Planning Board
Regular Meeting Agenda
January 19, 2015
5:30 PM – Town Hall

- Call to Order
- Approval of Minutes
  October 20, 2015 Minutes
- Public Comment
  Public may address the Board about any policy matter
- Consider Rezoning Requests
  GWU has requested several parcels be rezoned from residential to I-1
- Review Staff Memorandum
  Staff are asking for feedback prior to recommending several amendments to the Zoning Code related to Accessory Uses and Structures.
- Other Business
- Adjourn

Planning Board

Meeting Minutes
October 20, 2015

Present
Jim Blalock, Josh Beason, John Cannon, Pat Hamrick, Ellen Humphries, and Buster Bryson. Staff members present: Town Manager Tom Hart and Town Clerk Kimberly Greene.

Others Present
Wayne Johnson, Bob Bisanar, Pastor Wade Wallace, Ben Leslie, and Alan McWhirter

Jim Blalock called the meeting to order at 5:30 pm. Chairman Lynn Sarratt was unable to attend the meeting.

Approval of Minutes
J.T. Scruggs made a motion to approve the minutes of the July 21, 2015 meeting. John Cannon seconded the motion and all were in favor.

Public Comment

Swear in New Board Member
Buster Bryson was sworn in by the Town Clerk. Welcome to the Board.

Consider Zoning Code Text Amendment 151103.01
Mr. Hart stated this amendment would give the Town a walkable community. The regulations requiring the installation of sidewalks by developers is necessary to fund pedestrian infrastructure, create a system of pedestrian infrastructure that creates interconnectivey, provide meaingful transportation alternatives to driving, and promote health and safety of the community. J.T. Scruggs made the motion to recommend to the Board of Commissioners that Zoning Code Text Amendment 151103.01 be approved. John Cannon seconded the motion and all were in favor.

Consider Zoning Code Text Amendment 151103.02
Gardner-Webb University formally asked that the Town consider changing the front setback for the Institutional zoning district from 40 feet to 20 feet. The Board discussed setbacks in nearby towns.

Dr. Ben Leslie of Gardner-Webb University read a statement supporting this request. The YMCA and Cleveland County Schools also provided a letter of support for the proposal as their properties are similarly affected.

Pastor Wade Wallace of Green Bethel Church stated he discussed this proposal with the Church Deacons and Trustees and they support the proposal.

Mr. Alan McWhirter of the YMCA stated their property is also zoned Institutional and that they support this proposal.

Wayne Johnson of Gardner-Webb University shared a map with the Board illustrating the front setbacks of existing businesses. Mr. Johnson stated changing the front setback would give property owners an incentive to move parking back from the street.

The Board agreed that, except for manufacturing and certain intensive uses requiring a Conditional Use Permit, all non-residential uses should share a common front setback. The Board was unsure that the existing 20 foot commercial setback was the most appropriate distance for non-commerical setbacks without having sufficient information or research to recommend keeping the existing 20 foot setback or change to a more or less restrictive setback distance. The Board agreed if the Board of Commissioners considers the existing 20 foot front setback requirement appropriate, they approve the amendment.

J.T. Scruggs made the motion to recommend the Board of Commissioners make the front setback for all non-residential uses the same and requested the Board of Commissioners select an appropriate setback. John Cannon seconded the motion and all were in favor.

Adjourn

There being no further business the meeting adjourned at 6:10 p.m.

Staff Notes

GWU Rezoning Requests

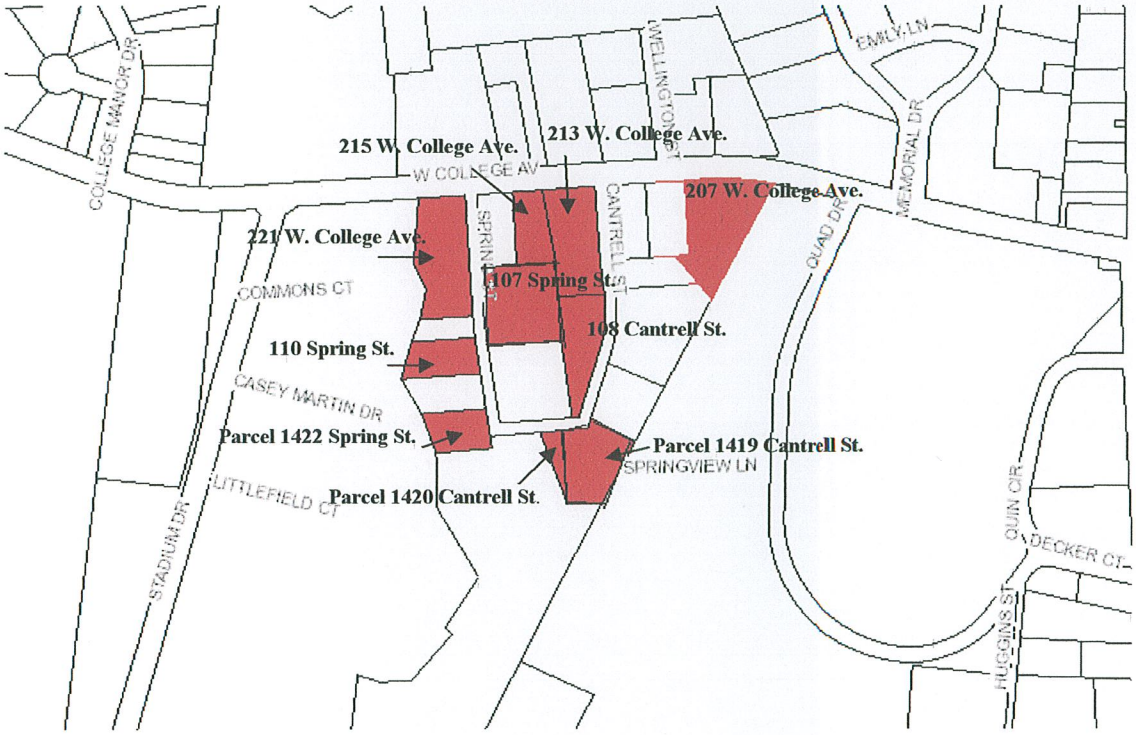
GWU is requesting the following parcels be rezoned as indicated below.

