



**NASH COUNTY BOARD OF ADJUSTMENT  
FREDERICK B. COOPER COMMISSIONERS ROOM  
CLAUDE MAYO, JR. ADMINISTRATION BUILDING - THIRD FLOOR  
120 WEST WASHINGTON STREET  
NASHVILLE, NC 27856  
MONDAY, APRIL 27, 2020 - 6:00 P.M.**

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**MEETING AGENDA**

- 1. Call to Order.**
- 2. Determination of a Quorum.**
- 3. Recognition of the Voting Members for the Meeting.**
- 4. Approval of the Minutes of the April 22, 2019 Regular Meeting.**
- 5. Public Hearing (Quasi-Judicial) on Special Use Permit Request S-200401.**

Made by Coopers Ruritan Club Inc., the property owner, to authorize the construction and operation of a new clubhouse on a five-acre tract of land located on the west side of Volunteer Road in the R-40 (Single-Family Residential) Zoning District.

Oath of Witnesses.

Staff Report.

Public Hearing.

- 6. Other Business.**
  - a) Announcement of Board Member Term Expirations, Reappointments, and Promotions.
  - b) Next Meeting – Election of Board Officers (Chairman & Vice-Chairman) for 2020-2021.
- 7. Adjournment.**

**NASH COUNTY BOARD OF ADJUSTMENT**  
**SPECIAL USE PERMIT REQUEST – STAFF REPORT**

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**File Number:** S-200401 (Special Use Permit Request)  
**Applicant / Property Owner:** Coopers Ruritan Club, Inc. (Represented by Michael Glover)  
**Location:** West Side of Volunteer Road  
**Tax ID #:** PIN # 371700077335 / Parcel ID # 107247  
**Total Lot Area:** 5 Acres  
**Zoning District:** R-40 (Single-Family Residential)  
**Proposed Land Use:** Club (SIC 8640 - Civic, Social, or Fraternal Association)  
**LDP Classification:** Suburban Growth Area  
**Notice of Public Hearing:** Mailed Notice: April 14, 2020 (Property Owners Within 600 Feet)  
Published Notice: April 16, 2020 (The Rocky Mount Telegram)  
Posted Notice: April 16, 2020 (On the Subject Property)

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**Consideration of a Special Use Permit:**

The Nash County Unified Development Ordinance (UDO) defines a special use permit as “a permit issued by the Board of Adjustment that authorizes the recipient to make use of property in accordance with the requirements of this Ordinance or as well as any additional requirements imposed by the Board of Adjustment” (UDO Article II, Section 2-4, Subsection 2-4.160.)

The North Carolina General Statutes require that the Board follow **quasi-judicial procedures** when hearing and deciding requests for special use permits. The Board’s decision must be based upon **competent, material, and substantial facts and evidence** submitted for the record and not upon personal opinions, preferences, speculation, assumptions, or generalized fears related to the case.

Prior to granting a special use permit, the Board shall adopt **conclusions with supporting findings of fact** which explain how the request satisfies **ALL** of the requirements established by the UDO. A special use permit request **shall be denied** if the Board determines that the application is incomplete or that it does not satisfy any one or more of the established requirements.

Also, prior to granting a special use permit, the Board must determine, based upon the information submitted at the public hearing that, if completed as proposed, the development:

- (1) **Will not materially endanger the public health or safety;**
- (2) **Will not substantially injure the value of adjoining or abutting property;**
- (3) **Will be in harmony with the area in which it is to be located; and**
- (4) **Will be in general conformity with the land development plan or other plans officially adopted by the Board of Commissioners.**

The Board may also impose **reasonable and appropriate conditions** upon the special use permit in addition to the standard requirements established by the UDO, including a condition limiting the specific duration of the time period for which the permit shall remain in effect.

The granting of a special use permit requires a **simple majority vote** of the Board (three of five members.)

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***Description of the Subject Property:***

The subject property is a five-acre undeveloped tract of land owned by the Coopers Ruritan Club, Inc. since February 2009 and located on the west side of Volunteer Road off S NC Highway 58 in the R-40 (Single-Family Residential) Zoning District.

The property is immediately adjacent to both the Coopers Volunteer Fire Department at 3628 Volunteer Road to the south and the existing Bones Acres Subdivision along Bones Acres Court to the west. A small, existing cemetery known as the "Manning Cemetery" is located on a separate special purpose lot previously subdivided along the property's road frontage.

