

Minutes of Public Hearing Held in the Town Hall
at 8:00 o'clock p.m., April 26, 1954, for the
Purpose of Considering A Proposed Ordinance to
Establish a Planning Board.

A Public Hearing was held for consideration of a proposed ordinance establishing a Planning Board under authority granted by the General Assembly of North Carolina in House Bill No. 410 Session of 1953 and ratified March 30, 1953.

The Town Clerk read the published notice of the hearing, a certified printer's copy of which is attached hereto as a part of these minutes, and the Town Attorney gave an explanation of the proposed ordinance.

John Manning came before the Board representing the owners of property South and Southwest of Morgan's Creek, opposing the proposed ordinance and stating that it is unconstitutional.

After all discussion has ended, Mr. Cornwell moved the Public Hearing be adjourned. Mr. Putnam seconded the motion and it was passed unanimously.

Approved.

Elton Shandie
Mayor

Dorothy S. Krasak Town Clerk

April 26, 1954

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PUBLIC HEARING

Notice is hereby given that the Board of Aldermen of the Town of Chapel Hill will hold a Public Hearing at 8 P.M. o'clock on April 26, 1954 in the Town Hall on the question of adopting the following proposed ordinance or one similar to it.

AN ORDINANCE TO ESTABLISH A PLANNING BOARD FOR THE CHAPEL HILL PROPOSED ZONING DISTRICT

BE IT RESOLVED by the Board of Aldermen of the Town of Chapel Hill:

I. That pursuant to the authority granted by Chapter 527 of the 1953 Session Laws of North Carolina, a Planning Board is hereby established for the purpose of preparing a proposed Zoning ordinance for the territory described in Section 2 of said act.

II. The Planning Board shall be designated as THE PLANNING BOARD FOR THE PROPOSED CHAPEL HILL ZONING DISTRICT, and shall consist of ten members. Five members shall be citizens and residents of the Town of Chapel Hill and shall be appointed by the Board of Aldermen; five members shall be citizens and residents of the territory surrounding the town, as described in Chapter 527 of the 1953 Session Laws, and shall be appointed by the Orange County Board of Commissioners. Each of said members shall be appointed for a term of one year and shall be eligible for reappointment. Vacancies shall be filled as they occur for the period of the unexpired term.

III. Within thirty days after appointment, the Planning Board shall meet and elect a chairman and create and fill such other offices on the Board as it may determine. The term of the chairman and other officers shall be one year, with eligibility for re-election. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, findings, and recommendations, which record shall be a public record. All of its meetings shall be open to the public. There shall be a quorum of six members for the purpose of taking any official action required by this ordinance.

IV. The creation of this Planning Board shall have no effect on the Town Planning Board of Chapel Hill heretofore created by ordinance of the Town of Chapel Hill dated March 10, 1948, which Board shall continue in existence and shall have all powers and duties heretofore granted to it.

V. Should any part of this ordinance be declared invalid for any reason, the remainder of the ordinance shall not be affected thereby.

VI. This ordinance shall have no effect upon any existing ordinances of the Town of Chapel Hill and shall be in full force and effect from and after the — day of April, 1954.

This being the 29th day of March, 1954.

Dorothy D. Hrabak

Certificate of Publication

I, Joe Jones, ^{assistant} do hereby certify that I am the publisher of the Chapel Hill Weekly, a weekly newspaper published in Chapel Hill, N. C. and that the attached legal notice

in re Public Hearing

was printed in the said Weekly

in the issues of April 9 and

April 16, 1954

Joe Jones

Sworn and subscribed to before me, a Notary

Public, on the 30th day of April

1954 in Orange County, N.C.

Roland Gidley
Notary Public

My commission expires Oct. 5, 1955

Presented by John Manning in opposing the proposed
ordinance to establish a Planning Board

February 28, 1953

Representative John W. Umstead,
House Chamber General Assembly,
Raleigh, N. C.

We the undersigned citizens and residents of Orange County and owners of property South and Southwest of Morgan's Creek near the town of Chapel Hill, N. C., hereby register an opposition to House Bill No. 410, otherwise known as the Bill to amend Chapter 629 of the session laws of 1949, and Chapter 273 of the session laws of 1951 dealing with the establishment of a zoning commission and zoning regulations in the Chapel Hill area, and request that you use your influence to defeat said House Bill No. 410 unless House Bill No. 410 is amended to redefine the territory included in the area to be zoned to exclude all area South and Southwest of Morgan's Creek or a proviso is inserted in said House Bill No. 410 which will exclude said area.

