



TOWN OF ANGIER PLANNING BOARD AGENDA

November 14, 2023 | 6:30 P.M.

Municipal Building | 28 North Raleigh Street
Angier, North Carolina 27501

1. Call to Order – recognition of a quorum
2. Pledge of Allegiance
3. Invocation
4. Approval of the Sept 12, 2023 Planning Board Minutes
5. Consideration of the Agenda
6. New Business
 - A. 23-REZ-01 CZ – 5963 NC 210 Angier R-30 to Angier R-10 CZ
 - B. 23-REZ-02 CZ – Easley's Pond Angier R-6 CZ to Angier R-6 CZ
7. Old Business - None
8. Adjournment

**TOWN OF ANGIER
PLANNING BOARD
Tuesday, September 12, 2023 6:30 P.M.
Angier Board Room
28 N. Raleigh Street
Minutes**

The Angier Planning Board met in regular session Tuesday, September 12, 2023 inside the Angier Board Room at 28 N. Raleigh Street. Robert Frey called the meeting to order at 6:30 p.m.

Members Present: Robert Frey
Sam Gregory
Myron Patterson
Haley Plumley
Tracey Durham

Members Absent: Emily Plemons
Lee Marshall

Staff Present: Jeff Jones, Director of Planning and Inspections
Veronica Hardaway, Town Clerk

Others Present: None

2. Pledge of Allegiance: Robert Frey led the pledge of allegiance.

3. Invocation: Sam Gregory offered the invocation.

4. Approval of the July 6, 2023 Planning Board Minutes: With there being no changes, the July 6, 2023 Planning Board Minutes were approved as presented.

Motion: Sam Gregory
Vote: 5-0; unanimous

5. Consideration of the Agenda: The Planning Board approved the Agenda as written.

Motion: Haley Plumley
Vote: 5-0; unanimous

6. New Business:

**A. UDO Text Amendment:
Residential Parking**

Planning Director Jeff Jones stated that staff is proposing an amendment to the Permitted Use Table, specifically the parking requirements for multifamily and single-family parking requirements. Staff has reviewed this section with potential applicants and have found that the current requirements require more parking than needed for residential projects. A 3-bedroom townhome would be required four parking spaces under the current ordinance, whereas, the proposed language would require 2 parking spaces per unit plus 10% of the required amount of parking for the entire project to be provided for guest parking. The proposed language is consistent with other jurisdictions in the area, such as Holly Springs.

The requested UDO Text Amendment is consistent with the Town Comprehensive Plan. The proposed UDO Amendment provides the tools necessary for staff and the development community to implement the goals and objectives stated in the plan. Staff recommends approval of the proposed UDO Text Amendment.

Multifamily residential, apartments	2					P		P			4.2.10	1.5 -per bedroom-plus 1-per-bedroom over-2- 2 spaces/unit + 10% for guest parking
Multifamily residential, condominiums	2			P	P	P		P			4.2.10	1.5 -per bedroom-plus 1-per-bedroom over-2- 2 spaces/unit + 10% for guest parking
Multifamily residential, townhomes	2			P	P	P		P			4.2.10	1.5 -per bedroom-plus 1-per-bedroom over-2- 2 spaces/unit + 10% for guest parking
Single-family residential, detached	1		P	P	P	P						3-2 per dwelling
Temporary emergency residences	1		P	P	P	P	P	P	P		4.2.10	2 per dwelling
Two-family residential (duplexes)	1		P	P	P	P					4.2.11	1.5 -per bedroom-plus 1-per-bedroom over-2- 2 per dwelling

Multifamily residential, apartments	2					P		P			4.2.10	2 spaces/unit + 10% for guest parking
Multifamily residential, condominiums	2			P	P	P		P			4.2.10	2 spaces/unit + 10% for guest parking
Multifamily residential, townhomes	2			P	P	P		P			4.2.10	2 spaces/unit + 10% for guest parking
Single-family residential, detached	1		P	P	P	P						2 per dwelling
Temporary emergency residences	1		P	P	P	P	P	P	P		4.2.10	2 per dwelling
Two-family residential (duplexes)	1		P	P	P	P					4.2.11	2 per dwelling

Board Action: The Planning Board voted unanimously to approve proposed UDO Text Amendment to Section 3.3 Permitted Use Table.

Motion: Hayley Plumley
Vote: 5-0; unanimous

7. Old Business:
No Report.

8. Adjournment: The Planning Board voted unanimously to adjourn the meeting at 6:52 pm.

Motion: Robert Frey
Vote: 5-0; unanimous

Robert Frey, Chairman

Attest:

Veronica Hardaway, Town Clerk



REZONING STAFF REPORT

Staff Contact: Jeff Jones, AICP
jajones@angier.org
(919) 639-2071

Planning Board: November 14, 2023

Public Hearing: December 5, 2023

Requesting Rezoning: (Angier) R-30 to (Angier) R-10 CZ

Applicant Information

Owner of Record:

Name: G and J Development, LLC

Address: 2265 Benson Road

City/State/Zip: Angier, NC 27501

Applicant:

Name: Austin Gardner

Address: 2265 Benson Road

City/State/Zip: Angier, NC 27501

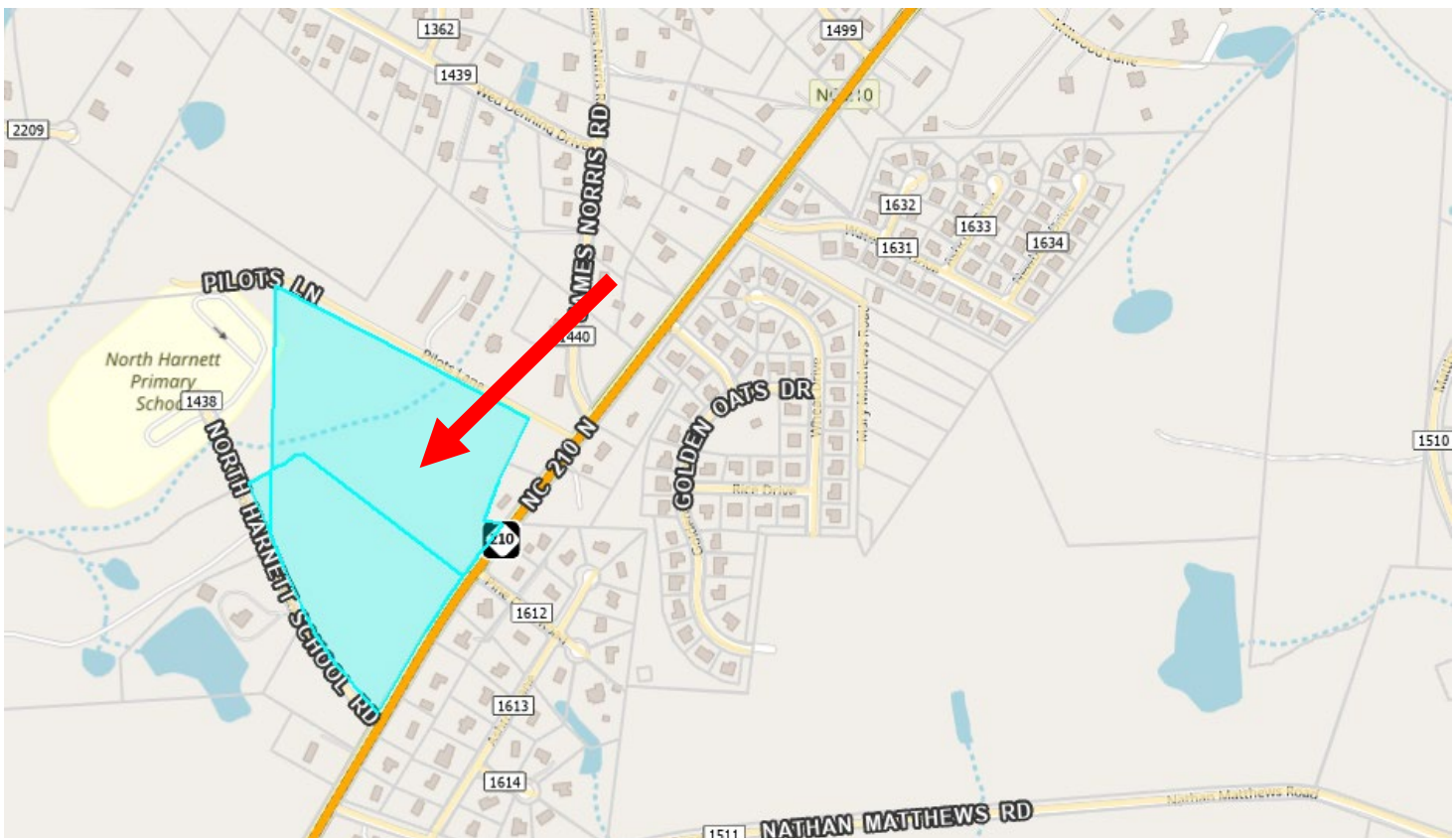
Property Description

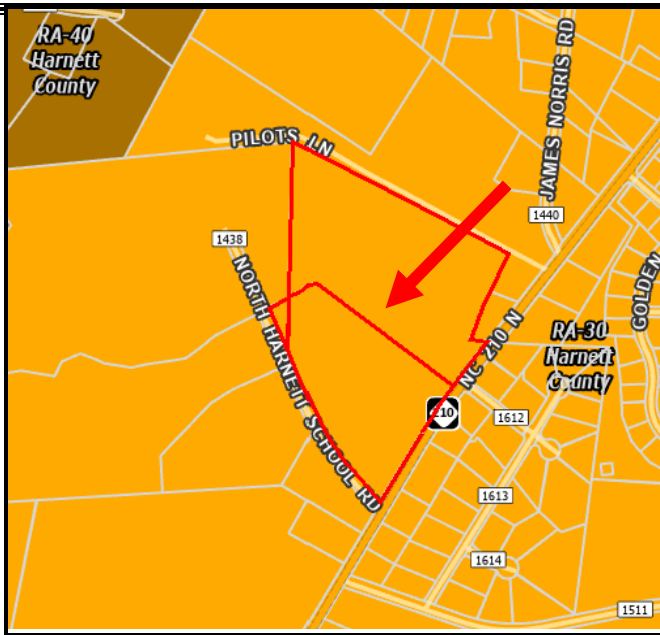
PIN(s): 0662-68-5452; 0662-68-6638; 0662-68-0457 (Harnett)

Acreage: **28.357** Acres

Address: 5963 NC 210, Angier, NC

Vicinity Map





	CURRENT	PROPOSED
	R-30	R-10
Min. Lot Size		10,000sqft
Parks & Recreation Facilities		P
Single Family/Duplexes		P
Multi-Family		P
Schools		P
Offices & Services		
Retail Uses		
Churches		S
Governmental Uses		P
Agriculture		
Manufacturing Uses		
P=Permitted Use S=Special Use		

Zoning Compatibility

Physical Characteristics



Aerial Photograph (2017)

Site Description: The property is Vacant

Surrounding Land Uses: Surrounding Land Uses include low and medium density residential as well as a North Harnett Primary School adjacent to the property.

Services Available

Water:

- ☒ Public (Harnett Regional Water)
☐ Private (Well)
☐ Other: Unverified

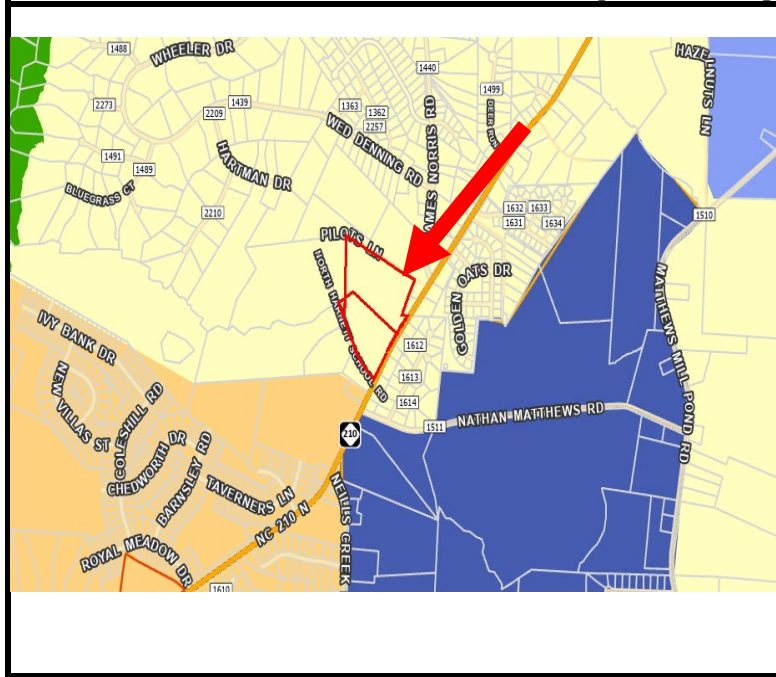
Sewer:

- ☒ Public (Harnett Regional Water)
☐ Private (Septic Tank)
☐ Other: unverified

Transportation:

Access is provided by NC 210 and North Harnett School Road

Land Use Classification Compatibility



Future Land Use Map (2017)

	REQUESTED ZONING	LAND USE
	R-10CZ	N/A
Parks & Rec Facilities	P	
Detached Single Family	P	
Multi-Family	P	
Churches	S	
Schools	P	
Professional Offices		
Retail Uses		
Restaurants		
Governmental Uses	P	
Distribution		
Manufacturing Uses		

The Property In Question Is Not Shown On The Future Land Use Map. The map shown above is Harnett County 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 allow for uses compatible with existing and adjacent uses especially those uses where public water and sewer are available, such as those developments in the Town of Lillington within a mile of this location. Additionally, conditions offered by the applicant condition any future development that will reduce the impact to surrounding properties.

1. The subdivision will incorporate 2 access points: NC 210 and N. Harnett School Road
2. The subdivision will contain no less than 11 acres of open space, which is more than 40% of the property net acreage, or twice the requirement
3. Single- Family lots will not be mass graded.

☒ **Yes** ☐ **No** The requested zoning district is COMPATIBLE with the existing Land Use Classification.
REASONING: The Property in Question Is Not Shown On the Future Land Use Map, but is within a potential Urban Growth Boundary agreement area between Lillington and Angier in unincorporated Harnett County. If the property were to be within the Town of Angier's Future Land Use area those properties along NC Highways would be classified under a denser classification other than low density residential, particularly when served by Public Water and Sewer.

