



Cabarrus County Government

Cabarrus County Planning and Zoning Commission Meeting
August 19, 2010
7:00 P.M.
Board of Commissioners Chamber
Cabarrus County Governmental Center

Agenda

1. Roll Call
2. Approval of Minutes
3. New Business – Planning Board Function:
 - A. Petition RZON2010-00005 - Zoning Atlas Amendment.
Applicant: Robert Allen Williams, Part of PIN# 5641-83-0650. Property is located at 525 Kirkwood Drive, Concord, NC.

Request: The applicant is requesting extension of the Mobile Home Overlay Zone onto this property, approximately 3 acres, zoned A/O – Agricultural/Open Space.

4. Directors Report:
Harrisburg Land Use Plan Update
5. Adjournment

PLANNING STAFF REPORT
CABARRUS COUNTY PLANNING AND ZONING COMMISSION
08/19/2010

Staff Use Only:
Approved: _____
Denied: _____
Tabled: _____

Petition: RZON2010-00005 Rezoning

Applicant Information: Robert Allen Williams
2929 Hwy 73 East
Concord, NC 28025

Owner Information: Joseph Franklin Pless
520 Kirkwood Drive
Concord, NC 28025

Existing Zoning: A/O (Agriculture/Open Space)

Proposed Zoning: Extension of MH-2, Manufactured Home Overlay District to include subject property.

Permitted Uses: All uses permitted in the A/O Zoning District (See Attached)

Proposed Uses: All uses permitted in A/O and all uses permitted in the MH-2, Manufactured Home Overlay District

PIN#: P/O 5641-83-0650

Area in Acres: +/- 3.0

Site Description: The subject property is currently wooded and vacant.

Zoning History: The subject property was rezoned during the 2005 county-wide rezoning from MDR – Medium Density Residential to LDR – Low Density Residential. The property was rezoned to its current designation of A/O – Agricultural/Open Space in January 2009 as a result of the Central Area Land Use Plan (CALUP) adoption.

Adjacent Land Use: The subject property is surrounded by similar properties on all sides. Farm, forested or residential uses are present on adjacent properties. A contractor's storage yard is located on adjacent property to the east. (Concord Builders Inc.)

Surrounding Zoning: North: A/O (Agriculture/Open Space)
East: A/O (Agriculture/Open Space)
South: A/O (Agriculture/Open Space)
West: A/O (Agriculture/Open Space)

Utility Service Provider: The subject property is located within the City of Concord Service Area however; the property is not located within the Utility Service

Boundary established as part of the Central Area Land Use Plan.
The Applicant is not requesting utilities for the subject property at
this time. The property will be served by a well and septic system.

Exhibits

1. Zoning Map – Submitted by Staff
2. Land Use Map – Submitted by Staff
3. Aerial Map – Submitted by Staff
4. Soil & Water Conservation Comments – Submitted by Dennis Testerman
5. List of Permitted Uses in A/O – Submitted by Staff
6. List of Adjacent Property Owners – Submitted by Staff
7. Copy of Recorded Plat – Submitted by Staff
8. Cabarrus County Zoning Ordinance, Section 4-50 – Submitted by Staff

Submitted by: Kassie G. Watts, Senior Planner, AICP

Intent of Zoning Districts

Existing-

Agricultural/Open Space: This district is comprised mostly of lands usually found on the eastern side of the County which, due to physical characteristics such as soil type, topography, etc., should remain agrarian. To a lesser degree, these are also those lands which are conducive to providing recreationally oriented open space. These land areas should remain the farmland and undeveloped/forested land of the County. Public utilities will not be planned for these areas. Consequently, residential uses that support those working and/or owning the land, home occupations allied with existing residences, and very limited business endeavor are envisioned as complementary to the area. In sum, the primary activity of these lands is agricultural – housing and business are typically related to and supportive of the practice of modern day agriculture. It is not, however, improbable that a small hamlet type settlement might evolve in this zoning district. As to those areas constituting open space, manmade uses must take care to enhance and not detract from the essential character of the area.

Proposed-

Agricultural/Open Space: This district is comprised mostly of lands usually found on the eastern side of the County which, due to physical characteristics such as soil type, topography, etc., should remain agrarian. To a lesser degree, these are also those lands which are conducive to providing recreationally oriented open space. These land areas should remain the farmland and undeveloped/forested land of the County. Public utilities will not be planned for these areas. Consequently, residential uses that support those working and/or owning the land, home occupations allied with existing residences, and very limited business endeavor are envisioned as complementary to the area. In sum, the primary activity of these lands is agricultural – housing and business are typically related to and supportive of the practice of modern day agriculture. It is not, however, improbable that a small hamlet type settlement might evolve in this zoning

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CABARRUS COUNTY PLANNING AND ZONING COMMISSION
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Approved: _____
Denied: _____
Tabled _____

district. As to those areas constituting open space, manmade uses must take care to enhance and not detract from the essential character of the area.

Extend Manufactured Home Overlay District (MHOD): The purpose of the MHOD is to provide sufficient land area for the provision of manufactured housing in order to implement NCGS § 160A-383.1 and to provide affordable housing opportunities for low and moderate income persons. A manufactured home is defined as structure, used or intended to be used as a Dwelling Unit, transportable in one or more sections, which in the traveling mode is eight body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein. "Manufactured home" includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401, et seq.

The purpose of the MH-2, Manufactured Home Overlay District is to provide for the Principal Use of land developed in harmony with the Underlying Zoning District regulations; however, permitting the substitution of a Manufactured Home as a Principal Building provided the specific design and/or installation regulations appearing in Section 4-50 are met.

Agency Review Comments

NCDOT Review: No Comments

APFO Review: No Comments

WSACC Review: No Comments

EMS Review: No Comments

Sheriff Review: No Comments

Soil & Water Conservation Review: See Attached Memo

Fire Review: *Property owner needs to be aware the non-paved access to property will need to be maintained for emergency vehicles.*

City of Concord Review: *The City has reviewed the information sent for the petition on Kirkwood Drive and we have no comment/objection.*

Health Alliance Review: *Cabarrus Health Alliance has evaluated the property for a septic system to serve a 2 bedroom residence. The property was found to be provisionally suitable but at this time no permit for well or septic tank has been issued.*

Land Use Plan

The Central Area Land Use Plan, adopted in August 2008, designates this property, as well as adjacent properties, as Rural Residential. The plan states that Rural Residential is comprised mostly of lands determined to remain agrarian in the future. Residential uses may be allowed but only to support agrarian purposes and are not the predominant use. Therefore, residential uses are provided only at the very lowest densities. The area is to be predominantly used for agricultural purposes and for single-family residential with density up to 1 unit per 3 acres, or up to 1 unit per 2 acres provided additional development standards are met.

Staff Analysis

The request as proposed is consistent with the Central Area Land Use Plan. The 3 acre tract fulfills the density requirements outlined for Rural Residential zoning in the CALUP. The existing MH-2 District is located adjacent to the subject property and could be considered an extension of an existing overlay zone.

All uses permitted in the A/O zoning district are currently permitted on the subject property. An extension of the MH-2, Manufactured Home Overlay District would also permit Type II Manufactured Homes (Permanent installations only) in addition to the uses currently permitted on the subject property. This is a conventional rezoning request. No conditions may be attached to the approval. All uses permitted in the MH-2, Manufactured Home Overlay District would be permitted.



