

APPLICATION FOR
ZONING DISTRICTS
CONDITIONAL USE DISTRICTS
CONDITIONAL USE PERMITS

Chatham County Planning Department
P.O. Box 54
Pittsboro, NC 27312

Tel: 919/542-8204
Fax: 919/542-2698
Email: angela.birchett@ncmail.net

(1) Applicant Information:

Name: Michael S. Foley
Address: PO Box 16681, Wilmington, NC
28408
Phone No: (h) (919) 649-9015
(w) _____
(m) _____
Email: _____

(2) Landowner Information (as shown on deed)

Name: Michael S. Foley and Brian S. Foley
Address: PO Box 16681
Phone No: (h) (919) 649-9015
(w) _____
(m) _____
Email: _____

(3) Property Identification:

911 Address: Not Assigned
S.R. Names: Jordan Dam Road, Moncure-
Pittsboro Road & Moncure School Road
S.R. Numbers: S.R. 1970, 1012 and 1931
Township: _Haw River__
Acreage: 48.879
Flood map #: 3710967800J
Flood Zone: X

PARCEL#: 0060167
P.I.N #: 9678 00 43 9636
Deed Book: 1201 Page: 4650 Yr: 2005
Deed Book: 1257 Page: 467 Yr: 2006
Deed Book 1282 Page 100 Yr. 2006
Deed Book 1282, Page 105, Book 1282,
Page 114 Yr. 2006
Plat Book Plat Slide 2006-168
Current Zoning District: RA-40
Watershed District: WS-IV-PA

(4) Requested Zoning District, Conditional Use District, OR Conditional Use Permit:

B-1

(5) Directions to property: From Pittsboro, take 15-501 South. Turn left on the Pittsboro-Moncure Road. The property is on the left as you come to the US 1 interchange.

(6) Attach the following, if requesting a zoning map amendment:

- X List of names and addresses or current adjoining property owners (see Adjacent Landowners form)
 - X Written legal description
 - X Map of the property at a scale of not less than 1 inch equals 200 feet
 - X Explanation of request addressing applicable portions of Section 17.3B of the Chatham County Zoning Ordinance
-

(7) Attach Submission Materials Checklist Information (see Submission Materials Checklist form)
N/A

I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.

Signature

Date

The owner must sign the following if someone other than the owner is making the application.

I hereby certify that _____ is an authorized agent for said property and is permitted by me to file this application.

Signature

Date

NAMES OF ADJOINING LANDOWNERS FOR ZONING REQUEST

Paul H. Wetmore, Sr.
Lucille A. Wetmore
317 Sampson Street
Raleigh, NC 27609

Rode Enterprises, Inc.
4730 St. Andrews Church Road
Sanford, NC 27330-7157

Mary M. Gardner
Cora Hancock
c/o Starr Fasmajian
5310 Foxlair Road
Chapel Hill, NC 27516

Lillian Judd Phillips
7268 Cedar Avenue
Jessup, MC 20794

Barry C. Raines, Trustee
7830 Moncure Pittsboro Road
Moncure, NC 27559

Delois J. Samuels
PO Box 145
Moncure, NC 27559

Lowery & Webster Properties, LLC
5204 Rembert Drive
Raleigh, NC 27612

Peggy Ann Cotton, Trustee
PO Box 4
Moncure, NC 27559

Ram L. Farmah
Sheela D. Farmah
106 Beckford Road
Apex, NV 27539

Dennis N. Fair
Starr H. Fair
PO Box 1867
Pittsboro, NC 27312-0000

Town & Country Dare Care, Inc.
Small World LLC
302 Edinburgh Drive
Cary, NC 27511

Thomas Morgan Trafelet
Denise Trafelet
378 Moncure School Road
Moncure, NC 27559

William Jeffrey House
2211 Wilkins Drive
Sanford, NC 27330

TC&I Timber Company, LLC
350 Park Ave. 17th Floor
New York, NY 10022

US Army Corp. of Engineers
Civil Works Office
PO Box 1890
Wilmington, NC 28402-1890

LEGAL DESCRIPTION

BEING all of Lot 1, containing 0.664 acres, more or less, Lot 2, containing 53.742 acres, more or less, Lot 3, containing 0.203 acres, more or less, Lot 4A containing 0.990 acres, more or less, Lot 4B, containing 0.035 acres, more or less, Lot 4C, containing 0.055 acres, more or less, and Lot 5A, containing 1.420 acres, more or less, as per plat and survey entitled "Recombination Survey For Michael S. Foley, Brian S. Foley, Ram L. Farmah, Sheela D. Farmah & U.S. Steel and Carnegie Pension Fund," dated March 8, 2006, prepared by Smith and Smith Surveyors, and recorded in Plat Slide 2006-168, Chatham County Registry, reference to which is hereby made for a more particular description. SAVE AND EXCEPT from the above described tract Lot 2A, containing 8.231 acres, more or less, as shown on the above referenced plat.

ZONING (17.3 B)

17.3 B-1-See Attached Zoning Maps

17.3 B-2-Legal Description

BEING all of Lot 1, containing 0.664 acres, more or less, Lot 2, containing 53.742 acres, more or less, Lot 3, containing 0.203 acres, more or less, Lot 4A containing 0.990 acres, more or less, Lot 4B, containing 0.035 acres, more or less, Lot 4C, containing 0.055 acres, more or less, and Lot 5A, containing 1.420 acres, more or less, as per plat and survey entitled "Recombination Survey For Michael S. Foley, Brian S. Foley, Ram L. Farmah, Sheela D. Farmah & U.S. Steel and Carnegie Pension Fund," dated March 8, 2006, prepared by Smith and Smith Surveyors, and recorded in Plat Slide 2006-168, Chatham County Registry, reference to which is hereby made for a more particular description. SAVE AND EXCEPT from the above described tract Lot 2A, containing 8.231 acres, more or less, as shown on the above referenced plat.

17.3 B-3-Error in Ordinance-NONE

17.3 B-4-Changed or changing condition in the area, or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. – This area is growing, as is all of Chatham County, and this location is an appropriate setting for the expansion of a B-1 zoning area. It is located next to a limited access road, US 1. This area is seeing more growth and traffic along the US 1 corridor, and a business expansion would provide access to services for the general population, as well as for those traveling in this part of our County. Zoning this parcel B-1 would increase the opportunity for providing allowed business uses without creating a significant change to the current zoning uses in the area.

17.3 B-5-The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Development Plan or part thereof. – This proposed change from RA-40 to B-1 for this tract will continue the intent and purpose of the adopted Land Development plan in that the change would allow for an increased business use to serve the local community, as well as those traveling through our county. This expansion would not be so substantial as to disrupt the general character of the area. The location of the property for which the change in zoning is requested is across US 1 from land zoned CUP-IND-L, MH-NC, and B-1 areas. The tract is across Moncure School Road from a Mobile Home Park, and diagonally across from CU-B-1 areas. The requested zoning is not creating a significant change to the surrounding areas, and was, in fact, not zoned until recently.

17.3 B-6-All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. - The applicant purchased the property when the location was not zoned. The interest in potential buyers has only been as a business location. There is limited potential for residential use due to the location of the property.

17.3 B-7-See Application form for the required information.