



Franklin County Communique to the Planning Board

REQUEST FOR REZONING

15-REZ-01

Bethlehem Church Road (State Road 1103) & NC 98 Hwy – R-30 & R-1 Residential to Highway Business (HB)

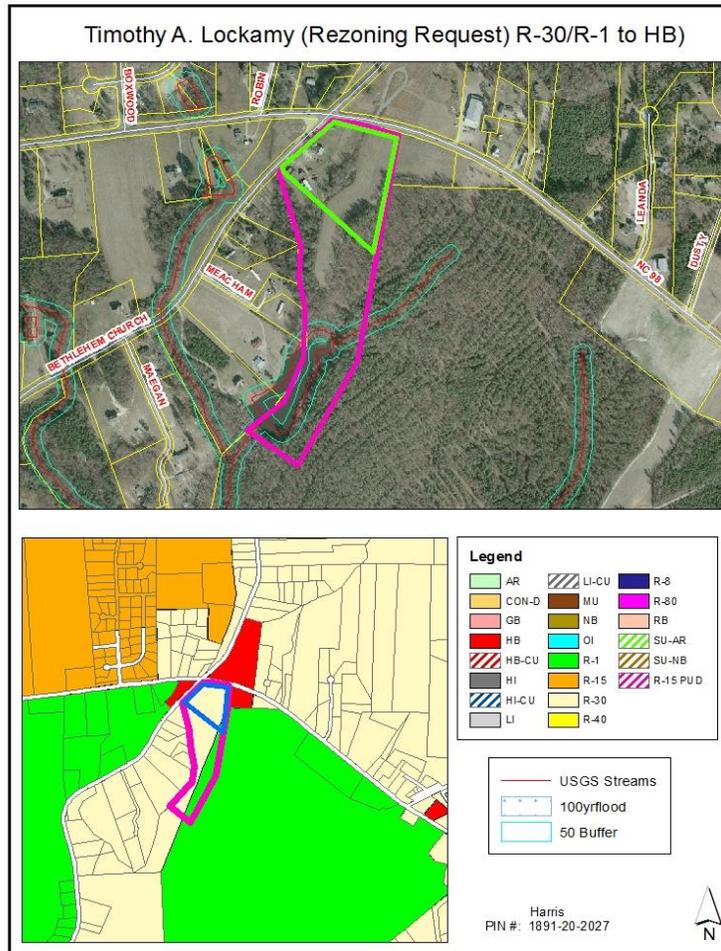
PETITIONER(S):

Name of Petitioner: Timothy A. Lockamy
Address: 128 Deer Creek Run
CityStateZip: Louisburg, NC 27549

OWNER(S):

Name of Owner: Donna H. Bullock
Address: 3129 NC 98 Highway
CityStateZip: Youngsville, NC 27596

LOCATION:



ATTACHMENTS:

Rezoning Application
Map

PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Donna H. Bullock	1891-20-2027	R-30 & R-1 Residential	6.4 of 19.99 acres
TOTAL			6.4 Acres

ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
Subject Property	R-30 & R-1 Residential	Beauty shop & dwelling
North	Highway Business	Mixed Use (Old School building/horses)
South	R-30 Residential	Agricultural Residential
East	Highway Business, R-1, R-30	Agricultural Residential
West	Highway Business	Vacant (Formerly Hagwoods Store)

STAFF ANALYSIS

PROJECT OVERVIEW

Zone Map Change Request: Timothy A. Lockamy is requesting to rezone 6.40 acres of a 19.99 acre parcel at the intersection of Bethlehem Church Road (State Road 1103) and NC 98 Highway in Harris Township from R-30 & R-1 Residential to Highway Business (HB).

PLANNING & ZONING

Land Use Plan: The Future Land Use plan indicates that this property is intended for Low-Medium Density Residential, with a Commercial designation directly to the north and east.

