



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: Michael E. Gress and Amanda Dixon Gress

ADDRESS: 56 Weaver Trail

New Hill, NC 27562

CONTACT PH: (919)427-2699

EMAIL: michael@gressinc.com

Landowner Information:

NAME: Same

ADDRESS: \_\_\_\_\_

CONTACT PH: ( ) \_\_\_\_\_

EMAIL: \_\_\_\_\_

PROPERTY IDENTIFICATION

Physical (911) Address: Old US 1

PARCEL (AKPAR) No.: 5537

Township: Cape Fear

Total Acreage: 30.41 Acreage to be Rezoned: 30.41

(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. : 3710969900K and 3710969800J    Map Date: 11/17/2017 and 2/2/2007    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.

*Michael E. Gress and Amanda Dixon Gress*  
Signature

12/20/18  
Date

Michael E. Gress and Amanda Dixon Gress

Print Name Michael

**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 182072

Date Received: 10-5 20 18

Payment Received: \$ 1260.25

Check No. 1322       Cash       Credit Card       Money Order

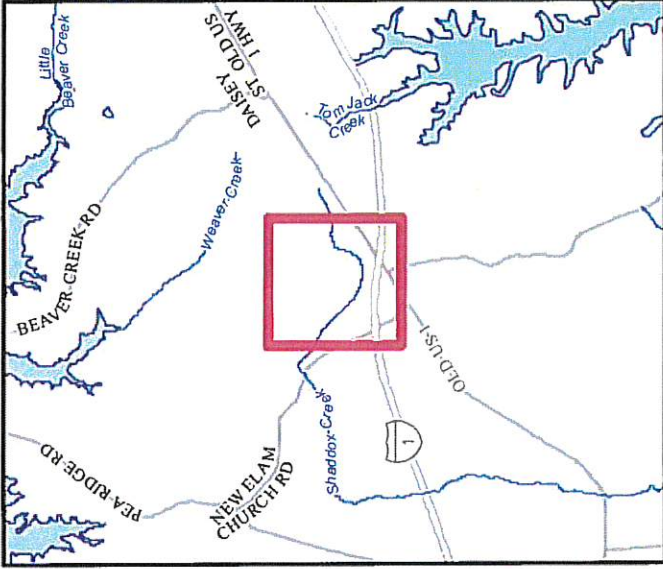
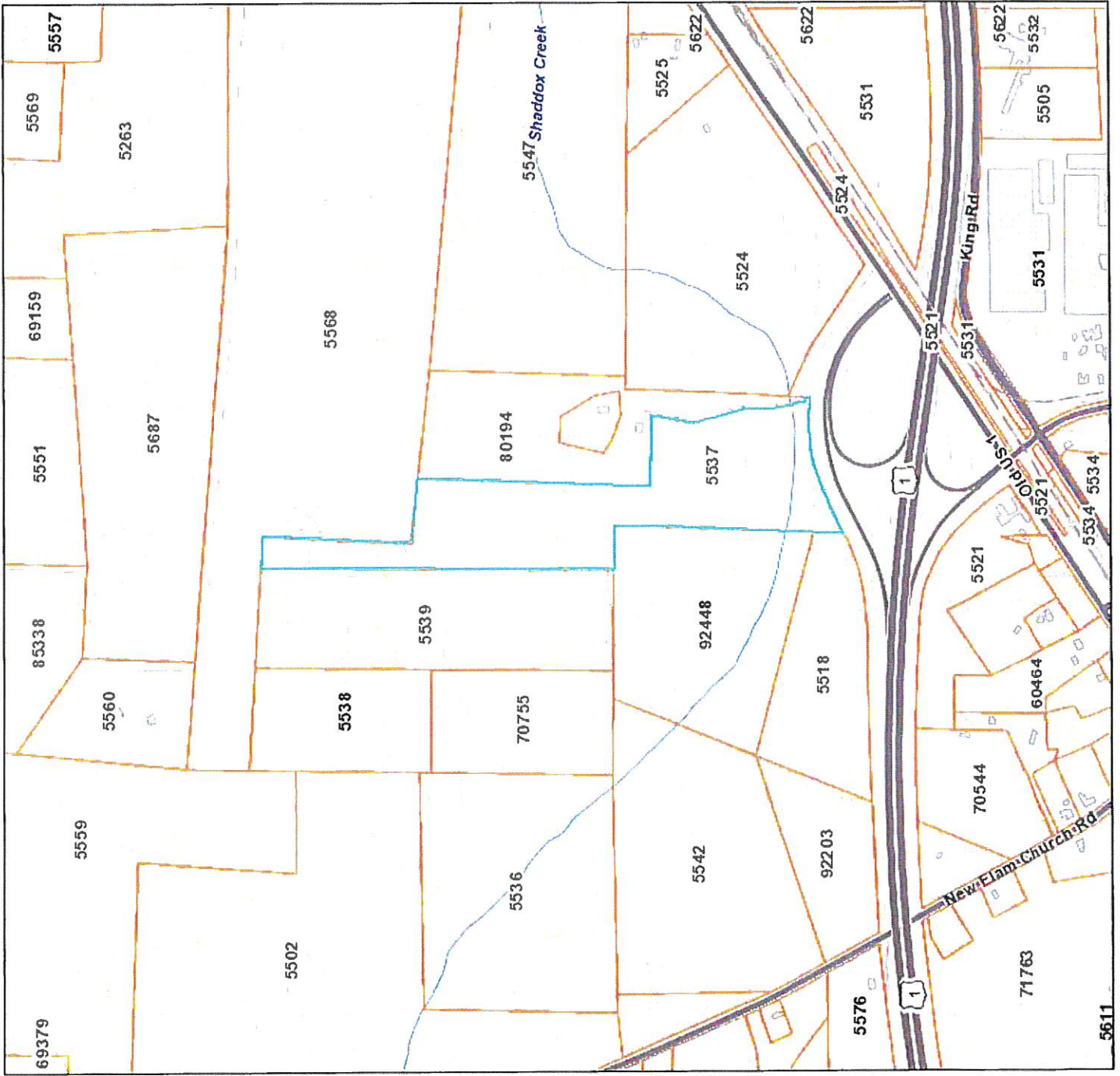
*A. Birchett*  
Planning Department