☒ **Yes** ☐ No The proposal does ENHANCE or maintain the public health, safety and general welfare.
REASONING: The rezoning would allow for uses compatible within an ever changing area, especially those that are served with Public Water and Sewer. Additionally, conditions offered by the applicant condition any future development that will reduce the impact to surrounding properties.

☒ **Yes** ☐ No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness
REASONING: The proposed rezoning will allow for uses similar to surrounding uses, especially those parcels served with Public Water and Sewer. Additionally, conditions offered by the applicant condition any future development that will reduce the impact to surrounding properties.

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

The proposed rezoning to R-10 is in keeping with The Town's Land Use Plan for areas of similar characteristics. 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



October 26, 2023

Mr. Jeff Jones

Planning Director
Town of Angier
Planning Department
58 N. Broad St.
Angier, NC 27501

RE: Gryphon Village
Rezoning Submittal

Dear Jeff:

The purpose of this letter is to request your review of the above referenced project at 5963 NC 210 and adjacent properties also owned by G&J Development, LLC, totaling 28.357 ac +/- . As required in the Town of Angier Rezoning Application, please note the following as it pertains to Section 14.3 of Angier's Ordinance:

1. The proposed conditional rezoning of CZ R10 is consistent with the Town of Angier's zoning ordinance for similarly used properties throughout the Town's jurisdiction and is compatible with the surrounding area which consists of residential subdivisions. Note that because the proposed rezoning is a satellite zoning, there are no immediately adjacent Angier zoned properties.
2. The accompanying application, maps, and fees meet the submittal requirements referenced in this code section.

Furthermore, the conditional rezoning proposes the following conditions:

1. The subdivision will incorporate 2 access points: NC 210 and N. Harnett School Road
2. The subdivision will contain no less than 11 acres of open space, which is more than 40% of the property net acreage, or twice the requirement.
3. Single-family lots will not be mass graded.

We appreciate your review of the enclosed application.

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

Sincerely,
The Curry Engineering Group, PLLC

A handwritten signature in black ink, reading "Donald L. Curry, Jr." with a period at the end.

Donald L. Curry, Jr.
President

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

205 S. Fuquay Avenue
Fuquay-Varina, NC 27526





APPLICATION FOR ZONING CHANGE

Angier Planning Department
55 N. Broad Street W.
Angier, NC 27501
(919)-331-6702



Total Fee: \$400.00

Receipt: _____

Permit: _____

Date: _____

Case #: _____

Property Owner:

Name: G and J Development, LLC
Address: 2265 Benson Road
City/State/Zip: Angier, NC 27501
E-mail: austin@gardnernc.com
Phone: 919-669-1106

Applicant:

Name: Austin Gardner
Address: 2265 Benson Road
City/State/Zip: Angier, NC 27501
E-mail: austin@gardnernc.com
Phone: 919-669-1106

Property Description

PIN(s): 0662-68-5452, 0662-68-6638,
0662-68-0457 Acreage: 28.357 acres
Address: 5963 NC 210, Angier, NC 27501
Deed
Book: 3901 Page: 638

Rezoning Request:

Existing zoning district:

R-30

Requested zoning district:

CZ R-10

Required Attachments:

- Deed of the property in question showing the current legal owner
- Recorded map of the property OR Survey of the property at a 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 Ordinance

Signatures:

The undersigned applicant hereby certifies that, to the best of his or her knowledge, all information supplied with this application is true and accurate, and that the applicant certifies that they have the legal authority to sign this application as the property owner or authorized agent:



Property Owner Signature

10-26-23

Date

OR

Authorized Agent Signature

Date

Town of Angier Zoning Ordinance

14.3.3 Map amendments (rezonings).

A. For all map amendments (rezonings), applications shall contain a statement regarding the consistency of the request with adopted town plans and the surrounding area.

B. For conditional zoning map amendments (rezonings), the application shall be accompanied by a description of the use or uses proposed and any conditions being proposed by the applicant. The applicant shall also provide a statement of reasonableness regarding the request on the application. In addition to the application, the applicant shall submit a site-specific plan.

The following conditions apply to this Rezoning Change Application:

1. The subdivision will incorporate 2 access points: NC 210 and N. Harnett School Road.
2. The subdivision will contain no less than 11 acres of open space, which is more than 40% of the property net acreage, or twice the requirement.
3. Single-family lots will not be mass graded.

For Registration Kimberly S. Hargrove

Register of Deeds

Harnett County, NC

Electronically Recorded

2020 Nov 24 12:37 PM NC Rev Stamp: \$ 1030.00

Book: 3901 Page: 638 - 640 Fee: \$ 26.00

Instrument Number: 2020021958

HARNETT COUNTY TAX ID #

040662 0055 03

040663 0103

040663 0103 01

11-24-2020 BY: SB

**STATE OF NORTH CAROLINA
COUNTY OF HARNETT****GENERAL WARRANTY DEED**

Excise Tax: none \$1,030.00

Prepared by & Return to:
Brownlee, Whitlow, & Praet, PLLC
5001 Weston Parkway, Ste 201
Cary, NC 27513

Parcel ID Number: 004-0662-0055-03; 04-0663-0103 & 04-0663-0103-01

Prepared By & Mail to: Pope & Pope, Attorneys at Law, P.A., 4590 Old Buies Creek Road, Angier, NC 27501 (NO TITLE SEARCH, TITLE OPINION OR CLOSING PERFORMED)

THIS DEED made this 18th day of November, 2020, by and between

GRANTOR	GRANTEE
Chesterfield Property Group, LLC, a NC Limited Liability Company	G & J Development, LLC, a NC Limited Liability Company
PO Box 158 Angier, North Carolina 27501	2265 Benson Road Angier, North Carolina 27501

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

W I T N E S S E T H:

THAT said Grantor, for and in consideration of the sum of TEN and no/hundredths DOLLARS (\$10.00) and other good and valuable considerations, receipt of which is hereby acknowledged, has given, granted, bargained, sold, and conveyed, and by these presents does hereby give, grant, bargain, sell, and convey unto said Grantee, its successors and assigns forever, all of that certain piece, parcel, or tract of land situate, lying, and being in Black River Township of said County and State, and more particularly described as follows:

First Parcel:

BEING all of Tract B, containing 25,695 square feet gross, 9066 square feet in right of way, 16,629 square feet net, more or less, as shown upon that map of survey entitled, "Survey For: Troy G. Cotton and wife, Brookie H. Cotton" prepared by Ashworth Land Surveying, dated June 12, 1998 and recorded in Map Number 98-338, Johnston County Registry, reference to which map is hereby made for greater certainty of description.

The above described tract being all of that certain tract or parcel conveyed from Brookie H. Cotton, widow to James W. Johnson, III and Lloyd Stuart Surles by warranty deed dated March 3, 2011 and recorded March 3, 2011 in Deed Book 2843, Page 720, Harnett County Registry.

Second Parcel:

Submitted electronically by "Brownlee Whitlow & Praet, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Harnett County Register of Deeds.

Surveyed and Mapped For: Robert P. Wellons and wife, Su Lou Wellons," prepared by Stancil & Associates, Professional Land Surveyor, P.A., dated December 8, 2010, and revised December 10, 2010, December 16, 2010 and April 5, 2011, and recorded April 13, 2011 in Map Book 2011, Page 223, Harnett County Registry, which plat is incorporated by reference herein and made a part hereof.