The site is not located in a regulated floodplain and does not appear to include any riparian stream buffers, but it is located in the Tar-Pamlico River Basin and the WS-IV-PA Watershed Protection Overlay District for stormwater management purposes.

The Coopers Ruritan Club intends to construct a new clubhouse on this property in order to relocate from its existing site to the north near Sandy Cross at 6084 S NC Highway 58.

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***Description of the Special Use Permit Request:***

The UDO specifies that the development of a club (civic, social, or fraternal association) is a permitted land use in this R-40 (Single-Family Residential) Zoning District with the required issuance of a special use permit by the Board of Adjustment.

Therefore, Special Use Permit Request S-200401 has been submitted by Mr. Michael Glover on behalf of the property owner, the Coopers Ruritan Club Inc., in order to authorize the construction and operation of a new clubhouse on the subject property.

The submitted site plan depicts a proposed new 2,400 square foot (40' x 60') clubhouse with a covered front entrance, a semi-circular gravel access drive with paved aprons from the road right-of-way, ten gravel parking spaces, two concrete handicap-accessible parking spaces, and an identification sign.

The building is proposed to be served by a connection to the Nash County public water service, which is available along the Volunteer Road right-of-way, and a new private on-site septic system.

UDO Article XI, Section 11-4, Subsection 11-4.19 establishes two development standards specifically required for clubs developed within agricultural or residential zoning districts:

- (1) **Clubs shall have direct access to a collector or higher capacity road; and**
- (2) **All off-street parking lots shall be screened from all adjoining single-family residential uses by a buffer yard. The required buffer yard shall comply with the requirements of Section 11-3.1(B).**

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***Suggested Motions:***

**MOTION #1 – ADOPT CONCLUSIONS WITH SUPPORTING FINDINGS OF FACT:**

*I move that the Nash County Board of Adjustment adopts OPTION 'A' or 'B' (choose one from below) related to Special Use Permit Request S-200401.*

**NOTE:** The suggested findings of fact below may be **revised** prior to adoption as necessary to reflect the arguments, evidence, and/or testimony presented during the public hearing held on this request.

**OPTION 'A': Conclusions with Supporting Findings of Fact for PERMIT APPROVAL:**

- (1) **The proposed development satisfies all the standards required by the Nash County Unified Development Ordinance (UDO) for the development of a club (civic, social, or fraternal association) because:**
  - (a) The subject property is located in the R-40 (Single-Family Residential) Zoning District and the development of a club (civic, social, or fraternal association) within this district requires the issuance of a special use permit per UDO Article IX, Section 9-3, Subsection 9-3.1, Table 9-3-1.
  - (b) The submitted site plan satisfies all the applicable general dimensional requirements of UDO Articles IX and XI, including the minimum building setback, sidewalk, access drive, parking, and signage requirements.
  - (c) The club shall have direct access to Volunteer Road (State Road #1815) which is a collector or higher capacity road as specifically required by UDO Article XI, Section 11-4, Subsection 11-4.19 (B).
  - (d) The club's off-street parking lot shall be screened from the adjoining single-family residential uses of the Bones Acres Subdivision to the west by the existing natural wooded vegetation indicated to remain undisturbed on the rear of the property by the submitted site plan, which satisfies the buffer yard standards specifically required by UDO Article XI, Section 11-4, Subsection 11-4.19 (C).

(e) The site is exempt from any additional mandatory screening requirements to the north due to the lack of any immediately adjacent existing residential development per the requirements of UDO Article XI, Section 11-4, Subsection 11-4.19 (C), to the east due to the club's status as a nonprofit organization per the requirements of UDO Article XI, Section 11-3, Subsection 11-3.1 (A)(1), and to the south due to the immediately adjacent Coopers Volunteer Fire Department, which is an existing, nonresidential land use.

**(2) The proposed development will not materially endanger the public health or safety because:**

(a) The club shall be constructed to meet all applicable design, construction, and safety codes.

**(3) The proposed development will not substantially injure the value of adjoining or abutting property and will be in harmony with the area in which it is to be located because:**

(a) A club is a recreational land use that is permitted for development in residential zoning districts.

