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**Dissenting opinion for the Northside Conservation District**  
**Prepared by Mark R. Patmore, Rick Perry and Matt Robins.**

**Duplexes:** - Duplexes, just like town homes, single-family houses, condos, and apartments provide a necessary function within our society. Out right prohibition would not only increase the cost of living for our citizens but also decrease the availability of affordable rental units for our growing town.

Also For many of our citizens who have been holding on to their land to realize its full economical potential are going to be pretty up set when they find out that due to an act of council that their property is worth significantly less as a single family lot than it was as a duplex lot.

Though I am against outright banning of duplexes, I do feel that they should have certain restrictions and design criterion placed on them such as providing enough parking for the tenants, so as not to cause congestion on the streets, and maintaining the appearance of a single family dwelling should also be encouraged.

**Notification process:** - We find that this proposal is unnecessary, what a private citizen does on their private property is between the owner of the land and the town of Chapel Hill. If the owner wishes to put a structure on or alter their property and it complies with the building and zoning laws. That is nothing to do with someone four blocks away. They have no ability to influence what that individual does as long as it complies with the underlying laws and codes. If citizens wish to be informed then the town should send out a mailer to every one in the district, requesting contact information from citizens **who wish to be notified** and for them to provide email, mailing address etc. and when some one requests a zoning compliance permit, they can be emailed and notified. The costs of the mailing should be the responsibility of the town and the people wishing to be informed not the property owner. This process will cause unnecessary delays to the owners of buildings within the Northside.

**Building permit Notification:** -Should we really have to notify some one the other side of the neighborhood that I am building a deck on my house or repairing the wiring or plumbing, all of which require a permit?

**Maximum House Size:** - **This is not a second-class neighborhood!!!!!!!!!!** Why should we, your tax paying citizens have a cap put on our property values, when if you go across Franklin Street, you can have as big a house as you want. This is without a doubt trying to cap the market value of the taxpayer's property. This proposal for the sole purpose of influencing the value of the property and to discourage investors goes way beyond the intent of the zone power of the council. Another example of this rule would be, I own some land in the north side that is over 1.5 acres, according to this, the biggest house I could build would be 2,500 sqft, (with a variance) yet I could subdivide the

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property and put on about 10\* 2,500(with variances) properties, totaling 25,000 sqft. With a total number of occupants of 40,with the possibility of 40 cars. Sounds kind of silly to me.....

**Maximum Building Height:** - Most, if not all the buildings that have come into question concerning their height are on significantly steep sloped lots; My own personal home in the north side is one of these. I basically had 2 choices a) build an underground house, or b) build it level and make up for the difference in grade by installing a basement to support the house. Unfortunately that means I have a tall wall at the front of my house. This restriction would of prevented me from building on this land and rendered it useless. Another alternative would be to put on the restriction of 20' but land that has a slope you are able to bring the land up to level grade, without this being taken into the maximum high restrictions.

Diagram 1

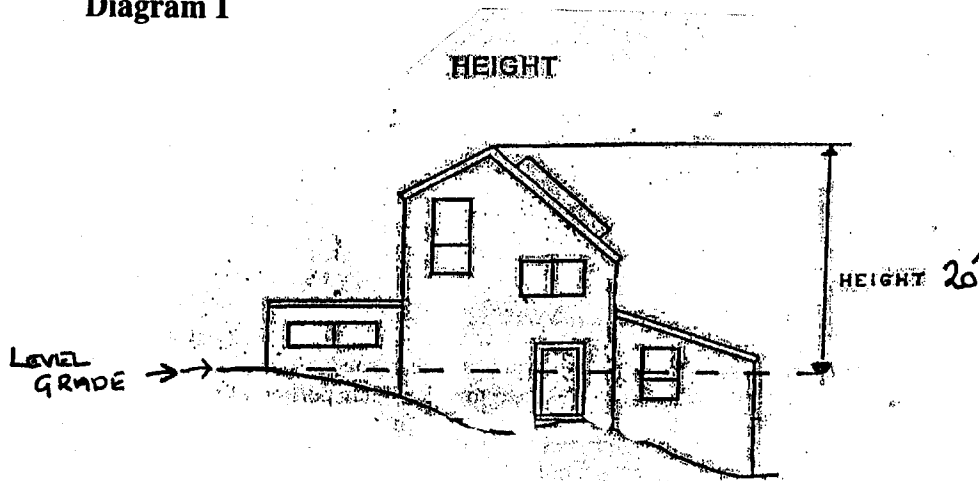
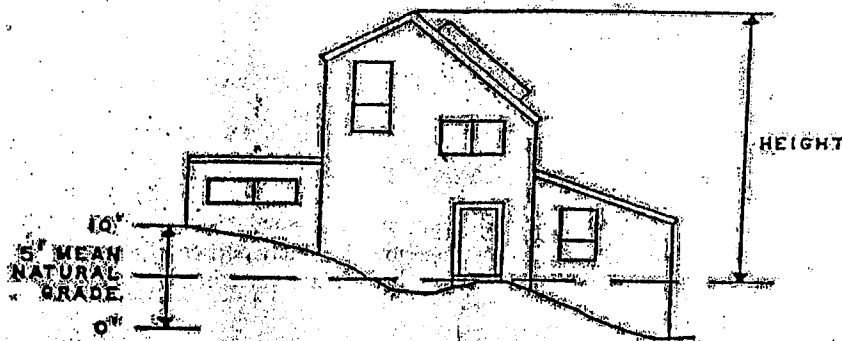


