



Established 1771

Res. #2012-46

**COUNTY COMMISSIONERS**

Brian Bock, *Chairman*  
Walter Petty, *Vice Chairman*  
Mike Cross  
Sally Kost  
Pam Stewart

**COUNTY MANAGER**

Charlie Horne

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

**BY Derry & Cathy Smith**

**WHEREAS**, Derry & Cathy Smith has applied to Chatham County for a conditional use permit on Parcel No. 85396, located at the corner of Moncure Pittsboro Road and Cross Taylor Road, Haw River Township, for an automobile service specifically for manual washing and detailing of vehicles on approximately 2.003 acres, 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. Automobile services are permitted under the Neighborhood Business category.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, there are no other similar type businesses within the area and the operation will create employment opportunities.
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 Chatham County Appearance Commission has approved an extensive landscaping plan that will soften the appearance of the site along with signage and limited lighting as agreed to by the applicant; the operation will yield approximately 12 vehicles per day plus two (2) trips for employees making the daily count from this business about 30; operations will be Monday - Saturday, 8am to 5pm; and NCDOT has approved a commercial driveway permit.
4. The requested permit is consistent with the objectives of the Land Development Plan by, encouraging commercial endeavors that have the potential to be a net long term asset to the community with the nearest detailing automobile shops being located in the Sanford and Liberty area.
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 site will tie into the county public water supply system; Environmental Health has approved a construction authorization for a conventional septic system for domestic waste only and the state will issue a permit for the processed wastewater which will go into a holding tank and be pumped as needed. Stormwater management will be handled onsite via a stormwater piping system. No detention or treatment is required.

**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, Derry & Cathy Smith, and incorporated herein by reference with specific conditions as listed below;

**Site Specific Conditions**

There are no additional site specific conditions being made that are not covered under the standard site and administrative conditions.

**Standard Site Conditions**

1. Signage, parking, and lighting shall conform to the Chatham County Zoning Ordinance unless otherwise stated in a specific condition noted above.
2. 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.
3. 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.
4. A building permit must be obtained and remain valid at all times within 2 years from the date of this approval or this permit shall become null and void.

**Standard Administrative Conditions**

5. 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.
6. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
7. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.

8. 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.

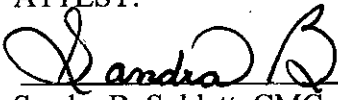
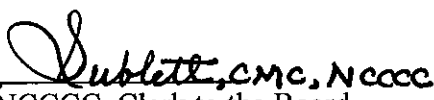
**BE IT FURTHER RESOLVED**, that the Board of Commissioners of the County of Chatham hereby approves the application for a conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 17th day of September, 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