



Franklin County Communique to the Planning Board

REQUEST FOR REZONING 16-REZ-05 Residential-1 (R-1) to Highway Business (HB)

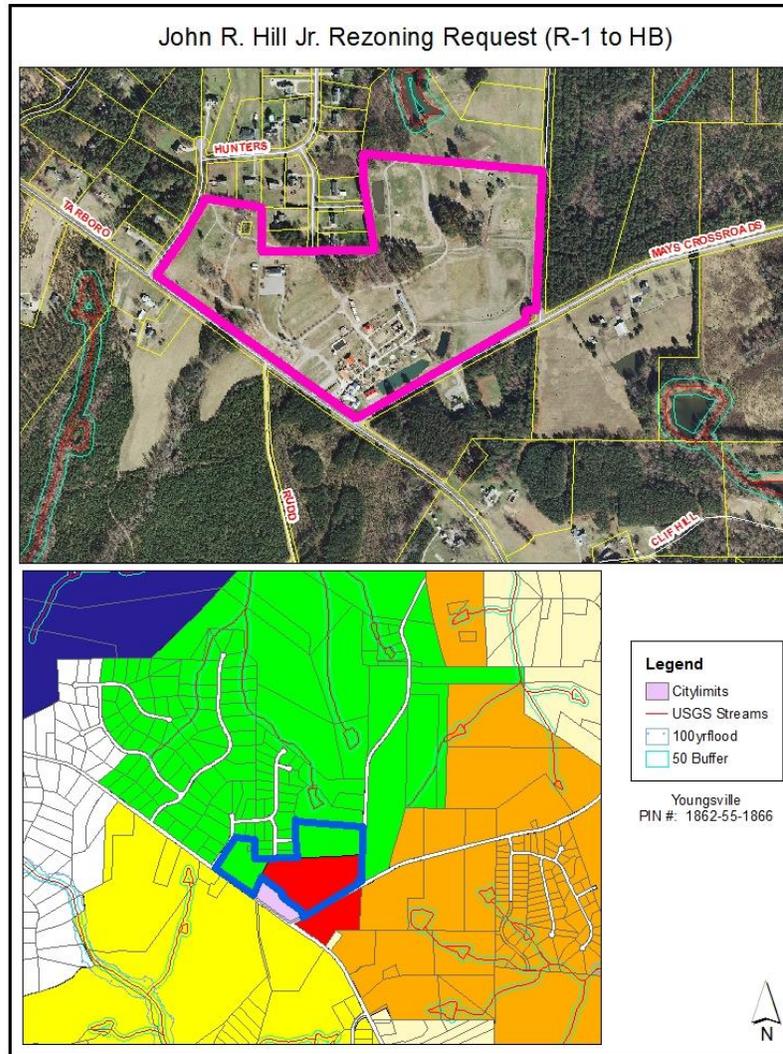
PETITIONER(S):

Name of Petitioner: John R. Hill Jr.
Address: 703 Tarboro Rd.
CityStateZip: Youngsville, NC 27596

OWNER(S):

Name of Owner: Same
Address:
CityStateZip:

LOCATION:



ATTACHMENTS:

Rezoning Application
Map

PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
John R. Hill	1862-55-1866	R-1	23.25
TOTAL			23.25 Acres

ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
Subject Property	R-1/HB	Hill Ridge Farms
North	R-1	Residential
South	R-40	Residential
East	HB	Animal Hospital
West	R-1	Residential/Subdivision

STAFF ANALYSIS

PROJECT OVERVIEW

Zone Map Change Request: John R. Hill Jr. is requesting to rezone 23.25 acres at 703 Tarboro Rd in Youngsville Township from Residential-1 (R-1) to Highway Business (HB).

PLANNING & ZONING

Land Use Plan: The Future Land Use plan indicates that this property is intended for Commercial. Surrounding properties are designated as low-medium density residential.

Zone Map Change Analysis:

John R Hill Jr. is requesting to rezone 23.25 of 52.5 acres at 703 Tarboro Rd. in the Youngsville Township from Residential-1 (R-1) to Highway Business (HB).

The application states that the property should be zoned for Highway Business to better coincide with how the property is currently being used. According to the Future Landuse Plan, the subject property is intended for Commercial uses. Approximately 29 of the 52.5 acres is zoned Highway Business (HB). This rezoning request would be an extension of existing Highway Business zoning.

The amendment from Residential-1 (R-1) to Highway Business (HB) to the zoning map is supported by the Franklin County Comprehensive Land Use Plan and the Future Lane Use Map dated November 17, 2006.

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-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

(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> Residential (R-1)	30,000 Sq. Ft.	100	30	10	25
<i>Proposed Zoning</i> Highway Business (HB)	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 this section of Tarboro Rd. is approximately 6,900 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 indicates a small pond with a riparian buffer 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 Future Land Use plan indicates that this is intended for Commercial use. Approximately 29 of the 52.5 acres is currently zoned Highway Business (HB). The parcel to the west is zoned Highway Business (HB). Public water is available to this site. The requested rezoning would be an extension of existing Highway Business (HB) zoning.

PLANNING STAFF RECOMMENDATION TO THE PLANNING BOARD

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