



**CHATHAM COUNTY  
BOARD OF COMMISSIONERS  
AGENDA ABSTRACT**

**ITEM NUMBER:**  
**MEETING DATE:**  
7-21-08

**PART A**

**Subject:** Request by Dan Sullivan for subdivision final plat approval of “**Windfall Creek, Phase V**” (fka Pennington, North), consisting of five (5) lots on 20 acres, located off S. R. 1716, Big Woods Road, New Hope Township.

**Action Requested:** See Recommendations.

**Attachments:**

1. Major Subdivision application.
2. Final plat titled “ Windfall Creek – Phase V”, prepared by Van R. Finch, Land Surveys, P. A., dated June 11, 2008.

**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: Windfall Creek, Phase V**

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

Zoning: RA-5 Water Source: County  
Watershed District: WSIV-PA Sewer: Private  
Within 100 year flood: No

On December 18, 2006, Phase I of Pennington North Subdivision, consisting of five lots (Lots 1, 2, 16, 17 and 18) received preliminary approval from the Board of County Commissioners. At that time, Pennington North was considered a separate subdivision and not proposed to be part of Windfall Creek. The developer has since decided to incorporate Pennington North, consisting of 18 lots total, into Windfall Creek. The property is accessed off Big Woods Road, SR-1716, through Windfall Creek, by way of Windfall Creek Drive and Ocoee Falls Drive, All roadways are proposed to be public, state maintained roads.

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

There are two streams located on the property as shown on the survey map. The property is located within a WSIV-PA watershed district, which at the time of sketch design approval for Pennington North, required a 50 foot wide water hazard buffer per side along intermittent and perennial streams. During review of Windfall Creek Subdivision, the Board of County Commissioners required a 100 foot water hazard buffer be maintained along that portion of Windfall Branch since the creek flows into the main body of Jordan Lake.

The developer is requesting final plat approval with a financial guarantee for the completion of the public roadway, water lines, and erosion control measures. Per John W. Harris, P. E., Engineer, the project is approximately 67.5% complete at this time which includes gravel on the roadway. Section 3.1 B (1) of the Subdivision Regulations states in part "When either forty (40) percent of the total cost of improvements have been completed .....and when the public health and/or safety will not be endangered, the County may waive the requirement that the applicant complete all required improvements prior to the signing of the subdivision plat, and that, as an alternative, the applicant post an adequate security at the time of application for final subdivision approval." Staff thinks this final plat qualifies for a financial guarantee.

County water is available and will be utilized. Septic improvement permits have been issued for all Phase I lots by the Environmental Health Section of the Chatham County Health Department.

**Recommendation:** *The plat meets the requirements of the Subdivision Regulations with the final approvals of other agencies.* The Planning Department and Planning Board (by a unanimous vote) recommend granting final plat approval of "Windfall, Phase V" with the following condition:

1. The plat not be recorded until staff has received and approved the financial guarantee.