



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
3-19-07

PART A

Subject: Public hearing request by Chatham County to rezone approximately 533 acres on SR 1972 (Pea Ridge Rd) from Heavy Industrial (H-Ind) to Residential Agricultural (RA-40).

Action Requested: Hold a public hearing to receive comments

Attachments: Map of area

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

County Attorney

Date Reviewed

Finance Officer

Date Reviewed

Budget Officer

Date Reviewed

PART B

Introduction / Background / Previous Board Actions:

- 1) In 1990, the Chatham County Board of Commissioners zoned this area heavy industrial. This was due in big part to the industry existing at the time and the location near US 1, the railroad, and the river.
 - i) Notification of a rezoning was not required by general statute to landowners at that time.
 - ii) No additional industry or commercial uses have located in this area. Currently existing are:
 - Performance Fibers
 - ST Wooten
 - Assured Construction (formerly Lee Paving)
 - Fat Jr's Restaurant (See attached breakdown for area covered)
 - Funeral Home
 - Shop/Office/Loading Dock
- 2) In 2004 an inquiry was made by a landowner to the Planning Department to see if a campground could be located in this area. This was not a permitted use under the heavy industrial zoning classification.
- 3) In July 2005, the Federal Emergency Management Agency (FEMA) developed new flood maps for Chatham County.
 - i) Per the latest data available from FEMA, the 100-year floodplain or Special Flood Hazard Area covers about 120 acres of the property under consideration for rezoning.
- 4) In January 2006 an inquiry was made by a realtor for a perspective buyer who wanted to build a church facility along with a single family dwelling for a parsonage.
 - i) It was determined a "church" could not be prohibited in any zoning district by way of federal law. (Attached - US Department of Justice Civil Rights Division Housing and Civil Enforcement Section; Religious Land Use and Institutionalized Persons Act) However, the parsonage would be considered a residential use and therefore not listed as a permitted use in the heavy industrial zoning district.
 - ii) Residential uses located in this area today are those that were there in 1990.
- 5) In March 2006 a letter to all property owners was sent from the Planning Department to gain interest in having properties not currently utilizing a non-residential use rezoned to Residential/Agricultural (RA-40) district.
- 6) On March 14, 2006, Planning Department staff met with the Economic Development Board to advise them on the proposal to rezone the respective parcels to residential/agricultural (RA-40).
 - i) Former Director, Tony Tucker, in a letter dated May 10, 2006 expressed the board's recommendation was to leave the zoning in this area as Heavy Industrial.

Issues for Further Discussion and Analysis:

Recommendation:
