

**BRADSHAW & ROBINSON, LLP**

ATTORNEYS AND COUNSELORS AT LAW

HALL-LONDON HOUSE

128 HILLSBORO STREET

POST OFFICE BOX 607

PITTSBORO, NORTH CAROLINA 27312

PATRICK E. BRADSHAW  
NICOLAS P. ROBINSON  
ANDREW T. SLAWTER

(919) 542-2400  
FAX 542-0496  
robinson@bradshawrobinson.com

December 19, 2007

Mr. Keith Megginson  
Chatham County Planning Director  
Post Office Box  
Pittsboro, North Carolina 27312

VIA HAND DELIVERY

RE: Copeland Conditional Use Permit; Resolution #2006-10; Restaurant Project

Dear Keith:

Please let this serve as a request for a two-year extension of the deadlines under the above-referenced conditional use permit. The original conditional use permit provided that the permit would expire on the second anniversary of its issuance (namely March 20, 2008) unless a timely filed application for an extension of time has been approved by the County.

The extension of time is reasonable and necessary on a number of grounds. First, a peculiarity of this project is that the property abuts U.S. Army Corps of Engineers' property including the right-of-way for Big Woods Road. As such, the Copelands need to obtain not only a NCDENR sewer permit modification as to wastewater treatment to be provided by the wastewater treatment provide at The Preserve at Jordan Lake. But, in addition, the U.S. Army Corps of Engineers will require an encroachment agreement because they own the land and have leased the right-of-way to the NCDOT. The U.S. Army Corps of Engineers will not typically even process an encroachment request until all the other permits are in place, which will add several months to the process. In addition, a two-year extension will allow the County sufficient time to alleviate the water shortage issues. Also, the Copelands have been watching the development of The Legacy, The Preserve at Jordan Lake and other nearby subdivisions with an eye towards developing a restaurant-type and scope that will match the market. More time is necessary to allow the nature of the customer base to become better known before a final decision as to the nature and scope of the restaurant is to be determined.

If forced to do so, the Copelands can obtain a building permit and commence construction based on an alternative wastewater treatment approach, but that would seem to be an inefficient use of resources.


The conditional use permit also provides that construction would need to be completed on the fourth anniversary of the issuance of the permit. Therefore, if an extension of time within

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which to begin construction is granted, we request a commensurate extension of time with regard to the amount of time available to complete the construction.

Because the conditional use permit allows for this application, this is not a requested amendment to the conditional use permit. Please let us know when this matter will be taken under review.

Very truly yours,



Nicolas P. Robinson

NPR:jbs

c: William R. Copeland