



## Town of Pittsboro, North Carolina

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Department of Planning  
(919) 542-4621, Ex# 34

### MEMORANDUM

TO: Bryan L. Gruesbeck, Town Manager  
Paul Messick, Town Attorney

FROM: Stuart W. Bass, Planning Director

SUBJECT: REZ-2013- 01  
Chatham Park LLC

DATE: December 5, 2012

The Town received a request, dated August 13, 2012, from Chatham Park Investors LLC, requesting that the Town expeditiously take action to extend out the Extra Territorial Zoning Jurisdiction (ETJ). Chatham Park LLC is proposing to expand the town's ETJ by approximately 1,900 acres, which they own the entirety, on the southeast side of the existing boundary.

The Town Board of Commissioners adopted a resolution requesting that the County consent to the extension of the Town's extraterritorial planning jurisdiction on October 22, 2012. The Chatham County Board of Commissioners adopted the resolution agreeing to the ETJ expansion on November 19, 2012.

Due to scheduling deadlines, the Board is being requested to schedule a Public Hearing on January 28, 2013. Ultimately, the Board will need to consider two separate actions; (1) Adopt an ordinance expanding extraterritorial planning jurisdiction and delineating its boundary, and (2) Amend city zoning ordinance to add area to zoning map. This action also must comply with the notice and hearing requirements for all zoning map amendments. The two issues can be considered at the same Public Hearing.

A Staff Analysis and associated maps will be provided for the agenda packet prior to the Public Hearing.

### RECOMMENDATION

Schedule a Public Hearing on January 28, 2013 to consider the expansion of the ETJ and associated zoning.

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MEMORANDUM

TO: Mayor and Board of Commissioners

FROM: Stuart W. Bass, Planning Director

SUBJECT: Abandonment of a Portion of Small Street

DATE: December 6, 2012

The Board of Commissioners adopted a resolution giving notice of the Town's intent to permanently abandon a portion of Small Street on October 22, 2012. A public hearing on the partial right of way abandonment was held on November 26, 2012. The notice per state statute was properly advertised prior to the public hearing.

DISCUSSION

Please find attached an ordinance approving the abandonment of a portion of North Small Street right of way as petitioned from Thomas L. and Pamela J. Smith.

RECOMMENDATION

That the Board approve the ordinance abandoning the portion of the Right of Way requested.

**AN ORDINANCE PERMANENTLY ABANDONING  
A PORTION OF RIGHT OF WAY ALONG SMALL STREET  
IN THE TOWN OF PITTSBORO**

WHEREAS, THE Board of Commissioners of the Town of Pittsboro adopted a resolution on October 22, 2012 declaring its intent to abandon a portion of Small Street and called for a public hearing thereon for November 26, 2012; and

WHEREAS, a public hearing on the issue of such closure was held on Monday, November 26, 2012 and that a copy hereof was published once a week for four successive weeks prior to the hearing; and

WHEREAS, it appears that abandonment of a portion of Small Street as described in Attachment A within the Town of Pittsboro is not contrary to the public interest and that no individual owning property in the vicinity of said streets or portions thereof proposed to be closed would thereby be deprived of reasonable access to his property;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Pittsboro as follows:

1. That pursuant to NCGS§ 160A-299 it intends to permanently abandon a portion of Small Street as described in Attachment A within the Town of Pittsboro.
2. That a certified copy of this ordinance be recorded in the Chatham County Registry.

Adopted this 10<sup>th</sup> day of December, 2012.

TOWN OF PITTSBORO

By: \_\_\_\_\_  
Randolph Voller, Mayor

ATTEST:

\_\_\_\_\_  
Alice F. Lloyd, CMC, Town Clerk

## **Attachment A**

Beginning at an iron pipe set in the eastern right of way line of Small Street, the northwest corner of Lot 1 according to the plat recorded in Plat Book 87, Page 62 of the Chatham County Registry, and running thence along the northern line of said Lot 1 South 84 degrees 17 minutes 39 seconds East 10.03 feet to an iron pipe, the southwest corner of Lot 3 according to said plat; thence along the western line of Lots 3 & 4 North 10 degrees 16 minutes 25 seconds East 150 feet to an iron pipe in the line now or formerly of Louise Lemay; thence North 84 degrees 29 minutes 20 seconds West 10 feet; thence South 10 degrees 16 minutes 25 seconds West approximately 150 feet to the point an Place of Beginning.

And being a strip of land 10 foot in width west of and along the western boundary of Lots 3 and 4 according to the plat recorded in Plat Book 87, Page 62 of the Chatham County Registry, reference to which is hereby made for a more particular description.