



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358  
 ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldgov.com

**TO:** Town Council  
**FROM:** Planning Director  
**DATE:** November 9, 2016  
**RE:** Case RZ-04-16 (7507 Shadyside Dr.) - Request to rezone approximately .475 acres from RS-40, TCDR (Residential and Town Core Residential) District to CU-GB, TCDM (Conditional Use General Business and Town Core Mixed) District

#### A. Actions Requested by Town Council

1. Hold Public Hearing
2. Approve, deny, or defer request to rezone

A majority vote is needed to recommend approval (or denial) of the requested action.

The Zoning Board met on October 24 and voted unanimously to recommend approval of the request based on consistency with the Comprehensive Plan Sections 10 (Summerfield Road Focus Area/Town Core Development) and 5 (Appropriate Housing and Residential Development); and because it will be in harmony with the area in which it is to be located and with the general plans for the land use and development of the Town of Summerfield and its environs.

#### B. Application and Background

The applicant, Steve Barney, is requesting to rezone the subject property. The property is located at 7507 Shadyside Dr., tax parcel #0146694, on the west side of Shadyside Dr. approximately 250 feet north of the intersection with Pleasant Ridge Rd.

From the Development Ordinance:

*The GB, General Business District is primarily intended to accommodate a wide range of retail, service and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.*

*The Town Core District strives to preserve the small town character of central Summerfield and is intended to encourage residents to visit the town center. By encouraging old-fashioned neighborhoods where one encounters natural and non-intrusive mixing of commerce, residential, and civic uses, the town will provide access for the daily needs of its residents. There are two distinct areas included within the TCD, mixed and residential. TCD-Mixed includes a mixture of residential, commercial, and office uses that are compatible with each other. TCD-R is for residential uses only. These regulations are specified in Section 4-11 (Overlay District Requirements).*

The applicant proposes development of the lot for indoor storage of automobiles, with direct access to Shadyside Dr. The site is currently developed with a single family residence which is vacant.

The Conditional Use District provides the opportunity to establish mutually agreed upon conditions. The following conditions are voluntarily offered by the developer:



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### Uses are limited to Indoors Storage of Automobiles

#### Development conditions proposed by the applicant:

1. **Controlled burn by Summerfield Fire Dept. for training**
2. **Removal of residue**
3. **Grading**
4. **Erection of a 40'x60' metal building with siding to meet TCD-M requirements**

#### Surrounding zoning and land use:

Direction	Zoning	Land Use
North	PI	Elementary School
East (across Shadyside Dr.)	CU-GB	Auto Showroom and Sales
South	RS-40	Residential
West	RS-40	Residential

### C. Discussion

Following rezoning (if approved), the applicant will be required to submit a Minor Site Plan with architectural details for staff and agency review as appropriate for approval.

There are no wetlands, floodplain, steep slopes, natural areas, historic and archeological sites, farmland, or public or private recreation areas on the site.

A Public Information Session and Open House was held on October 13, 2016; there were 2 attendees other than the applicant and staff and no written comments.

### D. Compliance with Adopted Plans and Staff Recommendation

Staff finds this rezoning consistent with the Town's adopted Comprehensive Plan and Development Ordinance. Key policies of the Comprehensive Plan that apply to this request are:

- **Appropriate, Limited Commercial Development:** this proposal will enhance the commerce along Summerfield Rd and site plan approval will ensure that the design is compatible with the area.
- **Community Character Preservation and Attractive Community Appearance:** the applicant has included a development condition to include siding that meets the TCD-M requirements and clean removal of the existing building. Staff will review the site plan for consistency with these policies.
- **Summerfield Road Focus Area:** this proposal enhances an existing use and business that represents the Summerfield Road Area. The proposed use will be compatible in appearance and function with uses on surrounding properties.

Staff therefore recommends **approval** of Case RZ-04-16 as presented.

### E. Attachments

1. Zoning/Vicinity/ Aerial Map
2. Rezoning application

**Council:** Mayor Mark Brown, Mayor Pro-tem Dena Barnes, Mike Adams, Dianne Laughlin, John O'Day, Reece Walker    **Manager:** Scott Whitaker

**Staff:** Jeff Goard (P&R Mgr.), Cheryl Gore (Mgr. Asst./Events Coord.), Dee Hall (Finance Ofc.), Valarie Halvorsen (Clerk), Carrie Spencer (Planning Dir.)



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#### F. Alternative Courses of Action

Motions for zoning amendments must include a decision to adopt or reject the proposal, and must adopt a 2-part Statement of Consistency that addresses **Consistency with a Plan**, and **Public Interest**:

**APPROVAL:** I move that the request for rezoning from RS-40, TCD-R to CU-GB, TCD-M be approved with the conditions proposed by the applicant and accepted by Council. The request is **consistent with the town's adopted Comprehensive Plan** because: (List): \_\_\_\_\_; and this approval is **reasonable and in the public interest** because \_\_\_\_\_.

**DENIAL:** I move that the request for rezoning from RS-40, TCD-R to CU-GB, TCD-M be denied. The request is **not consistent with the town's adopted Comprehensive Plan** because: (List): \_\_\_\_\_; and **is/is not in the public interest** because \_\_\_\_\_.

**Consistent with the towns adopted Comprehensive Plan:** (*site specific policies within these Policy Areas*):

- Community Character Preservation
- Transportation Improvements
- Water Supply and Sewage Treatment Options
- Appropriate Housing and Residential Development
- Parks and Recreation Improvements
- Attractive Community Appearance
- Quality School Facilities
- Summerfield Road Focus Area
- Historic Preservation
- Summerfield as a Limited Services Local Government

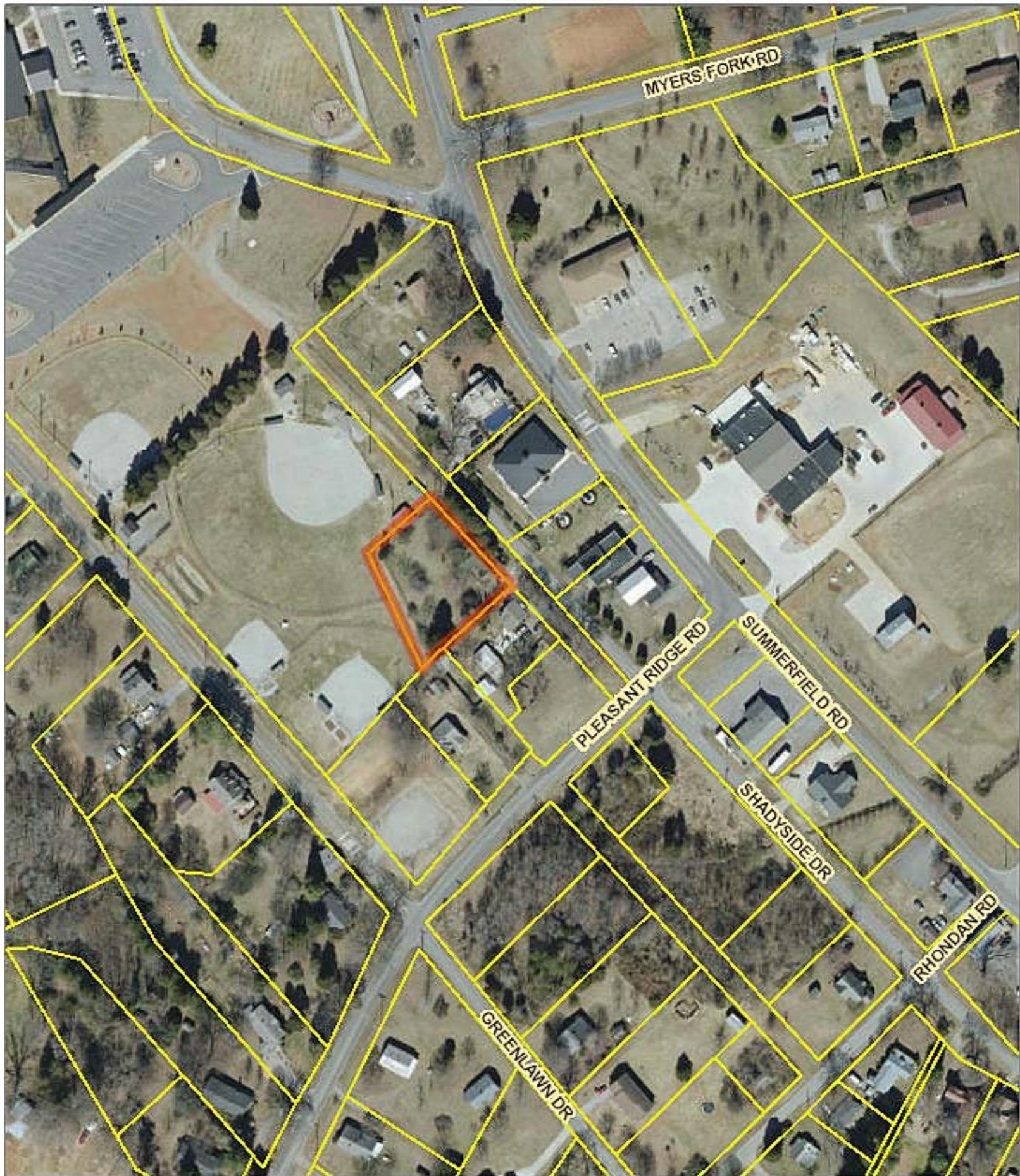
**Reasonable and in the public interest:** (*explain why, using one or more of the following reasons*)

