

**COUNTY OF DURHAM**  
**ORDER GRANTING, UPON CERTAIN CONDITIONS, A REQUEST FOR A MAJOR**  
**SPECIAL USE PERMIT TO ALLOW FOR UTILIZATION OF A COMMUNITY**  
**WASTEWATER SYSTEM (M2200001)**  
(PID 226851, plus 62 adjacent parcels)

The Board of County Commissioners of the County of Durham, having conducted a hearing on “Mason Farms Subdivision Wastewater System” (Case M2200001) on November 28, 2022, and having considered all written and oral evidence presented at such hearing, hereby determines that the Ordinance requirements for the granting of a Major Special Use Permit in this case have been met, and that the Special Use Permit should be granted upon certain conditions.

**THE BOARD HEREBY MAKES THE FOLLOWING FINDINGS AND CONCLUSIONS,** based on the evidence presented at the public hearing:

The proposed use, as described in the application, with such further conditions as may be described below, meets the requirements of Section 3.9 of the Unified Development Ordinance, and:

1. Is in harmony with the area and not substantially injurious to the value of properties in the general vicinity;
2. Conforms with all general and special requirements applicable to the use and the General Findings and Review Factors identified in Section 3.9.8A, B, and C;
3. Will not adversely affect the health or safety of the public.

**IN SUPPORT OF THESE FINDINGS AND CONCLUSIONS,** THE BOARD finds as fact that the descriptions and statements of fact set forth in the staff report presented as evidence to the Board are the facts describing the proposed use, surrounding conditions, and Ordinance requirements and the Board adopts by reference and includes in this decision and order all such facts and, in particular, the conclusions in the staff report entitled “Staff Analysis” as if set forth herein.

**THEREFORE, THE BOARD HEREBY GRANTS THE MAJOR SPECIAL USE WITH THE CONDITIONS THAT MAY BE SET FORTH BELOW:**

1. The improvements shall be substantially consistent with all information submitted to the Board as part of the application

**WRITTEN CONSENT TO CONDITIONS IMPOSED THROUGH A DEVELOPMENT PERMIT  
N.C. GEN. STAT. § 160D-1403.2**

Type of development permit: Major Special Use Permit

Case # (M2200001):

Applicant Information (should mirror the application):

Name: Thomas Perdue, PE

Firm: MacConnell and Associates, PC

Phone: 919-467-1239

Email: Thomas.Pedue@macconnellandassoc.com

Mailing address: 501 Cascade Pointe Ln, Suite 103, Cary NC 27513

As the applicant for this Case, I am providing my written consent to the following conditions or committed elements (The wording of conditions or text committed elements stated below shall match the language approved by the decision-making body. If committed elements are graphic, the documents that present the graphical committed elements shall be attached to this form or clearly included by reference to a specific set of documents identified below):

**1. The improvements shall be substantially consistent with the plans submitted to the Board as part of the application.**

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(Applicant's signature and date of execution)

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(Planning staff signature and date of execution)

IN ADDITION, as indicated in Section 3.9.14 of the Ordinance this permit will become null and void in the following cases:

1. If a site plan is not approved within 12 months of the date of permit approval.
2. Where an approved site plan or building permit expires.
3. Where a building permit is not issued within two years of the date of approval, in cases where a site plan is not required.
4. If a substantial violation of the conditions of the permit, as determined by the Planning Director or designee occurs.

IN WITNESS WHEREOF, the Durham County Board of Commissioners has caused this Major Special Use Permit to be issued in its name, together with all conditions, as binding on the applicant, and their successors in interest.

An appeal of this action by the Durham County Board of Commissioners can be filed pursuant to procedures noted in the North Carolina General Statutes, Chapter 160D-1402 with Superior Court of Durham County within 30 days after the date this order is served on you.

Ordered this the 28<sup>th</sup> day of November, 2022

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Chair

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Staff Planner

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Clerk

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Date Mailed