



**Town of Summerfield  
Development Bulletin**  
Effective January 7, 2005  
www.summerfieldgov.com

**Summerfield Application for  
Special Use Permit**

Date Submitted: MAY 10, 2011 Fee/Receipt #: 663 Case Number: 01-07-SP <sup>AMENDMENT</sup>

Provide the required information as indicated below. Pursuant to the Town of Summerfield Development Ordinance, 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, signature blocks and conditions are available upon request.

Pursuant to Section 3-12 of the Town of Summerfield Development Ordinance, the undersigned hereby requests Summerfield to authorize a Special Use Permit for the property described below. The proposed use(s) of land is

SPECIAL EVENTS FACILITY

Said property is located 4105 Oak Ridge Rd

in Bruce Township; Being a total of: 4.235 acres.

Further referenced on the Guilford County Tax Maps as (attach additional sheets if necessary):

Tax Map # 0146966

Tax Map # 0146870

Tax Map # \_\_\_\_\_

Tax Map # \_\_\_\_\_

Tax Map # \_\_\_\_\_

**Check One:**

- The property requiring a special use permit is an entire parcel or parcels as shown on the Guilford County Tax Map.
- The property requiring a special use permit is a portion of a parcel or parcels as shown on the Guilford County Tax Map; a written legal description of the property and a map are attached.

**Additional Requirements**

- Approved Site Plan.** A site plan conditionally approved by the Town Planner, illustrating conditions related to the request and applicable development standards must be attached for all special use permit requests. Refer to Appendix 2, Map Standards of the Town of Summerfield Development Ordinance.
- Special Use Conditions.** Development conditions may be provided. Complete Part Two of the application. Refer to uses as listed in Table 4-3-1 of the Town of Summerfield Development Ordinance. If conditions are not proposed, indicate 'not applicable'.

### Special Use Permit Application, Part II

#### Development Conditions

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Town of Summerfield Development Ordinance:

- 1) See Attached Sheet
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

#### Use Conditions

Uses of the property shall be limited to the following uses as listed in Article IV, Table 4-3-1 of the Town of Summerfield Development Ordinance:

- 1) See Attached Sheet
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

A Special Use Permit Application must be signed by current property owner(s).

*I hereby agree to conform to all applicable laws of the Town of Summerfield, 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 Town of Summerfield Planning Department may enter the subject property for the purpose of investigation and analysis of this request.*

Respectfully Submitted,

*Patrick & Deborah Jenles*  
Property Owner Signature

Patrick & Deborah Jenles  
Name

4404 Liguria Ct  
Mailing Address

Summerfield N.C. 27358  
City, State and Zip Code

336-644-8644 or 336 253-6115-cell  
Phone Number

Patjenles@ForestrySystems.com  
email

\_\_\_\_\_  
Representative Signature (if applicable)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State and Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
email

**Additional Conditions**

**Additional Tax Map References**

Further referenced on the Guilford County Tax Maps as:

Tax Map # \_\_\_\_\_

Tax Map # \_\_\_\_\_

Tax Map # \_\_\_\_\_

Tax Map # \_\_\_\_\_

**Additional Signatures**

*I hereby agree to conform to all applicable laws of the Town of Summerfield, 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 Town of Summerfield Planning Department may enter the subject property for the purpose of investigation and analysis of this request.*

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State and Zip Code

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City, State and Zip Code

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Phone Number

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Phone Number

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email

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email

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Applicant Signature

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Applicant Signature

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Name

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Name

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Mailing Address

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Mailing Address

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City, State and Zip Code

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City, State and Zip Code

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Phone Number

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email

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email

**Use and Development Conditions**

Uses of the property shall be limited to the following uses as listed in Article IV, Table 4-3-1 of the Town of Summerfield Development Ordinance. Development of the property shall occur in accordance with the following standards and requirements in addition to those specified in the Town of Summerfield Development Ordinance:

- 4) See Attached
- 5) \_\_\_\_\_
- 6) \_\_\_\_\_
- 7) \_\_\_\_\_
- 8) \_\_\_\_\_
- 9) \_\_\_\_\_
- 11) \_\_\_\_\_
- 12) \_\_\_\_\_
- 13) \_\_\_\_\_
- 14) \_\_\_\_\_

## Town of Summerfield Special Use Permit Application, Part II

**The Gardens at Gray Gables (Special Events Facility)  
4105 Oak Ridge Road, Summerfield**

### **Development Conditions**

Development of the property shall occur in accordance with the following standards and requirements in addition to those specified by the Town of Summerfield Development Ordinance:

1. Events shall not be in operation later than 10:30 PM.
2. Maximum guest capacity shall be approximately one hundred fifty (150).
3. All events shall be held outdoors, no indoor events shall be permitted.
4. No twenty first (21<sup>st</sup>) birthday parties or events shall be held.
5. Alcohol sales and/or consumption shall adhere to all applicable North Carolina law, and/or applicable local Ordinance or Regulations.
6. All lighting on site shall be installed and operated in conformance with the Town of Summerfield Development Ordinance Lighting requirements.
7. Amplified music, bands or other entertainment shall adhere to applicable Town of Summerfield and/or Guilford County Ordinances and Regulations with regard to noise or nuisance.