Zone Map Change Analysis:

Timothy A. Lockamy is requesting to rezone 6.40 acres at the intersection of Bethlehem Church Road (State Road 1103) and NC 98 Highway in Harris Township from R-30 & R-1 Residential to Highway Business (HB).

The petitioner states older tax records show that a portion of this tract was previously shown and taxed as “HB” zoning. The petition further states this property has road frontage on NC 98 Hwy and Bethlehem Church Road. Abutting property to the east is zoned “HB”, property directly across NC 98 is zoned “HB”, and property directly across Bethlehem Church Road is zoned “HB”. Requested change to “HB” zoning would make the property consistent with adjacent zoning, and would provide for usage which would be compatible with adjacent property.

The property is located in the Airport Height Overlay District. A small portion of the property is zoned R-1 Residential. This property is located at an intersection on a major thoroughfare and will be an extension of an adjacent Highway Business zoning district.

Staff recommends that the Board use the provided rezoning checklist as a part of the decision making process. Board members are encouraged and required by general statute to consider all allowable uses under the district rather than only the proposed use as presented. In accordance

with Section 26-8 (E) of the Unified Development Ordinance staff has sent mailed notices to the adjacent property owners.

Permitted Uses:

(R-30) Residential Zoning District

At this time, low-density residential land use has been provided in the majority of the southern half of the county, “in-filling” areas where there are no existing or planned water or sewer services. No water or sewer extensions are planned in the near future for these areas, despite the fact that development pressures are the greatest in Southern Franklin County. However, there remains a need for low to medium density residential development, which this new zoning development will provide.

Accessory Structure (See Note 4)	X
Accessory Uses (Incidental to any permitted use)	X
Agricultural Production (crops)	X
Agricultural Production (livestock), except intensive livestock operations (ILO)	X
Agricultural Supply Sales	C
Animal Aquaculture	X
Barber and Beauty Shops	C
Bed and Breakfast (includes Board House and Tourist Homes)	C
Bona Fide Farms	X
Bulk Grain Storage	C
Cemetery, Church and Family (See Note 6)	X
Cemetery, Commercial	C
Church	X
Club or Lodge, Public or Private	C
Conference Center/Retreat Facilities	C
Convenience Centers	C
Country Clubs, Private or Public	C
Customary Home Occupation (See Note 7)	X
Daycare Center and Kindergarten	C
Dwelling, Single-Family (one per lot)	X
Dwelling, Two-Family/Duplex	C
Emergency Shelter	X
Family Care Home (See Note 10)	X
Feed and Grain Sales and Storage	C
Fire Station Operations	C
Forestry	X
Golf Course	C
Golf Driving Range	C
Grounds and Facilities for Open Air Games and Sporting Events	S
Home for the Aged	C
Law Enforcement Station	X

Manufactured Home (Individual), For Office and Exhibition	X
Manufactured Home Park but excl. any manufactured home sales	C
Marina	C
Music Festival	S
Parks and Open Space, Public or Private	X
Planned Unit Development (In accordance with Article 11, Section 11-1)	S
Public Buildings	C
Public Utility Stations (including electrical substations, water tanks/towers, and telephone exchanges)	C
Riding Stables/ Riding Academy	C
Rural Family Occupation (See Note 12)	X
School, Public and Private	C
Sewage / Water Treatment Plants	S
Swimming Clubs	C
Swimming Pools (See Note 14)	X
Telecommunication Towers	C
Telephone Exchange Cabinets	X

X = Permitted as use by right

S = Special Use Permit approved by Franklin County Board of Commissioners upon the recommendation by the Franklin County Planning Board.

C = Conditional Use Permit approved by Franklin County Board of Adjustments.

(HB) Highway Business District Zoning

The purpose of this district shall be to provide for and encourage the proper grouping and development of roadside uses which will best accommodate the needs of the motoring public, the reduction of highway congestion and hazard, and the minimization of blight. The following standards are established for this district and designed to promote sound permanent commercial development, and to protect nearby areas from undesirable aspects of commercial development: (1) outside storage must be screen from public view by opaque fencing, screening, or landscaping; (2) outside storage shall be limited to the rear and side of principal building; (3) storage of unsafe (corrosive, flammable, or explosive materials) or hazardous material shall comply with any local, state or federal requirements; and (4) outside storage must be on the premises of the business.

ABC Stores	X
Accessory Uses	X
Adult Businesses	S
Agricultural Production (crops)	X
Agricultural Production (livestock) except intensive livestock operations (ILO)	X

Agricultural Supply Sales	X
Animal Aquaculture	X
Animal Hospitals / Veterinarians	X
Antique Sales	X
Apparel and Accessory Sales	X
Appliance Store	X
Arts and Crafts	X
Assemblies (Coliseums, Gymnasiums and Similar Structures)	X
Auction	X
Automobile Junkyard (Including Automobile Graveyards)	S
Automobile Parts Sales (new only)	X
Automobile Repair Service	X
Automobile Service Station (including self-service gas pumps)	X
Automobile/Truck/Trailer Sales and Rental	X
Barber and Beauty Shops	X
Bar, Night Club, Tavern	X
Bed and Breakfast Inn (includes Boarding House and Tourist Homes)	C
Blacksmith or Horse Shoeing Services	X
Blueprinting and Photostatting Establishments	X
Boat Sales	X
Bookstore	X
Building Supply Sales	X
Bulk Mail and Packaging	X
Bus Terminal	X
Cabinet / Woodworking Shop	C
Car Washes	X
Catering Establishments	X
Church	X
Clothing Alteration and Repair	X
Club or Lodge, Public and Private	C
Cold Storage Plants	X
Communication or Broadcasting Facility	X
Computer Sales	X
Computer Services	X
Contractors, General Building	X
Contractors, Heavy Construction	X
Convenience Centers	C
Courier Service	X
Craft and Gift Shops	X
Daycare Center and Kindergarten	C
Department Stores	X
Drive-In Movies	X
Drugs, Legal Sales	X
Drug Store	X
Dry Cleaners and Laundries	X
Dwelling, Single-Family (one per lot)	X
Electrical Appliance Sales and Service	X

Emergency Shelter	X
Employment / Personnel Agency	X
Fabric or Piece Goods Store	X
Farm Equipment and Small Engine Repair	C
Feed and Grain Sales and Storage	X
Fertilizer Wholesale and Retail Sales	X
Financial Institutions (Bank, Savings and Loan, Credit Unions)	X
Flea Markets	X
Florist	X
Floor Coverings, Sales	X
Food Store	X
Forestry	X
Funeral Home	X
Furniture Store	X
Glass, Sales	X
Golf Course, Miniature	X
Golf Driving Range	X
Grocery and Convenience Stores	X
Grounds & Facilities For Open Air Games & Sporting Events	S
Hardware Stores	X
Heating, Equipment and Plumbing Fixtures	X
Home Furnishings, Miscellaneous	X
Homeless Shelter	S
Horse Shows	C
Industrial and Commercial Machinery, Sales	X
Jewelry Sales and Watch Repair	X
Kennel Operations, Care	C
Landscape and Horticultural Services	X
Laundromat, Coin-Operated	X
Law Enforcement Station	X
Locksmith, Gunsmith	X
Manufactured Home Sales but excluding any residential occupancy	X
Manufactured Home, Individual, For Office and Exhibition	C
Miscellaneous Retail Sales	X
Motels / Hotels	X
Motor Vehicle Sales (new and used)	X
Motorcycle Sales	X
Music Festival	S
Musical Instrument Sales	X
Neighborhood Business	X
Newsstand	X
Office for Business, Professional or Personal Services	X
Office Machine Sales	X
Optical Goods Sales	X
Outdoor Fruit and Vegetable Markets	X
Paint and Wallpaper Sales	X

