

ORANGE COUNTY

Return To: Town of Carrboro

TOWN OF CARRBORO

CONDITIONAL USE PERMIT GRANTED

On the date(s) listed below, the Board of Aldermen of the Town of Carrboro met and held a public hearing to consider the following application:

APPLICANT: Scott Egbert
OWNER: Thomas Tucker
PROPERTY LOCATION (Street Address): 100-F Brewer Lane
TAX MAP, BLOCK, LOT(S): Tax Map 92, Block A, Lot 20 <i>9788-05-3970 my</i>
PROPOSED USED OF PROPERTY: To allow a 1,644 square foot portion of the existing commercial building at 100-F Brewer Lane to be upfitted and used for a nightclub.
CARRBORO LAND USE ORDINANCE USE CATEGORY: 8.100
MEETING DATES: June 8, 1999

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Carrboro Land Use Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Land Use Ordinance and the following conditions:

- 1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be pointed out specifically to the administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.
- 2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- 3) That the applicant continue to seek satellite parking.
- 4) That the on-site dumpster be relocated to the fourth parking space leased to Go! Rehearsals in order to preserve the existing 48-inch tree.
- 5) That Go! NightClub, or its successors, designate a liaison to the Carr Court Neighborhood Association to address issues that arise relating to Go! NightClub, and that quarterly status reports be made to the Board of Aldermen for the first year of operation of Go! NightClub.

This permit shall automatically expire within two years of the date of issuance if the use has not commenced or less than 10 percent (10%) of total cost of construction has been completed or there has been non-compliance with any other requirements of Section 15-62 of the Carrboro Land Use Ordinance.

All street construction on those streets proposed for acceptance by the Town of Carrboro shall be certified by an engineer. Engineering certification is the inspection by the developer's engineer of the street's subgrade, base material, asphalt paving, sidewalks and curb and gutter, when used. The developer's engineer shall be responsible for reviewing all compaction tests that are required for streets

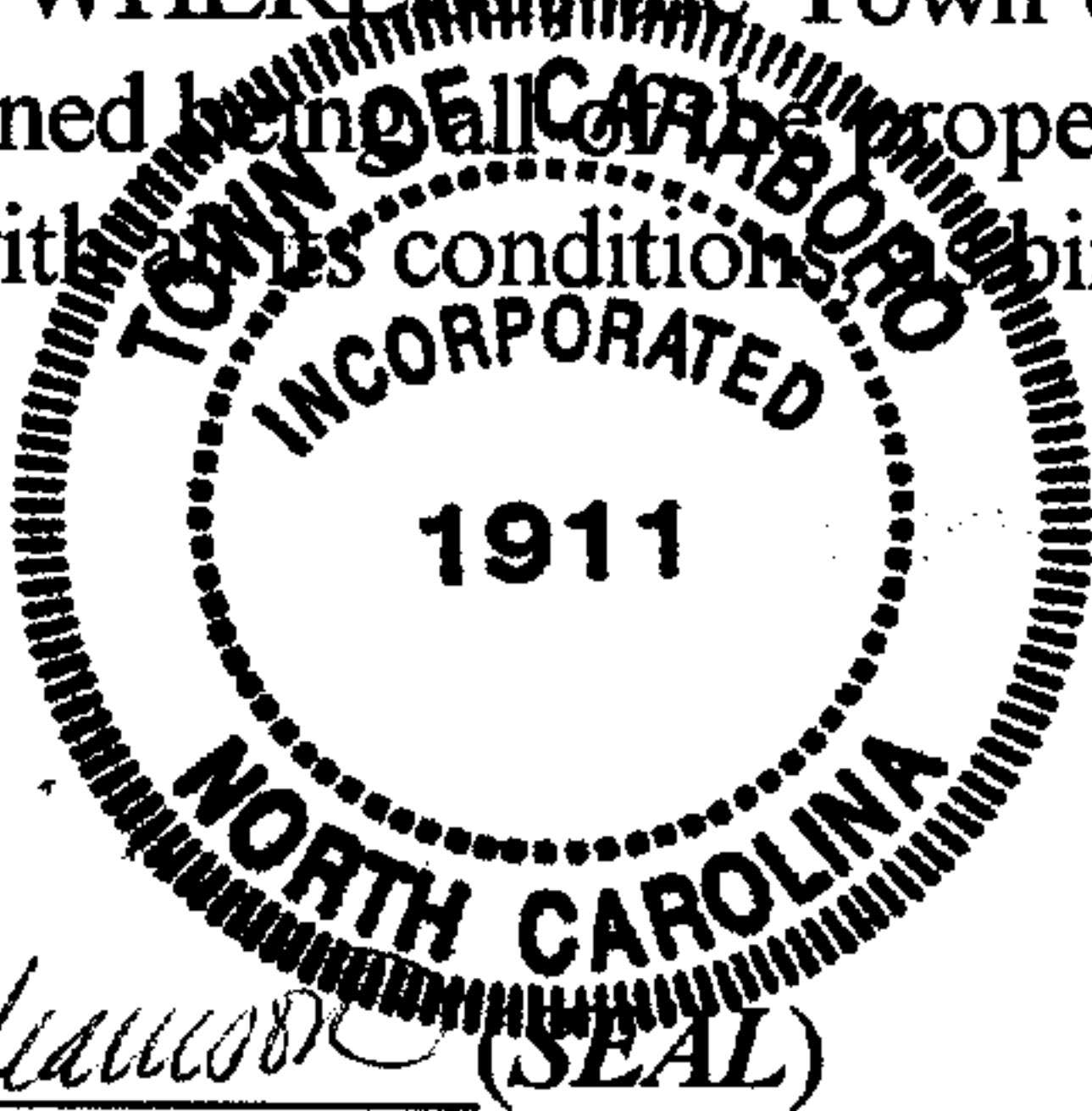
to be dedicated to the town. The developer's engineer shall certify that all work has been constructed to the town's construction specifications.

If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded in the Orange County Registry.

NORTH CAROLINA

ORANGE COUNTY

IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned being all of the property above described, do hereby accept this Conditional Use Permit, together with its conditions, binding upon them and their successors in interest.



THE TOWN OF CARRBORO

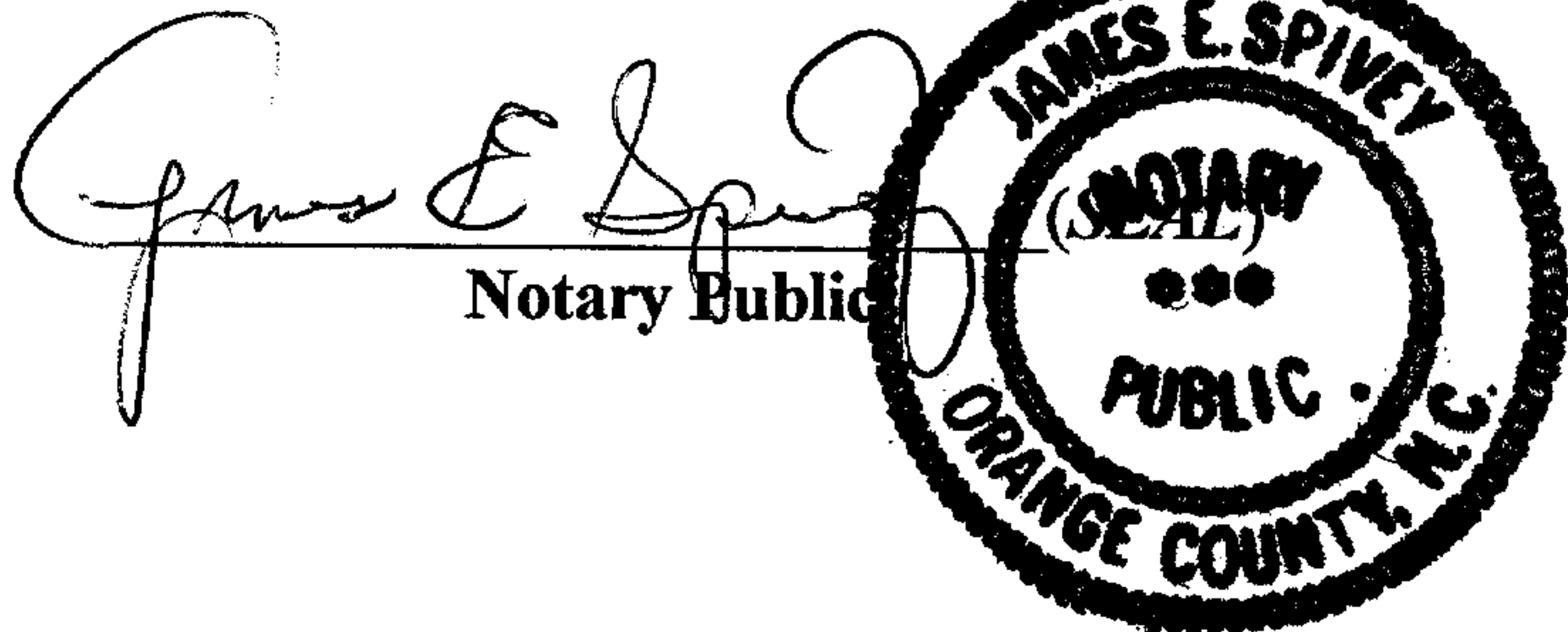
ATTEST:

Sarah C. Williamson
Town Clerk
NORTH CAROLINA - ORANGE COUNTY

BY Robert W. Morgan
Town Manager

I, James E. Spivey, a Notary Public in and for said County and State, do hereby certify that Sarah C. Williamson, Town Clerk for the Town of Carrboro, personally came before me this day and being by me duly sworn says each for himself that she knows the corporate seal of the Town of Carrboro and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Carrboro, that Robert W. Morgan, Town Manager of said Town of Carrboro and Sarah C. Williamson, Town Clerk for the Town of Carrboro subscribed their names thereto; that the corporate seal of the Town of Carrboro was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Carrboro.

IN WITNESS THEREOF, I have hereunto set by hand and notarial seal this the 29th day of July, 1999.



My Commission Expires: 11/08/2000

NORTH CAROLINA

ORANGE COUNTY

I (We), Scott F Egbert owner(s), do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owner(s) do further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding upon them and their successors in interest.

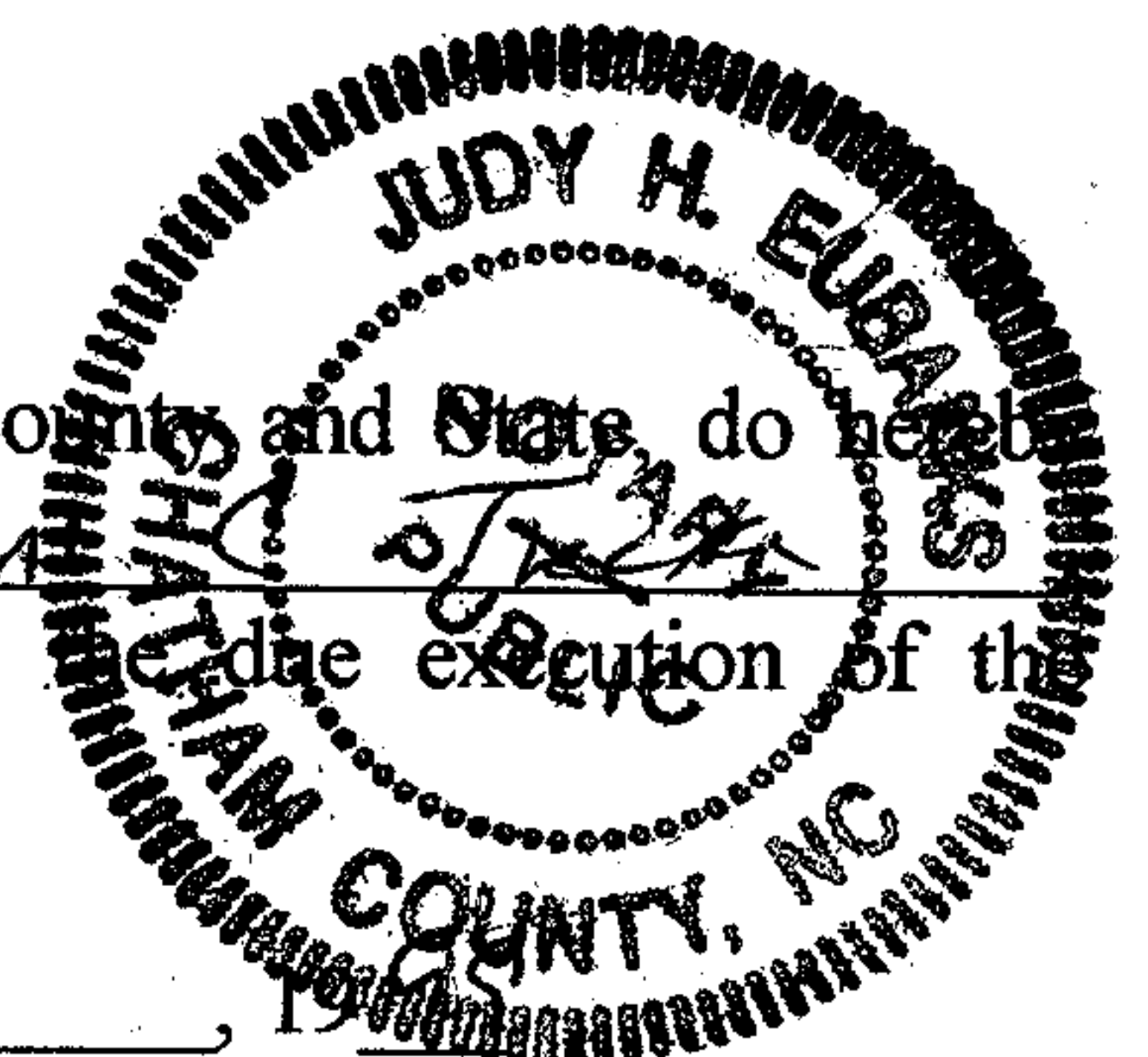
Thomas C. Tucker
Owner

Scott F Egbert
Owner Cost Reimbursals.

NORTH CAROLINA

Chatham
ORANGE COUNTY

I, Judy H. Eubank, a Notary Public in and for said County and State, do hereby certify that Scott F Egbert & Thomas C Tucker owner(s), personally appeared before me this day and acknowledged the due execution of the foregoing instrument.



WITNESS my hand and notarial seal this the 3rd day of July, 1999.

BOOK 1981 PAGE 362

Judy H. Eubank
Notary Public

My Commission Expires: June 27, 2004

County - Chatham

(Not valid until fully executed and recorded)

STATE OF NORTH CAROLINA

NORTH CAROLINA - ORANGE COUNTY

The foregoing certificate(s) of _____

James E. Spivey & Judy H. Eubank

A Notary (or Notaries) Public of the designated Governmental units ~~is~~ (are) certified to be correct. Filed for registration

this the 30th day of Aug 19 99, at 11:47:27 o'clock, A.m.

in Record Book 1981 Page 360

Return: _____

Joyce H. Pearson, Register of Deeds

By: Linda C. Perkins

~~Assistant~~/Deputy
Register of Deeds

PREPARED BY AND RETURN TO:

TOWN CLERK
TOWN OF CARRBORO
301 West Main Street
CARRBORO, NORTH CAROLINA 27510

FILED
30 AUG 1999, at 11:47:27am
Book 1981, Page 360 - 362
Joyce H. Pearson
Register of Deeds,
Orange County, N. C.

ND



DML

20140318000043290 S/INS
Bk:RB5765 Pg:472
03/18/2014 02:45:42 PM 1/3

FILED Deborah B. Brooks
Register of Deeds, Orange Co., NC
Recording Fee: \$26.00
NC Real Estate TX: \$.00

ND

Prepared by and return to: Town Clerk, Town of Carrboro, 301 W. Main St., Carrboro, N.C. 27510

NORTH CAROLINA
ORANGE COUNTY

9-188-05-3970 DB

**TOWN OF CARRBORO
CONDITIONAL USE PERMIT AMENDMENT
Carolina Car Wash**

THIS DOCUMENT IS FILED TO AMEND THE ORIGINAL CONDITIONAL USE PERMIT DATED JUNE 8, 1999 THAT IS ON FILE IN THE ORANGE COUNTY REGISTRY IN BOOK RB 1981, PAGE 360.

The Board of Aldermen granted the amendment to the conditional use permit requested by Jack Haggerty on November 17, 2009.

This minor modification will consist of expanding the square footage of building space available to an expanded list of possible uses in the portion of the existing building that the carwash operation does not require (4,784 sf). There will be no additions to the building that will increase its footprint and no proposed changes to the existing carwash use. The following conditions are attached:

1. That the applicant be allowed to deviate from the presumptive parking standard by providing two parking spaces on-site dedicated to the proposed uses with joint use of the remaining on-site spaces, and, satellite parking, fulfilling the parking requirement per the justification provided by the applicant's parking justification letter.
2. That, should the applicant have insufficient satellite parking to address the needs of the proposed use(s), the two parking spaces, lost as a result of the patio installation, be returned to the site.
3. That, per the provisions of Section 15-309 of the Carrboro Land Use Ordinance, the screening requirements of Section 15-308 as they are applied to the public road rights of way are waived based upon the applicant's screening justification letter.
4. That adequate cardboard recycling is provided on-site as required by the proposed use.



NORTH CAROLINA

ORANGE COUNTY

IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned being all of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding upon them and their successors in interest.

THE TOWN OF CARRBORO

ATTEST: Catherine C. Wilson
Town Clerk

BY: David Andrews
Town Manager

I, Sharmin E. Mirman, a Notary Public in and for said County and State, do hereby certify that Catherine C. Wilson, Town Clerk for the Town of Carrboro, personally came before me this day and being by me duly sworn says each for himself that she knows the corporate seal of the Town of Carrboro and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Carrboro, that David Andrews, Town Manager of said Town of Carrboro and Catherine C. Wilson, Town Clerk for the Town of Carrboro subscribed their names thereto; that the corporate seal of the Town of Carrboro was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Carrboro.

IN WITNESS THEREOF, I have hereunto set by hand and notarial seal this the 26 day of February, 2014.



Sharmin E. Mirman
Notary Public

My Commission Expires November 30, 2018

STATE OF NORTH CAROLINA
_____ COUNTY



NORTH CAROLINA

ORANGE COUNTY

I (We), THOMAS C TUCKER, owner(s), do hereby acknowledge receipt of this Conditional Use Permit. The undersigned owner(s) do further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding upon them and their successors in interest.

[Signature]
Owner

Owner

NORTH CAROLINA

ORANGE COUNTY

I, J'Leighsa Moore, a Notary Public in and for said County and State, do hereby certify that THOMAS C TUCKER, owner(s), personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 25 day of February 19 2014

My Commission Expires: 11-17-18

[Signature]
Notary Public

J'Leighsa Moore
NOTARY PUBLIC
Durham County, NC
My Commission Expires 11-17-18

J'Leighsa Moore
NOTARY PUBLIC
Durham County, NC
My Commission Expires 11-17-18

(Not valid until fully executed and recorded)