

**COUNTY COMMISSIONERS**

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COUNTY MANAGER

Charlie Home

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

RESOLUTION ADOPTING A CONSISTENCY STATEMENT FOR THE APPROVAL OF

Request from Jeff Cooper dba Furniture Follies to Rezone

WHEREAS, the Chatham County Board of Commissioners has reviewed the application for Jeff Cooper dba Furniture Follies to rezone approximately 1.67 acres of Parcel No. 2639 (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan Chatham County and specifically this portion of the US 15-501 corridor, has become historically a commercial, crossroads neighborhood. There has been no opposition to the use of the property for commercial purposes. The Chatham County Strategic Plan concentrates on a mix of commercial developments in the corridors that serve to reduce travel distances for residents. Per the applicant, there are no other similar retail establishments in the vicinity of this project site. He states he's meeting a local need and may also serve residents outside of Chatham County. and;

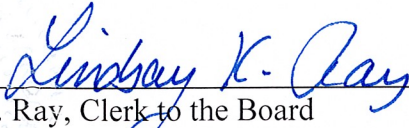
NOW, THEREFORE, BE IT RESOLVED, by the Chatham County Board of Commissioners that the Amendment and presented documentation are found to be consistent with the county land use plan/s, and are determined to be reasonable and in the public interest.

Adopted this 20th day of October, 2014



Chairman Walter Petty
Chatham County Board of Commissioners

ATTEST:



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



Established 1771

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AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY

For Rezoning to Conditional District Neighborhood Business on behalf of Jeff Cooper
dba Furniture Follies

WHEREAS, the Chatham County Board of Commissioners has considered the request by Jim Anderson and Warren Mitchell to rezone approximately 1.67 acres, being all or a portion of Parcel No.2639, located at 11311 US 15-501 N, Baldwin Township, from R-1 Residential to CD-NB Conditional District Neighborhood Business to construct a furniture and general sales retail sales business with covered outdoor display of furniture, 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

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. This area of Chatham County and specifically this portion of the US 15-501 corridor, has become historically a commercial, crossroads neighborhood. There has been no opposition to the use of the property for commercial purposes. The applicant also met with the Chatham County Appearance Commission (CCAC) and additional suggestions were made to supplement more plantings along the area adjacent to the McCoy property.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. The project would be continuing to support the Designation of Economic Center Locations as noted on page 34 of the Plan. The US 15-501 corridor is specifically listed as an area that may link to infrastructure and build on the economic activity south of Chapel Hill. The Chatham County Strategic Plan concentrates on a mix of commercial developments in the corridors that serve to reduce travel distances for residents. Per the applicant, there are no other similar retail establishments in the vicinity of this project site. He states he's meeting a local need and may also serve residents outside of Chatham County..; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The plan is to construct a neat and efficient metal building and further states pre-fabricated buildings create less construction waste. There would be some outside display which would remain under the eave of the building. This has been conditioned below. The property is located within the WSIV-Protected Area Jordan Lake Buffer rule watershed. When no curb and gutter is being installed, the property is limited to 36% impervious surface. Impervious surface includes anything under roof, gravel, concrete, and asphalt. This project is proposed to be developed to about 27%. ; 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. 2639 and being approximately 1.67 acres as depicted on Attachment "A", located at 11311 US 15-501 N, from R-1 Residential to CD-NB Conditional District Neighborhood Business, Baldwin 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. The recommendations of the Chatham County Appearance Commission and the Landscaping Standards, Section 12 of the Chatham County Zoning Ordinance shall be followed as recommended and agreed to by the applicant. The applicant should ensure the maintenance and survival of all plantings which shall be installed at the next optimal planting season following the issuance of the building permit.
2. Outdoor displays of furniture and accessory furniture items are permitted under the eaves of the building only.

Standard Site Conditions

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the 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. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.

4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Stormwater 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 shall be obtained within two years of the date of this approval unless other approval/s has been given for an extension, or this approval becomes null and void.

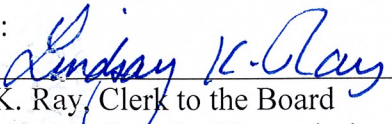
Standard Administrative Conditions:

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

Adopted this 20th day of October 2014



Walter Petty, Chair
Chatham County Board of Commissioners

ATTEST:


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