Zoning Map

Applicant: Robert Allen Williams

Case: RZON2010-00005

Existing Zoning: A/O - Agricultural/Open Space

Proposed Zoning: A/O with MH-2, MHOD

Parcel ID#: P/O 5641-83-0650

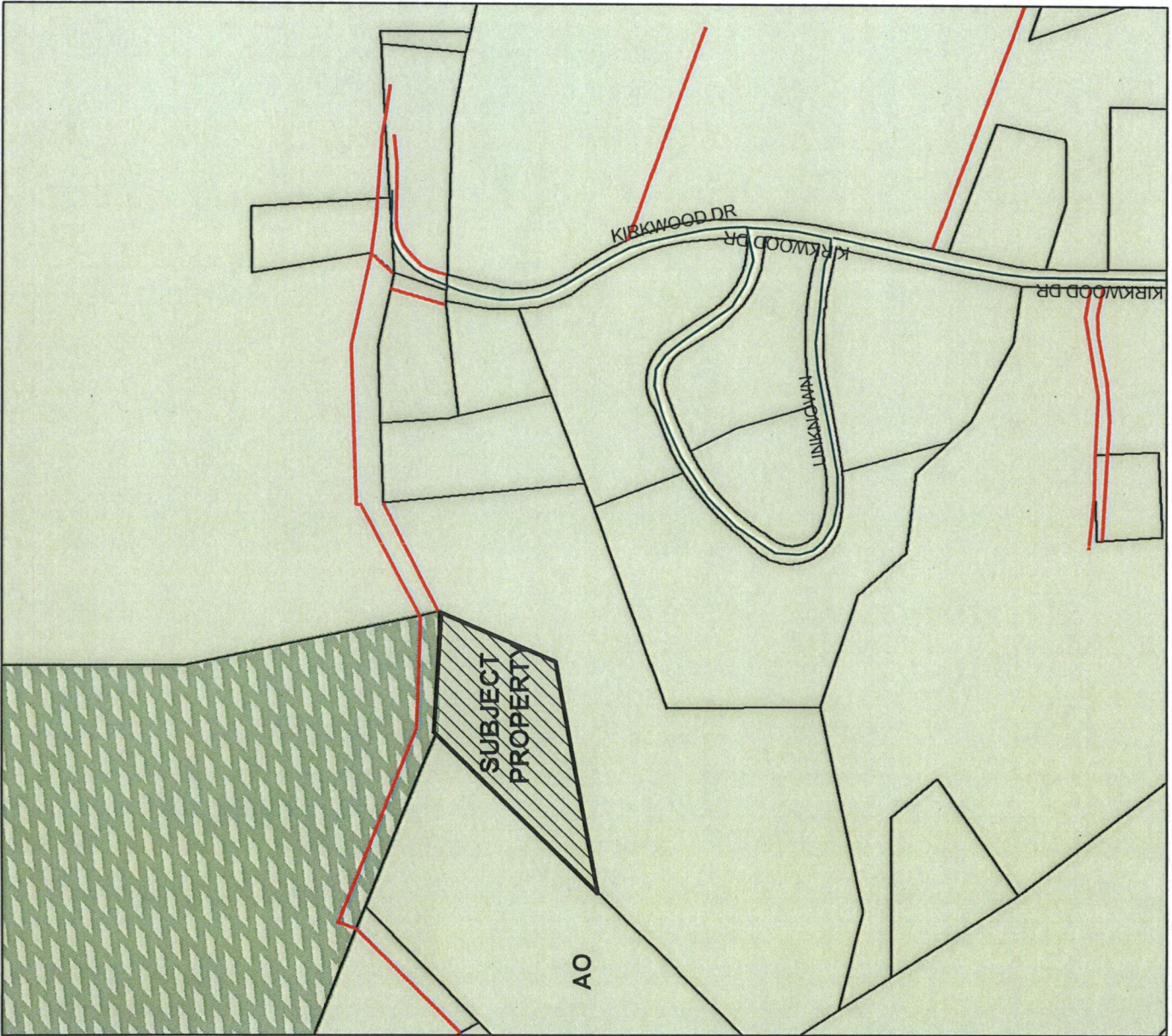
Legend

- Streets
- MH-2 District
- Subject Property
- Tax Parcel
- Agricultural/Open Space
- 45 Foot Private ROW



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning Services, August 2010.





