#### APPLICATION FOR ZONING DISTRICTS CONDITIONAL USE PERMITS

Chatham County Planning Department	Tel: 919/542-8204		
P.O. Box 54 Pittsboro, NC 27312	Fax: 919/542-2698 Email: angela.birchett@chathamnc.org		
Philsboro, NC 27312	Email: angela.offenett@chathanine.org		
(1) Applicant Information:	(2) Landowner Information (as shown on deed)		
Name: Corey Bates	Name: _CRCED TREATMENT INC		
Address: _1304 Hillsborough St	Address: 20400 Stevens Creek Blvd Suite 600		
Raleigh, NC 27605	Cupertino CA 95014		
Phone No: (h)	Phone No: (h) _919-401-2620_		
(w) <u>919-831-1308</u>	(w) <u>919-372-7944</u>		
(m) 919-395-1936	(m) <u>919-641-4397</u>		
Email: _corey@newcitydesign.com	Email:smcentyre@crchealth.com		
	DAD CEL # 72200		
(3) Property Identification:	PARCEL#: _73288		
911 Address: <u>176 LASSITER HMSTD RD</u>	P.I.N #: <u>0716-34-9130.000</u>		
DURHAM NC 27713			
S.R. Name:	Deed Book: <u>1261</u> Page: <u>0685</u> Yr: <u>2006</u>		
S.R. Number:	Plat Book: Page:		
Township: 13 – Williams	Current Zoning District: RA-40 & CU-B-1		
Acreage: _10.14 acre	Watershed District: <u>WS-IV PA</u>		
Flood map #: <u>3720071600J</u> (2-02-2007)			
Flood Zone: No			
	ē		
(4) Requested Zoning District, Conditional Use District, OR Conditional Use Permit:			
CUP-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.

(6) Attach the following, if requesting a zoning map ame	ndment:
<ul> <li>∠ List of names and addresses or current adjoining propert</li> <li>∠ Written legal description</li> <li>∠ Map of the property at a scale of not less than 1 inch equ</li> <li>∠ Explanation of request addressing applicable portions of</li> </ul>	als 200 feet
Zoning Ordinance	
(7) Attach Submission Materials Checklist Information (	(see Submission Materials Checklist form)
See attached Submission Materials Checklist and supporti	ing documentation
I hereby certify that I am the owner or authorized agent of s provided is complete and the statements given are true to the	aid property and that the information e best of my knowledge.
1. 1-RM	12-20-07
Signature The Total	Date
The owner must sign the following if someone other that the	e owner is making the application.
I hereby certify that <u>Corey Bates</u> and is permitted by me to file this application.	
Stacie MEatre Executive	Director 12.20.07
Signature	Date

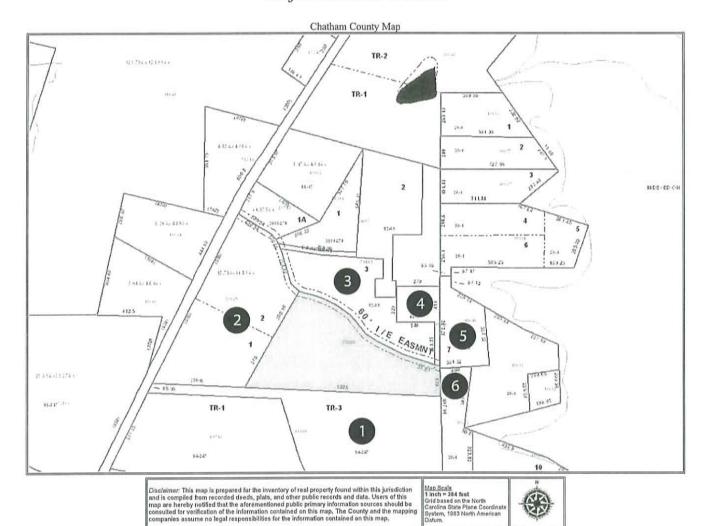
Adjacent Land Owners

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
- Reginald Van Stephens
   Lassiter Homestead Rd Durham, NC 27713
- Oliver & Vivian Morris
   296 Lassiter Homestead Rd
   Durham, NC 27713
- Bynum Gladys Lassiter Life Est 2200 Collier Rd Durham, NC 27707
- Lewis I & Phyllis Lassiter
   Cedar Hill Dr.
   Durham, NC 27713

