

446

**ATTACHMENT 6**

## **Citizen Correspondence**

45

Chapel Hill Planning ~~Board~~ Dept.

January 19, 2004

Dear Sirs;

In reference to your announcement of a public hearing on the creation of a conservation district for the Northside, I do not think is fair to state that protest petitions regarding the conservation district must be filed by Friday, January 16, 2004, when you didn't mail the announcement until January 14, 2004 ( any interested person could not possibly have received it before the 16<sup>th</sup>) and the public hearing is not going to be held until January 21, 2004. What chance does a person have to protest?

I request that you extend the period for filing protests.

Sincerely,



Eva Metzger  
750 Weaver Dairy Rd.  
#182  
Chapel Hill NC 27514

cc: Town Council

M+TC  
scan 1/22/04  
J

(46)

Buz Lloyd  
205 Carr St.  
Chapel Hill, North Carolina  
27516

January 21, 2004

Town Council  
Town of Chapel Hill  
306 N. Columbia St.  
Chapel Hill, NC  
27516-2113

Gentlepeople:

I write regarding the proposed "Northside Conservation District" as an eighteen year resident (one year at 406 W. Rosmary St. while a student and the resident homeowner of 205 Carr St. since 1987, a landlord and a realtor in this community since 1977.

To begin with, the designated area is not one homogenous neighborhood but is actually two residential neighborhoods and a commercial district. The area east of Church St., and south of Noble St. has little in common with the rest of the proposed "conservation district" other than its desirability as student housing and its geography. And the commercial property along Rosemary St. has little in common with either of the two residential districts.

Aside from the matter that rents that parents of students are willing to pay drive property values to a level that affording to own a house on either side of Church St. becomes problematic for a lot us (a result of the inevitable realities of supply and demand), the principal problems this proposal is intended to address are unruly student tenants and, perhaps, an excessive quantity of motor vehicles for the amount of available parking space.

With regard to unruly residents, we already have ordinances in place to deal with them which are readily enforceable upon sufficient report to the proper authorities. The University has made it clear that the univeristy will not tolerate misbehavior by its students living off campus. And the town's own statute requiring registration of rental properties and landlords provides a mechanism for identifying the landlords and residents of properties where tenant behavior warrants intervention.

The problem that most concerns me as a property owner and resident is the excessive numbers of motor vehicles parked in yards which once were pretty to look at. In the part of Northside where I live, former lawns, now barren dirt parking lots, do more to compromise the desirability of living in Northside (not to mention property values) for HOMEOWNERS than any other problem ostensibly addressed by this proposal. On this matter, the proposed rules for the "conservaiton district" are silent.

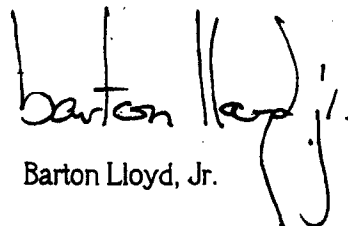
Limits placed on numbers and where vehicles might be parked could achieve the effect of all the proposed rules limiting expansion of residences more efficiently and without the undesired consequences of restricting homeowners rights to enjoy, expand and/or remodel their property.

217

Chapel Hill Town Council  
January 21, 2004  
page 2

I respectfully request that the council give some serious consideration as to whether the  $\infty$  geography and  $\infty$  convoluted, onerous and restrictive rules contemplated for this "conservation district" are the best possible means to a remedy for the problems at hand.

Sincerely,

  
Barton Lloyd, Jr.

**Joyce Smith**

45

---

**From:** Carol Abernethy on behalf of Cal Horton  
**Sent:** Wednesday, January 21, 2004 3:28 PM  
**To:** 'jeff'  
**Cc:** Council Member Sally Greene (w); Bill Strom; Council Member Cam Hill; Dorothy Verkerk ; Ed Harrison; Jim Ward (w) ; Kevin Foy; Mark Kleinschmidt ; 'Jim Ward'; 'Edith Wiggins'; Toni Pendergraph; Cal Horton; Flo Miller; Joyce Smith; Ralph Karpinos; Sonna Loewenthal; Owen Franklin; Emily Dickens  
**Subject:** Citizen Comment-Northside

A copy of your email message has been forwarded to each Council Member.

*Carol Abernethy  
Exec. Asst., Manager's Office  
Town of Chapel Hill*

-----Original Message-----

**From:** jeff [mailto:jmallett@thehatterasgroup.com]  
**Sent:** Friday, January 16, 2004 12:11 PM  
**To:** Town Council  
**Subject:** Northside Neighborhood

Jeff Mallett  
The Hatteras Group  
1829 E Franklin St  
Suite 200 E  
Chapel Hill, NC 27514  
919-929-7300

44

January 16, 2004

Mayor and Council

I am a property owner of rental property located in the first block of Pritchard Ave. I have been a resident of the town for 30 years.

I have a few questions and thoughts on this overlay to the Northside Neighborhood.

1. It is my contention that the area designated as the Northside Neighborhood is too large, therefore has many different needs for the town. Yes, it has different types of R density levels including O/I which only points this out that the district is so large that an overlay should not be put on top of what is already in place. Do we really need more regulations?
2. I would suggest that the areas on Rosemary and Pritchard that are "student areas" be taken out of the overlay map. There are only a few owner occupied homes in this area and will not effect most the small vocal group that has been pushing for these changes.
3. The town has talked about infill and reducing the automobile traffic uptown. The new overlay will defeat this stated goal for the town. The council can't have it both ways.
4. I agree that duplexes, that would help the infill question, do not "fit" in an old established neighborhood. But, the ratio that is being proposed .25 is so small that there are not many lots that would allow a decent size house (up to 2000sq ft) to be built on it. How many empty lots are we talking about? What size house could be built on these few lots with the current town regulations?

I would like the Council to really consider if this proposed overlay is necessary or is it to satisfy just a few vocal residents! What will be the impact on the neighborhood if only duplexes were disallowed?

Sincerely,

Walter Mallett

OFFICE PHONE

942-2509

FAX

942-2586

RESIDENCE PHONE

942-6354

(50)

# First Baptist Church

*"A Friendly Church with a Vital Program"*

106 N. Roberson Street

Chapel Hill, North Carolina

J. R. MANLEY, *Minister*

January 21, 2004

TO: The Mayor and Members of the City Council

FROM: Dr. J. R. Manley, Pastor  
First Baptist Church



RE: Neighborhood Support

This is to say that I have been a long time resident of the Northside Community as a person who lived in the area, a person who owns property in the area and a Pastor in the area. I recognize the value of the sense of community and a sense of neighborliness in a neighborhood. As I read the word Neighborhood defined in the dictionary as people living near one another, a section lived in by neighbors and usually having distinguishing characteristics, friendly people relating to each other. This is very much a characteristic of the Northside Community.

I therefore, support the Northside Neighborhood Conservation District and their recommendations to the Council.

(5)

To: Chapel Hill Town Council

From: Eva Metzger, Citizen and Property Owner

Date: January 21, 2003

Subject: Northside Neighborhood Conservation District

There are philosophical reasons to object to a government body ruling on the uses to which private citizens may put their property, of which I'm sure you are aware. I have not been able to settle in my own mind whether or not it is proper or wise for the town government to interfere on the whole in this case.

I do think it would be unwise to include the properties facing West Rosemary Street and North Columbia St. from Rosemary to Carr St. in this district. The Conservation District is meant to protect a residential area. Most, if not all, of the properties on Rosemary and about 75 percent of those of North Columbia are Office/Institutional or Commercial and do not lend themselves to residential rulings that are being proposed.

Putting these properties in a restrictive conservation district will be detrimental to the future vitality of downtown Chapel Hill. I ask you to eliminate these properties from the proposed district.



## AN IDEA FOR ENCOURAGING THE DEVELOPMENT OF AFFORDABLE HOUSING IN CHAPEL HILL

The high cost of housing in Chapel Hill results primarily from the high cost of approved developable land. An approved housing site consists of several components, including the raw land cost and the developed land costs incurred during and as a result of the project approval process.

The current suggestion that a developer include 15% affordable units in a project tends to contribute to the high cost of housing. In order to achieve a normal financial return, the developer must add to the cost of the non-affordable units in order to subsidize the affordable units. There is also a tendency to build smaller and less desirable units in order to minimize the financial impact on the non-affordable units. Thus, the non-affordable units keep getting more expensive, and the affordable units are not as desirable as they could be.

In order to encourage the development of affordable housing units the cost of the developed site could largely be removed as a component of affordable housing units. This absence of developed site costs for the affordable units would impose a requirement that the developer to discount those units without adding to the cost of the remaining units. For projects requiring a special use permits, the developer could be allowed to include an additional percentage of housing units (say, 15%) beyond that allowed in the FAR calculations for the site, **if the sales or rental costs for those units is only based upon the construction costs for the units, and does not include the land or approval costs.** The site costs could be based upon the appraised value of a typical site based upon the number of units allowed by the standard FAR calculations. This removal of the land value could remain a permanent feature of the subsequent resales, with the property first offered to qualified lower income buyers, if available.

The potential slight increase in density for these projects could be allowed only for sites where the context would not be adversely affected. Since these projects could only occur within the Special Use process, the Town would have adequate opportunity to consider the suitability of each site for this benefit.

An example of 1250 SF townhouse units illustrates the effects:

<u>sample townhouse project-bonus units</u>	<u>non affordable units</u>	<u>affordable units</u>
land per unit	\$35,000	
development cost	\$ 5,000	
added site costs	\$10,000	
construction cost	<u>\$125,000</u>	<u>\$125,000</u>
total cost	\$175,000	\$125,000
margin @ 15%	\$26,250	\$18,750
realtor @ 6%	<u>\$13,000</u>	<u>\$ 9,900</u>
<b>sales price</b>	<b>\$214,250</b>	<b>\$153,650</b>
	85% of units	developer subsidized
<u>current townhouse project</u>	<u>non affordable units</u>	<u>affordable units-15%</u>
land per unit	\$40,250	
development cost	\$5,750	
added site costs	\$11,500	
construction cost	<u>\$143,750</u>	<u>\$125,000</u>
total cost	\$201,250	\$125,000
margin @ 15%	\$30,187	\$18,750
realtor @ 6%	<u>\$13,000</u>	<u>\$9,900</u>
<b>sales price</b>	<b>\$244,437</b>	<b>\$153,650</b>

- Introduction
- Duplexes are a desirable part of the “fabric” of housing in a community
- Consensus on “Problem” with duplexes
  - Size
  - Appearance
- Fix those problems, but keep duplexes as a reasonable option
  - Choose reasonable size limits
    - Limits in keeping with the lot size
    - Limits in keeping with the zoning
    - Having varying limits is in keeping with the same philosophy behind “neighborhood” districts and zoning districts – i.e. not a one-size fits all solution.
  - Set up reasonable design review
    - Give some reasonable guidelines, but let the site drive the design
    - Keep review requirements “in-scale” with the size of the project – these are not million dollar complexes, so don’t ask for \$25,000 worth of study materials.
- The cost of over-regulating this issue (What is happening places other than North Side):
  - Chapel Hill has finite opportunities for housing
  - “The Market” will still find uses for in-fill property, but in the face of over-regulation, designers and investors will turn away from duplexes as an option. The “business” community makes a buck no matter what.
  - “In-fill” housing will become, by default, nothing but single family homes. (It is not usually economically feasible to apply for subdivision approval for small parcels.)
  - New in-fill homes on “premium” over-sized lots will be “premium-type” homes. Ironically, restricting the availability of housing makes all the more sure that this type of construction will be lucrative... builder and home owner will both be very happy with the arrangement.
  - Duplexes that are built under overly-restrictive rules will be built for only the narrowest targeted purpose (student housing, affordable housing, managed care housing, etc.), and will be forever limited in their usefulness as general purpose housing..
- Summary:
  - Loss of potential housing units (that could be built using existing infrastructure!!!)
  - Pressure to increase the size and cost per unit to capture the usefulness of larger lots
  - No assurance that new construction on larger lots will be in scale to existing neighborhoods
  - No economic incentive to create better housing choices
  - A useful and affordable housing option is no longer flexible enough to use for average families
  - The “fabric” of our housing has another hole in it, a gap between the smallest and largest housing choices.

PLEASE COPY FOR COUNCIL (5)

FOR AN EXCELLENT LOOK  
AT THE ISSUES:

MHTC  
SCAN  
1/22/04  
CJ

WWW.FIVEPTS.COM/  
GAINESVILLE\_FINAL.PDF  
(DR. ERIC D. KELLY AT BALL STATE IN IN.)

- ALSO LOOK AT "GOOGLE"  
FOR "COLLEGE TOWN ISSUES"  
(ROBERT KARRON IN OHIO)

- LOOK AT THE "NEIGHBORHOOD  
PRESERVATION AND HOUSING  
TASK FORCE" UNDER PLANNING  
AT THE CITY OF RALEIGH FOR  
THE REPORT WE DID, GO TO  
OTHER ON THE PLANNING PAGE

\* THE GAINESVILLE STUDY HAS A  
LOT OF CASE LAW AND IS  
A COMPREHENSIVE LOOK  
AT YOUR ISSUES

BRUCE MARTEL

859 0348

(55)

**From:** Roger Waldon  
**Sent:** Monday, January 26, 2004 1:02 PM  
**To:** 'Eva & Bob Metzger'  
**Cc:** Chris Berndt; Loryn Barnes; JB Culpepper; 'Tim Dempsey'  
**Subject:** RE: Northside Conservation District

Good afternoon, Ms. Metzger - -

First, let me apologize for the confusion on Friday morning. It was my understanding that I was to call you to set up a time for us to meet. I must have misunderstood, because I learned (while I was at an out-of-office meeting Friday morning) that you came to Town Hall at 11am expecting to meet me. Very sorry.

Regarding your email, below: The properties designated OI-1 were not overlooked. Here's the information about how the proposed Neighborhood Conservation District rules would apply to your property (which I understand fronts on N. Columbia Street, is currently zoned OI-1, and is included in the area proposed to be covered by the Conservation District):

- No change to the range of permitted uses on your property.
- No change to setbacks.
- No change to buffers.
- No change to front-yard parking restrictions.
- No change to occupancy restrictions.
- No change to minimum lot width or minimum lot frontage.
- No change to impervious surface ratios.
- Change in primary height limit (at setback line) from 29' to 20'.
- Change in secondary height limit (maximum height) from 60' to 35'.
- Duplexes not permitted.
- Maximum house size (single-family dwelling): 2,500 square feet.
- Maximum floor area ratio for single-family house: .25.
- No change to floor area ratio for other uses.
- Notification required to property owners within 1,000 feet if a zoning compliance permit is sought for the property.

Non-conforming features of the ordinance are important. These features mean that if there is any damage to your property, your building can be repaired or rebuilt as it exists today without regard to any changed regulations.

Summary for your property: I believe that the main change is that the lowered height limit may restrict how tall you could go with a future expansion of your building. Given that your property backs up to residentially zoned property, I believe that lowering possible future height of buildings was a purposeful (not accidental) recommendation coming out of the Northside Committee and recommended by the Town Manager.