- Maintains or promotes the **public health, safety, and general welfare** (*reasons related to location, design, function and operation*);
- Complies with all **regulations and standards** of this ordinance and other applicable regulations;
- Does not **substantially hurt adjoining or abutting property value** (*reasons related to location, design, function and operation*), and is a public necessity;
- Will be **in harmony with the area** in which it is to be located and **with the general plans for the land use and development of the Town of Summerfield and its environs**

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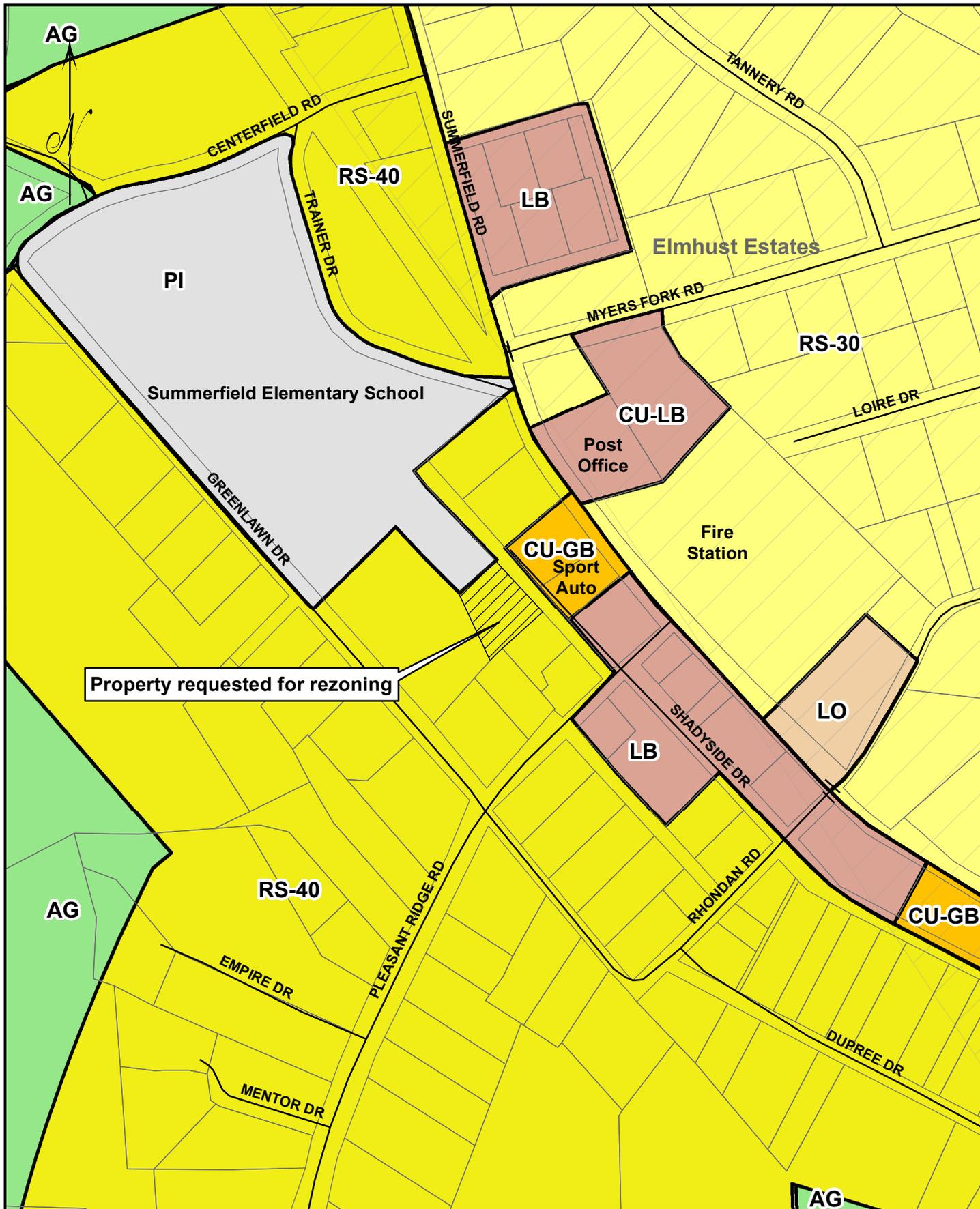
Guilford County, NC



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**Map Scale**  
**1 inch = 200 feet**  
10/19/2016

# Rezoning Case #RZ-04-16



Property requested for rezoning





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

**Summerfield Application for  
Conditional Use Rezoning**

Date Submitted: 9-12-16 Fee/Receipt #: CK 1415 Case Number: RZ-04-16

**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 request Town of Summerfield to rezone the property described below from the RS-40, TCDR zoning district to the CU-GB, TCDM zoning district. Said property is located 7507 SHADYSIDE DRIVE

in Bruce Township; Being a total of: .475 acres.