# Adjacent Land Owners



Written Legal Description

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

07114

**INSTRUMENT#** 

Chatham County 05-30-2008 NORTH CAROLINA Real Estate Excise Tax 51.798.00

£ 1 709 00

BOOK 1261 PAGE 685

NORTH CAROLINA GENERAL WARRANTY DEED

Parcel Identifier No. 73288	Verified by	County on the	day of , 20
By:			, any or, 20_
Mail/Box to: Grantee			
This instrument was prepared by:	oper & Coleman, P.A.		
Brief description for the Index:			
THIS DEED made this 26th day of	May , 20_06, b	y and between	
GRANTO	OR.	GRANT	TEB
John F. Logan , 5 inste		CRC ED Treatment, Inc.	
		20400 Stevens Cr	eek Blvd.
		Suite 600 Cupertino, CA 95	014
		capercino, ca 95	014
		1	
The designation Grantor and Grantee singular, plural, masculine, feminine WITNESSETH, that the Grantor, for and by these presents does grant, barg he City of Durham particularly described as follows:  See Attached Exhibit A	a valuable consideration paid	ext. by the Grantee, the receipt of wh Grantee in fee simple, all that certs	
			0
The property hereinsbove described v	was acquired by Grantor by in	strument recorded in Book	page
a map showing the above described p	property is recorded in Plat B	ook page	
IC Bar Association Form No. L-3 © rinted by Agreement with the NC Ba	1976, Revised © 1977, 2002		

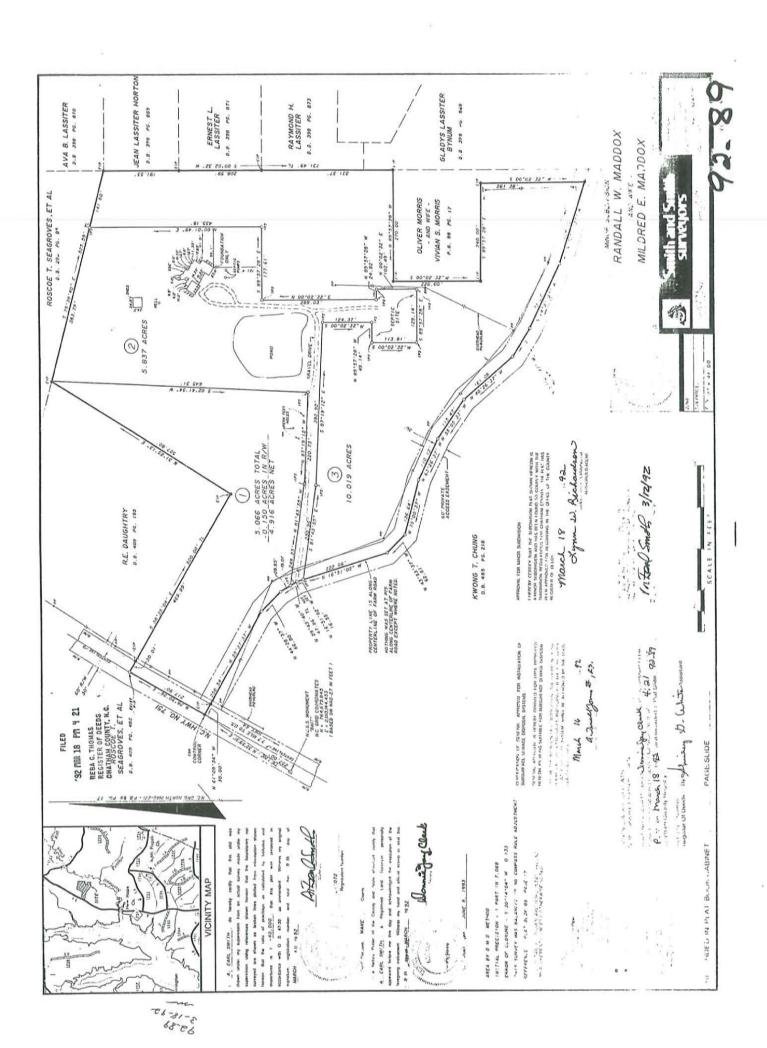
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

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:

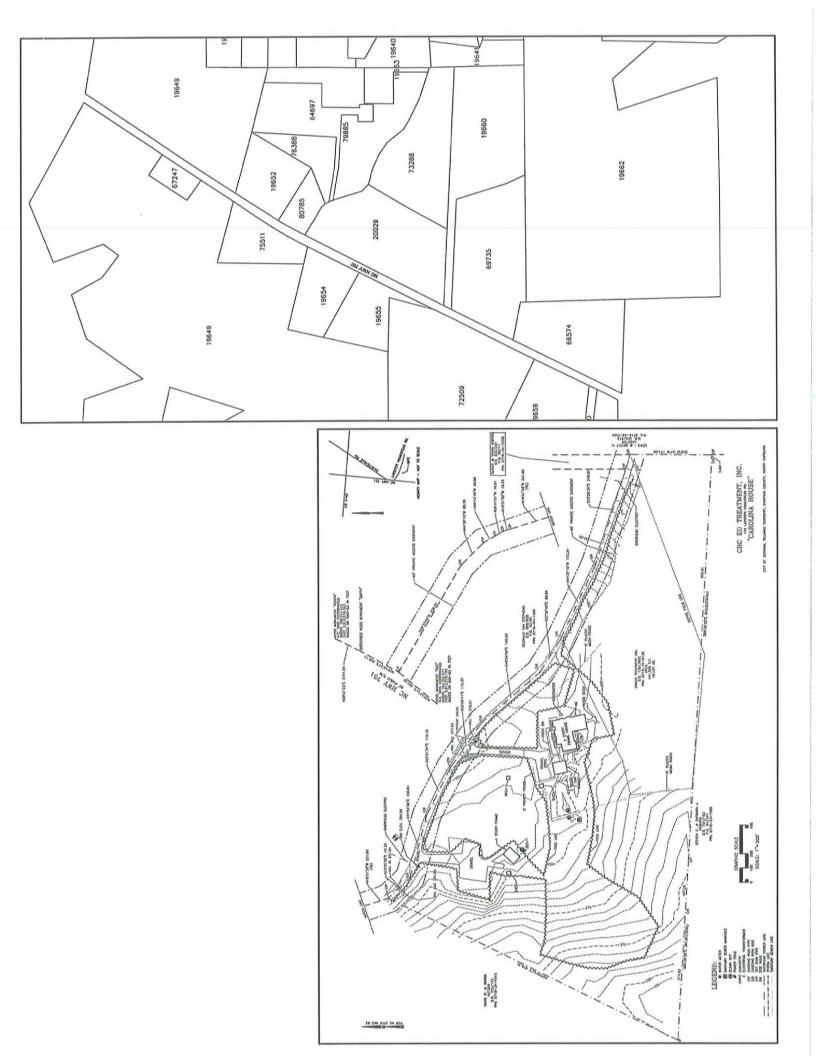
IN WITNESS WHEREOF, the Grantor has duly executed	the foregoing as of the day and year first above written.
(Entity Name)	John Logan SEA
Ву:	
Title:	(SEA)
By:	ŭ.
Title:	SEAT.
Ву:	200
Title:	, SEAL
State of North Carolina - County of Chatham	
I, the undersigned Notary Public of the County and State af	John F. Logan
execution of the foregoing instrument for the purposes therein express of	sed. Witness my hand and Notarial stamp or seal this 26th day
- william.	19
My Commission Expires: 480807	The Low
My Commission Expires: 6-08-09  Style SNeed Commission Expires: NOTARY	Notary Public
State of North Carolina - County of ***	70:
- A Dimin	1 2
I, the undersigned Notary Public of the County and State and came before me this day and acknowledged that the spirit and a North Carolina or corporation/insign rability of inapplicable), and that by authority duly given and as the act of such	resaid, certify that
came before me this day and acknowledged that he's the	of personally
a North Carolina or corporation/finaled Hability cor	npany/general partnership/limited partnership (strike through the
inapplicable), and that by authority duly given and as the act of such behalf as its act and deed. Witness my hand and Notarial stamp or se	entity, he signed the foregoing instrument in its name on its
y —— a strong min stamp of ac	al, this, day of, 20
My Commission Expires:	
	Notary Public
State of North Carolina - County of	
A STATE OF THE PROPERTY OF THE	
I, the undersigned Notary Public of the County and State aforess	id, certify that
Witness my hand and Notarial stamp or seal, this day of	
	, 20
My Commission Expires:	
	Notary Public
he foregoing Certificate(s) of	
ertified to be correct. This instrument and this certificate are duly registers to page hereof.	ered at the date and time and in the Book and Page shown on the
Register of Deeds for	County
By: Deputy/A	Assistant - Register of Deeds
iC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002	
rinted by Agreement with the NC Bar Association – 1981 SoftPro	. C
Soluto	Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

#### 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" Bast 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; theuce 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 purcel 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.



