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A RESOLUTION APPROVING A REVISION TO A CONDITIONAL USE PERMIT REQUEST

BY Tim Winters with Winter Custom Yachts

WHEREAS, Tim Winters with Winter Custom Yachts has applied to Chatham County for a revision to an existing conditional use permit on Parcel No. 64272, located at 2272 Holland's Chapel Rd., New Hope Township, for a conditional use permit revision to add three (3) additional 1800 square foot storage buildings to the existing site, 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 proposed expansion is in keeping with the approved zoning classification and permitted use/s on the site.
2. The requested revision to the conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, 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.
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. 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.

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

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. 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.

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, Tim Winters with Winter Custom Yachts, 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 amendment.
2. 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 by the next optimal planting season following 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

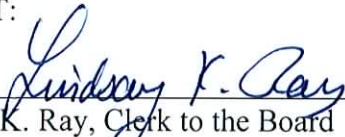
10. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
11. Continued Validity - The continued validity and effectiveness 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.

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 16 day of June, 2014

By: 
Walter Petty, Chair
Chatham County Board of Commissioners

ATTEST:


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