



CHATHAM COUNTY COMMISSIONERS

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COUNTY MANAGER

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Resolution of the Chatham County Board of Commissioners

A RESOLUTION APPROVING A REVISION TO A CONDITIONAL USE PERMIT REQUEST

BY F-L Legacy Owner LLC

WHEREAS, F-L Legacy Owner LLC has applied to Chatham County for a conditional use permit revision on Parcel No. 17378, 83655, and 89437, located at the Legacy at Jordan Lake subdivision, New Hope Township, for a revision to the current site/sketch plan to relocate some residential lots, increase open space, reconfigure some road r-o-w, reduce total roadway length, and eliminate one subdivision road connection to Big Woods Road, and;

WHEREAS, the Chatham County Board of Commissioners having considered all of the evidence in the whole record and based upon the competent, substantial and material evidence in the record, including, without limitation, the Applicant's written materials, all of which are incorporated herein by reference, hereby finds as follows:

1. The use/s requested are among those listed as eligible uses in the district in which the subject property is located or is to be located. A Planned Unit Development is still a valid use within an R-1 zoning district and as currently approved as a Planned Unit Development.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, the relocation of lots and changes in the roadway will be beneficial to the development and the environment as a whole. More open space will be created, less impervious surface due to the decrease in linear road footage, and removes activity from creeks and streams located in close proximity to their current location. No additional land is being added and these modifications do not otherwise change the need and desirability for the approved development. No additional public improvements are needed.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community. There is no additional property being added to the existing development footprint. The boundary will continue as it is currently approved. The change creates a more compact development by eliminating one subdivision road connection to Big Woods Road which should reduce impacts on surrounding areas.

4. The requested permit is consistent with the objectives of the Land Development Plan by, the form and function of rural character is unchanged. There will be less impervious surface with the elimination of a road on the currently approved plan and more open space provided with the shifting of the lots. The revision should improve water protection by moving the 26 lots further away from the creek/streams located within the currently approved area.

5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided through the proposal consistent with the County's plans, policies and regulations and confirmed through any additional conditions placed on its approval as seen below. Wastewater capacity and approvals remain valid and will continue to serve all lots in the development. The development will continue to be served by the county water system.

NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS, as follows:

That a revision to the Conditional Use Permit be, and it hereby is, approved for the reasons hereinabove stated subject to the additional stipulations and conditions set forth hereinafter; and

BE IT RESOLVED FURTHER, that the Chatham County Board of Commissioners hereby approves the application for the revision to the conditional use permit in accordance with the plan submitted by the Applicant, F-L Legacy Owner LLC, and incorporated herein by reference with specific conditions as listed below;

Site Specific Conditions

1. The Master Plan and supporting documentation submitted with this amendment shall be the guide for development of remaining phases of the project. The road system, buffers, water features, and open spaces shall remain as shown on this master plan.
2. All other previously approved conditions shall remain in effect as of the adoption of this approval, except as modified with this amendment.

Standard Site Conditions

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

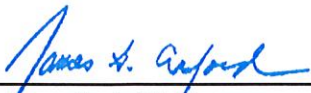
Standard Administrative Conditions:

5. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.

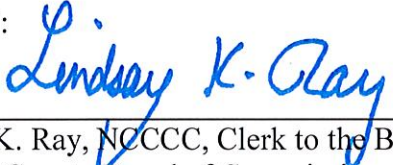
6. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
7. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
8. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Chatham hereby approves the application for a revision to the conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 21st day of August 2017



James G. Crawford, Chairman
Chatham County Board of Commissioners

ATTEST: 

Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners



