board Acting as Board of Adjustment): Variance request from  
Section 106 (Every Lot Must Abut a Street...)**  
(Randolph County Parcel Identification Number 7761458800 located on North side of  
Kidd Drive)

### **Staff Report**

**The applicant's representative has requested a continuance for this item until the May 3,  
2021 Planning Board meeting.**

## **Board of Adjustment Staff Report**

**Case:** BOA 21-01

**Date:** April 5, 2021

**Requested Action:** Variance from Article 100, Section 106 of the Asheboro Zoning Ordinance to eliminate requirement that lot abut and have direct access to a dedicated public street.

### **GENERAL INFORMATION:**

**Applicant:** Jacqueline Cheek

**Applicant Address:** 1387 Old Cedar Falls Rd.

**Location of Affected Property:** Kidd Dr. (Randolph County PIN# 7761458800)

**Property Size:** 1.86 Acres

**Underlying Zone:** R10

**Overlay Zone:** None

**Existing Land Use:** Vacant/Unpermitted Mobile Home

**Surrounding Land Use:**

**North:** Vacant

**East:** Commercial/Residential

**South:** Vacant/Residential

**West:** Residential

**Land Development Plan:** Neighborhood Residential/Economic Development

### **ANALYSIS**

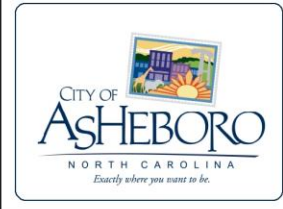
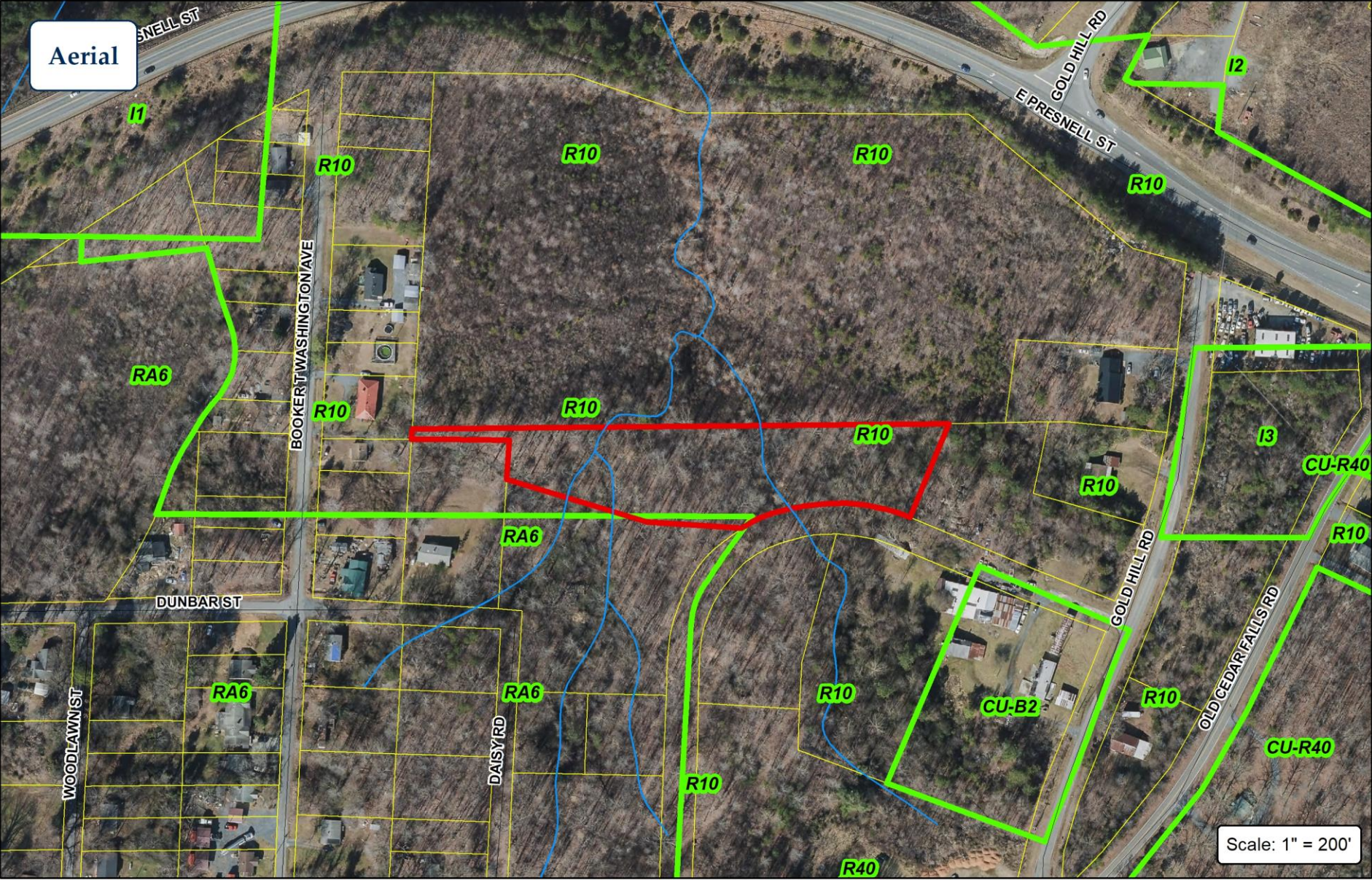
#### **The Lot**

The Zoning Lot is located in the City of Asheboro ETJ with no utilities available.

#### **Variance: Article 100, Section 106**

Article 100, Section 106 states that “no building, structure, or use of land other than for agricultural purposes or for a special purpose lot shall be established on a lot that does not abut and have direct access to a dedicated public street.” The Asheboro Zoning Ordinance, effective January 1, 2007, defines public street as “a right-of-way or fee simple tract of land that has been set aside for public travel, offered for dedication to the public by the recording of a subdivision plat, built to public street standards, and eligible for maintenance by either the City of Asheboro or the State of North Carolina.” The Zoning Lot is currently accessed by a gravel drive that is not built to public street standards nor eligible for maintenance. The applicant proposes to develop the lot for a Mobile Home – Class A use.



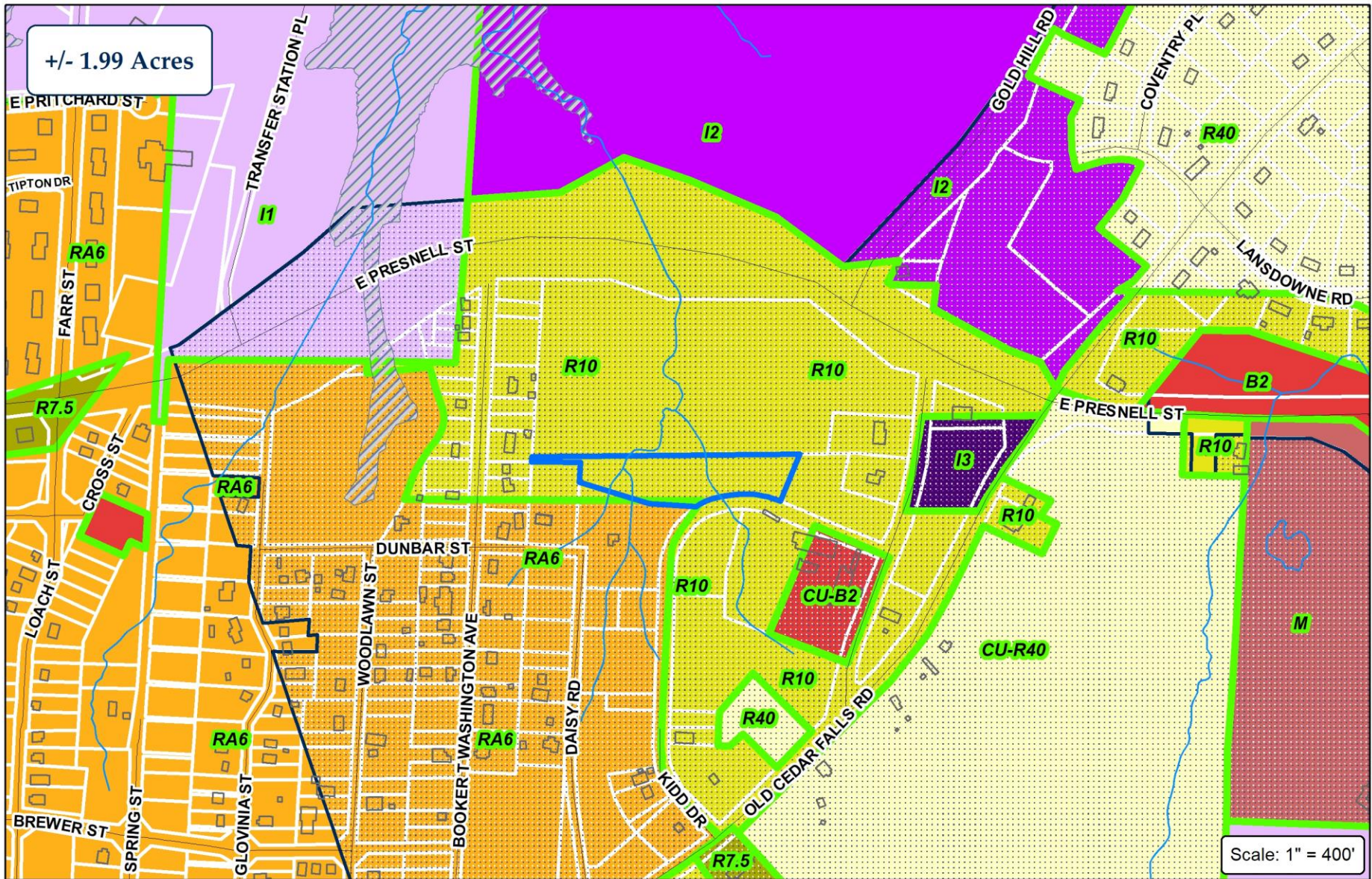


City of Asheboro Planning & Zoning Department  
Board of Adjustment Case: BOA-21-01  
Variance  
Parcel: 7761458800

