

Public Hearing May 15th Myra & Jack Halpin Property owners of 270 Spider Web Lane - the land boarding the purposed strip mall. Submitted for Public Record by Myra Halpin.

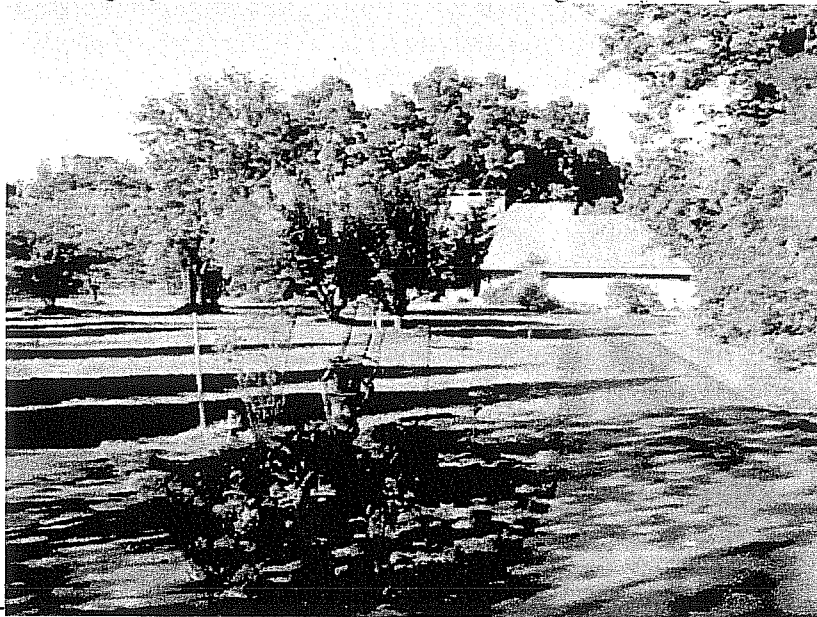
Chatham Co Guidelines

In granting a conditional use permit, the Board of Commissioners shall make the following affirmative findings:

1. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.
4. The requested permit will be consistent with the objectives of the Land Development Plan.
5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies and regulations. (#17)

Let me introduce myself – I am Myra Halpin Jack and I live at 270 Spider Web Lane. I am a North Carolina public school teacher and this is my 38th year in the classroom. Jack served 20 years as an enlisted Navy Corpsman and isn't here tonight because he is working Urgent care in Chapel Hill. I may have taught your children and he may have cased their broken arms. We found this beautiful location almost 14 years ago. We have worked hard to improve the land and feel we found our own little paradise here in Chatham County.

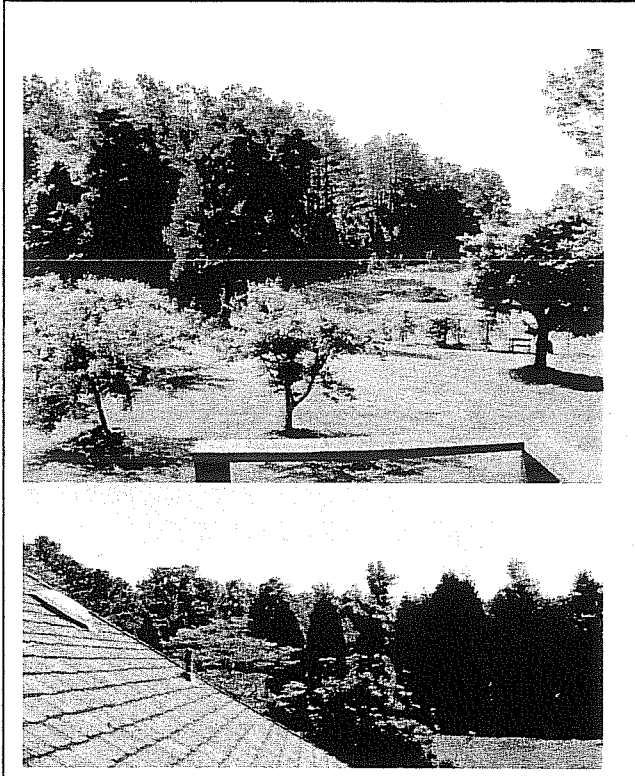
I am going to address #3 in the Chatham Co Guidelines of Conditional Use.
-will not impair the integrity or character of the surrounding or adjoining districts.



