



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
7-17-06

PART A

Subject:

Request by John W. Blair for a Conditional Use Permit for - Self-storage facility / mini-warehouse storage facility with related retail and services (i.e. moving truck rental) and - Uses and structures customarily accessory to any permitted use - specifically for boat, recreational vehicle and other self-storage and an associated residential use, on 10.613 acres, located at the southeast intersection of SR-1700, Mt. Gilead Road, and S. R. 1714, Hatley Road, New Hope Township.

Action Requested:

See Recommendations.

Attachments:

The following were distributed in the May 15, 2006 packet.

1. Public hearing sign-up sheet for Quasi-judicial hearing.
2. Appearance Commission Meeting notes, dated December 14, 2005.
3. Information presented by Dave Klarmann, at the March 20, 2006 public hearing regarding land values of US 64 and nearby properties.

See Blair Zoning request for additional items previously distributed.
(Note: This material is also available on our web site.)

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: Request by John W. Blair for a Conditional Use Permit

Introduction / Background / Previous Board Actions:

A quasi-judicial public hearing was held on this request March 20 and the minutes are attached to the zoning district request portion of the application. The sign up sheet indicates that one person spoke against the request and ten people spoke in favor of the request. Dave Klarmann's written comments are attached with a land value print out. The conditional use permit cannot be approved unless the zoning district change request is approved. Notes are written on the conditional use permit request in case the Board does not agree with the staff recommendation to deny the zoning district change.

Issues for Further Discussion and Analysis: Before a conditional use permit may be approved the Board of Commissioners is required to make five finding listed in the Zoning Ordinance and shown below.

1. The use requested is among those listed as an eligible 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, drainage, sanitation and/or other necessary facilities have been or are being provided.

It is the staff opinion that finding #4 is not supported, that finding #2 is arguable and finding #3 may be made with conditions. The applicant has addressed the findings beginning on page 10 of the application. It is the staff opinion that finding #1 may be made if the zoning district is changed to conditional use business district. The applicant addresses finding #2 from the standpoint of need for the service and tax advantages to the County. Residential use of the property may provide equal or greater tax value but residential use normally requires more County services, such as schools and recreation. It is the staff opinion that finding #3 may be made with modification and clarification of the request. Specifically there are inconsistencies in the site plan and application concerning the lighting and signage for the proposal. Finding #4 is addressed in the agenda notes concerning the zoning district change request and it is the staff opinion that the request is not consistent with the Chatham County Land Conservation and Development Plan for the reasons stated in said notes. The Planning Board did think that the conditional use request is consistent with the Land Conservation and Development Plan because having such facilities supports tourism and recreation specifically the use of Jordan Lake. The Plan addresses Open Space, Recreation, Historic Assets & Tourism beginning on page 48. The Planning Board discussed the intersection being in proximity to the Lake and specifically Vista Point boat launch facilities located on North Pea Ridge Road. It appears that the applicant has provided sufficient information to support finding #5.

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Recommendation: It is the Planning Department recommendation that the five findings cannot be made as addressed above and therefore the request should be denied. The Planning Board by a vote of five in favor, two against and two abstentions recommended that the findings be made and the conditional use request be approved with the following conditions:

1. All lighting shall meet the specifications of the County draft lighting ordinance.
2. Storm water measures shall be designed and installed to retain the two year 24 hour storm.
3. Signage shall be as specified on the site plan with two signs. One 4'x 8' and one 2'x 4'.
4. The applicant shall follow the recommendations of the Appearance Commission concerning vegetation, lighting and signage.
5. A building permit shall be received within 12 months of the date of approval or the conditional use permit is null and void.