The above described parcel being Tract No. 1 as depicted in warranty deed dated May 13, 2011 from Robert P. Wellons et ux to Lloyd Stuart Surles and James W. Johnson, III recorded June 6, 2011 in Deed Book 2872, Page 578, Harnett County Registry. For further reference see: Deed Book 1344, Page 312, Harnett County Registry.

Third Parcel:

All of Tract No. 2, containing 15.491 total acres, more or less (15.267 Net Acres with 0.224 acres located in road R/W) as shown on plat entitled, Owned By, Surveyed and Mapped For: Robert P. Wellons and wife, Su Lou Wellons," prepared by Stancil & Associates, Professional Land Surveyor, P.A., dated December 8, 2010, and revised December 10, 2010, December 16, 2010 and April 5, 2011, and recorded April 13, 2011 in Map Book 2011, Page 223, Harnett County Registry, which plat is incorporated by reference herein and made a part hereof.

The above described parcel being Tract No. 2 as depicted in warranty deed dated May 13, 2011 from Robert P. Wellons et ux to Lloyd Stuart Surles and James W. Johnson, III recorded June 6, 2011 in Deed Book 2872, Page 578, Harnett County Registry. For further reference see: Deed Book 1344, Page 312, Harnett County Registry.

See also:

(1) Boundary Line Agreement between Robert P. Wellons and wife, Su Lou O. Wellons and Max Trevis Adams and wife, Portia H. Adams dated April 27, 2011, and recorded in Deed Book 2860, Page 782, Harnett County Registry.

Boundary Line Agreement between Robert P. Wellons and wife, Su Lou O. Wellons and Margaret J. Matthews dated April 28, 2011, and recorded in Deed Book 2860, Page 787, Harnett County Registry.

The above described three parcels were conveyed from Lloyd Stuart Surles et als to Chesterfield Property Group, LLC by deed dated May 4, 2012 and recorded in Deed Book 3047, Page 541, Harnett County Registry.

Pursuant to NCGS §105-317.2 the Grantor acknowledges that the real property conveyed herein does not include a primary residence.

The herein described lands are conveyed to and accepted by the Grantee subject to all other easements, rights-of-way and restrictions shown on said map and listed on the public record.

This conveyance is expressly made subject to the lien created by Grantor's real 2020, Harnett County ad valorem taxes.

TO HAVE AND TO HOLD the above-described lands and premises, together with all appurtenances thereunto belonging, or in any wise appertaining, unto the Grantee, its successors and assigns forever, but subject, however, to the limitations set out above.

AND the Grantor covenants to and with said Grantee, its successors and assigns that it is lawfully seized in fee simple in said lands and premises, and has full right and power to convey the same to the Grantee (but subject, however, to the limitations set out above) and that said lands and premises are free from any and all encumbrances, except as set forth above, and that it will (and its successors, and assigns shall) forever warrant and defend the title to the same lands and premises, together with the appurtenances thereunto appertaining, unto the Grantee, its successors and assigns against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor have caused this instrument to be duly executed and delivered, the day and year first above written.

Chesterfield Property Group, LLC, a NC
Limited Liability Company

 (Seal)
James W. Johnson, III, General Manager

By:  (Seal)
Lloyd Stuart Surles, General Manager

STATE OF NORTH CAROLINA
COUNTY OF HARNETT

I, William M. Pope, a Notary Public of the County and State aforesaid certify that James W. Johnson, III, General Manager for Chesterfield Property Group, LLC, a NC Limited Liability Company personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial stamp or seal this 19 day of November, 2020.


Notary Public



My commission expires: 04/23/2025

STATE OF NORTH CAROLINA
COUNTY OF HARNETT

I, William M. Pope, a Notary Public of the County and State aforesaid certify that Lloyd Stuart Surles, General Manager for Chesterfield Property Group, LLC, a NC Limited Liability Company personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial stamp or seal this 19 day of November, 2020.


Notary Public



My commission expires: 04/23/2025

L E G A L D E S C R I P T I O N

G and J Development LLC

Beginning at the northernmost point of Lot 2 of the Wellons Property as recorded in Map Book 2011, Page 223 in the Harnett County Register of Deeds;

THENCE South 62 degrees 07 minutes 16 seconds East for a distance of 1195.87 feet to a point;

THENCE South 24 degrees 33 minutes 52 seconds West for a distance of 449.63 feet to a point;

THENCE South 59 degrees 59 minutes 17 seconds East for a distance of 113.82 feet to a point in the centerline of NC 210 N;

THENCE along the centerline of NC 210 N the following courses and distances: South 37 degrees 24 minutes 07 seconds West for a distance of 58.43 feet to a point;

THENCE South 37 degrees 17 minutes 45 seconds West for a distance of 100.01 feet to a point;

THENCE South 36 degrees 51 minutes 25 seconds West for a distance of 84.17 feet to a point;

THENCE South 36 degrees 51 minutes 25 seconds West for a distance of 15.84 feet to a point;

THENCE South 35 degrees 17 minutes 45 seconds West for a distance of 100.09 feet to a point;

THENCE South 33 degrees 49 minutes 10 seconds West for a distance of 99.98 feet to a point;

THENCE South 32 degrees 16 minutes 17 seconds West for a distance of 100.01 feet to a point;

THENCE South 30 degrees 56 minutes 28 seconds West for a distance of 99.94 feet to a point;

THENCE South 30 degrees 20 minutes 23 seconds West for a distance of 312.81 feet to a point;

THENCE South 30 degrees 00 minutes 32 seconds West for a distance of 125.96 feet to a point;

THENCE leaving the centerline of NC 210 N North 57 degrees 21 minutes 33 seconds West for a distance of 30.25 feet to a point on the western right-of-way of NC 210 N;

THENCE continuing along the western right-of-way of NC 210 N North 30 degrees 03 minutes 37 seconds East for a distance of 102.83 feet to a point in the intersection of right-of-ways of NC 210 N and North Harnett School Road;

THENCE along the western right-of-way of North Harnett School Road the following courses and distances: North 40 degrees 41 minutes 34 seconds West for a distance of 92.57 feet to a point;

THENCE North 41 degrees 45 minutes 04 seconds West for a distance of 64.32 feet to a point;

THENCE North 38 degrees 26 minutes 26 seconds West for a distance of 82.78 feet to a point;

THENCE North 36 degrees 16 minutes 06 seconds West for a distance of 84.72 feet to a point;

THENCE North 33 degrees 50 minutes 51 seconds West for a distance of 84.97 feet to a point;

THENCE North 31 degrees 34 minutes 56 seconds West for a distance of 79.17 feet to a point;

THENCE North 28 degrees 34 minutes 40 seconds West for a distance of 81.61 feet to a point;

THENCE North 25 degrees 21 minutes 28 seconds West for a distance of 83.30 feet to a point;

THENCE North 24 degrees 11 minutes 05 seconds West for a distance of 78.91 feet to a point;

THENCE North 23 degrees 55 minutes 59 seconds West for a distance of 16.00 feet to a point;

THENCE leaving the western right-of-way of North Harnett School Road North 86 degrees 03 minutes 53 seconds West for a distance of 12.11 feet to a point;

