



Union County, NC

Land Use Board Meeting Agenda

Tuesday, May 20, 2025

6:00 PM

Board Room, First Floor

Call to Order

Pledge of Allegiance and Moment of Reflection

Establish Voting Members

Additions and/or Deletions to the Agenda

Approval of the Agenda

Approval of the Minutes

[25-238](#) March 18, 2025 Minutes

Attachments: [2025.03.18 LUB Minutes](#)

[25-280](#) April 8, 2025 Special Meeting Minutes

Attachments: [2025.04.08 LUB Workshop Minutes](#)

Agenda Item(s)

[25-293](#) Conditional Rezoning 2025-CZ-002 Gordon

Attachments: [2025-CZ-002 Gordon rezoning application](#)
[2025-CZ-002 Gordon rezoning letter of intent](#)
[2025-CZ-002 Gordon Site Plan 4-11-25](#)
[CZ-2025-002 Gordon staff report PB](#)
[Land Use Board Advisory Consistency and Reasonableness Statements - CZ-2025-002 \(Gordon\)](#)

[25-279](#) Conditional Rezoning 2024-CZ-011 Union Landscaping

Attachments: [2024-CZ-011 Union Landscaping application 12-16-24](#)
[2024-CZ-011 Union Landscaping Letter of Intent 12-16-24](#)
[2024-CZ-011 Union Landscaping Site Plan 4-21-25](#)
[3925 Sanford Lane Impact Study](#)
[Land Use Board Advisory Consistency and Reasonableness Statements - CZ-2024-011 \(Union Landscaping\)](#)

25-314 **Text Amendment to Sections 80.070-A Minor Subdivisions Applicability and 105-130 Definitions “Lot of Record” of the Union County Development Ordinance**

Attachments: [Minor Subdivisions and lot of record v2](#)

Planning Staff Report

Brief Comments

Adjournment



Union County, NC

Staff Report

Union County Government
Center
500 North Main Street
Monroe, North Carolina
www.unioncountync.gov

File #: 25-238

Agenda Date: 5/20/2025

TITLE:

March 18, 2025 Minutes



Land Use Board

March 18, 2025

Meeting Minutes

The Union County Land Use Board met in regular session on March 18, 2025, at 6:00 p.m. in the Union County Government Center, 1st Floor Board Room, 500 N. Main Street.

Present: Chairman Darren Greene, Vice Chair Rick Davis, Derrick Austin, Larry Britt, Dion Edwards, Doug McClew, Mark Tilley and alternates David Brooks and Charles Walkup, Jr.

Also Present: Planning Director Lee Jenson and Land Use Board Clerk Amy Griffin.

Call to Order: Chairman Darren Greene called the meeting to order.

(a) Pledge of Allegiance and Moment of Reflection: The Pledge of Allegiance was said and Mark Tilley gave the prayer.

Establish Voting Members: Chairman Darren Greene said with seven regular members were in attendance for the meeting.

Additions and/or Deletions to the Agenda: There were no changes made to the agenda. Motion: Doug McClew, Second: Vice Chair Rick Davis, Vote: seconded, and it was approved 7 to 0.

Approval of the February 25, 2025 Minutes: Motion: Mark Tilley, Second: Larry Britt, Vote: seconded, and it was approved 7 to 0.

Public Hearing:

Planning Staff Report – Text Amendment to Sections 80.070-A Minor Subdivisions Applicability and 105-130 Definitions “Lot of Record” of the Union County Development Ordinance.

Staff Contact: Lee Jenson, Planning Director

Summary of Request

These proposed text amendments deal with the number of lots that constitute a minor subdivision and how minor subdivisions are determined based on a lot of record. This amendment will lower the number of lots that constitute a minor subdivision from 8 to 5 but will reset the lot of record date to the date the text amendment is adopted and will then reset the lot of record date every 5 years.

Mr. Jensen explained to the Board that a minor subdivision is defined as one involving up to eight lots divided from a “parent parcel,” from February 14, 1978 when zoning began in Union County. This traditional framework has caused difficulties for families desiring to subdivide properties for their children, as they often reach the eight-lot cap, inadvertently forcing them into the more demanding and costly requirements associated with major subdivisions.

The proposed amendment aims to adjust the definition of a “lot of record,” allowing for a more flexible approach to minor subdivisions by changing the reference date from 1978 to a newly established date, which would be subject to revision every five years or another time span that the Land Use Board could suggest. This change hopes to relieve generational burdens that families face when dividing land amongst heirs.

Board members discussed potential ramifications, including how the changes could affect large parcels, the possibility of system misuse, access via private roads, and compliance with dimensional standards.

Public Comments:

- **Russell Tanner, 5007 Tom Starnes Rd, Waxhaw**
A local small-scale builder, Mr. Tanner, expressed concern over reducing the cap from eight to five lots, suggesting it could hurt the public and small developers. He noted that private drive issues are more pressing and referenced Lancaster County's approach, which looks back 30 years rather than resetting dates periodically.
- **Mike McGee, 4608 Carriker Rd, Monroe**
A lifelong Union County resident and business owner, Mr. McGee stressed the high cost of development and the difficulty of finding buildable lots due to soil conditions. He encouraged the Board to collaborate with developers to find practical solutions.
- **Jonathan Meek, 3808 Sincerity Rd, Monroe**
An attorney and resident, Mr. Meek offered to help organize community discussions. He emphasized the importance of thoughtful planning and shared personal experiences navigating the land development process. It was decided that a work session will be scheduled to collaborate with county staff and others in the community to refine subdivision regulations.

Planning Staff Report: Lee Jensen let the Board know the min storage rezoning at Tarlton Mill had been approved. Gold Branch withdrew their rezoning application prior to the meeting. As a result of the timing of their withdrawal, under Union County policy they must wait one year before resubmitting any application.

Brief Comments: There were none.

Close: With no further discussions, Doug McClew a motion to adjourn and Vice Chair Rick Davis seconded. It passed unanimously. The meeting adjourned at 7:02 pm.



Union County, NC

Staff Report

Union County Government
Center
500 North Main Street
Monroe, North Carolina
www.unioncountync.gov

File #: 25-280

Agenda Date: 5/20/2025

TITLE:

April 8, 2025 Special Meeting Minutes



Land Use Board Special Meeting April 8, 2025 Meeting Minutes

The Union County Land Use Board met in special session on April 8, 2025, at 6:00 p.m. in the Union County Human Resource Training Room, 1st Floor Board Room, 500 N. Main Street.

Present: Chairman Darren Greene, Vice Chair Rick Davis, Derrick Austin, Dion Edwards, Doug McClew, Mark Tilley and alternate Charles Walkup, Jr.

Also Present: Planning Director Lee Jenson, Senior Planner/Zoning Administrator Jim King, Planner Janet Wolfe, and Land Use Board Clerk Amy Griffin.

Call to Order: Chairman Darren Greene called the meeting to order.

(a) Pledge of Allegiance and Moment of Reflection: The Pledge of Allegiance was said and Dion Edwards gave the prayer.

Establish Voting Members: Chairman Darren Greene said with six regular members Charles Walkup Jr would also be a voting member.

Additions and/or Deletions to the Agenda: There were no changes made to the agenda. Motion: Doug McClew, Second: Vice Chair Rick Davis, Vote: seconded, and it was approved 7 to 0.

Workshop Meeting Discussion:

- **1978 Lot-of-Record Issue:**
The original ordinance, adopted in 1978, caps the number of subdivisions from a parcel based on its status at that time. This has become problematic for landowners attempting to subdivide land across generations (e.g., giving lots to children or grandchildren), especially those who've already used their allotment of lots.
- **Family vs. Developer Intent:**
Board members and participants expressed interest in creating clearer distinctions between subdivisions for family use versus commercial development. Options like "family subdivisions" used in other counties were discussed, though challenges around verification and enforcement were acknowledged.
- **Private Drives Limitation:**
Current regulations allow only two lots per private drive from a single parent parcel, which significantly restricts subdivision in areas without sufficient road frontage. This especially affects families trying to share land without building new infrastructure.

Planning Department
500 North Main Street Suite 70
Monroe, NC 28112
T 704.283.3565

unioncountync.gov

- **Wingate's Reset Model (5-Year Cycle):**
General support was expressed for adopting a reset mechanism allowing property owners to create new minor subdivisions every 5 years, resetting the lot count rather than being permanently capped from the 1978 base date. This could benefit both families and small-scale builders.
 - **Major vs. Minor Subdivisions:**
Concerns were raised about the burden placed on small developers or families who exceed 8 lots and are required to go through the major subdivision process (sketch plan, preliminary plan, final plat, etc.). Suggestions were made to explore:
 - Flexible lot thresholds based on zoning (e.g., RA-40)
 - Infrastructure-driven criteria (e.g., stormwater, tree buffers)
 - Potential for special exceptions or waivers when appropriate
 - **Emergency Access & Private Roads:**
Limits on lots accessed via private roads are in place due to emergency service access concerns. The board discussed options such as setting a maximum of four lots or requiring spacing standards or upgraded easements.
-

Action Items:

- **Staff Tasks:**
 - Draft subdivision reset language (inspired by Wingate model)
 - Coordinate with Jonathan Meeks to gather and review sample ordinances from other jurisdictions
 - Research and report on how other counties manage resets and private drives
- **Next Meeting Focus:**
 - Deeper discussion on private drive limitations and standards
 - Consider whether current two-lot limits are appropriate or need adjustment

Close: With no further discussions, Doug McClew a motion to adjourn and Vice Chair Rick Davis seconded. It passed unanimously. The meeting adjourned at 7:10 pm.



