



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Appeal Process
Form

Date Submitted: 12-27-2018

Case Number 18-11-gcpl-07117

Rezoning Appeal Fee \$500.00 Receipt # 153 J24 Or

Other Appeals of the Board Fee \$200.00 Receipt # _____

Provide the required information as indicated below. Pursuant to the Guilford County Development Ordinance, this appeal will not be processed until appeal fees are paid and the form below is completed and signed. Appeals must be filed within fifteen (15) days of a Planning Board decision.

Persuant to Section 3-12 of the Guilford County Development Ordinance, the undersigned hereby appeal(s) the decision of

the Guilford County Planning Board made on December 12, 2018 in case number

18-11-GCPL-07117. Said property is located Northeast of the intersection of
Alamance Church Rd and Old Julian Rd

in Greene Township; Being a total of: 2.44 acres.

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.

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

Respectfully Submitted,

Robin Heath
Applicant Signature

Robin Heath
Name

3327 Alamance Church Rd.
Mailing Address

Julian, NC 27283
City, State and Zip Code

336-233-6313
Phone Number

countryface163@gmail.com
Email Address

W. Russell Welker
Applicant Signature

W. Russell Welker
Name

3331 Alamance Ch. Rd.
Mailing Address

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

336-909-0016
Phone Number

ppppa0953@gmail.com
Email Address



GUILFORD COUNTY RECEIPT

Planning & Development
400 West Market Street
Greensboro, NC 27402
336-641-3334 - Planning
336-641-3707 - Permitting

Environmental Health
400 West Market Street
Greensboro, NC 27402
336-641-7613

RECEIPT INFO

| <u>Receipt #</u> | <u>Receipt Date</u> | <u>Payor</u> | <u>Payment Method</u> | <u>Check/CC #</u> | <u>Receipt Amount</u> |
|------------------|---------------------|------------------|-----------------------|-------------------|-----------------------|
| 133324 | 12/27/2018 | W RUSSELL WELKER | Check | 1516 | \$500.00 |

Cashier ID: LJIMENEZ

| <u>Fee Item Description</u> | <u>Account Code</u> | <u>Amount</u> |
|-----------------------------|---------------------|-----------------|
| Zoning Appeals | 160110 45134 | \$500.00 |
| | Total | \$500.00 |

APPLICATION INFO

| <u>Application #</u> | <u>Application Type</u> | <u>Application Name</u> |
|----------------------|---|-------------------------|
| 18-11-GCPL-07117 | Building/Guilford County/Planning/Rezoning-Special Use Permit | Connie Lakey Rezoning |

PROPERTY INFO

| <u>Property Address</u> | <u>Property Owner</u> | <u>Parcel #</u> |
|---|--|-----------------|
| 3409 Alamance Church RD Guilford, NC 99999 | Connie Lakey 2309 Sharpe Road Greensboro, Nc 27406 | 0110908 |

CONTACT INFO

| <u>Contact Name</u> | <u>Contact Type</u> |
|---------------------|---------------------|
|---------------------|---------------------|

LICENSED PROFESSIONAL INFO

| <u>Primary</u> | <u>License #</u> | <u>License Type</u> | <u>Licensed Prof</u> | <u>Business Name</u> | <u>Lawson #</u> |
|----------------|------------------|---------------------|----------------------|----------------------|-----------------|
|----------------|------------------|---------------------|----------------------|----------------------|-----------------|



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

December 13, 2018

Connie S Lakey
2309 Sharpe Road
Greensboro, NC 27406

Teramore Development, LLC
1970 Derita Road
Concord, NC 28027

CONDITIONAL ZONING CASE #18-11-GCPL-07117

Following a public hearing on December 12, 2018 requesting a Conditional Rezoning of the property located northeast of the intersection of Alamance Church Road and Old Julian Road in Greene Township, being a portion of Guilford County Tax Parcel #0110908, approximately 2.44 acres owned by Connie Lakey, the Guilford County Planning Board **approved** the request to rezone this property from **AG & HB to CZ-HB** with the following conditions:

Use Conditions:

1. Limited to Department, Variety or General Merchandise.

This decision is final unless it is appealed by 5:00 pm on December 27, 2018. If appealed, you will be notified by the Clerk to the Board of County Commissioners of the place, date, and time of the public hearing.