THENCE North 01 degrees 11 minutes 04 seconds East for a distance of 96.22 feet to a point in the centerline of North Harnett School Road;

THENCE along the centerline of North Harnett School Road the following courses and distances: North 23 degrees 51 minutes 20 seconds West for a distance of 217.59 feet to a point;

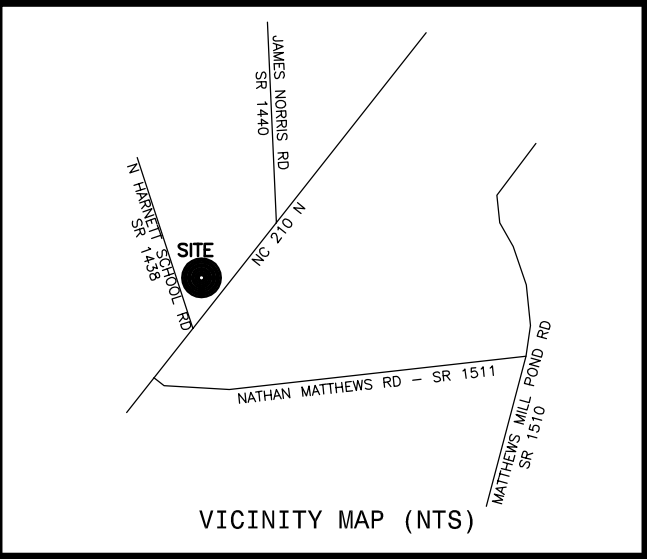
THENCE North 23 degrees 50 minutes 14 seconds West for a distance of 117.40 feet to a point;

THENCE leaving the centerline of North Harnett School Road North 68 degrees 34 minutes 31 seconds East for a distance of 153.55 feet to a point;

THENCE North 00 degrees 46 minutes 40 seconds East for a distance of 757.50 feet to the point and place of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 28.357 acres more or less.



N.C. GRID NORTH (NAD 83)
(REF: M.B.2011, PG.223)

State of North Carolina, Wake County

I, James W. Mauldin, certify that this map was drawn under my supervision from an actual survey made under my supervision, that the ratio of precision as calculated by latitudes and departures is 1/10,000± that the boundaries not surveyed are shown as broken lines plotted from information in book SEF page REC, that this map was prepared in accordance with G.S. 47-30 as amended.

Witness my hand and seal this day of 2023.

SIGNATURE

Licensed Number L-3247

PRELIMINARY PLAT
NOT FOR RECORDATION

I, James W. Mauldin, Professional Land Surveyor No. L-3247, Certify to one or more of the following as indicated thus ☒
a. That this plat is of a survey that creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land
b. That this plat is of a survey that is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land
c. That this plat is of a survey of an existing parcel or parcels of land
☒ d. That this plat is of a survey of another category, such as the recombination of existing parcels, a court-order survey or other exception to the definition of subdivision.
e. That the information available to this surveyor is such that I am unable to make a determination to the best of my professional ability as to provisions contained in (a) through (d) above.

James W. Mauldin, Professional Land Surveyor No. L-3247

REFERENCES:
M.B.2011, PG.223
M.B.98, PG.338
D.B.3901, PG.638
OTHER REFERENCES AS SHOWN

NOTES:
(A.) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING SAME.
(B.) NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
(C.) THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NON-EXISTENCE OF ANY UNDER GROUND UTILITIES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
(D.) THIS PLAT IS FOR REZONING PURPOSES ONLY AND SHOULD NOT BE USED TO TRANSFER ANY PROPERTY SHOWN HEREON.

THE SURVEYOR RELIED UPON THE CITY OR COUNTY FOR APPROVAL OF ALL APPLICABLE ORDINANCE AND HAS MADE NO INTERPRETATIONS OF THE ORDINANCES.

LEGEND
● Existing Iron Pipe (Control Point)
○ Iron Stake Set (unless otherwise noted)
■ Existing Concrete Monument (Control Point)
□ Concrete Monument Set
X Computed Point Only

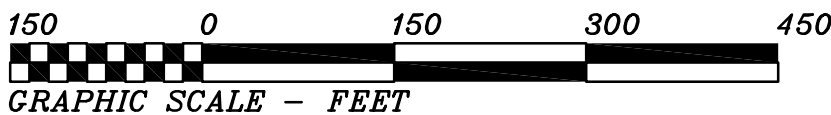
All measurements shown are horizontal ground measurements unless otherwise noted.
Area computed by coordinates

Zone: RA-30 Pin#: 0662-68-6638.000
0662-68-5452.000
0662-68-0457.000

Course	Bearing	Distance
L1	S 59°59'17" E	113.82'
L2	S 37°24'07" W	58.43'
L3	S 37°17'45" W	100.01'
L4	S 36°51'25" W	84.17'
L5	S 36°51'25" W	15.84'
L6	S 35°17'45" W	100.09'
L7	S 33°49'10" W	99.98'
L8	S 32°16'17" W	100.01'
L9	S 30°56'28" W	99.94'
L10	S 30°20'23" W	312.81'
L11	S 30°00'32" W	125.96'
L12	N 57°21'33" W	30.25'
L13	N 30°03'37" E	102.83'
L14	N 40°41'34" W	92.57'
L15	N 41°45'04" W	64.32'
L16	N 38°26'26" W	82.78'
L17	N 36°16'06" W	84.72'
L18	N 33°50'51" W	84.97'
L19	N 31°34'56" W	79.17'
L20	N 28°34'40" W	81.61'
L21	N 25°21'28" W	83.30'
L22	N 24°11'05" W	78.91'
L23	N 23°55'59" W	16.00'
L24	N 86°03'53" W	12.11'
L25	N 01°11'04" E	96.22'
L26	N 23°51'20" W	217.59'
L27	N 23°50'14" W	117.40'
L28	N 68°34'31" E	153.55'

HARNETT COUNTY
MINIMUM BUILDING
SETBACK REQUIREMENTS

FRONT: 35' FROM R/W
REAR: 25'
SIDE: 10'
CORNER LOT SIDE: 20'



RECORDED HARNETT COUNTY MAP NUMBER 2023 PAGE

HARNETT COUNTY
D.B.1079, PG.814
PC# F, SLIDE 357B
RA-30 (HARNETT COUNTY)

ROSE A. COTTON
RICHARD L. COTTON
D.B.3456, PG.349
M.B.2009, PG.322
RA-30 (HARNETT COUNTY)

ROSE A. COTTON
RICHARD L. COTTON
D.B.3456, PG.349
M.B.2006, PG.558
RA-30 (HARNETT COUNTY)

WINGO HOLDINGS LLC
D.B.4125, PG.328
RA-30 (HARNETT COUNTY)

EXISTING ZONING - RA-30
REQUESTED ZONING - CZ-R-10
PRESENT USE: VACANT
AREA = 28.357 ACRES

MAX T. ADAMS
PORTIA H. ADAMS
D.B.1553, PG.558
M.B.2001, PG.894
RA-30 (HARNETT COUNTY)

RONALD J. CUEVAS
TIFFANY F. CUEVAS
D.B.3394, PG.779
M.B.2016, PG.78
RA-30 (HARNETT COUNTY)

MAX T. ADAMS
PORTIA H. ADAMS
D.B.1553, PG.558
M.B.2001, PG.894
RA-30 (HARNETT COUNTY)

OWNER:
G AND J DEVELOPMENT LLC
2265 BENSON ROAD
ANGIER, N.C. 27501
919-669-1246

REZONING PLAT FOR: TOWN OF ANGIER

BLACK RIVER TOWNSHIP, HARNETT COUNTY, NORTH CAROLINA
SCALE 1" = 150' MARCH 24, 2023

MAULDIN - WATKINS SURVEYING, P.A.
P.O. BOX 444 / 139 N. MAIN ST.
FUQUAY VARINA, NORTH CAROLINA 27526
(919) 552-9326 C-929

JOB# 4754
PF:4754REZ CF:4754PREL



REZONING STAFF REPORT

Staff Contact:

Jeff Jones
jajones@angier.org
(919) 639-2071

Planning Board: November 14, 2023

Public Hearing: December 5, 2023

Requested Rezoning: R-6 CZ to R-6 CZ

Applicant Information

Owner of Record:

Name: Meritage Homes

Address: 3300 Paramount Pkwy

City/State/Zip: Raleigh, NC 27560

Applicant:

Name: Meritage Homes

Address: 3300 Paramount Pkwy

City/State/Zip: Raleigh, NC 27560

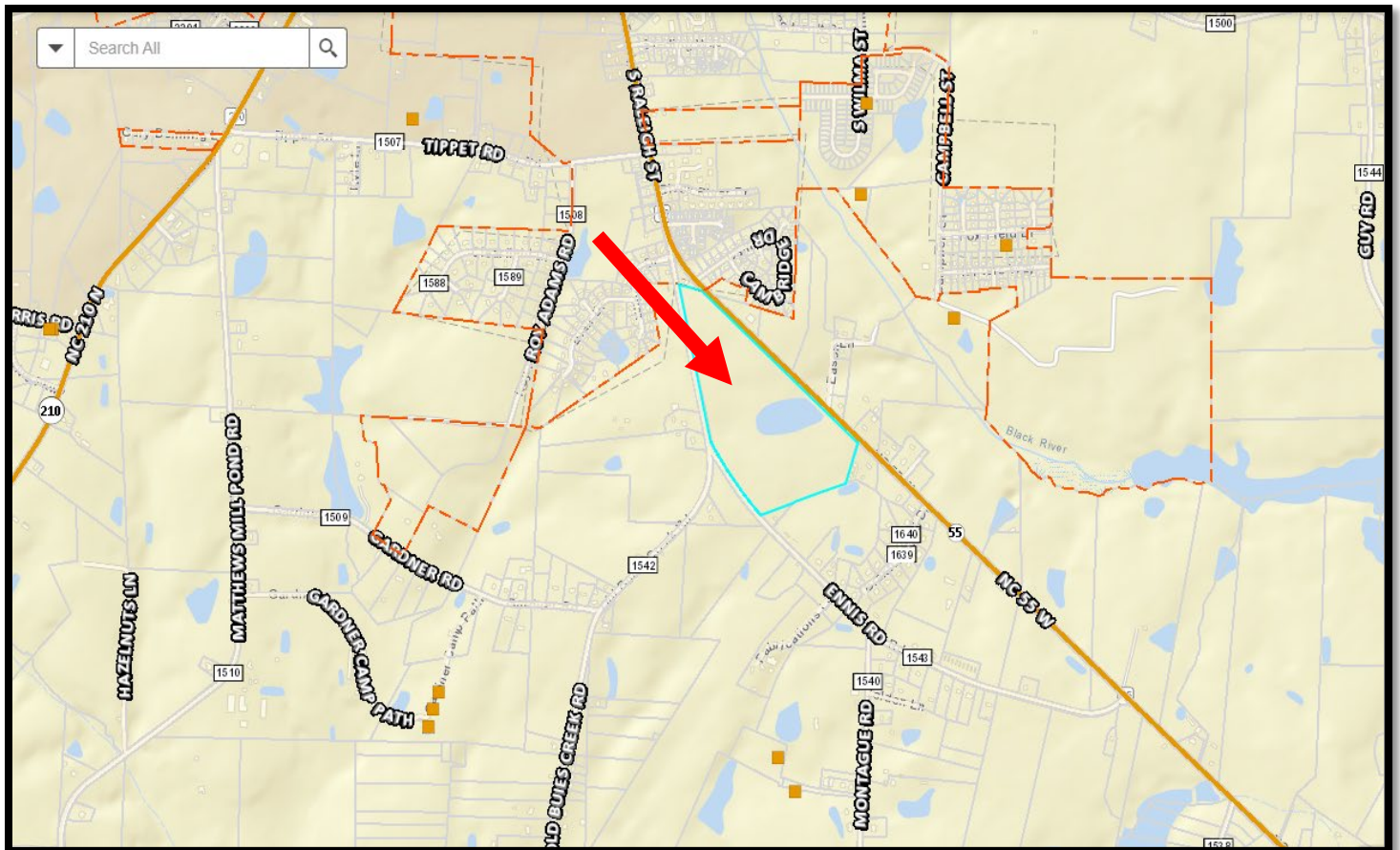
Property Description

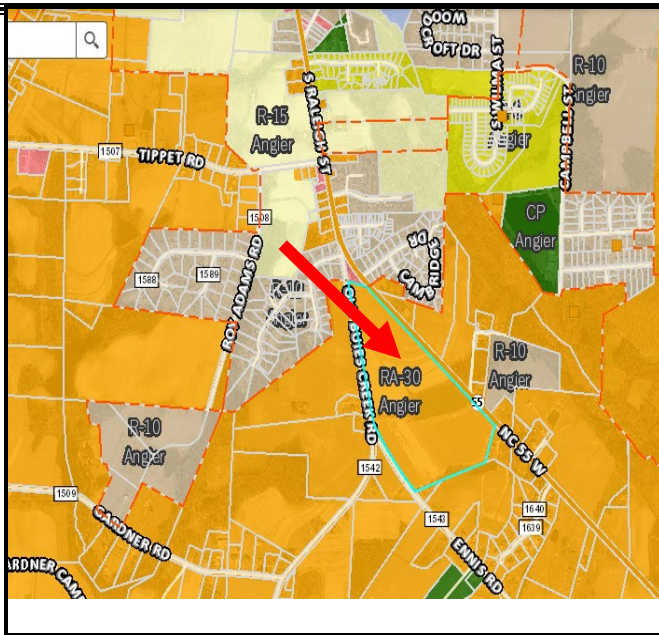
PIN(s): Harnett: 0673-83-7341.000

Acreage: 57.38 Acres

Address: NC 55 W., Angier, NC

Vicinity Map





	CURRENT	PROPOSED
	R-6 CZ	R-6 CZ
Min. Lot Size	6,000sqft	6,000sqft
Parks & Recreation Facilities	P	
Single Family	P	P
Multi-Family		
Schools	P	
Retail		
Churches	S	
Government Uses		
Agriculture	P	

P=Permitted Use S=Special Use

Zoning Compatibility

Physical Characteristics



Aerial Photograph (2017)

Site Description: The properties is currently vacant agricultural land.

Surrounding Land Uses: Surrounding Land Uses include low and medium density residential, as well as a nearby church and office building

Services Available

Water:

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

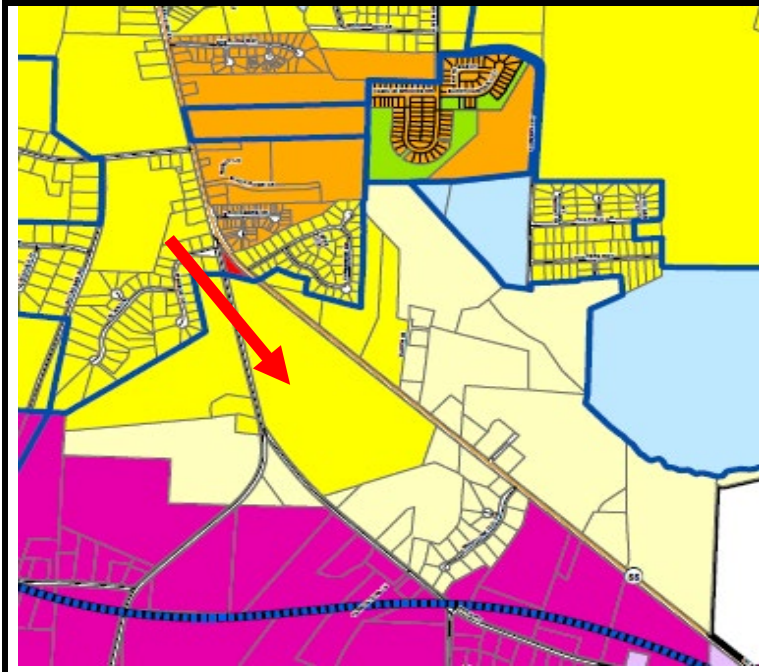
Sewer:

- ☒ Public
☐ Private (Septic Tank)

Transportation:

Accessed by NC 55 W, Old Buies Creek Rd, Ennis Rd

Land Use Classification Compatibility



Future Land Use Map (2021)

	REQUESTED ZONING	LAND USE
	CZ-R-6	MDR
Parks & Rec Facilities		
Single Family	P	P
Multi-Family		P
Churches		
Schools		
Professional Offices		
Retail Uses		
Restaurants		
Governmental Uses		
Distribution		
Manufacturing Uses		

The Rezoning Requested **Is Compatible With The Medium Density Residential Classification Shown On The Future Land Use Map**

Subdivision Plan

152 Lots

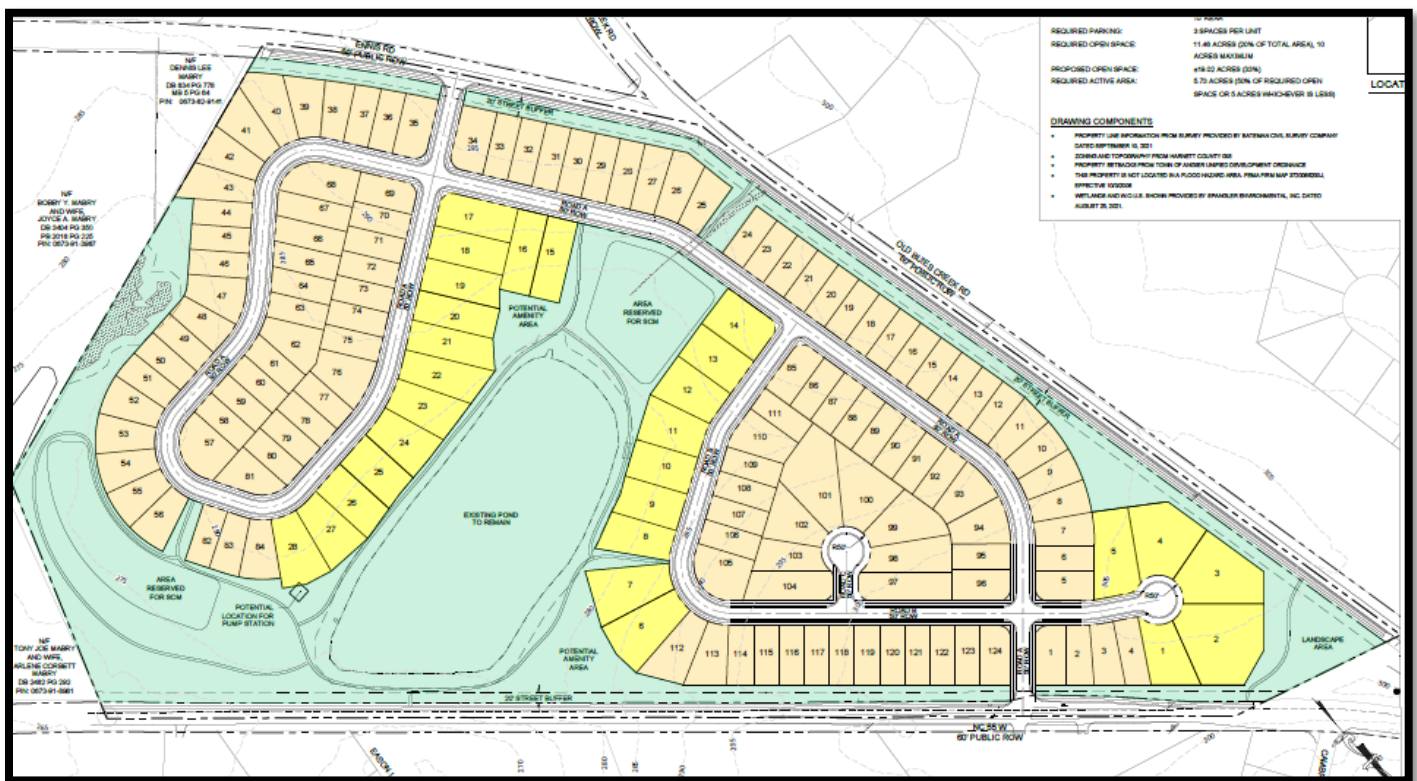
Density: 2.6 Units per Acre

(Tan) 6,000+ sqft lots: **124**

(Yellow) 10,000+ sqft lots: **28**

Total Open Space: 19.02 Acres

Active Open Space: 5.73 Acres



The applicant is proposing to modify the already approved conditions. Below are the proposed conditions, those highlighted in yellow are the modified conditions.

Conditions to be Incorporated into the Zoning Regulations:

1. The parcel in question shall only be developed with single family residential lots.
2. There shall be no more than 152 total lots on the parcel in question. In the case of a reduction in the total lot count based on unforeseen design constraints, the Planning Director may approve minor adjustments to the proposed subdivision plan.
3. The minimum lot size shall be at least 6,000sqft.
4. There shall be at least 28 lots greater than or equal to 10,000sqft.
5. The minimum lot width shall be 50ft.
6. The minimum building setbacks shall be as required in the R-6 district.
7. The proposed Northbound left-turn lane and Southbound right-turn lane improvements on NC 55 shall be

- installed per NCDOT standards prior to recordation of the 100th lot in the subdivision.
8. There shall be a Northbound right-turn lane installed on Ennis Rd to serve the proposed access to the subdivision. This turn lane, along with street connection to Ennis Road, shall be installed to NCDOT standards prior to the recordation of any lots shown on the subdivision plan.
 9. There shall be a minimum of 19 acres of open space preserved in the proposed subdivision. Open shall be developed in accordance with Chapter 6 of the Angier Zoning Ordinance.
 10. The proposed 20ft street buffers along NC 55, Old Buies Creek Rd and Ennis Rd shall be installed per the Type A Buffer standards in Section 7.3 of the Angier Zoning Ordinance.
 11. There shall be curb & gutter and 5ft wide sidewalk installed throughout the proposed subdivision on both sides of each proposed street.
 12. There shall be curb & gutter and 5ft wide sidewalk installed along the existing roadways adjacent to the subdivision which stub to the North and South of the property in question – Includes: NC 55, Old Buies Creek Rd and Ennis Rd
 13. There shall be a 15ft Type A landscaping buffer installed along the rear of Lots 40-43 adjacent to the neighboring property prior to recordation of these lots.

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 residential uses that will be compatible with surrounding uses.
- ☒ Yes ☐ No The requested zoning district is COMPATIBLE with the existing Land Use Classification.
REASONING: The requested zoning would allow for residential uses in line with the Medium Density Residential classification.
- ☒ Yes ☐ No The proposal does ENHANCE or maintain the public health, safety and general welfare.
REASONING: The rezoning would allow for uses that will be compatible with surrounding uses.
- ☒ Yes ☐ No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness
REASONING: proposed rezoning would allow for uses and density that will be compatible with surrounding uses.

Staff Recommendation

The rezoning in question is compatible with the Future Land Use Map. The proposed rezoning to CZ-R-6 would allow for residential uses that are compatible with the surrounding residential uses. It is recommended that this rezoning request be **APPROVED WITH THE CONDITIONS SHOWN ON THE LIST OF CONDITIONS PROVIDED.**

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



APPLICATION FOR ZONING CHANGE
 Angier Planning Department
 55 N. Broad Street W.
 Angier, NC 27501
 (919)-331-6702



Total Fee: \$400.00

Receipt: _____

Permit: _____

Date: _____

Case #: _____

Property Owner:

Name Meritage Homes of the Carolinas Inc.
 Address 3300 Paramount Pkwy. Ste. 120
 City/State/Zip: Morrisville, NC 27560
 E-mail: scott.roylance@meritagehomes.com
 Phone: 919-926-2613

Applicant:

Name: Same as Property Owner
 Address: _____
 City/State/Zip: _____
 E-mail: _____
 Phone: _____

Property Description

PIN(s): 0673-83-7341 Acreage: 53.95 acres (Acreage doesn't include R/W)
 Address: NC 55W NC
 Deed
 Book: 4189 Page: 2012-2015

Rezoning Request:

Existing zoning district:

CZ R-6

Requested zoning district:

CZ R-6

Required Attachments:

- Deed of the property in question showing the current legal owner
- Recorded map of the property OR Survey of the property at a 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 Ordinance

Signatures:

The undersigned applicant hereby certifies that, to the best of his or her knowledge, all information supplied with this application is true and accurate, and that the applicant certifies that they have the legal authority to sign this application as the property owner or authorized agent:

<div>DocuSigned by:  8BDD962CC777421...</div> <hr/>	<div>10/9/2023</div> <hr/>
Property Owner Signature	Date

OR

<hr/>	<hr/>
Authorized Agent Signature	Date

Town of Angier Zoning Ordinance

14.3.3 Map amendments (rezonings).

A. For all map amendments (rezonings), applications shall contain a statement regarding the consistency of the request with adopted town plans and the surrounding area.

B. For conditional zoning map amendments (rezonings), the application shall be accompanied by a description of the use or uses proposed and any conditions being proposed by the applicant. The applicant shall also provide a statement of reasonableness regarding the request on the application. In addition to the application, the applicant shall submit a site-specific plan.

BEING ALL THAT PARCEL OF LAND NOW OR FORMERLY OF MERITAGE HOMES OF THE CAROLINAS INC (PIN: 0673-83-7341) LYING IN THE TOWN OF ANGIER, BLACK RIVER TOWNSHIP, HARNETT COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE FOUND ON THE CENTERLINE OF ENNIS ROAD AND THE SOUTHERN CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND, SAID SPIKE BEING THE TRUE POINT OF BEGINNING AND HAVING NORTH CAROLINA STATE PLAIN COORDINATES OF N: 2,078,744.77 AND E: 632,128.44; THENCE, WITH THE CENTERLINE OF ENNIS ROAD, N43°04'04"W A DISTANCE OF 29.80 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N41°09'14"W A DISTANCE OF 107.55 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N39°44'13"W A DISTANCE OF 92.22 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N37°42'33"W A DISTANCE OF 100.10 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N36°01'45"W A DISTANCE OF 101.64 FEET TO A PK NAIL SET; THENCE, N36°05'39"W A DISTANCE OF 469.95 FEET TO A PK NAIL SET IN THE CENTERLINE OF OLD BUIES CREEK ROAD; THENCE, WITH THE CENTERLINE OF OLD BUIES CREEK ROAD, N09°32'25"W A DISTANCE OF 106.09 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N11°32'58"W A DISTANCE OF 96.68 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N12°21'09"W A DISTANCE OF 151.61 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N12°48'42"W A DISTANCE OF 219.15 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N12°48'44"W A DISTANCE OF 217.35 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N11°57'31"W A DISTANCE OF 542.06 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, N11°59'08"W A DISTANCE OF 362.84 FEET TO A PK NAIL SET; THENCE, LEAVING SAID CENTERLINE, N85°24'13"E A DISTANCE OF 30.36 FEET TO A ¾" IRON PIPE SET; THENCE, N85°24'13"E A DISTANCE OF 199.56 FEET TO A ¾" IRON PIPE SET ON THE WESTERN RIGHT OF WAY OF NC HIGHWAY 55; THENCE, WITH THE RIGHT OF WAY OF NC HIGHWAY 55, S46°11'04"E A DISTANCE OF 22.42 FEET TO A ½" IRON REBAR FOUND; THENCE, CONTINUING WITH SAID RIGHT OF WAY, S48°16'02"E 48.43 FEET TO A ½" IRON PIPE FOUND; THENCE, LEAVING SAID RIGHT OF WAY, S74°08'39"E A DISTANCE OF 68.88 FEET TO A PK NAIL SET IN THE CENTERLINE OF NC HIGHWAY 55; THENCE, WITH THE CENTERLINE OF NC HIGHWAY 55, S48°11'46"E A DISTANCE OF 758.90 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, S48°10'31"E A DISTANCE OF 1,010.86 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, S48°13'21"E A DISTANCE OF 280.46 FEET TO A PK NAIL SET; THENCE, CONTINUING WITH SAID CENTERLINE, S48°14'15"E A DISTANCE OF 233.08 FEET TO A PK NAIL SET; THENCE, LEAVING SAID RIGHT OF WAY, S19°52'41"W A DISTANCE OF 520.59 FEET TO A 2/3" IRON PIPE SET; THENCE, S72°06'59"W A DISTANCE OF 1,020.26 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 2,498,351 SQUARE FEET OR 57.35 ACRES MORE OR LESS.

LESS AND EXCEPT THE RIGHT OF WAY OF ENNIS ROAD, THE RIGHT OF WAY OF OLD BUIES CREEK ROAD AND THE RIGHT OF WAY OF NC HIGHWAY 55