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## **A RESOLUTION APPROVING A REVISION TO A CONDITIONAL USE PERMIT REQUEST**

### **BY** GV Commercial, LLC

**WHEREAS**, GV Commercial, LLC has applied to Chatham County for a revision to an existing conditional use permit on Parcel No. 76561, (GV Parcel B-3), located at Governor's Village, Williams Township, for a change in classification from commercial to residential to allow for a 15 unit condominium, to change the maximum number of residential units from 1,975 to 1,981, and to allow three (3) residential units approved for condo or apartment units over retail and office uses to be used for residential condos on Parcel B-3, 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 for a Planned Unit Development remains as approved with a mix of uses allowed.
2. The requested revision to the conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, the development currently does not have any one-level living options available within the PUD. In order to offer living alternatives to meet the market demands, this use will be the only condominium building available. Parcel B-3 was originally plotted for future non-residential use for offices. Currently there is about 45% of the current office building being utilized with about 30,000 sq. ft. available. There is still Parcel "D" that is to be developed as non-residential in the future.
3. The requested revision to the 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 residential use on this tract will create no undue burden on the existing public road infrastructure and generally generates less traffic per volume than commercial uses.
4. The requested revision to the permit is consistent with the objectives of the Land Development Plan by, allowing for a mix of different types of development guided to suited locations while maintaining the rural character and quality of life of the county. The Plan also

encourages a wide variety of housing options be made available. This will be the only condo building available for the entire PUD.

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. All utilities, access roads, stormwater measures, open space, etc., will continue as approved.

**NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS,** as follows:

That a revision to an existing 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 existing conditional use permit in accordance with the plan submitted by the Applicant, GV Commercial, LLC, and incorporated herein by reference with specific conditions as listed below;

**Site Specific Conditions**

1. "No Parking" signs shall be placed along the entrance drive leading into and within the access of the garage units.
2. A Fire Department Connection must be placed on the front of the condominium building in a location not obstructed by parking or other unmovable structures, or as needed to meet fire code requirements.

**Standard Site Conditions**

3. Signage, parking, and lighting shall conform to the Chatham County Zoning Ordinance unless otherwise stated in a specific condition noted above.
4. 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.
5. 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.
6. A building permit shall be issued and remain valid at all times within three (3) years of this approval or this permit revision shall become null and void.

**Standard Administrative Conditions**

7. 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.

8. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
9. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
10. 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 16th day of July 2012

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

Brian Bock, Chair  
Chatham County Board of Commissioners

ATTEST:

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