

APPLICATION FOR
ZONING DISTRICTS
CONDITIONAL USE DISTRICTS

Chatham County Planning Department
P.O. Box 54
Pittsboro, NC 27312

Tel: 919/542-8204
Fax: 919/542-2698
Email: angela.birchett@chathamnc.org

(1) Applicant Information:

Name: Corey Bates
Address: 1304 Hillsborough St.
Raleigh, NC 27605
Phone No: (h) _____
(w) 919-831-1308
(m) 919-395-1936
Email: corey@newcitydesign.com

(2) Landowner Information (as shown on deed)

Name: CRCED TREATMENT INC
Address: 20400 Stevens Creek Blvd Suite 600
Cupertino CA 95014
Phone No: (h) 919-401-2620
(w) 919-372-7944
(m) 919-641-4397
Email: smcentyre@crchealth.com

(3) Property Identification:

911 Address: 176 LASSITER HMSTD RD
DURHAM NC 27713
S.R. Name: _____
S.R. Number: _____
Township: 13 – Williams
Acreage: 10.14 acre
Flood map #: 3720071600J (2-02-2007)
Flood Zone: No

PARCEL#: 73288
P.I.N #: 0716-34-9130.000
Deed Book: 1261 Page: 0685 Yr: 2006
Plat Book: _____ Page: _____
Current Zoning District: RA-40 & CU-B-1
Watershed District: WS-IV PA

(4) Requested Zoning District, Conditional Use District, OR Conditional Use Permit:
CUD-O&I

(5) Directions to property: From 80 East St in Pittsboro. Go east on East St./US-64BR to US-64 E. Go 10.5 mi., then left on Hwy. 751. Go 8 miles to Lassiter Homestead Rd. (gravel rd. on right). Turn right on Lassiter Homestead Rd. Second driveway on right is 176 Lassiter Homestead Rd.

The existing site is zoned R-40 with a Conditional Use permit allowing the operation of a landscaping business on 1.41 acres of the site. This conditional use was applied by a previous owner and is no longer utilized. Currently, the site operates as a residential treatment facility for eating disorders with a 6 bed limit as outlined in section 10.3A of the Chatham County Zoning Ordinance for "**Family Care Home limited to not more than six people**". The proposed conditional use district would be O&I to accommodate **Congregate care facilities, Family Care Homes, and Hospital, Health and welfare centers, nursing homes and/or convalescent homes per 10.4 A**. The owner has already obtained a rule waiver from the Department of Facility Services to increase the facility licensing from 6 beds to 12 beds.

The proposed changes are consistent with the Land Conservation and Development plan as follows:

- The proposed conditional use permit will not result in more development; rather it will improve the efficiency with which the current facility operates. The plans outlined herein include the modifications of existing structures only to accommodate additional beds, offices, and meeting spaces.
- The existing structure is residential in form and scale and is farm house in style. The existing site is also over 10 acres in size, furthering the preservation of the form and function of the rural character.

The existing site classification allows for 36% impervious surface. As this is an existing structure and no increase in pervious surface is proposed, an increase in census will have no additional impact on water shed.

Adjacent Land Owners

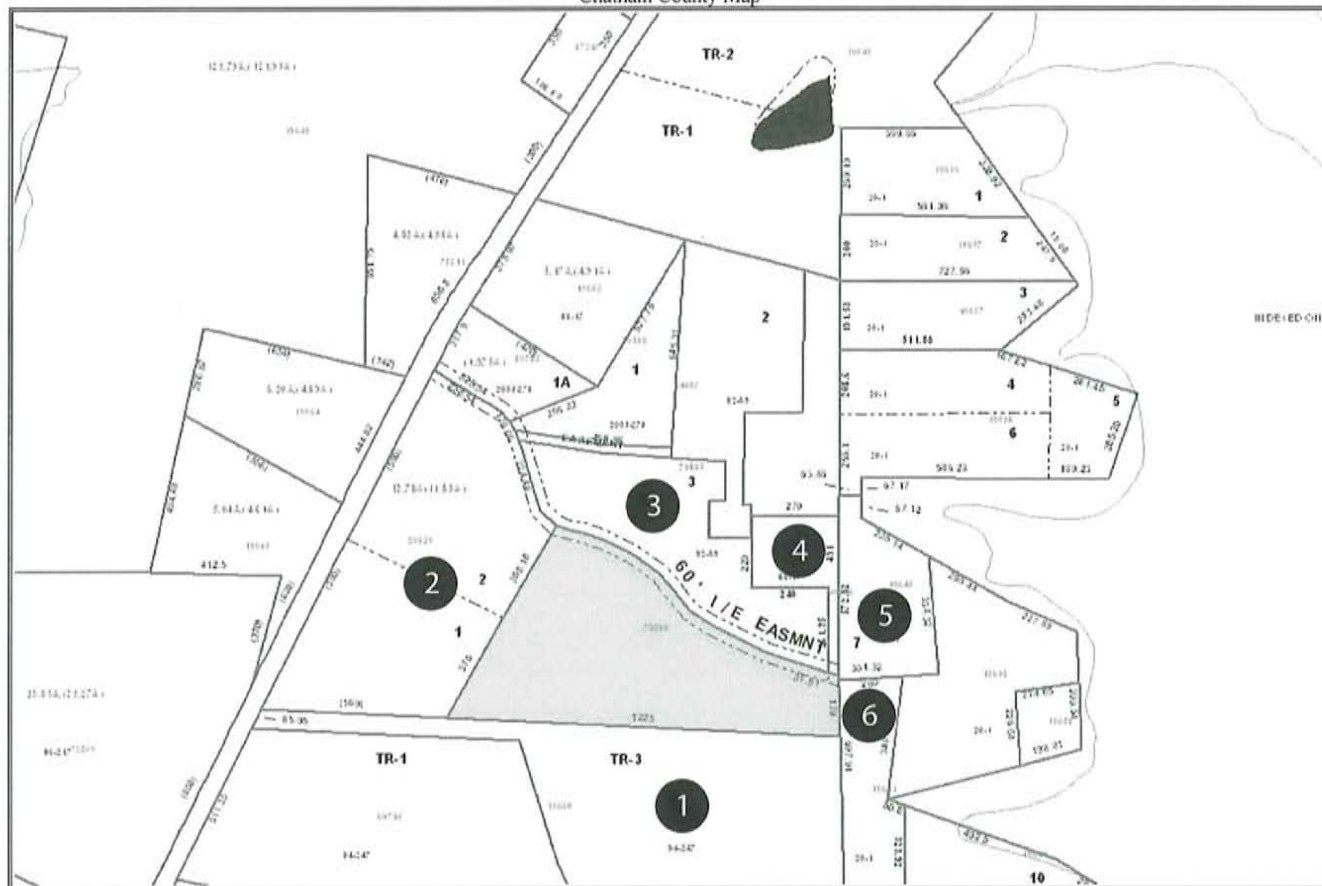
Adjacent Landowners (property owners across a public or private road, easement, or waterway are considered adjacent landowners)

Legal notices are mailed to these owners, please type or write neatly.

1. Steven C & Barbara J Howard
7880 NC HWY 751
Durham, NC 27713
2. David W & Wanda Hutson
7990 NC HWY 752
Durham, NC 27713
3. Reginald Van Stephens
77 Lassiter Homestead Rd
Durham, NC 27713
4. Oliver & Vivian Morris
296 Lassiter Homestead Rd
Durham, NC 27713
5. Bynum Gladys Lassiter Life Est
2200 Collier Rd
Durham, NC 27707
6. Lewis I & Phyllis Lassiter
11 Cedar Hill Dr.
Durham, NC 27713

Adjacent Land Owners

Chatham County Map



Disclaimer: This map is prepared for the inventory of real property found within this jurisdiction and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The County and the mapping companies assume no legal responsibilities for the information contained on this map.

Map Scale:
 1 inch = 384 feet
 Grid based on the North Carolina State Plane Coordinate System, 1983 North American Datum.



Written Legal Description

1261
0685

FILED
CHATHAM COUNTY
REBA G. THOMAS
REGISTER OF DEEDS

FILED May 30, 2006
AT 03:55:31 pm
BOOK 01261
START PAGE 0685
END PAGE 0687
INSTRUMENT # 07114

Chatham County 05-30-2006
NORTH CAROLINA
Real Estate
Excise Tax \$1,798.00

BOOK 1261 PAGE 685

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 1,798.00


Parcel Identifier No. 75288 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Roper & Coleman, P.A.

Brief description for the Index: _____

THIS DEED made this 26th day of May, 2006, by and between

GRANTOR	GRANTEE
John F. Logan, <i>single</i> 	CRC ED Treatment, Inc. 20400 Stevens Creek Blvd. Suite 600 Cupertino, CA 95014

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Durham, Williams Township, Chatham County, North Carolina and more particularly described as follows:
See Attached Exhibit A

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name) John F. Logan (SEAL)

By: _____ (SEAL)
Title: _____

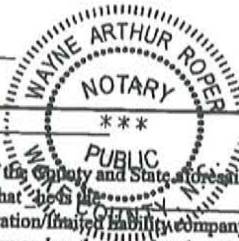
By: _____ (SEAL)
Title: _____

By: _____ (SEAL)
Title: _____

State of North Carolina - County of Chatham

I, the undersigned Notary Public of the County and State aforesaid, certify that John F. Logan personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 26th day of May, 2006.

My Commission Expires: 6-28-09 _____
Notary Public



State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that _____ of _____ a North Carolina or _____ corporation/trust/partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, _____ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____
Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

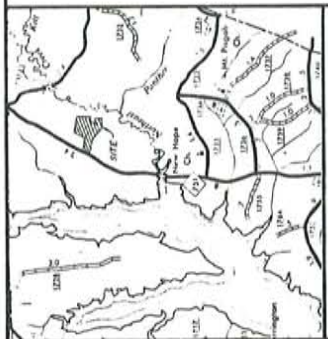
My Commission Expires: _____
Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: _____ Register of Deeds for _____ County
Deputy/Assistant - Register of Deeds

EXHIBIT "A"

Lying and being in Chatham County, Williams Township, and beginning at a point as measured from an iron located on the approximate centerline of N.C. Highway 751 approximately 1.1 miles South of the intersection of N.C. Highway 751 and O'Kelly Chapel Road, along an old farm road, said old farm road being the boundary of the lands, now or formerly, of R.E. Daughtery described in Deed Book 88, Page 17 of the Chatham County Registry, the following courses and distances along a private access easement, South 55° 32' 57" East 30 feet, South 54° 01' 00" East 258.54 feet, South 38° 52' 00" East 66.8 feet, South 21° 56' 00" East 61.86 feet, South 11° 02' 00" East 224.48 feet to the BEGINNING POINT of the property conveyed by this instrument, and thence continuing with said old farm road South 38° 17' 00" East 62.61 feet, South 38° 17' 00" East 136.64 feet, South 57° 50' 00" East 110.12 feet, South 49° 29' 00" East 115.47 feet, South 34° 50' 00" East 161.08 feet, South 52° 05' 00" East 80.65 feet, South 58° 55' 00" East 173.07 feet, South 66° 34' 44" East 240.21 feet to an iron and continuing in said line 31.51 feet to a new iron pin, a corner with the lands now or formerly of Gladys Lassiter described in Deed Book 398, Page 868 of the Chatham County Registry; thence South 05° 39' 09" West 170.89 feet to a new iron pin; thence North 80° 59' 16" West 843.25 feet to an iron pin, thence continuing in said line 381.75 feet to a new iron pin, thence North 31° 38' 40" East 676.16 feet to the place and point of Beginning; said parcel comprising 10.14 acres, more or less, and shown as Lot 3 on the Survey thereof by Ritchie Surveying Co., dated June 9, 1996. Together with access easement as shown on plat recorded in Plat Slide 92-89, CCR.



VICINITY MAP

A. EARL SMITH, do hereby certify that this plat was drawn under my supervision from an actual survey made under my direction using distances between corners that the boundaries are shown that the area of parcels as calculated by stadia and distances is 1,150,000. That this plat was prepared in accordance with G.S. 47-36 as amended. Witness my original signature registration number and seal this 9th day of MARCH A.D. 1992.

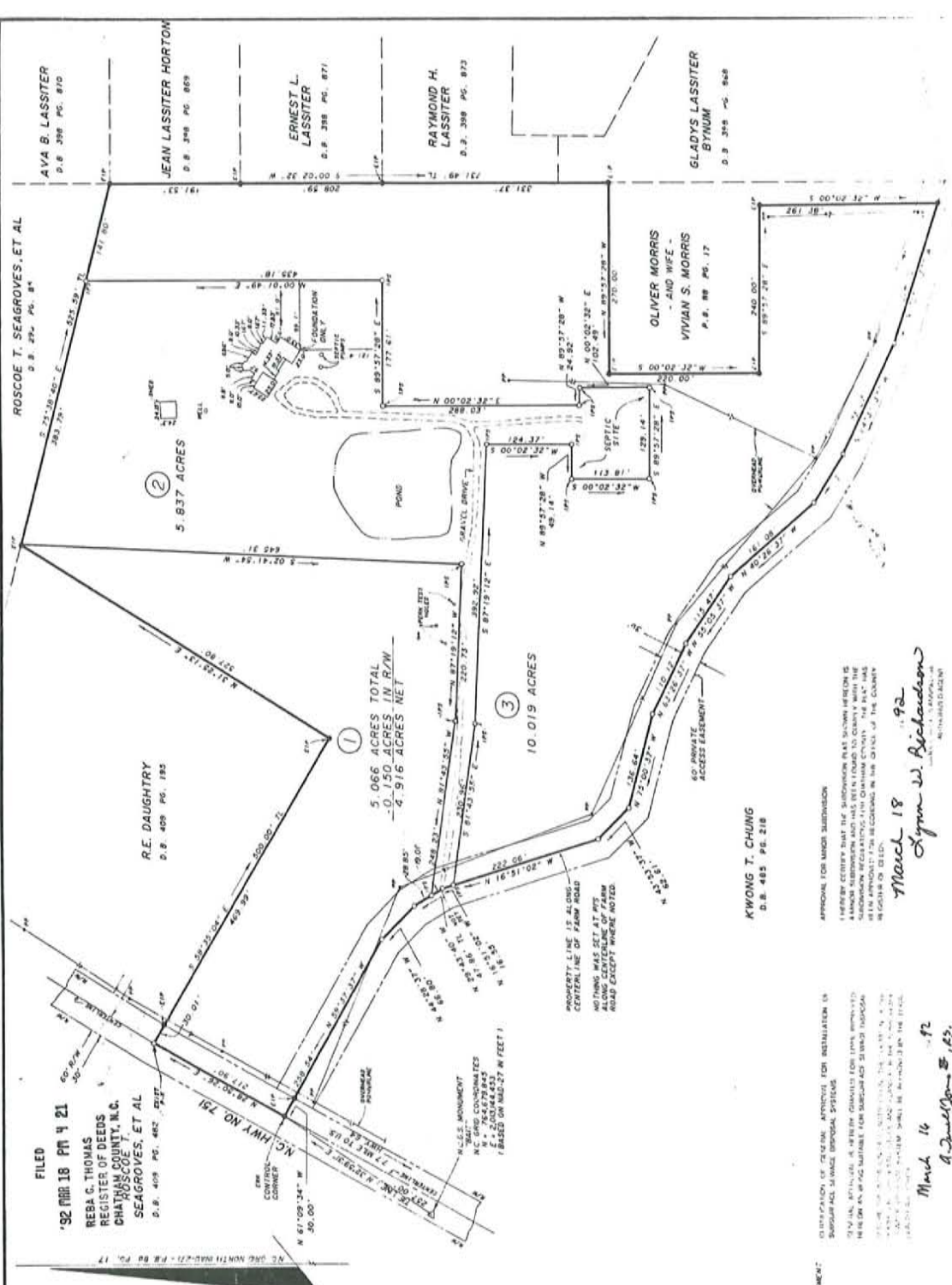
Earl Smith
 Registration Number 0172

Not Public MAKE County
 A Notary Public in the County and State of North Carolina, do hereby certify that A. EARL SMITH is a Registered Land Surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument before the said and official stamp or seal this 9th day of MARCH, 1992.

Donna J. Clark
 Notary Public

APPROVED FOR RECORD
 JUNE 9, 1992

AREA BY D.M.D. METHOD
 INITIAL PRECISION = 1 PART IN 7,000
 ERROR OF CLOSURE = 5.50" x 10⁻⁴ W 0.123
 "M.D. COMPARISON WAS BALANCED TO 1/100,000 SCALE ADJUSTMENT"
 OFFENSE 1-24-88 BY 84-C-17



FILED
 '92 MAR 18 PM 4 21
 REBA C. THOMAS
 REGISTER OF DEEDS
 CHATHAM COUNTY, N.C.
 ROSCOE T. SEAGROVES, ET AL
 D.B. 409 PG. 482

MINOR PUBLIC SALE
 RANDALL W. MADDOX
 D.B. 485 E
 MILDRED E. MADDOX

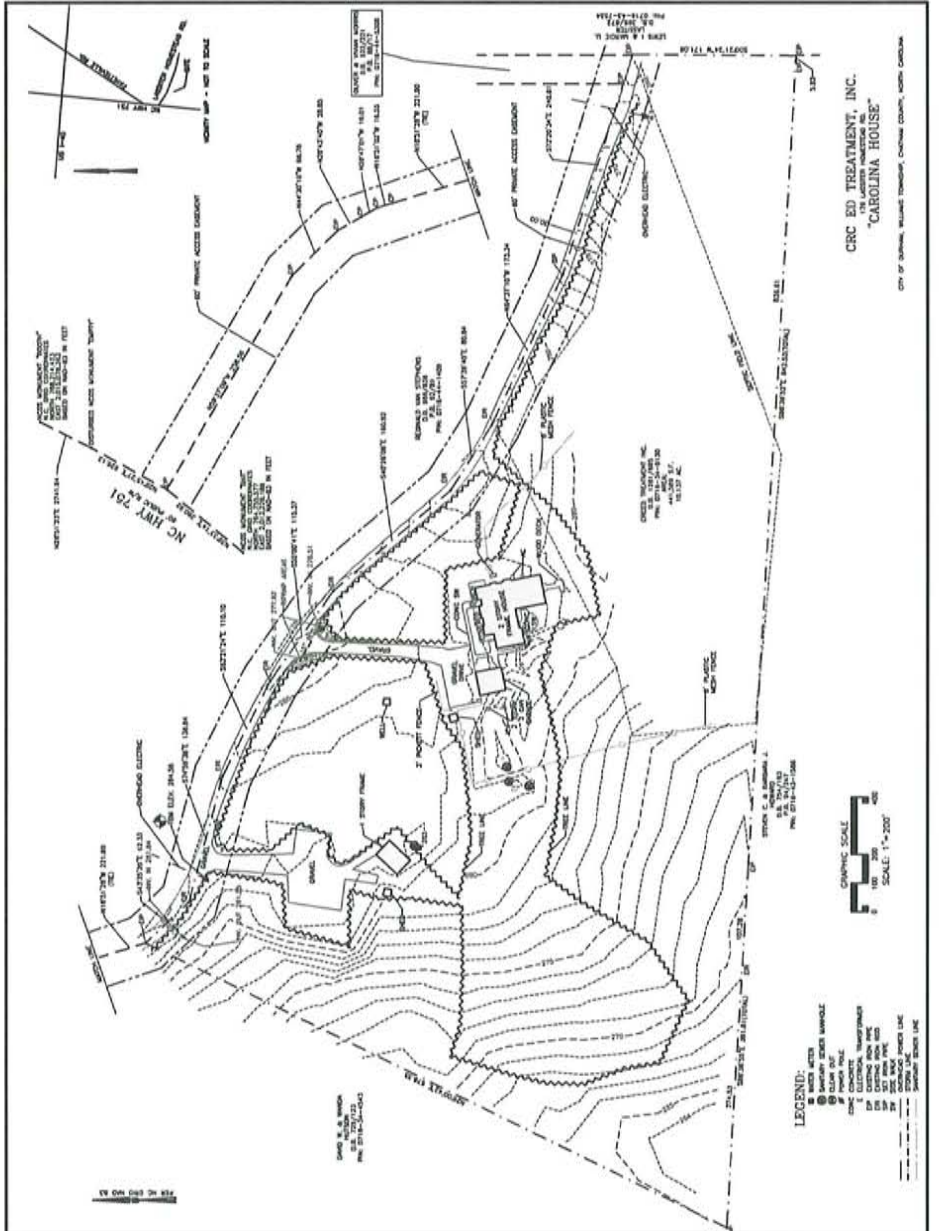
Smith and Smith
 Surveyors

92-89

SCALE IN FEET

PAGE-SLIDE

Map of Property



CRC EO TREATMENT, INC.
 18 LARRY LANE
 "CAROLINA HOUSE"
 P.O. BOX 1000

CITY OF SUMNER, WILMOTT TOWNSHIP, CHATHAM COUNTY, NORTH CAROLINA

1" = 200'

GRAPHIC SCALE
 1" = 200'

LEGEND:
 W WASTE WATER
 R RAIN WATER
 S SANITARY SEWER
 P PUBLIC WATER
 E ELECTRICITY
 U UTILITIES
 G GAS
 C CURB
 F FENCE
 D DRAINAGE CANAL
 A ALLIANCE
 S SLOPE

Explanation of Request

We are pleased to present our application for consideration of a conditional use district and a conditional use permit.

Carolina House is a Residential Eating Disorders Treatment Facility located in a 5600 square foot house on Lassiter Homestead Road in North Chatham County. Currently it operates as a Family Care Home with a capacity of 6 patients within Chatham County guidelines for the existing RA-40 district. Due to demand for a residential level of service, we are requesting a zoning change that would accommodate an additional 6 patients within the existing house.

Carolina House has developed a respected reputation within the eating disorders community, and is sought as a valuable and necessary resource for patients in need of a residential level of care. Due to current zoning of the property, the facility is limited to a maximum of 6 patients while the house is large enough to accommodate 12 patients. Interest and demand is such that there is typically a waiting list for the program.

In an effort to meet the current demand, The Division of Facility Services approved a rule waiver to increase the bed count to 12, recognizing the service to the community in meeting the need for additional specialized services. This rule waiver is contingent upon meeting all building code and zoning requirements. As the current zoning does not allow this increase in the number of patients, we are requesting an O&I conditional use district and conditional use permit to accommodate congregate care facilities, family care homes, and hospital, health and welfare centers, nursing homes and/or convalescent homes. Concurrently, we are requesting the existing CU-B-1 conditional use applied to a portion of the site by a previous owner be removed.

Carolina House originally chose Chatham County as the best location for a residential eating disorders facility specifically for the rural environment sustained by the zoning board's commitment to maintaining this environment. The area and this house are perfectly aligned with a treatment approach involving a high quality of care based on best practices in the field, volunteering within the community shown to decrease the eating disorder symptoms, teaching and engaging in sustainable living practices, and providing a nurturing, safe, and secure home for treatment. As a result of this philosophy and environment, there are a significant number of patients seeking treatment at this facility. We are highly committed to maintaining the environment as it is a primary component in our treatment approach.

Please see the attached letter from the NC Department of Facility Services outlining the approval of a rule waiver for increased capacity. We have also attached a letter from OPC Area Program which is the local governing body for this type of facility. In this letter, they recognize the need for this type of facility in the area it is located.

Please consider our request for an O&I conditional use district and conditional use permit, recognizing our commitment to the provision of necessary treatment services for eating disorders patients, to maintaining the rural environment, to collaborating with our neighbors, and to engaging in volunteer activities within our community.

Thank you for consideration in this matter.



North Carolina Department of Health and Human Services
Division of Facility Services
Office of the Director

2701 Mail Service Center • Raleigh, North Carolina 27699-2701

Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Robert J. Fitzgerald, Director
Phone: 919-855-3750
Fax: 919-733-2757

February 21, 2007

Ms. Stacie McEntyre, Executive Director
Carolina House
176 Lassiter Homestead Road
Durham, NC 27699-2701

RE: Approval of Request for Waiver of Rules 10A NCAC 27G .0304(d)(3) and 10A NCAC 27G .5603(a)
for the Carolina House, MHL-019-041, Durham County

Dear Ms. McEntyre:

Pursuant to your request contained in your letter received on January 17, 2007 and after consultation with Michael Moseley, Director, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, I hereby approve your request for waiver of rules 10A NCAC 27G .0304(d)(3) and 10A NCAC 27G .5603(a) on behalf of the Carolina House, 176 Lassiter Homestead Road, Durham, North Carolina. Specifically, the facility wants to increase its service capacity from six clients to 12 clients and to allow more than two clients to share an individual bedroom and is approved based on the following:

- The facility's governing body supports the request.
- The description of the facility's design appears adequate to address basic safety and space concerns for the population served (college aged females who require residential treatment for eating disorders).
- Increasing the facility's capacity as requested will allow for an immediate reduction in the number of individuals waiting for admission.
- The Durham Center has identified no licensure or service issues that would preclude approval of the waiver request.

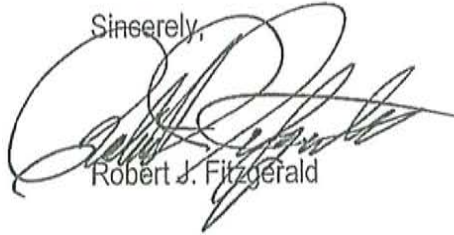
In accordance with 10A NCAC 27G .0813, the waiver cannot exceed the expiration date of the current license which is December 31, 2007 and, therefore, shall be subject to renewal consideration upon the request of the licensee.



