

Ordinance of the Chatham County Board of Commissioners

AN ORDINANCE AMENDING THE ZONING MAP OF CHATHAM COUNTY

Oscar Guarin

WHEREAS, the Chatham County Board of Commissioners has considered the request to rezone approximately 9.278 acres, being all or a portion of Parcel No/s 5067, located at/off 4920 Old US 421 S, Bear Creek Township, from R-1 Residential Non-Conforming to Light Industrial to develop the site for continuation of uses permitted under the Light Industrial zoning district, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

WHEREAS, the Board finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning; and

WHEREAS, the Board finds the five (5) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. No errors in the Ordinance are being made; and

No. 2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. The county began rezoning the unzoned portions of the county in 2007 and 2009 along the major corridors. In 2016, the remaining unzoned portions of the county were placed into their respective zoning districts. Several existing businesses requested a zoning designation to match the type of use that was being conducted. However, some business property owners opted to accept the new R-1 or R-5 Residential zoning districts and remain as permitted non-conforming use.

Under the Zoning Ordinance, non-conforming uses may continue to operate at the time of the non-conformity, they can expand on the same parcel and can change ownership. However, the use cannot change to another non-conforming use.

The new owner of the property wants to allow for more options on the property that has historically been used for industrial purposes since 1962 when it started as a paving and concrete business, then grain storage and warehousing.

The applicant believes the property still has viable uses, as driven by market demands for small rural businesses in the area. By obtaining general use light industrial zoning, more options would be available for the property which helps in marketing for new occupants.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. The property is located within an Agricultural node of the Future Land Use and Conservation Map. It is also approximately 500 ft from the Village Center node which promotes light industrial uses. Chapter 3 – Objectives – encourages the strengthening and support of existing businesses and increasing non-residential share of the tax base.; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare. The property is split between Old US 421 S and the railroad and is not suitable for residential use. There is no road improvements needed as those are already in place.

The applicant plans to further clean and improve the property to attract new users. The existing county water connection and septic will continue to be utilized. There is an existing sign on the property from the previous business that will continue to be utilized.
; and

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. This site can bring more employment opportunities to the area, especially in construction-related jobs.

The property is located within the Local (LWA) watershed and built upon area is limited to no more than 36% without curb and gutter. There are no floodable area on the property.
; and

BE IT ORDAINED, by the Board of Commissioners of Chatham County as follows:

1. The Application to rezone all of the property described as Parcel No/s. 5067 and being approximately 9.278 acres as depicted on Attachment "A", located at/off 4920 Old US 421 S, from R-1 Residential Non-Conforming to Light Industrial, Bear Creek Township is approved and the zoning map is amended accordingly.
2. As part of this approval, the following conditions are also approved and shall be followed at all times:

None
3. This ordinance shall become effective upon its adoption.

Adopted this 18 day of August, 2025

Karen Howard, Chair
Chatham County Board of Commissioners

Oscar Guerin and Jaime Dubrebe . July 31/2025.

Applicant/Representative for the applicant signature

(By signing this Ordinance, you agree to its findings and any subsequent conditions or approvals that may be required upon development of the site)

ATTEST:

Jenifer K. Johnson, MMC, Clerk to the Board
Chatham County Board of Commissioners