

## DEPARTMENT OF PLANNING & DEVELOPMENT

### PLANNING STAFF REPORT REZONING CASE # RZ1502-2

STAFF PROJECT CONTACT: Jordan McMillen



## EXPLANATION OF THE REQUEST

This is a request to amend the zoning map and to rezone 1 parcel from Agricultural Residential (A-R) to Residential Low Density (R-30).

## OWNER/APPLICANT

**OWNER:** Jason Righter  
2409 Davistown Road  
Wendell, NC 27591

**Applicant:** Jason Righter  
2409 Davistown Road  
Wendell, NC 27591

## PROPERTY INFORMATION

**LOCATION:** The proposed rezoning is for 1252 Warrenton Road, or more specifically tax parcel # 0525 04003. The property is located approximately 3/10 of a mile east of the US 1 Bypass N interchange.

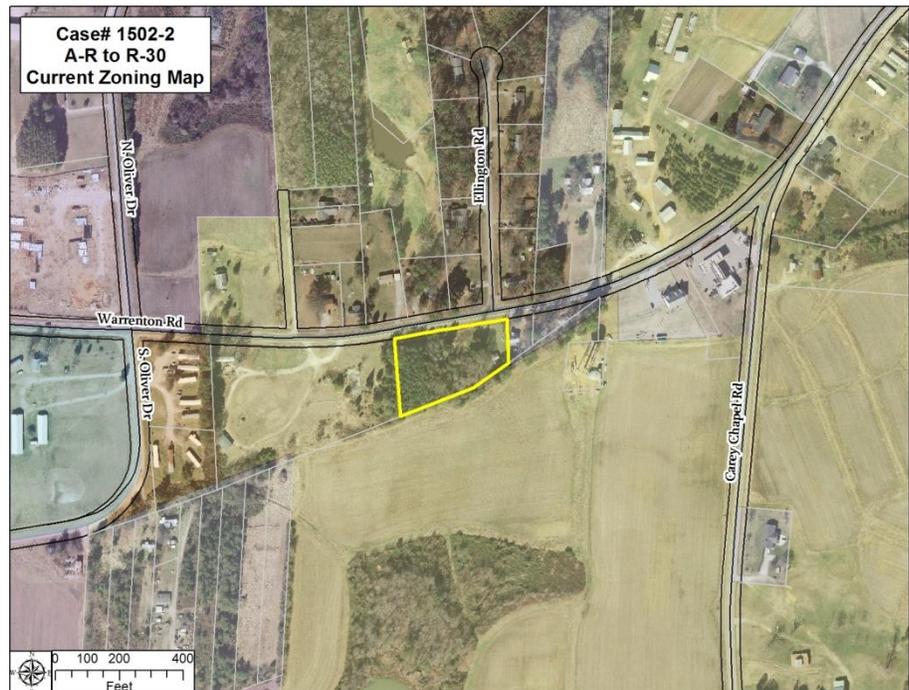
**EXISTING LAND USE:** The parcel is currently zoned A-R and totals 1.746 acres. The property is currently vacant, but a dwelling previously occupied the property.

### **SURROUNDING LAND USE:**

The surrounding land use is mixed in nature. In the immediate vicinity of this property there are both residential (R-10 and R-30 districts) as well as agricultural (A-R district) uses. Approximately 1/10 of a mile to the west of the property there is a Highway Commercial-designated property at the intersection of Carey Chapel Road.

**SIZE:** The proposed rezoning is for 1.746 acres (inclusive of right of way) and includes the entire tax parcel 0525 04003.

**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 agricultural & residential in character to strictly residential. The rezoning would reduce dimensional requirements. The minimum lot area would decrease from 1 acre to 30,000 square feet. The setbacks would decrease and the street frontage would decrease from 150 feet to 100 feet. Given the current acreage of the property, rezoning to R-30 would allow for a minor subdivision creating a second lot.

## STAFF COMMENTS & PLANNING BOARD RECOMMENDATION

This rezoning request is to change the zoning district of this property from Agricultural Residential to Residential Low Density. This rezoning would enable the applicant to create a second lot by subdividing the property. The applicant has signed up for two Vance County Water District taps/services and desires to utilize both connections. However, as the property currently stands in the A-R zoning district, there is not enough square footage for the property to be subdivided. Changing the zoning district to R-30 would slightly decrease the minimum area requirement, granting the applicant the ability to subdivide.

In the Sandy Creek Township and the majority of Vance County, typically residential zoning districts front roads and major thoroughfares with A-R districts sitting just behind. As proposed, this rezoning would follow that trend. Along this section of Warrenton Road there are numerous parcels zoned both R-10 and R-30. Directly to the east of the subject property is a parcel zoned R-30, with a farm located directly behind (to the south). Directly opposite the property on Warrenton Road there is a housing development at the intersection of Ellington Road. Additionally, there is a mobile home park several hundred feet to the west as well as parcels scattered along Warrenton Road that are in residential use. It is believed that this proposed amendment would be harmonious with surrounding agricultural and residential uses.

