

A-G-E-N-D-A
REGULAR MEETING
PLANNING BOARD
CITY HALL CONFERENCE ROOM
308 E. STADIUM DRIVE
TUESDAY, January 23, 2018
5:30 P.M.

1. Meeting called to order.
2. Roll Call.
3. Set Meeting Agenda.
4. Approval of minutes of the special meeting on December 5, 2017.
5. New Business:

A. ZONING CASE Z-17-12 MAP AMENDMENT

- (1) Consideration of a zoning map amendment request to rezone property at 614 Irving Avenue and adjoining Parcel No. 107312 and Parcel No. 107376 from Business - General and Business – Central to Residential - 6. Request submitted by David Cook, Jr., Property Owner.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property known as 614 Irving Avenue from Business - General to Residential - 6.

6. Old Business

B. ZONING CASE Z-17-13 TEXT AMENDMENT

- (1) Consideration of a zoning text amendment to amend Section 11.24(o) to create a special use process to allow recycling centers as a special use in the I-2 Industrial district.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.24(o) to create a special use process to allow recycling centers as a special use in the I-2 Industrial district.

C. ZONING CASE Z-17-06 MAP AMENDMENT

- (1) Consideration of a zoning map amendment request to rezone property at 1130 Friendly Road from Industrial – 2 to Industrial – 3. Request submitted by John Bolton, Property Owner.

- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed map amendment request to rezone property known as 1130 Friendly Road from Industrial – 2 to Industrial – 3.

D. ZONING CASE

SU-17-03

SPECIAL USE PERMIT

- (1) Consideration of a special use permit for a Scrap Metal Recycling facility as allowed for in Section 11.26(q)(3)(q), the special use requirements of the Board of Adjustment section of the City of Eden Zoning Ordinance as requested by John Bolton, Property Owner.

E. Items from Staff:

F. Items from the Planning Board:

G. Adjournment.

**PLEASE CALL THE PLANNING AND INSPECTIONS DEPARTMENT IMMEDIATELY
TO LET US KNOW YOUR PLANS FOR ATTENDING MEETING
336-623-2110 OPTION 2**

EDEN PLANNING BOARD
DECEMBER 5, 2017

A special meeting of the Eden Planning Board was held on Tuesday, December 5, 2017, at 5:30 P.M. in the conference room at City Hall. Members present:

Eddie Barker
Tamyra Caple
Carol Helms
Jerry W. Holland, Jr.
Steve Morgan
Fred Ramsey
Matt Smith
Gwen Taylor
Frank Wyatt

Members absent: Amelia Dallas*

Staff Present: Kelly K. Stultz, Planning Director
Debra M. Madison, Planning Coordinator/Legal Assistant

Others Present: John Bolton

*Excused absence.

Chairman Matthew W. Smith called the meeting to order.

ROLL CALL:

It was noted that everyone was present except Amelia Dallas.

SET MEETING AGENDA:

A motion was made by Jerry Holland and seconded by Steve Morgan to set the agenda. Motion carried unanimously.

APPROVAL OF MINUTES OF THE REGULAR MEETING ON SEPTEMBER 26, 2017.

The minutes of the regular meeting on October 24, 2017, were presented to the Board. Eddie Barker made a motion to approve the minutes as submitted. Carol Helms seconded the motion. Motion carried unanimously.

NEW BUSINESS:

A. ZONING CASE Z-17-13 TEXT AMENDMENT

- (1) Consideration of a zoning text amendment to amend Section 11.24(o) to create a special use process to allow recycling centers as a special use in the I-2 Industrial district.
- (2) Consideration of a Resolution adopting a statement of consistency regarding the proposed text amendment request to amend Section 11.24(o) to create a special use process to allow recycling centers as a special use in the I-2 Industrial district.

Kelly Stultz gave the Staff Report explaining that the proposed amendment would apply to all properties zoned I-2 and not to just this property. Many of the current properties that are zoned I-2, were zoned at the time of the original zoning and conditions on the ground were different then than they are now. As conditions have changed over time, the I-2 designation is no longer appropriate. She also advised the board members that they could not consider just Mr. Bolton’s specific property but all properties in the City’s planning jurisdiction. The board was told of the great debates and research that had taken place in the Planning and Inspections Department with respect to this proposed zoning amendment. Research has revealed that the distance from the business in other jurisdictions were as great at 1,000 feet and as little as 100 feet. Staff recommends in favor of the zoning text amendment as presented in the Staff Report.

Discussion included questions about the owner of the house on the same property, the difference between I-2 and I-3 and the next steps necessary if the board recommends approval of the amendment. The next step would be to determine if Mr. Bolton’s property meets the requirements of the amendment.

Mr. Robert Artis, 314 Roosevelt Street, Eden, NC addressed the board and stressed the importance of having a recycling center in Eden.

Jerry Holland made a motion, seconded by Steve Morgan, that the board recommend approval of the text amendment to the City Council and adoption of the Statement of Consistency.

OLD BUSINESS:

**B. ZONING CASE Z-17-06 MAP AMENDMENT
ZONING CASE SU-17-03 SPECIAL USE PERMIT**

Kelly Stultz reminded the board of the discussion last month concerning this case and that staff had recommended to deny the zoning request.

1. If it were not for a residence or residential property being within 200 feet of the recycling center operation, staff would have recommended in favor of the amendment.

2. If you decide to recommend a different distance along with what staff has recommended in the Staff Report, you can recommend I-3 and approval of the Special Use Permit to council.
3. If you amend the first action, we will take it back to staff, made an amendment and return it to you and I will recommend that it be denied by the City Council because of the residential house.

Staff looked at recycling center regulations at many cities in the State. The minimum distance from a residence was 100 feet.

Tamyra Caple asked Kelly to bring her up to date on the applications and why staff had made their recommendations.

John Bolton challenged the distances of recycling centers from residential structures in other jurisdictions. He stated that he would do whatever he needed to do to handle household goods only. He was not interested in handling construction debris or cars. He would need 6 to 8 containers outside to keep up with the volume he anticipated. Mr. Bolton gave a brief description of the history of his operation. He was operating as a legal non-conforming business which he lost when the previous business filed bankruptcy and the business closed.

Steve Morgan made a motion to recommend denial of the map amendment to the City Council and to adopt the Statement of Consistency. Jerry Holland seconded the motion. The motion passed.

Jerry Holland made a motion to reopen Zoning Case Z-17-13. Steve Morgan seconded the motion and it passed unanimously.

Frank Wyatt made a motion to amend the distance between the recycling center and a residential use or district from 200 feet to 150 feet. Kelly clarified that changing the distance would not help the applicant meet the requirements of the proposed special use permit. There is a provision in I-2 that provides for a caretaker's residence on the property if the board wanted to consider that option. If Zoning Case Z-17-13 is approved, the applicant would apply to the Board of Adjustment for approval of the Special Use Permit.

After much discussion, Tamyra Caple made a motion to rescind the previous motion to recommend approval of the amendment. Jerry Holland seconded the motion, the motion passed to send it back to staff for consideration and changes.

The board asked staff to look at the following items:

Any residential house should be at least 150 feet from the recycling center unless a caretaker lives in the house and then it could be 200 feet.

Define major and minor or primary and secondary centers.

Storage – containers should be swapped out every 1 to 2 days

There should be inside operations only with storage outside.

The property should be maintained in a clean and neat condition.

The property should be fenced with a buffer.

Mr. Bolton requested that it clarify inside and outside businesses.

No operations between 7 p.m. and 6 a.m.

