

PLANNING & ZONING REVIEW NOTES

VIII. A.

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**SUBJECT:** Request by Ricky Spoon for preliminary and final subdivision approval of **“Bobcat Point Subdivision, Phase IV (Lots 104 – 108, 111 – 118),** consisting of 13 lots on approximately 58 acres, off Poplar Forest Lane.

**ATTACHMENTS:** 1. Major subdivision application.

2. Final plat entitled “Bobcat Point Subdivision, Phase IV (Lots 104 – 108, 111-118), prepared by Van R. Finch, Land Surveys, P. A., dated May 12, 2005.

**INTRODUCTION AND BACKGROUND:** This is a portion of Bobcat Point, Phase IV which received sketch design approval March 15, 2004 for 23 lots. At that time the developer furnished a development schedule which allows the development to continue according to the schedule without a sketch design expiration of six months.

**DISCUSSION AND ANALYSIS:** The developer is requesting preliminary and final approval of Phase IV, Lots 104 – 108 and 111 – 118. All lots are accessed by Poplar Forest Lane, a public, state maintained roadway. Agency reviews were received as follows:

NCDOT	Road Plan Approval	October 2, 2003
NCDENR	Erosion Control Permit	October 2, 2003
U. S. Army Corps of Engineers	404 Creek Crossing Permit	July 26, 2004
NCDENR Division of Water Quality	401 Water Quality Certification	March 28, 2005

The road, Poplar Forest, has been constructed to the NCDOT standards and certified as completed to their standards, including seeding & mulching, by Damon C. Webb, P. L. S., Assistant District Engineer.

The developer has been required by the North Carolina Division of Water Quality to obtain a 401 Water Quality Permit due to negative impacts to the stream with the road crossing and violations of the Erosion Control Permit. The developer obtained the 401 permit on March 28, 2005.

A financial guarantee is currently in place in the form of a letter of credit for the completion of the road construction. As stated above, the road construction has been

completed and certified by NCDOT. The developer is requesting this letter of credit now be utilized for the completion of the required work associated with the stream restoration and is having his bank revise language on the financial guarantee to accommodate this. The expiration date of the financial guarantee, July 15, 2005 is also being extended. A copy of the revised letter of credit will be sent to the county attorney for review and approval.

Each lot will have an individual well. The Environmental Health Division of the Chatham County Health Department has issued septic improvement permits for all lots.

The road name “Poplar Forest Lane” has been previously approved by the County Emergency Operations Office..

The plat displays the necessary information.

**RECOMMENDATION:** The Planning Department recommends granting preliminary and final approval of “Bobcat Point subdivision, Phase IV (Lots 104 – 108, 111 – 118) with the following condition:

1. The plat not be recorded until the county attorney has approved the financial guarantee.