Uses would be limited to the following:

- |  |  |
|--|--|
| 1. Special Events Facility                   | 10. Administrative or Management Services          |
| 2. Agricultural Production                   | 11. Advertising Agency or representative           |
| 3. Accessory Uses and structures (customary) | 12. Computer Services                              |
| 4. Government Offices                        | 13. Economic, Sociological or Educational Research |
| 5. Antique Store                             | 14. Engineering, architect or survey service       |
| 6. Arts and Crafts                           | 15. Law Office                                     |
| 7. Computer Sales                            | 16. Office uses not otherwise classified           |
| 8. Florist                                   | 17. Photography Studio                             |
| 9. Accounting/auditing/booking               | 18. Tourist home (bed & breakfast)                 |
|  | 19. Travel Agency                                  |

### **Use Conditions**

Uses of the property shall be limited to the following uses listed in Article IV, Table 4-3-1 of the Town of Summerfield Development Ordinance:

1. All uses that are currently allowed in the existing CU-LB zoning district. Refer to Town of Summerfield Site Plan Permit #134293 for approved uses.
2. Special Events Facility.



## **Legal Description for Special Use Permit**

**The Gardens at Gray Gables  
4105 Oak Ridge Road, Summerfield, NC**

All that certain lot or parcel of land in the Town of Summerfield, Bruce Township, Guilford County, North Carolina, a portion of Tax lot 26, Block 917 and being more particularly described as follows :

All of the Tract of property of Patrick Jenks and wife Deborah Jenks recorded as Tax Map #0146966 and Tax Map#0146870 also known as The Gardens at Gray Gables containing 4.235 acres more or less. This property is recorded in Deed Book 5229 at page 1898 in the Office of the Register of Deeds of Guilford County, North Carolina.

STANTLIFF COTTAGE and OFFICE DETAILS

PLANTING PAID RATE CHART

PLANTING HARDYNESS	MINIMUM HEIGHT	MINIMUM CALIBER	CANOPY TYPE	UNDERSTORY SPECIES	SPACING RATE
27000-1000	8 Feet	1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	8 Feet	1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	10 Feet	3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	12 Feet	1" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	14 Feet	1 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	16 Feet	1 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	18 Feet	1 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	20 Feet	2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	22 Feet	2 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	24 Feet	2 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	26 Feet	2 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	28 Feet	3" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	30 Feet	3 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	32 Feet	3 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	34 Feet	3 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	36 Feet	4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	38 Feet	4 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	40 Feet	4 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	42 Feet	4 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	44 Feet	5" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	46 Feet	5 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	48 Feet	5 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	50 Feet	5 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	52 Feet	6" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	54 Feet	6 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	56 Feet	6 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	58 Feet	6 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	60 Feet	7" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	62 Feet	7 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	64 Feet	7 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	66 Feet	7 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	68 Feet	8" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	70 Feet	8 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	72 Feet	8 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	74 Feet	8 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	76 Feet	9" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	78 Feet	9 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	80 Feet	9 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	82 Feet	9 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	84 Feet	10" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	86 Feet	10 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	88 Feet	10 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	90 Feet	10 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	92 Feet	11" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	94 Feet	11 1/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	96 Feet	11 1/2" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	98 Feet	11 3/4" DB	1-2" DB	N/A	17 per 1000 SF
27000-1000	100 Feet	12" DB	1-2" DB	N/A	17 per 1000 SF

SITE SPECIFIC PLANT REQUIREMENTS

LOCATION	PLANT SPECIES	PLANT SIZE	CANOPY TYPE	UNDERSTORY SPECIES	SPACING RATE
Primary Structure	27000-1000	12 Feet	1-2" DB	N/A	17
North Parking Lot	27000-1000	12 Feet	1-2" DB	N/A	17
South Parking Lot	27000-1000	12 Feet	1-2" DB	N/A	17
East Parking Lot	27000-1000	12 Feet	1-2" DB	N/A	17
TOTAL EXISTING PLANTS PER PARCEL REQUIREMENTS					225

SITE SPECIFIC PLANT LIST

Scale: 1/4" = 1'-0".  
 General Notes:  
 1. All plants shall be installed within 14 days of the start of construction.  
 2. All plants shall be installed in accordance with the planting plan.  
 3. All plants shall be installed in accordance with the planting plan.  
 4. All plants shall be installed in accordance with the planting plan.

PROPOSED USE:

The proposed use is for a Special Events Facility.

LIGHTING:

No proposed additional lighting shown on this plan. Any future lighting must be installed and approved in accordance with the Town of Summerfield Ordinance 2009-01.

SIGNAGE:

No signage proposed for this site. Any future signage must be installed in accordance with the Town of Summerfield Ordinance 2009-01.

PARKING CALCULATIONS:

See Parking Requirements for Special Events Facility in the Town of Summerfield Ordinance 2009-01.

GRADING / EROSION CONTROL:

Proposed grading shown on this plan. No grading control required.

UTILITIES:

All utilities shown on this plan are in accordance with the Town of Summerfield Ordinance 2009-01.