(b) The club is a private, nonprofit organization used on an irregular (nondaily) basis by its members.

(c) The subject property is immediately adjacent to the Coopers Volunteer Fire Department to the south, which is an already existing, nonresidential land use.

**(4) The proposed development will be in general conformity with the Nash County Land Development Plan because:**

(a) The Nash County Land Development Plan designates the subject property as a Suburban Growth Area.

(b) The club is a limited nonresidential land use and its development within the Suburban Growth Area is consistent with the recommendations of the plan because:

i) The club may be accommodated by services typical in non-urban areas such as public water service and a private on-site septic system.

ii) The subject property has frontage along and direct access to Volunteer Road, a state-maintained secondary road.

iii) The subject property is located near the intersection of Volunteer Road and S NC Highway 58, a major state highway.

- iv) The subject property is located in proximity to the Coopers Volunteer Fire Department, a similar already existing, nonresidential land use.
- v) The subject property has spatial separation from other potentially non-compatible land uses such as existing residential development.

--- OR ---

**OPTION 'B': Conclusions with Supporting Findings of Fact for PERMIT DENIAL:**

In order to deny the special use permit request, the Board needs only to determine that the application is incomplete or to identify any one or more of the applicable standards listed above that the proposed development would fail to satisfy and then adopt findings of fact to support that conclusion based upon the evidence and testimony presented at the public hearing.

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**MOTION #2 – APPROVE OR DENY THE SPECIAL USE PERMIT REQUEST:**

*I move that the Nash County Board of Adjustment **APPROVES** or **DENIES** (choose one) Special Use Permit Request S-200401, subject to the following attached permit **CONDITIONS**:*

- (1) This special use permit specifically authorizes the development of a club (civic, social, or fraternal association) on the subject property.
  - (2) The club shall be developed in accordance with the site plan submitted and approved for the subject property.
  - (3) The club shall be developed in compliance with all the applicable requirements of the Nash County Unified Development Ordinance, including, but not limited to, those requirements established specifically for clubs by Article XI, Section 11-4, Subsection 11-4.19.
  - (4) The development of the club shall be subject to the approval and/or issuance of the following additional permits and documents, as applicable:
    - (a) Driveway Permit(s) issued by the N.C. Department of Transportation;
    - (b) On-site Wastewater Permit Construction Authorization issued by the Nash County Environmental Health Division (Improvement Permit issued 2/26/2020);
    - (c) Tar-Pamlico River Basin Overlay District Stormwater Permit issued by the Nash County Planning & Inspections Department;
    - (d) Zoning, Building, and Trade Permits issued by the Nash County Planning & Inspections Department.
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**Special Use Permit Request S-200401  
Property of Coopers Ruritan Club, Inc.  
Aerial Photograph**

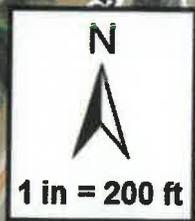
**Proposed Location  
of New Coopers  
Ruritan Clubhouse**

**Coopers Volunteer  
Fire Department**

Bones Acres Ct

Volunteer Rd

S NC 58



3000 3020

2999 3019 3039 3059

3266

3318

3628

3623

6959

6979

6985

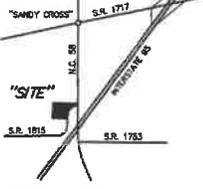
7101

7105

7109

195 S

5 N



- NOTES:**
1. REFER TO: D.B. 1184 - PG. 783, TRACT No. 1  
P.B. 15 - PG. 289, TRACT No. 1
  2. PROPERTY ZONED: R-40
  3. MINIMUM BUILDING SETBACK LINES:  
FRONT-50', SIDE-15', REAR-30'
  4. MINIMUM LOT SIZE: 40,000 SQ. FT.
  5. TAX PARCEL NUMBER: 3717 0007 6467
  6. PROPERTY IS LOCATED IN THE MS-IV-PA AND THE  
TAR RIVER CLASS II WATERSHED.
  7. AT TIME OF SITE PLAN SUBMITTAL, STORMWATER  
CALCULATIONS AND STORMWATER PERMIT WILL BE  
REQUIRED.
  8. COUNTY WATER WILL BE AVAILABLE TO THIS PROPERTY  
AROUND OR ABOUT APRIL, 2009. AT THAT TIME LOTS  
BEING DEVELOPED WILL BE REQUIRED TO CONNECT TO  
COUNTY WATER SYSTEM.