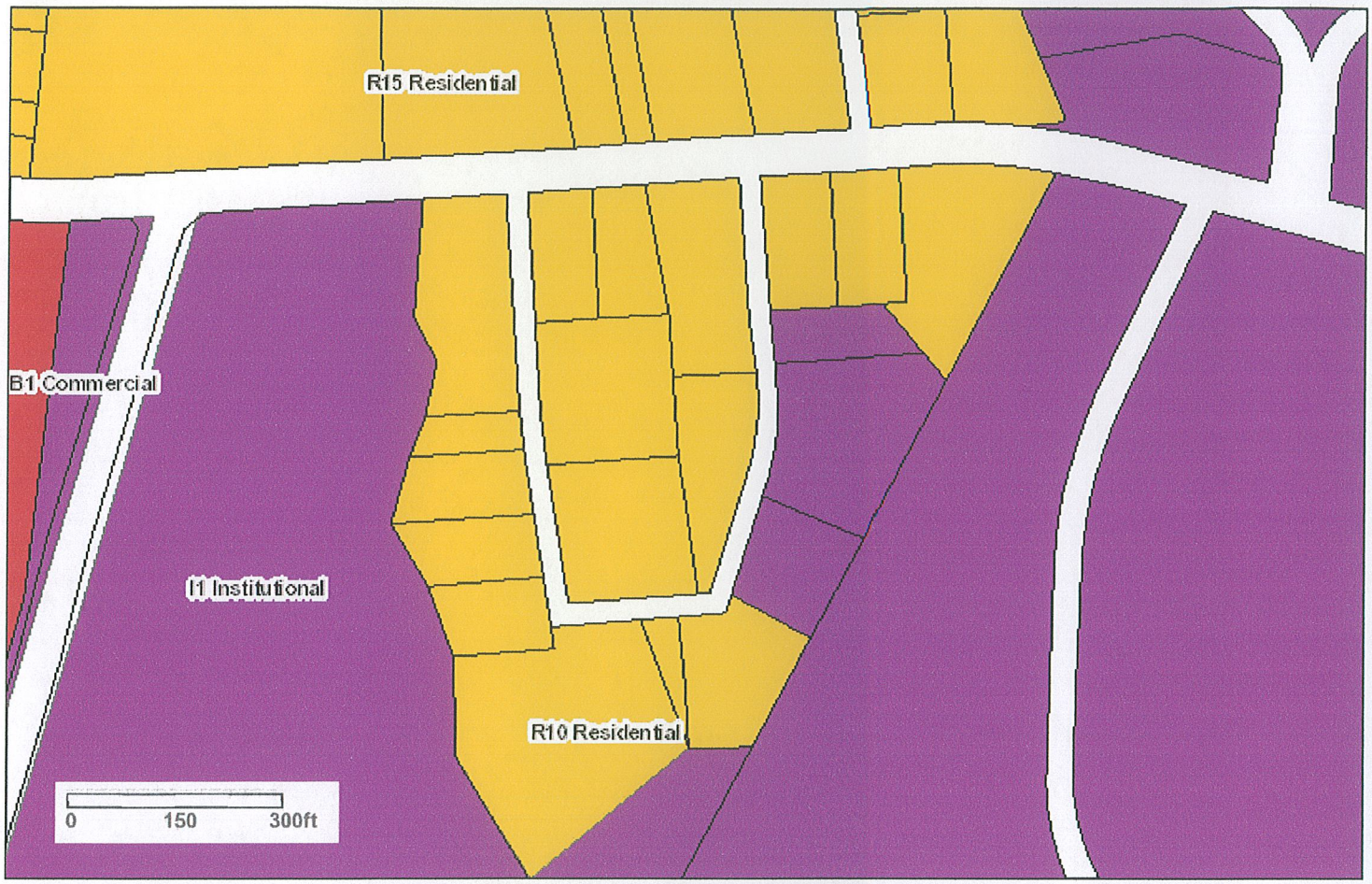
Request #	Location	Parcel Number	Current Zoning	Requested Zoning
1	221 West College Avenue	1425	R10	I1
2	110 Spring Street	72028	R10	I1
3	Spring Street	1422	R10	I1
4	Cantrell Street	1420	R10	I1
5	Cantrell Street	1419	R10	I1
6	207 West College Avenue	1414	R10	I1
7	108 Cantrell Street	2948	R10	I1
8	213 West College Avenue	1430	R10	I1
9	107 Spring Street	1428	R10	I1
10	215 West College Avenue	1431	R10	I1
11	146 Memorial Drive	1360	R15	I1
12	144 Memorial Drive	2983	R15	I1
13	130 Memorial Drive	1381	R15	I1
14	126 Memorial Drive	1364	R15	I1

If the requests need to be discussed separately please refer to request numbers assigned above. The order of requests matches the public notice and order of the information in the packet. The Planning Board will make advisory recommendation(s) to the Board of Commissioners on the submitted rezoning requests.

Review Staff Memorandum

Please review the attached memo the Planning Board dated January 19, 2016. No motion or formal action is required.


215 W. College Ave.
213 W. College Ave.
207 W. College Ave.
221 W. College Ave.
107 Spring St.
108 Cantrell St.
110 Spring St.
Parcel 1422 Spring St.
Parcel 1419 Cantrell St.
Parcel 1420 Cantrell St.
W COLLEGE AV
COLLEGE MANOR DR
WELLINGTON ST
EMILY LN
MEMORIAL DR
SPRING ST
CANTRELL ST
QUAD DR
COMMONS CT
CASEY MARTIN DR
LITTLEFIELD CT
SPRINGVIEW LN
STADIUM DR
QUIN CIR
DECKER CT
HUGGINS ST



Cleveland County, NC

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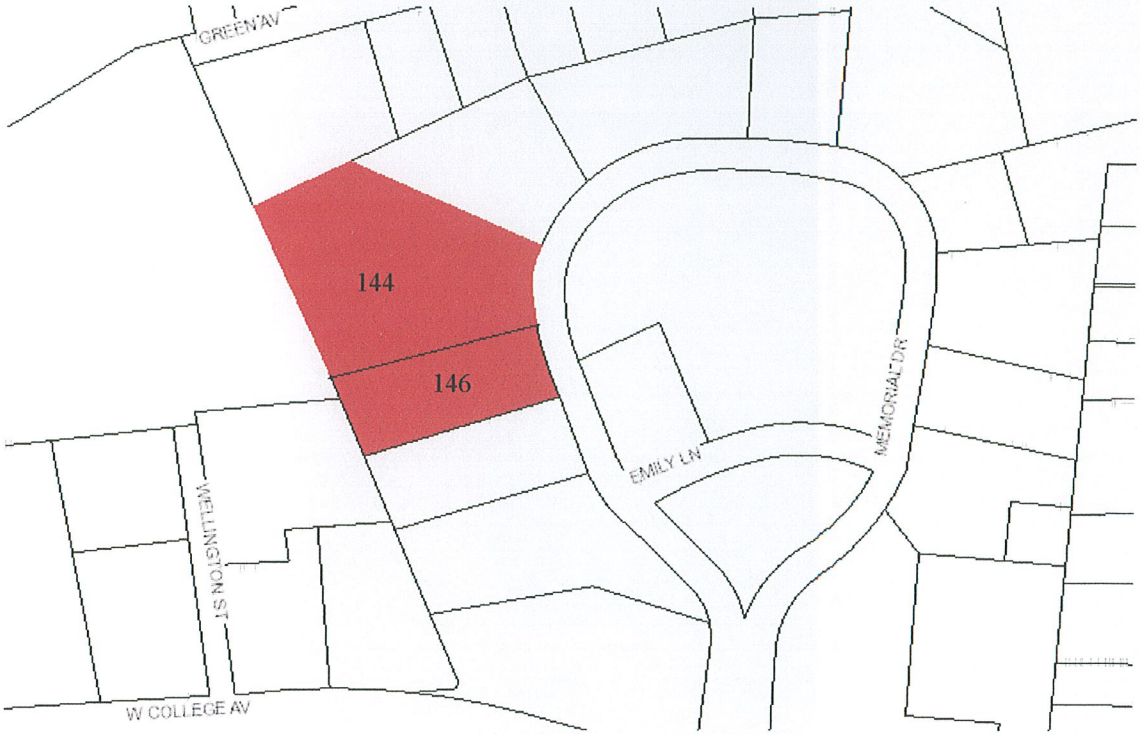
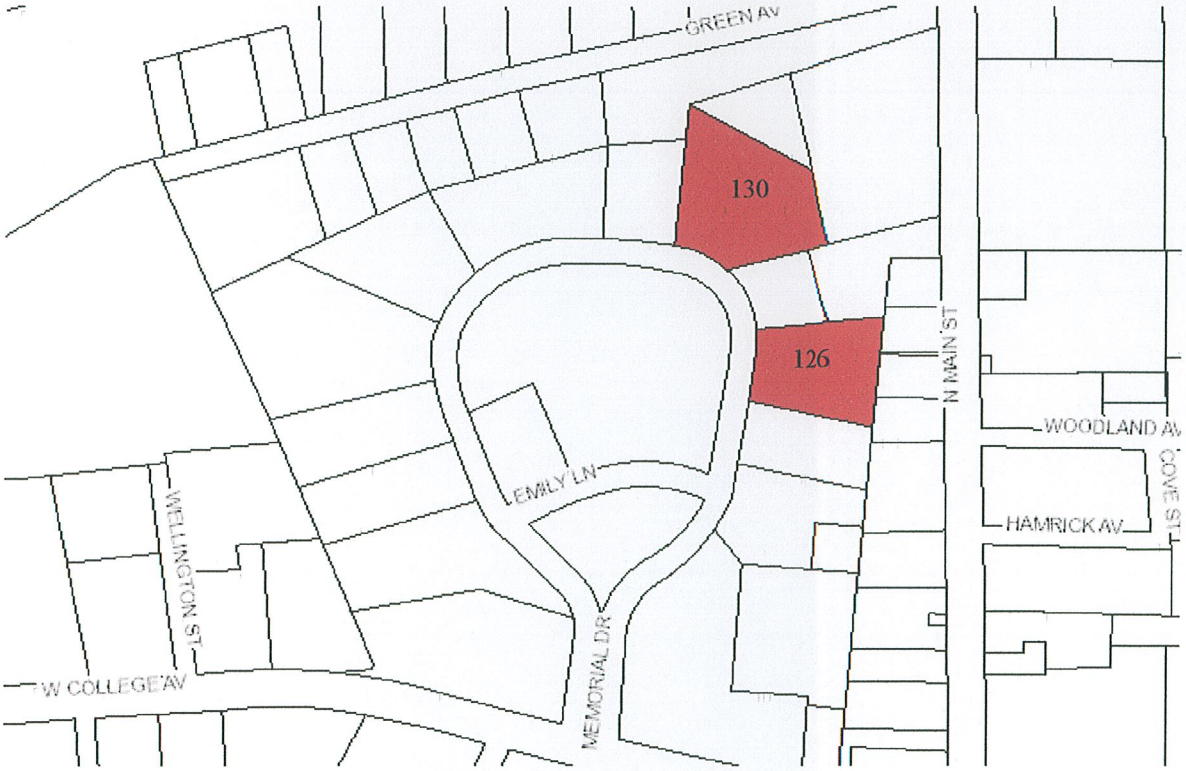
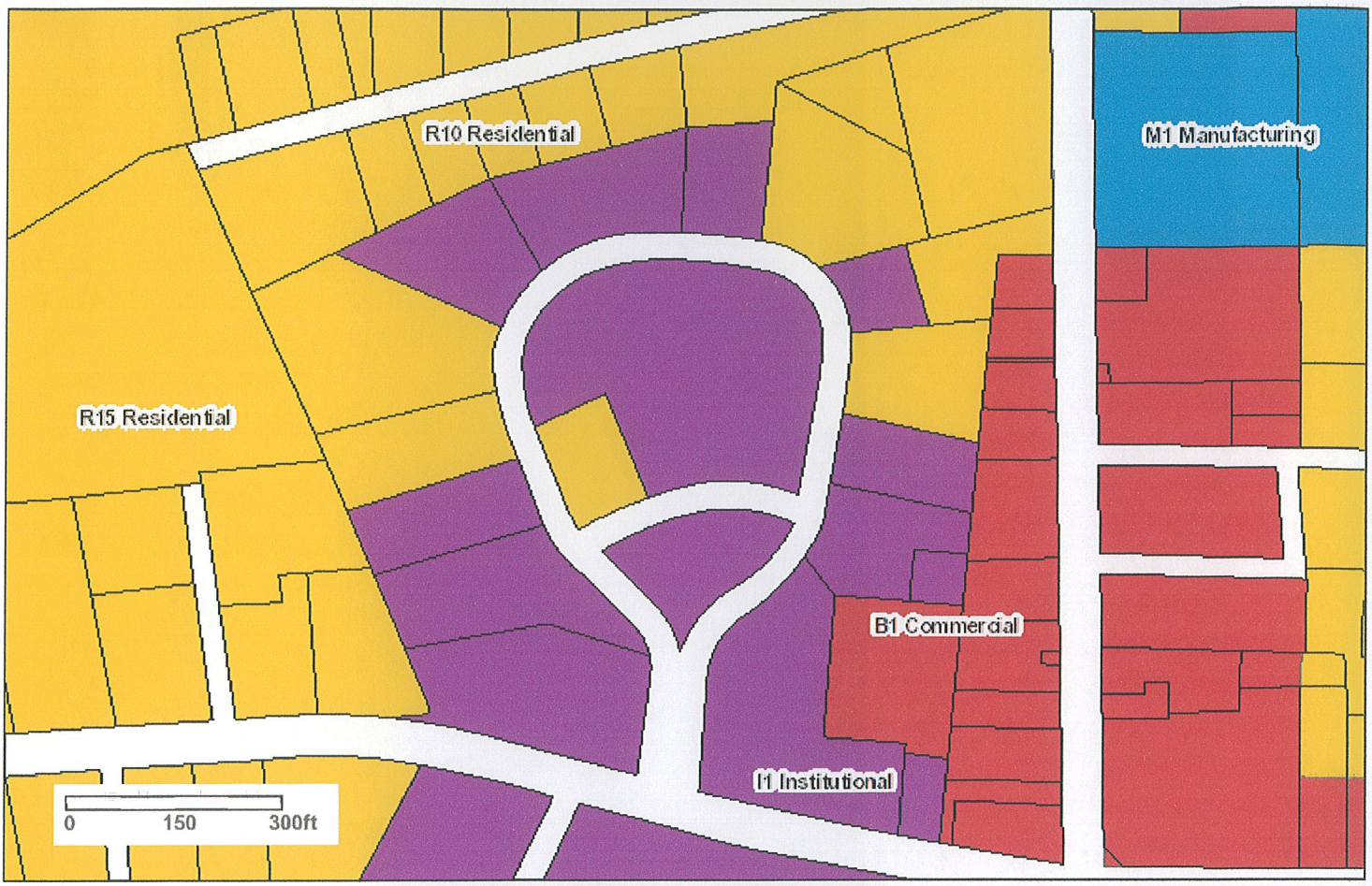

