

PLANNING & ZONING REVIEW NOTES

VI. A.

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**SUBJECT:** Request by Nelson Wall for a variance from Section 6.4.C.1 of the Chatham County Subdivision Regulations and for sketch, preliminary, and final subdivision approval of **“Property of Robert Nelson Wall and wife, Janice C. Wall”**, consisting of 2 lots on 1.61 acres, located off SR-1783, Willow Way, Baldwin Township.

**ATTACHMENTS:**

1. Variance Request Application.
2. Major subdivision application.
3. Revised Operation Permit.
4. Certification by Vernon Wayne Johnson, Engineer.
5. Final plat entitled “Robert Nelson Wall and wife Janice C. Wall, prepared by Vernon Wayne Johnson, dated June 9, 2006.

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

See variance request and major subdivision application and plat for background information.

**ISSUES FOR FURTHER DISCUSSION AND ANALYSIS:** The property owned by the applicant currently consists of 1.61 acres and contains two dwelling units attached and built as townhouses. See attachment # 4. The townhouses were built in 1986. At that time the minimum lot size required for lots having community water and septic systems was 30,000 square feet per unit. Water was originally provided by a community well in Chatham Development and is currently provided by Aqua North Carolina

The applicant is requesting a variance from Section 6.4.C.1 of the Subdivision Regulations which requires a minimum lot size of 40,000 square feet of useable area for lots with public water and sewer. The applicant is requesting to be allowed to subdivide his property to create separate lots of approximately .8 acres (Lot 1 of 34,303 square feet and Lot 2 of 35,823 square feet) for each townhouse unit based on the 30,000 square feet required when the units were built in 1986. No additional residential structures are proposed. The existing septic systems and repair areas have been reviewed by The Chatham County Health Department, Environmental Health Division and staff has received a Revised Operation Permit, dated June 26, 2006, by Terri C. Ritter, R. S. See attachment # 3. The lots will require cross easements for access to the septic and repair areas. A note has been placed on the plat stating “A sewer repair easement shall run with the land for both Lots 1 & 2. The right to enter upon the other lot premises of either Lot 1 or 2 shall be reserved for the repair and or installation of sewer systems for each respective lot.” Staff recommends that a separate septic easement document also be recorded at the Office of the Register of Deeds.

The request seems reasonable.

The mylar copy of the plat will be revised to take off the exempt certificate and minor subdivision certificate and will include a Certificate of Ownership And Dedication and a Certificate of Approval for Recording.

**RECOMMENDATION:** The Planning Department recommends granting approval of the variance request and sketch, preliminary, and final approval of the plat with the following condition.

1. Prior to recordation of the final plat, a septic easement document shall be recorded in the Chatham County Office of the Register of Deeds.