

DEPARTMENT OF PLANNING & DEVELOPMENT

PLANNING STAFF REPORT

REZONING CASE # RZ1401-1

STAFF PROJECT CONTACT: Jordan McMillen



EXPLANATION OF THE REQUEST

This is a request to amend the zoning map and to rezone 1 parcel from Residential Low Density (R-30) to General Commercial (G-C-1). The area to be rezoned totals 1 acre and includes an existing structure that is being utilized for a commercial business.

OWNER/APPLICANT

OWNER: William G. Wortham, Jr.
242 Country Lake Drive
Henderson, NC 27537

Applicant: William G. Wortham, Jr.
242 Country Lake Drive
Henderson, NC 27537

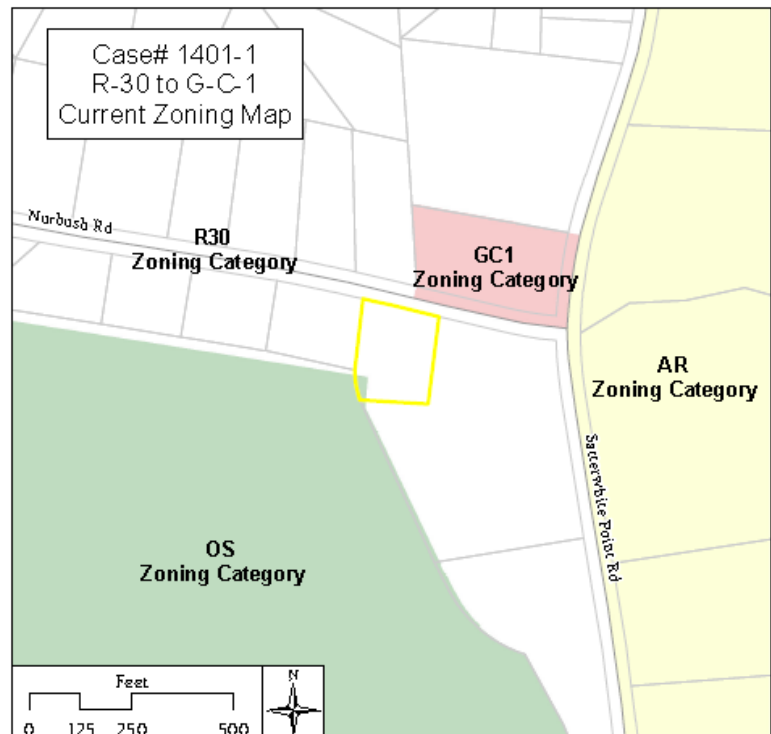
PROPERTY INFORMATION

LOCATION: 2927 Nutbush Road; more specifically identified as tax parcel 0600 03013.

EXISTING LAND USE: The parcel is currently zoned R-30 and has a building that currently is the location of a boat repair business.

SURROUNDING LAND USE: The property is located adjacent to the Kerr Lake Country Club with residences located on to the west. The land directly across the street as well as to the east is zoned R-30, but has had interest for commercial uses in the past few years. Directly to the north and northeast across Nutbush Road is a convenience store that is currently zoned G-C-1.

SIZE: The existing parcel is 1 acre.



ZONING HISTORY: All lots to date in this area have been zoned as they were since countywide zoning was established in November 2011. During the time that the zoning categories were being developed this structure was in transition and therefore was not categorized as commercial zoning at that time. Additionally because of the surrounding residential and open space zoning designations, this property was zoned as a more compatible R-30 zoning designation.

IMPACTS

This rezoning would allow uses that are characteristic of a commercial nature. These newly allowed uses would be similar in nature as the current use. Because of the potential uses and impacts, adequate buffers and screening will be required at such time that new zoning permits are required.

STAFF COMMENTS & PLANNING BOARD RECOMMENDATION

As identified and located within the county land use plan, the property is situated within a transitional development area. A transitional development area is characterized as an area located along a transportation corridor that has experienced a limited amount of mixed growth previously and has the potential for such growth in the future. This property is located within the North Vance Transitional Development area that is located on the west side of Satterwhite Point Road leading from the City of Henderson's Extra Territorial Jurisdiction to Kerr Lake. As outlined within the land use plan, this particular development area is more inclined to see growth in the residential sector as opposed to commercial growth in the other 2 transitional development areas within the county.

