



Town of Pittsboro, North Carolina

Department of Planning
(919) 542-1655

MEMORANDUM

TO: Planning Board

FROM: Stuart W. Bass, Planning Director

SUBJECT: REZ-2014-02
Hughes Rezoning

DATE: December 30, 2014

William D. Hughes, Jr. has amended his original application and is now proposing to rezone approximately 10.3 acres off of West Cornwallis Street from R-15 (Residential) to R-12 (Residential).

{Original proposal was to R-10, Residential. The Planning Board recommended approval of the proposed rezoning at its regular meeting on September 3, 2014.}

Please see the attached Staff Analysis.

Action Required: Discussion, Recommendation to the Town Board of Commissioners.

Town Hall ~ 635 East Street ~ Pittsboro, NC 27312
Email: swbass@pittsboronc.gov
Phone: (919) 542-1655
Fax: (919) 542-2310

STAFF ANALYSIS
REZ-2014-02 (As Amended)
December 30, 2014

APPLICANT: William D. Hughes, Jr.
250 West Cornwallis Street
Pittsboro, NC
27312

RELATIONSHIP TO PROPERTY: Property Owner

LOCATION: Off of West Cornwallis Street

EXISTING USE: Vacant, undeveloped land. Existing home site.

AREA: Approximately 10.3 acres.

EXISTING ZONING: R-15 (Low Density Residential)

PROPOSED ZONING: R-12 (Medium Density Residential)

ADJACENT LAND USES: North – Residential, R-15. Town Lake Park.
South – Residential, R-15, Willow Springs Subdivision.
West – R-15, Residential.
East – R-15, Willow Springs Subdivision.

ZONING HISTORY: The R-15 zoning shown is reflected on the 1989 zoning map.

ANALYSIS: The following staff analysis is structured to address the information that should be considered for a map amendment as outlined in the Zoning Ordinance and city zoning enabling statutes for the State of North Carolina.

1. Relationship of the proposed map amendment to the Land Use Plan and Future Land Use Map.

The Subject properties are designated as Medium Density Residential Neighborhood on the on the Future Land Use Map (October 2012). The medium-density residential neighborhood category would include residential developments with access to both public water and sewer services. Development in this area could include single-family homes, accessory apartments, churches, parks, community buildings, schools, swim or tennis clubs, and other neighborhood facilities. Clustering of lots, particularly in water supply watersheds, is encouraged as a way to provide common open space and recreation facilities. Please note that the terms associated with the Land Use Plan are not synonymous with those of the Zoning Ordinance. The Land Us Plan defines a broader, more generic description and in this instance, would essentially include all those residential neighborhoods served by public water and sewer.

2. Suitability of proposed zoning district classification.

The current zoning is R-15 Low-Density Residential. The minimum lot size is 15,000 square feet. This district is defined as low-density residential areas of mostly single family dwellings plus open areas where similar residential development will likely occur. The uses permitted in this district are designed to stabilize and protect the essential characteristics of the area and to prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

The proposed zoning, R-12 Medium Density Residential, is defined as medium density residential areas of mostly single-family dwellings and certain open areas where similar residential development will likely occur. The minimum lot size is 12,000 square feet. The uses permitted in this district are designed to prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations.

Both zoning districts are residential, but the R-12 district allows for duplexes and a Pocket Neighborhood subdivision by right.

3. Availability of public facilities.

All public facilities and services rendered by the Town of Pittsboro are available and currently applied to the site.

4. Population change.

There would be a theoretical increase based on the minimum lot size reduction, from 15,000 square feet to 12,000 square feet, (from 30 lots to 37 lots).

5. Transportation patterns.

The property is located off West Cornwallis Street, which is a local street. There is a fifty foot private easement that provides access to the property from the east, and a sixty foot private access easement providing access from the west.

RECOMMENDATION:

Discussion. An important issue for consideration is the location of the proposed parcel in relation to the surrounding zoning district. In this instance the parcel would be bounded on all sides by the R-15 zoning districts. Such a small scale zoning, i.e. the zoning of one or two parcels, could be considered spot zoning. Spot zoning in North Carolina is permissible if reasonable. The courts have set forth the following factors to be used in an analysis;

- (1) The size and nature of the tract. Generally, the larger the area, and the greater the number of property owners, the higher a likelihood of validity, although the size of the parcel is relative.
- (2) Compatibility with existing plans. Does the existing plan provide a public purpose? The proposed rezoning is compatible with the Town's Land Use Plan.
- (3) Consideration of impacts on the landowner, the immediate neighbors, and the surrounding community. What are the benefits and to what extent are they.
- (4) The relation between the differences in uses from the two districts. The greater the difference in permitted uses, the more likely the rezoning will be found unreasonable. In this instance, the primary difference would be the allowance of duplexes and the Pocket Neighborhood subdivision.

REZ-2014-02

I request that my rezoning application be amended to a request for R-12, (from my original request of R-10). And that it be removed from consideration at the Pittsboro Town Board of Commissioner's regularly scheduled meeting of November 10, 2014.