Maps of Property on Following Pages

Chatham County GIS Map, Parcel 5537

Tract 3R, Plat Slide 2010-228, Chatham County Registry

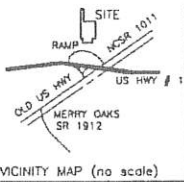
# Chatham County Tax Map



Service Layer Credits: Chatham County,  
Chatham County GIS



Date: 10/5/2018  
Time: 11:55:41 AM



- LEGEND**
- ECM - EXISTING CONCRETE MONUMENT
  - EP - EXISTING IRON PIPE
  - ES - EXISTING IRON STAKE
  - ERS - EXISTING REBAR
  - ECS - EXISTING CUTTON SPIKE
  - EPC - EXISTING PK NAIL
  - EN - EXISTING NAIL
  - ERS - EXISTING RAILROAD SPIKE
  - IPS - IRON PIPE SET
  - ES - IRON STAKE SET
  - RSS - RAILROAD SPIKE SET
  - MS - NAIL SET
  - PKS - PK OR MAG. NAIL SET
  - R/W - RIGHT OF WAY
  - CL - CENTERLINE
  - B.M. - BOOK OF MAPS
  - P.B. - PLAT BOOK
  - M.B. - MAP BOOK
  - D.B. - DEED BOOK
  - SS - SET BACK
  - EP - EDGE PAVEMENT
  - EC - EDGE OF CURB
  - MF - MARKING
  - ELEV - ELEVATION
  - UP - UTILITY POLE
  - TP - TELEPHONE PEDESTAL
  - MSAL - MONUMENT BUILDING SETBACK LINE
  - OPW - OPENROAD WIDTH

**NOTES**  
 AREA BY COORDINATES  
 THIS PROPERTY IS SUBJECT TO ABOVE AND BELOW GROUND UTILITIES AND OR EASEMENTS.  
 60# NAILS SET FOR DRIVEWAY POINTS

FAYE O. CRITCHFIELD  
 D.B. 394 PG. 458

- REFERENCES**
- D.B. 440 PG. 395
  - D.B. 394 PG. 458
  - D.B. KU PG. 352
  - D.B. 888 PG. 102
  - D.B. 257 PG. 471
  - D.B. 384 PG. 722
  - D.B. 704 PG. 335
  - D.B. 542 PG. 313
  - PLAT SL. 94-325
  - PLAT SL. 30-62
  - PLAT SL. 2002-502
  - OTHERS AS SHOWN

