

**MINUTES
JOINT MEETING
CHATHAM COUNTY BOARD OF COMMISSIONERS
AND
CHATHAM COUNTY PLANNING BOARD
MAY 12, 2008**

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 6:30 PM on May 12, 2008.

Present: Chairman George Lucier; Vice Chair, Mike Cross; Commissioners Patrick Barnes, Carl Thompson, and Tom Vanderbeck, County Manager, Charlie Horne; and Clerk to the Board, Sandra B. Sublett

Present: Sally Kost, Planning Board Chair; Planning Board Members, Barbara Ford; Jim Hinkley; and Delcenia Turner

CALL TO ORDER

The Chairman welcomed those in attendance and called the meeting to order at 6:30 PM. He explained that the purpose of the meeting is to receive information from the public, get information to the citizens, and answer questions regarding particular pieces of property on the major corridors that have been zoned on Highway #64; that portions of Highway #64 that run through Pittsboro, Siler City, and east of Pittsboro have already been zoned; that the same is true for Highway #15-501 from Orange County to Pittsboro; that a substantial part of Highway #421 runs through Siler City and has been zoned and is covered under their jurisdiction and planning and zoning laws; that Highway #87, north of the Pittsboro ETJ has been zoned residential/agricultural; and Highway #751 has already been zoned for about thirty years; that the Pittsboro-Moncure Road, south of the Pittsboro ETJ is now zoned residential/agricultural; that a substantial part of the major corridors have already been zoned throughout the County to RA-40 a few months ago; that this means that any business located there has now been turned to non-conforming; that the purpose of this meeting is to find out how the citizens want the property zoned, business, light industrial, heavy industrial, so that existing business can be supported, allow for expansion or change the business if conditions change; that the County has agreed to prepare all the forms in the rezoning and to waive all rezoning fees; that the night’s meeting is not a formal public hearing, but an informational meeting and a formal public hearing will be held at a later date after citizen input is received.

Keith Megginson, Chatham County Planning Director, asked that when people come to the podium, they state their names and numbers found on their letters.

Wayne Barr, 8835 US Highway #64 West, Siler City, NC, stated that his property has a dog leg shape; that the far left-hand side is the cell tower; that they request that consideration be given to rezoning only that portion of the Parcel #11929 to light industrial which is necessary for the location of the SBA cell tower; that they would be willing to carve out the section that is necessary according to the zoning requirements and put it on a separate deed; that the remainder of the parcel they would like to continue to be zoned RA-40.

Lyle Estill, Piedmont Biofuels, 37 Thomas Lane, Moncure, NC, Parcel #11136, stated that their concern is their front yard; that the farm goes all the way across the utility easement up to the road; that residential/agricultural is fine with them; that they do not want their agriculture put at risk; that they are an intensive sustainable farm; that if they have 150 feet of road frontage taken, they are no longer a farm; that they are growing food right up to the road; and that they would like to stay RA-40.

The Planning Director stated that as long as they do not change their operation from biofuels to anything else, they are fine; that they can expand their buildings as long as they meet the setbacks as established for the scenic corridor which is 150 feet back off the road; and that under State law, the County can not zone agriculture use.

The Chairman, for clarity, asked if Mr. Estill wished to remain residential/agricultural stating that the biofuels would be a nonconforming use and that they are free to expand and are grandfathered-in with the buffering. Mr. Estill replied in the affirmative.

Rachel Burton, 37 Thomas Lane, Moncure, NC, stated that she was representing the property owner that leases the land to the Co Op; that they are registered with the USDA as a research farm; that they would like to stay a farm.

Darren Locklear speaking on behalf of his wife, **Kathy M. Cox**, 115 Beechnut Street, Sanford, NC, Parcel #11665, stated that they have a small upholstery business; that they would like to request consideration to one day have the option to put a small flea market there; that they would like to be zoned for business.

The Chairman explained that it is now listed as RA-40; that that means that they could keep their upholstery business as a non-conforming use, but if they wanted to have flexibility in the future, they could have it rezoned to B-1. The Planning Director stated that would be the correct classification.

