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A RESOLUTION APPROVING A CONDITIONAL USE PERMIT REQUEST

BY Talitha Sanders and Ellen martin

WHEREAS, Talitha Sanders and Ellen Martin have applied to Chatham County for a conditional use permit on Parcel No. 75481, on approximately 4.564 acres, located at 235 Easy Street, Baldwin Township, for a daycare center for 15 or fewer children, 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. The use being requested is listed as a permitted use under a conditional use permit in a residential district. No rezoning of property is required.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, the applicant has stated this facility would be providing a service in the area for smaller, more intimate group sizes allowing more one on one instruction for each child.
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. The access road to the site is a private, gravel road and does not require NCDOT approval. With no more than 5 children allowed at any one time, it is expected that traffic will be minimal. The CCAC has reviewed and approved the landscaping site plan.
4. The requested permit is consistent with the objectives of the Land Development Plan by, allowing for balanced growth with different types of development while maintain rural character and quality of life. This property will utilize an existing residence where the applicant lives with approved modifications as required by state or local laws and regulations. The Plan also encourages home-based businesses.
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 property has an existing septic system and well that will be utilized for the daycare as well as approved with local and state agencies. The access road is private and requires no upgrades through NCDOT.

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 conditional use permit in accordance with the plan submitted by the Applicant, Talitha Sanders and Ellen Martin, and incorporated herein by reference with specific conditions as listed below;

Site Specific Conditions

1. The site may have one non-illuminated sign no larger than four (4) square feet which is larger than the what the applicant requested.
2. Recommendations by the CCAC and the Chatham County Design Guidelines shall be complied with as approved.
3. There shall be a limit of no more than five (5) children allowed at any one time in the daycare operations.

Standard Site Conditions

4. Signage, parking, and lighting shall conform to the Chatham County Zoning Ordinance unless otherwise stated in a specific condition noted above.
5. 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.
6. 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, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department prior to the initiation of the operation/business.
7. A certificate of occupancy shall be issued within two (2) years from the date of this approval or this permit shall become null and void.

Standard Administrative Conditions

8. 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.
9. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued determination with the plans and conditions listed above.

10. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
11. 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 conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 21st day of May, 2012

By: Brian Bock

Brian Bock, Chair
Chatham County Board of Commissioners

ATTEST:

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