

**COUNTY COMMISSIONERS**

Walter Petty, *Chair*
Brian Bock, *Vice Chair*
Mike Cross
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Jim Elza

COUNTY MANAGER

Charlie Horne

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

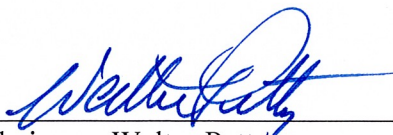
RESOLUTION ADOPTING A CONSISTENCY STATEMENT FOR THE APPROVAL OF

Request from Michael Gress

WHEREAS, the Chatham County Board of Commissioners has reviewed the application for Michael Gress to rezone approximately 6.76 acres of Parcel No. 89671 (the "Amendment") and finds that the same is consistent with the Chatham County Land Conservation and Development Plan by supporting the goal of Chatham County to encourage recreation, tourism, and commercial enterprise in hopes of bringing revenue into the county. This particular location will serve the recreation needs of the public, there will be no health and safety concerns connected with this business, it will reduce the commuting time for boaters, campers, and others using the lake, and there will be no water or septic usage. It will serve as a nearby repository for those using the lake for recreation and;

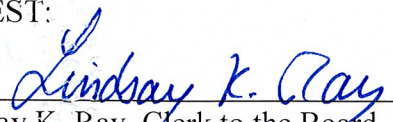
NOW, THEREFORE, BE IT RESOLVED, by the Chatham County Board of Commissioners that the Amendment and presented documentation are found to be consistent with the county land use plan/s, and are determined to be reasonable and in the public interest.

Adopted this 17th day of November, 2014



Chairman Walter Petty
Chatham County Board of Commissioners

ATTEST:



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

**COUNTY COMMISSIONERS**

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Established 1771

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AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CHATHAM COUNTY

For Michael Gress

WHEREAS, the Chatham County Board of Commissioners has considered the request by Michael Gress to rezone approximately 6.76 acres, being all or a portion of Parcel No.89671, located at /off Beaver Creek Rd, New Hope Township, from R-1 Residential to CD-CB Conditional District Community Business to construct a self-storage facility including boat and RV storage, 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. Since the establishment of Jordan Lake, there has been little development that would attract tourist and recreationalist to utilize the facility. The application states it has been a goal of Chatham County to encourage recreation, tourism, and commercial enterprise in hopes of bringing revenue into the county. This particular location will serve the recreation needs of the public, there will be no health and safety concerns connected with this business, it will reduce the commuting time for boaters, campers, and others using the lake, and there will be no water or septic usage...; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. In relation to the Land Conservation and Development Plan (LCDP), the Chatham County Watershed Protection Ordinance, and the Chatham County Zoning Ordinance, the property will be developed with approximately 23% built upon area. The property is located within a WS-IV Critical Area watershed classification that allows up to 24% built upon area. ; and

No. 4: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. The applicant has made several modifications to the site plan in an effort to make this a more rural friendly and neighbor sensitive project. He has addressed emergency access, enhanced the vegetative screening, utilizing limited lighting on the structure, and modified the layout so that it is self-contained within itself. The applicant states the project will build out to a value of approximately \$500,000.00 which will bring tax revenue back into the county.

Due to the restriction on the built upon area due to the watershed classification, approximately 76% of the parcel will remain in its natural state, undeveloped.; 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. 89671 and being approximately 6.76 as depicted on Attachment "A", located at/off Beaver Creek Road, from R-1 Residential to CD-CB Conditional District Community Business, New Hope 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 revised site plans dated June 20, 2014 shall be the official site plans for construction of the project.

Standard Site Conditions

2. 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.
3. 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.
4. 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.

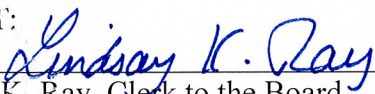
Standard Administrative Conditions:

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

Adopted this 17th day of November 2014



Walter Petty, Chair
Chatham County Board of Commissioners

ATTEST:


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

