

**TOWN OF ANGIER  
PLANNING BOARD  
AGENDA  
March 10, 2020  
7:00 P.M.  
Municipal Building  
28 North Raleigh Street  
Angier, North Carolina 27501**

---

1. Opening
2. Pledge Of Allegiance
3. Invocation
4. Approval Of The February 11, 2020 Planning Board Minutes
5. Consideration Of The Agenda
6. New Business
  - A. Swearing in of New Planning Board Member
  - B. Rezoning Request – Kennebec Rd/Stratus Street  
Applicant: Don Curry – Curry Engineering  
Property PINs: Wake Co - 0684384989, 0684485026, Portion of 0684188054  
Current Zoning: (Wake County) R-30  
Requested Zoning: (Angier) R-6
7. Old Business
  - Update on Board of Adjustment Ordinance Amendment – Approved March 3rd
  - Update on Nonconforming Junkyard Ordinance Amendment – Tabled to April 7th
8. Adjournment



# REZONING STAFF REPORT

File #: 2020-000022  
Staff Contact: Sean Johnson  
sjohnson@angier.org  
(919) 331-6702

Planning Board: March 10, 2020

Public Hearing: April 7, 2020

**Requesting Rezoning: (Wake County) R-30 to (Angier) R-6**

## Applicant Information

### Owners of Record:

Name: Ruby Stephenson / Jo Dorman  
Address: 9369 Kennebec Rd / 3520 Vesta Dr  
City/State/Zip: Willow Spring, NC / Raleigh, NC

### Applicant:

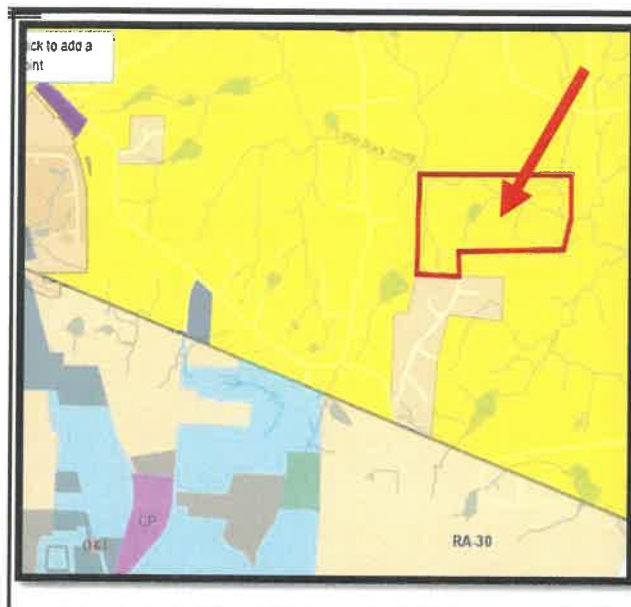
Name: Don Curry - Curry Engineering  
Address: 205 S Fuquay Ave  
City/State/Zip: Fuquay-Varina, NC

## Property Description

PINs: (Wake) 0684485026, 0684188054, 0684384989 Acreage: **115** Acres  
Addresses: 9369, 9245, 0 Kennebec Road, Willow Spring, NC

## Vicinity Map



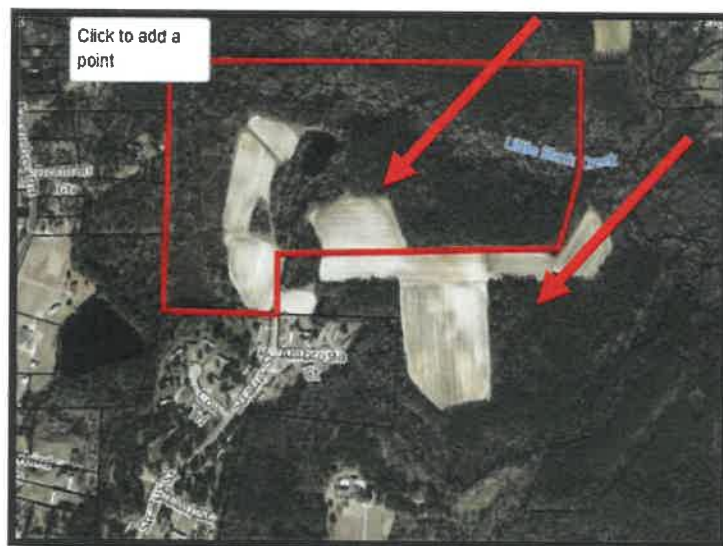


	CURRENT	REQUESTED
	N/A	R-6
Min. Lot Size		6,000
Parks & Recreation Facilities		P
Single Family/Duplexes		P
Multi-Family		P*
Schools		P
Offices & Services		
Retail Uses		
Churches		
Governmental Uses		P
Agriculture		P

