



GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD

**Regular Meeting Agenda**

NC Cooperative Extension-Agricultural Center  
3309 Burlington Road, Greensboro, NC 27405

**April 13, 2022**

6:00 PM

**(SEE ATTACHED VIRTUAL MEETING AND IN-PERSON MEETING PROCEDURES)**

- A. Roll Call
- B. Agenda Amendments
- C. Approval of Minutes: March 9, 2022
- D. Rules and Procedures
- E. Continuance Requests
- F. Old Business

**Public Hearing Item(s):**

**EASEMENT CLOSING CASE #21-05-GCPL-04166 Amended**

Request approval of Resolution of Intent as presented herein to close all 20-foot utility easement(s) located on Lot #s 31 (part of), 32, 33, 35, 36, 37, 39, & 40 as shown on Plat Book 32 Page 20 in Monroe Township, and located on Guilford County Tax Parcel #125757.

Information for **EASEMENT CLOSING CASE #21-05-GCPL-04166 Amended**

can be viewed by scrolling to the April 13, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>

- G. New Business

**Public Hearing Item(s):**

**REZONING CASE #22-03-GCPL-01515: 2116 MCKNIGHT MILL ROAD, PI, PUBLIC AND INSTITUTIONAL TO RS-30, RESIDENTIAL SINGLE-FAMILY**

Located at 2116 McKnight Mill Road, Guilford County Tax Parcel 126566 (part), Monroe Township, is approximately 650 feet west of the southwest intersection of Minorwood Road.



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This is a request to rezone approximately 6.953 of 12.38 total acres from PI to RS-30 which is owned by Memorial Presbyterian Church.

The proposed Rezoning is consistent with the Northeast Area Plan recommendation of AG, Rural Residential land use classification, thus if approved, no plan amendment would be required.

Information for **REZONING CASE #22-03-GCPL-01515** can be viewed by scrolling to the April 13, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>

**CONDITIONAL ZONING CASE #22-03-GCPL-01476: 3214 NC Highway 62 E, RS 40 MH, RESIDENTIAL SINGLE FAMILY WITH A MANUFACTURED HOME OVERLAY & AG, AGRICULTURAL TO CZ-NB, CONDITIONAL ZONING-NEIGHBORHOOD BUSINESS**

Located at 3214 NC Highway 62 E, Guilford County Tax Parcel 110130, Greene Township, is approximately 3,980 feet east of the southeast intersection of Alamance Church Road comprising a total of 1.66 acres. This is a request to Conditionally Rezone said parcel from RS-40 MH and AG to CZ-NB with the following Use and Development Conditions: 1) Approve all uses consistent with Permitted Uses for the NB zoning district excluding *Athletic Fields* and *Club or Lodge*; and 2) The accessory structure is to be located no less than 35 feet from the western property line. The property is owned by Clapp Enterprises, LLC.

The proposed Conditional Zoning is in an area that is not covered by an adopted Area Plan, thus, if approved no plan amendment will be required.

Information for **CONDITIONAL ZONING CASE #22-03-GCPL-01476** can be viewed by scrolling to the April 13, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>

**H. Other Business**

**I. Adjourn**



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**VIRTUAL MEETING AND PUBLIC HEARING PROCEDURES**

Guilford County remains committed to providing an open and transparent public process during the COVID-19 pandemic. To ensure the safety of our community and staff, this public hearing will be **open through the virtual platform, Zoom.**

THE MEETING ROOM WILL BE OPEN FOR THOSE WISHING TO APPEAR IN PERSON. **LIMITED SEATING WILL BE AVAILABLE ON A FIRST-COME, FIRST-SERVED BASIS**, WITH SOCIAL DISTANCING GUIDELINES IN PLACE.

The meeting agenda will be available for review by scrolling to the April 13, 2022 meeting date prior to the start of the meeting at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

***Virtual Regular Meeting Instructions***

Those wishing to attend the virtual meeting, may join the Zoom platform via computer, tablet or smartphone at

<https://www.zoomgov.com/j/1617943364?pwd=YjdkQU1kQWJUVDBPV0hNTkY3Z0RDQT09>

**Meeting ID: 161 794 3364** and, if required, entering

**Pass Code: 970876**

Login will be accessible beginning at 5:45 PM.

**Comments can be made in writing for up to 24 hours prior** to the scheduled time for the beginning of any public hearing via email to [jbaptis@guilfordcountync.gov](mailto:jbaptis@guilfordcountync.gov) or mail to Guilford County Planning & Development, Attn: Jessie Baptist, 400 W. Market Street, Greensboro, NC 27401. Your statement will be provided to the Planning Board and archived in the meeting files.

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**GUILFORD COUNTY PLANNING AND DEVELOPMENT****PLANNING BOARD MINUTES**

**NC Cooperative Extension Agricultural Center and Virtual  
3309 Burlington Road,  
Greensboro, NC 27405**

**March 9, 2022, 6:00 PM**

The Guilford County Planning Board convened on Wednesday March 9<sup>th</sup>, 2022, at 6:00 p.m. at the NC Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC.

**A. Roll Call**

The following Board members were in attendance in-person for this meeting:

James Donnelly, Acting Chair; Ed Apple; Guy Gullick; Mr. Sam Stalder; David Craft;

The following Board members were in attendance remotely/virtually for this meeting:

Dr. Latoya Gathers

Members Absent:

Cara Buchanan

**Staff Present:** J. Leslie Bell, Guilford County Planning Director; Robert Carmon, Fire Inspections Chief; Oliver Bass, Sr. Planner/Planner II; Kaye Graybeal, Guilford County Planning Deputy Director; Jessie Baptist, Admin. Officer; and Rachel Teague, NC Works Intern

Acting Chair Donnelly called the meeting to order and welcomed everyone in attendance.

**B. Agenda Amendments**

Mr. Bell stated that staff is asking that Case #22-05-GCPL-04166 be moved to be heard at the April 2022 meeting. Mr. Gullick moved in favor of moving said Case, seconded by Mr. Craft. The Board voted 6-0 in favor of the motion. (Ayes; Donnelly, Gullick, Stalder, Apple, Gathers and Craft. Nays: None.)

**C. Approval of January 26, 2022 and February 9, 2022 Meeting Minutes.**

Mr. Stalder stated that the February minutes did not indicate that he was in attendance and he was at the meeting. Staff indicated that this would be corrected.

Mr. Gullick moved to approve the January and February minutes, as corrected, seconded by Mr. Craft.

The Board voted unanimously (6-0) in favor. (Ayes: Donnelly, Stalder, Craft, Gathers, Gullick and Apple. Nays: None.)

**E. Continuance Requests**

*(Addressed in Agenda Amendments)*

**F. Old Business**

None

**G. New Business**

**Public Hearing Item(s):**

**EASEMENT CLOSING CASE #21-05-GCPL-04166 Amended** Request approval of Resolution of Intent as presented herein to close all 20-foot utility easement(s) located on Lot #s 31, (part of), 32, 33, 35, 36, 37, 39 & 40 as shown on Plat Book 32, Page 20 in Monroe Township, and located on Guilford County Tax Parcel #125757 **(MOVED TO APRIL MEETING)**

Mr. Gullick moved to postpone the public hearing for this case until the April 13, 2022 meeting , seconded by Mr. Craft. The Board voted 6-0 in favor of the motion. (Ayes: Donnelly, Stalder, Craft, Gathers, Gullick and Apple. Nays: None.)

**ROAD CLOSING CASE #22-01-GCPL-00150:** Groundhog Trace Request approval of Resolution of Intent as presented herein to close that portion of Groundhog Trace which fronts Lots 73, 74, 75, and 76, all as shown on Plat Book 148, Page 55 in Rock Creek and Greene Townships as recorded in the Register of Deeds of Guilford County, and located on Guilford County Tax Parcels 109496, 109492, 109493 and 109484, running southwest from Raccoon Run and terminating at the cul-de-sac of Groundhog Trace. **(ROAD CLOSING GRANTED)**

Acting Chair Donnelly asked staff to make their presentation.

Mr. Bell stated that this is a request approval of Resolution of Intent as presented herein to close that portion of Groundhog Trace which fronts Lots 73, 74, 75, and 76, all as shown on Plat Book 148, Page 55 in Rock Creek and Greene Townships as recorded in the Register of Deeds of Guilford County, and located on Guilford County Tax Parcels 109496, 109492, 109493 and 109484, running southwest from Raccoon Run and terminating at the cul-de-sac of Groundhog Trace. Whereas, a petition was filed pursuant to NC GS153A-241, Chapter 282 of the 1979 Session Laws and Chapter 59 of the 1981 Session laws requesting that the Board close a public road. Whereas, pursuant to a Resolution of Intent to close said road, adopted by this Board on February 9<sup>th</sup>, 2022, an electronic Notice was published at the Guilford County website that a Hearing would be held virtually and in person concerning said petition on today's date. Therefore, be it resolved that the following described road is hereby closed and removed from dedication to the public use, being all of Groundhog Trace which was previously described, a certified copy of this resolution together with a copy of this hearing is hereby ordered recorded at the Register of Deeds of Guilford County, North Carolina, is the request is approved by this Board.

**D. Rules of Procedure**

At this time, Acting Chair Donnelly stated that he needed to go back and read the Rules of Procedure. Acting Chair Donnelly explained the rules of procedures to be followed during the meeting.

**Public Hearing Item(s) continued with Case # 22-01-GCPL-00150:**

Mr. Bell added that the Resolution of Intent was adopted on February 9<sup>th</sup>, 2022, and according to General Statute 153A-241 concerning closing roads, the Planning Board must hold a public hearing before the Road can be closed. Based upon the information presented at the hearing, the Board must find that the closing of said road is not contrary to public interest. Staff submits the following finding for consideration by the Board. He read the description earlier and would like to submit that information. This request only includes the portion of Groundhog Trace as described above and no closing of utility easements are included by the applicant. A map has been provided for the Board member's review.

Acting Chair Donnelly asked for anyone wishing to speak in support of the request to come forward.

Amanda Hodierne, attorney representing the applicant, stated that her client and his wife own the property concerning this application. She stated that the Exhibit that was submitted with their application shows that the property is located on the eastern portion of the cul-de-sac. There are four (4) contiguous parcels that comprise the lot makeup of these properties. The applicant and his wife own all four (4) of those parcels and they are the only property owner of any properties in the cul-de-sac. This is a very large, spaced-out, private, estate-type subdivision with lots of privacy and vegetation. The owners have not built anything or sold any of the other parcels in this cul-de-sac, which was to create a bigger lot for themselves. In addition to the fact that there are no other property owners on this cul-de-sac, she also pointed out that there is a preliminary plat that has been filed with the TRC because the ordinance has a requirement that all lots have to have frontage on a public right-of-way. If this petition were to become successful, most of these lots will become non-conforming to that standard. This request would cure that and re-combine all those lots and make the right-of-way into one (1) unified parcel, adjacent to Racoon Run. This is a very isolated nature of this request in terms of its impacts on other property owners in the area. It is felt that this request is not contrary to the public interest. This closure would not cut off any of the other neighborhood residents from any of their personal private properties.

Bryan Cassetta, 3302 Groundhog Trace, presented a handout for the Board's review and stated that they built their home on their property about ten years ago and then they acquired the other surrounding parcels. They are very secluded at the back of the subdivision with a total acreage of approximately 150 acres with over 50 homesites. They have dealt with break-in issues in the neighborhood for many years now, especially at the back of the subdivision where it is most secluded and remote to the other homes in the area. They have had issues with people coming into the immediate area, trespassing and some lingering in the cul-de-sac or using that area to access hunting or riding ATVs on the adjoining property. He has received emails in support of the request but there has been no HOA meeting where their plans were discussed, in detail.

Ms. Hodierne pointed out that the applicants are not trying to detract from the neighborhood or take away from the experience of their neighbors enjoying their own homes. They like this neighborhood and they want to stay there. The origin of the request was not to close the right-of-way, it was because



they wanted to get the security fencing in place and in exploring that, they learned from Guilford County that they could not do that on a public right-of-way. That is what led to this request and they want to make sure that the correct sequence of events is followed so that they can put up some type of security fencing, which would be something that would be very architecturally styled, something that would look like any kind of fencing that would already be in the neighborhood, They have tried to work with the HOA in terms of soliciting their input on how that might look and making sure that is not something that would be an eyesore to the community or look overly intrusive or stand out like a sore thumb in the community.

Acting Chair Donnelly asked that those who wished to speak in opposition to the request, please come forward.

Lawson Brown, attorney representing Beaver Hills Estates HOA and 29 of the 43 homeowners in the area. They have signed a petition, individually, stating that the petition to oppose the road closure of Groundhog Trace, and he opposes the closing of Groundhog Trace south of Raccoon Run Drive. Closing of this publicly dedicated road is completely out of character from the single-family home subdivision, in which all houses are served by private drives connected to the public road. The design of the subdivision was referenced as Groundhog Trace is such that the only vehicular turn-around in Groundhog Trace is located on a portion of Groundhog Trace that is proposed to be closed. Property owners, fire and emergency vehicles and others traveling through the neighborhood will be required to make a pull-up, back out into the Raccoon Run Drive of the other portion (western portion) of Groundhog Trace is inconsistent with the approved, recorded plat, further, it interferes with traffic and creates an unnecessary safety risk. The HOA, of which he pays dues, expended approximately \$20,000 in roadway improvements to NC DOT standards. The applicants have taken full advantage of these improvements and he supports the HOAs decision that the southeastern portion of Groundhog Trace is not an improvement and expenditure that it is willing to turn over to the Cassetts. Beaver Hills lot owners have complied with the easements in and to all other roads in the subdivision, including

Groundhog Trace. The HOA contends that they own the road and not the Cassetts. There were approximately 17 people in the audience who had shown up to show their support of opposing the request.

Mr. Gullick asked if the neighbors have attempted to get together with the Cassetts to discuss this matter. Mr. Brown responded that they met in 2020 to talk about the gate and fence that was proposed earlier. There were several calls to the Police and Sheriff's office about some safety issues in the neighborhood. Mr. Gullick stated that he wanted to know if they have gotten together with the Cassetts to see how this could be worked out. In 2020 they were blind-sided by a request and they have not met since then.

Mr. Craft asked if this is considered a public street, regardless of whether it is being maintained by the State or not. Could anybody drive into this cul-de-sac, turn around and park? Mr. Brown stated that was correct.

Jill Paleties, 3296 Groundhog Trace Road, stated that she lives at the other end of Groundhog Trace, so she and Bryan are the only houses on that road and they are a fine family. In looking at the map it is basically on the other side of the cu-de-sac. Her concern is that it would close off this road and any traffic has to go down on her end of the road or straights and then turn around and back up and it

forces that additional traffic down on her road to turn around, in her driveway. There have been some issues in the community since the signs were posted, the people in the neighborhood are starting to talk about that they need the best security in the whole neighborhood and not just one person.

Acting Chair Donnelly stated that those wishing to speak in rebuttal, to please come forward.

Amanda Hodierne, returned to the speaker's table and stated that she wished to address the turn-around aspect of the request because it is an important point and has been reviewed by the Fire Department and they found out that a turn-around is a very important feature that they could not take away. They actually gave the applicant a possible alternative for a turn-around and a location to safely place the gate based on fire access or any other emergency access people being able to come in and be able to turn around and go back out without having to use a neighbor's driveway or yard to make that maneuver. Ms. Hodierne pointed out that when an easement is granted, and a road is publicly dedicated it is owned by the State and is not owned by the HOA. There is no prohibition against this type of request and no requirement for approval by the HOA.

Speaking in opposition rebuttal, Lawson Brown stated that the cul-de-sac turn-around is critical because of the safety issue of emergency vehicles being able to access properties. All the neighbors have easement rights entering into the street. Mr. Donnelly asked Mr. Brown if he was here as a representative of the homeowners as a homeowner himself, or on behalf of an attorney? Mr. Brown responded that he is here as an attorney for the HOA but his personal view is the same as the HOA.

Leslie Bell stated that there is special Legislation passed by the General Assembly for Guilford County that does lay out a process that regardless of the decision made by the Board this evening, there is an appeal period that would go to the County Commissioners and then an appeal to Superior Court, if necessary,

Mr. Gulick moved to close the Public Hearing, seconded by Mr. Craft. The Board voted unanimously in favor of the motion.

### **Board Discussion**

Mr. Craft stated that he feels that some of the issues brought up today are beyond the scope off this Board. The law is set up and if you own the adjacent parcels and you apply to get a road closed, that road reverts all the adjacent landowners, and in this case, this one property owner. The Board does not get a say in that and whether the HOA has an interest in this. Mr. Stalder stated that he agrees with Mr. Craft and does not think it is their place to enter a land dispute over that easement. Mr. Gullick stated that he understands HOAs, and everybody's concerns and frustrations, but this is a tough case for the Board and there is limited power for the Board. He thinks the applicant has met the requirements of the General Statute to close this road.

Acting Chair Donnelly stated that he is ready to accept a motion and that motion would simply to be to adopt the Resolution as read by Mr. Bell and then there would be a roll-call vote on it.

Mr. Gullick moved to approve the request for a Resolution of Intent to close the pre-described portion of Groundhog Trace, as discussed, seconded by Mr. Apple. There being no other speakers for this particular case, the Board voted 6-0 in favor of approval of the request. (Ayes: Donnelly, Stalder, Gullick, Craft, Gathers, Apple. Nays: None.)

**REZONING CASE # 22-02-GCPL-00857: 5754 & 5818 LIBERTY ROAD, AG, AGRICULTURAL TO PI, PUBLIC AND INSTITUTIONAL** Located on the west side of Liberty Road approximately 950 feet south of intersection with Cade Road, Guilford County Tax Parcels 122667 and 122825, approximately 26.95 acres. This is a request to rezone two parcels from AG to PI. **(GRANTED)**

Oliver Bass stated that this property is located on the west side of Liberty Road approximately 950 feet south of intersection with Cade Road, Guilford County Tax Parcels 122667 and 122825, approximately 26.95 acres. This is a request to rezone two parcels from AG to PI. The applicant is Anthony Vogt. The proposed Rezoning is consistent with the Alamance Area Plan land use classification of Conditional SFR (Single-family Residential), thus if approved, no plan amendment would be required. The requested action is reasonable and in the public interest because it is adjacent to a PI zoned property with a use that is permitted in the PI zoning district and provides opportunities for government, arts and culture, recreation and sports and other similar activities.

Acting Chair Donnelly asked if there was anyone in favor of this request to come forward to speak.

Anthony Vogt, 3819 Raintree Drive, Greensboro, NC, stated that he owns a construction company in Guilford County that he started in 2013 and he moved to this area in 2005 and attended A&T State University. He has been working for about the past 2 years to purchase this airport and that came from Love Aviation where he got his pilot's license about 2 years ago. The reason for the rezoning request is because the parcels in the request are zoned AG and are not consistent for the rest of the airport. The rest of the area is zoned PI and the family that owned the airport previously, did not have an understanding about the zoning requirements. From 1992 until 2010, there was AG properties that could have a Special Use Permit and be used as airports. When the UDO changed, the AG was taken out and he would like to keep it all consistent. This is known as the Southeast Greensboro Airport. He feels this will make a positive impact on this area.