# Map of Property



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 17.6 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.



1

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

1

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

Carolina 27699-2701 2701 Mail Service Center

Michael F. Easley, Governor Dempsey Benton, Secretary

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.

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







Judy R. Truitt

Area Director

Phone 919.913.4010 Fax 919.913.4003 e-mail: jtruitt@opc-mhc.org

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,

Judy RTruitt Judy R. Truitt

CC:

Jim Jarrard, DMH/DD/SAS

Stephanie Alexander, DFS, MH Licensure & Certification Section

**General Application Requirements:** 

A detailed description of the project, a requirement that is common to all applications, is discussed in this section.

- 1) Location. The location of the site in Chatham County, including:
  - a. Public highway(s) servicing this site:

Hwy 751

b. Private road(s) servicing the site:

Lassiter Homestead Rd.

c. The current zoning of the site:

RA-40 w/ portion CU-B-1 by prior owner

d. Watershed designation, the site classification and % impervious surface allowed:

WS-IV PA, 36% impervious allowed

e. Is the site in or border the "Major Wildlife Areas" identified in the "Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina", 1992, starting on page 181:

This site is not in nor does it border any of the "Major Wildlife Areas" as identified in the above referenced document

f. The size (in acres) of the site:

10.137 Acres

g. Current utility or other easements assigned to this site:

60' private access easement

h. The current use of the site:

Residential Eating Disorders Treatment Facility

i. Description of current contents of the site (e.g. buildings, utilities, etc.):

Buildings: One (1) house w/ attached garage, one (1) utility building, two (2) small sheds, and one (1) well house.

Utilities: Underground electrical service, well water, and propane gas.

j. Other Conditional Use Permits that have been granted for this site:

Existing conditional use of CU-B-1 placed on 1.41 acres of the site by previous owner for a landscape business. As part of this application, we are requesting the removal of this previous conditional use. Please see attached copy of previous approval.

#### 2) Description of Use:

We seek to increase the number of patients we may serve in our facility beyond our current residential zoning which allows for only 6 residents. We have received a rule waiver approval by the Division of Facility Services to provide services to 12 residents based on need. We would like utilize the space and rule waiver to accommodate 12 patients within our house. We seek to meet an important need in the state of North Carolina by providing residential eating disorders treatment services to accommodate the number of requests for admission for treatment of an eating disorder.

# Site Plan

3) Site Plan and Drawing. Describe the plans for the site in detail. Provide drawing(s) at an appropriate of the completed project. This information should be of adequate detail (a drawing done by a licensed land surveyor and design details from a licensed architect are **strongly recommended**) to address the following:

1. Existing buildings on site, construction description and size.

a. See site plan. All existing structures to remain. Structures are typical one and two story residential framing.

2. Proposed new buildings, location on site, size, and construction description in adequate detail to determine the general appearance of the building and to establish the architectural design.

a. No new buildings are proposed with this application

3. Landscape plan with materials used.

a. No site work is proposed with this application. All existing landscaping and plant material to remain

4. Screening/buffering plan, setbacks.

a. See site plan. All existing buildings and parking are set back from access drive to maintain rural setting. Existing tree line serves for screening and buffering.

Natural preserved areas that will remain in this condition.

a. Existing tree line to remain. See site plan.

6. Site boundaries with adjacent properties.

 See site plan for property lines and adjacent property owners. All adjacent properties are currently zoned R-40.

7. Parking design.

a. Existing parking area to remain. Current parking configuration accommodates 3 vehicles adjacent to the main building and an additional 15 vehicles at the gravel parking area. Parking required is (1) space per every (2) beds and an additional space per each staff doctor on duty. The desired bed allocation being sought under this application is 12 beds which would require approximately 12 staff members at a time. This would require 18 spaces which are currently provided.

8. Sign location, type, size.

- a. There is no existing sign and no proposed sign under this application.
- 9. Areas reserved for future development or improvements under this permit.
  - No areas are reserved for future development under this application.

10. Lighting plan.

All existing lighting to remain. No new lighting proposed under this application.

11. Percentage of impervious surface, include storm drainage management plan.

- a. No new site work proposed under this application. Existing pervious and storm water drainage to remain.
- 12. Topographical description/drawing of current site and after improvements have been made to the site.

a. Existing topography to remain. See site plan.

