



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
6-19-06

PART A

Subject: Request by Phreddie D. Popp for subdivision sketch design approval of **"Burnette Mountain Estates, LLC"**, consisting of one lot of 1.5 acres, located off S. R. 1700, Mt. Gilead Church Road, Baldwin Township.

Action Requested: See Recommendations.

- Attachments:**
1. Major subdivision application.
 2. Letter dated 5/11/06 from Phreddie D. Popp.
 3. Copy of Plat Slide 34-90.
 4. Aerial map of existing lots.
 5. Sketch design map, entitled "Phreddie Delois Popp", prepared by Freehold Land Survey, Inc.

Submitted By:

Keith Megginson 6/7/06
Keith Megginson, Planning Director Date

County Manager Review:

Charlie Horne
Charlie Horne, County Manager

6-7-06
Date

This abstract requires review by:

- County Attorney** _____
Date Reviewed
- Finance Officer** _____
Date Reviewed
- Budget Officer** _____
Date Reviewed

PART B

Re: *Burnette Mountain Estates, LLC*

Introduction / Background / Previous Board Actions:

See major subdivision application, letter from applicant, and sketch design map for background information.

Issues for Further Discussion and Analysis: The applicant is requesting sketch design approval of the fourth (4) lot on a private easement. See attachment # 5, Lot # 3, (labeled in red). The Subdivision Regulations state in part in Section 6.4, Lots, B (3) "If found to be desirable to the road design, up to four (4) lots may be served by the thirty (30) foot easement, provided a portion of the easement is built to county private road standards (16 foot wide travelway with four inches of crush and run stone). The length of the easement to be improved in this manner will be established at sketch design approval." Please review the entire section for complete language.

Lot # 1 of 1.50 acres shown on attachment # 5 was approved by staff as a minor subdivision of land on 3/14/06. This lot was considered the third (3) lot on the easement.

The existing three (3) subdivision lots and the proposed fourth (4th) lot will all share a portion of the common easement, i.e. Lots 1, 3, 5, and 6 as shown on attachment # 5. See highlighted area on attachment # 4. The balance of the 10.170 acre tract will be recombined with adjacent property currently owned by Delois Popp creating an exempt, over 10 acre tract and will not be counted as a lot on the easement.

Terry Ritter, Chatham County Environmental Health Specialist, has evaluated the existing 10.170 acre tract and identified enough suitable soil for two separate 4-bedroom septic systems. If the Board recommends approval of the 1.50 acre tract, the applicant will then work with Environmental Health to obtain a septic improvement permit for the 1.50 acre tract.

Recommendation: The Planning Department and Planning Board recommend granting approval of "Burnette Mountain Estates, LLC" consisting of one (1) lot to be considered the 4th lot on a portion of the common easement with the following conditions:

1. The completion of the subdivision may be approved by staff as a minor subdivision of land.
2. The entire length of the easement serving the newly created 4th lot, shall be upgraded to a 16 foot wide travelway with 4 inches of crush and run stone. Said upgrade shall be verified by a licensed road builder, surveyor, engineer, etc. prior to plat being recorded.
3. A commercial driveway permit shall be obtained from the North Carolina Department of Transportation for the easement / driveway entrance unless NCDOT determines that no permit is required.

2. Sketch is an additional procedure imposed by Chatham County. Under Chatham County's subdivision regulations, a sketch design approval is required for any subdivision that includes a new road. The sketch design application is subjected to the same process as preliminary and final subdivision plats.
3. The Subdivision Regulations say, "Approval of the sketch design by the Board of County Commissioners serves as permission to prepare other required plans for preliminary review."
4. Between sketch and preliminary subdivision approvals, a Chatham County landowner incurs significant expense in reliance on the sketch design, including site analysis, engineering and County and State approvals for utility systems, road plans and driveway connections, erosion control plans, and other matters such as wetlands permits.

For these reasons, he respectfully suggested that the Board add sketch plats to the exemption for preliminary and final plats. He also suggested that the timing provision on exemption be clarified to include plats submitted before imposition of a moratorium without a public hearing; that the proposed ordinance allows imposition of a moratorium in some limited circumstances without a public hearing, but Section 7 only exempts plats submitted before the call for a public hearing; that in two places in Section 7, the proposed ordinance addresses plats "accepted for review by the County"; that as far as he knows, the County does not have a formal process for "accepting" plats for review, so he suggests changing that language to plats "submitted for review by the County"; that the proposed ordinance refers in several places to the "call for public hearing to adopt the moratorium"; that to clarify what that means, he suggests revising that language to say "scheduling of a public hearing by the Board of Commissioners to consider adoption of the moratorium"; that he has an edited version of the ordinance that incorporates these comments and some other more minor suggestions that he will send to the Planning Director if he thinks it would be helpful. He thanked the Board for hearing his comments.

The Chairman closed the public hearing.

Sketch Design Approval:

Sketch Design Subdivision Approval of "Burnette Mountain Estates, LLC": Consideration of a request by Phreddie D. Popp for subdivision sketch design approval of "Burnette Mountain Estates, LLC", consisting of one (1) lot on 1.5 acres, located off SR #1700, Mt. Gilead Church Road, Baldwin Township.

As per the Planning Department and Planning Board recommendation, Commissioner Outz moved, seconded by Commissioner Cross, to grant approval of "Burnette Mountain Estates, LLC" consisting of one (1) lot to be considered the 4th lot on a portion of the common easement with the following conditions:

1. The completion of the subdivision may be approved by staff as a minor subdivision of land.
2. The entire length of the easement serving the newly created 4th lot, shall be upgraded to a 16 foot wide travelway with 4 inches of crush and run stone. Said upgrade shall be verified by a licensed road builder, surveyor, engineer, etc. prior to plat being recorded.
3. A commercial driveway permit shall be obtained from the North Carolina Department of Transportation for the easement/driveway entrance unless NCDOT determines that no permit is required.

The motion carried five (5) to zero (0).

Sketch Design Approval of "Arcadia": Consideration of a request by ENT Land Surveys, Inc. on behalf of Bruce Curtis for subdivision sketch design approval of "Arcadia", consisting of ten (10) lots on approximately fifty-seven (57) acres, located off SR #1536, Lamont Norwood Road, Baldwin Township.