P=Permitted Use S=Special Use

## Zoning Compatibility

## Physical Characteristics



Aerial Photograph (2017)

**Site Description:** The property is currently farmed and includes wooded portions, floodplains and wetlands.

**Surrounding Land Uses:** Surrounding Land Uses include low density residential as well as agricultural uses.

## Services Available

Water:

- ☒ Public  
☐ Private (Well)  
☐ Other: Unverified

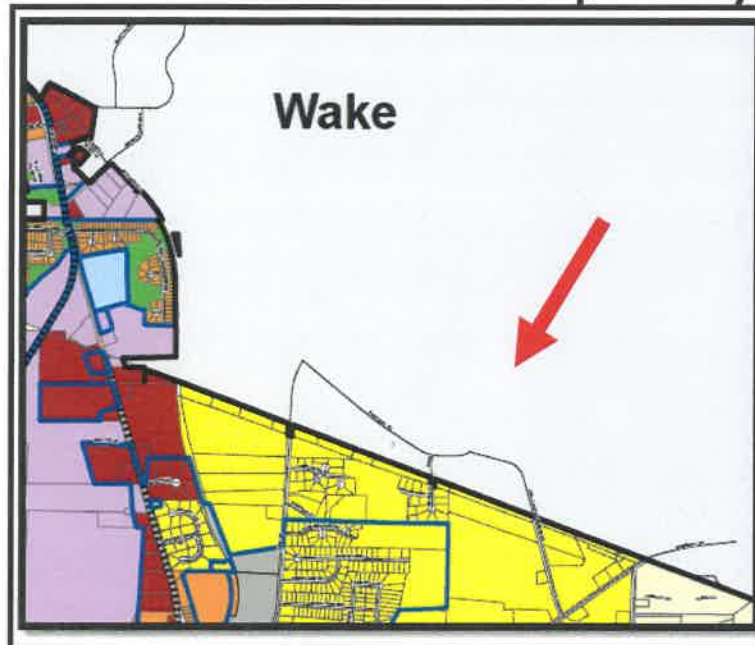
Sewer:

- ☒ Public (Developer will be required to extend Town sewer)  
☐ Private (Septic Tank)  
☐ Other: unverified

Transportation:

Access is provided by Kennebec Road and Stratus Street

## Land Use Classification Compatibility



Future Land Use Map (2017)

	REQUESTED ZONING	LAND USE
	<b>R-6</b>	<b>N/A</b>
Parks & Rec Facilities	<b>P</b>	
Detached Single Family	<b>P</b>	
Multi-Family	<b>P</b>	
Churches	<b>S</b>	
Schools	<b>P</b>	
Professional Offices		
Retail Uses		
Restaurants		
Governmental Uses	<b>P</b>	
Distribution		
Manufacturing Uses		

**The Property in Question is Located Outside of Angier's Current Jurisdiction**

### Evaluation

- ☒ **Yes** ☐ No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.  
REASONING: The requested zoning would allow for uses compatible with adjacent uses.
- ☐ Yes ☐ No The requested zoning district is COMPATIBLE with the existing Land Use Classification.  
**N/A** REASONING: Not applicable - The property in question is outside of Angier's planning jurisdiction
- ☒ **Yes** ☐ No The proposal does ENHANCE or maintain the public health, safety and general welfare.  
REASONING: The rezoning would allow for uses compatible with surrounding uses.
- ☐ Yes ☒ **No** The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness  
REASONING: The uses allowed by the proposed rezoning are similar to that of adjacent parcels.

### Staff Recommendation

The requested rezoning to R-6 would allow for single family uses similar to surrounding existing uses. **If and when these properties are developed, the developer will be required to extend Town sewer to serve the development. This sewer extension would be designed to benefit future development in the region and would facilitate future annexations into Angier.** The rezoning request would not have an unreasonable impact on the surrounding community and will not harm the public health, safety, and general welfare for the reasons stated in the evaluation. It is recommended that this rezoning request be **APPROVED**.

