

TOWN OF ELON

TOWN COUNCIL AGENDA REPORT

Item Type: Public Hearing(s)

SUBJECT: Legislative Public Hearing on Conditional Rezoning Request CRZ-2025-01: 309 S. Williamson Ave Detached Accessory Dwelling Unit

DATE: June 10, 2025

TOWN COUNCIL ACTION REQUESTED ON: 2025-06-23

HISTORY:

In November 2024, Chad Huffine an engineer from L.E.A.D.S. Group and representative of the applicant Ezrine Brothers LLC, reached out to staff of obtain a zoning permit for a detached accessory dwelling unit. Staff informed Huffine that according to the Accessory Table of Uses in Table 4.5.4 of the LMO that a special use permit was required. In November 2024, the property owner applied for a special use permit.

During the initial Technical Review Committee (TRC) meeting on December 9th, 2024, staff informed Huffine that the property was currently exceeding the maximum lot coverage allowed in the SBR zoning district by 3.9 percent. According to Section 3.2.7.C of the LMO, the maximum lot coverage is 40 percent. Planning staff informed Huffine that the lot coverage either needed to be reduced, the applicant could apply for a conditional rezoning request or request a variance along with a special use permit. In March 2025, the applicant submitted a conditional rezoning application.

FACTS AND ISSUES:

Petition CRZ-2025-01: A conditional rezoning request made by Ezrine Brothers LLC, for a conditional district rezoning from Suburban Residential (SBR) to Suburban Residential-Conditional (SBR-C) for a detached accessory dwelling unit located at 309 S. Williamson Ave. (Tax Parcel 114916).

- The property is located within the Suburban Residential (SBR) zoning district, and the applicant is requesting a conditional rezoning to allow for a detached accessory dwelling unit and to increase the maximum allowable lot coverage to 60 percent.
- The request is for a 640 square foot detached accessory dwelling unit. The principal house, as shown on the site plan, is 2,118 square feet. According to the standards of Section 4.5.5.A.2, a detached accessory dwelling unit may not exceed 1,000 square feet or 35 percent of the principal floor area. Based on the square footage of the house, the maximum allowed square footage for an accessory dwelling unit is 741 square feet.
- The proposed site plan also includes the addition of 2 gravel parking spaces. Section 7.2.2.1.1 of the LMO states that gravel parking is allowed in residential districts and that only the portion of the driveway between the street pavement and right of way shall be paved with concrete. Section 7.2.8.A.1 of the LMO states that parking spaces

shall be a minimum of 9 feet by 19 feet. The additional parking spaces are 10 feet by 20 feet.

- The exterior construction materials of the accessory dwelling unit are also depicted on the site plan and consist of masonry, vinyl or hardie plank. The exterior material of the principal house is masonry brick.
- Section 3.2.7.C requires that the maximum allowed lot coverage is 40 percent. The applicant is requesting a waiver to increase the maximum lot coverage from 40 percent to 60 percent. Based on the applicant's proposed site plan, this will increase impervious surface coverage by a total of 1,304 square feet. Based on conversations with the Town Engineer, the proposed increase in impervious surface coverage is not significant enough to cause an impact on the Jordan Lake Watershed. As such, the town engineer does not have any concerns with the requested waiver.
- The Envision Elon 2040 Comprehensive Plan designates the site as low-density residential and staff proposes that the plans meet the future land use classifications descriptions and goals.
- The Technical Review Committee (TRC) reviewed the special use permit, which was converted to a conditional rezoning plan at their November 12th, 2024, and March 26th, 2025, meetings. The primary discussions included items that needed to be amended or added to the plans. The TRC has approved the conditional rezoning plans.
- The neighborhood meeting was held on April 10th, 2025, at the Town Hall. At the meeting, a total of 3 people were present. Most comments were made in regard to the traffic at the intersection on Ballpark Ave. and S. Williamson Ave., concerns of parties, and affordable housing for families.
- The surrounding property to the North, South, and East are in the Suburban Residential zoning district and the requested zoning is to the same district with a conditional designation.

Planning Staff Recommendation: Based on the information contained in this report, staff recommends approval of the requested conditional rezoning to SBR-C (Suburban Residential-Conditional) along with the proposed use and the requested waiver in CRZ-2025-01.

Planning Board Recommendation: At the May 20, 2025, meeting of the Planning Board, members voted (5-1) to recommend approval of the requested conditional rezoning to SBR-C (Suburban Residential-Conditional) along with the proposed use and requested waiver in CRZ-2025-01. The dissenting member Diane Gill stated that she did not vote in favor of the recommendation as the request contained in the conditional rezoning will not keep the SBR zoning district aesthetically intact.

Town Council: Because this is a rezoning item, this requires a (non-Quasi Judicial) Public Hearing in front of the Town Council.

OPTIONS:

1. Planning staff recommends holding the public hearing for the conditional rezoning, CRZ-2025-01, at this meeting.
2. At a future meeting the Town of Elon Council can vote to approve or deny the conditional district rezoning request CRZ-2025-01.
 - **Approval motion can include:** The proposed conditional district rezoning is consistent with the objectives and goals outlined in the 2040 Envision Elon Comprehensive Plan and the Future Land Use Map. Specifically, the request:

- Expands housing choices; as per Section LU-4 of the Envision Elon 2040 Comprehensive Land Use Plan.
 - **Denial motion can include:** The proposed conditional district rezoning is not in keeping with the 2040 Envision Elon Comprehensive Plan and the Future Land Use Map and is not compatible with the surrounding zoning or land uses.
3. Mayor and Council defined option.

TOWN MANAGER RECOMMENDED ACTION:

Prepared By: Isabell Cooper

ATTACHMENTS:

CRZ-2025-01 Staff Report 309 S. Williamson

CRZ-2025-01 Application 309 S. Williamson

309 S. Williamson Detached Accessory Dwelling Unit Conditional Rezoning Site Plan

Aerial Map Zoomed Out CRZ-2025-01

Aerial Zoomed In CRZ-2025-01

Current Zoning CRZ-2025-01

Proposed Zoning CRZ-2025-01

FLUM Map CRZ-2025-01

Neighborhood Meeting Notes CRZ-2025-01 309 S. Williamson

Concern Regarding Proposed Garage Apartment Email

Draft Planning Board Minutes 5-20-25