



• **COUNTY COMMISSIONERS**  
 Carl E. Thompson, *Chairman*  
 George Lucier, *Vice Chairman*  
 Patrick Barnes  
 Mike Cross  
 Tom Vanderbeck

• **COUNTY MANAGER**  
 Charlie Horne

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## A RESOLUTION APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT REQUESTED BY Andrea Snyder

**WHEREAS**, Andrea Snyder has applied to Chatham County for a conditional use permit for an area containing approximately 1.137 acres located on Parcel No. 82736, at 587 Old Farrington Rd. (SR 2053), Williams Township for a beauty salon; and as indicated in the Application; and

**WHEREAS**, the Chatham County Board of Commissioners 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 an eligible conditional use in the district in which the subject property is located or is to be located. Beauty shops fall under the category of personal service shops similar to those listed dealing in direct consumer and personal services as outlined in the B-1 Business Districts of the Zoning Ordinance.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare because it is located within a heavily populated portion of the county where there exists over 1600 homes within a 2 ½ mile radius. In this same radius there exist three (3) other beauty salons therefore the need may be met. Per the Chatham County Tax Office, the tax value of the property would increase by over \$16,000 based on today's calculations. Sales tax to the county could increase by keeping these services with the County and employment opportunities would be available.
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. Traffic will be minimally impacted by this business. The NCDOT Traffic County Study for 2005 as 4,600 trips per day. This is taking into account this roadway is now used for commuter to RTP, I-40, and the new Streets at Southpoint Mall in Durham. The traffic allowed on this road is 28,000 trips per day. Visual impacts and screening requirements are minimal as well. The property maintains a "rural neighborhood" character with the exception of the parking area to supply up to 8 vehicles. Lighting is to involve the use of 2-3 corner, attached flood lights, solar patio lighting along the walkway, and a ground flood light for the 25 square foot sign. Chemicals used in the processes of the business are governed by the state and/or county health

services and the maintenance authority for the wastewater filtration system and have been cleared through them. The days of operation will be Monday through Saturday with hours of operation generally beginning around 10am to 7pm with peak hours between 10am and 3pm. Not all employees will work full time every day.

4. The requested permit is consistent with the objectives of the Land Development Plan by ensuring development is guided to suitable locations and designed in ways to maintain the form and function of rural character. The structure on this property was approved as a single family dwelling unit. There will be no outside, structural changes to its appearance. This potential commercial site is designed to retain the rural crossroads or village character by integrating with the uses of other nearby development. The property is adjacent to the common are buffer zone for Governors Village. Across the roadway and at the SW corner of the intersection are open fields and a residence which faces Whipoorwill Lane. The other corners of the intersection, which lies approximately 210 feet from this property's driveway, is the common, open space area of Carolina Meadows and the residential properties of Governors Village and Governors Forest subdivisions.

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. The property is currently served by county water and will continue to do so. The structure is already hooked into the wastewater system managed by Aqua NC and approval from them has been or is being provided. Notification from NCDWQ is not required. NCDOT will be providing a commercial driveway permit for the property. The impervious surface calculation of the existing structure and the proposed requirements for the parking area are approximately 8% of the allowable 36%. No further grading, land disturbance, with the exception of the parking area, or stormwater detention measures are required at this time.

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

That a 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 conditional use permit in accordance with the plan of Andrea Snyder attached hereto and incorporated herein by reference with specific conditions as listed below:

**Stipulations Specific to the Application**

1. Recommendations from the Appearance Commission shall be followed. Any additional plantings shall be done at the next optimal planting season following the approval date and shall be maintained to thrive and provide the appropriate screening as required. The Appearance Commission with the Planning Department may review the landscaping and screening after one year of the initial planting to verify appropriate measures have been taken as requested. Should there be any changes in the landscaping for effectiveness of

screening and environmental protections, they shall be given to the applicant at this time and the applicant will be given ample opportunity to take the corrective measures.


2. Signage shall be as stated in the application being 1 not larger than five foot by five foot (5' x 5"), 25 square foot sign.
3. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control etc.) shall be obtained and copies submitted to the Planning Department prior to issuance of a certificate of occupancy.
4. Letters of approval from Aqua NC and NCDWQ shall be provided for the commercial connection for this use to the Governor's Club wastewater filtration system prior to issuance of a certificate of occupancy.
5. Off-site improvements required by NCDOT or any other agency shall be constructed at no cost to Chatham County.
6. The parking lot area shall meet the guidelines of the zoning ordinance for 2 spaces per operator. Adequate area shall be provided to ensure no backward movement onto Old Farrington Road.
7. Any and all lighting shall comply with the "draft" lighting guidelines applicable at the time of approval as described in the application.
8. Utility and Access Easements – Easement documents as required by the County for any public utilities used or furnished to the project area shall be recorded prior to the issuance of a certificate of occupancy.
9. Watershed Management - An "as built" impervious surface calculation for all structures, gravel, concrete, and asphalt shall be provided to the Planning Department prior to the issuance of a certificate of occupancy.
10. Silt Control – The applicant and/or landowner shall take appropriate measures to prevent and remove the deposit of wet or dry silt on adjacent paved roadways.
11. Appeal - The County shall be under no obligation to defend any action, cause of action, claim, or appeal involving the decision taken herein. In the event a response is authorized by the County concerning this resolution, or any action to enforce the provisions hereof, the applicant, its successors or assigns shall indemnify and hold the County harmless from all loss, cost or expense, including reasonable attorneys fees, incurred in connection with the defense of or response to any and all known or unknown actions, causes of action, claims, demands, damages, costs, loss, expenses, compensation, and all consequential damages on account of or resulting from this decision. Nothing in this paragraph shall require the applicant to indemnify and hold the County harmless from any losses or costs associated with defense of the County's actions or procedures in considering and acting upon this application.

12. 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 inspection, established from time to time.
13. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued Determination with the plans and conditions listed above.
14. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
15. 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.

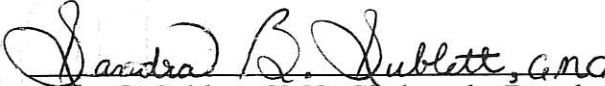
**BE IT FURTHER RESOLVED**, that the Board of Commissioners of the County of Chatham hereby approves the application for a conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 20<sup>th</sup> day of August 2007

By:

  
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Carl Thompson, Chairman

ATTEST:

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