A. G. Reavis, 515 Gilmore Lodge Road, Siler City, NC, Parcel #66177 and #11643, stated that he didn't have any questions; that he manufactured shipping pallets and stored them; that the heavy industrial is needed for the entire tract for manufacturing and storage.

Diane Dodge, 12330 US Highway #15-501, Chapel Hill, NC, stated that her property is located between Cole Park Plaza and the UNC Park & Ride lot; that she is in a zoned area, but feels her situation is a little different; that on April 1st, she attended a Planning Board meeting regarding the major corridors proposed plan to make them aware of her situation; that it is somewhat unique; that she is in the Cole Park Community node; that she is the only residence in the north bound lane of Highway #15-501 between the Chatham County line and Cole Park Plaza; that her property has been up for sale since she bought it as she bought it for investment into a commercial area; that she doesn't like living on the highway; that she will not like living next to a ten-bay gas station which is being built on the property line; that if the Major Corridor Plan is approved as worded, all three nodes between the Chatham County line, Ferrington node, the Chatham Downs node, and the Cole Park Plaza node are already over-capped; that if this is supposed to be an area where development is supposed to be funneled, there cannot be further commercial development can occur there if it is not already on the books; that she raised this question to Paul Black, John Graybeal, and the Planning Board; that they all seemed unaware of that fact; that she doesn't want to live here for another forty years; that this property will not be able to be sold for commercial application; and that no one will want to purchase it as a residence.

The Chairman explained that the Board will have to hold a public hearing on the Major Corridor Ordinance; that now that has not even been presented as a recommendation from the Planning Board to the Board of Commissioners; that when that happens, the Board will call for a public hearing and at that point, Ms. Dodge should come and give her comments and state if she is dissatisfied with the Planning Board recommendation.

Ms. Dodge stated that she was just trying to bring it to the Board's attention; that she was unable to attend the last Planning Board meeting where they glossed over her problem; that it was raised by several members of the board; and that her purpose at the night's meeting is to call attention to it by the Board.

A. G. Keel, representing his partner Brown and himself, Parcel #9723, 2891 South River Road, Stanardville, VA, stated that their property was zoned heavy industrial; that they received the letter from staff and they returned their affidavit asking that it be zoned heavy industrial; that it has been that for the last forty years as far as they can determine; that 20-30 years prior it was a wood pellet mill on the site; that it then became Vest Engineering for heavy machinery and then Waste Reduction Products Corporation when it was purchased by their firm; that they invested a substantial amount of money into the project; that bought it out of bankruptcy; that they are trying to recoup some small percentage of their investment; that as good corporate citizens, they don't want to let the property languish there; that they have now leased it to Performance Stone and Minerals; that in addition, they have a separate partnership with Gold and Gypsum; that it continues to be in productive use as heavy industrial; that it employs approximately fifteen people not including the ancillary services

used for machine shops, electrical services, contractors, etc.; that they would strongly urge that consideration be given to maintain its current use and therefore zone it as heavy industrial.

Shirley and James Dean, 1503 Old Sanford Road, Moncure, NC, Parcel #70687, stated that this property had formerly been used as a service station; that it has just been inherited; that they were wondering if it was rezoned business, if it could be something other than a service station.

The Planning Director stated that there were approximately four pages of things listed on the web page that could be used on the property and still meet setback requirements along the boundaries of it; and that if they wanted to leave the same building and use it for some other business, that was possible.

Ms. Dean stated that she would like for it to remain B-1 classification.

Ronnie Vaughn, 782 Old Graham Road, Pittsboro, NC, Parcel #10810, stated that this property on NC Highway #87 North; that it was built and has been used as a country store also selling gasoline; that it was added on to and an automotive repair shop was incorporated into the use of the building; that he and his wife currently own it and are refurbishing the building with new roof, wiring and paint; that their request is an appropriate zoning that would accommodate light automotive and equipment repair and light machine shop use.

The Planning Director stated this would fall under B-1 or light industry classification, to be determined; and that a light industrial classification would allow the flexibility of both the machine shop and automobile repair garage.

Mr. Vaughn stated that the property is triangular in shape; that activity has not always been limited to that area; that in addition, they would like to request the option of coming straight back to the property which would increase it be ½ acre.

