

**COUNTY COMMISSIONERS**

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A RESOLUTION APPROVING A REVISION TO A CONDITIONAL USE PERMIT REQUEST

BY Doug Piner

WHEREAS, Doug Piner on behalf of the POA for The Preserve has applied to Chatham County for a revision to an existing conditional use permit on Parcel No. 80601, located at the end of Board Leaf Ct. on common space next to the Wastewater Water Treatment Plant, Williams Township, for an additional amenity area for the purpose of boat and recreational vehicle storage, 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. This development continues to operate under the existing approve conditional use permit for a Planned Unit Development. The amenity is for residents of the development and would be allowable to the permitted PUD.
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 use is considered an accessory to the permitted, approved use as a PUD. The design of the lots do not allow enough space for the storage of such recreational vehicles and the new amenity area would keep the development uncluttered and remain neat and clear. No public improvements are needed to accompany the use.
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. The site is located at the end of one of the main roads through the development. There are only 36 spaces available for use and keeps traffic through the development to a minimum. The lot is bordered by heavy trees and is located next to the existing WWTP. There will be no signs, noise, or cleaning of boats or RVs allowed.
4. The requested revision to the permit is consistent with the objectives of the Land Development Plan by, encouraging communities to offer a mix of activities as development occurs. The Preserve is almost built out and this allows residents a location within the

development to store and maintain recreational vehicles, trailers and boats. This is a very small amenity that will serve a 500 +/- PUD. This assists in maintaining the rural character of the development.

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. No water or septic will be allowed or required. Grading and graveling of the area is already in place and no other disturbance is needed.

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, Doug Piner on behalf of the POA for The Preserve subdivision, and incorporated herein by reference with specific conditions as listed below;

Site Specific Conditions

1. A revised plat shall be prepared, signed, and recorded in the Register of Deeds for the reduction in the 50 foot perimeter buffer for the boat, trailer, and RV storage area only. A copy shall be supplied to the Planning Department.

Standard Site Conditions

2. Signage, parking, and lighting shall conform to the Chatham County Zoning Ordinance unless otherwise stated in a specific condition noted above.
3. 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.
4. 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.
5. A certificate of occupancy, if necessary, shall be issued within two (2) years from the date of this approval or this permit becomes null and void.

Standard Administrative Conditions

6. 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.

7. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
8. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
9. 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 18th day of July, 2012

By: _____

Brian Bock, Chair
Chatham County Board of Commissioners

ATTEST:

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