

Minutes of Special Meeting
Board of Aldermen - Chapel Hill, N.C.
March 16, 1949

A special meeting of the Board of Aldermen was held in the Town Hall March 16th at 5:00 P.M. Members present were Burch, Lanier, Fowler, Davis and Hobbs.

Mayor Madry presided.

Mr. Ray reported that Mr. H.C. McAllister wants to build a house on a lot back of L.L. Garner on Mint Springs Road. When application for permit was made, Mr. Burch, Building Inspector, would not approve the issuance of the permit because there was only a fifteen foot driveway going in to the lot. However, at a meeting of the Adjustment Board they recommended that an exception be made in this case. After some discussion, Mr. Hobbs moved that the exception be granted. Seconded by Mr. Fowler and unanimously carried.

Mr. Madry reported that the Planning Board has recommended that the Town try to get the present session of legislature to pass a bill allowing the town to govern the zoning of suburban areas for a radius of one mile outside the corporate limits. After considerable discussion motion was made by Mr. Lanier that an amendment be added to the bill drawn by the Planning Board as Section 3 to the effect that the Board of Aldermen or Governing Body of Chapel Hill shall enact no ordinance under the enabling act without first holding an announced public hearing. Seconded by Mr. Burch and unanimously passed.

After some discussion Mr. Lanier moved that the following statute be approved and sent to Representative John Umstead for adoption by the legislature with the amendment mentioned above. Seconded by Mr. Davis and unanimously passed.

A BILL TO BE ENTITLED AN ACT TO EXTEND THE PLANNING AND ZONING POWERS OF THE TOWN OF CHAPEL HILL AND ITS GOVERNING BODY TO THE TERRITORY BEYOND AND SURROUNDING THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL FOR A DISTANCE OF ONE MILE IN ALL DIRECTIONS.

The General Assembly of North Carolina do enact;

Section 1. That for the purpose of promoting the orderly growth, expansion and development of the Town of Chapel Hill and the surrounding territory hereinafter defined, and for the purpose of promoting the health, safety, morals or general welfare of the citizens of the Town of Chapel Hill and of the territory and community beyond and surrounding the corporate limits of the said municipality, as hereinafter defined, the governing body of the Town of Chapel Hill is hereby authorized and empowered to adopt such ordinances and regulations as may be considered necessary or expedient by the governing body of the Town of Chapel Hill to regulate, control and restrict the height, number of stories and size of buildings and other structures, the percentage of a lot that maybe occupied, the size of yards, courts and

other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes, not only within the corporate limits of the Town of Chapel Hill but also, when specifically provided by the terms of any such ordinance, with the territory and community beyond and surrounding the corporate boundaries of the Town of Chapel Hill as now or hereafter fixed, for a distance of one mile of and beyond such corporate boundaries in all directions; and within the aforesaid territory within and beyond the corporate boundaries, the governing body of the Town of Chapel Hill is hereby authorized and empowered to exercise any and all powers of planning and/or zoning conferred upon The Town of Chapel Hill and vested in its governing body by the Charter of The Town of Chapel Hill, and/or the General Statutes of North Carolina, as amended from time to time, including but not being limited to the provisions of Article fourteen of subchapter one of Chapter one hundred sixty of the General Statutes, and/or by any other statute applicable to the Town of Chapel Hill, to the same extent and according to the same methods of procedure as applicable to planning and/or zoning within the corporate limits of the Town of Chapel Hill.

Section 2. That the provisions of this Act shall apply only to the Town of Chapel Hill and to the territory within the corporate limits of the Town of Chapel Hill and that territory beyond and surrounding the corporate limits of the Town of Chapel Hill for a distance of one mile beyond the same in all directions, provided, that it shall not extend to any area within the corporate limits of the Town of Carrboro.

Section 3. That the Board of Aldermen or Governing Body of the Town of Chapel Hill shall enact no ordinance under the enabling act without first holding an announced public hearing.

Section 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed to the extent of such conflict.

Section 5. That this Act shall be in full force and effect from and after its ratification.


Town Clerk