

**TOWN OF ANGIER  
PLANNING BOARD  
AGENDA  
January 12, 2021  
7:00 P.M.  
Municipal Building  
28 North Raleigh Street  
Angier, North Carolina 27501**

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1. Opening
2. Pledge Of Allegiance
3. Invocation
4. Approval Of The December 8, 2020 Planning Board Minutes
5. Consideration Of The Agenda
6. New Business

**A. Rezoning Request**

Applicant: T. Warren Gregory  
Property in Question: NC 210 N (Harnett PIN: 0683-29-0488.000)  
Current Zoning: RA-30  
Requested Zoning General Commercial

**B. Staff Recommended Text Amendment**

UDO Section 7.3 – Fence Requirements

7. Old Business

None.

8. Adjournment



# 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: 20-562  
Date Received: 11/25/20  
Fee Paid: \$400  
Planning Board Mtg. 1/12/21  
Town Board Mtg. 2/2/21

## Applicant Information:

### Owner of Record:

Name: GREGORY FAMILY PROPERTIES  
Address: 2729 PARKWAY DR  
City/State/Zip: RALEIGH N.C. 27603  
Phone: 919-291-1448  
E-mail: Timothy Warren Gregory@gmail.com  
Fax: \_\_\_\_\_

### Applicant:

Name: T WARREN GREGORY  
Address: 2729 PARKWAY DR  
City/State/Zip: RALEIGH N.C. 27603  
Phone: 919-291-1448  
E-mail: Timothy Warren Gregory@gmail.com  
Fax: \_\_\_\_\_

## Property Description:

PIN(S): 0683-29-0483000  
Tax Parcel ID: 0406730082  
Address: N.C. 210 NORTH

Acreage: 6.49 Acres

Directions from Town Hall: Head EAST ON Hwy 210 FOR 0.75 MILES. The project will be on the NORTH side of 210 Hwy.

Deed Book: 3741 Page: 692  
Plat Book: Tab. "C" Page: slide 76B

## Zoning Request:

Existing zoning: RA30

Requested zoning: General Commercial

## 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:

T. Warren Greeley    11-18-20    T. Warren Greeley    11-18-20  
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:

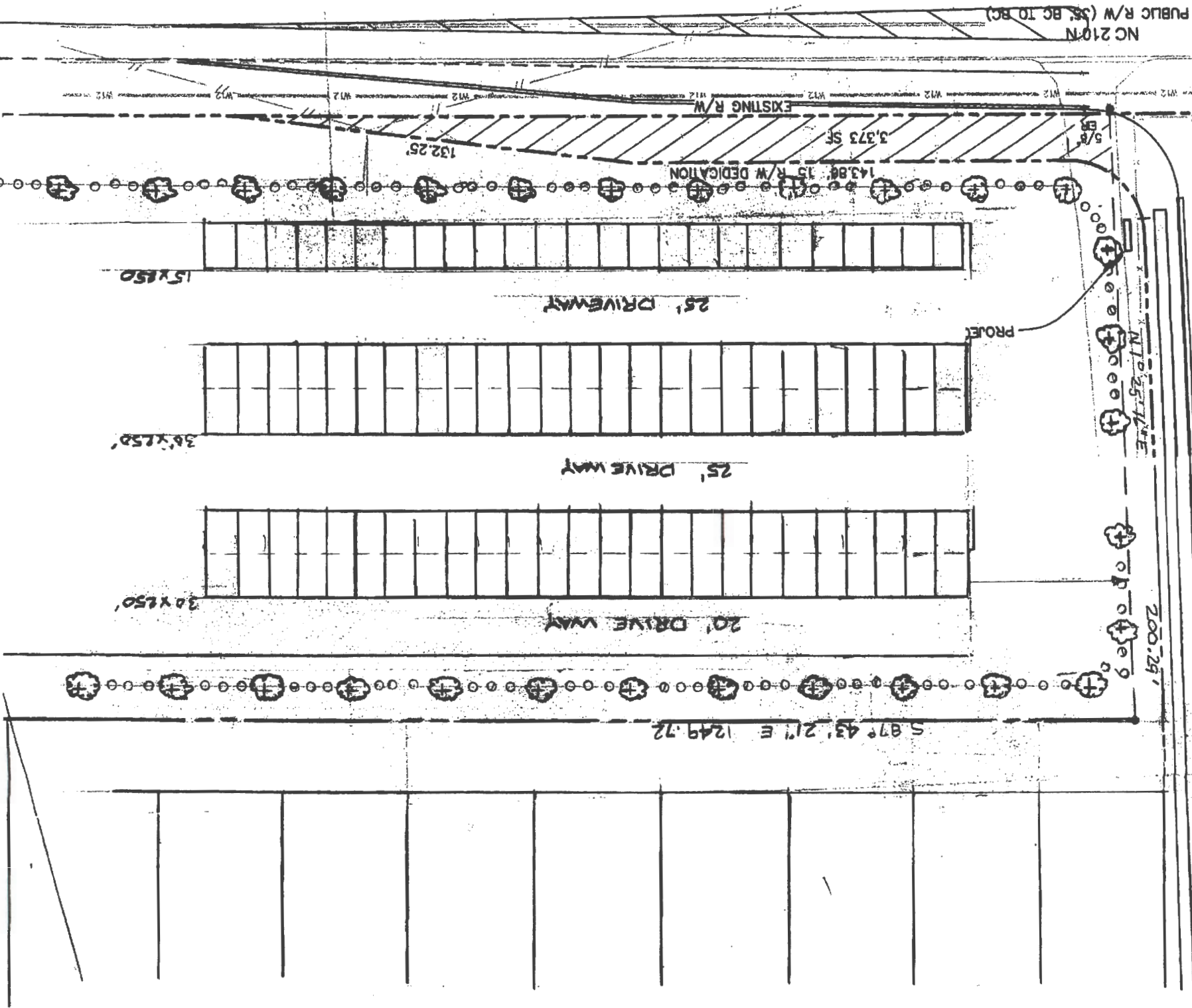
1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the 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.





