



Established 1771

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## A RESOLUTION APPROVING A REVISION TO A CONDITIONAL USE PERMIT REQUEST

**BY** Sandy Pond Enterprise, LLC dba Dogwood Animal Hospital

**WHEREAS**, Sandy Pond Enterprise, LLC dba Dogwood Animal Hospital has applied to Chatham County for a revision to an existing conditional use permit on Parcel No. 18637, located at 51 Vicker's Road, Williams Township, for a conditional use permit revision for a modification to increase the size of the existing monument sign, 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 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.
2. The requested revision to the conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, 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.

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

4. The requested revision to the permit is consistent with the objectives of the Land Development Plan by, remaining unchanged.

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. There are no changes to any existing services, access, or other requirements under this finding with the sign change request.

**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, Sandy Pont Enterprise, LLC dba Dogwood Animal Hospital, and incorporated herein by reference with specific conditions as listed below;

**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.

**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 17th day of March, 2014

By:   
~~Walter Petty, Chair~~ **BRIAN BOCK VICE CHAIR**  
Chatham County Board of Commissioners

ATTEST:

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