Land Use Map

Applicant: Robert Allen Williams

Case: RZON2010-00005

Existing Zoning: A/O - Agricultural/Open Space


Proposed Zoning: A/O with MH-2, MHOD

Parcel ID#: P/O 5641-83-0650

Legend

-  Subject Property
-  Tax Parcel
-  Streets
-  45 Foot Private ROW

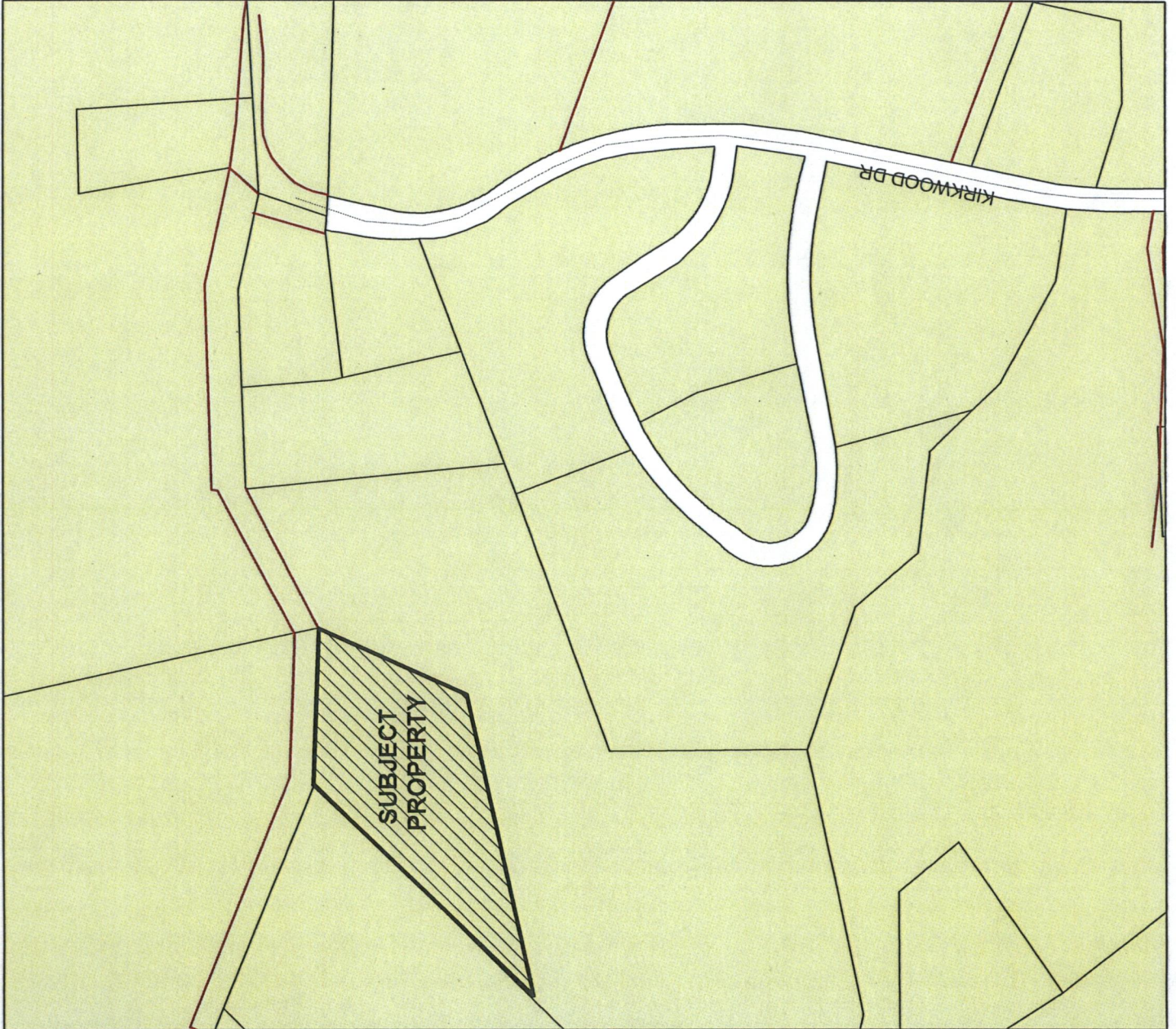
Land Use Designation

-  Rural Residential



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Map Prepared by Cabarrus County Planning Services, August 2010.





Aerial Map

Applicant: Robert Allen Williams

Case: RZON2010-00005

Existing Zoning: A/O - Agricultural/Open Space

Proposed Zoning: A/O with MH-2, MHOD

Parcel ID#: P/O 5641-83-0650



Cabarrus County shall not be held liable for any errors in this data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data. These data cannot be construed to be a legal document. Primary sources from which these data were compiled must be consulted for verification of information contained within the data.

Map Prepared by Cabarrus County Planning Services, August 2010.



**Cabarrus Soil and Water Conservation District
715 Cabarrus Avenue, West
Concord, N. C. 28027-6214
(704) 920-3300**

MEMORANDUM

TO: Kassie Goodson Watts, Cabarrus County Commerce Department

THROUGH: Bob Ritchie, Chairman Darrell Furr, Chairman
Board of Supervisors Watershed Improvement Commission

FROM: Daniel McClellan & Dennis Testerman, Resource Conservation Specialists

COPIES: Susie Morris, Cabarrus County Commerce Department—Planning
Robbie Foxx, Cabarrus County Commerce Department—Zoning
Jay Lowe, Cabarrus County Commerce Department—Zoning
Robert Ward, NC DENR, Div. of Forest Resources

NAME OF PLAN: Robert Allan Williams Rezoning Mobile Home Overlay **PLAN TYPE:** Residential

JURISDICTION: County

LOCATION: 525 Kirkwood Drive Concord, NC 28025 **ZONING:** AO

OWNER: Robert Allen Williams, 525 Kirkwood Drive Concord, NC 28025

DATE SUBMITTED: July 19, 2010 **DATE REVIEWED:** July 20, 2010

PARCEL #: 5641-83-0650 **ACRES:** 3.0

USGS TOPO QUAD MAP: Concord **LATITUDE/LONGITUDE:** 35°25'26.842" N, 80°31'11.845" W

RECEIVING WATERS: Ut of Little Cold Water Creek **WATERSHED:** HU 03040105020030 (CW-1)

PERENNIAL OR INTERMITTENT STREAMS PRESENT: No

SOIL TYPE(S): CuB2 Cullen clay loam, CuD2 Cullen clay loam PaF Pacolet sandy loam , , ,

HYDRIC SOILS: No

THE FOLLOWING CHECKED ITEMS ARE MISSING FROM OUR COPY OF THE PLAN—PLEASE SUBMIT:

Environmental reviews
Location of existing structures and trees
Soil Type(s)

ONSITE INSPECTION: No

PLAN COMMENTS:

- ❑ Pre-submittal meeting between developer/owner and/or designer and reviewers is highly recommended, preferably onsite.
- ❑ A conservation easement on all open space is requested by Cabarrus Soil and Water Conservation District as part of the countywide open space initiative supported by Cabarrus County and all municipalities. See brochure “This Land is Our Land. . . A Guide for Preserving Your Land for Generations to Come. “
- ❑ Cities of Concord and Kannapolis have received an interbasin transfer of water certificate from the NC Div. of Water Resources. As a condition of this permit, other jurisdictions receiving water from these municipalities are bound by the conditions of IBT certificate. Under this certificate, streams will be classified by a qualified professional to ensure proper application of stream buffer rules.
- ❑ Cumulative and secondary impacts associated with this proposed development are not known and should be assessed prior to final plan approval.
- ❑ The following prime farmland soils will be removed from production: CuB2 Cullen clay loam . Farmland Conversion Impact Rating form (AD-1006) must be filed if federal funds are involved. Design of any future development plans to provide for more open space protection of these soils is encouraged.
- ❑ The following soils are classified as important state farmland soils and will be removed from production: CuD2 Cullen clay loam .
- ❑ Parcel is currently zoned “Agricultural Open.” This zoning designation is intended to support commercially-viable agriculture operations in the county by protecting farmland and minimizing development of land that is inconsistent with agriculture.
- ❑ The information in the following table indicates the dominant soil condition, but does not eliminate the need for onsite investigation. The numbers in the value column range from 0.01 to 1.00. The larger the value, the greater the potential limitation. Limiting features in this report are limited to the top 5 limitations. Additional limitations may exist.

