



Chatham County Planning Board Agenda Notes

Date: July 9, 2013

Agenda Item: VII. 2

Attachment #: No Additional

Subdivision

Conditional Use Permit

Rezoning Request

Other:

Subject:	Request by Douglas Roberts to rezone Parcel No. 74741 being all of the approximate 1.21 acre tract, located at 577 Half Dollar Rd., from Conditional Use Compact Community to Residential-1 (R-1).
Action Requested:	See Recommendation
Attachments:	1. The application packet was provided at the June 4, 2013 Planning Board meeting.

Introduction & Background

A legislative public hearing was held on this request on June 17, 2013. Planning staff presented the facts when the Briar Chapel Compact Community was approved and rezoned to the CCO district. Mr. Robert's parents (The Dollar's) had entered into an agreement with Newland Communities to include this property into the overall master plan for the development. As time has passed, Mr. Robert's, who now owns the property with his sister, wishes to have the property removed from the Compact Community District and the conditional use permit for Briar Chapel. He and his family wish to complete equitable distribution between them if the rezoning is approved.

Mr. Robert's and Attorney Nick Robinson, representing Newland Communities, both spoke on the issue.

Discussion & Analysis

This is an application for a general use rezoning district from Compact Community (CCO) to Residential (R1). Based on Section 19.4.B and C, the applicant is not claiming any error in the zoning ordinance that would be corrected by this request.

The applicant states in his summary the changing conditions that led him to apply for the rezoning are that the property can't be developed to the Compact Community standards, the property does not have access to county water, and no access to the wastewater treatment facility within Briar Chapel. There is an approved septic system on this property

and water source both in good working order. The applicant stated at the public hearing he does not need those facilities in order to continue to enjoy the property as currently developed. The property currently has a residence.

This request continues to carry out the intent and purpose of the Land Conservation and Development Plan by retaining its rural character.

There were no objections to the rezoning of the property from staff, adjacent landowners, Briar Chapel, or Newland Communities.

Recommendation

Planning staff recommends adoption of a consistency statement and approval of this rezoning request. The Planning Board has up to three meetings in which to make a recommendation to the Board of Commissioners.