

DEPARTMENT OF PLANNING & DEVELOPMENT

PLANNING STAFF REPORT

REZONING CASE # RZ1409-2

STAFF PROJECT CONTACT: Jordan McMillen



EXPLANATION OF THE REQUEST

This is a request to amend the zoning map and to rezone 1 parcel from Office-Institutional (O-I) to Residential Low Density (R-30).

OWNER/APPLICANT

OWNER: Cardinal Innovations Healthcare Solutions
4855 Milestone Avenue
Kannapolis, NC 28081

Applicant: Cardinal Innovations Healthcare Solutions
4855 Milestone Avenue
Kannapolis, NC 28081

PROPERTY INFORMATION

LOCATION: 1410 Lynnbank Road, more specifically identified as tax parcel 0451 01005A. Said property is located at the intersection of N. Lynnbank Road and S. Lake Lodge Road.

EXISTING LAND USE: The parcel is currently zoned O-I and was formerly a group living quarters. That operation has been inactive and shut down for several years.

SURROUNDING LAND USE: The surrounding land use is predominantly R-30 and A-R zoning categories. The only other zoning category in this general area is the parcel immediately to the west of subject property, which is Fuller's Chapel Church and is zoned O-I.



SIZE: The existing parcel is 1.36 acres, as shown on attached plat.

ZONING HISTORY: All parcels in this area are zoned as they were since countywide zoning was established in November 2011.

IMPACTS

This rezoning changes the allowable uses of the property from being non-retail commercial in nature to low-density residential. The same small-scale institutional uses permitted under O-I would remain permitted under R-30. However, larger scale institutional uses, such as colleges, fire stations, and medical clinics would not be permitted under R-30. Furthermore, if the proposed amendment is approved, multi-family dwellings would be permitted with a conditional use permit under R-30, which is not permitted under O-I.

In terms of lot standards, the amendment as proposed would reduce the dimensional requirements across the board. Minimum lot area would be reduced to 30,000 square feet, lot width to 100 feet, street frontage to 100 feet, building height to 35 feet, front setbacks to 30 feet, side setbacks to 20 feet, and rear setbacks to 25 feet. The improvements on the property currently meet the requirements under R-30.

STAFF COMMENTS

The rezoning request as presented would change the property's zoning from O-I to R-30. This request is being made to allow the structure to serve as a single family dwelling, which is not permitted under the parcel's current zoning category.

Planning staff deems this rezoning request to be very reasonable. The surrounding area is overwhelmingly residential and agricultural in nature. The proposed amendment would make this parcel consistent with the allowable uses of surrounding properties. It would also align with the county's rural and agriculture characteristics. Finally, a rezoning approval would allow the utilization of the property by attracting potential buyers of the property who wish to use it as a family dwelling.

Attachments: Rezoning Application, Legal description, Survey Map, Aerial view map



Vance COUNTY

NORTH CAROLINA

Rezoning Process

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	
PB Date	
BOC Date	

Property Owner Information

Property Owner: Cardinal Innovations Healthcare Solutions
Mailing Address: 4855 Milestone Avenue
City: Kannapolis State: NC Zip Code: 28081
Phone #: (704) 939 - 7700 Fax #: (704) 939 - 7907
E-mail Address: patrick.gavin@cardinalinnovations.org

Applicant Information

Applicant: Cardinal Innovations Healthcare Solutions
Mailing Address: 4855 Milestone Avenue
City: Kannapolis State: NC Zip Code: 28081
Phone #: (704) 939 - 7700 Fax #: (704) 939 - 7907
E-mail Address: patrick.gavin@cardinalinnovations.org

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

Property Address: 1410 Lynnbank Road, Henderson, NC 27537
Tax Map Number: 0451-01-005A PIN (parcel identification #): 0451-01-005A

Existing Zoning: OI Proposed Zoning: R30
Acreage: 1.36 Acres Road Frontage: 210'
Existing Use: Vacant

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:*

In order to sell noted property the zoning must be changed to R30 for residential purposes.

3. What factors justify the proposed amendment?

A change to R30 zoning brings the subiect property in compliance with adjoining
residential uses.

Property Owners Signature

Please sign in blue or black ink

[Signature] *PATRICK CAVIN*
V.P. - FACILITIES

Date

8-27-14

Applicants' Signature

Please sign in blue or black ink

[Signature] *PATRICK CAVIN*
V.P. - FACILITIES

Date

8-27-14

Legal Description

DESCRIPTION OF REAL ESTATE

Situated in Kittrell Township, Vance County, North Carolina and more particularly described as follows:

Begin at a point arrived at in the following manner: from a new P.K. Nail situated at the intersection of the centerline of SR-1115 and the centerline (extended) of SR-1113, run N 50° 55' 44" E 55.84 feet to an existing iron pipe within the existing right of way of SR-1115, this being the point of beginning.

From said point of beginning, run thence S 70° 14' 23" W 210.63 feet to an existing iron pipe; thence N 12° 51' 57" W 8.39 feet to an existing concrete monument on the northerly edge of the right of way of SR-1115, southeasterly corner of lands of Fullers Chapel Church as described in deeds in Book 490 page 410 and Book 611 page 590; thence along the common boundary between the lands herein described and the lands of the said Fullers Chapel Church N 12° 51' 57" W 293.61 feet to an existing concrete monument; thence N 81° 5' 26" E 209.97 feet to an existing concrete monument, northeasterly corner of the tract herein described in the line of the Ronald F. Briggs property described in deed in Book 575, page 509 Vance Registry; thence continue along the boundary between the tract herein described and the said Briggs property S 12° 47' 14" E 249.76 feet to an existing concrete monument on the northerly edge of the right of way of SR-1115; continue S 12° 47' 14" E 12.47 feet to point of beginning, containing 1.36 acres according to plat and survey of Cawthorne and Associates Registered Land Surveyors dated July 12, 1995 entitled Survey For Area Board of the Area Mental Health, Developmental Disabilities and Substance Abuse Programs of Vance, Warren, Granville and Franklin Counties, from which the foregoing description was taken and to which reference is hereby made for other and further description and certainty of location.

Said plat recites that magnetic north is based on magnetic 1985, and refers to deed in Book 712, page 393 for further chain of title.

Case# 1409-2
O-I to R-30
Current Zoning Map

