

OFFICE COPY

APPLICATION FOR
ZONING DISTRICTS
CONDITIONAL USE DISTRICTS
OR
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@chathamnc.org

(1) Applicant Information:

Name: Jack Michenfelder
Address: 86 Beaver Creek Road
Apex, NC 27502 (Wilsonville)
Phone No: (h) 919-718-9745
(w) " 387-0402
(m) " 360-4819
Email: _____

(2) Landowner Information (as shown on deed)

Name: same
Address: _____
Phone No: (h) _____
(w) _____
(m) _____
Email: _____

(3) Property Identification:

911 Address: 86 Beaver Creek Road
and 10544 Hwy 64 E.
S.R. Name: 100
S.R. Number: 1008
Township: New Hope
Acreage: 3.0 acres
Flood map #: _____ (7-13-2005)
Flood Zone: _____

PARCEL#: 62092 and 17707
P.I.N #: 9792.82.0000

Deed Book: 504 Page: 764 Yr: 1986
Plat Book: 26 Page: 87 // 95-263
Current Zoning District: _____
Watershed District: _____

(4) Requested Zoning District, Conditional Use District, OR Conditional Use Permit: PLEASE CIRCLE ONE AND WRITE DESCRIPTION BELOW ALSO:

I am seeking a Revision to an existing conditional use permit.

(5) Directions to property:

From Pittsboro Center, take Hwy 64 East approximately 10 miles to traffic light at Wilsonville intersection. Turn right onto Beaver Creek Road. Property is 5-acre tract on the right at the corner of Beaver Creek and Hwy 64.

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

- List of names and addresses or current adjoining property owners (see Adjacent Landowners form)
 - Written legal description
 - Map of the property at a scale of not less than 1 inch equals 200 feet
 - 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)

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.

Jack Michentfelden

Signature

June 16, 2008

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

Adjacent Landowners (property owners across a public or private road, easement, or waterway are considered adjacent landowners)

Legal notices are mailed to these owners, please type or write neatly.

(1) Joanita Bynom Clegg
153 Beaver Creek Road
Apex, NC 27502

(2) _____

(3) Keith & Rhonda Whitfield
238 Beaver Creek Road
Apex, NC 27502

(4) _____

(5) Vossie Horton
Horton Road
Apex, NC 27502

(6) _____

(7) Quinn Youngblood
18 Farrington Road
Apex NC 27502

(8) _____

(9) _____

(10) _____

(11) _____

(12) _____

(13) _____

(14) _____

(15) _____

(16) _____

(17) _____

(18) _____

(19) _____

(20) _____

(21) _____

(22) _____

(23) _____

(24) _____

(25) _____

(26) _____

REQUEST FOR REVISION TO EXISTING CONDITIONAL USE PERMIT

JUNE 16, 2008

Jack Michenfelder of Mich Gardens at Jordan Lake, Inc. respectfully requests a Revision to our B-1 Business Conditional Use Permit that we have on two adjacent parcels in Wilsonville. This Conditional Use Permit (C.U.P.) allows us to operate a Nursery/Garden Center/Retail Shop/Landscaping Business on these two parcels.

Let me describe the two parcels that share the B1-C.U.P.:

The first parcel, # 62092, has an address of 86 Beaver Creek Road, is 3 acres in size, and is designated as area "B" on my enclosed sketch.

The second parcel, # 17707, has an address of 10544 HW 64E, Apex, is 2.147 acres in size, and is designated as "A1, A2" on my enclosed sketch. Area "A1" of this parcel is 1.147 acres in size and already has had a zoning designation of B1 prior to the issuance of the Conditional Use permit on August 19, 2002. Area "A2" of this parcel is 1.0 acre in size and carries the B1-CU designation, along with previously mentioned area "B".

The C.U.P. that is currently in place for these two tracts carries a stipulation that they may not be sold separately without revisions to this permit since the tracts are considered as one for zoning purposes. The revision we seek is to allow one of the two tracts to be sold separately and still keep the B1-CU zoning as is for each tract.

Mich Gardens currently has the 2.147 acre parcel #17707 on the market for sale. We would like the section "A2" to retain its B1-CU zoning as to help attract a buyer who might use the property for business purposes. Again, this 2.147 parcel contains two sections which carry different zoning designations: section "A," was already zoned B1, while section "A2" received a B1-CU designation August 19, 2002.

When parcel #17707 sells, Mich Gardens will move its operation back next door to the 3.0 acre parcel #62092 known as my Area "B" on my sketch. We would like to retain the B1-CU zoning designation on this parcel.

Our plans are to continue operating Mich Gardens on this parcel in somewhat of a reduced capacity because of the reduced area. As a matter of fact, Mich Gardens operated from this site for eleven years before expanding to the 2.147 acre parcel in 2002.

EFFECTS OF THIS MOVE

Mich Gardens and the amount of business it generates may decline somewhat due to less roadway exposure and less facility area. About half of our business is generated by on-site

retail sales and that may decline due to less drop-in customers because of less highway exposure. The other half of our business basically comes from wholesale sales to garden centers and landscaping companies and comes from our off-site landscaping activities. This half of our business should not decline much at all.

Traffic - the amount of automobile traffic coming and going will probably decrease slightly. Even with the larger facility, traffic flow never seemed to be a problem for the neighborhood.

Septic systems - we currently have bathroom facilities at both parcels, with the larger septic system on the site we will move back to. This would not present any problems for us, our employees, nor customers.

Employees - Our current staffing would remain the same,

operating hours - would remain the same as they are now.

customer parking - we have had ample parking area in the past and would be able to handle any moderate increases in need.

Facility changes - we would be moving back to the area from which we operated six years ago and actually operate from now. No major changes would have to be made, for Mich Gardens to continue operating as it operates now when it moves back to its original site.

Respectfully,

Jack Michenfelder

MICH GARDENS AT JORDAN LAKE, INC

