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## **A RESOLUTION APPROVING AN APPLICATION FOR A REVISION TO A CONDITIONAL USE PERMIT REQUEST BY Kent Dickens dba Dickens' Campground**

**WHEREAS,** Kent Dickens has applied to Chatham County for a revision to the conditional use permit on Parcel No. 5749 and Parcel No. 5153 located at 2501 Corinth Rd., Cape Fear Township, to add 6.5 additional acres from an adjoining tract to the existing campground side, add a spray water park, and 98 additional RV camp sites, and;

**WHEREAS,** the Chatham County Board of Commissioners having considered all of the evidence in the whole record and 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 use/s requested are among those listed as eligible uses in the district in which the subject property is located or is to be located. In the list of Permitted Uses within the Chatham County Zoning Ordinance, public and private recreations camps and grounds continue to be a permitted use under a qualifying conditional use permit. The request also continues to comply with Section 17.5.B with the 20 acre minimum requirement for campgrounds.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, the applicant has operated the campground since before 2002 at which time he received approval of the first conditional use permit. The park allows for alternate lodging for contract workers with various industries that is needed during scheduled outages such as with Sharon Harris Nuclear Plant.
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. There have been no identifiable environmental concerns located on this property. The property will continue to be served by county water and landscaping/buffering have or will be installed to soften the appearance of the property from the public roadways.
4. The requested permit is consistent with the objectives of the Land Development Plan by, among other things, encouraging a mix of development by guiding balanced growth to suitable locations while maintaining rural character. The property allows for a diversity of housing options that are encouraged throughout the county. The applicant lives on the property which promotes citizens having the flexibility to have a home-based business. The property will remain under the allowable 36% impervious surface requirements.

5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided through the proposal consistent with the County's plans, policies and regulations and confirmed through any additional conditions placed on its approval as seen below. The county environmental health staff indicates there is sufficient area for the septic field expansion to serve the additional uses. There have been no issues with the current system. Stormwater measures will be implemented to ensure runoff is properly managed.

**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 revision to the conditional use permit in accordance with the plan submitted by the Applicant, Kent Dickens, and incorporated herein by reference with specific conditions as listed below. They are:

**Site Specific Conditions**

1. The recommendations as provided by the Chatham County Appearance Commission shall be followed. All landscaping shall be installed and comply with Section 12 of the Zoning Ordinance and the Design Guidelines.
2. There shall be a 50 foot perimeter buffer around the currently approved recreational vehicle park/campground and the new 6.5 acre area being added where no development or sites may be located, as required by the Zoning Ordinance.
3. No sites or storage of any kind is permitted within the power line easement areas.
4. No individual storage units/structures shall be located on the site. Storage of recreational vehicles or boats, as a separate use, is also prohibited unless an amendment to the conditional use permit is obtained.
5. Units shall be located a minimum of 30 feet apart per the North Carolina Fire Code.
6. Mobile homes on the site may not be used for commercial/non-residential purposes.
7. Plans and permits must be submitted, approved, and a copy provided to the Planning Department from Environmental Quality for stormwater, from Erosion & Sedimentation Control for land disturbing activities, from NC Department of Environment and Natural Resources for public water supply, and from the Division of Environmental Health for the spray park and septic expansion.
8. A revised site plan detailing the location of septic areas and drain fields, impervious surface areas, corrected buffer areas, and stormwater features shall be provided after plans have been reviewed by the respective departments/agencies before any land disturbing may begin.
9. All previous conditions placed on the prior approvals shall also remain in effect.

**Standard Site Conditions**

10. Signage, parking, and lighting shall conform to the Chatham County Zoning Ordinance.

11. The application and approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place.
12. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Storm water Management, Building Inspections, etc.) shall be obtained, if required, and copies submitted to the Planning Department prior to the initiation of the operation/business.

**Standard Administrative Conditions:**

13. Appeal - The County shall be under no obligation to defend any action, cause of action, claim, or appeal involving the decision taken herein. In the event a response is authorized by the County concerning this resolution, or any action to enforce the provisions hereof, the applicant, its successors or assigns shall indemnify and hold the County harmless from all loss, cost or expense, including reasonable attorneys fees, incurred in connection with the defense of or response to any and all known or unknown actions, causes of action, claims, demands, damages, costs, loss, expenses, compensation, and all consequential damages on account of or resulting from this decision.
14. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspection, established from time to time.
15. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued determination with the plans and conditions listed above.
16. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
17. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

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

Adopted this, the 3rd day of October 2011

By: \_\_\_\_\_

Brian Bock, Chair  
Chatham County Board of Commissioners

ATTEST:

\_\_\_\_\_ CMC, NCCC

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