

PLANNING & ZONING REVIEW NOTES

VII. A.

**SUBJECT:**

A request by **Richard Weston-Jones** for a text amendment to the Chatham County Watershed Ordinance, Attachment A, Permitted Uses, to add "Owner-occupied bed and breakfast homes with no more than two (2) rooms/units for rent to stays no longer than seven (7) consecutive days and located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard set backs as set in the district in which they are located.

**ATTACHMENTS:**

*The following was submitted at the September 2, 2008  
Planning Board meeting:*

1. Application packet

**INTRODUCTION & BACKGROUND:**

A legislative public hearing was held on September 15, 2008. No one spoke on this issue.

The Chatham County Board of Commissioners voted at their regular meeting on August 18, 2008 to approve by a unanimous vote to add a category to the list of permitted uses in the Residential/Agricultural Districts for a owner-occupied bed and breakfast home with no more than two (2) rooms/units for rent to stays no longer than seven (7) consecutive days and located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard set backs as set in the district in which they are located. This request is to place unity between the Zoning Ordinance and the Watershed Ordinance specifically for properties located in the WSII-BW, WSIII-CA, RC, and the WSIV-CA which restrict non-residential uses to that of "Attachment A". Residential uses are those limited to single family or multi-family dwellings for the purpose of the Watershed Ordinance.

Mr. Weston-Jones lives at 250 Amber Wood Run, Parcel No. 74003 on approximately 1.71 acres. He wants to operate an owner-occupied bed and breakfast home on this property. The property is located within a WSII-BW (Balance of Watershed) which allows only those uses listed in Attachment A. Attachment A currently allows for "bed and breakfast inns" but does not currently allow for the new additional use.

**DISCUSSION & ANALYSIS:**

This area of Chatham County was zoned around 1968. The Watershed Ordinance became effective in January 1994. Various watershed classifications were made. This particular watershed classification was created because this area generally drains to the University Lake in Orange County. The lake is a water supply source for Orange Water and Sewer Authority (OWASA). This watershed classification allows development on a 40,000 square foot lot and is not restricted to the 90,000 square foot requirement as stated in the Zoning Ordinance. The applicant's property is located within an RA-90 zoning district. This district was created requiring a 90,000 square foot lot size primarily for low density residential development in an effort to protect the University Lake watershed in March 1999. Between 1995 and 1999 the Commissioners at that time changed the zoning classification back and forth between RA-40 and RA-90 making the last change in

**DISCUSSION & ANALYSIS** – Cont.

March 1999. The applicant's lot was created in the Price Creek subdivision when the zoning classification was RA-40 making the lot now a legal non-conforming lot of record. The watershed designation did not change.

It is the Planning staff opinion there are other uses permitted on 40,000 square feet as listed in Attachment A that could yield more activity than this specific request. Some examples would be the "boat, camper, and recreational vehicle storage, daycare center for less than 15 children, family care homes, guest house, home occupations which allow accessory structures on the property, and mini-warehouse storage facilities".

**RECOMMENDATION:**

It is the recommendation of the Planning staff to approve the text amendment as follows:

Added language for the Chatham County Watershed Ordinance:

Attachment A, Permitted Uses, add "Owner-occupied bed and breakfast homes with no more than two (2) rooms/units for rent to stays no longer than seven (7) consecutive days and located on legal, non-conforming and conforming lots of record, on at least one and one half (1.5) acres, which may have standard setbacks as set in the district in which they are located.