Comply with noise ordinance.

Unload on the property behind the fence and buffer.

ITEMS FROM STAFF

Debra reminded the board that the next meeting is scheduled for December 26, 2017, and ask if they wanted to meet the first week in January or wait until the regular meeting on January 23, 2017, to meet. It was the consensus that the next meeting be held on January 23, 2017.

ITEMS FROM THE PLANNING BOARD

None

ADJOURNMENT:

There being no further business to come before the Board, Eddie Barker made a motion for adjournment Steve Morgan seconded the motion. Motion carried unanimously.

Respectfully submitted,

Kelly K. Stultz, Administrative Assistant to
the Planning Board

Attest:

Matthew W. Smith, Chair



PLANNING & INSPECTIONS DEPARTMENT
APPLICATION FOR ZONING ORDINANCE AMENDMENT
PETITION FOR MAP AMENDMENT

INSTRUCTIONS: Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

(1) APPLICANT INFORMATION:

NAME: David W. Cook, Jr. TELEPHONE: (336) 932-9655
MAILING ADDRESS: 5115 NC 14
CITY Eden STATE NC ZIP CODE 27288
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S): Owner

(2) PROPERTY OWNER INFORMATION:

NAME: SAME TELEPHONE: _____
MAILING ADDRESS: _____
CITY _____ STATE _____ ZIP CODE _____

(3) PROPERTY INFORMATION:

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 7070-18-42-3076
STREET LOCATION: 614 Irving Avenue
DEED BOOK: 1481 PAGE NUMBER 96
YEAR CURRENT OWNER ACQUIRED PROPERTY: 2014
PROPERTY SIZE (in acres or in square feet if less than 1 acre): 0.46
PUBLIC WATER AVAILABLE YES NO PUBLIC SEWER AVAILABLE YES NO
CURRENT USE OF PROPERTY: Vacant

(4) ZONING INFORMATION:

EXISTING ZONING DISTRICT: B-G REQUESTED ZONING DISTRICT: R-6

(5) ADDITIONAL INFORMATION:

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.
INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

(6) APPLICANT CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

[Signature]
Applicant's Signature

11/29/17
Date of Signature

(7) PROPERTY OWNER(S) CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

Property Owner's Signature

Date of Signature

Property Owner's Signature

Date of Signature

(8) CORPORATION CERTIFICATION:

IT IS HEREBY CERTIFIED, that _____, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this _____ day of _____, 20_____.

CORPORATE SEAL

Secretary

Name of Corporation

By: _____

President

DEPARTMENTAL USE ONLY

APPLICATION NUMBER: 2-17-12

FEE PAID: 11/29/2017

RECEIVED BY: [Signature]

DATE: 11/29/17

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
November 29, 2017**

CASE NUMBER:	Z-17-12
EXISTING ZONING DISTRICT:	BG (Business General)
REQUESTED ZONING DISTRICT:	R-6 (Residential – 6)
APPLICANT:	David W. Cook, Jr.
APPLICANT’S STATUS:	Property Owner

PROPERTY INFORMATION

LOCATION:	614 Irving Avenue
PIN:	7070-1842-3076
SIZE:	.46 acres
ACCESS:	Irving Avenue
LAND USE:	Vacant
PHYSICAL CHARACTERISTICS:	Undeveloped cleared lot
ZONING HISTORY:	Rezoned from R6 to BG in 1973.

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north across Irving Avenue by multiple parcels of BC/BG property in a commercial downtown area. Bordered on the west by a single family residence with split zoning containing R-6/BG. Bordered on the east by a vacant lot zoned BC and a single family residence that is zoned R-6. To the south it is bordered by several lots containing single family residences that are zoned R-6.	
ADJACENT ZONING:	North:	BC
	South:	R-6
	East:	R-6
	West:	R-6/BG split zoning

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes
PUBLIC SEWER AVAILABLE:	Yes
LAND DEVELOPMENT PLAN (2007):	Single family residential
FLOOD HAZARD AREA:	None
WATER SUPPLY WATERSHED:	None

STAFF ANALYSIS

The request is to rezone approximately .46 acres from Business General to Residential-6. The R-6 district's principal use of land is for single family, two-family and multi-family residences. The regulations of this district are designed primarily for the developed residential area where dwellings already exist on small lots creating relatively high density neighborhoods. The minimum size lot for the R-6 district is 6,000 sq ft. The R-6 district regulations are intended to discourage any use which because of its character would interfere with the residential nature of this district

The subject parcel is located in an area characterized by retail uses to the north and typical single family parcels to the east, west and south sides. There has been no development pressure in the area. The subject parcel adjoins a single family residence that is split-zoned R-6 and BG to the west. To the south it borders single family residences that are zoned R-6. A vacant lot zoned BC and a single family residence zoned R-6 border to the east. Staff is of the opinion that it would be more appropriate to rezone the subject parcel to R-6, amend the request to rezone the split zoned single family residence on the west and the vacant lot to the east R-6 to be in harmony with the rest of the area. Therefore, staff recommends that the request be amended to include these properties in the rezoning request:

7070-1841-2979 – 302 Greenwood Street
7070-1842-4240 – Greenwood Street (Vacant lot)

Based upon the character of the surrounding property and the residential uses in the area, staff recommends in favor of the amended request.

STAFF RECOMMENDATION: Approval of the amended Residential-6 request.

