

Nature of the Request

This request is for approval of an Auto Repair Rural Family Occupation.

Use(s): Rural Family Occupation

Condition(s): None offered

District Description: 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: J. Blaine Wyrick.

Property location: Located on the east side of Payne Hardy Road (SR 2774) north of Wyrick Lane (PVT) in Madison Township.

Legal description: Being Guilford County Tax Map 5-276, Block 251, Parcel 3 and Part of Parcel 5, approximately 6.12 acres.

Zoning History of Denied Cases: None

Character of the Area

This area is characterized by primarily large lot residential and farm uses.

Existing Land Use(s) on the Property: Residence and Automotive

Surrounding Uses:

North: Low Density Residential

South: Vacant

East: Vacant

West: Across Payne-Hardy Road, Low-density Residential

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

Infrastructure and Community Facilities

Public School Facilities: n/a

Emergency Response:

Fire Protection District: Northeast

Miles from Fire Station: Approximately 6.0 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: No traffic count available

Proposed Improvements: None

Projected Traffic Generation: Up to five (5) trips per day

ENVIRONMENTAL ASSESSMENT

[Rich Baker]

Topography:**Regulated Floodplain/Wetlands:**

Streams and Watershed: The property is not located within a water supply watershed.

Land Use Analysis

Land Use Plan: Northeast Area Plan (2000)

Plan Recommendation: Rural District

Consistency: Commercial uses are not consistent with the intent of the Plan; however, Rural Family Occupations are intended to be small scale, low impact uses that can be incorporated into rural areas through site design and conditions.

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 proposal, staff offers the following facts and recommends that the Planning Board consider the following issues:

- (1) Rural Family Occupations (RFO) are represented by an "S" in the Guilford County Development Ordinance table of permitted uses.
- (2) Proposed conditions of this request meet development standards for RFO's found in the Guilford County Development Ordinance.
- (3) RFO meets the intent of the Rural District of the Northeast Area Plans.
- (4) The site has been granted a variance by the Guilford County Board of adjustment to permit the sites principal residence to be place behind the RFO activity area.
- (5) The Guilford County Department of Public Health has submitted that the proposed automotive repair will not materially endanger the public health or safety if developed as planned.
- (6) The owner will be the sole operator and employee.
- (7) No oil changes will be performed on the site rear.