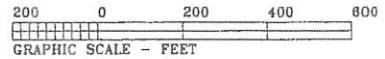
CURVE	RADIUS	LENGTH	DELTA	CHORD	CH-BEARING
C-1	1132.67'	428.41'	21°40'16"	425.80'	S 86°03'56"W
C-2	1132.67'	273.52'	13°50'09"	272.85'	S 68°18'43"W

COURSE	BEARING	DISTANCE
L-1	N 02°28'59"E	9.18'
L-2	N 02°14'44"E	29.19'
L-3	N 02°29'32"E	30.09'
L-4	N 81°33'07"W	81.08'
L-5	N 21°04'18"W	57.63'
L-6	N 02°03'51"W	179.56'
L-7	N 10°54'33"W	224.50'
L-8	N 10°25'24"W	142.50'
L-9	N 01°49'20"E	111.51'
L-10	N 09°29'23"E	138.88'
L-11	N 87°05'29"W	70.20'
L-12	N 81°03'35"W	139.21'
L-13	N 35°39'49"W	113.68'

RECOMBINATION SURVEY FOR:  
**JOSEPH W. FERRELL, Jr.**  
 AND  
**KIMBERLY H. FERRELL**

DEED BK. 704 PG. 335 & BK. 1005 PG. 272  
 PLAT SLIDE 2003-46  
 CAPE FEAR TOWNSHIP  
 CHATHAM COUNTY - NORTH CAROLINA  
 PIN # 9699-80-6444.000  
 PIN # 9699-80-2467.000  
 PIN # 9699-81-1712.000  
 SCALE : 1" = 200' - OCTOBER 13, 2010



BENTON W. DEWAR AND ASSOCIATES  
 PROFESSIONAL LAND SURVEYORS  
 5920 HONEYCUTT ROAD  
 HOLLY SPRINGS, NC 27540  
 PH. # (919)-552-9813

**CERTIFICATION OF OWNERSHIP AND DEDICATION**

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH ANY (OUR) FREE CONSENT, AND DEDICATE ALL RIGHT-OF-WAYS, STREETS, ALLEYS, WALKS, EASEMENTS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

*Joseph W. Ferrell, Jr.*  
*Kimberly H. Ferrell*  
 OWNER(S)

Certification of Plat being Exempt from the Subdivision Regulations  
 I (We) certify that I am (We are) the owner(s) of the property shown and described herein and that said property is exempt from the Subdivision Regulations of Chatham County by definition.

Owner(s) or Authorized Agent and Title: *Ann M. Richardson*  
 Date: *10-28-10*  
 Chatham County Planning Department

FILED Oct 28, 2010 01:58:04 pm  
 PLAT SLIDE 02010 - 0228  
 INSTRUMENT 100220

REVIEW OFFICER'S CERTIFICATE  
 STATE OF NORTH CAROLINA  
 COUNTY OF Chatham  
 I, Tina Stone REVIEW OFFICER OF Chatham COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 I, Tina Stone by Lynda Hall

REVIEW OFFICER: 10-28-10  
 DATE

NORTH CAROLINA CHATHAM COUNTY  
 THIS PLAT WAS PRESENTED FOR REGISTRATION AT \_\_\_\_\_ O'CLOCK  
 \_\_\_\_\_ M. ON \_\_\_\_\_ 20\_\_\_\_ AND RECORDED ON  
 PLAT SLIDE \_\_\_\_\_ CHATHAM COUNTY REGISTRY.

REBA C. THOMAS  
 REGISTER OF DEEDS BY: \_\_\_\_\_ ASSISTANT

2010-228  
 2010-228

I, BENTON W. DEWAR, PROFESSIONAL LAND SURVEYOR NO. 1-3040, CERTIFY THAT THIS PLAT CREATES A RECOMBINATION SURVEY OF AN EXISTING PARCEL OF LAND THAT IS REGULATED BY A COUNTY OR MUNICIPALITY ORDINANCE THAT REGULATES PARCELS OF LAND.  
*Benton W. Dewar*  
 BENTON W. DEWAR, NCPLS 3040

I, BENTON W. DEWAR CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE RATIO OF PRECISION IS 1:10,000; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK PAGE \_\_\_\_\_ THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; WITNESS MY ORIGINAL SIGNATURE LICENSE NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
*Benton W. Dewar*  
 BENTON W. DEWAR, NCPLS - 3040



RECORDED IN PLAT SLIDE \_\_\_\_\_ CHATHAM CO. REG.

10-74E  
 LITER 8  
 FERRELL 10/28/10

2010-228

Written Legal Description of Property Contained in Deed Recorded in Book 2020,  
Page 554, Chatham County Registry, Attached Beginning on Following Page

FILED Dec 06, 2018  
AT 10:20:16 AM  
BOOK 02020  
START PAGE 0554  
END PAGE 0556  
INSTRUMENT # 12183  
EXCISE TAX \$0.00

**NORTH CAROLINA SPECIAL WARRANTY DEED**

Excise Tax: \$-0-

Parcel Identifier No. \_\_\_\_\_ Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_  
By: \_\_\_\_\_

Mail/Box to: Grantee

This instrument was prepared by: Bradshaw Robinson Slawter LLP – No Title Examination

Brief description for the Index: \_\_\_\_\_

THIS DEED made this 6<sup>th</sup> day of December, 2018, by and between

GRANTOR	GRANTEE
LAND HUNTER STORAGE LLC, a North Carolina limited liability company 56 Weaver Trail New Hill, NC 27562	MICHAEL E. GRESS and AMANDA DIXON GRESS, husband and wife 56 Weaver Trail New Hill, NC 27562

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

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 situated in the City of \_\_\_\_\_, Cape Fear Township, Chatham County, North Carolina and more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2004, Page 1098, Chatham County Registry.

All or a portion of the property herein conveyed does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 2010 page 228, Chatham County Registry.

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 has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

1. All easements, encumbrances, rights-of-way and restrictions of record.
2. All matters shown on the plat recorded in Plat Book 2010, Page 228, Chatham County Registry.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.


LAND HUNTER STORAGE LLC,  
a North Carolina limited liability company

By:   
Michael E. Gress, Manager

Chatham County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Michael E. Gress

Date: December 6, 2018

  
Patrick E. Bradshaw, Notary Public  
(Printed Name)  
My commission expires: \_\_\_\_\_

(Seal)





EXHIBIT A

BEING all of Tract 3R, 30.407 acres, Recombination Survey for Joseph W. Ferrell, Jr. and Kimberly H. Ferrell, as recorded in Book of Maps 2010, Page 228, Chatham County Registry.

Together with a perpetual, appurtenant easement for access, ingress, and egress and for the installation and maintenance of utilities upon and over the "existing 60' easement" and "new 60' access easement" as recorded in Plat Slide 2003-46, Chatham County Registry.

Subject to existing 60' access easement as shown on Plat Slide 94-325, Chatham County Registry.

### 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 area 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. 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 area 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