Think with me -

Open the front door of the house and look at the loading dock of a shopping center. Instead of listening to the birds in the morning hear the milk and bread delivery trucks at 5 am. These plans call for the loading dock being 150 feet from the front of our property. Developer promises a 12-16 feet berm (not drawn in the plans) but even with that we will be looking at a 20+ ft building with a noisy cooling units on top of that. Instead of stars

we will be looking at the lights from the parking lot.



This is the view from our deck. The back of the shopping center will be on the other side of this line of trees.

We appreciate the fact that Mr. Fearrington has drawn in 150 ft buffer and **promised** to build a berm but what assurance do we have that once this is zoned commercial that won't change? Lawyer Robinson has said they are drawing up very strict covenants for land use and I believe Mr. Fearrington has good intentions but he won't have control once he leases or sales the property. You won't have control if you zone commercial without restrictions.

..will not be detrimental to the health, safety or welfare of the community.

Current plans call for a septic drip

system up slope from our garden containing over 100 blueberry bushes and 2 strawberry patches. This year we hope to have a "you pick" blueberry. Will you buy berries from us knowing there is a septic system draining into the garden? We are planning on a little retirement income in a few years. Financially this could be damaging.



When the land is graded for development, the contour will be changes and our pond may dry up. It is feed by ground water run-off from the area being discussed. Would you want to swim or eat fish caught in this pond?

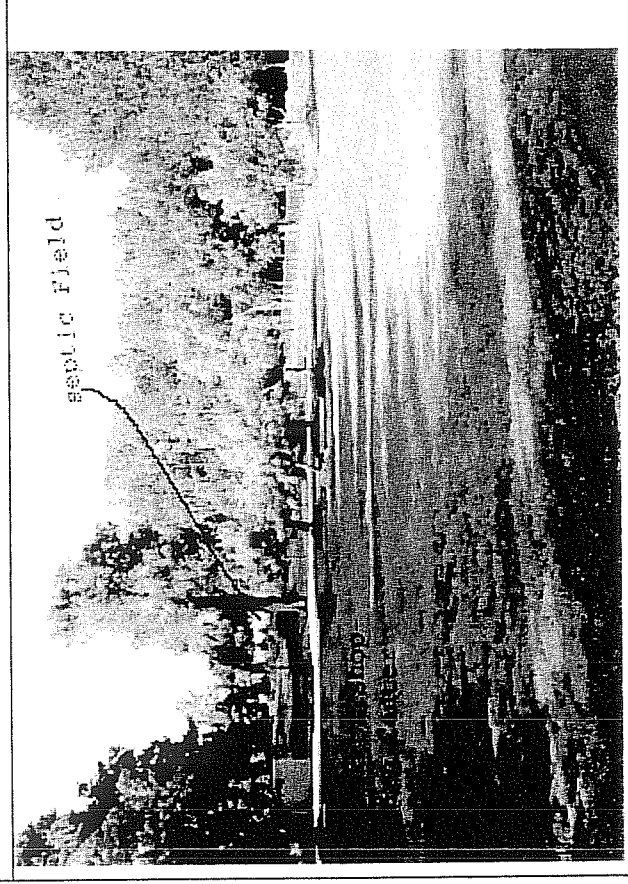
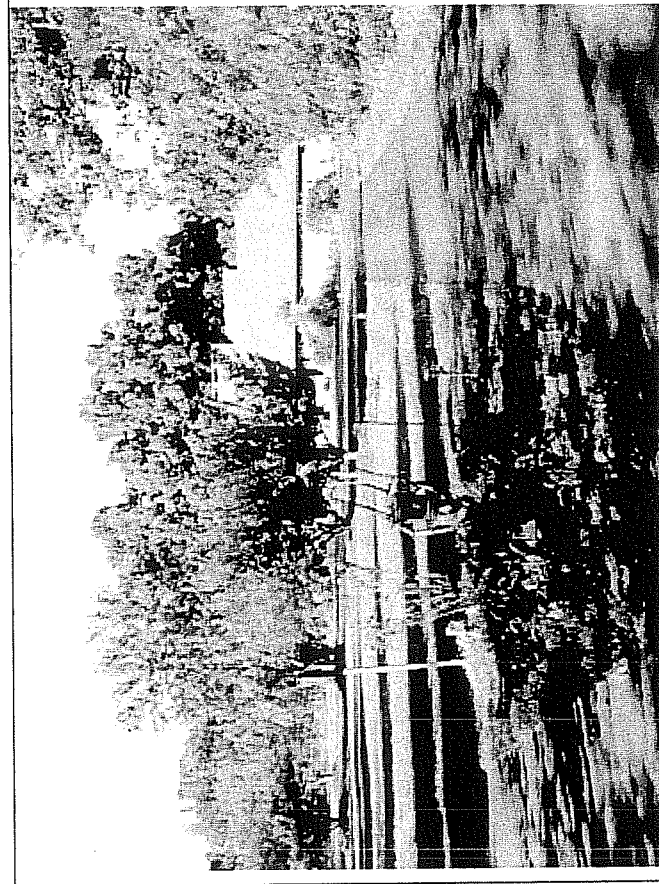
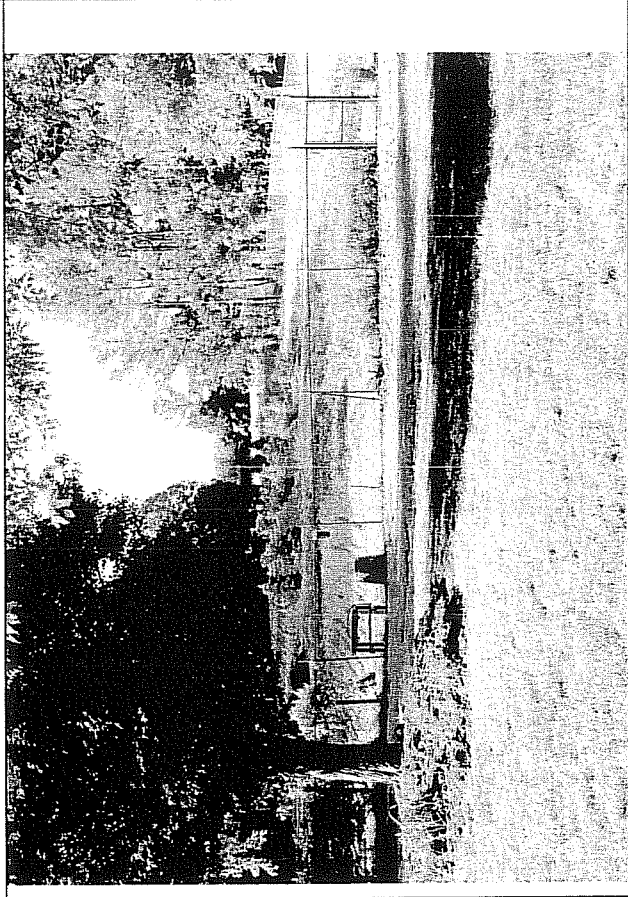
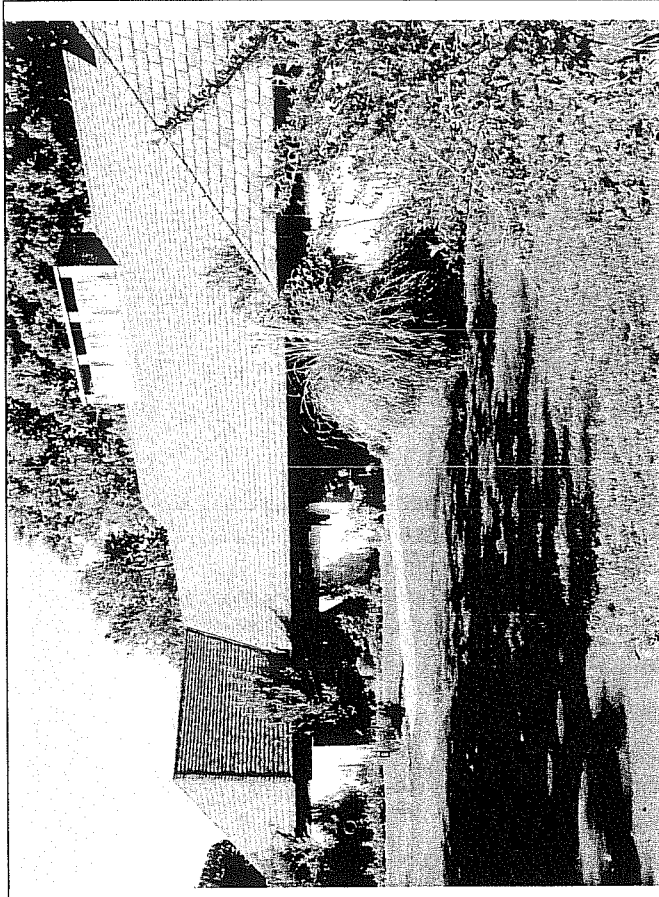
I do and we so much want to be able to continue to do so in the future. How about security, will having all this additional traffic increase the trespassing and our fears of trespassers drowning or getting bite by our dogs who think their job is protecting us? We paid \$11,000 for a fence to keep the deer out. Will the developer build a fence around the rest of the property.

I am sure others will speak to the outparcels – fear of a fast-food or entertainment area becoming the neighborhood nightly handout; the lack of a needs assessment that addresses the fact that there are vacancies in Cole Park, Chatham Crossing, and the new Harris Teeter shopping center; and changing the nature of the residential area.

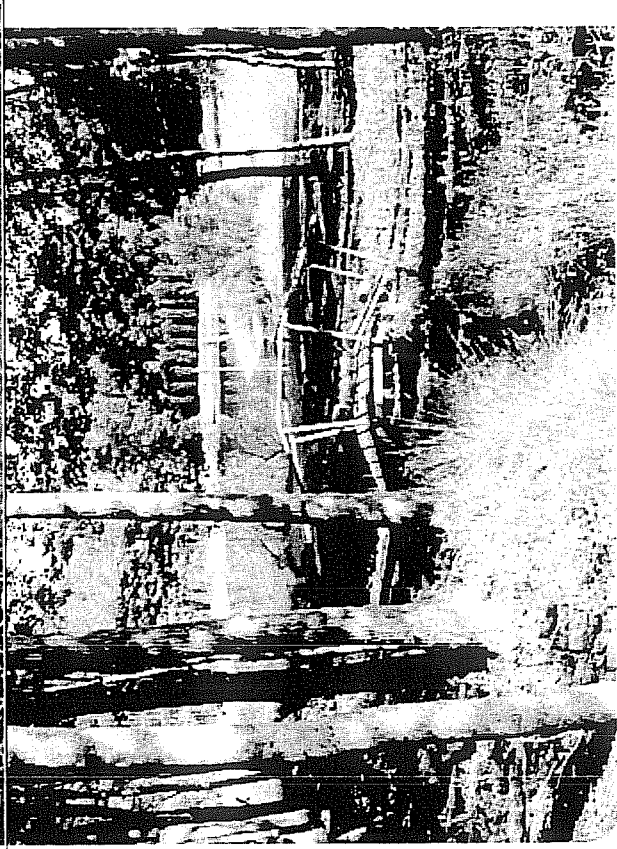
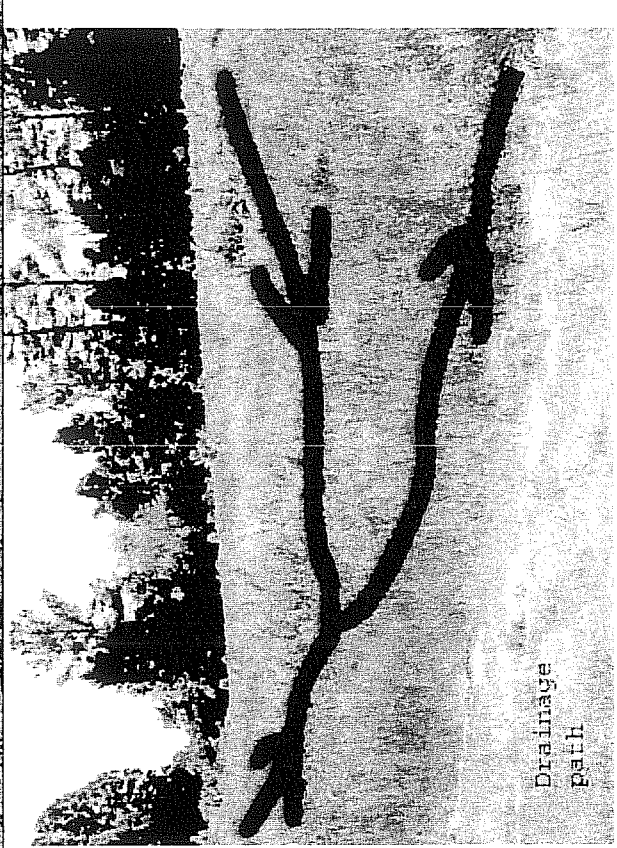
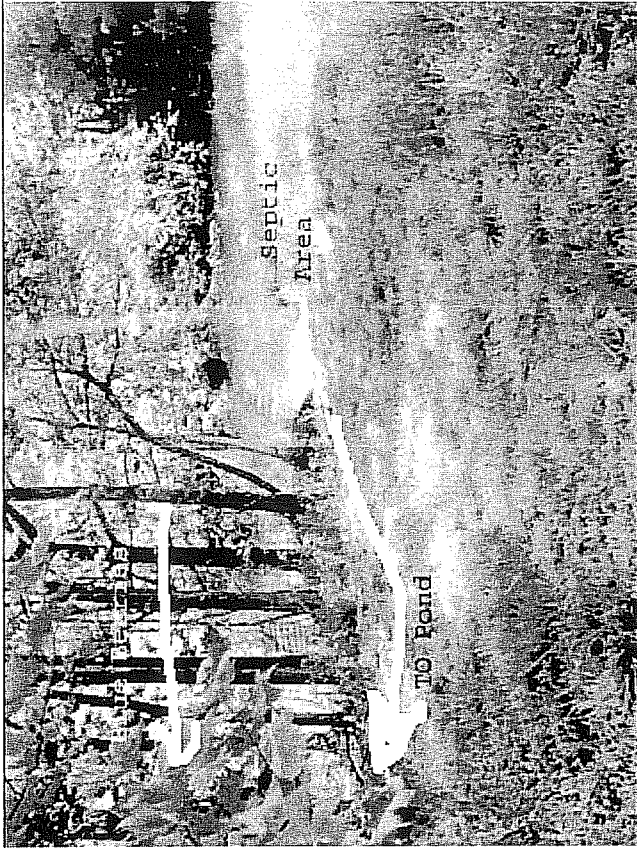
Is the requested permit consistent with the objectives of Chatham County's Land Development Plan?

My question to this panel? If this property is zoned commercial, can you assure me that

- **That a 150 ft buffer with earthen berm and landscaping is sufficient so that the integrity or character of the surrounding area won't be affected?**
- **The grading and altering of the topography will not dry up the pond or affect the water quality which will effect the integrity or character of the surrounding or adjoining districts, and will ...be detrimental to the health, safety or welfare of the community.**
- **This strip mall will not adversely affect our property value. (We have asked P.H. Craig, real estate appraiser, to address that issue)**
- **In five years you'd bring your children or grandchildren to eat blueberries and fish and swim in the pond.**



septic field



May 15, 2006

Chatham County Planning Department

My wife and I are asking that you deny a request by Jesse Fearington and Earl Thomas to rezone existing residential property at the intersection of U.S. 15-501 and S.R. 1527, Morris Road, Baldwin Township in order for them to place a strip mall at that location. We feel that after you review and consider the points we have listed you will deny their application for rezoning.

1- My wife and I purchased our home at 21 Kentview Drive in the Kentview South subdivision 9 ½ years ago because we liked the rural atmosphere. We both grew up on NC farms and were looking for a rural environment. Our home is on the corner of Kentview & Morris Road. It faces Kentview Drive and goes back approx. 400 feet on the left side on Morris road. This entire side of our property directly faces the proposed strip mall. In order to ensure a rural atmosphere, and for privacy, we bought Lot 2 on right side of our existing property from Jesse Fearington and Earl Thomas about 1.5 years after our initial purchase. We felt that since the property in front of us was already developed, and we owned the property to our right, and the fact that the property on the left was zoned residential would ensure us a peaceful, quiet place to live. We are now retired and we bought our home with the intention of living here as long as we are able to. Now the same people, Jesse Fearington and Earl Thomas, who developed Kentview South and Kentview North want to place a strip mall next to us.



2- The proposed strip mall will greatly impair the integrity and character of Kentview South and North as well as other properties in the area. Increased noise, lights and traffic will be detrimental to the welfare of our community. This is in direct conflict with item 3 of the Chatham County Zoning Ordinance. I also feel there will be a negative impact on property values. I am not an expert but I am licensed as a Real Estate Broker and have some knowledge in this area. I was unable to obtain an appraiser in the short time frame I had but plan to do so and submit a report to you on the financial impact to existing property on Morris Road.

3- There are drainage issues. I now have a Tort Claim filed with NCDOT regarding excessive water that flows across the two lots that my wife and I own since the 15-501/Morris road reconfiguration. More water from the proposed strip mall will only add to the problem. This is in conflict with item 5 of the Chatham County Zoning Ordinance.

4- Jesse Fearington and Earl Thomas have a right to develop their property, but not at the expense of the people that are already living here. Their rights end where ours begin. There should be residential development of the property as it is now zoned. We all expected the property on Morris road would be developed some day as residential, but not commercial.

We are asking that you deny this application so that the residents of Kentview South & North, as well as others in the community can go on living our lives as we now do.

Thank You.

William B. and Annette H. Sutton

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