CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIANCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD *(Procedures are attached)*
   Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA
    All items listed below are considered routine and will be enacted by one motion. No
    separate discussion will be held except by a member of the Planning Board:
    A. Approval of Meeting Agenda
    B. Approval of Minutes of May 2, 2019
    C. Consideration of Abstentions

III. Election of Vice-Chair

IV. PUBLIC HEARINGS

1. Conditional Rezoning Request: Highway Commercial (B-2) to Highway
   Commercial Conditional Zoning (B2-CZ) – Boat & RV Storage - Theresa
   Thompson

2. General Use Rezoning Request: Highway Commercial (B-2) to Residential and
   Agricultural-20 (RA-20) – Theresa Thompson

V. PLANNING DEPARTMENT REPORTS - Debra Ensminger

VI. BOARD COMMENT PERIOD - Chairman

VIII. UPCOMING EVENTS

- Tuesday, September 17, 2019 5:30 PM Board of Commissioners Meeting to be held
  at the Historic Courthouse in Carthage
- Tuesday, October 1, 2019 10:30 AM Board of Commissioners Meeting to be held at
  the Historic Courthouse in Carthage
- Thursday, October 3, 2019 6:00 PM Planning Board Meeting to be held at the
  Historic Courthouse in Carthage
- Wednesday, October 9, 2019 Board of Commissioners Fall Work Session to discuss Capital Projects and Economic Development to be held at the Rick Rhyne Building in Carthage
- Tuesday, October 15, 2019 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

III. ADJOURNMENT

Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is given to the County.

Please see attached procedures for the Public Comment Period and public comment during Public Hearing
The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes.

2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.

3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.

4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.

5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.

6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.

7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.

8. Any applause will be held until the end of the Public Comment Period.

9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.

10. Information sheets outlining the process for the public’s participation in Board meetings will also be available in the rear of the Meeting Room.

11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.

Adopted on the 4th day of February, 2010 by a ___ to ___ vote of the Moore County Planning Board.
MOORE COUNTY PLANNING BOARD
PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public’s participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.

2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.

3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.

4. Any applause will be held until the end of the public hearing.

5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.

6. Action on items brought up during the public hearing will be at the discretion of the Board.

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board
MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, MAY 2, 2019 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Eddie Nobles (Chair), Joe Garrison (Vice Chair), Harry Huberth, Bobby Hyman, Jeffrey Gilbert, David Lambert, Matthew Bradley, John Cook

Board Members Absent: John Matthews

Staff Present: Debra Ensminger, Planning Director
Tron Ross, County Attorney
Theresa Thompson, Planning Supervisor
Dervin Spell, Planner
Stephanie Cormack, Administrative Officer

CALL TO ORDER

Chair Eddie Nobles called the meeting to order at 6:00 pm.

INVOCATION

Board Member John Cook offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member Jeffrey Gilbert led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member Matthew Bradley read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

A. Approval of Meeting Agenda
B. Approval of Minutes of April 4, 2019
C. Consideration of Abstentions

Board Member Joe Garrison made a motion to approve the consent agenda. The motion was seconded by Board Member John Cook and the motion passed unanimously (8-0).
PUBLIC HEARING

Public Hearing #1 – Conditional Rezoning Request: Rural Agricultural Conditional Use District (RA-CUD) - Mining to Rural Agricultural Conditional Zoning (RA-CZ) - Land Clearing & Inert Debris Facility- Theresa Thompson

Planning Supervisor Theresa Thompson presented a request by Chad Harris requesting a Conditional Rezoning from Rural Agricultural Conditional Use District-Mining (RA-CUD) to Rural Agricultural Conditional Zoning (RA-CZ) for a Land Clearing & Inert Debris Facility, located on a portion of three (3) properties: ParID 20000071, 00990775, and 00013973, the total being approximately 15.17 acres located adjacent to 310 Rubicon Rd owned by Johnny Harris Trucking Inc. per Deed Book 3117 Page 413, Deed Book 3117 Page 416, and Deed Book 3117 Page 419.

Mrs. Thompson went over the items within the packet pointing out to the board if approved the applicant plans to subdivide the property as identified within the map located in the packet. The property is located approximately 3 miles from the Town of Taylortown and Pinehurst.

Mrs. Thompson explained the applicant is requesting an exception to the County’s Non-Residential Screening requirements as the adjacent property currently has a 100 foot wide buffer.

Scott Harris with SNS Engineering approached the podium explaining to the board he will be permitting the project. Mr. Harris mentioned currently the facility is almost at capacity and are working with DEQ on closing up the area according to their standards. Mr. Harris also mentioned there was one other facility located in Moore County and to his knowledge is almost at capacity.

Board Member David Lambert asked for clarification on the close out process.

Mr. Harris explained if a facility is at capacity and has no area to expand to meet state requirements the facility would have to close completely and would not be allowed to expand or reopen on that property.

With no further questions from the board, Chairman Nobles opened the Public Hearing.

With no further discussion or Public Comment Chairman Nobles closed the public hearing.

With no further comments Board Member Joe Garrison made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Harry Huberth; motion passed unanimously 8-0 for approval.
Board Member Joe Garrison made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Rural Agricultural Conditional Use District -Mining (RA-CUD) to Rural Agricultural Conditional Zoning (RA-CZ) for a Land Clearing & Inert Debris Facility, located on a portion of 3 properties: ParID 20000071, 00990775, and 00013973, the total being approximately 15.17 acres, located adjacent to 310 Rubicon Road, West End. The motion was seconded by Board Member Harry Huberth; motion passed unanimously 8-0 for approval.

Public Hearing #2 – Unified Development Ordinance Text Amendment (Equestrian Cottage) - Theresa Thompson

Planning Supervisor Theresa Thompson presented a request by Lori Beale requesting the following text amendment to the Moore County Unified Development Ordinance:

- To add Equestrian Cottages as a Conditional Zoning use in the Rural Equestrian zoning district.

Mr. Thompson explained by adding under the Conditional Zoning use it would allow the board to review each request on a case by case situation. Ms. Beale has property located at 3222 Lakebay Rd. adjacent to the Wathour-Moss Foundation. The intent is to have equestrian cottages for overnight stays as well as horse stables on the property to allow those to stay with horses providing access to the Wathour-Moss Foundation property.

Board Member Lambert asked for further clarification regarding the definition of Equestrian Cottage and use.

Mrs. Thompson explained this type of use would only be allowed in the Rural Equestrian zoning district and would allow owners the ability to rent rooms overnight which would include a barn for their horses as an accessory use. This would be a short term rental situation with no more than 30 days out of a 60 day period.

Board Member Huberth inquired about the language written in the staff report under standards.

Mrs. Thompson explained the language is written in a way to allow a property owner to subdivide if the equestrian cottages should ever change use as a single family dwelling in the future.

With no further questions from the board, Chairman Nobles opened the Public Hearing.

The following people requested to speak on behalf of this item:

- Evan Hecht - 70 Cypress Point Dr. Pinehurst; spoke in favor of the request
- Cameron Sadler - 954 Sheldon Rd. Southern Pines; spoke in favor of the request
With no further discussion or Public Comment Chairman Nobles closed the public hearing.

With no further comments Board Member Joe Garrison made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member David Lambert; motion passed unanimously 8-0 for approval.

Board Member Joe Garrison made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance. The motion was seconded by Board Member David Lambert; motion passed unanimously 8-0 for approval.

**Public Hearing #3 – Unified Development Ordinance Text Amendment - Theresa Thompson**

Moore County staff is requesting amendments to the Moore County Unified Development Ordinance.

Theresa Thompson presented to the board the requested amendments as noted within the staff report.

- Amend Chapter 6 (Table of Uses), Section 6.1 (Use Table)
- Amend Chapter 7 (General Development Standards), Section 7.11 (Non-Residential Screening), Subsection E (Location)
- Amend Chapter 8 (Special Use Standards), Section 8.31 (Tourist Home), Subsection A (Definition) and B (Standards)
- Amend Chapter 10 (Text Amendments & General Use Rezoning), Section 10.2 (Application Process), Subsection A (Submittal)
- Amend Chapter 11 (Conditional Rezoning), Section 11.2 (Application Process), Subsection A (Submittal)
- Amend Chapter 12 (Conditional Use Permits), Section 12.2 (Application Process), Subsection A (Submittal)

Chairman Nobles opened the Public Hearing, with no further discussion or Public Comment Chairman Nobles closed the public hearing.

With no further comments Board Member Joe Garrison made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement approval and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Jeffrey Gilbert; motion passed unanimously 8-0.

Board Member Joe Garrison made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.
Development Ordinance. The motion was seconded by Board Member Bobby Hyman; motion passed unanimously 8-0 for approval.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger introduced new staff member Dervin Spell.

BOARD COMMENT PERIOD

There are no board comments.

ADJOURNMENT

With no further comments Board Member Garrison made a motion to adjourn the May 2, 2019 regular meeting. The motion was seconded by Board Member Bobby Hyman and the motion passed unanimously 8-0.

Respectfully submitted by,

Stephanie Cormack
MEMORANDUM TO THE PLANNING BOARD

FROM: Theresa Thompson  
Planning Supervisor  

DATE: July 30, 2019  

SUBJECT: Conditional Rezoning Request: Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) – Boat & RV Storage  

PRESENTER: Theresa Thompson  

REQUEST  
Donny Buchholz is requesting a Conditional Rezoning from Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) for a Boat & RV Storage Facility, located on approximately 32,554 square feet an approximate 2.78 acre parcel, located on Savannah Lane and adjacent to US Hwy 1, Vass, owned by Buchholz Enterprises, LLC, per Deed Book 4902 Page 141.

Public notification consisted of publishing a legal notice in the local newspaper for two consecutive weeks, notification by mail to adjacent property owners, and placing public hearing signs on the property.

BACKGROUND  
The property is currently developed. There is an existing Tool & Die Machine Shop located on the property. Adjacent properties include single family dwellings, undeveloped property, and a car sales business.

COMMUNITY MEETING  
The community meeting was conducted at the Buchholz Tool & Die Shop, located at 104 Savannah Lane, Vass on August 22 at 6:00pm. Adjacent properties were notified by certified return receipt mail, sent on August 5 No adjacent property owners were in attendance. The meeting was attending only by the applicant’s representatives and county staff.

CONDITIONAL ZONING (CZ)  
Conditional rezoning affords a degree of certainty in land use decisions not possible when rezoning to a general category allowing many different uses. A Conditional Zoning District is a floating zoning district created only at the request of a property owner, through the legislative rezoning process. Uses which may be considered for a conditional zoning district are restricted to those uses listed in the corresponding general zoning district. All development shall follow the specific use standards contained in the Moore County Unified Development Ordinance (UDO).
Either the property owner or the Board of Commissioners may propose specific conditions (Planning Board may recommend conditions) but only those conditions mutually agreed upon to the owner and Board of Commissioners can be imposed.

**ZONING DISTRICT COMPATIBILITY**

The requested rezoning to Highway Commercial Conditional Zoning (B2-CZ) for a Boat & RV Storage Facility is consistent with the Highway Commercial (B-2) zoning district due to both districts being of a commercial nature.

**CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN**

The future land use map identifies the property as High Density Residential with Mixed Use Land Use Classification. The requested zoning to Highway Commercial Conditional Zoning (B2-CZ) for a Boat & RV Storage Facility is compatible with the High Density Residential with Mixed Use Land Use Classification.

The Land Use Plan states the primary use of the High Density Residential with Mixed Use is a density of four (4) to eight (8) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This category shall also include certain non-residential neighborhood supportive uses such as retail, commercial, office, schools, daycares, churches and others similar uses compatible with residential. Public infrastructure and facilities such as roads, water, sewer, schools, fire/rescue, open space; and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The Moore County Unified Development Ordinance states the Highway Commercial (B-2) district provides for the development of commercial and service centers that serve community, countywide, or regional commercial needs, are accessible by residents from surrounding neighborhoods, and are of such nature so as to minimize conflicts with surrounding residential areas.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas, and Recommendation 1.7: Support and promote local businesses.
Recommendation
Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached Approval or Denial Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the Conditional Rezoning from Highway Commercial (B-2) to High Commercial Conditional Zoning (B2-CZ) for a Boat & RV Storage Facility, located on approximately 32,554 square feet an approximate 2.78 acre parcel, located on Savannah Lane and adjacent to US Hwy 1, Vass, owned by Buchholz Enterprises, LLC.

Attachments
- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Submitted Rezoning Application
- Submitted Site Specific Development Plan
- Planning Board Consistency Statement – Approval
• Planning Board Consistency Statement – Denial
• Regional Land Use Advisory Committee (RLUAC) Letter
• Deed Book 4902 Page 141
View of property from Savannah Lane

View of property from intersection of Savannah Lane and US Hwy 1
Views of property inside the fence
Adjacent property from US Hwy 1 – 5200 US Hwy 1

View of property across the highway from US Hwy 1 – 5215 US Hwy 1
Land Use Map

- Single Family Dwelling
- Single Family Dwelling
- Single Family Dwelling
- Single Family Dwellings
- Vacant
- Vacant
- Automobile Dealer
- Tool and Die Machine Shop
- US 1
- SAVANNAH
- PICKETT
Shaded area requested to be rezoned to B-2-CZ.
Conditional Rezoning Application

Application Date:  

Address of Property: 104 SAVANNAH LANE, VASS NC

Applicant: DONNY BUCCHOLZ  
Phone: 910-556-1329

Applicant Address: 104 SAVANNAH LANE  
City: VASS  
St: NC  
Zip: 28394

Owner: BUCCHOLZ ENTERPRISES, LLC  
Phone: 910-556-1329

Owner Address: 104 SAVANNAH LANE  
City: VASS  
St: NC  
Zip: 28394

Current Zoning District: B2  
Proposed Zoning District: B2-CZ

Current Use(s): COMMERCIAL/INDUSTRIAL  
Proposed Use(s): COMMERCIAL/INDUSTRIAL

Proposed rules, regulations, condition(s) for the proposed district that address the impacts expected to be generated by the development or use of the site:


Statement of reasonableness of the proposed conditional zoning. The statement shall include, but not be limited to the following:

1. The conditional rezoning compatibility with the County Land Use Plan and other adopted plans of the County.
2. The conditional rezoning compatibility with the existing land uses on abutting and neighboring tracts.
3. The benefits and detriments of the conditional rezoning for the subject property, neighboring properties and the surrounding community.

1. The site use is compatible with the County Land Use Plan and the proposed use is a conditionally approved use in the B2 zoning district.
2. The abutting property to the North is currently a used car lot. The property will be screened from view as per the Unified Development Ordinance.
3. The property will provide boat and rv storage for residential properties where it is not allowed or there is not enough room. The property will not generate any offensive or persistent noise or lighting.
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests or information as designated by the County of Moore Zoning Administrator.

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The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:
   
   Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)
   - Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

   Goal 3: Optimize the Uses of Land Within the County of Moore
   - Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is reasonable and in the public interest considering the requested rezoning is consistent with commercial highway corridor zoning and is located in close proximity to the Southern Pines, Whispering Pines, and Vass communities providing practicality, easy access, and reduced travel times.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the Conditional Rezoning from Highway Commercial (B-2) to High Commercial Conditional Zoning (B2-CZ) for a Boat & RV Storage Facility, located on approximately 32,554 square feet an approximate 2.78 acre parcel, located on Savannah Lane and adjacent to US Hwy 1, Vass, owned by Buchholz Enterprises, LLC.