SUNDOLANER LN  
50' PUBLIC R/W

NC 210 N  
60' PUBLIC R/W (55' BG TO BG)





# REZONING STAFF REPORT

File #: 2020-000562  
Staff Contact: Sean Johnson  
sjohnson@angier.org  
(919) 331-6702

Planning Board: January 12, 2021

Public Hearing: February 2, 2021

**Requested Rezoning: RA-30 to GC**

## Applicant Information

### Owner of Record:

Name: Gregory Family Properties  
Address: 2729 Parkway Drive  
City/State/Zip: Raleigh, NC 27603

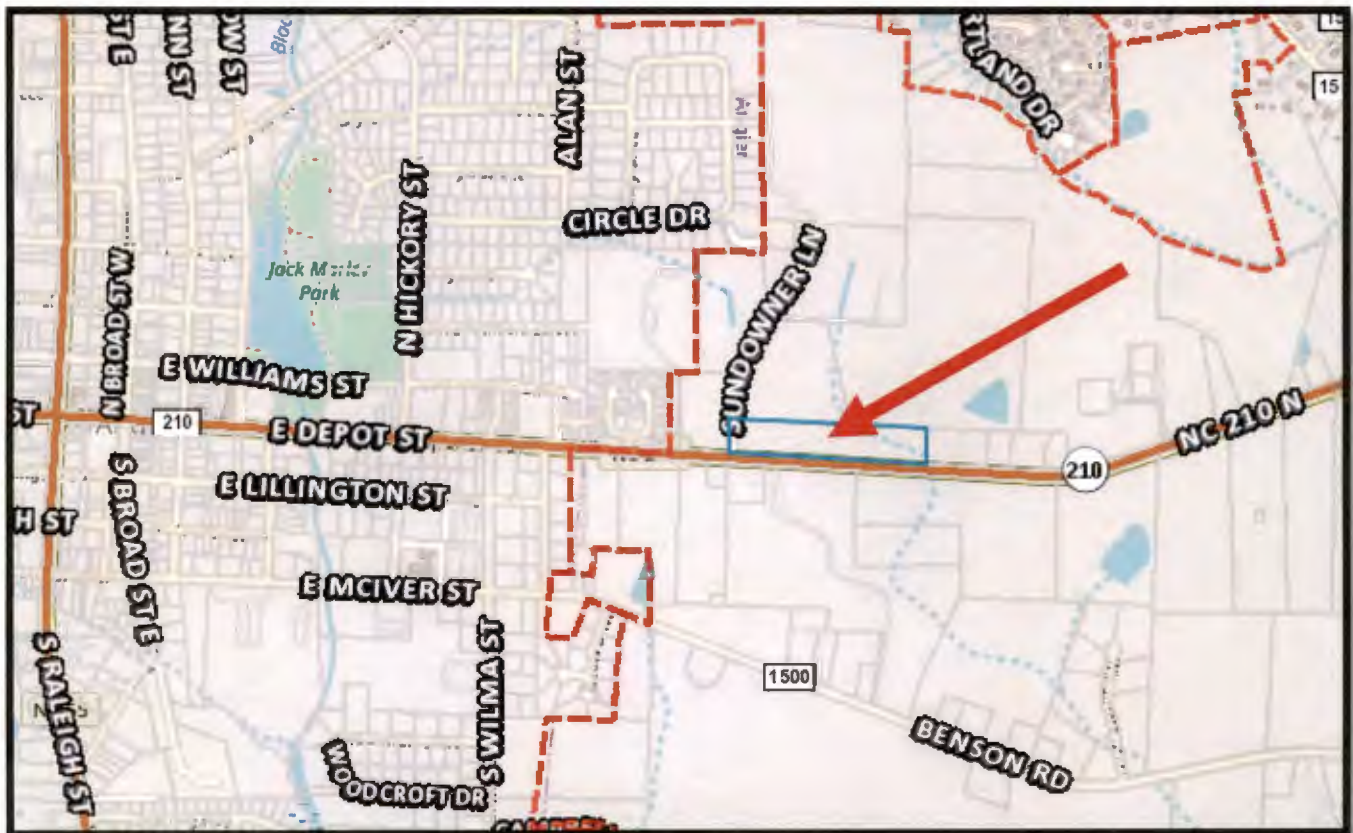
### Applicant:

Name: T. Warren Gregory  
Address: Same as Owner  
City/State/Zip:

## Property Description

PIN(s): 0683-29-0488.000 Acreage: **6.964** Acres  
Address: NC 210 N., Angier, NC

## Vicinity Map





## Zoning Compatibility



	CURRENT RA-30	PROPOSED GC
Min. Lot Size	30,000sf	6,000sqft
Parks & Recreation Facilities	P	P
Single Family / Duplexes	P	
Multi-Family		
Schools	P	P
Offices & Services		P
Retail Uses		P
Churches	S	S
Governmental Uses	P	P
Agriculture	P	

P=Permitted Use S=Special Use

## Physical Characteristics



Aerial Photograph (2017)

**Site Description:** The property is currently vacant and mostly wooded. The property has approximately 1,250 feet of frontage along Highway 210.

**Surrounding Land Uses:** Surrounding Land Uses include low and density residential as well as agricultural uses. There is a 279 unit mixed use development approved on the tracts directly North of the property.

## Services Available

Water:

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

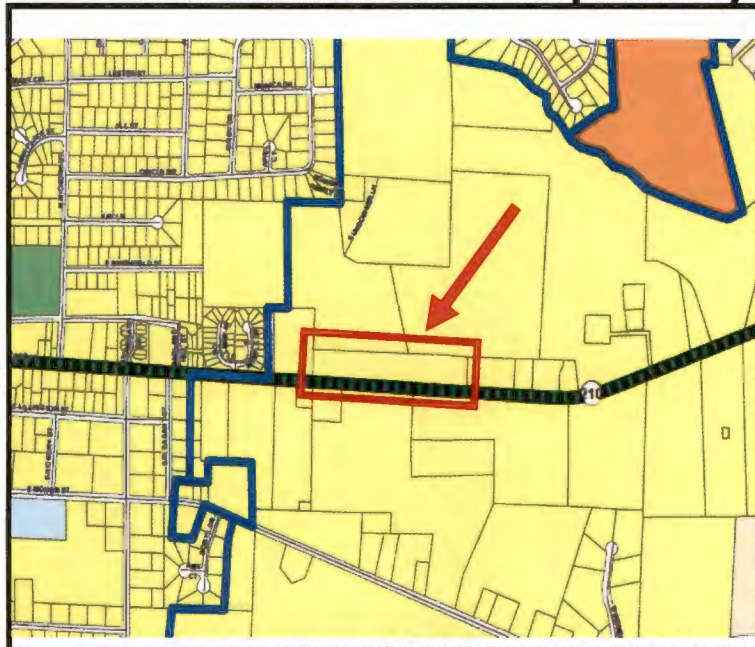
Sewer:

- ☐ Public  
☐ Private (Septic Tank)  
☒ Other: **unverified**

Transportation:

Access is provided via NC 210

## Land Use Classification Compatibility



Future Land Use Map (2017)

	REQUESTED ZONING	LAND USE
	<b>RA-30</b>	<b>MDR</b>
Parks & Rec Facilities	<b>P</b>	
Single Family	<b>P</b>	<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 **NOT** Compatible With The Future Land Use Map

### 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 not match adjacent zoning districts and allow for uses that may not be compatible with adjacent uses.
- ☐ Yes ☒ **No** The requested zoning district is COMPATIBLE with the existing Land Use Classification.  
REASONING: The rezoning requested is not compatible with the Future Land Use Map.
- ☒ Yes ☒ **No** The proposal does ENHANCE or maintain the public health, safety and general welfare.  
REASONING: The rezoning would allow for uses that may not be compatible with surrounding uses.
- ☒ **Yes** ☐ No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness  
REASONING: The proposed rezoning does not match adjacent districts.



## Suggested Statement-of-Consistency (Staff concludes that...)

The proposed rezoning to General Commercial is not in line with the uses identified by The Future Land Use Plan. The rezoning request would allow for many uses that may not be compatible with the surrounding residential and agricultural uses. It is recommended that this rezoning request be **Denied**.

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## 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

## Staff Recommended UDO Amendment – Fence Requirements

### Section 7.3. - Landscaping types and requirements.

*7.3.5 Fences and walls.* A Land Use Permit shall be required for the installation of a fence within the corporate limits of the Town. Fences shall not be installed within or across any private or public easement as shown on the property survey or map recorded at the Register of Deeds. Fences installed within wetlands or floodplain areas must be installed with a minimum of 4-inches of space at the base to allow for the natural flow of water. Entrance gateways to residential subdivisions and all agricultural uses are exempt from the following fence and wall standards. Except as otherwise noted in this ordinance, fences or walls are permitted in the various districts subject to the following regulations:

	Residential & <del>Agricultural Uses</del>		Animal, Office, Retail, & Industrial Uses		Civic, Institutional, & Recreational Uses	
	Front & Side Yards <sup>2</sup>	Rear Yard	Front & Side Yards	Rear Yard	Front & Side Yards	Rear Yard
Min. Height	2 feet	2 feet	2 feet	2 feet	2 feet	2 feet
Max. Height	4 feet front (6 feet side)	6 feet	6 feet 10 feet	10 feet	6 feet	10 feet
Materials <sup>1</sup>	<ul style="list-style-type: none"> <li>• wood</li> <li>• brick</li> <li>• stone</li> <li>• wrought iron</li> <li>• stucco</li> <li>• vinyl</li> </ul>	<ul style="list-style-type: none"> <li>• chain link</li> <li>• privacy screening</li> <li>• wrought iron</li> <li>• wood</li> <li>• stucco</li> <li>• brick</li> <li>• stone</li> <li>• vinyl</li> </ul>	<ul style="list-style-type: none"> <li>• brick</li> <li>• stone</li> <li>• wrought iron</li> <li>• stucco</li> <li>• wood</li> <li>• vinyl</li> </ul>	<ul style="list-style-type: none"> <li>• chain link <sup>3</sup></li> <li>• wrought iron</li> <li>• stucco</li> <li>• brick</li> <li>• stone</li> <li>• vinyl</li> </ul>	<ul style="list-style-type: none"> <li>• brick</li> <li>• stone</li> <li>• wrought iron</li> <li>• chain link</li> <li>• vinyl</li> </ul>	<ul style="list-style-type: none"> <li>• brick</li> <li>• stone</li> <li>• wrought iron</li> <li>• chain link</li> <li>• vinyl</li> </ul>

1. Materials may include a combination of the listed permitted materials for each fence type.

2. Lots with one zero side line setback and a zero front yard setback may have a wall on the opposite side yard lot line and front yard line a maximum height of eight feet.

3. Barbed wire permitted for rear yard fences not visible from a street.

(Ord. of [6-4-2019\(1\)](#))