Paper Products, Sales	X
Parks and Open Space, Public or Private	X
Pawnshop or Used Merchandise Store	X
Pest or Termite Control Services	X
Pet Cremation	X
Pet Store	X
Photocopying and Duplicating Services	X
Photographic Equipment	X
Plant Nurseries / Lawn and Garden Stores	X
Pottery and Related Products, Sales	X
Public Buildings	X
Public Recreation (grounds and facilities for open air games and sporting events)	X
Public Utility Stations (including electrical substations, water tanks/towers and telephone exchanges)	C
Record and Tape Store	X
Recreation Facility, Indoors	C
Recreational Vehicle Sales	X
Rest Homes	X
Restaurants and Grills	X
Restaurants (with drive-thru)	X
Restaurants (without drive-thru)	X
Salvage and Recovery Yards	S
School, Business, Professional and Art	X
Shoe Sales and Repair	X
Shopping Centers / Commercial Group Development	X
Soap and Cosmetics, Sales	X
Sporting Goods Shop	X
Storage Facilities, Mini	X
Swimming Pools	X
Tattoo Shops	C
Taxidermist	X
Telecommunication Towers	X
Telephone Exchange Cabinets	X
Tire Sales	X
Tobacco Products, Sales	X
Travel Agency	X
Truck Stop	X
Truck / Trailer Repair	C
Veterinary Office / Hospitals	X
Utility Building Sales	X
Video Tape Rental and Sales	X
Warehouse (general storage, enclosed)	X

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Setbacks and Lot Size:

Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback	Min. Side Setback	Min. Rear Setback
<i>Existing Zoning</i> R-30 & R-1 Residential	30,000 Sq. Ft.	100	30	10	25
<i>Proposed Zoning</i> Highway Business	30,000 Sq. Ft.	75	50	10	25

Water/Sewer Service: Public water is available to this site.

Transportation: The 2013 average daily traffic count along NC 98 Hwy is approximately 3,900 vehicles per day.

Environmental Issues: The subject property is located within the Tar-Pamlico basin and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre. Franklin County GIS maps indicate a tributary on the property based on the county’s soils map information.

REZONING GUIDE CHECKLIST

- (1) Does the proposed zoning classification conform to the County Land Use Plan
FINDING___ Yes ___No

- (2) Is there a public need for additional land to be zoned for this use/district?
FINDING___ Yes ___No

- (3) If there is a need for additional land to be zoned to this district, should it be in this area, or would the public interest be better served if the zoning were done in another area of the county?
FINDING___ Yes ___No

- (4) The granting of the rezoning request will not impose serious hardships on adjacent property owners in the form of noise, odors, signs, and/or other similar nuisances?
FINDING___ Yes ___No

- (5) The request does not raise any legal questions such as “spot zoning”, “violation of precedents”, and the rule of reasonableness?
FINDING___ Yes ___No

- (6) The granting of the rezoning request is of benefit to the general public and not solely for a private individual.
 FINDING ___ Yes ___ No
- (7) The request will not result in the lessening the enjoyment of use of adjacent properties?
 FINDING ___ Yes ___ No
- (8) The request would not have a serious impact on existing public facilities, such as schools, fire & rescue etc.
 FINDING ___ Yes ___ No

PLANNING STAFF RECOMMENDED PLANNING BOARD DISCUSSION ITEMS

Review proposed map amendment, solicit comments or questions, and make a recommendation regarding the rezoning request.

Zoning Consistency Statement: The requested zoning map amendment is in general conformity with the land use plan. The Future Land Use plan indicates that this property is intended for low-medium density residential with commercial designation adjacent to the north and east. The property is located at an intersection on a major thoroughfare. Public water is available to this site. The adjacent parcels to the west, north and east are currently zoned Highway Business. This rezoning will be an extension of the adjacent Highway Business zoning. The request is reasonable and in the public interest.

PLANNING STAFF RECOMMENDATION TO THE PLANNING BOARD

Recommend approval of the requested rezoning based upon the reasons stated in the above narrative.