



**COUNTY COMMISSIONERS**

Karen Howard, Chair  
Mike Dasher, Vice Chair  
Franklin Gomez Flores  
David Delaney  
Katie Kenlan

**COUNTY MANAGER:** Dan LaMontagne

**Ordinance of the Chatham County Board of Commissioners**

**AN ORDINANCE AMENDING THE ZONING MAP  
OF CHATHAM COUNTY**

for Darryl Knight dba Knight's Landscaping Supply

**WHEREAS**, the Chatham County Board of Commissioners has considered the request to rezone approximately three acres, being all or a portion of Parcel No/s 9808, located at/off 14959 US 421 S, Gulf Township, from R-1 Residential to Conditional District Regional Business (CD-RB) to develop the site for a landscaping supply, grading, and outdoor storage to include boat and RVs business, and finds that the amendment is consistent with the comprehensive plan of Chatham County as described in the Consistency Statement Resolution; and

**WHEREAS**, the Board finds that the rezoning request set forth in the Application and incorporated herein by reference, if approved as pursuant to the provisions of the zoning ordinance, would be suitable for the property proposed for rezoning; and

**WHEREAS**, the Board finds the five (5) standards, as described below, from the Zoning Ordinance have been met as stated:

No. 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed, and reasons how the proposed amendment will correct the same. No errors in the Ordinance are being claimed.; and

No. 2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare. The applicant is proposing a dual use site to provide varying services to the Goldston and Lee County area residents stating with the new growth, HOA rules, and the adopted Land Use Plan map, makes this a good location for the business. Similar uses are approximately 25 miles with one mini-outdoor storage facility approximately 8.5 miles away from this proposed site.

The property fronts on US 421 and has access to water from the Goldston-Gulf Sanitary District. A review of a commercial driveway permit will be completed with the NC Department of Transportation.; and

No. 3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or parts thereof. The parcel is located with a Village Center node of the Land Use Plan where a mix of uses is encouraged (pg 14) (pg 40 Goals). This area has been designated for future growth per the Future Land Use and Conservation Plan map. The Town of Goldston has approved a new subdivision and other commercial uses with more on the horizon that this business can serve.; and

No. 4: The requested amendment is either essential or desirable for the public convenience or welfare.

- The property fronts on US 421 S, a four-lane divided median highway and the daily vehicle trip general for this property is approximately 15 vehicles per day which will produce a minimal impact on traffic.
- The Chatham County Appearance Commission reviewed the proposed site plan on June 28, 2023, and think the site will be developed with keeping rural character through landscaping and buffering.
- The applicant held a community meeting on July 26, 2023. Three neighbors attended and had questions about visual impacts, property values, and general overall development timeline. No changes were recommended from this meeting.
- All other aspects such as lighting, noise, and signage will comply with the requirements of the Zoning Ordinance; and

No. 5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. Although public water is available, the property will be served by a septic system on-site. Both will require approximately 500 gpd. The Watershed Protection Ordinance allows for up to 36% built upon area (50% with an approved SNIA) and the applicant states 74% will be kept undeveloped.; and

**BE IT ORDAINED**, by the Board of Commissioners of Chatham County as follows:

1. The Application to rezone all of the property described as Parcel No/s. 9808 and being approximately three acres as depicted on Attachment "A", located at/off 14959 US 421 S, from R-1 Residential to CD-RB, Gulf Township is approved and the zoning map is amended accordingly.
2. As part of this approval, the following conditions are also approved and shall be followed at all times:

**Site Specific Conditions**

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and as shown on the revised site plan. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
2. A building permit shall be obtained and remain valid at all times within two years of the date of this approval or the site plan becomes null and void.

**Standard Site Conditions**

3. 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 to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.
4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process.

**Standard Administrative Conditions:**

5. 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.



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

3. This ordinance shall become effective upon its adoption.

Adopted this 20 day of November, 2023

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Karen Howard, Chair  
Chatham County Board of Commissioners

ATTEST:

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



ATTACHMENT A

Tax parcel 9808, located at 14959 US 421 S, being approximately 3 acres

