



TOWN OF
HILLSBOROUGH

GENERAL APPLICATION
Amendment to Future Land Use Map, Unified
Development Ordinance or Official Zoning
Map

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9477 | Fax: 919-644-2390
www.hillsboroughnc.gov

This application is for amendments to the Comprehensive Sustainability Plan, Unified Development Ordinance, and/or Official Zoning Map. Incomplete applications will not be accepted or processed.

| OFFICIAL USE ONLY | | |
|-------------------|------------------|---------------|
| Case Number: | Fee: \$ | Receipt No.: |
| FLUM Designation: | Zoning District: | Overlay Zone: |

Amendment Type: Future Land Use Map Unified Development Ordinance Text
 Zoning Map – General Use or Overlay District Zoning Map – Planned Development District

| PROPERTY LOCATION AND DESCRIPTION | | N/A |
|------------------------------------|-----------------------------------|-----|
| Property Address or Location: | | |
| PIN(s): | Size of Property (Acres/Sq. Ft.): | |
| Current Use of Property: | | |
| Current Zoning Classification(s): | | |
| Proposed Zoning Classification(s): | | |

| CERTIFICATION AND SIGNATURES | |
|---|----------------------------|
| Applications will not be accepted without signature of legal property owner or official agent. | |
| I certify that the information presented by me in this application and all accompanying documents are true and accurate to the best of my knowledge, information, and belief; and I acknowledge that the processing of this application may require additional town, county and/or state permits, approvals, and associated fees. | |
| Applicant Name: <i>Natalie Dolgireff and Armand Bath</i> | Legal Property Owner Name: |
| Mailing Address: <i>170 Daphine Drive</i> | Mailing Address: |
| City, State, ZIP Code: <i>Hillsborough, NC 27278</i> | City, State, ZIP Code: |
| Telephone: [REDACTED] | Telephone: |
| Email: [REDACTED] | Email: |
| Signature: <i>Natalie Dolgireff & Armand Bath</i> | Signature: |
| Date: <i>6/19/24</i> | Date: |

**Reasons Supporting Change to
Town of Hillsborough Ordinance 5.2.8 Dwelling, Accessory
to Allow Freestanding Accessory Dwelling Units (ADUs) on Private Streets**

**Proposed Amendment to Unified Development Ordinance Text
Town of Hillsborough**

Section 5.2.8 of the Unified Development Ordinance (last amended Oct. 9, 2023) is hereby amended as follows:

Accessory dwelling units (ADUs) built as free-standing outbuildings from a single-family dwelling, shall be allowed on lots accessible by private street/road. The prior requirement that accessory dwelling units on private street/road be connected to the main dwelling, is rescinded. Accessory dwelling units built on lots accessible by private street shall be subject to the same requirements and restrictions as for accessory dwelling units on lots accessed by public street.

**Reasons Supporting Change to
Town of Hillsborough Ordinance 5.2.8 Dwelling, Accessory
to Allow Freestanding Accessory Dwelling Units (ADUs) on Private Streets**

We, Natalie Dolgireff and Armand Roth, Town of Hillsborough residents and property owners, respectfully request that the Town of Hillsborough amend its Ordinance 5.2.8 to allow freestanding ADUs on lots accessed by private streets/roads. The Town's stricter requirements that ADUs developed on lots accessed via private street, be attached to the primary dwelling, remain unsupported by the Town's own data during the past 5 years, which shows no ADUs have been built on private streets/roads.

The following six (6) reasons support this amendment:

- (1) **No ADUs built on lots accessible by private roads in the past 5 years since the Ordinance was amended to allow them**, per research provided by Planning and Economic Development Manager Shannan Campbell.
- (2) **Hypothetical issues** about the potential burdens of increased numbers of ADUs on private streets (further described below based on information provided by Planning and Economic Development Manager Shannan Campbell) are **unsupported by the Town's own 5-year experience** to date since no such ADUs have been built.
 - 2.1) Hypothetical issue that ADUs pose increased burdens for **maintenance of private gravel roads** is unrelated to if an ADU is detached. Any such cost would be the responsibility of private owners and Homeowners' Associations (HOAs) to bear, not the Town from public funds.
 - 2.2) Hypothetical issue about **potential delayed emergency access response time** on private gravel roads is unrelated to whether ADUs are freestanding or attached.
 - 2.3) Hypothetical issue that an **increased number of trash and recycling cans associated with ADUs could cause crowding on an adjacent public street** if that is where such trash is collected, is unrelated to whether ADUs are freestanding or not [in our own case, all cans in our HOA are picked up in front of our houses on the HOA's private gravel street].
 - 2.4) Hypothetical issues that detached ADUs cause **significantly decreased water pressure and increased sewage flows** necessitating increased numbers of meters and sewer lines are unrelated to whether ADUs are freestanding. Instead, the Town's own intermittent, anecdotal experience most likely correlates to overall increased building of single-family dwellings since no ADUs have been built on lots accessible via private street. (Any hypothetical costs for ADUs on private roads would also be borne by their owners.)
3. The Town's unique higher requirement that ADUs built on private roads can only be attached to the primary dwelling results in **unequal financial burdens** on homeowners of lots on private roads.

**Reasons Supporting Change to
Town of Hillsborough Ordinance 5.2.8 Dwelling, Accessory
to Allow Freestanding Accessory Dwelling Units (ADUs) on Private Streets**

Conclusion

Applying the same Town requirements for the types of ADUs allowed to be built on lots accessible via private and public streets promotes greater equality amongst all residential property owners and provides a fairer, more level playing field. It's also consistent with the recent study by the American Association of Retired Persons (AARP) recommending that communities further liberalize their restrictions as much as possible to promote greater building of ADUs and minimize ADU-only specific requirements (study available at <https://www.aarp.org/content/dam/aarp/livable-communities/housing/2022/ABCs%20of%20ADUs-web-singles-082222.pdf>).