



**CHATHAM COUNTY  
BOARD OF COMMISSIONERS  
AGENDA ABSTRACT**

**ITEM NUMBER:**  
**MEETING DATE:**  
7-20-09

**PART A**

**Subject:** Public hearing request to rezone a portion of parcel #18402 (consisting of approximately 30 acres), owned by Joanna Bright and Walter Anthony Bright, Trustees, from R-1, Residential, to Light Industrial.

**Action Requested:** Hold a hearing and receive public input.

**Attachments:** 1. Map showing area under consideration for rezoning

**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**

**Re: *Bright Public Hearing***

### **Introduction / Background / Previous Board Actions:**

On June 1, 2009 the Board of Commissioners scheduled a public hearing to consider rezoning approximately 30 acres of a 42.5 acre tract of land at 8240 NC 87 South (parcel #18402) from R-1, Residential to Light Industrial. An approximately 1 acre portion of the property was rezoned as part of the corridor business rezonings that were considered by the Board on May 18, 2009. Anthony Bright, owner of the tract of land, requested the Board to reconsider their decision on his property based on the affidavit he submitted as part of the corridor business rezonings.

### **Issues for Further Discussion and Analysis:**

The following is a timeline of activities that have occurred regarding the corridor business rezoning, which included parcel 18402.

- November 19, 2007 – Initial RA-40 zoning adopted for unzoned properties within 1500 feet of the major corridors.
- March 4, 2008 – Letters mailed to non-conforming business property owners with an affidavit to rezone their property.
- April 15, 2008 – Letters mailed to non-conforming business property owners inviting them to attend a meeting on May 12.
- May 12, 2008 - Meeting #1 to discuss business properties made non-conforming by the initial zoning.
- May 23, 2008 – Letters mailed to non-conforming business property owners who did not respond to earlier mailings or attend the May 12 meeting.
- October 16, 2008 – Letters mailed to non-conforming business property owners inviting them to attend a second meeting on November 20.
- November 20, 2008 – Meeting #2 to discuss business properties made non-conforming by the initial zoning.
- January 26, 2009 – Work session to finalize properties for rezoning and schedule public hearing.
- May 6, 2009 – Work session to finalize rezoning boundaries for remaining properties.
- April 27, 2009 – Public hearing on business rezoning.
- May 5, 2009 – Planning Board meeting to make recommendations on the rezonings.
- May 18, 2009 – Board of Commissioners makes final decision on corridor business rezoning requests.
- June 1, 2009 – Board schedules additional public hearing for parcel #18402.

As part of the corridor business rezonings, staff contacted all business property owners affected by the initial business rezoning to determine if they wanted to rezone their property. Mr. Bright requested to have his entire property rezoned to Light Industrial in response to the letter. As the rezoning affidavits were processed, Mr. Bright's request was reduced to approximately 1 acre in area surrounding an existing telecommunications tower on the property. During the April 27 public hearing Mr. Bright requested that the entire tract be rezoned as originally requested. Due to notification requirements, the Board of Commissioners could not expand the area to be rezoned because the public hearing notices only included the approximately 1 acre portion of the property.

**Re: *Bright Public Hearing***

**Issues for Further Discussion and Analysis – cont.**

On May 5, 2009 the Planning Board recommended that the 1 acre portion of the property be rezoned to Light Industrial and that the balance of the zoned portion of the property go back to public hearing for consideration. On May 18 the Board of Commissioners rezoned the 1 acre portion of the property and requested that additional information be provided on the balance of the property for the June 1 Commissioners meeting. The Board agreed to schedule another public hearing for July 20 to consider rezoning the remaining R-1 zoned portion of the property to Light Industrial. The portion of the property that is unzoned was not included in the request for public hearing and will remain unzoned.

**Recommendation:** Hold a public hearing and receive input.