

APPLICATION FOR  
**CONDITIONAL USE PERMIT**

**OFFICE COPY**

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

Tel: 919/542-8204  
Fax: 919/542-2698  
Email: [angela.birchett@chathamnc.org](mailto:angela.birchett@chathamnc.org)

**(1) Applicant Information:**

Name: Doug Piner \_\_\_\_\_  
Address: 850 Bear Tree Creek \_\_\_\_\_  
\_\_\_\_\_ Chapel Hill, NC \_\_\_\_\_  
Phone No: (h) 919-542-3152 \_\_\_\_\_  
(w) 919-291-0686 \_\_\_\_\_  
(m) 919-291-0686 \_\_\_\_\_  
Email: [dougpiner@yahoo.com](mailto:dougpiner@yahoo.com) \_\_\_\_\_

**(2) Landowner Information (as shown on deed)**

Name: The Preserve POA  
Address: 1630 Military Cutoff Rd  
Wilmington, NC 28403  
Phone No: (h) \_\_\_\_\_  
(w) 877-672-CAMS  
(m) \_\_\_\_\_  
Email: [dclarcq@c21sweyer.com](mailto:dclarcq@c21sweyer.com)



**(3) Property Identification:**

911 Address: End of Broad Leaf Court adjacent to  
WWTP  
S.R. Name: NA\_  
S.R. Number: NA\_  
Township: Williams\_  
Acreage: 63.18\_  
Flood map #: 3710978200J\_  
(2-07-2007)  
Flood Zone: \_\_\_\_\_

PARCEL#: 80601\_  
Deed Book: 1000\_ Page: 0344 Yr  
Plat Book: 2003-63 Page: 2005-299  
Current Zoning District: CU-PUD  
Watershed District: WSIV-PA Jordan  
Lake, WSIV-CA Jordan Lake

**(4) Requested Conditional Use Permit for the following Uses: List all uses being requested as found in Section 10.13 Table of Permitted uses in the Zoning Ordinance**

We are requesting an addition to The Preserve CUP. We have a gravel lot that is less than half an acre where we store boats, RVs, and trailers for home owners. There are 36 parking spaces available. This is needed because residents are not allowed to park these items in their driveway in order to keep a cleaner looking neighborhood.

**(5) Directions to property from Pittsboro:** The storage lot is located inside the neighborhood. From Big Woods turn into The Preserve on Preserve Trail. Take a left onto Broad Leaf Court. At the end of Broad Leaf the road turns to gravel. The storage lot is on the left. On the right is the water waste treatment plant and the Preserve landscaping building. The storage lot is 1.1 miles from the entrance of the neighborhood.

**(6) Attach the following:**

- ☐ List of names and addresses or current adjoining property owners (see Adjacent Landowners form)
  - ☐ Written legal description
  - ☐ Map of the property per Section 19.3.B.1 of the Zoning Ordinance
  - ☐ EIA (Environmental Impact Assessment) if disturbing two (2) or more acres
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**(7) Attach all supporting documentation, maps, or plans that meet the five (5) findings as required (see Submission Materials Checklist form)**

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I hereby certify that I am the owner or authorized agent of said property and that the information provided is complete and the statements given are true to the best of my knowledge.

*Diane M. Clancy*

Signature

*Association Manager for  
The Preserve at Jordan Lake*

Date

*4.19.2012*

**The owner must sign the following if someone other than the owner is making the application.**

I hereby certify that \_\_\_\_\_ is an authorized agent for said property and is permitted by me to file this application.