Further referenced on the Guilford County Tax Maps as (additional tax reference sheets available upon request):

Parcel Number 0 1 4 6 6 9 4

Parcel Number \_\_\_\_\_

Parcel Number \_\_\_\_\_

Parcel Number \_\_\_\_\_

**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 a map are 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 is attached (financial figures may be deleted).
- The applicant has no connection to the property owner and is requesting a third party rezoning.

**Conditional Use Rezoning Requirements:**

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

**Application materials checklist:**

Filing for a rezoning or conditional use rezoning requires:

- ❖ A completed and signed Application Form;
- ❖ Application fee;
- ❖ A Development Plan for residential rezonings;
- ❖ legal description of the property;
- ❖ Environmental Inventory for residential rezoning and non-residential rezoning over 5 acres (check with Planning Staff for specific requirements)

**Conditional Use Rezoning  
Application, Part II**

**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) INDOORS STORAGE OF AUTOMOBILES
- 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 Town of Summerfield Development Ordinance:

- 1) CONTROLLED BURN BY SUMMERFIELD FIRE DEPT FOR TRAINING
- 2) REMOVAL OF RESIDUE
- 3) GRADING
- 4) ERECTION OF A 40' X 60' METAL BUILDING WITH SIDING TO MEET DCD-M REQUIREMENTS

A Conditional Use Rezoning Application must be signed by current property owner(s).

*I hereby agree to conform to all applicable laws of Summerfield 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. Additional signature pages are available upon request.*

Respectfully Submitted,

Stephen D Barney  
Applicant Signature

STEPHEN D BARNEY  
Name

PO Box 512  
Mailing Address

SUMMERFIELD NC 27358  
City, State and Zip Code

336 508 5651  
Phone Number

LOTTALIRA@AOL.COM  
Email

\_\_\_\_\_  
Representative/Agent Signature

\_\_\_\_\_  
Name

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

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

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

\_\_\_\_\_  
Email

**Additional Tax Map References**

Further referenced on the Guilford County Tax Maps as:

Parcel Number \_\_\_\_\_

**Additional 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:

- 5) PAVED DRIVEWAY
- 6) OUTSIDE LIGHTING TO SUMMERFIELD STANDARDS
- 7) LANDSCAPING
- 8) \_\_\_\_\_
- 9) \_\_\_\_\_
- 10) \_\_\_\_\_
- 11) \_\_\_\_\_
- 12) \_\_\_\_\_
- 13) \_\_\_\_\_
- 14) \_\_\_\_\_
- 15) \_\_\_\_\_

**Additional rezoning questions:**

1. Type of use and improvement proposed:

REMOVAL OF AN UNSIGHTLY BUILDING THAT IS BEYOND REPAIR  
REPLACE WITH AN ATTRACTIVE 40' x 60' STORAGE BUILDING

2. Do substantial reasons exist which prevent the subject property from being used in accord with the current Zoning classification?

THE PURPOSE OF THE NEW BUILDING WOULD BE FOR CAR STORAGE WHICH IS NOT ALLOWED IN A RESIDENTIAL ZONING

3. State the way in which the proposed change will be appropriate and desirable to the Town of Summerfield and what effect the proposed change will have upon the immediate neighborhood.

MORE ATTRACTIVE BUILDING WHICH WOULD CONTAIN COLLECTOR CARS

4. What changing conditions make the passage of this proposed amendment necessary?

EXPANSION OF BUSINESS (STORING COLLECTOR CARS)

5. Are there circumstances that justify the proposed change? If so, state them.

PROPERTY IS ADJACENT TO A COLLECTOR CAR BUSINESS.

6. How does the proposed zoning change affirm the policy(ies) of the Town of Summerfield Comprehensive Plan?

USING THE PROPERTY AS A BUSINESS WILL ENHANCE THE EXISTING COMMERCIAL AREA, AND THE SITE WILL BE DEVELOPED IN A WAY THAT REFLECTS THE FEEL, AMBIENCE, AND CHARM OF A SMALL RURAL COMMUNITY.