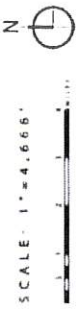
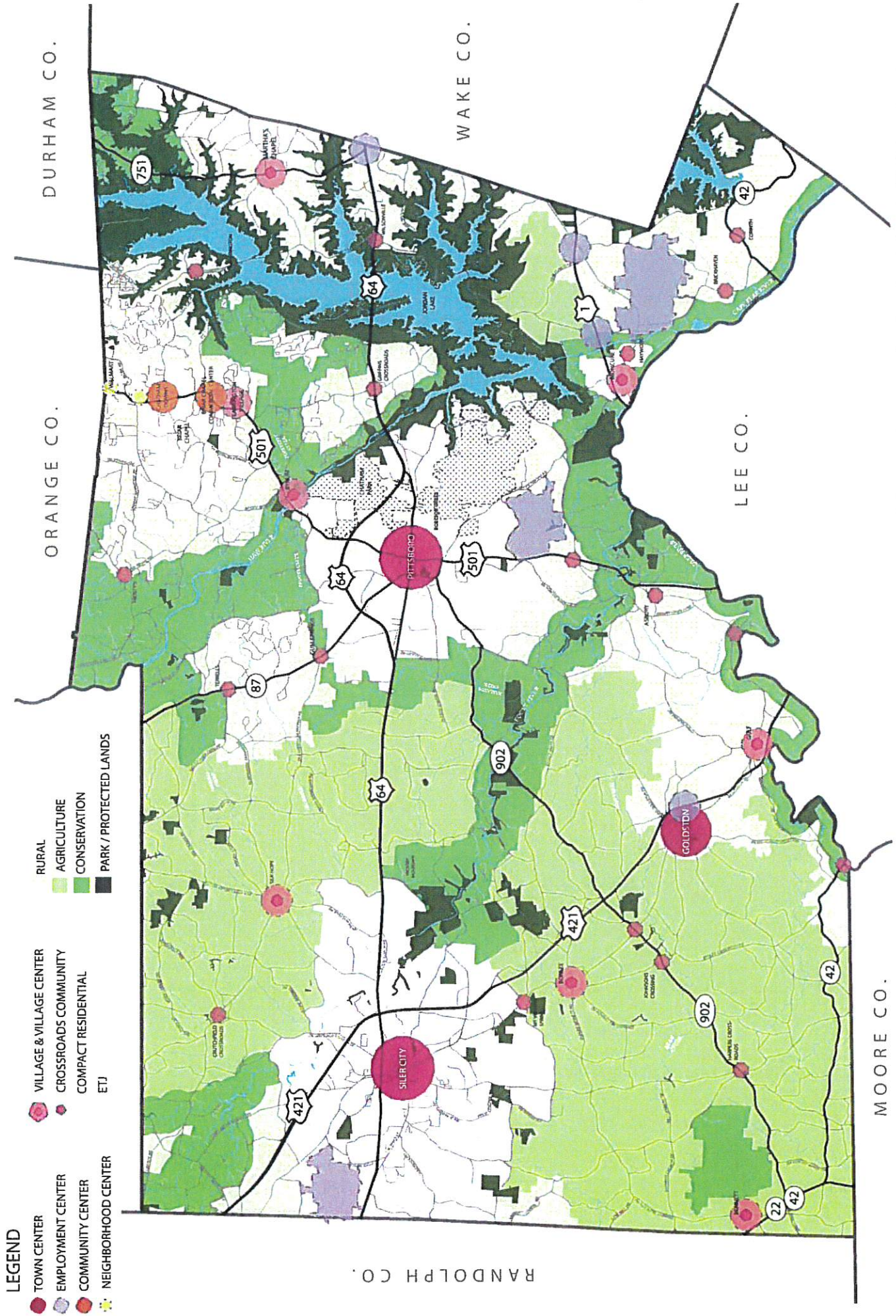
The property has convenient access to US Highway 1, which makes it appropriate for light industrial use.

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 access ramps for 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.

