

MINUTES

Board of Aldermen

Town of Chapel Hill, N.C.

The Board of Aldermen met in regular session on January 9, 1956, at 7:30 P.M., o'clock in the Town Hall with the following present: Mayor Pro-tem Davis; Aldermen Wager, Strowd, Robinson, Putnam, and Alexander; Town Manager Rose, and Town Attorney LeGrand. Absent: Mayor Cornwell.

Minutes for the Public Hearing held on December 12, and the Public Hearing held on December 23, 1955, were approved and adopted as read.

Minutes for the Regular Meeting held December 12, 1955, were approved and adopted as read,

RIDGEFIELD DEVELOPMENT. Mr. William S. Stewart acting as a spokesman for persons requesting the annexation of Ridgefield, again requested some immediate action toward accepting or rejecting their annexation request. Alderman Wager opposed the annexation for three reasons (1) That there was not a full Board of Aldermen present for voting (2) That in his opinion, it is not advisable or necessary at this time, to annex undevelopped areas to the Town (3) That this area is not immediately adjacent to the Town in accordance with the policy of the University, and this Board should not be used as a leverage to coerce the University in accepting this area. Alderman Alexander moved that an Adjourned Meeting of the Board of Aldermen be held on January 17 at 8:15 P.M., for further action toward possible annexation, seconded by Alderman Putnam. The motion was unanimously passed.

WOODLAND AVENUE RESIDENTS REQUEST SEWER SERVICE. Town Manager Rose the request signed by Woodland Avenue residents. Alderman Putnam moved that a survey be made and that it include an estimate of costs to connect these families into the sewer line, seconded by Alderman Strowd. The motion was passed.

REZONING REQUEST/DURHAM ROAD AREA. Town Manager Rose read a request from Mr. J. R. Ellis, et al, to rezone an area near where the 4 lane highway runs into the 2 lane highway, requesting a change from RA-20 to suburban-commercial. The matter was referred to the Planning Board.

AUDITOR'S REPORT. Mr. E. E. Peacock informed the Board of Aldermen that he has examined the December vouchers and found them to be in order and properly supported. He recommended to the Aldermen that an amount appearing in the name of Mrs. John Booker should be charged to Reserve for Bad Debts; that the amount is \$75.00 and relates to a disputed agreement of costs of erecting a rock wall; that the bill is of long standing and would be difficult to collect. Alderman Wager moved that the \$75.00 be written off the Accounts Receivable ledger, seconded by Alderman Putnam. The motion was unanimously passed.

MONTHLY REPORTS. Reports from the Health Department, Police Department, Recorder's Court, and the Fire Department were examined. Town Manager Rose read the Annual Report of the Fire Department for 1955.

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James Weather
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N. C. DEPT. OF
ARCHIVES & HISTORY

ELIZABETH STREET. Town Manager Rose read a letter from the State Highway Commission regarding ownership of an abandoned portion of Durham Road connecting into Elizabeth Street. Town Manager Rose was requested to get the exact status as to what area the State is responsible for and what area the Town of Chapel Hill is responsible for.

Alderman Putnam moved the adoption of the following ordinance:

ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE
ZONING OF CHAPEL HILL AND SURROUNDING AREAS AS
ADOPTED MARCH 14, 1955 AND SUBSEQUENTLY AMENDED

WHEREAS, a public hearing was duly called and held by the Board of Aldermen of Chapel Hill on December 23, 1955, after due advertisement as by law provided, to consider the recommendation of the Planning Board to rezone the area hereinafter described in Section I hereof from RA-20 Residential to RA-10 Residential and to rezone from Agricultural to RA-10 Residential the area described in Section II hereof as said zones are described in said Zoning Ordinance; and

WHEREAS, following said public hearing the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to such proposed change;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I

That the Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas, as adopted March 14, 1955, be and the same is hereby amended so that the following area be, and the same is hereby rezoned from RA-20 Residential to RA-10 Residential and that the uses permitted in areas designated as RA-10 Residential as set forth in said original zoning ordinance shall hereafter apply to the following described area:

BEGINNING at a point in the centerline of Estes Drive where the said drive intersects the Hidden Hills property of H. M. Burlage and at a corner of the W. Grady Pritchard property, thence with the Pritchard line North 73 degrees 25 minutes East to a point where it intersects with the existing RA-20 zone boundary (said boundary being 250 feet east and north of the center line of Hidden Hills Drive and paralleling said Hidden Hills Drive), thence in a westerly direction along said zone boundary to the point at which it intersects with the Burlage Hidden Hills property line,

and thence with the line of that property South 85 degrees 08 minutes East to the point of beginning.

SECTION II

That the Ordinance Providing for the Zoning of Chapel Hill and surrounding Areas as adopted March 14, 1955, be and the same is hereby amended so that the following area be and same is hereby rezoned from Agricultural to RA-10 Residential, and that the uses permitted in areas designated as RA-10 Residential as set forth in said original zoning ordinance shall hereafter apply to the following described area:

BEGINNING at a point East of Estes Drive where the Pritchard-Estes Hills line North 73 degrees 25 minutes East intersects with an existing RA-20 zone boundary (said boundary being 250 feet east and north of the center line of Hidden Hills Drive), thence with the said Pritchard-Estes Hills line North 73 degrees 25 minutes East to the southeastern corner of the Estes Hills tract, thence with the Pritchard-Estes Hills line the following courses and distances: North 11 degrees 15 minutes West 131 feet; North 23 degrees West 489.8 feet; North 43 degrees 30 minutes West 277.5 feet; North 85 degrees 15 minutes East 60 feet; and North 6 degrees 45 minutes West 481.7 feet to a stake in the Coker line; running thence with the line of the Coker property North 84 degrees 44 minutes West 1295.3 feet to a stake and North 5 degrees East 265 feet to a stake, a corner of the Henderson property; running thence with the line of the Henderson property North 85 degrees 19 minutes West 1818.3 feet to a stake, a corner of the Jim Blackwell property; running thence with the line of that property; running thence with the line of that property and the continuation thereof South 5 degrees 56 minutes West about 1460 feet to the center of a Spring Branch; running thence down the center of the said Branch in an Eastern and Southeastern direction to the intersection of the said Branch and the line of the H. M. Burlage Hidden Hills property; running thence with the line of that property South 85 degrees 08 minutes East to the point that said line intersects with the existing aforementioned RA-20 zone boundary; thence along said RA-20 zone boundary to the point of beginning.

SECTION III

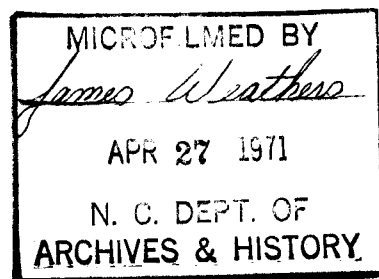
All ordinances, laws and clauses of laws in conflict herewith are hereby repealed.

This, the 9th day of January 1956.

seconded by Alderman Wager. The motion was unanimously passed.

CODIFICATION OF ORDINANCES. Town Manager Rose stated that he would like to see the Ordinances codified; that he has inquired about costs involved and the persons qualified to do this work. Town Attorney LeGrand and Town Manager Rose were authorized to make further inquiry into this matter and report back to the Board.

REPORT FROM PLANNING BOARD. Town Manager Rose read the following Amendment to Zoning Ordinance received from the Planning Board:



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ORDINANCE AMENDING THE ORDINANCE PROVIDING FOR THE ZONING
OF CHAPEL HILL AND SURROUNDING AREAS AS ADOPTED MARCH 14, 1955

WHEREAS, a public hearing was duly called and held by the Board of Aldermen of Chapel Hill on _____, 1956, after due advertisement as by law provided, to consider the recommendation of the Planning Board to amend the provisions of Section 10 in the said Zoning Ordinance; and

WHEREAS, following said public hearing the Board of Aldermen unanimously adopted the recommendation of the Planning Board with respect to such proposed amendment;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I

That the Ordinance Providing for the Zoning of Chapel Hill and Surrounding Areas, as adopted March 14, 1955, be and the same is hereby amended so that the following new Section 10 be, and the same is hereby substituted as Section 10 in said original Zoning Ordinance:

Section 10. Changes and Amendments

The Board of Aldermen may from time to time, on its own motion or on the recommendation of the Planning Board for Chapel Hill and its environs, amend, supplement, change, modify, or repeal the boundaries or regulations herein or subsequently established.

In addition, the Board may take such action on the petition of a private citizen in accordance with the following procedures. Such petition, including a precise description of the proposed change, shall be submitted to the Town Manager not later than three weeks prior to the meeting of the Board at which the petition is to be heard. The Town Manager may give notice of a public hearing for the petitioned change as provided by law, and in cases where a recommendation by the Carrboro Board of Commissioners is required by the provisions below, he shall give written notice to the Carrboro Town Clerk. The Board of Aldermen and the Planning Board for Chapel Hill and Environs shall sit jointly at the hearing.

No amendment of any type, regardless of how initiated, shall be adopted until after public notice and hearing. The Planning Board shall then be given 30 days within which to file its report and recommendations concerning the proposal; if no report is received from the Planning Board during this period, it shall be deemed to have approved the proposal. The Board of Aldermen may thereupon take such action on the proposed amendment as it deems wise.