Doc ID: 00682800001 From: GSP  
Recorded: 02/12/2009 at 08:34:53 AM  
Fee Amt: \$21.00 Page 1 of 1  
Nash County North Carolina  
Barbara W. Sasser Register of Deeds  
**36 PG 171**

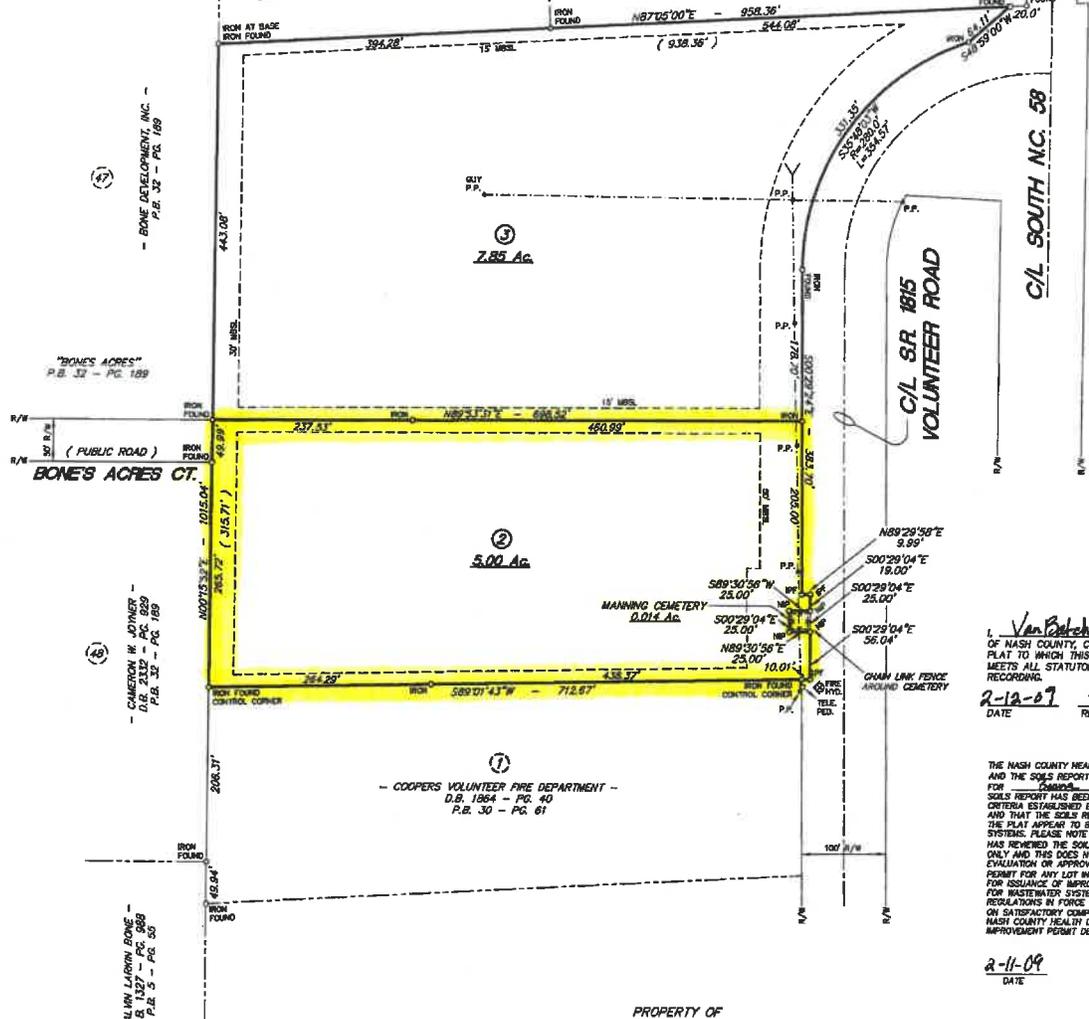
**LEGEND:**

- LINES SURVEYED
- - - LINES NOT SURVEYED
- EP EXISTING IRON PIPE
- ES EXISTING IRON STAKE
- EA EXISTING IRON ANGLE
- NIP NEW IRON PIPE SET
- IPF IRON PIPE FOUND
- PX P.I.C. NAIL FOUND
- PKS P.I.C. NAIL SET
- RSPF RAILROAD SPIKE FOUND ON CONCRETE MONUMENT
- CCM EXISTING CONCRETE MONUMENT
- ELS EXISTING LIGHTWOOD STAKE
- DBS USED
- PB PLAY BOOK
- R/W RIGHT OF WAY CENTERLINE
- CA CONTROL ACCESS
- NTS NOT TO SCALE
- HW MONITORING WELL
- LT LIGHT
- HP POWER POLE
- CA CONTROL ACCESS
- [B12] ADDRESS
- AREA CALCULATED BY THE COORDINATE METHOD.

VICINITY MAP N.T.S.

- LOUIS B. BOONE -  
D.B. 1212 - PG. 466

- RALPH D. STRICKLAND -  
D.B. 1353 - PG. 358  
P.B. 20 - PG. 219



*Van Borch*  
REVIEW OFFICER  
OF NASH COUNTY, CERTIFY THAT THE MAP OR  
PLAN TO WHICH THIS CERTIFICATION IS AFFIXED  
MEETS ALL STATUTORY REQUIREMENTS FOR  
RECORDING.  
2-12-09  
DATE *Van Borch*  
REVIEW OFFICER

THE NASH COUNTY HEALTH DEPARTMENT HAS REVIEWED THE PLAN  
AND THE SOILS REPORT PREPARED BY *Chamblee & Strickland, L.P.*  
FOR *LOUIS BURTON BOONE* AND FINDS THAT THE  
SOILS REPORT HAS BEEN PREPARED IN ACCORDANCE WITH THE  
CRITERIA ESTABLISHED BY THE NASH COUNTY HEALTH DEPARTMENT  
AND THAT THE SOILS REPORT INDICATES THAT THE LOTS SHOWN ON  
THE PLAN APPEAR TO BE ABLE TO ACCOMMODATE SEWAGE DISPOSAL  
SYSTEMS. PLEASE NOTE THAT THE NASH COUNTY HEALTH DEPARTMENT  
HAS REVIEWED THE SOILS REPORT OF *Chamblee & Strickland, L.P.*  
ONLY AND THIS DOES NOT REPRESENT OR CONSTITUTE THE  
EVALUATION OR APPROVAL FOR ISSUANCE OF AN IMPROVEMENT  
PERMIT FOR ANY LOT IN THE SUBDIVISION. FINAL SITE APPROVAL  
FOR ISSUANCE OF IMPROVEMENT PERMITS OR AUTHORIZATION  
FOR WASTEWATER SYSTEM CONSTRUCTION IS BASED ON  
REGULATIONS IN FORCE AT THE TIME OF PERMITTING AND IS DEPENDENT  
ON SATISFACTORY COMPLETION OF INDIVIDUAL SITE EVALUATIONS BY THE  
NASH COUNTY HEALTH DEPARTMENT FOLLOWING APPLICATION FOR AN  
IMPROVEMENT PERMIT DETAILING A SPECIFIC USE AND SIZING.

2-11-09  
DATE *Rena*  
NASH COUNTY HEALTH DIRECTOR  
OR AUTHORIZED REPRESENTATIVE

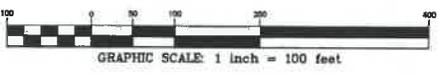
I HEREBY CERTIFY THAT THE MAP OR SUBMISSION SHOWN ON THIS  
PLAN DOES NOT VIOLATE THE CREATION OF NEW PUBLIC ROADS  
THAT THE SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH  
THE NASH COUNTY LANNED DEVELOPMENT ORDINANCE AND THAT THEREFORE  
THIS PLAN HAS BEEN APPROVED BY THE NASH COUNTY PLANNING DIRECTOR,  
SUBJECT TO ITS BEING RECORDED IN THE NASH COUNTY REGISTER,  
WITHIN SIXTY DAYS OF THE DATE HEREON.  
2/12/2009  
*Jimmy B. Mullen*  
DIRECTOR OF PLANNING AND REVIEW  
AUTHORIZED REPRESENTATIVE

I HEREBY CERTIFY THAT UNDER MY DIRECTION AND SUPER-  
VISION THIS PLAN, SHOW AND ASSOCIATED RECORDS, HAVE BEEN  
DRAWN FROM AN ACTUAL SURVEY OF LAND, THAT THE ERROR  
OF CLOSURE IS CALCULATED BY LATITUDE AND DEPARTURES  
WITH AN ACCURACY OF AT LEAST 1/10000 (ACTUAL ERROR OF  
CLOSURE 1/10000). THAT THE BOUNDARIES NOT SURVEYED ARE  
SHOWN AS BROKEN LINES, THAT THE PLAN WAS PREPARED  
IN ACCORDANCE WITH G.S. 47-30, AS AMENDED.  
WITNESS MY HAND AND SEAL THIS 12th DAY OF FEB, 2009.  
*James G. Strickland*  
SURVEYOR  
L-3074, REGISTRATION NUMBER

I, JAMES G. STRICKLAND, PROFESSIONAL LAND SURVEYOR, CERTIFY  
THAT THIS IS A TRUE AND CORRECT COPY OF A SUBDIVISION  
OF LAND WITHIN THE AREA OF A COUNTY OF NORTHCAROLINA  
DATE AND TO WHICH THAT REGULATES PARCELS OF  
LAND.  
*James G. Strickland*  
PROFESSIONAL LAND SURVEYOR  
L-3074, REGISTRATION NUMBER

PROPERTY OF  
**LOUIS BURTON BOONE**  
AND WIFE  
**BRENDA B. BOONE**

COOPERS TWP., NASH COUNTY, N.C.  
FEBRUARY 2, 2009 SCALE 1" = 100'



**Chamblee & Strickland**  
Land Surveying  
123 West Washington Street  
Nashville, North Carolina 27856  
TELEPHONE (252) 459-3838  
FAX (252) 459-1885



I HEREBY CERTIFY THAT I, AMNE AND THE OWNERS(S) OF THE PROPERTY  
DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION  
REGULATION JURISDICTION OF NASH COUNTY, THAT I/WE HEREBY FREELY ADOPT THIS  
PLAN OF SUBDIVISION (P.L.S.) FURTHER CERTIFY THAT THE SUBDIVISION SHOWN ON THIS  
PLAN CANNOT BE FURTHER SUBDIVIDED WITHIN TWO YEARS OF THE DATE OF RECORDATION  
UNLESS A SEPARATE PLAN AND/OR PRELIMINARY PLAN AND FINAL PLAN ARE SUBMITTED FOR  
THE ENTIRE RESUBDIVISION.  
2-11-2009 *Louisa Burton Boone by Brenda B. Boone*  
DATE OWNER  
2-11-2009 *Brenda B. Boone*  
DATE OWNER

I HEREBY CERTIFY THAT I, AMNE AND THE OWNERS(S) OF THE PROPERTY DESCRIBED  
HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION JURISDICTION OF  
NASH COUNTY, THAT I/WE HEREBY FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEEDS  
TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAN AS ROADS, RIGHTS-OF-WAY, ALLEYS, WALKS,  
PARKS, OPEN SPACE, AND EXCESSIVE CROPS, EXCEPT THOSE SPECIFICALLY DESIGNATED AS PRIVATE,  
AND THAT I/WE WILL MAINTAIN ALL SUCH AREAS UNTIL THE ORDER OF DEDICATION IS ACCEPTED  
BY THE APPROPRIATE PUBLIC AUTHORITY. ALL PROPERTY SHOWN ON THIS PLAN AS DESIGNATED FOR  
A PUBLIC USE SHALL BE DEEMED TO BE DESIGNATED FOR ANY OTHER PUBLIC USE AUTHORIZED  
BY LAW WHEN SUCH OTHER USE IS APPROVED BY THE NASH COUNTY BOARD  
OF COMMISSIONERS IN THE PUBLIC INTEREST.  
2-11-2009 *Louisa Burton Boone by Brenda B. Boone*  
DATE OWNER  
2-11-2009 *Brenda B. Boone*  
DATE OWNER