Frank Foushee, 872 Old Graham Road, Pittsboro, NC, Parcel #5971, stated that he owns Tract A, Tract 2, and Tract 2B; that he currently has a lease with a propane storage company to store propane there; that he believes that the appropriate zoning is heavy industrial; that because Tract 2 and 2B are not perking lots, the map is recorded to be reattached to another parcel; that he thinks that would encompass approximately seventeen acres; that he has not been careful to maintain an easement on the north and south sides of the property when he owned adjacent property to make sure that he has good access to the property from both sides; that he has a 60 foot easement on Cobblestone Lane; that on the Butch Dowdy Road he has a 60 foot easement to the first property line and a 30 foot easement all the way to the back; and that he would like it all to be zoned heavy industrial. Mr. Foushee cautioned that two of the lots do not perk so they cannot be separated from the other tract.

The Chairman asked the Planning Director to check into this about what will work best.

Ralph Foushee, Moncure, NC, Parcel #70760, stated that he would like to have the tract zoned heavy industrial to continue using it for what he has been using it for.

Nick Robinson, PO Box 607, Pittsboro, NC, Parcel #72029, stated that he was present on behalf of General Shale Brick, Inc.; that the owners of the parcel use it as a clay mine; that only a portion of it is within the 1,500 feet; that General Shale requests that the entire parcel be zoned as heavy industrial to accommodate the current use.

The Planning Director asked if there was another parcel.

Upon pulling up the parcel, the Chairman stated that it looked like the same type of mining classification. The Planning Director identified it as Parcel #76187. Mr. Robinson stated that he assumed that General Shale would also like to have that as heavy industrial. The Chairman asked Mr. Robinson to ask them and let staff know their preference.

Wayne Foushee, 591 Carl Foushee, Pittsboro, NC, Parcel #11131, stated that he had a cabinet shop on this parcel for thirty years; that he talked with Planning Staff several times regarding this matter; that it is complicated because the cabinet shop is light industrial, the home is residential situated on 3-4 acres of land; that Jason Sullivan of the Planning Staff suggested that he do a split zoning; that he sent a sketch of the plat to the Planning Board of how he would like for it to be divided.

The Planning Director stated that they had what Mr. Foushee had drawn out on paper; that prior to the public hearing, they would duplicate it; that if the Board was willing to go along with it, that is what would be advertised.

George Farrell, 354 McGhee Road, Chapel Hill, NC, Parcel #84651, stated that this property is adjacent to the old driving range; that at the present time, he has four building permits for the land; that there is a self-storage, flex space with office and warehouse in it; that in the building permit request, he requested about 7-8 uses for it; that one was a landscaping business, an office, retail, auto repair garages; that he has had the permit for over six months; that he got his one inspection before the permit expires; that he doesn't want to go another term and have to do it again; that in doing a site plan, he has one turned in with the building permits; that he is asking for B-1 on this, as it might change the site plan and he needs to understand where he is going with it so that he can complete the cycle.

The Planning Director stated that this was in an area between area between Old Graham Road and Highway #87; that Mr. Farrell already has the vested rights because of his on-going permits; that it would be a business district totally off the corridors and in the middle area; and that they will need to get a final reading from the County Attorney.

Mr. Farrell asked if this was straight B-1 or B-1 Conditional Uses for the 7-8 already requested as this will determine how he does the site plan. The Planning Director stated that if there was a conditional use, it would have to come from the Board of Commissioners.

Shannon Plummer, 1054 Old Sanford Road, Moncure, NC, Parcel #60119, stated that the parcel includes a building that still remains; that there old trailers that are no longer there; that is one left that cannot be seen for the trees; that they were illegally placed; that they have all been removed; that the original building was a restaurant approximately forty years ago; that once his partner and he bought it, they discovered that it was a commercial building; that at that time, they proceeded to get the proper commercial permits and up-fitted the building to return it to commercial use for retail space; that they actually went ahead and installed a new septic for the retail facility for up to eight employees; that during this process, the Board zoned the corridors RA-40 during the public hearing; that since they had their open permits, the Board allowed them to get a tenant in there; that the NC Sign Company is now located there; that in the future, if he was to move, he assumes that they would have to go through a conditional use permit; that that is why they are requesting a B-1 zoning so that they have a sensible range of uses.

Gary Tucker, Tucker Welding, 13040 NC Highway #902, Bear Creek, NC, Parcel #8925, stated that he has a welding shop, light industrial business and residence on the same property; that he wants to split the property as it was done at one time with two acres for the house and 1½ acres for the business; that he would like the business part rezoned for business light industrial. He said that it was his understanding that the property had been surveyed and mapped but was never recorded; that in talking with Building Permits, he understands that they can actually pull up two separate maps.

Chairman Lucier asked the Planning Director to make certain that light industry is the correct classification.

Russell Hogan, 2828 McKinney Street, Burlington, NC, representing Mr. Ciro Maya, 12365 Highway #421 South, Goldston, NC, Parcel #9032, stated that this property is presently being operated as a club with sport events and live animals involved. He asked if the property was changed to business industrial, how it would affect the current operation at this location.

Chairman Lucier asked what the current use would mean in terms of the zoning classification.

The Planning Director stated that if it fits under light industrial, there are a number of different things such as clubs and other places of entertainment, operations of commercial enterprises, carnivals, craft and stage shows, etc.

The Chairman stated that it is now RA-40; that with an existing business would be non-conforming unless the zoning is changed; that if it is left as non-conforming then the business could not be changed; that if it was rezoned to some classifications such as light industry, then the business would be able to be changed in the future.

Mr. Hogan stated that they would like to have it changed to light industry for the entire parcel.

Richard Hunnewell, 1599 Gulf Road, Goldston, NC, Parcel #75559, stated that he is doing mechanic work out of his garage; that his residence is also located there; and that they share one septic system.

The Planning Director stated that the problem with this parcel is that it is just a little less than 1½ acres; that it would be difficult to split to meet the requirements for each district to have what is necessary; that he doesn't see how it can easily be split; and that the County is in the process of amending the ordinance to allow the sharing of the septic system.

The Chairman stated that the Board is in the process of amending the ordinance to allow that; that he feels the best thing to do is to leave the entire lot business and then, as the ordinance is amended, it will be back into compliance.

Billy and Peggy Cockman, 1034 Stage Coach Road, Siler City, NC, Parcel #12228, stated that he has a couple of questions that he wants to get answered before proceeding to the zoning: 1) The land is shorter than the 1,500 setback; that now there is a propane gas company located on it, Jenkins Propane Gas Company. The entire acreage is 22 acres. He asked if the entire 22 acres was zoned, are they going to be allowed to put another business on it at a later date.

Chairman Lucier responded yes; that whatever it is zoned, he would be able to do that. He asked if Mr. Cockman wanted the entire 22 acres zoned heavy industry or part of it to remain RA-40.

Mr. Cockman stated that if they could locate other businesses on it at a later date, they want the entire 22 acres zoned heavy industrial. He stated that in the event that they cannot locate other businesses in the entire 22 acres, they only want 5 acres of it zoned heavy industrial which is where the current activity is now located.

Mr. Megginson responded that everything that is in light industrial and business district could go in heavy industrial which would give the most flexibility of use for the property. He stated that the tract is not in the area that is presently recommended to be one of the business nodes.

Chairman Lucier stated that they could certainly zone the area that is currently used; that they will have to look into whether the entire area can be zoned heavy industry.

Mr. Cockman's second question was, in the 11 acre area where there is now a house trailer, if it is zoned anything other than RA-40, could a business be placed on it, stating that it was not very deep.

Chairman Lucier stated that a business could not be placed on the 11 acre area unless a request was made through a conditional use to place a business on it.

The Planning Director stated that if this is an area that is recommended to be a scenic corridor so that there is a 150 foot buffer along the front of the road, the actual width that's zoned for business is the 1,500 foot; that the scenic corridor that is all RA-40 now goes beyond Mr. Cockman's property that is shown.

The Planning Director stated that if the property was to be zoned business, everything would have to be set back at least 150 feet and it would have to be undisturbed wooded buffer.

The Chairman stated that they understand Mr. Cockman's request regarding 22 acres; that they will get back to him and whether or not other businesses can go in there.

Mr. Megginson suggested that Mr. Cockman talk with someone in the Tax Office regarding the difference in taxes with regard to the rezoning.

Robert Murchison, PO Box 293, Goldston, NC, Parcels #80189 & #9711, stated that both properties are adjoining; that they have been used for a variety of businesses: car wash, restaurant, grocery store, beauty salon, wood working shop, offices and that his next quest is to put in storage buildings; that he would like to have the B-1 Commercial and/or light industrial.

Mr. Megginson stated that straight business would work; that there is difficulty with his tract because it is so long and narrow; that it is only about 120 feet deep; that there is a 50 setback off the road and 20 feet from the rear; and that it doesn't give him a whole lot to work with.

Mr. Murchison asked how much it would give him. The Planning Director stated that this is not in an area where one of the nodes is recommended for business; that it is going to be in the scenic designation; and that on #421, there is supposed to leave a 150 foot undisturbed buffer.

Chairman Lucier asked if the Planning Director had a recommendation.

Mr. Megginson stated that they needed to talk with the County Attorney to find out the best approach.

Chairman Lucier stated that there was no problem with the present use; that he understands the owners desire to have the flexibility of the current buildings to change the business but not to add additional buildings; and that they will need to find out what he can do.

William K. Russell, 6440 Alton King Road, Gulf, NC, Parcel #9914, stated that currently he owns property that is a heavy duty machine shop; that he makes parts for many different types of industries; and that he would like to see it zoned heavy industrial.

The Planning Director stated that heavy industrial allows both heavy and machine shop which is listed under light industrial; that if they want more flexibility of use, the heavy industrial would do that; and that the current use would be covered by light industry.

BREAK

The Chairman called for a five-minute break.

Robert Kapd, 6285 Highway #64, West, Siler City, NC, Parcel #60115, stated that currently they have a mini-storage facility on the property; that they are requesting that the entire property be zoned light industrial; and that they are located next door to Progress Energy; that they have approximately ten acres.

Mr. Megginson stated that on all of these, though they may be zoned for industrial or business, heavy industrial/light industrial, if they are not within the scenic corridor, if they put new buildings on there, then they will have the 100 foot, 50 foot, and various other requirements; that the uses are expanded but that there are other requirements of which everyone should be aware.

Chairman Lucier stated that the current buildings stay put, but the usage may change.

Chairman Lucier stated that the Planning Board has not given their recommendations to the Board of Commissioners on the Major Corridor Ordinance; that they are trying to

protect existing businesses and their right to expand or change businesses; that he doesn't see a particular issue with this case; and that he believes that this request is for a light industry parcel. Mr. Kapd replied that was correct.

An unidentified person speaking on behalf of **Robert Patterson**, 672 Marshall Road, Pittsboro, NC, Parcel #76313, pointed out an area on which they work on equipment. She asked if it would affect the taxes if they requested the entire area be rezoned to heavy industrial.

The Chairman replied that it would and asked the Tax Administrator to prepare an estimate of what the tax impact would be.

She stated that they knew that they wanted a portion of the parcel zoned heavy industrial; that she wondered if there was a way to do the rest as light industrial; that if it does not greatly affect the tax rate, then they would do it all heavy industrial; that as RA-40, she wonders if chickens and horses will be allowed; and that if she ever wanted to teach riding lessons or training, would she be allowed to do that in the RA-40 or would she need to rezone as light industrial. She also asked if she could change the use to industrial in the future.

The Planning Director stated that horse uses get a little complicated; that it can be considered agriculture which cannot be regulated by State law and that typically, the County does not regulate them.

The Chairman replied that she would have to come in and make a request to the Planning Board who would make a recommendation to the Commissioners who would act on the request to change the zoning.

Russell Schultz, 2124 Lutterloh Road, Pittsboro, NC, Parcel #69206, stated that when he bought his property he was told that it was unzoned property and it was going to stay that way; that he want to go back what it was earlier, unzoned property. He asked what was the possibility of that happening.

The Chairman replied that that was not going to happen, stating that zoned property was worth more than unzoned property.

Mr. Schultz stated that he wasn't interested in the money as much as he was interested in continuing what he was doing which was building an airport.

