



## Chatham County Planning Board Agenda Notes

Date: July 2, 2024

Agenda Item: VI-2

Attachment #: None

Subdivision

Special Use Permit

Rezoning Request

Other:

<b>Subject:</b>	A legislative public hearing requested by Roy Tripp on Parcel 19435, located at 3060 Lystra Rd., being approximately 6.05 acres, from MH-NC mobile home non-conforming to R-1 Residential, Williams Township.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	All application materials can be viewed on the Planning Department's webpage under Rezoning & Subdivision Cases, 2024

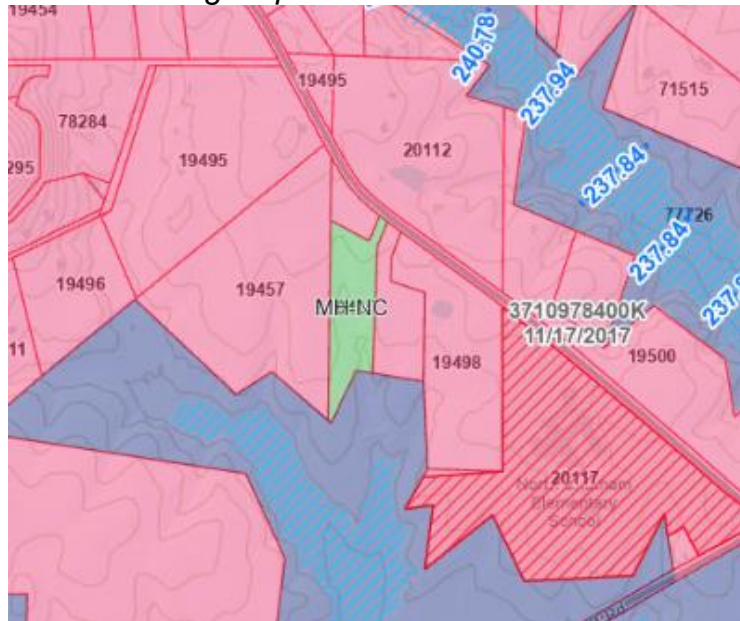
### **Introduction & Background:**

A legislative public hearing was held June 17, 2024 and planning staff presented the request.

This area of the County received zoning in 1973 and at that time the Zoning Ordinance included a Mobile Home District and the Chatham County Mobile Home Ordinance was adopted on May 20, 1985. Sometime after 1990, the Zoning Ordinance was amended, and the Mobile Home zoning district was removed from the ordinance making any existing mobile home parks a legally non-conforming district and use. If the non-conforming district were to be removed, the parcel would have no legal zoning classification. This mobile home park is no longer in use and the owner has the property on the market and to make it more desirable for a future purchaser the request is to rezone the property to R1 so it will conform with the adjoining properties under the same ownership. Therefore, the request to rezone to R-1 Residential has been submitted in order to comply with current regulations.

Tripp Trailer Court has space for up to seven mobile homes and covered three parcels (96234, 96233, and the subject parcel 19435). The other two parcels have R-1 Residential zoning. The park has not been utilized in several years and all of the mobile homes have been removed from the property.

*Current Zoning Map of the area*



**Discussion & Analysis:**

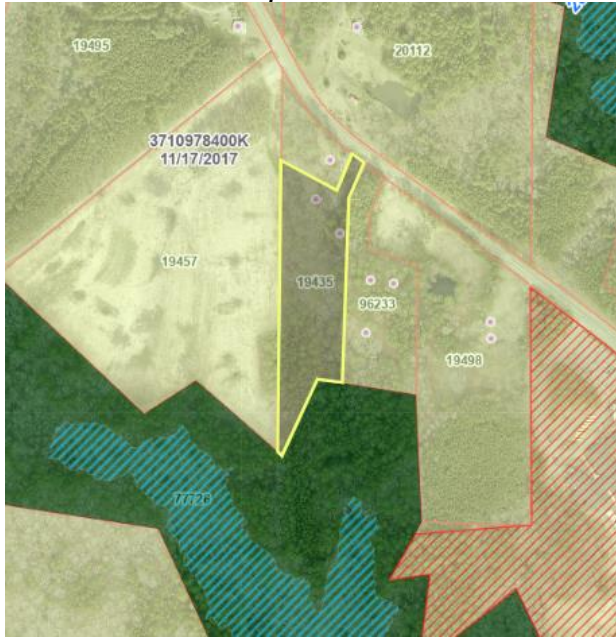
When considering a general use rezoning, all uses listed in Section 10.13 of the Chatham County Zoning Ordinance listed under the proposed zoning classification are permitted by right or require a special use permit. The decision to approve a general use rezoning must be determined by the following criteria.

- 1. Any alleged error in the Ordinance, if any, which would be remedied by the proposed amendment.** No errors in the Ordinance are being claimed.
- 2. The changed or changing conditions, if any, make the proposed rezoning reasonably necessary.** The mobile home sites are no longer in use and the park is considered non-conforming. R1 zoning matches the zoning on the majority of the property in the area and this will maximize the residential tax base. This zoning is more appropriate for the area and allow for one or more single family dwellings to be built on the property.
- 3. The manner in which the proposed rezoning will carry out the intent and purpose of the adopted Land Use Plan or part thereof.** The property is within the Rural area of the land use plan. Low density development is considered single family homes and some commercial designed to protect the function and form of rural character. If mobile home parks were allowed in today's standards, they would more than likely need to be located within a Compact Community area of the land use plan.

Pg. 66, Strategy 5.2 encourages residential development types that fit the character of different areas of the County. This immediate area is R-1 residential with single family dwellings on larger lots.

Pg. 68, Land Use Policy 9 encourages limiting development in conservation areas. This property abuts land designated at Parks and Protected lands. Limiting development to single family residential aids in keeping buffered protections from development away from these areas.

*Land Use Plan Map*



**4. Other factors/reasons for supporting the rezoning request.** Rezoning the property to R1 will decrease traffic when compared to the prior use as a mobile home park. The property has direct access to Lystra Road so no easements are needed.

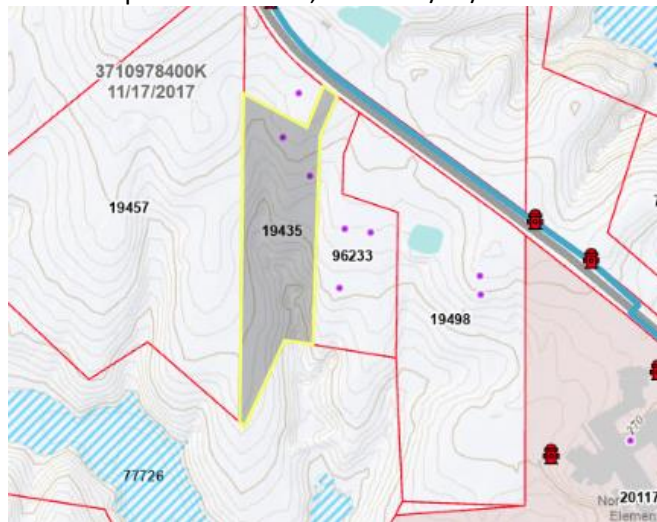
**5. All other information required on this application or as offered by the applicant in support of the request.** County water is available to the site however, the site currently has wells on-site that previously served the mobile home park. There are also private septic systems on the property. Should they choose to utilize the existing septic systems, inspection and permitting by Environmental Health (EH) will be needed. Should they decide not to utilize them, abandonment procedures with EH are required and the same applies to the wells should they choose not to utilize them.

Any future development of the site will adhere to all current county regulations. The property is located within the WSIV-IV Protected Area watershed and there is no floodable area noted on the property. Built upon area is not calculated for single residential lot development.

*NRCS and USGS Maps*



FEMA Map 3710978100K, dated 11/17/2017



**Recommendation:**

The Planning Board has up to three meetings in which to make a recommendation to approve or deny the request to the Board of Commissioners.

If approval is recommended, the following Consistency statement has been provided for consideration:

- The rezoning of the property to R-1 Residential is in keeping with Rural areas through the preservation of rural character.