



Cabarrus County Government

Cabarrus County Planning and Zoning Commission Meeting

January 13, 2015

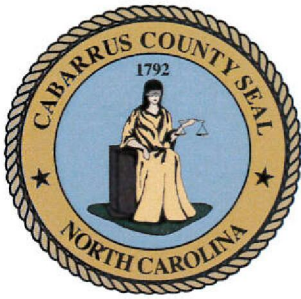
7:00 P.M.

Board of Commissioners Meeting Room

Cabarrus County Governmental Center

Agenda

1. Oath of Office to Newly Appointed Board Member
2. Roll Call
3. Approval November 12, 2014 Minutes
4. New Business – Planning Board Function:
 - A. Petition RZON2014-00002 - Proposed rezoning request for 2.19 acres from AO to OI. Applicant is Georgeville Volunteer Fire Department. Property is located at 6916 NC HWY 200. PIN#5567415898.
 - B. TEXT2015-00001 – Proposed Text Amendment to Chapter 7 of the Cabarrus County Zoning Ordinance (clarification of the number of clients allowed to visit home occupations)
5. Directors Report
6. Legal Update



Cabarrus County Government - Planning and Development

Planning and Zoning Commission Minutes January 13, 2015

Ms. Shannon Frye, Chair, called the meeting to order at 7:12 p.m. Members present in addition to the Chair were Ms. Mary Blakeney, Mr. Adam Dagenhart, Mr. Andrew Deal, Mr. Andrew Graham, Mr. Jeff Griffin, Mr. Chris Pinto, Mr. Richard Price, Mr. Jonathan Rett and Mr. Aaron Ritchie. Attending from the Planning and Zoning Division were Ms. Susie Morris, Planning and Zoning Manager, Mr. Phillip Collins, Sr. Planner, Ms. Arlena Roberts, Clerk to the Board and Mr. Richard Koch, County Attorney.

The Oath of Office was administered to newly appointed member Mr. Adam Dagenhart.

Roll Call

Approval of the November 12, 2014, Planning and Zoning Commission Minutes

Mr. Aaron Ritchie, **MOTIONED, SECONDED** by Ms. Mary Blakeney to **APPROVE** the November 12, 2014, minutes. The vote was unanimous.

The Chair introduced Petition: RZON2014-00002, Proposed rezoning request, Applicant, Georgeville Volunteer Fire Department.

The Chair stated that Mr. Aaron Ritchie and Mr. Jonathan Rett have worked on this petition with the Georgeville Fire Department and have asked to be recused.

Mr. Richard Price, **Motioned, Seconded** by Ms. Mary Blakeney to recuse Mr. Aaron Ritchie and Mr. Jonathan Rett. The vote was unanimous.

New Business – Planning Board Function:

The Chair introduced **Petition RZON2014-00002** – Applicant is Georgeville Volunteer Fire Department. Property located at 6916 Highway 200. PIN#5567415898.

Mr. Phillip Collins, Senior Planner, addressed the Board, stating that this is a rezoning request from the Georgeville Volunteer Fire Department, they are also the owner of the subject property. The subject property is located at 6916 Highway 200, Concord NC. The property is approximately 2.19 acres and is currently developed as a volunteer fire department. The adjacent land use is Residential and vacant property. The surrounding zoning is Agriculture Open (AO).

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The applicant is proposing the subject property be rezoned from Agriculture Open (AO) to Office Institutional (OI). This district is intended to accommodate relatively low intensity office and institutional uses at intensities complementary to residential land use. This district serves as a transitional district between residential land uses and higher intensity non-residential land uses.

The subject property is located within the boundary of the Midland Area Future Land Use Plan and is planned for agricultural uses and open space. The Agricultural/Open Space District features residential uses that support those working on and/or owning the land, home occupations allied with existing residences, and very limited business endeavors. Public utilities are not planned for this area. The primary activity is agricultural/housing and businesses are typically related to, and supportive of, the practice of modern day agriculture. Manmade uses must take care to enhance and not detract from the essential character of the area. This district is proposed for areas within the Midland Plan Area that feature significant natural resources and should remain protected from over development by encouraging agrarian and residential uses on larger lots.

The proposed rezoning is not consistent with the Midland Area Plan. However, the subject property supports an existing non-conforming volunteer fire department which was constructed in 1981, prior to county zoning. The property currently has a residential zoning designation.

A volunteer fire department is considered a public use facility. Public use facilities are permitted in the residential AO, CR, LDR, MDR and HDR districts as a conditional use and are permitted by right in the OI, LC, GC, LI and GI districts.

The proposed zoning change to OI supports the by right use of the property as a volunteer fire department and allows the existing non-confirming use to better comply with the zoning ordinance.

This is a conventional rezoning request, therefore all uses permitted in the OI zoning district would be allowed on the subject property if approved. The Planning and Zoning Commission should consider all of the information provided and determine if the proposed rezoning is consistent with the Commission's vision for this area of Cabarrus County.

There being no questions for staff, the Chair opened the Public Hearing.

Mr. Aaron Ritchie, President, Board of Directors for the Georgeville Fire Department, addressed the Board. He said the Georgeville Community Association owns the parcel on the corner, it is an abandoned ball field. The fire department has been there since 1970 and officially opened in 1971. The building is in a floodway.

He said the state put in a twisty trail on Rocky River, and we have two miles of trail along Rocky River that we have to be able to access. We purchased an All-Terrain

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Vehicle (ATV) and we are building a stretcher cart for it. If someone gets hurt on the trail, we cannot carry them two miles; we need some way to access them. We need a building for storing the ATV and cart. It will be a 30 foot by 40 foot metal building, with no power and no plumbing.

Mr. Andrew Graham asked if it was going to be on the adjacent parcel.

Mr. Ritchie said no, it is on our parcel. He said since the fire department is in the existing floodway, we would like to get this piece of property from the Georgeville Community Association and one day build a fire department where it is not in the floodplain. But, right now, no one uses that parcel and the fire department cuts the grass on it.

Mr. Andrew Graham asked if they would have to get the adjacent property rezoned as well.

