

## **..TITLE**

Request by Michael Poe, Complete Development, on behalf of Cattail Creek Subdivision for a 24 month extension of preliminary plat approval to extend the expiration date from November 15, 2013 to November 15, 2015 for the remaining 21 lots.

## **..ABSTRACT**

### **Action Requested:**

Request by Michael Poe, Complete Development, on behalf of Cattail Creek Subdivision for a 24 month extension of preliminary plat approval to extend the expiration date from November 15, 2013 to November 15, 2015 for the remaining 21 lots.

### **Introduction and Background:**

**Zoning District: Unzoned**

**Watershed District: WSIV-PA**

**Water Source: Private wells**

**Septic: on-site and off-site septic and repair areas**

**Acreage: 172 acres**

**Within 100 year flood plain: no**

A minor subdivision of 5 lots out of the 172 acres was approved by staff in 2004. The balance of the Cattail Creek Subdivision received sketch design approval from the Board of County Commissioners on November 15, 2004 for 76 lots. Preliminary plat approval was received June 20, 2005 for 72 lots. To date, 56 lots (including the 5 lot minor) have received final plat approval. Per the developer, 54 lots have homes constructed. The minimum lot size is 1.50 acres with an average lot size of approximately 2 acres. *Based on the Permit Extension Act of 2009 the preliminary plat will expire on November 15, 2013 unless a final plat is submitted on or before the expiration date or an extension request is approved.* This subdivision is reviewed under the pre-2008 Subdivision Regulations.

### **Discussion & Analysis:**

The developer, Michael Poe, Complete Development, LLC, is requesting an extension of preliminary plat approval to extend the expiration date from November 15, 2013 to November 15, 2015. There were several conditions of sketch and preliminary plat approvals which have been satisfied. As stated in the request letter, the subdivision has continued to be developed over the years, but, due to the economic downturn, the developer has not moved forward to develop the 21 remaining lots. Staff has received an e-mail from Rachael Thorn, Chatham County Soil Sedimentation and Erosion Control Officer, stating that the erosion control permit for the remaining undeveloped portion of Cattail Creek Subdivision was renewed in 2012 and will expire in 2013. Ms. Thorn stated that prior to any land disturbing activity, another permit will be required. Erosion control permits can be renewed one time for an additional one year period after which a new permit is required. Staff has also received an e-mail from Justin

Richardson, NCDOT, stating that the original road plan approval is still valid as long as no changes have been made to the approved plans. There are no planned changes to the roadway layout. Required permits were obtained for the roadway crossing of Cattail Creek and that crossing has been made. There are no additional stream crossings.

The Planning Board met on August 6, 2013 and reviewed the request. Michael Poe, Complete Development, owner/developer, was present to answer questions. Mr. Poe stated, as he had in his submittal request, that the first five phases of the development had received final plat approval and houses had been built on most of the lots; and that the poor economy in the last several years had slowed down his progress in completing the balance of the subdivision.

**Recommendation:**

The Planning Department did not make 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 requests that the developer provide staff with copies of any new or renewed permits.

The Planning Board, by a vote of 8-1 with 9 members present, recommended approval of the request for a 24 month extension of preliminary plat to extend the preliminary plat expiration date from November 15, 2013 to November 15, 2015 and approval of the staff request to require the developer to provide staff with copies of any new or renewed permits.