

**ATTACHMENT A**

The following resolution was introduced by Aldermen \_\_\_\_\_ and duly seconded by Aldermen \_\_\_\_\_.

**A RESOLUTION REGARDING A MINOR MODIFICATION TO THE CUP  
FOR LAKE HOGAN FARMS SUBDIVISION TO REMOVE  
A PRIVATE TRIAL AND GARDEN PLOTS FROM THE CONDITIONAL USE  
PERMIT PLANS FOR THE PROJECT  
Resolution No.1572003/04**

**WHEREAS**, the Carrboro Board of Aldermen approved a Conditional Use Permit for Lake Hogan Farms subdivision on September 27, 1994; and

**WHEREAS**, the Town of Carrboro Land Use Ordinance requires that any substantial change to the approved plans for a project shall constitute a minor modification to the original Conditional Use Permit; and

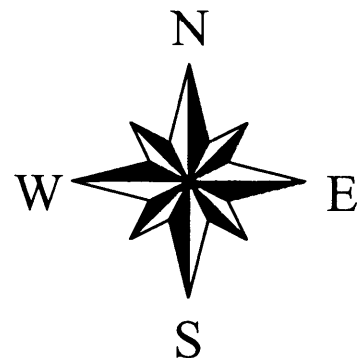
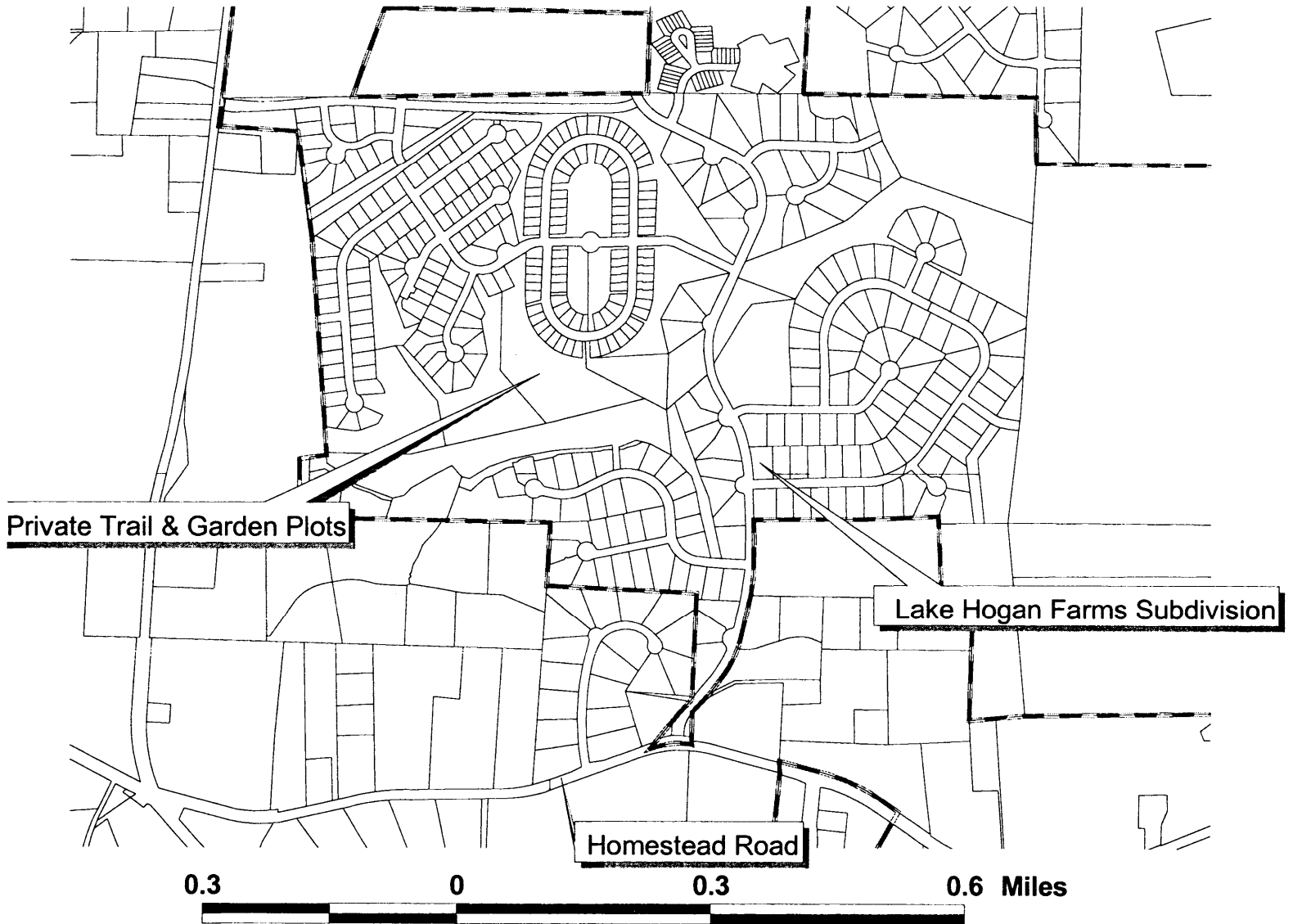
**WHEREAS**, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications contained in the Land Use Ordinance.

