

**ORDER OF THE BOARD OF COMMISSIONERS
OF CHATHAM COUNTY
AUTHORIZING A PARTIAL REDUCTION OF THE
100' PERIMETER BUFFER
FOR A STORMWATER EASEMENT, MAINTENANCE, GRADING AND ACCESS
FOR PHASE SIX NORTH
BY NNP BRIAR CHAPEL, LLC**

WHEREAS, NNP Briar Chapel, LLC has applied for preliminary plat approval for Phase Six North of the Briar Chapel Compact Community;

WHEREAS, pursuant to Section 9.2 of the Compact Communities Ordinance, a 100' perimeter buffer (the "Buffer") for the purposes of visual obstruction of buildings is established;

WHEREAS, Section 9.2 also authorizes the Commissioners to allow a reduction in the Buffer width by up to fifty percent (50%) if it determines that the impact of the Compact Community is adequately mitigated by community design or topography;

WHEREAS, NNP Briar Chapel, LLC has represented to the Board of Commissioners that no portion of the Buffer will be used to contain actual stormwater structures (such as outlet piping, endwalls, velocity dissipaters, or stormwater pond surface area);

WHEREAS, the Board of Commissioners has determined that the impact of the Briar Chapel Compact Community is adequately mitigated by community design or topography;

WHEREAS, based upon the facts and circumstances considered by the Board of Commissioners and the intent of the perimeter buffer provisions of the Compact Communities Ordinance, the Board of Commissioners has concluded that the requirements for granting a fifty percent (50%) reduction for Phase Six North, solely for the stormwater purposes enumerated herein, have been met and that, to the extent necessary, the requirements for granting to NNP Briar Chapel, LLC an adjustment, modification, reduction or waiver of the CCO Perimeter Buffer requirements, pursuant to Section 15 of the Compact Communities Ordinance, for these purposes have been met; and

WHEREAS, it appears to the Board of Commissioners, and the Board of Commissioners hereby finds, that the fifty percent (50%) reduction in the perimeter Buffer for Phase Six North, solely for the stormwater purposes enumerated herein, are reasonable under the facts and circumstances and should be granted;

NOW, THEREFORE, BE IT ORDERED by the Board of Commissioners of Chatham County:

1. The recitals set forth above are incorporated in this Order.

2. A fifty percent (50%) reduction in the perimeter buffer for Phase Six North solely for stormwater purposes as set forth in the recitals of this Order for a stormwater easement (including stormwater and drainage), maintenance, grading and access, is hereby granted;

3. Notwithstanding the foregoing reduction, no portion of the Phase Six North perimeter buffer shall be used to contain actual stormwater structures (such as outlet piping, endwalls, velocity dissipaters, or stormwater pond surface areas);

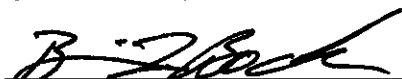
4. To the extent an adjustment, modification, reduction or waiver under Section 15 of the Compact Communities Ordinance is required in order to effectuate this resolution, the same is hereby granted;

5. No waiver or consent except those expressly set forth in this Order is granted.

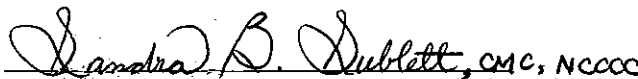
Adopted this the 15 day of October, 2012.

CHATHAM COUNTY BOARD OF COMMISSIONERS

By:


Brian Bock, Chair

ATTEST:


Sandra B. Sublett, CMC, NCCC, Clerk to the Board
Chatham County Board of Commissioners

