Town denies Paideia Academy’s, Calvary Baptist’s requests

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rework the town’s development code, would take a look at where churches are considered appropriate and how to deal with the issue in the ordinance.

The code rewrite is expected to last at least until fall.

One complaint came from Terry Slate of Enpuricon, the owner of the building the church was to locate in. He said the town took too long to explain it wasn’t a tax issue but a zoning problem.

“My initial contact with the planning department was five months ago,” he said. “Only after two town board meetings were we told it was not (a tax issue).

“I feel like it could have been handled much, much quicker.”

Wrong way

The third component of the committee’s recommendations dealt with signs. The town has an ordinance restricting businesses posting signs about town to cut down on the mass of street corner signs that advertise new homes.

While political and non-profit ventures are exempt from this law, strawberry farms and Parade of Homes signs are not.

This year, the strawberry growers and the Parade of Homes exposition will be unable to direct people to their place of business because of the ordinance.

The board found no way around the ordinance without opening it back up for all businesses – once again due to legal concerns.
Town denies Paideia Academy's, Calvary Baptist's requests

Board also disallows strawberry farm signs

By David Leone
Staff Writer

The town of Apex's refusal to change its ordinances to accommodate requests from a private school, growing church and strawberry farm owner leaves them with few solutions.

The town board recently approved its planning committee recommendations not to mess with its ordinances to help Paideia Academy, Calvary Baptist Church and independent strawberry farmers.

"In a nutshell we felt that it would be inappropriate given the fact that we are in the process of re-codifying our development ordinance to essentially tinker with the ordinance we already have," committee chair and Apex Commissioner Don Grimes said.

"Where to go"

Paideia, a small private academy currently meeting at a church, desired to take over the old daycare neighboring Henry Wurst printing in an industrial district on Lufkin Road.

The daycare was permitted because it served the industry directly. To allow the school, the board would have had to rezone the property.

This "spot rezoning request created a legal quagmire that town attorney Hank Fordham recommended against. Spot rezonings are basically illegal in the state, he said.

"I think it would be highly questionable at best to override his (Fordham's) opinion," Grimes said.

Unfortunately for the academy, the daycare was a last, best hope.

Paideia has been searching for months for a suitable building to move into and like other organizations, hasn't found any.

The one-year-old school doesn't have near enough capital to build and, nor does it have the capacity to get a bank loan for the cost, Paideia officials have said.

With only four months until the next school year, there is very little time to find another site. If no site is found, the school will close its doors, officials said.

Unanswered prayer

Calvary Baptist church is now meeting in a 1,600-square-foot space in Cary. The group wanted to expand by leasing space in a building in Apex's Pinnacle Park industrial neighborhood.

Though Pinnacle Park contains virtually no heavy industry, churches are still not permitted under the current ordinance.

But the town attorney reminded the board that changes to the ordinance would have to be across the board — not specific for one type of use.

Apex Commissioner and committee member Christine Hilt said that Clarion, the company hired to see TOWN, page 7