 RZ Subject Property  
 Zoning









**City of Asheboro Planning & Zoning Department**

**Board of Adjustment Case: BOA-21-01**

**Variance**

**Parcel: 7761458800**

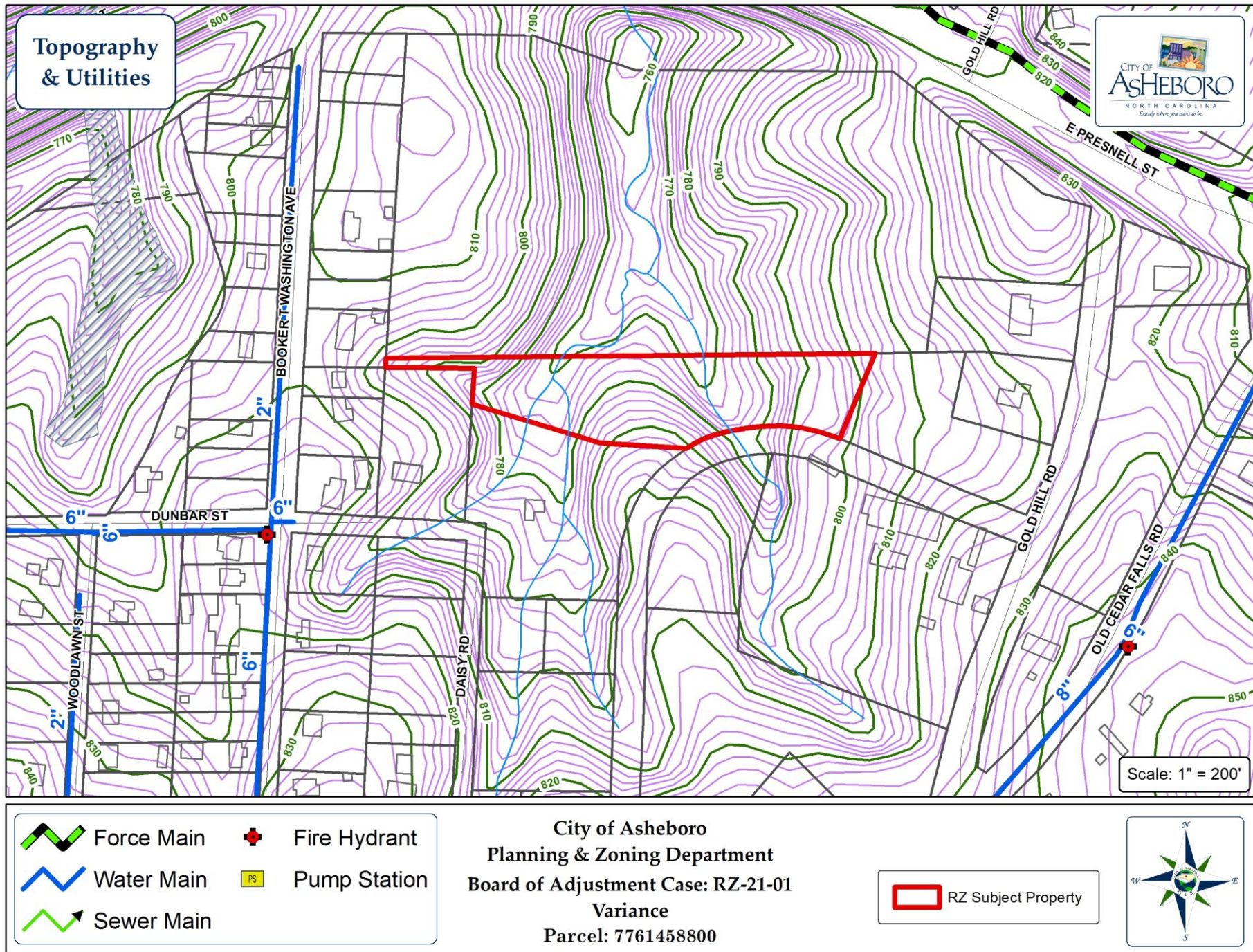
RZ Subject Property



 ETJ

 Zoning





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:** To eliminate Article 100, Section 106 of the Asheboro Zoning Ordinance requirement that no building, structure, or use of land other than for agricultural purposes or for a special purpose lot shall be established on a lot that does not abut and have direct access to a dedicated public street.

Member's Vote: Yes \_\_\_\_\_ No \_\_\_\_\_

Signature \_\_\_\_\_



103.5 Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the Planning Director shall be the final authority as to the current zoning status of land, buildings, or other structures in the affected territory as described in Section 101, above.

104        Zoning Affects Every Building and Use

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

105        Open Space Not to Be Encroached Upon

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

106        Every Lot Must Abut A Street and Possess Sufficient Buildable Area  
(Amended 8-6-2015)

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

107        One Principal Building Per Lot

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

108        Required Open Space May Not Be Used By Another Building



### Story

The portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

### Street

A thoroughfare which affords the principal means of access to abutting property.

### Street Line

The street line is the dividing line between the street and the lot, as established by the City of Asheboro; also called the "right-of-way line".

### Street, Private

A roadway, not dedicated to the public, providing primary access to adjacent properties and meeting the regulations of the City of Asheboro for private street development.

### Street, Public

*Effective October 10, 2005 to December 31, 2006:* A right-of-way that has been offered for dedication to the public for access to adjacent properties.

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

### Structural Alteration

Any change, except for repair or replacement, in the supporting members of a structure, such as, but not limited to, bearing walls, columns, beams or girders.

### Structure

Anything built or constructed which requires location on the ground or attachment to something having a fixed location on the ground. For purposes of this ordinance, this definition does not include retaining walls or fences.

### Structure, Accessory

A subordinate structure detached from, but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure. Dumpsters and their required screening are not to be considered accessory structures.

**CITY OF ASHEBORO**  
**Application for Board of Adjustment Hearing**

**APPLICANT INFORMATION**

Applicant Jacqueline Check Applicant's Phone # 336-9164-8585  
Applicant's Address 1387 Old Cedar Falls Rd  
Asheboro North Carolina 27203-  
Applicant's Email Address jcheck@aol.com

**PROPERTY INFORMATION**

Property Owner's Name Same as above  
Location of Property TBD Kidd Dr.  
Property Size (ac. or sq.ft.) 1.86 acres  
Randolph County Property Identification Number (PIN#) 7761458800  
Current Zoning District R10  
Date Property Title Acquired 5/2020 Deed Book 2708 Page 1469  
Subdivision \_\_\_\_\_ Section \_\_\_\_\_ Lot # \_\_\_\_\_  
Plat Book 164 Page 57

**APPLICATION SIGNATURES**

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

Applicant Signature(s)

Jacqueline M. Check

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

**CITY OF ASHEBORO**  
**Application for Board of Adjustment Hearing**

**REQUEST FOR A VARIANCE**

**TO THE CITY OF ASHEBORO BOARD OF ADJUSTMENT:**

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

Section 106: Every Lot Must Abut A Street  
and Possess Sufficient Buildable Area



**STATEMENT BY APPLICANT:**

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

I'm requesting this variance because this same road were in used years ago, I have since had it cleared out, had rock and gravel brought in; I Do plan to have the turn about widen as soon as it dries up; but I did without knowing had my home brought in which is a double wide manufactured home and placed on my property the guys that brought it in were able to bring in and set it up with no problem and were able to turn around and go back out.

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

Jacqueline M. Check  
Signature of Applicant

I had pipe brought in to widen the drive and I followed the specks as to how far my home should set back. I'm more than willing to have it widen even more if need be. My parents Joe and Jannie Miller owns property at 540 Kidd Drive my brother Billy Miller also owns land on Kidd Dr. also my sister Judy and James Pemberton owns land on Kidd Drive. Opening this road is only benefiting them and brings more value to their property.