The Chairman stated that Mr. Schultz has a couple of choices: 1) He can leave the property RA-40 in which he would have a non-conforming use; that he would be allowed to expand that non-conforming use but if he wanted to change the airport into heavy machine shop, he wouldn't be able to do that without making a special request to the Commissioners. 2) If he wanted to have it zoned light industry, the fees have been waived in all these cases and the County would do the paperwork, and it would give him more flexibility down the road.

Mr. Schultz replied that he would let them know what he preferred.

Eugene Moore, 13120 NC Highway #902, Pittsboro, NC, Parcel #8924, stated that they were in attendance to request industrial zoning so that they can use it for manufacturing; that that is what is has been used as for 35 years in the same location; that he would like for the Board to consider them continuing with it.

The Planning Director stated that light industrial would allow all the current uses.

Commissioner Thompson asked Mr. Moore if he had considered rezoning to heavy industrial stating that it would give him more options.

Mr. Megginson reviewed a list of heavy industrial uses.

Charles Horner, 3425 South Main Street, Goldston, NC, Parcel #60964, stated that his building was built approximately 40 years ago and has 7,500 square feet; that it has been

used for commercial purposes; that he has owned the building for just over 20 years; that the land to the north of it belongs to him; that there are two 10,000 gallon automotive fuel storage tanks; that he currently runs a convenience store and a sporting goods store at that location; that the name of the business is called Galaxy; that in that building, there is currently a 50 x 50 ft. section housing a two-bay garage; that he ran the garage for thirteen years; that although he has aged out, he still has plans for the building; that if they had sewer, it would probably now be a shopping center; that since he purchased it for commercial enterprise, he be allowed to continue to use it for commercial property; and that he doesn't want to be hindered with regard to commercial activity within the building.

The Planning Director stated that Mr. Horner was in the scenic overlay area and that if it was to be improved, there would be a 150 ft. setback requirement.

Mr. Horner expressed concern with regard to some lighting problems that he had incurred as his business. He stated that he was personally told that everything was alright only to be told two weeks later in a letter that his lighting fixtures do not meet the specifications by the zoning board; that it is the same lighting that was put in when the building was built 40 years prior; that when he spoke with someone in the County offices, a lady told him to recess the lighting; and that that cannot be done as it is an A-frame roof.

The Planning Director explained that the lighting provisions of the Zoning Ordinance not only give restrictions on the level of light measurement, but also the kind of fixture; that they have to be recessed into the canopy; that with some, light levels are fine; and that the kind of fixture did not meet the ordinance.

Mr. Horner stated that he was told to call the contractor, as he would know what would pass; that he is stuck with lights that work; that he doesn't want to put a ceiling into his A-frame roof at this point in the game; that he doesn't see why it could not be grandfathered in.

Mr. Megginson stated that Mr. Horner had five years in which the entire method of measuring light will change as they have been told by Progress Energy; that he may not want to do anything for about four years to see what the status is at that time. He stated that they would appreciate receiving the affidavit but that they can move ahead if the Board wants to zone it for straight business on both tracts.

Kevin Cieciorca, 8833 NC Highway #87, Sanford, NC, Parcel #60537, stated that he has a storage facility directly across from his garage; that he had a fire in his garage last week; that the building is now going to have to come down; that his residence is located to the right of his garage; that to the right of that, he has a small junk yard; that since have dramatically changed for him in the last week and will change again in the next 6-8 months due to rebuilding, he would like for the County to consider zoning him heavy industrial; that he needs to know what to do with his residence; and that if they could delay the decision until he gets his business back up and running, he would like to do that.

Commissioner Cross asked if the area was rezoned heavy industry, could the house not be grandfathered in as it was in Southeast Chatham in May, 1990.

Mr. Megginson stated that it was not now in the industrial district; that residents in industrial districts are not a permitted use; that since the County is looking to change the business district to allow for residential uses, one could make the same provisions for industrial; that typically, they are separated because when there is an industrial park, you wouldn't want a bunch of houses going in there and there being no land for industrial use; that because he has a joint use, which is not uncommon in rural areas, he doesn't see that it would be a problem to provide for it.

The Tax Administrator asked if Mr. Cieciorca was requesting that the entire parcel be rezoned. She stated that she had an estimate of the taxes which would more than triple if it was rezoned to heavy industrial.