Very truly yours,

Oliver Bass

Oliver Bass, Senior Planner
Guilford County Planning & Development

400 W Market Street
Post Office Box 3427, Greensboro, North Carolina 27402
Telephone 336-641-3334 Fax 336-641-6988



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Conditional Zoning
Application

Date Submitted: 11-14-18 Fee \$500.00 Receipt # 132543 Case Number 18-11-gcpl-07117

Provide the required information as indicated below. Pursuant to the Guilford County 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.

Pursuant to Section 3-12 of the Guilford County Development Ordinance, the undersigned hereby requests Guilford County to rezone the property described below from the HB & AG zoning district to the CZ-HB zoning district.

Said property is located at 3409 Alamance Church Road, Julian, Guilford County

in Town of Julian (Guilford County) Greene Township; Being a total of: 2.44 acres.

Further referenced by the Guilford County Tax Department as:

| | |
|-----------------------------------|--------------------|
| Tax Parcel # <u>0110908</u> _____ | 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 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 Guilford County Development Ordinance.
- 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 Guilford County Development Ordinance.

MAG
11/14/18



**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 IV, Table 4-3-1 of the Guilford County Development Ordinance:

- 1) Department, Variety or General Merchandise (Ref. SIC: 5300)
- 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 Guilford County Development Ordinance:

- 1)
- 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,

Connie S Lakey

Property Owner Signature

Connie S. Lakey

Name

Mailing Address

City, State and Zip Code

Phone Number

Email Address

Daniel Almazan TERAMORE DEVELOPMENT, LLC
Owner/ Representative/Applicant Signature (if applicable)

Daniel Almazan

Name

1970 DEWITA RD.

Mailing Address

CONCORD, NC 28027

City, State and Zip Code

704-202-0091

Phone Number

DANIELA@TERAMORE.NET

Email Address

Additional sheets for conditions and signatures are available upon request.

A 2.44 acre tract to be subdivided from the following property:

Lying and being situate in Guilford County, NC, and being more particularly described as follows:

BEGINNING at a steel spike in the center of intersection S.R. 3088 (Old Julian Road) and S.R. 1005 (Alamance Church Road), said point being the southeastern corner of tract 4 of the E.R. Welker Estate property recorded in Plat Book 17 at Page 46 of the Guilford County Registry and running thence N. 35 degrees 07 minutes 37 seconds E. 873.17 feet to an existing iron pipe east of the margin of S.R. 3088; thence S. 39 degrees 46 minutes 34 seconds E. 614.48 feet to an existing iron pipe; thence S. 12 degrees 58 minutes 00 seconds W. 426.1 fee to a nail in the centerline of S.R. 1005 (Alamance Church Road); thence along the centerline of said road N. 77 degrees 46 minutes 23 seconds W. 818.51 feet to the point and place of BEGINNING, containing 9.950 acres, more or less, according to a survey for Jimmy P. Stone and Connie S. Stone by Robert E. Wilson, Inc. and dated July 28, 1997, and being a part of Tract 5 of the E.R Welker Estate property per plat thereof recorded in Plat Book 17 at Page 46 of Guilford County, North Carolina Registry.

PRELIMINARY SITE PLAN

CITY, STATE - STREET:
JULIAN, NC - ALAMANCE CHURCH ROAD

0 40 80 160

| | | | | |
|--------------------|-------------|------------------------------------|-------------------------|----------|
| PROTOTYPE: | F9100 | DEVELOPER | DESIGNER | DATE: |
| SALES SF/LEASE SF: | 7,385/9,002 | COMPANY: TERAMORE DEVELOPMENT, LLC | COMPANY: BREC, PA | 10/01/18 |
| ACREAGE: | 2.44 | NAME: JOSH HUFSTETLER | NAME: JUSTIN CHURCH | |
| PARKING SPACES: | 37 | PHONE #: (229) 977-3931 | PHONE #: (336) 844-4088 | |



LEGEND

| | | | |
|--|-------------------|--|---------------------|
| | EXISTING ASPHALT | | PROPOSED HD ASPHALT |
| | PROPOSED CONCRETE | | PROPOSED LD ASPHALT |

GENERAL NOTES:

1. PRELIMINARY BOUNDARY IS BASED ON INFORMATION FROM PROPERTY APPRAISER AND SHALL BE USED FOR ILLUSTRATIVE PURPOSES ONLY. THIS PLAN SHALL NOT BE INTENDED TO CERTIFY THE ACCURACY OF EXISTING SURFACE OR SUBSURFACE CONDITIONS. ALL AREAS AND DIMENSIONS ARE APPROXIMATE AND SHOULD BE VERIFIED BY ACTUAL SURVEY.
2. PROPOSED ACCESS LOCATIONS SHALL BE APPROVED BY REGULATORY AGENCIES HAVING JURISDICTION.
3. LIMITS OF R.O.W. DEDICATION ARE APPROXIMATE BASED ON PARCEL DATA FROM COUNTY GIS.



