



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
8-20-07

PART A

Subject: Request by Staley Smith, Smith & Smith Surveyors on behalf of HBP Properties for subdivision final approval of “**Legend Oaks, Phase Two**”, consisting of 27 lots on 46 acres, located off U.S. Hwy 15-501 N., Williams Township.

Action Requested: See Recommendations.

Attachments:

1. Major subdivision application.
2. Final plat titled “Legend Oaks, Phase Two”, consisting of 27 lots on 46 acres, prepared by Smith & Smith Surveyors, and dated June 3, 2007.

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: Legend Oaks, Phase Two

Introduction / Background / Previous Board Actions:

See major subdivision application and final plat for background information.

April 17, 2006: The Board of County Commissioners granted preliminary plat approval for 63 lots on 110 acres (Phases I and II)

July 17, 2006: The Board of County Commissioners granted final plat approval of Phase I, consisting of 31 lots.

A condition of preliminary plat approval is listed below:

1. The final plat shall show a utility easement along the common boundary lines of Lots 40 and 41.

This condition has been met. The final plat shows a 30 foot wide public drainage & utility easement. David Hughes, Public Works Director, has reviewed the final plat and approved this easement.

Issues for Further Discussion and Analysis: The developer is requesting final plat approval of 27 lots to be accessed by a public, state maintained roadway. A financial guarantee will be submitted for the completion of the required infrastructure prior to the plat being released for recordation. Trenton Stewart, Professional Engineer, has certified to staff that a minimum of 68 % of the total cost of the infrastructure work has been completed. Section 3.1B. (1) of the Subdivision Regulations states that, “the County may waive the requirement that the applicant complete all required improvements...when the public health and/or safety will not be endangered...” The roadways serving these lots have been graded, graveled and paved so the lots are accessible to emergency vehicles. County water is available to the subdivision so water for fire service is not an issue in consideration of whether the public health/safety will be endangered. It is the staff opinion that this development qualifies for acceptance of a financial guarantee.

Final septic permits for each lot have been received from the Chatham County Health Department, Environmental Health Division. There are four (4) off-site septic areas shown on the final plat. Chatham County Environmental Health Division has requested that the developer have the off-site supply lines installed by one contractor.

Recommendation: The plat displays the necessary information and meets the requirements of the Subdivision Regulations with other agency approvals. The Planning Department and Planning Board (unanimous vote) recommend granting final plat approval of “Legend Oaks, Phase Two”, with the following conditions:

1. The developer shall have one contractor install all of the supply lines for the off-site sewage treatment systems according to the requirements of the Chatham County Division of Environmental Health prior to recordation of the final plat or include the cost of the installation of said improvements in the financial guarantee.
2. The vicinity map on the Mylar copy of the plat shall show U.S. Hwy 15-501 and connection of Legend Oaks, Phase II to the public road.

