

**A RESOLUTION APPROVING AN APPLICATION FOR A
CONDITIONAL USE PERMIT REQUESTED
BY Lee-Moore Oil Co.**

WHEREAS, Lee-Moore Oil Co. has applied to Chatham County for a conditional use permit for a certain tract or parcel of land containing approximately 63.3 acres for a conditional use B-1 business permit for a home improvement center and additional retail and shops located off US 15-501 N south of the Chatham/Orange County line, Williams Township, on 29.4 acres of the 63.3-acre tract leaving the remaining acreage residential-agricultural; and as indicated in the Application; and

WHEREAS, the Chatham County Board of Commissioners based upon the competent, substantial and material evidence in the record, including, without limitation, the Applicant's written materials, all of which are incorporated herein by reference, hereby finds as follows:

1. The uses requested are 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 is 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.

NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS, as follows:

That a Conditional Use Permit be, and it hereby is, approved for the reasons hereinabove stated subject to the additional stipulations and conditions set forth hereinafter; and

BE IT RESOLVED FURTHER, that the Chatham County Board of Commissioners hereby approves the application for the conditional use permit in accordance with the plan of Lee-Moore Oil Co. attached hereto and incorporated herein by reference with specific conditions as listed below:

Stipulations Specific to the Application

- 1) Entrance signs are limited to two (2) as indicated on the site plan and are to be no larger than 150 square feet. All other signage, interior to the development, shall conform to the Chatham County Zoning Ordinance, Section 13.7 Signs Permitted in the B-1 Business District.
- 2) The wastewater facility shall be owned and operated by a public utility.
- 3) All lighting shall conform to the Chatham County “Draft” Lighting Ordinance guidelines.
- 4) The landscaping plan shall be revised to reflect the recommendations of the Appearance Commission. Plantings shall be installed at the next optimal planting season following grading and clearing activities.
- 5) All required perimeter landscaping and buffering shall be installed prior to the issuance of certificate of occupancy for the first structure.
- 6) Any dumpster locations shall be screened in an “opaque” fashion away from public view.
- 7) All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Erosion Control etc.) shall be obtained and copies submitted to the Planning Department prior to issuance of the first building permit.
- 8) Off-site improvements required by NCDOT or any other agency shall be constructed at no cost to Chatham County.
- 9) The first building permit shall be issued within 24 months from the date of this permit’s approval, expiration of the appeal period or any court decision, whichever is later, or this permit will automatically expire and become void.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Chatham hereby approves the application for a conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 20th day of November, 2006.

By: _____
Bunkey Morgan, Chairman

ATTEST:

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