



Established 1771

CHATHAM COUNTY COMMISSIONERS

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COUNTY MANAGER

Dan LaMontagne

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AN ORDINANCE AMENDING THE ZONING MAP OF CHATHAM COUNTY For Roy Brooks

WHEREAS, the Chatham County Board of Commissioners has considered the request by Roy Brooks to rezone approximately 3.4 acres out of the 19.9 acres, being all or a portion of Parcel No.76558, located at 6814 Beaver Creek Rd., fronting on Old US 1, Cape Fear Township, from R-1 Residential to General Use Light Industrial - IL to develop the site for non-residential purposes for uses listed as permitted within the IL zoning district but specifically to expand his current 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. No error in the ordinance is being alleged. Machine shops and Light manufacturing or processing not otherwise named herein are both Permitted uses for Light Industrial zoning. Please note that this is a general use rezoning request and if approved any of the uses that are allowed by right in the Light Industrial zoning district could locate on the property. ; 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. This business has been in operation for over 20 years under a Home Occupation Permit. Based on the growth of the business, the applicant needs to expand to better serve his current and future customers. The applicant has been a good steward of his current business and there have been no issues or complaints received on the current site. There are numerous properties within close proximity to the property under consideration for rezoning to Light Industrial that are zoned Heavy Industrial. The applicant will continue to live on the adjacent property where he has operated under a HOP since 1997. ; 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 Future Land Use and Conservation Plan Map identifies this area as Rural an Employment Center node located within close proximity. The Rural designation supports low density residential, supporting service uses, and home based & small scale business. Under the Economic Development Plan Element of Plan Chatham, Strategy 4.4 states "Permit existing commercial and industrial uses that are appropriately zoned to continue to operate, and allow for reasonable expansion, contingent upon meeting environmental and transportation requirements." ; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The site will be accessed by Old US 1 with an approved commercial driveway permit required from NCDOT. Additionally, the applicant plans to utilize a 20 Kw solar production system in order to offer a carbon neutral building. The applicant has restricted the size of the proposed rezoning in order to preserve the look and feel of the rural landscape. If the rezoning is approved a site plan will have to be reviewed by the Chatham County Appearance Commission to ensure that the county's design guidelines are met. ; and

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

1. The Application to rezone all of the property described as Parcel No. 76558 and being approximately 3.4 acres out of the 19.9 acre tract as depicted on Attachment "A", located at or off Old US 1, 6814 Beaver Creek Rd, from R-1 Residential to General Use Light Industrial - IL, Cape Fear Township is approved and the zoning map is amended accordingly.
2. This ordinance shall become effective upon its adoption.

Adopted this 18 day of March, 2019

Mike Dasher, Chair
Chatham County Board of Commissioners

ATTEST

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



ATTACHMENT "A"

Parcel No. 76558, being approximately 3.4 acre out of 19.9 acre tract, Cape Fear Township, zoned from R-1 Residential to GU IL General Use Light Industrial.