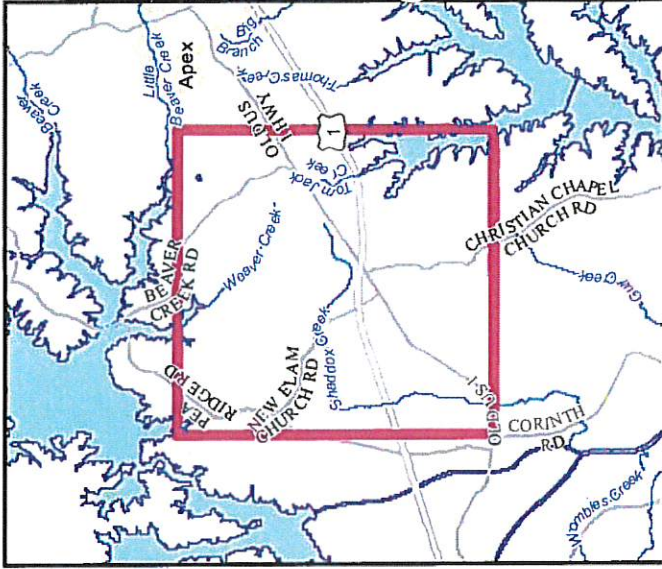
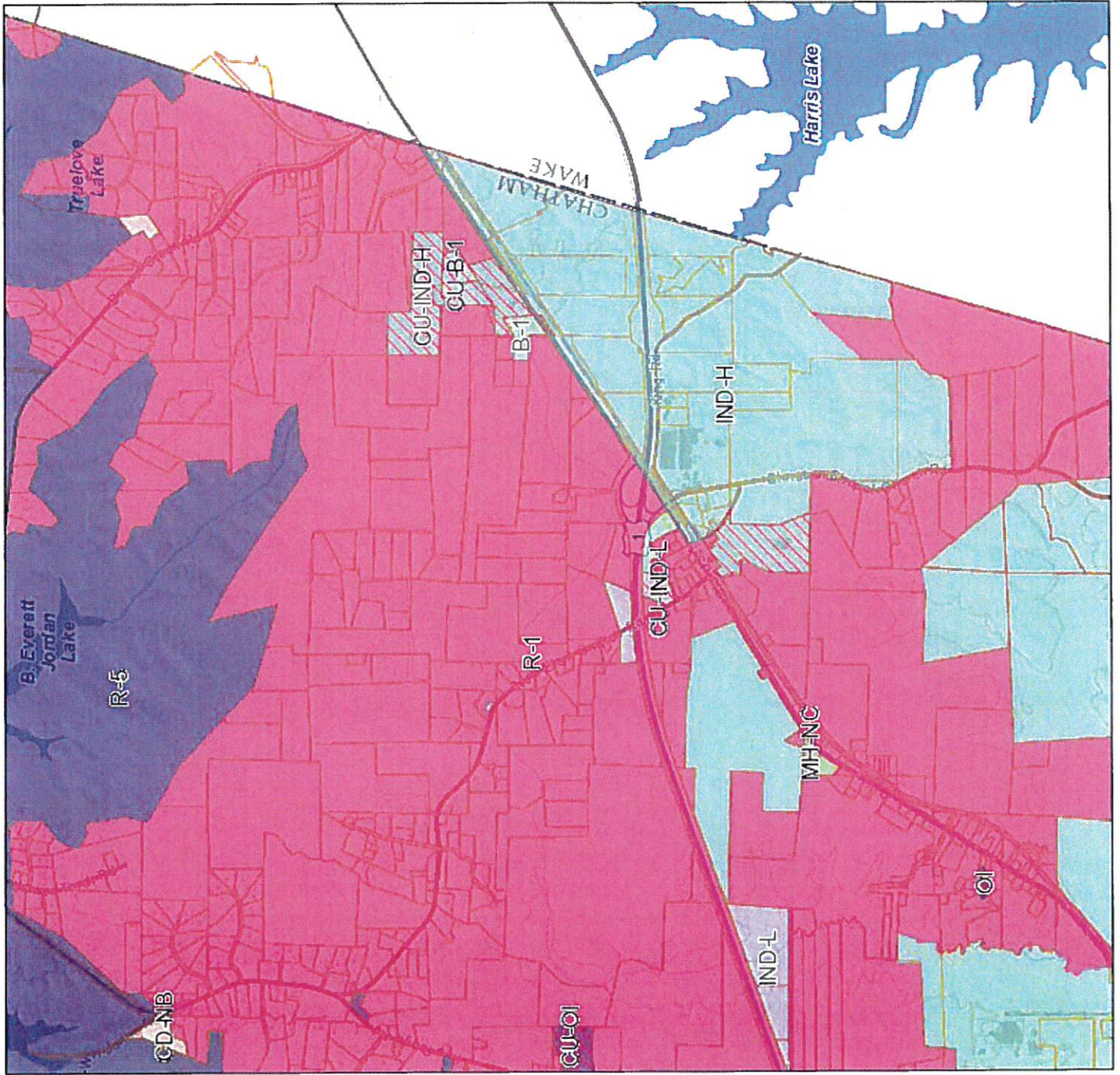
The WS-IV PA watershed district allows up to 36% built upon area, which means that the majority of the property will remain undeveloped.

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.



DRAFT FUTURE LAND USE AND CONSERVATION PLAN

# Chatham County Tax Map



Service Layer Credits: Chatham County,  
Chatham County GIS



Date: 10/5/2018  
Time: 12:51:22 PM

**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. WBT Wood Services LLC  
PO Box 188  
Hazelhurst, GA 31539  
Parcel 5568
  
2. Victoria Obler Porter  
PO Box 162  
New Hill, NC 27562-0162  
Parcel 80194
  
3. Jonathan Brodnax Bell  
William Cameron Bell  
9585 Joey Drive  
Ellicott City, MD 21042  
Parcel 5524
  
4. Triangle Brick Company  
6523 NC Hwy 55  
Durham, NC 27713  
Parcel 5531 and 5533
  
5. Frances Lee King  
Jesse Claudius King  
88 King Rd  
Moncure, NC 27559  
Parcel 5534
  
6. Hardip Singh Dhillon  
Gurmind Kaur Dhillon  
5875 Old US 1  
New Hill, NC 27562  
Parcel 5521
  
7. George Russell Anderson  
Tonya Renee Anderson  
1004 Camden Town Pl  
Apex, NC 27502  
Parcel 5518

8. Fernando Cardenas  
Meredith Cardenas  
96 Poole Rd E  
New Hill, NC 27562-8818  
Parcel 92448 and 5539