A handwritten signature in blue ink, appearing to read "William D. Hughes, Jr.", written over a horizontal line.

William D. Hughes, Jr.

A handwritten date "11/10/2014" in blue ink, written over a horizontal line.

Date



CHATHAM COUNTY, NC

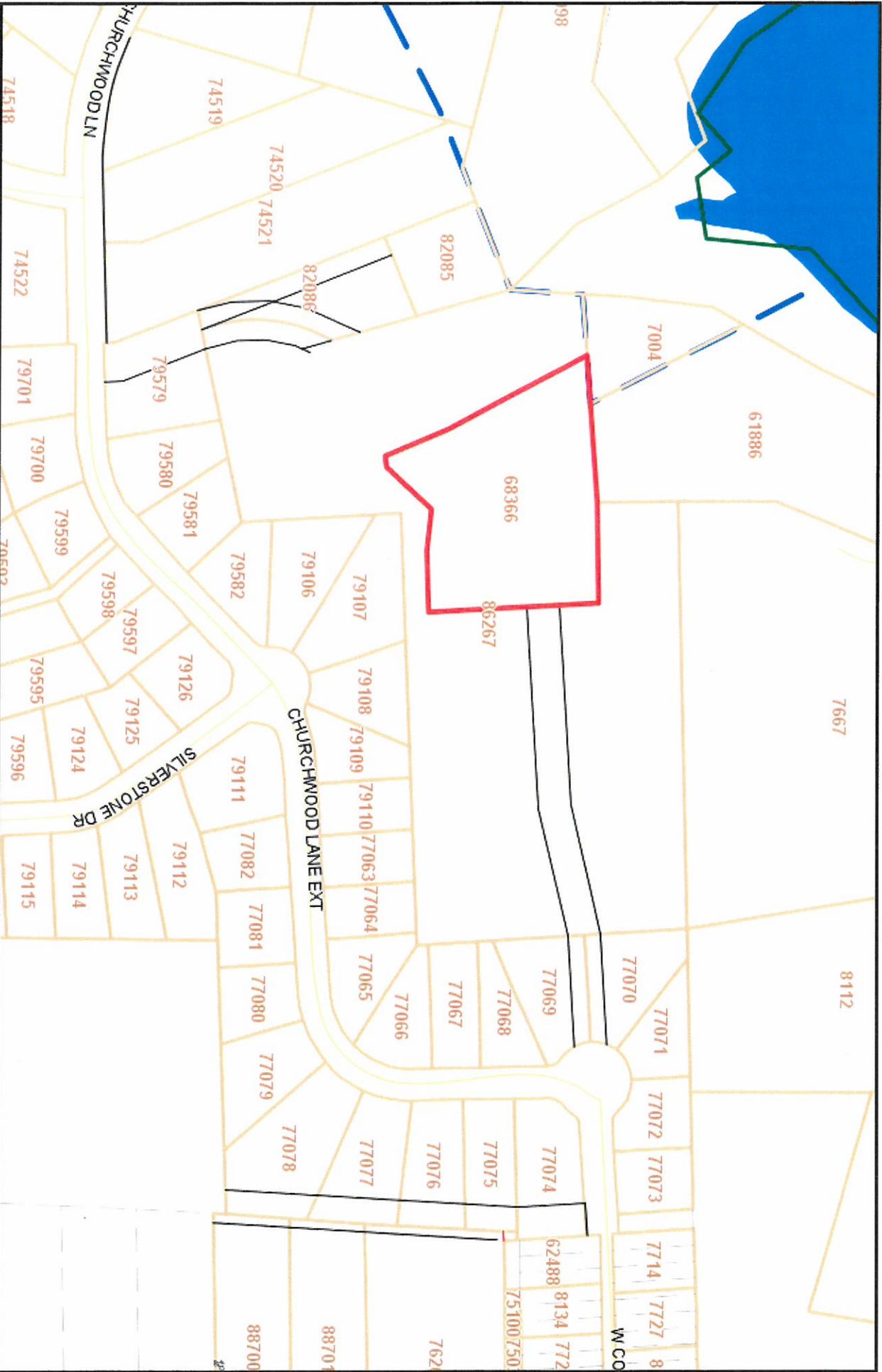
Property Map



Disclaimer:
 The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. The data are for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.



