

PLANNING & ZONING REVIEW NOTES

VII. B.

SUBJECT: Proposal by Gordon Parker and Timothy Brown, by Attorney Nick Robinson, to rezone property located on Corinth Road, Moncure consisting of two parcels totaling approximately 25 acres from Heavy Industrial to Residential Agricultural (RA-40)

ATTACHMENTS: *The following was distributed at the July 11, 2006 Planning Board meeting:*

1. Application with supporting documentation.

Included in this package:

1. Watershed area map outlining parcels.
2. Letter from General Shale Brick stating no opposition.
3. Letter from Progress Energy stating no opposition.
4. Email from Jason Sullivan regarding Natural Heritage Program information.

INTRODUCTION AND BACKGROUND:

A public hearing was held on this issue on July 17, 2006. No one spoke against the request. The issue arose when Mr. Parker attempted to apply for a building permit for an additional residential unit to be placed on his property for a child. Mr. Parker was informed due to the heavy industrial zoning classification of the parcel he could not add any more residences. Residential uses are not permitted uses in the heavy industrial zoning district.

This land and others were rezoned to Heavy Industrial in 1990 by the Chatham County Board of Commissioners when zoning was extended to the portion of Cape Fear Township south of US 1. Neither Mr. Parker nor Mr. Brown knew their property was zoned Heavy Industrial since general notice was advertised in the newspaper instead of individual letter notification. These properties have been utilized as their primary residential dwellings for many years prior to the area being zoned. Any residential uses currently existing during the 1990 rezoning, continued as non-conforming uses for the district. There is approximately 3400 acres of Heavy Industrial zoning in this area of the Cape Fear Township. Since 1990, there have been no additional heavy industrial companies or uses locate in the area zoned for industrial use. Industry has located in Cape Fear Township but not on land already zoned for industrial use. The area across the road from Mr. Parker's and Mr. Brown's property is unzoned. Photos show residential and agricultural uses surrounding these properties. Though this side of Corinth Road may be a suitable area for heavy industrial uses with its proximity to the rivers and railroads as stated on Page 35 of the Land Use Plan, Mr. Parker and Mr. Brown wish for their land to remain residential and agricultural in order to transfer land to their families for residences.

RECOMMENDATION:

It is the staff recommendation to approve this request.