



Town of Fairview

PLANNING AND ZONING BOARD

Agenda

December 17, 2024 @ 6:30 p.m.

Meeting will be at Fairview Town Hall Meeting Room

- 1. Roll Call and Determination of Quorum --- Chairman Buchanan**
- 2. Items of Business:**
 - 2.A. Discuss Conditional-Special Use Permit #24 097 to Subdivide Parcel #08225012C into Two Parcels
- 3. Approval of Minutes:**
 - 3.A. June 18, 2024
- 4. Public Comments**
- 5. Adjournment**

Town of Fairview Staff Report for: Planning Board DATE: 12-17-2024	
CASE : Cond 24 097	Revised 12-12-2024
Applicant(s):	Rodd and Rita Price 10017 Indian Trail Fairview Road Indian Trail NC 28079
Property Owner(s):	Same
Requested Action:	Obtain a Conditional -Special Use Permit to subdivide parcel #08225012C into two parcels. The new parcel, 6 acres, will be used as 'contractor offices and storage yard. The Use is a permitted use in L-I
Existing Zoning:	RA-40
Requested Zoning:	Special Use Permit-L-I Conditional to operate "contractor offices and storage yard".
Location:	7110 Brent Haigler Road
Property Size:	The new parcel will be 6 ac.
Tax Parcel(s):	08225012C
Purpose/Narrative:	To operate a "Contractor offices and storage yard " This is to include an office and outside storage of equipment
Surrounding Area Zoning:	Residential/Farming (closest use is "poultry house")
Existing Conditions:	Lot is being farmed at present
Land Use Plan Recommendation:	
Compliance with Zoning Ordinance:	Received all documentation as required by ordinance
Conditional Use Permit Conditions:	<ol style="list-style-type: none"> 1. Office 2. Equipment storage 3. Buffer back property line with Belk Family Land per requirements of ordinance
Staff Recommendation on Application:	Approve with conditions <ul style="list-style-type: none"> • The building to be up to 60 'x 60' Structure and must be approved by County Building Standards • Up to 15 employees (over a period of time) • Times of operations—6am to 9pm • Building can be anywhere on the property with requirements per the ordinance depending on where septic is located • Area not used in the operation will continue to be farmed • Parking, lighting and storm water requirements will

be per the ordinance

- Proper fencing and gates will be installed per the ordinance
- Lean-to on either side of the building can be up to 60' x 40' (both sides of the building)

Any approval is contingent on all permits being obtained

Town of Fairview

7516 Concord Highway
Monroe NC 28110

CONDITIONAL ZONING DISTRICT PERMIT APPLICATION Fee: \$600

Application Number: Cond 24097 Date of Application: 10/31/2024 pd

CK# 3215

I. Applicant / Owner Information

- A. Applicant's Name: Rodd + Rita Price
 Address: 10017 Indian Trail Fairview Rd
 Phone: 704-622-3898 Email: rprice@cgcfields.com
- B. Owner's Name (if different from above):
 Address:
 Phone: Email:

II. Property Information

- A. Property Location: 7110 Brent Haigler Rd
- B. Tax Parcel Number: 08225012C
- C. Deed Book 831 Page 575
- D. Existing Zoning RA40 Proposed Zoning L-1
- E. Existing Use Farm Proposed Use
- F. Property Size 6 AC. (Sq. Ft./Acres)
- G. Is a Rezoning Application being submitted with CUP Application?

III. Other Required Information (Attach The Following)

- A. You Narrative describing the requested conditional use in sufficient detail and a justification that the conditional use meets the standards and intent contained in the Land Use Ordinance.
- B. me The owners' names, addresses, the tax parcel numbers use(s), and current Zoning Classifications of all adjoining properties. Please include this information on the Attachment "A" form.
- C. you A scaled boundary survey drawn to an appropriate scale prepared by and certified to be correct by a surveyor or engineer registered with the State of North Carolina,

showing dimensions of the property and adjacent lots and streets, the total acreage, present zoning classification(s), date and north arrow. On copies of this survey shall be drawn the following Information:

- you*

(1) All existing easements, reservations, right-of-way and all yard requirements for the zoning district.
- you*

(2) A site plan showing all existing and/or proposed buildings, storage areas, parking and access areas, proposed size layout and setbacks of land and proposed structures, and proposed number, type, and location of signs. For residential uses this shall include the number of units and an outline of the area here the structures will be located. For nonresidential uses, this shall include the approximate square footage of all structures and an outline of the area where the structures will be located.
- N/A*

(3) Traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets. (Shopping Centers, having two (2) or more individual uses shall show the parking spaces, channelization and ratios shown, service areas, off-street loading facilities, service drives and dimensions thereon; and all pedestrian ways.)
- you*

(4) Landscape plan at the same scale as the site plan showing existing and proposed trees, ground cover and landscape material, proposed screening, and buffering (if applicable) including walls, fences or planted areas as well as treatment of any existing natural features.
- D. Plans and elevations for all proposed structures.
- E. A map at the same scale as the site plan showing the following:

 - (a) Delineation of areas within the floodplain as shown on the official flood hazard boundary maps.
 - you*

(b) Accurate mapping of all soil classifications found on the site and general depths thereof. The applicant shall use the same classifications used by the U. S. Department of Agriculture.
 - (c) Existing and proposed topography at five (5) feet contour intervals.
 - (d) Plans for providing potable/public water and for the treatment of wastewater.
- F. Certification from owner of record that applicant has authorization to apply for this zoning action. (This is needed only if the applicant is not the property owner). Certification shall be notarized.

G. State whether or not the applicant or owner, owns, has a proprietary interest, or in any way has any other contractual interest in any land that is contiguous to the land, which is the subject of this request. If so, please provide a sufficient legal description of such land and state the interest of the applicant or owner.

pd

H. Application processing fee is \$600. Attach check, payable to the *Town of Fairview*, Attn: Ed Humphries 7516 Concord Highway Monroe NC 28110

Comments:

[Redacted comment box]

I, the undersigned owner or authorized representative, hereby submit this application with the attached information. The information and documents provided are complete and accurate to the best of my knowledge.

10/31/2024
DATE

Rodd Price (By *Diana Gregorius*)
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

The use of the proposed land will be to provide a home base for a small family-owned business. The building constructed will be used for servicing equipment, and vehicles used in the operation of this business as well as a check-in point, and office space for employees and owners.

COND 24-0917
NARRATIVE

because of high traffic volumes on adjacent streets or because of other market factors but remain viable as locations for offices and services. Such areas will also generally constitute transition or buffer zones between major arterials or more intensively developed commercial areas and residential districts.

- (e) The B-4 (general commercial) district is designed to accommodate the widest range of commercial activities.
- (f) The HC (highway corridor mixed use) district is intended to accommodate a wide variety of commercial and light industrial uses along major transportation corridors, subject to performance standards designed to (i) ensure the viability of the highway as a carrier of high volumes of traffic, (ii) recognize and preserve the value of land along the corridor as the site of significant non-residential development, and (iii) protect the viability of residential neighborhoods adjacent to the corridor. It is intended that developments that occur within this district in particular be sensitive to the need to preserve a high degree of aesthetic appeal along major transportation corridors.
- (g) The B-6 (college campus) district is intended to accommodate a variety of residential and non-residential uses developed on land owned by an institution of higher learning and associated with that institution, such as dormitories, offices, classroom buildings, athletic facilities, etc.
- (h) The O (office district) is to provide areas which are conducive to the establishment and operation of offices, institutions, and commercial activities not involving the sale of merchandise. Standards are designed so that this district, in some instances, may serve as transitional use between residential districts and other commercial districts.

Section 137 Manufacturing Districts Established.

- (a) The LI (light industrial) district is hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. This district is distinguished in that certain types of industrial uses that tend to have significant adverse impacts on surrounding properties are excluded from the LI district.
- (b) There is also established a planned industrial development (PID) zoning district. The purpose of this district is to provide for the possibility of well-planned and large-scale industrial development in otherwise undeveloped areas that have not previously been zoned for industrial use. The district is thus a "floating zone," i.e., it is not applied to particular property except in response to a petition submitted by or on behalf of the owner or owners of all of the property intended to be covered by such zone. The district is subject to the following requirements:

- (1) The area to be zoned PID must be at least fifty contiguous acres in size and have at least 100 feet of frontage along a major arterial (See subsection 210(b)(7)).
- (2) A planned industrial development is the only permissible use in a PID zoning district.
- (3) Subject to subsection (2) of this subsection, and consistent with the restrictions contained in the definition of a planned industrial development (see section 15), land within a PID zone may be used in a manner that would be permissible if the land were zoned LI, except that the only permissible uses are (i) wholesale sales and (ii) manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment as long as all operations are conducted entirely within a fully enclosed building.

Section 138 Reserved.

Section 139 Floodplain and Floodway Overlay Districts.

The floodplain (FP) and floodway (FW) overlay districts are hereby established. The land so classified may be used in a manner permitted in the underlying district only if and to the extent such use is also permitted in the applicable overlay district. The floodplain and floodway districts are further described in Part I of Article XVI of this ordinance.

Section 140 Reserved

Section 141 Mining Overlay District.

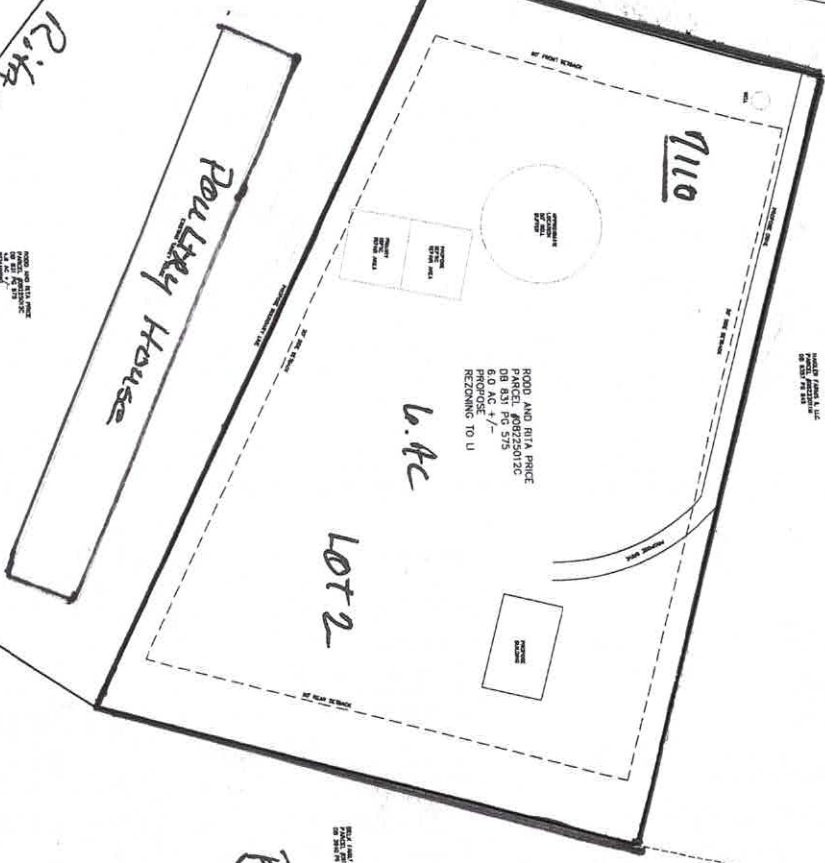
- (a) The mining (M) overlay district is hereby established as a "floating zone" since the precise location of areas within which mineral extraction (including quarrying, open-pit drilling, tunneling, etc.) should be encouraged cannot generally be predetermined. Within this district, the applicant may use property in accordance with the regulations applicable to the underlying zoning district, except that the property may also be used for mining purposes upon issuance of a special use permit by the Town Council (see Section 171). If the nature of an activity is such that it requires a mining permit from State or other Federal agencies but the purpose of the activity is to grade a site for building construction, then the grading activity may be conducted, and the fill material sold, without rezoning to a mining overlay district. The State or Federal mining permit, if required, shall be provided to the land use administrator prior to commencement of any such grading activity.

Smith
Brothers
RA-40

Hargreeves
Freems
LLC
RA-40

CF WURSTER LP
RA-40

Hargreeves Freems 2 LLC
L-1 Candidate's District

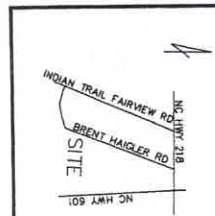


Rita + Rodd Price
4.6 AC
RA-40

Paul Scroggins
RA-40

Belk Family Land
RA-40

PRELIMINARY PLAT
NOT FOR RECORDATION,
SALES, OR CONVEYANCE.



NO.	DATE	BY	REVISIONS

REZONING PLAT OF A PORTION OF PARCEL 08222012C LOCATED IN TOWN OF FAIRVIEW UNION COUNTY NORTH CAROLINA

CLIENT: RODD AND RITA PRICE 10017 INDIAN TRAIL, FAIRVIEW NC 28705

INDIAN TRAIL, NC 28705



FAIRVIEW **NORTH CAROLINA**

Community Meeting ----NOTICE

The Fairview Town Council will hold a **Community Meeting** starting at 5:00 pm on Tuesday **December 10, 2024** at Town Hall, 7516 Concord Highway, Monroe, NC.

To Discuss a Special Use Permit request by Rodd and Rita Price, 10017 Indian Trail - Fairview Rd Indian Trail Rd., Indian Trail, NC

Conditional - Special Use Permit to subdivide parcel #08225012C into two parcels.

The new parcel is 6 acres, the new lot is requested to be L-1 (Light Industrial). The address is 7110 Brent Haigler Road, Indian Trail, NC and will be used as "contractor offices and storage yard".

This use is permitted in L-1.

For more information, call Teresa Gregorius, Town Clerk at (704) 753-1981 during business hours. (Tuesday and Thursday 9:00am to 3:00pm)

The Town of Fairview does not discriminate based on disability. If you need auxiliary aid or service or other accommodation to attend or fully participate in this meeting

Please contact Teresa Gregorius at (704) 753-1981 as far in advance of the meeting as possible so that your request can be considered.

Sign-Up Sheet

To Receive Email of Meeting Minutes

December 10, 2024

PLEASE PRINT

Name

Email Address

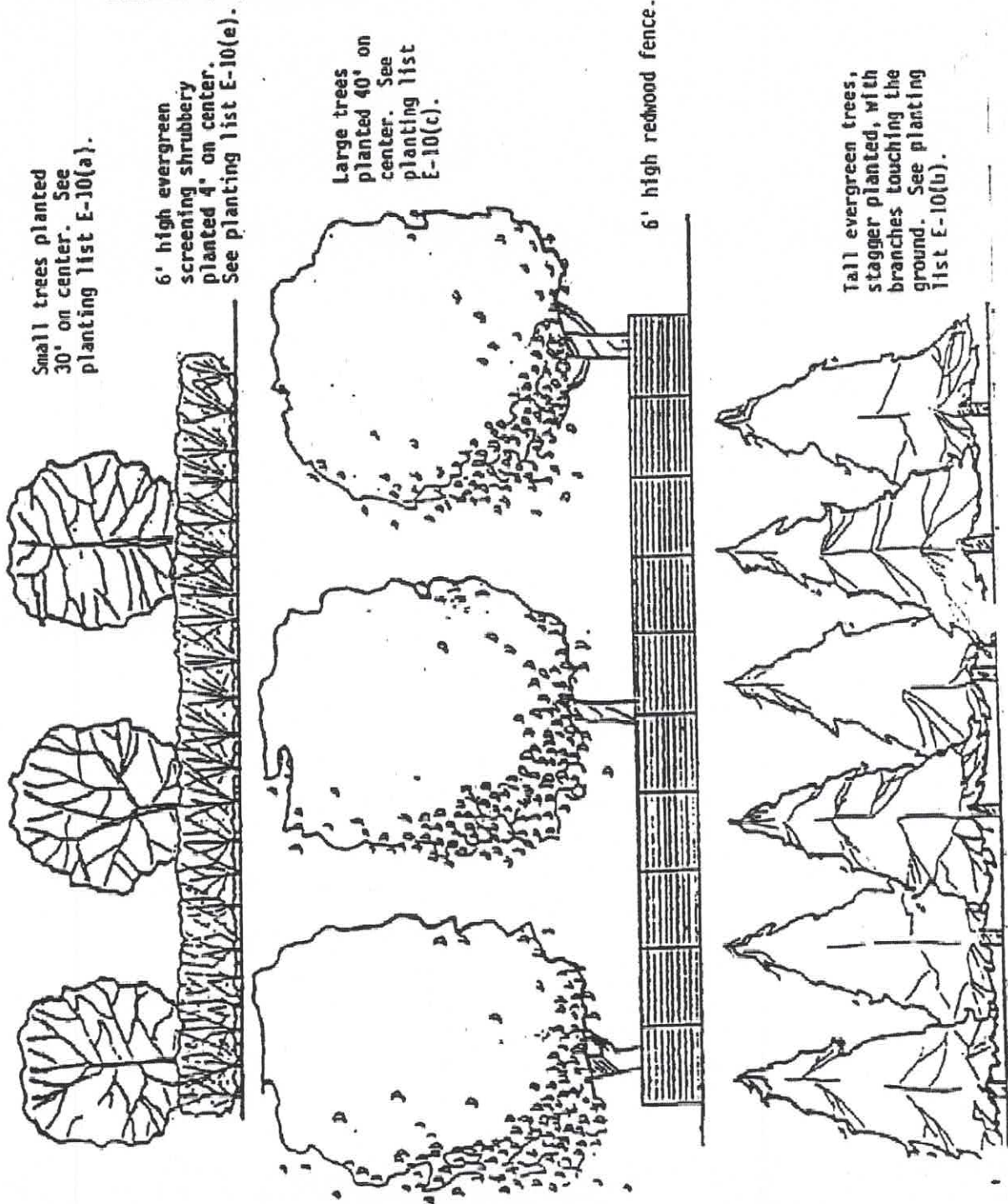
	<u>Name</u>	<u>Email Address</u>
1	Mary Lou Starnes	dstarnes22@carolina.rr.com
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Section 307 Descriptions of Screens.

The following three basic types of screens are hereby established and are used as the basis for the screening requirements set forth in Section 308.

- (a) Opaque Screen, Type "A". A screen that is opaque from the ground to a height of at least six feet, with intermittent visual obstructions from the opaque portion to a height of at least twenty feet. An opaque screen is intended to exclude completely all visual contact between uses and to create a strong impression of spatial separation. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. If a berm is chosen, whether required or not, the slope of the berm shall not be greater than a ratio of 3:1. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten feet wide. The portion of intermittent visual obstructions may contain deciduous plants. Suggested planting patterns that will achieve this standard are included in Appendix E.
- (b) Semi-Opaque Screen, Type "B". A screen that is opaque from the ground to a height of three feet, with intermittent visual obstruction from above the opaque portion to a height of at least twenty feet. The semi-opaque screen is intended to partially block visual contact between uses and to create a strong impression of the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. If a berm is chosen, whether required or not, the slope of the berm shall not be greater than a ratio of 3:1. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten feet wide. The zone of intermittent visual obstruction may contain deciduous plants. Suggested planting patterns which will achieve this standard are included in Appendix E.
- (c) Broken Screen, Type "C". A screen composed of intermittent visual obstructions from the ground to a height of at least twenty feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. If a berm is chosen, whether required or not, the slope of the berm shall not be greater than a ratio of 3:1. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the

E-6 Typical Opaque Screens



Small trees planted 30' on center. See planting list E-10(a).

6' high evergreen screening shrubbery planted 4' on center. See planting list E-10(e).

Large trees planted 40' on center. See planting list E-10(c).

6' high redwood fence.

Tall evergreen trees, stagger planted, with branches touching the ground. See planting list E-10(b).

