

REZONING STAFF REPORT

Case: PLAN2408-0003

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Planning Board: October 7, 2024

County Commissioners: October 21, 2024

Rezoning Request : RA-20R to Commercial

Applicant Information

Owner of Record:

Name: Linda Marie Natole Martinson
 Address: 1281 E. Boiling Springs Rd.
 City/State/Zip: Southport, NC 28461

Applicant:

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Property Description

PIN(s): 0534-78-9229.000 Acreage: 1.00
 Address/SR No.: 3389 Bethel Baptist Rd. Linden, NC 28356

Township:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> (01) Anderson Creek | <input type="checkbox"/> (05) Buckhorn | <input type="checkbox"/> (09) Johnsonville |
| <input type="checkbox"/> (02) Averagesboro | <input type="checkbox"/> (06) Duke | <input type="checkbox"/> (10) Lillington |
| <input type="checkbox"/> (03) Barbecue | <input type="checkbox"/> (07) Grove | <input type="checkbox"/> (11) Neill's Creek |
| <input type="checkbox"/> (04) Black River | <input type="checkbox"/> (08) Hectors Creek | <input type="checkbox"/> (12) Stewart's Creek |
| | | <input type="checkbox"/> (13) Upper Little River |

Vicinity Map



Physical Characteristics

Site Description: The property is 1-acre in size located at the intersection of Bethel Baptist Rd. and Elliot Bridge Rd. The property is currently used as a private club.

Background: A conditional use permit was granted in August 2014, which permitted use of the property as a private club. The property has been utilized for this purpose since. In June of 2014, a petition to rezone the property to Commercial was filed with the county, but the request to rezone the property was denied.

Surrounding Land Uses: Surrounding land uses consist of single-family residences, agricultural activities, and a gas station & convenience store.

Services Available

Water:

- Public (Harnett County)
- Private (Well)
- Other: Unverified

Sewer:

- Public (Harnett County)
- Private (Septic Tank)
- Other: unverified

Transportation:

Annual Daily Traffic Counts

Bethel Baptist Rd. **1,000**

Elliot Bridge Rd. **2,700**

Site Distances: **Fair**

Intersection of Elliot Bridge Rd. and Bethel Baptist Rd.



Zoning District Compatibility



Zoning Districts

- Commercial
- RA-20R
- Conservation

	Current RA-20R	Requested Commercial
Parks & Rec	X	X
Natural Preserves	X	X
Bona Fide Farms	X	X
Single Family	X	X
Manufactured Homes, (with design criteria)	X	
Multi-Family	Special Use	
Institutional	X	X
Commercial Services	Special Use	X
Retail	X	X
Wholesale		Special Use
Industrial		
Manufacturing		

The following is a summary list of potential uses. For all applicable uses for each Zoning district please refer to the UDO's Table of Uses.

RA-20R:

The RA-20R Residential/Agricultural District (RA-20R) is established primarily to support agricultural and residential development. Inclusive in such higher density residential developments may consist of single-family dwellings, multifamily dwellings, and duplexes.

Commercial:

It is the purpose of the Commercial/Business District (COMM) to accommodate the widest variety of commercial, wholesale, and retail businesses in areas that are best located and suited for such uses.

Land Use Classification Compatibility



Land Use Classifications

- Low Density Residential
- Agricultural/ Rural Residential
- Environmentally Sensitive Areas

	ZONING	Land Use
	Commercial	Low Density Residential
Parks & Rec	X	X
Natural Preserves	X	X
Bona Fide Farms	X	X
Single Family		X
Manufactured Homes, Design Regulated		X
Manufactured Homes		X
Multi-Family		Special Use
Institutional	X	X
Commercial Service	X	Special Use
Retail	X	
Wholesale	Special Use	
Industrial		
Manufacturing		

The above is a summary list of potential uses.

Low Density Residential: Single family detached residential intended to remain predominantly suburban in character and provide for low density single-family residential development on lots smaller than those in Rural Residential areas. Gross densities of 1-3 dwelling units per acre depending on utilities, soils and character of adjacent development.

Site



Surrounding Properties



Road View



Elliot Bridge Road N. View

Elliot Bridge Road S. View



Bethel Baptist Road W. View



Bethel Baptist Road E. View

Evaluation

- Yes No **A. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.**

The subject property is contiguous to properties with a Commercial zoning designation. The request would not require an evaluation for reasonableness as a small-scale rezoning.

- Yes No **B. There is a 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 a convincing demonstration that all uses permitted under the proposed district would be in the interest of the public and not merely in the interest of the individual group. A zoning change to the Commercial zoning district would potentially allow for more commercial uses than permitted in the residential zoning designation. More commercial services could have a positive economic impact on this area.

- Yes No **C. There is a 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 a convincing demonstration that all uses permitted in the proposed district classification would be appropriate in the area included in the proposed change. The uses permitted in the Commercial zoning district are more appropriate for the site than residential uses.

- Yes No **D. There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.**

There is a convincing demonstration that the character of the neighborhood will not be

materially and adversely affected by the uses permitted in the requested zoning district. Commercial use of the property would be compatible with the existing uses in the area, which include a gas station and convenient store directly across the road as well as the private club currently located on the subject property.

Yes No E. **The proposed change is in accordance with the comprehensive plan and sound planning practices.**

While the requested zoning district is not compatible with the current future land use classification, Low Density Residential, Planning Services is currently updating the comprehensive land use plan and will recommend that this area be re-evaluated to better reflect the existing land uses in this changing area.

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

As stated in the evaluation, the requested rezoning to **Commercial** is reasonable. The zoning change would support the current use non-residential use of the property and would be compatible with the neighboring commercially zoned properties. It is recommended that this rezoning request be **APPROVED**.

Standards of Review and Worksheet

TYPICAL REVIEW STANDARDS

The Planning Board shall consider and make recommendations to the County 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:

- 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 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.)
- Yes No D. 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 E. 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