

Ordinance of the Chatham County Board of Commissioners

AN ORDINANCE AMENDING THE ZONING MAP OF CHATHAM COUNTY

For Richard Broedell, SR

WHEREAS, the Chatham County Board of Commissioners has considered the request by Richard Broedell, Sr to rezone approximately 5.92 acres, being all or a portion of Parcel No.5576, located at off New Elam Church Road, Cape Fear Township, from R-1 Residential to Light Industrial to locate his contractor business, 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. It is stated in the application this area is noted as an employment center. The property is zoned R-1 Residential which 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 (Plan Chatham or Plan) thus creating an error in the ordinance. Rezoning the property to the Light Industrial zoning district would make the zoning map consistent with the Plan and the error would be remedied; 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. The adoption of the new Plan in November 2017 identifies this area generally as an employment center and an adjacent property was approved for such a similar general use rezoning in December 2017. It is stated in the application this area has high potential for continued industrial and business development due to its close proximity to a major highway, rail, and other industrial zoned uses nearby. ; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. The Plan is an adopted policy that provides landowners opportunities to utilize the best and most appropriate uses of their property based on their location. The area has been

identified as having the potential to expand employment and the tax base in the county. It can also be considered an extension of the types of industries that are currently being supported in this area. An employment center needs to be able to allow a mix of uses in order to be viable for the area and the county as a whole. R-1 zoning does not allow that to happen therefore rezoning the property to a district that is consistent with an employment center is supported. The recent rezoning of the property on the opposite side of New Elam Church Road is an indicator that this area is appropriate for Light Industrial zoning.; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. This property is adjacent to US 1 Highway and has convenient access to US 1 via Old US 1 less than one half mile away. The noise along from US 1 does not make this desirable for residential development. The property is located within the WSIV-Protected Area Watershed that allows for up to 36% impervious surface without curb and gutter to be developed leaving the majority of the property undeveloped. It is not located within the Jordan Lake Buffer rule area of the county. All site development must comply with all other regulations for development and land disturbances and required permitting. ; 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. 5576 and being approximately 5.92 as depicted on Attachment "A", located at / off New Elam Church Rd, from R-1 Residential to Light Industrial, 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:

None
3. This ordinance shall become effective upon its adoption.

Adopted this 21st day of May, 2018

Diana Hales

Diana Hales, Chair
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray

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



ATTACHMENT "A"

Tax Parcel No. 5576, being all of 5.92 acres, located off New Elam Church Road, Cape Fear Township



