



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
8-20-07

PART A

Subject:

A request by **Andrea Snyder** for a conditional use rezoning from RA-40 Residential/Agricultural to CU-B1 Business District on approximately 1.137 acres, Parcel No. 82736 located at 587 Old Farrington Rd. (SR 2053), Williams Township.

Action Requested:

See Recommendations

Attachments:

The following may be viewed on the Planning Department website at www.chathamnc.org under Planning, Rezoning & Subdivision Cases, 2007:

1. Application packet
2. Arcview map
3. Email dated July 16, 2007 from Otto & Gladys White
4. Email dated July 16, 2007 from Milton Hamilton
5. Email dated July 16, 2007 from Lorraine Warren
6. NCDOT 2005 count data map for SR 1726

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: A public hearing was held on this rezoning request on July 16, 2007. No one spoke on the request. However, three (3) citizens sent emails requesting the request not be approved. Those can be viewed on the Planning Department webpage. At their August 7, 2007 Planning Board meeting the Board voted 9 for and 1 against the recommendation for approval of a conditional use business district.

The Board of Commissioners is asked to make a decision on the requested change of the zoning district from RA-40 (Residential/Agricultural) to CU-B1 (Conditional Use Business District). Such a decision is partially based on adopted land use plans and policies as well as changing conditions as noted in the Chatham County Zoning Ordinance under Section 17. The applicant has addressed this issue in her application.

A single-family dwelling unit was moved onto the property in July 2006 by Atticus Development Group Inc. A certificate of occupancy as a single family dwelling unit was issued March 6, 2007. The applicant, if approved, will be required to make the necessary changes to qualify the structure as a commercial unit as directed by the Chatham County Building Inspections, Environmental Health, and Fire Marshal's Offices.

Issues for Further Discussion and Analysis: The Chatham County Land Conservation and Development Plan is a general policy plan. A specific plan map was not adopted but a draft map was prepared. On the "draft" map, this property is located within the designation for compact community corridors. You are encouraged to read the entire Land Conservation and Development Plan of 68 pages, which is on the Planning page of the County web site.

On pages 1 and 10 of the Land Conservation and Development Plan, hereinafter referred to as "the Plan", several policies define specific issues geared towards balanced growth. The plan directs growth to consist of a mix of different types of development and to ensure development is guided to a suitable location and is designed accordingly. Page 11 discusses one way to obtain appropriate design is through keeping the form and function of rural character. Performance standards should be met to guard against nuisance conditions and the use examined to utilize conditional use permitting.

The Plan states commercial sites should be designed to retain the rural crossroads or village character and to integrate the uses with other nearby development. This can be seen on Page 12 of the Plan. The property is adjacent to the common area buffer zone for the Governors Village residential area. Across the roadway and at the SW corner of the intersection are open fields and a residence which faces Whipoorwill Lane. Approximately 210 feet north of the driveway is the intersection with Whipoorwill Lane. The SW corner is residential properties of the Governors Village subdivision. On the NE corner are residential properties of the Governors Forest subdivision. The NW corner of the intersection is the undeveloped, area of Carolina Meadows. The structure to be used for the proposed business fits into the appearance of the residential neighborhood by utilizing a single family dwelling unit approved on the property in March 2007.

Re: Andrea Snyder Conditional Use District

Issues for Further Discussion and Analysis – con't

Page 57 of the Plan speaks of transportation. The 1994 NCDOT Traffic Count Report listed Old Farrington Road (SR 1726) with a count of 2,700 trips per day. The capacity was calculated to be 28,000 trips per day. The 2005 NCDOT Traffic Count Report, obtained from www.ncdot.org listed the traffic count to be 4,600 trips per day.

Recommendation:

It is the recommendation of the Planning Staff and the Planning Board (vote 9-1) that the request for rezoning to conditional use business be approved.