Belk Family Land LLP Questions for "Community Meeting" – 12-10-2024 @ 5:00 PM

ANSWERS Noted in RED

1. Notice stated that meeting was to discuss Special Use Permit, but Parcel 08225012C is currently RA so it appears that there would have to be a Change in Zoning. Which is it? What Land Use Ordinances applies? **Will be changed to L-I Conditional – Special Use Permit**
2. Since this is right next to the 38 acres that has now been changed to Conditional Use District for Light Industrial, why couldn't this be considered to be part of that? **Different owner and different zoning – this will be L-I**
3. Notice said that Parcel 08225012C would be subdivided into two parcels. Is there a map showing just how this subdividing would be? **Yes**
4. Notice said the new parcel will be 6 acres – which part is for storage yard and which part is office? **To be determined**
5. How large will be the new office? **60X60 office with 40X60 lean-to of both sides of office**
6. How will office be positioned on new parcel? **Has not been determined**
7. How many employees will be in new office? **Up to 15 over a period of time**
8. What about restroom facilities? Has land been perked? **It has been perked and the office will have restrooms**
9. What materials will be stored in storage yard? **Materials that will be used in a grading business**
10. What equipment will be stored in storage yard? **Same as above (#9)**
11. What will be the hours of operation? **6 AM - 9 PM**
12. Will there be outside lighting? **Yes as needed and per the ordinance**
13. What barriers will be installed – will there be fencing around the perimeter of new office and storage yard. **As needed**
14. Will there be a dumpster onsite at all times? (There has been a problem in the last few years of empty lime bags being blown in the fields of Belk Family Land, LLP). **Yes**

Buchanan Questions for Community Meeting 12/10/24

ANSWERS are in RED

1. The driveway is in the area that they will need to have screening, no screening indicated, and did not indicate the zoning on adjacent lots. They could sell the adjacent lots to someone else. We should have the screening and plant list. **L-I is property next to it. 500 ft adjacent to RA-40 (Belk Property)**
2. There are two well located on the map. **Yes**
3. The building indicated is smaller than 60'x60'. **Not decided – but up to 40X60 lean-to on both sides of the building**
4. They don't indicate a parking area. **Not decided**
5. Not sure how wide the driveway is, if it is supposed to be one lane, there is not any turning radius where the driveway enters the street. **30-foot right of way with gravel drive**
6. They will need to get a NC driveway permit. **Will obtain if needed – apron on street**
7. The lot is flat, location of erosion control and storm water control. no contours shown. **Will obtain**
8. Will they have the fall for a gravity septic system. **Not sure, higher at the back of property**
9. It is light industrial, what is it going to be used for, contractor offices and storage yard is wide open. **By right in ordinance**



**Town of Fairview
Planning Board Meeting
June 18, 2024**

1. Roll Call and Determination of Quorum --- Chairman Buchanan

The following Planning Board members were present: Chrisie Black, Doug Buchanan, Mike Medlin, Josh Presley, Bill Thomas, Fred Rogers (Alt.), Rodney Stephens (Alt.)

Others present: Ed Humphries, Land Use Administrator/Deputy Clerk; Teresa Gregorius, Town Clerk and Spencer Cox, Administrative Assistant

2. Public Comments: None

3. Items of Business:

3.A. Review 'Table of Uses'

Ed Humphries reviewed various areas of the Table of Uses and asked the members to bring before the Board any additions that they thought would be beneficial to the town.

3.B. Future possible projects

- Hudson Brothers property is for sale
- Property at corner of Hwy. 218 and Hwy. 601
- Fire Department property in front of Park

4. Approval of Minutes:

Mike Medlin made a motion to approve the February 20, 2024 minutes. Rod Stephens seconded the motion. Board members Black, Buchanan, Medlin, Presley, Thomas, Rogers (Alt), Stephens (Alt) voted yes (7-0).

5. Adjournment - Chairman Buchanan adjourned the meeting

Respectfully submitted,

Teresa Gregorius
Town Clerk

Doug Buchanan
Chairman

Approved this _____ day of _____ 2024