



**CHATHAM COUNTY  
BOARD OF COMMISSIONERS  
AGENDA ABSTRACT**

**ITEM NUMBER:**  
**MEETING DATE:**  
5-21-07

**PART A**

**Subject:**

Request by Samir W. Bahho, P. E., on behalf of Wilkinson Creek, LLC for subdivision final approval of “**The Woods at Wilkinson Creek**”, consisting of 23 lots on 47 acres, located off S. R. 1537, Tobacco Road, Baldwin Township.

**Action Requested:**

See Recommendations.

**Attachments:**

1. Major subdivision application.
2. Final plat titled “Wilkinson Creek Subdivision”, prepared by North Arrow Surveying and Mapping, PLLC, dated 4/3/07.

**Submitted By:**

\_\_\_\_\_  
Keith Megginson, Planning Director

\_\_\_\_\_  
Date

**County Manager Review:**

\_\_\_\_\_  
Charlie Horne, County Manager

\_\_\_\_\_  
Date

**This abstract requires review by:**

**County Attorney**

\_\_\_\_\_  
Date Reviewed

**Finance Officer**

\_\_\_\_\_  
Date Reviewed

**Budget Officer**

\_\_\_\_\_  
Date Reviewed

## PART B

**Re: The Woods at Wilkinson Creek**

### **Introduction / Background / Previous Board Actions:**

See major subdivision application and final plat for background information.

May 15, 2006: County Commissioner sketch design approval of 23 lots.

January 16, 2007: County Commissioner preliminary design approval of 23 lots.

**Recommendation:** The Planning Department and Planning Board recommend granting final plat approval of “The Woods at Wilkinson Creek” with the following conditions:

1. Documentation of dedication of easement from Jesse & Carolyn Beverly to NCDOT shall be provided to staff prior to recordation of the final plat.
2. Useable area of all lots shall be shown on the mylar copy of the final plat.
3. Language on the mylar copy of the final plat shall read “50’ wide water hazard setback / vegetative stream buffer”.
4. The date of the FEMA map reference is to be changed from July 13, 2005 to February 2, 2007, which is the official adoption date.
5. Note # 11 is to be changed to read “Water hazard area: No residential structures or septic systems shall be situated within this area. Vegetative stream buffer areas shall be regulated as specified by the Chatham County Watershed Protection Ordinance.”
6. A note is to be placed on the mylar copy of the plat stating the maintenance responsibility of the open area.

### **Issues for Further Discussion and Analysis:**

The developer is requesting final plat approval with a financial guarantee for the completion of the public roadway and county water lines. Staff has received documentation from Samir W. Bahho, P. E. certifying that 62% of the total cost of improvements has been completed to date. Section 3.1B. (1) of the Subdivision Regulations states that, “the County may waive the requirement that the applicant complete all required improvements...when the public health and/or safety will not be endangered...” The roadways serving these lots have been graded and graveled so the lots are accessible to emergency vehicles. County water is available to the subdivision so water for fire service is not an issue in consideration of whether the public health/safety will not be endangered. It is the staff opinion that this development qualifies for acceptance of a financial guarantee. Staff has received, reviewed, and approved the financial guarantee form and amount.

As stated, the lots are to be accessed by a public, state maintained roadway. The Jesse and Carolyn Beverly lot shown on the plat is not part of the subdivision, however, their lot extends to the center of Chelsea Way, previously a private easement. The Beverly’s have agreed to dedicate that portion of their property to NCDOT so that the public roadway can be constructed.

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## **Issues for Further Discussion and Analysis – con't**

The surveyor has certified that all lots have a minimum of 40,000 square feet of useable area outside the state road right-of-way, stream buffer and floodable area. This information will be shown on the mylar copy prior to recordation. Off-site septic areas, owned in fee simple, are considered a portion of the useable lot area.

Stream buffers as required by the Chatham County Subdivision Regulations and Watershed Protection Ordinance have been provided along the various creeks shown on the property. Staff recommends language on the mylar copy of the plat read “50’ wide water hazard setback / vegetative stream buffer. Elevations of floodable area along

Wilkinson Creek have been shown on the final plat. The date of the FEMA map reference is to be changed from July 13, 2005 to February 2, 2007, which is the official adoption date. Also note # 11 is to be changed to read “Water hazard area: No residential structures or septic systems shall be situated within this area. Vegetative stream buffer areas shall be regulated as specified by the Chatham County Watershed Protection Ordinance.”

A note is to be placed on the mylar copy of the plat stating the maintenance responsibility of the open area.

County water is available and will be utilized. Each lot will utilize an individual wastewater system. Some lots, as shown on the final plat, will require an off-site system. These off-site systems will be accessed by a utility easement. The off-site wastewater system lot will be owned in fee simple by the property lot owner. Staff has received septic improvement permits for all lots from Thomas Boyce, Chatham County Soil Specialist, Chatham County Health Department, Environmental Health Division.

The existing Roads End Development private road entrance, shown on the final map as a cross-hatched area, is to be abandoned. Access off Tobacco Road to Roads End private road / Roads End Development will be provided by way of the public portion of Roads End Drive through Wilkinson Creek Subdivision. A condition of preliminary approval was “Prior to final plat submittal, signatures of all Roads End property owners shall be obtained regarding the abandonment of Roads End private easement. This condition has been met.

Prior to the Planning Board meeting, the financial guarantee was received and approved by staff and the surveyor incorporated on the mylar copy of the plat all the recommendations made by staff as previously noted which included:

1. Documentation of dedication of easement from Jesse & Carolyn Beverly to NCDOT shall be provided to staff prior to recordation of the final plat.
2. Useable area of all lots shall be shown on the mylar copy of the final plat.
3. Language on the mylar copy of the final plat shall read “50’ wide water hazard setback / vegetative stream buffer”.

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**Issues for Further Discussion and Analysis – con't**

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5. Note # 11 is to be changed to read “Water hazard area: No residential structures or septic systems shall be situated within this area. Vegetative stream buffer areas shall be regulated as specified by the Chatham County Watershed Protection Ordinance.”
6. A note is to be placed on the mylar copy of the plat stating the maintenance responsibility of the open area.

**RECOMMENDATION:** The Planning Department and Planning Board recommend granting final approval of “The Woods at Wilkinson Creek” as submitted.