

CONDITIONAL ZONING DISTRICT

APPLICATION FOR CHANGE OF ZONING OF PROPERTY

Chatham County
Planning Department

P. O. Box 54, 80-A East St, Pittsboro, NC 27312
Telephone: (919) 542-8204 FAX: (919) 542-2698

Section A. *APPLICANT INFORMATION*

NAME OF APPLICANT: Walter Lewis

MAILING ADDRESS OF APPLICANT: 109 Tropaz Lane, Cary, NC 27511

PHONE NUMBER/E-MAIL OF APPLICANT: 919-319-1855 – wlewis@nc.rr.com

PROPERTY OWNER INFORMATION (If different from the applicant): *Owner Authorization Signature Required; See end of application.

Name(s) R.D. Meckes for J.R. Weaver Estate

Address: 1765 Town Home Drive

Apex, NC ZIP 27502

Telephone: 919-606-0664 FAX: _____

E-Mail Address: rdmeckes@aol.com

PROPERTY INFORMATION: The following information is required to provide the necessary information to process the rezoning request:

ADDRESS OF SUBJECT SITE: 1298 Beaver Creek Road, New Hill, NC 27562

CHATHAM COUNTY PROPERTY PARCEL NUMBER (AKPAR #): 9791-76-7444-000

CURRENT ZONING DISTRICT(S): R-1 PROPOSED ZONING DISTRICT(S): CD-NB
Neighborhood Business

TOTAL SITE ACRES/SQUARE FEET: 3.056 net acres

PROPOSED USE(S) AND PROPOSED CONDITIONS FOR THE SITE: RV and Boat Storage.

It is important that the applicant provide information to explain how the rezoning request satisfies the following questions. All applications shall contain the following information. Please use attachments if necessary:

1. **The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same.**

N/A

2. **The changed or changing conditions, if any, of 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.**

With continued growth and development in the triangle area and specifically Chatham County, there is a large unmet need for covered recreational vehicle and boat storage facilities – particularly on the east side of Jordan Lake. Jordan Lake is a major attraction for recreational and tourism activities. With this site surrounded on the south and west by the Poplar Point Campgrounds (approximately 578 campsites) and less than a mile from the Ebizner Church boat launching and picnic facilities, it is an excellent facility to provide a much needed service. The visual impact of the facility will be minimum as each unit is accessed from an interior courtyard – not visible from Beaver Creek Road. Each unit is provided with covered paved parking, each with a remote controlled garage door, units are either 32 or 36 foot deep and 13 feet wide.

3. **The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.**

Although the plan for this general area is for residential use, it should be recognized that recreational uses are major uses in the area and they need support facilities such as RV and Boat storage. Locating storage facilities close to the lake would serve multi-purposes such as decreasing driving distance (reducing traffic) as well as saving gasoline. This use is not a traffic generator, it only serves traffic that is already at the lake. The facility would have no views of the storage units (doors) and would provide screening and landscaping to better fit in with the surrounding area. Chatham County long range sanitary sewer plans do not anticipate bringing sewer to this section of the county. This requested use is one of the few uses that does not require either county sewer or a septic tank. The requested use does not require either sewer or water as there are no facilities proposed that require them.

4. **All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment.**

This facility will provide additional tax revenue for Chatham County. Currently zoned residential, the subject property has a 2011 tax value of \$85,500 with a generated tax revenue to Chatham County of \$585.00. The applicant estimates that the tax value upon completion of the facility will be approximately \$650,000. At the 2011 tax rate, this would generate tax revenue of approximately \$4,042 per year or over an additional 500% increase. Additionally this facility would provide a convenient and needed service in close proximity to the existing boat ramps and campground. The proposed storage facility is not a typical commercial use and could be considered a support use for the nearby recreational uses. As a limited conditional use, the use cannot change to typical use. With a limit of 24% impervious surfaces 76% of the site will remain pervious and two bio retention basins planted with plants will provide excellent watershed protection.

Section B. SUBMITTAL INFORMATION AND PROCEDURE

- (1) Sixteen (16) completed application packets and all supporting information shall be submitted to the Planning Department at least forty-five (45) days prior to the Public Hearing. **(PLEASE SEE ATTACHED CALENDAR FOR ALL SUBMITTAL AND DEADLINE DATES)** A digital copy of the application packet shall be submitted pursuant to the Planning Department Digital Document Submission Guidelines.
 - (2) The Planning Department shall, before scheduling the public hearing, ensure that the application contains all the required information as specified in Section 5 of the zoning ordinance.
 - (3) The Planning Department shall have fifteen (15) days from the date of submittal to notify the applicant that the application is complete for scheduling the public hearing.
 - a. If the Planning Department determines the information is not sufficient for review, the Department shall notify the applicant of the specific information that is required for review.
 - b. The Planning Department shall take no further action on the application until the applicant submits the required information.
 - c. Once the applicant corrects the identified deficiencies, the applicant shall resubmit to the Planning Department at least 45 days prior to the next Public Hearing meeting, and the Department shall have 15 days to review the information and notify the applicant that the information is sufficient for review.
 - d. A determination that an application contains sufficient information for review as provided in this subsection (b) does not limit the ability of other county agencies, the Planning Board or the Board of Commissioners to request additional information during the review process.
 - (4) The application is reviewed by the Technical Review Committee prior to the Public Hearing for comments and recommendations from other agencies.
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Section C. SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION and REQUIRED INFORMATION TO BE INCLUDED ON THE SITE PLAN

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). Please check the list below carefully before you submit:

- (1) The application shall include a **site plan**, drawn to scale, with supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to the predetermined ordinance requirements, will govern the development and use of the property. The following information must be provided, if applicable:
 - ☒ a. Information showing the boundaries of the proposed property as follows:
 1. If the entire parcel will be zoned, a GIS or survey map and parcel number of the subject property.
 2. If only a portion of the parcel will be zoned, a boundary survey and vicinity map showing the property's total acreage, parcel number, current zoning classification(s) and the general location in relation to major streets, railroads, and/or waterways,
 - ☒ b. Legal Description of proposed conditional zoning district;
 - ☒ c. All existing and proposed easements, reservations, and rights-of-way;
 - ☒ d. Proposed number and general location of all building sites, their approximate location, and their approximate dimensions;
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- ☒ e. Proposed use of all land and structures, including the number of residential units and the total square footage of any non-residential development;
 - ☒ f. All yards, buffers, screening, and landscaping required by these regulations or proposed by the applicant; **(SECTION 12 LANDSCAPING & BUFFERING REQUIREMENTS)**
 - ☒ g. All existing and proposed points of access to public and/or private streets;
 - ☒ h. Stream buffers required through this or other Chatham County Ordinances or Regulations, and other Local, State, or Federal regulatory agencies. Delineation of areas within the regulatory floodplain as shown on the Official Flood Insurance Rate Maps for Chatham County;
 - ☐ i. Proposed phasing, if any;
 - ☒ j. Generalized traffic, parking, and circulation plans; **(SECTION 14 OFF STREET PARKING)**
 - ☐ k. Proposed provision of utilities;
 - ☐ l. The location of known sites of historic or cultural significance within or adjacent to the project area, including any structure over 50 years old;
 - ☐ m. The approximate location of any cemetery;
 - ☒ n. Proposed number, location, and size of signs; **(SECTION 15 SIGN REGULATIONS)**
 - ☒ o. Location and description of any proposed lighting on the project site with a note that any lighting will comply with Section 13; **(SECTION 13 LIGHTING STANDARDS)**
 - ☒ p. The location of existing and/or proposed storm drainage patterns and facilities intended to serve the proposed development, and impervious surface calculations; and
 - ☐ q. Environmental Impact Assessment pursuant to **Section 11.3** of the Zoning Ordinance, if applicable.

The above information is required to be shown on the site plan submitted with this application. If, for some reason, any of the required items above are not included on the site plan, reasons for excluding those requirements must be given.

