

**COUNTY COMMISSIONERS**

Walter Petty, *Chair*  
Brian Bock, *Vice Chair*  
Mike Cross  
Pam Stewart

**COUNTY MANAGER**

Charlie Horne

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200 • Fax: (919) 542-8272

## RESOLUTION ADOPTING A CONSISTENCY STATEMENT FOR THE APPROVAL OF

Rezoning Property to Neighborhood Business District

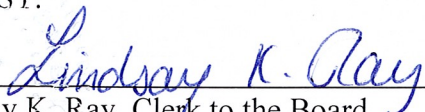
**WHEREAS**, the Chatham County Board of Commissioners has reviewed the application for Kathryn Butler on behalf of John E Booth Farms, LLC to rezone approximately 6.50 acres out of the 14.02 acre tract known as Parcel No. 19681 (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan as well as the Chatham/Cary Joint Land Use Plan and by supporting and promoting recreation, tourism, and historical resources as well as small neighborhood economic centers. Since this property is already designated as a commercial use in the Chatham-Cary Joint Land Use Plan, the applicant feels this approval would continue with the conforming use already in place. It will give a zoning designation to further enhance the existing use and future uses on the site. and;

**NOW, THEREFORE, BE IT RESOLVED**, by the Chatham County Board of Commissioners that the Amendment and presented documentation are found to be consistent with the county land use plan/s, and are determined to be reasonable and in the public interest.

Adopted this 17th day of November, 2014

  
\_\_\_\_\_  
Chairman Walter Petty  
Chatham County Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Lindsay K. Ray, Clerk to the Board  
Chatham County Board of Commissioners



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## **AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY**

**For** John E Booth Farms, LLC

**WHEREAS**, the Chatham County Board of Commissioners has considered the request by Kathryn Butler on behalf of John E Booth Farms, LLC to rezone approximately 6.50 acres out of the 14.02 total acres, being all or a portion of Parcel No.19681, located at 8913 NC Hwy 751, Williams Township, from R-1 Residential and as located within the Chatham/Cary Joint Land Use Plan area to General Neighborhood Business District (NB) to operate a commercial business, and finds that the amendment is consistent with the comprehensive plan of Chatham County and the Joint Land Use Plan of Chatham and Cary as described in the Consistency Statement Resolution; and

**WHEREAS**, the Board finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning; and

**WHEREAS**, the Board finds the four (4) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. The applicant is not claiming any error in the Ordinance and therefore this is not applicable; and

No. 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. This property also adjoins a 19 acre tract currently being used for commercial purposes as a nursery, lawn and garden center, landscaping, and design. It is located near the Durham County line and the Southpoint Mall area which the applicant feels is a viable resource for business success. In the past, the Vineyards at Southpoint (previous name) was primarily used for a tasting room with limited events. Because of the secluded area where the business activity is held, many request for events such as weddings, receptions, parties, small music/video events and family reunions were being sought. Because of the size of the venue, the property would not be able to hold large events.; and



No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. On page 11, Policy Objective of the Plan, recommendations to support and promote recreation, tourism, and historic resources are encouraged. There is a historical structure on this property that the applicant brought to the property years ago in order to preserve it. The Plan also encourages the support and approval of small neighborhood economic centers. Since this property is already designated as a commercial use in the Chatham-Cary Joint Land Use Plan, the applicant feels this approval would continue with the conforming use already in place. It will give a zoning designation to further enhance the existing use and future uses on the site.; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The additional 100 foot expansion around the project site will not change the streetscape or viewshed currently in place. The vineyard is planned to remain and the pastoral appearance seen from the roadway. The applicant also owns the adjoining parcels to the south and east of the tract.; and

**BE IT ORDAINED**, by the Board of Commissioners of Chatham County as follows:

1. The Application to rezone a portion of the property described as Parcel No. 19681 and being approximately 6.50 acres out of the 14.02 acre tract as depicted on Attachment "A", located at 8913 NC Hwy 751, from R-1 Residential to General Neighborhood Business District, Williams Township is approved and the zoning map is amended accordingly.

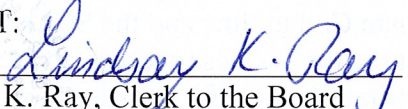
2. The following Conditions shall also be approved as part of this Ordinance approving the rezoning. They are:

No additional conditions applied for general use zoning. All development must follow the standards of the Zoning Ordinance and all other regulatory departments.

3. This ordinance shall become effective upon its adoption.

Adopted this 17th day of November 2014

  
Walter Petty, Chair  
Chatham County Board of Commissioners

ATTEST:   
Lindsay K. Ray, Clerk to the Board  
Chatham County Board of Commissioners

## ATTACHMENT "A"

Tax Parcel No. 19681, 6.50 out of the 14.02 acre tract to be zoned NB Neighborhood Business District, located at 8913 NC Hwy 751, Williams Township.

