

Ordinance of the Chatham County Board of Commissioners

AN ORDINANCE AMENDING THE ZONING MAP OF CHATHAM COUNTY

For Dale & Mary Stansell

WHEREAS, the Chatham County Board of Commissioners has considered the request by Dale & Mary Stansell to rezone approximately .25 acres, being all or a portion of Parcel No.5248, located at 1060 New Elam Church Road, Cape Fear Township, from R-1 Residential to CD-NB Conditional District Neighborhood Business to expand the current boat and recreational vehicle storage facility, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

WHEREAS, the Board finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning; and

WHEREAS, the Board finds the four (4) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. The applicant is claiming no error in the ordinance. ; and

No. 2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. With the pending growth in the Pittsboro area and increased use of Jordan Lake and associated campgrounds, they think the expansion is supported. This facility is 2.9 miles from the New Hope boat ramp which keeps traffic to a small area and off major roadways. The applicant will also allow storage of cargo/utility and horse trailers on the site within the facility which were not previously allowed.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. . Plan Chatham encourages the support of tourism by providing expansion of recreational opportunities and improving access to parks, community facilities, trails and open space. This is considered a facility that directly assists those traveling to Jordan Lake for boating and camping. See page 42, Goal 6 of Plan Chatham. It also encourages the continuation and expansion of existing businesses that are appropriately zoned and can continue to meet environmental and transportation requirements (refer to Page 56, Strategy 4.4).; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare. Based on an internet search by the applicant, there are 14 similar storage facilities within 25 miles of Jordan and Harris Lakes. He has noted that on occasion he has had to call on some of these other locations to check on availability for a citizen to find they too are full. Pricing ranges from \$55 - \$385 monthly. As the county and surrounding areas continue to grow, the need for this type of affordable storage is likely to increase based on current trends.

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The use does not require water or septic and no other major utilities are needed to support the facility. There is a fire hydrant on New Elam Church Rd within 150 feet of the property; NCDOT has approved the access drive for the facility; and all other regulations will be followed such as landscaping, screening, lighting, signage, sedimentation and erosion control, stormwater, etc. where required.; and

BE IT ORDAINED, by the Board of Commissioners of Chatham County as follows:

1. The Application to rezone a portion of the property described as Parcel No. 5248 and being approximately .25 acres as depicted on Attachment "A", located at 1060 New Elam Church Road, from R-1 Residential to CD-NB Conditional District Neighborhood Business, Cape Fear Township is approved and the zoning map is amended accordingly.
2. The following Conditions shall also be approved as part of this Ordinance approving the rezoning. They are:

Site Specific Conditions

1. There shall be no construction, storage, or placement of any material, vehicles, structures, or accessories of any kind within any Special Flood Hazard Area as shown on the most recently adopted Flood Insurance Rate Maps for Chatham County within the additional .25 acres.
2. All recommendations by the Chatham County Appearance Commission (CCAC) shall be complied with. The planning staff or members of the CCAC may inspect said requirement when deemed necessary to ensure compliance and regulation requirements.
3. The expansion project area shall be completed within two (2) years of the date of this approval or the use becomes null and void.
4. All previously approved conditions shall remain in effect, unless otherwise modified by this approval.

Standard Site Conditions

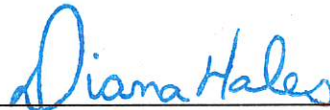
5. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
6. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process.

Standard Administrative Conditions:

7. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
8. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
9. Non-Severability – If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
10. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

3. This ordinance shall become effective upon its adoption.

Adopted this 18 day of June, 2018



Diana Hales, Chair
Chatham County Board of Commissioners

ATTEST:



Lindsay K. Ray, NCCC, Clerk to the Board
Chatham County Board of Commissioners



ATTACHMENT "A"

Tax parcel 5248, located at 1060 New Elam Church Road, adding an additional .25 acres to the existing boat and RV storage facility as shown in the dotted line area.

