



## Chatham County Planning Board Agenda Notes

**Date: August 6, 2013**

**Agenda Item: VII. 3**

**Attachment #: 1**

**Subdivision**

**Conditional Use Permit**

**Rezoning Request**

**Other:**

<b>Subject:</b>	Request by Kirk T. Metty, Lewis Metty Development, Inc. on behalf Cedar Mountain Subdivision for a 24 month extension of preliminary plat approval to extend the expiration date from January 16, 2014 to January 16, 2016 for the remaining 41 lots.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	1. Request letter prepared by Kirk Metty, President, Lewis Metty Development, Inc., dated July 5, 2013

<b>Introduction &amp; Background:</b>	
<b>Zoning: R1</b> <b>Water Source: private wells</b> <b>Acreage: 163 acres</b>	<b>Watershed: WSIV-PA</b> <b>Septic: on-site and off-site private</b> <b>Within 100 year flood plain: no</b>
<p>Cedar Mountain Subdivision received preliminary plat approval by the Board of County Commissioners on 7/16/07 and consisted of 65 lots. To date 24 lots have received final plat approval. The roadway is proposed to be a public, state maintained road, the lots sizes range from 1.50 acres to 8.40 acres with a 2.3 acre average. Based on the Permit Extension Act of 2009 the preliminary plat will expire on January 16, 2014 unless a final plat is submitted on or before the expiration date or an extension request is approved. This project is reviewed under the pre-2008 Subdivision Regulations.</p>	

<p><b>Discussion &amp; Analysis:</b> The developer is requesting a 24 month extension of preliminary plat approval to extend the expiration date from January 16, 2014 to January 16, 2016. There were two conditions of preliminary plat approval in 2007 which have been satisfied. Mr. Metty's letter states that of the 24 lots that have received final plat approval, 18 lots have been sold with five of those sales within the last four months. There are currently 12</p>
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homes built in Cedar Mountain, Phases I and II. Mr. Metty anticipates that with the current trend indicating an increase in lot sales and home construction, that Lewis Metty Development, Inc. will be in a position to build out the remaining phases of the subdivision and submit final plats for the remaining lots by January 16, 2016. The Soil Erosion and Sedimentation Control permit for Cedar Mountain was renewed and has an expiration date of 5/13/14. If necessary, the developer can request and obtain a new Erosion Control Permit if all erosion control measures have not been completed by 5/13/14. The NCDOT has stated in an e-mail that the approved road plans for Cedar Mountain are still valid if no changes have been made to the originally approved road plans. There are no additional stream crossings necessary to complete the road layout.

**Recommendation:**

The Planning Department is not making a recommendation on the request as this is a policy decision to be made by the Board of County Commissioners. If the request for an extension is approved, the Planning Department recommends that the developer provide staff with copies of any new or renewed permits.