



CHATHAM COUNTY BOARD OF COMMISSIONERS AGENDA ABSTRACT

ITEM NUMBER:
MEETING DATE:
9-19-05

PART A

Subject:

Request by Coffey Grounds, Inc. for subdivision final approval of “**Valley Meadow**” (formally Midfield), consisting of 26 lots on 75 acres, located off SR-1532, Mann’s Chapel Road, Baldwin Township.

Action Requested: See Recommendations.

Attachments:

1. Major subdivision application.
2. ArcView map, parcel 2526
3. Letter from John Coffey, dated August 5, 2005, regarding preservation of the corn crib.
4. Letter from Jane Pyle, Chatham County Historical Association, Inc., dated August 18, 2005.
5. Portion of Declaration of Covenants, Conditions, and Restrictions for Valley Meadow, regarding pond maintenance for pond on lots 23, 24, 25 and 26.
6. Pond Easement and Maintenance Agreement for pond on lots 15 and 17.

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

☒ **County Attorney**

Date Reviewed

☒ **Finance Officer**

Date Reviewed

☐ **Budget Officer**

Date Reviewed

PART B

Re: Valley Meadow

Introduction / Background / Previous Board Actions:

See major subdivision application and final plat for background information.

July 17, 2004: County Commissioner sketch design approval for 25 lots.

December 13, 2004: County Commissioner preliminary design approval for 25 lots

Issues for Further Discussion and Analysis: The subdivision name has changed from "Midfield" to "Valley Meadow". The Chatham County Emergency Operations Office has approved the road name Valley Meadow Drive. The developer is requesting final plat review and approval of 26 lots to be accessed by a public, state maintained roadway. A financial guarantee in the form of a Letter of Credit has been submitted to staff for the completion of the roadway. The county water lines have been installed and are in the process of being checked for compliance by the Chatham County Public Works Department.

Each lot will be served by an individual septic system and repair area. Septic improvement permits have been issued by the Chatham County Health Department, Environmental Health Division, for all 26 lots.

As a condition of sketch design approval, the developer was required to furnish a copy of covenants / restrictions to address preserving the corn crib currently located on Lot # 3 and to address ownership, responsibility, maintenance and liability of any and all ponds. The developer has proposed to relocate the corn crib to his private property for preservation. See attachment # 3. The Chatham County Historical Association has agreed to this request, see attachment # 4. Attachment # 5, addresses the maintenance and restrictions for the pond located on lots 23, 24, 25, and 26. The developer has also furnished a copy of the Pond Easement and Maintenance Agreement for the pond located on a portion of Lots 15 and 17 and portions of the adjoining properties of Neuman / Esposito and Penley, see attachment # 6. To date, all parties have signed except the Penley's. Per the developer, the Penley's have verbally agreed to the agreement, but wanted their attorney to review the document prior to signature. The developer has no control over whether or not any party signs this agreement other than himself as current owner of Lots 15 and 17. This document may be recorded in the Office of the Register of Deeds without all the signatures, but there is a question as to whether or not the document would be binding without all the signatures. The developer's attorney, Lunday Riggsbee, was present at the Planning Board meeting to address questions regarding the pond maintenance agreement. Mrs. Riggsbee stated that the pond dam was on property owned by other parties, that the building of the pond originally had caused the water to trespass on the developer's property, and that the developer had met the intent of the sketch design condition.

The plat displays the necessary information.

Re: Valley Meadow

Recommendation: The Planning Department and Planning Board recommend granting final plat approval of Valley Meadow with the following conditions:

1. The plat shall not be recorded until the county attorney has approved the financial guarantee.
2. The plat shall not be recorded until staff has received documentation from the Chatham County Public Works Department that the water lines have been completed, testing done, as-built plans received, and water tap fees paid.
3. Declaration of Covenants, Conditions, and Restrictions for Valley Meadow shall include language regarding maintenance and restrictions of pond on lots #23, 24, 25, and 26 and shall be recorded in the Office of The Register of Deeds.
