

..TITLE

Request by Sandy Pond Ent., LLC dba Dogwood Veterinary Hospital for a revision to the existing conditional use permit for a modification in size of the existing monument sign located on Parcel No. 18637, 51 Vicker's Rd.

..ABSTRACT

Action Requested:

Request by Sandy Pond Ent., LLC dba Dogwood Veterinary Hospital for a revision to the existing conditional use permit for a modification in size of the existing monument sign located on Parcel No. 18637, 51 Vicker's Rd.

Introduction & Background:

A quasi-judicial hearing was held on this request January 21, 2014. Planning staff presented the application and materials. No other persons spoke.

Dogwood Animal Hospital received its initial approval November 21, 2005. There was an approval for a conditional use permit revision to add an additional 3500 sq ft building on November 7, 2011. The business has continued to operate with the approved conditions. There are currently no violations on this property or with the approved use/s.

The Planning Board met at their regularly scheduled meeting on February 4, 2014. The only issue raised was the misunderstanding on how sign area is calculated. The applicant wanted a sign that would be at least in conformity with the new U-Haul sign adjacent to their property although they were planning a smaller sign. All parties have agreed to the recommendations below.

Discussion & Analysis:

A conditional use permit revision must meet the required five findings as required by the Chatham County Zoning Ordinance. Those findings are addressed as follows:

FINDING #1 – The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located. The approved use of the property for a veterinary animal hospital is unchanged. Signage is a permitted use on the site as an accessory to the primary business.

FINDING #2 – The requested conditional use permit is either essential or desirable for the public convenience or welfare. Since the original approval, the animal hospital has continued to operate and the need was great enough that they were approved to add additional space after four years. This request is to make their main monument sign more visible and to keep in harmony with other surrounding signage sizes in the area. In April 2012, the adjacent property (U-Haul) obtained an approval on a conditional use rezoning that allowed them to install a up to 15 foot high sign with two signage areas consisting of no more than 64 sq ft and 32 sq ft for the secondary portion

for a total of 96 sq ft. In a straight business district, the sign allowance would be up to 150 sq ft and on a 55 mph highway, it is easier and safer for the citizens to see the larger, more visible sign.

The applicant has requested an approximately 82 sq ft sign and what appears to be approximately 12 ft in height. The Planning staff recommends the sign to be up to 15 ft in height and no more than 64 sq ft in sign area to stay in harmony with other area signage. This is conditioned below.

FINDING #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 requested signage change will be in harmony with the adjacent property signage and will be the same in appearance.

FINDING #4 – The requested permit will be consistent with the objectives of the Land Use Plan. This finding is unchanged. No new uses are being proposed.

FINDING #5 – Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the county's plans, policies, and regulations. There are no changes to any existing services, access, or other requirements under this finding with the sign change request.

Recommendation:

It is Planning Board, by unanimous vote, and staff recommendation to approve the request for the larger signage based on the five findings being met with the following conditions:

Site Specific Conditions

1. One monument sign allowed to be replaced up to 15 ft in height and no more than 64 sq ft in sign area to stay in harmony with other area signage.
2. All previously approved conditions shall remain in effect and binding on this property until which time a request to remove said approval and use is approved or amended.

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.

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.