| Map symbol | Dwellings without basements | Small commercial buildings | Local Streets and Roads | Shallow Excavations | Lawns and landscaping | Septic tank absorption fields |
|---------------------------------|---|---|--|---|------------------------------------|--|
| CuB2: Cullen, moderately eroded | Somewhat limited Shrink-swell 0.50 | Somewhat limited Shrink-swell 0.50 Slope 0.13 | Somewhat limited Shrink-swell 0.50 Low strength 0.10 | Very limited Too clayey 1.00 Cutbanks cave 0.10 | Not limited | Somewhat limited Slow water movement 0.50 |
| CuD2: Cullen, moderately eroded | Somewhat limited Slope 0.63 Shrink-swell 0.50 | Very limited Slope 1.00 Shrink-swell 0.50 | Somewhat limited Slope 0.63 Shrink-swell 0.50 Low strength 0.10 | Very limited Too clayey 1.00 Slope 0.63 Cutbanks cave 0.10 | Somewhat limited Slope 0.63 | Somewhat limited Slope 0.63 Slow water movement 0.50 |
| PaF: Pacolet | Very limited Too steep 1.00 | Very limited Slope 1.00 | Very limited Too steep 1.00 Low strength 0.10 | Very limited Too steep 1.00 Too clayey 0.50 Cutbanks cave 0.10 | Very limited Too steep 1.00 | Very limited Too steep 1.00 Slow water movement 0.50 |

Disclaimer: Small areas of contrasting soils with different interpretations may not be shown on the soil maps due to the scale of the mapping. Soil surveys seldom contain detailed site specific information. This data set is not designed for use as primary regulatory tools in permitting or siting decisions, but may be used as a reference source. These data and their interpretations are intended for planning purposes only. This is public information and may be interpreted by organizations, agencies, units of government and others based on needs; however, these entities are responsible for the appropriate use and application of these data. Digital data files are periodically updated. Reports are dated and users are responsible for obtaining the latest version of the data.

- ❑ Development of site may remove existing forestland from production, resulting in loss of environmental services from forest land cover, and accelerate the rate of loss of green infrastructure in the county.
- ❑ Underground utilities including, but not limited, communications, electricity, natural gas and/or petroleum, wastewater and water may exist on site. Verify status before disturbing site by observation and by calling the NC One Call Center, 1-800-632-4949. Unmarked graves, underground mine shafts and historic Native American sites are not uncommon in Cabarrus County. Construction crews should be vigilant for the presence of these cultural and historical sites. Construction must be halted and appropriate authorities notified when any of these sites are uncovered.
- ❑ Additional field visits by Cabarrus SWCD and/or its conservation partners may be required, including but not limited to sedimentation and erosion control plan review.

Please provide copies of approval notice and any revisions to this plan to the Cabarrus Soil and Water Conservation District.

CONTACT(S):

Cabarrus County, Commerce Department, Susie Morris, 704-920-2858
 Cabarrus County, Commerce Department, Kassie Watts, 704-920-2191
 Cabarrus County Commerce Department—Zoning, Robbie Foxx, 704-920-2138
 Cabarrus County Commerce Department—Zoning, Jay Lowe, 704-920-2140
 Cabarrus SWCD & Watershed Improvement Commission, Dennis Testerman, 704-920-3303
 Cabarrus SWCD & Watershed Improvement Commission, Daniel McClellan, 704-920-3301
 NC DENR Div. of Forest Resources, Robert Ward, 704-782-6371

REFERENCES:

“Avoiding Tree Damage During Construction.” Consumer Information Program Fact Sheet. International Society of Arboriculture. [<http://www.treesaregood.com>]

“Conservation-Based Subdivision Design: Protecting Water Quality and Scenic Resources in NC Mountains.” Conservation Trust for North Carolina. 1997

“Erosion and Sedimentation on Construction Sites.” Soil Quality—Urban Technical Note No. 1. USDA, NRCS. [<http://www.statlab.iastate.edu/survey/SQI/pdf/u01d.pdf>]

“401 Water Quality Certification Program – The Basics.” N.C. DENR. Div. of Water Quality, Wetlands Section. [<http://h2o.enr.state.nc.us/ncwetlands/applying.html>]

“Protecting Urban Soil Quality: Examples for Landscape Codes and Specifications.” [http://soils.usda.gov/sqi/management/files/protect_urban_sq.pdf]

“Recognizing Wetlands.” Informational Pamphlet. US Army Corps of Engineers [<http://www.usace.army.mil/CECW/Documents/cecwo/reg/rw-bro.pdf>]

“Seeding Specifications.” Sect. 6.10 & 6.11 in Erosion and Sediment Control Planning and Design Manual. N. C. NRCD.

“Soil Sampling for Home Lawns & Gardens.” N.C. Dept. of Agriculture & Consumer Services. [<http://www.ncagr.com/agronomi/sthome.htm>]

“This Land is Our Land. . . A Guide to Preserving Your Land for Generations to Come.” [<http://www.cabarruscounty.us/Easements/>]

“Topsoiling Specifications.” Sect. 6.04 in Erosion and Sediment Control Planning and Design Manual. N. C. NRCD.

