



Chatham County, NC

Legislation Text

File #: 24-5298, Version: 1

Vote to approve a request by Nick Robinson, Attorney on behalf of Laurel Ridge Development, Inc. for subdivision **Final Plat Revision** and **Recombination** review of Estates at Laurel Ridge, Phase 1B, consisting of removing stub-out to parcel 66108, located off private road Brook Green Lane parcel 95012 and 95013

Introduction & Background:

Zoning: R-1

Water System: Public, Aqua

Sewer System: Public, Aqua

Subject to 100-year flood: Special flood hazard area, no flood within the proposed project area

Reviewed: Under pre-2008 Subdivision Regulations

General Information: The Board of Commissioners granted sketch design approval of "Womble Subdivision", consisting of 56 lots on 202 acres on December 13, 2004. A development schedule for "Womble Subdivision" was approved during sketch design review and approval. The 202 acres were located on both the east and west sides of Old Graham Road. The western portion was later incorporated into Chapel Ridge, Phase 3, leaving the remaining eastern portion, approximately 162 acres. The Board of Commissioners granted preliminary plat approval on November 20, 2006, for "Creekside", (eastern portion) consisting of 30 lots on 162 acres along with a revised development schedule. The revised development schedule stated that the final plat was to be submitted prior to December 31, 2009. This was the eastern portion of the original "Womble Tract". Due to a name duplication, the name was changed from "Creekside" to "The Estates at Laurel Ridge". Final plat approval for "The Estates at Laurel Ridge, Phase 1A", consisting of 18 lots was granted by the Board of Commissioners on October 17, 2007. The Board of Commissioners granted approval of a unified development schedule on October 21, 2013, to extend the final plat submittal date to June 30, 2020. The June 30, 2020, date was extended by the adoption of Senate Bill 704, adopted by the General Assembly and approved by the Governor in response to the COVID-19 pandemic, for five months to May 31, 2021. Final plat approval for "The Estates at Laurel Ridge, Phase 1B" consisting of 12 lots was granted by the Board of Commissioners on February 15, 2021. Final plat amendment approval for "The Estates at Laurel Ridge, Phase 1A & 1B" to convert public roads to private roads within the subdivision was granted March 20, 2023.

The property is zoned R-5 and has a three-acre minimum lot size with a five-acre average and has a watershed designation of WSIV-PA.

Discussion & Analysis:

The request is for Final Plat Revision to remove the 60' wide private right-of-way located between lots 27 and 28 that access parcel 92441. Per the letter of explanation, "at the time of the original approval, the "stub-out" was appropriate because the adjoining parcel was a large tract that was possibly landlocked." Parcels 92441 and 66108 have the same ownership and parcel 66108 has 2,000 linear feet of road frontage on Old Graham Road and shares a boundary line with parcel 92441.

The applicant has conferred with the owner of the parcels 92441 and 66108 and confirmed the owner of the parcels supports eliminating the stub-out between Lots 27 and 28.

The request is also for the recombination of lots 27 and 28. Lot 28 will increase in size from 3.831 acres to 5.606 acres and lot 27 will decrease in size from 7.373 to 6.210 acres. Recombination plats are approved administratively.

The Technical Review Committee met March 13, 2024, to review the request. Nick Robinson and Hadley Kirkland were present. The Chatham County Historical Association asked about the cemetery on lot 16 and the status of a plat showing the cemetery. Staff stated an exempt plat will be created showing the cemetery and access to the cemetery and stated the plat will be approved administratively.

Planning Discussion:

Planning Board met April 2, 2024. Mr. Nick Robinson was present on behalf of the developer. Staff presented the item to the Board and Board discussion included the following:

- By eliminating access to the adjoining parcel it becomes landlocked and does that meet pre-'08 Subdivision Regulations? Staff stated it is believed it does since the pre-'08 Subdivision Regulations reference public roads and the proposed change is off a private road.
- Was the landowner of parcel 92441 contacted? Mr. Robinson stated the owner was contacted and communicated with the developer on several occasions. He provided a copy of the email exchange after the property owner and developer had a video conference.
- Will the county have any liability? There should not be any liability to the County, since accessing the parcel is from a private road and private roads do not guarantee access to adjoining properties.

How does this relate to the Comprehensive Plan: N/A

Budgetary Impact: N/A

Recommendation/Motion:

The Planning Board by 6-0 vote and one recusal recommend approval of the request for the final plat amendment and recombination of plat titled "Recombination Plat Lot 27 & 28 - Estates at Laurel Ridge Phase 1B".