



## Planning and Development Department

156 CHURCH STREET, HENDERSON, NC 27536

(252) 738-2080 / FAX 738-2089

### Staff Report 8/13/2015

**Owner:** Claude T. Jackson

**Applicant:** Donald Y.  
Hoyle, III (Hoyle's Tire &  
Axle, LLC)

**Parcel ID:** 0224 02020

**Location:** 175 Bearpond  
Road

**Current Zoning:** (G-C-1)  
General Commercial

**Public Hearing:**  
12/20/2011

**Prepared by:**  
Jordan McMillen

#### Description of Conditional Use Permit Request:

The applicant is requesting a conditional use permit to allow an Axle and Tire manufacturing business to be located within the G-C-1 Zoning District.

#### **Exhibits as follows:**

- Exhibit 1.** Application
- Exhibit 2.** Site Plan
- Exhibit 3.** Pictures of Typical Outdoor Storage
- Exhibit 4.** Adjoining Owners, Zoning and 2010 Aerial Map
- Exhibit 5.** Property Pictures
- Exhibit 6.** Conditional Use Permit check sheet

#### Findings of Fact

1. Claude T. Jackson is the property owner.
2. The request is for a conditional use permit to allow an axle and tire manufacturing business to be located within the (G-C-1) General Commercial Zoning District.
3. The property is located at 175 Bearpond Road, Henderson, NC; more specifically identified as tax parcel #0224 02020.
4. The lot consists of 25.47 acres and includes an existing manufacturing building consisting of 125,000 sq. feet.
5. The applicant proposes to carry out all manufacturing activities within the structure. Existing delivery bays will be used for delivery of materials by tractor trailers. Storage of tires and axles may occur outside of the structure.
6. The application requesting a conditional use permit was filed on 6/30/2015.
7. The adjoining property owners were notified on July 24, 2015.
8. The property was posted on July 31, 2015.

#### Staff Comments

The applicant is proposing to use the existing structure for an Axle and Tire manufacturing business. The business would be moving from their current location on NC Hwy 39 South. The structure has previously been used for a camper products business and other manufacturing businesses. As proposed, all manufacturing activities would be carried out within the structure with some storage of materials (tires and axles) on the outside of the structure. The property is currently zoned General Commercial and all manufacturing uses require a conditional use permit within the G-C-1 zoning district.

The structure was built prior to zoning regulations being in place and therefore it does not meet the current setbacks of 50 feet on the rear side. Additionally there is an existing residence located approximately 50 feet to the north (or rear) of the manufacturing building which would prevent the structure from meeting this requirement. Because both of these structures are existing it would be acceptable to allow this under the grandfather clause, but no additional expansions or alterations should be made to the buildings within this area. Other than this, the building and property meets all of the other lot dimensional requirements (lot width, street frontage, and maximum lot

coverage) as per section 3.2.10 of the zoning ordinance.

The property is located in an area that is similar in character to a crossroad community with access to US 1. The surrounding area includes light industrial zoning to the east and other general commercial zoning in the vicinity. The property does have a mobile home park located to the north which is accessed using a separate driveway along the western boundary of the subject property. Also on the western side of the property are existing trees and a rail line that separate the property and any associated use from the residential property to the west. From the enclosed pictures it is apparent that the necessary buffers are already existing between the property and surrounding residential properties. In reviewing this proposed use, it is consistent with the current zoning of the property and of the surrounding area. Additionally the use is consistent with prior uses of the property and will not require an NCDOT driveway permit.



# Vance COUNTY

NORTH CAROLINA

## Conditional Use Permit Application

Vance County Planning & Development Department

### For Administrative Use Only:

Case #	20150813-1
Fee Paid	\$250 (K# 12420)
BOA Date	8/13/2015

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

### Property Owner Information

Property Owner: Donald Y. Hoyle III Hoyle's Tire & Axle LLC  
Mailing Address: 5634 HWY 39 South Henderson NC 27537  
City: Henderson NC 27537 State: NC Zip Code: 27537  
Phone #: (252) 438-2818 Fax #: (252) 492-3554  
E-mail Address: hoyle5@ncol.net