“Urban Soil Compaction.” Soil Quality—Urban Technical Note No. 2. USDA, Natural Resources Conservation Service. [http://www.il.nrcs.usda.gov/technical/engineer/urban/tech_notes/technote2.html]

- “Well Abandonment.” Brochure. N.C. DENR. Div. of Water Quality, Groundwater Section.
[<http://h2o.enr.state.nc.us/documents/Bro-WellAbandon.pdf>]
- “Well Decommissioning.” Field Office Tech. Guide, USDA, Natural Resources Conservation Service.
[http://h2o.enr.state.nc.us/aps/gpu/documents/Well_decom.pdf]
- “Yadkin-Pee Dee River Basinwide Water Quality Plan.” N.C. DENR. Div. of Water Quality—Planning Sect.,
Basinwide Planning Prog. 2003.
[http://h2o.enr.state.nc.us/basinwide/yadkin/YadkinPD_wq_dt_management_plan0103.htm]
- “Watershed Management Plans & Recommendations: Lower Yadkin / Upper Rocky River Basin Local Watershed
Planning (Phase Two). NCDENR, Ecosystem Enhancement Program. 2004.
[http://www.ces.ncsu.edu/depts/agecon/WECO/rocky_river/URR2_WMP.pdf]
- “Urban Soil Primer.” USDA, Natural Resources Conservation Service. [<http://soils.usda.gov/use/urban/primer.html>]

Permitted Uses: AO – Agricultural/Open Space

Permitted

Agriculture excluding livestock
Agriculture including livestock
Bulk grain storage
Cemetery
Dairy processing
Family care home
Group care facility
Hatchery
Livestock sales
Mobile home class I
Nursery/greenhouse
Sawmill
Single family detached residential
Stables, commercial

Permitted Based on Standards (PBS)

Accessory apartment
Auction house
Bed & breakfast
Civic organization facility
Communications towers
Convenience store with petroleum sales
Convenience store without petroleum sales
Gas station
Home occupation
Home occupation, rural
Kennel, private
Landfill, demolition (one acre or less)
Mobile home class II
Mobile office, temporary
Nursery/Daycare
Public cultural facility
Recyclable materials drop-off
Religious institution (total seating capacity 350 or less)
Repair shop, automobile
Repair shop, farm machinery
Repair shop, small engine
Rest/convalescent home with 10 or less beds

Restaurant, excluding drive-thru
Retail sales/shoppers' goods

Conditional

Airstrip
Colleges & universities
Elementary & secondary schools
Landfill, demolition (more than one acre)
Landfill, sanitary
Multimedia production & distribution complex
Public service facility
Public use facility
Race shop/complex
Reception Facilities
Recreational facility, outdoor
Religious institution (total seating capacity 351 or more)
Religious institution with school
Rest/convalescent home with more than 10 beds
Slaughter house/meat packing
Trade & vocational schools
Veterinarian/animal hospital/commercial kennel

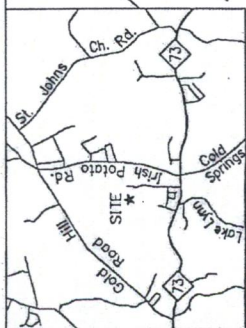
Adjacent Property Owners

PIN# 5641-83-0650
Joseph Franklin Pless
520 Kirkwood Drive
Concord, NC 28025

PIN# 5641-64-5276
Irene N. & James R. Wiles Family Trust
3284 Eva Drive NW
Concord, NC 28025

PIN# 5641-41-6721
Donald L. Newton Sr.
2200 Kannapolis Hwy.
Concord, NC 28027

PIN# 5641-83-0650
Robert Alan Williams
2929 Hwy 73 East
Concord, NC 28025



VICINITY MAP - NOT TO SCALE

REFERENCES :

Pin # 5641830650
Deed Book 619 Page 333

Current zoning: AO

This survey creates a subdivision of land within the area of a county that has an ordinance that regulates parcels of land. Subject property is not located within a public water supply watershed.

Subject property is located in Zone X (Area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map Community Panel # 3710564100J, effective date November 5, 2008.

This plat is subject to any easements, agreements, conveyances, or right-of-ways of record that may be disclosed by a full and accurate title search.

State of North Carolina
County of Cabarrus

I, Jonathan Marshall

Review Officer of Cabarrus County, certify that the map or plat to which this certificate is affixed meets all statutory requirements for recording.

Date 7/15/10

Review Officer Jonathan Marshall
Raymond C. Watts

NAIL AT THE BASE
OF A 1/2" IRON PIPE
CONTROL CORNER

R/W LEADS TO S.R. #2462, KIRKWOOD DRIVE
SEE DEED BOOK 1784 PAGE 343, DEED BOOK
1889 PAGE 050 AND DEED BOOK 5218 PAGE 335

PIN 5641645276
JAMES R. WILES
3284 Eva Drive NW
Concord, NC 28025
DEED BOOK 6609 PAGE 354

1/2" REBAR IN A
STONE PILE
CONTROL CORNER

3.000 AC. +/-

PIN 5641830650
JOSEPH F. PLESS
520 Kirkwood Drive
Concord, NC 28025
DEED BOOK 619 PAGE 333

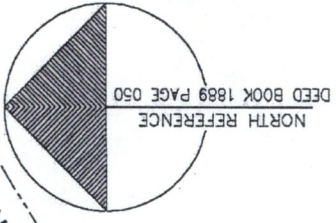
58.48 Ac. per tax records
- 3.000 Ac. tract 1 this plat
= 55.45 Ac. remaining +/-

I, RILEY O. GOBBLE, JR., CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 619, PAGE 333); THAT THE RATIO OF PRECISION IS 1:20,000+; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600) THIS 21 ST DAY OF APRIL, A.D., 2010. THIS PLAT IS PREPARED IN ACCORDANCE WITH G.S. 47-30(m) AS AMENDED.



PIN 5641830650
JOSEPH F. PLESS
520 Kirkwood Drive
Concord, NC 28025
DEED BOOK 619 PAGE 333

R. O. Gobble, Jr.
PROFESSIONAL LAND SURVEYOR L-3750



- LEGEND :
- o Iron found
 - o 1/2" iron pipe set
 - Line not surveyed
 - R/W Right of way
 - ⊕ Centerline
 - (Tie) Tie line
 - ⊗ Point not set



CONVEYANCE PLAT Pin # 5641830650

SURVEY FOR:

BOB WILLIAMS

525 KIRKWOOD DRIVE, CONCORD, NC 28025

TOWNSHIP # 5

CABARRUS COUNTY, NORTH CAROLINA
SURVEY BY: RILEY O. GOBBLE, JR., PLS L-3750
635 ROWAN MILL ROAD, SALISBURY, NC 28147
PHONE: 704.633.0744

SCALE: 1" = 100' DWG: .RG

FB 12 P 74 D 59 FILE "KIRKWOOD"

DATE: APRIL 21, 2010

Section 4-50. Design and Installation Standards for Individual Manufactured Homes.

All manufactured homes within an MH-1, MH-2 or MHP Overlay district shall comply with the following design and installation standards:

1. Any manufactured home on an individual lot shall conform to the same building setback standards, side and rear yard requirements, standards for enclosures, access, vehicle parking, and square footage standards and requirements to which a conventional single-family residential dwelling on the same lot would be subject. This provision shall not apply to a Manufactured Home Park where the lots are not subdivided into separate tracts of land. (Refer to #15 above for placement standards.)
2. A minimum 3:12 roof pitch is required for all Type I units. Type II units are not required a minimum roof pitch.
3. A continuous masonry curtain wall or foundation, unpierced except for ventilation and access, shall be installed under the outer perimeter of the Dwelling from its base to the ground so as to be compatible with surrounding residential land uses. (Note: See APPENDIX C, Section C-503, Volume VII, North Carolina State Building Code). A masonry curtain wall shall not be required for installations in a Manufactured Home Park or in the AO zoning district, in those cases other compatible materials may be used.
4. The Dwelling shall be attached to a permanent foundation system in compliance with the N.C. State Building Code as may be amended, and the following requirements:
5. All wheels, axles, transporting lights and removable towing apparatus shall be permanently removed prior to installation of the dwelling unit. Hitches may remain, but shall be screened from view unless located within a manufactured home park.
6. For homes which are narrower than 17 feet in width, the unit shall be oriented on the lot so that its long axis is parallel to the street.

TABLE 1

| STANDARD | MANUFACTURED HOME TYPE I (SINGLE-SECTION) | MANUFACTURED HOME, TYPE II (DOUBLE-SECTION) |
|---|--|--|
| Area of Space (square feet) | 4,000 | 5,000 |
| Width of Space (feet) | 40 | 50 |
| Depth of Space (feet) | 100 | 100 |
| Front Yard (in feet, measured from pavement edge of internal street to manufactured home) | 20 | 20 |
| Side Yard (in feet, between manufactured homes or permanent accessory structures) | 20 | 20 |
| Rear Yard (in feet between manufactured homes or permanent accessory structures) | 20 | 20 |



Cabarrus County Government – Commerce Department - Planning Division

Planning and Zoning Commission Minutes
August 19, 2010
7:00 P.M.

Mr. Todd Berg, Chair, called the meeting to order at 7:00 p.m. Members present, in addition to the Chair, were, Mr. David Baucom, Ms. Brenda Cook, Mr. Eugene Divine, Mr. Danny Fesperman, Mr. Ted Kluttz, Ms. Amy Ma, Mr. Tommy Porter and Mr. Ian Prince. Attending from the Planning and Zoning Division were, Ms. Susie Morris, Planning and Zoning Manager, Ms. Kassie Watts, Sr. Planner, Ms. Arlena Roberts, Clerk to the Board, and Mr. Richard Koch, County Attorney.

Roll Call

Approval of Minutes

Mr. Ted Kluttz, **MOTIONED, SECONDED** by Mr. Danny Fesperman to **APPROVE** the July 14, 2010, meeting minutes. The vote was unanimous.

