



Franklin County Communique to the Planning Board

REQUEST FOR REZONING 15-REZ-02

Hidden Lake Subdivision - Hicks Road (State Road 1125), Winged Elm Drive, & Forest Bridge Road – R-15 Residential to R-8 Residential

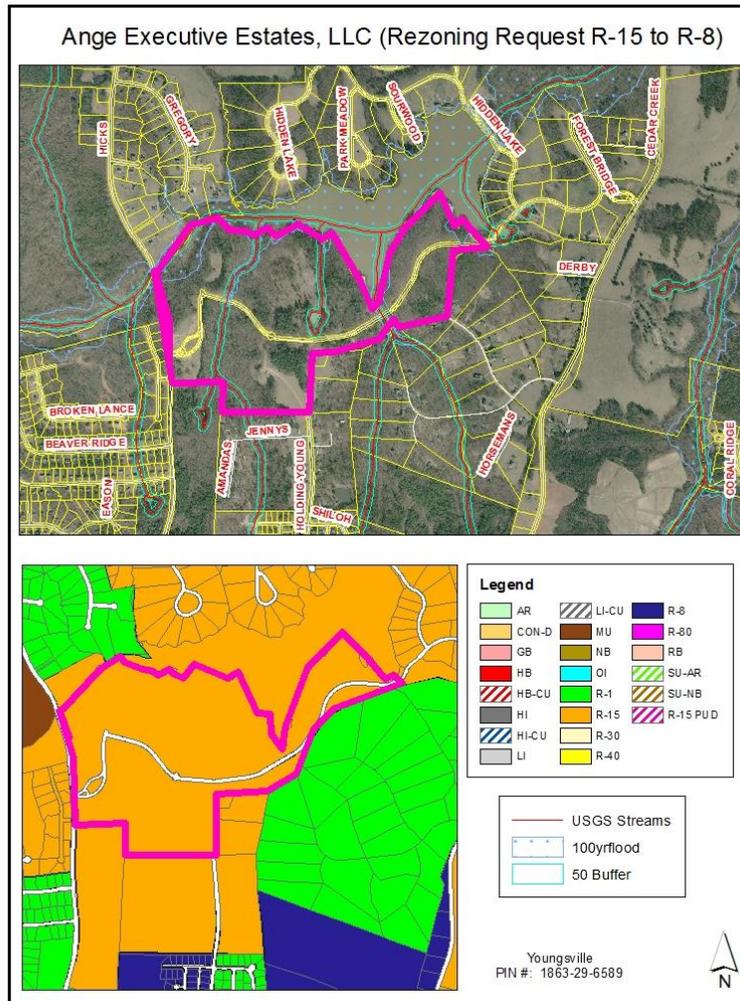
PETITIONER(S):

Name of Petitioner: Ange Executive Estates, LLC
 c/o Elton R. Ange, III
 Address: 113 Edinburgh South Drive, Suite 100
 CityStateZip: Cary, NC 27511

OWNER(S):

Name of Owner: Ange Executive Estates, LLC
 Address: 113 Edinburgh South Drive, Suite 100
 CityStateZip: Cary, NC 27511

LOCATION:



ATTACHMENTS:

- Rezoning Application
- Map

PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Ange Executive Estates, LLC	1863-29-6589	R-15 & R-1 Residential	176.17
TOTAL			176.17 Acres

ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
Subject Property	R-15 & R-1 Residential	Hidden Lake Subdivision
North	R-15 Residential	Hidden Lake Subdivision
South	R-15 Residential	Caprell's Mobile Home Park
East	R-15 & R-1 Residential	North Pastures Subdivision
West	R-15 Residential	Falcon Crest Subdivision

STAFF ANALYSIS

PROJECT OVERVIEW

Zone Map Change Request: Ange Executive Estates, LLC is requesting to rezone 176.17 acres at Hicks Road (State Road 1125), Winged Elm Drive, and Forest Bridge Road (Hidden Lake Subdivision, Phase II) in Youngsville Township from R-15 & R-1 Residential to R-8 Residential.

PLANNING & ZONING

Land Use Plan: The Future Land Use plan indicates that this property is intended for Low-Medium Density Residential.

Zone Map Change Analysis:

Ange Executive Estates, LLC is requesting to rezone 176.17 acres at Hicks Road (SR 1125), Winged Elm Drive, and Forest Bridge Road in Youngsville Township from R-15 & R-1 Residential to R-8 Residential.