Agricultural Residential and Residential Low Density zoning districts are similar in nature. Both districts permit low density residential development and other small-scale uses. Therefore, the proposed amendment would align with the overall character of this area of the county.

**STAFF RECOMMENDATION:** Recommend approval of proposed rezoning

**Attachments:** Rezoning Application, Aerial view map, Survey 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 #	RZ1502-2
Fee Paid	\$250.00 ck # 1179
PB Date	2/12/2015
BOC Date	3/2/2015

### Property Owner Information

Property Owner: Jason Richter  
Mailing Address: 2409 Davinton Rd  
City: Wendell State: NC Zip Code: 27591  
Phone #: (919) 669 - 4336 Fax #: (919) 266 - 7649  
E-mail Address: NCJRT @ Aol.com

### Applicant Information

Applicant: Jason Richter  
Mailing Address: 2409 Davinton Rd  
City: Wendell State: NC Zip Code: 27591  
Phone #: (919) 669 - 4336 Fax #: (919) 266 - 7649  
E-mail Address: NCJRT @ Aol.com

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

Property Address: 1252 Warrenton Rd, Henderson, NC  
Tax Map Number: 0525 04003 PIN (parcel identification #): 0525-04-003

Existing Zoning: AR-40 Proposed Zoning: R-30  
Acreage: 1.746 GR 1.572 net Road Frontage: 308.82 ft  
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:*

*County Water available.*

\_\_\_\_\_

\_\_\_\_\_

3. What factors justify the proposed amendment?

*2 county water taps on property.*

*Property has enough Acreage for R-30 zoning request*

\_\_\_\_\_

\_\_\_\_\_

### Property Owners Signature

*Jason Right* \_\_\_\_\_ Date *1-29-15* \_\_\_\_\_  
*Please sign in blue or black ink*

### Applicants' Signature

*Jason Right* \_\_\_\_\_ Date *1-29-15* \_\_\_\_\_  
*Please sign in blue or black ink*