- (2) In the course of evaluating the proposed use, the Zoning Administrator, Planning Board, Chatham County Appearance Commission, or Board of Commissioners may request additional information from the applicant. This information may include, but not be limited to, the following:

- ☐ a. Proposed screening, buffers, and landscaping over and above that required by these regulations, as well as proposed treatment of any existing natural features;
- ☐ b. Existing and general proposed topography;
- ☐ c. Scale of buildings relative to abutting property;
- ☐ d. Height of structures;
- ☐ e. Exterior features of the proposed development;
- ☐ f. A traffic impact analysis of the proposed development prepared by a qualified professional. The traffic impact analysis shall follow the NCDOT TIA Analysis Guidelines, and shall also include consideration for non-motorized and public transportation;
- ☐ g. Any other information needed to demonstrate compliance with these regulations.

NOTE: The Zoning Administrator has the authority to waive any application requirement where the type of use or scale of the proposal makes providing that information unnecessary or impractical.

SECTION D. SIGNATURE STATEMENTS

OWNER'S SIGNATURE*: *In filing this application, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief. I hereby designate WALTER LEWIS to act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.*

X Signature: *[Signature]*

X Date: 6/23/12

APPLICANT SIGNATURE: *I hereby acknowledge that I am making this application on behalf of the above owner's statement or myself as the owner and that all the information presented in this application is accurate to the best of my knowledge, information, and belief. I acknowledge understanding of the requirements set out in this application and in the ordinances and/or guidelines used to determine the completeness of this submittal and to proceed as determined.*

Signature: *Walter C. Lewis*

Date: 7/1/12

OFFICE USE ONLY:

DATE RECD: _____

BY: _____

APPLICATION #: C _____

FEE PAID \$: _____

**REPORT OF COMMUNITY MEETING REQUIRED BY
THE CHATHAM COUNTY ZONING ORDINANCE**

To: ANGELA BIRCHETT, ZONING ADMINISTRATOR

Date: July 3, 2012

Application #: C

Proposed Zoning: N-B Conditional Use

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail on (date) June 13, 2012. A copy of the written notice is also attached.

The meeting was held at the following time and place: 6:30 pm, at the Extra Garage storage facility at 25 Bob Horton Road, Apex, NC

The persons in attendance at the meeting were: Walter Lewis, Jerry Turner, Bobby & Suzanne Dixon, Joseph Garner Jr., Corey Brewington, Gene Holder and Daniel Titsworth

The following issues were discussed at the meeting: Mr. Walter Lewis opening meeting – introduced himself and Jerry Turner. Talked about his ownership of Extra Garage and why he selected the proposed site for a new facility. Some of his reasons were;

- Direct access
- Closeness to Poplar Point Campground and Ebenezer Church day use and boat launching facilities.
- Fairly level site.

Mr. Lewis discussed he wanted to be a good neighbor and would listen to any suggestions that he would hear from the neighbors. Mr. Turner presented the following:

- Location Map of site showing relationship to the Corp land with Poplar Point and Ebenezer Church boat ramps.
- Elevations of proposed building showing all green roof and siding.
- Landscape and lighting plans showing buffers and bio-retention stormwater proposed. The Landscape buffers of 20' has been increased to 50' wide and now includes 55 trees and 55 shrubs. The lighting proposed is either all interior to the courtyard or if visible from Beaver Creek Road would be cut-off down lights.

As a result of the meeting, the following changes were made to the rezoning petition:

After the Appearance Commission meeting on Wednesday, June 27, but before our neighborhood meeting the following Monday, July 2, we made the following changes to our plans at the suggestions of the Appearance Commission:

- 33 Trees – 15 Magnolias and 18 Cryotomerir were added to the landscape buffer along Beaver Creek Road.
 - The wall color of the building was changed from Ivory to Green to match the roof color, now the entire building is green.
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The attached map shows where the neighbors that attended the meeting owned land.

- a. Mr. Daniel Titsworth lives here at 973 Beaver Creek Road.
- b. Mr. Gene Holder representing Chatham Redbud Properties, LLC attended. The land is vacant or farmland.
- c. Mr. Joseph Garner Jr. owns the tract that contains an abandoned house. His son Corey Brewington indicated he planned to build a house on the site sometimes in the future, they both leave in Durham.
- d. Bobby and Suzanne Dixon will reside in the house (48 Tody Goodwin Road) that is presently being renovated.

