

**STAFF ANALYSIS
REZ-2015-01**

APPLICANT: Branston, LLC
150 Towerview Court
Cary, NC 27513

PROPERTY: John Blair
OWNER: Henlajon, Inc.

LOCATION: Off of US 64, east of Pittsboro

EXISTING USE: Vacant woodland (Undeveloped)

AREA: Approximately 97.3 acres.

EXISTING ZONING: RA-5 (Rural Agricultural)

PROPOSED ZONING: RA-2 (Residential Agricultural)

ADJACENT LAND USES: North – Vacant Undeveloped Property, Zoned RA-5 (Owned by the State of North Carolina).
South – Vacant Undeveloped Property, Zoned RA-2. Immediately across US Highway 64 East is a tract zoned C-2 Highway Commercial.
West – Vacant Undeveloped Property, Zoned RA-2.
East – Vacant Undeveloped Property, Zoned RA-5 (Owned by the State of North Carolina).

ZONING HISTORY: The RA-5 zoning shown is reflected on the 1989 zoning map.

Recent rezoning's in the near area include a tract directly across US 64, from RA- to C-2 on March 22, 2010 and the Chatham Park PDD on December 8, 2014.

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 Low Density Residential Neighborhood on the Future Land Use Map (October 2012). The low-density residential neighborhood category would include residential developments at a low enough density to support on-site septic systems.

2. Suitability of proposed zoning district classification.

The current zoning RA-5 Rural Agricultural District, is defined as one to provide land primarily for very low density residential development in environmentally sensitive or transitional areas while permitting continued agricultural use. Public water and sewer is not expected to serve these areas in the near future. Minimum lot size is three (3) acres, however lots created must average five (5) acres in size.

The proposed zoning, RA-2, Residential – Agricultural, is defined as one to provide land primarily for low density residential development in rural areas while permitting continued agricultural use. These districts are located in areas where public water and sewer service is not expected in the near future. The minimum lot size is two acres.

3. Availability of public facilities.

Public facilities and services rendered by the Town of Pittsboro, water and wastewater, are not available to the property. Residential development would be served by well and septic systems.

4. Population change.

The R-A2 district would allow for an increase in the number of residential lots, reflected in a five (5) acre average lot size compared to a two (2) acre minimum lot size. Limiting factors would include the allowance for the road, any associated open space, well head areas, septic fields and associated reserve areas.

5. Transportation patterns.

The property is located off on US 64, a major state east west corridor. The property would need to be served by the extension of an existing road. Road construction would be to NC DOT standards, and would be an NC DOT owned and maintained road.

STAFF RECOMMENDATION:

Staff Recommends approval of the proposed amendment, and advises that the proposed rezoning is consistent with the Land Use Plan and other applicable plans and policies. It is a reasonable location for such zoning and would be suitable for those uses permitted within the proposed district. It is recommended to adopt the staff report which addresses plan consistency and other matters.

An important issue for consideration is the location of the proposed parcel in relation to the surrounding zoning district. In this instance the parcel is bounded by R-A2 and R-A5 zoning districts. The adjacent R-A5 land is publically owned (by the State of North Carolina) and is likely to remain so.

PLANNING BOARD RECOMMENDATION:

Adopted Staff report and recommendation and forwarded to the Town Board of Commissioner's with a positive recommendation for approval.

WRITTEN RECOMMENDATION OF THE TOWN OF PITTSBORO PLANNING BOARD
TO
THE TOWN OF PITTSBORO BOARD OF COMMISSIONERS
AS TO PITTSBORO ZONING CASE #REZ-2015-01 / *Branston, LLC Rezoning*

Having reviewed the most recently amended zoning application in Town of Pittsboro Case #REZ-2015-01, pursuant to Section 160A-383 of the North Carolina General Statutes the Town of Pittsboro Planning Board, at its regularly scheduled meeting on February 2, 2015:

A. Adopted one of the following motions, effective March 2, 2015:

- (A) X Motion to advise that based upon the application to rezone the property described in Application REZ-2015-01 and incorporated herein by reference, and upon the recommendations and detailed information developed by staff the proposed amendment, as submitted is consistent with the comprehensive plan of the Town of Pittsboro, including the Land Use Plan and other applicable adopted plans, policies and documents.
- (B) Motion to advise that the proposed rezoning is inconsistent with the Land Use Plan and other applicable plans and policies officially adopted by the Town of Pittsboro, and recommended to disavow the staff report which addresses plan consistency and other matters.

Such vote shall be included in the official minutes as the written recommendation of the Commission. This motion was adopted by a vote of 5 (for) to 0 (against);

The Planning Board, pursuant to Section 160A-383 of the North Carolina General Statutes, hereby forwards this Written Recommendation to the Board of Commissioners.