Mr. Cieciorca stated that he would talk with Ms. Stone prior to making his final decision.

The Chairman asked if there was a time table set for the public hearing on zoning. The Planning Director stated that it could not go to public hearing until the lines have been determined and defined and what is going to the public hearing. He stated that it could be within six months, possibly August or September.

Barbara Ford, Planning Board Member, asked if he had the option of non-conforming use and just leave it zoned the way it is.

Mr. Cieciora stated that he runs a heavy, medium, and light towing business, works on trucks and mobile homes, deals in recycling automobiles, and he has a storage facility.

Roy Turner, 1410 Forest Acres, Pleasant Gardens, NC, Parcels #62623, #63303, #9827, #9831, #9826 stated that he was in attendance on behalf of Hanson Brick; that he requests that the parcels be zone heavy industrial; that it is currently a clay mining operation that provides clay for their brick operations; that it is located outside of Goldston; that all five properties are currently being used in the mining operation or have been in the past; that if the Board has any questions, he will be retiring in two days.

Buddy Kelly, 13415 US Highway #421, Goldston, NC, Parcel #62615, stated that he is with Construction Equipment Parts Company which is a heavy equipment salvage business; that they are in the former location of Pomona Pipe; that they would like to be zoned heavy industry which is the same as the last twenty years; and that they would like to keep the entire parcel of 136 acres zoned heavy industrial.

Ann & Danny "Lewis" Moore, 130 Elmer Moore Road, Bear Creek, NC, Parcels #8508 & #8509, stated that this property is used for a welding and machine shop; that they would like to request heavy industrial because of the type of work done there; and that the second parcel is used for storage that they want to leave it as a non-conforming use as they do not intend to do anything different with it.

Richard Williams, Townsends, 1100 East 3rd Street, Siler City, NC, Parcel #61435, stated that they operate a commercial broiler hatchery and that they want the entire acreage to be zoned heavy industrial.

Dan Welles, on behalf of Heritage Propane, Siler City, NC, Parcel #62669, stated that they operate a retail propane business out of this location and that they are requesting to be zoned heavy industrial.

Richard Quinn, 957 Chicken Bridge Road, Pittsboro, NC, Parcel #67174, stated that there are two 5,000 ft. steel buildings on this property that serve as distribution buildings for his retail business; that there is a small building which he is leasing to his brother who is using it to make pottery as a hobby; that he also owns the house next to the property and the two other adjacent parcels; that his business is a gardening supply business and he wants to know that if he constructs a greenhouse on the five-acre parcel, what zoning classification would be suitable for it, heavy or light industrial.

The Chairman stated that the request they have is for heavy industry. Mr. Quinn stated that he was unsure if that would be the correct usage.

The Planning Director stated that light industry would probably be most suitable. The Chairman agreed stating that it would give him the flexibility to do something with his greenhouse if he desired to do so.

The Planning Director stated that **Gum Springs Garage (Roy Kidd)**, no address given, wanted both tracts of his land to be zoned light industrial to continue doing what he has been doing.

George Farrell, stated that the permits he had were for six months and that when they come due, he will have to get another six month inspection so that his permit will not expire. He asked when his next inspection would come due.

Ms. Birchett replied that after the first six months, there would be one every twelve months.

David Dominguez, Parcel #10799, stated that currently is offering counseling in the little building that sits next to his house; that they are in the process of moving into town to try to find a suitable location so their property will not have to be rezoned; and that they want the property to remain RA-40 as it now is.

The Chairman stated that it sounded as though his best option was to leave it non-conforming for whatever period of time it is used, then when the location is changed, it can be changed back to RA-40; that if a non-conforming use doesn't get used for a year, it will then revert to RA-40 anyway; and that he doesn't think that Mr. Dominguez will need to do anything with it.

Chairman Lucier asked the Planning Director how many had not responded nor submitted an affidavit. The Planning Director responded that approximately 25 people had not responded. The Chairman asked that a third letter of follow-up be sent to people not responding.

ADJOURNMENT

The Chairman thanked everyone for attending and adjourned the meeting at 9:18.

George Lucier, Chairman

ATTEST:

Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners