

Res. #2006-34

**A RESOLUTION APPROVING AN APPLICATION FOR AN
AMENDMENT TO A CONDITIONAL USE PERMIT REQUESTED
BY NNP – BRIAR CHAPEL LLC**

WHEREAS, Mitch Barron, Newland Communities, on behalf of NNP – Briar Chapel LLC has applied to Chatham County for a revision to the existing Compact Community – Conditional Use Permit (CC-CUP) at the intersection of Andrews Store Road and Parker Herndon Road within the CU-CC, Conditional Use Compact Communities 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 an amendment 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 an amendment to the conditional use permit in accordance with the plan of Mitch Barron, Newland Communities, on behalf of NNP – Briar Chapel LLC attached hereto and incorporated herein by reference with specific conditions as listed below:

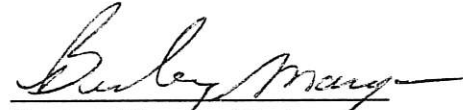
Stipulations Specific to the Application

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1. All conditions on the previous resolution for the Briar Chapel conditional use permit, as adopted by the Board of Commissioners on February 15, 2005 and signed on March 21, 2005, 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 an amendment to the conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 19th day of June, 2006.


Bunkey Morgan, Chairman

ATTEST:


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