



**CHATHAM COUNTY  
BOARD OF COMMISSIONERS  
AGENDA ABSTRACT**

**ITEM NUMBER:**  
**MEETING DATE:**  
11-17-08

**PART A**

**Subject:** Request by James E. Dixon for a one-year extension of preliminary plat approval for Fieldstone Subdivision to extend final plat submittal deadline from **April 15, 2009 to April 15, 2010.**

**Action Requested:** See Recommendations.

- Attachments:**
1. Request letter and maps showing proposed cul-de-sac revisions from Mr. James E. Dixon, dated October 6, 2008.
  2. Letter from Ballentine Associates, P.A., dated October 7, 2008.
  3. Fieldstone Time Line

**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: Fieldstone Subdivision**

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

Zoning: RA-40 Water system: County  
Watershed District: WSIV-PA Septic: Private / individual  
Within 100 year flood: No

September 17, 2007: Approval by the Board of County Commissioners of sketch design of Fieldstone Subdivision consisting of 27 lots on 43 acres, located in Baldwin Township, off SR-1532, Mann's Chapel Road.

October 15, 2007: Approval by the Board of County Commissioners of preliminary plat for Fieldstone Subdivision consisting of 27 lots on 43 acres.

Due to the number of lots, this subdivision did not qualify for a development schedule.

### **Issues for Further Discussion and Analysis:**

The preliminary plat for Fieldstone is scheduled to expire April 15, 2009 (18 months after preliminary plat approval). The owner / developer, James E. Dixon, is requesting a one (1) year extension of preliminary plat expiration to extend the deadline from April 15, 2009 to April 15, 2010. Section 4.2 (C) (4) of the Subdivision Regulations states in part "Approval of a preliminary plat shall be valid for a period of eighteen (18) months following the date of preliminary approval by the Board of County Commissioners unless a request for an extension has been received and approved by the Board of County Commissioners prior to the expiration of preliminary approval." Item (5) states "If the developer is unable to complete the improvements required for final approval within the specified time, he may present in writing to the Planning Board a request for an extension of time setting forth the reasons for the extension. The developer shall submit his request at two regularly scheduled Planning Board meetings prior to the date preliminary approval expires and not less than thirty (30) days prior to the expiration of preliminary approval. In the event such an extension is recommended by the Commissioners, the Board of Commissioners shall state the time limit of the extension which shall be recorded in the minutes of the Board of Commissioners."

Per Mr. Dixon and George Retschle, P. E., Vice President, Ballentine Associates, P. A., (attachments 1 & 2) installation of the infrastructure, i.e. water and public roadway, has not commenced due to discovery of extensive rock on the property and necessary investigation into the extent of rock out cropping. Mr. Dixon has provided a time line of progress to date, attachment # 3. The locations of the rock may require redesign and shortening of two cul-de-sacs along with slight redesign of lot lines and / or may require extensive blasting. Mr. Dixon hopes to avoid blasting and inconvenience to his neighbors by redesign of the cul-de-sacs. Pictures of the rock, provided by the applicant, are available on the Planning Department website at [www.chathamnc.org](http://www.chathamnc.org), Department and Programs, Planning, Rezoning and Subdivision Cases, Fieldstone, Extension. In order to complete the required rock excavation, redesign the cul-de-sacs, submit revised drawings to NCDOT and Chatham County Public Works, etc., Mr. Dixon is requesting a one year extension. The request seems reasonable.

**Re: Fieldstone Subdivision**

**Issues for Further Discussion and Analysis – cont.**

There was discussion by the Planning Board regarding possible lot redesign due to shortening of the cul-de-sacs and whether or not this would require a resubmission of preliminary plat. Staff stated that when the developer submitted the revised plat for review, this would be evaluated at that time. Access to the lots from the shortened cul-de-sacs can be provided by way of an easement which can serve three (3) to four (4) lots.

**Recommendation:** The Planning Department and Planning Board (by unanimous vote) recommend granting a one year extension of preliminary plat approval to extend the expiration date from **April 15, 2009 to April 15, 2010.**