### Applicant Information

Applicant: Donald Y Hoyle III Hoyle's Tire & Axle LLC  
Mailing Address: 5634 Hwy 39 South Henderson NC 27537  
City: Henderson State: NC Zip Code: 27537  
Phone #: (252) 438-2818 Fax #: (252) 492-3554  
E-mail Address: hoyle5@ncol.net

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

Property Address: 175 Bear Pond Road, Henderson NC 27537  
Tax Map Number: 0224 02 020 PIN (parcel identification #): 0224 02 020  
Type of Petition: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_  
Acreage: 25.47 acres Road Frontage: Approx. 1134'  
Existing Use: \_\_\_\_\_

### Deed Reference

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



# Vance COUNTY

NORTH CAROLINA

## Conditional Use Permit Application

Vance County Planning & Development Department

### Statement of Justification

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

Remanufacture axles & tires. We also buy and sell new axles  
and tires for mostly the mobile home industry. We hope to build  
new axles in the near future.

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:

Plan to replace skylights & gutter system. Replace and paint roadside medall.  
Replace flooring in office & paint. Landscape lawn at entrance to office. Replace some  
roll up doors. Approx. 100,000.00 in improvements to property. NO Additions.

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 ☐

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 ☐



# 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 ☐

- 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 ☐

- 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 ☐

### Property Owners Signature

~~Dorothy H. Hylle III~~ ~~Hylle & Associates PC~~  
Please sign in blue or black ink  
Claude T. Jackson

Date

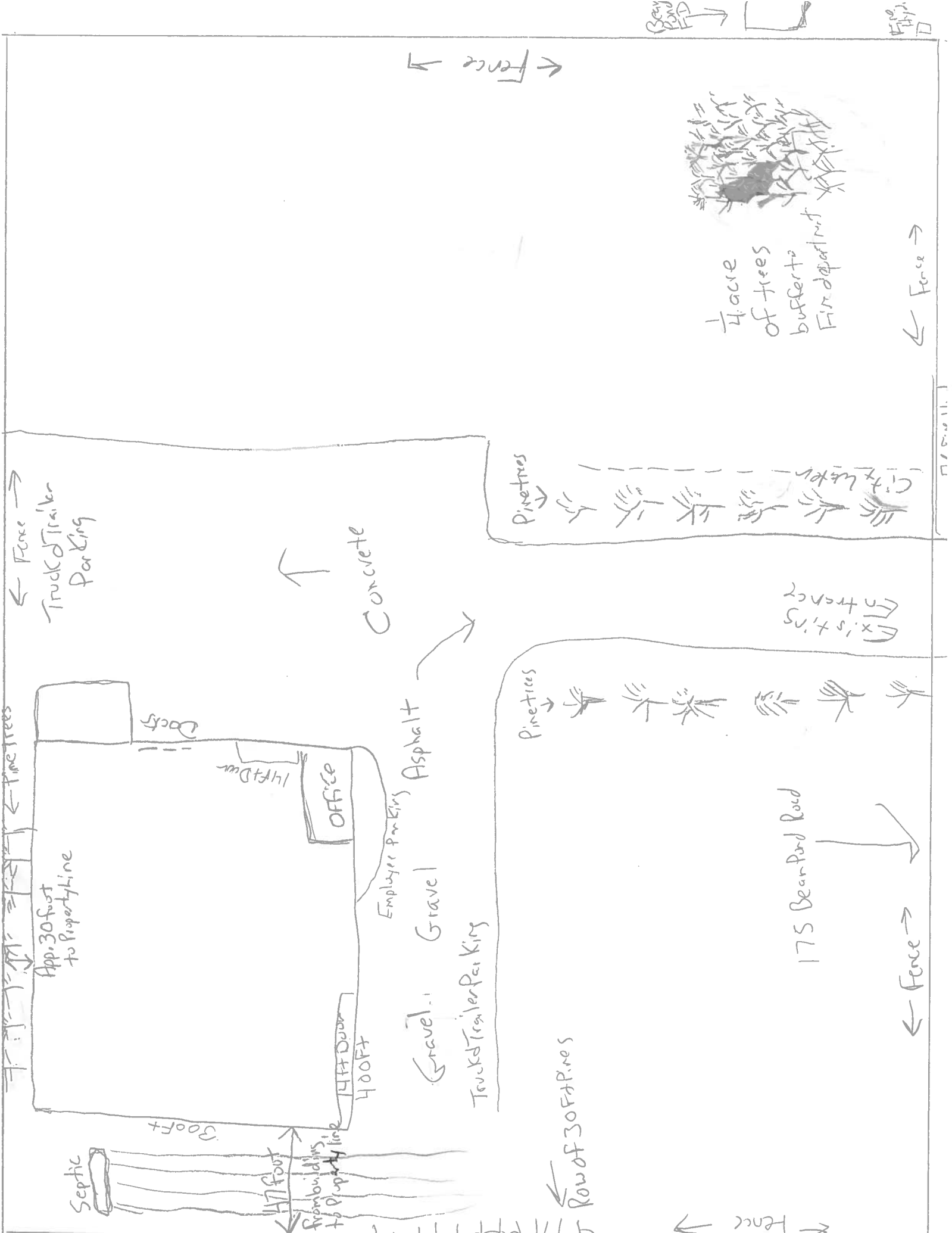
~~6-30-15~~  
7/15/15

### Applicants' Signature

Dorothy H. Hylle III Hylle & Associates PC  
Please sign in blue or black ink

Date

6-30-15





## Pictures of Typical Outdoor Storage – Hoyle's Tire & Axle







0224 02005  
HILLIARD PAUL R

0224 02007  
PERKINSON LUCIUS B

0224 02008  
LESHER GEORGE R

0224 03004  
EVANS WOODY A

**R30 Zoning District**

0224 02031  
INVESTORS TITLE INSURANCE CO

0224 02010  
ROBERTS FRANCES

**AR Zoning District**

0224 03002  
GOGHILL DAVID M

0224 02009  
JACKSON CLAUDE T

**RMHC Zoning District**

**R30 Zoning District**

0224 02028  
HAYES ERMA H.

0224 02011  
EVANS JARVIS LEEVAN

**RMHC Zoning District**

**R20 Zoning District**

0224 02012  
WOODRUFF DOLLY S.

0224 02013  
VAUGHAN JO ANN ROBERTSON

**R30 Zoning District**

0224 02014  
BOWES FRED A.

0224 02020  
JACKSON CLAUDE T

**GC1 Zoning District**

0224 02021  
JACKSON CLAUDE T

**LI Zoning District**

**R20 Zoning District**

0224 02015  
STANTON BILLY C. & ELSIE

0224 02018  
STANTON BILLY C. & ELSIE

0224 02019  
STANTON BILLY C. & ELSIE

**HC Zoning District**

0224 02016  
STANTON BILLY C. & ELSIE

0224 02020  
JACKSON CLAUDE T

**GC1 Zoning District**

0224 02032  
BEARPOND RURAL FIRE DEPT

Facet Rd

Facet Rd Off Ramp

0453 03001  
STEVENSON TAMMY L

0453 03001A  
HANNON MEDICE G

**RMHC Zoning District**

0453 03002  
FLOYD CHARLES F JR

**R20 Zoning District**

0453 03003  
STOKES LINWOOD L

0453 03004  
KEARNEY JOHN N

0453 04004  
WW PROPERTIES & RENTALS LLC

0453 04005  
ROBERTSON STANLEY D

0453 04010  
HAYES PHYLLIS ANN

0453 04007  
NICK AND SONS TRUCK REPAIR INC

0453 04008  
NICK AND SONS TRUCK REPAIR INC

0453 04006  
WESTERN TAMPA LLC

0453 04002  
ALLEN CHARLES L JR

0453 04003  
EDWARDS DAVID W. & WIFE

0453 04001  
ELMORE JAMES M JR

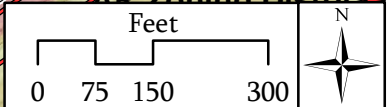
0453 04001A  
ELMORE JAMES M JR

**R20 Zoning District**

**HC Zoning District**

**AR Zoning District**

Us 1 Bypass S





## 175 Bearpond Road – Pictures of Existing Buffer



### 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"/>	<input type="text"/>
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"/>	<input type="text"/>
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"/>	<input type="text"/>
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"/>	<input type="text"/>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
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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"/>	<input type="text"/>
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Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	