Mr. Ritchie said yes.

Mr. Graham said what about the other side

Mr. Ritchie said nothing is ever going to change out there and nothing will ever be built on that corner, because it is in the floodway. He said the only thing that will ever change out there is the metal building they are going to put up for a storage house. It will always be a fire department.

There being no further questions the Chair closed the Public Hearing.

Mr. Graham said looking at the aerial map, to the right of it, on the road frontage of Highway 200 is woods; is it a private landowner and is the Fire Department associated with that lot.

Mr. Ritchie said it is woods and private.

There being no further discussion, Ms. Mary Blakeney **Motioned, Seconded** by Mr. Richard Price to **APPROVE, Petition, RZON2014-00002**. The vote was unanimous.

Consistency Statement

As the staff report in the presentation indicates, this rezoning is not consistent with the Midland Area Land Use Plan. However, the present use of the property is non-conforming and the rezoning will make it more conforming, and this particular use, a public use facility, is by right in the rezoned district. For those reasons, although it is not consistent with the area plan, it is reasonable and in the public interest.

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There being no further discussion, Mr. Richard Price, **MOTIONED, SECONDED** by Mr. Jeff Griffin to **APPROVE** the **Consistency Statement**. The vote was unanimous.

New Business – Planning Board Function:

The Chair introduced **Proposed Text Amendment -TEXT2015-00001**, Chapter 7, of the Cabarrus County Zoning Ordinance (clarification of the number of clients allowed to visit a home occupation).

Ms. Susie Morris, Planning Manager, addressed the Board stating the proposed text amendment is to Chapter 7 of the Zoning Ordinance to clarify the number of clients that may visit home occupations.

If the Board remembers, we have two different types of home occupations; one is a General Home Occupation which is in the residential structure, the other is a Rural Home Occupation which allows an out building separate from the home residence for business.

We are proposing that a limit to visits be placed on the home occupations. A situation came up, in which she had to speak with our Attorney on how to determine what the number would be, based on the fact that what they were asking was how many groups of people that would be coming to the house. So based on the number 8, which would be consistent with the number of children that someone is allowed to keep in a daycare based on the State Statutes; and also if that person worked for 8 hours a day, even if they would have 1 client per hour for a full work day, we are recommending that each home occupation be limited to 8 clients per day.

The Chair asked if there were questions.

Mr. Price said how will you know?

Ms. Morris said typically, we do not know unless we get complaints; that is when it would mostly come into play. Most people that apply for home occupations are very up front and honest about what they are going to do. Occasionally, we get the folks who have a home occupation that was not permitted, so they do not really understand the rules. But, those that go through the process understand the rules for the most part.

Mr. Price said if you get a complaint, how will you investigate it?

Ms. Morris said we would talk to the person to find out if the business has expanded and if it has, they may need to find another location. It would be a zoning violation case or a complaint case. We would start working through that process with an investigation and follow up with a warning letter and then the notice of violation process.

Mr. Koch said a lot of the time the neighbors help out with that.

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Mr. Price can see a scenario where they are working with one client, but there may be a steady stream of people that represent that client that would get the neighbors saying that there is a ton of people coming and going. He asked if she is talking about visits or clients.

Ms. Morris said we can always change it to visits if you think that clarifies it.

Mr. Price does not know, he is playing the devil's advocate.

Ms. Morris said that is one of things Mr. Koch and I discussed. When it came up, there was a potential for five or six people to be coming at one time and that would translate to five or six cars. We can do clients and visits or we can keep it client. The attempt is really one car per visit, though, with some of them it may be more.

Mr. Graham said it would be hard to say they had more than 8 visits in one day, if you put it down to that number per se. Someone could complain and say they saw ten people, ten different visits. I could say no, that is not right. It could become a gray area if you did it to the number of visits versus the number of clients. In his opinion, it would be easier to manage that verses the number of cars in and out.

The Chair thinks you could do and/or, whichever is the greatest or whichever is the least. You could give the flexibility; like two visits per client and add some other options. She does not know what conversation was held that spurred several visits. It seems like that could be at least an either/or, depending on the occupation, if two visits has four clients a piece. But, she understands the parking dilemma that comes with doing what we do; the decisions that we try to mitigate.

Mr. Ritchie recommends clients verse visits, because if someone from the family comes that would be consider a visit.

Mr. Griffin asked would you consider a client, like a mother that brings in 2 children to the visits, would it be considered as 3 clients. He asked how that would be looked at. Is the concern a head count, vehicles, amount of traffic that comes in?

Ms. Morris said yes.

Mr. Griffin said you could have one person in a van, with the client, that arrives at the site and everybody unloads, and then you are mixing that in with the family members that maybe coming and going through the course of the day.

Mr. Graham said maybe we should say paying clients.

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Ms. Morris said the Ordinance says that all parking needs have to be met through off street parking arrangements, including customer parking. Theoretically, they should be in the drive way.

She said a client comes with the car and it is a Mom with her children for music lessons; which is something that is allowed. The Mom is coming because she has 2 children and they may have a lesson at the same time or back to back and Mom is there for 2 hours. So, she could lessen the number of people who are actually there, because she had more passengers in her car. It all gets very much into a gray area. Again, people who are going to follow the rules hopefully will follow the rules.

Mr. Griffin said the 8 clients and the 8 different vehicles, along with family members that maybe there at the same time is something we would not want either. He thinks it is more appropriate to try to limit the number of people that are there at the same time; cannot have more than 2 or 3 clients at a time.

He said the 8 could be at one time, one event with multiple cars.

Ms. Morris said which the one that came up is and what prompted the discussion. It would be one event with who knows how many clients.

Mr. Price thinks if someone is that busy, then their home is not the place to be running a business at that point.

Ms. Morris said we could say client visits, client, or 8 customers per day.

Mr. Ritchie said clients is fine with him.

Ms. Morris said the Ordinance does say including customer parking, so if we said no more than 8 customers per day that would be consistent.

The Chair said could we say customer/client?

Ms. Morris said yes.

Mr. Griffin said is it per day, is it 8 to 5 or is there consideration or concern for after hours or is it structured that way?

Ms. Morris said there is an assumption that it is going to be from 8 to 5 or 9 to 6 or 10 to 7; nothing later in the evening. But, again we do not have anything in the Ordinance that addresses that.

Mr. Koch said any enforcement of this is going to be problematic. He thinks everyone understands that and that is why the questions are coming up. He thinks what Ms. Morris

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is saying is, by putting this in there, for those who are looking at the Ordinance to see what you are allowed to do with a home occupation, this is going to put kind of a top end limit on it, so that they will understand that if they are going to get something fairly intense, or a lot of customers, that this is not going to work and that you could conceivably be in violation of the Ordinance if you are going to have a lot of traffic. He thinks it will serve that purpose on the front end for people looking at it. But on the back side of it, enforcement will be troublesome; usually it is the neighbors. Most of our zoning violations are complaint driven and most of them also have to do with something other than the actual violation of the ordinance. It just comes up as a way to get even with their neighbor. That is what we kind of contend with and if we get one of these, then we will have to figure out a way to deal with it and Ms. Morris may have to make an interpretation of the Ordinance in that event. This is really more for trying to deal with things on the front end then it is on the back end.

Mr. Ritchie said you cannot have a law for every little thing people do. He said leave it as clients.

Ms. Morris said since the Ordinance does say home occupation will allow clients or customers. We could change it to that language and in letter e, change it to improving client or customer parking; so that it is consistent.

If these folk are going to allow people into their homes, they are now subject to accessibility regulations, ADA regulations, paved parking and all of those kind of things. A lot of people opt to have the business run out of the house and use the address but they do not bring customers or clients to their home because they do not want to have to do those types of improvements. Especially, if it is a more rural area and not located in a subdivision.

The Chair said the last thing she understood Ms. Morris to say, is that we would be recommending in Letter e, the options to say including customer or client parking consistent with Letter f, that says clients or customers, and then also adding customer to Letter g, so that all three of those sections have consistent references to client or customer.

Ms. Morris said yes, under the Home Occupation, General, the last three bullets points should be consistent with clients or customers. The last two are actually the same language, but stating the different types of home occupation. It would also change Letter i, in the Rural Home Occupation, to clients or customers duplicating the General Home Occupation.

Mr. Griffin said is there still a concern though, that there should be different language that limits to a certain number at a given point in time. He said we have 8 a day, but do you want all 8 at one time or should it be no more than 2 customers at a time. Is there a concern with that?

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Ms. Morris said there could be an issue with that.

Mr. Ritchie does not see how we can tell people how to run their business. In his opinion, if it is a home business, they are not going to have 8 people there at one time. It is like Mr. Koch said, if it becomes a problem, the neighbors will let us know.

The Chair said Ms. Morris pointed out when she introduced the proposed text amendment that it was based on the number 8, which would be consistent with the number of children that someone is allowed to keep in daycare, based on the state statutes. This is mirroring that, in terms of how the home occupancy is treated. This cap matches home occupation and she thinks it is those types of comparisons that she is hearing that are coming from Ms. Morris as to how they are applying the standards and sort of creating consistency.

Mr. Price said using the day care example, they tend to all get there at one time and then you have the whole day when no one is there and they pick them all up at one time. He does not have a problem with it.

Ms. Morris asked if the Board would like her to change it to client or customer for consistency.

The Chair asked if there were any other comments or questions about the text.

Ms. Morris summarized the proposed text changes after the Board discussion. (Changes are indicated in red)

27. Home Occupation, General

Letter e: All parking needs brought about by the operation of the home occupation must be met through an off street parking arrangement, including **client or** customer parking.

Letter f is currently consistent

Letter g: If **clients or** customers are visiting the home occupation, no more than 8 **clients or** customers per day are permitted.

28. Home Occupation, Rural,

Letter i: If clients **or customers** are visiting the rural home occupation, no more than 8 clients **or customer** per day are permitted.

There being no further discussion, Mr. Aaron Ritchie, **MOTIONED, SECONDED** by Ms. Mary Blakeney to recommend **Approval** of Proposed Text Amendment - TEXT2015-00001, to the Board of Commissioners with changes discussed and recommended by staff. The vote was unanimous.

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Directors Report

Ms. Morris said we are currently working on some text amendments as well as some subdivision amendments that will be sent to the Text Amendment Committee for review and comment.

We are also going to tackle the Subdivision Ordinance. We have some recurring issues with it that need to be addressed from a legal stand point. So, you will also be seeing some proposed amendments to the Subdivision Ordinance, as well as combining the Subdivision Ordinance together with our Zoning Ordinance; so that it is all one document.

She said whether that means that the Subdivision Ordinance becomes Chapter 15, or if that means it is a different section or incorporated into the different chapters, we are not sure yet what will happen. We will have to look at it, but more than likely it will be a chapter. That way it is all a part of the same document so that it is there and people know that they both work together and are not separate documents.

Ms. Morris said there will be two Board of Adjustment cases for the February and possibly a case in March. She said things are starting to pick up. There has been lots of interest in solar projects and wedding venues.

Mr. Price said speaking of solar projects, just as a side note. He and wife spent a little time in Newbern, NC, and it is amazing how those things are cropping up down there in that good and flat, farmland. He said everywhere you look somebody is building a solar farm; small ones and big ones. He said it is coming.

Ms. Morris said there may be some training opportunities for the Board next month.

Legal Updates

Mr. Rich Koch, County Attorney, addressed the Board. He said on a statewide level there is an effort underway to rewrite those sections of 153A which are the county government statutes relating to planning and zoning and subdivisions. It is primarily to reorganize it, to write it in maybe a little clearer English, without some of the archaic language that is in some of those statutes and to otherwise make it more user friendly. Particularly for those who do not deal with it every day but want to go to the statute and look it up and sees what it says about different planning and zoning issues.

You may recall that the Board of Adjustment statute was rewritten last year and passed by the General Assembly. And so, this effort is the same type of situation, it is just more extensive. Whether it makes it to the General Assembly this year he does not know, but it is underway.

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Pending Cases:

The Ritchie Road case went to court in December and worked out a consent arrangement whereby they are going to bring the road up to compliance by the end of May 2015. That was to give ample time so there would be no excuses for it not being completed; given that there may be some weather issues and other issues that may come up between now and then. That order has been submitted to the Judge.

We happened to have an out of town Judge from Surry County that was here for that case and Mr. Koch has not gotten it back from him yet but he expects to get it anytime.

We did come up with a resolution; it was a long time in coming, a lot of detours between the start of that to getting it to that point. He said everybody is on board and the money is deposited so that there is sufficient funds for the work to be done. So, there really should be no reason that it does not get done by that deadline.

Phillip Little case involving the 53 foot trailer that is sitting visible on Morehead Road and Highway 29 across from the Speedway. Mr. Little has been rather adept at ducking service. Mr. Koch even tried to send him something that looked like a Christmas gift with a summons of complaint in it. He said that did not work either, so, we are now serving him by publication.

We have a couple of zoning enforcement matters that the interpretation of the Ordinance is being appealed. He will not say much about those because they will be Board of Adjustment cases and a hearing will have to be heard if the appeals are processed. We are trying to work through some issues on it; they may get resolved or may not.

Mr. Ritchie asked about the Lee case.

Mr. Koch said Mr. Lee got to the point of achieving what we would call substantial compliance or completion; which was good enough under the circumstances.

This case involved a double wide manufactured home or mobile home that he stuck on a lot. He got some of the permits but not all of them. He needed to put skirting around the bottom because the Ordinance requires that. He did not do it exactly like the Ordinance says. He took some paver type concrete blocks that look like brick and turned them vertically on their side and stuck them underneath the parameter. So, it kind of, sort of looks like brick.

He was living out there without power and without water and dumping his waste out in the yard and there was a lot of complaining about it. He also tried to build his on septic system. In any event, he got power and septic put in with the help of some family members and some other assistance. He is living out there with his mother and we have not heard anything else about it.

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Mr. Koch said the Health Alliance was involved in it in reference to the septic system and there were a lot of complaints from the neighbors out there, not only about Mr. Lee but about other people for other reasons and it pretty much just went away.

Ms. Morris said we received a recommendation from Kannapolis today for the empty Board seat and hopefully will fill it in February or March.

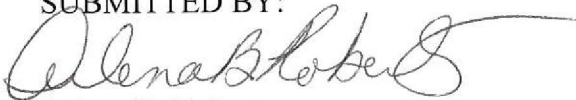
There being no further discussion, Mr. Aaron Ritchie, **MOTIONED, SECONDED** by Ms. Shannon Frye to **ADJOURN** the meeting. The vote was unanimous. The meeting ended at 7:56 p.m.

APPROVED BY:

A handwritten signature in blue ink that reads "Richard Price".

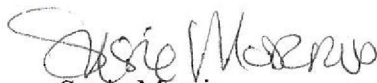
Mr. Richard Price, Chairman

SUBMITTED BY:

A handwritten signature in black ink that reads "Arlena B. Roberts".

Arlena B. Roberts

ATTEST BY:

A handwritten signature in black ink that reads "Susie Morris".

Susie Morris
Planning and Zoning Manager

PLANNING STAFF REPORT
CABARRUS COUNTY PLANNING AND ZONING COMMISSION
1/06/2014

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

Petition: RZON2014-00002 Rezoning

Applicant Information: Aaron Ritchie as Agent for Georgeville Volunteer Fire Department
6916 Highway 200
Concord, NC 28025

Owner Information: Georgeville Fire Department
6916 HWY 200
Concord, NC 28025

Existing Zoning: AO (Agriculture Open)

Proposed Zoning: OI (Office Institutional)

Permitted Uses: All uses permitted within the Office and Institutional (OI) District.

PIN#: 5567-41-5898

Area in Acres: 2.19

Site Description: The site is currently developed with a volunteer fire department.

Adjacent Land Use: North - Residential
South - Vacant
East - Vacant
West - Vacant

Surrounding Zoning: North: AO (Agriculture Open)
East: AO (Agriculture Open)
South: AO (Agriculture Open)
West: AO (Agriculture Open)

Utility Service Provider: None, well and septic

Exhibits

- Exhibit A - Application
- Exhibit B - Zoning Map
- Exhibit C - Future Land Use Map
- Exhibit D - Aerial Photo Map
- Exhibit E – Photos
- Exhibit F-Adjacent Property Owner letter & list

- Exhibit E-Adjacent Property Owner Letter

Intent of Zoning Districts

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 endeavors 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.

OFFICE/INSTITUTIONAL

This district is intended to accommodate relatively low intensity office and institutional uses at intensities complementary to residential land use. This district serves as a transitional district between residential land uses and higher intensity non-residential land uses.

Agency Review Comments

Fire Review: No Comments

We have no fire related issues with this rezoning request. Approved as submitted.

Engineering Review: No Comments submitted

Erosion Review: No Comments submitted

Soil Conservation Review: No Comments

NCDOT Review: No Comments submitted

EMS Review: No Comments submitted

Schools Review: No Comments submitted

Stormwater Review: No Comments submitted

Sheriff Review: No Comments submitted

Land Use Plan Analysis

The subject property is located within the boundary of the Midland Area Future Land Use Plan (Plan) and is planned for agricultural uses and open space. The Agricultural/Open Space district features residential uses that support those working on and/or owning the land, home occupations allied with existing residences, and very limited business endeavors. Public utilities are not planned for this area. The primary activity is agricultural/housing and businesses are typically related to and supportive of the practice of modern day agriculture. Manmade uses must take care to enhance and not detract from the essential character of the area. This district is proposed for areas within the Midland plan area that feature significant natural resources and should remain protected from over development by encouraging agrarian and residential uses on larger lots.

Conclusions

The proposed rezoning is not consistent with the Midland Area Plan. However, the subject property supports an existing non-conforming volunteer fire department which was constructed in 1981, prior to county zoning. The property currently has a residential zoning designation.