SITE DATA:

Site Name: The Gardens at Gray Gables, LLC  
 Parcel No: 0146870  
 Zoned: CU-1B (Special Events Facility)

SPECIAL EVENTS FACILITY INFORMATION:

1. The proposed use is for a Special Events Facility.  
 2. The proposed use is for a Special Events Facility.  
 3. The proposed use is for a Special Events Facility.

**APPROVED**

**TOWN OF SUMMERFIELD, N.C.**

**Planning Department**

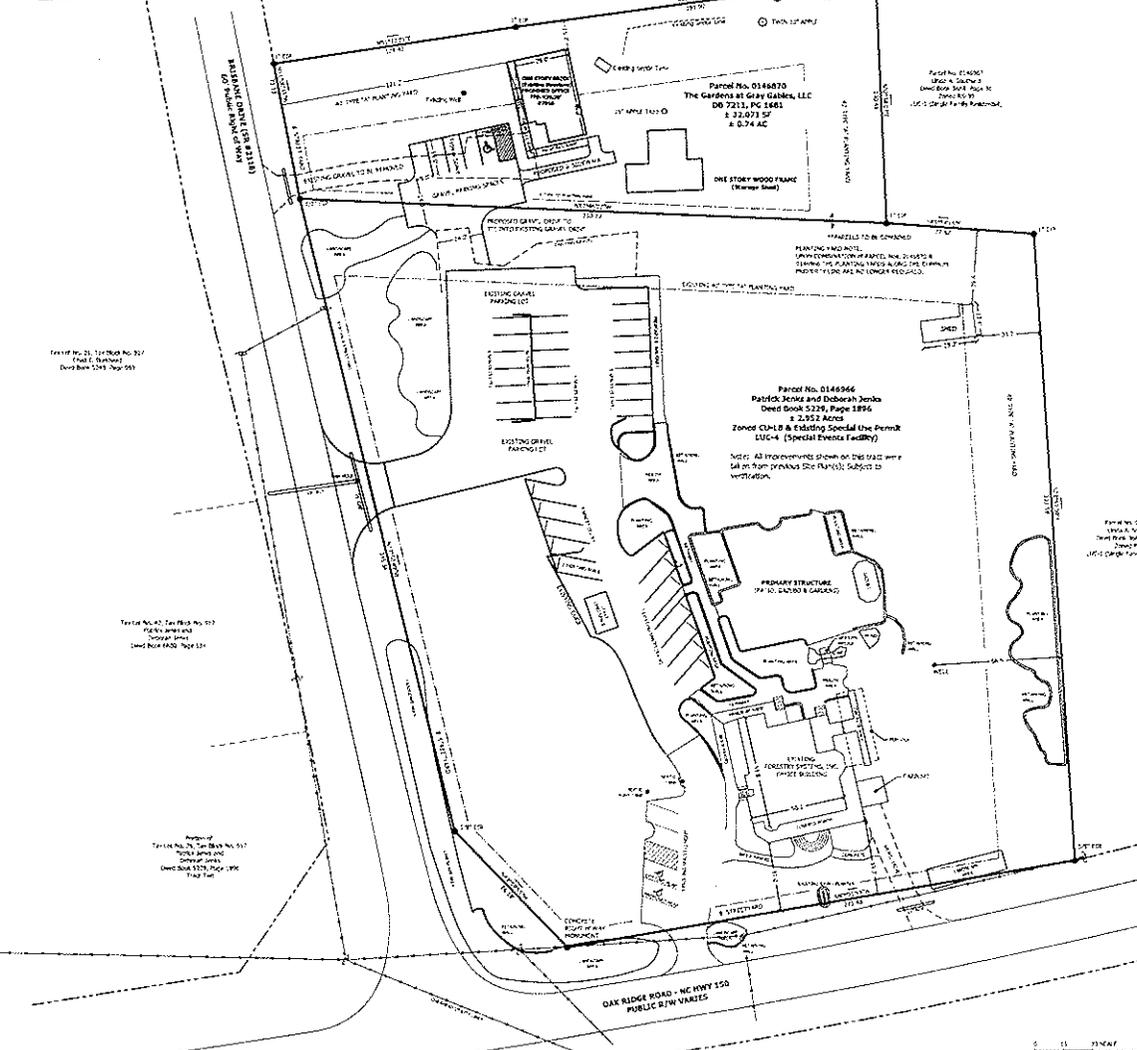
By: *[Signature]*

DATE: 7/7/2011

PROJECT: STANTLIFF COTTAGE and OFFICE

PARCEL: 0146870

7610 BRISBANE DRIVE



<p><b>THE STANTLIFF COTTAGE and OFFICE and THE GARDENS AT GRAY GABLES</b></p> <p><b>7610 Brisbane Drive</b></p> <p>BRUCE TOWNSHIP - GUILFORD COUNTY</p> <p>TOWN OF SUMMERFIELD - NORTH CAROLINA</p> <p><b>SPECIAL USE PERMIT SITE PLAN</b></p>	<p>June 7th, 2011</p> <p>7612 Bertley Road, Greensboro, NC 27409                  Post Office Box 35392, Greensboro, NC 27435-3392</p>	<p>Telephone: 336.605.0328                  www.landolutionsnc.com                  Fax: 336.605.0329                  NC Firm No. C-1630</p> <p><b>LAND SOLUTIONS</b></p>
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## Town of Summerfield Planning Department

February 21, 2011

Dear Summerfield Citizen:

This letter is to notify you of a **Rezoning** application for the following property located on Brisbane Drive. The property is located at 7610 Brisbane Drive, being Guilford County tax map number 0146870.

This same property is also being applied for an amendment for a **Special Use Permit** to expand the Special Events Facility known as "The Grey Gables," located at 4105 Oak Ridge Road.

The parcel, located in Bruce Township, include approximately 0.92 acres (see enclosed map). The parcel is owned by Patrick and Deborah Jenks. A public information session and open house will be held at the Summerfield Town Hall on **Tuesday, March 1, 2011, from 5:00 pm to 7:00 pm** to discuss both the proposed **Zoning Change and Special Use Permit**. The applicant is requesting a rezoning from RS-30 (Single Family Residential District), to CU-LB (Conditional Use Limited Business District). The applicant is also requesting a Special Use Permit to expand the existing Special Events Facility. Please plan to attend any time during this time period to discuss the request with the applicant and town staff.

Under Conditional Use zoning, the applicant limits the uses allowed on the site and/or offers development standards that exceed those in the Development Ordinance. The conditional use that has been requested for this rezoning is for a Special Events Facility.

A Special Use Permit often has several development conditions associated with the application.  
Development Conditions for the Special Events Facility:

The development of the property shall occur in accordance with the following standards and requirements in addition to those specified by the Town of Summerfield Development Ordinance:

1. Events shall not be in operation later than 10:30 PM
2. Maximum guest capacity shall be approximately one hundred fifty (150)
3. All events shall be held outdoors, no indoor events shall be permitted
4. No twenty first (21<sup>st</sup>) birthday parties or events shall be held
5. Alcohol sales and/or consumption shall adhere to all applicable North Carolina law, and/or applicable local Ordinance or Regulations
6. All lighting on site shall be installed and operated in conformance with the Town of Summerfield Development Ordinance Lighting requirements
7. Amplified music, bands or other entertainment shall adhere to applicable Town of Summerfield and/or Guilford County Ordinances and Regulations with regard to noise or nuisance

Additional information is available at the Summerfield Town Hall and on our website.

All property owners within ¼ mile of a property proposed for a Rezoning and Special Use Permit shall be notified of the public information session and open house as well as subsequent public hearings. Addresses are collected using Guilford County tax records which may not be up-to-date, please share this invitation with anyone else you feel may be interested in attending.

Sincerely,

Christopher Anderson, AICP

Summerfield Town Planner

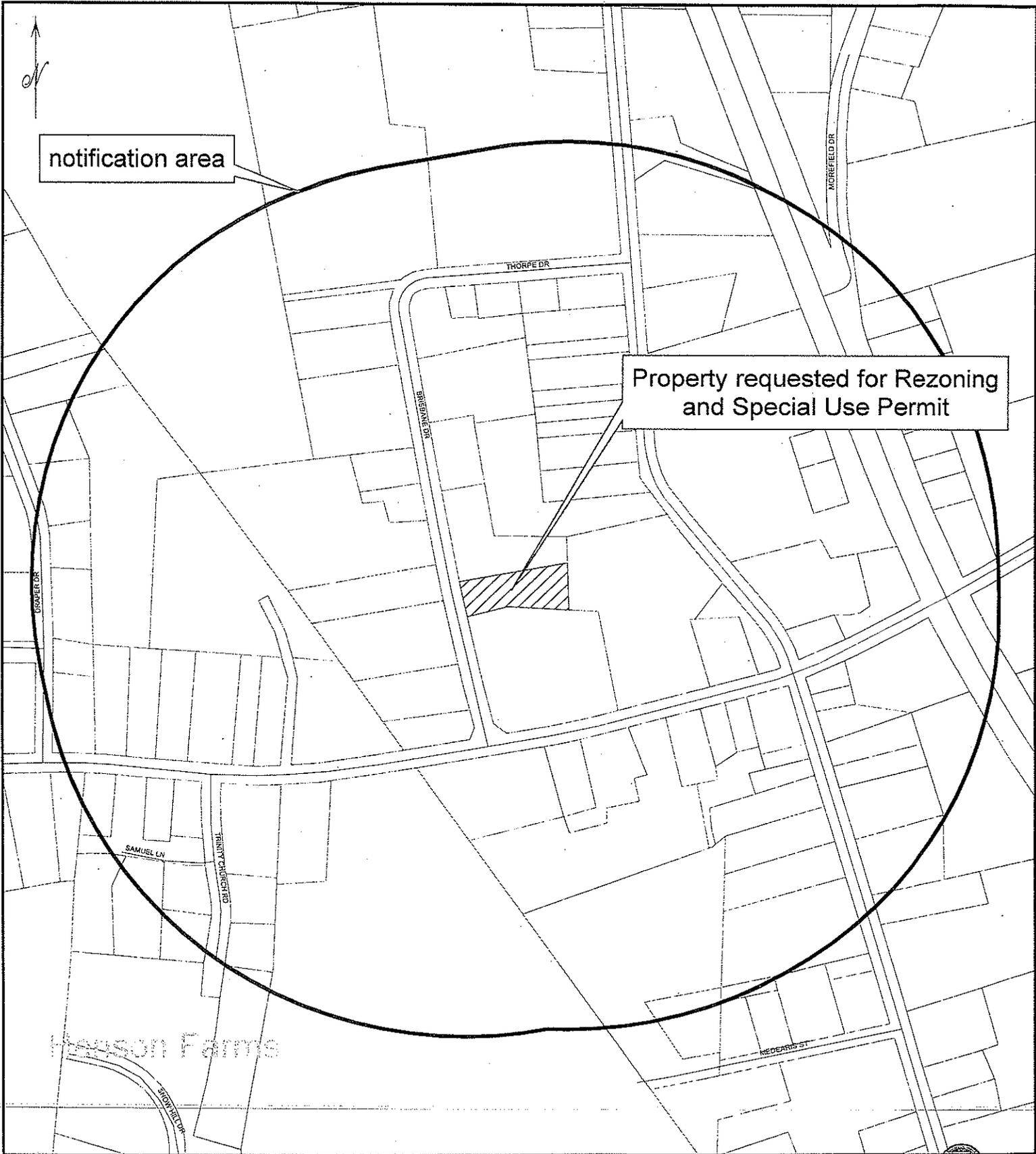
[TownPlanner@Summerfieldgov.com](mailto:TownPlanner@Summerfieldgov.com)

PO Box 970 Summerfield, NC 27358

336-643-8655

[www.summerfieldgov.com](http://www.summerfieldgov.com)

# Rezoning Case #01-11 Special Use Permit Case #01-11-SP



400 200 0 400 800 Feet

1 inch = 400 feet

Town of   
Summerfield, NC

Prepared by Town of Summerfield Planning Department. January, 2010.

NOTICE OF PUBLIC HEARING

SUMMERFIELD BOARD OF ADJUSTMENT

May 26, 2011

6:30 p.m.

Summerfield Community Center

5404 Centerfield Drive

Summerfield, North Carolina

CASE # 01-11SUP

The Town of Summerfield Board of Adjustment has been requested to approve a Special Use Permit for a Special Events Facility at the property located at 7610 Brisbane Dr., Guilford County tax map #0146870, owned by Patrick and Deborah Jenks (see map on reverse). This parcel, located in Bruce Township, includes approximately 0.74 acres.

*A Special Events Facility is defined as "A parcel of land where activities of a limited duration or use are held. The site may or may not include a permanent structure to house the event. Such activities may include banquets, weddings, parties, company gatherings, one-day conferences, etc. It is intended that the site be used on an ongoing basis for these activities and are not single events."*

This notice is sent to all property owners within one quarter (1/4) mile of the property requested for Special Use Permit. Please discuss it with other residents who may have an interest in this request. Anyone wishing to be heard on this matter should appear at the public hearing, or arrange to be represented. Addresses for Guilford County are recorded and updated by the Guilford County tax office so this distribution list is subject to the accuracy of those records.

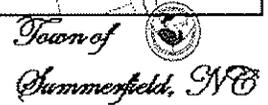
The Special Use Permit is to be combined with the existing Special Use Permit for the Gardens at Gray Gables, which is also up for renewal at this meeting.

If you have any questions, please call me at 643-8681.

Christopher Anderson, AICP  
Summerfield Town Planner  
townplanner@summerfieldgov.com

PO Box 970 Summerfield, NC 27358  
336-643-8655  
Fax 336-643-8654  
www.summerfieldgov.com

# Rezoning Case #01-11 Special Use Permit Case #01-11-SP



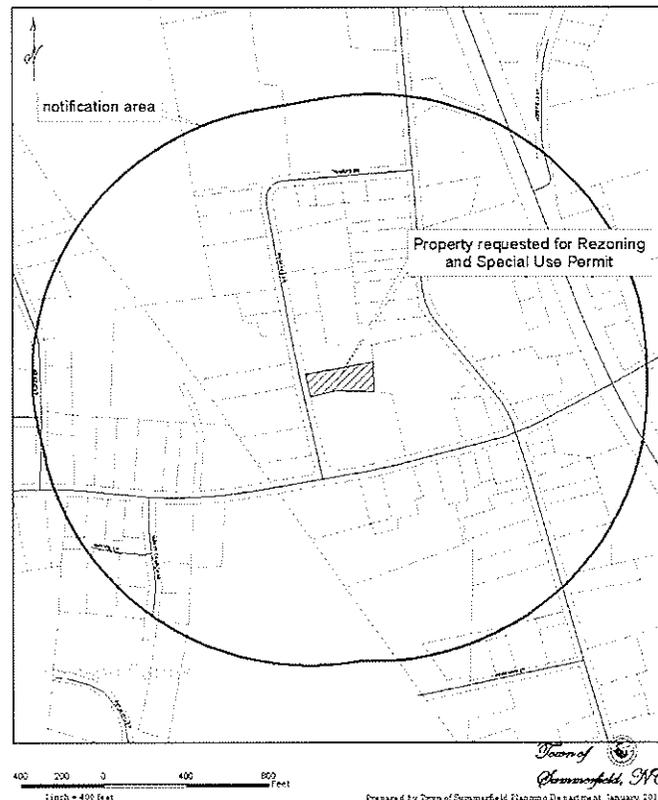
Prepared by Town of Summerfield Planning Department, January, 2010.

PO Box 970 Summerfield, NC 27358  
336-643-8655  
Fax 336-643-8654  
[www.summerfieldgov.com](http://www.summerfieldgov.com)

**SPECIAL USE PERMIT # 01-11-SP – Special Events Facility.** Located at 7610 Brisbane Dr. and is currently zoned CU-LB. Being Guilford County Tax Map #0146870, approximately 0.74 acres. Owned by Patrick and Deborah Jenks.

- The requirements of 3-13.4(A) General Requirements have been met. Application was on time and the applicant did meet with the Town Planner prior to filing.
- All fees per 3-13.4(B) have been paid.
- Section 3-13.4(C) Development Plan has been satisfied. The site plan includes all information required by the ordinance. The development plan consists of the addition of a home structure and property to the pre-existing Gardens at Gray Gables. The development plan provided shows the use of the existing structure and the improvements proposed, including landscaping, additional parking, and potential revisions to the house.
- A public information session was held on March 1, 2011. One citizen attended the Open House. Comments were in favor of the proposal, and reaffirmed the success of the Gardens at Gray Gables. No written comments were completed.
- Watershed requirements:
  - This property is within the City of Greensboro Water Supply Watershed District general watershed area. The plan meets and exceeds the requirements.

Rezoning Case #01-11  
Special Use Permit Case #01-11-SP



3-13.4(F) Conditions for Approval: An application for a Special Use Permit shall be approved by the Board of Adjustment if and only if the Board of Adjustment finds that:

1) The proposed use is represented by an "S" in the column for the district in which it is located on the Permitted Use Schedule in this Ordinance.

Yes...Under "Recreational Uses" within the Permitted Use Schedule, on page 4-7. Special Events Facility is allowed as a Special Use in zone CU-LB.

2) The proposed conditions meet or exceed the development standards found in Article VI (Development Standards).

Yes...the proposed conditions meet and exceed the development standards for this type of use.

- no minimum area
- separation of proposed use at least 400 feet from religious assembly and schools
- operation of facility, hours of operation, conforms to State alcohol laws, no spotlights
- by combining the two properties into one Special Use Permit, road access is to a thoroughfare street. For the purposes of the request, for a Special Use Permit, the two individual properties will act as one site, one permit, one development
- Parking is provided on site, situated away from property lines, and meets occupancy requirements
- Signs are limited
- Special Use Permit shall be renewed every year, May 26 of each year, based upon this approval
- Food preparation meets Guilford County Health Department regulations

3) Either the use as proposed, or the use as proposed subject to such additional conditions as the owner may propose or the Board of Adjustment may impose, is consistent with the purposes of the District and compatible with surrounding uses.

Yes...this use, as proposed, is consistent with the purposes of this district and compatible with surrounding uses.

4) The Special Use Permit shall be granted when each of the following Findings of Fact have been made by the Board of Adjustment:

a) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;

This proposal will not materially endanger the public health or safety if developed as planned (The structure is already located on the property and the proposed use of the additional property will not impact health or safety).

b) That the use meets all required conditions and specifications;

Yes...All conditions and specifications of the Town's Ordinance have been met.

c) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

The proposed use will not substantially injure the value of the adjoining or abutting property.

d) That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Jurisdiction and its environs.

If developed as planned, the use will be in harmony with the area in which it is to be located. And it will conform in general to the plans of development for the Town of Summerfield.

**The following are from the Development Ordinance, and may be pertinent to this case:**

3-6.1 Special Use Permits

- (A) General Requirements: Any person authorized to seek a Special Use Permit shall submit an application on a form provided by the Planning Department at least seven (7) weeks prior to the Board of Adjustment hearing requested. Applicants are strongly encouraged to meet with Planning Department staff prior to filing an application to review procedures and discuss compatibility with the long-range plan and the other applicable planning documents; and to discuss public information session requirements and the Submittal and Review Schedule.
- (B) Fee: All fees shall be due and payable when the application is made according to the Schedule of Fees.
- (C) Development Plan Required: All applications for a Special Use Permit shall contain a site development plan showing: the location of the proposed use, existing and proposed site conditions including topography, environmental features, drainage and other easements; proposed landscaping areas, parking areas, and building footprints; and any other information deemed necessary for the Board of Adjustment to render a decision. The development plan shall be submitted to the Planning Department at the time of application and at least seven (7) weeks prior to the requested Board of Adjustment hearing. Resubmittals of the development plan may be required by the Planning Director if information relevant to the rendering of the Board of Adjustment's decision is omitted.
- (D) Filing of Application:
- 1) No application for a Special Use Permit for the same use shall be filed within a one (1) year period from the date of final action on the previous Special Use Permit request, (other than a withdrawal, subject to the provisions of Section 3-12.2(G) Application Withdrawal, prior to the public hearing) on a given parcel of land or portion thereof unless the Board of Adjustment determines that evidence submitted to them merits consideration for a public hearing at their next meeting.
  - 2) A second request for the same parcel of land or portion thereof for a different use may occur within a one (1) year period from final action on the initial request.
  - 3) Under no circumstances may more than two (2) Special Use Permit applications be filed for a given parcel of land or any portion thereof within any one (1) year period.
- (E) Public Information Session and Open House: All applicants for Special Use Permits must follow the requirements for an open house in Article 3-12.2 (D).
- (F) Conditions for Approval: An application for a Special Use Permit shall be approved by the Board of Adjustment if and only if the Board of Adjustment finds that:
- 1) The proposed use is represented by an "S" in the column for the district in which it is located on the Permitted Use Schedule in this Ordinance.
  - 2) The proposed conditions meet or exceed the development standards found in Article VI (Development Standards).
  - 3) Either the use as proposed, or the use as proposed subject to such additional conditions as the owner may propose or the Board of Adjustment may impose, is consistent with the purposes of the District and compatible with surrounding uses.

- 4) The Special Use Permit shall be granted when each of the following Findings of Fact have been made by the Board of Adjustment:
- a) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;
  - b) That the use meets all required conditions and specifications;
  - c) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
  - d) That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which is to be located and in general conformity with the plan of development of the Jurisdiction and its environs.
- (G) Greater Restrictions: In granting a Special Use Permit, the Board of Adjustment may impose more restrictive requirements upon such permit as it may deem necessary in order that the purpose and intent of this Ordinance are served.
- (H) Permit Denial: If the Board of Adjustment does not make the findings required by paragraph (F), then it shall make findings that the application is inconsistent with adopted standards and the permit shall be denied.
- (I) Permit Applicability: Any Special Use Permit so authorized shall be perpetually binding upon the property included in such permit unless subsequently changed or amended through application for a new or amended Special Use Permit or until a use otherwise permitted in the district is established.
- (J) Compliance with Approved Permit: No building or other subsequent permit or approval shall be issued for any development on property subject to a Special Use Permit except in accordance with the terms of the permit and the district.
- (K) Submission of Site Plans: Site plans for any development made pursuant to any Special Use Permit shall be submitted for review according to the requirements of Article 3-11.5 Site Plan and Plot Plan Approval. Site Plans shall not be approved prior to the issuance of a Special Use Permit. The Site Plan shall not be substantially different than the development plan presented to the Board of Adjustment for Special Use permit consideration. A substantially different Site Plan may require resubmittal of the Special Use Permit application.
- (L) Minor Modification(s): In approving such Site Plans, the Zoning Board may make minor modifications to the requirements of such Special Use Permit where such modification will result in equal or better performance and provided that the objective and purpose of the requirements and conditions of the Special Use Permit are maintained.
- (M) Amendment of Permit: The Board of Adjustment may change or amend any Special Use Permit subject to the same consideration as provided for in this Ordinance for the original issuance of a Special Use Permit.
- (N) Timing of Amendment Proposal: No proposal to change or amend any Special Use Permit shall be considered within a one (1) year period after the date of the original authorization of such permit or within a one (1) year period after the hearing of any previous proposal to change or amend any such permit.
- (O) Effect of Invalidity: If for any reason any condition imposed pursuant to these regulations is found to be illegal or invalid, such Special Use Permit shall be null and void and of no effect.

- (P) Non-compliance with Permit Conditions: If after receiving a Notice of Violation for violation of the terms or conditions of a Special Use Permit, the owner fails to correct such violations within a reasonable time, then the Special Use Permit may, after a hearing, be revoked by the Board of Adjustment. The Board of Adjustment shall revoke such permit on all or part of a development if it finds that there has been a violation that: was intentional; or continued for an unreasonable time after the owner had notice thereof; or was substantially inconsistent with the purposes of the district and continued for any time after the owner had notice thereof and the opportunity to cure. All of the other remedies of this ordinance for a zoning violation shall apply to a violation of the terms of a Special Use Permit. Civil and/or criminal penalties may accrue pending the corrections of a violation of a Special Use Permit. Civil and/or criminal penalties may accrue pending the correction of a violation of a Special Use Permit, notwithstanding the fact that the owner may correct the violation within a reasonable time for purposes of the revocation provisions of this paragraph.