No petition from a private citizen for any change or amendment of the zoning ordinance shall be heard by the Board of Aldermen at any other time than the following dates: the fourth Monday

in February, May, August, and November; provided, however, that where the Board by vote of two-thirds of its total membership finds that an emergency exists, it may waive this restriction.

Where a proposed amendment concerns zoning map changes in districts situated outside of the Town of Carrboro and to the west of a line following the Smith-Level Road on the south and to the west of a line following the Southern Railroad track on the north, the Planning Board shall not submit its report and recommendations until the proposed change has been referred to the Board of Commissioners of the Town of Carrboro for its recommendation; provided, however, that if no report is received from said Board of Commissioners within 15 days after such referral, the Planning Board may proceed as though recommendations had been received.

In cases of a protest against a proposed amendment signed and acknowledged by the owners of twenty (20) percent or more of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending 100 feet therefrom, or of those directly opposite thereto extending 100 feet from the street frontage of such opposite lots, such amendment shall not be passed except by a three-fourth vote of all the members of the Board of Aldermen.

SECTION II

All ordinances, laws and clauses of laws in conflict herewith are hereby repealed.

This, the _____th day of _____, 1956

Alderman Putnam moved that February 13, 1956, be the date set for the Public Hearing at 7:15 P.M., o'clock, seconded by Alderman Robinson. All voted "aye", none voted "nay". The motion was passed.

GOLDSTON SUB-DIVISION. Alderman Strowd moved the acceptance of the recommendation by the Planning Board for approval of the subdivision of the property of J. B. Goldston, located in Chapel Hill Township, Orange County, N. C. Surveyed and plotted 9 Sept. 1955, F. M. Carlisle, C. E., Chapel Hill, N. C.

seconded by Alderman Putnam. The motion was passed, Alderman Wager not voting.

FIRE PREVENTION CODE. Alderman Wager recommended that the Fire Prevention Code be adopted with two amendments (1) That a careful inspection be made on oil burning outfits, especially where they have been converted (2) that the throwing a lighted match into any combustible material be deemed a misdemeanor. Town Attorney LeGrand was asked to draw up an Ordinance covering the code.

COENEN-CREECH. Alderman Putnam moved that the Town of Chapel Hill purchase the Coenen-Creech property as setforth in the Minutes of the December 12 meeting, providing a right-of-way of not less than 16 feet throughout the remainder of the alley, and that money be taken from the Powell Bill Fund, seconded by Alderman Robinson. The motion was unanimously passed.

NEW BUSINESS

Alderman Putnam asked that more parking spaces be marked off on North Columbia Street. Alderman Wager suggested that the new overhead traffic signals at McCauley and Pittsboro Streets

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the 150 feet "No parking" area is not necessary. He suggested that the Ordinance be repealed, and that the matter be brought up at the next meeting.

On a motion made by Alderman Putnam, seconded by Alderman Alexander, and unanimous consent, the meeting was adjourned at 10:38 P. M., o'clock.

Oliver K. Cornwell

 Mayor
 Pro-tem

Mary Lou Gray

 Town Clerk

January 9, 1956

MINUTES OF ADJOURNED MEETING

Board of Aldermen

Town of Chapel Hill, N. C.

Pursuant to a motion passed at the regular meeting of the Board held on January 9, 1956, the Board of Aldermen met in Adjourned Meeting on January 17, 1956, at 8:15 P. M., o'clock in the Town Hall with the following present: Mayor Cornwell, Aldermen Wager, Davis, Strowd, Putnam, Robinson, and Alexander; Town Attorney LeGrand, and Town Manager Rose.

The purpose of this meeting was to act upon the request for annexation to the Town of Chapel Hill of the area known as Ridgefield Development.

Mayor Cornwell read a letter stating the policy of the University with regard to supplying lights and water to newly acquired territory; that such areas should be immediately adjacent to areas already receiving these services.

Alderman Alexander moved the adoption of the following Ordinance, seconded by Alderman Putnam:

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CHAPEL HILL, NORTH CAROLINA.

WHEREAS, the Board of Aldermen of the Town of Chapel Hill, North Carolina, did publish a Notice once a week for four successive weeks in the Chapel Hill Weekly setting forth that a meeting of the Board of Aldermen would be held on October 24, 1955 to consider the adoption of an ordinance annexing a certain tract of land to the Town of Chapel Hill, N. C., as evidence by the attached printer's certificate of publication, and

WHEREAS, no petition was received from 15% of the qualified voters resident in the area proposed to be annexed and no petition was received from 15% of the qualified voters residing in the municipality who actively participated in the last gubernatorial election requesting that an election be held on the proposed extension, no election under Chapter 725 of Session Laws of 1947 was required to be called or held, and the Board of Aldermen in its