

**MINUTES
CHATHAM COUNTY ZONING
BOARD OF ADJUSTMENT
JANUARY 19, 2010**

The Zoning Board of Adjustment (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap Building Classroom, 80 East Street, located in Pittsboro, North Carolina, at 2:00 PM on January 19, 2010.

Present: Chair Sally Kost; Vice Chair George Lucier;
Commissioners Mike Cross, Carl Thompson,
and Tom Vanderbeck

Staff Members Present: County Manager Charlie Horne; County
Attorney Jep Rose; Assistant County Manager
Renee Paschal; Finance Officer Vicki
McConnell; Clerk to the Board Sandra B.
Sublett; and Deputy Clerk to the Board,
Elizabeth Plata

CALL TO ORDER

The meeting was called to order by the Chair at 2:01 PM. She explained that the Board of Commissioners held public hearings on December 14, 2009 and January 04, 2010 on an appeal, by Glenn Lassiter on behalf of Nelson and Janice Wall, from a determination by the Chatham County Zoning Administrator. At the December 14th hearing, the Board directed the County Attorney to prepare findings of fact for consideration at their January 19, 2010 meeting.

IN THE MATTER OF:

An Appeal of an Enforcement Action Taken by the Zoning Enforcement Officer of Chatham County Against Nelson and Janice Wall

Chair Kost read the conclusion based on the foregoing FINDINGS OF FACT as follows:

1. The use of the Property as a landfill for rocks and dirt has been going on at least since 1990, the year the County recognized the Property was being used as a nonconforming landfill, and such use has not been discontinued for a period of 365 consecutive days since May 29, 1990.
2. The use of Property for bringing dirt in, processing it, using it to cover up the landfill, stockpiling it, or hauling it back out, and the use and storage of equipment with regard to the same, has been going on at least since 1990, the year the County recognized the Property was being used as a nonconforming landfill, and such use has not been discontinued for a period of 365 consecutive days since May 29, 1990.
3. That the foregoing uses are nonconforming uses under the Chatham County Zoning Ordinance.

Commissioner Thompson moved, seconded by Commissioner Vanderbeck, to adopt the findings of fact as drafted by the County Attorney reversing the warning citation issued by the Zoning Enforcement Officer on or about October 08, 2009, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

ADJOURNMENT

Commissioner Vanderbeck moved, seconded by Commissioner Lucier, to adjourn the Zoning Board of Adjustment meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 2:04 PM.

Sally Kost, Chair

ATTEST:

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