

**AGENDA**  
**MARSHVILLE PLANNING BOARD WORK SESSION**  
**January 9<sup>th</sup>, 2014**  
**7:00 p.m.**

1. Welcome and Pledge
2. Consideration of Agenda
3. Approval of Minutes (12/12/13)
4. ~~Election of Officers~~ **Moved to April**
4. Public Comments
5. Request for Zoning Map Amendment
  - a. 403 E. Union Street - Case File ZMA-13-26  
Rezoning Request from R-10 to B-2
6. Enter into Work Session
  - a. Continue Review of Marshville Town Plan 2035
7. Adjournment





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www.marshville.org**

January 2<sup>nd</sup>, 2014

MEMORANDUM

To: Planning Board  
From: Miles S. Thomas, Interim Planning, Zoning & Subdivision Administrator  
Re: Zoning Map Amendment Request – 403. E Union Street

**Background Information**

The Town of Marshville has received a Zoning Map Amendment requested from Wade & Dawn Von Egidy on their property located at 403 E. Union Street (Union County Parcel ID: 02-305-067, see attached map). The subject property is located within the Town of Marshville's Town Limits and is approximately .524 acres.

The property is currently zoned R-10 Residential, and the requested zoning designation is to B-2 Community Business. Rezoning from R-10 to B-2 would allow the existing land usage without creating any non-conformities. Staff has notified the adjoining property owners of this request by mail, and posted a sign on the subject property.

**Findings and Conclusions**

Staff has concluded that the existing land usage would not be affected by the requested rezoning, and would provide that anything that is an applicable use in the B-2 district would be permissible if the rezoning is granted.

**The B-2 (community business) district** is designed to accommodate commercial development on a scale that is less intensive than that permitted in a B-1 district. A lesser intensity of development is achieved through setback, height, and minimum lot size requirements that are more restrictive than those applicable to the B-1 zone. The B-2 thus

may provide a transition in some areas between a B-1 zone and a residential zone or may allow for smaller scale commercial development in rural areas, particularly at crossroads or other high traffic areas that are not generally suited for residential development.

### **Plan Consistency and Reasonableness**

Staff believes the proposed rezoning is consistent with the Town's Land Use Plan, and is shown as Traditional Neighborhood/Higher Density on the Future Land Use Map. This statement is reasonable because the subject property is surrounded by adjacent land use identified as 'Office' on the Future Land Use Map, which is defined as:

**Office:** This planning area is suitable for offices (including medical and lawyer's offices) and some light commercial uses. Because the area serves as a buffer between residential uses and heavier commercial uses, single family and well-planned multi-family uses are also allowed.

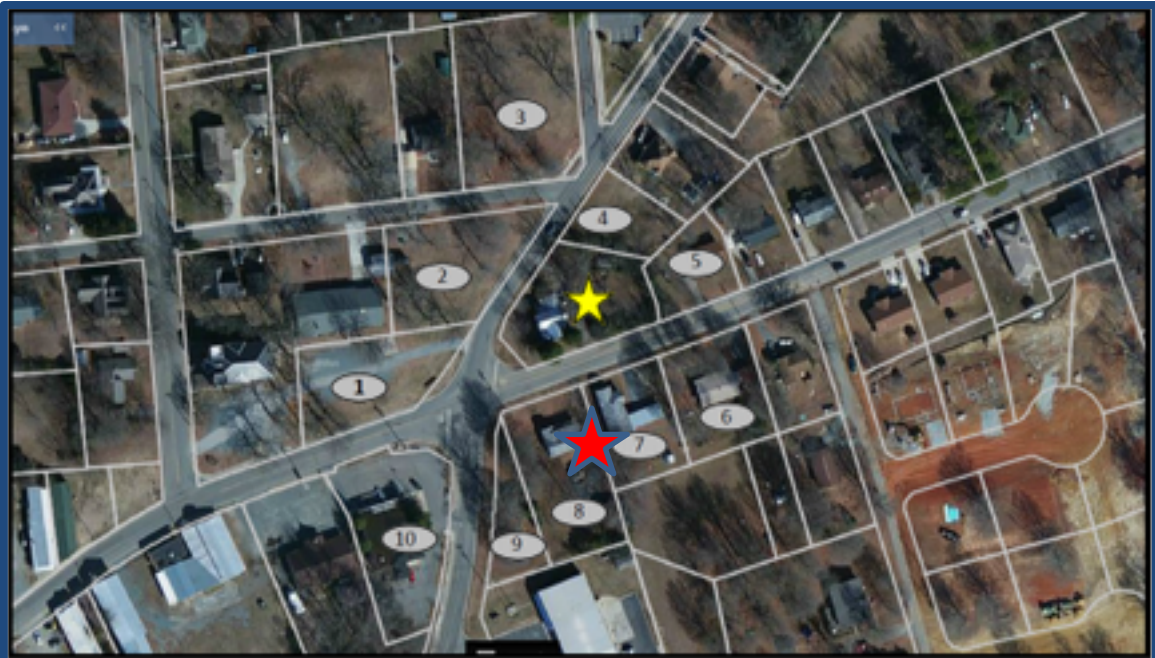
The adjacent zoning districts include B-2 Community Business, and seems to fit within this zone as a transition from B-1 to Residential as defined in the Land Use Ordinance for this district.

### **Policy Implications**

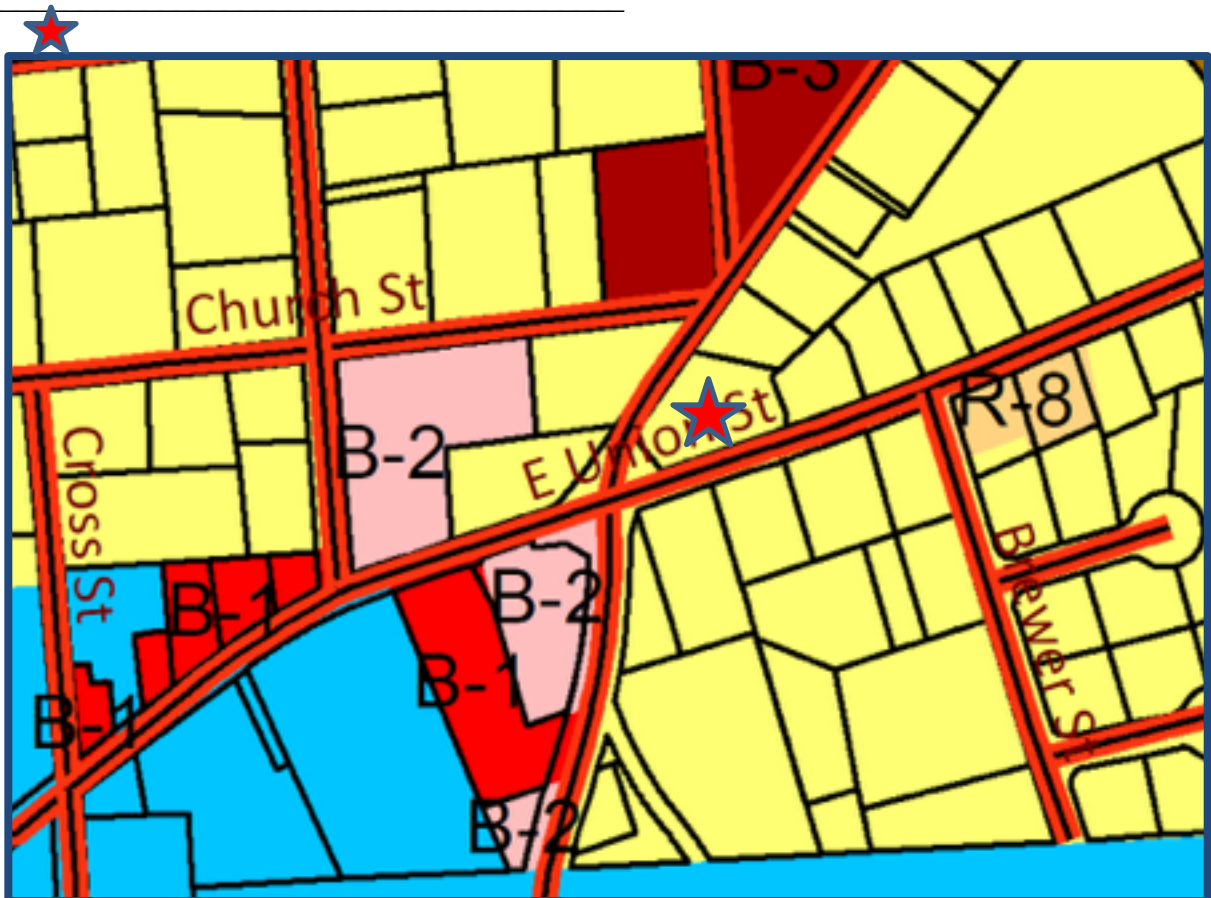
North Carolina General Statute 160A-383 requires that the Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

All applicable uses of the proposed zoning district shall be enabled on the subject property once the Town Council has approved the zoning map amendment.





★ Subject Property 401/403 E. Union Street Tax ID # 02-305-067 Current Owners: Wade & Dawn Vonegidy



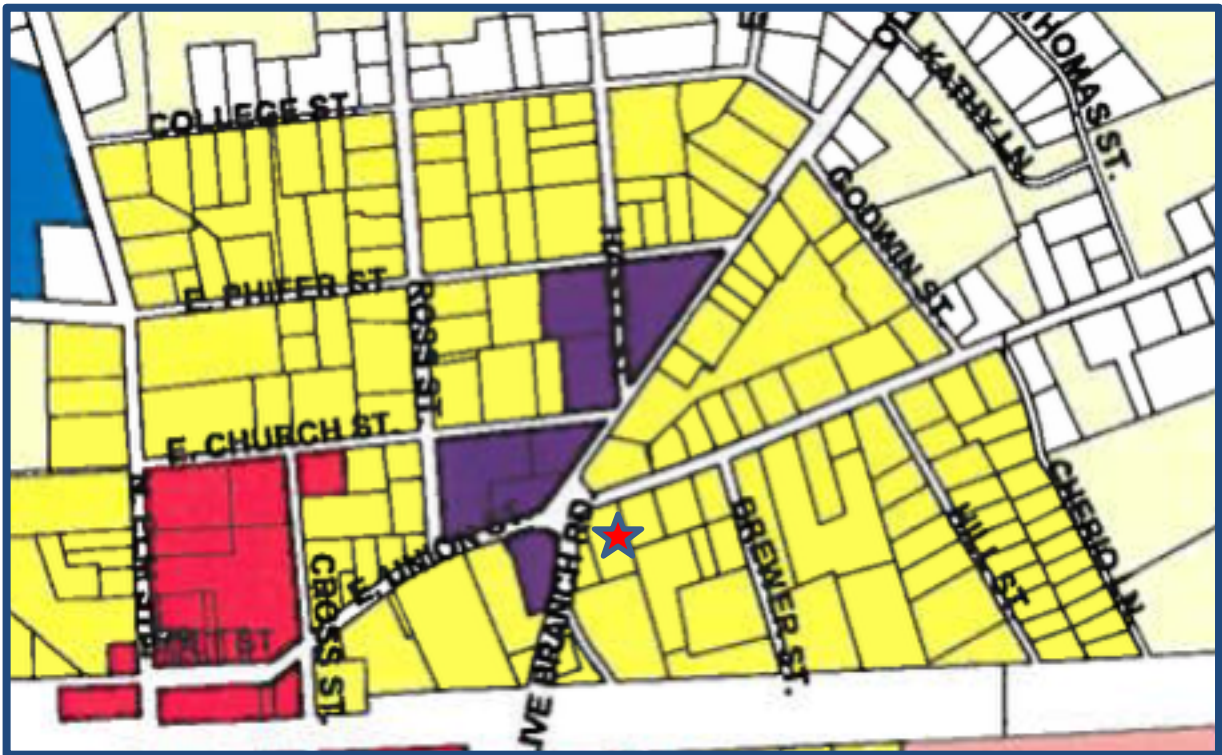
Chairman

Date

Planning Administrator

Date

**Zoning Map Excerpt**



2004 Future Land Use Map Excerpt