

***IREDELL COUNTY PLANNING BOARD***

The Iredell County Planning Board met on Wednesday, August 5, 2009 at 7:00 p.m. in the Commissioners Meeting Room of the Iredell County Government Center (Old Courthouse) at 200 S. Center Street in Statesville, NC.

**MEMBERS PRESENT**

Eric Fields, Chairman  
Harry Tsumas, Jr., Vice-Chairman  
Dr. Jackie Grigg  
Anita Johnson  
Jeff McNeely  
Harold Pruitt  
Jerry Santoni  
Thomas E. Stephens  
Alan Williams

**STAFF PRESENT**

Katrina Hewitt  
Rebecca Harper

**MEMBERS ABSENT**

Gene Mahaffey  
Kristi Pfeufer

At this time, Chairman Fields called the meeting to order.

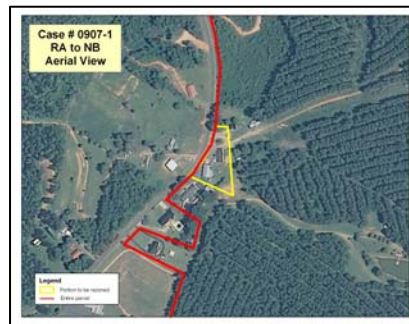
**TABLED REZONING REQUEST; MARY BLANCHE KENNEDY PROPERTY, CASE NO. 0907-1:** Ms. Harper stated that the applicant was not present at the last meeting; therefore, the request was tabled until tonight.

This is a request to rezone .94 acres at 638 Eagle Mills Road in Hamptonville from RA, Residential Agricultural Zoning District to NB, Neighborhood Business District. The proposed use for the property is to convert a legal existing home business structure into a restaurant.

**OWNERS:** Mary Blanche Kennedy  
620 Eagle Mills Road  
Hamptonville, NC 27020

**LOCATION:** At 638 Eagle Mills Road; more specifically identified as a portion of PIN # 4863-82-3497.

**DIRECTIONS:** East Memorial Highway, left onto Eagle Mills Road, on the right past Nature's Way



**SURROUNDING LAND USE:** This property is surrounded by residential and farming uses.

**SIZE:** The property is 198.94 acres, of which .94 acres is being requested for rezoning.

**EXISTING LAND USE:** The parcel has an existing non-conforming store and a building that has previously been used as a home business.

**ZONING HISTORY:** This property as well as the surrounding property has been zoned RA since county wide zoning was established. The existing store was built in 1950. The other structure was permitted and built in 2006 as a home business.

**OTHER JURISDICTIONAL INFORMATION:** Since the property in question is located a considerable distance from any municipality, no other jurisdictions were contacted with regards to the proposed request.

**OTHER SITE CHARACTERISTICS:** This property is located the Hunting Creek WSIII-BOW water supply watershed. Any existing impervious area is exempt from the watershed standards. Any new impervious area would be reviewed in the Planning Department and would have to meet the standards of the Watershed Ordinance.

**TRAFFIC:** In 2006, the average number of vehicles per day on Eagle Mills Road was 210.

**SCHOOLS:** Because this is a commercial rezoning, there should be no implications on local schools.

**FIRE MARSHAL:** This proposal has been reviewed by the Iredell County Fire Marshal's Office. The Fire Marshal's Office has no issues with the proposal.

**EMS:** This proposal has been reviewed by the EMS Director and he had no problems or comments with regards to the request.

**LOCAL:** The applicant will have to provide a site plan to the Planning Department for review to develop the property. Zoning requirements such as parking and screening will be reviewed at such time.

**STATE:** Other than building code and food and septic standards through the Health Department, there should be no formal state agency review at this time.

**FEDERAL:** None at this time.

**STAFF COMMENTS:** Although the Iredell County Land Use Plan does not indicate a commercial node for this area, the proposed 2030 Horizon Plan has a rural commercial designation on this site. The Horizon Plan received a favorable recommendation from the Planning Board on June 3, 2009, and is currently being reviewed by the Board of Commissioners. The existing non-conforming store was built in 1950 and faces challenges to future growth because of the non-conforming status. The home occupation use of the second building is no longer taking place. Since the building was built for commercial purposes, a rezoning would allow the continued use of the building as a business.

The Planning staff can support the proposed rezoning request based on the following: the existing non-conforming store has been in place since 1950 and the rezoning would bring it into compliance, the site is located on the 2030 Horizon Plan future land use map as rural commercial, and the scale of the development should not have a negative impact on the surrounding area.

**SITE REVIEW COMMITTEE:** Jackie Grigg and Alan Williams visited this site with the staff on June 16, 2009.

Mr. Tracy Spencer, Applicant, stated that they planned on moving the small building in the front portion of the property to make room for parking. Mr. Spencer stated that the restaurant would be “take out” only at this time with a few picnic tables outside. Mr. McNeely asked if they had septic approval and Mr. Spencer stated the existing system is adequate for what he proposes but in the future if they had an “eat in” type restaurant they would have to upgrade.

After further discussion, Mr. Williams made a motion to recommend in favor of the zoning map amendment although it is not consistent with the Iredell County Future Land Use Plan. The recommendation for the amendment is based on consistency with the 2030 Horizon Plan. Mr. McNeely seconded said motion and all agreed. **VOTES: 9-0.**

**MINUTES:** Mr. Santoni made a motion to approve the 7/1/09 meeting minutes and Dr. Grigg seconded said motion. The motion passed in favor. **VOTES: 9-0.**

**MONTHLY COMMITTEE ASSIGNMENT:** Dr. Grigg & Mr. Tsumas volunteered to go on the site visit for next month’s requests on Tuesday, August 11<sup>th</sup>.

**ADJOURNMENT:** There being no further business, Chairman Fields declared the meeting adjourned at 7:30 p.m.

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*Katrina Hewitt*  
*Administrative Asst. II*

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*Date Read and/or Approved*