One Inch = 100 Feet



CHATHAM COUNTY, NC

Property Map



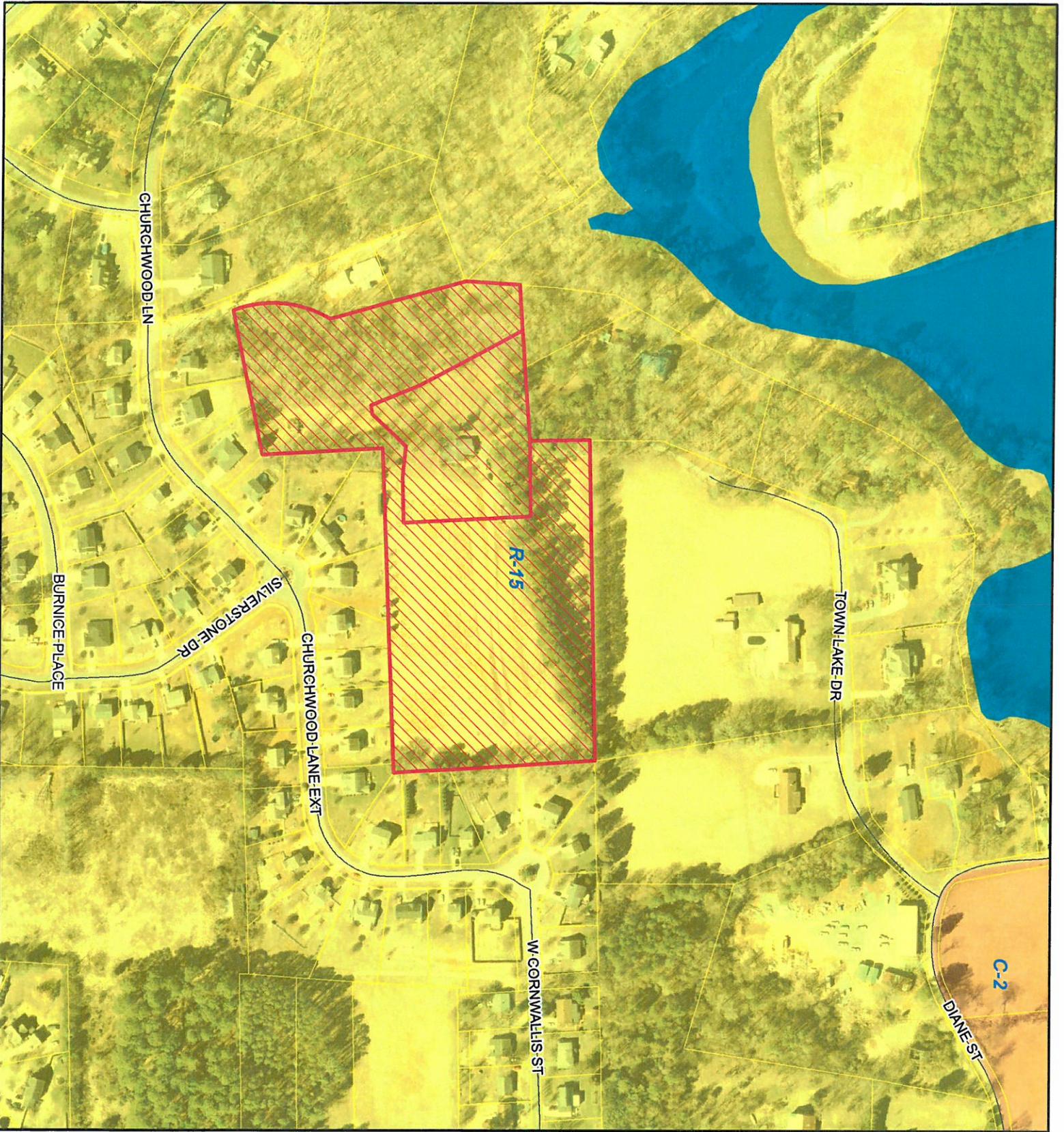
Disclaimer:
The data provided on this map are prepared for the inventory of real property found within Chatham County, NC and are compiled from recorded plats, deeds, and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey, or for zoning verification.

Parcel Number: 68366
 Map Number: 9741-53-1661.000
 Owner Name: HUGHES WILLIAM D JR & MELISSA
 Owner Address: 250 W CORNWALLIS ST
 Owner City: PITTSBORO
 Owner State: NC
 Owner Zip: 27312
 Tax Year: 2014
 Description: LOT A

Deed Book: 672
 Deed Page: 0400
 Plat Book: 2007
 Plat Page: 0474
 Deed Acres: 2
 Physical Address: 250 W CORNWALLIS ST
 Improvement Value: 112275
 Land Value: 67500
 Fire District: 201
 Township Code: 5

One Inch = 200 Feet





Town of Pittsboro, NC

**REZONING REQUEST
REZ-2014-02**

~250 West Cornwallis St.
William Hughes

Current Zoning: R-15
Proposed Zoning: R-12

| | |
|-------------------------|-----------------------|
| | Proposed Rezone |
| | Lakes, Ponds & Rivers |
| | Parcels |
| Pittsboro Zoning | |
| | O-1 |
| | C-1 |
| | C-1 CU |
| | C-2 |
| | C-2 CU |
| | C-4 |
| | M-1 |
| | M-2 |
| | MUPD |
| | R-10 |
| | R-12 |
| | R-12M |
| | R-15 |
| | R-A |
| | RA-2 |
| | RA-5 |

November 18, 2014



Refer to the Zoning Ordinance for Zone descriptions.

TOWN OF PITTSBORO

Department of Planning

Proud Past Exciting Future