_________________________  _________________________
Eddie Nobles, Chair          Date

Moore County Planning Board
Moore County Planning Board
Land Use Plan Consistency Statement
Conditional Rezoning Request
Highway Commercial (B-2) to
Highway Commercial Conditional Zoning (B2-CZ) (Boat & RV Storage)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

   Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)
   - Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

   Goal 3: Optimize the Uses of Land Within the County of Moore
   - Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning is not consistent with the highway business corridor.

Therefore, the Moore County Planning Board recommends DENIAL of the Conditional Rezoning from Highway Commercial (B-2) to High Commercial Conditional Zoning (B2-CZ) for a Boat & RV Storage Facility, located on approximately 32,554 square feet an approximate 2.78 acre parcel, located on Savannah Lane and adjacent to US Hwy 1, Vass, owned by Buchholz Enterprises, LLC.

__________________________________________          _________________________
Eddie Nobles, Chair                              Date
Moore County Planning Board
MOORE COUNTY CONDITIONAL REZONING REQUEST  
Donny Buchholz Property  Location: Savannah Lane, Vass  
PIN: 950300360445  
August 14, 2019

Following a review of the conditional rezoning request by the RLUAC staff and Board of Directors for the property listed above, and recognizing that our findings are non-binding on Moore County, the RLUAC Board of Directors finds that:

- The case involves a parcel that is identified as neither Critically Important nor Important to conserve on the 2018 Joint Land Use Study maps, and
- It contains no identified military impacts.

Therefore, RLUAC has no issues or concerns with this conditional rezoning request.

Thank you for allowing RLUAC to review this case.

John K. McNeill, Chairman
James Dougherty, Executive Director
DRAFTED BY
RAYMOND R. GATTI, ATTORNEY AT LAW
NO TITLE EXAMINATION
130 MAGNOLIA SQUARE COURT
ABERDEEN, NC 28315

BRIEF DESCRIPTION FOR INDEX
LOT 1R, ALLEN LANDS

NORTH CAROLINA
GENERAL WARRANTY DEED

This General Warranty Deed made this 23RD day of July, 2017 by and between HOME CITY, LTD., a North Carolina Corporation, of P.O. Box 99, Star, NC 27356 (hereafter “Grantor”) and BUCHHOLZ ENTERPRISES, LLC (hereafter “Grantee”). Tax: 270 East Ohio Ave, Southern Pines, NC 28387

WITNESSETH:

The Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land (referred to in the singular, whether one or more) situated in McNeill Township, Moore County, North Carolina, and more particularly described as follows:

BEING ALL OF LOT 1R, AS SHOWN ON THE MAP ENTITLED “RECOMBINATION SURVEY FOR MICHAEL L. ALLEN AND VON L. ALLEN, LOTS 1R & 2R, ALLEN LANDS, MCNEILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA” AND RECORDED IN PLAT CABINET 15, SLIDE 739.
The property hereinabove described was acquired by Grantor by instrument recorded in Book 4576, Page 16 Moore County Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel or land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, the title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

A) Easements and restrictions of record.
B) 2017 ad valorem taxes.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, adopting the designation (SEAL) as his own, the day and year first above written.

HOME CITY, LTD.

(SEAL)

MIKE L. ALLEN, President

NOTARY ACKNOWLEDGMENT

NORTH CAROLINA

______ COUNTY

I, Raymond R. Gatt, a Notary Public for said County and State, do hereby certify that MIKE L. ALLEN to me either 1) personally known or 2) having presented Drivers License as satisfactory evidence of his/her identity, and he/she appeared before me this day and acknowledged that he/she is President of HOME CITY, LTD., a North Carolina Corporation and that he/she, as President, being authorized to do so, executed the foregoing instrument on behalf of the Corporation.
Witness my hand and official seal, this the 9 day of November, 2017.

(Official Seal)

Raymond R. Gatt
Notary Public

My commission expires: 12-22-21
REQUEST
Donny Buchholz is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 32,070 square feet an approximate 2.78 acre parcel, located on Savannah Lane and adjacent to US Hwy 1, Vass, owned by Buchholz Enterprises, LLC, per Deed Book 4902 Page 141.

Public notification consisted of publishing a legal notice in the local newspaper for two consecutive weeks, notification by mail to adjacent property owners, and placing public hearing signs on the property.

BACKGROUND
The property is currently developed. There is an existing Tool & Die Machine Shop located on the property. Adjacent properties include single family dwellings, undeveloped property, and a car sales business.

ZONING DISTRICT COMPATIBILITY
The requested rezoning to Residential and Agricultural-20 (RA-20) is consistent with the existing uses located near the property, including single family residential. The surrounding area is zoned a mixture of Highway Commercial (B-2), Residential and Agricultural-20 (RA-20), and Residential and Agricultural-40 (RA-40).

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN
The future land use map identifies the property as High Density Residential with Mixed Use Land Use Classification. The requested zoning to Residential and Agricultural-20 (RA-20) is compatible with the High Density Residential with Mixed Use Land Use Classification.

The Land Use Plan states the primary use of the High Density Residential With Mixed Use is a density of four (4) to eight (8) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This category shall also include certain non-residential neighborhood supportive uses such as retail, commercial, office, schools, daycares, churches and others similar uses compatible with residential. Public infrastructure and facilities such as roads, water, sewer, schools, fire/rescue,
open space; and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

**MOORE COUNTY FUTURE LAND USE MAP**

**RECOMMENDATION**
Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached Approval or Denial Land Use Plan Consistency Statement to authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

**Motion #2:** Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 32,070 square feet an approximate 2.78 acre parcel, located on Savannah Lane and adjacent to US Hwy 1, Vass, owned by Buchholz Enterprises, LLC.
ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- Regional Land Use Advisory Committee (RLUAC) Letter
- Deed Book 4902 Page 141
View of subject property from Savannah Lane

View of property from intersection of Savannah Lane and Pickett Circle
Views of adjacent property across from Pickett Circle
Shaded area requested to be rezoned to RA-20
## GENERAL USE REZONING APPLICATION

| Application Date: | April 26/58 |
| Location/Address of Property: | 104 SAVANNAH LANE, VASS NC |
| Applicant: | Donny Bucholz |
| Applicant Address: | 104 Savannah Lane |
| Owner: | Bucholz Enterprises, LLS |
| Owner Address: | 104 Savannah Lane |
| Current Zoning District: | B2 |
| Proposed Zoning District: | RA-20 |
| Phone: | 910-556-1329 |
| City: | Vass |
| St: | NC |
| Zip: | 28394 |
| Phone: | 910-556-1329 |
| City: | Vass |
| St: | NC |
| Zip: | 28394 |

### Comments:

The requested rezoning is a portion of an existing lot that is zoned B2. The area to be rezoned as RA-20 is abuts property zoned B2 and RA-20. This property will be subdivided from the parent tract once rezoned.

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I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.

**Applicant/Owner Signature**

[Signature]

**Date**

7-12-19

**Applicant/Owner Signature**

[Signature]

**Date**

**PAR ID:** 97000988

**Received By:**

[Signature]

**Date:** 7/19/19

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**Office Use Only:**

**PAR ID:** 97000988

**Date:** 7/19/19

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Moore County Planning Board  
Land Use Plan Consistency Statement  
General Use Rezoning Request  
Highway Commercial (B-2) to Rural Agricultural-20 (RA-20)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)
   • Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore
   • Goal 3.1: Maximize accessibility among living, working, and shopping areas.
   • Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is reasonable and in the public interest considering the property is located adjacent to an existing major highway, other developed residential properties, has access to public water, and is in close proximity to the Southern Pines, Whispering Pines, and Vass communities providing practicality, easy access, and reduced travel times.

