

**A RESOLUTION APPROVING AN APPLICATION
FOR AN AMENDMENT TO A
CONDITIONAL USE PERMIT REQUESTED
BY MACGREGOR DEVELOPMENT COMPANY**

WHEREAS, Nick Robinson, on behalf of MacGregor Development Company has applied to Chatham County for an amendment to a conditional use permit for a certain tract or parcel of land containing approximately 294 acres off of S.R. 1717, Jack Bennett Road, and S.R. 1721, Lystra Road, to (i) relocate the amenity area for "Booth Mountain Planned Unit Development" from the Estates section to the Neighborhood section and (ii) reallocate five lots from the Neighborhood section to the Estates section, within the RA-40, Residential-Agricultural zoning district and as indicated in the Application; and

WHEREAS, the Chatham County Board of Commissioners 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 requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare.
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.
4. The requested permit is consistent with the objectives of the Land Development Plan.
5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations.

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

That the amendment to the existing 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 amendment of the conditional use permit in accordance with the plan of MacGregor Development Company attached hereto and incorporated herein by reference with specific conditions as listed below:

Stipulations Specific to the Application

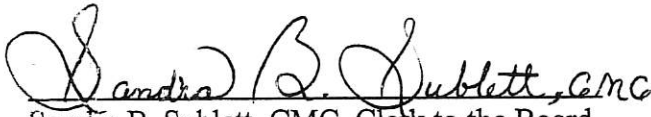
1. All conditions on the previous resolution for Booth Mountain Planned Unit Development, as approved by the Board of Commissioners, shall remain in effect, except as modified herein.

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

Adopted this, the 17th day of April, 2006.

By: 
Bunkey Morgan, Chairman

ATTEST:


Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners