



Chatham County Planning Department  
 PO Box 54/80-A East Street  
 Pittsboro, NC 27312  
 Ph: (919) 542-8204  
 Fax: (919) 542-2698

CHATHAM COUNTY APPLICATION FOR  
 CHANGE IN **GENERAL USE ZONING**  
DISTRICTS

Applicant Information:

NAME: Richard Broedell, Sr.  
 ADDRESS: 763 The Preserve Trail  
Chapel Hill, NC 27517  
 CONTACT PH: (919)697-2278  
 EMAIL: Rbroedell@aol.com

Landowner Information:

NAME: Same  
 ADDRESS: \_\_\_\_\_  
 CONTACT PH: ( ) \_\_\_\_\_  
 EMAIL: \_\_\_\_\_

PROPERTY IDENTIFICATION

Physical (911) Address: New Elam Church Road and US 1 PARCEL (AKPAR) No.: 5576  
 Township: Cape Fear Total Acreage: 5.92 Acreage to be Rezoned: 5.92  
 (Do not round acreage. Use exact acreage from tax record or survey)

CURRENT ZONING DISTRICT/CLASSIFICATION: R-1

PROPOSED ZONING DISTRICT/CLASSIFICATION:

- R-1 Residential     R-2 Residential     R-5 Residential     O & I Office & Institutional  
 NB Neighborhood Business     CB Community Business     Regional Business     IL Light Industrial  
 IH Heavy Industrial

**FEMA Flood Map Information:**

Flood Map No. : 3710969800J Map Date: 02/02/2007 Flood Zone: X

**WATERSHED Information:**

Current Watershed Classification: WS-IV PA Within Jordan Lake Buffer Area:  Yes  No  Unknown

APPLICATION SUBMITTAL REQUIREMENTS

*Attach the following as required in Section 19.4.C of the zoning ordinance:*

- Map of the property showing the parcel or portions thereof that are affected by this rezoning request.
- Written legal description of such land
- Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment
- The changed or changing conditions, if any, which make the proposed rezoning reasonably necessary
- The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof
- List all other circumstances, factors, and reason which the applicant offers in support of the proposed amendment
- All other information required on this application or as offered by the applicant in support of the request

**Please provide 16 sets of this application submittal with all supporting documentation, maps, summaries, etc.**

**No application packets will be taken after 4pm. All fees must be paid at the time of application submittal. For the purposes of calculating this application fee, use the following:**

**Application Fee: \$500.00 plus \$25/per acre (ex: \$25 x 1.42ac = \$35.50 plus \$500 = \$535.50 total fee)**



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Pittsboro, NC 27312  
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**PLEASE SIGN THE MOST ACCURATE SIGNATURE OPTION BELOW (1, 2, OR 3)**

**(1)** I hereby certify that **I am the owner or authorized agent of said property** and that the information provided is complete and the statements given are true to the best of my knowledge.

Richard Broedell, Sr.  
Signature

February 2, 2018  
Date

Richard Broedell, Sr.

Print Name

**The owner must sign the following if someone other than the owner is making the application.**

**(2)** I hereby certify that (please print) \_\_\_\_\_ is an authorized agent for said property and is permitted by me to file this application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**(3)** I acknowledge that **I am not the landowner OR authorized agent** of the property for which this application is being made, but I do live within the zoned area of the county.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**FOR OFFICE USE ONLY**

