



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
1-20-09

PART A

Subject:

Request by David Klarmann on behalf of Wade A. Davis for sketch and preliminary approval of 2 lots, creating the fourth (4th) lot on a perpetual easement, consisting of 10.038 acres, located off S. R. 1716, Big Woods Road, Williams Township.

Action Requested:

See Recommendations.

Attachments:

1. Major subdivision application, Explanation of Request and packet.
2. Wade A. Davis Preliminary Plat
3. Email dated 11/11/08 from Chatham County Historical Association

The following may be viewed on the Planning Department website at www.chathamnc.org under Planning, Rezoning & Subdivision Cases, 2008.

3. Maps of road and lots

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: Wade A. Davis

Introduction / Background / Previous Board Actions:

The subject property is located on the west side Big Woods Road, in an existing subdivision known as the Gardner Subdivision. The property is accessed by an existing private road easement named Osprey Ridge. Currently Osprey Ridge serves three subdivision size lots and one over-ten acre exempt lot. The subdivision of the Davis lot will create a fourth lot served by the private road easement, which requires this subdivision to be reviewed as a Major Subdivision. The property is located in a WS-IV Critical Area watershed district and is subject to the 1994 Watershed Protection Ordinance. An on-site stream delineation has been completed, and the correct buffer widths are shown on the plat. The stream running along the proposed property line between Lots 8A and 8B is labeled incorrectly and will be labeled as an ephemeral stream on the final plat with a 30-foot buffer as shown.

The property is zoned RA-5, requiring an average lot size in a subdivision of 5 acres. The proposed subdivision will create Lot 8A of 5.526 acres and Lot 8B of 4.512 acres, which meets the requirements in the Zoning Ordinance. The property is not within a portion of the 100 year flood plain. The applicant states that within the existing 60 foot wide right-of-way, the private road easement, Osprey Ridge, will be upgraded to a 16 foot wide travelway with 4 inches of crush and run stone to the western end of Lot 8B.

Issues for Further Discussion and Analysis:

The proposed subdivision will be accessed via Osprey Ridge, a private 60-foot easement currently serving two (2) subdivision lots, Lots 6A, 6B and several exempt, over 10 acre size tracts. A Certificate of Perpetual Easement has been provided by the applicant's attorney for the 60-foot wide easement for Osprey Ridge. The developer is asking to subdivide Lot 8 into two lots, 8A and 8B, which will create the third and fourth lot on this easement. The Subdivision Regulations state in Section 6.3 B (3), "Three (3) subdivision lots may be allowed provided that every lot has frontage on a perpetual easement not less than thirty (30) feet in width that meets a public road. If found to be desirable to the road design, up to four (4) lots may be served by the thirty (30) foot easement, provided a portion of the easement is built to county private road standards (16 foot wide travel way with four inches of crush and run stone. The length of the easement to be improved in this manner will be established at sketch design approval". Please refer to Section 6.3 B (3) for entire language. The applicant states in the "Explanation Of Request" that the roadway is to be "upgraded in this fashion to the *western end* of Lot 8B". Staff recommends that the road improvements extend from The Glades roadway to the *northernmost property line* of Lot 8B. No additional lots can be created along this easement, Osprey Ridge, in the future without further road improvements. Staff also recommends that the applicant have NCDOT review the improvements to the existing driveway connection to SR-1716, Big Woods Road, to see if a commercial driveway permit is required.

The Chatham County Health Department, Environmental Health Division has issued the septic improvement permits for Lots 8A and 8B. County water is not available. The lot will be served by an individual well. The Chatham County Soil Erosion and Sedimentation Control Office has also issued a permit for an erosion and sedimentation control plan for the improvements, and permits have been received from the US Army Corps of Engineers and NC Division of Water

Re: Wade A. Davis

Issues for Further Discussion and Analysis

Quality for the Osprey Ridge stream crossing at Lot 8A. The Chatham County Emergency Operations Department approved the road name, Osprey Ridge, in May 2007, and the applicants have included a Road Maintenance Agreement for the private road.

The Chatham County Historical Association reviewed the project, and asked that the developer contact the Association about any historical structures that may be located on the site. See Attachment 3.

The applicant is requesting the Board of Commissioners to approve the Sketch Design and Preliminary Plat of the Wade A. Davis subdivision, creating a fourth lot on a perpetual easement, consisting of two lots on 10.038 acres. The applicant is also requesting that the Chatham County Subdivision Administrator be authorized to inspect and give final plat approval once the roadway improvements have been completed and certified by a licensed engineer or surveyor. Per Section 4.2 C (4) of the 1980 Subdivision Regulations, the preliminary plat approval is valid for a period of eighteen (18) months from the date of preliminary approval by the Board of County Commissioners.

Recommendation: The Planning Department and Planning Board (with a vote of 8 for and 1 abstention) recommend granting the request for Sketch Design and Preliminary Plat approval for the creation of two lots, Lot 8A and Lot 8B, on Osprey Ridge, a perpetual private road easement, with the following conditions:

1. The stream running along the proposed property line between Lots 8A and 8B should be labeled as an ephemeral stream on the final plat with a 30-foot buffer as shown.
2. The easement, Osprey Ridge, shall be improved from The Glades roadway to the northernmost property line of Lot 8B to a 16 foot-wide travel way with four (4) inches of crush and run stone.
3. The developer shall contact the Chatham County Historical Association about any possible historical structures that may be present on the site. The developer shall provide documentation from the Historical Association, including any possible recommendations, prior to final plat approval.
4. The applicant shall have NCDOT review the improvements to the existing driveway connection to SR-1716, Big Woods Road, to see if a commercial driveway permit is required. The applicant shall provide staff a copy of the commercial driveway permit, if required, or a statement from NCDOT that no permit is required.
5. The Chatham County Subdivision Administrator is allowed to review and approve the final plat once the road improvements have been completed and certified per the Subdivision Regulations.