

Memorandum

To: Mayor Taylor and Town Board of Commissioners
From: Jim King, Planner II / Zoning Administrator
Date: July 2, 2013

RE: *Arborfield Subdivision Withdrawal Request*

Arborfield Subdivision representative Chris Boone with Capital Land Partners, sent a request for a withdrawal of the subdivision variance on June 25, 2013. Mr. Boone stated in his email to planning staff, "*Seems like the best thing to do would be to withdraw since it's unlikely that we will work out the deed restriction and Pulte is not going to make a connection.*"

The deed restriction Mr. Boone is referring to is a requirement for a minimum of two acre lot size for the property being subdivided. The restrictions are also tied to two adjacent tracts identified by Mecklenburg County as parcels 227-061-64 and 227-061-63. In order for the restrictions to be removed from all lots, the two adjacent property owners must also consent to the change. Westward Homes has not submitted any revised plans illustrating the minimum two acre lot size. In addition, Mr. Boone states that it is unlikely for the City of Charlotte to require Pulte to make a street connection. Staff verified that Pulte submitted new plans to the City of Charlotte on June 26, 2013 which do not show any street stubs to the Arborfield site; however, as of July 2, 2013 Charlotte planning staff indicated that they have not had an opportunity to review the new submittal and were not in the position to say if a stub street would or would not be required.

Since revised plans for the Arborfield Subdivision have not been submitted, staff recommends that the Board take action on the variance request. The action can be one of the following:

1. Deny the applicant's request for withdrawal and deny the variance; or
2. Approve the applicant's request for withdrawal; or
3. Deny the applicant's request for withdrawal and approve the variance.