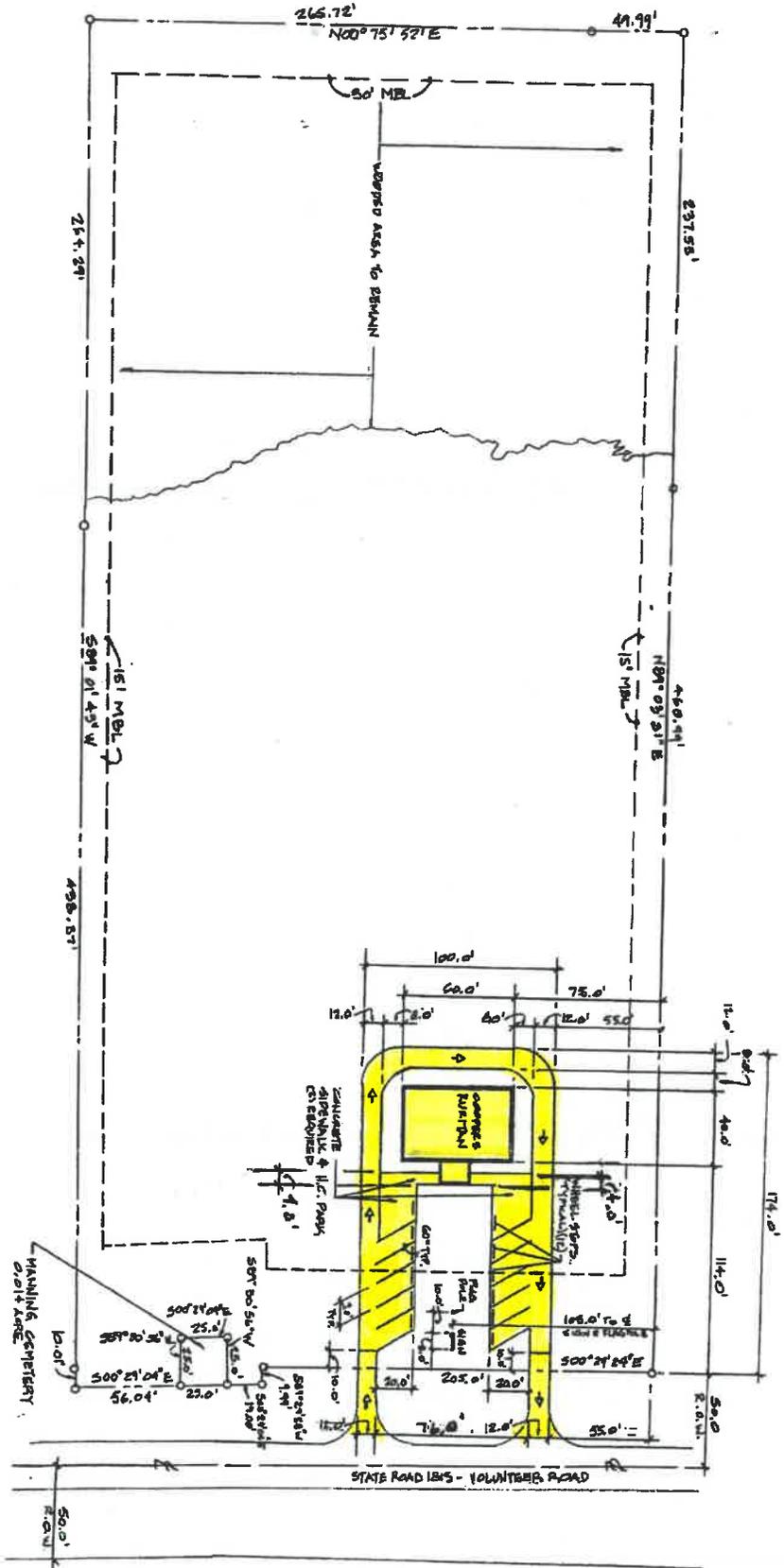
Book 36 Page 171

C - B - 555

# SITE PLAN FOR COPPER'S RUITAN

SCALE: 1" = 40.0'

01-22-2020



- NOTES:**
1. SIGN TO BE 8.0' X 4.0' & MAXIMUM 85.0' ABOVE GROUND
  2. UNIMPAVED AREA = 100.0' X 174.0' = 17,400 SQUARE FEET OR .40 ACRES
  3. TOTAL PAVED AREA TO BE PAVED PERM. UNIMPAVED AREA TO BE PAVED PERM. UNIMPAVED AREA TO BE PAVED PERM.