

Planning Department
Post Office Box 54
80-A East Street - Dunlap Building
Pittsboro, NC 27312-0054

Jason Sullivan, Planning Director



Phone: 919-542-8204
Fax: 919-542-2698
www.chathamnc.org/planning

Notice of Violation

June 21, 2024

Randell Morgan
701 Rosswood Rd
Chapel Hill, NC 27516-9574

PLEASE TAKE NOTICE, property identified above is in violation of the Zoning Ordinance of Chatham County, Section(s) 10.1 R-5 Residential District Location of Accessory Buildings and Structures must conform to the minimum required setbacks for the district. GIS Aerial Photo shows an accessory building or structure over the property line and the structure seems to have been built without obtaining the proper approvals and permits.

You are hereby required to correct said violation(s) within **30 days** after service of this notice or further enforcement action(s) may be taken against you. Please contact our office to discuss compliance measures for this property. Compliance includes review and approval of a site plan, floodplain determination permit, and residential zoning compliance permit. All activity associated with this violation notice shall cease immediately and corrective measures shall be implemented.

The premises referred to are commonly known as:

Parcel No. 2694
Address: 701 Rosswood Rd
Owned by: Randell Morgan

Per Section 21 of the Chatham County Ordinance, failure to comply with this **Warning Citation within 30 days from receipt of service** may cause a **Civil Citation** of \$50.00 to be issued against you. If upon failure to come into compliance and the civil penalty is issued and is not paid within the 15-day time period from the issued date, the \$50.00 civil penalty will begin to accrue each calendar day until compliance is made. Court action may also be filed against you.

Per Section 18.4 of the Chatham County Ordinance, should you disagree with this action or the interpretation of the ordinance addressed, you may file an appeal with our office **within 30 calendar days from receipt of this notice**. A non-refundable fee of \$500.00 must be paid at the time the appeal is accepted by our office and a hearing will be scheduled with the Zoning Board of Adjustment.

Dorian McLean

From: Marcia Caldwell
Sent: Monday, June 3, 2024 11:10 AM
To: Dorian McLean
Subject: RE: Zoning question

Dorian,

I have been given the OK to permit the EV charger. Investigate only if you need it for your department.

Marcia Caldwell
Central Permitting
Chatham County

Chatham County offices will be closed on Wednesday, June 19, 2024, in observance of Juneteenth.

Physical Address: 80 East St. Pittsboro, NC 27312
Send Mail to: PO Box 548 Pittsboro, NC 27312.
(Please ALWAYS reference permit number and/or address)

ONLINE PORTAL: <https://chathamcountync.viewpointcloud.com/>

INSPECTOR CONTACT: <https://www.chathamcountync.gov/government/departments-programs-a-h/central-permitting-inspections/contact-us>

"In keeping with the NC Public Records Law, emails, including attachments, may be released to others upon request for inspection and copying."

From: Marcia Caldwell
Sent: Friday, May 31, 2024 12:10 PM
To: Dorian McLean <dorian.mclean@chathamcountync.gov>
Subject: Zoning question

I am processing an EV charger permit for 701 Rosswood (parcel 2694) and have noticed an outbuilding that seems to be right on the property line with parcel 83047. Both properties list an outbuilding on the tax record, but no BPs exist for a 2023 build. Can you help me figure this out?

Marcia Caldwell
Central Permitting
Chatham County

Chatham County offices will be closed on Wednesday, June 19, 2024, in observance of Juneteenth.

Physical Address: 80 East St. Pittsboro, NC 27312
Send Mail to: PO Box 548 Pittsboro, NC 27312.
(Please ALWAYS reference permit number and/or address)

ONLINE PORTAL: <https://chathamcountync.viewpointcloud.com/>

INSPECTOR CONTACT: <https://www.chathamcountync.gov/government/departments-programs-a-h/central-permitting-inspections/contact-us>

"In keeping with the NC Public Records Law, emails, including attachments, may be released to others upon request for inspection and copying."

Dorian McLean

From: Marcia Caldwell
Sent: Friday, May 31, 2024 12:10 PM
To: Dorian McLean
Subject: Zoning question

I am processing an EV charger permit for 701 Rosswood (parcel 2694) and have noticed an outbuilding that seems to be right on the property line with parcel 83047. Both properties list an outbuilding on the tax record, but no BPs exist for a 2023 build. Can you help me figure this out?

Marcia Caldwell
Central Permitting
Chatham County

Chatham County offices will be closed on Wednesday, June 19, 2024, in observance of Juneteenth.