Ms. Stacie McEntyre
February 21, 2007
Page 2

Should you have any questions regarding this matter, please contact Jeff Horton at (919) 855-3750.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Fitzgerald", written over a white background.

Robert J. Fitzgerald

RJF:JH:peb

cc: Michael Moseley, Director, DMH/DD/SAS
Jeff Horton, Chief Operating Officer
Stephanie Alexander, Chief, Mental Health Licensure and Certification Section
William L. Warren, Chief, Construction Section



North Carolina Department of Health and Human Services
 Division of Health Service Regulation
 Office of the Director

2701 Mail Service Center, Raleigh, North Carolina 27699-2701

Michael F. Easley, Governor
 Dempsey Benton, Secretary

RECEIVED
 12/3/07

Robert J. Fitzgerald, Director
 Phone: 919-855-3750
 Fax: 919-733-2757

November 28, 2007

Ms. Stacie McEntyre, Executive Director
 Carolina House
 176 Lassiter Homestead Road
 Durham, NC 27713

RE: Approval of Request for Waiver of Rule 10A NCAC 27G .5601(a) for the Carolina House
 MHL-#019-041, Chatham County

Dear Ms. McEntyre:

Pursuant to your request contained in your letter received on August 30, 2007, and after consultation with Michael Moseley, Director, Division of Mental Health, Developmental Disabilities and Substance Abuse Services, I hereby approve your request for waiver of Rule 10A NCAC 27G .5601(a) on behalf of the Carolina House, located at 176 Lassiter Homestead Road, Durham, North Carolina. Specifically, the waiver is to facilitate transition to independent living and lower levels of care for individuals discharged from residential treatment and is approved based on the following factors:

- Carolina House is a private residential facility.
- Client services are authorized by private insurance or through self payments.
- The Carolina House Governing Board supports the waiver request.
- There are no deficiencies that would preclude approval of the waiver request.

In accordance with 10A NCAC 27G .0813, the waiver cannot exceed the expiration date of the current license which is December 31, 2007, and, therefore, shall be subject to renewal consideration upon the request of the licensee.

Should you have any questions regarding this matter, please contact Jeff Horton at (919) 855-3750.

Sincerely,



Robert J. Fitzgerald

RJF:JH:peb

cc: Michael Moseley, Director, DMH/DD/SAS
 Jeff Horton, Chief Operating Officer, DHSR
 Stephanie Alexander, Chief, Mental Health Licensure and Certification Section, DHSR
 William L. Warren, Chief, Construction Section, DHSR



Administrative Offices
100 Europa Drive
Suite 490
Chapel Hill, NC 27517

Ms. Stacie McEntyre
Carolina House
176 Lassister Homestead Rd.
Durham, NC 27713

Re: Carolina House
176 Lassiter Homestead Road, Durham
Chatham County
5600A Supervised Living

Dear Ms. McEntyre:

On August 13, 2005, Governor Easley signed the "Current Operations and Capital Improvements Appropriations Act of 2005" into law. Included in this act was a revision of General Statute 122C-23: Licensure. This revision requires prospective providers of residential services, pending and current, to submit a letter of support from their Local Management Entity with their license application to the Division of Facility Services.

The purpose of the provision is to protect the general welfare and lives, health, and property of the people of the State of North Carolina, to ensure that unnecessary costs to the State do not result, that residential treatment facility beds are available where needed, and that individuals who need care in residential treatment facilities may have access to quality care.

In accordance with G.S. 122C-23.1: Licensure of Residential Treatment Facilities, this LME concludes the following:

Based on data available on this date, and a review of the APA guidelines for the treatment of eating disorders, there is a need for the above-referenced facility to provide a transitional PHP level of care within the 5600A Supervised Living facility.

This letter is not intended as an endorsement of the quality of the service nor is it to be interpreted as a guarantee of business or occupancy of the beds for the provider. Data utilized is current as of the date of the letter and subject to change.

Should you have any questions, please contact Cim Brailer, OPC Customer Service & Community Planning Manager, at 919-913-4150.

Sincerely,

A handwritten signature in cursive script that reads "Judy R. Truitt".

Judy R. Truitt

cc: Jim Jarrard, DMH/DD/SAS
Stephanie Alexander, DFS, MH Licensure & Certification Section