

PLANNING & ZONING REVIEW NOTES

VI. C.

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**SUBJECT:**

Request by **Kenneth Hoyle and Floyd Coleman** for a conditional use rezoning on Parcel 2759, located at 9555 US 15-501 N, Baldwin Township, from R-1 Residential to Conditional Use Neighborhood Business (CU-NB), on approximately 2.285 acres.

**ATTACHMENTS:**

*The following was submitted at the November 3, 2009 Planning Board meeting:*

1. Application packet

*The following may be viewed on the Planning Division's website at [www.chathamnc.org](http://www.chathamnc.org) under Rezoning & Subdivision Cases, 2009:*

2. Arcview map
3. Zoning Map of area

**INTRODUCTION & BACKGROUND:**

A legislative public hearing was held on this request November 16, 2009. No one spoke in opposition of the rezoning request.

The Planning Division staff and Planning Board are required to make a recommendation on the requested change of the zoning district from R-1 (Residential/Agricultural) to Conditional Use Neighborhood Business District (CU-NB). Such a recommendation is partially based on adopted land use plans and policies as well as pursuant to the Chatham County Zoning Ordinance Section 19. The applicant has addressed this in the application.

**DISCUSSION & ANALYSIS:**

The Chatham County Land Conservation and Development Plan, here after referred to as the "Plan", is a general policy plan. Consistency between proposed projects and the objectives and guidelines of the Plan may be argued for or against. A specific plan map was not adopted but a draft map was prepared. 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.

Page 2 and 34 of the Plan specifically list this area as either a Compact Community Corridor or an Economic Development Center location. In keeping with uniformity for privileges awarded to adjacent property owners, a rezoning from residential to Conditional Use Neighborhood Business is applicable. Both adjacent properties have non-residential zoning as well as the properties on each corner of the intersection across US 15-501 N being mini warehouse storage and a veterinary office. The intersection this existing business is located on is the main entrance into Briar Chapel; a compact community approved in 2005.

*Re: Hoyle and Coleman - Rezoning*

**DISCUSSION & ANALYSIS** – con't

This business currently on the property has been operating for the past 26 years under a conditional use permit for an antique shop in an RA-40 zoning district. The Plan encourages on Page 27 that the continuation of existing commercial be supported and that development sustains the rural character and environmental quality. The applicants have stated they plan to continue to operate this property as they have for the past 26 years but are looking at options to allow for better marketability of the property. The property uses a renovated two-story house with landscaping, and additional out buildings that also better serve the rural character as stated in the Plan.

**RECOMMENDATION:**

The Planning Division recommends approval of this rezoning request to Conditional Use Neighborhood Business (CU-NB). The Planning Board has up to three meetings to make a recommendation to the Board of Commissioners.