### 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.*

Jacqueline M. Cheek      3/3/21  
Applicant      Date

|                         |                     |                           |
|-------------------------|---------------------|---------------------------|
| <b>STAFF USE</b>        |                     |                           |
| Received by: <u>JTL</u> | Date: <u>3-4-21</u> | Case Number: <u>21-01</u> |

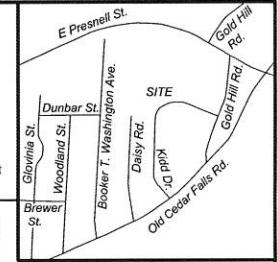
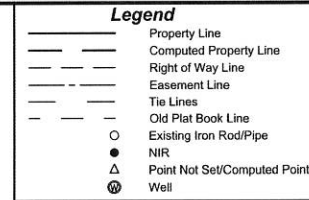


BK 164 PG 57 - 57 (1)  
This Document eRecorded:  
Fee: \$21.00 DocType: PLAT  
Randolph County, North Carolina  
Krista M. Lowe, Register of Deeds

DOC# 20096487  
04/07/2020 04:17:47 PM  
Tax: \$0.00

#### Notes:

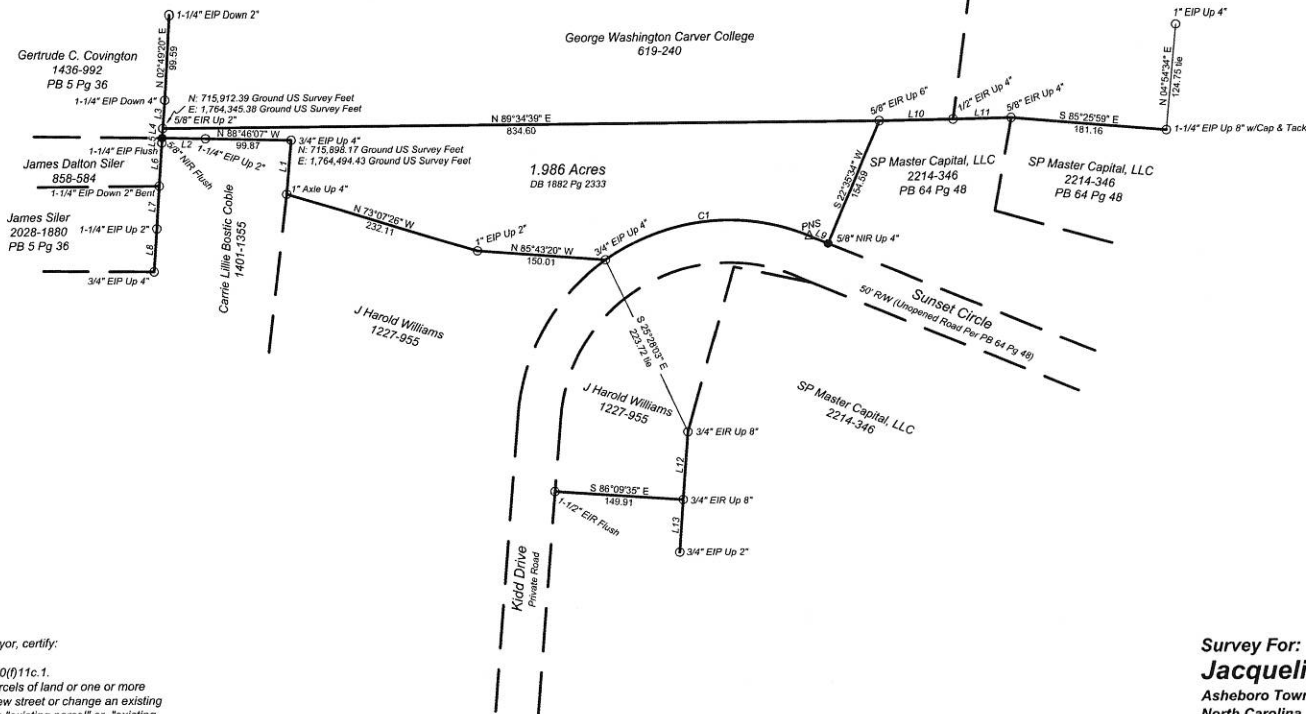
1. No NCGS Monuments found within 2000' of property.
2. This project is not located within a special flood hazard area.
3. Area calculated by coordinate geometry.
4. All lines surveyed by Survey Carolina, PLLC are indicated by bold lines. All lines not surveyed by Survey Carolina, PLLC are indicated 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. Tax PIN: 7761458800



Location Map  
(Not to Scale)

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 04°25'16" E | 62.67    |
| L2   | N 88°46'07" W | 49.91    |
| L3   | S 03°58'12" W | 33.15    |
| L4   | N 03°55'11" E | 11.02    |
| L5   | S 03°35'11" W | 5.96     |
| L6   | S 03°23'35" W | 49.73    |
| L7   | S 03°07'55" W | 50.03    |
| L8   | S 03°35'23" W | 50.98    |
| L9   | N 67°39'57" W | 23.63    |
| L10  | N 85°56'19" E | 86.98    |
| L11  | N 88°44'48" E | 67.11    |
| L12  | N 04°02'47" E | 79.78    |
| L13  | N 03°41'46" E | 61.70    |

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|--------|------------|--------------|---------------|-------------|
| C1    | 246.71 | 249.60     | 239.09       | S 53°21'05" W | 97°57'30"   |



Owners:  
Harris John Kidd  
938 Thornburg Rd.  
Asheboro, NC 27205

I, Dan W Tanner II, Professional Land Surveyor, certify:

In accordance with NC General Statute 47-30(f)(1)c.1.  
That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purpose of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.

I, Dan W Tanner II, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book See page Notes etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book See page Notes; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my hand and seal this 2 day of April A.D., 2020.

Dan W Tanner II  
Digitally signed by Dan W Tanner II  
Date: 2020.04.06 15:14:04 -04'00'



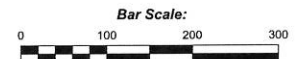
Professional Land Surveyor  
L-4787

I, Dan W Tanner II, certify that this map was drawn under my supervision from an actual GPS/GNSS survey made under my supervision and the following information was used to perform the survey:

- (1) Class of survey: Class A
- (2) Positional accuracy: <0.10'
- (3) Type of GNSS field procedure: Real-Time Kinematic Networks
- (4) Dates of survey: March 26, 2020
- (5) Datum/Epoch: NAD83(2011) / 2010.00
- (6) Published/Fixed-control use: North Carolina Real Time Network
- (7) Geoid model: Geoid 12A
- (8) Combined grid factor(s): 0.99987508
- (9) GPS/GNSS Scale Point:  
N:715,673.35 E:1,765,339.49 EL:817.44
- (10) Units: US Survey Feet

Survey For:  
**Jacqueline Cheek**

Asheboro Township Randolph County  
North Carolina April 2, 2020  
Deed Book:1882 Pg:2333  
Scale: 1" = 100 US Survey Feet



**SURVEY CAROLINA, PLLC**  
154 S. Fayetteville St, Suite B, Asheboro, NC 27203  
Phone Number: 336 625-8000  
Email: mail@surveycarolina.com  
Firm #: P-1110  
Dan W Tanner II L-4787  
© 2020 Survey Carolina, PLLC Job #: 11745

This document presented and filed:

07/01/2020 03:47:59 PM

DEED

Fee \$26.00 Excise Tax: \$7.00



20100975

Randolph County North Carolina  
Krista M. Lowe, Register of Deeds

Purchase Price: \$3,500.00

NCREET: \$7.00

Prepared by: The Law Office of Ben C. Morgan, 150-A Scarboro Street, Asheboro, NC 27203

Parcel Identification Number: 7761.45.8800

✓ Mail to: The Law Office of Ben C. Morgan, 150-A Scarboro Street, Asheboro, NC 27203

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 29th day of June, 2020, by and between the following Grantor and Grantee:

Grantor: Harris John Kidd and wife Kathy Lynn Inman Kidd  
938 Thornburg Road  
Asheboro, NC 27205

Grantee: Jacqueline Cheek  
1387 Old Cedar Falls Road  
Asheboro, NC 27203

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall signify either 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 theses presents does grant, bargain, sell, and convey unto the Grantee in fee simple that certain lot or parcel of land situated in Asheboro Township, Randolph County, North Carolina, which is more particularly described as follows:

BEING all of that 1.986 acre tract shown on a plat entitled "Survey for Jacqueline Cheek" dated April 2, 2020, by Survey Carolina, PLLC, Job #: 11745, and recorded in Plat Book 164, Page 57, Randolph County Registry.

The tract described is not the primary residence of the Grantor.

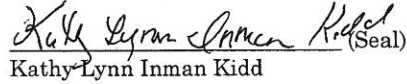
In connection with the preparation of this instrument, The Law Office of Ben C. Morgan has not examined any public records as they may pertain to the above-described premises and does not certify title.

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

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

IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seals the day and year first above written.

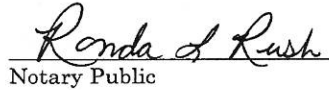
 (Seal)  
Harris John Kidd

 (Seal)  
Kathy Lynn Inman Kidd

STATE OF NORTH CAROLINA  
COUNTY OF RANDOLPH

I, Ronda L. Rush, a Notary Public of the County of Randolph and State of North Carolina, certify Harris John Kidd and wife Kathy Lynn Inman Kidd, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official seal, this the 15<sup>th</sup> day of ~~June~~ <sup>July</sup>, 2020.

 My commission expires: 11-27-22  
Notary Public

[The remainder of this page intentionally has been left blank.]





Siler, Brian Christopher  
14500 Sycamore Spring St  
Chester, Va 23836

Coble, Carrie Lillie Bostic  
P O Box 2339  
Asheboro, NC 27204

Cheek, Jacqueline  
1387 Old Cedar Falls Rd  
Asheboro, NC 27203

Sp Master Capital LLC  
P O Box 1104  
Asheboro, NC 27204

Williams, J Harold  
589 Lord Randolph Cir  
Asheboro, NC 27205

Covington, Gertrude C (Covington,  
Johnny L)  
736 Booker T Washington Ave  
Asheboro, NC 27203

George Washington Carver College  
3746 Midway Acres Rd  
Asheboro, NC 27205

Sp Master Capital LLC  
P O Box 1104  
Asheboro, NC 27204



**COUNTY OF RANDOLPH**  
**Health Department**  
204 E Academy St - Asheboro NC 27204-0771

**AUTHORIZATION FOR WASTEWATER  
SYSTEM CONSTRUCTION PERMIT**

Authorizations for Wastewater System Construction are valid for 5 years from the date of issuance, not to exceed the validity of the Improvements Permit, and are required before other construction permits can be issued.

**DO NOT GRADE OR DISTURB THE APPROVED SEPTIC AREA!** This permit is subject to revocation if the site and soil conditions are altered, the proposed facility, site plan or plat has changed, and the design wastewater flow or wastewater characteristics have increased. The wastewater system shall be inspected and approved by the Health Department prior to covering and placing the system into use. This permit is subject to compliance with the provisions of the Laws and Rules for Sewage Treatment and Disposal and to conditions of this permit.

Permit Type: SEPTIC NEW

Applicant Name: JACKIE CHEEK  
Address: 1387 OLD CEDAR FALLS RD  
City, St. Zip: ASHEBORO, NC 27203  
Phone:

Permit #: 2020-00000272

Parcel #: 7761458800

Contact: JOHN KIDD

Contact Phone: 336 953-5631

Owner: KIDD, HARRIS JOHN  
Address: 938 THORNBURG RD  
City, St. Zip: ASHEBORO, NC 27205

**LOCATION INFORMATION:**

Address:

Township: 01 - ASHEBORO

Acreage: 1.8600

Subdivision Name:

Lot Number:

**FACILITY INFORMATION:**

Proposed Use: SINGLE FAMILY RESIDENCE

Design Flow: 360

Number Of Bedrooms: 3

Max. Number Of People: 6

Number Of Shifts: 0

Basement: NO

Basement Fixtures: N/A

Dispersal Type: GRAVITY

Wastewater System Type: APPROVED 25% REDUCTION GRAVITY SYSTEM

Drainfield Size: 360 LINEAR FEET

Grease Trap Size: GALLONS

Septic Tank Size: 1000 GALLONS

Pump Tank Size: GALLONS

Pump GPM:

Pump TDH:

Trench Depth: 16 INCHES

Trench Width: 36 INCHES

Stone Depth: INCHES

Cover Depth: 6 INCHES

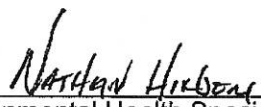
Conditions:

Number of Conditional Attachments:

Issued By: NATHAN HINSON

Date Issued: 08/11/2020

Expiration Date: 04/29/2025

  
Environmental Health Specialist:

- LOCAL TELEPHONE NUMBER -

Asheboro: (336) 318-6262 - Greensboro/Liberty: (336) 218-4242 - Archdale/Trinity: (336) 819-3262  
<http://www.co.randolph.nc.us>

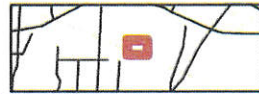


Randolph County  
Environmental Health

Location: 7761458800

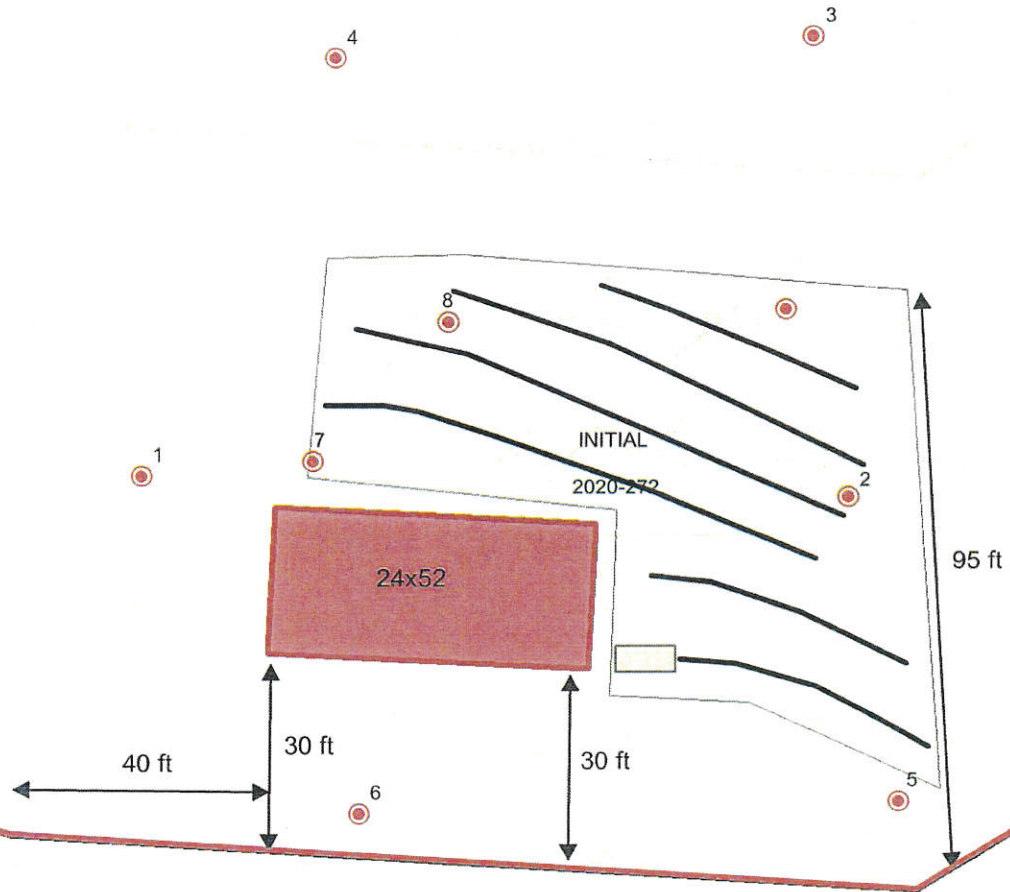


1 inch = 30 feet



7761468088

7761458800



7761455651

7761455651



## CITY OF ASHEBORO - FEES RECEIPT

### Plan Review Summary

|                      |                     |                 |            |
|----------------------|---------------------|-----------------|------------|
| Type:                | Board of Adjustment | Submittal Date: | 03/04/2021 |
| Description of Work: | Variance request    |                 |            |

### Property Information

|          |                   |         |            |
|----------|-------------------|---------|------------|
| Address: | NC 0 (7761458800) | Tax ID: | 7761458800 |
| Owner:   | CHEEK, JACQUELINE | Phone:  |            |

### Contacts

|                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Contact Type:</b> Applicant<br><b>Full Name:</b> CHEEK, JACQUELINE<br><b>Address:</b> 1387 OLD CEDAR FALLS RD ASHEBORO, NC 27203      |
| <b>Contact Type:</b> Property Owner<br><b>Full Name:</b> CHEEK, JACQUELINE<br><b>Address:</b> 1387 OLD CEDAR FALLS RD ASHEBORO, NC 27203 |

### Plan Review Fees

| Fee Information                         |              | Amount   |
|-----------------------------------------|--------------|----------|
| Variance                                |              | \$250.00 |
| Payment Information                     | Payment Type | Amount   |
| Variance                                | Credit       | \$250.00 |
| Paid By: Jacqueline Cheek - Notes: 6705 |              |          |
| AMOUNT PAID                             |              | \$250.00 |
| BALANCE DUE                             |              | \$0.00   |



**RZ-21-05: Request to rezone from R15 (Low-Density Single-Family Residential) to R10 (Medium-Density Residential): Cliff Road and Emerson Drive (Parcel Identification Number 7760066359)**

**Staff Report**

## Rezoning Staff Report

**RZ Case #** RZ-21-05

**Date** 5/3/2021 Planning Board

### General Information

**Applicant** DeShandra Woodle

**Address** PO Box 624

**City** Asheboro NC 27204

**Phone** 336-953-6323

**Location** southeastern corner of Cliff Road and Emerson Drive

**Requested Action** Rezone from R15 Low-Density Single-Family Residential to R10 Medium-Density Residential

**Existing Zone** R15

**Existing Land Use** Undeveloped property

**Size** 0.42 acres/18,459 SF

**Pin #** 7760066359

### Applicant's Reasons as stated on application

Investing into established neighborhood that already has city water and sewer. This lot is in close proximity to other duplexes within the area.

### **Surrounding Land Use**

**North** Single-family

**East** Single-family

**South** Single-family

**West** Commercial/Single-family

**Zoning History** N/A

### **Legal Description**

The property of Timothy J. Woodle and DeShandra R. Woodle, located at the southeastern corner of Cliff Road and Emerson Drive, totaling approximately 18,459 square feet +/- and identified by Randolph County Parcel Identification Number 7760066359.

### **Analysis**

1. The property is inside the city limits.
2. Cliff Road is a local city-maintained street at this location. North of East Dixie Drive (where there is a signalized intersection), Cliff Road becomes a minor thoroughfare. Emerson Drive is a local, city-maintained street.
3. The area includes a mix of commercial uses to the north and west, with primarily single-family residential uses to the south and east. On the north side of Emerson Drive and on Shamrock Road, further northeast of the property are three two-family dwellings. These are legal non-conforming as they are located in an R15 district.
4. The zoning ordinance describes the existing R15 district as intended to *provide regulations which will produce a low intensity of single family residential use with the necessary governmental and other support facilities so service such suburban intensity living*. The intent of the requested R10 district is *to provide regulations which will produce a moderate intensity of residential uses, usually single family or two family in character and served by central water supply and sewage disposal systems, plus the necessary governmental and other support facilities to service such urban intensity living*.
5. The main differences between the R15 and R10 districts are that the R10 district allows two-family dwellings and has less stringent setbacks as shown on Table 200-1 included in this report.



# Rezoning Staff Report

RZ Case # RZ-21-05

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** Neighborhood Residential

**Small Area Plan** Central

**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.** The proposed rezoning is compliant with the objectives of the Growth Strategy Map.

**Checklist Items #12 and #13:** Property is located outside of watershed, special hazard flood area

**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.

## Rezoning Staff Report

RZ Case # RZ-21-05

Page 3

### LDP Goals/Policies Which Do Not Support Request

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

**Checklist Item 14:** Rezoning is located on steep slopes (>20%)

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

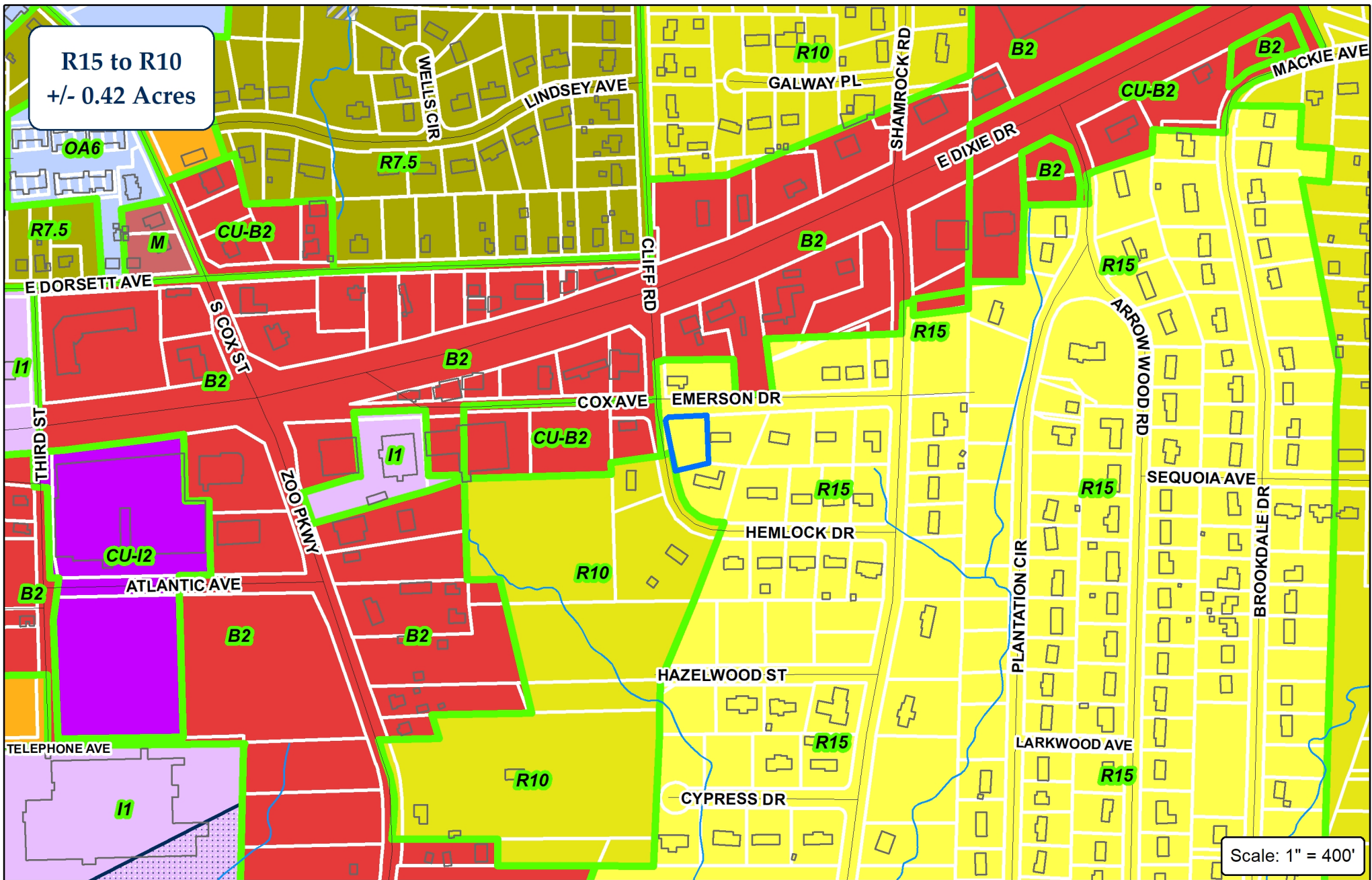
While the Land Development Plan's "Neighborhood Residential" designation encourages neighborhoods of similar density for a greater sense of community, and the requested R10 district is at a slightly higher density compared to the R15 district, there are several factors supporting the request.

The property is in a transitional location between commercial uses (including two adjacent properties) and lower density single-family residential uses, other two-family dwellings are located in the area. In addition, nearby properties across Cliff Road to the south and west are currently zoned R10, making the requested R10 similar to surrounding zoning and potential density and land uses of nearby properties.

The LDP also generally encourages opportunities for transitional uses, such as mixed housing types in transitional areas that are in close proximity to both commercial areas and lower-density single-family residential areas.

Considering these factors, staff believes that the requested R10 district is overall consistent with the Land Development Plan and is therefore reasonable and in the public interest.

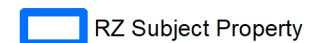
**Recommendation** In light of the above analysis, staff's recommendation is to approve the request.



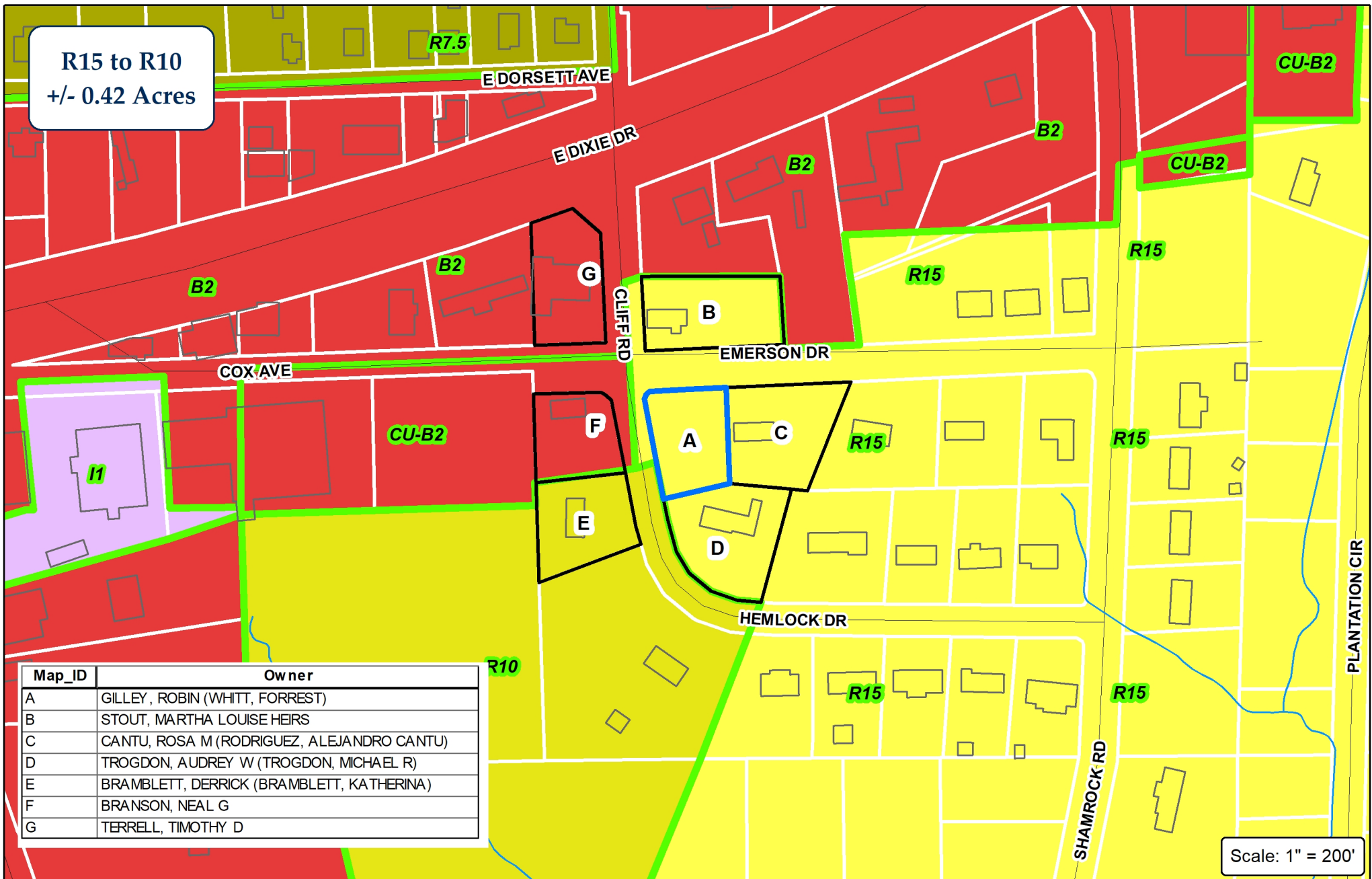
# City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-05

Parcel: 7760066359



R15 to R10  
+/- 0.42 Acres

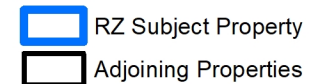


| Map_ID | Owner                                      |
|--------|--------------------------------------------|
| A      | GILLEY, ROBIN (WHITT, FORREST)             |
| B      | STOUT, MARTHA LOUISE HEIRS                 |
| C      | CANTU, ROSA M (RODRIGUEZ, ALEJANDRO CANTU) |
| D      | TROGDON, AUDREY W (TROGDON, MICHAEL R)     |
| E      | BRAMBLETT, DERRICK (BRAMBLETT, KATHERINA)  |
| F      | BRANSON, NEAL G                            |
| G      | TERRELL, TIMOTHY D                         |

## City of Asheboro Planning & Zoning Department

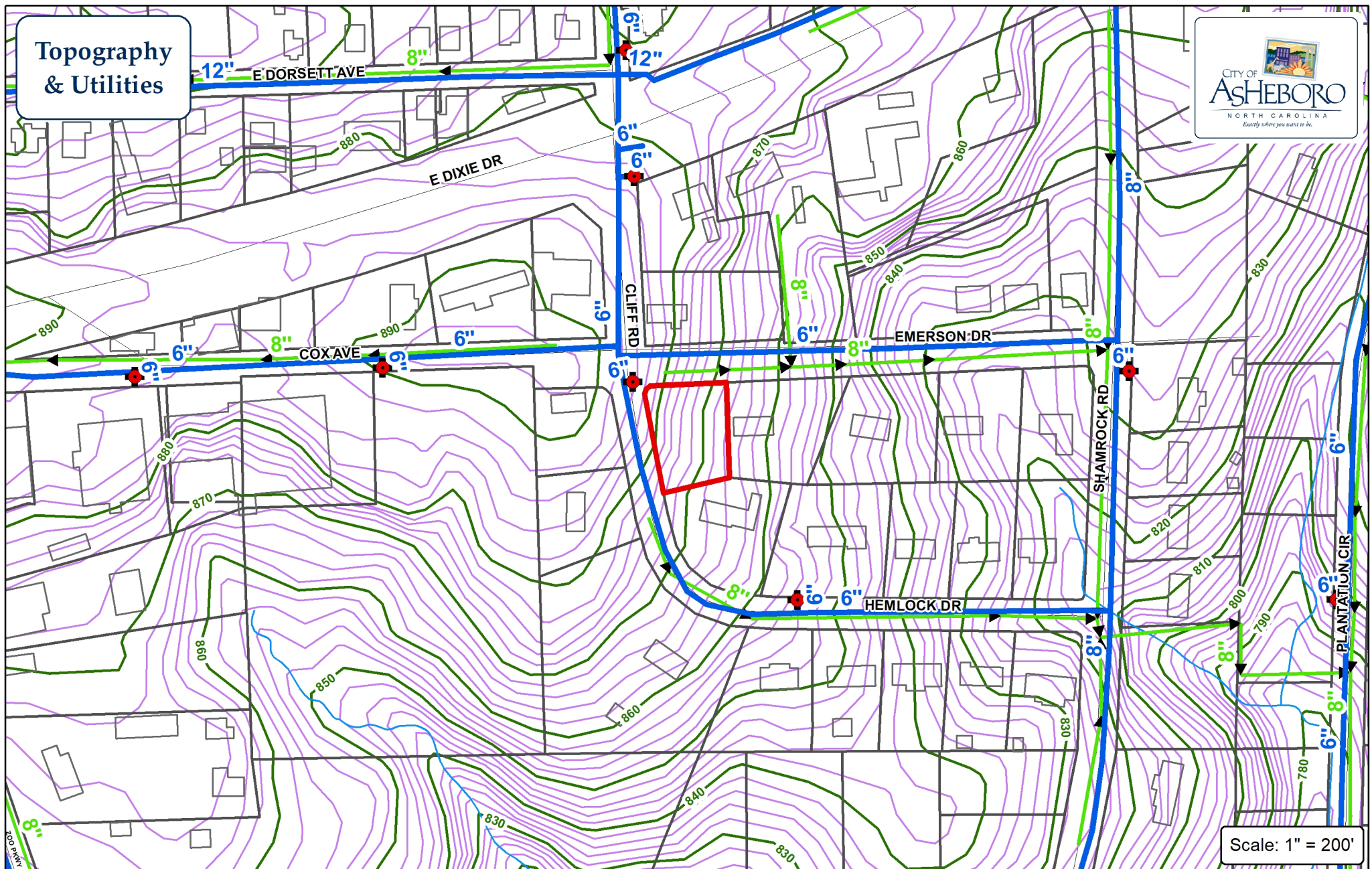
Rezoning Case: RZ-21-05

Parcel: 7760066359





# Topography & Utilities

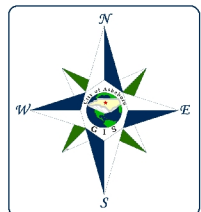


Scale: 1" = 200'

- |  |            |  |              |
|--|------------|--|--------------|
|  | Force Main |  | Fire Hydrant |
|  | Water Main |  | Pump Station |
|  | Sewer Main |  |              |

City of Asheboro  
Planning & Zoning Department  
Rezoning Case: RZ-21-05  
Parcel: 7760066359

RZ Subject Property



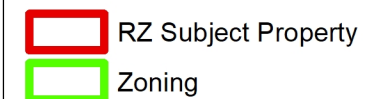




## City of Asheboro Planning & Zoning Department

Rezoning Case: RZ-21-05

Parcel: 7760066359





**Comparison of existing R15 Low-Density Single-Family Residential district (current zoning) and  
R10 Medium-Density Residential District (current request)**

| Table 200-1                                                                              |                                   |                                     |                                 |                                   |                                |                               |                                 |                         |                      |
|------------------------------------------------------------------------------------------|-----------------------------------|-------------------------------------|---------------------------------|-----------------------------------|--------------------------------|-------------------------------|---------------------------------|-------------------------|----------------------|
| Table of Area, Height, Bulk and Placement Regulations                                    |                                   |                                     |                                 |                                   |                                |                               |                                 |                         |                      |
| District                                                                                 | Minimum<br>Lot Size in<br>Sq. Ft. | Lot Width<br>(Frontage)<br>In Feet* | Front Required<br>Yard in Feet* | Side<br>Required<br>Yard In Feet* | Rear Required<br>Yard in Feet* | Maximum<br>Height in<br>Feet* | Maximum<br>Floor Area<br>Ratio* | Open<br>Space<br>Ratio* | Recreation<br>Ratio* |
| R15                                                                                      | 15,000                            | 100                                 | 30                              | 15                                | 25                             | 35                            | 22%                             |                         |                      |
|                                                                                          |                                   |                                     | 1 Single Family Only            |                                   |                                |                               |                                 |                         |                      |
| R10                                                                                      | 10,000 SF                         | 75                                  | 30                              | 10                                | 25                             | 35                            | 22%                             |                         |                      |
| *Except as specifically modified by this Ordinance                                       |                                   |                                     |                                 |                                   |                                |                               | Revised 10/2019                 |                         |                      |
| Staff Note: Non Residential applies to uses that typically require a Special Use permit. |                                   |                                     |                                 |                                   |                                |                               |                                 |                         |                      |

**Zoning Ordinance Statement of Intent for each district (Section 210):**

**R15 Low-Density Single-Family Residential (existing zoning):** 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.

**R10 Medium-Density Residential (current request):** 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.

## Application for Zoning Ordinance/Map Amendment

### APPLICANT INFORMATION

Applicant DeShandra Woodle

Applicant's Phone # (336) 953-6323

Applicant's Address PO Box 624  
Asheboro NC 27204

Applicant Email Address dswoodle@gmail.com

### PROPERTY INFORMATION FOR MAP AMENDMENTS

Property Owner's Name Timothy & DeShandra Woodle

Location of Property Cliff Road

Property Size (ac. or s.f.) 0.42 / 18,459 sq ft

Randolph County Property Identification Number (PIN#) 7760-06-6359

Current Zoning District R15

Requested Zoning District R10

Date Property Title Acquired \_\_\_\_\_

Deed Book 0007E Page 01159

Subdivision Shamrock Hills Section Ad44 Lot # 15

Plat Book 10 Page 122

### ORDINANCE AMENDMENT INFORMATION

Section 1011.2 of the Asheboro Zoning Ordinance requires the applicant to answer the following questions. The application may not be accepted unless all questions are completed.

1. 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.

No

2. 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?



Investing into established neighborhood that already has  
city water and sewer.

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

This lot is in close proximity to other duplexes within  
the area.

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

Debra K. Wacker

Owner Signature (if different than Applicant)

Printed Name of Authorized Signatory (if different from Applicant)

Owner Address

PO Box 624  
Asheboro NC 27204

Position/Relationship of Authorized Signatory to Applicant

Telephone Number

(336) 953-6323

Printed Name of Authorized Signatory (if different from Owner)

Position/Relationship of Authorized Signatory to Owner

#### **STAFF USE**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Case Number: \_\_\_\_\_



**SUB-95-06: Windcrest Acres**  
**Preliminary Plat**

**Staff Report**

**SUBDIVISION STAFF REPORT**  
Preliminary Plat

**CASE #** SUB-95-06

**Date** May 3, 2021  
Planning Board

**GENERAL INFORMATION**

**Subdivision Name** Windcrest Acres, **Section 3**  
**Requested Action** Preliminary Plat  
**Applicant** Davidson Land Development, LLC  
**Address** 892 Shiptontown Road, Lexington NC 27292  
**Phone** 336-746-5115  
**Location** South of Oak Bend Drive and Central Falls Road

**PARCEL INFORMATION**

**PIN** 7762369298  
**Size** 21.47 acres +/- of 69.13 **Number of Lots** 47  
acres +/-  
**Existing Zoning** R10 **Average Lot Size** Pending  
**Existing Land Use** Undeveloped

**Surrounding Land Use**

|              |             |             |                                                       |
|--------------|-------------|-------------|-------------------------------------------------------|
| <b>North</b> | Residential | <b>East</b> | Residential                                           |
| <b>South</b> | Residential | <b>West</b> | Residential/Place of Assembly (non commercial-church) |

**LAND DEVELOPMENT PLAN**

**Growth Strategy Map** Primary Growth  
**Proposed Land Use Map** Neighborhood Residential  
**Small Area Plan Map** Northeast  
**Identified Activity Center?** No

**Development Issues**

1. The preliminary plat for this subdivision was approved by Council on September 9, 2004. Due to the amount of time that has lapsed, a new preliminary plat is required.
2. The first two sections of the development include 27 lots. Additional future development area on the property may be developed at a later time, with submittal of the required sketch design that meets development requirements in effect at the time of submittal. However, neither the number of lots nor the design for the future phase has been identified at this time.
3. When the sketch design plat was approved in 1995, curb and gutter streets were not required. The sketch plan did not indicate curb and gutter streets for any phases of the development. The first two phases do not have curb and gutter.
4. A small portion of the property is within a Special Hazard Flood Area. Development around streams is also subject to NC Department of Environmental Quality permitting requirements.
5. A deceleration/turning lane was installed along Central Falls Road when the previous sections of the development were built.
6. Two possible connections to adjoining property are shown. One of these provides a potential connection to Bennett Street. The other is identified as a future connection.



**SUBDIVISION STAFF REPORT**  
Preliminary Plat

**DEPARTMENT COMMENTS**

**Engineering**      Plat comments and corrections are pending.

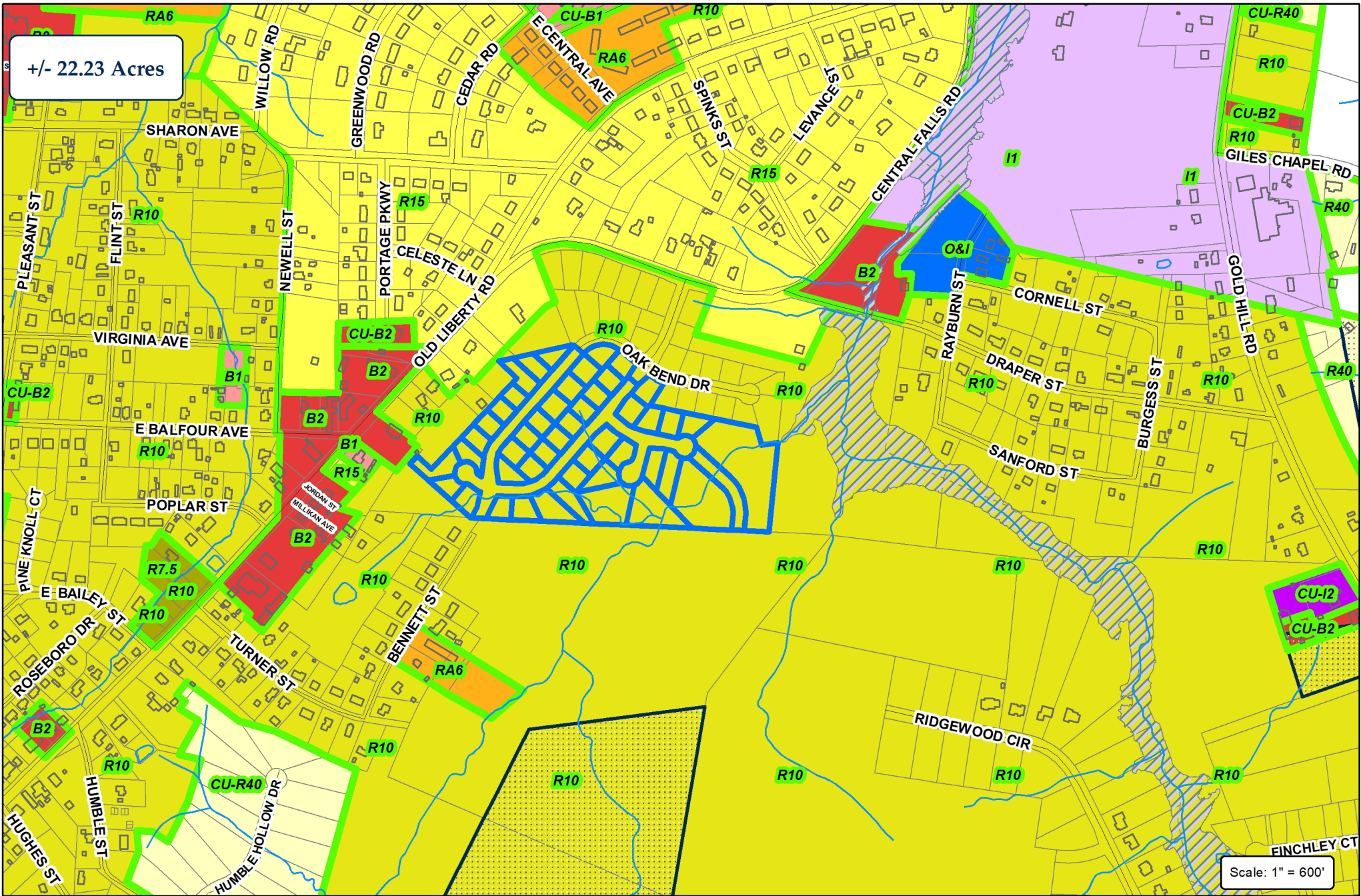
**Public Works**      Due to design and storm water issues with combining streets with and streets without curb and gutter, Public Works is not recommending curb and gutter be included in the proposed phases of the development.

**Planning**      Plat comments and corrections are pending.

**Other**      Confirmation is needed that the hydrant along Windcrest Road near the entrance to the development (in front lot Lots 29/44) is operational. If not, a hydrant needs to be located at end of cul de sac on Laurel Spring Road prior to final plat approval.

**Staff Recommendation**      A recommendation is pending and will be available at the Monday, May 3, 2021 Planning Board meeting.

**Planning Board  
Recommendation**



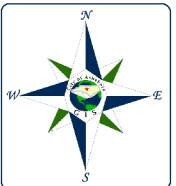
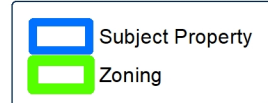
+/- 22.23 Acres

