



# CHATHAM COUNTY BOARD OF COMMISSIONERS AGENDA ABSTRACT

ITEM NUMBER:  
MEETING DATE:  
6-20-05

## PART A

**Subject:**

Request by Terry Otto and Anna Cassilly for a revision to an existing Office and Institutional Conditional Use District with a Conditional Use Permit for:

- Hotels, motels and inns including accessory eating and drinking and personal service facilities when located in the principal structure, specifically for an inn;
- Public and private schools, training and conference centers

located off S. R-1941, Seaforth Road, on approximately 16 acres, New Hope Township, to *request the removal of the time limit on the permit*

**Action Requested:** See Recommendations.

**Attachments:**

*The following was distributed prior to the May 16 Public Hearing. If you need additional copies, contact the Planning Department.*

1. Revision request to Conditional Use Permit

*Included in this packet is the following attachment:*

2. Copy of approval letter for CUD and CUP dated June 8, 2004.

**Submitted By:**

\_\_\_\_\_  
Keith Megginson, Planning Director

\_\_\_\_\_  
Date

**County Manager Review:**

\_\_\_\_\_  
Charlie Horne, County Manager

\_\_\_\_\_  
Date

**This abstract requires review by:**

☒ **County Attorney**

\_\_\_\_\_  
Date Reviewed

☒ **Finance Officer**

\_\_\_\_\_  
Date Reviewed

☐ **Budget Officer**

\_\_\_\_\_  
Date Reviewed

## PART B

### ***Re: "Terry Otto and Anna Cassilly"***

**Introduction & Background:** On June 7, 2004 the Chatham County Board of Commissioners approved an Office and Institutional Conditional Use District with a Conditional Use Permit for hotels, motels and inns including accessory eating and drinking and personal service facilities when located in the principal structure, specifically for an inn; and public and private schools, training and conference centers. A copy of the approval letter is included in this packet, see attachment # 2.

A public hearing was held on the revision request on May 16, 2005. Anna Cassilly, applicant, addressed the Board stating that the purpose of this revision was to request removal of condition # 1. No other public comments were received.

**Discussion & Analysis:** The Zoning Ordinance lists five findings that the Board must make. They are listed as follows:

1. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.
4. The requested permit will be consistent with the objectives of the Land Development Plan.
5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations.

The applicant's request addresses the five findings. The applicant has met the five required findings when the original request for rezoning was approved in 2004. The applicant has stated in their text the reasons they are not able at this time to obtain the required building permit for either the commercial kitchen within the main structure nor the additional structure for lodging. The property is currently utilized as an inn for no more than eight (8) overnight guests and as a training and conference center. The limit on the number of overnight guests is an Environmental Health requirement. The applicant does plan to complete the additional construction as stated, but at a later date. The construction of a commercial kitchen within the existing structure would not significantly change the external appearance of the existing building. The addition of the additional guest facility as approved with screening would not significantly alter the property's appearance from the road or adjacent properties. The applicant would like for their conditional use permit to remain in effect and not be subject to becoming null and void due to not being able to commence with the new construction. Since the property is currently being utilized for its intended purpose, although on a more limited basis, this request seems reasonable.

**Re: “Terry Otto and Anna Cassilly”**

**Budgetary Impact:**

**Recommendation:** The Planning Department recommends granting the revision to the existing conditional use permit to remove condition # 1 (the time restriction) of the original approval since the timing of improvements should not significantly change the impact on adjacent property. The Planning Board recommends no time limit on any internal improvement to the existing facility [commercial kitchen] and a 60 month time period to obtain a building permit for building B [as shown on map entitled, Attachment A: Otto/Cassilly Site in original application approved 6-7-04]; and if a building permit is not obtained within the 60 month time period, applicant must receive a revision to the Conditional Use Permit for a time extension prior to beginning construction. Expiration of the 60 month time period shall not nullify the remaining conditions of the permit.