



CHATHAM COUNTY COMMISSIONERS

Mike Dasher, Chair
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Jim Crawford
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Walter Petty

COUNTY MANAGER

Dan LaMontagne

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**AN ORDINANCE AMENDING THE ZONING MAP
OF CHATHAM COUNTY
For Jim Saputo on behalf of FMR Investments LLC**

WHEREAS, the Chatham County Board of Commissioners has considered the request by Jm Saputo to rezone approximately 51.6 acres, being all or a portion of Parcel No.5545, located at 148 Rush Road, New Hill, Cape Fear Township, from CU-IN-H Conditional Use Heavy Industrial to R-1 Residential 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 not claiming any errors 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. Chatham County adopted a comprehensive plan and map that now identifies this area as suitable for agriculture and residential uses. Since the property was never utilized for industrial use since the conditional use heavy industrial zoning approval in 1994, reverting back to residential zoning complies with the newly adopted plan. The area immediately surrounding this property has not experienced significant growth, but the county has recently approved several rezoning requests on the south side of US 1 associated with the Moncure Megasite (<https://www.chathamedc.org/real-estate/moncure-megasite/>); 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 adopted comprehensive plan identifies this area as agricultural. Within this designation the recommended uses include large-scale


agriculture, related processing facilities, single family homes, farms, and some supporting commercial and service uses; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The property, due to the location to other residentially zoned properties and the fact the property never utilized the heavy industrial zoning obtained in 1994, supports rezoning to residential; and

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

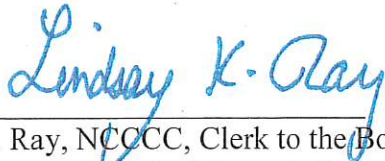
1. The Application to rezone all of the property described as Parcel No. 5545 and being approximately 51.6 as depicted on Attachment "A", located at 148 Rush Road, New Hill, from CU-IND Heavy Conditional Use Heavy Industrial to R-1 Residential, Cape Fear Township is approved and the zoning map is amended accordingly.
2. This ordinance shall become effective upon its adoption.

Adopted this 15 day of April, 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. 5545, being approximately 51.6 total acres, 148 Rush Rd., New Hill, Cape Fear Township, zoned from CU-IND Heavy Conditional Use Heavy Industrial to R-1 Residential

Chatham County Tax Map

