

Special use Permit # 10-03-GCPL-879 AG to AG-SP

Nature of the Request

This Special Use Permit request is for approval of an equestrian facility

Use(s): Equestrian Facility

Condition(s): None

District Descriptions

AG AGRICULTURAL DISTRICT. The AG, Agricultural District, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions.

Property Specifics

Applicant/property owner: Rolling Hills Stables, LLC.

Property location: Rolling Hills Stables, LLC.

Legal description: Guilford County Tax Map 9-635, Block 620, part of Parcels 2A, 9 and 23 as follows:

Commencing at an existing iron pipe on the north right-of-way of Davis Mill Road; said pipe being the northeastern most corner of the E. L. Rummage and Wife Ellen G. Rummage property as described by Deed Book 4268 Page 490; thence North 60°48'47" East a distance of 71.75 feet to a Point in the centerline of Davis Mill Road and crossing the Old Farm Road as described in aforementioned Rummage Deed and being the Point and Place of Beginning; thence from said Beginning Point along a new line being the eastern margin of the Old Farm Road, North 62°26'33" West a distance of 585.71 feet to a Point; thence North 45°52'48" West a distance of 691.15 feet to a Point; thence North 00°53'59" West a distance of 141.47 feet to a Point; thence North 44°04'50" East a distance of 872.54 feet to a Point; thence South 68°54'40" East a distance of 397.35 feet to a Point; thence South 45°52'48" East a distance of 1030.75 feet to a Point in the centerline of Davis Mill Road; thence along the centerline of Davis Mill Road, South 49°35'21" West a distance of 423.50 feet to a Point; thence continuing along the centerline of Davis Mill Road, along a curve to the left having a radius of 2994.86 feet along said curve having a chord direction of South 44°25'18" West and a chord length of 539.47 feet; to the Point of Beginning; containing and area of 33.331 acres more or less.

Zoning History of Denied Cases: None

Character of the Area

South of the Pleasant Garden Town Limits, this request is in an area that is primarily low density residential and farms

Existing Land Use(s) on the Property: Low-density residential vacant

Surrounding Uses:

North: Low-density residential vacant

South: Low-density residential

East: Low-density residential

West: vacant

Historic Properties: There are no inventoried properties located on this property. No cemeteries are shown on this property but efforts should be made to rule out the potential of unknown gravesites.

Infrastructure and Community Facilities

Emergency Response:

Fire Protection District: Pleasant Garden

Miles from Fire Station: Approximately 1.7 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Transportation:

Existing Conditions: There is no current Average Daily Totals (ADT) available for this two-lane Minor Thoroughfare.

Proposed Improvements: None

Projected Traffic Generation: No significant additional traffic impact is expected.

ENVIRONMENTAL ASSESSMENT

Topography: Soil Types include: Chewacla Sandy Loam, (Cha), nearly flat along streams-frequently flooded, Iredell Fine Sandy Loam, (IrB), 0 to 4% slopes, Helena-Sedgefield Sandy Loams, 0 to 6% slopes, (HhB), Enon Fine Sandy Loam, (EnB), 2 to 6% slopes, Appling Sandy Loam, (ApB), 6 to 10% slopes, Enon Fine Sandy Loam, (EnC), 6 to 10% slopes, and Madison Sandy Loam, (MaE), 15 to 35% slopes.

Regulated Floodplain/Wetlands: None.

Streams and Watershed: Although the attached topographic map shows three streams upon the area to be rezoned, the Guilford County Soil Survey and the USGS Topographic Maps do not show these drainageways becoming jurisdictional streams until after the property. No stream buffers will be required for the property. An intermittent stream flows in close proximity to the most western delineated area. The property is located within the Polecat Creek Watershed, WS-III, in the general watershed area.

Land Use Analysis

Land Use Plan: Southern Guilford (updated 2008)

Plan Recommendation: Agricultural

Consistency: Equestrian Facilities requiring Special Use Permits are categorized as agricultural uses, which makes this request consistent with the intent of the Southern Guilford Area Plan

Staff Comments

During consideration of a Special Use Permit, the Planning Board must determine that the following Findings of Fact have been satisfied based upon relevant and credible evidence presented during the hearing:

1. The proposed use requires a Special Use Permit under the Development Ordinance;
2. The proposed conditions meet or exceed the development standards and all required conditions and specifications found in the Development Ordinance;
3. That either the use as proposed, or the use as proposed subject to such additional conditions as the owner may propose or the Planning Board may impose, is consistent with the purposes of the District and compatible with surrounding uses;
4. The Special Use Permit shall be granted when each of the following Findings of Fact have been made by the Planning Board:
 - a) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;
 - b) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

- c) That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Jurisdiction and its environs.

After reviewing the proposed development plan for this request, staff offers the following facts and recommends that the Planning Board consider the following issues:

- (1) Equestrian Facilities are represented by an "S" in the Guilford County Development Ordinance table of permitted uses.
- (2) Proposed site plan conditions of this request meet development standards for an Equestrian Facility.
- (3) Equestrian Facilities meet the intent of the Agricultural District of the Southern Guilford Area Plan.
- (4) The Guilford County Department of Public Health has submitted that the proposed equestrian facility will not materially endanger the public health or safety if developed as planned.
- (5) The owner will be the sole operator and employee.