Application No.: PL20

Date Received: \_\_\_\_\_ 20\_\_

Payment Received: \$ \_\_\_\_\_

Check No. \_\_\_\_\_

Cash

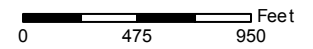
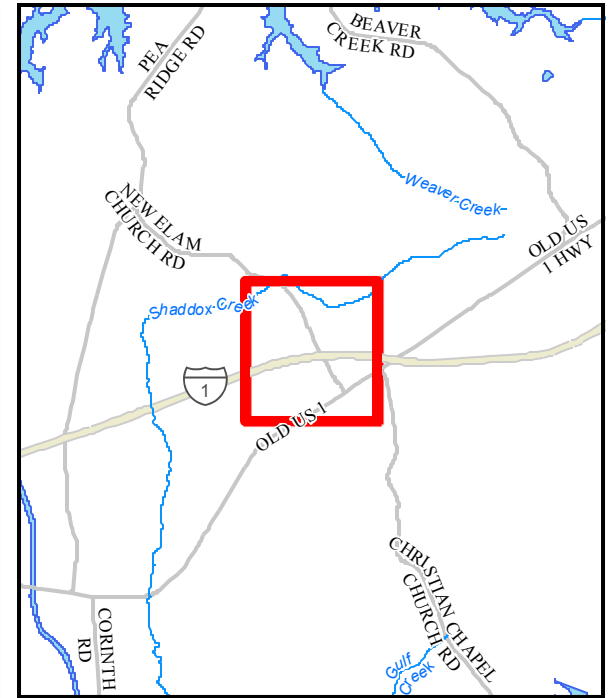
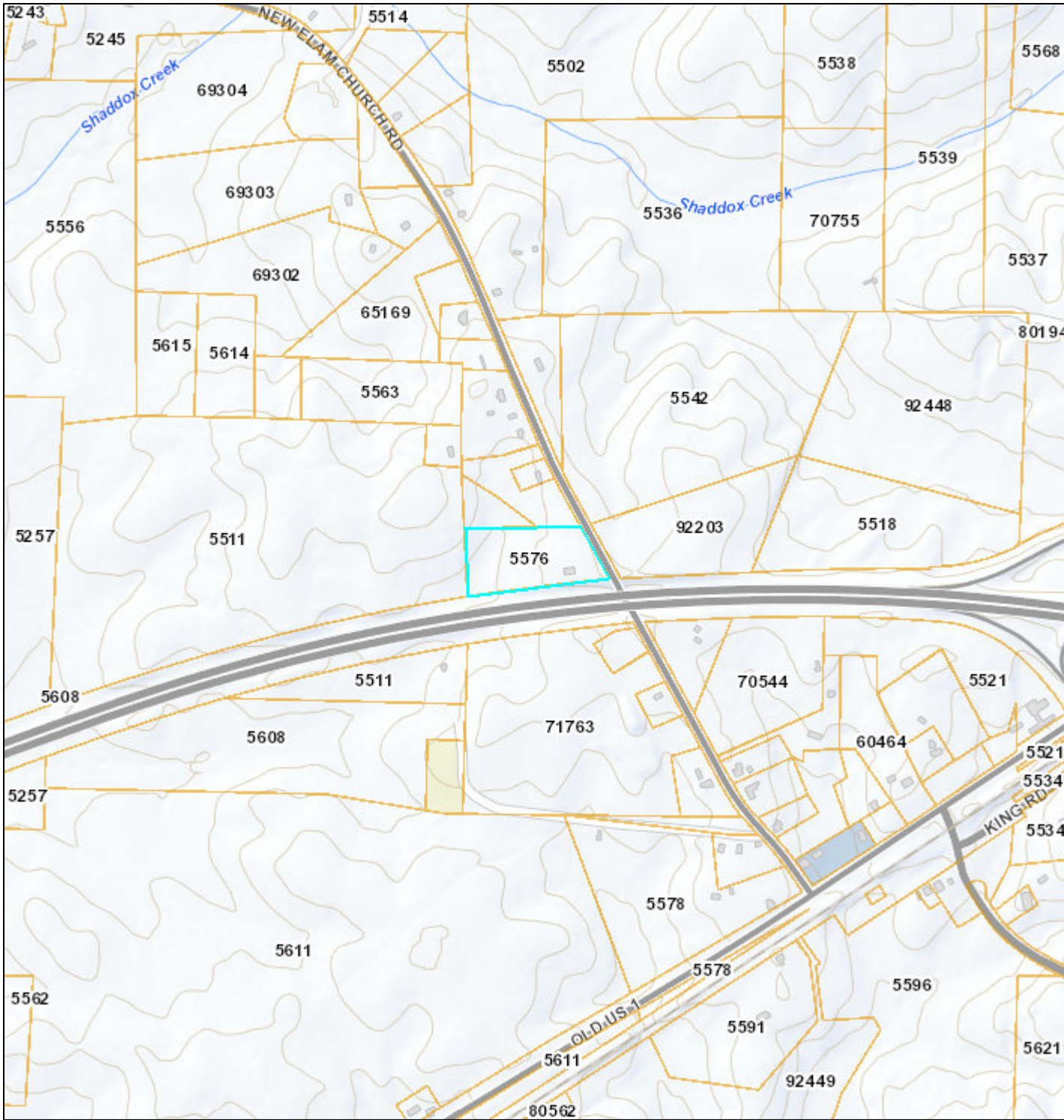
Credit Card