Town of Pittsboro Planning Board

By: 

Raeford Bland
Chairman

WRITTEN RECOMMENDATION OF THE TOWN OF PITTSBORO PLANNING BOARD
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A. Adopted one of the following motions, effective March 2, 2015:

- (A) X Motion to adopt resolution recommending approval of the proposed rezoning and to advise and comment to the Board of Commissioners that the proposed rezoning is reasonable considering the size and location of the tract and the potential benefits to the economic, cultural and urban development of the surrounding community while providing quality design features and sensitivity to environmental issues.
- (B) Motion to adopt resolution recommending disapproval of the proposed rezoning and to advise and comment to the Board of Commissioners that the proposed rezoning is not reasonable considering the size and location of the tract and the potential benefits to the economic, cultural and urban development of the surrounding community while providing quality design features and sensitivity to environmental issues.

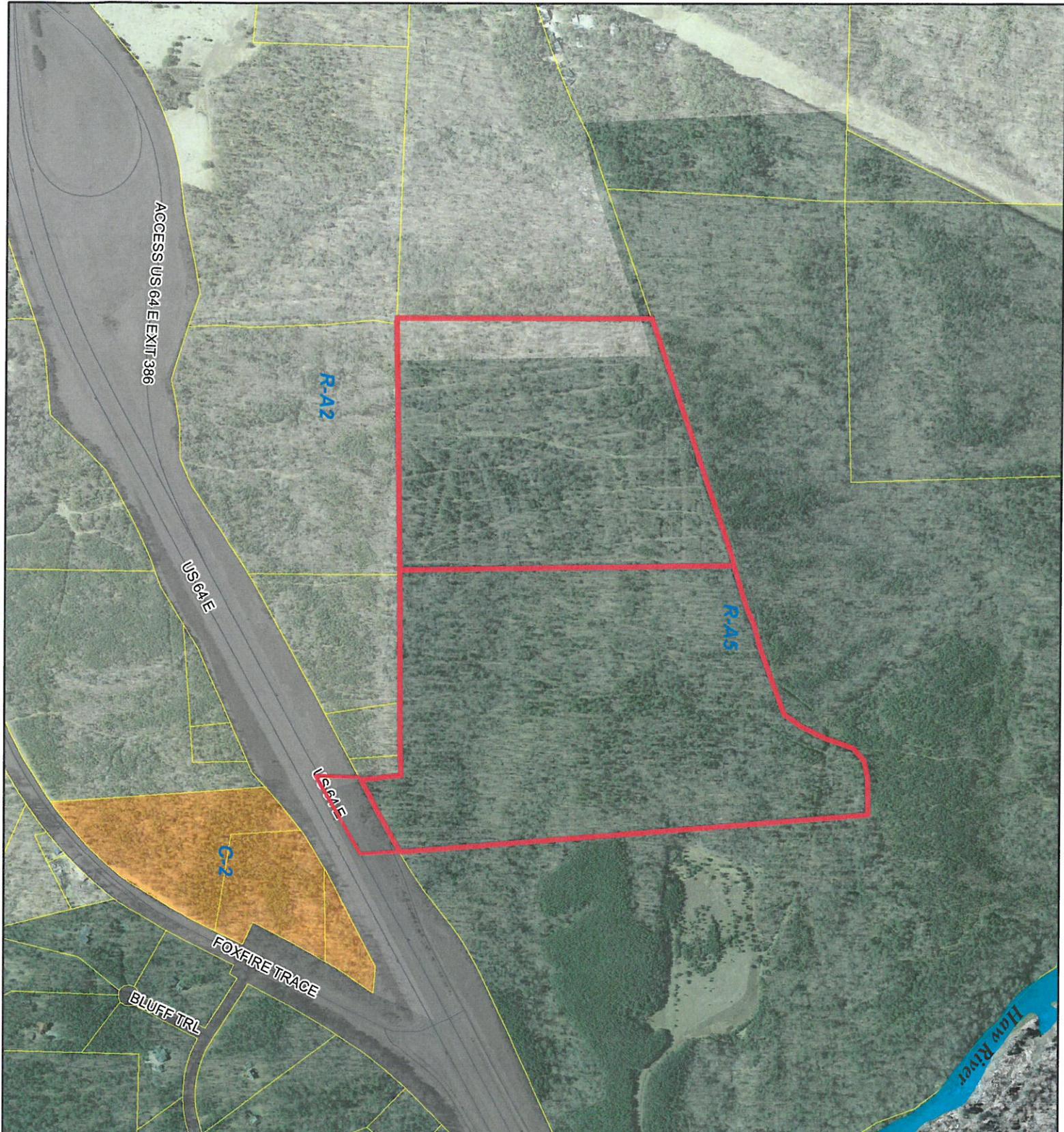
Such vote shall be included in the official minutes as the written recommendation of the Commission. This motion was adopted by a vote of 5 (for) to 0 (against);

The Planning Board, pursuant to Section 160A-383 of the North Carolina General Statutes, hereby forwards this Written Recommendation to the Board of Commissioners.