Diagram 2(current regulations) Note Mean grade HEIGHT



**Floor Area Ratio:** - a significant number of lots in this area are historically small imposing a floor area ratio, again influences the value of the property. This again is not a second-class neighborhood where if you want to live in a bigger house you have to move out of the neighborhood. We should be trying to encourage people to move into the neighborhood not force them to leave.

**Bath to Bedroom Ratio:** - How many Families do you know want a 3-bedroom house with only 1.5 bathrooms. This provision would surly put off families from moving back into the neighborhood. Since they can't have a house bigger than 2000 sqft or have more than 1.5 baths in it.

**Closing comments**

Over the past several months it has become apparent that the sole purpose of this Conservation district is to discourage people mainly investors from investing in this neighborhood. Over the past seven years of living in the Northside I personally have welcomed the investment that people have put into this area, and yes many of them have been investors. My response to that is, so what if they are, would I rather have an investor putting money into a house or no one investing in these houses and having them run down and dilapidated. I would have the investor any day of the week. (Pictures are available for all the properties that I have purchased over the past 7 years that demonstrate quite clearly the before and the after).

In closing, absolutely nothing has been done within the committee that would encourage families, investors or builders for that matter to promote or encourage families to move into the Northside. Quite frankly if I was looking to start a family or buy a house for my growing family, this would be the last place I would look if we imposed these restrictions. The restriction that have been proposed no way meet the needs of todays families.

A handwritten signature in black ink, appearing to be 'R. Smith', written in a cursive style.

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**NORTHSIDE NEIGHBORHOOD CONSERVATION DISTRICT  
Zoning Worksheet Dissenting opinion**

Duplexes	No (currently)	No (currently)	No (permanently)	Yes with design standards
Zoning Compliance Permit	Not addressed	Not addressed	Owners within 100 ft must be notified	Mailing list of those individuals that want to be informed
Building Permit Notification Procedures	Not addressed	Not addressed	Owners within 100 ft must be notified	No notification required
Front Yard Parking (maximum)	40%	40%	Same as underlying district	40%
Occupancy (Single Family and Two Family)	4 unrelated persons per unit	4 unrelated persons per unit	Same as underlying district	4 unrelated persons per unit
Maximum House Size (single family)	Not addressed	Not addressed	2,000 sf	This is not a second class neighborhood
Max. Building Height (Primary)	29 ft	29 ft	20 ft 25 ft in TC-2	25 ft (residential) 30 ft in (TC – 2) if adjacent to residential; otherwise 40 ft
Max. Building Height (Secondary)	60 ft	50 ft	35 ft 90 ft in TC-2	35 ft (residential); 50 ft in TC 2

Maximum Floor Area Ratio (single family or single family with accessory apartment)	None	⑨ None	.25	none
Maximum Floor Area Ratio (non-single family)	.162	.093	.162	.162
Impervious Surface	.24	.24	Same as underlying district	.24
Bathroom to Bedroom Ratio	Not addressed	Not addressed	Less than 1	In the interest of hygiene most people want their own bathroom
Minimum Lot Size (Single family detached)	5,500 sf	10,000 sf	Same as underlying district	5,500 sf
Minimum Lot Size (Two-family dwelling)	12,446 sf	21,780 sf	Same as underlying district	
Maximum Density (non-single family)	7.0 units/acre	4.0 units/acre	Same as underlying district	
Minimum Frontage	40 ft	52 ft	Same as underlying district	
Minimum Lot Width	50 ft	65 ft	Same as underlying district	
Min. Street Setback	24 ft	26 ft	Same as underlying district	
Min. Interior Setback	8 ft	11 ft	Same as underlying district	
Min. Solar Setback	11 ft	13 ft	Same as underlying district	
Parking Spaces Single Family Two-Family/Multi-Family • Efficiency • 1 or 2 bedrooms • 3 or more bedrooms	2 per unit  1 per unit 1.5 per unit 2 per unit	2 per unit  1 per unit 1.5 per unit 2 per unit	Same as underlying district	4 per unit if the parking is behind or to the side of the building
Building Size, Massing (frontage, <del>1978, 2003</del> location/features)	Not addressed	Not addressed	Same as underlying district	