

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY

WHEREAS, the Chatham County Board of Commissioners has considered the application of a request by Nicolas P. Robinson, on behalf of **General Shale Brick, Inc.** to rezone approximately 192.5 total acres (3 tracts) located on Moncure Flatwood Road (SR 1924), Cape Fear Township, from RA-40 Residential Agricultural to Conditional Use Heavy Industrial (H-Ind) and finds that the amendment is consistent with the comprehensive plan of Chatham County by being located within an area described as an Economic Development Center for industrial development and other economic activity where continued development is encouraged. General Shale Brick is one of largest industry producing businesses in the County and a contributor of approximately \$8,000,000 annually in payroll payouts. This operation will not impair or threaten environmental sensitive areas surrounding the operation as described on Page 31 of the Land Use Development and Conservation Plan, is reasonable, and public interests are furthered through the supplying of brick for the approved housing developments and commercial properties not yet built; and

WHEREAS, the Board finds that the uses set forth in the Application and incorporated herein by reference, if approved as a conditional use pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning under the conditions attached to the Conditional Use Permit;

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

1. The Application to rezone the property described in Exhibit A attached hereto and incorporated herein by reference and generally referred to as being approximately 192.5 total acres (3 tracts) located on Moncure Flatwood Road (SR 1924), Cape Fear Township, from RA-40 Residential Agricultural to Conditional Use Heavy Industrial (H-Ind) be approved.
2. This ordinance shall become effective upon its adoption.

(Re: General Shale Ordinance to Approve Rezoning)

Adopted this 15th day of October 2007

Carl Thompson, Chair

ATTEST:

Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners

EXHIBIT A

Property identified on the Chatham County Tax Records as Tax Parcel No. 85332 consisting of approximately 109.17 acres; Parcel No. 5361 consisting of approximately 51 acres; Parcel No. 5362 consisting of approximately 32.38 acres, located off the Moncure Flatwood Road, Cape Fear Township.

(Special Note): Parcel No. 5368, consisting of approximately 72 acres, previously received a Conditional Use Heavy Industrial Zoning District for the Federal Site Conditional Use Permit. The permit never materialized and is void. General Shale purchased this parcel where the zoning district remained and is making a conditional use permit for their mining operation. They have also removed the balance of Parcel No. 61577, consisting of approximately 143 acres, located in the northern section of the parcel, from the prior conditional use permit for the Federal Site to the non-conforming status currently existing on the balance of this parcel where the operation has been conducted since 1985.