



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Zoning
Application AMENDED**

Date Submitted: 5/5/2022 Fee \$500.00 Receipt # 166289 Case Number 22-05 GCPL-03277

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 AG and RS-40 zoning district to the CZ-GB zoning district.

Said property is located 413 NC HWY 150 W

in Center Grove Township; Being a total of: 30.31 (+/-) acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 3 9 1 5 8

Tax Parcel # _____

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
AMENDED**

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) ~~Office (General); Medical or Professional Office; Personal Service; Bank or Finance without Drive Through; Bank or Finance with Drive Through; Insurance Agency; Laundromat or Dry Cleaner; Pest or Termite Control Services; Studio Artists/Recording; Retail (General); ABC Store; Auto Supply Sales; Auto Rental or Leasing; Car Wash; Garden Center or Retail Nursery; Pawnshop or Used Merchandise Store; Bakery; Bar/Private Club/Tavern; Restaurant with Drive through; Restaurant without Drive Through; Wireless Communication Tower- Stealth Camouflage Design or non-stealth design; Small Cell Wireless Tower.~~
- 2) _____
- 3) _____

Amended at the 6/08/2022 Planning Board Meeting to remove ABC Store; Pawnshop (but retain Used Merchandise Store); and remove Bar/Private Club/Tavern.

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) ~~All residentially zoned or utilized property adjacent to the subject property shall be buffered with a buffer yard of 25 feet average width.~~

1) All buffers along the western and southern property lines of the subject property shall be planted with sufficient evergreen planting materials to achieve an opaque vegetative screen

- 2) ~~Ground signage shall be limited to one monument side along any public right-of-way frontage. Such signage shall not exceed 8 feet in height.~~

2) Ground signage shall be limited to one (1) free-standing sign along any (each of two) public right-of-way frontages and such signage shall not exceed eight (8) feet in height

The application was amended with the following at the 6/8/2022 Planning Board Meeting:

- 1) The buffer along the western property line of the subject property shall be planted with sufficient evergreen planting materials to achieve an opaque vegetative screen and a buffer along the southern property line shall include an opaque fence, in addition to the requisite UDO plantings;
- 2) All building façade materials shall consist of masonry, EIFS or similar construction, with no exposed metal; and
- 3) The applicant shall include an easement for sidewalk along its frontage of Spencer-Dixon Road and shall pursue the possibility of a sidewalk with NC DOT on Hwy 150 W.

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,

See Attached

Property Owner Signature

First Acres, LLC

Name

7935 Valley Falls Road

Mailing Address

Greensboro, NC 27455

City, State and Zip Code

336.549.0410 (Bill Guill, Allen Tate Realtors)

Phone Number

Email Address

Owner/ Representative/Applicant Signature (if applicable)

Amanda P. Hodierne

Name

804 Green Valley Road, Suite 200

Mailing Address

Greensboro, NC 27408

City, State and Zip Code

336.609.5137 amanda@isaacsonsheridan.com

Phone Number

Email Address

Revised by
Applicant per
email dated
5/18/22
attached-OB
5/20/22

[Signature Page]

GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Planning Board Conditional Zoning Application

413 NC HWY 150 W
Parcel # 139158

Property Owner Signature:

FIRST ACRES, LLC

By: Georgia S. Enright by RB III
Name: Georgia S. Enright
Title: Managing Member

By: Milton I. Shaw
Name: Milton I. Shaw
Title: Managing Member

By: Robert F. Shaw III
Name: Robert F. Shaw, III
Title: Managing Member

**CONDITIONAL ZONING CASE CZ 22-05-GCPL-03277: 413 NC HIGHWAY 150 W;
AGRICULTURAL (AG) AND RESIDENTIAL SINGLE-FAMILY (RS-40) TO CONDITIONAL
ZONING-GENERAL BUSINESS (CZ-GB)**

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

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

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel # **139158** from **AG and RS-40** to **CZ-GB** 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.]

The request is inconsistent with the Northeast Lakes Plan recommendation. The Voluntary Agricultural District is intended to support property currently used as a Bona Fide farm, the Light Commercial node is intended to accommodate low-intensity non-residential uses that are typically found in Limited Office and Neighborhood Business zoning districts of the Guilford County Unified Development Ordinance.

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.]

The amendment is [in]consistent, not in the best public interest, and a change could endanger students in the local area and change the character of the local area.

