

**TOWN OF CARY
Planning Department**

JUL 11 2018

Submit to the Planning Department, P.O. Box 8005, Cary, NC 27512

Development Services

For office use only:

Rezoning Case #

Payment Method: CASH ___ CHECK ___ CREDIT CARD Amount: \$ 1900- P&Z HTE# 19-32

APPLICATION FOR REZONING		PAID
		JUL 18 2018
Associated Annexation Petition <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		DEVELOPMENT SERVICES
Traffic Impact Study <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
TAR Number: _____ Staff confirmation: Initials <u>KRD</u> Date <u>7-18-18</u>		
This application is deemed sufficiently complete for purposes of submittal.		
Planning Staff Signature <u>Katie Dye</u>		Date <u>7-18-18</u>
<small>Submittal deadlines incorporate sufficiency review of rezoning/land use plan amendment applications. Signature by Planning Staff is required prior to payment of fees and final acceptance of application.</small>		
STAFF USE ONLY: Circle applicable Parts: <u>1</u> <u>2</u> <u>3A</u> <u>B1</u> <u>3B2</u> <u>3B3</u> <u>3B4</u> <u>3C1</u> <u>3C2</u> <u>3C3</u> <u>3C4</u> <u>3D</u> <u>3E1a</u> <u>3E1b</u> <u>3E2</u> <u>3F</u>		

Fees will not be accepted until the application is deemed sufficiently complete and signed by Planning Staff.

REZONING FEE:

- \$1,400.00 – General rezoning, or initial zoning associated with owner-initiated annexation petition, 5 acres or greater
- \$300.00 – Initial zoning associated with citizen-initiated annexation petition, less than 5 acres
- \$1,900.00 – Conditional use rezoning (per change of zoning classification requested)
- \$2,500.00 – Mixed Use District Rezoning (New MXD, or major amendment to existing PDP)
- \$500.00 – Mixed Use District Rezoning (Minor amendment to existing PDP - typically less than 50% of floor area, number of units, etc.)
- \$2,500.00 – New application or major amendments to approved Major PDD
- \$1,250.00 – Minor PDD or Minor Amendment to Existing PDD

NOTE: An additional fee of \$150 will be charged for each additional public hearing or neighborhood meeting required due to changes in the request made during the rezoning process.

Project Name		George Hurst Land <u>6808 Good Hope Church Road</u>
Name of PDD (if applicable)		
Location	Address	<u>6808 Good Hope Church Road</u>
	General Location	<u>East of Good Hope Church Road and Hwy 55 Intersection</u>
	Jurisdiction (check one)	<input type="checkbox"/> Cary Corporate Limits <input checked="" type="checkbox"/> Cary ETJ <input type="checkbox"/> Wake Co.* <input type="checkbox"/> Chatham Co.* *Submittal of an annexation petition is required if rezoning is requested

Part 1: Applicant Information

Applicant # 1		Applicant's ^{# 2} Contact	
Name	<u>Michelle Rogers Humphres</u>	Name	<u>Chris W. Humphres</u>
Firm	<u></u>	Firm	<u></u>
Address	<u>113 Church Steeple Lane</u>	Address	<u>113 Church Steeple Lane</u>
City, State, Zip	<u>Morrisville, NC 27560</u>	City, State, Zip	<u>Morrisville, NC 27560</u>
Phone (area code)	<u>(919) 412-9110</u>	Phone (area code)	<u>(919) 612-1770</u>
Email	<u>glenaire4paws@yahoo.com</u>	Email	<u>chumphres33+farm@gmail.com</u>

Part 2: Parcel & Owner Information

Property Owner(s) <i>Provide property owner name and address as it appears in the Wake or Chatham County Tax Records,</i>	County Parcel Number(s) (10 digit)	Real Estate ID(s)	Deeded Acres ¹
HUMPHRES, CHRISTOPHER W HUMPHRES, MICHELLE ROGERS	0735766617 ✓	0071357 ✓	1.579 ✓ (Portion of 2.15 acres)
Total Acres	1.579		

¹ A property survey showing zoning district boundaries and acreages is required if multiple zoning districts are proposed or if the proposed rezoning applies to only a portion of a parcel.

Part 3A: Rezoning Request

Pre-Application Conference: Yes Date: 04/17/2018 No

Existing Zoning	Base Zoning District(s)	ORD
	Zoning Overlay District(s) <i>Check any that apply</i>	<input type="checkbox"/> Mixed Use Overlay District (Name: _____) <input type="checkbox"/> Conservation Residential Overlay District <input type="checkbox"/> Airport Overlay District <input checked="" type="checkbox"/> Watershed Protection Overlay District <input checked="" type="checkbox"/> Jordan Lake <input type="checkbox"/> Jordan Lake Critical Area <input type="checkbox"/> Swift Creek <input type="checkbox"/> Historic Preservation Overlay District
	Zoning Conditions <i>(if any)</i>	N/A
Proposed Zoning	Proposed Base Zoning District(s)	R40 -CU
	Proposed Zoning Conditions	<input type="checkbox"/> No zoning conditions are proposed <input checked="" type="checkbox"/> Zoning conditions are proposed and included in attached affidavit
	Proposed Changes to Overlay Districts	N/A
	Summary of Proposed Development or Purpose of Request	To allow us to build our future single family residence

Part 3B: Applicant's Rezoning Justification Statement(s)

Rezoning Justification Statement #1 *Required for all rezoning requests*

Describe how the proposed rezoning meets the criteria listed below.

Section 3.4.1(E) of the Land Development Ordinance states that Council should consider the following criteria when reviewing all proposed rezonings:

- (1) The proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;
Applicant's Comments: The proposed rezoning reflects the use identified in the Cary Community Plan and meets the challenge of complementing the historic context of the Carpenter Special Planning Area;

- (2) The proposed rezoning is consistent with the Comprehensive Plan and the purposes set forth in Section 1.3 of this Ordinance;
Applicant's Comments: The subject property is within the Historic Carpenter Special Planning Area as indicated on the Future Growth Framework map of the Cary Community Plan and the proposed rezoning is consistent with the Cary Community Plan and the policies of the Carpenter Special Planning Area;

- (3) The Town and other service providers will be able to provide sufficient public safety, educational, recreational, transportation, and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;
Applicant's Comments: The proposed rezoning will not affect the Town's or other services providers' ability to provide sufficient public safety, educational, recreational and transportation to the subject property. In addition, the proposed rezoning will not affect the Town's ability to provide future utilities facilities and services while maintaining sufficient, existing service levels;

- (4) The proposed rezoning is unlikely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;
Applicant's Comments: The proposed rezoning will not have an adverse impact on the natural environment.

- (5) The proposed rezoning will not have significant adverse impacts on other property in the vicinity of the subject tract; and
Applicant's Comments: The proposed zoning will not have a significant adverse impact on other property in the vicinity of the subject property. To the east, the neighboring property is zoned for residential use and to the west, the neighboring property though zoned ORD is used as a residence.

- (6) The proposed zoning classification is suitable for the subject property.
Applicant's Comments: The property is located in the Northern Section of the Historic Carpenter Special Planning Area which includes primarily open land, a few active farms, land owned by the Town of Cary, and rural homesites. New developments in the Section are to be compatible with and support the historic rural character of the area, blending into the landscape. Furthermore, the intent of this policy is to support new single-family residential development in the Section. The proposed residential zoning is appropriate for this parcel.

Rezoning Justification Statement #2 *Required for all rezoning requests*

Describe how the proposed rezoning is consistent with or supported by the visions and policies of the [Cary Community Plan](#). *Attach additional sheet if necessary.*

Growth Framework Map

The subject property is within the Historic Carpenter Special Planning Area. Within that area, the site falls into the sub-district designated as the " Northern Section." This is important in that the general goal for this special planning area is for new development to be compatible with and support the historic rural character of the area, blending into the landscape. In addition, the intent behind the goal is to support new single-family residential development that minimizes impacts on views from thoroughfare and collector corridors. As conditioned, the proposed zoning is consistent with the Growth Framework Map and the Historic Carpenter Special Planning Area.

LIVE Chapter, Policy **5**

Protect and Restore Open Space and the Natural Environment.

The proposed zoning will facilitate the development of an area that has long kept its rural character. Rather than rapidly increasing density, the proposed rezoning respects the prevailing rural character of the area by limiting density of dwelling units.

ENGAGE Chapter, Policy **HPMP GOAL 3**

Preserve Historic Context.

The proposed rezoning facilitates the Historic Preservation Master Plan goal to preserve the land and patterns associated with historic buildings.

SHAPE Chapter, Policy **8**

Preserve and Maintain Cary's Attractive Appearance and the Quality of Development.

The proposed zoning will maintain the attractive visual qualities of the Carpenter community.

SHAPE Chapter, Policy **HCSPA 4**

Design New Neighborhoods in the Northern Section of the Special Planning Area that Complement the Historic Rural Character of Carpenter

The proposed rezoning contributes to the policy for new development to be compatible with and support the historic rural character of the area, blending into the landscape.

Part 3C : Owner's Signature(s) Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District

Check applicable sub-section(s)

- 3C(1) – Required where property owner is an Individual
- 3C(2) – Required where property owner is a Limited Liability Company (LLC)
- 3C(3) – Required where property owner is General Partnership (GP),
Limited Partnership (LP) or Limited Liability Partnership (LLP)
- 3C(4) – Required where property owner is a Corporation

(Attach additional sheets if necessary)

Part 3C(1): Individual All owners must sign, including husband & wife, and all joint tenants.
(Notary not required)

Property Owner Printed Name Michelle Rogers Humphres
Property Owner Signature *Michelle Rogers Humphres* Date July 15, 2018

Property Owner Printed Name Chris W. Humphres
Property Owner Signature *Chris W. Humphres* Date 7/15/2018

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Property Owner Printed Name _____
Property Owner Signature _____ Date _____

Part 3E: Affidavit Signed by Property Owner or Authorized Agent

Completion of the applicable sub-section(s) is required for all rezoning requests except requests to rezone to a General Use District. Must be notarized

Check applicable sub-section(s)

- 3E(1a)** – Required where the property owner maintains sole authority to make binding statements and commitments regarding the request, and the property owner is one or more individuals.

and/or

- 3E(1b)** – Required where the property owner maintains sole authority to make binding statements and commitments regarding the request, and the property owner is a corporate or similar entity.

OR

- 3E(2)** – Required where the property owner has authorized another individual or entity to represent him/her through the public hearing process and make binding statements and commitments regarding the request. *(Selection of this option requires submittal of Power of Attorney or redacted sales contract per Part 3D above)*

NOTE:

Each time proposed zoning conditions are revised after the initial submittal, a new affidavit must be provided to the case planner.