



**CHATHAM COUNTY  
BOARD OF COMMISSIONERS  
AGENDA ABSTRACT**

**ITEM NUMBER:**  
**MEETING DATE:**  
10-17-05

**PART A**

**Subject:**

Request by Mark Ashness on behalf of Gaines Brothers of Chatham, LLC for a modification to a RA-40 zoning district with a conditional use permit for a Planned Unit Development, The Homestead, to add 50.6 acres of land to the RA-40 zoning district and nine (9) additional residential lots to the Planned Unit Development, located off SR-1716, Big Woods Road, New Hope Township.

**Action Requested:** See Recommendations.

**Attachments:**

The following was distributed prior to the September 19, 2005 Public Hearing. If you need additional copies, please contact the Planning Department.

1. Application booklet entitled "Modification to Application for Conditional Use Permit, The Homestead".

*Included in this packet:*

2. ArcView map, parcel 17419

**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: The Homestead**

#### **Introduction / Background / Previous Board Actions:**

*See application booklet for background information.*

*March 15, 2005:* Approval by the Chatham County Board of Commissions for a RA-40 Zoning District with a Conditional Use Permit for a Planned Unit Development, "The Homestead at Jordan Lake", consisting of 454 residential units, fitness facility and community / institutional use on approximately 577 acres.

A public hearing was held on this request on September 19, 2005. Mark Ashness, Engineer and Cindy Perry, attorney addressed the Board on behalf of the applicant. Mr. Ashness stated that the 50 acre tract was previously managed as a timber tract, that no wetland exists on the tract and only nine (9) additional lots are being requested. Doug Brown an adjacent property owner spoke regarding concern about storm water runoff from the project going into Jordan Lake and requested the Board require public utility access to adjacent property owners.

**Issues for Further Discussion and Analysis:** This request has two parts. The first part of the request is to change the zoning district of the 50 acre tract from RA-5 (3 acre minimum / 5 acre average) to RA-40 (40,000 square feet of useable area). The original 577 acre tract received this type of zoning change. This requested zoning change is consistent with the original application.

The second part of this request is for a modification to the existing conditional use permit to add the 50 acres and nine (9) lots to the overall plan bringing the residential total to 463 lots. The Chatham County Zoning Ordinance requires the following five findings be made:

1. The use requested is among those listed as an eligible use 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, drainage, sanitation and/or other necessary facilities have been or are being provided.

The applicant has addressed the findings in his text.

***Re: The Homestead***

**Issues for Further Discussion and Analysis – con’t**

The application booklet, Master Plan section, states that “changes in the master plan include expansion of the amenity area to the north and the addition of 9 residential lots to the project. No other changes are contemplated as this time.” See map entitled “The Homestead, approved PUD” for the current approved plan and “PUD Modification, The Homestead Sketch Master Plan” for proposed modifications. The request seems reasonable.

At the subdivision preliminary design review, staff will require public utility access easements to be shown to adjoining properties to the west.

**Recommendation:** The Planning Department and Planning Board recommend that the Board of Commissioners make the five required findings. The Department and Board recommend that the Commissioners grant approval of the request to zone 50.6 acres from RA-5 to RA-40 and to approve the conditional use permit for a Planned Unit Development, The Homestead, with nine (9) additional residential lots with the following condition:

1. At the time of subdivision preliminary review, public utility access easements shall be shown to the adjoining properties to the west.