## City of Asheboro Planning & Zoning Department

Subdivision Case: SUB-95-06

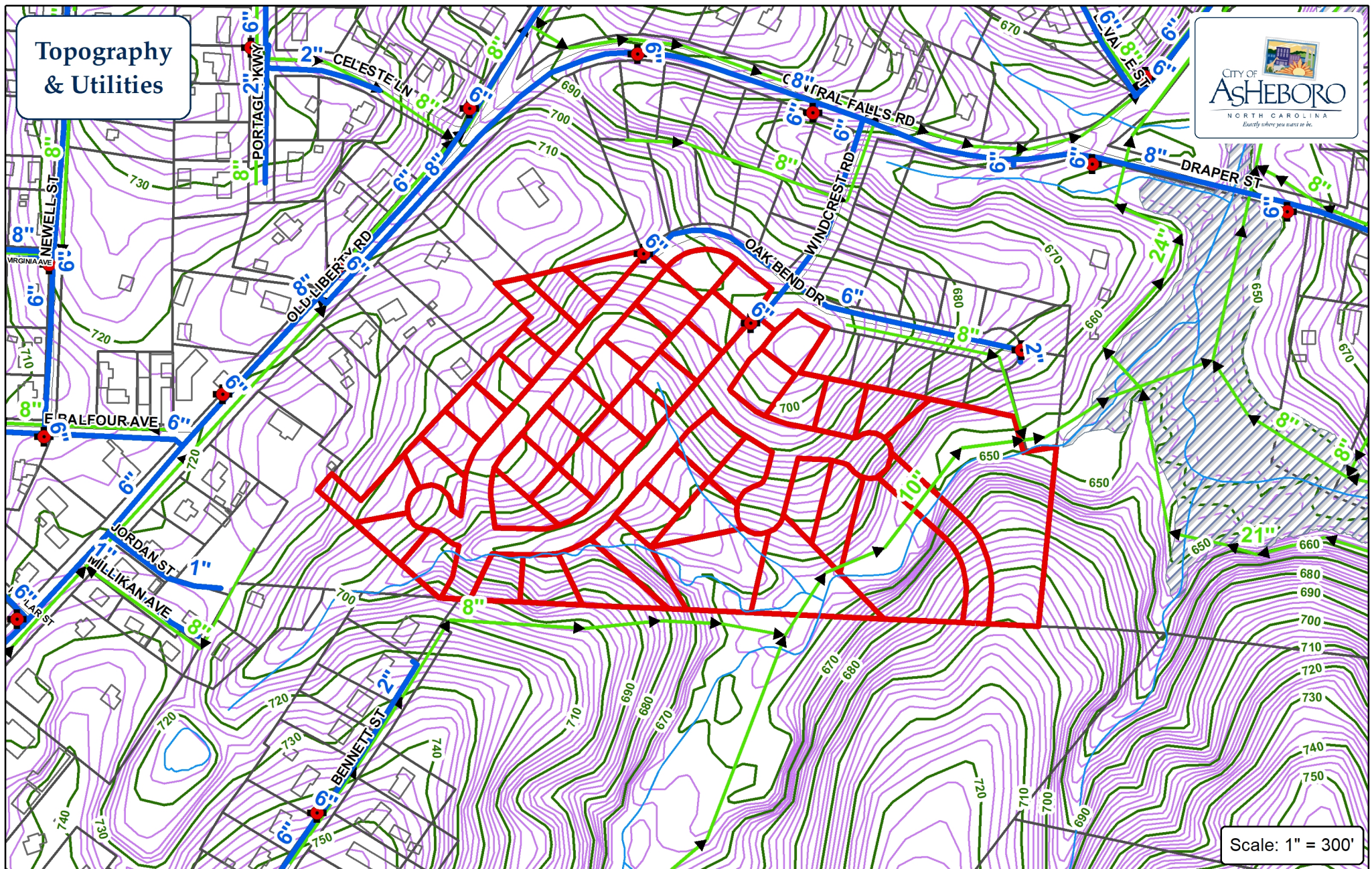
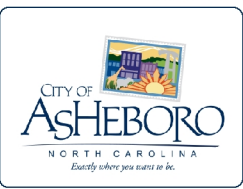
Windcrest Subdivision

Parcel: 7762369298 (pt.)





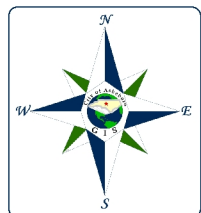
# Topography & Utilities



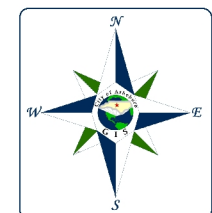
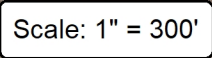
- |                                                                                               |                                                                                                  |
|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
|  Water Main |  Fire Hydrant |
|  Sewer Main |  Pump Station |
|  Force Main |                                                                                                  |

City of Asheboro  
Planning & Zoning Department  
Subdivision Case: SUB-95-06  
Windcrest Subdivision  
Parcel: 7762369298

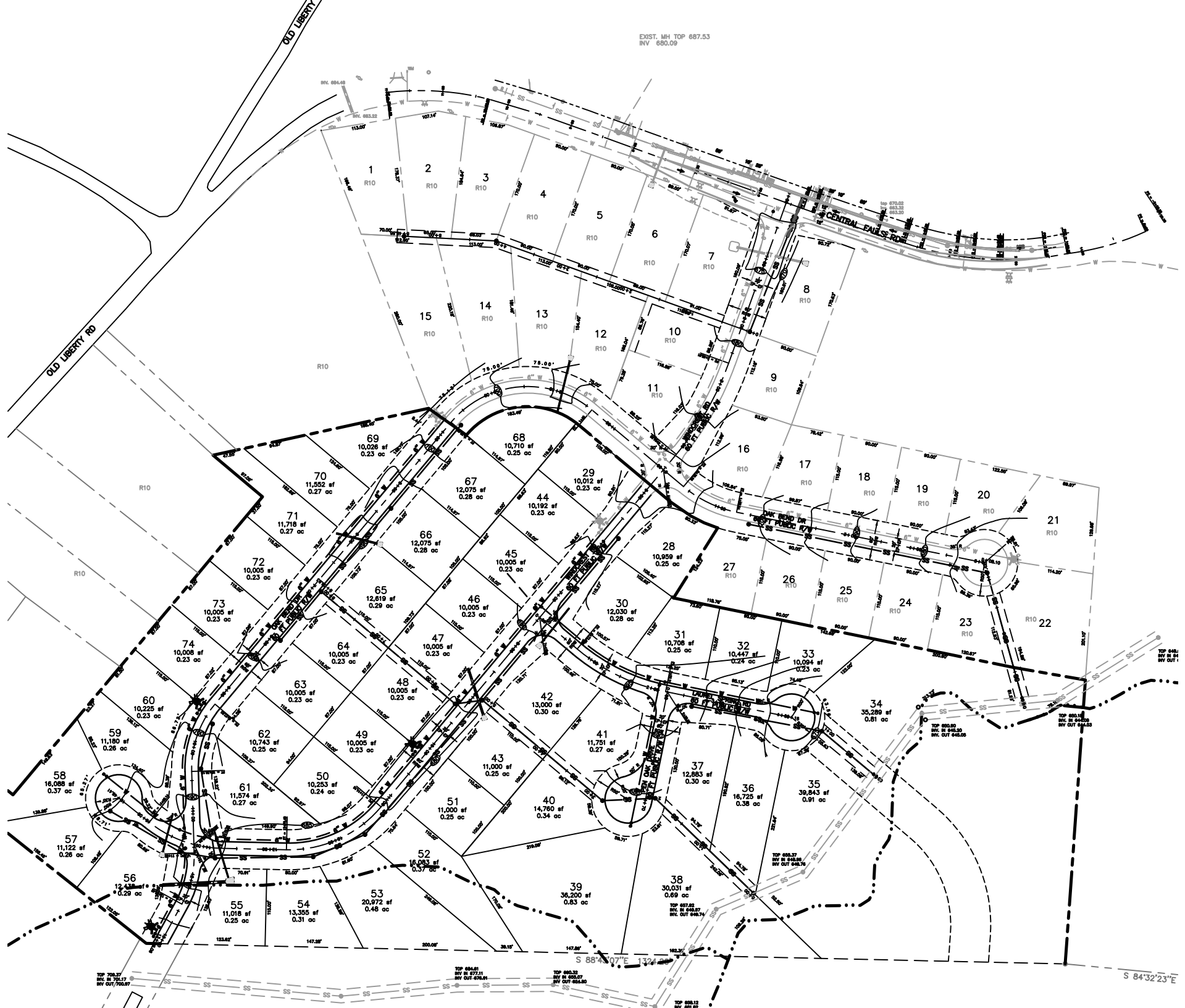
 Subject Property













**Annual Report concerning Planning Board activities, expenditures and budget estimates**





**To:** Asheboro City Council

**From:** Van Rich, Planning Board Chairman

**Date:** May 3, 2021

**RE:** Annual Report- Asheboro Planning Board

This memorandum provides a summary of the Planning Board's activities since July 1, 2020, an analysis of the expenditures to date for the current fiscal year and the anticipated funds needed for operation during the ensuing fiscal year. The Planning Board is comprised of seven (7) members, five (5) of whom reside in the corporate limits and two (2) who reside within the city's extraterritorial planning jurisdiction. A current Board roster is attached to this memo for your reference.

#### **Summary of Activities**

Through May 3, 2021, the Planning Board has reviewed a total of 15 cases. The 15 cases consisted of eight (8) zoning map amendments (rezoning cases), two (2) zoning ordinance text amendments, two (2) subdivisions, and three (3) variances in which the Planning Board served as the Board of Adjustment.

#### **Expenditures and Budget**

The Board's only expenditure this fiscal year has been related to members' stipends. \$8,400 was budgeted for board stipends in FY 20-21 and the same amount is requested for FY 21-22. To date, current year expenditures are below the budgeted amount.

On behalf of the Planning Board, I thank you for your support. It is an honor to serve the Asheboro community.

**City of Asheboro**  
**Planning Board/Board of Adjustment**

| <b><u>Name/City or ETJ</u></b>                                       | <b><u>Appointed/Expires</u></b> |
|----------------------------------------------------------------------|---------------------------------|
| <b>Van Rich</b> PB, BOA Chair / City                                 | 2-6-86 / 1-1-26                 |
| <b>Ritchie Buffkin</b> / City                                        | 2-7-13 / 1-1-25                 |
| <b>Harold Anderson</b> / City (filling unexpired term of Ms. Garner) | 3-5-20 / 1-1-22                 |
| <b>David Henderson</b> / ETJ                                         | 2-4-13 / 2-1-23                 |
| <b>Pamela Vuncannon</b>                                              | 08-9-18 / 1-1-24                |
| <b>Mike O'Kelley</b> / City                                          | 2-8-18 / 1-1-23                 |
| <b>Thomas Rush</b> / ETJ                                             | 2-3-14 / 2-1-24                 |