

..TITLE

A request by Donald Jordan to rezone a portion being 1.5 acres out of the 7.42 acre tract of Parcel No. 1478, located at 15 Pine Terrace, from Mobile Home District – Non-conforming (MHD-NC) to R-1 Residential in order to subdivide said 1.5 acres and create separate parcel, Baldwin Township.

..ABSTRACT

Action Requested:

A request by Donald Jordan to rezone a portion being 1.5 acres out of the 7.42 acre tract of Parcel No. 1478, located at 15 Pine Terrace, from Mobile Home District – Non-conforming (MHD-NC) to R-1 Residential in order to subdivide said 1.5 acres and create separate parcel, Baldwin Township.

Introduction & Background:

A legislative public hearing was held on this request August 18, 2014. Planning staff introduced the request and the applicant was present and spoke. There were no other comments.

The applicant started the mobile home park in or around 1976. Chatham County did not have a Mobile Home Park Ordinance until 1985 making this a non-conforming mobile home park. In 1992, the applicant was granted approval to add three (3) additional sites to the four (4) existing for a total of seven (7) approved sites of record.

In 2001, the applicant's son applied to replace the mobile home on the front portion of the lot with a modular home and to create a single lot of one acre in size. The applicant did not complete the subdivision process to remove the one acre lot from the MHP before the subdivision regulations changed to a minimum requirement of 1 ½ acres.

In addition, the current zoning classification for the entire park is Mobile Home District. In order to remove the modular lot from under the MHPD and complete the subdivision process, the applicant was required to rezone the subject lot to R-1 Residential. Once completed, the applicant may finish the subdivision process creating the individual lot for his son.

PLANNING BOARD ACTION

The Planning Board met at their regularly scheduled meeting on September 2, 2014. There was minimal discuss and no concerns raised over this rezoning request.

Discussion & Analysis:

This is a general rezoning request. Section 19 of the Chatham County Zoning Ordinance sets the standard under which a general rezoning map amendment is to be processed.

In response to any alleged error in the Ordinance, if any, which may be remedied by this proposed amendment, the applicant is claiming none.

The changed or changing conditions, if any, in the area or in the County generally, which make the proposed amendment reasonably necessary for the promotion of the public health, safety, and general welfare. The applicant is requesting the zoning change to bring the lot he wishes to subdivide for a child into the proper zoning classification to complete the subdivision process.

The manner in which the proposed amendment will carry out the intent and purpose of the adopted Land Use Plan or part thereof would be continued as residential, rural character.

All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment are as previously stated.

Recommendation:

The Planning Board, by a vote of 9-0 with 1 abstention, recommends adoption of a resolution approving the following Consistency Statement. The proposed Consistency Statement is as follows:

It is the opinion of the Planning Board the request to rezone the 1 ½ acre portion that represents that area of the Mobile Home District to R-1 Residential District is consistent with the adopted land use plans and regulations of the County and therefore is approved as requested.

It is the Planning Board recommendation by unanimous vote and staff recommendation to approve this general use rezoning request and adoption of an Ordinance Amending the Zoning Ordinance to rezone approximately 1 ½ acres from Mobile Home District to R-1 Residential District.

Because this is a general use rezoning request there are no conditions to consider or request on this property. All development of the property shall follow the standards as required in the zoning ordinance and any other regulatory department or agency that may be involved in its development.