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Signature

Date

## List of Adjacent Land Owners

**Aqua 79817 79818**  
202 Mackenan Drive  
Cary, NC 27511  
(919) 467-8712

**The Preserve at Jordan Lake Community Association Inc 19332**  
1630 Military Cutoff Road  
Suite 108  
Wilmington, NC 28403

### **Army Core of Engineers 77726**

Phone: (919) 542-4501

Fax: (919) 542-3972

Physical Address:

U.S. Army Corps of Engineers

Jordan Lake

2080 Jordan Dam Road

Moncure, NC 27559

http://chathamgis.com/maguide/Chatham/ Intranet Home Chatham County GIS Mapping Website

File Edit View Favorites Tools Help

Suggested Sites Web Slice Gallery

**Chatham County GIS Mapping Website**

Download Layers List PDF Instructions for Viewing Conservation Layers with the Chatham Online Mapping Tool Chatham County Home

Layers

- Addressing
  - ☒ AddressPoints
  - ☒ Bridges
  - ☒ Places
  - ☒ Drives
  - ☒ Roads
  - ☒ Railroad
- Real Property
  - ☒ Geodetic Control
  - ☒ Monuments
  - ☒ Subdivisions/Communities
  - ☒ Misc Parcel Features
    - ☒ CEMETERY
    - ☒ DEED-LINE
    - ☒ EASEMENT

Properties

0 feature selected

1: 4800.00

2529.17 x 2133.33 (ft)

9:04 AM 4/12/2012

**Print Map**

Plot a View of the Map

View Center X: 1983795.00  
View Center Y: 737069.58  
View Scale: 1:4800

Parcel Record Number: None Selected

☒ Use PDF Output

Plot at a Specified Scale

Map Title: Chatham County Map

Print Scale: 1" = 400.01

Submit

Note: If you adjust the scale, reselect another feature or make other changes to the view, you must click the PRINT button again to refresh the print page settings.

Form revised 01/17/2012



**Submission Materials Checklist for  
Applications Requesting Conditional Use  
Permits or Conditional Use Districts**



## Introduction

The materials required in applications for a Conditional Use Permits (CUP) or Conditional Use Districts (CUD) is given below. While some areas are optional, depending on the nature of the requested use, other items are required of all applications. Material that must be provided in all applications is designated as **<Required>**. Material that is not essential due to the type or characteristics of the requested use is designated as **<Optional>**. The Planning Department, Planning Board, and/or Board Commissioners may, at its discretion, require the presentation of any of the information designated as "optional". The Planning Department, Planning Board, and/or Board of Commissioners may request, due to the unique nature of the application, any additional information not directly listed in this check list.

Completion of all required items by the applicant is mandatory for the application to be considered at public hearing, reviewed by the Planning Board and accepted by the Board of Commissioners. The Planning Department will not forward incomplete applications for public hearing. Incomplete applications will be returned to the applicant and refunds given as necessary. **The Planning Department has the right to hold the request from Public Hearing for one (1) month to obtain additional information deemed necessary.** Substantial amounts of new information will not be accepted after the public hearing is scheduled. If a decision on an application is deferred, then clearly, new material may be added to the application for consideration at the next scheduled public hearing.

As the applicant is often requesting, a new or revised CUP, CUD, or change in general purpose zoning classification, the development of a complete application should not be considered an unreasonable expectation. It should be considered an opportunity to develop a strong application that clearly identifies the benefits of the requested use.

The original zoning decisions of the Board of County Commissioners are presumed to be correct, there is no requirement to defend existing zoning or prove why it should not change. It is the responsibility of the applicant to prove why a change should be made and the application requests be granted.

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## General Application Requirements

A detailed description of the project, a requirement that is common to all applications, is discussed in this section. A general outline or introductory page containing the following information is acceptable.

- 1) **Location** **<Required>** the location of the site in Chatham County. Include:
  - a. Public road – The storage lot is located at the end of Broad Leaf Court. This is 1.1 miles into The Preserve community.

- b. Private road(s) serving the site – There is a 100 foot gravel road leading up to the gate at the storage lot.
- c. The current zoning of the site- CU-PUD
- d. Watershed designation and % impervious surface allowed – WSIV-PA Jordan Lake and WSIV-CA Jordan Lake. Natural dirt and gravel. No curbs. We have concrete parking stops in each storage parking space.
- e. Is the site in or border “Major Wildlife Areas” identified in the “Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina”, under “Plans and Guidelines”? (a copy of this inventory is located on the Planning Department webpage) The site is located adjacent to parcel 77726, Army Corp of Engineers. They have been contacted.
- f. The size (in acres) of the site- The lot is less than 20,000 sq ft.
- g. Current utility or other easements assigned to this site – There are none.
- h. The current use of the site- The lot has been used as a storage lot for over 10 years.
- i. Description of current contents of the site (e.g. buildings, utilities, etc.) There are no buildings on the lot. We have 2 light poles and a gate.
- j. Other Conditional Use Permits, Conditional Use Districts, or Rezoning that have been granted for this site; if applicable. The Preserve CUP has several items listed. The storage lot was somehow omitted from the initial CUP.