---

## Standards of Review and Worksheet

### STANDARDS OF REVIEW

The Planning Board shall consider and make recommendations to the Town Board of Commissioners concerning this proposed conditional zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

- ☐ Yes   ☐ No   A.   The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ☐ Yes   ☐ No   B.   There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- ☐ Yes   ☐ No   C.   There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ☐ Yes   ☐ No   D.   The proposed change is in accordance with the comprehensive plan and sound planning practices.

### ☐ **GRANTING THE REZONING REQUEST**

Motion to grant the rezoning upon finding that the rezoning is reasonable based on **All** of the above findings of fact A-E being found in the affirmative and that the rezoning advances the public interest.

### ☐ **DENYING THE REZONING REQUEST**

Motion to deny the rezoning upon finding that the proposed rezoning does not advance the public interest and is unreasonable due to the following:

- ☐ The proposal will not place all property similarly situated in the area in the same category, or in appropriate complementary categories.
- ☐ There is not convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
- ☐ There is not convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)
- ☐ There is not convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
- ☐ The proposed change is not in accordance with the comprehensive plan and sound planning practices.
- ☐ The proposed change was not found to be reasonable for a small scale rezoning

---

## Attachments

- ☒ Original Rezoning Application
- ☒ Angier- Fuquay Urban Service Area Map



# APPLICATION FOR ZONING CHANGE

Planning Department  
55 N. Broad Street W.  
P.O. Box 278  
Angier, NC 27501  
Phone: (919)-639-2071 Fax: (919) 639-6130

*For Planning Department Use Only*

Case Number: \_\_\_\_\_  
Date Received: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_  
Planning Board Mtg. \_\_\_\_\_  
Town Board Mtg. \_\_\_\_\_

## Applicant Information:

### Owner of Record:

Name: Ruby U. Stephenson  
Address: 9369 Kennebec Rd  
City/State/Zip: Willow Spring, NC 27592  
Phone: 919-639-2493  
E-mail: alan.stephenson@ncdps.gov  
Fax: \_\_\_\_\_

### Applicant:

Name: DONALD CURRY / CURRY ENG  
Address: 205 S. FOUNTAIN AVE  
City/State/Zip: Fuquay-Varina, NC 27526  
Phone: 919-552-0849  
E-mail: don@curryeng.com  
Fax: \_\_\_\_\_

## Property Description:

PIN(S): 0684485026 & portion of 0684188054 Acreage: 48.7 Acres  
Tax Parcel ID: 0067387 & portion of 0067388  
Address: 0 Kennebec Rd & portion of 9369 Kennebec Rd Willow Spring, NC 27592  
Directions from Town Hall: \_\_\_\_\_

Deed Book: N/A Page: N/A  
Plat Book: \_\_\_\_\_ Page: \_\_\_\_\_

## Zoning Request:

Existing zoning: COUNTY R-30 Requested zoning: R6

## Attachments:

- Written description of property from recorded deed
- Recorded map of property at scale of not less than one (1) inch = 200 feet
- Explanation of why the zoning change is requested, addressing applicable portions of Section 14.3 of the Unified Development Ordinance.



### Signatures:

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate:

Ruby Stephenson 11-19-19 \_\_\_\_\_  
Property Owner Signature Date Authorized Agent Signature Date

### Requirements for Consideration:

The Planning Board shall consider and make recommendation to the Town Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
3. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely used which applicants state they intend to make of the property involved.)
4. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
5. The proposed change is in accordance with the comprehensive plan and sound planning practices.



# APPLICATION FOR ZONING CHANGE

Planning Department  
55 N. Broad Street W.

P.O. Box 278  
Angier, NC 27501

Phone: (919)-639-2071 Fax: (919) 639-6130

*For Planning Department Use Only*

Case Number: \_\_\_\_\_

Date Received: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

Planning Board Mtg. \_\_\_\_\_

Town Board Mtg. \_\_\_\_\_

## Applicant Information:

### Owner of Record:

Name: Jo Penny Dorman  
Address: 3520 Vesta Dr.  
City/State/Zip: Raleigh, NC 27603  
Phone: 919-772-1155  
E-mail: JDORMAN@AHL.NET  
Fax: 919-772-1155

### Applicant:

Name: DONALD CURRY/CURRY INC.  
Address: 205 S. Fugate Ave  
City/State/Zip: Fayetteville, NC 27524  
Phone: 919-552-0849  
E-mail: don@curryeng.com  
Fax: \_\_\_\_\_

## Property Description:

PIN(S): 0684384989

Acreage: 66.3 Acres

Tax Parcel ID: 0018650

Address: 9245 Kennebec Rd. Willow Spring, NC 27592

Directions from Town Hall: \_\_\_\_\_

Deed Book: 14E Page: 4045  
Plat Book: \_\_\_\_\_ Page: \_\_\_\_\_

## Zoning Request:

Existing zoning: R-30

Requested zoning: R6

## Attachments:

- Written description of property from recorded deed
- Recorded map of property at scale of not less than one (1) inch = 200 feet
- Explanation of why the zoning change is requested, addressing applicable portions of Section 14.3 of the Unified Development Ordinance.