**NOW, THEREFORE BE IT RESOLVED** by the Carrboro Board of Aldermen that the Board of Aldermen hereby:

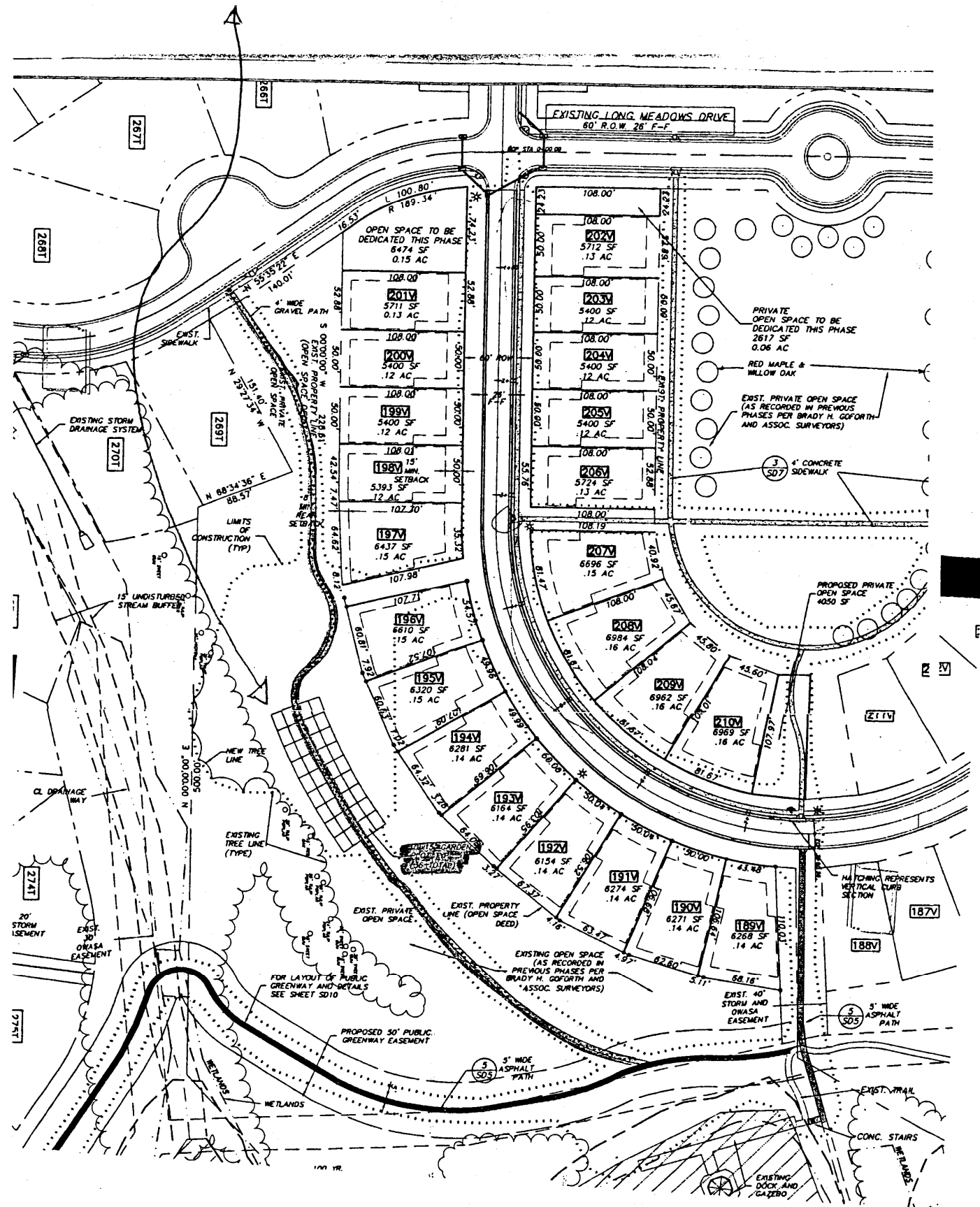
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This is the 18<sup>th</sup> day of May 2004.

# Lake Hogan Farms Subdivision - Location of Private Trail & Garden Plots



= Garden Plot Area





# TOWN OF CARRBORO

NORTH CAROLINA

WWW.TOWNOFCARRBORO.ORG

Attachment "D"

May 15, 2003

Bolin Creek Investments, LLC  
Attn: Michael Dean Chadwick  
2514 Reliance Avenue  
Apex, NC 27539

Re: Lake Hogan Farms CUP Modification for Deletion of Private Trail and Garden Plots

Dear Mr. Chadwick,

The Town of Carrboro Zoning Division has reviewed your application for a modification to the CUP for Lake Hogan Farms. In preparing this letter, please note that staff has discussed the request at length in an effort to decide whether we can support the request, as detailed in comments below. The Zoning Division has the following comments and requests for additional information for your application:

1. Please provide a letter from the Lake Hogan Farms Homeowners' Association explicitly granting Bolin Creek Investments the right to be the applicant on their behalf or complete an application on their behalf and have them sign it;
2. The Zoning Division suggests that you supply additional information from the Homeowners' Association detailing why they don't want the amenities constructed. Please have the Homeowners' Association express their position in their own words and specifically address the questions outlined below (#3);
3. We recognize that a letter signed by representatives of the homeowner's association has been submitted, however, in absence of community wide support Town Staff cannot support the request to remove these amenities. In order that we can better understand the level of community support for this request please tell us where the request to not include the private trail and the garden plots originated. Did the Homeowner's Association first request this or did they agree at the suggestions of the developer? Town Staff suggests polling the entire community of Lake Hogan Farms and providing sufficient evidence of unanimous support on both elements of this request. We have also considered that the future residents of the townhomes may desire to utilize the garden plots. Since the townhomes have not yet been constructed, these future residents do not have a voice in this matter at this time; however, we feel that their stake in this matter should also be considered;
4. These features appear to have been added during the Lake Hogan Farms negotiations leading to the issuance of the CUP. As you know, Board members

**LAKE HOGAN FARMS CUP MODIFICATION  
MAY 5, 2003**

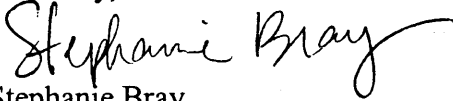
**Page 2**

are reluctant to remove features associated with the negotiations;

5. The Planning Department will allow the continuation of bond for these features until a decision is made.

Some of this information is being requested in an effort to anticipate questions from the Board of Aldermen and to provide them with as much information up front as possible. Again Town Staff is not inclined to support the request unless sufficient information is offered to show unanimous support from residents of the community. It is also necessary to sufficiently address the current absence of townhome residents. Once the Zoning Division has received this information we will continue processing the application in preparation to present it to the Board of Aldermen. If you have any questions or comments, please call me at 918-7334.

Sincerely,



Stephanie Bray  
Zoning Development Specialist

11/30/03

Town of Carrboro  
 Zoning Department  
 301 West Main Street  
 Carrboro, NC 27539

Re: Lake Hogan Farms CUP Modification for Deletion of Private Trail and Garden Plots


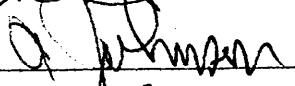
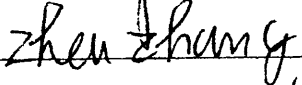
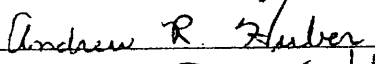

To Whom It May Concern,

We the undersigned residents of Lake Hogan Farms are opposed to the private trail and garden plots that were originally planned in the field behind the Westerly most homes on South Fields Circle. Our community board representatives, and all the residents who they have polled are also opposed to the proposed amenities. We are opposed for the following reasons:

1. The trail and garden plots would eliminate the last undeveloped open field in Lake Hogan Farms, thereby diminishing its natural beauty and value to the community.
2. There is already a more than adequate trail and sidewalk system throughout Lake Hogan Farms, which allows access to the lake and all other common areas.
3. The gravel path would be a safety hazard in the middle of a field that is otherwise ideally suited for games, such as football, Frisbee, etc. for the entire community to enjoy.
4. The path and garden present a potential additional expense for the community should they fall into disrepair in the future, which is a likely scenario.

