From: Lynn Richardson
To: Jason Sullivan;
Subject: FW: Briar Chapel: Lot 246
Date: Friday, February 24, 2012 11:40:19 AM

For posting to the website re: Briar Chapel

Lynn W. Richardson
Subdivision Administrator
Planning Department
P. O. Box 54, Pittsboro, N C 27312
919-542-8207
e-mail: lynn.richardson@chathamnc.org

-----Original Message-----
From: Nick Robinson [mailto:robinson@bradshawrobinson.com]
Sent: Thursday, February 23, 2012 12:40 PM
To: Lynn Richardson
Cc: Lee Bowman
Subject: Briar Chapel: Lot 246

Dear Ms. Richardson,

This letter is to advise that NNP-Briar Chapel, LLC has decided to remove Lot 246 from the request to convert three lots from residential lots to common area. We stand by our request with respect to Lots 446 and 480.

We appreciate (and agree with) the recommendation you have made as planning staff but we have decided that it is best to remove Lot 246 from this request at this time. Having said that, it is important to note that we do not believe it is within the discretion of the County to deny this request because it is a matter that is regulated by the private covenants applicable to the community. In fact, the Briar Chapel Covenants (Section 10.9) specifically authorize the developer to make this change. There is no portion of the Subdivision Ordinance that regulates the requested use change and, as such, the revised depiction of these lots on the plat should be a matter automatically approved. My reason for going into this detail is to preclude the future possibility that someone might interpret the partial withdrawal of this request as evidence that we agree that it is a matter subject to substantive denial by the County.

Thank you. Please let me know if you need anything further.

Nick Robinson

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