

Planning and Development Department

156 CHURCH STREET, HENDERSON, NC 27536

(252) 738-2080 / FAX 738-2089

**Staff Report 3/21/2013****Owner:** Abdo Saleh, Inc.**Applicant:** Abdo Saleh**Parcel ID:** 0525 02006**Location:** Warrenton Road (Lot 5 from Plat Book Y-52) Portion of Tax Parcel 0525-02006**Current Zoning:** (A-R)
Agricultural Residential**Public Hearing:**
03/21/2013**Prepared by:**
Jordan McMillen**Description of Conditional Use Permit Request:**

The applicant is requesting a conditional use permit to allow a used auto sales business. A used vehicle sales use is listed as needing a conditional use permit within the A-R zoning.

Exhibits as follows:

- Exhibit 1.** Application
- Exhibit 2.** Survey and site plan
- Exhibit 3.** Zoning and 2010 Aerial Map
- Exhibit 4.** Conditional Use Permit check sheet

DRAFT Findings of Fact

1. The request is for a conditional use permit to allow a used auto sales business on a parcel zoned (A-R) Agricultural Residential.
2. Abdo Saleh, Inc. is the property owner.
3. The property is located along Warrenton Road; more specifically identified as Lot 5 coming out of parcel 0525-02006. The new parcel number is yet to be assigned by the tax office.
4. The property consists of 1.125 acres, is located directly adjacent to an existing convenience store and is currently vacant. The lot has been used as a residential lot with a mobile home present in the past.
5. The lot is currently zoned (A-R) Agricultural Residential.
6. As per the table of permitted uses, used vehicle sales are permitted within the A-R zoning with issuance of a conditional use permit by the Board of Adjustment.
7. The application requesting a conditional use permit was filed on 02/20/2013.
8. The adjoining property owners were notified on March 4, 2013.
9. The property was posted on March 1, 2013.
10. **The legal notice was run on March 12, and March 19, 2013.**

Staff Comments

The applicant is requesting a conditional use permit to allow a used auto sales business. The use of the property on the A-R zoning is listed as eligible for a conditional use and subject to Board of Adjustment consideration. The proposal would involve constructing a 20'x16' (320 sq. ft.) office as well as an area for the vehicles to be parked. The Department of Transportation has approved a driveway permit for the prospective business requiring a concrete drive with adequate turning radius to extend 25 ft. into the property from the edge of pavement (See site plan).

While the business would be located on land zoned A-R, it is located near a crossroads that currently does include other commercial uses in the form of 2 convenience stores. With a defined entrance and exit, the traffic safety concern could be minimized. Also in regard to safety, it would be advisable that lighting be included that specifically directs light away from adjacent property and roadways and only onto the site. Because of the surrounding agricultural land to the rear and residential use to the side, it would be necessary to include screening and buffer. As per the zoning ordinance this should be of the evergreen variety reaching a height of 8 feet within 3 years. A fence and plantings or landscaping combination could suffice as long as it separates the business use from the residential uses while enhancing the value of surrounding properties. Thus far no proposals have been given for signage, but this is something that may need to be explored with the applicant. If any signage is included, it would need to be approved and permitted separately. It appears that the use would meet the setback requirements of 50ft. on the front, 25 ft. on the side, and 35 ft. on the rear. This would include the area where the cars are parked and may require additional detail on the site plan to determine a specific area for the vehicles. The applicant has been made aware that this business would simply be sales and no repairs or uses that could have greater environmental impacts.



Vance COUNTY

NORTH CAROLINA

Conditional Use Permit Application

Vance County Planning & Development Department

156 Church Street, Suite 3
Henderson, NC 27536
Ph: (252) 738-2080
Fax: (252) 738-2089

For Administrative Use Only:

Case #	
Fee Paid	2/20/13 Cash
BOA Date	

Property Owner Information

Property Owner: Abdo Saleh I
Mailing Address: 410 S Garnett S.T
City: Henderson State: N.C. Zip Code: 27536
Phone #: (252) 226-6475 Fax #: () -
E-mail Address: _____

Applicant Information

Applicant: Abdo Saleh
Mailing Address: 410 S Garnett S.T
City: Henderson State: N.C. Zip Code: 27536
Phone #: (252) 226-6475 Fax #: () -
E-mail Address: _____

Property Information *For multiple properties please attach an additional sheet.*

Property Address: Warrenton Rd Henderson, N.C. 27537
Tax Map Number: 525-2-6 PIN (parcel identification #): _____
Type of Petition: CUP
Existing Zoning: Residential Proposed Zoning: Commercial
Acreage: 1.125 Road Frontage: S.R. 1001
Existing Use: vacant

Deed Reference

- Metes and bounds description attached
- Site plan/sketch of proposal attached



Vance COUNTY

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Conditional Use Permit Application

Vance County Planning & Development Department

Statement of Justification

1. Application is hereby made for the following use: *Please explain below:*

C Auto Sale used

2. The intent is to : *Check all that apply:*

- Construct a new structure for a conditional use;
- Repair the existing structure for the conditional use;
- Alter and/or expand the existing structure for the conditional use;
- Other

3. The following requirements have been provided: *Check all that apply:*

- Site plan;
- Property description;
- NC DOT entrance permit (if applicable);

4. Additional information:

In order to issue a Conditional Use Permit, the Board shall consider each of the following conditions, and based on the evidence presented at the hearing(s) make findings in regards to each and must find that the issuance of the Conditional Use Permit is in the best interest of the county.

A. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

Yes No

Land is clear and is ready to use
Is listed for conditional use

B. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety;

Yes No

we will build a fence
we will plan some trees to divided the property
The drive way is more in 500 feet from The Intersection
and we proved for dot drive way permit



Vance COUNTY

NORTH CAROLINA

Conditional Use Permit Application

Vance County Planning & Development Department

C. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications;

Yes No

we meeting all regulation and ordinance

D. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that use or development is a public necessity;

Yes No

the car lot will be to sale quality cars and we will keep it look good and will not hurt property value

E. The use or development will be in harmony with the area in which it is located and will be in general conformity with the plan of development of the County.

Yes No

will be located near other commercial property

Property Owners Signature

Alisa

Please sign in blue or black ink

Date 2/20/2013

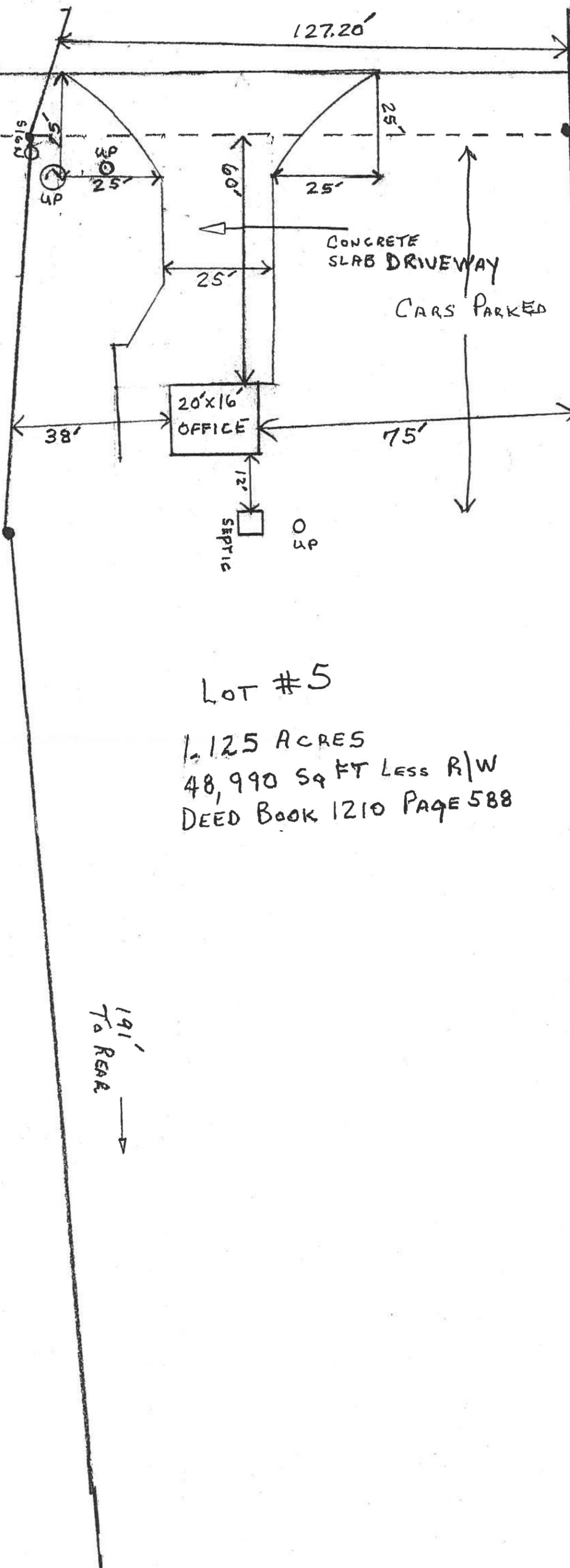
Applicants' Signature

Alisa

Please sign in blue or black ink

Date 2/20/2013

S.R. 1001



R/W 9' Edge of PAVEMENT

NOTES

CONCRETE DRIVE @ 6" DEPTH 25' OUT FROM EDGE OF ASPHALT

LOT #5

1.125 ACRES
48,990 SQ FT LESS R/W
DEED BOOK 1210 PAGE 588

LOT #2

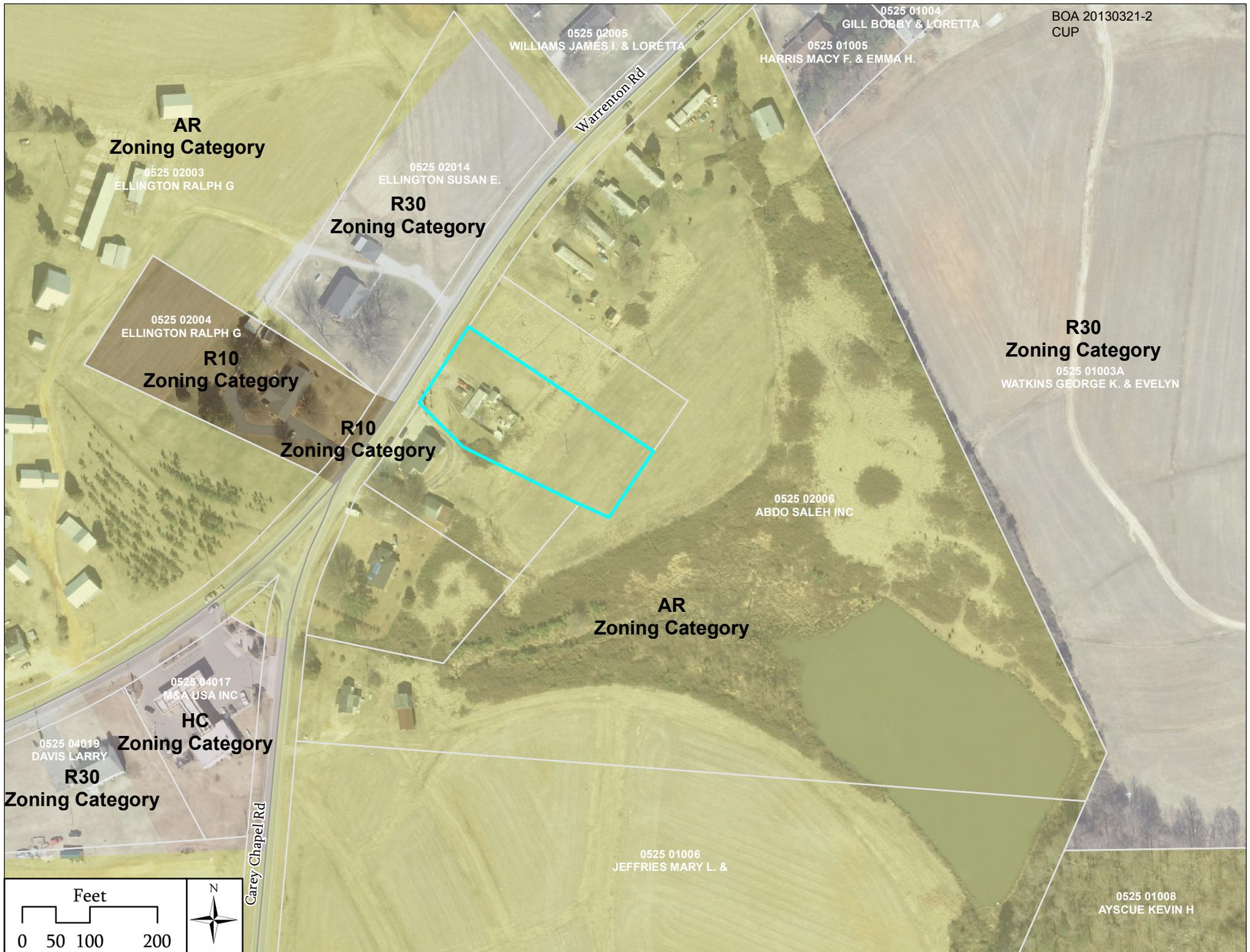
LOT #6

191'
TO REAR

SITE PLAN
AUTO SALES LOT
ABDO SALEH, INC

LOT #5
FILE # 91-09-002B-XL
TAX MAP # 525-2-6 (PART)

NOT DRAWN TO SCALE



BOA 20130321-2
CUP

0525 02005
WILLIAMS JAMES I. & LORETTA

0525 01004
GILL BOBBY & LORETTA
0525 01005
HARRIS MACY F. & EMMA H.

AR
Zoning Category

0525 02003
ELLINGTON RALPH G

0525 02014
ELLINGTON SUSAN E.
R30
Zoning Category

R30
Zoning Category

0525 01003A
WATKINS GEORGE K. & EVELYN

0525 02004
ELLINGTON RALPH G

R10
Zoning Category

R10
Zoning Category

0525 02006
ABDO SALEH INC

AR
Zoning Category

0525 04017
M&A USA INC

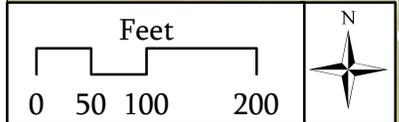
HC
Zoning Category

0525 04019
DAVIS LARRY

R30
Zoning Category

0525 01006
JEFFRIES MARY L. &

0525 01008
AYSCUE KEVIN H



Carey Chapel Rd

Warrenton Rd

Conditional Use Permit Check Sheet

1. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

2. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

3. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

4. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that the use is a public necessity;

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

5. The use or development will be in harmony with the area in which it is to be located and will be in general conformity with the plan of development of the County.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	