



# Chatham County, NC

## Legislation Details (With Text)

**File #:** 22-4315      **Version:** 1

**Type:** Agenda Item      **Status:** Board Priorities

**File created:** 5/23/2022      **In control:** Planning

**On agenda:** 6/21/2022      **Final action:**

**Title:** Vote on a request to approve by Congruus, LLC and Briar Chapel Community Association, Inc. to modify the Hawk Point Drive right-of-way location in the Perimeter Buffer for parcel 92282, Briar Chapel, pursuant to Section 9.2 of the Compact Communities.

**Sponsors:**

**Indexes:** Comp Plan Goal 3: Promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed use centers.

**Code sections:**

**Attachments:** 1. More information from the Planning Department website

Date	Ver.	Action By	Action	Result
6/21/2022	1	Board of Commissioners		

Vote on a request to approve by Congruus, LLC and Briar Chapel Community Association, Inc. to modify the Hawk Point Drive right-of-way location in the Perimeter Buffer for parcel 92282, Briar Chapel, pursuant to Section 9.2 of the Compact Communities.

**Action Requested:**

Vote on a request to approve by Congruus, LLC and Briar Chapel Community Association, Inc. to modify the Hawk Point Drive right-of-way location in the Perimeter Buffer for parcel 92282, Briar Chapel, pursuant to Section 9.2 of the Compact Communities.

**Introduction & Background:**

The Chatham County CCO includes the following standards:

**9.2 Perimeter Buffers**

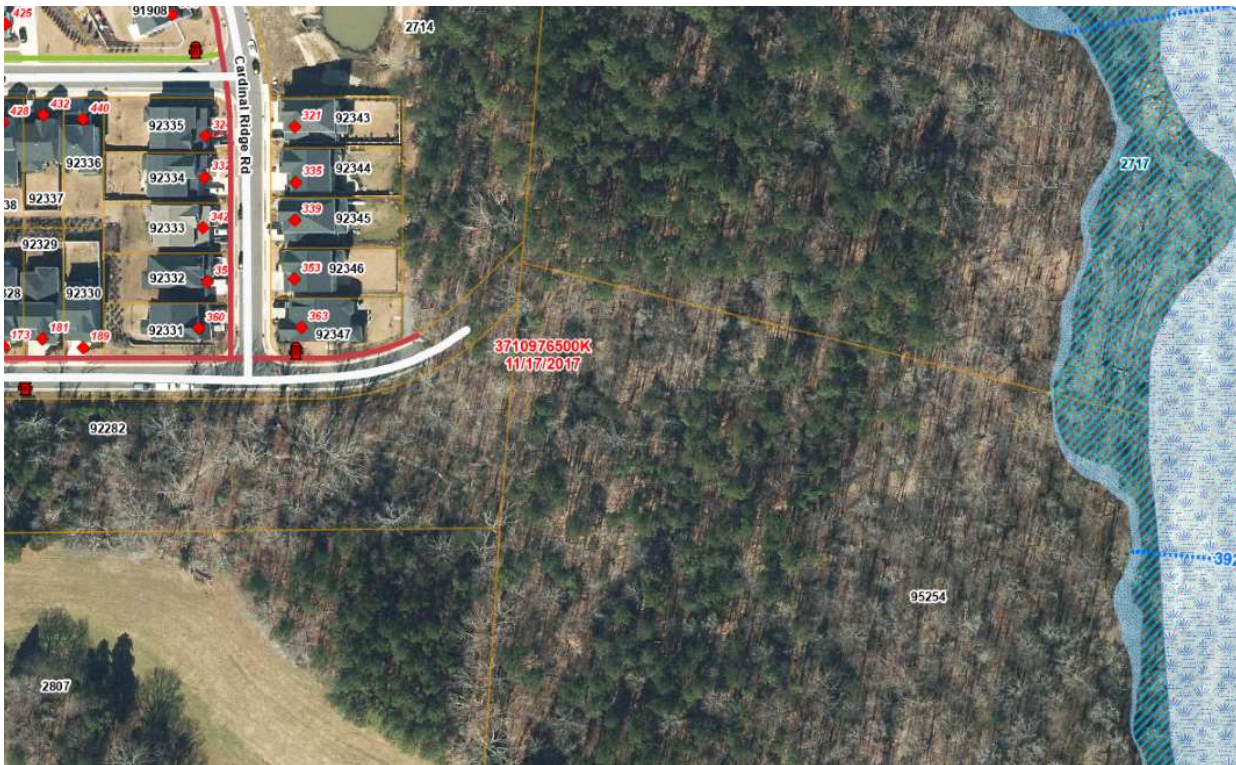
Perimeter buffers shall be utilized to minimize the impacts of each compact community on adjacent properties along the entire perimeter of the compact community. Table 9.2 lists the minimum buffer width allowable, depending on the proposed land use along the edge of the compact community and the existing land use in the adjacent property at any point along the perimeter.

Chatham County may allow a reduction in the perimeter buffer width required by this ordinance of up to fifty percent (50%) if it determines that the impact of the compact community is adequately mitigated by community design or topography. In addition, Chatham County may allow a reduction in the perimeter buffer from fifty-one percent (51%) up to one hundred percent (100%) after giving the adjoining landowners an opportunity to comment and Chatham County determines that the impact of the compact community is adequately mitigated by the community design or topography. A developer of a Compact Community may request of the Board of Commissioners such a waiver or reduction at any time.

**Section 15. Waiver**, “With the approval of the Board of Commissioners, the requirements of this ordinance may be adjusted, modified, reduced or waived based upon the absence of any reasonable relationship or nexus between the impact of the compact community development and the inclusionary or other requirements set forth herein.”

**Discussion & Analysis:**

This waiver request is for a modification of the perimeter buffer on parcel 92282 to adjust the right-of-way for Hawk Point Drive to a new location. The current alignment was approved when the original conditional use permit for Briar Chapel was approved in 2005 and was intended to serve as access to parcels 2717 and 95254 (see map below for the location of the current right-of-way). The applicants are interested in realigning the right-of-way so Hawk Point Drive can be extended onto parcel 95254 then have a cul-de-sac constructed that will serve as access to both parcels. Please that future extension of Hawk Point Drive could be submitted for consideration by the Board of Commissioners in the future. The applicants have provided an Order for consideration by the Board of Commissioners.



**How does this relate to the Comprehensive Plan:**

Goal 3: Promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed-use centers and Goal 7: Provide infrastructure to support desired development and support economic and environmental objectives.

**Recommendation:**

Vote to consider the request to approve the “Order of the Board of Commissioners of Chatham County Approving Buffer Reduction Request of Briar Chapel Community Association Per Section 9.2

of Compact Communities Ordinance.”