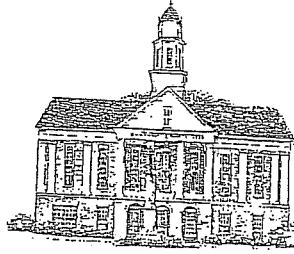


# COUNTY OF CHATHAM

PLANNING DEPARTMENT  
POST OFFICE BOX 54  
PITTSBORO, N. C. 27312-0054



PHONE: 919-542-8204  
FAX: 919-542-0527  
email: keith.meggins@ncmail.net

ORGANIZED 1770

707 SQUARE MILES

March 16, 2004

Mark Ashness and/or Cynthia Sax Perry  
PO Box 147  
Pittsboro, NC 27312

Dear Mr. Ashness and Ms. Perry:

During their regular meeting March 15, 2004, the Chatham County Board of Commissioners considered your request as described below:

Request by Mark Ashness and/or Cynthia Sax Perry on behalf of Jordan Lake, LLC and Holland and Rebecca Gaines for a zoning approval of a RA-40 District with a Conditional Use Permit for a Planned Unit Development, "The Homestead at Jordan Lake", consisting of 475 residential units, fitness facility and community / institutional use on approximately 577 acres, off Big Woods Road [S.R. 1716], in Williams and New Hope Townships.

After considering your written request, comments received at the public hearing, and recommendations of the Planning Department and Planning Board, the Board of Commissioners approved your request. Please see attached, "An Ordinance Amending The Zoning Ordinance Of Chatham County", and "A Resolution Approving An Application For A Conditional Use Permit For Jordan Lake, LLC And Holland And Rebecca Gaines", reflecting the Board of Commissioners approval of your request March 15, 2004.

Minutes of the meeting are available from Ms. Sandra Sublett, Clerk to the Board of County Commissioners, at 542-8200. If you have any questions about the Board's action or would like to discuss uses of your land, please call me at 542-8205.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Keith Megginson".

Keith Megginson  
Planning Director  
Chatham County

Attachments (2)

C: Jordan Lake, L.L.C. and Holland and Rebecca Gaines  
PO Box 204  
Goldston, NC 27252

AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF CHATHAM COUNTY

WHEREAS, the Chatham County Board of Commissioners has considered the application of Jordan Lake, LLC and Holland and Rebecca Gaines to amend the zoning map of Chatham County to rezone the property described below from RA-5 to RA-40 and finds that the amendment is consistent with the Land Conservation and Development Plan for Chatham County and

WHEREAS, the Board finds that all uses allowed would be suitable for the property proposed for rezoning;

BE IT ORDAINED by the Board of Commissioners of Chatham County as follows:

1. That the property described in section entitled Community Summary in the Application for Conditional Use Permit, Planned Unit Development, Chatham County, North Carolina, The Homestead at Jordan Lake attached hereto and incorporated herein by reference and generally referred to as being 578 acres and located off Big Woods Road (SR-1716), 1.3 miles north of U. S. Highway 64 be rezoned from RA-5 to RA-40.
2. This ordinance shall become effective upon its adoption.

Adopted this 15th day of March, 2004.

CHATHAM COUNTY BOARD OF COMMISSIONERS

By: Thomas J. Emerson  
Chairman

ATTEST:

Sandra B. Dobbins, CMC  
Clerk

A RESOLUTION APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT  
FOR JORDAN LAKE, LLC AND HOLLAND AND REBECCA GAINES

WHEREAS, Jordan Lake, LLC and Holland and Rebecca Gaines have applied to Chatham County for a conditional use permit for a certain tract or parcel of land containing approximately 578 acres located off Big Woods Road (SR-1716), 1.3 miles north of U. S. Highway 64 (Parcel #'s 19350, 17378, 76026, 19331, and 19365) for use as a Planned Unit Development for residential uses approved by the rezoning amendment adopted this date; and

WHEREAS the Chatham County Board of Commissioners hereby make the five findings as listed below:

1. The use requested are among those listed as eligible conditional uses 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 will be 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 a 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 conditional use permit in accordance with the plan of The Homestead dated October 20, 2003 attached hereto and incorporated herein by reference with specific conditions as listed below:

1. The development shall provide public utility access to adjacent undeveloped properties by rights of way to the adjoining boundary and in accordance with the County's existing subdivision regulations. The exact locations shall be determined prior to preliminary subdivision plat approval, but shall include consideration of the lands of Swan, Seymour, Deloach, Corn, Burnette, Hayes, and McLean.

Corp denied access off Big Woods to 'Institutional' tract. See letter dated 6-28-85

2. The tract identified as "Community/Institutional" shall not be used for uses prohibited by the County's watershed regulations.

3. A detailed site plan shall be approved by the county prior to issuance of a certificate of zoning compliance for any multi-family or non-residential use. Such site plans shall include details of all proposed improvements, including, but not limited to, streets and pedestrian access, buffers and landscape plans, lighting, utilities, storm water with hydraulic calculations, watershed protection with calculations, wastewater collection and treatment systems, water supply and distribution systems providing adequate fire flow, and solid waste collection systems. All plans for utilities shall be approved by the respective agencies with jurisdiction prior to preliminary plat approval.

4. There shall be utility access easements to the properties listed above in number 2 as well as to The Preserve near the location of lots 113 and 114 and the proposed road connection with The Preserve.

5. There shall be a minimum 100-foot buffer along the lands of Corn and Burnette.

6. Off-site road improvements to Big Woods Road as recommended in the letter from Jason B. Clapp with Ramey Kemp and Associates dated October 16, 2003 attached hereto shall be constructed and installed prior to final subdivision plat approval of the first phase of the development. All required State and Federal permits for the developments shall be obtained prior to preliminary plat approval.

7. The lighting within the development shall conform to all provisions of the recommended county lighting guidelines dated September 2, 2003.

8. Storm water management within the watershed critical area shall comply with the provisions of a memorandum from Mark Ashness to Keith Megginson dated December 30, 2003 attached hereto.

9. An environmental impact assessment shall be required prior to preliminary plat approval.

10. There shall be a reduction within the WS IV Critical Area by 21 lots.

Continued Validity. The continued validity and effectiveness of this approval is expressly conditioned upon the continued compliance with the plans and conditions listed above.

Non-Severability. If any of the above conditions is held to be invalid, this approval in its entirety shall be void.

Non-Waiver. Nothing contained herein shall be deemed to waive any discretion on the part of Chatham 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 conditional use permit in accordance with the plans and conditions listed above.

This 15th day of March, 2004.

CHATHAM COUNTY  
BOARD OF COMMISSIONERS

By:

Thomas J. Emerson  
Chairman

ATTEST:

Daniel B. Dublett, CMC  
Clerk