GREEN AV
144
146
EMILY LN
MEMORIAL DR
WELLINGTON ST
W COLLEGE AV


GREEN AV
130
126
N MAIN ST
WOODLAND AV
COVE ST
HAMRICK AV
EMILY LN
WELLINGTON ST
W COLLEGE AV
MEMORIAL DR



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Town of Boiling Springs

P.O. BOX 1014
BOILING SPRINGS, NC 28017
Telephone 704-434-2357
Fax 704-434-2358
www.boilingspringsnc.net

TOWN OF BOILING SPRINGS
PUBLIC HEARING NOTICE
PETITION TO REZONE CERTAIN PROPERTIES

Notice is hereby given that the Boiling Springs Town Board of Commissioners will hold a public hearing at the Boiling Springs Town Hall at 7:00 pm Tuesday, February 2, 2016. The purpose of the public hearing is to consider rezoning the following properties from R-10 to I-1: Cleveland County Tax Parcel #1425, 72028, 1422, 1420, 1419, 1414, 2948, 1430, 1428, and 1431. The Town Board will also consider rezoning the following properties from R-15 to I-1: Cleveland County Tax Parcel #1360, 2983, 1381, and 1364. For additional information, contact the Boiling Springs Town Hall, 114 E. College Avenue, PO Box 1014, Boiling Springs, NC 28017; 704-434-2357. All persons wishing to be heard should be present in order that their opinion may be made a matter of record. The Boiling Springs Planning and Zoning Board will meet and review said petitions Tuesday, January 19, 2016 at 5:30 pm.
Submitted by:
Kim Greene
Town Clerk

Shelby Star:

Please run – Tuesday, January 12, 2016

Town of Boiling Springs
P.O. Box 1014
Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 221 W. College Ave

Lot Size: 1894 Deed Reference: Book 1544 Page 1406

Tax Map Identification: BS 19-5-13 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 1425
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Deed Ref: 1544 1406
Calculated Acres: 0.89434606
Zoning: R10 Residential
PIN: 2505261796
NeighCode: B158
Tax_Distri: 2
Occ_Code: 37W
Use_Code: F

Year_Built: 1953
Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 221 W COLLEGE AVE
Deed Book: 1544
Deed Page: 1406
Map Number: BS19
Block: 5
Lot: 13

Land Value: 22744
Building Value: 102424
Total Value: 125168
Tax Year: 2015
Address: 221
Dir: W
Street Name: COLLEGE
Type: AVE

Attributes at point: N: 556769, E: 1202189

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

http://www.webgis.net Anderson & Associates, Inc. http://www.andassoc.com

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Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 110 Spring St.

Lot Size: 1.382 Deed Reference: Book 1398 Page 1426

Tax Map Identification: BS 19-5-11 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 72028
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Deed Ref: 1398 1426
Calculated Acres: 0.38266571
Zoning: R10 Residential
PIN: 2505261581
NeighCode: B152
Tax_Distri: 2
Occ_Code: 37W
Use_Code: R

Year_Built: 1954
Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 110 SPRING ST
Deed Book: 1398
Deed Page: 1426
Map Number: BS19
Block: 5
Lot: 11

Land Value: 12052
Building Value: 59485
Total Value: 71537
Tax Year: 2015
Address: 110
Street Name: SPRING
Type: ST

Attributes at point: N: 556514, E: 1202184

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: Springs St

Tax Map Identification: BS 19 5 9 Deed Reference: Book 1197 Page 1676

Lot Size: .356 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

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Signature of Property Owner **Signature of Applicant**

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Parcels

Parcel Number: 1422
GIS Owner: GARDNER WEBB UNIVERSITY INC
GIS Deed Ref: 1197 1676
Calculated Acres: 0.35623058
Zoning: R10 Residential
PIN: 2505262333
NeighCode: B152
Tax_Distri: 2
Use_Code: F

Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: SPRING ST
Deed Book: 1197
Deed Page: 1676
Map Number: BS19
Block: 5
Lot: 9

Land Value: 12400
Total Value: 12400
Tax Year: 2015
Street Name: SPRING
Type: ST

Attributes at point: N: 556331, E: 1202225

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: Contrell St.