Union County, NC

Staff Report

Union County Government
Center
500 North Main Street
Monroe, North Carolina
www.unioncountync.gov

File #: 25-293

Agenda Date: 5/20/2025

TITLE:

Conditional Rezoning 2025-CZ-002 Gordon

DETERMINATION OF CONFLICTS

INFORMATION CONTACT:

Bjorn E. Hansen, Senior Planner - Long Range Planning, 704-283-3690

ACTION REQUESTED:

Recommend approval or denial of proposed rezoning to the Board of Commissioners

BACKGROUND:

This case is requesting to rezone a 2.65 acre portion of one parcel totaling 8.46 acres appearing on the tax map as tax parcel 04-341-004E from RA-40 to Light Industrial (LI) with Conditions; located in the Jackson Township. The rezoning will include the following conditions:

- 1) Limited to site plan dated April 11, 2025
- 2) 2.65 acre portion will be subdivided with LI with Conditions zoning applied
- 3) Five-year vesting of development rights
- 4) Development will meet all requirements of the Union County Unified Development Ordinance

A community meeting was held April 28, 2025. One member of the public attended. They did not oppose the proposed use but had questions about other potential industrial uses in the future. It was explained that no other uses would be allowed with an additional rezoning. No changes were made based on feedback.

FINANCIAL IMPACT:

None.

Application for Conditional Rezoning

Union County
Planning Department
500 N Main Street - Suite 70
Monroe, NC 28112
T 704.283.3565
E UCPlanning@unioncountync.gov

General Information

Project Address 3704 Mary Elizabeth Ch. Rd City Waxhaw State N.C. Zip 28173

Tax Parcel ID 04341004E Current Zoning Designation RA-40 ~~Residential~~ Total Acres 8.46

Proposed Zoning Designation Heavy Industrial ~~Light Industrial~~ Date Submitted 1/29/2025

Contact Information

Applicant Name Adam Gordon

Address 3704 Mary Elizabeth Ch. Rd City Waxhaw State N.C. Zip 28173

Phone (704) 320-5005 Fax N/A Email agordon21ag@gmail.com

Property Owner Name Adam + Colby Gordon

Address 3704 Mary Elizabeth Ch. Rd City Waxhaw State N.C. Zip 28173

Phone (704) 320-5005 Fax N/A Email agordon21ag@gmail.com

Applicant's Certification

Adam M. Gordon
Signature

1/29/2025
Date

Adam M Gordon
Printed Name/Title

Owner's Certification (include names and signatures of all owners)

Adam M. Gordon
Signature Colby Gordon

1/29/2025
Date

Adam M. Gordon
Printed Name/Title
Colby H Gordon

Union County Office Use Only:

Case Number: 2025-CZ-002 Gordon Date Received: 2-4-25

Amount of Fee: \$1000 Fee Ok: BEA Received by: BEA

Contact Bjorn Hansen to begin the process. T. 704.283.2690 E. Bjorn.hansen@unioncountync.gov



**This document is only valid from July 1, 2024 - June 30, 2025

LETTER OF INTENT

Date: February 4, 2025

To: Union County Planning Dept

Subject: Conditional Rezoning of Property at 3704 Mary Elizabeth Church Rd.

Hello and thank you for your time. My name is Adam Gordon and I'm a resident of Union County. I was born and raised here, to go a step further, I grew up in my parents' house on Mary Elizabeth Church Rd and then built my house on Mary Elizabeth Church Rd.

I purchased the land that we own now in 2013, I then built the original house at 3710 Mary Elizabeth Church Rd in 2015 and because my family continued to grow, we built our current home at 3704 Mary Elizabeth Church Rd in 2022.

My Dad, Mitchell Gordon, owns the property at 3721 Mary Elizabeth Church Rd. He has a small automotive repair business there. I work for Mitchell at, "The Shop". Our space for parking customer vehicles there is limited so we started utilizing a small lot at the 3704 Mary Elizabeth Church Rd property that was cleared by the previous owner by the logging company that thinned the pines before I purchased the property. Fast forward to 2021, I contacted the Forest Service about a beetle infestation that I had in the pines that were still standing. The Forest Agent advised me that I needed to have the trees on the property harvested as soon as possible to avoid wasting the trees and allowing the beetles to spread to other properties. I took the advice of the Forest Agent and had the pine trees removed. Later, when the grading company came to clear the lot for our new house, I had them remove the leftover stumps throughout the property.

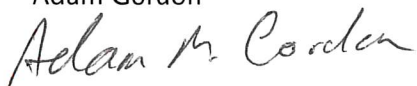
At this point, due to the removal of the trees and their stumps, there is basically a vacant lot beside the area that we currently use as overflow parking for vehicles that are waiting to be repaired. Our business has gotten busier and the extra space would be a great asset to our small business. It would also be very useful and much safer for our tow trucks and delivery drivers to use to turn around and unload versus having to do so on or at the roadside. I am submitting a site plan proposal that shows the existing parking area, an existing storage building, the proposed new area for parking and a potential building for automotive repair in the future should it be needed. I am proposing that a portion of the land at 3704 Mary Elizabeth Church Rd be zoned Light Industrial. I am proposing Light Industrial only because we occasionally repair commercial vehicles. The rezoning would also include splitting out the existing house and the land to the rear of the light industrial area as a second residential parcel.

I honestly believe this proposal will help enhance Mary Elizabeth Church Rd. I intend on planting enough hedge around the area to prevent it from "being an eye sore" to neighbors and those passing by. Having the space to get tow trucks and delivery vehicles off of the road to unload will prevent traffic from having to stop and wait and will also be safer for all of those involved.

Thank you once again for your time and help in this matter.

Sincerely,

Adam Gordon

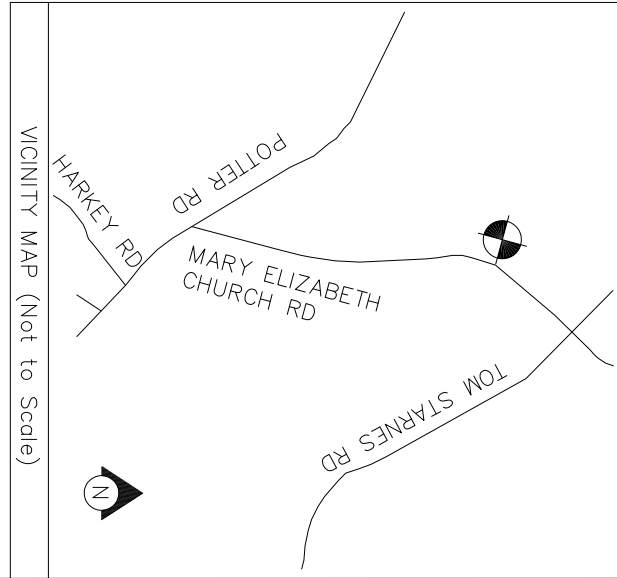


DEVELOPMENT SUMMARY:
1. EXISTING ZONING: RA-40
2. PROPOSED ZONING: LI
FRONT SETBACK: 50FT
REAR SETBACK: 50FT
SIDE SETBACK: 20FT

OWNER: ADAM GORDON
CELL: 7043205005
EMAIL: agordon21ag@gmail.com

3. DEVELOPMENT WILL FULLY COMPLY WITH ALL PROVISIONS OF UNION COUNTY ORDINANCES
4. NEW LOT 2 WITH LI ZONING ACREAGE: 2.65 APPROXIMATELY
5. PREVIOUS RESIDENTIAL ACREAGE TO REMAIN: 5.81 APPROXIMATELY
6. EXACT NEW PROP LINE, EASEMENT, AND ACREAGE TO BE VERIFIED BY OFFICIAL SURVEY IF APPROVED
7. 30' MAX BUILDING HEIGHT PROPOSED

MAP NORTH REF:
PC P FILE 889
MAY, 2021

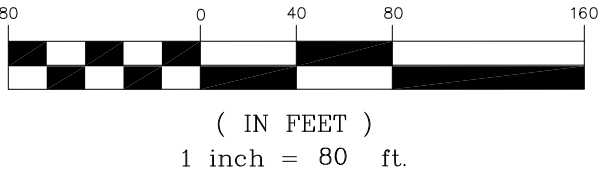


LEGEND

- MNF – MAG NAIL FOUND
- SIF – SQUARE IRON FOUND
- RRSF – RAILROAD SPIKE FOUND
- PC – PLAT CABINET
- DB – DEED BOOK
- PG – PAGE
- DWSB – DRIVEWAY SETBACK
- N/F – NOW OR FORMERLY
- #04-341-004E – TAX I.D.
- – COMPUTED POINT
- SURVEYED LINES
- - - NOT SURVEYED/PLAT LINES
- - - - CENTERLINE OF ROAD
- - - - EDGE OF PAVEMENT

- NOTES:
1. TAX I.D. #04-341-004E
 2. AREA CALCULATED BY COORDINATES.
 3. NO NCGS MONUMENT FOUND WITHIN 2000'.
 4. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC METERS.
 5. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM UNION COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
 6. PROPERTY MAYBE SUBJECT TO OTHER EASEMENTS AND/OR RIGHTS OF WAY, EITHER RECORDED OR IMPLIED.
 7. THIS IS NOT A FULL BOUNDARY SURVEY. THE PURPOSE OF THIS SURVEY IS TO THE SF OF THE OLD PARKING AREA & THE NEW CLEARED PARKING AREA.

