

# Public Hearing

Date May 21, 2007

Item # 24

A request for a conditional use light industrial permit for a multi-use building for uses including festivals, concerts, horse auctions, plays, and benefit sales on approximately 17.37 acres of Parcel No. 73961 consisting of 77.62 acres located at 245 Buckhorn Rd. (SR1921), Cape Fear Township.

## LEGISLATIVE HEARING

On a Request by Carter Crawford for Paul Austin

Each speaker must sign up in advance of the hearing and his/her comments shall be limited to not more than three minutes. No speaker may yield unused time to any other speaker. The maximum length of any legislative hearing shall be not more than 30 minutes for the proponents in support of a request and not more than 30 minutes for those in opposition.

Check One		Name	Complete Address with Zip Code	Phone Number
For	Against			
✓		Carter Crawford	400 Heritage Village Ln Apex NC 27502	387-8218
✓		Todd Roper	1160 SILL HOPE LN Rd Silver City NC 27344	919-742-5656
	✓	Loyne Hurley	16 Maplewood Pittsboro 27312	919-3449
	✓	STEVE POWERS	MONCURE, NC 27559 157 NEEDHAM CANE	545-0355
	✓	Phillip Frazier	670 Buckhorn Rd. Moncure, NC 27559	919 776-3079
	✓	DONALD PARKER	1635 PALLERHEAD RD PITTSBORO NC	545-4204
	✓	JOAN FRAZIER	690 Buckhorn Rd	776-3019
	✓	Jed Cross	1759 NC HWY 42 MONCURE NC	776-6455
	✓	John Helbling	1761 NC HWY 42 MONCURE NC	776-5985
	✓	JONATHAN CAWLEY	1773 NC 42 MONCURE NC	718-5725
	✓	Virginia Gille	1909 AVENTS Ferry Rd SANFORD NC	258-3846

3:

8:54

9:08

9:10



**Date:** May 21, 2007

**To:** Chatham County Board of Commissioners  
Chatham County Planning Department

**From:** Southeast Chatham Citizen's Advisory Council

The attached remarks apply to all three proposals relative to "Austinville", Corinth Community, Southeast Chatham. They are submitted for public input by Carter Crawford for Paul Austin. These proposals are listed on the May 21, 2007, BOC Agenda in reference to public hearing agenda items numbered 23, 24, 25 as listed below:

22. **Public Hearing Request to Rezone Acreage:** Public hearing to receive public input on a request by Carter Crawford for Paul Austin to rezone approximately 17.37 acres of Parcel #73961 consisting of 77.62 acres located within an RA-40 (residential/agricultural) zoning district to Conditional Use Light Industrial, located at 245 Buckhorn Road (SR #1921), Cape Fear Township (Attachments)

**The following require sworn testimony:**

23. **Public Hearing Request for a Conditional Use Light Industrial Permit:** Public hearing to receive public input on a request by Carter Crawford for Paul Austin for a conditional use permit for private and public recreation camps and grounds on approximately 20 acres of Parcel #73961 consisting of 77.62 acres. Located within an RA-40 (residential/agricultural) zoning district, at 245 Buckhorn Road (SR #1921), Cape Fear Township (Attachments)
24. **Public Hearing Request for Conditional Use Permit for Private and Public Recreation Camps:** Public hearing to receive public input on a request by Carter Crawford for Paul Austin for a conditional use light permit for a multi-use building for uses including festivals, concerts, horse auctions, plays, and benefit sales on approximately 17.37 acres of Parcel #73961 consisting of 77.62 acres located at 245 Buckhorn Road (SR #1921), Cape Fear Township (Attachments)

**Public Hearing for Austinville Proposal**  
**Monday, May 21, 2007**  
**6:00 P.M.**

Good evening ladies and gentlemen. My name is Steve Powers. I am a resident of Southeast Chatham and Vice President of Southeast Chatham Citizen's Advisory Council. Our citizen's group has considered the proposal by Mr. Austin and we have voted as a group to oppose this project. With your permission, I would like those who join us in opposition to this project to please stand.

We have carefully considered the five findings as outlined in Mr. Austin's proposal. We respectfully disagree with those five findings.

**Finding #1:** While the uses outlined in the application may fall within the guidelines set forth by the County Land Use Development Plan, the uses are not compatible with the surrounding area of the project. Light industrial is certainly not an automatic use in this district and we do not desire and industrial zoning in our immediate community.

There are 93 family homes within a 1 mile radius of the project. The surrounding area is residential, populated with families and senior citizens who have lived there for many years or all their lives. There are few rental properties in the area. This project is not in the best interest of the community since previous events hosted on this property by Mr. Austin have created disturbances for the neighbors, damage to neighbor's property, drinking and rowdiness by attendees, loud music that can be heard for miles, also reported by families to SCCAC officers, and continues late into the night. Numerous calls have been made to the Sheriff's office concerning the disturbances. Residents of the community are left with cleaning up the debris including beer bottles, cans strewn about by horse back riders from the events. See maps pgs. 6 and 7.

