

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

**BY** Ernest Clemons

**WHEREAS**, Ernest Clemons has applied to Chatham County for a revision to a conditional use permit on Parcel No. 19508, located at 1711 Farrington Pt. Rd, Williams Township, for a revision to add the additional use of retail stores and personal service shops similar to those listed dealing in direct consumer and personal services, 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 use of retail stores and personal service shops similar to those listed dealing in direct consumer and personal services are among those permitted in the current zoning classification for the property. There is no error in the ordinance that would be remedied with this request.
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 property has been in operation for over 20 years. With the addition of adding retail stores and personal service shops, the applicant will be able to offer space in the building to rent to other small and, or, local businesses. The applicant claims that this will raise awareness of small business entrepreneurship in the county as well as create more jobs. The appearance of the boundary of the property will not be changed/modified.
3. The requested permit revision 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 commercial building used for the business resembles a residential home, therefore keeping the rural image of the area. No additional built upon area or changes to the property, aside from the uses, are proposed.
4. The requested permit revision is consistent with the objectives of the Land Development Plan by, The property is located within an area identified as a Crossroads Community on the Future Land Use and Conservation Plan Map in the comprehensive plan. The crossroads community designation is defined as "communities within rural areas and typically have a minimal amount of retail and institutional uses". This property and its uses are cohesive to this definition.
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 required for utilities.

**NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS,** as follows:

That a revision to the 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 conditional use permit in accordance with the plan submitted by the Applicant, Ernest Clemons, and incorporated herein by reference with specific conditions as listed and as shown in Attachment A below;

ATTACHMENT "A"

**Site Specific Conditions**

1. Add the following use: Event Center Limited.
2. Amend the site plan as shown in application with the addition of a 50' on either side of the stream leaving the pond.
3. All existing conditions shall remain in effect, except as modified by this conditional use permit amendment.

**Standard Site Conditions**

4. 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.
5. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

**Standard Administrative Conditions:**

6. 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.
7. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
8. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
9. 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.

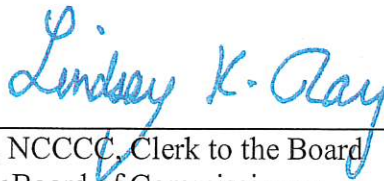
**BE IT FURTHER RESOLVED**, that the Board of Commissioners of the County of Chatham hereby approves the application for a conditional use permit revision in accordance with the plans and conditions listed above.

Adopted this, the 18th day of November 2019



Mike Dasher, Chairman  
Chatham County Board of Commissioners

ATTEST:



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

