



REZONING PETITION: Z 01-19

**REQUEST SUMMARY**  
 Rezone from Rural Agricultural [RA] to Commercial, Business, Industrial [CBI]  
 Application is included as Attachment 1

**PARCEL INFORMATION**  
 220 - 055 [3.04 acres]  
 220 - 034 [3.82 acres]  
 6.86 acres TOTAL

**LOCATION**  
 2355 Brown Road, China Grove, NC

**PROPERTY OWNERS**  
 Melissa Marie Allred & Cherylann Weaver

**APPLICANT**  
 Corrie Connolly, DVM

**EXISTING IMPROVEMENTS**

Residential related	8240 sq ft
Agriculture related	14,815 sq ft
Other	1600 sq ft
<b>TOTAL</b>	<b>24,655 sq ft</b>

**CONFORMITY WITH ADOPTED PLANS / POLICIES**

Located in Area 1 of Western Area Land Use Plan

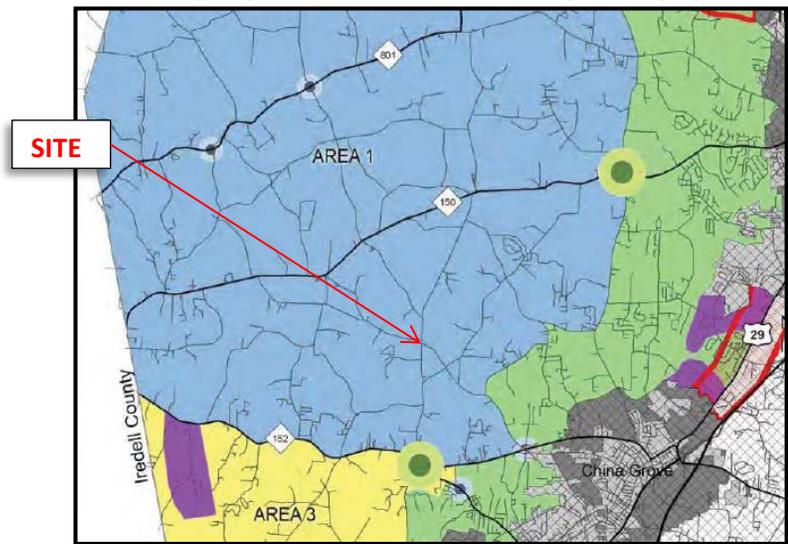
**Commercial Recommendations**

Rural Businesses are encouraged on major / minor thoroughfares other than NC / US Highways

Neighborhood Business (NB) district is considered appropriate for locating new businesses

Home based businesses that are located on same parcel as the residence

**Excerpt of Future Land Use Concepts Map**



**CONSISTENCY WITH THE DISTRICT'S PURPOSE AND INTENT**

**Purpose** This zone allows for a wide range of commercial, business and light industrial activities which provide goods and services. This district is typically for more densely developed suburban areas, major transportation corridors, and major cross-roads communities. However this district may also exist or be created in an area other than listed in this subsection if the existing or proposed development is compatible with the surrounding area and the overall public good is served.

**Intent** The application seeks to create a district to allow for a Veterinary Clinic & Offices providing service for large and small animals; future overnight boarding and mercantile store

## COMPATIBILITY OF USES

The table below is generalized grouping of land use categories comparing land uses "allowed" in the Rural Agricultural (RA) district versus the Commercial, Business, Industrial (CBI) district. As a reminder, uses permitted as **SR** in the RA district require the owner to live on the property, limit the building size to 10% of gross acreage of the lot and have 35' of state road frontage. The CBI district does not have the aforementioned stipulation.

MAJOR GROUP	INDUSTRY GROUP	RA	CBI
Residential		Permitted	Permitted
Construction		Permitted w/ SR	Permitted
Manufacturing		Most Permitted w/ SR	Most Permitted
	Textile Mill Products		Permitted
	Lumber Products	Permitted w/ SR	
	Paper & Allied Products		Permitted
	Chemical & Allied Products		
	Petroleum Products		
	Stone, Glass, Concrete, etc.	Some Permitted w/ SR	Some Permitted
Transportation, Communication, Electric / Gas and Sanitary Services			Many Permitted
Wholesale Trade		Most Permitted w/ SR	Most Permitted
Retail Trade		Permitted w/ SR	Permitted
Finance, Insurance and Real Est		Permitted w/ SR	Permitted
Services		Most Permitted w/ SR	Most Permitted
	Misc. Amusement & Recreation		Permitted
Public Administration			Permitted

**Source** Section 113 of Rowan County Zoning Ordinance / Shane Stewart, Assistant Planning Director

**Key** Permitted: 75% - 100% Most Permitted: 50% - 74% Many Permitted: 25% - 49%

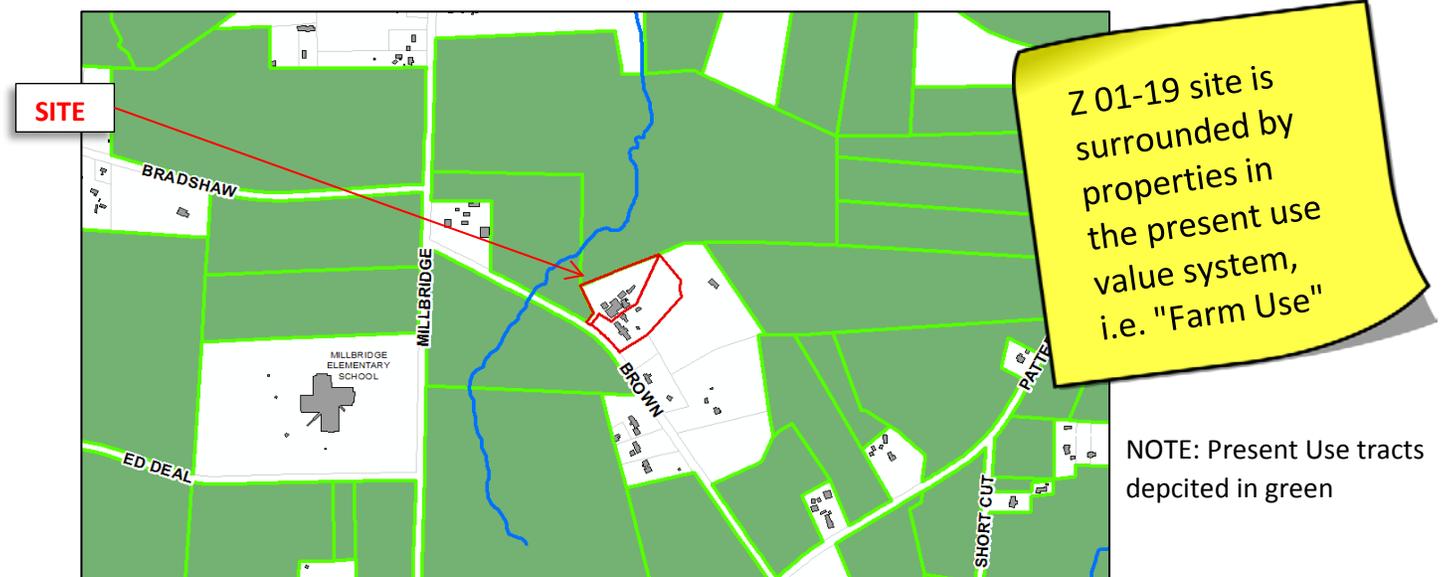
## VICINITY CONDITIONS

**North** Vacant, agricultural land

**East** Vacant, agricultural land

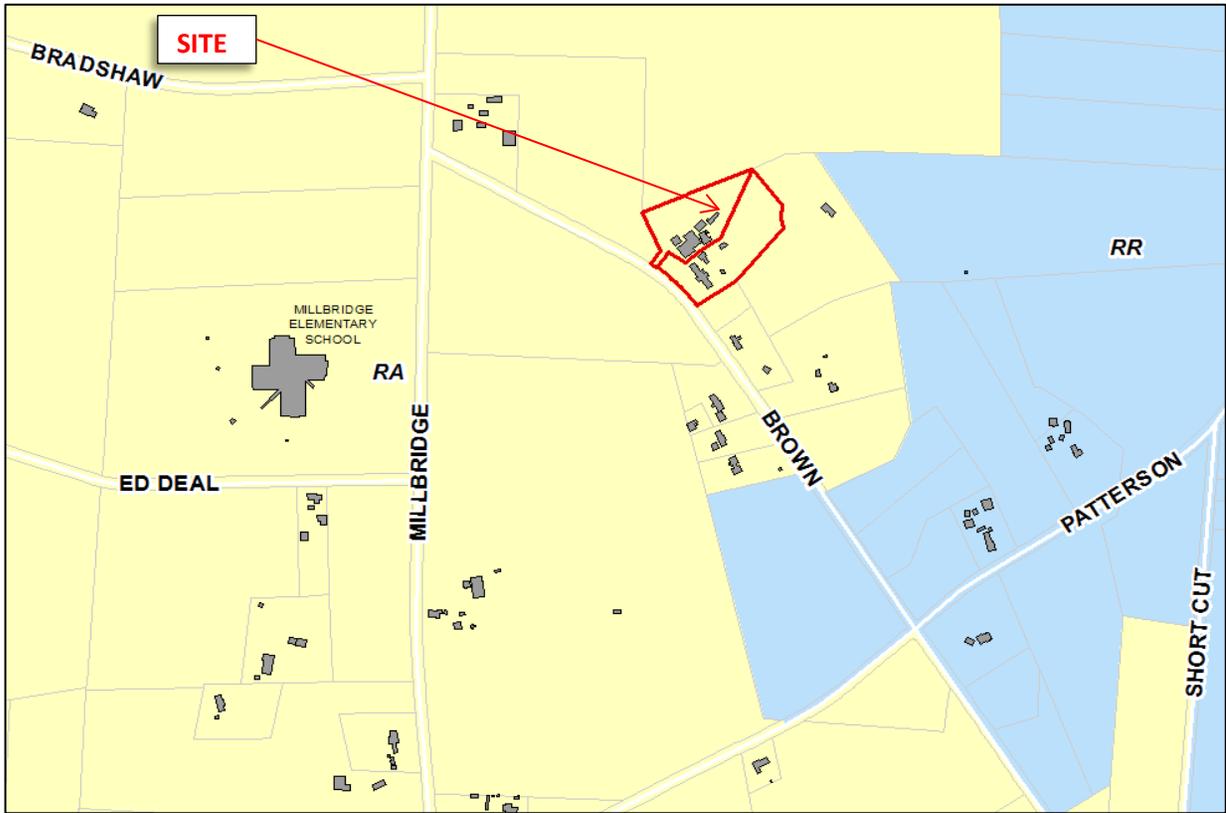
**South** Residential dwellings along Brown Rd

**West** Vacant, agricultural land



**VICINITY CONDITIONS**

Current Zoning Districts in vicinity of the request are predominantly RA and Rural Residential (RR).



**POTENTIAL IMPACTS ON ROADS**

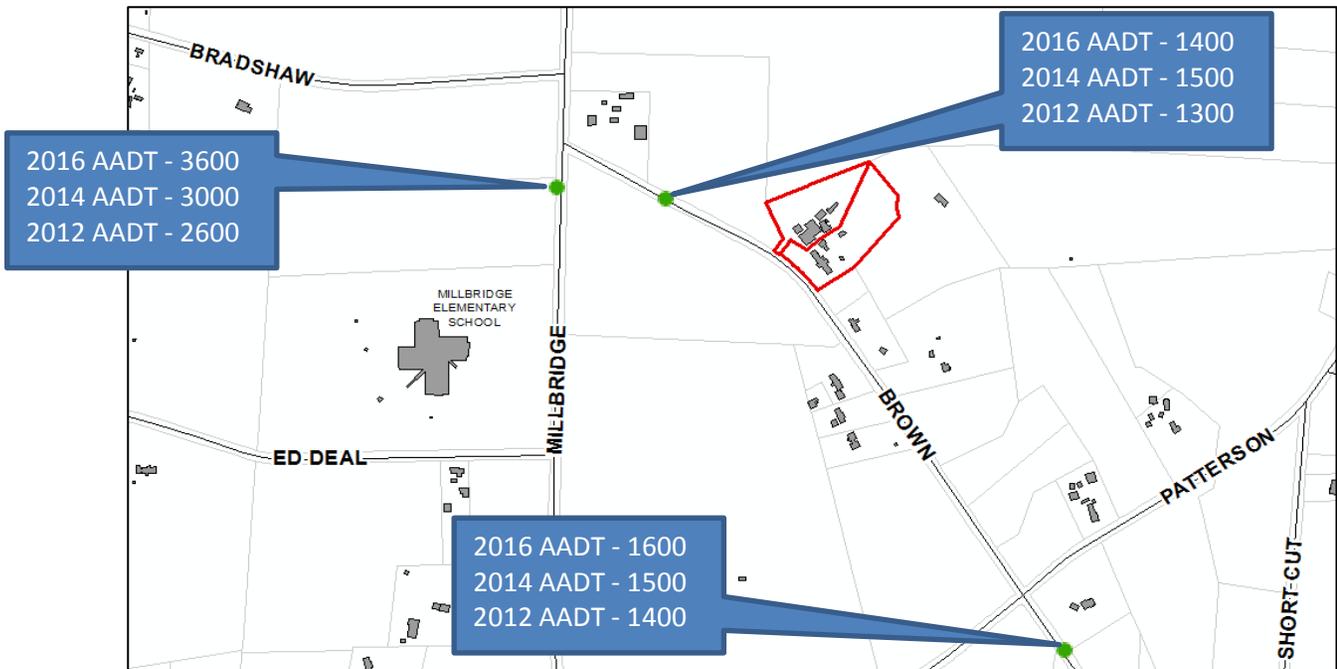
**Millbridge Road (SR# 1350)**

Recognized as a Major Thoroughfare  
 Speed Limit is 55 MPH  
 Assumed Right-of-Way is 60'  
 14,600 Vehicles Per Day (VPD) capacity

**Brown Road (SR# 1211)**

Recognized as a Minor Thoroughfare  
 Speed Limit is 45 MPH  
 Assumed Right-of-Way is 60 feet  
 14,100 Vehicles Per Day (VPD) capacity

*\*\*Annual Average Daily Traffic (AADT) counts on the map below provided by NCDOT\*\**



## **PROCEDURAL CONSIDERATIONS**

In addition to the criteria contained in this Staff Report, Section 21-362(c) also tasks the Planning Board with determining, “whether the proposed change advances the public health, safety or welfare as well as the intent and spirit of the ordinance.” In doing so, the Board shall consider:

1. Whether all uses allowed in the requested zoning district are more appropriate than those of the existing zoning district; and,
2. The impact of the zoning change on the general public, not the advantages or disadvantages to the petitioner.

## **STATEMENT DEVELOPMENT**

In preparing its recommendation, the Planning Board must adopt two (2) separate and distinct statements that justify a decision to approve or deny a rezoning request; statutorily termed as Statement of Consistency and Statement of Reasonableness.

The Statement of Consistency should be a brief description of how the decision rendered by the Planning Board is consistent with any adopted plans and is reasonable and in the public interest. The accompanying Consistency Worksheet should be used to develop the statement as recent statutory changes mandate its format and content.

The Statement of Reasonableness tends to focus on the concept of spot zoning and, like the consistency statement, should explain why its recommendation is reasonable and in the public interest. Spot zoning is not illegal provided there is a reasonable basis for the decision. As such, the Reasonableness Worksheet contains several factors used by NC Courts to determine whether spot zoning has occurred.

## **STAFF COMMENTARY**

The proposed use of the Z 01-19 site as a veterinary clinic is complimentary to the area, but it may not warrant designation as a stand-alone CBI district. There are some concerns that if the site does not continue operation as a veterinary clinic, then all uses allowed in the CBI district may locate in this rural area; refer to the table in Compatibility of Uses and the Vicinity Conditions map on page 2 of this report. As such, consideration as a CBI - Conditional District should be given strong consideration.



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Planning & Development  
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Case # Z 01-19  
Date Filed 1.2.2019  
Received By MEM  
Amount Paid ~~\$3000~~ CC # 5469

**Office Use Only**  
Z-012036-2019

**REZONING APPLICATION**

**OWNERSHIP INFORMATION:**

Name: Melissa Marie Allred / Melissa Marie Allred Cherylann Weaver  
Signature: Melissa Marie Allred Cherylann Weaver  
Phone: 704-738-3102 Email: mom2haylee@gmail.com  
Address: 739 N. Capitol Ave. Corydon IN 47112

**APPLICANT / AGENT INFORMATION:** Complete affidavit on back if non-owner

Name: Corrie Connolly  
Signature: Corrie Connolly, DVM  
Phone: 704-819-7544 Email: corrie.connolly@gmail.com  
Address: 550 McNeely Rd, Mt Ulla, NC 28125

**PROPERTY DETAILS:**

Tax Parcel(s): 220 055(3.04 acres)/220 034(3.82 acres) Size (sq.ft. or acres): 6.86 acres (total)  
Property Location: 2355 Brown Rd, China Grove, NC 28023  
Current Land Use: Vacant/residential  
Date Acquired: March 31, 2017 Deed Reference: Book 1287 Page 432

**REQUEST DETAILS:**

Existing Zoning District Rural Agriculture Requested Zoning District Commercial, Business, Industrial

If requesting a conditional zoning district, list proposed use or uses:

Additional information enclosed restricting the conditional use district? Yes  No

Site plan containing information from sec. 21-52 enclosed? Yes  No

**AFFADAVIT OF OWNER**

To be completed if applicant is not the property owner

I (We), Melissa Marie Allred, Cherylann Weaver, owner(s) of the within described property do hereby request the proposed rezoning and hereby authorize the person listed below to act as my (our) duly authorized agent in this matter.

Signature(s): Melissa Marie Allred Cherylann Weaver

Date: 12/28/18

Name of Applicant / Agent: Corrie Connolly

Address: 550 McNeely Rd, Mt Ulla, NC 28125

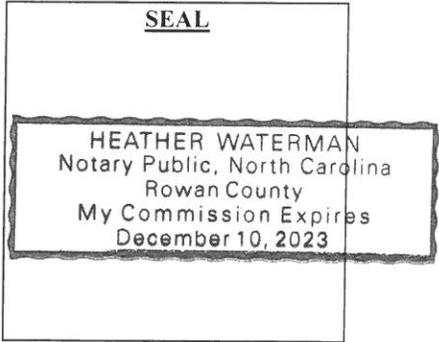
Phone Number: 704-819-7544

**IT IS UNDERSTOOD BY ALL PARTIES HERETO INCLUDING OWNER(S) & APPLICANT(S) / AGENT(S) THAT WHILE THIS APPLICATION WILL BE CAREFULLY CONSIDERED AND REVIEWED, THE BURDEN OF PROVIDING ITS NEED RESTS WITH THE ABOVE NAMED APPLICANT WHETHER OWNER, NON-OWNERS, OR OWNER'S AGENT.**

STATE OF North Carolina COUNTY OF Rowan

I, Heather Waterman, a Notary Public for said County and State, do hereby certify that Melissa Marie Allred, Cherylann Weaver personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My commission expires Dec 10, 20 23.



**OFFICIAL USE ONLY**

- 1. Signature of Rezoning Coordinator: M E M
- 2. Planning Board Courtesy Hearing:     /     /
- 3. Notifications Mailed:     /     /
- 4. Property Posted:     /     /
- 5. Planning Board Action: Approved     Denied
- 6. Board of Commissioners Public Hearing:     /     /
- 7. Notifications Mailed:     /     /
- 8. Property Posted:     /     /
- 9. Dates Advertised: 1<sup>st</sup>     /     /     2<sup>nd</sup>     /     /
- 10. BOC Action: Approved     Denied
- 11. Date Applicant Notified:     /     /

