

PLANNING & ZONING REVIEW NOTES

VI. A.

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**SUBJECT:** Request by Cynthia Sax Perry, Attorney, on behalf of Geraldine Williams Pollard for a variance from the Chatham County Subdivision Regulations, Section 6.4, Lots, B (2) Arrangement.

**ATTACHMENTS:**

1. Subdivision variance request prepared by Cynthia Sax Perry, Attorney.
2. Copy of Plat Book 24, Page 26
3. ArcView map, parcel # 7615

**INTRODUCTION / BACKGROUND / PREVIOUS BOARD ACTIONS:**

Zoning District:	Unzoned	Minimum lot size:	1.50 acres
Watershed District:	WSIV-CA	Setback from streams:	100 feet
Water source:	private wells	Within 100 year flood:	No

**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:** This variance request is to subdivide a 6.9-acre tract into two 3+-acre tracts. The subject property configuration was created in April 1977, as shown in Plat Book 24, Page 26 when 5+ acre size tracts were considered exempt and not subdivision lots. These lots were not created per a will or court action which can also be exempt. After that date, but prior to 1980 several of the 6.9 acre tracts were further divided into 3 + acre tracts. Also, at that time it was the interpretation of language in the Subdivision Regulations that the creation of one (1) subdivision lot was an exempt transaction; therefore, the creation of the 3+ acre tracts were not reviewed as subdivision lots. That interpretation was changed in 1980 at which time the creation of all lots 10 acres or less were considered subdivision lots and required review and approval by the Planning Department or Board of County Commissioners.

The main issues of concern at this time are the existing physical access to the 6.9-acre tract, the number of lots currently being served and whether or not a legal easement and road maintenance agreement exists serving the existing tracts. This access has not been reviewed or approved by Chatham County due to the reasons stated above. At this time staff has not been furnished sufficient information concerning the status of the roadway to make a final recommendation; however, if a legal easement exists or can be furnished, staff thinks the subdivision of Tract G into two lots seems reasonable. Per Thomas Boyce, Environmental Health Specialist, it appears there are adequate soils on the tract to accommodate two septic and repair sites.

**RECOMMENDATION:** The Planning Department staff reserves making a final recommendation on this variance request pending additional information from the applicant's attorney.