Mr. Austin states that existing trees will screen the area, however in April of 2005, Mr. Austin had the property clear cut of the timber. Piles of brush and debris remain on the property. If Mr. Austin started immediately to plant an opaque evergreen landscape to shield the park from view of his neighbors and Buckhorn Road it will be a very long time before that objective will be accomplished. This opaque evergreen landscape will not mitigate the noise problem.

**Finding #2 Need and Desirability:** The proposed project is within 1/2 mile of Buckhorn United Methodist Church (our church), that has been the foundation of our community for over 200 years, our

community center (jointly owned by Buckhorn Church and Christian Chapel Church), land purchased for Buckhorn Church Parsonage and our children's playground. Very noisy, crowded, rodeos, music festivals, motor homes and travel trailers with loud all night drinking parties are not compatible with our community. These negative aspects do not coexist with tourism and this is not the kind of tourism that we believe is wanted or needed in our community or Chatham County.

Previous rodeos and music concerts hosted by Mr. Austin have had a very negative impact on the neighbors. This proposal has no positive features for the communities of Brickhaven, Corinth and New Hill and has only negative features that will impact the quality of life for the residents of these areas. We do not need a repeat of the problems long associated with the US 421 Sports Arena.

An RV park is not necessary. There is an existing RV Park with 108 slots located less than 4 miles from the proposed site that is large, well maintained and on a major traveled road.

A venue for livestock and horse shows is currently available to people wishing to attend such an event within 5 miles of the proposed site. Ovation Farms is a beautiful and well designed, well maintained property on NC 42 that provides ample off road parking for the attendees. It is situated on 100+ acres. There are 2 roads providing ample ingress and egress. The corrals and barn are well back from the road and the surrounding residential area.

