

BLANCHARD, JENKINS, MILLER, LEWIS & STYERS, P. A.

L A W Y E R S

ROBERT O. JENKINS
PHILIP R. MILLER, III
E. HARDY LEWIS
M. GRAY STYERS, JR.

1117 HILLSBOROUGH STREET
RALEIGH, NORTH CAROLINA 27603

TELEPHONE (919) 755-3993
FACSIMILE (919) 755-3994
WEBSITE: www.bjmls-law.com

CHARLES F. BLANCHARD
ERIC M. REEVES
OF COUNSEL

June 22, 2004

VIA HAND DELIVERY

Thomas K. Megginson, Director
Planning Department
Chatham County
P.O. Box 54
Pittsboro, NC 27312

RE: Application to amend Section 6.1 of the Chatham County Compact Communities Ordinance

Dear Keith:

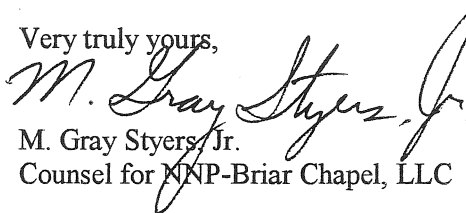
NNP-Briar Chapel, LLC (Briar Chapel) hereby respectfully submits this original letter and 15 copies, plus the enclosed \$100 filing fee, as its application for an amendment to Section 6.1 of the Chatham County Compact Communities Ordinance.

Specifically, Briar Chapel proposes the changes as indicated on the enclosed black-lined draft (additions are underlined, deletions noted in right margin) and attached map.

This proposed amendment conforms the Compact Communities Ordinance with the discussions during the many workshops and with the deliberations pertaining to the development and adoption of the Compact Communities Ordinance in 2003-04. It is consistent with the Application for Conditional Use District and Conditional Use Permit filed concurrently herewith by Mitch Barron for Newland Communities which served as the catalyst of the Compact Communities Ordinance. For these reasons, the amendment does not constitute a material change in the ordinance but simply clarifies the language of this section in a way that it is consistent with its intent.

Briar Chapel would appreciate consideration on this amendment as part of the review of its Application for Conditional Use District and Conditional Use Permit. If you have any questions or comments regarding this proposed amendment, please do not hesitate to contact me.

Very truly yours,



M. Gray Styers, Jr.
Counsel for NNP-Briar Chapel, LLC

Enclosures
cc: Mr. Mitch Barron

6.1 Location

Compact communities shall only be allowed in areas that meet all of the following conditions:

- A. Currently zoned for RA-40 Residential-Agricultural;
- B. Designated as either:
 - WSIII – BW (Balance of Watershed)
 - WSIV – PA (Protected Area)
 - Local Watershed Area (LWA);
- C. Have at least one access point that is within one (1) mile from a four-lane principal or minor arterial, as measured along the centerline of area roadways: and
- D. Are located within the portion of Northeast Chatham County that is generally described as follows:
 - In the area of U.S. 15-501 on the east, Andrews Store Road on the south, and Mann's Chapel Road on the west and north;
 - Within 1,700 feet of U.S. 15-501 on its eastern side, and is south of the U.S. 15-501 intersection with Mann's Chapel Road, and north of a line one-half mile south of Andrews Store Road; and
 - Within one-half mile of Andrews Store Road on its southern side, and is east of the intersection with Andrews Store Road and Mann's Chapel Road, and is west of a line 1700 feet east of U.S. 15-501.

Deleted: Bounded by

Deleted: and/or

Deleted: the U.S. 15-501 intersection with

Deleted: /or

Deleted: the intersection of Andrews Store Road and

The map attached hereto and incorporated herein by reference provides a more detailed description and is the controlling definition of this location.

CHATHAM COUNTY COMPACT COMMUNITY AREA

