



COUNTY COMMISSIONERS

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**A RESOLUTION APPROVING AN APPLICATION FOR A
 CONDITIONAL USE PERMIT REVISION REQUEST
 BY Lauren Fitts dba Carolina Waterscapes**

WHEREAS, Lauren Fitts, dba Carolina Waterscapes, has applied to Chatham County for a revision to their conditional use permit on Parcel No 19430, located at 781 Mt. Carmel Church Rd., Williams Township, add additional uses of personal service shop specifically for exercise instruction, massage and physical therapy, acupuncture, and Bodywork for physical health 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.
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 applicant has had a successful business for the past 8 years at this current location. There are no improvements to the property being proposed so that the current appearance could be maintained.
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 applicant will continue to operate business as usual with the additional uses as approved. There are no site changes needed or required at this time. There is a perimeter of varying landscape and approvals from other agencies remain valid as well as all previously approved conditions numbered 1-6 with the addition of condition number 7.
4. The requested permit is consistent with the objectives of the Land Development Plan by, among other things, locating in an area already supported by various "neighborhood business" uses as defined in the Zoning Ordinance and balanced growth is being maintained due to the property being in the same area with other commercial uses. The Land Conservation and Development Plan encourage the continuation of existing business within many areas of the county.

(RE: Lauren Fitts dba Carolina Waterscapes)

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 conditions placed on its approval as seen below. The property will continue to use the Chatham County water supply and the on-site septic system. There is no need for stormwater retention area due to no changes in the site at this time.

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 Applicants, Lauren Fitts dba Carolina Waterscapes, attached hereto and incorporated herein by reference with specific conditions as listed below:

Site Specific Conditions:


1. Required landscaping shall be as specified by the Chatham County Appearance Commission and shall be shown on a revised site plan. Required landscaping shall be completed on or before March 15, 2003.
2. Lighting shall be as shown on the site plan and as approved by the Chatham County Appearance Commission with all lights being shielded on top and sides to prevent glare and spillage onto adjacent properties. Lighting on sign shall be "down lighting".
3. The business must be in operation on the property within 12 months from approval by the Board of Commissioners and/or a building permit must be obtained within twelve (12) months from approval for any renovations to the structure and remain valid during the construction period or the conditional use permit will become null and void.
4. Prior to issuance of a building permit, an engineer's report on the structural integrity of the structure is to be provided to the Building Inspections Department.
5. Prior to issuance of a building permit, staff must receive a copy of the commercial driveway permit from NCDOT and a copy of the erosion control permit, if required, by NCDENR.
6. A seven-foot (7') high fence shall be constructed to screen the dumpster on the rear of the property prior to March 15, 2003.

(RE: Lauren Fitts dba Carolina Waterscapes)

7. A letter of approval from an inspection by Environmental Health shall be provided before any additional activities may commence on the property verifying the septic system will support additional uses as described in the application.

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

Adopted this, the 21st day of June 2010

By: 
Sally Kost, Chairman

ATTEST:


Sandra B. Sublett, CMC, NCCC, Clerk to the Board
Chatham County Board of Commissioners