#### 6-1.1 Special Events Facility.

- (A) Where Required: AG, LO, NB, LB, GB, HB, SC, and TCD-M districts.
- (B) Minimum Area: Five Acres (5) in AG Districts, no minimum in other allowed districts.
- (C) Buildings: The building that houses the primary event center shall be called the primary structure, and it shall be no larger than 20,000 square feet. All other buildings on the site shall conform to Article 4-5, and the minimum setback shall be 20 feet from the side or rear property line. All structures associated with the facility shall be constructed as to blend in with the surrounding architecture and character of the community where located.
- (D) Use Separation: No such facility shall locate within four hundred (400) feet of a place of religious assembly, elementary or secondary school.
- (E) Operation:
- 1) In AG Zoning Districts, outdoor event areas may not be located within 250 feet of adjacent residentially zoned or used property.
  - 2) Events shall not be in operation later than 11:30 PM, and amplified music is not allowed past 9:30 PM.
  - 3) The use must follow state of North Carolina law for alcohol sales and/or consumption.
  - 4) No pyrotechnics or spotlights shall be allowed.
- (F) Road Access: Special events facilities must provide direct vehicular access to a collector or thoroughfare street. The Planning Director may waive this requirement for facilities created by converting existing buildings originally designed for residential occupancy (such as mansions or farm) provided the maximum distance from a collector, or thoroughfare street does not exceed 1,600 feet (measured along the roadway from the end of the driveway to the closest point of the intersection).
- (G) Parking:
- 1) All required parking must be provided on-site.
  - 2) Parking areas associated with the use shall locate a minimum of thirty (30) feet from the property line or right-of-way.
  - 3) Required spaces: 1 space per 4 persons of maximum occupancy.
  - 4) Parking surface is not required to be paved, except for handicapped spaces. Parking areas must have marked spaces (line, curb, stop, etc):

- (H) Signs: Signs are limited to Identification signs, Table 6-1-1 and one Development Entrance sign, Table 6-1-2. Signs can be lighted only during the event period. All lighted signs must meet Development Ordinance standards.
- (I) Special Use Permit Renewal:
- 1) The Special Use Permit must be renewed every year, or with change of ownership, through the process outlined in Article 3-13-4 of the Summerfield Development Ordinance.
  - 2) The fee for the first year of issuance shall be the standard fee as set forth in the Summerfield Fee Schedule. The fee for each successive year will be \$100, provided that the original Permit does not expire.
- (J) Food Preparation: Unless the property is zoned for restaurant use, all food must be prepared off-site, but may be assembled in a Guilford County Public Health Department approved "catering" or "warming" kitchen.
- (K) Residential Use: A single family dwelling unit may be allowed on the property for use by the property owner or as a care taker dwelling. If the use is associated with a Tourist Home or Bed and Breakfast then the site must meet approval for both uses.
- (L) Sites Not Subject to Special Use Permit Regulation and Renewal: The Town of Summerfield hereby exempts the Summerfield Community Center Inc. facility located at 5404 Centerfield Road from regulations for Special Events Facility. The following findings of fact made by the Town of Summerfield provide for this exclusion.
- 1) The Summerfield Community Center Inc. has been in existence for over forty years.
  - 2) The Summerfield Community Center Inc. is a non-profit organization dedicated to providing a safe, accessible, and affordable location for the express purpose of providing for meetings and events, both public and private, for the enjoyment/benefit of the citizens of Summerfield.
  - 3) That the Town Council of Summerfield recognizes the unique contributions provided by the Summerfield Community Center for their many years of dedication to the community.
- (M) Expiration: If at any time the Summerfield Community Center were to close for more than one (1) year and/or be developed as a for-profit Special Events Facility, then provision (L) above will become void and the facility will be required to meet all of the standards established in A - K above.

3-13.4(F) Conditions for Approval: An application for a Special Use Permit shall be approved by the Board of Adjustment if and only if the Board of Adjustment finds that:

- 1) The proposed use is represented by an "S" in the column for the district in which it is located on the Permitted Use Schedule in this Ordinance.

Yes...Under "Recreational Uses" within the Permitted Use Schedule, on page 4-7, Special Events Facility is allowed as a Special Use in zone CU-LB.

- 2) The proposed conditions meet or exceed the development standards found in Article VI (Development Standards).

Yes...the proposed conditions meet and exceed the development standards for this type of use.

- no minimum area
- separation of proposed use at least 400 feet from religious assembly and schools
- operation of facility, hours of operation, conforms to State alcohol laws, no spotlights
- by combining the two properties into one Special Use Permit, road access is to a thoroughfare street. For the purposes of the request, for a Special Use Permit, the two individual properties will act as one site, one permit, one development
- Parking is provided on site, situated away from property lines, and meets occupancy requirements
- Signs are limited
- Special Use Permit shall be renewed every year, May 26 of each year, based upon this approval
- Food preparation meets Guilford County Health Department regulations

- 3) Either the use as proposed, or the use as proposed subject to such additional conditions as the owner may propose or the Board of Adjustment may impose, is consistent with the purposes of the District and compatible with surrounding uses.

Yes...this use, as proposed, is consistent with the purposes of this district and compatible with surrounding uses.

- 4) The Special Use Permit shall be granted when each of the following Findings of Fact have been made by the Board of Adjustment:

- a) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;

This proposal will not materially endanger the public health or safety if developed as planned (The structure is already located on the property and the proposed use of the additional property will not impact health or safety).

- b) That the use meets all required conditions and specifications;

Yes...All conditions and specifications of the Town's Ordinance have been met.

- c) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

The proposed use will not substantially injure the value of the adjoining or abutting property.

- d) That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Jurisdiction and its environs.

If developed as planned, the use will be in harmony with the area in which it is to be located. And it will conform in general to the plans of development for the Town of Summerfield.