**Case# 1502-2**  
**A-R to R-30**  
**Current Zoning Map**

**IM**  
**Zoning Category**

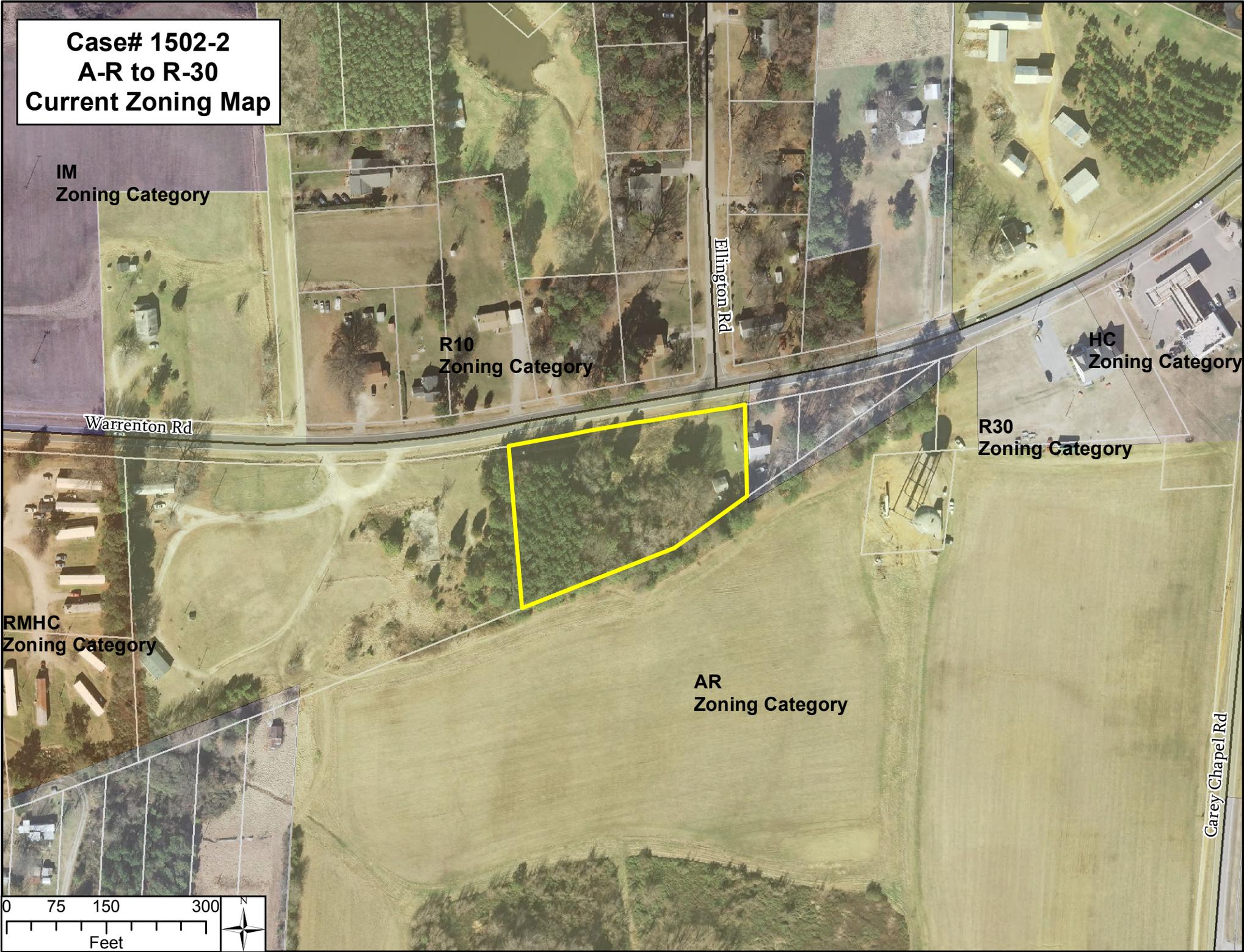
**R10**  
**Zoning Category**

**HC**  
**Zoning Category**

**R30**  
**Zoning Category**

**RMHC**  
**Zoning Category**

**AR**  
**Zoning Category**

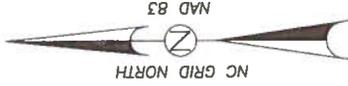
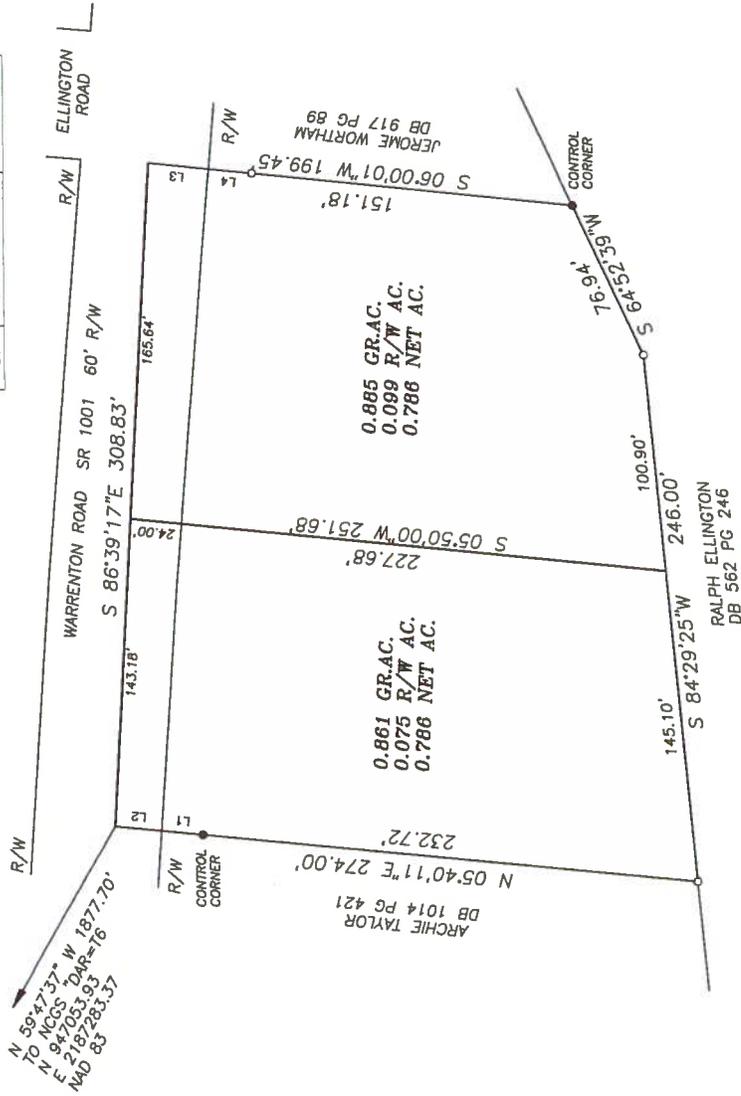




VICINITY MAP

REFERENCE DEED BOOK 1206 PAGE 1068  
 NOTE: AREA COMPUTED BY COORDINATE METHOD.  
 NOTE: THIS PROPERTY IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Course	Bearing	Distance
L1	N 05°40'11" E	19.46'
L2	N 05°40'11" E	21.82'
L3	S 06°00'01" W	28.27'
L4	S 06°00'01" W	20.00'



PROPERTY SURVEY FOR  
 JASON RIGHTER  
 MIDDLEBURG TOWNSHIP  
 VANCE COUNTY  
 NORTH CAROLINA

"PRELIMINARY PLAT"  
 NOT FOR RECORDATION,  
 CONVEYANCE OR SALE.



LEGEND  
 ● EXISTING IRON PIPE  
 ○ NEW IRON PIPE

FILE: JASON RIGHTER/VANCE 2/JHP72  
 SCALE: 1" = 40'  
 DATE: 01-26-2015