CHATHAM COUNTY
NORTH CAROLINA

Established 1771

COUNTY COMMISSIONERS
Jim Crawford, *Chairman*
Mike Cross, Vice-Chair
Diana Hales
Karen Howard
Walter Petty

COUNTY MANAGER
Charlie Horne

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A RESOLUTION APPROVING A REVISION TO A CONDITIONAL USE PERMIT REQUEST

BY F-L Legacy Owner, LLC

WHEREAS, F-L Legacy Owner, LLC has applied to Chatham County for a revision to an existing conditional use permit on Parcel No. 17378 and 89437, located off Big Woods Road, New Hope Township, for a revision to the master site plan/sketch design to relocate the primary amenity area, relocate some residential lots, and to reconfigure some roads rights-of-way, and;

WHEREAS, the Chatham County Board of Commissioners having considered all of the evidence in the whole record and based upon the competent, substantial and material evidence in the record, including, without limitation, the Applicant's written materials, all of which are incorporated herein by reference, hereby finds as follows:

1. The use/s requested are among those listed as eligible uses in the district in which the subject property is located or is to be located. Planned residential developments continue to be an approved use within the R-1 Residential zoning district.

2. The requested revision to the conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, after several discussions and concessions between the currently residing landowners and the developer, the amenity area will not be relocated but will instead stay in the location as originally approved. To ensure access for future expansion of the amenity area, four lots will be shifted in order to provide a wider access to the open space located behind the residential lots. This revision eliminates two stream crossings, reduces the total projected road length, and will create development that meets the demands of the housing market.

3. The requested revision to the permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community. Due to no change in density and no change in the location of the amenity, no negative impacts have been identified. The project will continue to be developed within the existing conditions, as currently approved, and with only the revisions as noted.

4. The requested revision to the permit is consistent with the objectives of the Land Development Plan by, further reducing environmental impacts and continuing to support and encourage rural character and protection of surface and ground waters.

5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided through the proposal consistent with the County's plans, policies and regulations and confirmed through any additional conditions placed on its approval as seen below. No additional lots are proposed therefore the current wastewater requirements continue to be met. All currently approved improvements, with any modifications noted in this approval, will continue to be met.

NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS, as follows:

That a revision to an existing Conditional Use Permit be, and it hereby is, approved for the reasons hereinabove stated subject to the additional stipulations and conditions set forth hereinafter; and

BE IT RESOLVED FURTHER, that the Chatham County Board of Commissioners hereby approves the application for the revision to the existing conditional use permit in accordance with the plan submitted by the Applicant, F-L Legacy Owner, LLC, and incorporated herein by reference with specific conditions as listed below;

Site Specific Conditions

1. All previously approved conditions shall remain in effect with the exception of modifications included with this revision. This modification includes the shifting of the lots closest to the amenity area to allow greater access to the open space noted on the site plan.
2. The revised site plan dated November 5, 2014 shall be the approved site plan for developing the project.

Standard Site Conditions

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Stormwater Management, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department prior to the initiation of the operation/business.

Standard Administrative Conditions:

5. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.

6. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
7. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
8. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Chatham hereby approves the application for a conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 15th day of December, 2014

By: _____
James G. Crawford, Chair
Chatham County Board of Commissioners

CHATHAM COUNTY OF NORTH CAROLINA
OFFICIAL SEAL
FOUNDED 1771

ATTEST:

_____
Lindsay K. Ray, Clerk to the Board
Chatham County Board of Commissioners