CONNIE S. LAKEY

2309 Sharpe Road
Greensboro, NC 27406

September 27 2018

RE: Application for Rezoning
Portion of Guilford County Parcel ID 8811710264
2.44 acres located at the northeast intersection of Alamance Church Road and
Old Julian Road, Julian, NC ("Property")

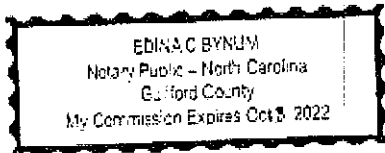
I am the owner of the above-referenced Property. Please allow this letter to serve as authorization for Spring Hill Land Trust and Teramore Development, LLC to act on my behalf regarding the enclosed Application for Rezoning.

Very truly yours,

CONNIE S. LAKEY *Connie Lakey*
Telephone Number: 336-772-2524

Sworn to and subscribed before me
this 27 day of September, 2018.

Edina C. Bynum
Notary Public
[Affix Seal]





GUILFORD COUNTY RECEIPT

Planning & Development
400 West Market Street
Greensboro, NC 27402
336-641-3334 - Planning
336-641-3707 - Permitting

Environmental Health
400 West Market Street
Greensboro, NC 27402
336-641-7613

RECEIPT INFO

| <u>Receipt #</u> | <u>Receipt Date</u> | <u>Payor</u> | <u>Payment Method</u> | <u>Check/CC #</u> | <u>Receipt Amount</u> |
|------------------|---------------------|------------------|-----------------------|-------------------|-----------------------|
| 132543 | 11/15/2018 | DANIEL R ALMAZAN | Check | 1239 | \$500.00 |

Cashier ID: IHENDER

| <u>Fee Item Description</u> | <u>Account Code</u> | <u>Amount</u> |
|-----------------------------|---------------------|-----------------|
| Rezoning Fees | 160110 45134 | \$500.00 |
| | Total | \$500.00 |

APPLICATION INFO

| | | |
|--|--|--|
| <u>Application #</u> 18-11-GCPL-07117 | <u>Application Type</u> Building/Guilford County/Planning/Rezoning-Special Use Permit | <u>Application Name</u> Connie Lakey Rezoning |
|--|--|--|

PROPERTY INFO

| | | |
|--|---|----------------------------|
| <u>Property Address</u> 3409 Alamance Church RD Guilford, NC 99999 | <u>Property Owner</u> Connie Lakey 2309 Sharpe Road Greensboro, Nc 27406 | <u>Parcel #</u> 0110908 |
|--|---|----------------------------|



CONTACT INFO

| | |
|---------------------|---------------------|
| <u>Contact Name</u> | <u>Contact Type</u> |
|---------------------|---------------------|

LICENSED PROFESSIONAL INFO

| | | | | | |
|----------------|------------------|---------------------|----------------------|----------------------|-----------------|
| <u>Primary</u> | <u>License #</u> | <u>License Type</u> | <u>Licensed Prof</u> | <u>Business Name</u> | <u>Lawson #</u> |
|----------------|------------------|---------------------|----------------------|----------------------|-----------------|



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

**NOTICE OF PUBLIC HEARING
OLD GUILFORD COUNTY COURTHOUSE
BLUE ROOM, FIRST FLOOR
301 W. Market Street
GREENSBORO, NORTH CAROLINA 27401
December 12, 2018
6:00 P.M.**

CONDITIONAL ZONING CASE #18-11-GCPL-07117

The Guilford County Planning Board has been requested to rezone property from **AG & HB to CZ-HB**. The property is located northeast of the intersection of Alamance Church Road and Old Julian Road in Greene Township, being a portion of Guilford County Tax Parcel #0110908, approximately 2.44 acres owned by Connie Lakey.

The AG, Agricultural District, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions.

The HB, Highway Business District, is primarily intended to accommodate those retail service and distributive uses which are typically located along thoroughfares. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. Developments in this district generally have substantial front setbacks.

The CZ, Conditional Zoning District, is hereby established as a companion district for every district established in Section 4-2. All regulations which apply to a general use zoning district also apply to the companion conditional zoning. All other

400 W Market Street
Post Office Box 3427 Greensboro, North Carolina 27402
Telephone 336-641-3334 Fax 336-641-6988



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

regulations, which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process, also apply.

Proposed Conditions:

Use Conditions: Limited to Department, Variety or General Merchandise

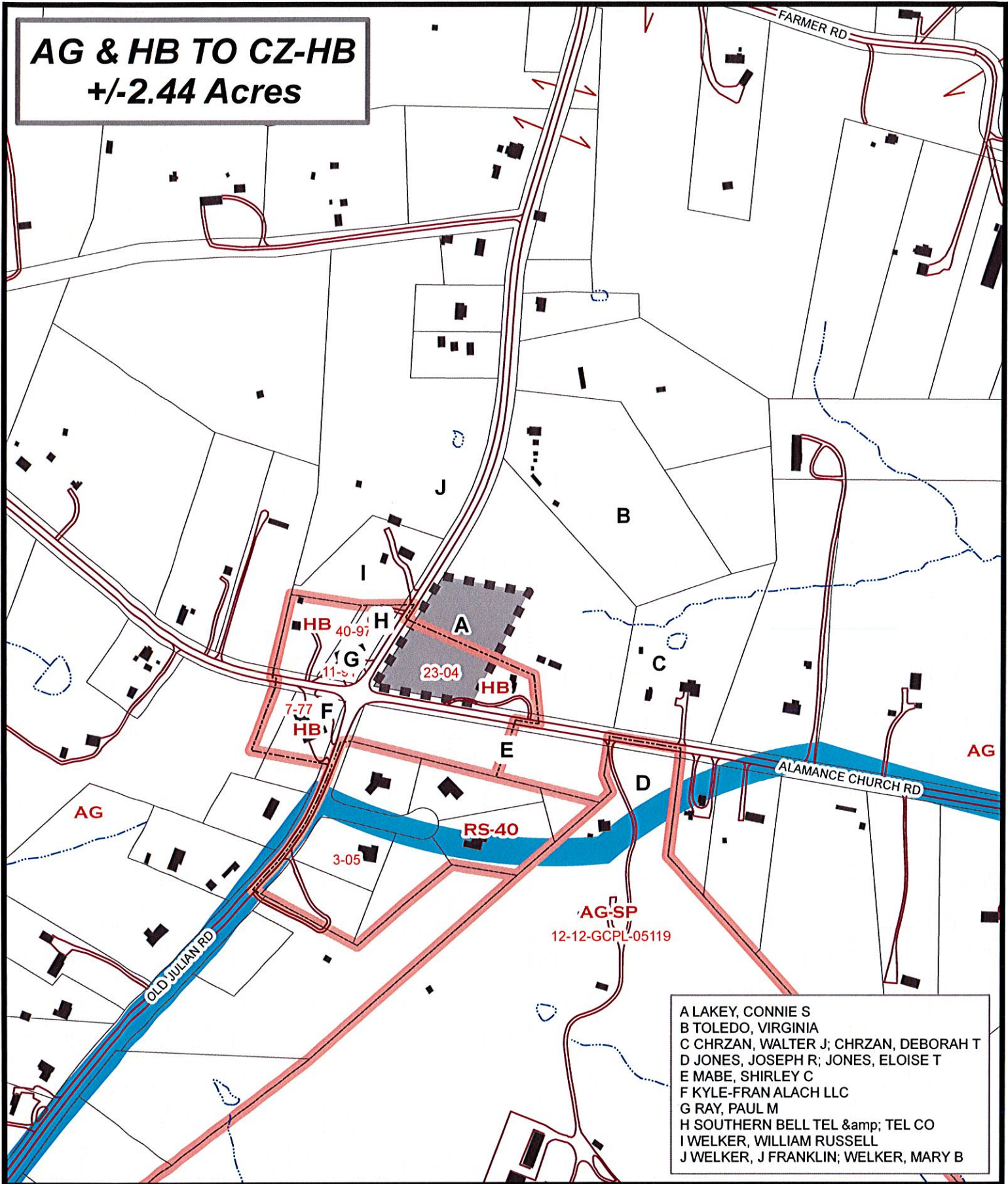
Since this notice is sent only to adjoining and adjacent property owners, please discuss it with other residents who may have an interest in this request. Anyone wishing to be heard on this matter should appear at the public hearing, or arrange to be represented. Any petition should be submitted in duplicate.