### Signatures:

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate:

  
Property Owner Signature

11/24/19  
Date

\_\_\_\_\_  
Authorized Agent Signature

\_\_\_\_\_  
Date

### Requirements for Consideration:

The Planning Board shall consider and make recommendation to the Town Board of Commissioners concerning each proposed zoning district. The following policy guidelines shall be followed by the Planning Board concerning zoning districts and no proposed zoning district will receive favorable recommendation unless:

1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of the individual or small group.
3. There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely used which applicants state they intend to make of the property involved.)
4. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
5. The proposed change is in accordance with the comprehensive plan and sound planning practices.



January 7, 2020

**Sean Johnson, CZO**

Direction of Planning & Inspections  
Planning Department  
Town of Angier  
55 N. Broad St. W.  
Angier, NC 27501

RE: Ellis Kennebec Subdivision – Property Rezoning Petition  
***Rezoning Petition: Introduction Letter***

Sean:

The purpose of this letter is to request your review of the enclosed rezoning application for properties located at 9245 Kennebec Road (PIN 0684-38-4989) and 0 Kennebec Road (PIN 0684-48-5026). Both properties are currently in Wake County's jurisdiction with an R-30 (30,000 sf min. lots) zoning designation. The properties are proposed to be annexed into the Town of Angier and rezoned to a Town zoning designation of R6 (6,000 sf min. lots). It should be noted that the annexation applications are also included in this submittal.

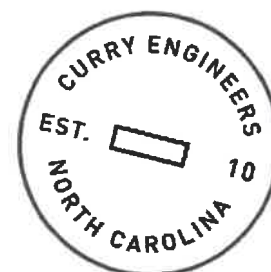
The proposed use for this property is a single-family residential subdivision with public roadways, public utilities, and amenities for the residents. This is a reasonable request based on the overall proposed density of the subdivision, which is programmed to be very close to the prescribed density of the current Wake County R-30 zoning of 1.45 units/acre. The lower density is possible due to the large amount of floodplain and related environmental features on the property which are being preserved. We anticipate this development to mimic a "cluster" development, similar to what is described in Wake County's code.

Also, the developer is under discussions with the Town to provide sewer and water extensions to the property, thereby providing adequate services to the subdivision and eliminating the need for well and septic lots which typically accompany homes in the R-30 zoning designation. A sanitary sewer pump station is proposed for the subdivision, which has the potential to be a large, regional pump station which could potentially serve adjacent parcels to assist the Town's growth areas. This is something that the Town has earmarked for this region and could provide additional development opportunities.

For these reasons, the enclosed rezoning application package is a reasonable request, is consistent with the Town of Angier's long-range development goals and infrastructure plans, and is in the best interest of the public.

T (919) 552-0849  
F (919) 552-2043

205 S. Fuquay Avenue  
Fuquay-Varina, NC 27526

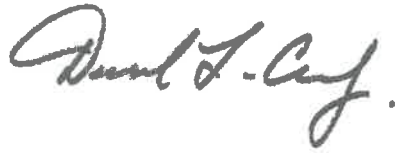


Thank you in advance for your review.

Feel free to contact me with any questions or concerns regarding this project.

Sincerely,

The Curry Engineering Group, PLLC

A handwritten signature in black ink, appearing to read "Don L. Curry".

Don Curry  
President

Att: Rezoning Petition Application Package





Information depicted hereon is for reference purposes only and is derived from best available sources. Wake County assumes no responsibility for errors arising from misuse of this map.

# HARNETT COUNTY

- Legend**
- 2019 Boundary Agreement
  - LUPA
    - TO Angier SRUSA
    - TO Fuquay-Varina SRUSA
  - Planning Jurisdictions
    - Angier
    - Fuquay-Varina
    - SRUSA
    - Angier
    - Fuquay-Varina

