

**ORDER OF THE BOARD OF COMMISSIONERS  
OF CHATHAM COUNTY  
AUTHORIZING A 50% REDUCTION OF 100' VIEWSHED BUFFER ALONG 15-501  
SOUTH FRONTAGE OF THE SD-NORTH COMMERCIAL TRACT  
AT BRIAR CHAPEL**

**WHEREAS**, pursuant to Section 9.3 of the Compact Communities Ordinance, a 100' viewshed buffer (the "Buffer") for pre-development roadways is established;

**WHEREAS**, Section 9.3 also authorizes the Commissioners to allow a reduction in the Buffer width by up to fifty percent (50%) if it determines that the impact of the Compact Community is adequately mitigated by community design or topography;

**WHEREAS**, NNP-Briar Chapel, LLC has requested a 50% reduction (down to 50') of the viewshed buffer along the 15-501 South frontage of the SD-North commercial parcel as set forth in its request dated February 7, 2014;

**WHEREAS**, resolution of this issue in the manner set forth in this Order will both preserve the intent of the Buffer and create additional protection for an existing riparian buffer on the parcel;

**WHEREAS**, the Board of Commissioners has determined that the impact of the Briar Chapel Compact Community is adequately mitigated by community design or topography;

**WHEREAS**, based upon the facts and circumstances considered by the Board of Commissioners and the intent of the viewshed buffer provisions of the Compact Communities Ordinance, the Board of Commissioners has concluded that the requirements for granting a fifty percent (50%) reduction have been met and that, to the extent necessary, the requirements for granting to NNP Briar Chapel, LLC an adjustment, modification, reduction or waiver of the CCO viewshed buffer requirements, pursuant to Section 15 of the Compact Communities Ordinance, for these purposes have been met; and

**WHEREAS**, it appears to the Board of Commissioners, and the Board of Commissioners hereby finds, that the fifty percent (50%) reduction in the viewshed buffer and the adjustment, modification, reduction or waiver requested by NNP Briar Chapel, LLC are reasonable under the facts and circumstances and should be granted;

**NOW, THEREFORE, BE IT ORDERED** by the Board of Commissioners of Chatham County:

1. The recitals set forth above are incorporated in this Order.
2. A fifty percent (50%) reduction in the viewshed buffer (from 100' down to 50') along the 15-501 South frontage of the SD-North commercial parcel, is hereby granted;

3. To the extent an adjustment, modification, reduction or waiver under Section 15 of the Compact Communities Ordinance is required in order to effectuate this resolution, the same is hereby granted;

4. No waiver or consent except those set forth in this Order is granted.

Adopted this the 17 day of March, 2014.

CHATHAM COUNTY BOARD OF COMMISSIONERS

By:

  
Walter Petty, Chair

ATTEST:

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