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DATE: May 28, 2019  
TO: Planning Commission  
FROM: Wendy Deats,  Town Planner  
SUBJECT: Final Plat 2018-017 – Rooster Creek

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Due to the dispute between the developer and the Savannah Springs HOA on the right to access Lot 3, Staff recommended deferral to provide additional time for the developer to work out the access. The developer has since submitted a letter stating that they will install a driveway within the easement along the south property line providing ingress/egress to Lot 3.

Given the use of the proposed access easement along the south property line, a deviation from the Subdivision Regulations is no longer necessary, therefore, no longer a part of the final plat request.

#### **RECOMMENDATION**

Upon Planning Commission approval of the exemption from the open space requirement, the project will comply with the requirements set forth in the Land Development Ordinance, Staff recommends that the Planning Commission approve the final plat with the following contingencies:

1. Prior to the issuance of a building permit, a corrected deed for Lot 3 referencing the new plat shall signed and recorded with the Register of Deeds.
2. Prior to recordation of the plat, the access easement to Lot 3 via Savannah Springs Drive shall be removed from the plat and a note be added to the plat identifying Lewisburg Pike as the approved access.
3. Prior to a certificate of occupancy for Lot 3, a driveway shall be constructed providing access to Lot 3.

#### **ATTACHMENTS**

Letter dated May 23, 2019