Edward Rozenski, 5816 Liberty Road, stated that he supports Mr. Vogt on this request. He has been in his current location for about 25 years and at one time it was zoned Heavy Industrial and the previous owner had it all rezoned PI. The property has been PI for about 15 years now and there is a 3,000-foot runway and there is no room for expansion and there are only a few airplanes that can land on a 3,000 foot runway. Most people don't even know that airport is there.

Larry Shackelford, 6101 Davis Mill Road, stated that he lives about 5 miles from the airport and he is 100% in favor of the request and he thinks it is a good thing for the whole community.

There being no other speakers, the public hearing was closed by unanimous vote.

Mr. Gullick moted to grant approve the request, as submitted and explained by staff, because the proposed rezoning is consistent with the Alamance Area Plan use classification for single family residential, thus if approved, no plan amendment would be required. The requested action is reasonable and in the public interest because it is adjacent to a PI zoned property with the use of a private air strip that is permitted in the PI district. It provides opportunities for governments, arts, culture, recreation, sports and other similar activities, seconded by Mr. Apple. The Board voted 6-0 in favor of approval of the request. (Ayes: Donnelly, Stalder, Gullick, Craft, Gathers, Apple. Nays: None.)

**REZONING CASE # 22-02-GCPL-00876: 105 NC HIGHWAY 62 E, HB, HIGHWAY BUSINESS AND RS-40, RESIDENTIAL SINGLE-FAMILY TO RS-40, RESIDENTIAL SINGLE-FAMILY** Located on the north side of NC Highway 62 E approximately 214 feet east of intersection of Randleman Road, Guilford County Tax Parcel 143378, approximately 1.53 acres. This is a request to Rezone a parcel from HB and RS-40 to RS-40. The applicant is Larry R. Shackelford. The proposed Rezoning is inconsistent with the Southern Area Plan land use classification of Moderate Commercial, thus if approved, a plan amendment to extend the Agricultural land use classification to the entire parcel would be required. **(GRANTED)**

Mr. Bass stated that this property is located on the north side of NC Highway 62 E approximately 214 feet east of intersection of Randleman Road, Guilford County Tax Parcel 143378, approximately 1.53 acres. This is a request to Rezone a parcel from HB and RS-40 to RS-40. The applicant is Larry R. Shackelford. The proposed Rezoning is inconsistent with the Southern Area Plan land use classification of Moderate Commercial, thus if approved, a plan amendment to extend the Agricultural land use classification to the entire parcel would be required. Staff recommends approval of the request even though the request is inconsistent with the Southern Area Plan, as it is in the public interest because the zoning is consistent with the current Residential use of the property and the request will extend the RS-40 district to other adjacent residential properties to the subject property and the request, if approved, will remove the non-conforming status of the current residential use of the property.

Aaron Gray, 4222 Shirley Weavil Road, Winston-Salem, NC, stated that he is a licensed general contractor and he represents the applicant, Mr. Shackelford who purchased the property thinking he was going to use it for a commercial property. In the planning process, Wilson Surveying determined that the property could not be sub-divided and the proposed addition to a building on the property could not be done without a lot more planning. He pointed out that more than 95% of the property is HB and there is just a small portion involved in this request.

Acting Chair Donnelly asked if they had been in contact with any of the neighbors to see if there were any concerns. Mr.

Gray stated that the neighbor was the previous owner of the property and there were no objections.

There being no other speakers for this case, the public hearing was closed by unanimous vote.

Mr. Gullick moved to approve this zoning amendment because the approval also amends the Southern Area Land Map and the associated southern area of the Plan are based on the fact that this will change and add residential parcels where other residential parcels adjoin this area. This action returns this parcel to a conforming area status. The amendment is reasonable and in the public interest because although the requested action is inconsistent with the Southern Area Plan recommendations, it is reasonable and in the public interest because the zoning is inconsistent with current uses of the subject property, the request will extend RS-40 of adjacent residential properties and subject parcel. If approved, the request will remove non-conforming status and current residential use of the property, seconded by Mr. Craft. The Board voted 6-0 in favor of approval of the request. (Ayes: Donnelly, Stalder, Gullick, Craft, Gathers, Apple. Nays: None.)

**CONDITIONAL ZONING CASE # 22-02-GCPL-00917: 1766 & 1768 SCALESVILLE ROAD, AG, AGRICULTURAL TO CZ-RS-30, CONDITIONAL ZONING-RESIDENTIAL, SINGLE-FAMILY** Located on the north side of Scalesville Road near intersection of Lake Brandt Road, Guilford County Tax Parcels 136454 and 136461, approximately 39.14 acres. This is a request to Conditionally Zone property from

AG to CZ-RS-30. The applicant proposes the following Use Condition: (1) Single-family detached dwelling; and Development Conditions: (Density of properties to be limited to one unit per acre (1du/ac). Application includes an attached Sketch Plan. Applicant, Russell A. Ball for Phoenix Farms, LLC. The original sketch plan was reviewed by the TRC, with a comment letter submitted for review.

Oliver Bass stated that this property is located on the north side of Scalesville Road near intersection of Lake Brandt Road, Guilford County Tax Parcels 136454 and 136461, approximately 39.14 acres. This is a request to Conditionally Zone property from AG to CZ-RS-30. The applicant proposes the following Use Condition: (1) Single-family detached dwelling; and Development Conditions: (Density of properties to be limited to one unit per acre (1du/ac). Application includes an attached Sketch Plan. The applicant is Russell A. Ball for Phoenix Farms, LLC. A sketch Plan was shown for the Board members' review. The AG zoning is intended to provide location for primarily agricultural uses. The RS-30 is primarily to accommodate single family detached dwellings with a minimum lot size of 30,000 square feet. With conditional zoning it is a companion district for area zoning districts including the RS-30 zoning district of the Unified Development Ordinance. If approved, all regulations that apply to the general use zoning district on the RS-30 zoning District would also apply to the conditional zoning district. The request is consistent with the predominantly single-family residential area. There is an historic property located near the subject property, and if approved, it would not be impacted by the rezoning.

Acting Chair Donnelly asked for those wishing to speak in favor of the request to come forward.

Milt Rhodes, 4304 Parrish Street, stated that they have been able to keep the lot sizes fairly consistent with a normal 1-acre lot range, but being able to provide a few more features and other assets on this property and to add a common space, which preserves the integrity and provide for a little less disturbance in this area. He is thankful to get the staff report recommending the approval of the request. They held a community meeting a few weeks ago, via ZOOM and there were some technical difficulties at the beginning of the meeting, but there were able to address some of the concerns about drainage and preservation of trees and other assets that are on the parameter of the property.

Fred Sievers, 8518 Triad Drive, Colfax, NC, stated that his engineering firm worked on the plans to develop the property and he is available for any questions posed by the Board members.

Mr. Gullick asked what kind of buffers the applicant planned to use at the property? Fred Sievers stated that there will be different sizes from some natural areas and some trees that may not have to be disturbed. On the southern property line there looks to be about a 15-foot zone and on the western property line there is other growing life and on the northern and eastern side there are areas of existing tree pockets that will probably not be disturbed. There may be a Type 2 buffer yard.

Acting Chair Donnelly asked if there was anyone wishing to speak in opposition to this request, to please come forward.

Robert Douglas, attorney representing Melinda Ballentine, who is the owner of the adjacent property, as shown on the slide as Tract J, which is immediately east of a substantial part of that property. This area is a jot-bed of development and residential development and some people have concerns about the water run-off situation of this property. Ms. Ballentine has a pond that is located right at the intersection of lots #4 and #5, and another pond that is located at the intersection of lots #6, #7 and

#8. The property now drains in the direction of the ponds and the concern is that if this property is development with the number of subdivision lots and the number of asphalt roads, that will increase the waterflow on these properties. There is also a creek and a number of feeder creeks there. There is the fear that the additional run-off is going to very seriously negatively impact Ms. Ballentine's property. It is felt that this proposed development will exacerbate the water run-off, in addition, there are concerns about additional fertilizer run-off from the new developments. They would like some assurance that the County will secure and protect the adjacent property. There is currently a large portion of the property that is timber now, and certainly, that will be removed.

Mr. Donnelly pointed out that the Board's responsibility is to really look at zoning and land use applications and some of the questions that come up in these requests, cannot be addressed by the Board.

Leslie Bell stated that the TRC looks at the plans and stormwater and watershed are part of their review on all requests before the plan is finalized.

Randy Boles, 1776 Scalesville Road, stated that he is not speaking against the request, he just had a few questions and comments. His property is identified as Lot #L, so he borders the subject property on two sides. In speaking to other property owners in the community meeting, the buffers seem to be thin on the north side. He has horses and a horse pasture with an electric fence and he is concerned about somebody getting too close to the electric fence, especially children, and getting hurt. That is why he was asking about a buffer on that portion of the property. He has signs on the fence, but unless someone can see those signs they could get hurt. He feels that a large buffer might help, perhaps a planting row of some kind.

Acting Chair Donnelly asked if the applicant would like to come forward with rebuttal.

Milt Rhodes stated that there would already be some type of tree buffer on the properties that back up to the residential properties to the rear.

Fred Sievers stated that the plan goes through TRC and the roadway goes through NC DOT. He pointed out that a lot of governmental agencies are involved and will review the plan to make sure the applicant does everything required.

Mr. Gullick asked if it would be proper and acceptable to add a condition to put a fence along Mr. Boles' property border for protection from the electric fence. Mr. Sievers responded that it would depend on the placement of the septic area and Environmental Health would have to go out and make their evaluation and they don't allow certain things to be constructed in that area. There are also utilities that are on Mr. Boles' property that have to be considered.

Acting Chair Donnelly stated that there being no other speakers, the public hearing would be closed by unanimous vote.

Mr. Craft moved to approve the request for a zoning amendment as reviewed, because the zoning would provide expanded housing opportunities in the area and it is reasonable and in the public interest, in addition to the zoning condition presented by staff, seconded by Mr. Apple. Board voted 5-1 in favor of approval of the request. (Ayes: Donnelly, Stalder, Craft, Gathers, Apple. Nays: Gullick.)



At this time, Mr. Apple moved for a five-minute break, seconded by Mr. Craft. There was a short break from 8:15 until 8:21 p.m.

**CONDITIONAL ZONING CASE # 22-02-GCPL-00845: 8424 FAIRGROVE CHURCH ROAD, AG, AGRICULTURAL; PI, PUBLIC AND INSTITUTIONAL, RS-40, SINGLE-FAMILY RESIDENTIAL AND UN-ZONED TO CZ-RS-30, CONDITIONAL ZONING-RESIDENTIAL, SINGLE-FAMILY** Located on the south side of Fairgrove Church Road at the southwest intersection Brooks Lake Road, part of Guilford County Tax Parcel 128427, approximately 66.76 acres. This is a request to Conditionally Zone property from partially zoned AG, PI, RS-40 and Un-zoned (approx. 11.2 acres) to CZ-RS-30. The applicant proposes the following Development Conditions: (1) 1 du/acre. No use condition is proposed, and no sketch plan was submitted with the application. Applicants: Cynthia A. Bowman Martin, Jason W. Busick, and Darwin E. Bowman. The proposed Conditional Zoning is consistent with the Northern Lakes Area Plan land use classification of AG Rural Residential, thus if approved, no plan amendment would be required. The Northern Lakes Area Plan boundary and AG Rural Residential land use classification should be extended to the un-zoned portion. **(GRANTED)**

Oliver Bass stated that this request is located on the south side of Fairgrove Church Road at the southwest intersection Brooks Lake Road, part of Guilford County Tax Parcel 128427, approximately 66.76 acres. There is some discrepancy on some portion of the property as to whether it is located in Rockingham County or Guilford County. There was a slide presentation shown for the Board members' review. This is a request to Conditionally Zone property from partially zoned AG, PI, RS-40 and Un-zoned (approx. 11.2 acres) to CZ-RS-30. The applicant proposes the following Development Conditions: (1) 1 du/acre. No use condition is proposed, and no sketch plan was submitted with the application. Applicants: Cynthia A. Bowman Martin, Jason W. Busick, and Darwin E. Bowman. The proposed Conditional Zoning is consistent with the Northern Lakes Area Plan land use classification of AG Rural Residential, thus if approved, no plan amendment would be required. The Northern Lakes Area Plan boundary and AG Rural Residential land use classification should be extended to the un-zoned portion. The request is in a predominantly single-family residential area of individual lots in subdivisions. The existing land use of the property is single family home and agricultural. The surrounding property is AG. Single family residential lots to the south, east, west and north., There is PI zoning also to the east. There was an early century single family house located on the property that is listed in the historic resource inventory but it is not regulated as a designated landmark. The area is on private septic and wells and there are no public systems proposed. Fairgrove Church Road is a collector street and is subject to improvements which will be subject to the NC DOT driveway permit requirements. There is no regulated flood plain on the property and it is not in the watershed but there are some streams on the property. The subject property is in the Northern Lakes Area Plan adopted in 2016 with a plan recommendation of AG rural residential. The requested action is consistent with the recommendations of the Comprehensive Plan and the AG rural residential classification is intended to accommodate large lot residential and low-density residential subdivisions anticipated land use include those permitted in the RS-30 zoning district. Staff recommends approval of the request and it is reasonable and in the public interest because it is consistent with the recommendation of the Northern Lakes Area Plan. The general area is substantially developed as low density which is less than 2 dwelling units per acre. The rezoning will expand housing opportunities for citizens in Guilford County. The proposed condition is consistent with the North Lakes Area Plan and land use recommendations and thus, if approved, no plan amendment will be required. Staff recommends the request is to include that unzoned portion of the lot.

Acting Chair Donnelly asked if there was anyone present wishing to speak in favor of the request to come forward.

Norris Clayton, engineers located at 1306 W. Wendover Avenue, representing the applicant, Cynthia Bowman Martin, Jason Busick and Darwin Bowman. They are asking for a Conditional Use rezoning of this property, which is primarily AG zoning, to be rezoned to CU-RS-30 and the condition being one dwelling unit per acre. He pointed out the discrepancy on the zoning map. Rockingham County had relinquished their jurisdiction of this particular property to Guilford County. He submitted a sketch plan to TRC but because of the deadlines they could not get it prior to the Planning Board deadline but he presented maps which showed the change in the boundary line.

Mr. Bell stated that this map was not submitted as part of the application, so it has not been approved and is not considered formally submitted.

Tony Johnson, 7495 Morrisville Road, Stokesdale, NC, one of the developers stated that they have sent out a letter to all the adjoining property owners and he has talked to 4 people since sending out the letters and no one was opposed to it, they were just curious and wanted to know more about the proposed development. He has told these interested parties that as they gained more information, he would certainly get in touch with them. Most of the concerns was about keeping the trees and they do want to keep as many as possible.

Desmond Brown, speaking on-line, 7404 Richardson Wood Road, Brown Summit, NC, stated that he was not in favor or opposed. He purchased his property that is next to the farm in November of last year and they were looking forward to the view and the peace and quiet. He wanted to know what kind of buffer is going to be put on the land. Mr. Johnson responded that there is a naturally wooded buffer along his left-hand property line and they do not intent on touching any of those trees, typically, within 20-30 feet because his lots will back up to Mr. Brown's property.

Nicole Ringer, speaking on-line, 3019 Pearson Farm Drive, stated that she also bought her house prior to the farm being sold and also liked the idea of the quiet in the area. She has the same concerns as the previous speaker, Mr. Brown.

Rachel Reed, speaking on-line, 8344 Fairgrove Church Road, stated that she is concerned about the loss of trees and the same issues as the previous speakers.

William Hammond, 8304 Christian Farm Court, stated that his concerns are about additional traffic in the area. He is on the Board of Directors for the Pearson Farm Homeowners Association and he is asking on their behalf, about the traffic increases for this area, and the additional driveways on Fairgrove Church Road and that raises some concerns.

Mr. Bell stated that, in general terms, NC DOT would review any plans submitted and make a determination as to what can be permitted.

Nancy Garcia, 8139 Brookslane Road, stated that she wanted to get out of the city of Greensboro and enjoy the country life and the peace and quiet. She feels this is too many properties for this area. Her house is within that Rockingham County area that is under consideration. She wanted to know if she will be changed from Rockingham to Guilford County. If that happens, she will have to pay a lot more



in taxes.

Mr. Bell stated that changes lot size in the county she is in, will not change if this request is approved.

To provide more information, Tony Johnson stated that the last speaker, Ms. Garcia certainly has every right to have a horse on her lot. He would be glad to meet with her to give more information and gave his cell phone number.

Acting Chair Donnelly stated that there being no other speakers, the public hearing was closed by unanimous vote.

Mr. Craft moved to approve the request as submitted by staff, because the proposed conditional zoning is consistent with the Northern Lakes Area Plan land use classification of AG rural residential, thus if approved, no plan amendment will be required. The Northern Lakes Area Plan boundary and AG rural residential use classification should be extended to the un-zoned portion. This amendment is reasonable and in the public interest because the rezoning will expand housing opportunities for the citizens of Guilford County, and the general area substantially developed as low density at 2 dwelling units per acre and will expand housing opportunities for the citizens of Guilford County, seconded by Gullick. The Board voted 6-1 in favor of approval of the request. (Ayes: Donnelly, Stalder, Gullick, Craft, Apple. Nays: Gathers.)

#### **H. Election of Officers for Remainder of 2022**

##### **Chair**

Mr. Gullick nominated Mr. Donnelly to serve as Chair for the remainder of 2022 [former Chair Frankie Jones has been appointed to fulfill Comm. Coleman's unexpired term on the Board of Commissioners]. Mr. Apple moved that nominations be closed; 2<sup>nd</sup> by Mr. Stalder. That being the only nomination, the Board voted unanimously 6-0 in favor of Mr. Donnelly serving as Chair for the remainder. (Ayes: Donnelly, Stalder, Gullick, Craft, Gathers, Apple. Nays: None.)

##### **Vice Chair**

Mr. Apple nominated Mr. Gullick to serve as Vice Chair for the remainder of 2022 [former Vice Chair Ms. McKinley has moved out of state]. Mr. Apple moved that nominations be closed; 2<sup>nd</sup> by Mr. Craft. That being the only nomination, the Board voted 5-0 in favor of Mr. Donnelly serving as Chair for the remainder. (Ayes: Donnelly, Stalder, Gullick, Craft, Apple. Nays: None.) Dr. Gathers during roll call vote did not respond and had given no prior notice of her not being unavailable (unexcused for the vote) and thus was assigned an affirmative vote. Final vote count changed to 6-0, with Dr. Gathers' vote counting as an affirmative vote on the motion.

On the 3<sup>rd</sup> call for Dr. Gathers' continued participation/presence, she indicated that she didn't know about Mr. Gullick being voted as Vice Chair following Mr. Donnelly's announcement to her. She then stated that she wanted to run for Vice Chair. The Chairman then asked Mr. Bell if there would be any reason why Vice Chair position could not be brought back up and changed at the next meeting if something changed and another [nomination] was brought back up for Vice Chair consideration? Mr. Bell indicated that the Chair may want to inquire of Dr. Gathers why she was off-line [not present for the vote] of Vice Chair as it may be due to a technology issue and he may want to make sure that she is given every opportunity and doesn't want her to be treated unfairly. The Chairman asked Dr. Gathers if she was aware of what may have caused her to be offline? She responded no and that she

got dropped somehow. The Chair indicated that the Board already had taken the actions it needed and he would be happy to discuss this further with her offline. Mr. Gullick made a motion to re-open nominations for Vice Chair; 2<sup>nd</sup> by Dr. Gathers. The Board voted 3-3 in favor of the motion to re-open nominations; thus, the motion failed. (Ayes: Gathers, Gullick, Donnelly. Nays: Apple, Craft, Stalder.)

**I. Other Business**

None

**J. Adjourn**

There being no further business before the Board, the meeting was adjourned at 9:21 pm.

(Insert Color Paper)



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

Planning Board  
Easement Closing  
Petition

Date Submitted: 5/11/21 Fee \$126.00 Receipt # 155962 Case Number 21-05-6CPL-04116  
(includes \$26 recording fee)

The undersigned, being the owner(s) of the property abutting the easement, or portion of said easement, described below request(s) that said easement be closed and removed from dedication.

The easement on the property located at 1103 Hillcroft rd Browns Summit NC 27214  
As recorded in Plat Book 32 Page 20 in Monroe Township. Also refer to attached map.

The following utility companies have installed facilities within the easement:

Electric \_\_\_\_\_ Natural Gas \_\_\_\_\_  
Phone \_\_\_\_\_ Cable Television \_\_\_\_\_

The following utility companies that provide service or would provide service in the area do not have facilities installed within the easement:

Electric ✓ Duke Natural Gas ✓ Northstate  
Phone ✓ Duke Cable Television ✓ Duke

All companies, regardless of availability of services in the area, listed above must provide the applicant with a written statement on company letterhead that they have no objection to the easement being closed. Contact must be made by the applicant. Refer to the Area Utility List for utility company contacts.

According to North Carolina General Statute 153A-241, the Planning Board may close the easement if the closing of said easement is not contrary to the public interest.

Petitioners:

- | Name                             | Address   |
|----------------------------------|---|
| 1. <u>Bonifacio Parra Cortes</u> | <u>1103 Hillcroft rd Browns Summit N.C. 27214</u> |
| 2. _____                         | _____   |
| 3. _____                         | _____   |
| 4. _____                         | _____   |
| 5. _____                         | _____   |
| 6. _____                         | _____   |
| 7. _____                         | _____   |
| 8. _____                         | _____   |

Additional sheets for petitioners are available upon request.

**YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING**

Submitted By: Bonifacio Parra Jr.  
Bonifacio Parra Cortes 10 Bricklin Ct. Greensboro NC 27455 336 451 84 63  
Contact Name Address Contact Phone #/Email 336 215 25-57



Bonifacio Parra <parrafamilypainting@gmail.com>

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**FW: ROW Form**

1 message

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**Martin, Elia A** <Elia.Martin@duke-energy.com>

Tue, May 4, 2021 at 10:46 AM

To: "parrafamilypainting@gmail.com" <parrafamilypainting@gmail.com>

Good afternoon,

I do not see a PNG easement in that area.

**From:** Wall, Leah K. <Leah.Wall@duke-energy.com>

**Sent:** Tuesday, May 4, 2021 8:43 AM

**To:** Land Transmission Row Mbx <LandTransmissionRow@duke-energy.com>

**Subject:** ROW Form

# ROW/EASEMENT/ENCROACHMENT Escalation Form

Nature of the call: Example - Flags or paint on property, questions regarding easement or encroachment, building rights, crossing permits, needing a land survey

**Please provide as much detail as possible.**

Is wanting to build home but is wondering about easements nearby—planning board found old easements—may need a letter saying ok to remove easement





Bonifacio Parra <parrafamilypainting@gmail.com>

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## Easement 1103 Hillcroft rd Browns summit

2 messages

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**Bonifacio Parra** <parrafamilypainting@gmail.com>  
To: chuck.jones@lumosnet.com

Thu, Apr 15, 2021 at 9:12 AM

Hi Chuck

This is Mr. Parra. As I explained over the phone, I am Building a house at 1103 Hillcroft Rd, Browns summit NC 27214 and the Guilford County planning board wants a letter saying that you don't have any easements on the property.

please call me if you have any questions  
(336) 451-8463

Thank you.

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**Chuck Jones** <Chuck.Jones@nscom.com>  
To: Bonifacio Parra <parrafamilypainting@gmail.com>  
Cc: Brandon Barker <Brandon.Barker@nscom.com>, NS-Facilities Planning <facilities.planning@segra.com>

Thu, Apr 15, 2021 at 9:59 AM

Hello Mr. Parra,

In response to your request, we researched NorthState's records using your address: [1103 Hillcroft Rd, Browns Summit, NC, 27214](#), for existing facilities owned and/or maintained by NorthState. We found that no NorthState facilities have been installed on your property. Also, NorthState does not require the use of existing utility easements, if any, that are currently established on your property at [1103 Hillcroft Rd, Browns Summit, NC](#).

Regards,

---

**FW: Gibsonville, NC, Prior Rights Research (1103 Hillcroft Rd, Browns Summit, NC)**

1 message

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**Peacock, Jerry A[Faulk and Foster Real Estate]** <Jerry.A.Peacock@lumen.com> Mon, May 3, 2021 at 11:44 AM  
To: "parrafamilypainting@gmail.com" <parrafamilypainting@gmail.com>

Hello Mr. Parra,

Please see below. I hope this helps with your inquiry.

Thank you,

 LUMEN<sup>®</sup>

**Jerry Peacock**

Contractor – ROW Agent

tel: 850-933-8440

jerry.a.peacock@@lumen.com

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**From:** Miller, Shannon <Shannon.Miller@centurylink.com>

**Sent:** Monday, May 3, 2021 1:45 PM

**To:** Peacock, Jerry A[Faulk and Foster Real Estate] <Jerry.A.Peacock@lumen.com>

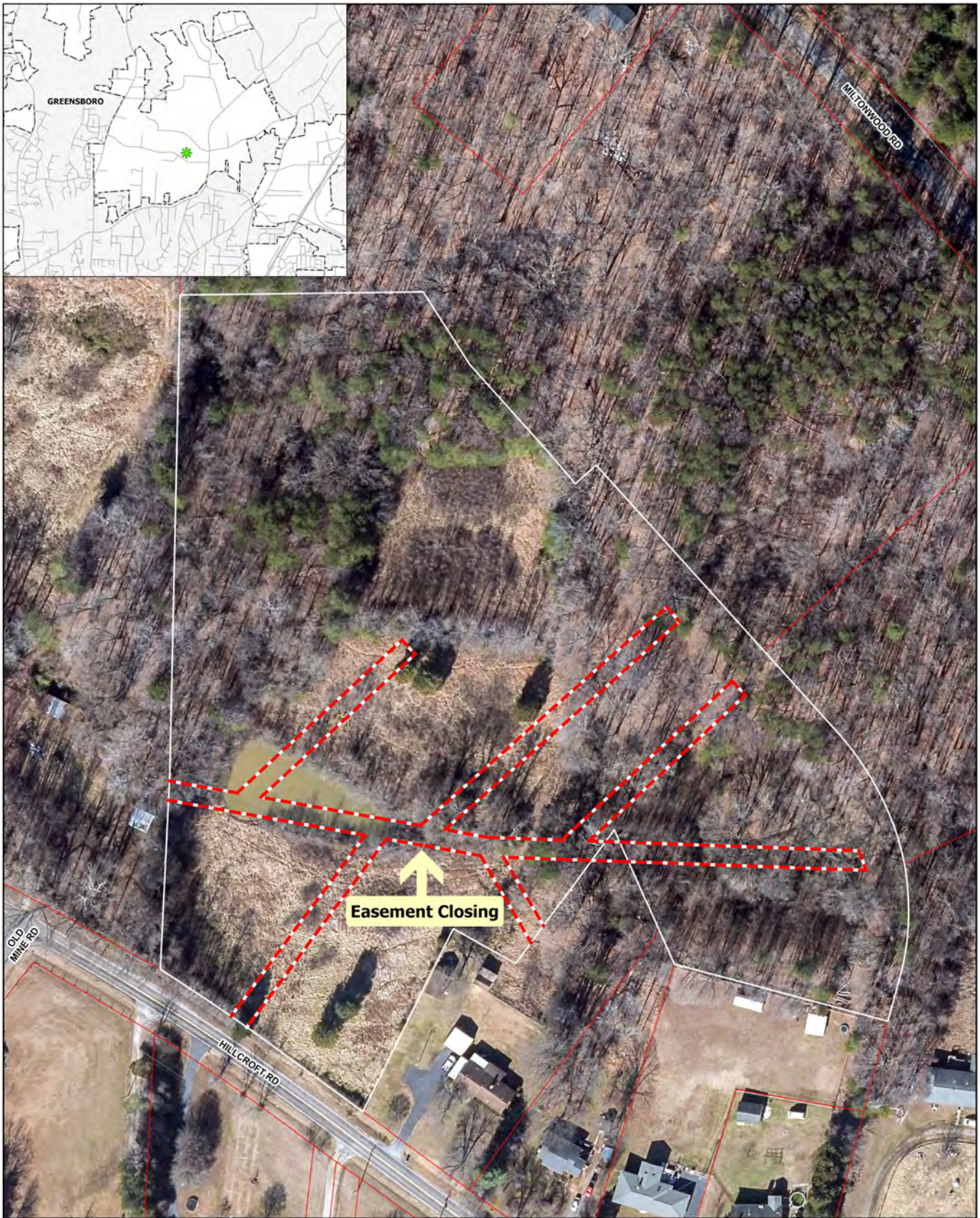
**Subject:** RE: Gibsonville, NC, Prior Rights Research (1103 Hillcroft Rd, Browns Summit, NC)

Hi Jerry,

There are no national facilities in this area either.

Thanks,





**GUILFORD COUNTY**

Guilford County  
Planning & Development  
Department

Easement Closing Case #  
21-05-GCPL-4166  
Township: Monroe

Scale: 1 in = 60 ft

Map:

**125757**





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## EASEMENT CLOSING CASE # 21-05-GCPL-04166

### Nature of the Request

Close 20-foot utility easement(s) located on Lot #s 31 (part of), 32, 33, 35, 36, 37, 39, & 40 as shown on Plat Book 32 Page 20 and located in Monroe Township on Guilford County Tax Parcel #125757.

The Resolution of Intent Amended was adopted on February 9, 2022.

The Case was postponed for a rescheduled public hearing at the March 9, 2022 Regular Meeting.

### Staff Recommendation

STAFF COMMENT: Pursuant to NCGS 153A-241 concerning closing easements, the Planning Board must hold a public hearing before the easement can be closed. Based upon the information presented at the hearing, the Board must find that:

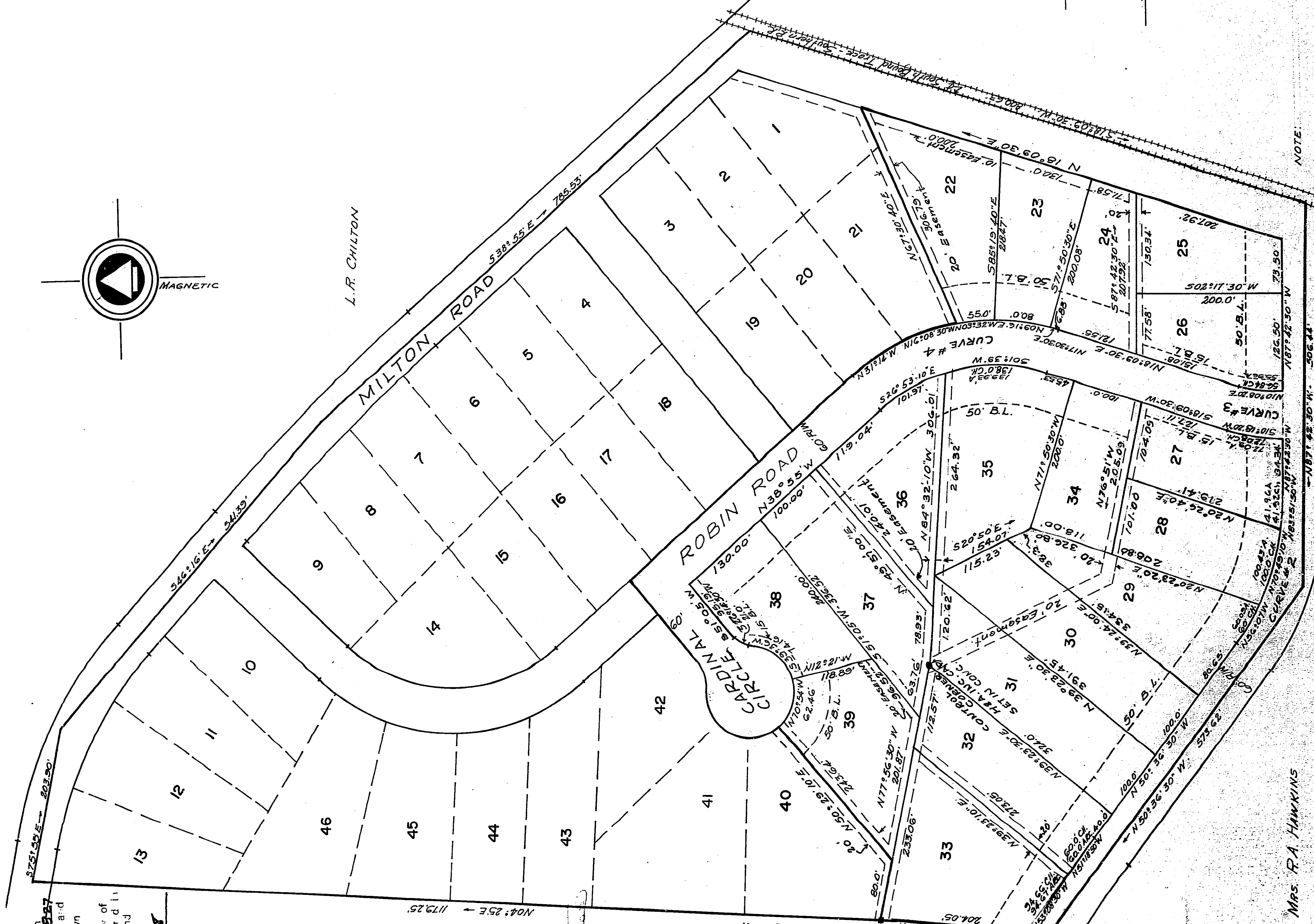
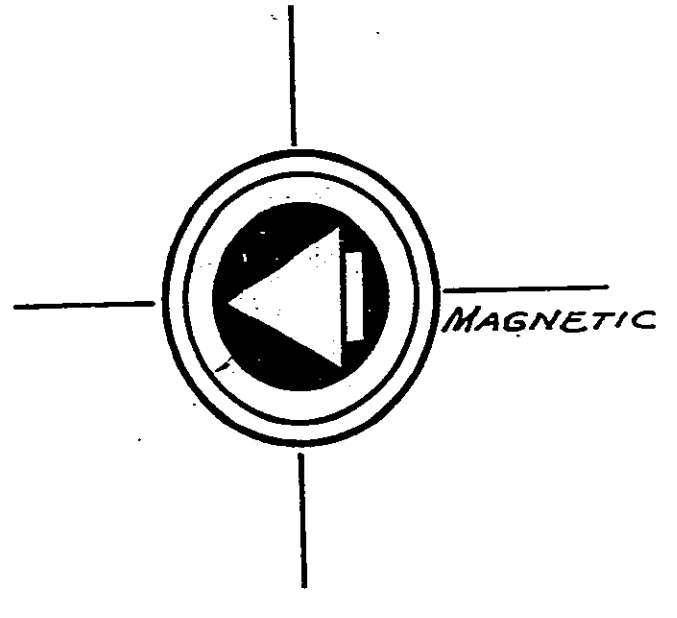
The closing of said easements are not contrary to public interest.

Staff submits the following findings for consideration by the Board:

1. The Planning Department has received a request to close a number of 20 ft. easements located on Lot #s 31 (part of), 32, 33, 35, 36, 37, 39, & 40 as shown on Plat Book 32 Page 20 and located in Monroe Township on Guilford County Tax Parcel #125757;
2. At the June 15, 2021 Technical Review Committee (TRC) meeting staff reviewed the request and determined that the 20 ft. easement(s) is aligned with an off-site drainage easement and as such, a modification of the plat that addresses both removing those portions of the easement no longer needed while modifying those portions that are needed would address concerns of removal and comply with the current Watershed/Stormwater ordinance requirements. A preliminary plat has been submitted and reviewed and such closing(s), replacement(s), and modification(s) based on that preliminary plat (dated October 20, 2021) e-mailed to the Guilford County Planning & Development Dept. on Wednesday January 12, 2022 is found to comply; and
3. All utility companies servicing this area have signed utility easement releases for the property.
4. Per Guilford County Tax records, Carlos Callier, listed for Tax Parcel #125759 (1109 Hillcroft Rd., Browns Summit, NC 27214) as a property adjoining the easement who did not join in the request to have the road or easement closed by signing the petition, was sent a copy of the Resolution of Intent to close the public easement(s) by certified mail (#7020 3160 0000 2281 3188) on March 24, 2022.

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CURVE DATA			
No.	Δ	T	L
1	6°34'	137.97	2402.01
2	37°06'	115.00	342.10
3	31°44'	65.37	230
4	57°43'	148.35	271.79



SUBDIVISION MAP  
SECTION NO. 1  
**BRIGHT ACRES**  
PROPERTY OF  
**MRS. R. A. HAWKINS**  
MONROE TOWNSHIP, GUILFORD COUNTY, N.C.

SCALE: 1" = 100'  
PREPARED BY  
**HOLLOWELL & ASSOCIATES, INC.**  
GREENSBORO, N.C.

**LOTS 22 THROUGH 39**

Note: Iron pipe at all property corners.

I, N. Glenn Walker, certify that this map was drawn from an actual survey made by me. Deed description referred to in Book 237 Page 408 that the error of closure as calculated by the said departures is 1.7500 feet the boundaries not surveyed are shown as broken lines plotted from information found in Book 237 Page 408, that it is Not within the corporate limits of the City of Greensboro, or within a mile thereof. That this map was prepared in accordance with G. S. 47-30 as amended. Witness my hand and seal this 28 day of May A. D. 1962.

N. Glenn Walker  
Registered Land Surveyor No. 1298

Also see Book 1306 Page 595

Subscribed and Sworn to before me  
this 28 day of May 1962.  
Charles T. Jordan  
Notary Public

My commission expires March 14, 1963

The undersigned hereby acknowledges this plat and allotment to be free act and deed and hereby dedicates to public use as streets, playgrounds, open spaces, and easements forever all areas so shown or indicated on said plat.