I hope this helps. Please call me at 968-2731 if you would like to talk about the information in this email message, or any other aspects of the proposed Northside Neighborhood Conservation District.

Sincerely,

1/27/2004

Roger Waldon

(56)

Roger S. Waldon, AICP  
Planning Director  
Town of Chapel Hill  
306 N. Columbia Street  
Chapel Hill, NC 27516  
(919) 968-2731

---

-----Original Message-----

From: Eva & Bob Metzger [mailto:evaandbob@hotmail.com]  
Sent: Sunday, January 25, 2004 10:01 AM  
To: Roger Waldon  
Cc: timdempsey@nc.rr.com  
Subject: Northside Conservation District

Dear Roger;

I understand from conversations with members of your staff that the properties in the North Side Neighborhood designated OI-1 were somehow overlooked in the Committee Report and Town's Report at the Public Hearing on January 21, 2004. I also understand that these properties will be included in upcoming recommendation to amend the Chapel Hill Zoning Atlas to create a conservation district for the Northside Neighborhood and the conservation overlay will not change current standards for OI-1 designated properties.

Thank you and your staff for your help in this matter.

Sincerely, Eva Metzger

---

Scope out the new MSN Plus Internet Software - optimizes dial-up to the max!  
<http://join.msn.com/?pgmarket=en-us&page=byoa/plus&ST=1>

1/27/2004

(57)

**From:** Tim Dempsey [TimDempsey@nc.rr.com]  
**Sent:** Thursday, January 29, 2004 4:37 PM  
**To:** Roger Waldon; Eva & Bob Metzger  
**Cc:** Chris Berndt; Loryn Barnes; JB Culpepper  
**Subject:** Re: Northside Conservation District

Eva,

From my perspective, both the Planning Board and the Northside NCD Committee would support the itemization as Roger laid it out in his email to you. I agree with Roger that the detail should be added to the memorandum before the council votes.

Thanks for raising this issue, so that we can bring complete clarity to the situation.

Tim

----- Original Message -----

**From:** Roger Waldon  
**To:** Eva & Bob Metzger  
**Cc:** Chris Berndt ; timdempsey@nc.rr.com ; Loryn Barnes ; JB Culpepper  
**Sent:** Thursday, January 29, 2004 12:25 PM  
**Subject:** RE: Northside Conservation District

Dear Ms. Metzger - -

I am attaching, below, exerpts from the January 21, 2004 memorandum that was submitted to the Council for the Public Hearing. I believe that these statements cover the questions and situations that have been of concern to you, and are the details upon which I based my last email to you (in which offered my thoughts on how the proposed Northside Conservation District would affect your property).

You are correct that we did not explicitly include discussion in our January 21 memorandum about each of the specific ways in which OI-1 properties would or would not be affected, in the manner I did in my January 26 email message to you. We can include these specifics when the item returns to the Town Council's agenda on February 23.

Thanks for your ongoing interest,

Roger

---

**Excerpts from January 21, 2004 memorandum to Town Council:**

Page 1:

"The area within the boundaries of the proposed Neighborhood Conservation District is currently zoned Residential-4 (R-4), Residential-3 (R-3), Office/Institutional-1 (OI-1), and Town Center-2 (TC-2). The Neighborhood Conservation District would be an overlay district to the regular zoning districts."

Page 7:

"The changes are intended to alter the allowable "building envelope" to result in buildings which fit into the fabric of the neighborhood and be compatible with

(58)

surrounding development. If the overlay provisions are adopted, the scale and massing of future buildings would be more in keeping with the existing character of the Northside neighborhood."

Page 8:

"We believe that the intent of the Committee's recommendations is to regulate new development in the District and that any additions to existing properties would have to comply with the new regulations."