Therefore, the Moore County Planning Board recommends APPROVAL of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 32,070 square feet an approximate 2.78 acre parcel, located on Savannah Lane and adjacent to US Hwy 1, Vass, owned by Buchholz Enterprises, LLC, per Deed Book 4902 Page 141.

__________________________________________          _________________________
Eddie Nobles, Chair                               Date
Moore County Planning Board

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Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Highway Commercial (B-2) to Rural Agricultural-20 (RA-20)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

   Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)
   - Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

   Goal 3: Optimize the Uses of Land Within the County of Moore
   - Goal 3.1: Maximize accessibility among living, working, and shopping areas.
   - Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning is not consistent with the highway business corridor.

Therefore, the Moore County Planning Board recommends DENIAL of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 32,070 square feet an approximate 2.78 acre parcel, located on Savannah Lane and adjacent to US Hwy 1, Vass, owned by Buchholz Enterprises, LLC, per Deed Book 4902 Page 141.

__________________________________________          _________________________
Eddie Nobles, Chair                              Date
Moore County Planning Board
Following a review of the general use rezoning request by the RLUAC staff and Board of Directors for the property listed above, and recognizing that our findings are non-binding on Moore County, the RLUAC Board of Directors finds that:

- The case involves a parcel that is identified as neither Critically Important nor Important to conserve on the 2018 Joint Land Use Study maps, and
- It contains no identified military impacts.

Therefore, RLUAC has no issues or concerns with this general use rezoning request.

Thank you for allowing RLUAC to review this case.

John K. McNeill, Chairman

James Dougherty, Executive Director
DRAFTED BY
RAYMOND R. GATTI, ATTORNEY AT LAW
NO TITLE EXAMINATION
130 MAGNOLIA SQUARE COURT
ABERDEEN, NC 28315

BRIEF DESCRIPTION FOR INDEX
LOT 1R, ALLEN LANDS

NORTH CAROLINA
GENERAL WARRANTY DEED

This General Warranty Deed made this 23RD day of July, 2017 by and between HOME CITY, LTD., a North Carolina Corporation, of P.O. Box 99, Star, NC 27356 (hereafter “Grantor”) and BUCHHOLZ ENTERPRISES, LLC (hereafter “Grantee”). Tax: 270 East Ohio Ave, Southern Pines, NC 28387

WITNESSETH:

The Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land (referred to in the singular, whether one or more) situated in McNeill Township, Moore County, North Carolina, and more particularly described as follows:

BEING ALL OF LOT 1R, AS SHOWN ON THE MAP ENTITLED “RECOMBINATION SURVEY FOR MICHAEL L. ALLEN AND VON L. ALLEN, LOTS 1R & 2R, ALLEN LANDS, MCNEILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA” AND RECORDED IN PLAT CABINET 15, SLIDE 739.
The property hereinabove described was acquired by Grantor by instrument recorded in Book 4576, Page 16 Moore County Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel or land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, the title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

A) Easements and restrictions of record.
B) 2017 ad valorem taxes.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, adopting the designation (SEAL) as his own, the day and year first above written.

HOME CITY, LTD.

[Signature]
MIKE L. ALLEN, President

NOTARY ACKNOWLEDGMENT

NORTH CAROLINA

[Notary Name] COUNTY

I, [Notary Name], a Notary Public for said County and State, do hereby certify that MIKE L. ALLEN to me either 1) personally known or 2) having presented Drivers License as satisfactory evidence of his/her identity, and he/she appeared before me this day and acknowledged that he/she is President of HOME CITY, LTD., a North Carolina Corporation and that he/she, as President, being authorized to do so, executed the foregoing instrument on behalf of the Corporation. Witness my hand and official seal, this the __ day of __________ 2017.

(Official Seal)

Notary Public

My commission expires: __________