

**ORDER OF THE BOARD OF COMMISSIONERS
OF CHATHAM COUNTY
APPROVING BUFFER REDUCTION REQUEST OF NNP-BRIAR CHAPEL, LLC PER
SECTION 9.2 OF COMPACT COMMUNITIES ORDINANCE**

WHEREAS, Section 9.2 of the Compact Communities Ordinance sets out the perimeter buffer requirements within a compact community;

WHEREAS, Section 9.2 also authorizes the Commissioners to approve up to a 100% reduction of the perimeter buffer under certain circumstances;

WHEREAS, Briar Chapel Community Association, Inc. owns a +/- 4.46 acre lot described as Common Area 78 (AKPAR #92282) (the “Briar Chapel Parcel”);

WHEREAS, the Briar Chapel Parcel is adjoined to the east by a parcel owned by Congruus, LLC (AKPAR #95254) (the “Congruus Parcel”) and a parcel owned by Johannes and Sonja Lombard (AKPAR #2717) (the “Lombard Parcel”);

WHEREAS, Briar Chapel Community Association, Inc. has requested the Commissioners to approve a modification of the 100’ Perimeter Buffer where it adjoins the Congruus Parcel and the Lombard Parcel as shown on **Exhibit 1.0** hereto;

WHEREAS, the requested modification is on behalf of Silver Developers, LLC in order to shift the existing Hawk Point Road right-of-way in cooperation with owners of the Congruus Parcel and the Lombard parcel;

WHEREAS, the Board of Commissioners has determined that the impact of the compact community is adequately mitigated by the community design or topography with respect to the waiver;

WHEREAS, based upon the facts and circumstances considered by the Board of Commissioners and the language of Section 9.2 of the Compact Communities Ordinance, the Board of Commissioners has concluded to grant the requested waiver as described in the letter to the Board dated March 4, 2022 and as reflected in **Exhibit 1.0** to this Order, and that the requirements for granting the request, pursuant to Section 9.2 of the Compact Communities Ordinance, have been met; and

WHEREAS, it appears to the Board of Commissioners, and the Board of Commissioners hereby finds, that the buffer reduction requests addressed herein are reasonable under the facts and circumstances and should be granted;

NOW, THEREFORE, BE IT ORDERED by the Board of Commissioners of Chatham County:

1. The recitals set forth above are incorporated in this Order.
2. The request to approve the waiver as requested in the letter of March 4, 2022 and as shown in **Exhibit 1.0** to this Order, is hereby granted.
3. To the extent an adjustment, modification, reduction or waiver under Section 15 of the Compact Communities Ordinance is required in order to effectuate this resolution, the same is hereby granted;
4. No waiver or consent except those set forth in this Order is granted.

Adopted this the 21 day of June, 2022.

CHATHAM COUNTY BOARD OF COMMISSIONERS

By: *Karen A. Howard*
Karen Howard, Chair

ATTEST:

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