Pages 15-16 of Attachment 1:

"The following Design Standards shall apply to all development within the Northside Conservation District, and are incorporated into Chapel Hill's Land Use Management Ordinance by reference. No application for development shall be approved that does not comply with these standards. For the Northside Neighborhood Conservation District, these standards replace/supersede general provisions in the Land Use Management Ordinance where such standards differ. For standards that are not specifically identified in this Plan, provisions of the underlying zoning district for a particular parcel shall apply.

1. Maximum Building Height, Other than Town Center Districts (primary): 20 feet
2. Maximum Building Height, Other than Town Center Districts (secondary): 35 feet
3. Maximum Town Center Building Height (primary): 40 feet (except for areas that abut land zoned R-2, R-3, or R-4; in such areas, the maximum primary height limit shall be 30 feet.
4. Maximum Town Center Building Height (secondary): 50 feet
5. Duplexes: Two-family duplex-type dwellings (defined in the Land Use Management Ordinance as "Dwelling, Two-family - - Duplex" are not permitted in the Northside Neighborhood Conservation District.
6. Maximum House Size (single-family or single-family with accessory apartment): 2,000 square feet; 2,500 square feet if variance is obtained from the Chapel Hill Board of Adjustment, based on the required findings outlined in Section 4.12.2 of the Land Use Management Ordinance.
7. Maximum Floor Area Ratio (single family, single family with accessory apartment): .25
8. Zoning Compliance Permit Notification: Owners within 1,000 feet of a property for which a Zoning Compliance Permit application is submitted must be notified of the application if an increase in floor area is proposed or if the addition of a garage is proposed.
9. Bathroom to Bedroom Ratio: A dwelling with more than 2 bedrooms, and a bathroom to bedroom ratio of 1.0 or greater, shall be classified as a rooming house unless the dwelling is occupied by persons related by blood, adoption, marriage, or domestic partnership, with not more than two unrelated persons."

---

-----Original Message-----

From: Eva & Bob Metzger [mailto:evaandbob@hotmail.com]

(59)

Sent: Thursday, January 29, 2004 10:38 AM  
To: Roger Waldon  
Cc: Chris Berndt; timdempsey@nc.rr.com  
Subject: Northside Conservation District

Dear Roger, Thank you so much for your reply to my e-mail. I can't find any discussion of OI-1 designated properties in the Memorandum of January 21 from the Town Manger to the Town Council on the Northside Conservation District nor is there any reference to them on the chart that appears of page 3. What I am afraid of is that if they are not specifically covered (as the TC-2 properties are), they will be covered by the residential overlay and thus loose their current classification. If they were discussed in some other document that was not presented at the Public Hearing, could you please send me a copy? Thank you.

Sincerely, Eva Metzger, 750 Weaver Dairy Rd., #182, Chapel Hill 27514



-----Original Message-----

From: Eva & Bob Metzger [mailto:evaandbob@hotmail.com]  
Sent: Monday, February 02, 2004 6:16 AM  
To: Roger Waldon  
Cc: Chris Berndt; timdempsey@nc.rr.com  
Subject: OI-1 properties in Northside Neighborhood

I suggest that the OI-1 properties in the Northside Neighborhood be treated separately just as the TC properties have been. The only changes in the Land Use Management Ordinance, Article 3.7, for the purposes of the Northside Conservation District, should be that OI-1 maximum heights be changed from maximum primary height of 30 feet and secondary height to 50 feet, since they are all adjacent to the residential zone. Since these buildings are office-institutional, restrictions to single-family dwellings do not apply.

Thanks, Eva Metzger

---

Check out the coupons and bargains on MSN Offers!  
<http://shopping.msn.com/softcontent/softcontent.aspx?scmId=1418>

-----Original Message-----

From: Tim Dempsey [mailto:TimDempsey@nc.rr.com]  
Sent: Wednesday, February 04, 2004 1:10 PM  
To: Chris Berndt  
Subject: Fw: OI-1 properties in Northside Neighborhood

Chris,

I meant to bring this up last night, and forgot...I tend to think that eva has a good point, and this was not discussed either by the committee or the board...all of our infor excluded the fact that these properties were zoned differently. Tim

----- Original Message -----

From: "Eva & Bob Metzger" <evaandbob@hotmail.com>  
To: <RWaldon@townofchapelhill.org>  
Cc: <cberndt@townofchapelhill.org>; <timdempsey@nc.rr.com>  
Sent: Monday, February 02, 2004 6:15 AM  
Subject: OI-1 properties in Northside Neighborhood

> I suggest that the OI-1 properties in the Northside Neighborhood be treated

> separately just as the TC properties have been. The only changes in  
> the Land Use Management Ordinance, Article 3.7, for the purposes of  
> the Northside Conservation District, should be that OI-1 maximum  
> heights be changed from maximum primary height of 30 feet and  
> secondary height to 50 feet, since they are all adjacent to the  
> residential zone. Since these buildings are office-institutional,  
> restrictions to single-family  
dwellings  
> do not apply.

>  
> Thanks, Eva Metzger

>  
> \_\_\_\_\_  
> Check out the coupons and bargains on MSN Offers!  
> <http://shopping.msn.com/softcontent/softcontent.aspx?scmId=1418>

**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

63

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

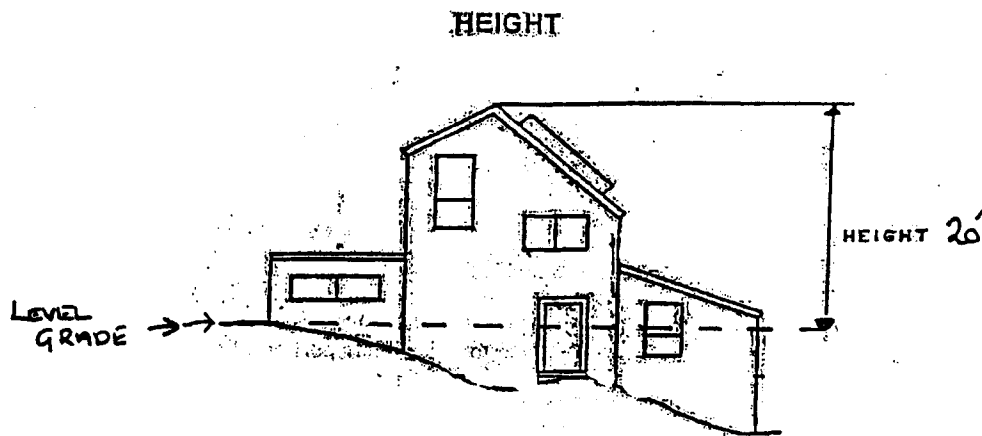
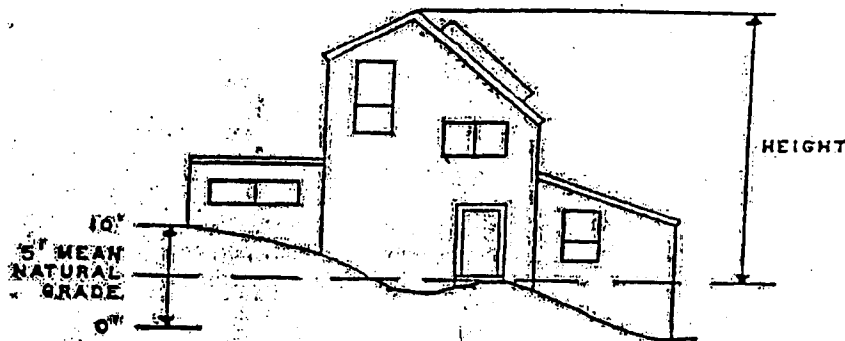


Diagram 2 (current regulations) Note Mean grade  
HEIGHT



**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 cursive script, appearing to read "John", is written below the text.