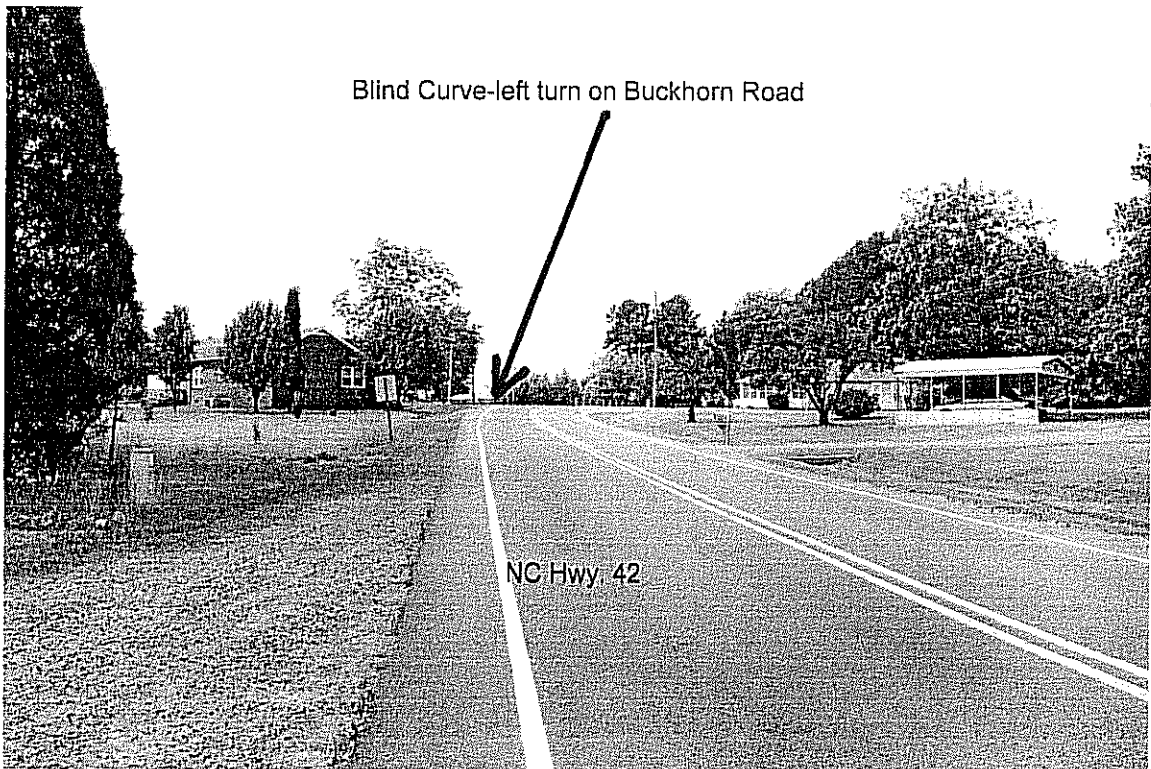
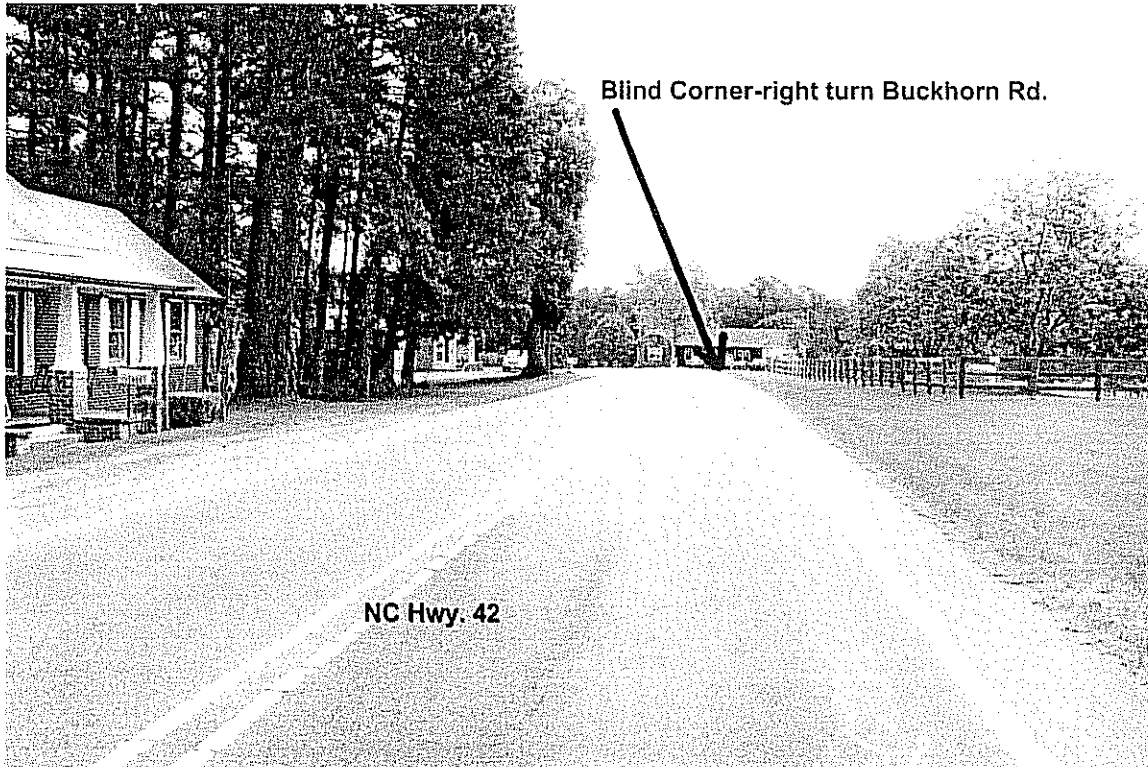
**Finding #3 Emergency Services:** Since Mr. Austin has owned this property, purchased in April of 2000, and hosted the Austinville events, there have been numerous events where Law Enforcement or EMS response has been required.

They are:

- 1 EMS call and patient was airlifted to the hospital
- 2 Trespassing reports
- 1 Vandalism report
- 1 Larceny report
- 1 event that required Sheriff's Department Assistance
- Noise complaints

Buckhorn Road is a residential 2 lane road that is a 20 feet wide, partially paved, partially dirt and ends in a dead end near Buckhorn Dam. The traffic that will be generated by motor homes, cars and trucks pulling campers and horse trailers will create a danger to the residents and motorists on both Buckhorn Road and NC 42, a major 2

lane road without turn lanes. The NC 42/Buckhorn Road intersection is a dangerous intersection as it is due to the amount of traffic on NC 42 and the blind curve of NC 42 at Buckhorn Road.



The proposed site plan has a single ingress/egress to the property. This poses additional problems in the event of an emergency. During an event hosted by Mr. Austin one of his guests was critically injured by falling from a horse. That person had to be airlifted to the hospital. It is apparent that no consideration has been given to a possible re-occurrence of a similar event.

**Finding #4 Land Use and Development Plan:** This project can hardly be termed "high quality" Open Space, Recreation Historic and Tourism Location. Mr. Austin has displayed to his neighbors and the surrounding community, his concept of "high-quality" open space, recreation and tourism locations in the time he has owned his property. He has demonstrated a lack of consideration of his neighbors and the community with the noise, drunken behavior, horse riding on private property and the amount of trash left in yards and on the roadway.

**Finding #5 Water Source and Requirements:** Mr. Austin proposes to install a waste water system that will be a combination of septic system and a "surface application" which can be interpreted as a spray field. While it is apparent Mr. Austin has sufficient land for a spray field it is a source of concern that there will be a problem with odors and possible contamination of neighboring wells. There are several streams on Mr. Austin's property that flow to the Cape Fear River. The Cape Fear River is the source of water for the Lee County Water System. Chatham County currently has a contract with Lee County to supply water to this part of Southeast Chatham. We have obvious concerns for our water quality.

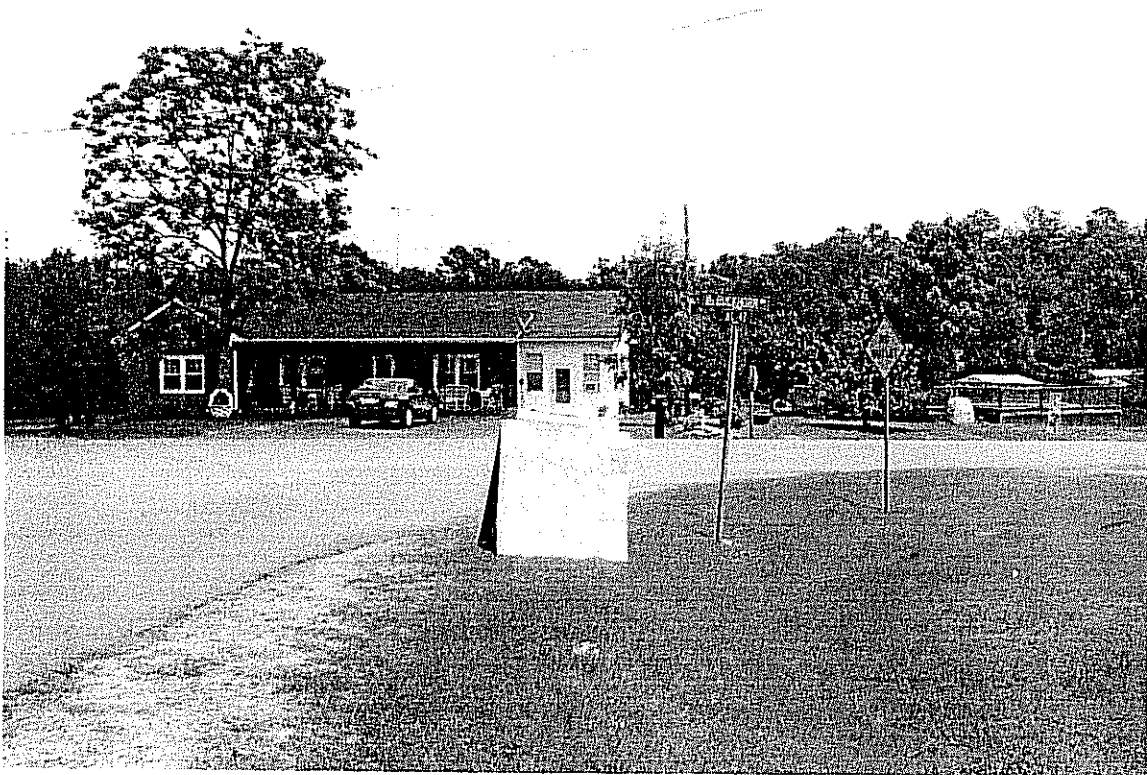
**Additional Comments:** The Corinth Community, since it was founded has been known as Corinth. Many of the Corinth Families are descendants of the founding families it is unconscionable that someone would come in and suggest changing the identity of this community...with no respect for our heritage and family histories.

We question where horses are going to be ridden. Land in our community is privately owned. There may be a power easement on some of these properties but that is only for access by the power company or the owner. Game lands in this area are a very dangerous place for riders because this is a community that hunts the game lands during all allowable hunting seasons and are required to be licensed for that privilege...and obey strict rules of the NC Wildlife Commission.

Mr. Austin is stretching the point that residents of the immediate community either know Mr. Austin well or welcome his project in their

midst. We have personally talked with the members of the immediate community and they have requested that SCCAC formally oppose this project for the reasons outlined in these remarks. These same residents requested the petitions submitted to you this evening in opposition to this project.

Mr. Austin has posted "Austinville" signs advertising his events as well as directional signs at intersections and on major roadways in Lee, Harnett, and Wake Counties. These signs are placed on the right of way or on properties without the land owner's permission. The signs are not professionally produced signs but are "homemade affairs" that remain in place even when an event is not scheduled or has been long over but the signs have not been removed.



To date Mr. Austin has been an undesirable neighbor and there is no reason to believe he would be otherwise if he were granted more options to disrupt the community.

Thank you for the opportunity to speak on this issue of great importance to our community and Chatham County. I respectfully request that you deny this application.