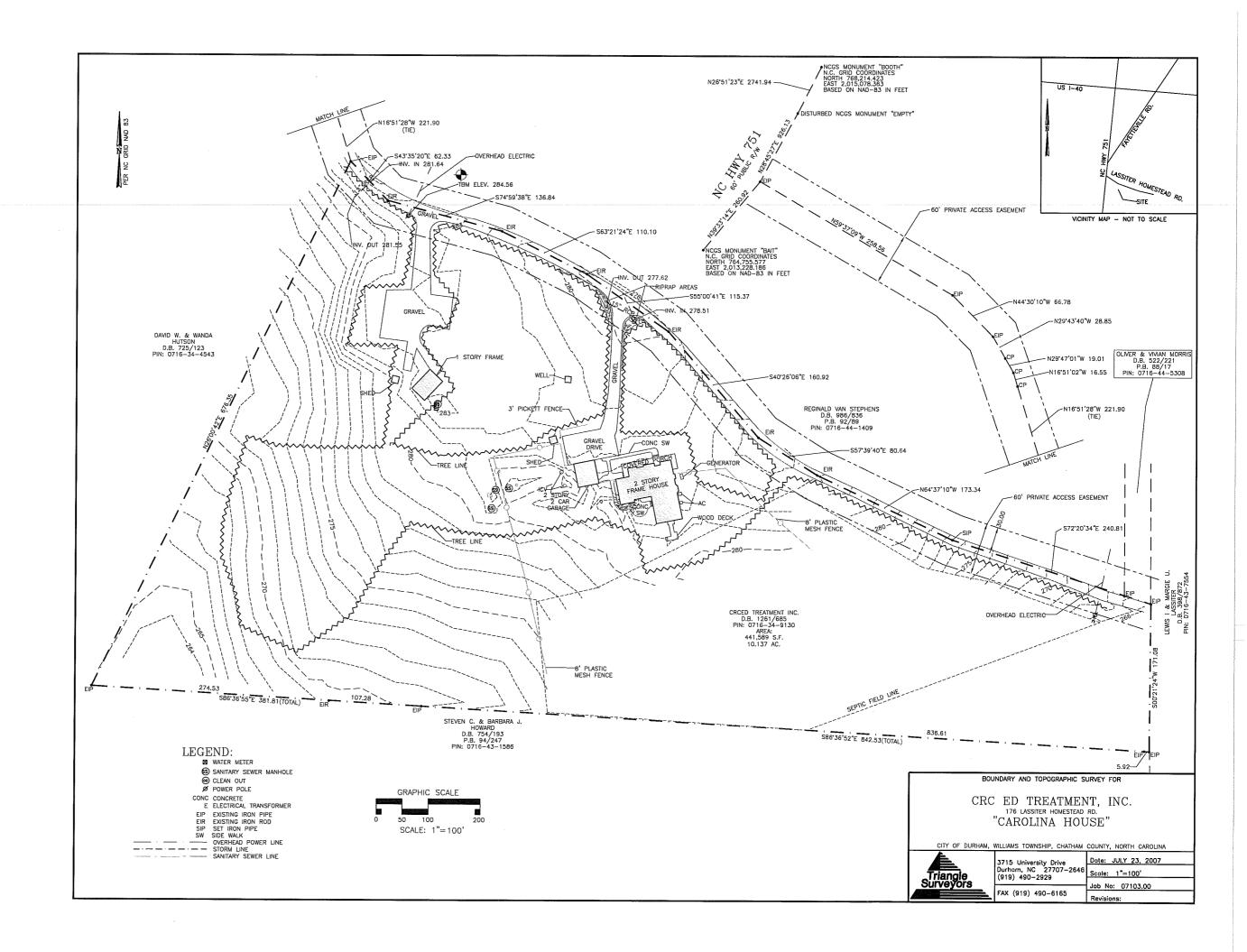
- 13. Designate streams and wetlands and any required water hazard setback areas.
  - a. No known streams, wetlands, or water hazard setback areas are associated with this property.

14. Vicinity map showing property location.

 See attached vicinity map and enclosed adjacent land owners map showing vicinity and adjacency to nearest roadway.

15. County tax map with location of property identified

a. See attached site survey, vicinity map, and property map



4) Start and Completion Projections:

A rule waiver approval has already been obtained from the Division of Facility Services. Required facility upgrades to meet all codes include the improvement of septic systems and addition of a sprinkler system to the house. As the house is currently operational, the project duration is based solely on the installation of the sprinkler system and septic system.

5) Reference to Existing County Plans:

This site is not specifically mentioned in any existing county plans.