ZONING CASE

Z-17-12

AERIAL MAP



Additional Property

Subject Property

Additional Property

614 Irving Avenue

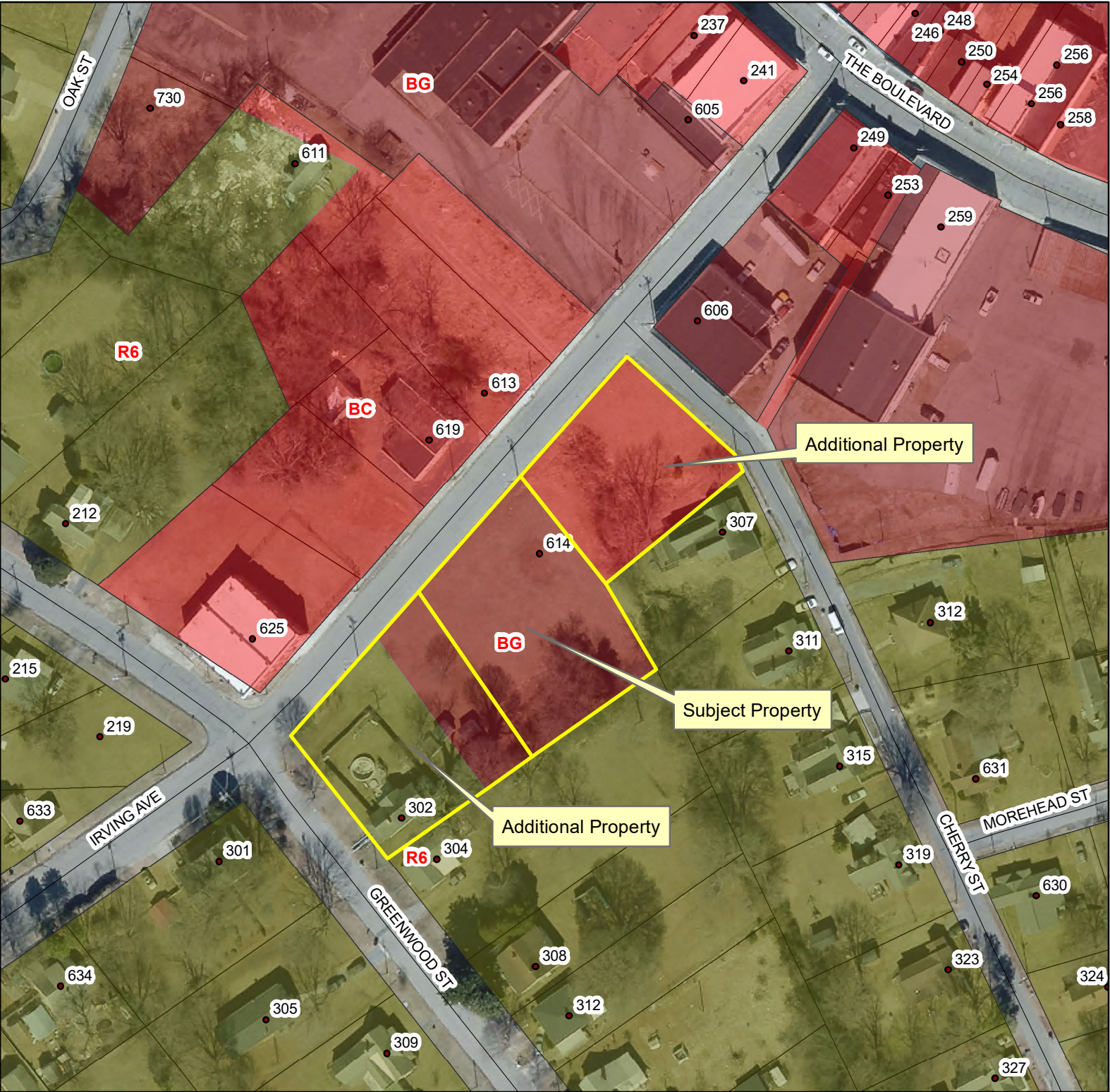
**Zoned:
Business - General**

**Requested:
Residential - 6**

ZONING CASE
Z-17-12
ZONING MAP



614 Irving Avenue
Zoned:
Business - General
Requested:
Residential - 6



A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-17-12
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, all City of Eden zoning decisions must be made in accordance with the Land Development Plan. Prior to adopting or rejecting any zoning amendment, the City of Eden Planning Board shall advise and comment in writing as to whether the proposed amendment is consistent with the Land Development Plan and why the Board considers the action taken to be reasonable and in the public interest; and

WHEREAS, on August 21, 2007, the Eden City Council adopted the Land Development Plan. Plans such as the City of Eden Land Development Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances; and

WHEREAS, the City of Eden Planning Board received a request for an amendment to the Zoning Ordinance as follows:

To rezone property located at 614 Irving Avenue from Business – General to Residential – 6.

STATEMENT OF NEED:

The subject parcel is located in an area characterized by retail uses to the north and typical single family parcels to the east, west and south sides. There has been no development pressure in the area. The subject parcel adjoins a single family residence that is split-zoned R-6 and BG to the west. To the south it borders single family residences that are zoned R-6. A vacant lot zoned BC and a single family residence zoned R-6 border to the east. Staff is of the opinion that this request would be appropriate for the subject property because of the character of the area, the lack of business development pressure in the area and there are other Residential-6 properties adjoining the subject property. Therefore, staff recommends that the request be amended to include the adjoining parcels zoned Business-General and Business-Central.

STATEMENT OF CONSISTENCY.

The goals of the 2007 City of Eden Land Development Plan, as amended, are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

WHEREAS, The Board finds that this amendment will be consistent with the goals and policies expressed in the Land Development Plan, as amended, including, but not limited to, strategically locating new land development in appropriate places; maintaining the city's character; using infrastructure investments as effectively as possible, attracting new jobs and a more diverse tax base; and protecting natural, cultural and historic resources and open space with growth consistent with our Growth Strategy Map and Future Land Use Map;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD THAT:

- 1. The Planning Board of the City of Eden finds that the proposed amendment to the City of Eden Zoning Ordinance is consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended.
- 2. At no time are land use regulations or plans of the City of Eden, nor any jurisdiction in the State of North Carolina, permitted to be in violation of the North Carolina General Statutes.
- 3. Therefore, based upon the foregoing information, the amendment to the Zoning Ordinance is reasonable and in the public interest.

Approved, adopted and effective this 23rd day of January, 2018.

CITY OF EDEN PLANNING BOARD

By _____
Matthew W. Smith, Chair

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING TEXT AMENDMENT REPORT
January 10, 2018**

CASE NUMBER: Z-17-13

REQUESTED ACTION: To amend Section 11.29 Definitions to add a definition for a Recycling Center
To amend Section 11.24(o) to create a special use process to allow recycling centers as a special use in the I-2 Industrial district.

APPLICANT: Planning Board

EXISTING TEXT

Section 11.29(a) DEFINITIONS

Currently a definition does not exist for Recycling Center

PROPOSED TEXT

Section 11.29 DEFINITIONS

Recycling Center: A facility used for the collection and processing of recyclable household materials. The recyclable household materials shall be limited to tires, glass, plastic, metal, cardboard, paper; scrap metal such as lawnmowers and play equipment; white goods such as refrigerators, clothes dryers, and stoves; lead acid batteries; motor oil; oil filters; any other recyclable materials currently in or added to an existing local program; and all future materials banned from North Carolina landfills. Processing means the preparation of materials for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, sorting, shredding, and cleaning.

EXISTING TEXT

Section 11.24(o)(6)

(Currently not permitted)

PROPOSED TEXT

Section 11.24(o)(6) Uses Requiring Special Use Permits

Special Use Permits may be issued for the following special uses subject to the development standards and other requirements in this Section.

Violation of any City of Eden, State or Federal law or permit may result in the suspension or revocation of a permit issued by the City of Eden.

- (a) Recycling Center - Minor may be permitted in the Industrial-2 districts, provided all the following requirements of this section are met:
- (1) The tract shall be a minimum of five (5) acres.
 - (2) The recycling area shall be enclosed on all sides by a visual screen a minimum of eight (8) feet in height. The screen shall be opaque, consist of masonry or stone wall, a solid wood fence constructed of pressure treated wood or a chain-link type fence with panel inserts, or other acceptable screening material approved by the Zoning Administrator. The screen shall setback a minimum of ten (10) feet from all lot lines or on established setback lines as set forth above for such storage. No car bodies or other material not normally used for fencing shall be permitted. No advertising shall be permitted on the fence or screen.
 - (3) The fence must be maintained for its intended purpose at all times. If the fence, or any part of the fence becomes damaged or is removed for any reason, it must be repaired or replaced with thirty (30) days.
 - (4) In addition to the fence, a visual screen consisting of an evergreen vegetative buffer must be provided facing any adjoining property or street right-of-way. The vegetative buffer shall be a minimum of six (6) feet in height and staggered on 6 foot centers so as to completely conceal any items stored within the fenced area when viewed from street level.
 - (5) To assure access to firefighting equipment, no recyclable materials shall be stored closer than 10 feet from the fence or screen.
 - (6) The surface of the area used for storage of materials shall either be paved or seal coated gravel to control dust and soil absorption from runoff drainage from the recyclable materials.
 - (7) All goods shall be housed at all times within a structure. The outdoor storage of all goods to be recycled shall be prohibited. Closed bins/storage containers shall be deemed to be a structure for the purpose of this provision.
 - (8) No hazardous materials may be accepted.
 - (9) No trucks/vehicles waiting to discard recycling materials shall be allowed to be parked within any street right-of-way.
 - (10) Adequate measures shall be taken to control windblown material.
 - (11) No recycling operations shall be permitted within 200 feet of any residential use or district EXCEPT if the residential use is a caretaker residence on the same parcel as the business for the Recycling Center and then the operations shall be permitted within 150 feet of the residence.
 - A. The caretaker residence shall be an accessory use for the Recycling Center and only for an active use (caretaker residence must be vacated if industrial use ceases). Such accessory use shall be a part of the special use permit application or an application to amend the special use permit.

- B. The caretaker must be an employee of the Recycling Center and evidence of employment must be a part of the special use application and must be maintained.
- (12) Access shall be controlled through the use of a fence, wall, gate, or other suitable device to prevent unregulated dumping.
 - (13) No more than six storage containers will be permitted on site at any one time for the temporary storage of materials awaiting removal. Said containers shall be removed on a regular basis and may not be used as permanent storage. Said containers shall not be located in any front or side yard and shall be a minimum of fifty feet from any adjoining property line.
 - (14) No operations shall be undertaken before the hour of 7:00 a.m. or after 6:00 p.m.
 - (15) The operation shall meet all requirements of the noise ordinance for the City of Eden.
 - (16) All recycling centers shall meet all other applicable requirements of the zoning district, including parking and signage, and all applicable building code, fire code and occupancy requirements.

The Board of Adjustment shall, prior to the issuance of a Special Use Permit for a Recycling Center – Minor in an Industrial-2 district, find that such special use meets the following standards:

In addition to any other requirements with respect to the Petition authorized by this section, the Petition shall set forth the following:

A Recycling Center – Minor may be permitted in the Industrial-2 districts, provided all the following requirements of this section:

- (1) The tract shall be a minimum of five (5) acres.
- (2) The recycling area shall be enclosed on all sides by a visual screen a minimum of eight (8) feet in height. The screen shall be opaque, consist of masonry or stone wall, a solid wood fence constructed of pressure treated wood or a chain-link type fence with panel inserts, or other acceptable screening material approved by the Zoning Administrator. The screen shall setback a minimum of ten (10) feet from all lot lines or on established setback lines as set forth above for such storage. No car bodies or other material not normally used for fencing shall be permitted. No advertising shall be permitted on the fence or screen.
- (3) The fence must be maintained for its intended purpose at all times. If the fence, or any part of the fence becomes damaged or is removed for any reason, it must be repaired or replaced within thirty (30) days.
- (4) In addition to the fence, a visual screen consisting of an evergreen vegetative buffer must be provided facing any adjoining property or street right-of-way. The vegetative buffer shall be a minimum of six (6) feet in height and staggered on 6 foot centers so as to completely conceal any items stored within the fenced area when viewed from street level.
- (5) To assure access to firefighting equipment, no recyclable materials shall be stored closer than 10 feet from the fence or screen.

- (6) The surface of the area used for storage of materials shall either be paved or seal coated gravel to control dust and soil absorption from runoff drainage from the recyclable materials.
- (7) All goods shall be housed at all times within a structure. The outdoor storage of all goods to be recycled shall be prohibited. Closed bins/storage containers shall be deemed to be a structure for the purpose of this provision.
- (8) No hazardous materials may be accepted.
- (9) No trucks/vehicles waiting to discard recycling materials shall be allowed to be parked within any street right-of-way.
- (10) Adequate measures shall be taken to control windblown material.
- (11) No recycling operations shall be permitted within 200 feet of any residential use or district EXCEPT if the residential use is a caretaker residence on the same parcel as the business for the Recycling Center and then the operations shall be permitted within 150 feet of the residence.
 - C. The caretaker residence shall be an accessory use for the Recycling Center and only for an active use (caretaker residence must be vacated if industrial use ceases). Such accessory use shall be a part of the special use permit application or an application to amend the special use permit.
 - D. The caretaker must be an employee of the Recycling Center and evidence of employment must be a part of the special use application and must be maintained.
- (12) Access shall be controlled through the use of a fence, wall, gate, or other suitable device to prevent unregulated dumping.
- (13) No more than six storage containers will be permitted on site at any one time for the temporary storage of materials awaiting removal. Said containers shall be removed on a regular basis and may not be used as permanent storage. Said containers shall not be located in any front or side yard and shall be a minimum of fifty feet from any adjoining property line.
- (14) No operations shall be undertaken before the hour of 7:00 a.m. or after 6:00 p.m.
- (15) The operation shall meet all requirements of the noise ordinance for the City of Eden.
- (16) All recycling centers shall meet all other applicable requirements of the zoning district, including parking and signage, and all applicable building code, fire code and occupancy requirements.

GENERAL INFORMATION

This request was submitted by the Planning Board.

STAFF ANALYSIS

This amendment was initiated by the Planning Board after a request for a special use permit for a recycling center. Staff recommended denial of the initial request. In the original request, the property in question contained a former junkyard which has been closed for an extended period of time. While recycling centers are becoming more common, and are a necessary and viable

operation, staff considered the option of allowing these uses with certain conditions in place. In the case of a number of I-2 properties, the properties were originally zoned based on conditions on the ground at the time of original zoning. Often these properties are located in rural or residential areas, and not in or near other I-2 properties. As development has occurred and conditions have changed over time, the I-2 zoning designation is often not appropriate for uses that might otherwise be permitted in more concentrated I-2 districts. Therefore, staff is of the opinion that creating a special use process for these types of uses could alleviate some of these concerns, while still allowing recycling operations to operate under certain conditions.

Based upon the foregoing information, staff recommends in favor of the text amendment.

STAFF RECOMMENDATION:

Approval of the text amendment.



ZONING CASE

Z-17-06

AERIAL MAP



Subject Property

1130 Friendly Road

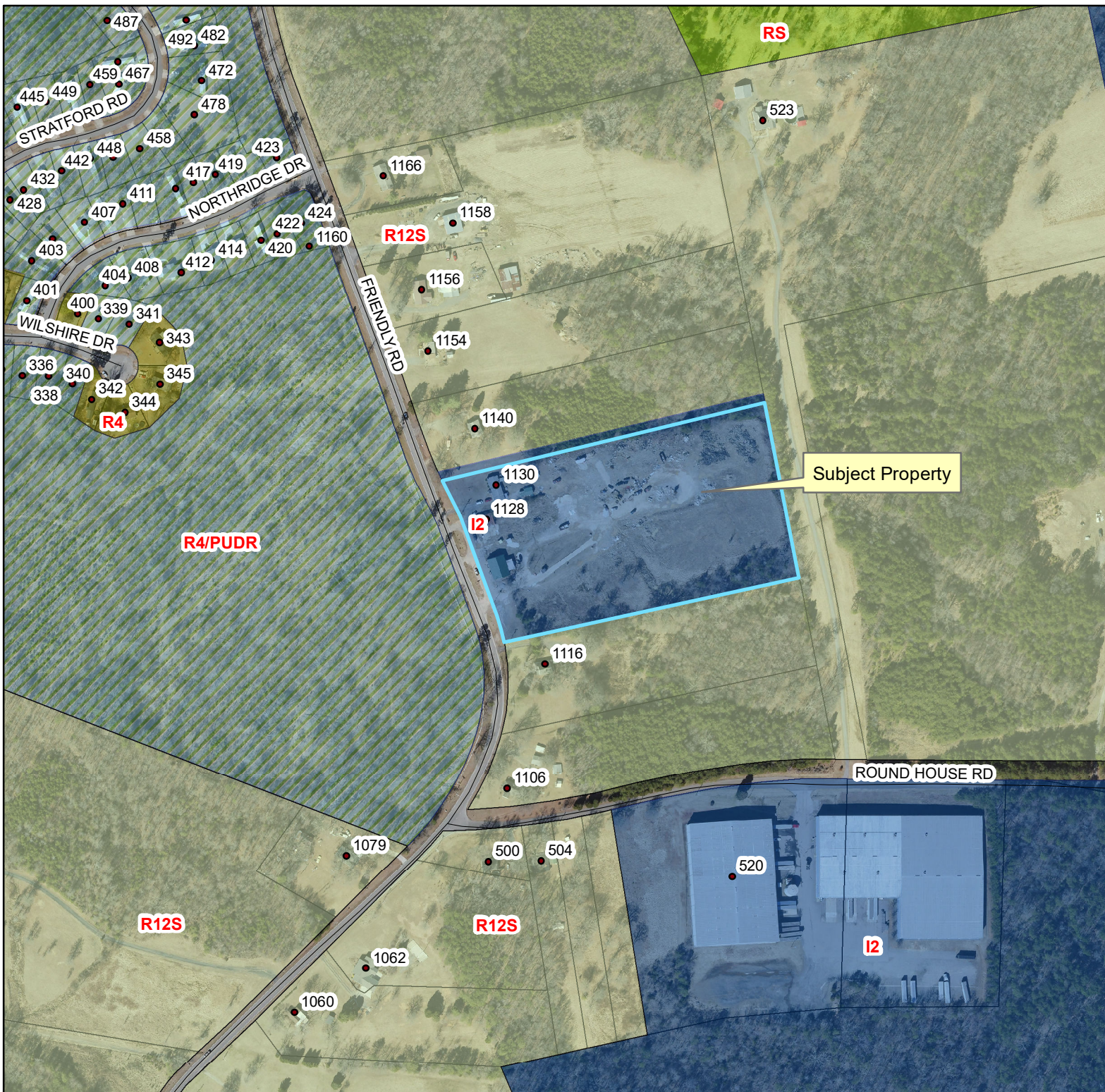
**Zoned:
Industrial - 2**

**Requested:
Industrial - 3**

ZONING CASE

Z-17-06

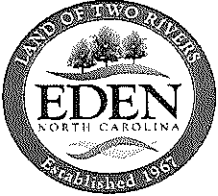
ZONING MAP



1130 Friendly Road

**Zoned:
Industrial - 2**

**Requested:
Industrial - 3**



PLANNING & INSPECTIONS DEPARTMENT
APPLICATION FOR ZONING ORDINANCE AMENDMENT

PETITION FOR MAP AMENDMENT

INSTRUCTIONS: Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

(1) APPLICANT INFORMATION:

NAME: John Bolton TELEPHONE: 336-471-2278
MAILING ADDRESS: 5472 Tom Hill Road
CITY Trinity STATE NC ZIP CODE 27370
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S):
Self

(2) PROPERTY OWNER INFORMATION:

NAME: John Bolton TELEPHONE: 336-471-2278
MAILING ADDRESS: 5472 Tom Hill Road
CITY Trinity STATE NC ZIP CODE 27370

(3) PROPERTY INFORMATION:

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 26-4169622
STREET LOCATION: 1130 Friendly Road, Eden, NC 27288
DEED BOOK: 1512 PAGE NUMBER 2964
YEAR CURRENT OWNER ACQUIRED PROPERTY: 2016
PROPERTY SIZE (in acres or in square feet if less than 1 acre): 8.12
PUBLIC WATER AVAILABLE YES NO PUBLIC SEWER AVAILABLE YES NO
CURRENT USE OF PROPERTY: Vacant

(4) ZONING INFORMATION:

EXISTING ZONING DISTRICT: I2/ED REQUESTED ZONING DISTRICT: I3/ED

(5) ADDITIONAL INFORMATION:

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.
INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED PLAT OR SURVEY FOR THE PROPERTY. IF SUCH A PLAT DOES NOT EXIST, THEN INCLUDE A MAP THAT INDICATES THE DIMENSIONS OF THE PROPERTY.

(6) APPLICANT CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

Applicant's Signature

Date of Signature

(7) PROPERTY OWNER(S) CERTIFICATION:

I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby petition the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

Property Owner's Signature

Date of Signature

Property Owner's Signature

Date of Signature

(8) CORPORATION CERTIFICATION:

IT IS HEREBY CERTIFIED, that _____, a Corporation, is the owner in fee simple of lands which is described in this application for zoning ordinance amendment and that the Corporation hereby petitions the Planning Board to recommend and the City Council to approve this application for zoning ordinance amendment.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this _____ day of _____, 20_____.

CORPORATE SEAL

Name of Corporation

Secretary

By: _____

President

DEPARTMENTAL USE ONLY

APPLICATION NUMBER: 2-17-06

FEE PAID:

RECEIVED BY: KKS

DATE: 9/6/17

**PLANNING AND INSPECTIONS DEPARTMENT
ZONING CASE REPORT
October 17, 2017**

CASE NUMBER:	Z-17-06
EXISTING ZONING DISTRICT:	I-2
REQUESTED ZONING DISTRICT:	I-3
APPLICANT:	John Bolton
APPLICANT'S STATUS:	Property Owner

PROPERTY INFORMATION

LOCATION:	1130 Friendly Rd.
PIN:	7081-0054-9862
SIZE:	8.12 acres
ACCESS:	Friendly Rd.
LAND USE:	Vacant (former salvage yard)
PHYSICAL CHARACTERISTICS:	Vacant, open parcel containing a house, shop building and several outbuildings
ZONING HISTORY:	Zoned I-2 at time of original ETJ zoning

AREA INFORMATION

CHARACTERISTICS:	Bordered on the north by R-12S property containing a single-family residence; bordered on the east by R-12S property containing residential farmland; bordered on the south by R-12S property containing a single-family residence; bordered on the west (across Friendly Road) by vacant R-4/PUDR property.
-------------------------	--

ADJACENT ZONING:	North:	R-12S
	South:	R-12S
	East:	R-12S
	West:	R-4/PUDR

PLANNING AND DEVELOPMENT INFORMATION

STREET IMPROVEMENTS:	Yes
PUBLIC WATER AVAILABLE:	Yes
PUBLIC SEWER AVAILABLE:	No
LAND DEVELOPMENT PLAN (2007):	Traditional Neighborhood
FLOOD HAZARD AREA:	None
WATER SUPPLY WATERSHED:	None

STAFF ANALYSIS

The request is to rezone approximately 8.12 acres from Industrial-2 to Industrial-3. The I-2 Industrial District is established as a district in which the principal use of land is for industries that by their nature may create some nuisance and which are not properly associated with nor compatible with uses in other zoning districts. The Industrial-3 District is designed for high-impact industrial uses which, by their nature, produce objectionable levels of noise, odors, vibrations, fumes, light, smoke, traffic and/or other impacts upon the lands adjacent to them. High impact uses are required to be connected to City of Eden water and sewer services. Any discharge, leachate or other industrial waste shall be treated by the City of Eden. Uses listed in the I-3 Industrial District shall be allowed only upon approval of a Special Use Permit. Special Use Permits in the I-3 Industrial District shall be heard and decided by the City Council according to the procedures established in Section 11.26 of this Ordinance.