2) **Description of Use** <Required>. Provide a description of the requested use. This is a general statement. More detail must be provided when addressing the five (5) findings below. The lot will be used for storing boats, RVs, and trailers for community residents only.

3) **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. The lot is already a part of the community. No additional changes are needed.

4) **Reference to Existing County Plans** <Required>. Is this site or use specifically mentioned in any adopted county plan (such as the highway plan, watershed plan, etc.)? (If the requested use of the site is specifically counter to an 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.) The Land Conservation and Development Plan is available on the Planning Department webpage under “Plans and Guidelines”. The Preserve community owns the land in this established neighborhood.

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## **SITE PLAN REQUIREMENTS**

1) **Information to be included on Site Plan/s** <Required>. A detailed site plan must accompany every application for CUP and CUD. Provide a detailed plan/s for how you envision the site will look. 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 but are not required**) to address the following: A drawing is provided with this application.



- a. Existing conditions (i.e. existing buildings on site, vegetation, access, water features, etc.) No buildings exist or will be built. The back of the lot is bordered by thick trees. No water will be provided on the lot.
- b. 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 None
- c. Show or state the amount of acreage to be disturbed. No additional acreage will be disturbed. There currently is less than 20,000 square feet than was cleared when the community was built.
- d. Landscape plan with materials used (Refer to Section 12 of the Zoning Ordinance and the Chatham County Design Guidelines) for screening and vegetative buffer minimums. Because the back of the lot is already bordered with thick trees and the front is bordered by Aqua's fence, there is no plan for additional landscaping.
- e. Setbacks from all property lines. The lot is within 50 feet of the Army Corp's parcel 77726. Army Corp was contacted and they do not have any restrictions.
- f. Natural preserved areas that will remain in this condition. There will not be any natural areas.
- g. Site boundaries with adjacent properties (Refer to Section 15 of the Zoning Ordinance) The lot is bordered by Army Corp, Aqua, and The Preserve community.
- h. Parking and/or parking lot design (Refer to Section 14 of the Zoning Ordinance and the Chatham County Design Guidelines). No additional parking is needed beyond the designed storage parking spots.
- i. Sign location, type, size – No signs.
- j. Areas reserved for future development or improvements- None.
- k. Lighting plan (See Section 13 of the Zoning Ordinance)- Two poles with lights have been added for security reasons.
- l. Percentage of impervious surface (includes storm drainage management plan, all gravel, concrete, asphalt, rooftops, or other impervious materials)- All surfaces will remain dirt.
- m. Topographical description/drawing of current site and after improvements have been made to the site. Area is completely flat.
- n. Show all creeks/streams, floodable areas, and wetlands with water hazard setback areas – No creeks, floodable areas, or wetlands are near the lot.

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#### **Additional Information Required**

- 1) **Adjoining Property Owners <Required>**. Provide the names and addresses of the property owners adjoining this site. This includes property owners across a public or private road and those who share any part of a property line with the property listed in this application request. This information may be obtained from the county's GIS webpage at [www.chathamnc.org](http://www.chathamnc.org) under GIS Tax Mapping. Listed on the application.
- 2) **Environmental Impact Assessment <May be Required>**. Per Section 11.3 of the Chatham County Zoning Ordinance, if the total area of land disturbance to grade, install, and construct driveways, access road areas, parking, buildings, stormwater retention area/s, etc. is two (2) contiguous acres or more in extent that disturbs two or more acres, an EIA in accordance with Section 6.2 of the Chatham County Subdivision Ordinance



must be conducted and submitted to the Environmental Quality Director and a copy provided with this application.