The application states per the principles outlined in the Franklin County Comprehensive Land Use Plan, the availability of municipal utility infrastructure in this area, combined with the recent rezoning of nearby parcels to the R-8 designation, supports this application for rezoning. The proposed amendment to the zoning map is supported by 1) the Franklin County Comprehensive Land Use Plan, including 2) the Future Lane Use Map dated November 17, 2006; and 3) the recent zoning map amendments for parcels in the area of the subject property. The R-8 district requested in this petition, specifically the associated cluster provisions, will allow much greater design flexibility with residential lot sizes and setbacks as noted on page 6 of this communiqué.

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-15) Residential District Zoning

This district is defined as medium density residential areas where single-family and multi-family dwellings are commingled and certain open areas where similar residential development will be a viable land use. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and to prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

Accessory Structure	X
Accessory Uses	X
Agricultural Production (crops)	X
Agricultural Production (livestock) except intensive livestock operations (ILO)	X
Animal Aquaculture	X
Bona Fide Farms	X
Cemetery, Church and Family	X
Cemetery, Commercial	C
Church	X
Convenience Centers	C
Country Clubs, Private or Public	C
Customary Home Occupation	X
Daycare Center and Kindergarten	C
Dwelling, Multi-Family	C
Dwelling, Single-Family (one per lot)	X
Dwelling, Two-Family/Duplex	X
Emergency Shelter	X
Family Care Home	X
Fire Station Operations	C
Golf Course	C
Group Care Facility	S
Home for the Aged	C
Law Enforcement Station	X
Marina	C
Parks and Open Space, Public or Private	X
Planned Unit Development	S
Public Buildings	C
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
Radio or Television Studio Activities Only	C
Sanitary Landfill	S
School, Public or Private	C
Sewage/Water Treatment Plants	S
Swimming Clubs	C
Swimming Pools	X
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 the Franklin County Board of Adjustment

(R-1) Residential District Zoning

This district is defined as low-density residential areas and additional open areas where similar development will be a viable land use. The uses permitted in district are designed to stabilize and protect the essential character of the area and to prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

Accessory Uses	X
Agricultural Production (crops)	X
Agricultural Production (livestock), except intensive livestock operations (ILO)	X
Animal Aquaculture	X
Church	X
Convenience Centers	C
Country Clubs, Private or Public	C
Customary Home Occupation	X
Day Care Center and Kindergarten	C
Dwelling, Single-Family (one per lot)	X
Emergency Shelter	X
Fire Station Operations	C
Golf Course	C
Law Enforcement Station	X
Music Festival	S
Parks and Open Space, Public or Private	X
Planned Unit Development	S
Public Recreation (grounds and facilities for open air games and sporting events)	X
School, Public or Private	X
Solar Energy Farms	S
Swimming Clubs	C

Swimming Pools	X
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 the Franklin County Board of Adjustment

(R-8) Residential District Zoning

This district is defined as high density residential areas where single-family and multi-family dwellings are commingled and certain open areas where similar residential development will be a viable land use. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and to prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

Accessory Structure	X
Accessory Uses	X
Agricultural Production (crops)	X
Agricultural Production (livestock), except intensive livestock operations (ILO)	X
Animal Aquaculture	X
Bona Fide Farms	X
Cemetery, Church and Family	X
Church	X
Convenience Centers	C
Country Clubs, Private or Public	C
Customary Home Occupation	X
Day Care Center and Kindergarten	C
Dwelling, Clustered Detached Single-Family	X
Dwelling, Multi-Family	C
Dwelling, Single-Family (one per lot)	X
Emergency Shelter	X
Family Care Home	X
Fire Station Operations	C
Group Care Facility	S
Home for the Aged	C
Homeless Shelter	S
Law Enforcement Station	X
Parks and Open Space, Public or Private	X
Planned Unit Development	S
Public Buildings	C
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
Rural Family Occupation	X

School, Public or Private	C
Sewage/Water Pumping Stations	S
Swimming Clubs	C
Swimming Pools	X
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 the Franklin County Board of Adjustment

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-15 & R-1 Residential (Cluster)	10,000 Sq. Ft.	50	20	10	15
<i>Proposed Zoning</i> R-8 Residential (Cluster)	5,000 Sq. Ft.	40	15	6	10

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

Transportation: The 2012 average daily traffic count along Hicks Road (SR 1125) is approximately 780 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 several streams with riparian buffers and flood zone areas on this parcel.

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. Public water and sewer is available to this site. The request is reasonable with adjacent development patterns 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.