



Chatham County Planning Board Agenda Notes

Date: May 6, 2014

Agenda Item: IV.3

Attachment #: 1-2

Subdivision

Conditional Use Permit

Rezoning Request

Other:

Subject:	Public hearing request by Tim Winters with Winter Custom Yachts, located at 2273 Holland's Chapel Rd., Parcel No. 64272, for a CUP revision to add three (3) additional 1800 sq. ft. storage buildings to the existing site.
Action Requested:	See Recommendation
Attachments:	<ol style="list-style-type: none"> 1. The application packet was provided at the April 1, 2014 Planning Board meeting. 2. Minutes from the CCAC meeting on February 26, 2014.

Introduction & Background

A quasi-judicial public hearing was held on this request April 21, 2014. Planning staff presented the request. Mr. Tim Winters, owner and operator of Winter Custom Yachts, also spoke.

Planning staff noted there are some issues the applicant is working to bring into compliance with other agencies and felt any issues would be brought up to code during this process. There were no other concerns raised at that time.

Mr. Winters stated they are simply outgrowing their existing space and needed to be able to store boat parts to make room in their main assembly building.

The original approval from residential to CU-Ind Light with a Conditional Use Permit for light manufacturing or processing with associated retail sales for boat assembly and boating and fishing supplies was April 21, 2008.

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

proposed expansion is in keeping with the approved zoning classification and permitted use/s on the site.

FINDING #2 – The requested conditional use permit is either essential or desirable for the public convenience or welfare. In order for the business to continue to meet the demand of their customer base, the applicant states they are in need of space to store items in their inventory needed for boat construction. Currently they have four (4) boats under various stages of construction. There would not be any additional improvements needed for the proposed storage units.

Currently there are 13 employees and the applicant is not proposing any additional employees with this request although he stated in the pre-application meeting held in December 2013 he planned to add more with the CUP revision request. Environmental Health advised at that time the site had been approved for up to eight (8) employees with an associated retail space. The applicant had stated in the pre-application meeting he was not going to have the retail portion of the business any longer. Per Environmental Health, an Operations Permit Revision and Setback Compliance approval must be completed for the number of employees currently on the site.

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. No additional traffic will be generated from the additional buildings. A revised landscaping plan has been reviewed and recommended by the CCAC.

The buildings are to have wall packs installed and the already approved pole lighting for the parking lot is to be installed from the original approval.

These building are for storage of inventory and possibly one paint booth only. The applicant had conducted a pre-application meeting with the county development team in December 2013. In that meeting he had indicated one structure could potentially be a paint booth approved and permitted as required by the NC Building and Fire codes. However, it was not stated in the application. Planning staff contacted Mr. Winters to inquire if this was still proposed to which he stated it was.

No additional signage is proposed however relocation of an existing entrance sign is allowed. If no entrance sign has been installed to date, a review and approval from the Planning Department must be made prior to its installation.

FINDING #4 – The requested permit will be consistent with the objectives of the Land Use Plan. This request continues to meet the recommendations of the Land Conservation and Development Plan by protecting rural character. Existing vegetation would remain with the exception of what has been recommended by the CCAC. Surface and groundwater will continue to be protected through management of stormwater runoff and erosion and sedimentation control measures as required. Impervious surface is allowed up to 36%. The additional proposed impervious surface is approximately .5% added to the existing 12.8%.

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. No additional water or wastewater is needed for these structures unless needed for the potential paint booth as may be required through other regulatory rules.

The existing commercial driveway has been relocated on the property. However, planning staff contacted NCDOT and the permit has not been approved. This is conditioned below.

The applicant states the proposed expansion is less than 20,000 sq. ft. and a stormwater plan would not be required. An exemption from Environmental Quality is needed in order to verify this is the case. This has been conditioned below.

Recommendation

Planning staff recommends approval of the request with the below listed conditions. The Planning Board has up to three meeting in which to make a recommendation to the Board of Commissioners.

Site Specific Conditions

1. All previously approved conditions shall remain in effect with the exception of modifications included with this revision.
2. A written approval from the Environmental Quality Director must be provided exempting the site from designing any stormwater management plan and the requirement for an erosion and sedimentation control plan before the beginning of any further land disturbing activity.
3. Approval from NCDOT on the relocated commercial driveway must be obtained and a copy presented to the Planning Department before the issuance of the first building permit for the new structures.
4. The new structures may be used for storage of materials and one as paint booth only.
5. The applicant shall follow the recommendations of the Chatham County Appearance Commission and install said plantings at the next optimal planting season prior to the Certification of Occupancy being issued.
6. The first building permit shall be issued within two (2) years of the date of this approval or this revision becomes null and void.

Standard Site Conditions

7. 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.
8. 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.

9. 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:

10. 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.
11. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
12. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
13. 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.