

PLANNING & ZONING REVIEW NOTES

VII. A.

SUBJECT: Proposal by William Jeffrey House of 2211 Wilkins Dr., Sanford, NC, by Attorney Cindy Perry, for Text Amendment of the Zoning Ordinance, Section 15.5.B.1 Public and Private Recreation Camps and Grounds Minimum Lot Area – 20 acres to be reduced to say Minimum Lot Area – 10 acres.

ATTACHMENTS: *The following was distributed at the July 11, 2006 Planning Board meeting:*

1. Text Amendment Application and Summary of Request

Included in this package:

1. Aerial photo of the surrounding area of Mr. House's property.
2. Screen print image from the Tax Office files showing structures currently being taxed on the property.
3. Letter from Loyse Hurley, President of CCEC.

INTRODUCTION AND BACKGROUND:

A public hearing was held on July 17, 2006 to hear comments on the request of Mr. House for a text amendment to the Zoning Ordinance to reduce the minimum requirement for Public and Private Recreation Camps and Grounds to 10 acres. The ordinance currently requires a 20 acre minimum. Only one person spoke against the request, Ms. Loyse Hurley, and her comments can be read in the attached letter. Previously, on January 18, 2005, the Planning Department requested a public hearing to change this same section of text to reduce the acreage requirement of 20 acres to a 3 acre minimum with 50' setbacks all around. The minutes dated January 18, 2005 state there was no one present who made any public comments. On February 1, 2005 the Planning Board voted unanimously to table the issue to the March meeting. On March 1, 2005 the Planning Board approved to support staff's recommendation to reduce the acreage to a 3 acre minimum. On March 21, 2005, the Board of Commissioners voted 5-0 to table the issue until a later date. The issue was never addressed by the Board of Commissioners after this date.

The proposed text change would apply to all three residential districts in the County Zoning Ordinance. The RA-5, RA-90 and RA-40 districts list public and private recreation camps and grounds as conditional uses. If a change in the text is approved owners of land within these districts could apply for a conditional use permit if they meet the minimum lot size requirement.

INTRODUCTION AND BACKGROUND – con't

Although the text change request is not accompanied by a specific conditional use request for a specific property, it may be helpful to address the theoretical impact of the change. Research of the proposed area of Mr. House's property revealed there are two locations within ¼ mile of his property that have approved sites for RV and camper hookups. These landowners are Macon Goodwin and Peggy Cotton. These two properties were established prior to zoning regulations in that area. Less than 500 feet across US 1 on the Moncure School Road is the New Hope Mobile Home Park. Approximately 4 miles SE of Mr. House's property is the recently approved 84 unit site on Corinth Road by Mr. Kent Dickens.

There are several parcels of land in and around this area that have less than 20 acres but at least 10 acres. Mr. House's property is located within an RA-40 zoning district while the properties across the roadway are in an unzoned area.

The summary of request references the Land Conservation and Development Plan in that it encourages small family businesses. The Land Use Plan encourages "home-based businesses" in rural areas where one would not be creating a nuisance condition. A park for recreational vehicles and campers is not the typical home-based business anticipated when The Land Use Plan was drafted. The Land Use Plan supports diversity in housing opportunities this could bring but only as a temporary housing option. The number of units that would be allowed on a particular parcel would not be determined until after the Environmental Health Department has conducted soils analysis for wastewater requirements. By reducing the minimum acreage requirement, there could be numerous requests for the use and if approved it could take away from the scenic, rural character the county is trying to preserve.

RECOMMENDATION:

It is the staff recommendation to deny this request.