CHATHAM COUNTY
NORTH CAROLINA

Established 1771

COUNTY COMMISSIONERS
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Diana Hales
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COUNTY MANAGER
Charlie Horne

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A RESOLUTION APPROVING A REVISION TO A CONDITIONAL USE PERMIT REQUEST

BY Kunal Enterprises, LLC

WHEREAS, Kunal Enterprises, LLC c/o George Farrell, Jr., has applied to Chatham County for a revision to an existing conditional use permit on Parcel No. 70029, located at 12820 US 64 East and Parcel No. 69707 (approx. 17.829 acres) located on Marshall Rd, New Hope Township, for an expansion of uses currently on the property to cover more area for storage, covered and uncovered, and office with an increase in impervious surface to be offset by the Marshall Rd. property identified as Parcel 69707 which is to be deed restricted to allow for the increase., 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. The expanded services are all listed as permissible uses within the zoning classification approved for the project site. Currently approved uses will remain in effect.

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 project has been successful and in need of expansion. It is a convenient location and easy to access. No new road improvements or road connections will be needed.

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 addition of land is not needed in order to expand the site. The impervious surface expansion is expressly allowed under NCGS 143-214.5(d2) Water Supply Watershed Protection. A deed restriction will be placed on a separate parcel in order to qualify the increase per the General Statutes.

4. The requested revision to the permit is consistent with the objectives of the Land Development Plan by, continuing to link to current and nearby infrastructure and build on the economic activity in western Wake County and recreational use of Jordan Lake.

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. An expansion of the current septic system has been approved. The expansion of this system will allow up to 49 employees verses the current 18 employee limit. County water will continue to be utilized. An approved, permitted dump station will be installed so that RVs can safely remove waste from their units before storing. New stormwater measures will be installed.

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, Kunal Enterprises, LLC, and incorporated herein by reference with specific conditions as listed below;

Site Specific Conditions

1. All previously approved conditions shall remain in effect with the exception of modifications included with this revision.
2. The applicant shall follow the recommendations of the Chatham County Appearance Commission and install said plantings at the next optimal planting season following the issuance of the first building permit.
3. The first building permit shall be issued within two (2) years of the date of this approval or this revision becomes null and void.
4. A deed restriction on Parcel No. 69707, located on Marshall Road, being approximately 17.8 acres, will be labeled as a non-building lot to be used exclusively for the offset in impervious surface for Parcel No. 70029.

Standard Site Conditions

5. 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.
6. 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.

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 inspections.
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.

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 15th day of December, 2014

By: James G. Crawford

James G. Crawford, Chair
Chatham County Board of Commissioners

CHATHAM COUNTY OF NORTH CAROLINA
OFFICIAL SEAL
FOUNDED 1771

ATTEST:

Lindsay K. Ray

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