



Town of Pittsboro, North Carolina

Department of Planning

(919) 542-1655

MEMORANDUM

TO: Bryan Gruesbeck, Town Manager

FROM: Stuart W. Bass, Planning Director

SUBJECT: REZ-2015-01
Branston, LLC Rezoning

DATE: March 5, 2015

Branston, LLC is proposing to rezone approximately 97 acres off of US 64, east of Pittsboro from R-A5 (Rural Agricultural) to R-A2 (Residential Agricultural).

The Planning Board recommended approval of this proposal at its regularly scheduled meeting on February 2, 2015.

A Public Hearing was held on February 23, 2015.

Action Required: Act on the rezoning request.

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**AN ORDINANCE AMENDING
THE ZONING ORDINANCE AND THE
TOWN OF PITTSBORO ZONING MAP**

WHEREAS, the Board of Commissioners of the Town of Pittsboro has considered the application of Branston, LLC to amend the zoning map of the Town of Pittsboro to rezone the property described on Exhibit A attached hereto and incorporated herein by reference from RA-5 (Rural Agricultural) to RA-2 (Residential Agricultural) pursuant to the provisions of NCGS 160A-385 and Article X of the Town of Pittsboro Zoning Ordinance and finds that the amendment is consistent with the Land Use Plan of the Town of Pittsboro; and

WHEREAS, the Town of Pittsboro Planning Board, after reviewing the amendment Application in detail, has advised and commented to the Board of Commissioners regarding the Application by a written recommendation for approval of the Application and also that the amendment to the Town of Pittsboro zoning map proposed by the Application is consistent with the Town's comprehensive plan, including the Land Use Plan, and other officially adopted and applicable Town plans and policies; and

WHEREAS a Public Hearing was held on February 28th, 2015 to solicit comments and concerns which were duly considered and acknowledged; and

WHEREAS, the Board of Commissioners has determined that the amendment to the Town's zoning map proposed in the Application advances the public health, safety, and welfare in that:

1. The subject parcels, Tax Parcel ID # 7552 and Tax Parcel ID #73659, are located in an existing residential area.
2. That the Board has examined the application and associated public testimony to rezone the property described in Application REZ-2015-01 incorporated herein by reference and finds that the amendment is consistent with the comprehensive plan, including the Land Use Plan, and other officially adopted and applicable Town plans, policies and documents.
3. The proposed rezoning is a reasonable location for those uses permitted in the Town's RA-2 zoning district and would be suitable for those uses permitted within the proposed district.
4. The proposed rezoning is reasonable considering the size and location of the tract and the potential impact to the surrounding community.

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

1. That the zoning map of the Town of Pittsboro is amended to provide that the property described on **Exhibit A** attached hereto and incorporated herein by reference and in Application EZ-2015-01, which is also incorporated herein by reference, has a zoning district classification of RA-2 (Residential Agricultural).
2. That in addition to the foregoing, as required by NCGS 160A-383 and Article X of the Town of Pittsboro Zoning Ordinance, the Board of Commissioners hereby approves the statement attached hereto as **Exhibit B** and incorporated by reference.
3. That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

Adopted this 9th day of March, 2015.

TOWN OF PITTSBORO

By:

Mayor

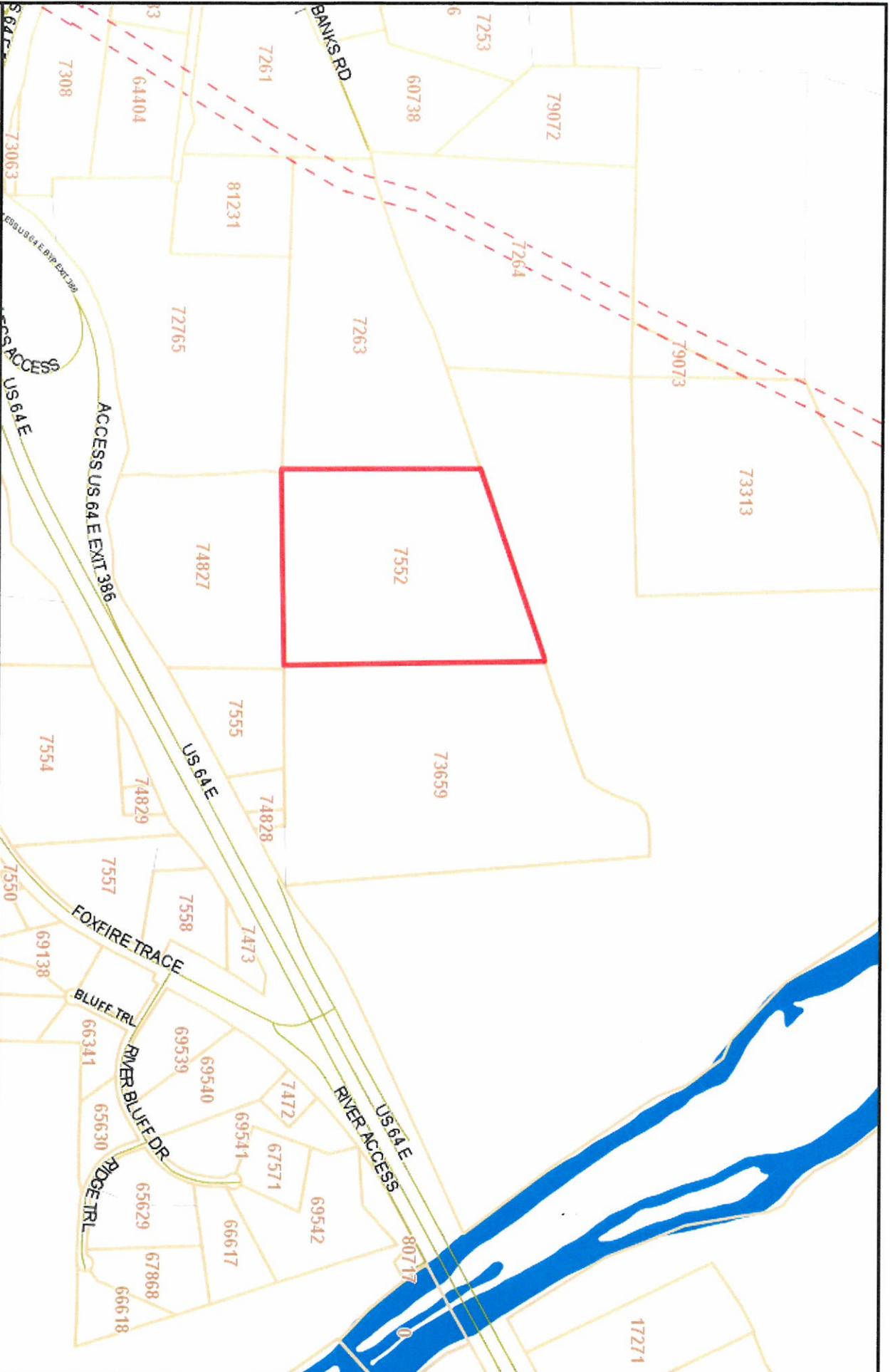
ATTEST:

Clerk

Exhibit A

Property Description

Beginning at an existing concrete right of way monument on the northern right of way of U.S. Highway 64 (variable width right of way) having N.C. Grid Coordinates (NAD 83 (2011)) N=720,124.09, E=1,965,856.75, thence along said right of way South 02°04'51" East 101.07 feet to a rebar set, thence South 65°05'41" West 135.76 feet to a rebar set, thence South 66°08'25" West 240.84 feet to a rebar set, thence leaving said right of way North 05°07'03" West 148.84 feet to an existing iron pipe, thence South 89°40'00" West 96.75 feet to a rebar set, thence North 88°43'16" West 869.57 feet to an existing concrete monument, thence North 88°30'51" West 1,203.62 feet to an existing concrete monument, thence North 00°55'31" East 1,209.54 feet to an existing concrete monument, said concrete monument being in the old road bed of the Old McClanahan Road, thence along said road bed the following calls: North 70°19'31" East 607.60 feet to an existing iron pipe, North 70°52'20" East 456.24 feet to an existing iron pipe, North 66°45'04" East 135.41 feet to an existing iron pipe, North 73°09'17" East 65.06 feet to an existing iron pipe, North 74°26'25" East 215.13 feet to an existing iron pipe, North 67°29'11" East 76.98 feet to an existing rebar, North 76°10'02" East 125.55 feet to an existing rebar, North 71°55'00" East 203.63 feet to an existing iron pipe, North 71°03'33" East 132.71 feet to an existing iron pipe, North 37°02'17" East 102.02 feet to an existing iron pipe, North 27°27'28" East 125.76 feet to an existing iron pipe, North 21°13'31" East 143.67 feet to an existing iron pipe, North 51°52'49" East 79.81 feet to an existing iron pipe, North 80°07'07" East 86.54 feet to an existing iron pipe, South 88°54'01" East 173.38 feet to an existing rebar, thence leaving said road bed South 02°38'02" East 2,191.99 feet to the point and place of Beginning containing 97.3106 Acres more or less.



CHATHAM COUNTY, NC

Property Map



Disclaimer:
 This map was prepared for the inventory of real property found within Chatham County, NC and is 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: 7552
 Map Number: 9762-40-1867.000
 Owner Name: BLAIR JOHN W
 Owner Address: PO BOX 995
 Owner City: PITTSBORO
 Owner State: NC
 Owner Zip: 27312
 Tax Year: 2015
 Description: M6-59

Deed Book: 1089
 Deed Page: 0852
 Plat Book:
 Plat Page:
 Deed Acres: 39.407
 Physical Address: US 64 E
 Improvement Value: 0
 Land Value: 370552
 Fire District: 106
 Township Code: 5

One Inch = 800 Feet



EXHIBIT B

The action taken by the Board of Commissioners in approving Application REZ-2015-01 is consistent with the adopted comprehensive plan, including the Land Use Plan, and other officially adopted and applicable Town plans, because it advances the plan's vision and goals, would provide for low density development, and promotes the strength of the Town's economy and the creation of local jobs.

Such action and the amendment to the Town's zoning map proposed in Application REZ-2015-01 are reasonable and in the public interest because they will foster the orderly growth of the Town, increase the tax base, and establish the basis for the provision of beneficial goods and services to the citizens of the Town. The property affected is a reasonable location for those uses permitted in the Town's RA-2 zoning district and would be suitable for all of those uses permitted within the district.

A RESOLUTION DENYING AN APPLICATION
FOR AN AMENDMENT TO THE ZONING ORDINANCE
OF THE TOWN OF PITTSBORO

WHEREAS, the Board of Commissioners of the Town of Pittsboro has considered the application of Branston, LLC to amend the zoning map of the Town of Pittsboro to rezone the property described below from RA-5 (Rural Agricultural) to RA-2 (Residential Agricultural); and

WHEREAS a Public Hearing was held on February 23rd, 2015 to solicit comments and concerns which were duly considered and acknowledged; and

WHEREAS, the Town Board of Commissioners makes the following findings and conclusions:

1. That the Board has examined the application and associated public testimony to rezone the property described in Application REZ-2015-01 as amended and incorporated herein by reference and finds that the amendment is inconsistent with the comprehensive plan, including the Land Use Plan, and other officially adopted and applicable Town plans, policies and documents.
2. The proposed rezoning is not a reasonable location for all residential uses and would not be suitable for all those uses permitted within the proposed district.
3. The proposed rezoning is not reasonable due to the size and location of the tract and the potential impact to the surrounding community.
4. The property rezoned as proposed has the potential to negatively affect the immediate area.

BE IT RESOLVED by the Board of Commissioners of the Town of Pittsboro, that the application to rezone the property described in Application REZ-2015-01 and incorporated herein by reference be rezoned from RA-5 to RA-2 is denied.

Adopted this 9th day of March, 2015.

TOWN OF PITTSBORO

By: _____
Mayor

ATTEST:

Clerk