



# Franklin County Communique to the Planning Board

## REQUEST FOR REZONING 18-REZ-02

1399 M C Wilder Rd- Residential-15 (R-15) to Agriculture/Residential (AR)

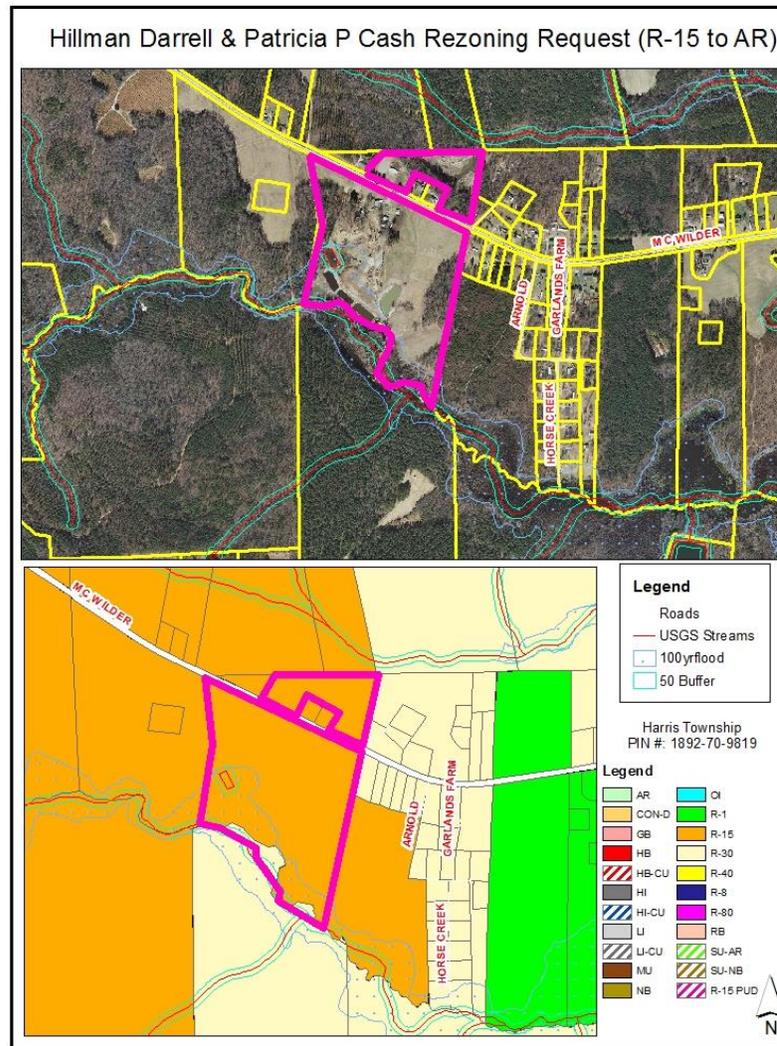
**PETITIONER(S):**

Name of Petitioner: Hillman D & Patricia P Cash  
Address: 1399 M C Wilder Rd  
CityStateZip: Louisburg, NC 27549

**OWNER(S):**

Name of Owner: Same  
Address:  
CityStateZip:

**LOCATION:**



**ATTACHMENTS:**

- Rezoning Application
- Map

## PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Hillman Darrell and Patricia P Cash	1892-70-9819	R-15	65.46
<b>TOTAL</b>			<b>65.46 Acres</b>

## ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
<b>Subject Property</b>	Residential-15 (R-15)	Agricultural/Residential
<b>North</b>	R-15	Residential
<b>South</b>	R-30	Agricultural/Wooded
<b>East</b>	R-30/R-15	Agricultural/Residential/Wooded
<b>West</b>	R-15	Agricultural

## STAFF ANALYSIS

### PROJECT OVERVIEW

**Zone Map Change Request:** Hillman Darrell & Patricia P Cash are requesting to rezone 65.46 acres at 1399 M C Wilder Rd in Harris Township from Residential-15 (R-15) to Agriculture/Residential (AR).

### PLANNING & ZONING

**Land Use Plan:** The Future Land Use Plan indicates that this property is intended for Low-Medium Density Residential Uses. This property is located within the Airport Height Overlay District.

### Zone Map Change Analysis:

Hillman Darrell & Patricia P Cash are requesting to rezone 65.46 acres at 1399 MC Wilder Road in Harris Township from Residential-15 (R-15) to Agriculture/Residential (AR).

The application states that the proposed zoning change does not differ from the existing agricultural use of the subject property and surrounding property. The application further states that the inert debris landfill located on the property was in operation prior to the County-wide rezoning that zoned this property Residential-15 (R-15). The applicants wish to expand this existing 2-acre inert debris landfill to 5.052 acres. The subject property is located within Franklin County Airport Height Overlay 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 the only proposed use as presented. In accordance with Section 26-8 (E) of the Unified Development Ordinance, staff has 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
Solar Energy Farms	S
Swimming Clubs	C
Swimming Pools	X
Telephone Exchange Cabinets	X

## **(AR) Agricultural-Residential District Zoning**

This district is established to promote a compatible mixture of agricultural, forestry, conservation, and very low-density residential uses where few public services will be available. Protection of the environment, preservation of prime farm land, and the continuation of rural lifestyles are goals that this district seeks to attain.

Abattoir/Slaughterhouse	S
Accessory Structure	X
Accessory Uses	X
Agricultural Production (crops)	X
Agricultural Production (livestock) Except intensive livestock operations (ILO)	X
Agricultural Supply Sales	C
Airport Operations, Aircraft Port, Heliports	S
Animal Aquaculture	X
Animal Hospitals / Veterinarians	S
Auction	S
Automobile Junkyard (including Automobile Graveyards)	S
Barber and Beauty Shops	C
Bed and Breakfast Inn (includes Boarding and Tourist Homes)	C
Bituminous Coal & Lignite Mining	S
Blacksmith or Horse Shoeing Services	X
Bona Fide Farms	X
Bulk Grain Storage	C
Cabinet / Woodworking Shop	C
Carnivals and Fairs	C
Catering Establishments	X
Cemetery, Church and Family	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
Craft and Gift Shops	C
Crude Petroleum & Natural Gas	S
Customary Home Occupation	X
Dairy Processing and Distribution	X
Day Care Center and Kindergarten	C
Detention Facilities	S
Dwelling, Single-Family (one per lot)	X
Dwelling, Two-Family/Duplex	X
Emergency Shelter	X
Family Care Home	X
Farm Equipment & Small Engine Repair	S
Feed & Grain Sales and Storage	C
Fire Station Operations	C

Flea Markets	S
Florist	C
Forestry	X
Golf Course	C
Golf Driving Range	C
Grocery and Convenience Stores	C
Grounds & Facilities For Open Air Games & Sporting Events	S
Hatcheries	C
Home for the Aged	C
Horse Shows	C
Inert Debris Reclamation	S
Kennel Operations, Care	C
Landscape and Horticultural Services	X
Law Enforcement Station	X
Manufactured Home (individual, for residential occupancy)	X
Manufactured Home Park but excluding any manufactured home sales	C
Marina	C
Mining Industries	S
Music Festival	S
Neighborhood Business	C
Nonmetallic Minerals, except fuels	S
Offices, Small/Low-Impact	C
Orphanage	X
Outdoor Fruit and Vegetable Markets	X
Paper Products, Sales	S
Parks and Open Space, Public or Private	X
Pet Cremation	C
Petroleum Products, Storage and/or Distribution	S
Planned Unit Development	S
Plant Nurseries/Lawn and Garden Stores	C
Public Buildings	C
Public Recreation (grounds and facilities for open air games and sporting events)	X
Radio or Television Studio Activities Only	C
Recreation Facility, Indoors	C
Rest Homes	C
Restaurants and Grills	C
Riding Stables / Riding Academy	C
Rural Family Occupation	X
Salvage and Recovery Yards	S
Sanitary Landfill	S
School, Business, Professional and Art	X
School, Public and Private	X
Septic System Contractor	S
Sewage/Water Pumping Stations	S
Sewage/Water Treatment Plants	S
Solar Energy Farms	S

Storage Facilities, Mini	S
Swimming Clubs	C
Swimming Pools	X
Telecommunication Towers	C
Telephone Exchange Cabinets	X
Veterinary Office/Hospitals	S

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.

**\*Disclaimer:** Uses by right, Conditional Uses, and Special Uses are subject to change and you will have to confirm with the Franklin County Planning before beginning any type of construction on your property.

**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 -15 (R-15)	15,000	80	30	10	25
<i>Proposed Zoning</i> Agriculture/Residential (AR)	30,000	100	30	10	25

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

**Transportation:** The subject property is located off M C Wilder Rd, (SR 1706). The average daily traffic along this section of M Wilder Rd is approximately 1000 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.

**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 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 and 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 predates the current land use plan. The Future Land Use Plan indicates that this property is intended for low-density residential uses. The current agricultural use of this property and the surrounding property support this request. The Agriculture Residential district is established to promote a compatible mixture of agricultural, forestry, conservation, and very low-density residential uses where few public services will be available. Protection of the environment, preservation of prime farm land, and the continuation of rural lifestyles are goals that this district seeks to attain. Public water is available to this property. The request is reasonable with existing land uses and in the public interest.

**PLANNING STAFF RECOMMENDATION TO THE PLANNING BOARD**

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