



Chatham County, NC

Legislation Text

File #: 18-2469, **Version:** 1

Vote on a request by Kirk T. Metty, PE., President, Lewis Metty Development, Inc. on behalf of Cedar Mountain Subdivision for a **twelve (12) month extension of the preliminary plat deadline to extend the deadline from January 16, 2018 to January 16, 2019.**

Action Requested:

Vote on a request by Kirk T. Metty, PE., President, Lewis Metty Development, Inc. on behalf of Cedar Mountain Subdivision for a **twelve (12) month extension of the preliminary plat deadline to extend the deadline from January 16, 2018 to January 16, 2019.**

Introduction & Background:

Zoning District : R-1

Watershed District: WSIV-PA

Water Source: private on-site wells

Septic: private on site and off septic areas

Within 100 year flood plain: No

General Information:

Cedar Mountain Subdivision was approved under the pre-2008 Subdivision Regulations and received preliminary plat approval for 65 lots by the Board of County Commissioners on 7/16/2007. The roadway is proposed to be a public, state maintained road and the lot sizes range from 1.50 acres to 8.40 acres with an average lot size of 2.3 acres. There have been two 24 month extension requests from the developer to extend the preliminary plat expiration date. The requests were approved by the Board of County Commissioners in 2013 and 2015. **The current preliminary plat expiration date is January 16, 2018.** To date 53 lots have received final plat approval with 12 lots remaining to be final platted. If an extension request is not granted or the final plat for the remaining 12 lots is not submitted prior to the expiration date, the subdivision approval will expire and any future subdivision requests will be required to be reviewed under the current Subdivision Regulation requirements.

Discussion & Analysis:

The developer is requesting a 12 month extension of the preliminary plat expiration date to extend it from January 16, 2018 to January 16, 2019. Per the request, the developer does not anticipate receiving approval of the septic improvement permits for the remaining 12 lots from Chatham County Environmental Health until sometime in December, 2017 and is concerned that he will be unable to submit for a final plat review by the December 12, 2017 pre-2008 subdivision deadline. The last pre-2008 subdivision deadline prior to expiration of the preliminary plat is January 12, 2018. A condition of the 2007 preliminary plat approval stated "Prior to recordation of the final plat, the developer shall

install all of the supply lines for the off-site sewage treatment systems at one time, use only gravel less systems, have one contractor complete all of the work, and install the supply lines at least 30 inches deep." The developer has filed applications with Chatham County Environmental Health to obtain septic improvement permits for the 12 remaining lots. Per Thomas Boyce, LSS, REHS, Chatham County Environmental Health, the applications have been filed and the installation of the required supply lines for the off-site septic systems is in process. Once the supply lines have been installed by the contractor and the installation has been approved by Mr. Boyce, the septic improvement permits can be written. Changes to the final plat regarding the supply line easements due to installation issues may be required.

The Planning Board met on December 5, 2017 to review the request. Kirk Metty, Lewis Metty Development Co., was present to answer questions from the Board. Mr. Metty addressed the Planning Board and stated that the reason for the request was to insure sufficient time to obtain septic improvement permits for the remaining 12 lots prior to expiration of the preliminary plat on January 16, 2018; that the required installation of the supply lines for the off-site septic areas had been completed; and that after Mr. Boyce with Environmental Health does the inspection and approves the installation of the lines, the septic permits can be written. A Board member asked why the installation had taken so long to complete. Mr. Metty stated that the area was very rocky which caused delays and that having to use one contractor for the complete installation per the condition had required additional time due to their inconsistent availability. A Board member asked what the differences would be in the subdivision process if preliminary plat approval expired and the developer was required to complete the project under the current Subdivision Regulation process. Staff stated that, at a minimum, the developer would be starting the subdivision process over under the current four (4) step process; that a stormwater plan/features would be required; and that the process could take up to 1 ½ years to complete from start to finish.

The Planning Department did not make a recommendation on the request for an extension of the preliminary plat expiration deadline as this is a policy decision to be made by the Board of County Commissioners.

How does this relate to the Comprehensive Plan:

Goal 9: Provide equitable access to high-quality education, housing and community options for all.

Recommendation: The Planning Board by unanimous vote recommended granting approval of the request on behalf of Cedar Mountain Subdivision for a **twelve (12) month extension of the preliminary plat deadline to extend the deadline from January 16, 2018 to January 16, 2019.**