GRAPHIC SCALE



N/F
ROGER L. DOWELL
& WIFE, MICHELLE
DB 1953 PG 29
#04-341-004B

APPROX. 15,000
SQFT EXISTING
POND,
PROPOSED STORM
WATER RETENTION
POND USE

ORIGINAL LOT
PC P FILE 889
8.46 ACRES (CURRENT TOTAL)
ZONE RA-40

PROPOSED LOT 2

PROPOSED EASEMENT FOR
STORM WATER
RETENTION POND

PROPOSED NEW PROP LINE WITH 50' REAR SET BACK

PROPOSED POSSIBLE
FUTURE SEPTIC

N/F TUCKER GREEN
DB 8295 PG 0505
#04-341-004

S-2 SCREEN TO BE
ADDED
AS APPROXIMATELY
SHOWN

GRAVEL IN SET BACK FOR
VISITOR PARKING ONLY

APPROXIMATE 40' WIDE DRIVEWAY

MARY ELIZABETH CHURCH ROAD
NCDOT MAINTAIN BACK OF DITCH
(PC P GLE 889)

CURVE TABLE			
CURVE	LENGTH	RADIUS	CHORD BEARING
C1	103.22	985.52	103.17

LINE TABLE		
LINE	LENGTH	BEARING
L1	6.65	N86°33'00"W

PLAN FOR INFORMATION ONLY

SKETCH PLAN FOR REZONING APPLICATION:

REV:

#3704 MARY ELIZABETH CHURCH RD

For: Adam Gordon

Monroe Township, Union County, North Carolina

Scale: 1" = 80'

Date: 04/11/25

Owner/Applicant

Owner: Adam and Colby Gordon
3704 Mary Elizabeth Church Road
Waxhaw, NC 28173

Applicant: Adam Gordon
3704 Mary Elizabeth Church Road
Waxhaw, NC 28173

Property Information

Location: On the west side of Mary Elizabeth Church Road north of South Potter Road. Location more specifically described as tax parcel 04-341-004E.



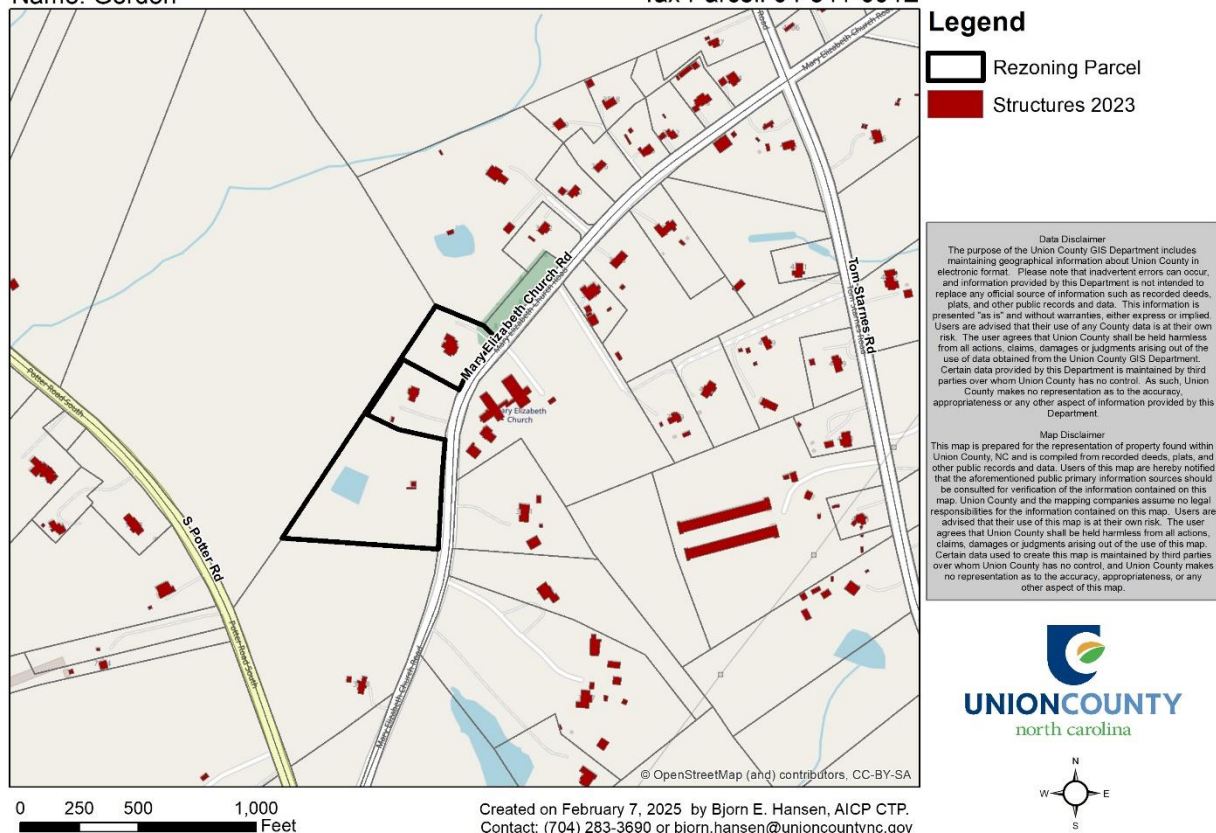
Municipal Proximity: The site is slightly more than three miles from the Town of Waxhaw.

Existing Land Use and Development Status: The parcel is currently zoned RA-40. There is a residence and vehicular storage on the site, which is associated with vehicular repair operation across the street. Approximately one-half acre of the proposed vehicular storage is legal non-conforming and could continue if the rezoning were denied.

Development Status

Petition: 2025-CZ-002
Name: Gordon

Size: 8.46 acres
Tax Parcel: 04-341-004E



Environmental Features: There are no streams, wetlands or floodplain on site. One of the existing ponds on site will be used for stormwater detention.

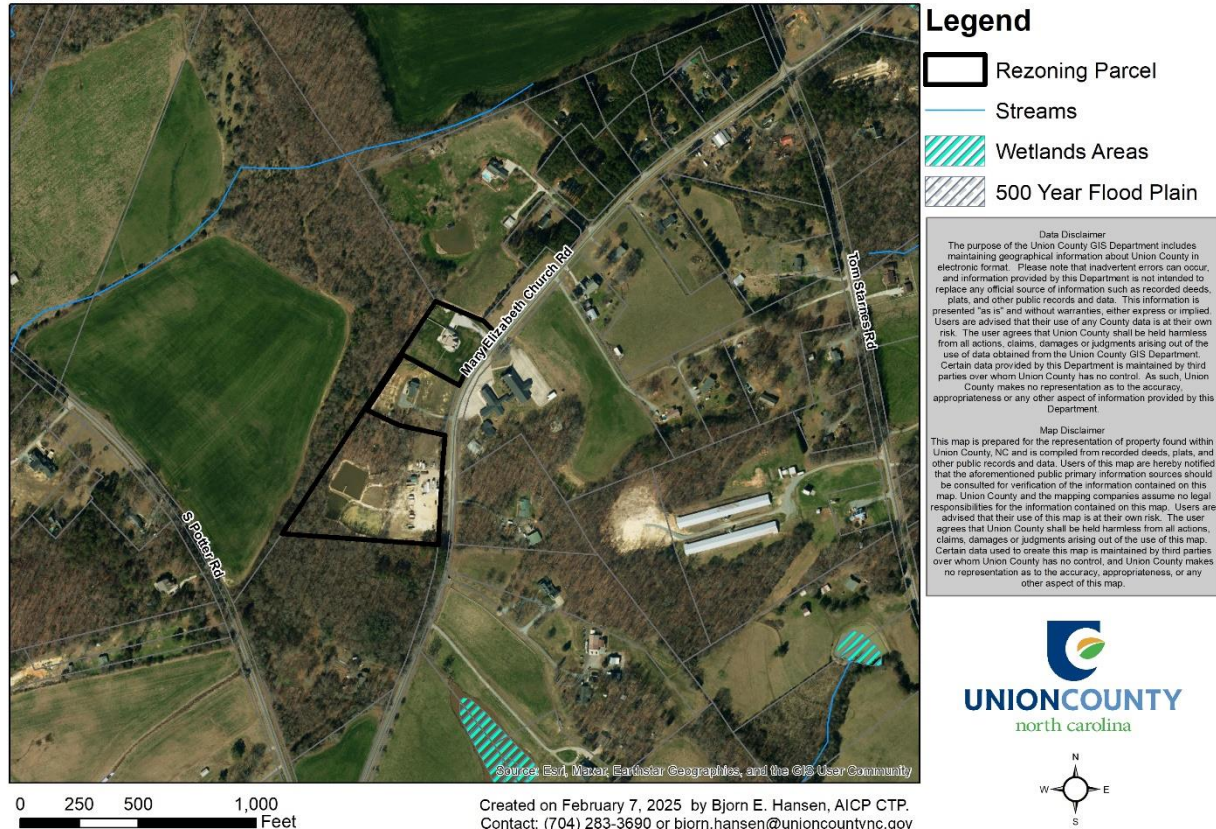
Environmental Features

Petition: 2025-CZ-002

Name: Gordon

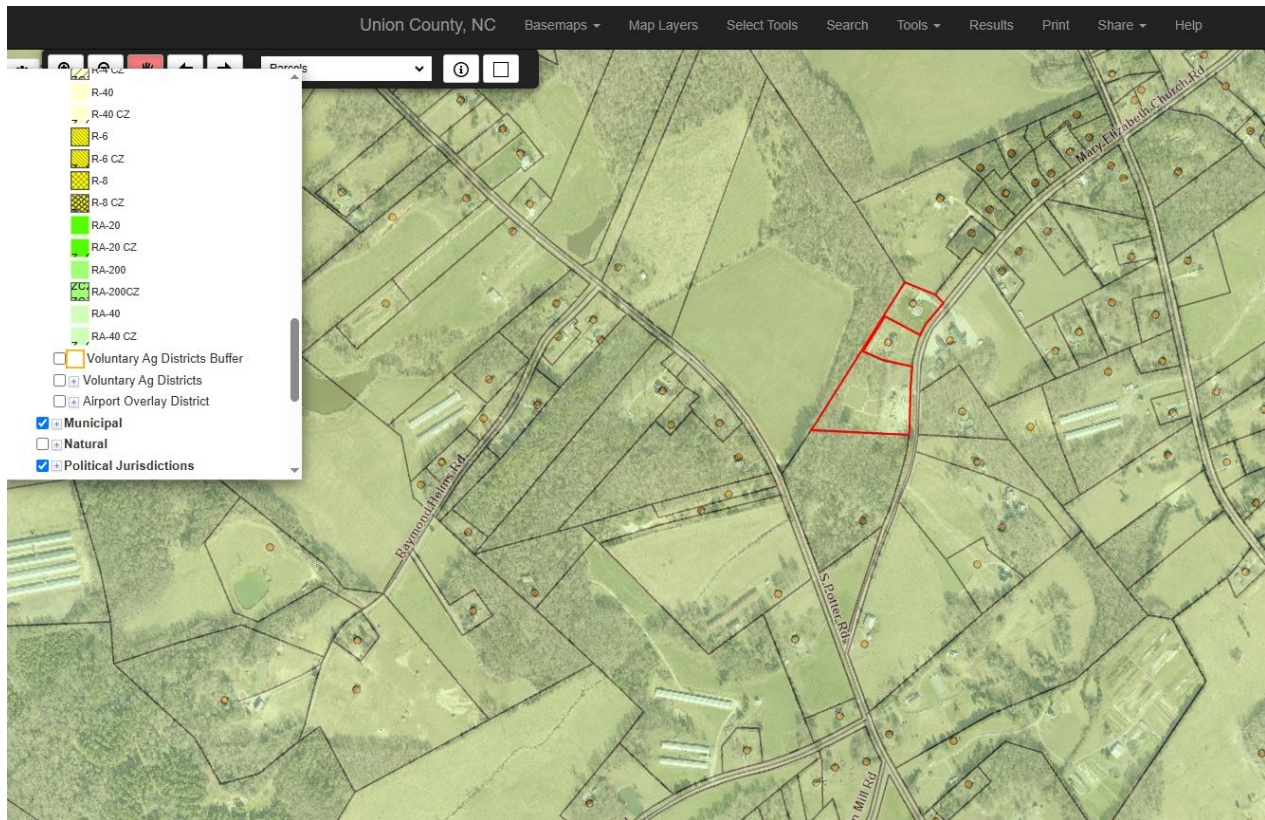
Size: 8.46 acres

Tax Parcel: 04-341-004E



Utilities: Public water and sewer are not available to the site.

Zoning and Land Use History: The parcel site has been zoned RA-40 since zoning was initiated. There was a one acre rezoning from R-40 to R-20 in 1984 approximately a mile north of the site. The same parcel rezoned from R-20 to RA in 1985. There was a one acre rezoning from R-40 to R-20 in 1984 a half mile north of the site. The Board of Adjustment approved a special use permit for 5,000 SF manufacturing facility in 2006 a half mile west of site and a special use permit for boarding kennel in 2005 one mile west of the site.



Schools: Because this rezoning request is commercial in nature, UCPS was not consulted for comments.

Transportation: This site is on Mary Elizabeth Church Road, which is a NCDOT-maintained facility. The road does not have an established traffic count, an indication of its low volumes. There are no funded road improvement projects in the immediate vicinity of the rezoning. A traffic Impact Analysis was not required for this rezoning. There is no expected change in traffic as a result of this rezoning as no new uses are proposed.

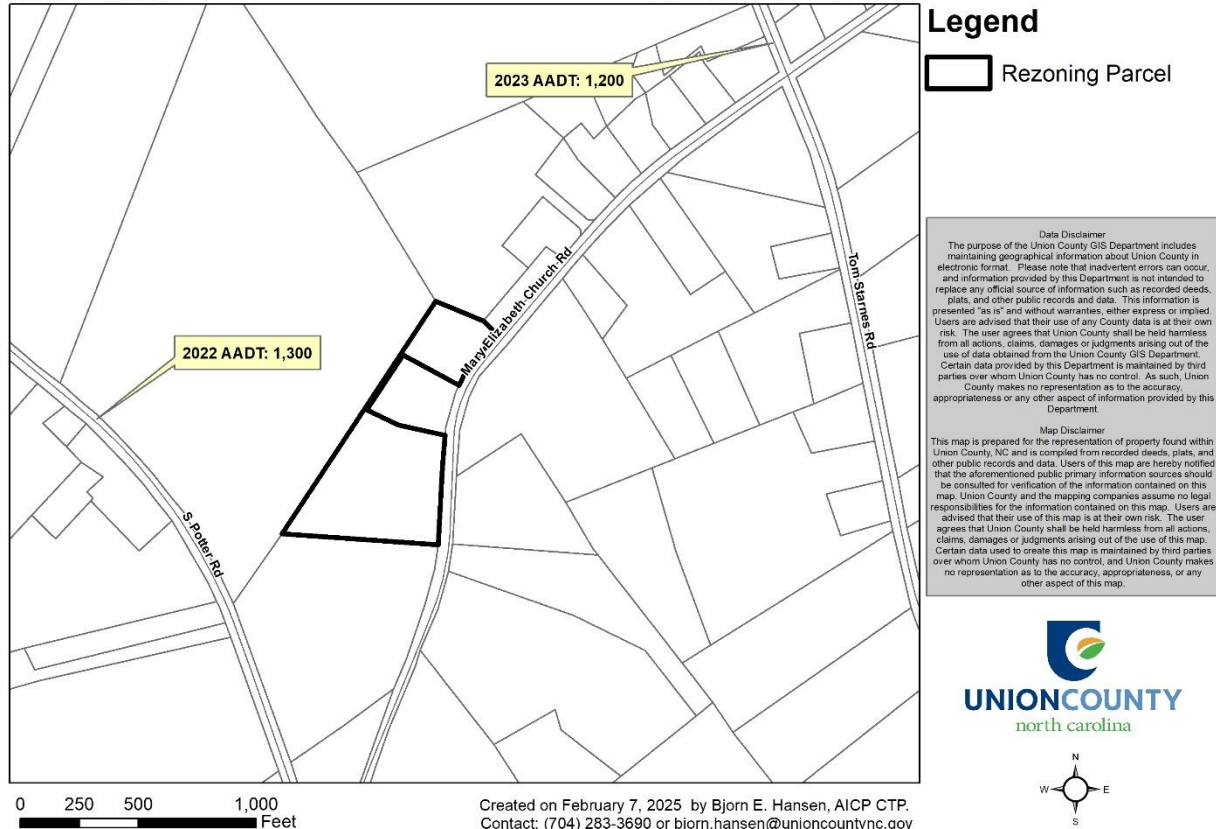
Transportation

Petition: 2025-CZ-002

Name: Gordon

Size: 8.46 acres

Tax Parcel: 04-341-004E



Planning Documents

Union County Comprehensive Plan: The Union County 2050 comprehensive plan identifies this area as a Rural Residential area. The closest areas recommended for industrial are along NC 75, approximately four miles to the north. The proposed Light Industrial use is therefore considered inconsistent with the current plan.

Land Use Map

Petition: 2025-CZ-002

Name: Gordon

Size: 8.46 acres

Tax Parcel: 04-341-004E



Legend

- Rezoning Parcel
- Rural Residential

Data Disclaimer
The purpose of the Union County GIS Department includes maintaining geographical information about Union County in electronic format. Please note that inadvertent errors can occur, and information provided by this Department is not intended to replace any official source of information such as recorded deeds, plats, and other public records and data. This information is presented "as is" and without warranties, either express or implied. Users are advised that their use of any County data is at their own risk. The user agrees that Union County shall be held harmless from all actions, claims, damages or judgments arising out of the use of data obtained from the Union County GIS Department. Certain data provided by this Department is maintained by third parties over whom Union County has no control. As such, Union County makes no representation as to the accuracy, appropriateness or any other aspect of information provided by this Department.

Map Disclaimer
This map is prepared for the representation of property found within Union County, NC and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. Union County and the mapping companies assume no legal responsibilities for the information contained on this map. Users are advised that their use of this map is at their own risk. The user agrees that Union County shall be held harmless from all actions, claims, damages or judgments arising out of the use of this map. Certain data used to create this map is maintained by third parties over whom Union County has no control, and Union County makes no representation as to the accuracy, appropriateness, or any other aspect of this map.



Public and Municipal Comments

Public Comments: A community meeting was held April 28, 2025. One member of the public attended. They did not oppose the proposed use but had questions about other potential industrial uses in the future. It was explained that no other uses would be allowed with an additional rezoning. No changes were made based on feedback.

Municipal Comments: Waxhaw was not consulted for comments due to the distance to the town limits.

Land Use Board Recommendation

The Land Use Board is scheduled to review this proposed development at its May 20, 2025, meeting.

Staff Comments and Recommendation

This part of Union County is identified for rural residential and agricultural land uses. The rezoning does not propose new uses from what area already occurring on site, although the area being proposed would be nearly five times the legal non-conforming areas. The proposed parcels and site plan can comply with unified development ordinance, but the use is not consistent with the adopted plan.

Because of these aspects of the development, staff recommend denial of this rezoning application.

**Land Use Board Advisory Consistency and Reasonableness Statement Concerning
Proposed Amendment to the Union County Zoning Map**

The Union County Land Use Board has reviewed the rezoning petition (CZ-2025-002) submitted by Adam Gordon requesting a revision of the Union County Zoning Map by rezoning a 2.65 acre portion of a parcel appearing on the tax map as tax parcel 04-341-004E in the Jackson Township from RA-40 to Light Industrial (LI) with Conditions.

**TO RECOMMEND APPROVAL OF THE AMENDMENT (THE PROPOSAL IS
INCONSISTENT WITH THE CURRENT PLAN)**

Motion

(i) Recommend approval of rezoning petition CZ-2025-002; and (ii) adopt the advisory consistency and reasonableness statement for recommendation of approval.

Advisory Consistency and Reasonableness Statement

Pursuant to N.C.G.S. § 160D-604, the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners adopt the proposed map amendment. The Union County Land Use Board finds that adoption of the proposed map amendment is inconsistent with the currently adopted Union County Comprehensive Plan (the “Plan”). The Union County Land Use Board recommends that the Union County Board of Commissioners deem the adoption of the proposed map amendment as an amendment to any future land use map in the Plan. Adoption of the proposed map amendment (i) takes into account the need to amend the zoning map to meet the needs of the community, and (ii) is reasonable and in the public interest because:

1. There is an existing allowed nonconforming portion of this business across the street from this location, as well as on a small part of the subject portion of the parcel.
2. The proposed use would not create a significant traffic impact.
3. The use is similar to other nearby uses in that it is commercial rather than residential in nature. In addition to the existing allowed nonconformity across the street from this parcel, there is an approved special use for a manufacturing facility a half mile west of the site and an approved special use for a boarding kennel one mile west of the site.
4. The benefits to the community at large, the neighbors, and the property owners of the proposed rezoning outweigh any detriments to the neighbors and others caused by the rezoning. The benefits of this rezoning include increasing business opportunities in the county, allowing an existing business to continue to operate, and allow neighbors and nearby residents to have access to services provided on the subject portion of the property.

**TO RECOMMEND DENIAL OF THE AMENDMENT (THE PROPOSAL IS
INCONSISTENT WITH THE CURRENT PLAN)**

Motion

(i) Recommend denial of rezoning petition CZ-2025-002; and (ii) adopt the advisory consistency and reasonableness statement for recommendation of denial.

Advisory Consistency and Reasonableness Statement

Pursuant to N.C.G.S. § 160D-604, the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners deny the proposed map amendment, as denial is reasonable and the proposal is inconsistent with the currently adopted Union County Comprehensive Plan (the “Plan”). Denial of the proposed map amendment is reasonable and in the public interest because:

1. The Plan’s Land Use Map identifies this area as Rural Residential. The proposed light industrial designation is not consistent with residential or agricultural uses for which rural residential areas are intended.
2. The proposed rezoning may facilitate ongoing and potential future industrial uses in close proximity to existing residential uses in manners inconsistent with the Plan.
3. The potential detriments of the use established by this rezoning include any increased noise, light, and traffic exposure resulting from the potential for expansion of the existing use on the property that could affect nearby residential properties.
4. The rezoning is related to a previous zoning violation, and the proposed use is five times the acreage allowed as a non-conformity on the subject portion of this parcel.



Union County, NC

Staff Report

Union County Government
Center
500 North Main Street
Monroe, North Carolina
www.unioncountync.gov

File #: 25-279

Agenda Date: 5/20/2025

TITLE:

Conditional Rezoning 2024-CZ-011 Union Landscaping

DETERMINATION OF CONFLICTS

INFORMATION CONTACT:

Bjorn E. Hansen, Senior Planner- Long Range Planning, 704-283-3690

ACTION REQUESTED:

Recommend approval or denial of proposed rezoning to the Board of Commissioners

BACKGROUND:

This case is requesting to rezone a parcel totaling 2.4 acres appearing on the tax map as tax parcel 09-372-050 from RA-20 to RA-40 with Conditions; located in the Monroe Township. The rezoning will include the following conditions:

- 1) Limited to site plan dated April 21, 2025
- 2) Five-year vesting of development rights
- 3) Development will meet all requirements of the Union County Unified Development Ordinance

A community meeting was held May 7, 2025.

FINANCIAL IMPACT:

None.

Application for Conditional Rezoning

Union County
Planning Department
500 N Main Street - Suite 70
Monroe, NC 28112
T 704.283.3565
E UCPlanning@unioncountync.gov

General Information

Project Address 3925 Sandford Ln City Monroe State NC Zip 28110
Tax Parcel ID 09-372-050 Current Zoning Designation RA-20 Total Acres 2.4
Proposed Zoning Designation RA-40 Date Submitted 12/12/24

Contact Information

Applicant Name Angel Riquelme Javana DBA Union Landscaping and Hardscape
Address 1301 Crownforest Lane City Monroe State NC Zip 28112
Phone 704-309-2829 Fax _____ Email Office@Union-landscaping.com
Property Owner Name Angel Riquelme Javana
Address 1301 Crownforest Ln City Monroe State NC Zip 28112
Phone 704-309-2829 Fax _____ Email Office@Union-landscaping.com

Applicant's Certification

Angel R. Javana 12/12/24 Angel BS Owner
Signature Date Printed Name/Title

Owner's Certification

Angel R. Javana 12/12/24 Angel BS Owner
Signature Date Printed Name/Title

Union County Office Use Only:

Case Number: 2024-CZ-011 Union Date Received: 12-16-24
Amount of Fee (\$900): BEA Fee Ok: BEA Received by: BEA
1000

Contact Bjorn Hansen to begin the process. T. 704.283.2690 E. Bjorn.hansen@unioncountync.gov



**This document is only valid from July 1, 2023 - June 30, 2024

Letter of Intent

Date: December 16, 2024

To: Union County Planning Dept

Subject: Conditional Rezoning of Property at 3925 Sanford Ln, Monroe, NC 28110

My name is Angel Riquelme Javana. I am a Union County Resident. I own Union Landscaping and Hardscape S Corp, a small landscaping and hardscape business operating in Monroe, NC.

I bought this property in April 2022, previously Providence Nursery and Landscaping, with the intention of advancing my business into Union Nursery and Landscaping.

Currently the property is zoned RA20 and I am asking the Union County Planning Department to grant me a conditional re-zoning to RA40. I have 8 employees, and my hours of operation are Monday-Friday 7 am to 5 pm and Saturdays from 7 am to 12 pm.

I am submitting a site plan proposal along with an impact statement. I will meet with Union County's building code enforcement if necessary. I will comply with all regulations and zoning standards. As the previous owners, Providence Nursery and Landscaping, had already been operating as a Nursery and Landscaping Business for multiple years, the proposed development will not endanger the public health or safety, or injure the value of the abutting properties. When I purchased the property, it was in dire need of clean up and repair. I have made significant progress with the clean-up and now the development is in harmony with the area it's located in and will be in conformity with the comprehensive plan.

I would like Union County Planning Board to consider this request at the earliest possible meeting.



Vicinity Map (NTS)

Flood Certification
I have examined the Flood Insurance Rate Map for Union County North Carolina, Community Panel Number 3710541600 J, dated October 16, 2008, and hereby certify that this property is not located in a special flood hazard area as determined by the Federal Emergency Management Agency.

Use of land within a floodway or floodplain is substantially restricted by Article 65 of the Union County Land Use Ordinance.

Certificate of Survey and Accuracy
State of North Carolina, Union County
I, William M. Lawrence, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed recorded in Book As, Page Shown); that the boundaries not surveyed are clearly indicated as dashed lines drawn from adjoining owners deeds as shown; that the ratio of precision as calculated is 1:10,000 or better; that this plat was prepared in accordance with G.S. 47-30 as amended. This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

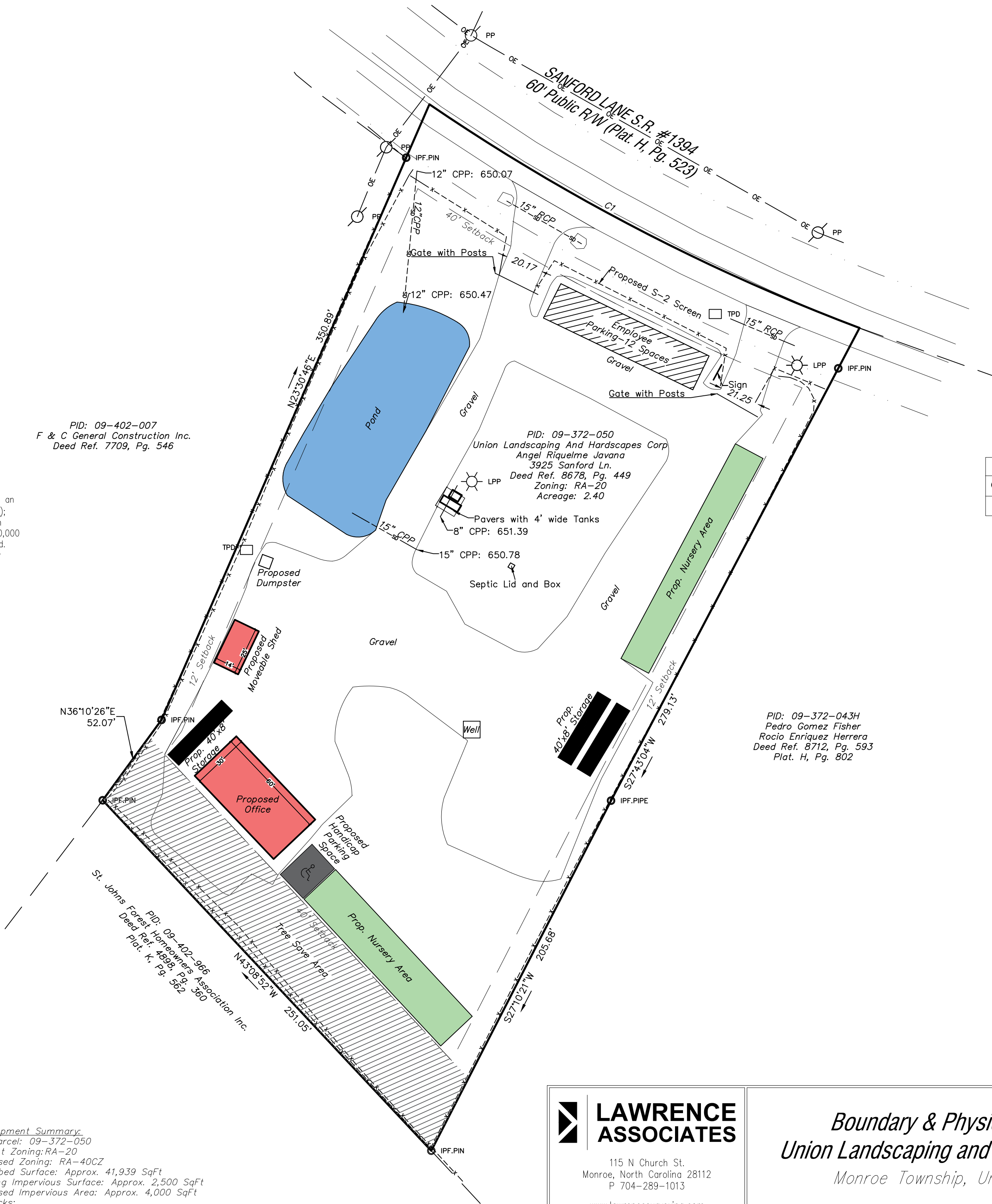
Witness my original signature, registration number and seal this the
Monday, April 07, 2025

PRELIMINARY
William M. Lawrence, NCPLS L-5393



- NOTES
1. Areas computed using coordinate geometry.
 2. This property may be subject to right of ways, easements, restrictions and covenants either recorded or implied.
 3. All distances shown are horizontal ground distances.
 4. Rebar set at all corners unless otherwise noted.
 5. Broken lines indicate property lines not surveyed.
 6. All adjoining property owner information is taken from current deeds and tax records and are considered as "Now or Formerly".
 7. Lawrence Associates makes no guarantees to the compaction or to the nonexistence of spoils areas.
 8. Other underground utilities may exist but their locations are not known.
 9. This map was prepared without the benefit of a title search. Subject to full title search.
 10. Future grading may be necessary to divert water to retention pond
 11. Public Restrooms on site

Development Summary:
Tax Parcel: 09-372-050
Current Zoning: RA-20
Proposed Zoning: RA-40CZ
Disturbed Surface: Approx. 41,939 SqFt
Existing Impervious Surface: Approx. 2,500 SqFt
Proposed Impervious Area: Approx. 4,000 SqFt
Setbacks:
Front: 40'
Side: 12'
Rear: 40'



Legend

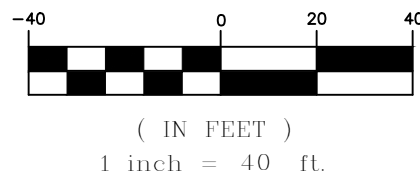
Telephone Line ..	T
Power Line.....	ohe
Power pole.....	PP
Sewer Clean out	CO
Curb Inlet	CBI
Guy Wire	
Light pole.....	LP
Fire hydrant.....	FH
Water meter.....	WM
Electric meter.....	EM
Water valve.....	WV
Tree Save Area.....	
Public Drainage Esmt.	PDE
Iron Pin Found	IPF
Iron Pin Set	IPS
Computed Point	CP
Right of Way	

Curve Table

Curve #	Length	Radius	CHORD BEARING	CHORD
C1	253.90	1066.36	S62°31'22"E	253.30



State Plane Coordinate values were obtained using a Topcon Hiper GPS using Virtual Reference Stations



LAWRENCE ASSOCIATES

115 N Church St.
Monroe, North Carolina 28112
P 704-289-1013

www.lawrencesurveying.com
Firm License Number: C-2856

Boundary & Physical Survey For
Union Landscaping and Hardscape S. Corp.
Monroe Township, Union County, NC

Orig. scale: 1" = 40' Date: April 7, 2025 Drawn By: BHV

REVISIONS

TLE 4-4-25
TLE 4-21-25



Morrison Appraisal, Inc.

Providing Exceptional Value since 1985

IMPACT STUDY

**Of
UNION LANDSCAPING AND HARDSCAPE
Sanford Lane, Monroe, NC**



As of
October 18, 2024

Prepared For
Adriana Riquelme
Union Landscaping and Hardscape
3925 Sanford Lane
Monroe, NC 28110

Prepared by
MORRISON APPRAISAL, INC
Rob Morrison
North Carolina General Appraiser-A400

October 30, 2024

Adriana Riquelme
Union Landscaping and Hardscape
3925 Sanford Lane
Monroe, NC 28110

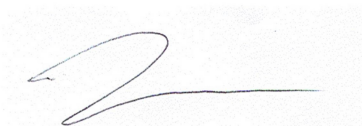
Re: Impact Study
3925 Sanford Lane, Monroe
Union County, NC, 28110

To Whom it May Concern:

As requested, I have studied the site located at 3925 Sanford Lane in Monroe, NC. The subject is 2.40 acres. The owner wants to run a landscaping and nursery business on the site. The owner wants the property to be rezoned from RA-20 to RA-40. The Union County Board of Adjustments requires a special use permit in the RA-40 zoning district for a agribusiness use. Sales of properties adjacent or exposed to landscaping and nursery businesses are reviewed and compared to unexposed sales to determine the proposed use impact on surrounding properties.

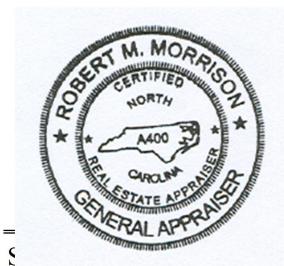
Based on the information gathered, it is my opinion that the use should not adversely affect surrounding or abutting properties.

Sincerely,



Rob Morrison

NC#A400



IMPORTANT FACTS AND CONCLUSIONS

Property Location	Sanford Lane, Monroe, NC
Owner	Union Landscaping and Hardscape
Study Requested	Adriana Riquelme
Date of Study	October 18, 2024
Property Rights	Fee simple
Zoning	RA-20 current RA-40 as rezoned
Map reference	09-372-050
Legal Description	Deed Book Page 8678 page 449
Study Land area	2.40 acres
Current Use	Residential land
Proposed Use	Landscaping and Nursery business
Conclusion	The use will not substantially injure the value of the adjoining property.

INTRODUCTION

The subject is 2.40 acres of residential land that is located on Sanford Lane in Monroe. It can be identified as tax parcel 09-372-050. Union Landscaping and Hardscapes owns the property and plans to develop site for a nursery and landscaping business. The property is currently zoned RA-20 and the request is for the property to be rezoned RA-40. A special use permit is requested in order for the property to be used for agribusiness use. The property had been used for a similar business for more than 5 years.

PURPOSE OF THE LAND UTILIZATION STUDY

The purpose of this study is to meet the requirements of the Union County Board of Adjustments for special use in the RA-40 zoning. The report will address: “The use will not substantially injure the value of the adjoining property”.

EFFECTIVE DATE OF THE STUDY

The effective date of this study is October 18, 2024, which is the date of the inspection. The date of the report is October 30, 2024.

SCOPE OF THE APPRAISAL

The scope of work of this assignment is based on the intended use, requirements from the client, complexity of assignment and property, the sophistication of the market, and other pertinent information.

INSPECTION

A complete interior and exterior observation of the subject property has been made, and photographs were taken.

DATA RESEARCH AND COLLECTION

The scope of the appraisal also includes gathering local and regional information on the subject property. Facility operators provided information on existing operations and the proposed changes. Databases are used to identify other properties that have landscaping businesses and adjacent properties that have sold.

DATA ANALYSIS

The study researches and analyzes the effect, if any, of landscaping businesses on surrounding properties. Sales or properties adjacent to properties that have landscaping businesses are compared to properties without exposure. The analysis will help determine the impact of the planned project on the surrounding area.

HISTORY OF PROPERTY

Union Landscaping and Hardscapes Corp have owned the property since 03/28/2023 when it was purchased from Karl Haberyan for \$290,000. The client has plans to develop and operate a landscaping and nursery business on the site. The site had been used for a similar business for more than 5 years. The current owner removed most of the prior buildings and plants since the property was purchased. Two aerial photos are provided showing when it sold in 2019 and the 2023 aerial.

SITE

The site is 2.40 acres on Sanford Lane near the intersection of Goldmine Road.

2023 Aerial Photo



2019 Aerial Photo





SITE

Current Use of the Property:	Frame building used in landscaping business
Site Size:	2.40 acres
Shape:	Rectangular
Frontage/Access:	The subject property has average access on Sanford Lane.
Visibility:	Average
Topography:	Fairly Level
Utilities:	Electricity: City Sewer: Septic Tank Water: City Adequacy: The subject's utilities are typical and adequate for the market area.
Flood Zone:	The subject is located in an area mapped by the Federal Emergency Management Agency (FEMA). The site is not located in a flood zone. FEMA Map Number: 3710541600J FEMA Map Date: October 16, 2008
Environmental Issues:	There are no known adverse environmental conditions on the subject site. Please reference Limiting Conditions and Assumptions.
Encumbrance / Easements:	None observed. Please reference Limiting Conditions and Assumptions.
Site Comments:	The site is mostly open with adequate frontage for development.



ZONING

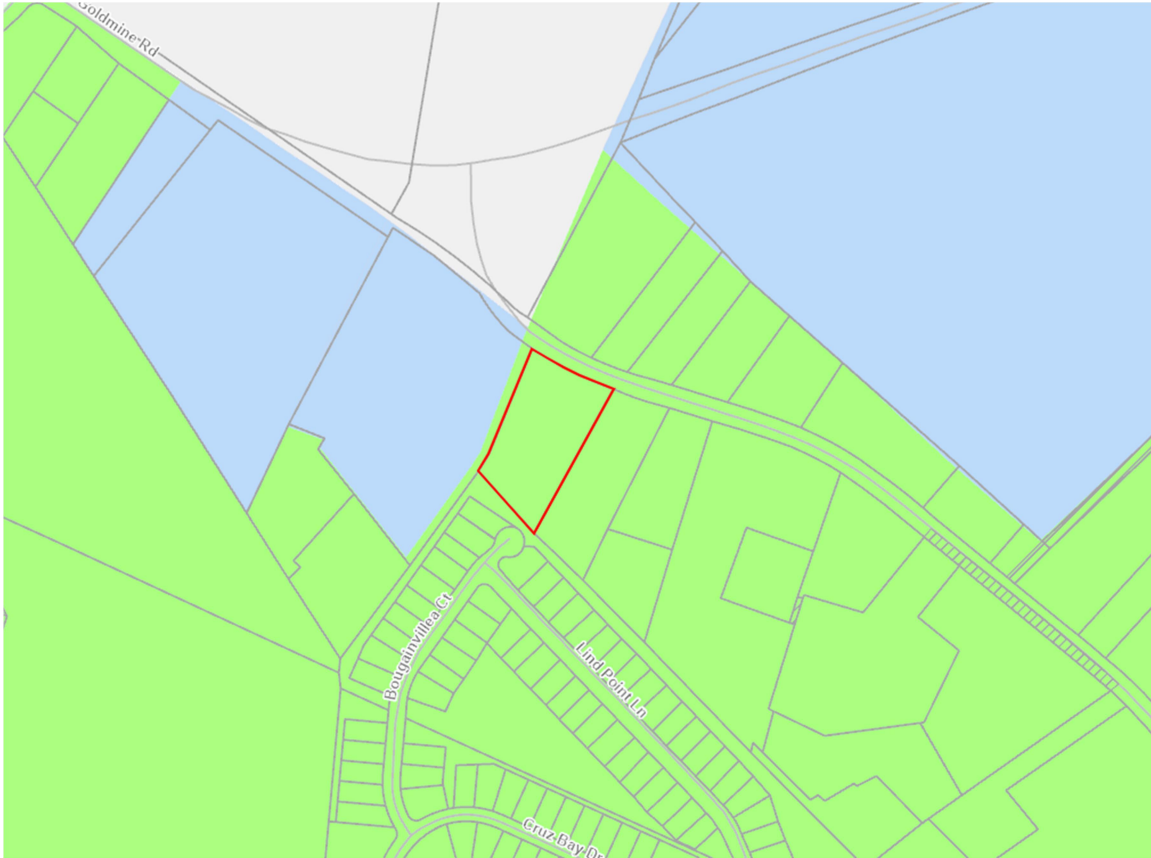
The property is currently zoned RA-20 by the Union County. The request is to rezone the property to RA-40 so the site can be used for a landscaping and nursery business.

RA-20 The RA-20 district is primarily intended to accommodate single-family residential development, including most classes of manufactured housing units, at low to moderate densities. The RA-20 district is generally intended to apply in areas characterized by a prevalence of manufactured housing.

RA-40 The RA-40 district is primarily intended to accommodate agriculture, agriculture-related uses, compatible agribusiness and rural business uses and low-density residential development (including most classes of manufactured housing units). The district is generally intended to apply in areas where central water and/or central sewer service is not widely available.

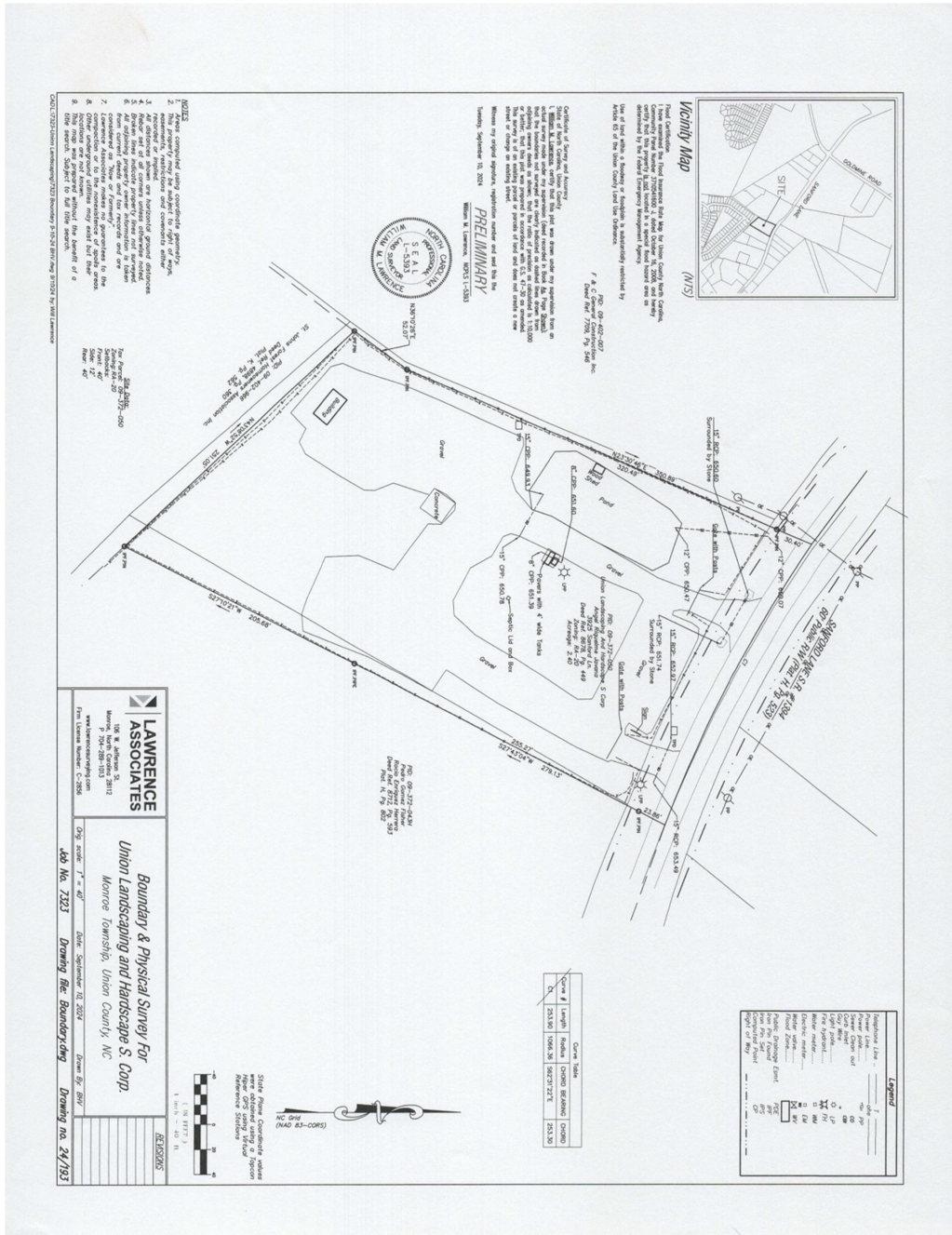
Article 25 Allowed Uses Section 25.010 Allowed Uses																	
USE CATEGORY	RA 200	RA 40	RA 20	R 40	R 20	R 15	R 10	R 8	R 6	R 4	O	B 2	B 3	B 4	H C	H I	Supplemental Regulations
Subcategory																	
Specific use																	
RECYCLING AND WASTE-RELATED																	
Construction and Demolition Debris Recycling Facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	S	P
Recyclable Material Processing Center	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	S	P
Landfill																	
Construction and Demolition Debris, On-site	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.090
Construction and Demolition Debris, Off-site	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	S	P
Reclamation (1 acre or less)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.090
Reclamation (more than 1 acre)	S	—	—	—	—	—	—	—	—	—	—	—	—	—	—	S	P
Sanitary	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	S
Solid Waste Convenience Center	S	S	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P
Solid Waste Transfer Station	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	S	P
AGRICULTURE & AGRICULTURE-RELATED, NON-EXEMPT																	
Agribusiness	S	S	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Agriculture	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Agritourism	P	S	S	S	—	—	—	—	—	—	—	—	—	—	—	—	—
Nursery or Greenhouse	P	P	P	S	—	—	—	—	—	—	—	P	—	P	P	P	P
Silvicultural Operations	P	P	P	P	P	P	P	—	—	—	—	—	—	—	—	P	P
OTHER																	
Drive-in or Drive-through Facility	—	—	—	—	—	—	—	—	—	—	P	S	—	P	P	P	—
Wireless Facility (Amended 11/21/2022)																	
Carrier on Wheels (COW)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.150
Collocation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.150
Concealed Wireless Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 30.150
All other Wireless Facilities (excluding wireless support structures) (Amended 11/21/2022)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 30.150
Support Structures (Amended 11/21/2022)																	
Wireless Support Structures and Radio, Television, or other Broadcast Support Structures (up to 60 feet in height), excluding concealed wireless facilities (Amended 11/21/2022)	P	P	P	S	S	S	S	S	S	S	S	S	P	P	P	P	Section 30.190, Section 30.150 is also applicable to wireless support structures
Wireless Support Structures and Radio, Television, or other Broadcast Support Structures (60.01 feet in height and greater) excluding concealed wireless facilities (Amended 11/21/2022)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 30.190, Section 30.150 is also applicable to wireless support structures

ZONING MAP



PROPOSED USE

Currently the site is an open site with a small pond, a 14 x 25 building, gravel parking and chain length fencing. The proposed use is a nursery and landscaping business that will have plants to be used in the landscaping business plus there will be equipment parked on the site. The site plan is included in the report.



SURROUNDING PROPERTIES

The subject is located on Sanford Lane southeast of the intersection of Goldmine Road. The area includes a wide variety of residential, commercial and industrial uses.

The uses in the immediate area are single family, industrial land and a commercial shop and office. The adjoining properties are shown below.

Zoning	Parcel #	Address	Current Use
RA-20	09-372-043B	3924 Sanford Lane	Single family house
RA-20	09-372-043C	3920 Sanford Lane	Residential lot
RA-20	09-372-044A	3916 Sanford Lane	Residential lot
RA-20	09-372-043H	3921 Sanford Lane	Single family house
RA-20	09-402-966	No address	Common area
LI	09-402-007	4011 Sanford Lane	Commercial shop and detached office building
GI	09-402-004C	No address	Industrial Land – Airport



THE EFFECT ON ADJOINING PROPERTY

In order to determine if the proposed use has a negative effect on neighboring properties, sales near or next to similar landscaping and nursery properties are analyzed.

Areas Examined

1) Latham's Nursery

This property is located on East Lawyers Road in Unionville. The property consists of 87.176 acres of land with multiple shops as well as an office and single family houses. The current use has been in place for over 20 years.

2304 Supreme Drive

This property joins Latham's Nursery. It sold on 07/28/2022 for \$550,000. The property was made up of a 2,354 sq. ft. house on 3.22 acres. The price per sq. ft. is \$233.64.

3621 Old Camden Road

This property is 1.5 miles from 2304 Supreme Drive and it sold on 03/15/2022 for \$450,000 or \$220.91 per sq. ft.

The houses are similar in size, age and location which shows that 2304 Supreme Drive was not adversely affected by the location of the nursery and landscaping company.

2) Latham's Nursery

This property is located on Unionville Road. This parcel consist of 25.67 acres of land with multiple greenhouses and a shop plus set out plants. The operation has bee in place for many years.

4307 Unionville Road

This property is located across the road from Latham's and it sold on 09/03/2021 for \$198,000. The house has 1,026 sq. ft. with 2.5 acres. The price per sq. ft. is \$192.98.

3007 Sikes Mill Road

This property is 1.2 miles from 4307 Unionville Road and it sold on 05/07/2021 for \$231,000 or \$185.10 per sq. ft.

The house is similar in age, quality and size. This shows that 4307 Unionville Road was not adversely affected by the location of the nursery.

3) Bell Nursery

This property consist of 74.86 acres that is located off of Carl Polk Road in Union County. The property includes greenhouses, several office buildings, shops and set out plants. This business has been in place for more than 10 years.

32.88 acres of vacant land joins that the nursery sold for \$280,000 on 12/15/2020. The price per acre is \$8,516.

32.86 acres of land on Bunn Simpson Road which is 5.9 miles from the sale above sold on 03/19/2020 for \$250,000. The price per acre is \$7,584.

This indicates that the sale of the 32.88 acres was not adversely affected by the location of the nursery and landscaping business.

FINAL CONCLUSION

The subject property is located on the west side of Monroe in an area that has a wide variety of uses and zoning districts.

The owner wishes to use the site for a nursery and landscaping business. The land has been used for the same purpose in the past for more than 5 years.

After examining other nursery businesses that have offices, shops, equipment storage and set out plants it is the appraiser's opinion that the use of the subject property for a plan nursery and landscaping business will not substantially injure the value of the abutting or adjoining properties.

Rob Morrison, Appraiser
Home – 815 Bridgewater Drive
Monroe, N. C. 28112
Office – 613 Euclid Street
Monroe, N. C. 28110

NC State Certified General Appraiser #A-400
SC State Certified #CG-2637

EDUCATION

BA Degree – University of North Carolina Charlotte – 1974

APPRAISAL COURSES ATTENDED AND PASSED WITH EXAM

Course 101 – Introduction to Appraising Real Property
Society of Real Estate Appraisers – May 1992

Course 201 – Principals of Income Property Appraising – May 1985
Society of Real Estate Appraisers – May 1985

Course 202
Society of Real Estate Appraisers – January 1991

North Carolina State Certification
General Certification – 1990

Course Part A Standards of Professional Practice
Appraisal Institute – 1992

USPAP – Every two years

NC Rules and Appraisal Guidelines
2004

USPAP Update/Appraising Small Subdivisions
2005

APPRAISAL COURSES PASSED BY CHALLENGING EXAMS

Course 8 – Appraising the Single Family Residence
American Institute of Real Estate Appraisers – 1980

Course 102 – Applied Residential Property Valuation
Society of Real Estate Appraisers – November 1986

Course 1-A1 – Real Estate Principals
American Institute of Real Estate Appraisers – 1987

Course 1-A2 – Basic Valuation Procedures
American Institute of Real Estate Appraisers - 1987

Introduction to Review Appraisal
McKissock Data Systems – June 1997

Fourteen hours of continuing education per year 1998-2020

WORK HISTORY

1985 to Present –	Morrison Appraisal, Inc. – President Real Estate Appraiser – Residential and Non-Residential Fee Panel – FHA
1983 – 1985	Self-Employed as Real Estate Appraiser
1977 – 1985	Real Estate Broker Received Broker License in 1977
1975 – 1977	Real Estate Appraiser for Union County Tax Office

APPRAISAL SEMINARS

Highest and Best Use	AIREA
Demonstration Report Writing	SREA
Standards of Professional Practices	SREA
R-41 C Seminar	League of Savings and Loan

CONTINUING EDUCATION

The appraiser's continuing education is currently complete.

PROFESSIONAL ORGANIZATIONS

National Associations of Realtors
Union County Board of Realtors
Charlotte Commercial Realtors

PARTIAL LIST OF APPRAISAL CLIENTS

First Citizens Bank & Trust
Truist Bank
Whitley Mortgage
State Employees Credit Union
America Bank of the Carolinas
First Bank
Charlotte Metro Federal Credit Union
FHA Approved Appraiser







Land Use Board Advisory Consistency and Reasonableness Statement Concerning Proposed Amendment to the Union County Zoning Map

The Union County Land Use Board has reviewed the rezoning petition (CZ-2024-011) submitted by Angel Riquelme Javana requesting a revision of the Union County Zoning Map by rezoning a parcel totaling 2.4 acres appearing on the tax map as tax parcel 09-372-050 in the Monroe Township from RA-20 to RA-40 with Conditions.

TO RECOMMEND APPROVAL OF THE AMENDMENT (THE PROPOSAL IS INCONSISTENT WITH THE CURRENT PLAN)

Motion

(i) Recommend approval of rezoning petition CZ-2024-011; and (ii) adopt the advisory consistency and reasonableness statement for recommendation of approval.

Advisory Consistency and Reasonableness Statement

Pursuant to N.C.G.S. § 160D-604, the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners adopt the proposed map amendment. The Union County Land Use Board finds that adoption of the proposed map amendment is inconsistent with the currently adopted Union County Comprehensive Plan (the “Plan”). The Union County Land Use Board recommends that the Union County Board of Commissioners deem the adoption of the proposed map amendment as an amendment to any future land use map in the Plan. Adoption of the proposed map amendment (i) takes into account the need to amend the zoning map to meet the needs of the community, and (ii) is reasonable and in the public interest because:

1. The site is on the edge of (less than 50 feet) from an Employment Center as designated on the land use map in the Plan. Employment Centers are identified in the Plan as areas which facilitate employment growth in key areas that have access to transportation and adequate utility infrastructure and existing viable employment and available land suitable for employment. Uses encouraged near these centers include, but are not limited to, light industrial, warehouse, office, research, tech-flex and technology. The use set forth for this rezoning would be consistent with a use in an employment center. Given the extremely close proximity of an employment center to the subject parcel, it is reasonable to approve this rezoning and amend the Plan’s land use map to include the employment center on this parcel.
2. The greenhouse portion of this site has been in operation for many years without conflict with neighboring properties.
3. The proposed use would not create a significant traffic impact.
The proposed use is similar to other nearby uses in that it is of a commercial or industrial nature rather than residential in nature. There are light industrial zoned properties 500 feet north and 500 feet west of the site, as well as numerous industrial or commercial uses within less than a mile from the site.
4. The benefits to the community at large, the neighbors, and the property owners of the proposed rezoning outweigh any detriments to the neighbors and others caused by the

rezoning. The benefits of this rezoning include increasing business opportunities in the county, allowing an existing business to continue to operate, and allowing a property with many nearby properties which have non-residential to also be allowed to conduct similar non-residential uses on its property.

**TO RECOMMEND DENIAL OF THE AMENDMENT (THE PROPOSAL IS
INCONSISTENT WITH THE CURRENT PLAN)**

Motion

(i) Recommend denial of rezoning petition CZ-2024-011; and (ii) adopt the advisory consistency and reasonableness statement for recommendation of denial.

Advisory Consistency and Reasonableness Statement

Pursuant to N.C.G.S. § 160D-604, the Union County Land Use Board does hereby recommend that the Union County Board of Commissioners deny the proposed map amendment, as denial is reasonable and the proposal is inconsistent with the currently adopted Union County Comprehensive Plan (the “Plan”). Denial of the proposed map amendment is reasonable and in the public interest because:

1. The Plan’s Land Use Map identifies this area as Single Family Residential. Uses allowed in Single Family Residential are residential developments with no more than two units per acre, which is not consistent with the uses proposed through this conditional rezoning which are non-residential in nature.
2. The potential detriments of the use established by this rezoning include any increased noise, light, and traffic exposure resulting from the potential for expansion of the existing use on the property that could affect nearby residential properties.
3. The proposed rezoning may facilitate ongoing and potential future employment uses in close proximity to existing residential uses in manners inconsistent with the Plan.



Union County, NC

Staff Report

Union County Government
Center
500 North Main Street
Monroe, North Carolina
www.unioncountync.gov

File #: 25-314

Agenda Date: 5/20/2025

TITLE:

Text Amendment to Sections 80.070-A Minor Subdivisions Applicability and 105-130 Definitions "Lot of Record" of the Union County Development Ordinance

INFORMATION CONTACT:

Lee Jenson, Planning, Director, 704-283-3564

ACTION REQUESTED:

Consider recommending approval or denial of the proposed text amendments.

PRIOR BOARD ACTIONS:

BACKGROUND:

These proposed text amendments deal with how minor subdivisions are determined based on a lot of record. As drafted, this amendment will reset the lot of record date to the date the text amendment is adopted and will then reset the lot of record date every 10 years.

FINANCIAL IMPACT:

None.

Section 80.070 Minor Subdivisions

80.070-A Applicability

The minor subdivision review and approval procedures of this section may be used only for land divisions that result in the creation of no more than 8 lots out of a ~~single tract since February 14, 1978~~ lot of record that do not, under the terms of this ordinance, require the construction of new streets, public water or sewer facilities, sidewalks, or similar infrastructure and public facilities.

Article 105

Section 105.130 Terms Beginning with “L”

Lot of Record

Initially, A lot that is part of an approved subdivision, a plat of which has been recorded in the office of the register of deeds or a lot that is platted or described by metes and bounds that is an exempt subdivision, the description of which has been so recorded on or prior to _____ Adopted date _____ and then resetting every 10 years.