

## Angela Birchett

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**From:** Lindsay Ray  
**Sent:** Monday, August 24, 2015 4:34 PM  
**To:** Angela Birchett  
**Cc:** Lindsay Ray  
**Subject:** RE: BOC PH

**Angie,**

**Because it was Legislative, I did not have to do the minutes verbatim. I did insert Mr. Glasson's comments verbatim, but I summarized the rest of the hearing. I haven't proofed it very well yet but wanted to go ahead and get it to you. Let me know if you need anything else.**

**Lindsay**

### **PUBLIC HEARINGS**

**15-1371** Legislative Public Hearing request by the Governor's Club Property Owner's Association, Inc. for a text amendment to the Chatham County Zoning Ordinance, Section 7.2 Definitions and Section 10.13 Table of Permitted Uses to change the definition and allowances for Family Care Homes within the R1, R2, R5, and O & I zoning districts.

**Attachments:** [More Information from Planning Department Website](#)

*Jason Sullivan, Planning Director, reviewed the specifics of the request.*

*Joe Glasson, 11408 Governors Drive, submitted the following comments:*

I am here speaking in behalf of the Governors Club Property Owners Association, which represents over 2,000 residents of our community within Chatham County. You have a packet, so let me capsulize.

Amendment as proposed does the following:

- Aligns to NC State Statute 168-22
- Replicates the Town of Pittsboro ordinance
- Clarifies the intent and need of both: with a Y2 mile radius from an existing facility will prevent clustering or concentration of Family Care Homes in residential neighborhoods, undermining the character of the neighborhood
- Provides for continued support of Family Care Homes throughout the County

Why the change? A Family Care Home organization has purchased two multifamily residences with the intent of creating assisted living facilities to seniors within our community. They have an existing facility in the Duke Forest and they do their job well. The Duke Forest facility is on 3.5 acres, in a forested and serene setting. Their arrival in our neighborhood and their accompanying business model is welcome, as we see a few of our current residents signing up and living in their assisted living facility. We are working with them as to related commercial traffic and safety issues. While their Duke

Forest facility is located on 3.5 acres, these two residences occupy less than an acre and have limited access to gardening areas and walking paths (as they advertise) as the residences are surrounded by a golf practice facility and a paved parking lot. Again, we are working with them to create a safe environment.

Possible expansion and the purchase of additional and adjacent residences are of major concern.

Therein lies a major safety issue for us as well as them. Simply, too little space to accommodate their business model with a golf course abutted to the possible purchases. We don't want to exclude Family Care Homes in our community. A fair market already exists for access to senior care facilities. While one may envision Fearington

Village's Galloway Ridge or Carolina Meadows, their original business models encompassed those services and were planned and executed accordingly. Ours did not, nor was it intended to. And, a new facility has opened very near to us, on 15-501 at Lystra Road, offering full care senior services in a wonderful facility sitting in a commercially zoned area. Solid options exist and others may well come.

On behalf of our Property Owners Association, we request this change, which aligns the County with the North Carolina Statute (168-22) and is modeled after the effective and existing ordinance in the Town of Pittsboro. This is a common sense approach for our County. Thank you.

**Commissioner Hales asked if there is a one acre property currently with a facility in Governor's Club.**

**Mr. Glasson stated there are two properties that are not contiguous and they will operate those two residences as one facility. The concern is that they could buy three additional residences adjacent to that. Those properties adjoin the golf course and the out of bounds line of the golf course is on the property of those residences. They believe that poses real safety issues. Clustering several of these family care homes together also creates commercial traffic issues for the neighborhood.**

**Commissioner Howard stated she is trying to understand what the perceived danger is.**

**Mr. Glasson stated Live Well does good work and they would like the residents of Governor's Club to have access to the current adult care home facility. They are working with Live Well to make sure there are safety measures in place because the residences are right next to the golf practice facility and some of those golf balls do come up on the decks of those residences. The concern is that the developer would sell additional residences for the purpose of becoming adult care facilities and that could pose a great safety concern. They also don't want to change the character or the neighborhood.**

**Commissioner Howard asked if there had been interest in the other residences. Mr. Glasson stated yes. Commissioner Howard if this would be limiting a place like Carolina Meadows to expand. Mr. Glasson stated no. Those communities were planned to have these facilities in place. Governor's Club was not planned to have these types of facilities.**

**Commissioner Howard asked if this issue has to be addressed through ordinance or could it be addressed through their homeowners association. Mr. Glasson stated their covenants are too ambiguous to challenge it.**

**Chairman Crawford asked if the residences are on separate parcels of land or are there several residences on one parcel. Mr. Glasson stated the two residences that have been purchased are each on a separate parcel with one residence in between them. Chairman Crawford asked how the half mile rule would apply to those two residences. Mr. Glasson stated those two residences are acting as a single facility so the half mile rule would apply to the two of them together.**

**Chairman Crawford asked for clarification on the number of beds needed to meet the requirement of being a family care home. Mr. Glasson stated six beds or less.**

**Commissioner Howard asked if they could amend their covenants. Mr. Glasson stated they could amend their covenants but someone could sue them over the fact this has already been done.**

**Vice Chair Cross suggested the Board turn the issue over to the Planning Board.**

**Chairman Crawford stated the Board did appreciate hearing from Mr. Glasson but it also needed to hear the result of the Planning Board's deliberations and the advice of staff because the Board's decision will affect the entire County.**

Lindsay K. Ray

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"Go the extra mile. It's never crowded." – Author Unknown

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**From:** Angela Birchett  
**Sent:** Monday, August 24, 2015 1:52 PM  
**To:** Lindsay Ray  
**Subject:** RE: BOC PH

Ok.

**From:** Lindsay Ray  
**Sent:** Monday, August 24, 2015 1:28 PM  
**To:** Angela Birchett  
**Cc:** Lindsay Ray  
**Subject:** RE: BOC PH

Angie,