We are opposed to this area being zoned for that:

- (a) It is a rural area, sparsely populated, largely owned by farmers in large tracts having no bearing directly upon the health, welfare, safety and morals of the Town of Chapel Hill and its inhabitants.
- (b) The constitutionality of any said zoning is very questionable.
- (c) The area is in no need of zoning at this time or in the near foreseeable future.

We request that a hearing be held before the legislative committee having House Bill No. 410 under consideration to the end that our opposition might be registered to the passage of this Bill unless the area South and Southwest of Morgan's Creek is excluded from any zoning.

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Ed Carver Renn Blackwood
Herlie Carver Mrs. James M. Fletcher
Isabel Carver Marvin Bennett
Lela Noell T. J. Blackwood
Dixie Noell Lester Foley
George Noell Mr. and Mrs. Bernice Bennett
James F. Merritt J. W. Bennett
Jores Merritt Mr. J. W. Bennett
J. H. Merritt John A. Houk
Agnes Merritt Willie Mae Houk
James M. Fletcher A. G. White
Mrs. Waldo Sparrow C. H. Applegate
Mrs. Lucy Morris Martin Sparrow
W. C. Best Mrs. A. S. Blackwood, Jr.
Mrs. E. G. Merritt Mrs. W. C. Best
J. C. Carter Henry A. Morgan
Seward A. Blackwood Dale Dollar
Weldon H. Pendergraft Mrs. Dale Dollar
B. B. Sparrow Mildred B. Blackwood
G. W. Abernathy John Oakley
J. T. Pendergraft Melda B. Oakley
P. E. Johnson J. C. Blackwood
Jesse Merritt Evelyn S. Blackwood
Mrs. Jesse Merritt Mamie Tripp
Mrs. V. L. Pendergraft Ben Tripp
V. L. Pendergraft Charlie Blackwood
Lewis Pendergraft Mr. A. S. Blackwood
J. T. Mann Mae Blackwood
Vadie B. Mann Mrs. Charlie Blackwood
Margaret B. Williams Mr. Neuton B. Williams
Roy L. Williams Mrs. Nellie Williams
E. G. Merritt L. W. Sparrow
Billie Blackwood M. L. Cawrare

Mrs. James D. Sparrow
Mrs. Jesse Riley
Jesse C. Riley
Emily Sparrow
Mildred Morgan
Mrs. Ethel W. Sparrow
Mrs. Samuel Carson, Sr.
Mrs. Wahlon Pendergraft
Mrs. S. C. Hundley
Carl L. Sparrow
Mrs. Carl Sparrow
Mrs. Braxton Sparrow
J. C. Blake
Mrs. J. C. Blake
Ollie E. Clark
Mrs. Ollie Clark
E. P. Rogers
Mrs. A. P. Rogers
E. W. Womble
Walter B. Williams
C. L. Atwater
C. W. Pendergrass
Paul N. Long
Mrs. Paul Long
Mrs. S. M. Crabtree
George T. Cole
Mrs. George T. Cole
E. W. Clark
Henry C. Dollar
Allie Mae Blake
Allen J. Johnson
Mrs. Allen Johnson
Walter W. Crabtree
Ben H. Dollar
Mrs. C. W. Crabtree
Mrs. Sadie Cole
Mrs. Lillian Harris
Mrs. Mary Harris
E. F. Patterson
Robert Peythress
Wade H. Womble
Winnie D. Womble
Roland Womble
Mildred Womble
W. C. Cole
Clyde Merritt
Junius H. Sparrow
Harry Hartness
Mrs. Junius H. Sparrow
M. J. Stone
Ralph L. Blackwood
W. E. Stone, Jr.
Virginia H. Stone
Jean W. Blackwood
Ralph L. Blackwood, Jr.
A. D. Fowler
Ruth Fowler
Philip Sparrow
Mrs. Philip Sparrow
E. T. Dollar
Mrs. E. T. Dollar
E. B. Sizemore (Part B)
Mrs. Bernice Smith
Bernice R. Smith
Mrs. C. L. Rich
A. S. Gretini
Mrs. A. S. Gretini
Howard M. Pendergraft
Mrs. Howard M. Pendergraft
E. W. Pendergraft
Mrs. E. W. Pendergraft
Luther Atwater
Lewis Cole
Hubert Atwater
Clyde Thompson
Mrs. June Sparrow
June A. Sparrow
Kenny Oakley