

The motion carried five (5) to zero (0).

8. **Board of Elections HAVA Grant Application:** Consideration of a request to apply for Health and Human Services HAVA (Help America Vote Act) Grant under the State Board of Elections

The motion carried five (5) to zero (0).

9. **NCACC Voting Delegate:** Consideration of a request to appoint County Commissioner Mike Cross as the 2005 NCACC Annual Conference Voting Delegate

The motion carried five (5) to zero (0).

10. **CCCC Board of Trustees Appointment:** Consideration of a request to appoint Commissioner Patrick Barnes to replace Renee Dickson on the Central Carolina Community College Board of Trustees  
The motion carried five (5) to zero (0).

11. **FY-05 Budget Transfers:** Consideration of a request to approve FY-05 budget transfers, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

12. **Town of Siler City ETJ Member:** Consideration of a request to appoint Mickey Pore as an alternate to the Town of Siler City ETJ Board of Adjustment

The motion carried five (5) to zero (0).

#### **END OF CONSENT AGENDA**

#### **PUBLIC INPUT SESSION**

There was no one present who wished to make public comments.

#### **BOARD OF COMMISSIONERS' MATTERS**

**Southeast and Southwest Water District Resolutions:** Consideration of a request to approve resolutions for the Southeast and Southwest Water Districts

Action on this item was taken in the afternoon work session.

#### **PLANNING AND ZONING**

The Chairman administered the oath to those in attendance who wished to make public comments.

#### ***Public Hearings:***

**Conditional Use Permit Request:** Public hearing to receive public comments on a request by Sandy Pond Enterprises, LLC for a B-1 Conditional Use District with a Conditional Use Permit for veterinary clinics and hospitals with dog runs or equivalent facilities and for a dog boarding facility, on

approximately four (4) acres, located on the north east corner of US Highway #15-501 and Vickers Road, SR #1719 in Williams Township

**Linda Sands**, DVM, 4608 Grazling Drive, Apex, NC, stated that they are proposing a full-service veterinarian hospital with luxury boarding; that they are currently only planning "Phase A" which consists of a facility for the hospital, grooming, retain and day or overnight boarding for up to thirty pets; that "Phase B" will wait until County sewer is available; that they have included a demographic study by Claritas, the same company used by the recently approved "Chatham Downs" retail area anchored by Harris Teeter; that this area can support two more vets without adversely affecting surrounding vets; that with the rapid growth of existing residential areas and recent approval of Briar chapel, there will soon be a greater need in the community for another veterinary hospital and boarding facility; that having an additional hospital and boarding facility will provide a variety of services with more choices and selection for the residents of the community, contributing to the revenue for the County; that noise is commonly the major concern of the community; that the hospital section of the building (reception, exam rooms, recovery and treatment areas) is not generally an area of much noise production; that the boarding area is of concern; that no animals will be unattended outside the building and no animals will be housed outside overnight; that another concern may be with odor; that all animal excrement will be picked up three times daily, tightly bagged, and deposited into a dumpster to be emptied weekly; that the disposal of pet remains will include being stored in a large freezer and picked up weekly by a company for cremation.

She thanked the Board for their time and attention stating that they looked forward to becoming members of the community and providing the services to its growing needs.

**Travis Blake**, 9668 Highway #15-501, chapel Hill, NC, stated he is an adjoining property owner; that he and his family are opposed to this facility; that the application is incomplete and misleading; that the applicant left off a number of veterinarian hospitals in the area; that the facility will be a detriment to surrounding property owners; that an alarm system will need to be installed; that they can be loud; that this is not an appropriate place for this type of facility; that the completed facility could bring 100-150 cars per day to the area; that this area can get as much as three feet of water if there is any type of blockage of the culverts; that they will be turned down for on-site wastewater and they will need to apply to the State for an alternative system. Mr. Blake's written comments and supporting documentation are attached hereto and by reference made a part hereof.

**Pat Pagel**, 78 Green Tree Trail, Chapel Hill, NC, stated that she is the owner of Cole Park Veterinary Hospital; that she is concerned about the inaccuracies in the needs and desirability section; that there is incorrect information about Cole Park Veterinary Hospital; that they have added 2,600 sq. feet since she bought the practice; that they have four vets and twenty-three staff members; that they have excellent potential for growth; that they offer a high quality boarding for dogs and cats; that they have the capacity for forty pets; that Sandy Pond proposes to offer some of the same services; that there are three more vets in the five mile radius that was left out of the application; that there are 9 2/3 veterinarians in the demographic area; and that it is premature at this time to have this proposal approved.

**John Davis**, licensed soil scientist, stated that his company did the environmental study for this project; that the wetlands have not been formally designated; and that they feel that the permit will be granted for a certain amount of flow per day.

**Michelle Pineda**, stated that the reported growth in the area was actually an underestimate and that it would be much greater.

**William Pittman**, civil engineer, stated that he is working with a company that did a study of the

site and that the pond would not be breached so the point of a stream present is irrelevant.

**Revision of Existing B-1 Business District:** Public hearing to receive public comments on a request by Rode Enterprises, Inc to add .311 acres (13,548 square feet) to the existing B-1 Business District, located at the intersection of US Highway #1 and SR #1012, Pittsboro-Moncure Road in Cape Fear Township

**Carl Rode**, 8036 Pittsboro-Moncure Road, Moncure, NC, stated that he owns the Jordan Dam Mini Mart; that they are trying to do another expansion to accommodate a larger diesel area; that they own the lot next door; that they want to add this to the store frontage; and that they would leave another undeveloped lot next to this lot to buffer from the neighbors.

**Jerry Taylor**, PO Box 60, Moncure, NC, stated that he owns property adjacent to the proposed expansion; that he has a problem with the dust from the property now; that he wanted to make sure that there would be a fence to help separate the property from residential homes.

**Randy Lanier**, 1248 Lee's Chapel Road, Sanford, NC, stated that he is one of Mr. Rode's customers; that the one pump is difficult in the winter time when it is cold and raining; that the new pumps will be high volume pumps; that he has to drive 15 miles into Sanford to find off-road pumps; that the area is tight as it is and the expansion will help eliminate the congestion.

**Revision of Existing Conditional Use Permit:** Public hearing to receive public comments on a request by Frank Kent Dickens for an expansion and revision of the existing Conditional Use Permit for a privately owned campground, specifically for campers, travel trailers, and recreational vehicles/motor homes to add 18.7 acres (total 26 acres) to include 84 additional sites (total 105 sites) along with a swimming pool, bath house and laundry facility, to be located off SR #1916, Corinth Road in Cape Fear Township

There was no one present who wished to make public comments.

**Revision to Existing Conditional Use Permit:** Public hearing to receive public comments on a request by Robert Blitchington for a revision to the existing Conditional Use Permit for Michael Cates/Ferrellgas, L.P./propane gas business to a Conditional Use Permit for a contractor's office and shop on one (1) acre, located off US Highway #15-501 North in Baldwin Township

**Nick Robinson**, attorney representing Robert Blitchington; stated that requesting permission to change the use from an office/commercial/retail use for sales of propane gas to the public to a less intense usage as a contractor's office and shop; that if the application is approved, the use of this property for retail sales will be ended; that there will no longer be storage or propane gas on the property; that Mr. Blitchington requests that the conditional use permit be revised to allow this property to be used as a contractor's office and shop; that the property has a long history of commercial use; that it has been used for commercial purposes since prior to the adoption of zoning for the Baldwin Township in 1973; that in 1987 a conditional use permit was granted allowing use of the property as a lawn and garden center; that in 1993, the conditional use permit was amended to allow the property to be used for storage and sale of propane gas, as well as for offices for the NC Propane Gas Company; that this request is to reduce the intensity of the use to merely that of office and shop use for a contracting company; that this requested revision should have no problem meeting the five required findings; that the request meets all five findings; that the decision the Board needs to make on this is fairly straight forward from a zoning perspective; that this property has been in commercial use since prior to the adoption of the Zoning and Watershed Ordinances; and that it is an allowed conditional use and an approved existing development.