Money Order

\_\_\_\_\_  
Planning Department

Map of Property on Following Page  
Parcel 5576

# Chatham County Tax Map



Service Layer Credits: Chatham County, Chatham County GIS



Date: 1/31/2018  
Time: 10:03:48 AM

Written Legal Description of Property Contained in Deed Recorded in Book 1703,  
Page 970, Chatham County Registry, Attached Beginning on Following Page

1703  
0970

FILED  
CHATHAM COUNTY NC  
TREVA B. SEAGROVES  
REGISTER OF DEEDS

FILED Aug 15, 2013  
AT 10:55:34 am  
BOOK 01703  
START PAGE 0970  
END PAGE 0972  
INSTRUMENT # 09708  
EXCISE TAX \$100.00

BOOK 1703 PAGE 0970

**NORTH CAROLINA  
GENERAL WARRANTY DEED**

Excise Tax: \$100.00

Recording Time, Book and Page

Tax Map No.

Parcel Identifier No. 0005576

Mail after recording to: Grantee

This instrument was prepared by: Zdenek Law Firm, P.A.

THIS DEED made this 13 day of August, 2013 by and between

**GRANTOR**

Randy M. Cotten, unmarried

MAILING ADDRESS:  
5204 Roswellcrest Court, Apex, NC 27539

**GRANTEE**

Richard Broedell, Sr., married

PROPERTY ADDRESS:  
0 New Elam Church Road, Moncure, NC 27559

MAILING ADDRESS:  
763 The Preserve Trail, Chapel Hill, NC 27517

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land and more particularly described as follows:

See attached legal description

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 411 , Page 216, Chatham County Registry.

A map showing the above described property is recorded in metes and bounds, and referenced within this instrument.

The above described property  does  does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.

\_\_\_\_\_  
(ENTITY NAME) Randy M. Cotton (SEAL)  
Randy M. Cotton

By: \_\_\_\_\_ (SEAL)  
Title: \_\_\_\_\_

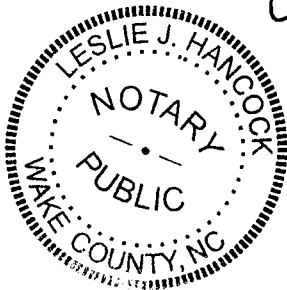
NORTH CAROLINA Wake COUNTY

I, LESUE J. HANCOCK certify that Randy M. Cotton personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: DEED Witness my hand and official stamp or seal, this the 13 day of August, 2013.

My Commission Expires: 9.28.13

Leslie J. Hancock  
Notary Public

Print Notary Name: LESUE J. HANCOCK



**EXHIBIT A**

**BEGINNING** at a point where the Northern right of way of U.S. #1 intersects the center line of S. R. #1910 and running thence from said beginning point with the North right of way line of U.S. #1 South 87 degrees 30 minutes West 822 feet to a stake, corner with H. B. Horner; thence with Horner's line North 2 degrees 30 minutes East 382 feet to a stake, another corner with Horner; thence with Horner's line South 86 degrees 01 minute East 678.90 feet to a point in the center of S.R. #1910; thence with the center line of said road South 24 degrees 40 minutes East 314 feet to the point and place of Beginning. This property includes all that certain tract of land conveyed to J. H. Cotten, et ux, by deed from H. B. Horner, et us recorded in Book 349, Page 83 and all that certain tract conveyed to J. H. Cotten, et ux, by deed from Clara Reynolds, recorded in Book 344, Page 305, except for the 1.350 tract conveyed to J. H. Cotten to H. B. Horner.

**PARCEL ID: 0005576**



### Alleged Error in the Ordinance Which Would be Remedied by the Proposed Amendment

The introduction to the Chatham County Zoning Ordinance states that the purposes of the Zoning Ordinance are to be pursued, “all in accordance with the adopted Land Use Plan.” The Chatham County Comprehensive Plan 2017 identifies the vicinity in which the subject property is located as an employment center. The Plan states that a mix of uses including industrial are appropriate in employment centers.

The existing R-1 zoning of the subject property would not allow the mix of uses that are appropriate in employment centers. The existing zoning map is in conflict with the stated purposes of the Zoning Ordinance, which are to be pursued in accordance with the Comprehensive Plan, and is, therefore, in error. Rezoning the subject property to the IL Light Industrial zoning district would make the Zoning Map consistent with the Comprehensive Plan and the purposes of the Zoning Ordinance and would remedy the error.

### Changed or Changing Conditions Which Make the Proposed Rezoning Reasonably Necessary

The Chatham County Comprehensive Plan marking the area in which this property is located as an employment center was recently adopted in November 2017. Parcel 92203 adjacent to this property across New Elam Church Road was rezoned to IL Light Industrial in December 2017. Numerous other parcels, large and small, near the subject property have been zoned for heavy industrial, light industrial and various business uses. Because the area in which the property is located has been used for industrial purposes for many years and is viewed as having high potential for continued industrial and business development, as is reflected in the Comprehensive Plan, zoning in the area has been changing to allow property owners to fulfill that potential. Rezoning the subject property to IL Light Industrial is necessary to make the uses on this property consistent with the changing zoning and uses on other nearby properties and to fulfill the goals of the Comprehensive Plan.

### Manner in Which the Proposed Rezoning Will Carry Out the Intent and Purpose of the Adopted Land Use Plan

The Chatham County Comprehensive Plan 2017 identifies the vicinity in which the subject property is located as an employment center. The Plan states that a mix of uses including industrial are appropriate in employment centers. The existing R-1 zoning of the subject property would not allow the mix of uses that are appropriate in employment centers. Rezoning the subject property to the IL Light Industrial zoning district would allow uses that are necessary

and appropriate to the development of an employment center and fulfill the intent and purpose of the Comprehensive Plan.

Other Circumstances, Factors and Reasons Which the Applicant Offers in Support of the Proposed Amendment

The property has convenient access to US Highway 1, which makes it appropriate for light industrial use.

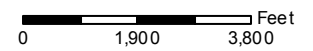
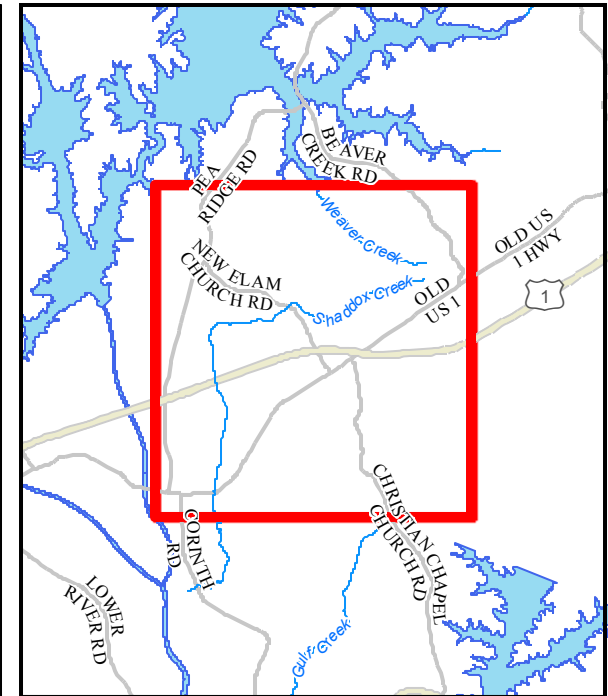
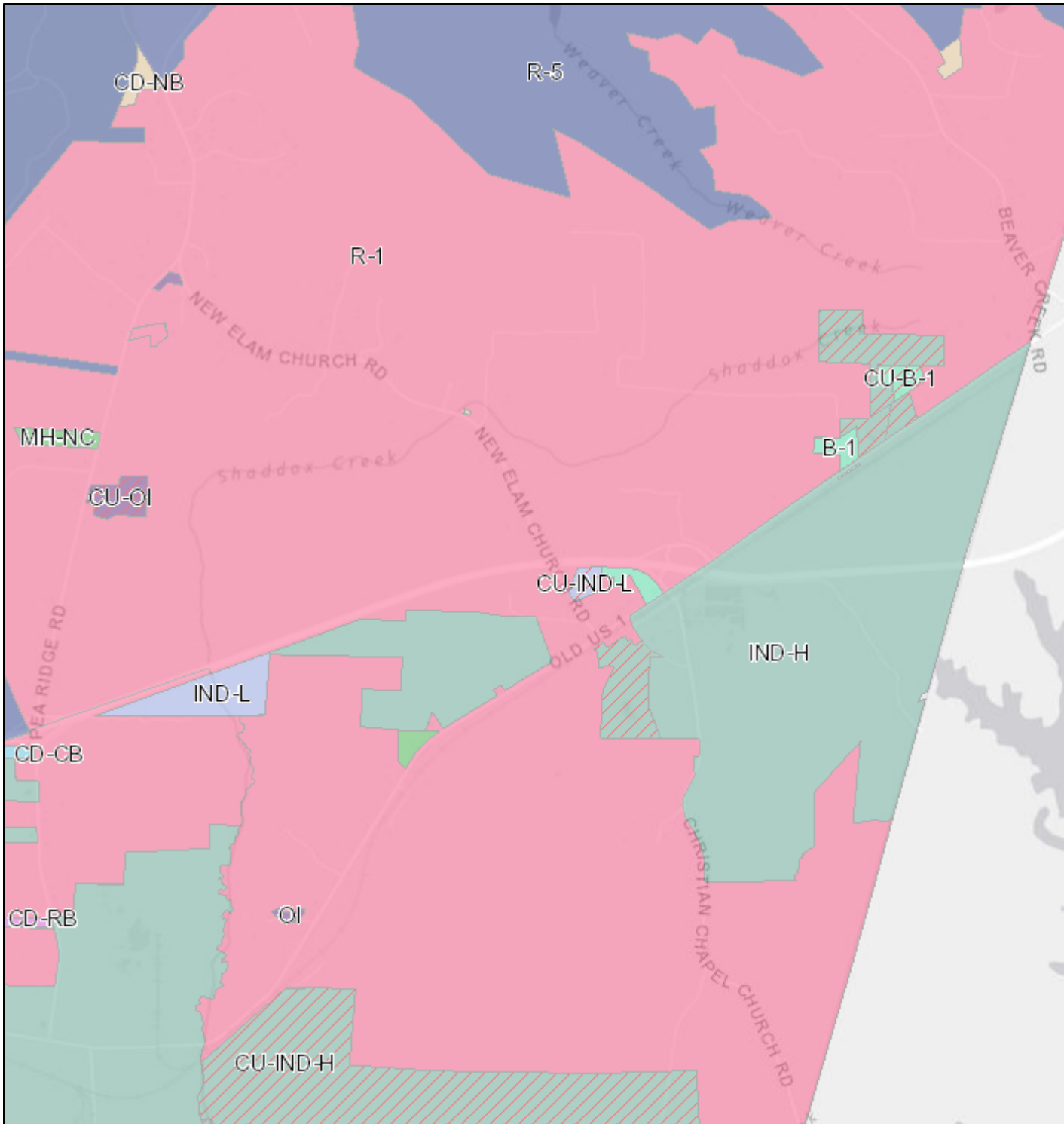
The property is located near numerous other heavy industrial, light industrial and business uses, which promotes the development of interdependent business relationships and the establishment of an employment center as contemplated by the Comprehensive Plan.

The property is immediately adjacent to US Highway 1, a four-lane controlled access highway, the traffic noise from which makes it less desirable for residential use but is entirely consistent with light industrial use.

The WS-IV PA watershed district allows up to 36% built upon area, which means that the majority of the property will remain undeveloped.

All uses permitted in the IL Light Industrial district would be required to comply with all of the County's applicable ordinances and regulations, including parking and signage.

# Chatham County Tax Map



Service Layer Credits: Chatham County,  
Chatham County GIS



Date: 1/31/2018  
Time: 10:43:56 AM

**Adjacent/Adjoining Landowners: These are those properties that share a common property line as well as those that are directly across a public or private road, easement, or waterway.**

Legal notices are mailed to these owners so please type or write neatly

1. Gary Wayne Horner  
805 New Hill Olive Chapel Road  
Apex, NC 27502-9598  
Parcels 5511, 5335, 80539
  
2. Meredith Jarman Cardenas  
96 Poole Road E  
New Hill, NC 27562-8818  
Parcel 5542
  
3. George Russell Anderson  
Tonya Anderson  
c/o Costner Law Office  
7780 Brier Creek Parkway, Ste. 300  
Raleigh, NC 27617  
Parcel 92203
  
4. Earl McQueen  
Hilda McQueen  
1187 White Hill Road  
Sanford, NC 27332  
Parcel 63772
  
5. Ann Reynolds Avent  
John Reynolds  
c/o J. A. Reynolds  
216 Webster Road  
Graham, NC 27253  
Parcel 71763