

PLANNING & ZONING REVIEW NOTES

VI. A.

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**SUBJECT:** Request by David C. Johnson for a variance from the Chatham County Subdivision Regulations, Section 6.4, Lots, (B), Arrangement (3) and for subdivision sketch and preliminary approval of “**Fern Creek Subdivision**”, consisting of 4 lots on 15 acres, located off SR-1714, Sugar Lake Road, New Hope Township.

**ATTACHMENTS:**

1. Major subdivision application.
2. Arc View map, parcel #'s 80855 and 80856
3. Board of Commissioners Agenda Abstract, dated July 18, 2005.
4. Letter from Cynthia Sax Perry, PLLC, dated March 13, 2006
5. Sketch and preliminary design map entitled “Fern Creek Subdivision”, prepared by McKim & Creed, dated June 29, 2005

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

See major subdivision application and sketch / preliminary plan for background information.

July 18, 2005: Board of Commissioners approved the variance request and sketch design request consisting of four (4) lots on approximately 15 acres.

The six (6) month time limit to obtain preliminary plat approval has passed; therefore, the variance and sketch design requests have expired.

**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:** The Planning Board has previously reviewed and recommended approval of the request for a variance from Section 6.4, Lots, (B), Arrangement, (3) of the Subdivision Regulations and recommended approval of the sketch design request. The Board of County Commissioners approved the request on July 18, 2005. See attachment # 3.

The Chatham County Subdivision Regulations states in part in Section 4.2 (B) (4) “Approval of a sketch design shall be valid for a period of six (6) months following the date of sketch approval by the Board of County Commissioners. There shall be no extension of sketch design approval”. Sketch design expired on January 18, 2006 due to delays encountered in the request to NCDENR for an erosion control permit. The applicant is currently reapplying for the variance and sketch design request and applying for preliminary review and approval. The requests are the same as previously stated.

*Re: Fern Creek Subdivision*

**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS** – con't

Agency reviews have been received as follows:

NCDENR

Erosion Control Permit

February 1, 2006

Per Jessie Knight, with NCDOT, no commercial driveway permit is required since an existing driveway is being improved to serve the four (4) additional subdivision lots. Mr. Knight has reviewed the location of the exiting driveway and stated that the location is suitable for the upgrade to a county standard road.

Per the applicant's discussion with NCDWQ, no creek crossing permit is required, due to the limited amount of disturbance necessary for the roadway to cross the creek.

The Chatham County Emergency Operations Office has approved the road name 'Fern Creek Trail'.

Due to the limited number of lots, the Chatham County Health Department, Environmental Health Division, has approved and issued permits for the four septic system and repair area sites.

The plat displays the necessary information.

**RECOMMENDATION:** The Planning Department recommends granting approval of the road name 'Fern Creek Trail' and the variance request from the Chatham County Subdivision Regulations, Section 6.4, Lots, (B), Arrangement (3) and approval of the subdivision sketch and preliminary requests.