



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
7-17-06

PART A

Subject:

Request by Ticon Properties, LLC on behalf of Bryan & Helen Yates for subdivision sketch design approval of **“Valley View”**, consisting of 22 lots, on 44 acres, located off SR-1526, Andrews Store Road, Baldwin Township.

Action Requested:

See Recommendations.

Attachments:

1. Major subdivision application.
2. ArcView map, parcel # 1669.
3. Soil Scientist report and map.
4. Letter dated July 7, 2006 from Chatham County Historical Association, Inc.
5. Sketch design map prepared by Swanson and Associates, P. A., dated June

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 View

Introduction / Background / Previous Board Actions:

See major subdivision application and sketch design plan for background information.

Issues for Further Discussion and Analysis:

The developer is requesting sketch design review and approval for 22 lots. The property has a creek traversing the property which feeds into Polkberry Creek. A fifty foot water hazard buffer has been shown along the creek as required by the Watershed Protection Ordinance. Polkberry Creek has floodable area which is shown on the sketch plan. No structures, septic systems, repair areas or wells are allowed within floodable area. Useable lot area outside the state road right-of-ways, water hazard area, and flood area are shown. The lots are to be accessed off S. R. 1526, Andrews Store Road, byway of two public, state maintained roadways. Two separate roadways are proposed in order to avoid a road crossing of the creek. No lots will have direct access onto Andrews Store Road.

The sketch plan shows common open space along the creek to be owned and maintained by the homeowners association. There are some wetlands on the property which are also contained within the common open space.

County water is available and will be utilized. Lots will have individual septic systems and repair areas. Twelve (12) of the lots are proposed to have off-site septic areas as shown on the sketch plan. These off-site septic areas will be accessed by a common 30 foot wide utility easement. The off-site septic areas will be owned and maintained by the individual property owners and the 30 foot wide utility easement area will be owned and maintained by the homeowners association. During the Planning Board meeting, concern was raised by an adjacent property owner, Edward A. Mezunske off Blakes Drive, regarding the location of the proposed off-site septic areas in relation to his existing well location. Mr. Mezunske was concerned about potential contamination of his well from these proposed septic areas. Another concern was that, if in the future, he needed to drill a new well on his property, how the location of these septic sites could affect a future well site. Discussion followed by the Board regarding Mr. Mezunske's concern and regarding the other lots along Blakes Drive. Mark O'Neal, with Pickett-Sprouse Real Estate, representing Mr. and Mrs. Yates, the landowners, spoke regarding this concern. Mr. O'Neal responded that the septic sites as proposed had not yet been reviewed during this stage of the development, by the Chatham County Environmental Health Department. He stated that prior to submitting to the County for preliminary subdivision review, that a septic layout for each system would be submitted to the Environmental Health Department as part of the required soil scientist report for preliminary review. He also stated that the state environmental health regulations that the county operates under, have separation requirements between wells and septic systems / repair areas and from property boundaries that must be adhered to. Mr. O'Neal stated that all of the off-site septic systems would be installed at one time by one septic contractor. He offered to have a water test done on the Mezunske well prior to installation of the septic systems so they would have baseline information in case potential problems occur in the future. Discussion by the Board followed. A recommendation was made by Charles Eliason, Planning Board Chairman, to require the utility crossing of the creek to be encased in ductile iron pipe and that a 50 foot wide, undisturbed, vegetative buffer, be required

Re: Valley View

Issues for Further Discussion and Analysis – con't

along the northern boundary of the Yates property from the point where the off-site area, shown as Lot 10-A, begins and continuing to the eastern boundary. The 50 foot buffer would not be along the 10.02 acre tract being retained by the Yates. Mr. O, Neal expressed concern that the 50 foot, undisturbed buffer, could potentially limit use of some areas of good soil and restated again that the Chatham County Environmental Health Department would review each site for suitability in regard to county and state regulations. The Planning Department expressed concern about requiring a 50 foot undisturbed buffer since this is a subdivision issue and not a zoning request. Also it has not been the policy in the past to place restrictions on issues that are the responsibility of other departments that have standards concerning such issues. A couple of other subdivisions that have had offsite septic systems are Bobcat Point and also Cedar Mountain, which is on the present agenda for consideration.

The owners of the property are retaining an exempt, over 10 acre tract surrounding their exiting home site to be accessed from Mann's Chapel Road. In 1978, Mr. Yates, obtained from the Board of County Commissioners a conditional use permit for a heating and plumbing business on 2 acres of the parent tract. Per Mr. Yates, this business is no longer in operation. There is an existing cemetery on the parent tract which is shown on the sketch plan and will be a portion of the homeowner's association common open space. A 10 foot wide pedestrian easement for access to the cemetery along with a parking space has been designated on the sketch plan.

Recommendation: The Planning Department recommends granting sketch design approval of "Valley View" as submitted. The Planning Board recommended granting sketch design approval with the following two (2) conditions:

1. The utility crossing of the creek be encased in ductile iron pipe.
2. The preliminary and final plats shall include a 50 foot, undisturbed, vegetative buffer, along the northern property line of the subject property beginning at the northwestern corner of proposed Lot 10-A and continuing to the eastern boundary of the subject property.