If you have any questions, please contact the Guilford County Planning Department at 336-641-3334.

Oliver Bass

Oliver Bass, Senior Planner
Guilford County Planning & Development

**AG & HB TO CZ-HB
+/-2.44 Acres**



- A LAKEY, CONNIE S
- B TOLEDO, VIRGINIA
- C CHRZAN, WALTER J; CHRZAN, DEBORAH T
- D JONES, JOSEPH R; JONES, ELOISE T
- E MABE, SHIRLEY C
- F KYLE-FRAN ALACH LLC
- G RAY, PAUL M
- H SOUTHERN BELL TEL & TEL CO
- I WELKER, WILLIAM RUSSELL
- J WELKER, J FRANKLIN; WELKER, MARY B



JURISDICTION:
GUILFORD COUNTY
 Guilford County
 Planning & Development
 Department

Rezoning Case #
18-11-GCPL-07117
Township: GREENE
Scale: 1" = 400'

Map:
 110908 (Part)





GUILFORD COUNTY

CERTIFICATION OF ZONING NOTIFICATION

REZONING CASE # 18-11-GCPL-07117

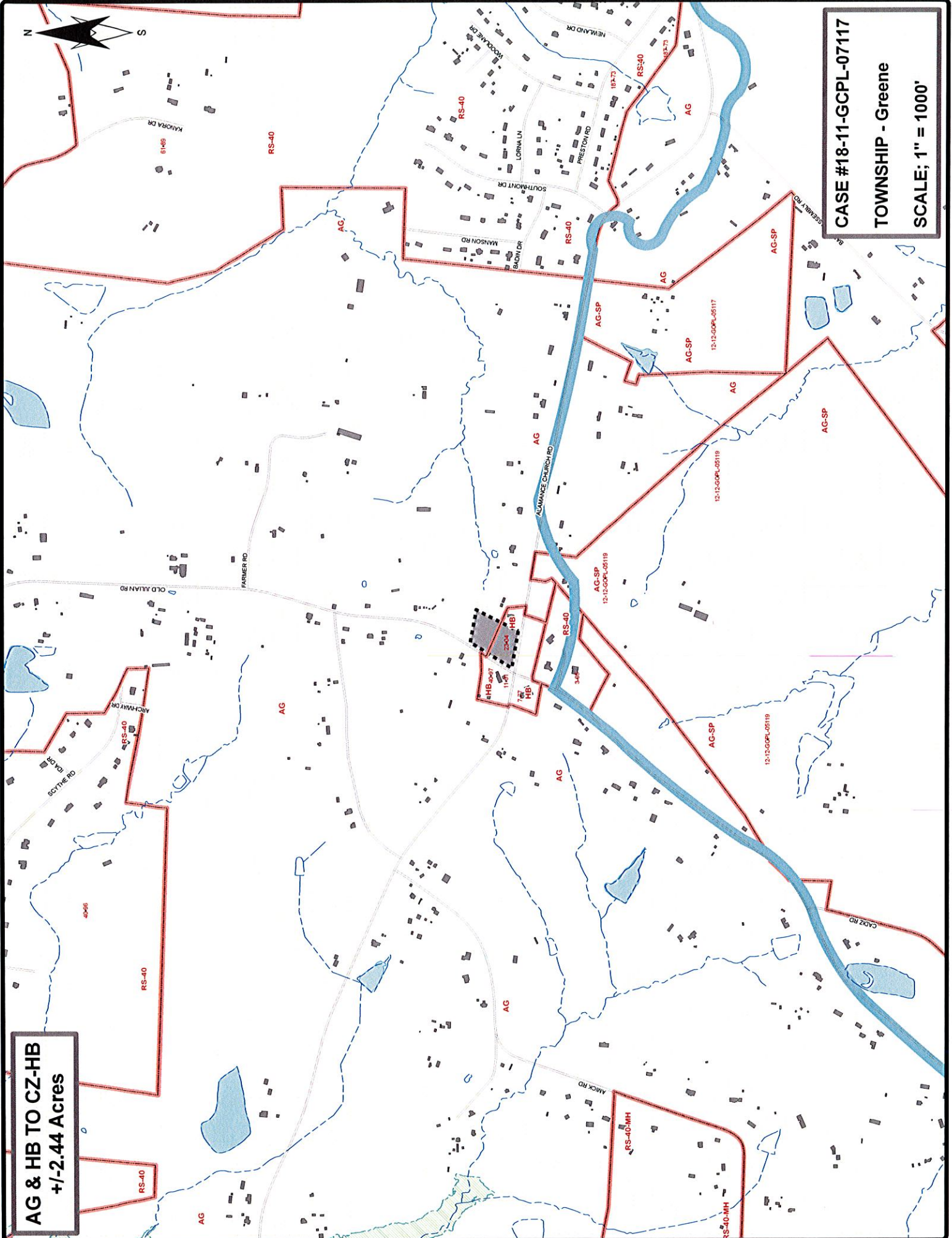
Pursuant to G. S. 153A-343, as amended, this is to certify to the Board of Commissioners of Guilford County that the owner (s) of that parcel of land in **Rezoning Case #** 18-11-GCPL-07117 as shown on the County Tax Map for the affected Parcel and the owner(s) of all the Parcels of land abutting that parcel as shown on the County Tax Map were mailed a notice of the proposed rezoning by First Class Mail at the last address listed for such owner(s) on the County Tax Abstracts.

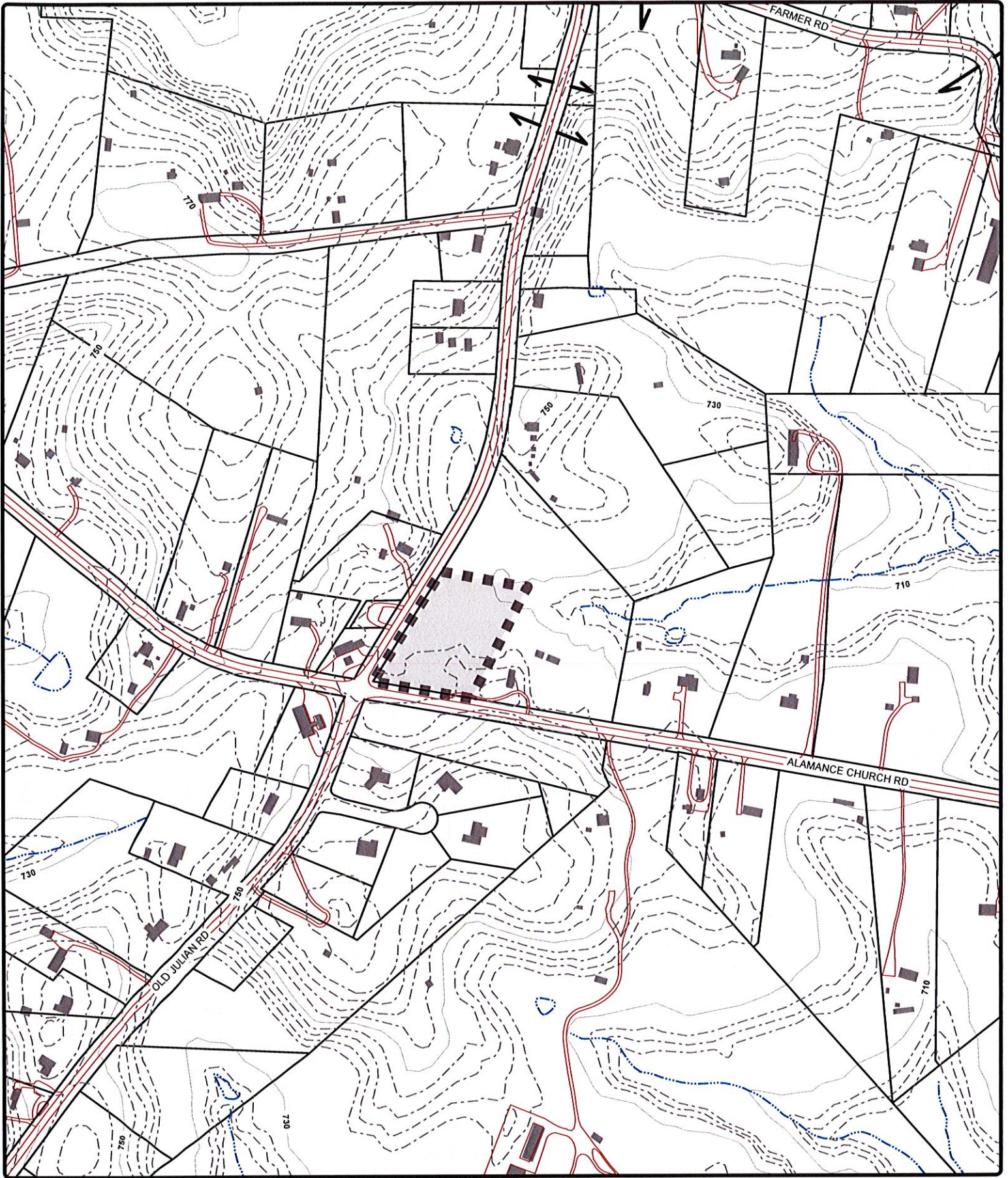
Sarangi Chowdhury
Name

29 Nov 2018
Date

**AG & HB TO CZ-HB
+/-2.44 Acres**

**CASE #18-11-GCPL-07117
TOWNSHIP - Greene
SCALE; 1" = 1000'**





CASE #18-11-GCPL-07117

Scale: 1" = 400'



CONDITIONAL ZONING CASE #18-11-GCPL-07117 AG & HB to CZ-HB

This request is to rezone approximately 2.44 acres from AG & HB to CZ-HB with conditions.

District Descriptions

The AG, Agricultural District, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions.

The HB, Highway Business District, is primarily intended to accommodate those retail service and distributive uses which are typically located along thoroughfares. The district is established to provide locations for establishments which require high visibility and good road access, or which cater primarily to passing motorists. Developments in this district generally have substantial front setbacks.

The CZ, Conditional Zoning District, is hereby established as a companion district for every district established in Section 4-2. 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, also apply.

Proposed Conditions:

Use Conditions: Limited to Department, Variety or General Merchandise.

Applicant/Property Owner: Connie S. Lakey

Property Location: Located northeast of the intersection of Alamance Church Road and Old Julian Road in Greene Township.

Legal Description: Being a portion of Guilford County Tax Parcel #0110908, approximately 2.44 to 9.95 acres.

Zoning History of Denied Cases: None

The subject property is at the crossroads of Alamance Church Road and Old Julian Road. That intersection has developed commercial west of Old Julian Road.

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

Surrounding Uses:

North: Undeveloped
South: Undeveloped
East: Undeveloped/Large-acre Residential
West: Commercial/Utilities

Historic Properties: There are no inventoried Historic Properties located on or near the property. No cemeteries are shown to be located on this property but efforts should be made to rule out the potential of unknown grave sites.