Town of Pittsboro Planning Board

By: 

Raeford Bland
Chairman



REZONING REQUEST
REZ-2015-01

US 64 E
 Branston, LLC

Current Zoning: R-A5
 Proposed Zoning: R-A2

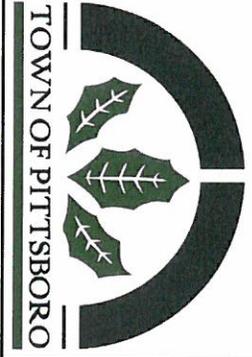
	Rezoning Request
	Lakes, Ponds & Rivers
	Parcels
Pittsboro Zoning	
	O-1
	C-1
	C-1 CU
	C-2
	C-2 CU
	M-1
	M-2
	MUPD
	R-10
	R-12
	R-15
	R-12M
	R-15
	R-A
	R-A2
	R-A5

January 28, 2015

NORTH

0 125 250 500 750 1,000 Feet

Refer to the Zoning Ordinance for Zone descriptions.
 Zoning districts extend to the ROW centerlines
 This property is not within the 1000 foot
 conservation district along the Haw River.



Explanation of Rezoning Request

The current zoning of both properties is RA-5 (Residential Agriculture-5 acre minimum). The adopted Land Use Plan designation for the properties is Low Density Residential. The requested zoning district is RA-2 (Residential-Agriculture Conditional Zoning District). The requested zoning district is in compliance with the Town of Pittsboro Land Use Plan.

The Zoning Ordinance defines the RA-2 Residential Agriculture District as “one to provide land primarily for very low density residential development in rural areas while permitting continued agricultural use. These districts are located in areas where public water and sewer service is not expected in the near future. The minimum lot size is two acres.”

The proposed zoning district is appropriate for this location given the adopted Land Use Plan designation.

The proposed development will meet the town’s goals and objectives established in the Town’s Land Use Plan. The proposed development will comply with the Town of Pittsboro development regulation.



TOWN OF PITTSBORO
ZONING DISTRICT CHANGE APPLICATION

P.O. Box 759-635 East Street
Pittsboro, NC 27312

Telephone (919) 542-4621
Fax (919) 542-7109

REZ- 2015-01

I, (We) the undersigned, do hereby respectfully make application and petition the Board of Commissioners of the Town of Pittsboro to amend the Zoning Map of the Town of Pittsboro as hereinafter requested, and in support of this application, the following facts are shown:

(1) Applicant Information:

Name: Branston, LLC
Address: 150 Towerview Ct.
CARY, N.C. 27513
Phone No: (h) 919 612-5245
(w) 919 612-5245
(m) 919 612-5245
Email: g.futrell@JLB Corp. com

(2) Landowner Information (as shown on deed)

John Blair
Name: Henlajon, Inc
Address: P.O. Box 995
Pittsboro, N.C. 27312
Phone No: (h) _____
(w) _____
(m) 919 542-7636
Email: _____

(3) Property Identification:

911 Address: u.s. 64
Pittsboro, N.C. 27312
S.R. Name: Highway 64
S.R. Number: _____
Acreage: ~~97.453~~ 97.3106
Flood map #: 3710976200J
Flood Zone: X
Map Date (2-07-2007)

9762-40-1867 John Blair
Tax Map #: 9762-51-3093 Henlajon, Inc.
Parcel#: _____
246 18 39.407 Acres
Deed Book: 631 Page: 917 Yr: 57.346 Acres
Plat Book: 1988 Page: 239
Current Zoning District: RA-5
Watershed District: Jordan

(4) Requested Zoning District

RA-2

(5) Attach the following, if requesting a zoning map amendment:

List of names and addresses or current adjoining property owners. *See Attached Sheet.*

Written legal description, County Tax Map, or Map of the property at a scale of not less than 1 inch equals 200 feet.

Explanation of request addressing applicable portions of Zoning Ordinance. (Use a separate sheet of paper if necessary.)

See Attached Sheet.

I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.

Branstin, LLC
By Alvin Fittell _____ *12-4-14*
Signature Date

The owner must sign the following if someone other than the owner is making the application.

I hereby certify that _____ is an authorized agent for said property and is permitted by me to file this application.

Laura B. Spirey, President; Henlyon, Inc. *12/5/14*
John W. Blair

Signature Date

Fee \$360.00

Paid *Dec 2014*
Date