New Business - Planning Board Function:

The Chair introduced Petition RZON2010-00005- Zoning Atlas Amendment - Request Extension of Mobile Home Overlay District, approximately 3 acres, zoned Agricultural/Open Space (AO).

Ms. Susie Morris, Planning and Zoning Manager, addressed the Board stating this is Petition RZON2010-00005, (PIN#5641-83-0650). This request is for the extension of an existing Mobile Home Overlay District to include the subject property. The applicant is Mr. Robert Allen Williams. The property is located at 2929 Highway 73 East, Concord, NC; it is off Kirkwood Drive and there is a private drive.

Ms. Morris said the applicant has subdivided the property already, so that piece does exist. She said we included a copy of the subdivision in your packet. The applicant is only asking for that particular portion of the PIN; a new PIN number was not assigned at the time the staff report was completed. They are only asking to have the Mobile Home Overlay extended for that part of the PIN number. It is across the street from property with the overlay and could be considered as an extension of the overlay. It encompasses about three acres, and the property is currently vacant.

Ms. Morris said the applicant is not asking for a change of zoning on the parcel, they are asking for the overlay to be extended so that they can install a double wide mobile home there.

The Chair said on the maps provided there were a pair of lines that looks like a road or a right of way, he asked what that was.

Mr. Robert Allen Williams, applicant, stated that those lines were a private road.

Ms. Morris said Kirkwood Drive extends up and is a maintained road. She said off of that is a private 45 foot right of way. She believes this will be the last subdivision that would be allowed off of that private drive because they are now at five lots. This would be the last subdivision until they had to make improvements for it to meet the minimum standards for NCDOT.

Mr. Williams said he is self employed and with the economy he had to let his house go; he had to sell it. He was fortunate enough to have Mr. Pless do owner financing with him on this piece of property. He said with the economy, this is the best situation he can get at this time. He is asking the Board to approve it and allow him to put a double wide there. He said it is on a private road, and there is no one around them.

Ms. Amy Ma said being that it is across the street from a similar use, it seems reasonable.

There being no further discussion, Ms. Amy Ma, **MOTIONED, SECONDED** by Mr. Tommy Porter to **Approve** Petition RZON2010-00005 - Zoning Atlas Amendment. The vote was unanimous.

Consistency Statement:

The proposed rezoning is consistent with the Central Area Land Use Plan and is reasonable and in the public interest.

There being no further discussion it was the consensus of the Board to **Approve** the consistency statement. The vote was unanimous.

Directors Report

Ms. Susie Morris, Planning and Zoning Manager addressed the Board stating there was an Elected and Appointed Officials meeting for the Harrisburg Area Land Use Plan on July 29, 2010. There was discussion at that meeting about a couple of areas on the plan. One area in particular was Hudspeth Road, the area from Hudspeth up to Highway 29. There was a lot of discussion about whether or not it was appropriate for that area to remain residential. They decided to suggest that an amendment be made to that area before we start moving it forward. The area between Highway 29, down to Hudspeth; this is where Action and where the storage units are located. They are looking at changing that area to a mixed use light industrial area, instead of residential.

The modeling shows it can only support low density. Some industrial uses, and light industrial uses may be supported if they do not need utilities; if they can function off of a well and septic system.

The other area talked about was where Roberta Road comes across now, that it be bridged over the double tracking project, down to Stallings Road. They proposed that that continue on to Hickory Ridge Road to show an extension there; that it makes more sense instead of having all the traffic dump out onto Stallings Road by the elementary school.

The third change was around Shamrock Road. That change was a result of the double tracking project. They talked about changing that from industrial, which it is currently, to residential. She said the folks that were there did not really give an opinion on that, so she does not think we will be moving forward with that portion of it.

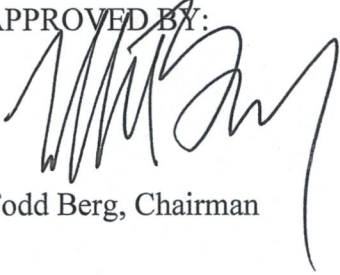
Ms. Morris said the Inter-local Agreement was presented to the Town of Harrisburg, they came back with some comments, and she is not sure where that is going at this point. She said the way that the Inter-local Agreement is written, the Agreement would be adopted first, and then they would adopt the Land Use Plan.

Ms. Morris is not sure how much time will be spent on the inter-local agreement in delaying the process. She said there will be discussions with the Town of Harrisburg to see what compromises can be worked out. She said there seemed to be a little disconnect between what we talked about in the meetings and what the suggestion is for the end product.

She will notify the Board of the next meeting. She said once the changes go out, we will probably notify those who attended the meeting at the library via email. She said there will be an open house for folks to come by to look at the revised map.

There being no further discussion, Mr. Ted Kluttz, **MOTIONED, SECONDED** by Ms. Amy Ma to **Adjourn** the meeting. The vote was unanimous. The meeting ended at 7:29 p.m.

APPROVED BY:



Todd Berg, Chairman

SUBMITTED BY:



Arlena B. Roberts

ATTEST BY:

Susie Morris
Planning and Zoning Manager