



Established 1771

COUNTY COMMISSIONERS

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

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 Conditional District Neighborhood Business (CD-NB)

WHEREAS, the Chatham County Board of Commissioners has reviewed the application for Jason Rivenbark to rezone approximately 6 acres out of a 11.49 total acres of Parcel No. 83841 (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan by remaining consistent with the adopted land use plans and regulations of the County and therefore is approved as requested. 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 19th day of May, 2014



Chairman Walter Petty
Chatham County Board of Commissioners

ATTEST:



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



Established 1771

COUNTY COMMISSIONERS

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

COUNTY MANAGER

Charlie Horne

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY

For Jason Rivenbark

WHEREAS, the Chatham County Board of Commissioners has considered the request by Jason Rivenbark to rezone approximately 6 acres out of the 11.49 acre tract acres, being all or a portion of Parcel No.83841, located at / on Pea Ridge Road, Haw River Township, from R-1 Residential to CD-NB to locate an open boat and recreational vehicle storage facility, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

WHEREAS, the Board finds that the uses set forth in the Application and incorporated herein by reference, if approved as “conditional” pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning under the conditions attached; 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. The applicant states in the application that given the continued growth of the region & housing models currently employed in neighboring communities such as east Apex, Holly Springs, Fuquay Varina (housing developments, multi-family housing, etc.), an increase in demand for storage facilities and locations for the storage of property is evident. Storage facilities/ boat and RV storage lots are located east of Jordan Lake, but significantly less are located south and west of the lake. The applicant proposes this zoning amendment based on the location of this property being on a main artery (Pea Ridge Road) serving Jordan Lake, within 1.5 miles of the nearest boat launch, and less than five (5) miles to several campgrounds

operated by the Corps of Engineers that will serve property owners from Raleigh to Sanford and locations between.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. Although the geographical location of this property is primarily residential, many people, local and not, venture to Chatham County for recreation at the county's many water and camping areas. The applicant states It is their intent to follow The Land Conservation and Development Plan by providing a storage facility that is in close proximity to these recreational areas while working to maintain the residential appearance of the area. This site will remain primarily wooded in order to maintain the natural appearance; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The applicant states he plans to partner with local Chatham County businesses to provide avenues for required services such as winterization and minor maintenance to the recreational vehicles to help promote other small businesses in our area. The watershed classification for this property will allow 36% impervious surface where curb-and-gutter is not used for parking areas. The property size is 11.49 acres of which six (6) acres will be set aside for the commercial operation with only 1.3 acres being disturbed for the storage facility itself. The impervious surface will fall below this threshold with the current plan. A storm water retention area is marked on the preliminary drawings but will be further developed upon approval of this request; 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. 83841 and being approximately 6 acres out of the 11.49 acre tract as depicted on Attachment "A", located at/on Pea Ridge Road, from R-1 Residential to CD-NB, Haw River 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:

Site Specific Conditions

1. The recommendations of the Chatham County Appearance Commission shall be followed as revised and agreed to by the applicant. The applicant should ensure the maintenance and survival of all plantings which shall be installed at the next optimal planting season following the issuance of the building permit.
2. The revised site plans along with the sign and lighting locations dated March 10, 2014 are to be the approved site plan for purposes of development of this property in connection with the conditional district rezoning request.

Standard Site Conditions

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as

stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.

4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Stormwater Management, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department prior to the initiation of the operation/business.
5. A Certificate of Occupancy shall be obtained within two years of the date of this approval unless other approval/s has been given for an extension, or this approval becomes null and void.

Standard Administrative Conditions:


6. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
7. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
8. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
9. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

3. This ordinance shall become effective upon its adoption.

Adopted this 19th day of May 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. 83841 being a portion six (6) acres out of the acreage totaling approximately 11.49 acres, to be zoned Conditional District Neighborhood Business, located at/on Pea Ridge Road, Haw River Township.

