

Dan Garrett

From: Jason Sullivan
Sent: Monday, December 3, 2018 8:19 AM
To: Angela Birchett; Dan Garrett
Subject: FW: [External Sender] RE: Text amendment request for the Chatham County Zoning Ordinance, specifically Section 10.13

fyi

Jason Sullivan
Planning Director
Chatham County
P.O. Box 54
80-A East St.
Pittsboro, NC 27312
Office: 919/542-8233
Fax: 919/542-2698

www.chathamnc.org/planning

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From: Roland Cargill [mailto:mcargill@att.net]
Sent: Friday, November 30, 2018 5:27 PM
To: 'Anne Bindewald-fuller' <abindefuller@gmail.com>; Diana Hales <diana.hales@chathamnc.org>; Mike Dasher <mike.dasher@chathamnc.org>; Karen Howard <karen.howard@chathamnc.org>; James Crawford <james.crawford@chathamnc.org>; Walter Petty <walter.petty@chathamnc.org>
Cc: 'jim cassese' <jcass30@hotmail.com>; 'Scott Wilson' <swilson640@bellsouth.net>; 'Peggy Wilson' <pwilson640@bellsouth.net>; 'Greg McGee' <glmcgee@bellsouth.net>; 'Phil And Barbara Foote' <emctech@bellsouth.net>; 'Heather Cassese' <dr.heatherd@gmail.com>; Jared Cargill <jcargill@gallowayridge.com>; Jason Sullivan <jason.sullivan@chathamnc.org>
Subject: [External Sender] RE: Text amendment request for the Chatham County Zoning Ordinance, specifically Section 10.13

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Dear Chatham County Commissioners,

My name is Roland Cargill and I live at 15 Cargill Lane, Apex, NC 27523. Ms. Anne Fuller did an outstanding job of outlining the issues that we face here in our local neighborhood and the reasons why the current ordinance should be changed. I also spoke at the Public County meeting on November 19 and will repeat here some of my comments at the hearing. I believe all public facilities should be subject to the new proposed ordinance, including churches and other places of worship. Affected residents should have a voice particularly when the situation involves the construction of a public facility in a rural private neighborhood. My property joins the property of 1635 Hollands Chapel Rd that was purchased by a couple that are real estate agents with one tract that has a home that has become a temporary

temple. All events thus far at this site have caused the issues that Ms. Fuller so accurately pointed out. Ordinances pertaining to the number of people (50), parking (12 parking slots), blocking a private one way road (Hogans Farm Rd.) for this temporary meeting site were exceeded. When traffic congestion occurred on Hollands Chapel Rd people, including children, were exiting vehicles which was a very unsafe situation.

I respectfully request that you cast your vote in favor of the proposed ordinance change. As Chatham County will be experiencing dramatic growth in the next few years perhaps your vote in approving this proposed ordinance will help other neighborhoods from having to go through the same obstacles that our neighborhood has had to experience.

Respectfully submitted,
Roland and Mary Cargill

From: Anne Bindewald-fuller [<mailto:abindefuller@gmail.com>]

Sent: Friday, November 30, 2018 4:04 PM

To: diana.hales@chathamnc.org; mike.dasher@chathamnc.org; Karen.howard@chathamnc.org; james.crawford@chathamnc.org; walter.petty@chathamnc.org

Cc: jim cassese <jcass30@hotmail.com>; roland <mcargill@att.net>; Scott Wilson <swilson640@bellsouth.net>; Peggy Wilson <pwilson640@bellsouth.net>; Greg McGee <glmcege@bellsouth.net>; Phil And Barbara Foote <emctech@bellsouth.net>; Heather Cassese <dr.heatherd@gmail.com>

Subject: Text amendment request for the Chatham County Zoning Ordinance, specifically Section 10.13

Dear Chatham County Commissioners,

I am Anne Fuller, resident of 204 Hogan Farm Rd. Apex, NC 27523

I attended and spoke at the Public County meeting on November 19, 2018.

I am in favor of my neighbor Jim Cassese's request to amend our Chatham county zoning ordinance to require all public places (including churches and places of worship) to obtain a permit (as wake and Durham county have) allowing surrounding residents to not only know what is being proposed but to have a voice in how they could be affected.

This is a PUBLIC in PRIVATE issue. This should be treated as any other public facility zoning.

This is a SAFETY issue for residents and people attending public events at the public facility.

My husband and I have lived on hogan farm road for 27 years, and we have owned the land since 1985. It is a beautiful private rural neighborhood and that's why we and our neighbors live here.

I have experienced this situation ..

I was surprised that a public place was suddenly in my private neighborhood without me knowing or having a voice in it.

The two 'events' to date at the public place, that just 'appeared' in our neighborhood included anywhere from 200 to 400 people.

Allowing this residential property at 1635 Holland's Chapel Rd, Apex NC to be zoned as a 'business' allowing hundreds of vehicles and people to frequent this property has created the following:

SAFETY ISSUES:

- pedestrian and vehicle traffic on Holland's chapel road which has no sidewalks or street side parking

- entrance to hogan farm private road is in a blind curve on a 55 mph road
- EMS or emergency vehicles have no access
- Overburdening a private gravel road (maintained by the residents) where all residents must agree and approve any changes to road
- Fire code restrictions

PRIVACY ISSUES:

This changed our PRIVATE peaceful neighborhood into a PUBLIC VENUE creating:

- Congestion at entrance to a private road not allowing residents to access their road or mailbox
- Delays 10-20 minutes for residents waiting in traffic to get to their home on a private road
- Disturbances in a peaceful private neighborhood
- Encouragement of crime
- Strangers trespassing looking for the place

ENVIRONMENTAL ISSUES:

This public facility has created Pollution:

- noise pollution
- light pollution
- trash and garbage at the entrance of our private road
- environmental hazard with overburdening well and septic
- overburdening private gravel road with public traffic

ZONING ISSUES:

- Failure to follow zoning restrictions by using a private road (Hogan Farm Road) as a public access

Thank you for your continuous and careful thought about allowing a second phase of this public facility to be approved in this private neighborhood. This will cause all the safety, privacy, and environmental issues/hazards mentioned above to be magnified 1000 fold.

THANK YOU for your consideration, as this is in the best interest of all Chatham County residents.

So Sincerely,
Anne and Jerry Fuller

Dan Garrett

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From: Phil [mailto:emctech@bellsouth.net]
Sent: Friday, November 30, 2018 6:27 PM
To: Roland Cargill <mcargill@att.net>; 'Anne Bindewald-fuller' <abindefuller@gmail.com>; Diana Hales <diana.hales@chathamnc.org>; Mike Dasher <mike.dasher@chathamnc.org>; Karen Howard <karen.howard@chathamnc.org>; James Crawford <james.crawford@chathamnc.org>; Walter Petty <walter.petty@chathamnc.org>
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Hello Chatham County Commissioners,

We are Philip & Barbara Foote and we live at 117 Hogan Farm Road, right across from the Temple at 23 Radhika Way. We moved from the North to retire in the South where the taxes are lower and the pace is slower. We did over a year's worth of research, considering things like quality of life, proximity to great hospitals and the slower and quieter pace we so desired. Another major consideration of our decision was that my wife and myself are Guardians and Caregivers of my adult sister with a birth/mental disability, Down Syndrome. Loud noises and bright lights can disrupt her and upset her simple life.

We chose 117 Hogan Farm Road because it was out of the way of “city life”. Choosing to live down a “private” road was a new concept for us and thought what a great place for our grandkids to ride their bikes up and down the road without the fear of being struck by a motor vehicle.

The quiet retirement we so dreamed of has now been disrupted. We never envisioned that a simple zoning rule could bring hundreds of cars and people to our quiet “off the beaten path” private road. Not to mention temporary bathrooms,, strings of lights and flags and banners. Apparently this same issue has happened in other places and the concerns are all the same. Traffic, noise, lights, safety, Here are some example stories from other parts of the US

Woodlands Hindu Temple causes residential concerns

Carrie Thornton

Published 6:00 pm CST, Thursday, February 2, 2012

The possible construction of a second Hindu temple in The Woodlands at Texas 242 and Northway Drive has ruffled the feathers of some residents who have expressed concerns about lights, noise pollution, traffic congestion.

Forsyth planning board says no to Hindu temple near Lake Lanier

Isabel Hughes

Updated: Feb. 2, 2017, 3:05 p.m.

Traffic, roads most pressing concerns

Residents in the Shady Shores and Bald Ridge on Lanier communities have stressed from the beginning the traffic that would be created from the temple is one of their biggest concerns.

Because the property is so close to the lake, few roads are paved and those that are paved are not wide enough to carry heavy two-way traffic, which Bald Ridge resident Amanda Harden said she witnessed as recently as Tuesday, Jan. 31.

We are not opposed to the temple, but we are opposed to the traffic, noise, lights and safety issues that it causes. I saw a child walking in the road that has a 55MPH speed limit, we have a photo of it. Please consider this decision as if the temple was across the road from your home and you found these issues presented to you. We hope you take the time and consideration that we took to choose this area and to rezone and bring back peace and quiet as it once was.

Thank you.

Dan Garrett

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Dear Chatham County Commissioners,

My wife and I live at 640 Hogan Farm Road and we both support the proposed text change. We moved here 34 years ago and chose our property because it was located on a **private** one lane gravel road with a recorded road maintenance agreement to serve what we thought would only be residential lots along the private road. Like our neighbors, we too were shocked to learn thru the grape vine that a 300 seat temple is planned for one of these lots and we as neighbors have no public means to voice our concerns. We have no issues with locating a church or place of worship in a residential neighborhood if the proposed facility does not impact the

safety of the existing neighborhood nor disturb the peaceful environment. We have witnessed the same safety issues stated in the below email by Anne Fuller and fear there will be a serious accident at the intersection of Hogan Farm Road and Hollands Chapel Road if the traffic congestion is allowed to continue for the large events. Hollands Chapel Road is a popular route frequently used by large bicycle groups. These bicyclists will be endangered by the increase of vehicular traffic. There is also a grave concern that emergency vehicles would be delayed access to our homes if needed during times of the traffic congestion at the head of Hogan Farm Road. The placing of a large temple is only going to increase the frequency of this traffic congestion. As Chatham County continues to grow there needs to be a means for residential neighborhoods served by a single lane private road to be notified of planned public facilities and for those residents to be able to voice their concerns during the review of the site plan application. The proposed text change to require a Conditional Use Permit to be submitted along with the site plan would put that means in place. Other counties and municipalities have protected their citizens by adding the Conditional Use Permit requirement in residential districts and we hope Chatham County will see it's time to make a text amendment to protect their citizens as well.

Sincerely and respectfully,

Scott & Peggy Wilson

From: Roland Cargill [<mailto:mcargill@att.net>]
Sent: Friday, November 30, 2018 5:27 PM
To: 'Anne Bindewald-fuller'; diana.hales@chathamnc.org; mike.dasher@chathamnc.org; Karen.howard@chathamnc.org; james.crawford@chathamnc.org; walter.petty@chathamnc.org
Cc: 'jim cassese'; 'Scott Wilson'; 'Peggy Wilson'; 'Greg McGee'; 'Phil And Barbara Foote'; 'Heather Cassese'; Jared Cargill; jason.sullivan@chathamnc.org
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To: diana.hales@chathamnc.org; mike.dasher@chathamnc.org; Karen.howard@chathamnc.org;

Dan Garrett

From: Jason Sullivan
Sent: Monday, December 3, 2018 11:34 AM
To: Angela Birchett; Dan Garrett
Subject: FW: [Ext] RE: [SPAM] - Text amendment request for the Chatham County Zoning Ordinance, specifically Section 10.13 - Found word(s) farm in the Text body

fyi

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From: Jared Cargill [mailto:jcargill@gallowayridge.com]
Sent: Monday, December 3, 2018 11:17 AM
To: Scott Wilson <swilson640@bellsouth.net>; Mike Dasher <mike.dasher@chathamnc.org>; Karen Howard <karen.howard@chathamnc.org>; James Crawford <james.crawford@chathamnc.org>; Walter Petty <walter.petty@chathamnc.org>; Diana Hales <diana.hales@chathamnc.org>; Jason Sullivan <jason.sullivan@chathamnc.org>
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Subject: [Ext] RE: [SPAM] - Text amendment request for the Chatham County Zoning Ordinance, specifically Section 10.13 - Found word(s) farm in the Text body

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This message was sent securely using ZixCorp.

Dear Chatham County Commissioners,

My name is Jared Cargill and my family and I live at 118 Cargill Ln , which our property backs right up to the property line of said proposed site for this temple. After reading through all of the letters sent to you folks by the other neighbors

who will be directly affected by this project, I have to admit that my family who has lived in this neighborhood since 1987 find this **entire plan extremely deceitful**, and to say the least, **we are very angry**. The common denominator to all of these resident's opinions is very clear; we all live here **BECAUSE** of the privacy, the rural setting and peaceful atmosphere. Now this is all being threatened by a group of people who don't seem to care about the safety issues, nor what they are trying to do to our neighborhood... The biggest factor of this issue that has been **well documented and video recorded** points directly to the safety of our neighborhood and its residents. This subject seems to be ignored by the "group" that wants to operate here simply because **these people do not live in our neighborhood!!!**

Personally I find this completely unacceptable, and as my right, I will absolutely refuse to be a "quiet neighbor".

I have also been made aware that during the recent zoning meeting, the legal representative for this "group" has tried turning resistance to this matter into a racially motivated issue, which is completely absurd and unethical. It does not matter what Religion wants to build in our neighborhood, this is simply not the place to do so. Our views and opinions are about keeping our entire neighborhood safe, free from the pending traffic and congestion issues that have been pointed out to you time and time again.

Obviously it won't take a rocket scientist to figure out that if this plan is approved and said "Temple" is built ruining OUR sense of peace and quiet, Chatham County is going to have a whole neighborhood of very unhappy people, and I for one will place blame on the County Officials who approved this plan.

And as for the "group" that plans to disrupt our way of living without any regard or respect for our neighborhood, please keep in mind that I am a professional Drummer with all of the means to be "disruptive" myself, and I can personally promise that they will ultimately **regret** their choice of location.

Respectfully,

Jared L. Cargill
Facility Maintenance Specialist

Galloway Ridge
3000 Galloway Ridge, Pittsboro, NC 27312
P. (919) 545-2617
F. (919) 545-2637
Cell (919) 704-6142

<http://www.gallowayridge.com>

**GALLOWAY
RIDGE**

AT FEARRINGTON

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Sent: Monday, December 3, 2018 7:36 AM

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And Barbara Foote' <emctech@bellsouth.net>; 'Heather Cassese' <dr.heatherd@gmail.com>; Jared Cargill

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Sent: Monday, December 3, 2018 5:02 PM
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Subject: FW: [Ext] To the Chatham County Planning Board, and the County Commissioners

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Sent: Monday, December 3, 2018 4:52 PM
To: Jason Sullivan <jason.sullivan@chathamnc.org>; Diana Hales <diana.hales@chathamnc.org>; Walter Petty <walter.petty@chathamnc.org>; James Crawford <james.crawford@chathamnc.org>; Karen Howard <karen.howard@chathamnc.org>; Mike Dasher <mike.dasher@chathamnc.org>
Cc: 'jim cassese' <jcass30@hotmail.com>; 'Scott Wilson' <swilson640@bellsouth.net>; 'Anne Bindewald-fuller' <abindefuller@gmail.com>; 'Roland Cargill' <mcargill@att.net>; 'Phil And Barbara Foote' <emctech@bellsouth.net>; andi@andisobbepottery.com
Subject: [Ext] To the Chatham County Planning Board, and the County Commissioners

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Greetings all,

My name is Greg McGee, and I have been a resident of Chatham County for more than 30 years. I wish to voice my support for the proposed rule change in the zoning regulations regarding places of worship. It is my fervent opinion that no religion should be supported or suppressed, as specified in the first amendment to the United States Constitution. However it seems that the county zoning regulations appear to do just that. Please make the wording change necessary so that all institutions, religious or otherwise, are treated the same.

I am opposed to the location of a Temple which has been operating in our neighborhood, which is a private, single-lane gravel drive. I contend that the letter and spirit of our zoning laws have been violated. This is located at a formerly single family home at 1635 Hollands Chapel Road.

I would refer to you the Chatham County Zoning Ordinance and the following points:

The Zoning Ordinance was created to promoting the public health, **safety**, and general welfare. The location of the Temple is in conflict with the Zoning Ordinance (Z.O.) which promised to lessen the congestion on the roads and streets. The Temple events create a major safety and traffic hazard, with the 55 mph road (Hollands Chapel Road) turning into a pedestrian killing zone. Truly it is only a matter of time before someone comes around the curve and plows over several people.

The Temple was originally built as a single family home. Its conversion into a non-conforming use (Z.O. Section 9.6) was improper and should be reversed. The septic permit now lists the residence as a "meeting hall for up to 50 people." The actual number is more like 300. But the Z.O. Table 1 in Section 10.3 doesn't show a meeting hall as a permitted use; the closest term would be "assembly hall" which is not permitted in a residential zone, but only in RB, IL, or IH. There was no conditional use expressly authorized by the Commissioners as required by the Z.O.

The lighting at this Temple is also in violation of the Z.O. Section 11.2 .i and Section 13, regarding lighting creating a nuisance, lighting trespass, and especially Section 13.13 which states that connection of multiple holidays and/or festive events over a number of weeks and/or months **is not permitted**.

There have also been multiple violations of the off-street parking rule as written in Z.O. Section 14.1. If the congregants cannot park on-site, they tend to park on the side of the road and walk down the middle of the road to get to the gathering. This is totally **unsafe** and unsatisfactory.

This non-conforming use of the property has also run afoul of Z.O. Section 17, and has impaired the integrity and character of the community, and is

Detrimental to the safety and welfare of the neighborhood. It is clear that it has created a hardship to the community and results from conditions that are peculiar to the property, primarily its location and lack of access to a public road.

We welcome a Temple in the community, but this property just doesn't work and is unsafe for the neighbors.

I respectfully submit that the septic permit change was improper and should be reversed. I also submit that any further changes to this property from a single-family residence not be approved.

Thank you for your attention.

Sincerely,

Greg McGee