Nonetheless, it is necessary to have supporting commercial activity within this area. The existence of an existing commercial business on this property that is located directly adjacent to another commercial business provides reasoning for allowing the rezoning. Additionally the fact that these businesses are located near the intersection of two roads encourages the concentration of commercial uses in convenient and accessible locations. This along with the fact that there has been interest in adding commercial uses to this immediate area in the past few years provides further justification for rezoning this parcel for commercial uses.

Overall, the rezoning is consistent with the land use plan, fits the future character of the immediate area and appears justifiable. Staff recommends approval of the rezoning request and advises that if future development takes place the current zoning ordinance will require that appropriate buffers and screens be provided and maintained between the property and surrounding residential areas.

Attachments: Rezoning Application, Aerial View Map, Survey



Vance COUNTY

NORTH CAROLINA

Rezoning Process

Vance County Planning & Development Department

For Administrative Use Only:

Case #	<u>RZ1401-1</u>
Fee Paid	<u>\$250 ck# 2106</u>
PB Date	
BOC Date	

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

Property Owner Information

Property Owner: William G Wortham Jr
Mailing Address: 242 Country Lake Dr
City: Henderson State: NC Zip Code: 27537
Phone #: (252) 492-7277 Fax #: () - C-432-5125
E-mail Address: Tovercash@coastal-bev.com

Applicant Information

Applicant: William G Wortham Jr
Mailing Address: 242 Country Lake Dr
City: Henderson State: NC Zip Code: 27537
Phone #: (252) 492--7277 Fax #: () - C-432-5125
E-mail Address: Tovercash@coastal-bev.com

Property Information For multiple properties please attach an additional sheet.

Property Address: 2927 Nutbush Road, Henderson NC 27536
Tax Map Number: 0600-03013 PIN (parcel identification #): _____

Existing Zoning: R-30 Proposed Zoning: G-C-1
Acreage: 1 Acre Road Frontage: Approx. 200 ft.
Existing Use: Commercial business (boat service)

Deed Reference

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



Vance COUNTY

NORTH CAROLINA

Rezoning Process

Vance County Planning & Development Department

Statement of Justification

1. Would the amendment correct an error in the zoning map? ☒ NO ☐ YES: *Please explain below:*

2. Have conditions changed in the area to justify the requested amendment? ☒ NO ☐ YES: *Please explain below:*

3. What factors justify the proposed amendment?

Approximately four years ago, I leased my land & building which was zoned as business. Unknown to me, the property was rezoned as residential while my tenant was leasing the property. The business is now relocating, and I would like to continue leasing my property to another individual, but must get zoning changed back to business to do so.

Property Owners Signature

William J. Worthen Jr.

Please sign in blue or black ink

Date 12-02-13

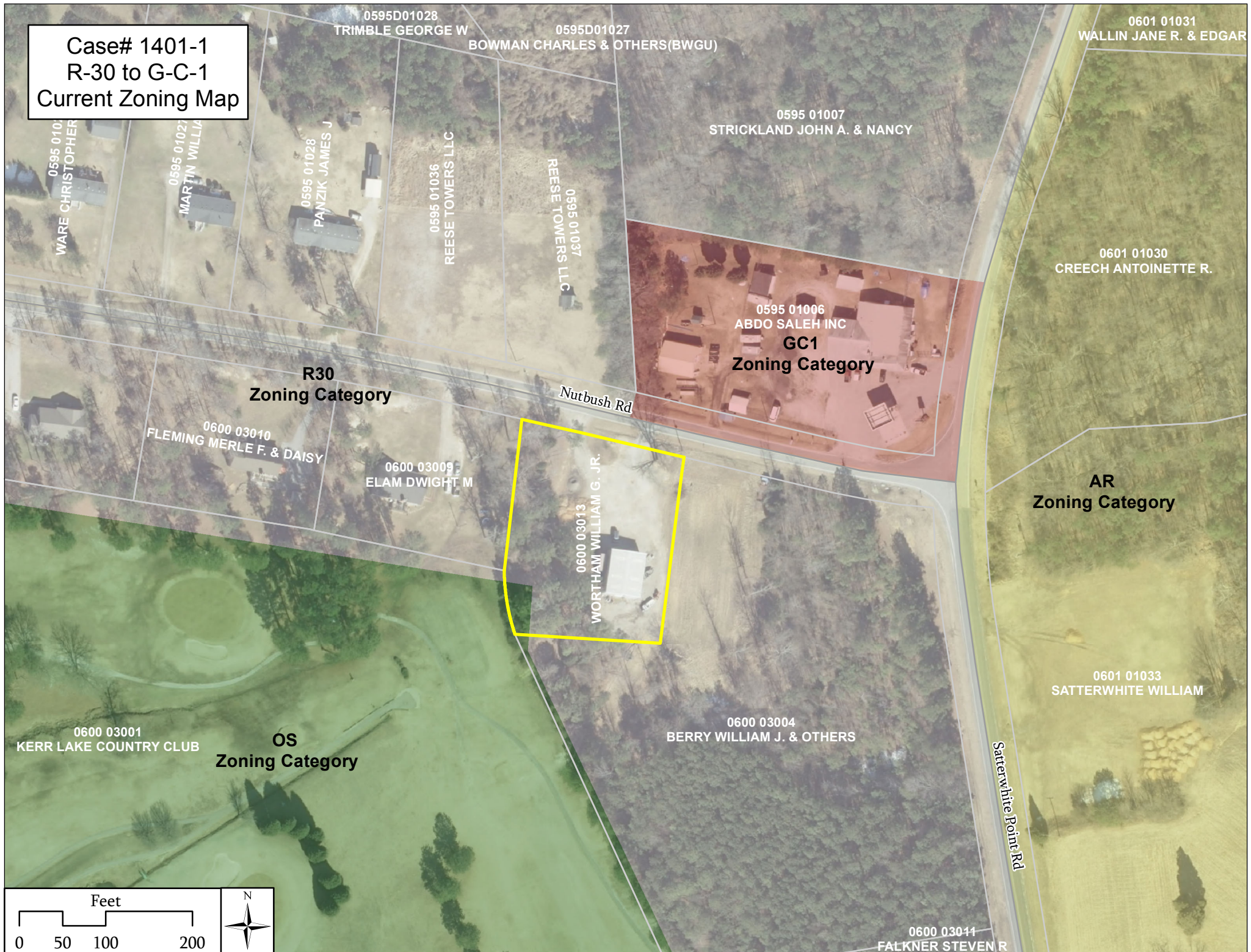
Applicants' Signature

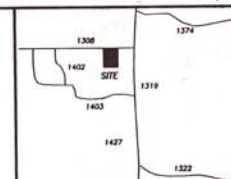
William J. Worthen Jr.

Please sign in blue or black ink

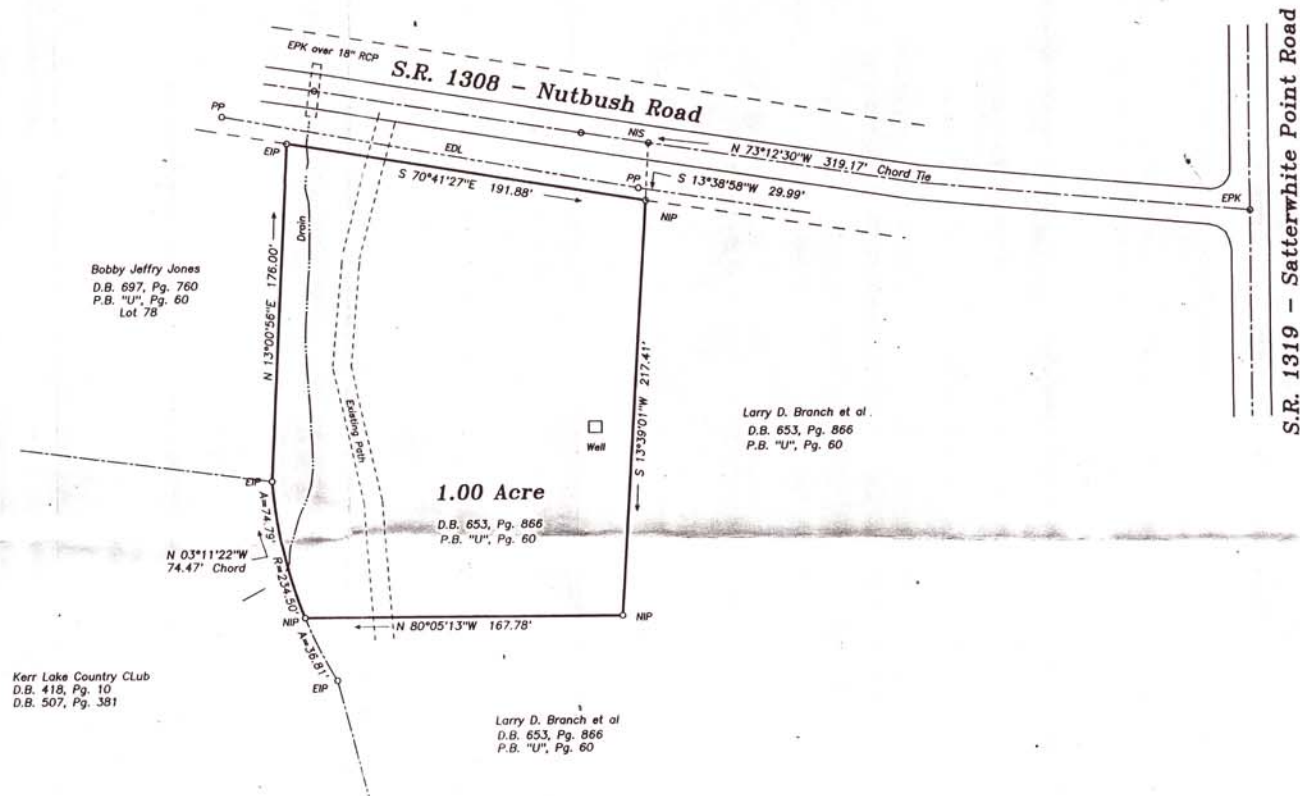
Date 12-02-13

Case# 1401-1
R-30 to G-C-1
Current Zoning Map





Location Map
(Not To Scale)



G.S. 47-30(f)(11)b

I certify that this survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.

Alan R. Rowland
ALAN R. ROWLAND, R.L.S.

All Areas Calculated By Coordinate Method

This plat is subject to all easements, agreements, and rights of way of record prior to the date of this plat.

I, Alan R. Rowland, certify that this plat was drawn under my supervision from an actual survey made under my supervision from deeds shown on the face of the plat; that any boundaries not surveyed are clearly indicated on the face of the plat; that the ratio of precision as calculated before adjustment is 1:10,000+; that this survey and plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number, and seal this 14th day of April A.D., 1999.

Alan R. Rowland
Registered Land Surveyor L-2897



LEGEND	
EIP Existing Iron Pipe	NIP New Iron Pipe
EIS Existing Iron Spike	NIS New Iron Spike
EPK Existing PK Nail	NPK New PK Nail
ERB Existing Rebar	NRB New Rebar
ERS Existing Railroad Spike	CP Computed Point
ECM Existing Conc. Monument	PP Power Pole
RCP Reinforced Concrete Pipe	EL Property Line
CMP Corrugated Metal Pipe	CL Center Line
EDL Electric Distribution Line	R/W Right of Way
ESL Electric Service Line	MBL Min. Bldg. Line
CM Concrete Monument	



Alan's Surveying Company, P. A.
715 S. Chestnut Street Henderson, N. C. 27536
(252) 492-9234



Date: 04/14/99 Scale 1" = 50' File # V99032 - L

Survey For

William G. Wortham, Jr.

Owners - Larry D. Branch et al

Middleburg Township

Vance County, North Carolina

Tax Map 600, Block 3, Part of Parcel 4