Emergency Response:

Fire Protection District: Mt. Hope
Miles from Fire Station: Approximately 1.8 miles.

Water and Sewer Services:

Provider: Private Septic Systems and Wells.

Transportation:

Existing Conditions: Alamance Church Road is a two-lane major thoroughfare; 1900 ADT (2017 NCDOT count).

Old Julian Road is a two-lane major thoroughfare; 1100 ADT (2017 NCDOT count).

Proposed Improvements: Driveway permit will be required.

Projected Traffic Generation: Average weekday traffic count at 56 trips per day based on free-standing discount store use of approximately 8000 square feet of retail space.

Topography: Nearly flat, and gently sloping.

Regulated Floodplain/Wetlands: The referenced property is not in the 100-year floodplain.

Streams and Watershed: The referenced site is in the Lake Mackintosh WS-IV, General watershed. There are streams and no wetlands on the property.

Land Use Plan: Not Covered

Plan Recommendation: None

Consistency:

The subject property is not covered in any of the County's adopted area plans. The request is in the public interest through the provision of retail services to area residents:

1. The proposed rezoning would extend the current HB zoning to approximately 2.44 acres of the existing parcel.
2. The parcel is at the crossroads of Alamance Church Road and Old Julian Road. Both are designated thoroughfares.
3. Those parcels west of Old Julian Rd have developed commercially under the HB zoning.
4. The use is limited to Department, Variety, or General Merchandise Retail, which is compatible with uses in the general area.

Staff Recommendation: Staff recommends approval.

Area Plan Amendment Recommendation: No Area Plan Amendment is necessary for this request if approved.

GUILFORD COUNTY PLANNING BOARD
ZONING AMENDMENT STATEMENT OF CONSISTENCY

DECISION MATRIX

| Zoning | Plan Consistency | Decision |
|---------------|-------------------------|-----------------|
| Approve | Consistent | #1 |
| Deny | Inconsistent | #2 |
| Approve | Inconsistent | #3 |
| Deny | Consistent | #4 |