Signed: \_\_\_\_\_  
Signed: \_\_\_\_\_

NORTH CAROLINA, GUILFORD COUNTY

The foregoing certificate of the Notary Public of Guilford County, is in due form and correct. Let the said map or plat and the certificates be recorded.

This the 28 day of May 1962

Deputy Clerk Superior Court

Recorded in the Office of the Register of Deeds, this 28 day of May, 1962 at Greensboro, N. C.

Register of Deeds

Bernie H. Turner  
JUL 10 1962

Filed for registration on the 10 day of July 1962 at 9:52 o'clock A.M., and duly recorded in the Office of Register of Deeds of Guilford County, N. C. in Book No. \_\_\_\_\_ Page \_\_\_\_\_ Etc.

J. B. Carpenter  
Register of Deeds

Mrs. R. A. Hawkins

BRIGHT ACRES SEC 1

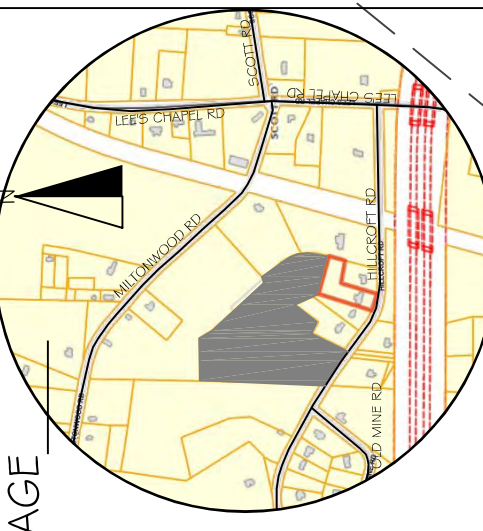
MRS R A HAWKINS PROP

32-20

RESTRICTIONS 2042-338







VICINITY MAP  
NO SCALE

**LEGEND**

RP	Existing Iron Pipe
RP	Existing from Road
NP	New Iron Pipe
D	Dwelling
D	Druck
CP	Controlled Access
POB	Point Of Beginning
TDW	Temporary Brown Wax
CPW	Controlled Metal Pipe
WH	Well
MP	Manhole
HP	Hydrant
DMU	Drainage, Maintenance & Utility Easement

MITCHELL PROPERTY LLC  
DB 8211 PG 1934  
PB 32 PG 20  
TAX PIN 7877662170

MITCHELL PROPERTY LLC  
DB 8211 PG 1934  
PB 32 PG 20  
TAX PIN 7877657159

MITCHELL PROPERTY LLC  
DB 8211 PG 1934  
PB 32 PG 20  
TAX PIN 7877654131

MITCHELL PROPERTY LLC  
DB 8211 PG 1934  
PB 32 PG 20  
TAX PIN 7877652231

MITCHELL PROPERTY LLC  
DB 8211 PG 1934  
PB 32 PG 20  
TAX PIN 7877651564

**PRELIMINARY FOR REVIEW ONLY  
NOT TO BE USED FOR SALES OR CONVEYANCE**

4113975F  
9.444 Acres

**SURVEYORS**  
I, E.P. MORGAN, certify that this plat was drawn under my supervision from an actual survey made under my supervision (description recorded in Deed Book # Page as shown hereon) (Other); that the boundaries not surveyed are clearly indicated as drawn from information found in Deed Book # Page as shown hereon; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S. 47-30 as amended; that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land; witness my original signature, license number and seal this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_.

SEAL OR STAMP

Professional Surveyor  
L-3058  
License Number

Division of Highways  
This plat does not require a certificate of approval from the Department of Transportation pursuant to 136-102.6, subsection (9).

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Planning Director

Department of Transportation  
Proposed Subdivision Road  
Construction Standards Certification

Approved \_\_\_\_\_  
District Engineer  
Date \_\_\_\_\_

The undersigned hereby acknowledges that the land shown on this plat is within the subdivision jurisdiction of this plat and that the plat and alignment to be shown on this plat and alignment to be shown on this plat are for public use as roads, streets and easements, forever all areas so shown or indicated on said plat.

Signed \_\_\_\_\_  
Signed \_\_\_\_\_  
Signed \_\_\_\_\_  
Attest \_\_\_\_\_

Approved by the Planning Department of Guilford County, North Carolina, on \_\_\_\_\_, 20\_\_\_\_ pursuant to article 8 of the Guilford County Unified Development Ordinance

Signed \_\_\_\_\_  
Planning Director

State of North Carolina  
County of Guilford

I, \_\_\_\_\_, Review Officer of Guilford County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

\_\_\_\_\_  
Review Officer \_\_\_\_\_ Date \_\_\_\_\_

There is no right to build upon or otherwise improve any of these lots until a valid written Improvement Permit has been obtained from the Health Department of Guilford County. The Health Department of Guilford County, Health Division concerning lot suitability for on-site subsurface sewage treatment and disposal systems.

**DEED RESTRICTION-RESTRICTIVE COVENANT:**

Development of subject property is required to be in accordance with applicable state and federal regulations for the National Pollutant Discharge Elimination System (NPDES) Phase II stormwater management program. The recording of this document establishes an enforceable restriction on property usage that runs with the land to ensure that future development, improvement, or maintenance of the property shall not be permitted without review and approval by the local governmental office having jurisdiction for watershed/stormwater management protection.

- NOTES**
- Total Area = 9.444 Acres  
Area computations done by AutoCAD polyline.
  - Total Number of Lots - 1 Parcel
  - Deed Reference - DB 8233 PG 1417
  - Plat Reference - PB 32 PG 20
  - Tax PIN No. - 7877651564
  - Zoned - RS-40, Residential Single Family
  - Horizontal Global Positioning for this survey was based on a GPS (VRS) survey meeting the following standards:  
Survey dated 10/20/21  
Class of survey A  
Positional accuracy: 0.07  
Type of GPS field procedure: VRS  
Datum/Epoch: NAD 83 (2011)  
Geoid Model: I 2B  
Combined Grid Factor 0.99999606  
Units: US Feet  
All distances are ground unless noted otherwise.
  - Location work shown hereon was derived by above ground indicators only, unless otherwise noted.
  - This survey is subject to any additional information found by a legal title search.
  - Based upon the information available, this is a true and accurate representation of the property shown hereon until the contrary can be proven.
  - Property is located in the Jordan Lake Watershed. Notice - This property is located within the Water Supply Watershed for Greensboro WS-III, WCA Tier 4. Development restrictions may apply.

**LEGEND**

---	POWER OVHD	---	STORM PIPE
---	UTIL-ESMT	---	V-ROAD-GRVL
---	POUND	---	TRANSFORMER
---	Mailbox	---	CREEK
---	FENCE	---	LIGHT POLE
---	POWER POLE	---	

1" = 60'

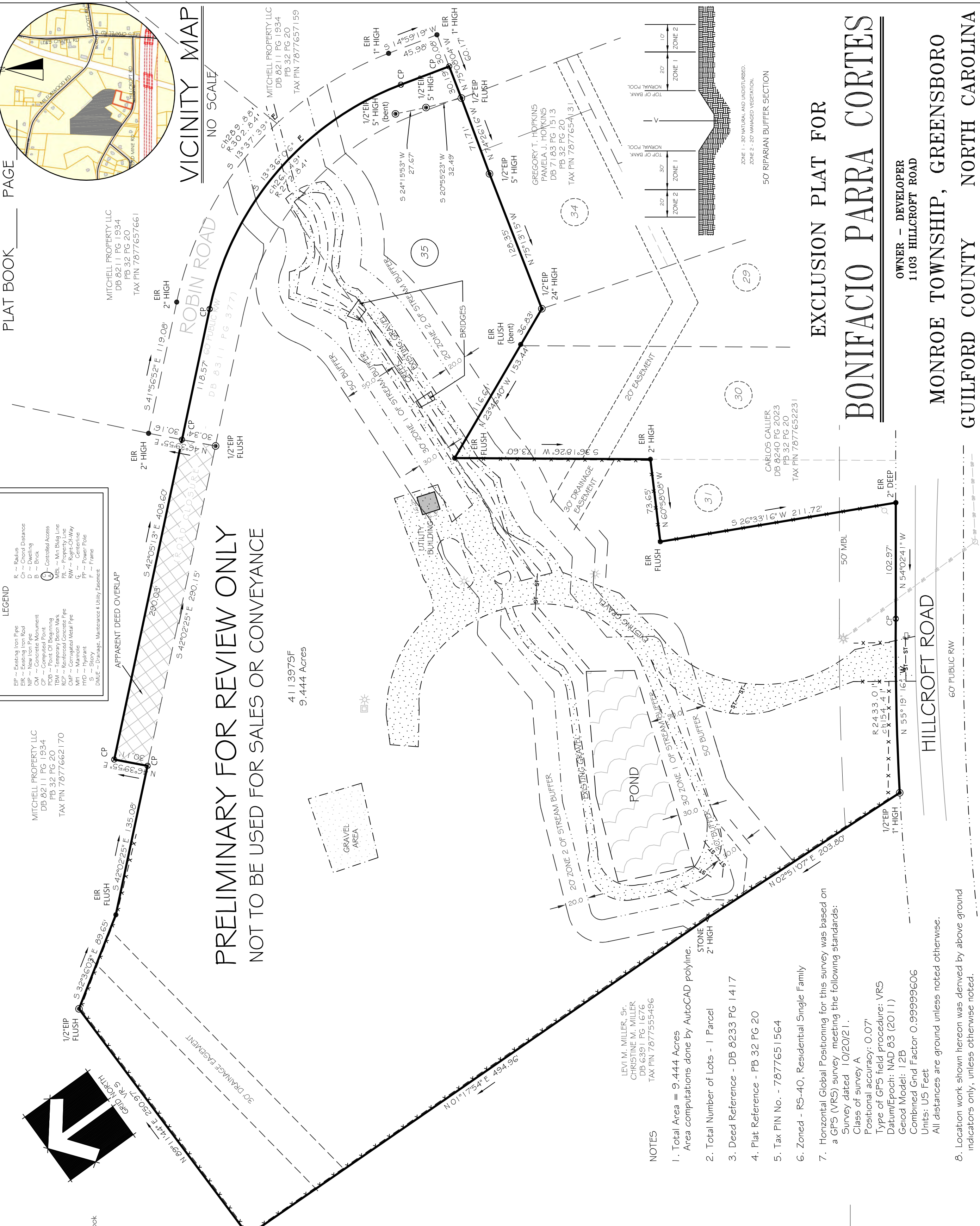
OWNER - DEVELOPER  
1103 HILLCROFT ROAD  
MONROE TOWNSHIP, GREENSBORO  
GUILFORD COUNTY, NORTH CAROLINA

MORGAN SURVEYING, INC.  
524 SOUTH ELM STREET  
GREENSBORO, NORTH CAROLINA  
PHONE 336-272-8922  
ZIP 27406  
COMP # 21101101.H11103PLAT

PLANNING & SURVEYING SERVICES  
GREENSBORO, NORTH CAROLINA  
ZIP 27406

OCTOBER 20, 2021

**EXCLUSION PLAT FOR  
BONIFACIO PARRA CORTES**



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GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD

**ADOPTED RESOLUTION  
CLOSING AND REMOVING FROM DEDICATION  
A PUBLIC EASEMENT**

**EASEMENT CLOSING CASE # 21-05-GCPL-04166**

WHEREAS, a petition was filed, pursuant to G.S. 153A-241, Chapter 282 of the 1979 Session Laws, and Chapter 59 of the 1981 Session Laws, requesting that the Board close all of a 20-foot utility easement located on Lot #s 31 (part of), 32, 33, 35, 36, 37, 39, & 40 as shown on Plat Book 32 Page 20 and located in Monroe Township on Guilford County Tax Parcel #125757.

WHEREAS, pursuant to a resolution of intent to close said easement adopted by this Board on February 9, 2022 an Electronic Notice was published on the Guilford County Website that a public hearing would be held concerning said petition on April 13, 2022 (virtually and in-person), at 6:00 P.M., at the North Carolina Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC 27405; and

WHEREAS, it appears that all owners of property adjoining said easement have signed the petition or have been notified of the closing thereof; and

WHEREAS, after inquiry by the Chairman, all interested persons were provided an opportunity to be heard on the request contained in the petition; and

WHEREAS, after all interested persons were heard, it appears to the satisfaction of this Board that the removal of said easement from dedication is not contrary to the public interest;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following described easement is hereby closed and removed from dedication to the public use:

All of a 20-foot utility easements) located on Lot #s 31 (part of), 32, 33, 35, 36, 37, 39, & 40 as shown on Plat Book 32 Page 20 and located in Monroe Township on Guilford County Tax Parcel #125757.

2. A certified copy of this resolution, together with a copy of the published notice of this hearing, is hereby ordered recorded in the Office of the Register of Deeds of Guilford County, North Carolina.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE GUILFORD COUNTY PLANNING BOARD AT ITS REGULAR MEETING HELD ON APRIL 13, 2022.

*J. Leslie Bell*

J. Leslie Bell, AICP

Guilford County Planning & Development Director



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**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

Planning Board  
Rezoning  
Application

Date Submitted: 3/3/2022 Fee \$500.00 Receipt # 164457 Case Number 22-03-COPL-01515

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. Additional sheets for tax references and signature blocks are available upon request.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the PI zoning district to the RS 30 zoning district. Said property is located 2116 McKnight Mill Rd in Monroe Township; Being a total of: 6.953 Acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 2 6 5 6 6 (PART 08 3/31/22) Tax Parcel # \_\_\_\_\_  
 Tax Parcel # \_\_\_\_\_ Tax Parcel # \_\_\_\_\_  
 Tax Parcel # \_\_\_\_\_ Tax Parcel # \_\_\_\_\_

**Check One:**

- The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
- The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

**Check One:**

- Public services (i.e. water and sewer) are not requested or required.
- Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

**Check One:**

- The applicant is the property owner(s)
- The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
- The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease to be submitted if the owner's signature is not provided (financial figures may be deleted).
- The applicant has no connection to the property owner and is requesting a third-party rezoning.

*I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.*

**YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING**

Submitted by

Vonda W. Derushia for Memorial Presbyterian Church  
 Property Owner Signature

Vonda W. Derushia  
 Representative/Applicant Signature (if applicable)

Vonda W. Derushia  
 Name

Vonda W. Derushia  
 Name

2116 McKnight Mill Rd.  
 Mailing Address

2506 Farm Gate Ad.  
 Mailing Address

Greensboro NC 27405  
 City, State and Zip Code

Browns Summit NC 27214  
 City, State and Zip Code

336-621-3220 mpegreensboro@triad.vr.com  
 Phone Number Email Address

336-580-3805 vonda1129@hotmail.com  
 Phone Number Email Address

Additional sheets for tax parcels and signatures are available upon request.

Being a parcel of land located south of McKnight Mill Road, located in Monroe Township, Guilford County North Carolina and being part of the property conveyed to Memorial Presbyterian Church in Deed Book 5491 page 2194 in the Guilford County Registry and being more particularly described as follows:

Beginning at a stone, said stone being the northwest corner of property owned by Randall R. Pearman and Linda W. Pearman (Deed Book 3168 page 966) and the southwest corner of the Memorial Presbyterian Church (Deed Book 5491 page 2194); thence with the western line of the Memorial Presbyterian Church property N. 04-42-52 E. 702.13 feet to a point in the center of a creek; thence with a new line through the Presbyterian church property with the center of a creek eight (8) calls as follows: 1) N. 71-49-25 E. 72.49 feet to a point; 2) N. 68-34-03 E. 53.33 to a point; 3) N. 82-10-55 E. 36.52 feet to a point; 4) N 64-55-56 E. 47.71 feet to point; 5) S. 88-25-42 E. 70.77 feet to a point; 6) N. 51-57-52 E. 71.02 feet to a point; 7) N. 80-23-18 E. 59.88 feet to a point; 8) N. 69-18-33 E. 14.38 feet to a point; thence continuing with a new line within the Memorial Presbyterian Church property five (5) calls as follows: 1) S. 23-21-28 E. 50.55 feet to a point; 2) S. 05-08-43 E. 61.53 feet to a point; 3) S. 10-23-45 W. 44.58 feet to a point; 4) S. 29-14-58 W. 130.23 feet to a point; 5) S. 00-49-52 E. 571.06 feet to a point in the northern line of the property owned by Randall R. Pearman and Linda W. Pearman (Deed Book 6574 page 2212); thence with the Pearman's northern line N. 88-51-31 W. 91.21 feet to a point; thence continuing with the line of Randall R. Pearman and Linda W. Pearman (Deed Book 3168 page 966) N. 88-10-02 W. 325.93 feet to the point and place of beginning and containing 6.953 acres more or less.