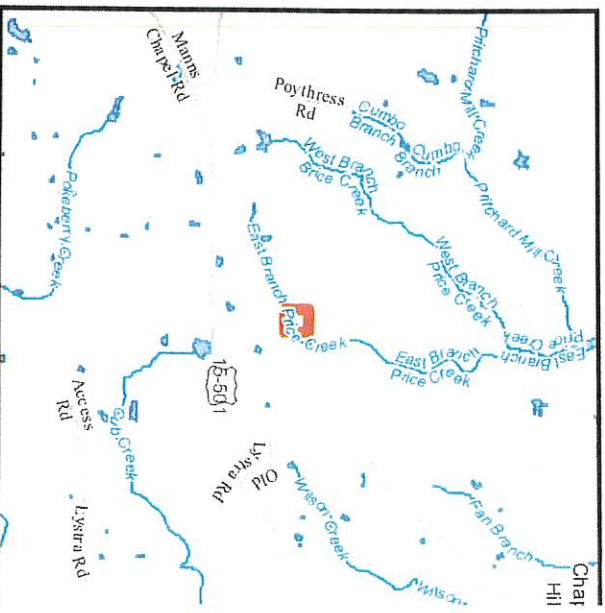
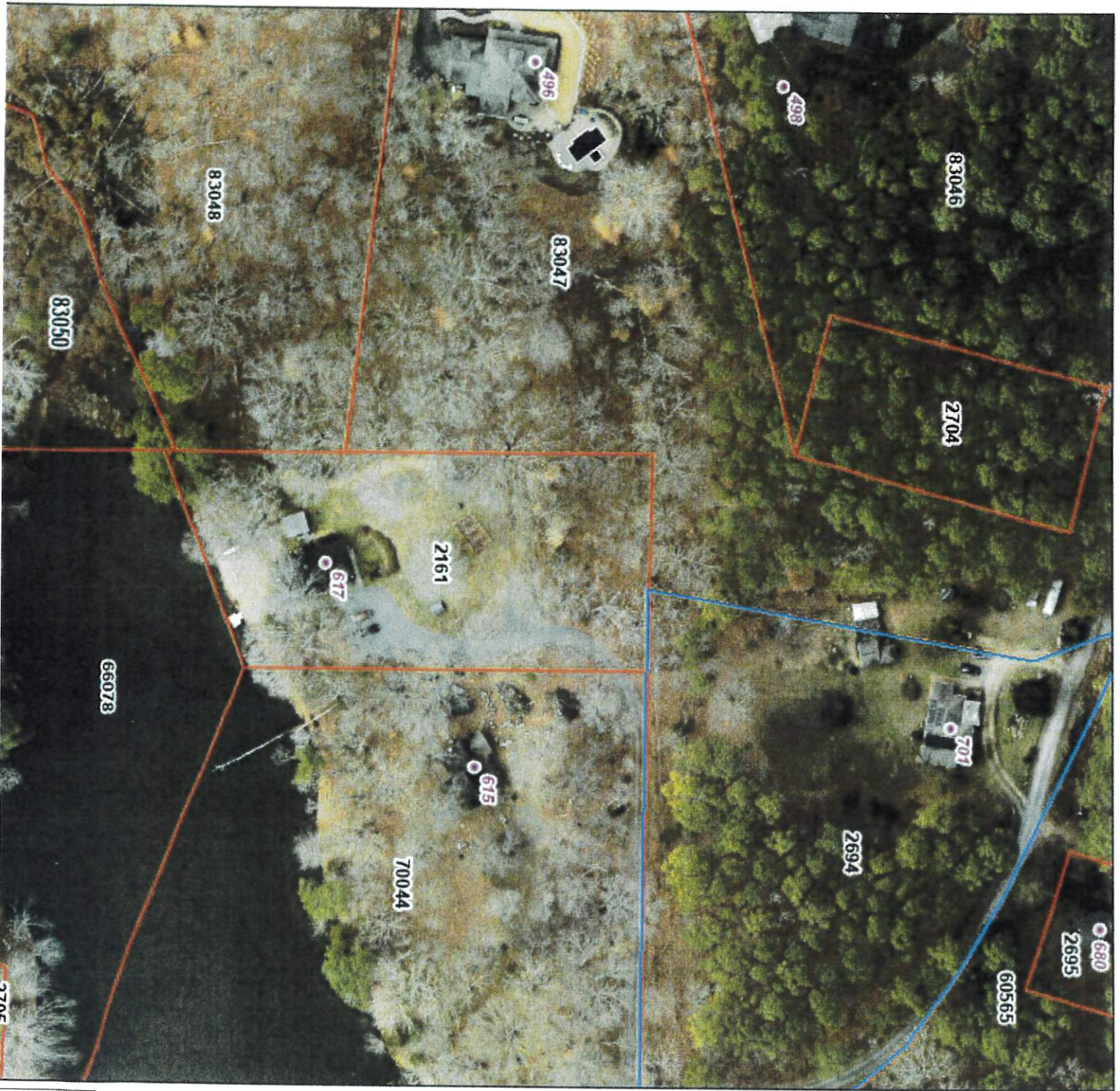
Physical Address: 80 East St. Pittsboro, NC 27312
Send Mail to: PO Box 548 Pittsboro, NC 27312.
(Please ALWAYS reference permit number and/or address)

