

**COUNTY COMMISSIONERS**

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

**COUNTY MANAGER**

Charlie Horne

---

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200 • Fax: (919) 542-8272

## **AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY**

### **For** Rezoning to Conditional Zoning Regional Business District

**WHEREAS**, the Chatham County Board of Commissioners has considered the request by Paul Smedberg on behalf of U-Haul to rezone approximately .64 acres and the existing 10.4 acres, being all or a portion of Parcel No.71691 and 79289, located at 102 Vickers Road, Williams Township, from Conditional Use Light Industrial and Residential with a conditional use permit to Conditional Zoning Regional Business District to expand uses from min-warehouse storage to include moving truck rental and recreational vehicle and boat storage, add additional lands to the project area and to bring the entire project under the new Conditional District Zoning process, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

**WHEREAS**, the Board finds that the uses set forth in the Application and incorporated herein by reference, if approved as “conditional” pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning under the conditions attached; and

**WHEREAS**, the Board finds the four (4) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. The applicant is not claiming any error in the Ordinance and therefore this is not applicable; and

No. 2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. The applicant purchased property adjacent to the project area to allow expansion of services. In addition, new regulations regarding impervious surface, as provided through General Statute 143-214.5, allow the project to develop over the allowed impervious surface limits by designating a separate tract of land to offset the difference provided it's within the same watershed designation.

The applicant has provided the tract information and provided deed restrictions on development as required; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. Based on prior approvals for the uses of mini-warehouse storage, boat and RV storage, the intent of the Land Conservation and Development Plan remains valid. Commercial uses are encouraged along major highways in clusters at specific designated areas and up side roads if possible. This project does just that by extending up Vickers Road off US 15-501 N; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. No other changing circumstances, all previous approvals, design and condition continue to be met and support the project; and

**BE IT ORDAINED**, by the Board of Commissioners of Chatham County as follows:

1. The Application to rezone a portion of the property described as Parcel No. 76191 and 79289 and being approximately .64 acres and 10.4 acres collectively as depicted on Attachment "A", located at 102 Vicker's Road, from Conditional Use Light Industrial with a conditional use permit and Residential to Conditional Zoning Regional Business District, Williams Township is approved and the zoning map is amended accordingly.
2. The following Conditions shall also be approved as part of this Ordinance approving the rezoning. They are:

**Site Specific Conditions**

1. As previously approved, replacement of the advertising/identification signs may be installed as shown on the revised sign plan with the following modifications. There shall be a limit of one (1) sign, **no taller than 15 feet** from the ground to the top of the sign with a primary sign area not larger than 64 square feet (sign area #1) plus an additional 32 square foot secondary sign (sign area #2) for additional advertising of the property fronting US 15-501. All signs shall comply with the lighting requirements of the Zoning Ordinance. The sign at the entrance on Vickers Road shall remain as existing.
2. As previously approved, landscaping shall comply with the recommendations of the CCAC which requires the perimeter landscaping along Vickers Road and the property now owned by the applicant be installed before the certificate of occupancy of the property is approved and issued. The remaining landscaping along the property boundaries owned by the applicant may be installed at the next optimal planting season following the start of the new commercial area use.
3. A review, approval, and recorded deed instrument and plat for the tract on Charlie Perkins Road shall be provided before any impervious surface/built upon area on the project site is installed. The Environmental Quality Director shall approve the

wording of the deed restriction and the recorded plat for compliance with statutory requirements.

**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.

**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.
3. This ordinance shall become effective upon its adoption.

Adopted this 19th day of August 2013

---

Walter Petty, Chair  
Chatham County Board of Commissioners

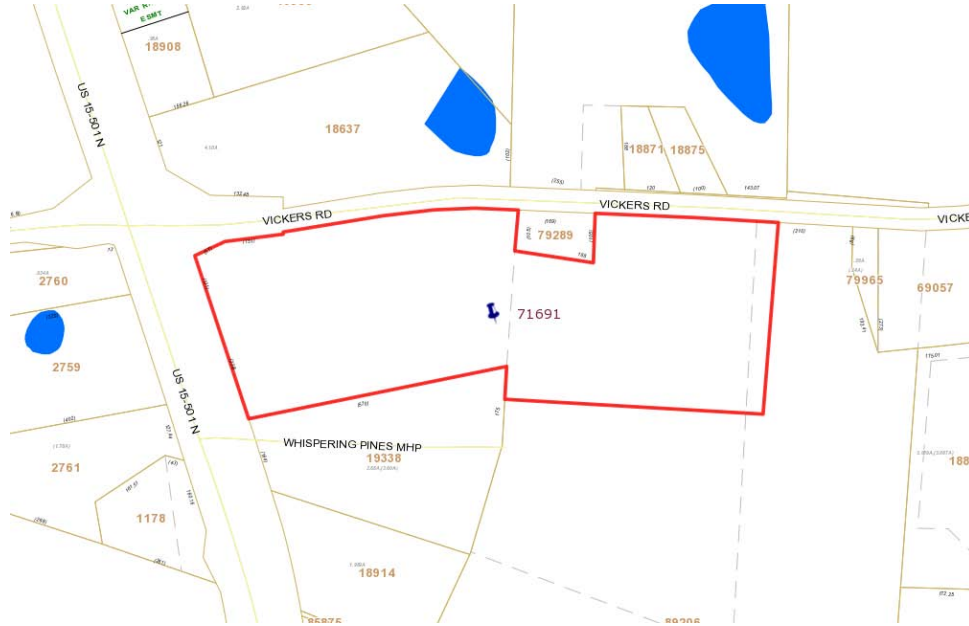
ATTEST:

---

Lindsay K. Ray, Deputy Clerk to the Board  
Chatham County Board of Commissioners

ATTACHMENT "A"

Tax Parcel No. 71691 being approximately 10.032 acres to be zoned Conditional Zoning Regional Business District for mini-warehouse storage, boat and RV storage, located at 102 Vicker's Rd., Williams Township.



Tax Parcel No. 79289 being approximately .63 acres to be zoned Conditional Zoning Regional Business District for mini-warehouse storage, boat and RV storage, located at 102 Vicker's Rd., Williams Township, and as recombined with Parcel No. 71691.