Oliver Bass



Amanda Hodierne <amanda@isaacsonsheridan.com>
Wednesday, May 18, 2022 3:34 PM
Oliver Bass; Nick Blackwood
RE: Rezoning Application - 413 NC Hwy 150 W

*****WARNING***** This email originated from outside of Guilford County. **Do not** click links or open attachments unless you recognize the sender and know the content is safe. **When in doubt, please click on the Phish Alert Report button for our security team analysis.**

Hi Oliver,

Thanks again for your guidance on this. To be completely clear, below are the final conditions we would like to file with this petition:

Use Condition #1. (As filed)

Development Condition #1: All buffers along the western and southern property lines of the subject property shall be planted with sufficient evergreen planting materials to achieve an opaque vegetative screen.

Development Condition #2: Ground signage shall be limited to one freestanding sign along any public right-of-way frontage. Such signage shall not exceed eight (8) feet in height.

Thanks,

AMANDA P. HODIERNE, Esq., AICP
ISAACSON SHERIDAN

804 Green Valley Road, Suite 200
Greensboro, NC 27408
336.609.5137 (direct)
336.275.7626 (main)
336.273.7293 (fax)
amanda@isaacsonsheridan.com

[Download vCard](#)

From: Oliver Bass <obass@guilfordcountync.gov>
Sent: Wednesday, May 18, 2022 12:32 PM
To: Amanda Hodierne <amanda@isaacsonsheridan.com>; Nick Blackwood <nick@isaacsonsheridan.com>
Subject: RE: Rezoning Application - 413 NC Hwy 150 W

2) Ground signage shall be limited to one monument side along any public right-of-way frontage. Such singage shall not exceed 8 feet in height.

Reading the sign regulations from UDO, you should phrase it as "freestanding" in place of "monument" since the maximum height is 6 feet and where allowed is limited.

Oliver Bass, AICP
Planner II

Oliver Bass



Amanda Hodierne <amanda@isaacsonsheridan.com>

Wednesday, June 8, 2022 2:19 PM

Oliver Bass

Changes to conditions for tonight

*****WARNING***** This email originated from outside of Guilford County. **Do not** click links or open attachments unless you recognize the sender and know the content is safe. **When in doubt, please click on the Phish Alert Report button for our security team analysis.**

Hi Oliver,

We would like to amend our proposed Use Condition for offering at the public hearing this evening. We would like to remove the use category of Bar/Private Club/Tavern entirely. We would also like to remove Pawn Shop but retain Used Merchandise Store.

I will certainly mention these offered revisions to our conditions at the top of my presentation but wanted you to be aware and see if there is anything else I need to do from your standpoint to officially update our proposed conditions.

Thanks,

AMANDA P. HODIERNE, Esq., AICP
ISAACSON SHERIDAN

804 Green Valley Road, Suite 200
Greensboro, NC 27408
336.609.5137 (direct)
336.275.7626 (main)
336.273.7293 (fax)
amanda@isaacsonsheridan.com

Download vCard

Wire Fraud Notice: Due to the increase in wire fraud, any party wiring funds to this law firm should confirm all wiring instructions, regardless of the manner in which they were received, by calling an independently-verified phone number with our office before transferring funds.

Confidentiality Note: The information transmitted in this email message (including any accompanying attachments) is intended to be confidential and privileged. If the recipient of this message is not the intended recipient or received the message in error, you are hereby notified that any retention, dissemination, disclosure, distribution or copy of this message is strictly prohibited. In that event, please contact the sender immediately and delete the original and all copies of this transmission (including any attachments) without reading or saving in any manner.

Draft Attachment Disclaimer: If a draft document is attached to this email, please note that in an effort to expedite the document review process, the attached is being forwarded to you without prior review by others who must review it. Accordingly, the attached is expressly subject to further modification. For the protection of all parties, the preparation, revision or delivery of the attached for examination and discussion shall in no event be deemed to be an offer or an obligation, but shall be merely part of the negotiations among the parties. No party shall have any obligation or liability to another whatsoever at law or in equity (including without limitation, any claims for detrimental reliance, partial performance, good faith, promissory estoppel or any similar or dissimilar claims) unless and until such time as all parties shall have executed and delivered a final agreement. This paragraph supersedes all other conflicting understandings or agreements which have not been reduced to writing and executed and delivered by the parties, and any language set forth in the attached.