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### **Specific Conditional Use Permit Application Requirements**

The five (5) findings listed below are the supporting documentation required in order to consider the application for approval. 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.

- A. Validation of Use in Zoning Ordinance <Required>. Simply confirm that the requested use is listed as a permitted use under the conditional use zoning classification being requested or as a permitted conditional use within the existing zoning district. The lot will be part of an existing CUP.

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

- A. Need and Desirability <Required> The application should describe why there is a need for the proposed use in the area being applied for. 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? This is needed to keep the community looking neat and clear. Residents are not allowed to store these items in their driveways.
- B. 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? There are not many communities as large as The Preserve. With 500+ houses the small storage lot is an added amenity for the residents.
- C. 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. None.
- D. 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. Describe how this estimate was determined. What is the net result of expenditure of County services and facilities required vs. the tax revenue generated? None.

- E. 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. *None.*

**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.

A. Emergency Services <Optional>

1. 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.
2. 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.
3. Rescue 911 - Document the impact to rescue and ambulance ability to provide support to the site; provide approximate arrival time to site after a 911 call is placed.

- B. Traffic <Required> Document projected traffic generated by the use. Document current capacity for the road that serves this site (available for all/most roads from NCDOT). What kinds of traffic will this be (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 NCDOT would be required if introduction of significant new traffic loads were 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? *This is located at the dead end of a road. The only traffic will be 36 residents dropping off or picking up stored items.*

- C. 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 or create 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.

- D. Visual Impact & Screening <Required> Describe the visual presentation of the **completed** project in context with the adjoining properties. How will fencing and/or plantings alter the future visual presentation? *The lot is bordered by heavy trees on one side and a fence by Aqua of the other side.*

- E. Lighting <Required> Will there be lights associated with the use? This includes but is not limited to pole lights whether for security or decorative post mounted lights, lights on buildings/structures, landscape lighting, flood lights, etc. 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? *Two poles with lights on them have been added.*



- F. Noise <Required> Will there be noise generated by the use? If so, what will be 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, a permit must be requested and approved to exceed the ordinance requirements. *No noise will come from this site.*
- G. 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 cleaning is allowed for any items. All trash will be removed by each resident having a storage spot.*
- H. Signs <Required> Will the use include the display of a sign (advertisement or identification)? If so, describe the method of display, lighting, color, size, number and location on the site. *No signs.*

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

- A. 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 would fall under the current CUP already in place.*
- B. Watershed and Flood Considerations <Required> Provide information that demonstrates how the requested use conforms to the Watershed Protection Ordinance and the Flood Damage Prevention Ordinance. *This would fall under the current CUP already in place.*

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

- A. Water Source and Requirements <Required>. How much water will the use require? What is the source of the water (county water or private well)? If the supply is to be supplied by the county, then with the help of the Public Works Dept. (542-8270) identify how the water connections are to be provided. *No water will be provided.*
- B. Wastewater Management <Required>. What is the wastewater capacity needs for this use? Specify the treatment and disposal methods to be used. WWTP, public (i.e. Aqua of NC), or private septic. If individual septic, provide septic improvements permit letter from the Chatham County Environmental Health Department. If other than individual septic systems are to be used, submit a plan for wastewater management. If system requires approval from NCDENR or Aqua of NC or any other state or public source, please provide preliminary approval towards getting approval. *None*
- C. 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. *None*



- D. Access Roads <Required>. Describe the access to and from the site to public highways or private roadways. 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 NCDOT approved this access (include copy of the preliminary approval for a 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 public road that dead ends is Broad Leaf Court. Broad Leaf is off of the main road to the community. At the end of Broad Leaf is a gravel road of 100 feet leading to the storage lot.
- E. Stormwater Runoff <Required>. Detail the methods and various structures that will be used to control stormwater runoff. (If disturbing more than 20,000 square feet of area, a stormwater management plan must be submitted with this application) This information will detail all points of offsite discharge with design techniques used and projected impact on neighboring properties. Because the land will remain in it current level condition no additional runoff will occur.
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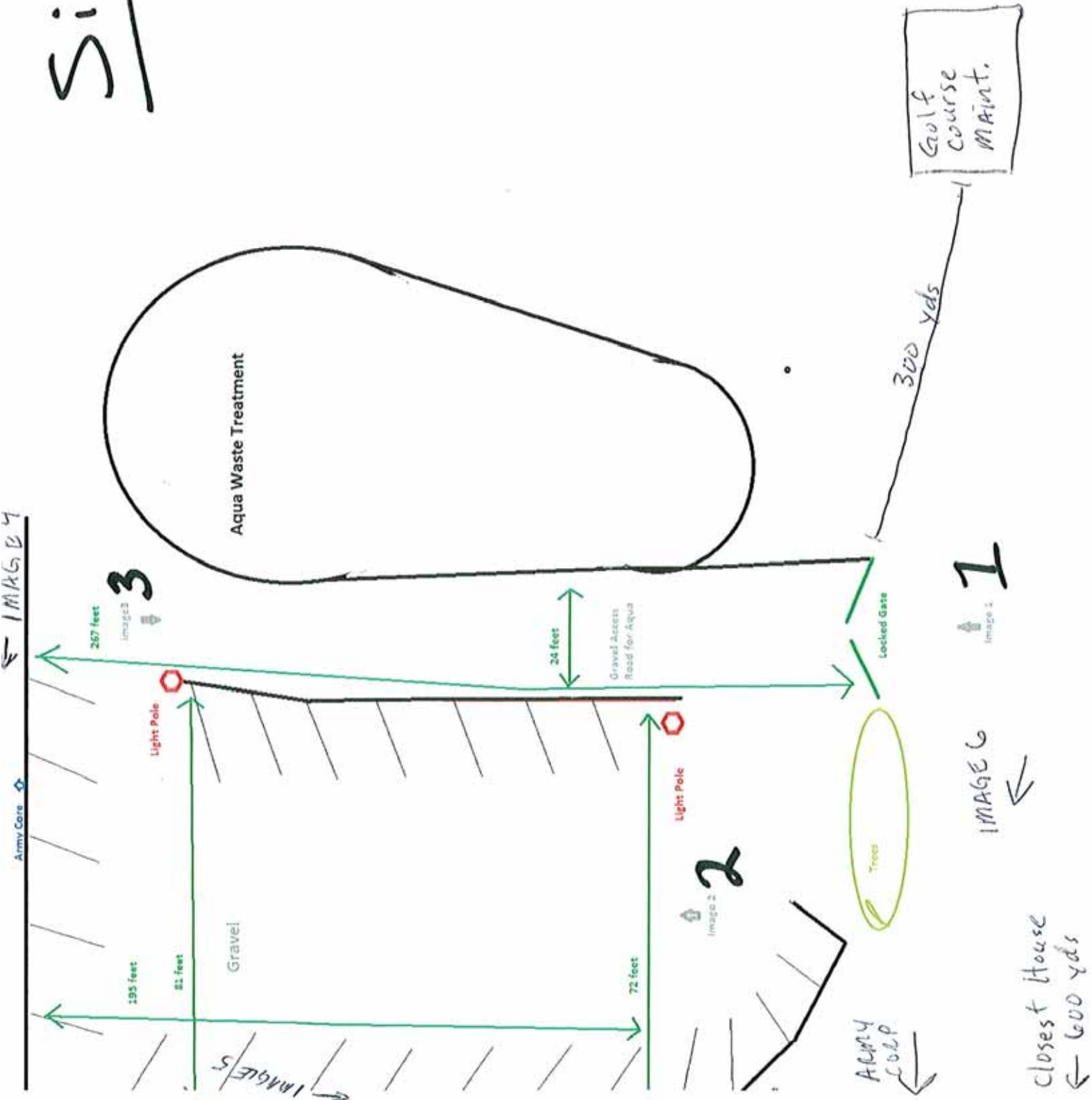
If you have questions or concerns regarding the requirements as set forth in this document, please contact the following:

Angela Birchett, CZO  
Zoning Administrator  
919-542-8285  
[angela.birchett@chathamnc.org](mailto:angela.birchett@chathamnc.org)

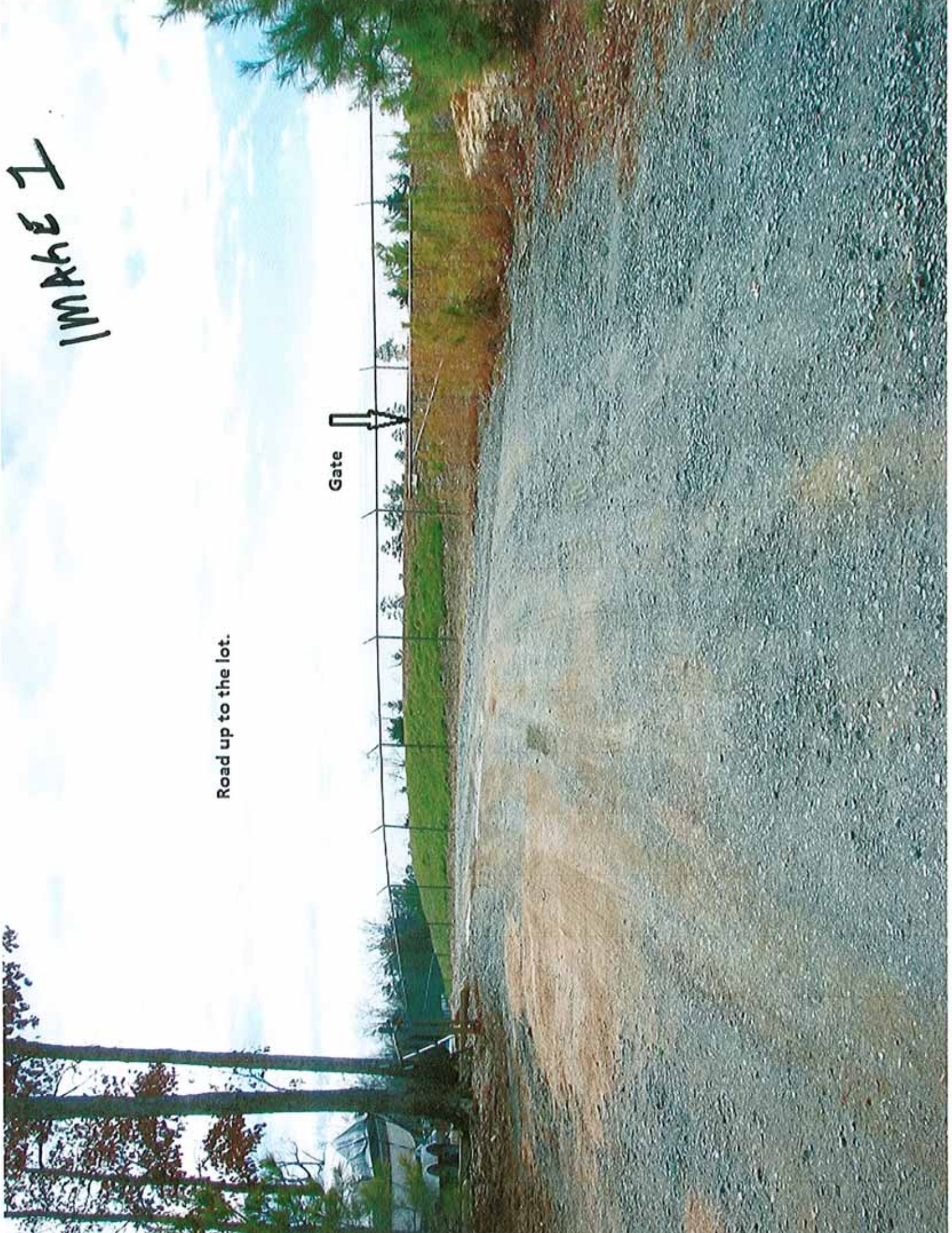
For more information on county ordinances, departments, GIS, etc., please visit our website at [www.chathamnc.org](http://www.chathamnc.org)

Document revised 01-20-2012 apb

# Site Plan







Road up to the lot.

Gate

IMAKE I



Image 2



Gravel lot and boats



Image 3

Access Road

Looking from the back of the lot

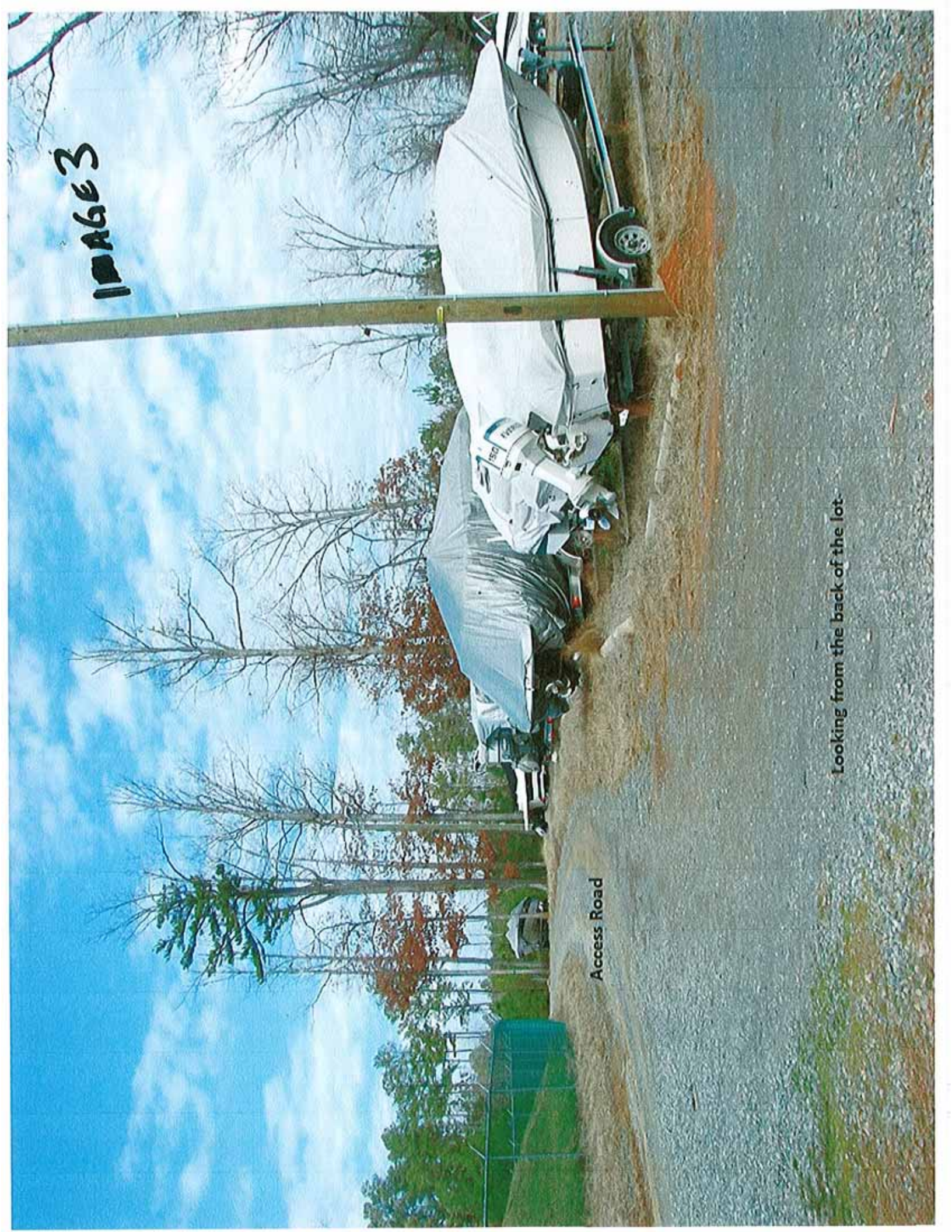




IMAGE 4





IMAGE 5





IMAGE 6

