

STATEMENT OF PURPOSE

Applicant seeks to amend the Conditional Use permit for Westfall as set forth herein. Applicant request approval of a revised site plan as shown and approval of the site plan as its revised First Plat. The following information summarizes the application.

Applicant. Westfall Associates, LLC (“Applicant”) is applying to Chatham County for approval of an Amendment of the Conditional Use Permit (the “CUP”) for the Planned Residential Development now known as “Westfall” (the “Project”).

Project History. The Project, initially called “Booth Mountain,” was approved in January of 2005. As required by Chatham County, the name has since been changed to “Westfall.” The originally approved Project consisted of approximately 294-acres located between Jack Bennett Road (SR 1717) and Lystra Church Road (SR 1721) within the Williams Township. The Project was approved for 180 lots. After the project received zoning approval from the County, the developer submitted for and received approval of a Preliminary Plat for the first phase of construction. Project construction for the first phase began in 2006-2007. This first phase of construction was partially completed. All roadways and utility mains within the first phase of development were constructed. However, work on the Project stopped during the economic crisis and the project was conveyed by the original developer to the lending institution funding the construction loan(s).

Applicant recently purchased the Project in the winter of 2011. Since its purchase of the property, Applicant has been diligently moving forward with completion of the existing utilities so that they can be certified for operation and has finalized agreements with Aqua of North Carolina, Inc. (“Aqua”) for the completion and operation of the wastewater treatment facility. The wastewater treatment facility has been conveyed to Aqua. In addition, off-site roadway

improvements for the Phase C area along Jack Bennett Road have been completed per the North Carolina Department of Transportation's requirements. Home construction on lots within the Phase C area has begun.

There are currently 92 existing lots for which a final plat has been recorded with the Chatham County Register of Deeds. Please refer the attached Existing Conditions Exhibit map for the current existing condition.

The original project was divided into three different sections – A, B, & C. Section A area, north of Herndon Creek to Lystra Road, contained larger estate lots. The Section B area is located south of Herndon Creek to Jack Bennett Road along the western most portion of the site. Section C area is located east of Section B along Jack Bennett Road and is separated from Section C by property owned by the Chatham County Board of Education.

Modifications. Applicant does not seek to modify the portions of the Project that are already platted. The modifications being sought include:

1. Adding approximately 14.071 acres of new, adjoining property to the Project for a total Project area of approximately 308.4 acres.
2. Adding 62 lots, for a total of 242 lots but decreasing the average lot size.
3. Decreasing the size of the overall platted footprint by at least 23 acres, because lot sizes (previously a total of approximately 154.14 acres) are being decreased to approximately 130.39 acres.
4. Significantly increasing the buffered areas and the amount of land dedicated to open space. The original approved plan had approximately 99.9 acres of planned open space. The revised original plan based upon the 2006 amenity revision provided 108.81 acres open space. The proposed revised plan increases this open space to a

total of approximately 143.95 acres. This amounts to approximately 35 acres of additional open space. As such the new open space is increased by 11% and the overall total of open space stands at 46.7%.

5. Decreasing the amount of the overall percentage of impervious surface. The approved plan proposed an impervious surface of approximately 18.5% of the total land area. The revised plan only proposes 17.8% of the total land area. The main reduction in impervious surface relates to the reduction of asphalt paving for roadways associated with increased lot clustering.
6. Meeting the new environmental standards imposed in the interim since the Project was initially approved.
7. The existing platted lots within Section A will remain intact, other than a few modifications to locate the new Amenity area at the end of Westfall Way and modification of lots at the end of Raven Ridge Court to accommodate a water quality BMP.
8. Section B will be re-platted in its entirety to accommodate reductions in lot widths throughout this section.
9. Section C will remain intact and no changes to the existing platted lots will occur.
10. The original plan was approved for 0.61 units per acre while the proposed plan is 0.78 units per acre which is well under the allowable 1.09 units per acre.
11. The exterior buffers have been modified as shown on the Buffer Exhibit for clarification purposes. With one allowed exception, all buffers are at least as deep as originally approved and, in some cases, deeper. For the area along lots 60-67, the

roadway was shifted approximately 50' to set back from the steep slopes in this area but the original CUP allowed for reduction of the setback.

12. The terms of the Conditional Use Permit Resolution are proposed to be modified as shown in the attached redlined version. These changes are intended to reflect items already completed, items changed by this proposed modification and ambiguous items that needed clarification.

13. The amenity area has been relocated back to the south side of the Project, in its original location.

Applicant respectfully requests that the Board of Commissioners approve the CUP modification as submitted or as modified during the approval process and that the approved, revised site plan be applicable First Plat under the Subdivision Ordinance. To the extent the revised CUP application conflicts with the approved CUP, the revised provisions shall apply. Otherwise, the consistent elements of the original approval are incorporated herein.