A volunteer fire department is considered a public use facility. Public use facilities are permitted in the residential AO, CR, LDR, MDR and HDR districts as a conditional use and are permitted by right in the OI, LC, GC, LI and GI districts.

The proposed zoning change to OI supports the by right use of the property as a volunteer fire department and allows the existing non-confirming use to better comply with the zoning ordinance.

This is a conventional rezoning request, therefore all uses permitted in the OI zoning district would be allowed on the subject property if approved. The Planning and Zoning Commission should consider all of the information provided and determine if the proposed rezoning is consistent with the Commission's vision for this area of Cabarrus County.

CABARRUS COUNTY REZONING APPLICATION



STAFF REQUEST:
Application/Access#: **R20N2014-00002**
Received By: **PEC**
Date Filed: **12-9-14**
Amount Paid: **\$578.00**

Instructions

1. Schedule a pre-application meeting with Staff to discuss the procedures and requirements for a zoning map amendment request.
2. Submit a complete application for an amendment to the official zoning map to the Planning Division. All applications must include the following:
 - Cabarrus County Land Records printout of all adjacent property owners. This includes properties located across the right-of-way and all on-site easement holders. The list must include owner name, address, and Parcel Identification Number.
 - A recent survey or legal description of the property or area of the property to be considered for rezoning.
 - Any additional documents essential for the application to be considered complete. (Determined as part of the pre-application meeting)
3. Submit cash, check, or money order made payable to Cabarrus County.
 - Fees: Residential rezoning request less than 5 acres = \$400
 - Residential rezoning request greater than 5 acres = \$400 + \$5 per acre over 5 acres
 - Non-residential rezoning request = \$550 + \$5/acre
 - +3% technology fee based on total application fee
4. The deadline for submittal is always the same day as the Planning and Zoning Commission Meeting which is the second Tuesday of the month. Applications must be submitted before 2:00 PM that day for consideration on the next available agenda.

Incomplete applications will be returned to the applicant and will not be processed.

Process Summary:

1. Hold a pre-application meeting with Staff to discuss your rezoning request and the map amendment process.
2. Submit a complete Zoning Map Amendment application with the appropriate fees to the Cabarrus County Planning Division.

Staff will review your complete application, prepare a staff report, schedule a public meeting date and notify adjacent property owners of the public meeting/public hearing date. A sign advertising the public hearing will also be placed on the property being considered for rezoning.

Meeting Information: Meetings are held the second Tuesday of each month at 7:00 PM in the Cabarrus County Governmental Center located in downtown Concord at 65 Church Street, SE.

Expedited Vote: A vote of $\frac{3}{4}$ or more of the members of the Planning and Zoning Commission is considered an Expedited Vote and will constitute a final decision. If approval or denial of a rezoning request is by a vote of less than $\frac{3}{4}$ of the members, or if an appeal of the decision is filed within 15 days of the date of the decision, the application will automatically be forwarded to the Board of Commissioners for final consideration at a *de novo* hearing.

Questions: Any questions related to rezoning your property or to the rezoning process may be directed to the Planning Division at 704-920-2141, between 8 AM and 5 PM, Monday through Friday.

Subject Property Information

Street Address 6916 HIGHWAY 200 CONCORD, NC 28025

PIN(s) (10 digit #) 5567 -- 41 -- 5898 ; -- --

Deed Reference Book 441 Page PG 563, PG 566

Township # NO 9

Description of Subject Property

Size (square feet or acres) 2.19 ACRES

Street Frontage (feet) ~200 LF

Current Land Use of Property FIRE STATION

Surrounding Land Use North Residential

South Vacant

East Vacant

West Vacant

Request

Change Zoning From AO To OI

Purpose for Request INCREASE IMPERVIOUS PERCENTAGE FOR ADDITION OF BUILDINGS

FURTHER EXPANSION.

Utility Service

Water Supply ☒ Well or ☐ Service Provider _____

Wastewater Treatment ☒ Septic Tank(s) or ☐ Service Provider _____

Property Owner/Agent/Applicant Information

It is understood by all parties hereto including owner, petitioner, and/or agents that while this application will be carefully considered and reviewed, the burden of proving its need rests with the below named petitioner(s).

I do hereby certify that the information that I have provided for this application is, to the best of my knowledge, true and correct.

Property Owner

Address

Phone

Fax

Signature

E-mail Address

Georgeville Fire Department
6916th Hwy 200 Concord, N.C. 28025
704-791-2773

Aaron Ritchie

Agent (if any)

Address

Phone

Fax

Signature

E-mail Address

Aaron Ritchie
5000 Basswood Dr. Concord, N.C. 28025
704-791-2771

Aaron Ritchie

aaron@benchmarkpressurewashing.com

Applicant (if any)

Address

Phone

Fax

Signature

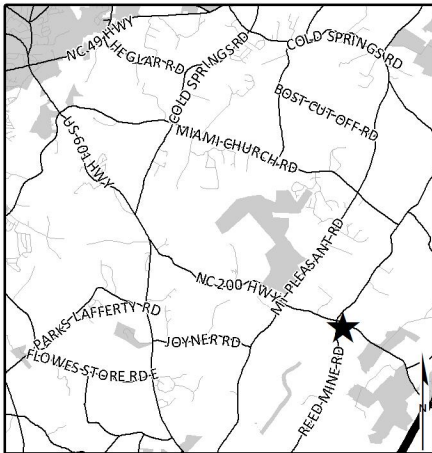
E-mail Address

Zoning Map

Exhibit B

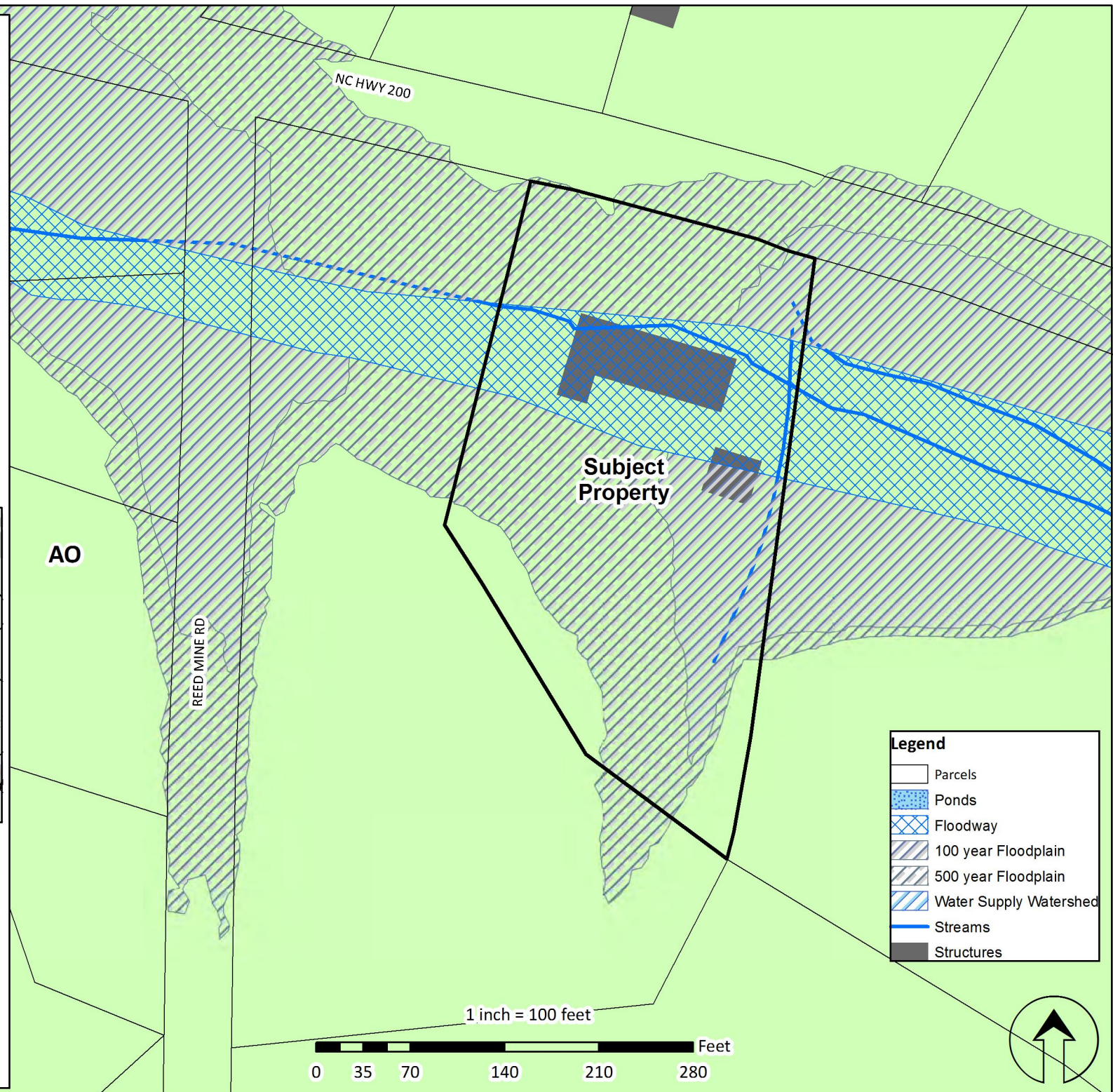


Applicant: Georgeville V.F.D.
Owner: Georgeville V.F.D.
Case: RZON2014-00002
Address: 6916 NC Highway 200
Purpose: Rezoning from AO to OI
PIN: 5567-41-5898



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 & Development
January 6, 2014

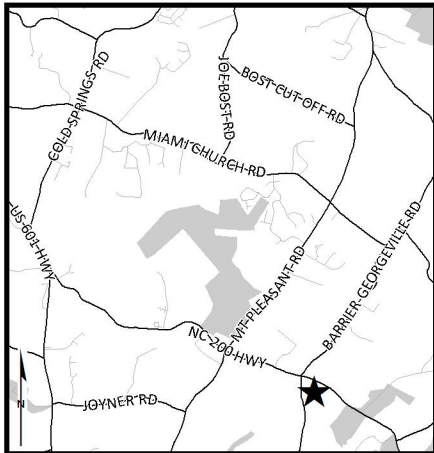


Future Land Use Map

Exhibit C

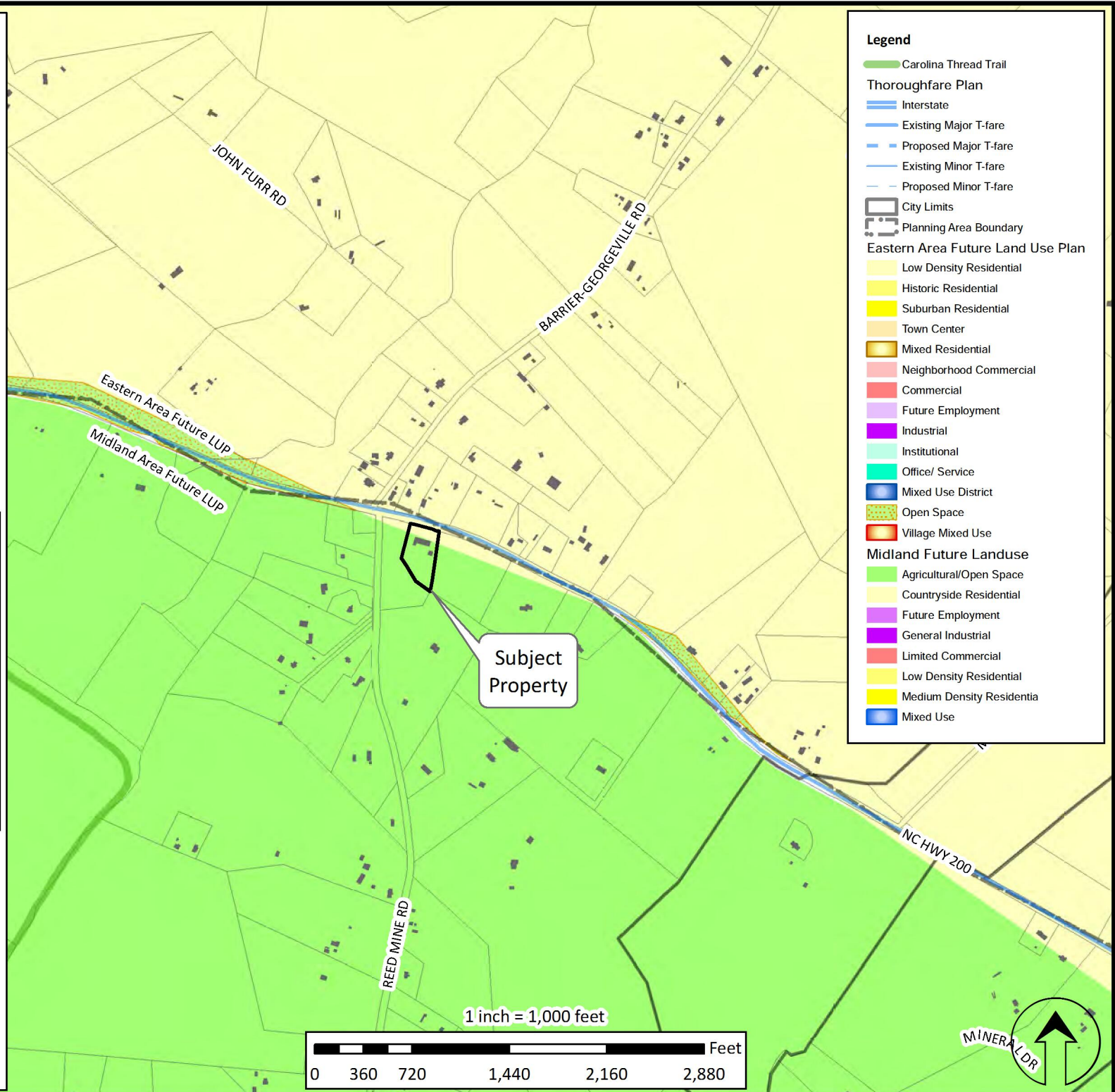


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 January 6, 2014



Aerial Map

Exhibit D



Applicant: Georgeville V.F.D.

Owner: Georgeville V.F.D.

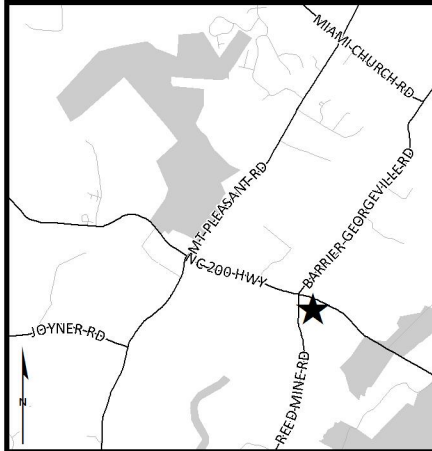
Case: RZON2014-00002

Address: 6916 NC Highway 200

Purpose: Rezoning from AO to OI

PIN: 5567-41-5898

- Parcels
- Cabarrus County
- City Limits



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January 6, 2014



Photos of Georgeville Volunteer Fire Department



Figure 1. View from the north (looking south)

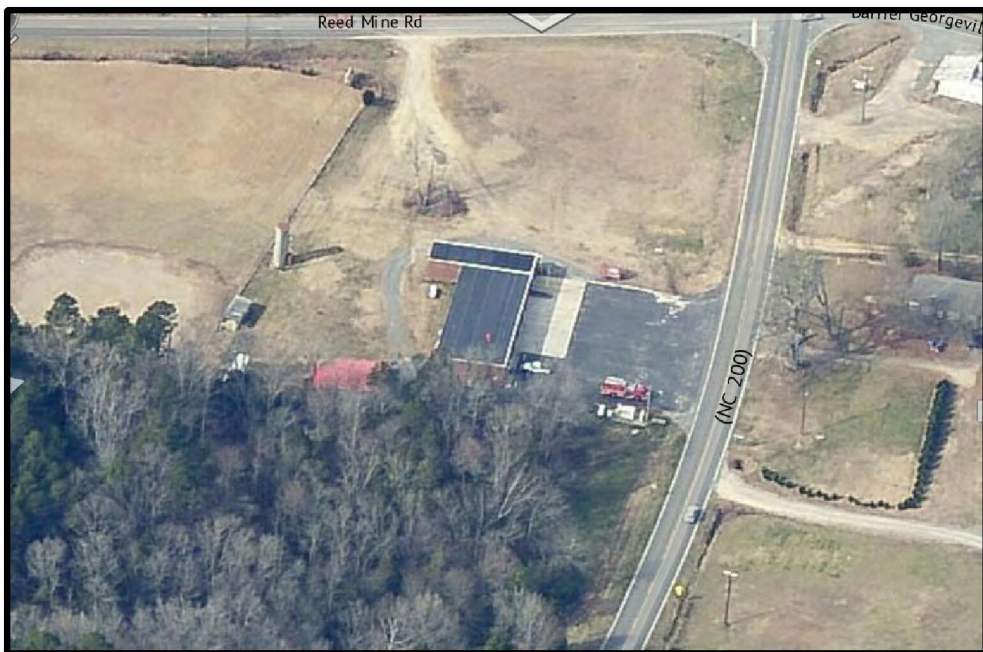


Figure 2. View from the east (looking west)



Figure 3. View from the south (looking north)



Figure 4. View from the west (looking east)



Figure 5. Street View (from Hwy 200)



Figure 6. Street View (from intersection of Hwy 200 & Reed Mine Rd)



Cabarrus County Government – Planning and Development Department

December 23, 2014

Dear Property Owner:

A Zoning Map Amendment Petition has been filed in our office for property **adjacent** to yours. The properties and specifics of the rezoning are listed below. The Cabarrus County Planning and Zoning Board will consider this petition on Tuesday, January 13, 2014 at 7:00 PM in the 2nd floor Commissioner's Chambers of the Cabarrus County Governmental Center, located at 65 Church Street SE, Concord, NC 28026. A Public Hearing will be conducted and public input will be allowed during that time. If you have any comments about the rezoning, I encourage you to attend this meeting.

<u>Petitioner</u>	<u>Georgeville Volunteer Fire Department</u>
<u>Petition Number</u>	<u>RZON2014-00002 Zoning Map Amendment</u>
<u>Property Location</u>	<u>6916 NC Highway 200</u>
<u>Parcel ID Number</u>	<u>5567-41-5898</u>
<u>Existing Zoning</u>	<u>Agricultural Open (AO)</u>
<u>Proposed Zoning Map Change</u>	<u>Office and Institutional (OI)</u>

If you have any questions regarding this petition, or the hearing process, please contact me at Cabarrus County Planning and Development at 704.920.2181.

Sincerely,

Phillip Collins, AICP
Senior Planner
Cabarrus County Planning and Development
704.920.2181

GEORGEVILLE FIRE DEPT
6916 HWY 200
CONCORD, NC 28025

WIDENHOUSE BOBBY LEE
680 GRANDVIEW DR NE
CONCORD, NC 28025

MOODY SHANNON LEE
6911 NC HIGHWAY 200
MIDLAND, NC 28107

DUBY DANA J
6875 HWY 200
CONCORD, NC 28025

MELTON BILLY F
7851 REED MINE ROAD
MIDLAND, NC 28107

GEORGEVILLE COMMUNITY ASSOC
C/O ROY W HAIGLER
CONCORD, NC 28025

Memo

To: Planning and Zoning Commission
From: Susie Morris, AICP, CZO, Planning and Zoning Manager
CC: File
Date: 1/6/2015
Re: Proposed Text Amendments to Zoning Ordinance TEXT2015-00001

- Please look over proposed text changes to Chapter 7 to clarify the number of clients that may visit home occupations (general and rural).
- Additions are in red.
- Legal Counsel has advised that this amendment be added to the text so that it is clear as to the number of patrons permitted each day.
- Please be prepared to make a formal recommendation on this text to the Board of Commissioners.

- b. The use of the dwelling for a Home Occupation may not exceed up to 25% of one floor of the principal building.
- c. Residents of the dwelling may be engaged in the home occupation with no more than one nonresident assistant employed.
- d. No activity can take place as a home occupation which involves any outdoor storage.
- e. All parking needs brought about by the operation of the home occupation must be met through an off street parking arrangement, including customer parking.
- f. Home Occupations which allow clients or customers to visit the business may be subject to Accessibility Standards. Applicants should contact Building Standards for requirements prior to applying for the Home Occupation Permit.
- g. If clients are visiting the home occupation, no more than 8 clients per day are permitted.

28. Home Occupation, Rural

Agricultural/Open, Countryside Residential, Low Density Residential, Medium Density Residential districts

The following lists those occupations, which may be conducted as a rural home occupation (RHO). The Rural Home Occupation differs from the home occupation in that it is not required to be conducted within the residence proper, but may be conducted in another building accessory to the residence. Slightly more intense uses may occur within the RHO since it is sited within less densely settled areas.

Accounting, Bookkeeping	Legal Services	Interior Decoration
Appraisal	Real Estate Sales	Mail Order Business
Architecture	Insurance Sales	Musical Instruction, Voice or Instrument
Auto Repair Work - Permitted as PBS in Agriculture/Open only.	Daycare with Eight Children or Less (See NCGS §110-86)	Photo Laboratory or Studio
Building Contractor's Storage Yard Including Electrical, Plumbing, & Mechanical	Drafting Services	Planning
Computer Repair/Programming	Dressmaking, Alteration Services, Tailoring	Tutoring
Landscape Contractor	Engineering	One Chair Beauty or Barber Shop
	Financial Planning and Investment Services	Office Work
	Fine Arts Studio	Similar, Low Impact Endeavor

- a. The Rural Home Occupation may be carried out in no more than one building separate from the primary residence.

- b. All outside storage areas including dumpsters must be:
 - o sited to the rear of the building,
 - o within the setbacks required of the building's underlying zone, and,
 - o made unnoticeable from both residential adjacent properties and public rights-of-way through installation of either fencing or vegetative screening.

NOTE: No outside storage shall be permitted in the MDR zoning district.

- c. All storage must be screened either by fencing or vegetative hedge from any abutting residential use or public rights of way.
- d. The accessory building in which the RHO is conducted may not exceed the square footage of the footprint of the residence but in no event exceed 2,000 square feet.
- e. Nonresident employees may work in the RHO as follows:
 - o Up to 1,000 square feet of floor space - One nonresident employee
 - o 1,000 and over square feet of floor space - Two nonresident employees
- f. The rural home occupation will not create any smoke, odors, dust, or noise at a level discernable at any of its lot lines.
- g. In the Agricultural/Open, Countryside Residential, and Low Density Residential zoning districts, lots must meet the standard minimum size requirements for minor subdivisions in those districts. In the Medium Density Residential zoning district, the minimum lot size shall be two (2) acres.
- h. Rural Home Occupations which allow clients or customers to visit the business may be subject to Accessibility Standards. Applicants should contact the Building Standards Department for requirements prior to applying for the Home Occupation Permit.
- i. **If clients are visiting the rural home occupation, no more than 8 clients per day are permitted.**

29. Ice Production, Dispensing, Accessory to Gas Station

Agriculture/Open, Countryside Residential, Low Density Residential, General Commercial, Light Industrial, General Industrial districts

- a. Manufacturing/dispensing structure shall be located in the primary setbacks for the district.
- b. Structure shall be located on the site so as to not interfere with site circulation or gas pump stacking lanes.
- c. Where installation is part of new construction, structure shall be compatible with color scheme and building materials so as to blend in with other structures, canopies, etc.

30. Ice Production, Dispensing, Accessory to Convenience Store