

AN ORDINANCE AMENDING THE ZONING MAP OF CHATHAM COUNTY For Jack Sanderford, Jr.

WHEREAS, the Chatham County Board of Commissioners has considered the request by Jack Sanderford, Jr. to rezone approximately 3.26 total acres, being all or a portion of Parcel No. 5295 and 66511, located at 538 Pea Ridge Rd, Cape Fear Township, from R-1 Residential to General Use Light Industrial IL to continue operations of the existing sawmill, logging and grading 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. The applicant contends the zoning ordinance does not allow him to continue with the family business as a small scale sawmill, logging, and grading business because they are not permitted uses in the R-1 zoning district. Light Industrial would accommodate the proposed use of the site even though it was zoned Heavy Industrial prior to 2007; 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 applicant contends that the family business has fluctuated over the years but has continued to operate in some manner since the 1950's. In 2007, when the land was rezoned by the BOC, the operation was small and the property was not identified as remaining in heavy industrial zoning and was subsequently rezoned to R-1 Residential. The county had no reason to question the rezoning until a complaint was filed with the Planning Department for a possible stream impact and appearance of the property. At the time of the rezoning in 2007, the applicant's parents owned the property and may not have realized they needed to contact the county to advise them of the existing business and request that the Heavy Industrial zoning remain in place. The adjoining property to the south and east is zoned Heavy Industrial and contains approximately 322 acres and was the site of Performance Fibers. The Performance Fibers property is now being marketed along with other properties in the area as part of the 2500+ acre Moncure Mega Site ; 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 property is located within a Rural designation, but is immediately adjacent to the Moncure Megasite Employment Center. The Rural designation recommends a mix of uses that includes residential, home based businesses, and small scale businesses. Employment Centers are recommended to include industrial, office, and supporting retail, restaurant, service, recreation, and other uses. The applicant's business is considered small scale in that he is limited on the size of the operation due to the acreage of the lots and built upon limitations; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The rezoning of the properties will increase the tax base in the county. There have been other properties rezoned in close proximity to this location over the last few years with the most recent being Courtesy Towing (Residential to Light Industrial) in June 2018 located at 800 Pea Ridge Rd; and

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

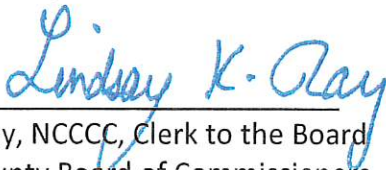
1. The Application to rezone all of the property described as Parcel No. 5295 and 66511 and being approximately 3.26 total acres as depicted on Attachment "A", located at 538 Pea Ridge Rd, from R-1 Residential to General Use Light Industrial IL, Cape Fear Township is approved and the zoning map is amended accordingly.
2. This ordinance shall become effective upon its adoption.

Adopted this 20 day of May, 2019



Mike Dasher, Chair
Chatham County Board of Commissioners

ATTEST:



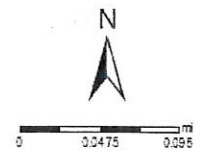
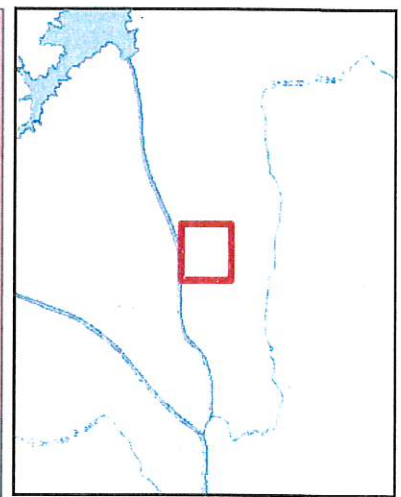
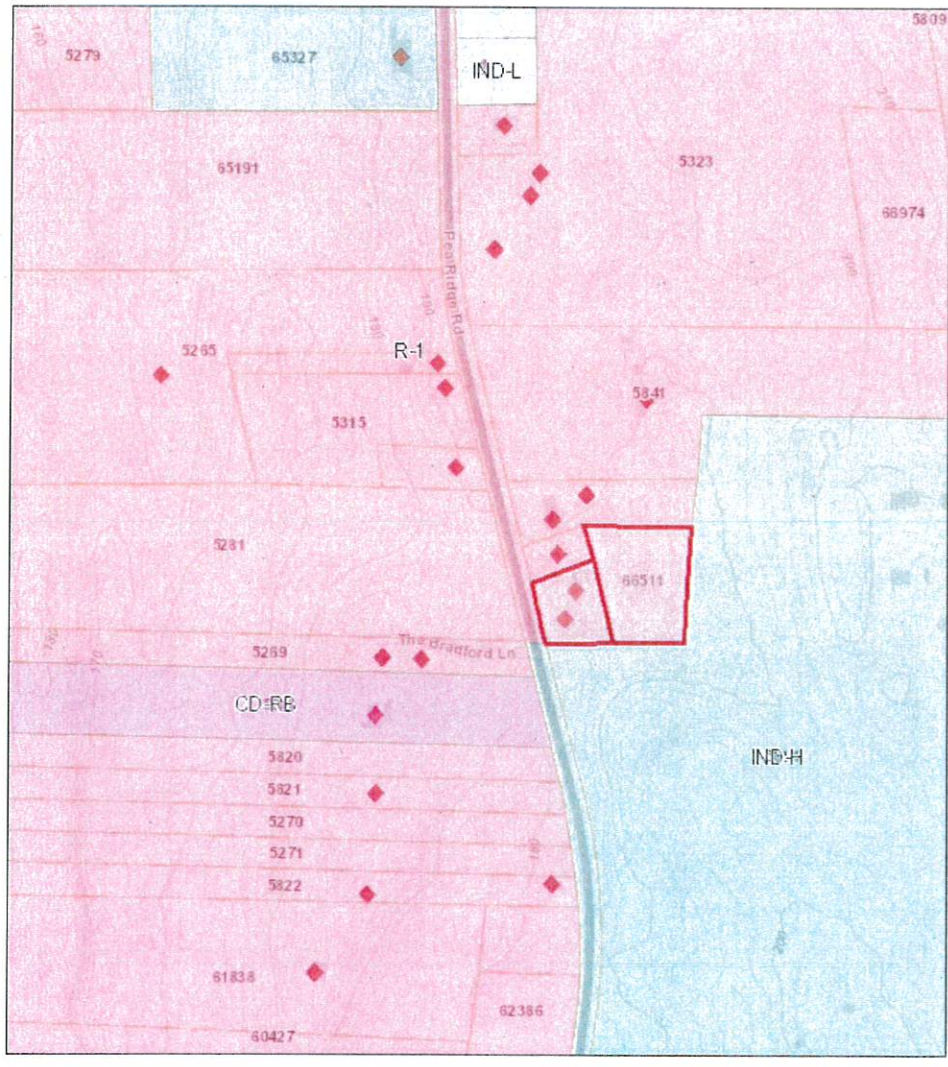
Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners



ATTACHMENT "A"

Tax parcel numbers 5295 and 66511, located at 538 Pea Ridge Road, Cape Fear Township, totalling 3.26 acres to be rezoned to General Use Light Industrial IL

Chatham County Tax Map



Service Layer Credits: Chatham County,
Chatham County GIS

Date: 3/21/2019
Time: 4:17:07 PM