ONLINE PORTAL: <https://chathamcountync.viewpointcloud.com/>

INSPECTOR CONTACT: <https://www.chathamcountync.gov/government/departments-programs-a-h/central-permitting-inspections/contact-us>

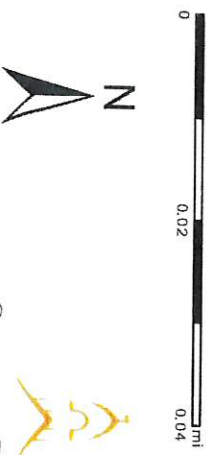
"In keeping with the NC Public Records Law, emails, including attachments, may be released to others upon request for inspection and copying."

Chatham County Tax Map



Legend

- Parcel Pop-Up
- Address Points
- Parcels



Service Layer Credits:
 Chatham County,
 Chatham County Tax













Dorian McLean

From: Morgan Randell <mgnran@gmail.com>
Sent: Saturday, July 13, 2024 11:08 AM
To: Dorian McLean; dorian.mclean@chathamcounty.org
Subject: 701 rosswood rd - shed border

WARNING: This message originated from outside the Chatham County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Dorian,

The tax office redrew the borders of my property at 701 Rosswood Rd. (Parcel 2694) and the shed and the lean to roof are on my property. Please let me know if this satisfies the warning citation that was issued for that.

thanks,
Morgan Randell
mgnran@gmail.com
919-704-0751

Dorian McLean

From: Angela Plummer
Sent: Tuesday, July 16, 2024 1:29 PM
To: Dorian McLean; Morgan Randell
Subject: RE: 701 rosswood rd - shed border

Unfortunately, the NCGS statutes, which are adopted in the county Zoning Ordinance, are clear on what is allowed for a variance. This situation would not constitute a submission or approval of a variance. I believe the only way to correct the violation is to remove the lean to and add it somewhere else on the property where setbacks can be met.

B. Variance

Where there are unnecessary hardships in the way of carrying out the strict letter of this Ordinance, the Board of Adjustment is empowered in passing upon appeals in specific cases, to vary or modify any of the regulations or provisions of this Ordinance relating to the construction or alteration of buildings or structures so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. The Board of Adjustment may not, however, grant variances for the use of land or structures.

Page 105

Chatham County Zoning Ordinance

1. Variances from the provisions of this Ordinance may be granted only upon appeal from a decision, action, determination, or order of the Zoning Official and shall demonstrate substantially the following:
 - a. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - b. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
 - c. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
 - d. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.
2. Furthermore, the board of adjustment must make such findings of fact to substantiate all of these requirements. In considering applications for variances from the provisions of this Ordinance, demonstration of financial disadvantage alone shall not constitute conclusive evidence of unnecessary hardship.

Thank you,
Angela Plummer
Angela Plummer, CZO

> On Jul 16, 2024, at 12:10 PM, Dorian McLean <dorian.mclean@chathamcountync.gov> wrote:
>
> Is the lean to part of the shed at least 10 feet from the property line?
>
>
> Dorian McLean, CZO
> Zoning Official
> Chatham County, NC
>
> "Plan Moncure has been adopted and you can view the small area plan at at
<https://www.recodechathamnc.org/planmoncure>"
>
> Phone Number: 919-542-8221
> Physical Address: 80 East St. Pittsboro, NC 27312 Send Mail to: PO Box
> 54 Pittsboro, NC 27312 (Please ALWAYS reference parcel number and
> address)
>
> "In keeping with the NC Public Records Law, emails, including attachments, may be released to others upon request
for inspection and copying."
>
>
>
>
> -----Original Message-----
> From: Morgan Randell <mgnran@gmail.com>
> Sent: Tuesday, July 16, 2024 12:06 PM
> To: Dorian McLean <dorian.mclean@chathamcountync.gov>
> Subject: Re: 701 rosswood rd - shed border
>
> Unfortunately the lean to part of the shed is not 25 feet off of the property line.
>
> So, I am wondering if there is anyway possible for me to not have to tear down the lean to, It is sheltering my
boat. Without it I would have to keep a tarp up over the boat and that is a less ideal situation in every aspect. I
apologize for not having gotten a permit for the lean to.
>
> What are my options for a variance request?
>
> I did talk to my neighbor just now... (Lee Mayfield) and he says as long as it is on my property, which we have
established that it is, He does not have an issue if I got a variance for it.
>
> I would also be ok with paying a fine to be able to keep the roof over my boat.
>
> any help would be greatly appreciated.
>
> Sincerely,
> Morgan Randell
>
>
>
>