I HEREBY CERTIFY THAT THIS PLAT SHOWN AND DESCRIBED HEREON, WAS DRAWN UNDER MY SUPERVISION, AND IS IN ALL RESPECTS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF:  
 WITNESS MY HAND AND SEAL THIS 24TH DAY OF FEBRUARY, 2022  
 LAND SURVEYOR: L-3887  
 REGISTRATION NUMBER: 1-3887



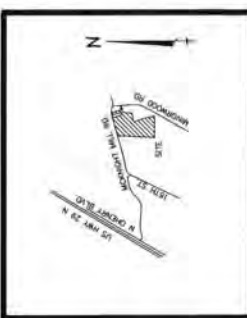
MAX E. GARDNER  
 HARRETT L. GARDNER  
 D.B. 3869 PG. 1701  
 ZONED RS-30

LINE	LENGTH	BEARING
L1	8.98	S05°48'33"W
L2	2.26	N75°49'12"E
L3	1.84	S05°50'59"W
L4	32.49	S07°14'28"W
L5	53.23	N68°34'03"E
L6	26.52	N62°10'55"E
L7	47.71	N64°55'56"E
L8	70.77	S88°25'42"E
L9	71.02	N51°57'52"E
L10	59.89	N60°27'18"E
L11	14.38	N67°18'33"E

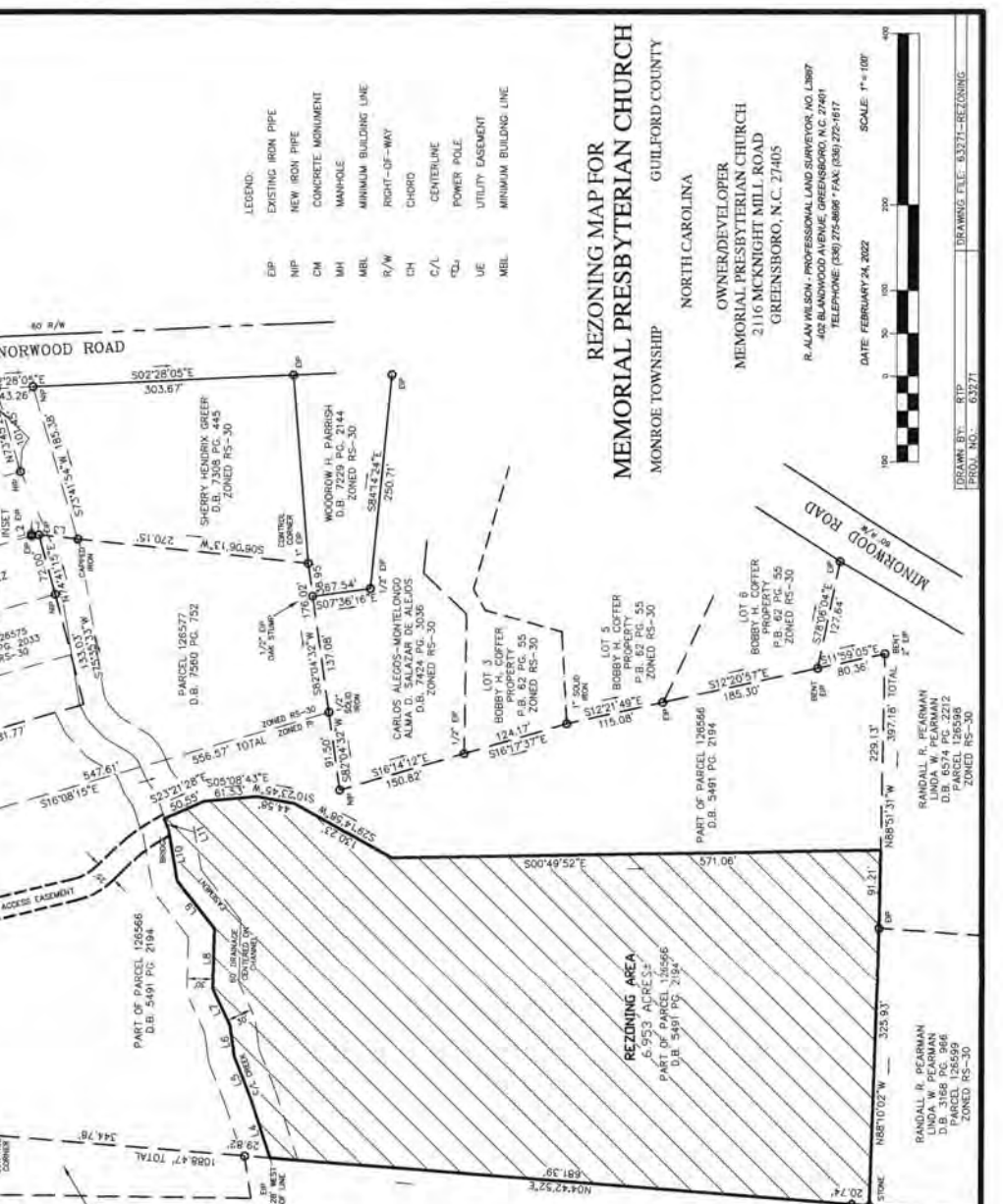
LINE TABLE

HARRETT GARDNER  
 D.B. 3445 PG. 1851  
 ZONED RS-30

NOTES:  
 PART OF PARCEL ID #176566  
 DEED REFERENCE D.B. 5491 PG. 2194  
 PROPERTY ADDRESS: 2116 MCKNIGHT MILL RD.  
 GREENSBORO, N.C. 27405  
 AREA 6.953 ACRES±  
 EXISTING ZONING P1  
 PROPOSED ZONING RS-30  
 RATIO OF PRECISION: 1:10,000  
 NO NGS MONUMENTS WITHIN 2000 FEET.  
 THIS PROPERTY IS SUBJECT TO ANY FACTS (PRIOR AGREEMENTS, CONVEYANCES, OR EASEMENTS OF RECORD) THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH. THE SURVEYOR HAS CONDUCTED A VISUAL SEARCH AND HAS REQUESTED FOR LOCATION OR FOUND AT THE TIME OF SURVEY.  
 NO FLOOD STUDY DONE.  
 ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.  
 THIS MAP DOES NOT MEET G.S. 47-30 REQUIREMENTS AND IS NOT FOR RECORDING.



VICINITY MAP  
 1" = 2000'



LEGEND:  
 EP EXISTING IRON PIPE  
 NP NEW IRON PIPE  
 CM CONCRETE MONUMENT  
 MH MARIHOLE  
 MBL MINIMUM BUILDING LINE  
 R/W RIGHT-OF-WAY  
 CH CHRO  
 C/L CENTERLINE  
 P POWER POLE  
 UE UTILITY EASEMENT  
 MBL MINIMUM BUILDING LINE

REZONING AREA  
 6.953 ACRES±  
 PART OF PARCEL 136566  
 D.B. 5491 PG. 2194

UN-NAMED STREET  
 (DB 3445 PG. 1851)

REZONING MAP FOR  
**MEMORIAL PRESBYTERIAN CHURCH**  
 MONROE TOWNSHIP GUILFORD COUNTY  
 NORTH CAROLINA  
 OWNER/DEVELOPER  
 MEMORIAL PRESBYTERIAN CHURCH  
 2116 MCKNIGHT MILL ROAD  
 GREENSBORO, N.C. 27405  
 R. ALAN WILSON, PROFESSIONAL LAND SURVEYOR NO. 13887  
 402 BLANDWOOD AVENUE, GREENSBORO, N.C. 27401  
 TELEPHONE: (336) 275-8699 • FAX: (336) 275-1617  
 DATE: FEBRUARY 24, 2022  
 SCALE: 1" = 100'



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# REZONING CASE #22-03-GCPL-01515: 2116 MCKNIGHT MILL ROAD, PI, PUBLIC AND INSTITUTIONAL TO RS-30, RESIDENTIAL SINGLE-FAMILY

## Property Information

Located at 2116 McKnight Mill Road, Guilford County Tax Parcel 126566 (part), Monroe Township, is approximately 650 feet west of the southwest intersection of Minorwood Road. This is a request to rezone approximately 6.953 of 12.38 total acres from PI to RS-30 which is owned by Memorial Presbyterian Church.

**Zoning History of Denied Cases:** None

## Nature of the Request

This is a request to rezone approximately 6.953 of 12.38 total acres from PI to RS-30.

### District Descriptions

The PI district is intended to accommodate mid to large-sized, campus-style development semi-public and institutional controlled by a single entity. A master plan should be prepared for these uses which address access, circulation, site layout, architectural cohesion, parking, lighting, open space and other factors.

The RS-30 district is primarily intended to accommodate single-family detached dwellings in areas without access to public water and sewer services. The minimum lot size of this district is 30,000 square feet. Cluster development (conservation subdivisions) are permitted.

## Character of the Area

This request is in an area that is primarily single-family residential lots and subdivisions.

**Existing Land Use(s) on the Property:** Church with a single-family dwelling (parsonage) on portion of the subject parcel.

### Surrounding Uses:

- North: Church is on remaining portion of subject parcel
- South: Single-family residential
- East: Single-family residential
- West: Undeveloped, single-family residential

**Historic Properties:** There are no inventoried Historic Properties located on or near the property.

**Cemeteries:** No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

## Infrastructure and Community Facilities

**Public School Facilities:** No expected impact

**Emergency Response:**

Fire Protection District: Fire District 13 FPSD

Miles from Fire Station: Approximately 8 miles

**Water and Sewer Services:**

Private Septic Systems and Wells

Within Service Area: This parcel is within or adjacent to the Greensboro Growth Tier 1: 2013-2019 Water & Sewer area

Feasibility Study or Service Commitment: No

**Transportation:**

Existing Conditions: McKnight Mill Road is a Collector Street; Traffic County is 1500 ADT (NCDOT 2019).

Proposed Improvements: No improvements proposed

Projected Traffic Generation: Not available

## Environmental Assessment

**Topography:** Gently sloping to moderately sloping.

**Regulated Floodplain/Wetlands:**

There are no mapped wetlands on the property. There is no regulated floodplain on the property.

**Streams and Watershed:**

There are no mapped streams on the property. The property is not located in a designated Water Supply Watershed.

## Land Use Analysis

**Land Use Plan:** Northeast Area Plan (2016)

**Plan Recommendation:** AG, Rural Residential

**Consistency:**

The requested action is consistent with the recommendation of the Northeast Area Plan. The RS-30 zoning is included as an anticipated district in the AG, Rural Residential designation.



## Recommendation

**Staff Recommendation:** Staff recommends approval

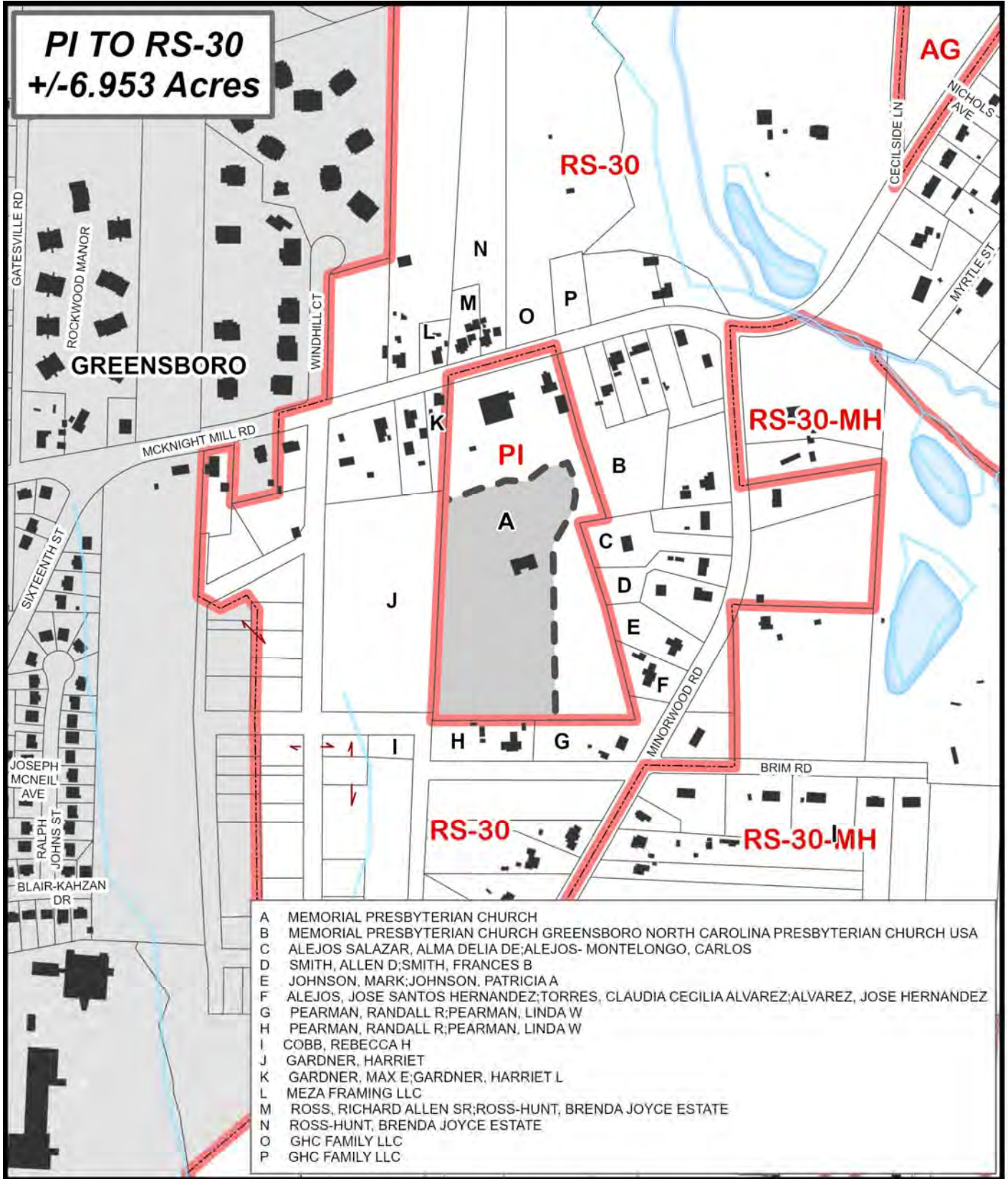
The requested action is reasonable and in the public interest because it is consistent with the AG, Rural Residential land use designation and the zoning and uses on adjacent parcels. The requested zoning allows uses compatible with existing development on the site. The rezoning will give the property owner the flexibility to create a separate parcel for the existing dwelling which serves as the parsonage.

**Area Plan Amendment Recommendation:**

The proposed Rezoning is consistent with the Northeast Area Plan recommendation of AG, Rural Residential land use classification, thus if approved, no plan amendment would be required.

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**PI TO RS-30  
+/-6.953 Acres**



- A MEMORIAL PRESBYTERIAN CHURCH
- B MEMORIAL PRESBYTERIAN CHURCH GREENSBORO NORTH CAROLINA PRESBYTERIAN CHURCH USA
- C ALEJOS SALAZAR, ALMA DELIA DE;ALEJOS- MONTELONGO, CARLOS
- D SMITH, ALLEN D;SMITH, FRANCES B
- E JOHNSON, MARK;JOHNSON, PATRICIA A
- F ALEJOS, JOSE SANTOS HERNANDEZ;TORRES, CLAUDIA CECILIA ALVAREZ;ALVAREZ, JOSE HERNANDEZ
- G PEARMAN, RANDALL R;PEARMAN, LINDA W
- H PEARMAN, RANDALL R;PEARMAN, LINDA W
- I COBB, REBECCA H
- J GARDNER, HARRIET
- K GARDNER, MAX E;GARDNER, HARRIET L
- L MEZA FRAMING LLC
- M ROSS, RICHARD ALLEN SR;ROSS-HUNT, BRENDA JOYCE ESTATE
- N ROSS-HUNT, BRENDA JOYCE ESTATE
- O GHC FAMILY LLC
- P GHC FAMILY LLC



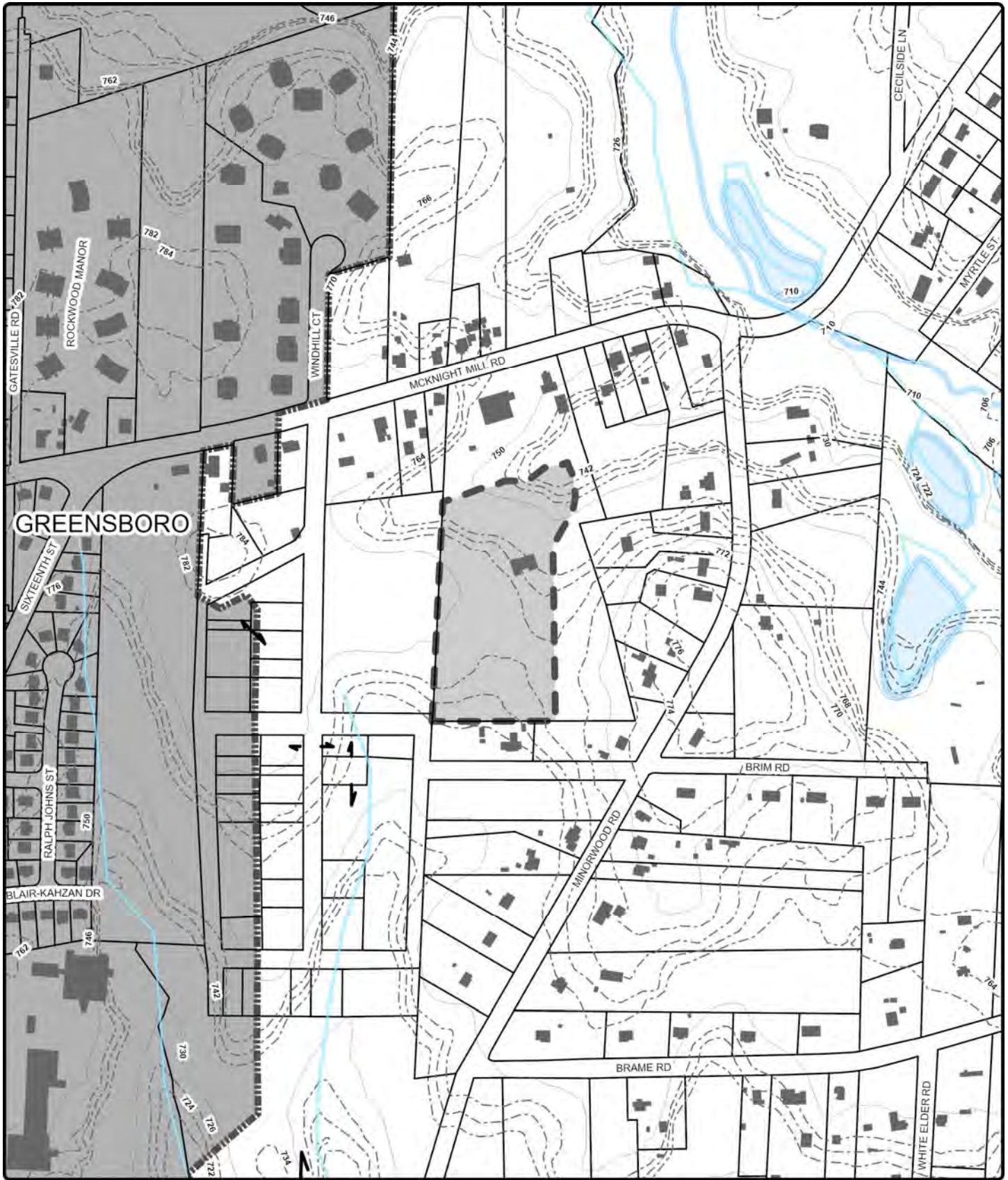
**JURISDICTION:**  
**GUILFORD COUNTY**  
 Guilford County  
 Planning & Development  
 Department

**Rezoning Case #**  
**22-03-GCPL-01515**  
**Scale: 1" = 400'**

**Map:**  
 126566





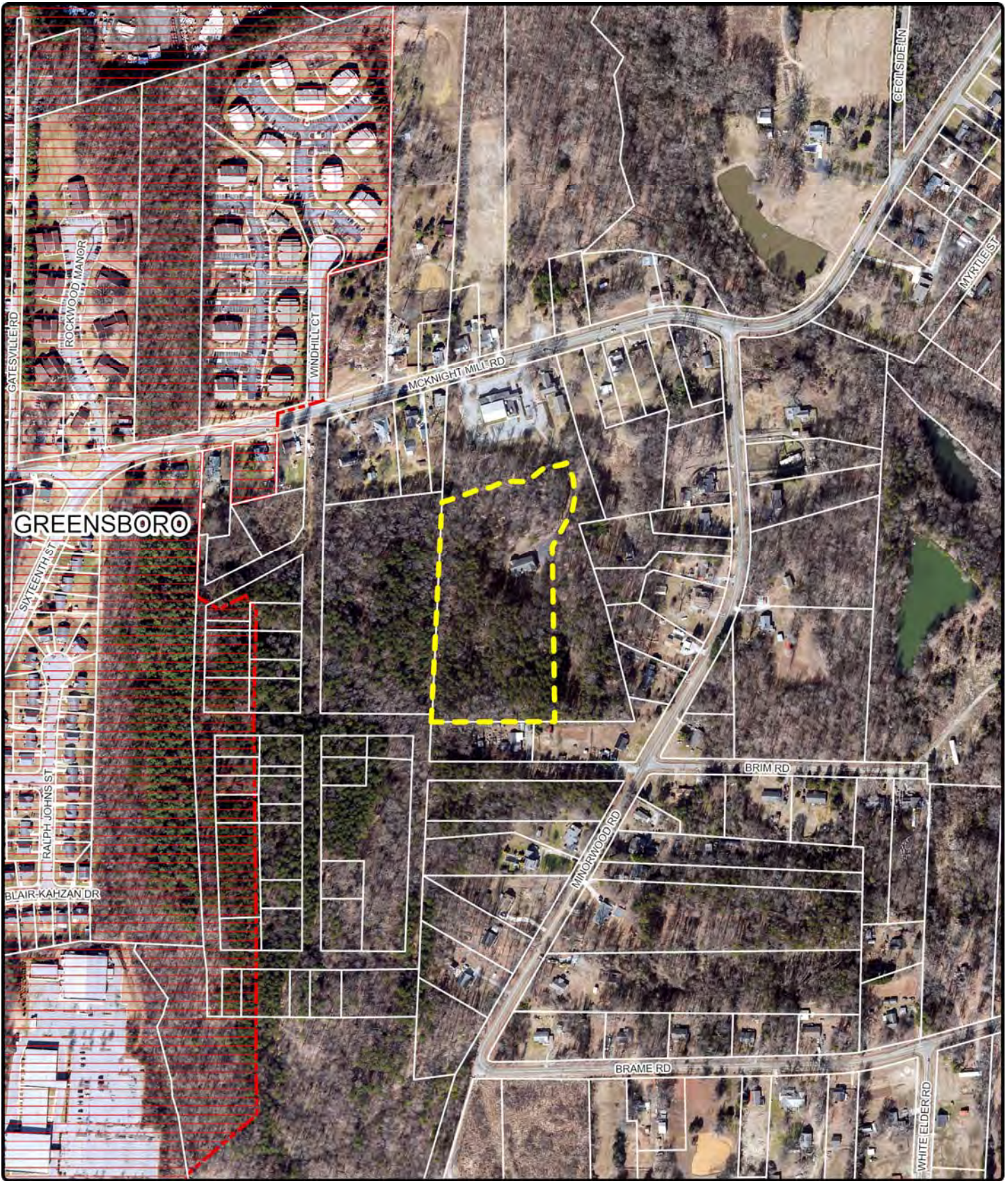


**CASE #22-03-GCPL-01515**

Scale: 1" = 400'







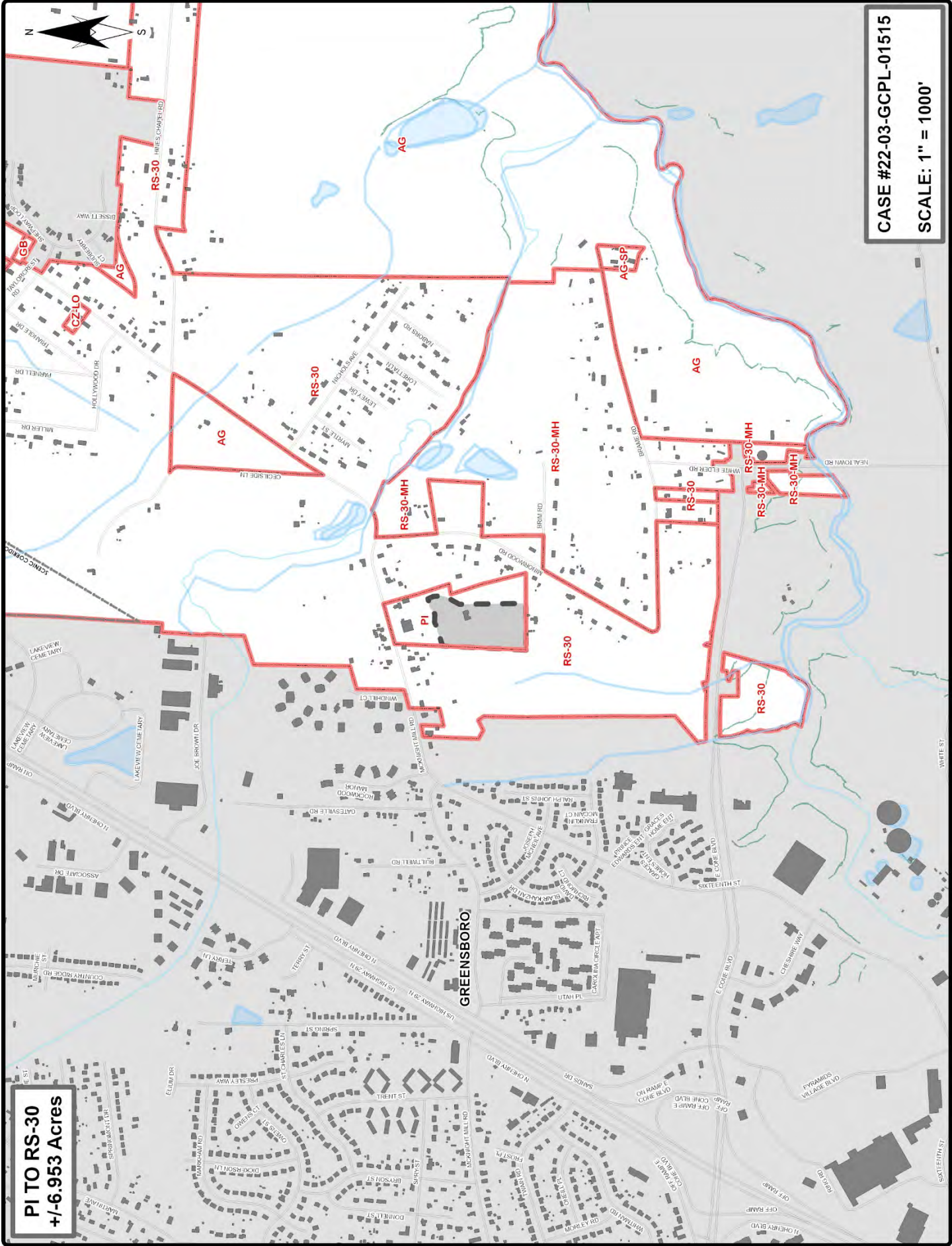
**CASE #22-03-GCPL-01515**

Scale: 1" = 400'





CASE #22-03-GCPL-01515  
SCALE: 1" = 1000'



PI TO RS-30  
+/-6.953 Acres

**REZONING CASE #22-03-GCPL-01515: 2116 MCKNIGHT MILL ROAD, PI, PUBLIC AND INSTITUTIONAL TO RS-30, RESIDENTIAL SINGLE-FAMILY**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION MATRIX**

<b>Zoning</b>	<b>Plan Consistency</b>	<b>Decision</b>
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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**REZONING CASE #22-03-GCPL-01515: 2116 MCKNIGHT MILL ROAD, PI, PUBLIC AND INSTITUTIONAL TO RS-30, RESIDENTIAL SINGLE-FAMILY**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1  
APPROVE-CONSISTENT  
NO PLAN AMENDMENT**

I move to **Approve** this zoning amendment located at 2116 McKnight Mill Road, Guilford County Tax Parcel 126566 (part) from **PI** to **RS-30 ZONING DISTRICT** because:

- 1. The amendment **is** consistent with applicable plans because:  
*[Describe elements of controlling land use plans and how the amendment is consistent.]*

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- 2. The amendment **is** reasonable and in the public interest because:  
*[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]*

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**REZONING CASE #22-03-GCPL-01515: 2116 MCKNIGHT MILL ROAD, PI, PUBLIC AND INSTITUTIONAL TO RS-30, RESIDENTIAL SINGLE-FAMILY**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #2  
DENY-INCONSISTENT  
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located at 2116 McKnight Mill Road, Guilford County Tax Parcel 126566 (part) from **PI** to **RS-30 ZONING DISTRICT** because:

1. The amendment **is not** consistent with applicable plans because:  
*[Describe elements of controlling land use plans and how the amendment is not consistent.]*

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2. The amendment **is not** reasonable and in the public interest because:  
*[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]*

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**REZONING CASE #22-03-GCPL-01515: 2116 MCKNIGHT MILL ROAD, PI, PUBLIC AND INSTITUTIONAL TO RS-30, RESIDENTIAL SINGLE-FAMILY**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #3  
APPROVE-INCONSISTENT  
PLAN AMENDMENT**

I move to **Approve** this zoning amendment located at 2116 McKnight Mill Road, Guilford County Tax Parcel 126566 (part) from **PI** to **RS-30 ZONING DISTRICT** because:

- 1. This approval also amends the **Northeast Area Plan**. [Applicable element of Comp Plan]
- 2. The zoning map amendment and associated **Northeast Area Plan** amendment **are** based on the following change(s) in condition(s) in the **Northeast Area Plan**:  
*[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]*

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- 3. The amendment **is** reasonable and in the public interest because:  
*[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]*

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**REZONING CASE #22-03-GCPL-01515: 2116 MCKNIGHT MILL ROAD, PI, PUBLIC AND INSTITUTIONAL TO RS-30, RESIDENTIAL SINGLE-FAMILY**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #4  
DENY-CONSISTENT  
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located at 2116 McKnight Mill Road, Guilford County Tax Parcel 126566 (part) from **PI** to **RS-30 ZONING DISTRICT** because:

1. The amendment **is** consistent with applicable plans because:  
*[Describe elements of controlling land use plans and how the amendment is consistent.]*

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2. The amendment **is** consistent but not in the public interest because:  
*[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]*

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**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

Planning Board  
Conditional Zoning  
Application

Date Submitted: 3/1/22 Fee \$500.00 Receipt # 164432 Case Number 22-03-GCPL-01476

**Provide the required information as indicated below.** Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until application fees are paid; the form below is completed and signed; and all required maps, plans and documents have been submitted to the satisfaction of the Enforcement Officer. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the RS40MHKAG zoning district to the CU-NB zoning district. Said property is located at 3214 NE Hwy 62 E 08-3/21/22 in GREENE Township; Being a total of: 1.66 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # ~~8830292349~~ AKA Tax Parcel # 110130  
08-3/21/22  
 Tax Parcel # \_\_\_\_\_ Tax Parcel # \_\_\_\_\_  
 Tax Parcel # \_\_\_\_\_ Tax Parcel # \_\_\_\_\_

Additional sheets for tax parcels are available upon request.

**Check One:**

- The property requested for rezoning is an entire parcel or parcels as shown on the Guilford County Tax Map.
- The property requested for rezoning is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and/or a map are attached.

**Check One:**

- Public services (i.e. water and sewer) are not requested or required.
- Public services (i.e. water and sewer) are requested or required; the approval letter is attached.

**Conditional Zoning Requirements:**

- Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).
- Zoning Conditions. Use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).





**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

Planning Board  
Conditional Zoning  
Application

**Use Conditions**

Uses of the property shall be limited to the following uses as listed in Article 4, Table 4-3-1 of the Unified Development Ordinance (UDO):

- 1) USES CONSISTENT WITH PERMITTED USES FOR NB WITH:  
EXCLUDED USES ATHLETIC FIELDS, CLUB OR LODGE
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

**Development Conditions**

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Unified Development Ordinance (UDO):

- 1) NONE ADDED
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

**YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING**

**A Conditional Zoning Application must be signed by current property owner(s).**

*I hereby agree to conform to all applicable laws of Guilford County and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Guilford County Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.*

Respectfully Submitted,

Clegg's Enterprises LLC by Terry M. Clegg  
Property Owner Signature

Clegg's Enterprises LLC  
Name

6219 Nat Rd.  
Mailing Address

Julian, N.C. 27283  
City, State and Zip Code

336-215-9913  
Phone Number

Email Address

R. J. Shoffner  
Owner/ Representative/ Applicant Signature (if applicable)

ROGER JASON SHOFFNER  
Name

PO BOX 282  
Mailing Address

JULIAN, NC 27283  
City, State and Zip Code

336-601-1170 JSHOFFNER94@GMAIL.COM  
Phone Number

Email Address

BK: R 8330  
PG: 525 - 527  
RECORDED:  
09/08/2020  
02:03:16 PM  
DEPUTY-GB  
BY: TERESA STEELMAN

2020055206  
GUILFORD COUNTY, NC  
JEFF L. THIGPEN  
REGISTER OF DEEDS

NC FEE \$28.00  
STATE OF NC  
REAL ESTATE  
EXTX \$120.00

## NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$120.00

Parcel Identifier No. 110130 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Grantee: 6219 Nat Road, Julian NC 27283 \_\_\_\_\_

This instrument was prepared by: Paul L. Oertel, III, 3493 Forestdale Drive, Suite 103, Burlington, NC 27215 \_\_\_\_\_

Brief description for the Index: \_\_\_\_\_

THIS DEED made this 8th day of September 2020, by and between

GRANTOR	GRANTEE
Robert M. Bowman (single)	Clapp's Enterprises LLC A North Carolina limited liability company
3204 NC Hwy 62 East Liberty, NC 27298	6219 Nat Road Julian, NC 27283

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in Greene Township, Guilford County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto for a more complete description.

The property hereinabove described was acquired by Grantor by instrument recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_.

All or a portion of the property herein conveyed \_\_\_ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book \_\_\_\_\_ page \_\_\_\_\_.



TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Any Rights of Way, Easements and or Restrictions of Record, if any.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Robert M. Bowman (SEAL)  
Robert M. Bowman

State of NC - County of Alamance  
I, the undersigned Notary Public of the County of Alamance and State aforesaid, certify that Robert M. Bowman personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 8 day of September, 2020.

My Commission Expires: 4-29-23  
(Affix Seal)

[Signature]  
Notary Public  
Notary's Printed or Typed Name

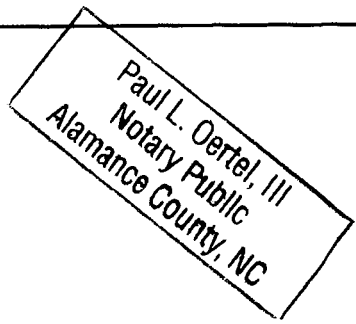


Exhibit A

3214 NC Hwy 62

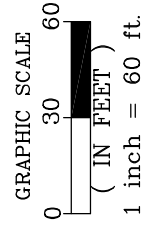
Being all of that certain tract or parcel of land, lying and being in Guilford County, North Carolina, adjoining Highway 62, property of John C. Frantz and being more particularly described as follows:

Beginning at an existing iron pin found in the southern margin of NC Highway 62, a corner with property of John C. Frantz (Deed Book 8008 at Page 740, Guilford County Registry); thence running with said Frantz S 39 deg. 35' 15" E 306.01 ft. to a tall iron rod at a stone; thence continuing with said Frantz S 71 deg. 56' 26" W 199.11 ft. to an axle; thence with said Frantz S 68 deg. 43' 41" W 101.00 ft. to new iron pin set and being a corner with property of Steven Bowman and Susan Bowman Eudy; thence running with said Bowman and Eudy N 31 deg. 30' 00" W 240.05 ft. to a new iron pin set in the southern margin of NC Hwy 62; thence running with the southern margin of NC Highway 62 N 58 deg. 47' 50" E 250.00 ft. to the point of beginning and being 1.66 acres more or less as shown on that survey entitled "Boundary Survey for Robert M. Bowman" dated August 4, 2020 by Joseph D. Moore.



EXISTING SITE TO REMAIN  
UNCHANGED

ADD ONE EXTERIOR STORAGE SHED  
ACCESSORY TO THE EXISTING SITE  
TO BE SET BACK FROM THE PROPERTY LINE  
NOT LESS THAN 35'



Concept drawing for illustration - planning and zoning only.

PROJECT: Clapp Property  
3214 NC HWY 62 E  
Liberty, NC 27298

PLAN: FIGURE 1 - Zoning Plan

4-5-2022  
Date:

1" = 60'  
Scale:

2-28-2022  
Project:

Verbal  
Proposal Number:

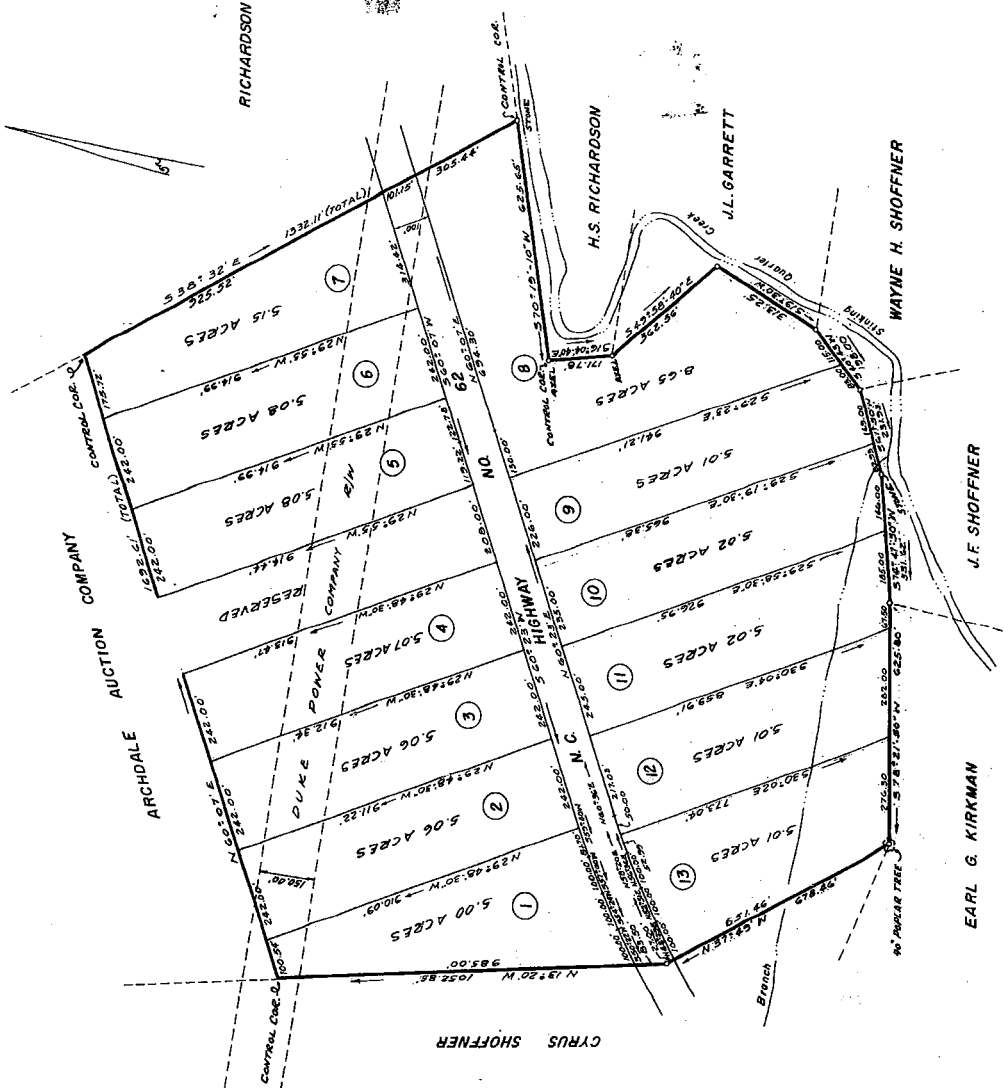
## PROPOSED CSG OFFICE

Prepared By:

THE L.E.A.D.S. GROUP, P.A.  
Land Engineering And Development Services

505 EAST DAVIS STREET  
BURLINGTON, NC 27215  
phone: (336) 227-8724  
fax: (336) 227-8724  
C#1939

Blk 31, Pg 95



**MAP OF**  
**WHITEWOOD ESTATES**  
 GREENE TOWNSHIP, GUILFORD COUNTY, NORTH CAROLINA  
 ARCHDALE AUCTION COMPANY: OWNERS & DEVELOPERS

SCALE: 1" = 200'      OCTOBER 1965

NORMAN R. UNDERWOOD  
 Registered Land Surveyor  
 HIGH POINT, NORTH CAROLINA

The undersigned hereby acknowledge(s) that this plat and subdivision map were prepared by me or under my direct supervision and that I am a duly licensed and qualified Surveyor in the State of North Carolina. I hereby certify that the information furnished herein is true and correct to the best of my knowledge and belief.

Surveyor: Norman R. Underwood  
 Title: Registered Land Surveyor

Subscribed and sworn to before me this 15 day of October, 1965.

My commission expires: 11/14/66

GUILFORD COUNTY, NORTH CAROLINA

Subscribed and sworn to before me this 15 day of October, 1965.

My commission expires: 11/14/66

GUILFORD COUNTY, NORTH CAROLINA

Subscribed and sworn to before me this 15 day of October, 1965.

My commission expires: 11/14/66

GUILFORD COUNTY, NORTH CAROLINA

Subscribed and sworn to before me this 15 day of October, 1965.

My commission expires: 11/14/66

THIS PLAT IS A SUBDIVISION AS DEPICTED BY THE GUILFORD COUNTY SUBDIVISION SYSTEM.

By Earl G. Kirkman  
 EARL G. KIRKMAN  
 DEPUTY CLERK OF SUPERIOR COURT  
 GUILFORD COUNTY, NORTH CAROLINA

Filed for registration on the 06 day of October, 1965 at 11:20 A.M. and duly recorded in the Office of Registrar of Deeds of Guilford County, N. C. in Book No.          Page          etc.

By Mark Stearns  
 MARK STEARNS  
 DEPUTY REGISTER OF DEEDS

NOTES: 1. COMPLETE AT EACH CORNER UNLESS OTHERWISE NOTED.





PO Box 282  
Julian, NC 27283

tel 336-685-4333  
fax 336-685-5008

[www.cornerstonegraphics.net](http://www.cornerstonegraphics.net)

My name is Jason Shoffner and I am contacting you as the owner of Cornerstone Graphics. We are in the process of purchasing the property at 3214 NC Hwy 62 for the purpose of moving the business from our current location in Julian to the property at 3214. The property has never been zoned for any purpose other than residential and agricultural. In order to legally operate our business at the location, the property will have to be rezoned to another classification. We have filed an application with the Guilford County Planning Department and tentatively have a hearing scheduled for Wednesday night 4/13/22 with the Zoning Board.

I am contacting you today as a neighboring property owner/resident to inform you of this rezoning request. The planning board has recommended that we contact the neighboring property owners/residents to let you know about the day to day operations of our business so that you will understand what type of activities will be ongoing once the rezoning has been approved.

We are a small screenprinting and embroidery business that has been in business since 1996, and we have been at our current location at 4808 Old Julian Road in Julian since 1997. The following is some general information about what to expect from our operations.

- Current workforce of 2 people. The largest workforce in our past has been 5 people.
- We are open Monday-Friday 8:00am-6:00pm. We are not open to customers in the evenings or on weekends, but occasionally we may be working later than business hours some evenings and some Saturdays.
- On a busy week we could have a total of 15 customer visits for the entire week. Most days we average 2 customer visit per day.
- We typically have a regular UPS delivery each day. We also could have an additional 3 deliveries from other carriers such as FEDEX, Amazon, Office Depot, etc. This would equal 8 deliveries total in a given week.
- Our printing operations are all done indoors. The only equipment that would be outdoors is an air compressor that powers our printer.
- The printing method that we use is screenprinting using Plastisol screenprinting ink. This type of ink is a paste and not a liquid so it does not have the ability to leak from any containers. The day to day components used in the printing process that do not get used up at that time are either biodegradable and septic system safe, or are disposed of with regular solid waste trash pickup.

If you have any questions, would like more information about the nature of our operations, or would like to inform us of any concerns that you have, please feel free to contact me. Our number at the shop is 336-685-4333, my mobile number is 336-543-7677. Our email is [csgshirts@gmail.com](mailto:csgshirts@gmail.com). We are currently located at 4808 Old Julian Road, in Julian if you would like to come by to see what our current facility looks like and how it is maintained.

I thank you for your time.  
Jason Shoffner, Owner





PO Box 282  
Julian, NC 27283

tel 336-685-4333  
fax 336-685-5008

www.cornerstonegraphics.net

As a neighboring resident/property owner, I was notified by Cornerstone Graphics about their plans to operate a business on the property at 3214 NC Hwy 62. I was given the opportunity to hear about the current day to day operations of CornerstoneGraphics as well as the future plans for the property. I was also given the opportunity to ask any questions, express concerns, and make suggestions towards any conditional useage of the property. I was given contact information from Jason Shoffner in case I needed to get further information in the future.

Date	Name	Address	Phone
3/12	ROBERT BOWMAN	3204 NC HWY 62 E.	336-266-1548
Email		Signature	
		<i>Robert Bowman</i>	

Date	Name	Address	Phone
3/12	KARL DUBIE & JOHN FRANTZ	3226 NC Hwy 62 E.	336-382-6281
Email		Signature	
	FRANTZMOSTCONSTRUCT@GMAIL.COM	<i>Karl Dubie</i>	

Date	Name	Address	Phone
3/12	JOHN DAN ROGERS	7199 STANS POINTE CT.	336-565-8181
Email		Signature	
		<i>John Rogers</i>	

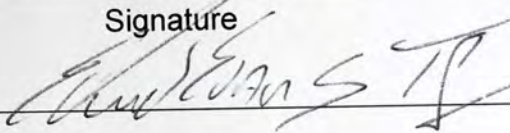
Date	Name	Address	Phone
3/12	LINDA BAYEE	3213 NC 62 E.	336-588-1182
Email		Signature	
		<i>Linda Bayee</i>	





PO Box 282  
 Julian, NC 27283  
 tel 336-685-4333  
 fax 336-685-5008  
 www.cornerstonegraphics.net

As a neighboring resident/property owner, I was notified by Cornerstone Graphics about their plans to operate a business on the property at 3214 NC Hwy 62. I was given the opportunity to hear about the current day to day operations of CornerstoneGraphics as well as the future plans for the property. I was also given the opportunity to ask any questions, express concerns, and make suggestions towards any conditional useage of the property. I was given contact information from Jason Shoffner in case I needed to get further information in the future.

Date	Name	Address	Phone
3/12	EDWARDS EVANS	3207 NC 62 E	336-319-8630
Email	Signature		
			

Date	Name	Address	Phone
Email	Signature		

Date	Name	Address	Phone
Email	Signature		

Date	Name	Address	Phone
Email	Signature		

Date: 3/15/22

Reference: Rezoning Application of property located at 3214 NC 62 E., Liberty, NC

Applicant: Roger Jason Shoffner, DBA Cornerstone Graphics, 336-601-1170

### Summary of Neighboring Property Owner Interactions

On Saturday 3/12, I visited the adjoining property owners/residents to notify them of our plans to purchase the property at 3214 NC Hwy 62 E., Liberty, NC. I also notified them that the property was currently zoned for Agricultural/Residential usage and that in order for us to operate a business from this location, the property would need to be rezoned to an appropriate business classification. The neighbors were informed that we had submitted a Rezoning Application with the Guilford County Planning Department and that a Rezoning Hearing was tentatively scheduled for April 13.

I informed the property owners/residents of our day to day operations in regards to the impact to the community. The following were the points that I made to them:

- our history in regards to years in business
- number of employees both current and highest number in previous years
- hours/days of operation
- frequency of visits from customers as well as delivery services
- basic nature of our business operations

I allowed the property owners/residents to ask any questions and voice concerns with our plans to operate our business at this property.

The following were the comments of the neighbors:

-Robert Bowman, 3204 NC Hwy 62, adjoining property owner to the Southeast. Mr. Bowman stated that he had no problem with us moving our business to the new location and he said if I had any problems contacting any of the other neighbors to let him know.

-John Frantz/Kari Dubie Frantz, 3216 NC Hwy 62, adjoining property owner to the Northeast as well as the Eastern property that lies on the opposite side of Stinking Quarters Creek which is the Eastern boundary of the property. Mrs. Frantz stated that she was glad that someone would be using the building and property. She had been having problems with mail and deliveries being delivered to that property instead of correctly to her property. She thought if someone was operating there, her deliveries would be correctly sent to her address in the future.

-John & Ann Rogers, 7198 St. Johns Pointe Ct, neighboring property owner that sits opposite the northern corner of the subject property, across NC 62. The Rogers stated that they had no problems with my plans to move our business operations to the new location. They did have a concern about someone operating a large business from that location due to the potential noise it would cause with that area being primarily a residential area. They thanked me for coming in person to notify them of our plans.

-Linda Boyer, 3213 NC 62, adjoining property owner to the Northwest, across NC 62. Ms. Boyer stated that she did not have any problem with us moving our business to the property. She also stated that she personally would like for someone to use that location for a business.

-Edward Evans, 3207 NC 62, neighboring property owner to the West, across NC 62. Mr. Evans stated that he had no problem with us moving our business to the property. He also stated that he looked forward to it because he might do some business with us.

After speaking with the property owners/residents, I left them with contact information in case they would like to speak with me further regarding our usage of the property. I also left them a printout of the items that I informed them of in regards to our day to day operations. The feedback that I received from the neighbors was overwhelmingly positive in regards to us operating our business from that location. The only concern that was voiced was the one mentioned from the Rogers family as mentioned above.

Roger Jason Shoffner  
Cornerstone Graphics

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**CONDITIONAL ZONING CASE #22-03-GCPL-01476: 3214 NC Hwy 62 E, RS-40-MH, RESIDENTIAL SINGLE FAMILY WITH A MANUFACTURED HOME OVERLAY & AG, AGRICULTURAL TO CZ-NB, CONDITIONAL ZONING-NEIGHBORHOOD BUSINESS**

**Property Information**

Located at 3214 NC Highway 62 E, Guilford County Tax Parcel 110130, Greene Township, is approximately 3,980 feet east of the southeast intersection of Alamance Church Road comprising a total of 1.66 acres. This is a request to Conditionally Rezone said parcel from RS-40 MH and AG to CZ-NB with the following Use and Development Conditions: 1) Approve all uses consistent with Permitted Uses for the NB zoning district excluding *Athletic Fields* and *Club or Lodge*; and 2) the accessory structure is to be located no less than 35 feet from the western property line. The property is owned by Clapp’s Enterprises, LLC.

**Zoning History of Denied Cases:** There is no history of denied cases.

**Nature of the Request**

The request is to Conditional Zone the subject parcel from RS-40 MH and AG to CZ-NB. A zoning sketch plan was submitted by the applicant for a 20x20 accessory structure to be utilized for storage of supplies and tools for property maintenance. The following conditions are proposed by the applicant:

Use condition: Approve uses consistent with Permitted Uses for the NB district with the exclusion of *Athletic Fields* and *Club or Lodge* (See attached table of permitted uses).

Development condition: Accessory structure is to be located no less than 35 feet from the west property line to allow space for a 30-foot planted buffer adjacent to the RS-40-zoned property.

**District Descriptions**

The **AG, Agricultural** district is intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. This district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. Commercial agricultural product sales - “agritourism” - may be permitted. The minimum lot size of this district is 40,000 square feet.

The **RS-40, Single-Family Residential** district is primarily intended to accommodate single-family residential detached dwellings on lots in areas without access to public water and sewer services. The minimum lot size of this district is 40,000 square feet. Conservation subdivisions may be developed in this district.

In the **MH, Manufactured Home Overlay** district, manufactured (HUD) housing (i.e., mobile homes) may be permitted on single-family lots in any residential zone provided overlay district zoning is approved by the jurisdiction.

The **NB, Neighborhood Business** district accommodates low intensity office and retail services in

a rural setting. This district serves nearby neighborhoods with basic convenience goods and services. It is typically located at the intersection of local collectors or thoroughfares. Pedestrian and vehicular access should be provided. Article 4.6 lists additional development requirements.

**Conditional Zoning (CZ)**, is established as a companion district for every district including the NB district. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other regulations, which may be offered by the property owner and approved by the jurisdiction as part of the rezoning process, shall also apply.

## Character of the Area

The property in the immediate context and surrounding the subject property is largely undeveloped. The subject property is within and on the western edge of a tract zoned for large-lot single-family residential. The entrance to the residential subdivision of John Points Court is approximately 300 feet northeast of the subject property. The adjacent northwest, south and west property is zoned for agricultural use with vacant and sparsely developed tracts. A vacant non-residential building that was formerly used as a lodge/meeting house exists on the property and will be renovated for re-use.

**Existing Land Use(s) on the Property:** Vacant commercial building

**Surrounding Uses:**

North: Agricultural and Single-family and rural residential lots

South: Agricultural

East: Rural residential

West: Single-family residential

**Historic Properties:** There are no inventoried Historic Properties located on or near the property.

**Cemeteries:** No cemeteries are shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

## Infrastructure and Community Facilities

**Public School Facilities:** No anticipated impact

**Emergency Response:**

Fire Protection District: Mt. Hope FPSD

Miles from Fire Station: Approximately 4 miles

**Water and Sewer Services:**

Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No



**Transportation:**

Existing Conditions: Major thoroughfare, 3000 ADT, NCDOT 2019 traffic count.

Proposed Improvements: Subject to NCDOT driveway permit.

Projected Traffic Generation: Not available

**Environmental Assessment**

**Topography:** Gently sloping.

**Regulated Floodplain/Wetlands:**

There are no mapped wetlands on the property. There is regulated floodplain on the property.

**Streams and Watershed:**

There are no mapped streams on the property. The property is not located in a designated Water Supply Watershed.

**Land Use Analysis**

**Land Use Plan:** Not covered by an adopted Area Plan

**Plan Recommendation:** None

**Consistency:** The property is in an area that is not covered by an adopted Area Plan.

**Recommendation**

**Staff Recommendation:** Staff recommends approval of the rezoning request from RS-40-MH/AG to CZ-NB with the applicant’s proposed conditions below and with the addition of further use exclusions recommended by staff as follows:

**Use and development conditions proposed by the applicant:**

**Use Condition:** Approve all uses consistent with Permitted Uses for the NB zoning district excluding *Athletic Fields* and *Club or Lodge* (See attached table of permitted uses).

**Development Condition:** The proposed accessory structure is to be located no less than 35 feet from the western property line.

**Additional use conditions recommended by staff:**

**Use Condition:** Add *Construction or Demolition Debris Landfill (Minor)*, *Land Clearing and Inert Debris Landfill (Minor)* and *Laundry or Dry-Cleaning Plant and /or Substation* to the list of excluded uses. (See attached table of permitted uses).

The rezoning is reasonable and in the public interest since the property is located within an agricultural and rural residential setting for which the Neighborhood Business district is created to accommodate low intensity office uses and goods and services. Additionally, the uses permitted by the NB zoning district will allow the long-standing vacant building to be utilized,

facilitating its maintenance.

**Area Plan Amendment Recommendation:**

The proposed Conditional Zoning is in an area that is not covered by an adopted Area Plan, thus, if approved no plan amendment will be required.

**TABLE OF PERMITTED USES FOR NB ZONING DISTRICT**

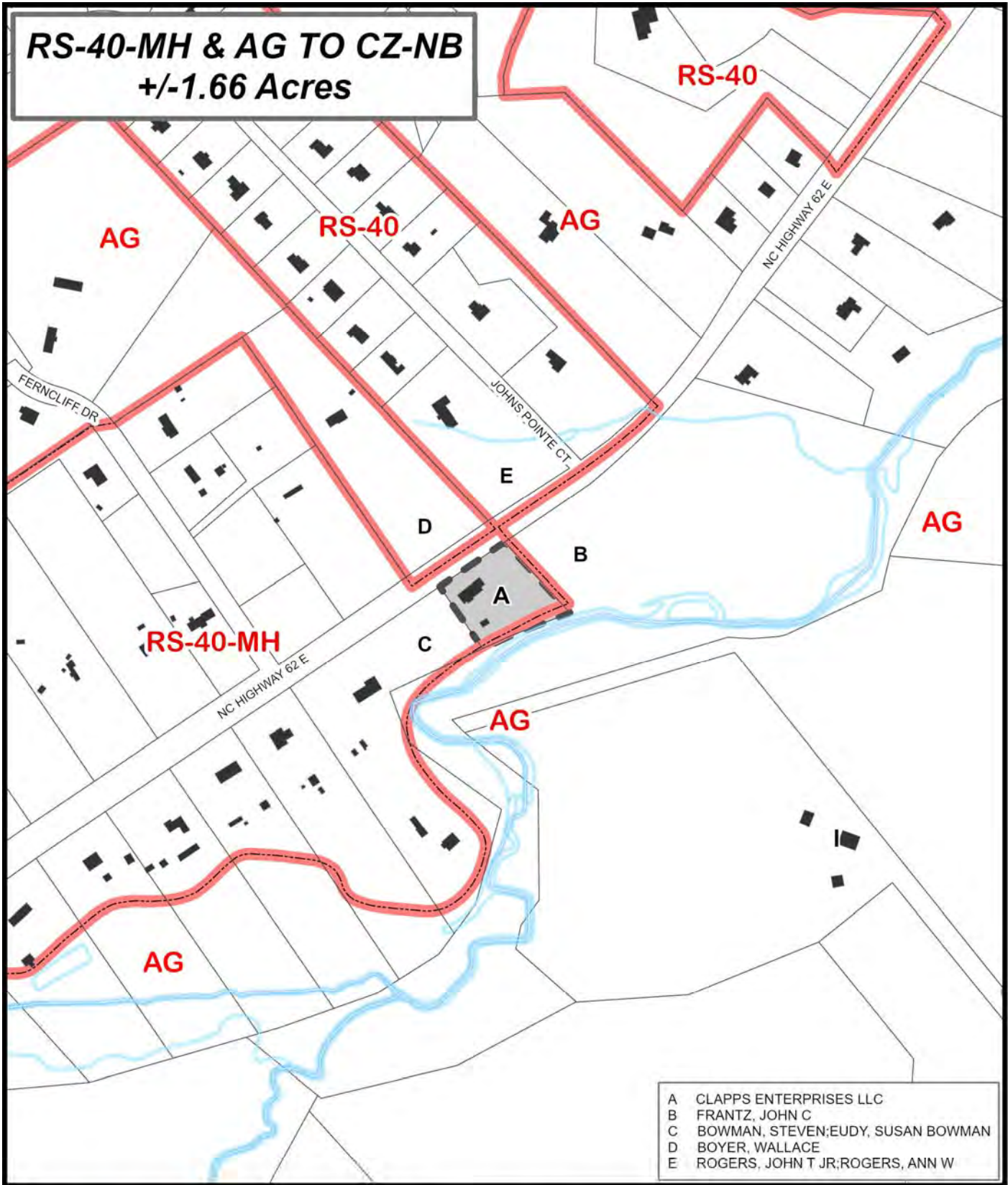
X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations  
 P = Use by Right    D = Individual Development Standards Apply - See Article 5    S = Individual Development Standards per Article 5 Apply & Special Use Permit Required

**Strickthrough Text**—Excluded uses proposed by applicant

Use Category	Use Type	WCA Prohibited Use	NB
<b>Household Living</b>	Single-Family Detached Dwelling		P
	Two-Family Dwelling (Twin Home or Duplex)		P
	Townhouse Dwelling		P
	Multifamily Dwelling (including Condominium)		P
	Family Care Facility		P
	Live/Work		P
	Temporary Family Healthcare Structures		D
<b>Recreation and Entertainment</b>	Indoor Recreation		P
	<del>Athletic Fields</del>		<del>D</del>
	<del>Club or Lodge</del>		<del>S</del>
	Public Park (including Public Recreation Facility)		D
	Theater (Outdoor)		D
<b>Civic, Educational, and Institutional</b>	Place of Worship		P
	Daycare Centers in Residence (In-Home) (12 or Less)		D
	Daycare Center (Not In-Home)		D
	Emergency Services		P
	Community or Social Service Agencies		P
	Government Office		P
	Library		P
	Museum or Art Gallery		P
	Post Office		P
<b>Business, Professional, and Personal Services</b>	Office (General)		P
	Medical or Professional Office		P
	Personal Service		P
	Laundromat or Dry Cleaner	X	P
	Studios-Artists and Recording		P
<b>Lodging</b>	Bed and Breakfast Home for 8 or Less Guest Rooms		D
<b>Retail Trade</b>	Retail (General)		P
	Bakery		P
<b>Food Service</b>	Restaurant (Without Drive-thru)		P
<b>Funeral and Internment Services</b>	Cemetery or Mausoleum		D
<b>Transportation, Warehousing, and Who</b>	Beneficial Fill Area		D
<b>Utilities and Communication</b>	Wireless Communication Tower – Stealth Camouflage Design		D
	Small Cell Wireless Tower		S
	Utilities, Major		S
	Utilities, Minor		P
	<del>Construction or Demolition Debris Landfill, Minor</del>		<del>D</del>
<b>Waste-Related Uses</b>	<del>Land Clearing &amp; Inert Debris Landfill, Minor</del>		<del>D</del>
	<del>Laundry or Dry Cleaning Plant</del>	X	<del>P</del>
<b>General Industrial</b>	<del>Laundry or Dry Cleaning Substation</del>	X	<del>P</del>
<b>Special Events</b>	Temporary Events/Uses		D

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**RS-40-MH & AG TO CZ-NB  
+/-1.66 Acres**



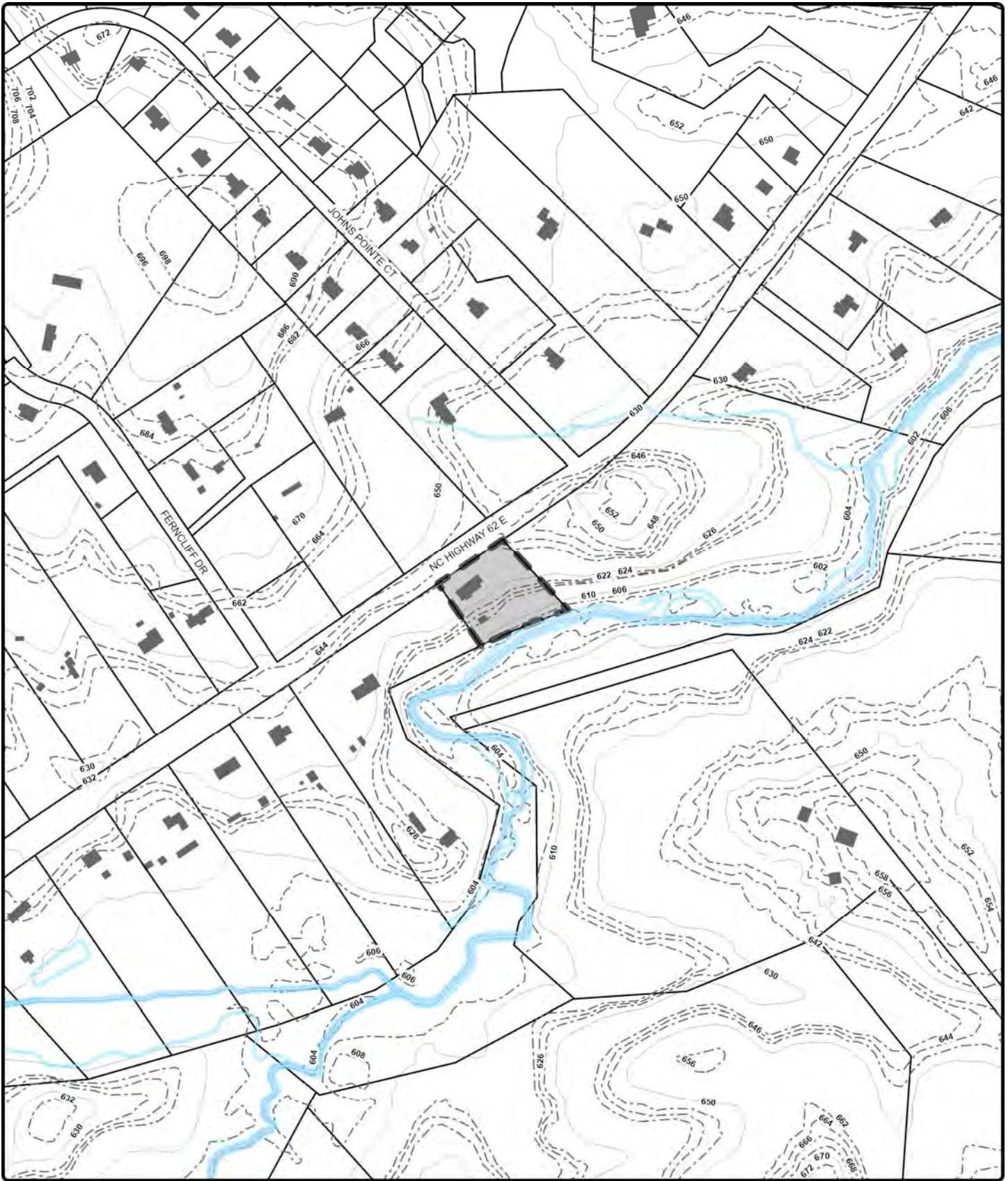
**JURISDICTION:**  
GUILFORD COUNTY  
Guilford County  
Planning & Development  
Department

Rezoning Case #  
**22-03-GCPL-01476**  
Scale: 1" = 400'

Map:  
110130





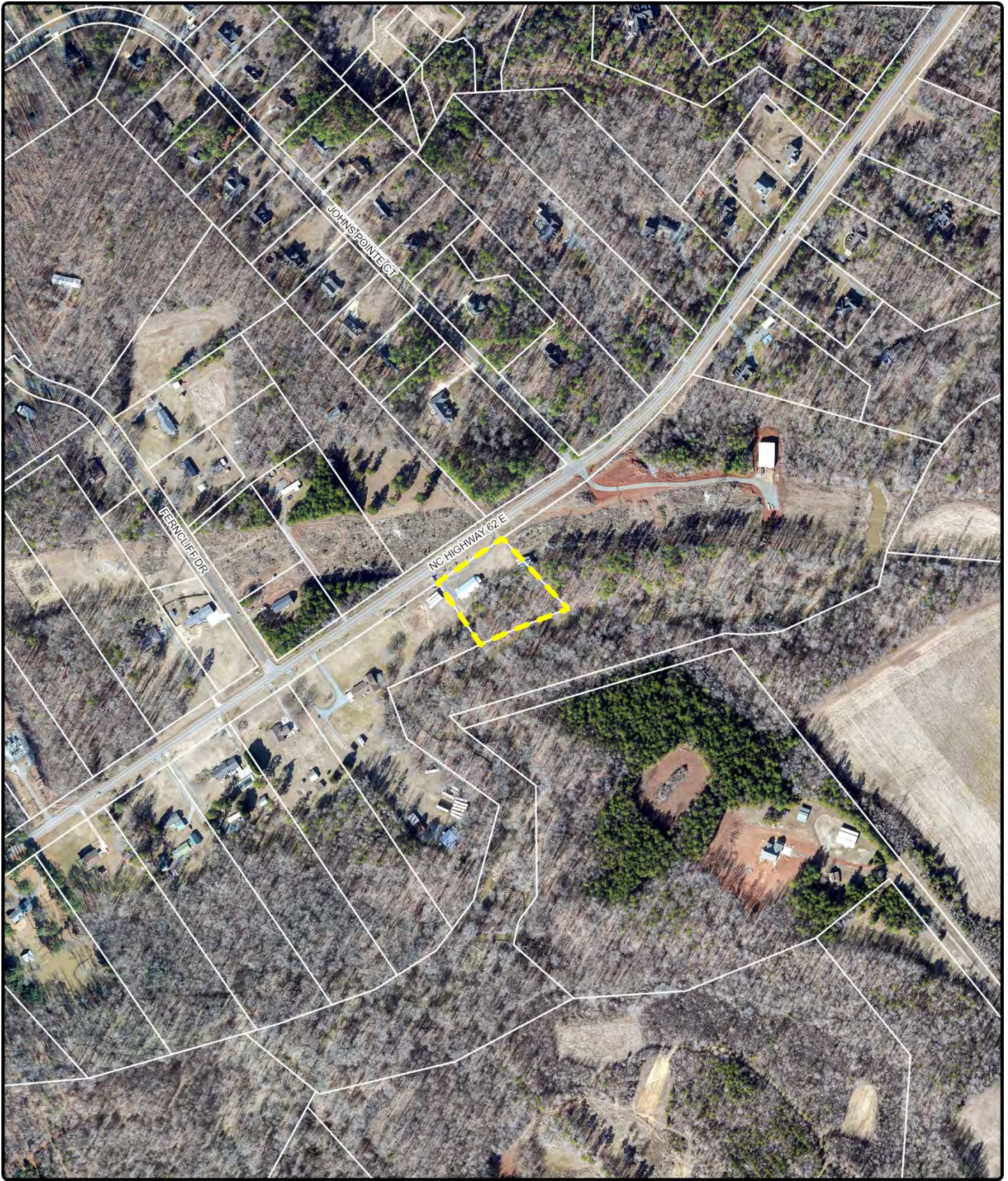


**CASE #22-03-GCPL-01476**

Scale: 1" = 400'







**CASE #22-03-GCPL-01476**

Scale: 1" = 400'



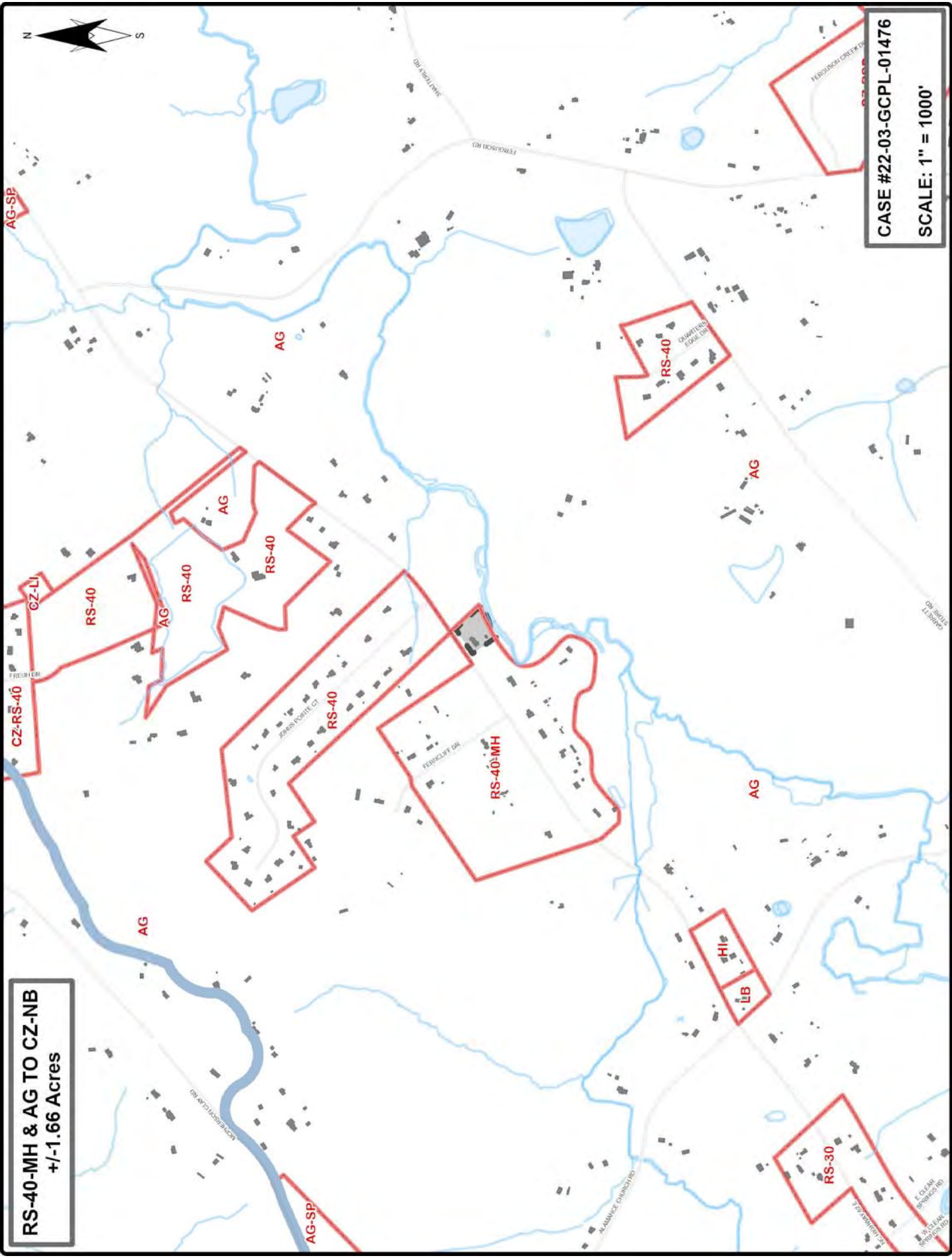




CASE #22-03-GCPL-01476

SCALE: 1" = 1000'

RS-40-MH & AG TO CZ-NB  
+/-1.66 Acres



**CONDITIONAL ZONING CASE #22-03-GCPL-01476: 3214 NC Hwy 62 E, RS-40-MH,  
RESIDENTIAL SINGLE FAMILY WITH A MANUFACTURED HOME OVERLAY & AG,  
AGRICULTURAL TO CZ-NB, CONDITIONAL ZONING-NEIGHBORHOOD BUSINESS**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION MATRIX**

<b>Zoning</b>	<b>Plan Consistency</b>	<b>Decision</b>
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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**CONDITIONAL ZONING CASE #22-03-GCPL-01476: 3214 NC Hwy 62 E, RS-40-MH, RESIDENTIAL SINGLE FAMILY WITH A MANUFACTURED HOME OVERLAY & AG, AGRICULTURAL TO CZ-NB, CONDITIONAL ZONING-NEIGHBORHOOD BUSINESS**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION # 1  
APPROVE-CONSISTENT  
NO PLAN AMENDMENT**

I move to **Approve** this zoning amendment located at 3214 NC Highway 62 E, Guilford County Tax Parcel 110130 from **RS-40 and AG** to **CZ-NB ZONING DISTRICT** because:

1. The amendment **is** consistent with applicable plans because:  
*[Describe elements of controlling land use plans and how the amendment is consistent.]*

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2. The amendment **is** reasonable and in the public interest because:  
*[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]*

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**CONDITIONAL ZONING CASE #22-03-GCPL-01476: 3214 NC Hwy 62 E, RS-40-MH, RESIDENTIAL SINGLE FAMILY WITH A MANUFACTURED HOME OVERLAY & AG, AGRICULTURAL TO CZ-NB, CONDITIONAL ZONING-NEIGHBORHOOD BUSINESS**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #2  
DENY-INCONSISTENT  
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located at 3214 NC Highway 62 E, Guilford County Tax Parcel 110130 from **RS-40 and AG** to **CZ-NB ZONING DISTRICT** because:

- 1. The amendment **is not** consistent with applicable plans because:  
*[Describe elements of controlling land use plans and how the amendment is not consistent.]*

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- 2. The amendment **is not** reasonable and in the public interest because:  
*[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]*

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**CONDITIONAL ZONING CASE #22-03-GCPL-01476: 3214 NC Hwy 62 E, RS-40-MH, RESIDENTIAL SINGLE FAMILY WITH A MANUFACTURED HOME OVERLAY & AG, AGRICULTURAL TO CZ-NB, CONDITIONAL ZONING-NEIGHBORHOOD BUSINESS**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #3  
APPROVE-INCONSISTENT  
PLAN AMENDMENT**

I move to **Approve** this zoning amendment located at 3214 NC Highway 62 E, Guilford County Tax Parcel 110130 from **RS-40 and AG** to **CZ-NB ZONING DISTRICT** because:

- 1. This approval does not amend an **Area Plan**.
  
- 2. The zoning map amendment is based on the following change(s) in condition(s).:  
*[Explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.]*

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- 3. The amendment **is** reasonable and in the public interest because:  
*[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]*

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**CONDITIONAL ZONING CASE #22-03-GCPL-01476: 3214 NC Hwy 62 E, RS-40-MH, RESIDENTIAL SINGLE FAMILY WITH A MANUFACTURED HOME OVERLAY & AG, AGRICULTURAL TO CZ-NB, CONDITIONAL ZONING-NEIGHBORHOOD BUSINESS**

**GUILFORD COUNTY PLANNING BOARD  
ZONING AMENDMENT STATEMENT OF CONSISTENCY**

**DECISION #4  
DENY-CONSISTENT  
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located at 3214 NC Highway 62 E, Guilford County Tax Parcel 110130 from **RS-40 and AG** to **CZ-NB ZONING DISTRICT** because:

1. The amendment **is** consistent with applicable plans because:  
*[Describe elements of controlling land use plans and how the amendment is consistent.]*

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2. The amendment **is** consistent but not in the public interest because:  
*[Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments.]*

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