

**MINUTES
CHATHAM COUNTY ZONING BOARD OF ADJUSTMENT
MARCH 21, 1994**

The Zoning Board of Adjustment (the "Board of Adjustment") of the County of Chatham, North Carolina, met during the regular meeting of the Chatham County Board of Commissioners, in the District Courtroom, located in the Courthouse Annex, Pittsboro, North Carolina, at 9:00 p.m. on March 21, 1994.

ATTENDANCE

Present: Chairman Dunlap; Commissioners Holland, Holmes and Hanner; County Manager Ben Shivar; County Attorney Robert L. Gunn; and Clerk to the Board Sandra B. Cape

Absent: None

The Board of Adjustment was called to order at 9:00 p.m.

Leslie A. and Jean Walton Request for a Variance from the Chatham County Zoning Ordinance to allow a lot of 79,000 square feet in an RA-90 zoning district on the north side of S.R. 1532 in Baldwin Township

The Planning Director stated that Leslie A. and Jean Walton had requested a variance from the Chatham County Zoning Ordinance to allow a lot of 79,000 square feet in an RA-90 zoning district on the north side of S.R. 1532 in Baldwin Township, all of which is north of Manns Chapel Road in the WSII Watershed, the balance of the Watershed which serves University Lake. He noted that their request is that there is now one lot and they are asking that this lot be divided so that the pond can be on a lot by itself and the dwelling can be on a lot by itself. He noted that there is no increase in density because the house already exists and a house cannot be put where the pond is located.

The Planning Director asked if anyone was present to speak on this matter. No one asked to speak to the Board of Adjustment regarding this matter. The Planning Director stated that the request would stand as submitted.

The Planning Director stated that the Board of Adjustment's options were as follows:

1. Deny the request;
2. Make the five required findings found on pages 66 and 67 of the Zoning Ordinance and approve the request;
3. Make the five required findings and approve the request with conditions; or
4. Table the request for further consideration.

The Planning Director noted that the Planning Department recommended approval of the request with the condition that additional dwelling units are not established on the two lots involved.

Commissioner Holmes questioned the Planning Director on the size of the lake on the lot that is involved. Is the lake itself a lot or is the land around the lake a lot?

The Planning Director stated that the land around the lake is a lot, and the lake goes beyond this lot onto land belonging to someone else. He stated that the lot the developer wants to cut off is lot Number Two which has frontage on Cedar Lake Road; the other lot with the lake meets the lot size requirement.

Commissioner Holmes moved that the request be denied.

Discussion followed regarding the findings of fact necessary to approve a variance and the Zoning Ordinance as it is currently in effect.

The Chairman stated that there being no second to the motion on the floor, the motion dies.

Commissioner Holmes moved that the request be tabled for further consideration. Commissioner Holland seconded the motion.

The motion carried four (4) to zero (0).

ADJOURNMENT AS ZONING BOARD OF ADJUSTMENT

Commissioner Holmes moved that the Zoning Board of Adjustment be adjourned and that the Board reconvene as a Board of Commissioners. Commissioner Hanner seconded the motion.

The motion carried four (4) to zero (0).

Henry H. Dunlap Jr.
Henry H. Dunlap, Chairman

ATTEST:

Sandra B. Cape
Sandra B. Cape, Clerk to the Board