We thank you for your consideration in this matter and look forward to your response.

Sincerely,

	145	South Fields Circle
	147	" " "
	143	" " "
	141	South Fields Circle
	139	" " "

Robert J. Velt 135 South Fields Cir.

Karen Swenson 133 ~~South Fields Circle~~

Paul & Fike 129 South Fields Circle

Selma Baller 127 South Fields Circle

Marshall Purper 305 Long Meadows

Albert & Mable 151 S. Field Circle

~~MM~~ 203 LAKE HOLMAN FARM

4/21/04

Town of Carrboro  
Board of Alderman  
301 West Main Street  
Carrboro, NC 27539

Re: Lake Hogan Farms CUP Modification for Deletion of Private Trail and Garden Plots

To Whom It May Concern,

We the undersigned residents of Lake Hogan Farms are opposed to the private trail and garden plots that were originally planned in the field behind the Westerly most homes on South Fields Circle. What may have looked like a good idea on paper many years ago is neither practical nor desirable to the residents of this community at this time. We respectfully request that these items be deleted from the C.U.P.

We are opposed for the following reasons:

**The Garden Plots:**

1. There is no water source.
2. The proposed garden plots are about 1 mile from the town houses whose owners they are supposed to be a potential benefit to.
3. Huge amounts of topsoil would have to be brought in to grow anything, as the field is 100% pure Orange County red clay! Additionally, huge amounts of clay would have to be removed to make room for the topsoil.
4. There is no protection from the numerous garden destroying animals that are plentiful in this field, especially deer and rabbits, and installing and maintaining protection would be costly and in all likelihood, would not meet the standards of our architectural review committee anyway.

Without a water source, protection from animals, proper soil, and reasonable access for the residents most likely to benefit from them, the proposed garden plots represent nothing more than an eyesore as well as an additional maintenance expense to this community.

**The Gravel Trail:**

1. The fact that the proposed path is gravel renders it handicapped inaccessible as well as useless to bikers, roller bladers, skateboarders, etc. The grass field is more accessible than gravel would be.
2. A gravel path is nonconforming to the rest of the Lake Hogan Farms paths, which are all asphalt.
3. The gravel path would be a safety hazard in the middle of a field that is otherwise ideally suited for football, Frisbee, fetch with dogs, kite flying, etc. all of which is currently enjoyed at a safe distance from walkers and joggers on the existing lake path.
4. A gravel path also would represent an additional maintenance expense to this community.



5. There is already a more than adequate asphalt trail and concrete sidewalk system throughout Lake Hogan Farms, which allows access to the lake and all other common areas. In fact, there is already a sidewalk not 150 feet from the proposed path that goes to the same place. But once again, the simple truth is a grass field is easier to walk on than a gravel path.
6. The path also represents an intrusion of privacy to the people whose homes back up to the field. In places the trail comes as close as 20 feet from rear decks of those homes. We feel that this would diminish the value of these homes considerably.

Furthermore, the trail and garden plots would eliminate the last undeveloped open field in Lake Hogan Farms, thereby diminishing its natural beauty and value to the community. We certainly hope that we have demonstrated more than enough reasons to delete the Garden Plots and Trail from the C.U.P. and we know that you have our best interests in mind.

We thank you for your consideration in this matter and look forward to your response.

Sincerely,

Marcus 407 Hogan Woods Circle	
Laura Brooks	127 Lake Hogan Farm Rd.
Micah Lee	412 Hogan Woods Cr.
Chris Nadolski	303 Lake Hogan Farm Rd.
Kris Castellano	104 Hogan Glen Ct
Chris Derby	134 Shadow Ridge Pl
Mark Schatz	101 Hogan Woods Circle
Joe Sykes	102 Painted Turtle Lane
Andy L.	130 N. Fields Circle
Monica Steinhubel	105 Painted Turtle Lane
Anne Parron	108 S. Fields
Andrew R. Huber	141 S. Fields Circle

Frank Schorr ~~Frank Schorr~~ 122 N. Fields Circle  
 Jeff Sisman ~~Jeff Sisman~~ 101 Arbor Creek Ct  
 Greg Doble ~~Greg Doble~~ 115 Shadow Ridge Place  
 Denise Shortino ~~Danielle Shortino~~ 103 Lake Ridge Place  
 Heidi Naaf ~~Heidi Naaf~~ 109 Lake Ridge Place  
 Heidi Rueckel ~~Heidi Rueckel~~ 111 Daisy Ct.  
 Ruth Nagle DAVID NAGLE 116 So. Fields Circle  
 Elliott Berger Elliott Berger 216 LAKE MANOR RD  
~~Jeff Knapp~~ JEFF KNAPP 212 LAKE MANOR RD.  
 Steve McConaughy Steve McConaughy 132 Shadow Ridge Place  
 George Kircven GEORGE KIRCVEN 301 LAKE HOGAN FARM RD  
 Hank Jones HANK JONES 103 PAINTED TURTLE  
 DK Rhodes DK RHODES 207 LAKE MANOR RD  
 Robert J Bullen Robert J Bullen 127 South Fields Circle  
 R SCOTT BEDDINGFIELD 107 HOGAN WOODS CIRCLE  
 Jeffrey T. Watten Jeffrey T. Watten 101 Daisy Ct. Ch Hill  
 Elaine Biardi 201 Lake Hogan Farm Rd.  
 Keith Dixon 202 LAKE Manor Rd.

**Request from Lake Hogan Farms Residents for CUP Modification:**  
**(Deletion of Private Trail and Garden Plots – Summary of Objections)**

The residents of Lake Hogan Farms object to the proposed private trail and garden plot for the following reasons:

**Garden Plots**

1. No water source for garden
2. 1 mile from town houses, poor access to those most likely to use them
3. Poor soil
4. No protection from animals (abundant deer & rabbits)
5. Eyesore if left unused
6. Additional expense to maintain

**Private Trail**

1. Gravel, not handicap accessible
2. Gravel is nonconforming to rest of trails in subdivision
3. Safety hazard for children who play games in the field
4. Additional maintenance expense to the community
5. More than adequate trail system already exists
6. Intrusion of privacy for homes bordering the trail
7. The existing mowed field is easier to walk on than gravel

The trail and garden plots would eliminate the last undeveloped open field in Lake Hogan Farms, thereby diminishing its natural beauty and value to the community.

## TOWN OF CARRBORO

## LAND USE PERMIT APPLICATION



DATE: April 14, 2003

FEE: \$250.00

APPLICANT: Bolin Creek Investments LLC	OWNER: Bolin Creek Investments LLC
ADDRESS 2514 Reliance Avenue	ADDRESS: 2514 Reliance Avenue
CITY/STATE/ZIP Apex, NC 27539	CITY/STATE/ZIP Apex, NC 27539
TELEPHONE/FAX: PHONE: (919) 303-8525 FAX: (919) 303-8524	TELEPHONE/FAX: PHONE: (919) 303-8525 FAX: (919) 303-8524
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same	TAX MAP(S), BLOCK(S), LOT(S):
PROPERTY ADDRESS: Off Homestead Road	PROPOSED LAND USE & USE CLASSIFICATION: CUP
PRESENT LAND USE & USE CLASSIFICATION: CUP	LOT AREA: N/A Acres Square Feet
ZONING DISTRICT(S) AND AREA WITHIN EACH (including Overlay Districts): R-20	
# OF BUILDINGS TO REMAIN N/A	GROSS FLOOR AREA N/A square feet
# OF BUILDINGS PROPOSED N/A	GROSS FLOOR AREA (of proposed building or proposed addition) N/A square feet

NAME OF PROJECT/DEVELOPMENT: Lake Hogan Farms

TYPE OF REQUEST	**INFORMATION REQUESTED (Refer to Attached Key)
SUBDIV. FINAL PLAT	1, 18, 19, 21, 23, 31, 33, 34, 36
CONDITIONAL USE PERMIT (CUP)	1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36
<input checked="" type="checkbox"/> CUP MODIFICATION	SAME AS CONDITIONAL USE PERMIT (CUP)
SPECIAL USE PERMIT (SUP)	1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 34, 35, 36
SUP MODIFICATION	SAME AS SPECIAL USE PERMIT (SUP)
ZONING PERMIT (Project)	1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, 32, 34, 35, 36
ZONING PERMIT (Building) Residential Infill & Additions	9, 10, 22, 24, 34, 36 (also see "Building Permit Review - Residences Only" checklist)
SIGN PERMIT	1, 10, 13, 14, 17, 20, 36
VARIANCE	4, 5, 10, 20, 29, 34, 36 Attachment A
APPEAL	4, 5, 36, Attachment B
SPECIAL EXCEPTION	4, 5, 8, 10, 20, 35, Attachment C

APPLICANT:

By:

Bolin Creek Investments LLC

DATE:

4/14/03

OWNER:

By:

Bolin Creek Investments LLC

DATE:

4/14/03