No one representing the U.S. Corps of Engineers attended the meeting.

No one from the residence on SE Corner of Beaver Creek Road and Tody Goodwin came to meeting.

After the presentation, the neighbors discussed the pros and cons of the project.

Date:

Applicant:

By:

7/6/12
Walter C. Lewis
Walter C. Lewis

Please submit this Report to the Chatham County Planning Department located at 80-A East Street, Dunlap Building or mail it to Angela Birchett, Zoning Administrator, PO Box 54, Pittsboro, NC 27312.



JERRY TURNER & ASSOCIATES, INC.

Landscape Architecture Land Planning Environmental Design

Principals:

Jerry M. Turner, FASLA

William B. Hood, ASLA

Lynda P. Harris, ASLA

905 Jones Franklin Road

Raleigh, North Carolina 27606

June 13, 2012

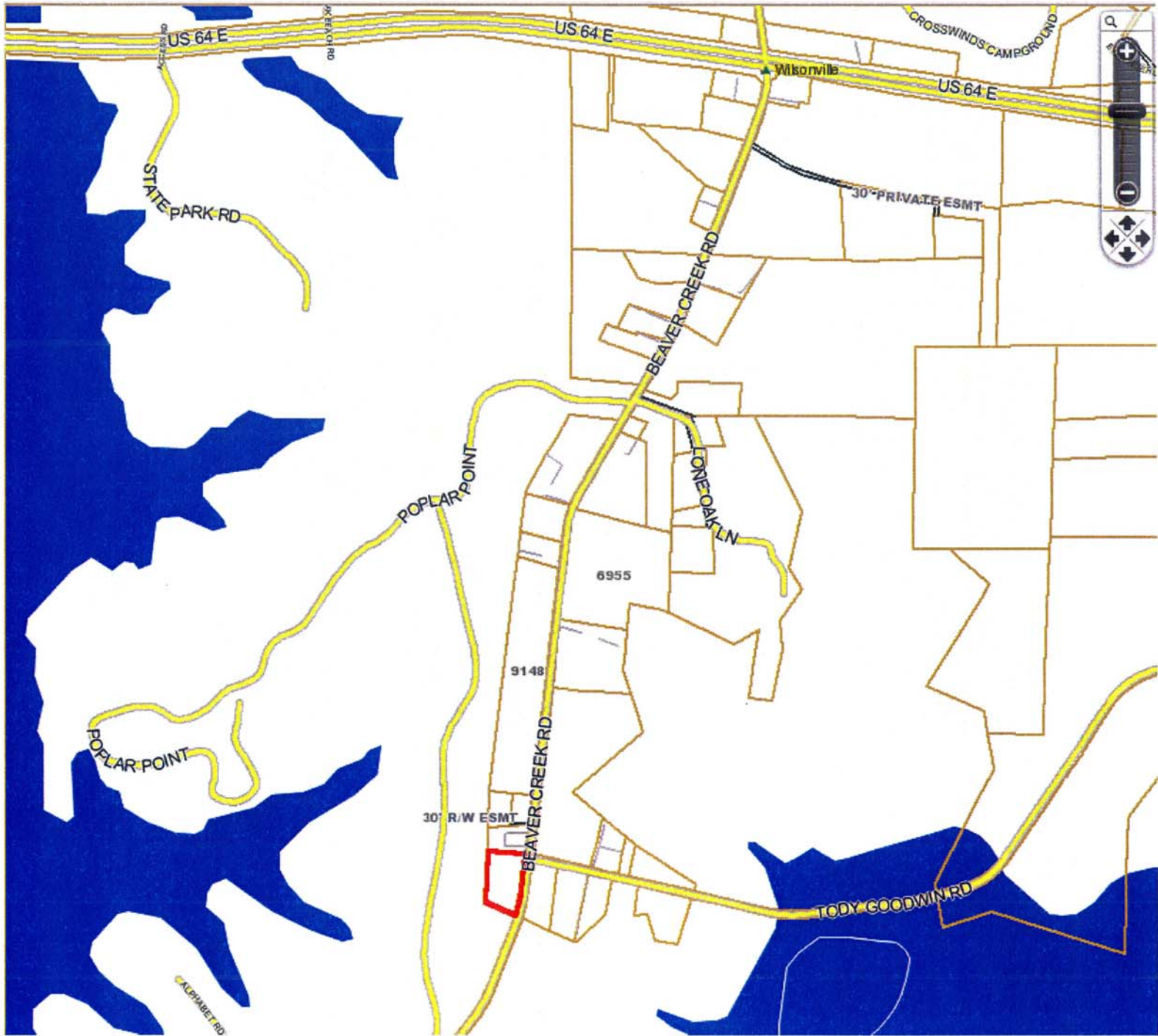
Dear Neighbor:

On July 2, 2012 at 6:30 p.m. Jerry Turner and Associates, Inc. will present to the surrounding property owners a request that will be filed with Chatham County rezoning the property on Beaver Creek Road outlined on the enclosed map. The request is to allow a boat and R.V. storage facility. The meeting is being held at the Extra Garage storage facility on U.S. 64 at the North West corner of Bob Horton Road. This facility is owned and operated by Mr. Walter Lewis who will own and operate the proposed facility. The proposed facility will be of similar appearance as to building, colors, and landscaping as the Extra Garage. The purpose of the meeting is to present the proposed rezoning and solicit input from you as adjacent property owners. The developer Mr. Walter Lewis will also be present at the meeting to address your questions or concerns. We look forward to seeing you there.

If you have any questions, please call Jerry Turner at 919-851-7150 or email jerryturner@jerryturnerassoc.com.

Thank you.

The Extra Garage
25 Bob Horton Road
Apex, NC 27523
July 2, 2012
6:30 p.m.



Map enclosed with letter to Neighbors

Pin Number	Owner Name	Address	City, State, Zip
9795-18-6724	c/o US Army Corps of Engineers	2080 Jordan Dam Road	Moncure, NC 27559
9791-87-3329	Chatham Redbud Properties, LLC	5425 Turkey Creek Drive	Raleigh, NC 27613
9791-76-8754	Joesph L Garner, Jr.	613 Mimosa Street	Durham, NC 27703
9791-86-0277	Darin L Fridley	30 Tody Goodwin Road	Apex, NC 27502

EMAIL

[illegible]

EXHIBIT A

Being a certain tract of land lying and being situated in New Hope Township, Chatham County, North Carolina, and being bounded on the North by the Keith property, bounded on the West and South by the U. S. Government and on the East by N.C.S.R. No. 1008 and being more particularly described as follows:

Beginning at the Northwesterly corner of the tract herein described, said corner being an iron pipe in the Government acquisition line of the B. Everett Jordan Lake project and also the Southwest corner of the Keith property, said corner having a N.C. Grid coordinate value of 716,554.71 feet North and 1,997,550.05 feet East; thence from the point of beginning with the Government acquisition line S01°-45'-14"W, 424.35 feet to the Government monument number 5441; thence continuing with said acquisition line S66°-25'-49" E, 279.35 feet to a point in the centerline of N.C.S.R. No. 1008; thence with the centerline of said road the following courses and distances: N18°-59'-58" E, 41.58 feet; N17°-20'-30" E, 49.99 feet; N14°-32'-03" E, 49.98 feet; N12°-08'-04" E, 50.05 feet; N09°-30'-29" E, 49.96 feet; N08°-15'-00" E, 50.05 feet; N07°-35'-20" E, 49.95 feet; N07°-01'-26" E, 50.06 feet; N06°-50'-13" E, 98.11 feet, to a point in the intersection of N.C.S.R. No. 1008 and N.C.S.R. No. 1900; thence continuing with the centerline of N.C.S.R. No. 1008 N06°-35'-49" E, 36.50 feet, to a nail set in said centerline; thence with the Keith property line N86°-39'-00" W, 339.17 feet to the point and place of beginning, containing 3.415 Acres (3.053 Acres exclusive of the road right-of-way) according to an actual survey by Smith and Smith Surveyors, July 18, 1983.