Lot Size: .116 Deed Reference: Book 1122 Page 2422

Tax Map Identification: B519-5-7 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

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Signature of Property Owner **Signature of Applicant**

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Parcels

Parcel Number: 1420
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Owner 2: ATTN DONNIE CLARY
GIS Deed Ref: 1122 2422
Calculated Acres: 0.11642512
Zoning: R10 Residential
PIN: 2505264276
NeighCode: B152
Tax_Distri: 2
Use_Code: F

Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: CANTRELL ST
Deed Book: 1122
Deed Page: 2422
Map Number: BS19
Block: 5
Lot: 7

Land Value: 3382
Total Value: 3382
Tax Year: 2015
Street Name: CANTRELL
Type: ST

Attributes at point: N: 556240, E: 1202471

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: Cantrell st.

Lot Size: .616 Deed Reference: Book 9A Page 648

Tax Map Identification: BS 19-5-6 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R-10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

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Signature of Property Owner **Signature of Applicant**

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Parcels

Parcel Number: 1419
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Owner 2: ATTN DONNIE CLARY
GIS Deed Ref: 9A 648
Calculated Acres: 0.61655918
Zoning: R10 Residential
PIN: 2505265275
NeighCode: B152
Tax_Distri: 2
Use_Code: F

Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: CANTRELL ST
Deed Book: 9A
Deed Page: 648
Map Number: BS19
Block: 5
Lot: 6
Acres: 20.33

Land Value: 111815
Total Value: 111815
Tax Year: 2015
Street Name: CANTRELL
Type: ST

Attributes at point: N: 556256, E: 1202584

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 207 W. College Ave

Lot Size: .949 Deed Reference: Book 1153 Page 1245

Tax Map Identification: BS 19-5-1 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

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Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 1414
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Owner 2: ATTN DONNIE CLARY
GIS Deed Ref: 1153 1245
Calculated Acres: 0.94999363
Zoning: R10 Residential
PIN: 2505268885
NeighCode: B158
Tax_Distri: 2
Use_Code: F

Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 207 W COLLEGE AVE
Deed Book: 1153
Deed Page: 1245
Map Number: BS19
Block: 5
Lot: 1

Land Value: 29830
Total Value: 29830
Tax Year: 2015
Address: 207
Dir: W
Street Name: COLLEGE
Type: AVE

Attributes at point: N: 556816, E: 1202903

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 108 Contrell St.

Lot Size: .573 Deed Reference: Book 124 Page 362

Tax Map Identification: BS 19-6-4 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

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Parcels

Parcel Number: 2948
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Owner 2: ATTN DONNIE CLARY
GIS Deed Ref: 12L 362
Calculated Acres: 0.57348531
Zoning: R10 Residential
PIN: 2505265535
NeighCode: B152
Tax_Distri: 2
Occ_Code: 17W
Use_Code: F

Year_Built: 1969
Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 108 CANTRELL ST
Deed Book: 12L
Deed Page: 362
Map Number: BS19
Block: 6
Lot: 4

Land Value: 20474
Building Value: 186624
Total Value: 207098
Tax Year: 2015
Address: 108
Street Name: CANTRELL
Type: ST

Attributes at point: N: 556520, E: 1202542

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

Town of Boiling Springs
P.O. Box 1014
Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 213 W. College Ave

Lot Size: 1755 Deed Reference: Book 1640 Page 2081

Tax Map Identification: BS 19-6-5 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 1430
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Deed Ref: 1640-2081
Calculated Acres: 0.75593482
Zoning: R10 Residential
PIN: 2505265821
NeighCode: B158
Tax_Distri: 2
Occ_Code: 37W
Use_Code: F

Year_Built: 1960
Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 213 W COLLEGE AVE
Deed Book: 1640
Deed Page: 2081
Map Number: BS19
Block: 6
Lot: 5

Land Value: 42260
Building Value: 70750
Total Value: 113010
Tax Year: 2015
Address: 213
Dir: W
Street Name: COLLEGE
Type: AVE

Attributes at point: N: 556809, E: 1202520

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Town of Boiling Springs
P.O. Box 1014
Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 107 Spring St.

Lot Size: .874 Deed Reference: Book 1398 Page 1426

Tax Map Identification: BS 19-6-2 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 1428
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Deed Ref: 1398 1426
Calculated Acres: 0.87430797
Zoning: R10 Residential
PIN: 2505263685
NeighCode: B152
Tax_Distri: 2
Occ_Code: 37W
Use_Code: F

Year_Built: 1951
Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 107 SPRING ST
Deed Book: 1398
Deed Page: 1426
Map Number: BS19
Block: 6
Lot: 2

Land Value: 27528
Building Value: 46414
Total Value: 73942
Tax Year: 2015
Address: 107
Street Name: SPRING
Type: ST

Attributes at point: N: 556651, E: 1202387

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Town of Boiling Springs
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704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 215 W College Ave

Lot Size: 1367 Deed Reference: Book 1640 Page 2081

Tax Map Identification: BS19-6-6 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R10 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

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Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 1431
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Deed Ref: 1640-2081
Calculated Acres: 0.36772835
Zoning: R10 Residential
PIN: 2505264814
NeighCode: B158
Tax_Distri: 2
Occ_Code: 34M
Use_Code: F

Year_Built: 1956
Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 215 W COLLEGE AVE
Deed Book: 1640
Deed Page: 2081
Map Number: BS19
Block: 6
Lot: 6

Land Value: 11020
Building Value: 44488
Total Value: 55508
Tax Year: 2015
Address: 215
Dir: W
Street Name: COLLEGE
Type: AVE

Attributes at point: N: 556845, E: 1202420

Zoning **Class:** R10 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Town of Boiling Springs
P.O. Box 1014
Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 146 MEMORIAL DR.

Lot Size: 1631 Deed Reference: Book 1658 Page 437

Tax Map Identification: BS18-2-12 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R15 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 1360
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Deed Ref: 1658-437
GIS Deeded Acres: 0.631
Calculated Acres: 0.63065813
Zoning: R15 Residential
PIN: 2505370319
NeighCode: B157
Tax_Distri: 2
Occ_Code: 37W
Use_Code: F

Year_Built: 1954
Owner: GARDNER WEBB UNIVERS
Owner Address: PO BOX 997
Owner Addr2: BOILING SPRINGS NC 28017
Parcel Address: 146 MEMORIAL DR
Deed Book: 1658
Deed Page: 437
Map Number: BS18
Block: 2
Lot: 12

Land Value: 16159
Building Value: 71665
Total Value: 87824
Tax Year: 2015
Address: 146
Street Name: MEMORIAL
Type: DR

Attributes at point: N: 557395, E: 1203018

Zoning **Class:** R15 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

Town of Boiling Springs
P.O. Box 1014
Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 144 Memorial Dr

Lot Size: 1.299 Deed Reference: Book 76E Page 097

Tax Map Identification: BS 18-213 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R15 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 2983
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Deed Ref: 1707-0809
Calculated Acres: 1.29980589
Zoning: R15 Residential
PIN: 2505279554
NeighCode: B157
Tax_Distri: 2
Occ_Code: 37W
Use_Code: R

Year_Built: 1954
Owner: DIXON KATY G
Owner Address: 144 MEMORIAL DR
Owner Addr2: BOILING SPRINGS NC 28017-0055
Parcel Address: 144 MEMORIAL DR
Deed Book: 76E
Deed Page: 097
Map Number: BS18
Block: 2
Lot: 13

Land Value: 24957
Building Value: 83590
Total Value: 108547
Tax Year: 2015
Address: 144
Street Name: MEMORIAL
Type: DR

Attributes at point: N: 557544, E: 1202960

Zoning **Class:** R15 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

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Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 130 Memorial Dr.

Lot Size: 1 88 Deed Reference: Book 1595 Page 26

Tax Map Identification: BS 18-2-35 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R 15 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 1381
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Deed Ref: 1595-26
GIS Deeded Acres: 0.88
Calculated Acres: 0.93118022
Zoning: R15 Residential
PIN: 2505376716
NeighCode: B157
Tax_Distri: 2
Occ_Code: 37W
Use_Code: R

Year_Built: 1973
Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 130 MEMORIAL DR
Deed Book: 1595
Deed Page: 26
Map Number: BS18
Block: 2
Lot: 35
Acres: 0.88

Land Value: 24200
Building Value: 152333
Total Value: 176533
Tax Year: 2015
Address: 130
Street Name: MEMORIAL
Type: DR

Attributes at point: N: 557783, E: 1203625

Zoning **Class:** R15 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

Town of Boiling Springs
P.O. Box 1014
Boiling Springs, NC 28017
704-434-2357
704-434-2358 (fax)

Application for Zoning Map Amendment

Applicant: Gardner-Webb University Inc

Mailing Address and Phone Number: PO Box 997, Boiling Springs, NC 28017 704-406-4301

Property Owner(s): Gardner-Webb University, Inc

Mailing Address and Phone Number: Same

Property Location: 126 Memorial Dr.

Lot Size: 1652 Deed Reference: Book 13 E Page 233

Tax Map Identification: BS 18-2-17 Size of Area to be Rezoned: .all

Public Utilities Available: • water • sewer • electric • natural gas • other (specify)

Present Zoning Classification: R15 Requested Zoning Classification: I-1

Additional Comments: This is contiguous to our current I-1 property

I certify that the information provided above is correct to the best of my knowledge, information, and belief.

Signature of Property Owner **Signature of Applicant**

Cleveland County, NC

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Parcels

Parcel Number: 1364
GIS Owner: GARDNER WEBB UNIVERSITY
GIS Owner 2: ATTN DONNIE CLARY
GIS Deed Ref: 13E 233
Calculated Acres: 0.65251149
Zoning: R15 Residential
PIN: 2505377439
NeighCode: B157
Tax_Distri: 2
Occ_Code: 37W
Use_Code: R

Year_Built: 1920
Owner: GARDNER WEBB UNIVERS
Owner Address: ATTN: MIKE HARDIN
Owner Addr2: BOILING SPRINGS NC 28017-0997
Parcel Address: 126 MEMORIAL DR
Deed Book: 13E
Deed Page: 233
Map Number: BS18
Block: 2
Lot: 17

Land Value: 19030
Building Value: 42058
Total Value: 61088
Tax Year: 2015
Address: 126
Street Name: MEMORIAL
Type: DR

Attributes at point: N: 557492, E: 1203727

Zoning **Class:** R15 Residential **Municipality:** BOILING SPRINGS CITY	**2000 Census Tracts** **Census Tract:** 951500	**NC House and Senate Districts** **Senate:** 46th Senate **Legist:** 111th House
School Districts **Elementary:** BOILING SPRINGS ELEMENTAR **Intermediate:** **Middle:** CREST MIDDLE SCHOOL **High:** CREST HIGH SCHOOL	**Flood Zones** **Grid:** 2505 **Panel:** 3710250500J	**Voting Precincts** **Precinct:** Broad River **Voting Site:** Boiling Springs Baptist Church
Fire Districts **District:** Boiling Springs	**Watersheds** **Zone:** WSIV	**Jurisdictional Limits** **Name:** BOILING SPRINGS

"The Crossroads of Opportunity"

TOWN OF BOILING SPRINGS

TO: Memo to Planning Board
FROM: Zoning Administrator
RE: Possible Need for Workshop on Accessory Structures
DATE: 01/19/16

Citizen inquiries have highlighted provisions of the Zoning Code that may need clarification or revision. The areas of concern are related to accessory uses and buildings. The Zoning Code has three main Sections that speak to accessory uses in residential areas.

ACCESSORY USE or ACCESSORY BUILDING (RESIDENTIAL). A noncommercial use or building customarily incidental and subordinate to but located on the same lot with the main residential use or building such as a private garage or carport, family garden, personal storage building, or workshop, all of which are totally for personal use.

151.073 DETERMINING PERMITTED AND CONDITIONAL USES, PRINCIPAL USES AND MIXED USES.

...

(B) In determining what is a principal use, the principal use shall be considered as the primary purpose or function that a lot or structure serves or is proposed to serve. An accessory use shall be considered a structure or use that:

(1) Is clearly incidental to and customarily found in connection with a principal building or use;
(2) Is subordinate to and serves a principal building or a principal use;
(3) Is subordinate in area, extent, or purpose to the principal building or principal use served;
(4) Contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or principal use served; and
(6) Is located on the same lot and zones the same as the principal building or use served.

151.030 ACCESSORY BUILDINGS AND STRUCTURES. No accessory building shall be erected in any front or side yard whether required or provided. Accessory buildings may be located in a rear yard not adjacent to a street within ten feet of the property line. Accessory buildings adjacent to a street shall meet the principal building setback for that side. No accessory building shall be erected within ten feet of any other building. In residential districts, accessory buildings shall not exceed one-half of the total square footage of the foot print of the principal dwelling.

Given that these sections are the only sections that speak to Accessory uses, staff have identified the following areas of concern.

No Guidance on Guest Houses

The Zoning Code provides no guidance on guest houses, pool houses, in-law suites, or similar uses. Historically, permits for these uses have been approved by staff under the interpretation that they were incidental and subordinate to and customarily found in connection with the principal use as a residence. The Zoning Code should clearly define what uses are allowed.

Staff recommendation is that these uses be added to the examples given in the definition of a residential accessory use. The code should also define an Accessory Apartment, a space or dwelling incidental to a residence that is rented to a non-family member, and list them as a conditional use which would require public hearings and Town Board approval.

Size Restrictions

Section 151.030 restricts accessory uses on residential parcels to 50% the footprint of the principal use. Meaning a parcel with a 2,000 square foot home can also have 1,000 square feet of combined accessory structures on it. These guidelines apply well in many of the Town's neighborhoods but apply poorly to large parcels and the more rural areas of town and in the zoning ETJ. It seems as though this cap could increase with the size of the property. Similarly, the side and rear yard requirement apply poorly to large residential parcels but could probably be addressed with variances as needed.

Staff recommend something similar to the following. 1) For every .1 acres of land over .5 acres the total footprint of accessory uses increase by 5% of the footprint of the principal use. 2) Accessory uses larger than 50% of the principal use meet the setbacks for that zoning district. Accessory uses larger than 100% of the principal use will abide by double the required setbacks for that zoning district.

Lot Size	Accessory Uses as % of Principal Use
.5 acres and less	50%
.6 acres	55%
.7 acres	60%
.8 acres	65%
.9 acres	70%
1 acre	75%
...	...
1.5 acres	100%

Home Occupations

Another important facet is how accessory structures mesh with home occupations. Currently the Zoning Code states that home occupations must be entirely contained within principal dwelling. I would ask that the Planning Board consider some hypothetical scenarios:

1) A resident operates a landscaping business as a home occupation and stores equipment at their home. Under the existing Code a company mower can be stored in an attached garage but not in a detached accessory storage building or workshop. What if the resident uses the mower for the residence too?
2) A resident has a personal hobby like woodworking, pottery, or art and setup a detached workshop or studio for this purpose. Sometimes they sell the items at festivals or online.

Staff recommend that Special Restriction 10 Home Occupations be amended to allow accessory structures to be used in connection with home occupations. Staff believe the existing limits on Home Occupations may require minor revision but are restrictive enough to limit impacts on adjacent properties.

Temporary Family Health Care Structures

A state law was passed in 2014 that trumps local zoning codes allowing residents to erect a temporary structure in order to house and care for a sick or disabled family member. Staff will need to incorporate this change into the Zoning Code. These structures are colloquially referred to as "granny pods."

Expansion vs. Accessory Structure

The Zoning Code does not draw a clear line between an accessory structure and an expansion. Staff recommend language be adopted which states that an accessory structures shall be considered a part of the principal building when the distance between the structures is covered by a solid breezeway, portico, or similar architectural device.