The subject parcel is located in an area of primarily large-lot single-family residences, vacant wooded areas and agricultural uses. Across Friendly Road is a large parcel of undeveloped R-4/PUDR property and a development of manufactured homes and new construction single-family homes. The subject property was formerly the site of an automobile salvage yard and a metal recycling facility, which has been closed for some time. The subject property is adjacent to (across Friendly Road) the Smith River WS-IV watershed. The property was originally zoned I-2 due to its use as an automobile salvage facility when the ETJ was originally zoned in 1979. Staff is of the opinion that any higher intensity industrial uses would not be appropriate for this property, due to the fact that it is completely surrounded by residential and agricultural uses, and also because of its proximity to the watershed. Also, the I-3 zoning district requires that the property be connected to City water and sewer facilities; while this property does have City water, it is not connected to City sewer. In addition, Friendly Road is not designed for the amount of heavier vehicle traffic that would likely be associated with any higher impact industrial use. Therefore, staff does not feel it is in the best interest of the neighborhood to recommend a heavier industrial use for the property, and staff could not recommend in favor of any I-3 special use permit for the property.

Based upon the character of the area and the residential and agricultural uses in the area, staff recommends denial of the request.

STAFF RECOMMENDATION:

Denial of the I-3 Industrial request.

A RESOLUTION ADOPTING A
STATEMENT OF CONSISTENCY REGARDING
PROPOSED AMENDMENT TO THE
CITY OF EDEN ZONING ORDINANCE
CASE NUMBER Z-17-06
TEXT AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160A-383, all City of Eden zoning decisions must be made in accordance with the Land Development Plan. Prior to adopting or rejecting any zoning amendment, the City of Eden Planning Board shall advise and comment in writing as to whether the proposed amendment is consistent with the Land Development Plan and why the Board considers the action taken to be reasonable and in the public interest; and

WHEREAS, on August 21, 2007, the Eden City Council adopted the Land Development Plan. Plans such as the City of Eden Land Development Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances; and

WHEREAS, the City of Eden Planning Board received a request for an amendment to the Zoning Ordinance as follows:

To rezone property located at 1130 Friendly Road from I-2 to I-3.

STATEMENT OF NEED:

Staff is recommending denial of the request due to the close proximity to the Smith River WS-IV Watershed and the high intensity industrial uses would not be appropriate for this property in a mainly residential and agricultural area.

STATEMENT OF CONSISTENCY.

The goals of the 2007 City of Eden Land Development Plan, as amended, are to make smart growth decisions by carefully managing growth to:

- A. Strategically locate new land development in the most appropriate places.
- B. Maintain and enhance Eden's community character and heritage.
- C. Use infrastructure investments as effectively as possible.
- D. Attract new jobs and a more diverse tax base.
- E. Protect natural, cultural and historic resources and open space as we grow.

WHEREAS, The Board finds that this amendment would not be consistent with the goals and policies expressed in the Land Development Plan, including, but not limited to, strategically locating new land development in appropriate

places; maintaining the city's character; using infrastructure investments as effectively as possible, attracting new jobs and a more diverse tax base; and protecting natural, cultural and historic resources and open space with growth consistent with our Growth Strategy Map and Future Land Use Map;

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD THAT:

1. The Planning Board of the City of Eden finds that the proposed zoning text amendment is not consistent with the goals and recommendations of the 2007 City of Eden Land Development Plan, as amended.
2. At no time are land use regulations or plans of the City of Eden, nor any jurisdiction in the State of North Carolina, permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Zoning Ordinance is not reasonable and is not in the public's best interest.

Approved, adopted and effective this 24th day of October, 2017.

CITY OF EDEN PLANNING BOARD

By _____
Matthew W. Smith, Chair

ATTEST:

Kelly K. Stultz, Administrative
Assistant to the Planning Board



PLANNING & INSPECTIONS DEPARTMENT
APPLICATION FOR A SPECIAL USE PERMIT

INSTRUCTIONS: Please complete this application and provide the required information. In order for this application to be accepted, all applicable sections of this form must be completed, all required information provided and the application fee paid at the time of submittal.

(1) APPLICANT INFORMATION:

NAME: John Bolton TELEPHONE: 336-471-2278
MAILING ADDRESS: 5472 Tom Hill Road
CITY Trinity STATE NC ZIP CODE 27370
APPLICANT'S PROPERTY INTEREST OR LEGAL RELATIONSHIP TO OWNER(S):
Self

(2) PROPERTY OWNER INFORMATION:

NAME: John Bolton TELEPHONE: 336-471-2278
MAILING ADDRESS: 5472 Tom Hill Road
CITY Trinity STATE NC ZIP CODE 27370

(3) PROPERTY INFORMATION:

TAX PROPERTY IDENTIFICATION NUMBER(S)(PIN): 26-4169622
STREET LOCATION: 1130 Friendly Road, Eden, NC 27288
DEED BOOK: 1512 PAGE NUMBER 2964
YEAR CURRENT OWNER ACQUIRED PROPERTY: 2016
PROPERTY SIZE (in acres or in square feet if less than 1 acre): 8.12
PUBLIC WATER AVAILABLE YES NO PUBLIC SEWER AVAILABLE YES NO
CURRENT USE OF PROPERTY: Vacant

(4) ZONING INFORMATION:

ZONING DISTRICT: I2/ED
SPECIAL USE PERMIT REQUESTED: I3/ED

APPLICABLE SECTION OF THE ZONING ORDINANCE: Section 11.24(p)

(5) ADDITIONAL INFORMATION:

INCLUDE WITH THIS APPLICATION A COPY OF THE RECORDED DEED TO THE PROPERTY.
INCLUDE A DEVELOPMENT PLAN FOR THE PROPERTY THAT SHOWS EXISTING AND PROPOSED FEATURES ON THE PROPERTY AS THEY RELATE TO THE SPECIAL USE PERMIT REQUESTED.

(6) SPECIAL USE REQUIREMENTS:

ALL SPECIAL USE PERMITS ISSUED MUST MEET THE FOLLOWING GENERAL REQUIREMENTS IN THE SPACE PROVIDED OR ON A SEPARATE SHEET OF PAPER INDICATE THE FACTS THAT YOU INTEND TO PRESENT REGARDING HOW THE PROPOSED USE MEETS THESE GENERAL REQUIREMENTS.

- a. The use will not materially endanger the public health or safety if located where proposed and developed according to plan as submitted and approved.

- b. The use meets all required conditions and specifications. (Please note the zoning ordinance for the conditions and specifications on each special use.)

- c. The use will not substantially injure the value of adjoining or abutting property, or that the use is a or that the use is a public necessity.

- d. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Eden and its environs.

(7) APPLICANT CERTIFICATION:

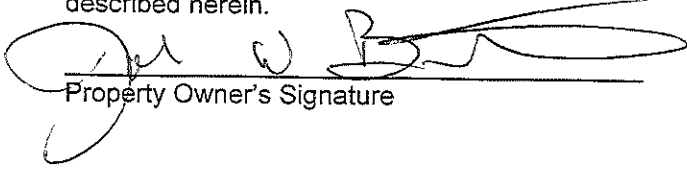
I hereby certify that, to the best of my knowledge, the information shown on this application is true and accurate, and that I hereby request the issuance of a special use permit as described herein.

Applicant's Signature

Date of Signature

(8) PROPERTY OWNER(S) CERTIFICATION:

The undersigned property owner(s) hereby certify to the ownership of the property shown and described in this application for a special use permit, and hereby requests the issuance of a special use permit as described herein.



