

## Conditional Use Permit Application

### Land Owner Information:

R.L. Matthews

545 Old Farrington Rd.

Parcel # - 19386

Pin - 9766 00 44 0855

## Submission Materials Check List: Application for Conditional Use District and / or Conditional Use Permit

### General Application Requirements:

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

- 1) Location <Required>. The location of the site in Chatham County. Including:
  - a. public highway(s) servicing this site; **The property is located on Old Farrington Rd., approximately 350' S.W. of the intersection of Whippoorwill Lane and Old Farrington Rd. (S.R.**
  - b. private road(s) servicing the site; - **none**
  - c. the current zoning of the site; - **RA - 40 - applied for CU-NB**
  - d. watershed designation, the site classification and % impervious surface allowed; **WS - 4-PA, 36% impervious surface 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; (a copy of this inventory is located in the Planning Department) - **No**
  - f. the size (in acres) of the site; **1.197 ac.**
  - g. current utility or other easements assigned to this site; **none**
  - h. the current use of the site; **single family residence**
  - i. description of the current contents of the site;  
**single family residence, shed**
  - j. other Conditional Use Permits that have been granted for this site.  
**none**
- 2) Description of Use <Required>. Provide a description of the requested use.  
**Heating, Plumbing, Electrical and Similar Shop ;**
- 3) Site Plan and Drawing <Required>. 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: **See attached Site Plan**
  - a. existing buildings on site, construction description and size.
  - b. proposed new buildings, location on site, size, construction description in adequate detail to determine the general appearance of the building and to establish the architectural design.

- c. landscape plan with materials used.
- d. screening/buffering plan, setbacks.
- e. natural preserved areas that will remain in this condition.
- f. site boundaries with adjacent properties.
- g. parking design.
- h. sign location, type, size. - **to be applied for separately, size and location shown on site plan**
- i. areas reserved for future development or improvements under this permit.
- j. lighting plan.
- k. percentage of impervious surface, include storm drainage management plan.
- l. topographical description/drawing of current site and after improvements have been made to the site.
- m. designate streams and wetlands and any required water hazard setback areas.
- n. vicinity map showing property location.
- o. county tax map with location of property identified

4) Start and Completion Projections **<Required>**. Provide a project plan. Provide the approximate start time for the project development. Provide the approximate completion time for the project; when it will be ready for operation.

**Spring - Summer '09, proposed Garage at a later date**

5) Reference to Existing County Plans **<Required>**. Is this site specifically mentioned in any County plan (such as the highway plan, watershed plan, etc.?). (If the requested use for the site is specifically counter to existing plan, the application must provide a compelling argument as to why the provisions in the plan should be set aside and the permit granted.)

**We have reviewed the Strategic Plan and the Land Use Development Plan and do not find specific mention of this site.**

**Specific Application Requirements:**

The following requirements are needed to support the Five Affirmative Findings found in the Chatham County Zoning Ordinance. **All** of these findings must be met to grant the application.

**Finding #1: The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.**

1) Validation of Use in Zoning Ordinance (Zoning Ordinance information: [http://www.co.chatham.nc.us/dept/planning/planning\\_dept/ordinances/documents/Zoning\\_Ordinance.pdf](http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/documents/Zoning_Ordinance.pdf)) **<Required>**. Simply confirm that the requested use is eligible for the requested site.

**The proposed use is allowed on this site.**

2) Land Development Plan Reference **<Required>** (Land Development Plan: [http://www.co.chatham.nc.us/dept/planning/planning\\_dept/ordinances/documents/Land\\_Use\\_Development\\_Plan.pdf](http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/documents/Land_Use_Development_Plan.pdf))

Provide (in context) references to the Land Conservation and Development Plan that support this application.

See finding # 4

**Finding #2: The requested conditional use permit is either essential or desirable for the public convenience or welfare.**

- 1) Need and Desirability <**Required**>. The application should describe why there is a need for the proposed use in this area. Describe how this was determined (for example, an analysis of present or projected demands on existing similar uses). This is an opportunity for the applicant to establish the benefit to the county that will result from approval of this permit. Why is the proposed use more desirable than other uses permitted under the existing zoning?
- 2) Survey of Similar Uses <**Required**>. How many other instances of this use are currently in Chatham or within an adjacent county? Are there similar uses already approved for the requested use on adjacent properties? Provide summary of existing similar uses. If there are already a number of such uses allowed in the County or another similar use in reasonably close proximity to the new requested site, Why is this new instance of this use essential? Are these other instances currently in operation and successful?
- 3) Public Provided Improvements <**Required**>. Identify any public improvements, services, etc., that the county would be required to provide in support of this site if the use is approved. If no additional public improvements are needed, then state this as the case.
- 4) Tax considerations <**Optional**>. If appropriate, or of advantage to the application, provide an estimate of the tax revenue (direct and indirect) to the County that this use would provide over the next five years. Describe how this estimate was determined. What is the net result of expenditure of County services and facilities required VS the tax revenue generated?
- 5) Employment <**Optional**>. Discuss the number of jobs that would be created by this use. Designate these positions as full time or part time. If possible, describe the salary ranges of the employees

**1. We were unable to locate any heating cooling and appliance repair companies located in northern Chatham County (see attached list) meaning these services are supplied by companies from Orange and Durham counties or by providers travelling from a considerable distance within the county. See also Finding #4.**

**3. The proposed business on the proposed site would not require any public improvements.**

**4. The conversion of a residential property to commercial use helps diversify the tax base and lift part of the tax burden off the residents of the county.**

**5. In addition to the tax revenue benefit, the proposed business also offers potential employment in a skilled trade field for county residents. See also Finding #4**

**Finding #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.**

**1) Emergency Services <Optional>.**

- a. Fire Protection. Document the impact on respective volunteer fire department's ability to service the site with the requested use. This should come from the Chatham County Fire Marshal as a letter.
- b. Police Protection. Document the impact to the Chatham County Sheriff Department's ability to provide protection for the site with the requested use. This should come from the Sheriff in the form of a supporting letter.
- c. Rescue 911. Document the impact to the Chatham County Rescue Squad's ability to provide support to the site; provide approximate arrival time to site after 911 call is placed.

**The proposed business/use should in no way create any additional efforts on the part of local fire, police and emergency services than the current residential use.**

**2) Traffic <Required>.**

Document projected traffic generated by the use (this is available for many/most uses from DOT). Document current capacity for the road that serves this site (available for all/most roads from DOT). What kind of traffic will this be (that is car, bus, truck, etc.,) and what will be the peak time of day for the traffic? Do you anticipate changes to the speed limit on the principal service road for this site? Are modifications to the road system needed (e.g. a turning lane)? How will these road improvements be financed? A letter of opinion from DOT would be required if introduction of significant new traffic loads was expected or there is already a high accident rate at this location. Will the road(s) included in the County Thoroughfare Plan accommodate these anticipated requirements?

**The service vehicles leave the site in the morning and return in the evening. The impact on local traffic will be negligible.**

**3) Impact to surrounding Land Values <Optional>.** What will be the impact to surrounding land values as a result of the proposed use? Is this impact anticipated to change with time and the possible changes in use of the surrounding properties? Note that if the applicant does choose to provide this information to support the application, then the basis for the information **must** be provided. For example, if a real estate appraiser's opinion is presented, then the opinion is expected to be derived from an analysis of comparison sites with requested use, some other real estate study or survey.

**We anticipate no adverse effect on the value of surrounding properties. The business is self-contained, screened and their current property is well-maintained. In short, Bud Matthews Services is a good neighbor.**

**4) Visual Impact & Screening <Required>.**

Describe the visual presentation of the completed project, in context of the adjoining properties. How will fencing and/or plantings alter the future visual presentation?

**The existing structure will be re-used, with little of its appearance altered. There is currently an 8' high fence in the process of being constructed at the sides and rear of the property in addition to a number of mature trees. The front yard of the former house has numerous mature oaks and ornamental plantings which will remain. See Landscape Plan. The proposed garage and parking area for the service vehicles, being behind the house and screened, will not be visible from the nearby residences, not much visible from street.**

5) Lighting <Required>. Will there be lights associated with the use? If so, describe the wattage, type, method of support (if on poles, give height of pole), and times of night the lights would be in use. What considerations and methods have been considered to the shielding of the light from adjacent properties? Are similar lights in use elsewhere that can be evaluated?

**No general site illumination is proposed. Lighting will be of a level associated with residential use. The main structure and garage will have motion-activated downward- aimed floods, w/ wattages not exceeding 150W. See attached Landscape and Lighting Plan**

6) Noise <Required>. Will there be noise generated by the use? If so, what will the source of this noise. Provide an estimate of the level of noise in decibels at the property lines of the site. Provide the basis for this estimate. If the noise generated is anticipated to exceed the County Noise Ordinance, has a permit been requested or approved to exceed this ordinance?

**No unusual noise or volume will be generated by this use. There is no fabrication, manufacturer or assembly on site. The noise level would be comparable to a single family residence.**

7) Chemicals, Biological and Radioactive Agents <Required>. Identify types and amounts of chemicals, explosives, biological and radioactive materials that will be utilized by the requested use. What is the estimated amounts of these agents that will be generated as waste; how will they be disposed? Identify the possible biochemical or radioactive hazards that may be associated with this use; how will these be handled? Identify the potential for emissions into the air. Identify the potential for discharges or runoff of liquids that would pollute the surface and/or groundwater sources.

**No chemical, biological or radioactive uses are utilized for the proposed use.**

8) Signs <Required>. Will the use include the display of a sign (advertisement or identification)? If so, describe the method of display, color, size and location on the site.

**Sign location and size are indicated on Site Plan.**

**Finding #4: The requested permit will be consistent with the objectives of the Land Conservation and Development Plan.**

**(1) Land Development Plan:**

[http://www.co.chatham.nc.us/dept/planning/planning\\_dept/ordinances/documents/Land\\_Use\\_Development\\_Plan.pdf](http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/documents/Land_Use_Development_Plan.pdf)

Land Conservation and Development Plan Reference <Required>. Provide information which demonstrates how this request would conform to each relevant provision of the current Land Conservation and Development Plan.

**This rezoning request (to CU-NB) is consistent with goals outlined in the Chatham County Land Use Development Plan. The subject lot is currently zoned residential. To the west of the subject lot there is dense residential development (Governors Village). To the east the area is more rural. One of the adjacent lots has been recently zoned CU B-1. The rezoning of the adjacent lot makes this lot particularly suitable for CU-NB rezoning. Given the subject lots location it serves as something of a crossroad commercial area (Whippoorwill Drive and Old Farrington Rd.) and it also helps to balance the dense residential growth to the west by adding a business near a large residential area. The combination of business and the nearby residential uses create an environment where a business can be sustainable by virtue of its closeness to a residential service area, helping also to create a compact community in the general area by having a variety of uses, both commercial and residential, close to one and other. It is a small lot with little likelihood of an adverse effect on the existing water and sewer service, and the limited amount of impervious surface assures little impact on the local watershed. The existing roadway adequately serves the lot. The existing structure on the lot is suitable for re-use as a commercial structure and there would not be development of what is currently open space or land used for agriculture. We are confident that this request will result in a benefit for the surrounding property owners, the community and the county in general**

**(2) Water shed and flood considerations: <Required>. Provide information that demonstrates how the requested use conforms to the Watershed Protection Ordinance and the Flood Damage Prevention Ordinance.**

[http://www.co.chatham.nc.us/dept/planning/planning\\_dept/ordinances/ordinances.htm](http://www.co.chatham.nc.us/dept/planning/planning_dept/ordinances/ordinances.htm)

**The requested zoning and use will have a very small impact on local watershed and water resources. The proposed amount of impervious surface falls considerably below currently allowed limits, meaning the stormwater run-off is not significant.**

**Finding #5: Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.**

**1. Water Source and Requirements >. <Required>. How much water will the use require? What is the source of the water (public or private supply)? If supply is public then**

(with the help of the Public Works Dept./ 542-8254) identify how the water connections are to be provided.

**The structure is currently served by water and sewer (see attached service letters)– no change is proposed. The water use would be less than that of a single family residence – for the greater part of the day there would be only one or two individuals at site (working, not living.) The business doesn't require any unusual water use: it is a typical business office.**

2) Wastewater Management >. <**Required**>. What is the wastewater capacity needs for this use? Specify the treatment and disposal methods to be used. If individual septic, provide septic improvements permit letter from the Chatham County Health Department. If other than individual septic systems are to be used, submit a plan for wastewater management. If system requires approval from NCDENR, state progress towards getting approval from NCDENR.

**See #1 above.**

Water/Sewer Impact Statement >. <**Required**>. All applications where a public utility is to be utilized, (water or sewer) must state clearly the amount of usage that is anticipated. The usage estimate must be validated by the County Public Works Director, along with an updated usage vs. capacity statement. The impact statement should provide a projection of the demand after the site is fully developed.

**See #1 above.**

3) Access Roads >. <**Required**>. Describe the access from the site to public highways. If the requested use will require a new driveway or enhancement to existing highway(s) address the following questions. If a new driveway access is part of the proposal, has NC DOT approved this access (include copy of the commercial driveway permit)? If the Site is located on a road designated as a "major collector", is the site accessed by an existing or proposed service road. Describe any upgrades of public or private roads necessary to serve the property.

**The site is accessed by SR 1726. We are in process of applying for commercial driveway permit. See attached letter.**


4) Storm Water Runoff >. <**Required**>. Detail the methods and various structures that will be used to control storm water runoff. This information will detail all points of off site discharge with design techniques used and projected impact on neighboring properties.

**None required.**

Name of Applicant:

Jack Haggerty

Signature:

  
Submission Materials Check List  
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## **Conditional Use Permit Application**

### **Land Owner Information:**

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### **HVAC Contractors serving Northern Chatham and Southern Orange Counties**

ARS – Durham  
Andrews Heat and Air – Chapel Hill  
Boar Brothers – Carrboro  
Bryant Air – Durham  
Comfort Engineers - Durham  
Lee Air – Durham  
Mebane Air – Mebane  
Service Experts – Durham  
Sears – Durham  
Tillman Heating - Durham

### **Appliance Repair companies serving Northern Chatham and Southern Orange Counties**

Sanford Appliance Repair – Pittsboro  
Advanced Appliance Repair – Siler City  
Mr. Appliance – Siler City  
Andy's Appliance Repair – Durham  
Sears Appliance Repair - Siler City