Property Owner's Signature

9/5/2017 (SW)

Date of Signature

Property Owner's Signature

Date of Signature

(9) CORPORATION CERTIFICATION:

IT IS HEREBY CERTIFIED, that _____, a Corporation, is the owner in fee simple of lands which is described in this application for a special use permit and that the Corporation hereby requests the issuance of a special use permit as described herein.

IN TESTIMONY WHEREOF, that said Corporation has caused these presents to be signed by its duly authorized officer and has caused its Corporate Seal to be affixed thereto.

Witness the signature(s) and seal(s) this _____ day of _____, 20_____.

CORPORATE SEAL

Name of Corporation

Secretary

By: _____

President

DEPARTMENTAL USE ONLY

APPLICATION NUMBER: _____

FEE PAID: _____

RECEIVED BY: _____

DATE: _____



John Bolton, Owner
5472 Tom Hill Road
Trinity, NC 27370

September 6, 2017

Dear Planning & Inspections Department, City Council, and Planning Board,

We are applying for a special permit to rezone our property at 1130 Friendly Road, Eden, NC 27288 from an I2/ED zone to an I3/ED zone. In this document, I, John Bolton, will include how Central Recycling, LLC will meet the general requirements for rezoning.

When permitted to operate Central Recycling, LLC at 1130 Friendly Road, Eden, NC, 27288 as a Zone I3/ED, we will purchase precious and non-ferrous metals. The purchase of these metals will not require processing and will be stored inside our main building in proper containers. There will be no metals of any kind stored outside the building on the ground. A list of non-ferrous metals currently purchased at our Thomasville location will be provided later in this document. A copy of the deed to the property and a survey of the land will also be included.

SPECIAL USE REQUIREMENTS:

- **The Use will not materially endanger the public health or safety if located where proposed and developed according to plan as submitted and approved.**

John Bolton owned 1130 Friendly Road and was grandfathered to operate the location as an I3/ED zone as a scrap metal recycling center. John sold the company to Greer Recycling, LLC and it was also grandfathered to operate as a scrap metal recycling company. In 2016, John repurchased the property and

the grandfather clause was lost.

The property at 1130 Friendly Road, has limited vehicle traffic and is located off the main road. However, the property is located near residential zoning. Customers entering and leaving the property and the storage of non-ferrous metals will not violate or endanger the public. However, if violations happen, we will follow proper procedures to correct any violations.

We will not be processing any vehicles or scrap steel/iron metals on the property. We will also not be storing any metal outside the main non-ferrous building. This means there will be no oil waste/spills that could endanger the water table or surrounding water bodies.

We not only want to meet city and county regulations but we as a company strive to be reasonably responsible company. Currently at our Thomasville location, we follow regulations of Storm Pollution Prevention Plans, Osha, perform weekly safety meetings, follow EPA regulations, provide proper trainings to employees, and complete proper cleaning and disposal equipment of oil spills. We also do daily maintenance on all heavy machinery and equipment.

- **The use meets all required conditions and specifications. (Please note the zoning ordinance for the conditions and specifications on each special use.)**

Central Recycling, LLC will meet all required conditions and specifications required to operate in an I3/ED zone.

As a scrap metal recycling company, our approach and departure traffic routes are as follows:

This is how we plan to process customers at 1130 Friendly Road. Our hours of operation will be between 8 AM and 5 PM, Monday through Friday. Customers will enter the property at the right gate entrance, follow the dirt/rock road that leads into the property and around the left side of the building. This will allow an efficient flow of vehicles entering the property. This will not leave customers out on the main road. Customers will then meet an employee that will collect the metals from their vehicles and then weigh the metals inside the building. Once the metals are weighed, they will then be sorted and put into containers for storage. Lastly, the customer will then be produced a check written by the company. The customer will continue through the gate on the left side of the building and proceed to enter the main road during departure.

When shipping goods to sell, we will use a freightliner and an enclosed trailer attached to the truck to enter the premises. An employee will

operate a forklift to assist the loading of the containers into the trailer. The freightliner and the forklift will be the only two fixed assets the company will use that will cause any concern for noise ordinance.

- **The use will not substantially injure the value of adjoining or abutting property, or that the use is a or that the use is a public necessity.**

Central Recycling, LLC is beside residential properties. We plan to abide by all noise ordinances and follow normal hours of operation, 8AM to 5PM, Monday through Friday. The only heavy machinery that will be used that could cause noise will be a forklift to assist in moving metal filled containers. Also, we will use a freightliner to pick up loads of containers to ship to vendors. Because we plan to increase the curb appeal for the front of our property and not processing metals to be stored on the back yard of the property, this should not hinder the value of adjoining or abutting property.

- **The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Eden and its environs.**

The location and character of the use of this property will be in harmony with the area in which it is located. We are planning to clean the grounds, boost curb appeal, and repair current buildings and fences. This will make the company more appealing to the residential area.

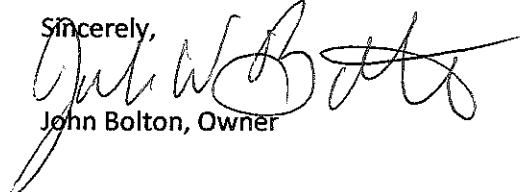
Noise Mitigation—We have good faith effort to reduce the emission of noise or diminish the effects that emitted noise has on adjacent parcels or the neighborhood

Central Recycling, LLC strives to be a reasonably responsible company. We take pride in growing the scrap metal industry and we would like to build a more reputable and positive reputation in this industry. We truly work with our local law enforcement and giving back to the community. We also support local companies in our area in Thomasville, NC. We purchase metals from residential customers but most of our business comes from the surrounding local companies. When we purchase metals from our customers, the capital flows back into our community and surrounding cities. This will help the City of Eden grow economically and help boost spending.

I am providing a purchase report of all the metals purchased at our Thomasville location for the year 2016. Prepared and Sharable metal commodities are considered scrap steel/iron metal in our industry (We are in understanding that our main objective of operation is to focus on non-ferrous metals for the Eden location.) Our Thomasville location purchases these commodities the most. We process this metal very quickly and ship out on an average of 7 to 10 loads of metal a week in just scrap steel/iron metal. This industry allows residential to clean up their yards from metal debris and for local companies to sell metal that is no longer in use at

their companies. We are truly proud of what we've accomplished in the city of Thomasville and look forward to working with the city and our local authorities.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bolton". The signature is fluid and cursive, with a large, prominent "B".

John Bolton, Owner

Attachments:

1130 Friendly Road Property Deed
Land Survey
Non-Ferrous Commodity List
2016 Purchase Report

Non-Ferrous Metal List

- Aluminum Cans
- Old Sheet Aluminum
- Cast
- Irony Aluminum
- Painted Aluminum
- Extruded Aluminum
- Aluminum Wheels
- Aluminum Radiators
- EC Wire
- Transmissions
- Starters
- Electric Motors
- Computer Towers
- Auto AC Compressors
- Laptops
- Electronics
- Circuit Boards
- Bare Bright Copper
- #1 Copper
- #2 Copper
- Copper Turnings
- Light Copper
- Romex
- #2 Insulated Copper
- Harness Wire
- Communication Wire

- AL/CU Radiators
- Christmas Lights
- Heater Cores
- Hard Yellow Brass
- Yellow Brass
- Irony Yellow Brass
- Batteries
- Lead
- Light Ballast
- 304 Stainless Steel
- Converter
- Carbide
- Flat Screen TVs
- Laptops

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09/06/17

Accrual Basis

Central Recycling, LLC
Purchases by Item Summary
 January through December 2016

	Jan - Dec 16	
	Qty	Amount
Inventory		
100 (Aluminum Cans)	57,542.75833	23,465.83
101 (Old Sheet Aluminum)	89,839.79959	21,707.99
101A (Aluminum Shavings)	1,585	433.20
103 (CAST ALUMINUM)	7,298	2,244.58
105 (Irony Aluminum)	69,805.66667	6,743.49
109 (Extruded Aluminum)	2,385.5	936.20
110 (MLC Aluminum)	694	73.32
112 (ALUMINUM WHEELS-CLEAN)	6,160.87	2,632.87
113A (Aluminum Wheel w-Tire)	1,012.54751	1,235.18
114 (Aluminum TRUCK wheels)	82	19.92
115 (Aluminum Truck Wheels-Dirty)	20	4.40
118 (Alum Rad (Clean))	126.22857	40.38
119 (Aluminum Radiators-Dirty)	71	8.52
120 (EC Wire-Clean)	106	45.68
121 (EC Wire-Dirty)	1,639	115.66
127 (TRANSMISSION)	8,466.92308	799.44
128 (STARTERS)	719	99.34
129 (ALTERNATORS)	1,398	204.45
150 (Flat Screen Monitors (Each))	181	108.82
151 (Computer Towers (complete))	1,248	87.06
152 (Electronics)	1,905.22404	24.60
153 (Laptops)	212	70.72
154 (Circuit Boards)	113	9.04
156 (O2 Sensors)	220	26.00
157 (Cell Phones/ LB)	69.16667	67.40
158 (Ram - GOLD)	6	20.00
159 (Hard drive w/board)	146	21.06
160A (A-Boards)	81	8.10
160B (B-Board)	42	3.36
160C (C-BOARDS)	198	7.92
200 (BARE BRIGHT COPPER)	3,600	6,214.19
201 (#1 Copper)	7,806.93	13,226.74
202 (#2 Copper)	8,056.29692	12,619.30
203 (Light Copper)	975	1,399.46
204 (#1 INS COPPER 85% (MCM) SPAGHETTI WIRE)	3,642	2,734.69
205 (Romex)	837	602.01
206 (#2 Insulated Copper)	4,985.64706	1,674.87
207 (Harness Wire)	257	138.24
208 (#2 INS. LOW GRADE)	5,702.15366	2,210.95
209 (Communications Wire)	1,522	714.64
210 (Copper Breakage (AL/CU Radiator Ends))	358.33333	70.42
211 (AL/CU Radiators (ACR)-Clean)	7,075.06945	5,090.98
212 (AL/CU Radiators (ACR)-Dirty)	5,773.33333	3,370.19
213 (CU/Brass Auto Radiator-Clean)	792	756.92
214 (CU/BRASS AUTO RADIATORS-DIRTY)	982	606.31
215 (Electric Motors)	25,594.8	2,734.95
216 (Sealed Units (compressors))	24,083.5	1,583.76
218 (Christmas Lights)	4,862.2	757.86
219 (Low Grade Insulated Wire)	10	2.00
222 (CU/Brass Truck Radiators-Dirty)	287	22.96
300 (Hard Yellow Brass)	5	7.00
301 (Red Brass)	453	579.27
302 (Yellow Brass)	11,178.72727	11,460.33
303 (Yellow Brass Turnings)	1	0.50
304 (Irony Yellow Brass)	2,826.319	1,337.45
305 (Yellow Brass Turnings)	59.44	49.90
400 (Batteries)	48,631.55063	8,366.31
402 (Lead)	313	78.25
403 (Lead Wheel Weights / Irony Lead)	1,445	160.68
406 (Cell Phone Battery (Li-Ion))	2	0.56
408 (Light Ballast)	2,006	121.73
500 (304 Stainless Steel)	5,194.74333	622.01
501 (Stainless Steel Shavings)	1,117	58.09

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09/06/17

Accrual Basis

Central Recycling, LLC
Purchases by Item Summary
January through December 2016

	Jan - Dec 16	
	<u>Qty</u>	<u>Amount</u>
506 (304 Irony Stainless)	1,018	82.11
507 (Miscellaneous)	5,909.2	6,666.20
600 (Prepared)	191,060.25948	8,345.09
601 (HEAVY)	15,407	816.76
602 (Shearable)	4,356,077.00099	177,271.29
603 (Unprepared)	256,753.68	12,235.16
605 (Converter)	182	612.15
606 (Carbide)	16	48.00
800 (Auto Bodies)	3,263,098.05237	150,595.07
Total Inventory	8,523,329.91	497,309.88
Parts		
1000 (Freight (USE WHEN PAYING TOW COMPA NY))	384	560.00
Total Parts	384.00	560.00
Other Charges		
700 (Deduction when customer buys item from yard)	-5	-5.00
Total Other Charges	-5.00	-5.00
TOTAL	8,523,708.91	497,864.88

**PLANNING AND INSPECTIONS DEPARTMENT
SPECIAL USE PERMIT REQUEST
October 17, 2017**

CASE NUMBER:	SU-17-03
REQUEST:	Special Use Permit: Scrap Metal Recycling, I-3 Industrial
APPLICABLE REGULATIONS:	Section 11.24(q)(3)(q)
APPLICANT:	John Bolton
APPLICANT'S STATUS:	Property owner

PROPERTY INFORMATION

LOCATION:	1130 Friendly Road
PIN:	7081-0054-9862
ZONING:	I-2
ZONING HISTORY:	Zoned I-2 at time of original ETJ zoning.

GENERAL INFORMATION

The subject property is located at 1130 Friendly Road. The property is vacant, and formerly contained an automobile salvage facility and scrap metal recycling facility.

The application submitted is complete and therefore eligible for consideration.

FINDINGS OF FACT

- (a) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted;
 - (b) That the use meets all required conditions and specifications;
 - (c) That the use will not substantially injure the value of the adjoining or abutting properties, or that the use is a public necessity;
 - (d) That the location and character of the use, if developed according to the plan as submitted, will be in harmony with the area in which it is to be located and in general conformity with the plan of development for Eden and its environs.
-

STAFF ANALYSIS

With respect to the findings of fact, staff provides the following analysis:

- (a) The applicant has submitted an application to operate a scrap metal recycling facility. Staff is of the opinion that such use on the subject property would not be in harmony with the surrounding neighborhood and could be a danger to public health and safety in the area.

- (b) The use does not meet all required conditions and specifications:
- (1) Approach and departure traffic routes for a scrap metal storage or recycling facility shall not be permitted through streets primarily intended to provide access for a residential neighborhood. – The property is only accessible via Friendly Road, which is the only access to the surrounding residential neighborhood.
 - (2) Applications for a Special Use Permit must be accompanied with a request for voluntary annexation if the area is not within the municipal boundary. – The subject property is not within the municipal boundary and no such petition for annexation has been received.
 - (3) The I-3 zoning district requires that all high impact uses in the district must be connected to City of Eden water and sewer services. – The subject property is not connected to City sewer.
- (c) Staff is of the opinion that the use could substantially injure the value of the adjoining or abutting properties. The use is not a public necessity.
- (d) Staff is of the opinion that the use would not be in harmony with the surrounding area nor in conformity with the general development plans for the area.

STAFF CONCLUSION

Based upon the facts submitted and discovered at the time of this report, staff finds that sufficient facts are not proven to recommend approval of the special use permit. Therefore, staff recommends denial of the special use permit.

STAFF RECOMMENDATION:

Denial of the Special Use Permit Request.