

## MEMORANDUM

TO: Chapel Hill Planning Commission

FROM: Gene Poveromo, Development Manager  
Kay Pearlstein, Senior Planner

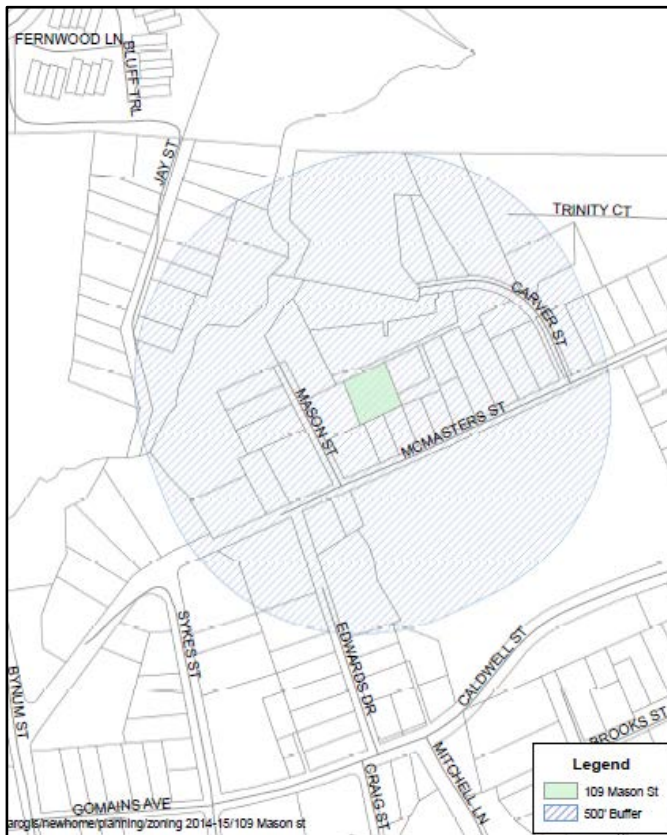
SUBJECT: Site Plan Review Application – 109 Mason Street, Northside Neighborhood Conservation District (File No. 15-006)

DATE: March 3, 2015

We have completed our review of the Site Plan Review application noted above. We recommend approval with conditions.

## INTRODUCTION

This application proposes to construct a 1,745 square foot single-family dwelling unit on a 12,196 square foot lot. The proposed one-story house with finished basement includes four bedrooms, two bathrooms, and an office/media room. Two covered porches are proposed. . The property is located in the Northside Neighborhood Conservation District and within the Residential-3 (R-3) zoning district. The property is land-locked with a 15-access easement from 103 Mason Street. The lot is currently vacant.



A Concept Plan proposal for this project was reviewed by the Community Design Commission at its meeting on March 2, 2015. A summary of the Community Design Commission comments will be provided at the March 3 Planning Commission meeting.

## BACKGROUND

Northside Neighborhood Conservation District Site Plan Review applications are evaluated based on compliance with the procedural and dimensional requirements of the Land Use Management Ordinance; and the design standards in the Council approved Northside Neighborhood Conservation District Guidelines.

### Land Use Management Ordinance:

We believe that the proposed application, with the conditions proposed in the attached

resolution, meets all the regulations and standards of the Land Use Management Ordinance pertaining to the Northside Neighborhood Conservation District. A checklist of these requirements and standards can be found in Attachment 1.

We also note that because this is a single-family unit, the maximum number of vehicles that could be parked on this lot is four. As required by the Land Use Management Ordinance, the proposed parking area must be clearly delineated and marked as well as maintained in a safe and sanitary condition.

### **RECOMMENDATION**

We recommend that the Planning Commission adopt Resolution A, approving the Site Plan Review application, with the stipulations noted. We recommend that the applicant provide an as-built survey prior to receiving a Building Final for a Certificate of Occupancy.

Following Planning Commission approval, the applicant will proceed with a Zoning Compliance Permit application, demonstrating compliance with the Land Use Management Ordinance and supplemental conditions identified in the attached resolution.

### **ATTACHMENTS**

1. Checklist
2. Resolution A
3. Resolution B
4. Applicant's Materials

**ATTACHMENT 1**  
**Checklist of Regulations and Standards**

<b>109 Mason Street</b>	<b>STAFF EVALUATION</b>		
<b>Residential-3 Zoning District Northside Neighborhood Conservation District</b>	<b>STANDARD</b>	<b>APPLICATION</b>	<b>COMPLIANCE WITH ORDINANCE</b>
<b>Land Use Management Ordinance Standards:</b>			
Setbacks	Street – 24 feet Interior – 8 feet Solar – 11 feet	Street – N/A Interior – 8 feet Solar – 11	√
Floor Area Ratio	0.20	0.20	√
Floor Area (maximum)	1,750 sq. ft.	1,745 sq. ft.	√
Vehicle Parking Spaces (maximum)	4	4	√
Front Yard Parking (maximum)	40%	N/A	√
Primary Height (maximum)	20 feet	18' - 4"	√
Secondary Height (maximum)	26 feet	25' - 10"	√
Bedroom to Bathroom Ratio	< 1 (more than 2 bedrooms)	1:2 (2 baths/4 bedrooms)	√
Amount of Impervious Surface		4,793 sq. ft.	√
Erosion and Sedimentation Control		n/a	n/a
Steep Slope Disturbance		√	√ with ZCP submission
Land Disturbance		6,081 sq. ft.	√
Stormwater Management		n/a	n/a
Drainage Plan		√	√ with ZCP submission
Tree Protection		√ (>5,000 Sq. Ft. land disturbance)	√
Lighting		n/a	n/a
Utility Lines Underground		√	√ with ZCP submission
Public Water and Sewer confirmation		√	√ with ZCP submission
Resource Conservation District Regulations		n/a	n/a
Watershed Protection District		n/a	n/a

<b>Northside Neighborhood Conservation District Guidelines:</b>	<b>STANDARD</b>	<b>APPLICATION</b>	<b>COMPLIANCE WITH GUIDELINES</b>
Building orientation	Orient to street	Oriented toward back of adjacent house @ 103 Mason Street; no street frontage	√ with CDC and PC approval
Site Design	Landscaping, lighting, sidewalks, building placement	See site plan	√ with CDC and PC approval
Parking	Located at side or rear of house; 40% limitation; not obscure front door; clearly distinguished from front yard	Parking area located in rear of house	√ with CDC and PC approval
Fencing	Consistent along block	Not proposed	√ with CDC and PC approval
Porches	Should have porch or covered stoop	√	√ with CDC and PC approval
Design Details	Windows on all sides; respect character of neighborhood in scale and proportion;	See site plan and application	√ with CDC and PC approval

N/A – Not applicable

**RESOLUTION A**  
(Approving Application)

**A RESOLUTION APPROVING AN APPLICATION FOR A SITE PLAN APPLICATION FOR 109 MASON ROAD (File No. 15-006)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the 109 Mason Road Site Plan Application, proposed by owner Houtan Kargar, on the property identified as Orange County Property Identification Number 9788-09-8006 if developed according to the plans dated January 20, 2015 and the conditions listed below, would comply with the provisions of the Land Use Management Ordinance and Design Manual:

These findings are based on the following supplemental stipulations:

Stipulation Specific to the Development

1. That construction shall begin within one year from the date of approval and completed within two years from the date of approval.
2. That the applicant must obtain a Zoning Compliance Permit prior to beginning any construction work.
3. That prior to issuance of Certificate of Occupancy, the applicant submit documentation certified by a registered architect that the floor area, as defined by Land Use Management Ordinance, does not exceed 1,745 square feet.
4. Occupancy by more than four (4) persons who are not related by blood, adoption, marriage, or domestic partnership is prohibited.
5. Parking restrictions limit the number of parked vehicles on the lot to four vehicles. That the parking area be clearly delineated and marked with a safe and sanitary surface.
6. That certified as-build plans, signed and sealed by a North Carolina Registered Professional Land Surveyor showing building height limitations, building footprints, driveways, and all other impervious surfaces located on the zoning lot be submitted prior to Building Final for issuance of Certificate of Occupancy.
7. That the final plan shall be approved by OWASA prior to issuance of a Zoning Compliance Permit.
8. That a Building Permit must be obtained and construction must begin by March 3, 2016 and construction be completed by March 3, 2017.

BE IT FURTHER RESOLVED that the Planning Commission of the Town of Chapel Hill hereby approves the application for a Site Plan for the 109 Mason Street in accordance with the plans and conditions listed above.

This the 3rd day of March, 2015.

**RESOLUTION B**  
(Denying Application)

**A RESOLUTION DENYING AN APPLICATION FOR A SITE PLAN FOR 109 MASON STREET (File No. 15-006)**

BE IT RESOLVED by the Planning Commission of the Town of Chapel Hill that it finds that the 109 Mason Street Site Plan, proposed by owner Houtan Kargar, on the property identified as Chapel Hill PIN 9788-09-8006 if developed according to the plans dated January 20, 2015 and the conditions listed below, would not comply with the provisions of the Land Use Management Ordinance and Design Manual:

These findings are based on the following:

(INSERT REASONS FOR DENIAL)

BE IT FURTHER RESOLVED by the Planning Commission hereby denies the application for the 109 Mason Street Site Plan.

This the 3rd day of March, 2015.

**APPLICATION FOR  
NORTHSIDE/PINE KNOLLS  
CONCEPT PLAN APPLICATION**



**TOWN OF CHAPEL HILL  
Planning Department**  
405 Martin Luther King Jr. Blvd  
Chapel Hill, NC 27514  
phone (919) 968-2728 fax (919) 969-2014  
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9788-09-8006 Date: 1-23-15

**Section A: Project Information**

Construction adding 600 square feet or more of floor area.

Property Address: 109 MASON STREET

Zoning District: R-3  Northside (CD-1)  Pine Knolls (CD-4)

Project Description: construction of a new 1,745 square foot residence.  
(finished); Floor Area of 1,800 square feet.

**Section B: Applicant, Owner and/or Contract Purchaser Information**

**Applicant Information** (to whom correspondence will be mailed)


Name: H & M BROTHERS, INC.

Address: PO BOX 692

City: Chapel Hill State: NC Zip Code: 27514

Phone: 919-308-8321 Email: hmbrothersinc@gmail.com

The undersigned applicant hereby certifies that, to the best of his/her knowledge and belief, all information supplied with this application is true and accurate.

Signature:  Date: 1/23/15  
MARY GHAREMANI, UP

**Owner/Contract Purchaser Information:**

Owner  Contract Purchaser

Name: HOUTAN KARGAR

Address: 4003 Peachway Court

City: Durham State: NC Zip Code: 27705

Phone: 440-533-9000 Email: houtan.kargar@gmail.com

The undersigned property owner(s) or contract purchaser(s) hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate authorize(s) the filing of this application, and authorize(s) on-site review by authorized staff. **I hereby acknowledge receipt of information concerning occupancy limits, as defined by the Land Use Management Ordinance for dwelling units, single family, two family, and two-family-duplex.**

Signature:  Date: 1/23/15





**Section C: Land Area**

Date lot was originally created	11/14/57		
Net Land Area (NLA): Area within zoning lot boundaries	NLA=	12,197	sq. ft.
Choose one, or both, of the following (a or b,) not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x 1/2 width of public right-of-way	CSA=	n/a sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x 1/2 public or dedicated open space	COS=	n/a sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)	GLA=	12,197	sq. ft.

**Section D: Special Protection Areas, Land Disturbance and Impervious Area**

**Special Protection Areas:** (check all those that apply)

- Jordan Buffer    
  Resource Conservation District    
  100 Year Floodplain    
  Watershed Protection District

Land Disturbance	Total (sq ft)
Area of Land Disturbance (Includes: footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading)	6,081
Area of Land Disturbance within RCD	0
Area of Land Disturbance within Jordan Buffer	0

Impervious Area	Existing (sq ft)	Demolition (sq ft)	Proposed (sq ft)	Total (sq ft)
Impervious Surface Area (ISA)	0	0	4,793	4,793
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA) %	0	0	39 %	39 %
If located in Watershed Protection District, % of impervious surface on 7/1/1993				

**Section E: Dimensions**

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	24		n/a
	Interior (neighboring property lines)	8		38'9"
	Solar (northern property line)	11		12
Height (maximum)		26		25'10"
Front Yard Parking		40'/. (max)		n/a





**SUBMITTAL REQUIREMENTS**  
**TOWN OF CHAPEL HILL**  
 Planning Department

Floor Area (in square footage)	Maximum Allowed	Existing	Demolition	Proposed	Total
Total floor area on zoning lot	2439	0	0	1800	1800
Garage building area					
Floor area on each side of duplex					
Floor area of accessory apartment					

Check all that apply

<b>Water</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Other
<b>Sewer</b>	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Other
<b>Electrical</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground	
<b>Telephone</b>	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground	
<b>Solid Waste</b>	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private	

**Submittal Requirements**

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department at (919)968-2728 or at [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org). For detailed information, please refer to the Description of Detailed Information handout.

- |     |  |
|-----|--|
| ✓   | 1. <b>Application fee</b> (Refer to fee schedule) Please note that the RCD fee is higher <b>+ \$234</b>                        |
| ✓   | 2. <b>Recorded plat or deed verifying property current ownership</b>   |
| ✓   | 3. <b>Public Water/Sewer Confirmation</b> – from OWASA or Orange County Health Department approval                             |
| ✓   | 4. <b>Recorded Plat of easements, right-of-way, and dedications</b> , if applicable  |
| ✓   | 5. <b>Building Elevation</b> (label building height from top of roof to mean natural grade line)                               |
| ✓   | 6. <b>Statement of Compliance with Design Guidelines</b> (attached) – Written response to each point in guidelines             |
| ✓   | 7. <b>Floor Plan</b> – compliance with bedroom/bathroom ratio  |
| N/A | 8. <b>Front Yard Parking</b> – compliance with allowable percentage  |
| ✓   | 9. <b>Digital Files</b> – provide digital files of all plans and documents (file size limited to 10 MG)                        |
| ✓   | 10. <b>Mailing List of Property Owners</b> , (electronic copy) – increase in floor area or garage proposed                     |
| 39  | 11. <b>Number of addresses on mailing list</b> <span style="float: right;"><b>Mailing fee \$ 30.03</b></span>                  |
| N/A | 12. <b>RCD, Jordan Buffer, Floodplains, &amp; Wetland determination</b> - please contact Planning Department at (919) 968-2728 |
| N/A | 13. <b>Resource Conservation District Encroachment Exemption</b> or Variance (determined by Planning)                          |
| N/A | 14. <b>Jordan Buffer Notice of Exemption</b> , Authorization Certificate or Mitigation Plan Approval (determined by Planning)  |
| N/A | 15. <b>Erosion Control Permit</b> (Orange County, or State only if land disturbance greater than 20,000 sq ft)                 |
| ✓   | 16. <b>Statement of Compliance with Comprehensive Plan</b> – 12 themes   |
| ✓   | 17. <b>Digital photos of site and surrounding properties</b>   |
| ✓   | 18. <b>Reduced Site Plan Set</b> (reduced to 8.5"x11")   |



**Existing Conditions Plan**

- a) Location of all existing structures and setbacks
- b) Property lines and right-of-way lines
- c) Location of Resource Conservation District (RCD), Jordan Buffer, Floodplain, and Wetlands
- d) Stream determination, if not done within past 5 years

**Detailed Site Plan (5 copies)**

- a) Existing and proposed structures, driveways, sidewalks, impervious surface, and stormwater
- b) Indicate location of water, sewer, electric, cable, telephone, and gas lines
- c) Area of land disturbance (include grading, construction, staging, utility lines, access areas, and stormwater facilities
- d) Proposed utility lines, fences
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names.

**Steep Slope Plan (classifying slopes 0-10%, 10-15%, 15-25%, 25% and greater if lot created after 1/27/03)**

**Landscape Protection Plan (3 copies) for lots with greater than 5,000 square feet of land disturbance**

- a) Tree survey (trees greater than 18" diameter at 4 feet in height)
- b) Rare and specimen tree critical root zones
- c) Rare and specimen trees proposed to be removed
- d) Proposed tree protection/silt fence location
- e) Pre-construction/demolition conference notes
- f) Existing and proposed tree canopy calculations, if applicable

**Land Disturbance within the Resource Conservation District (or Encroachment Exemption approval)**

- a) Utilities Plan;
- b) Grading Plan showing existing and final contours;
- c) Sedimentation and Erosion Control Plan;
- d) Stormwater Management Plan;
- e) Soils Analysis;
- f) Plan view including topography of the site; location of streams, watercourses, stormwater runoff channels; floodway and floodplain; existing or proposed storm and sanitary sewers and sewer outfalls; septic tanks systems; existing and proposed structures; the 100-year flood and RCD elevations and limits; and existing and proposed tree lines;
- g) Profile view including elevations of the watercourse beds; waterway openings of existing and proposed culverts and bridges within or near the site; size and elevation of existing or proposed sewer and drain outlets; 100-year water surface elevations and limits; and elevations of the RCD;
- h) Description of existing vegetation, including significant trees and shrubs; and a landscape plan;
- i) Description of wildlife habitats;
- j) Description of proposed storage of materials and of waste disposal facilities;
- k) Certificate from a registered professional engineer or architect with respect to floodproofing;
- l) Copies of notifications to and responses by adjacent communities, the North Carolina Department of Crime Control, and Public Safety, and the Federal Emergency Management Agency, regarding any proposed alteration or relocation of a riverine watercourse;
- m) The increase in elevation of the 100-year flood upstream from the development, velocity changes and rate of rise changes, runoff, water quality change, sediment deposit rate changes, and duration of flood;
- n) A list of owners of properties located within five hundred (500) feet of the subject property boundaries with the full name and address of each property owner, with stamped, pre-addressed mailing



**SUBMITTAL REQUIREMENTS**  
**TOWN OF CHAPEL HILL**  
**Planning Department**

envelopes for each owner on the mailing list.

For lots created prior to January 27, 2003 and greater than 5,000 square feet of land disturbance, the stormwater plans must control for stormwater rate and quality. For lots created after January 27, 2003, with any amount of land disturbance, the plan must control for stormwater rate, quality, and volume.

**Stormwater Management Plan (2 copies)**

- a) Topography (2-foot contours)
- b) Existing drainage conditions
- c) Proposed drainage and stormwater conditions
- d) Drainage conveyance system (piping)
- e) Roof drains
- f) Easements
- g) BMP plans, dimensions, details, and cross-sections
- h) Planting and stabilization plans and specifications

**Stormwater Management Report (2 copies)**

- a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- b) Description of land uses and area (in square footage)
- c) Impervious surface area
- d) Ground cover
- e) Soil Information (classification, infiltration rates, depth to groundwater and bedrock)
- f) Time of concentration calculations and assumptions
- g) Topography (2-foot contours)
- h) Pertinent on-site and off-site drainage conditions
- i) Upstream and/or downstream volumes
- j) Discharges and velocities
- k) Drainage areas and sub-areas delineated
- l) Backwater elevations and effects on existing drainage conveyance facilities
- m) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
- n) Water quality volume calculations
- o) RCD delineation and boundary (perennial & intermittent streams, post-development with mitigation)
- p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
- q) Peak discharge calculations and rates (1, 2, and 25-year storms)
- r) Volume calculations and documentation of retention for 2-year storm
- s) 85% TTS for post-development stormwater run-off
- t) Nutrient loading calculations
- u) BMP sizing calculations
- v) Pipe sizing calculations and schedule (including HGL & EGL calculations and profiles)





**Northside/Pine Knolls Neighborhood Conservation District Regulations**

Regulation	Northside	Pine Knolls	Notes
Maximum secondary building height (single-family residential)	26 feet	26 feet	
Maximum size for single-family dwelling	1,750 square feet	1,750 square feet	Variance may be requested for up to 2,250 square feet per Section 4.12.2(b) of Land Use Management Ordinance
Maximum floor area ratio for single-family dwelling (or single-family with accessory apartment)	.20	.25	
Maximum number of parked vehicles per property	4	4	Site Plan Approval for an exception to be reviewed by the Planning Board for up to 6 vehicles for duplex and triplex units
Zoning Compliance Permit Notification	Required for increase in floor area or garage	Required for increase in floor area or garage	two-week waiting period to allow for resident comments to the applicant
Accessory Dwellings	Not Permitted	Not Permitted	
Flag Lots	Not Permitted	Not Permitted	
Rooming Houses	Not Permitted	Not Permitted	
Duplexes and Triplexes	Permitted*	Permitted*	*only projects with 100% affordability
Planning Board Review	250 square feet	250 square feet	Demolition and projects adding 250 or more square feet of floor area to a zoning lot
Community Design Commission Review	600 square feet	600 square feet	Projects adding 600 or more square feet of floor area to a zoning lot

**109 MASON STREET**  
CHAPEL HILL, NC 27516  
(STATEMENT OF COMPLIANCE)

WE, H & M BROTHERS, INC., ON BEHALF OF MR. HOUTAN KARGAR, ARE SUBMITTING INFORMATION DESCRIBING A PROPOSED NEW 1,745 SQUARE-FOOT SINGLE-FAMILY RESIDENCE ON A CURRENTLY VACANT PARCEL (9788-09-8006).

DESIGN OF THE HOME, SINGLE-STORY WITH BASEMENT, IS CRAFTSMAN/COLONIAL STYLED, CONSISTING OF FOUR-BEDROOMS, THREE-BATH, COVERED FRONT PORCH AND WINDOWS ON EACH SIDE. PRIMARY HEIGHT IS 18'4", SECONDARY IS 25'10".

THE FOUNDATION WILL BE FACE BRICK OR CONCRETE, AND THE WALLS ABOVE THE FOUNDATION WILL BE TRADITIONAL VINYL OR HARDIEBOARD LAP SIDING ON THE FIRST FLOOR WITH POTENTIAL FOR STRAIGHT CUT SHINGLES AT ITS GABLES AND DORMERS. THE PRIMARY ROOF AND THE FRONT PORCH WILL CONSIST OF FIBERGLASS (OR ASPHALT SHINGLES) AND/OR 5V CRIMP METAL ROOFING.

RESPONSES TO POINTS IN DESIGN GUIDELINES:

- THE NEW HOUSE, ALTHOUGH LAND-LOCKED, WILL BE ORIENTED FACING MASON STREET, SIMILAR TO EXISTING NEIGHBORING HOUSES.
- PARKING WILL BE LOCATED PRINCIPALLY AT THE REAR OF THE HOUSE, WITH NO PARKING IN THE FRONT YARD AREA.
- WE ARE NOT ANTICIPATING CONSTRUCTING FENCING, EXCEPT SEDIMENT.
- THE HOUSE WILL HAVE A COVERED FRONT PORCH.
- SCALE/PROPORTIONS ARE SIMILAR TO EXISTING NEIGHBORING HOUSES.

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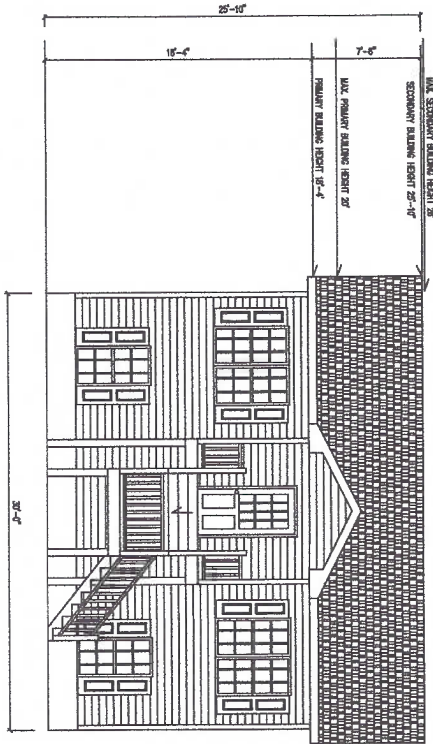
❖ TOTAL FLOOR AREA: **1,800 SQ.FT**  
FINISHED: 1,745 SQ.FT  
UNFINISHED: 55 SQ.FT

FLOOR AREA RATIO: .15

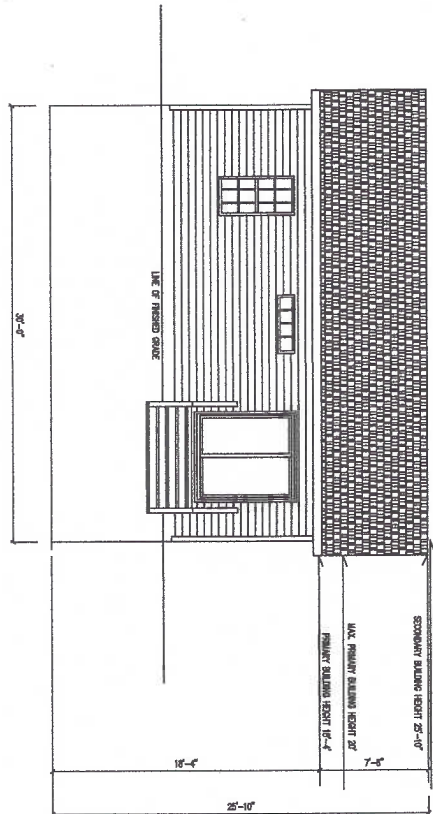
TOTAL LAND AREA: **12,197 SQ.FT**

IMPERVIOUS AREAS: **4,793 SQ.FT**  
INCLUDES:  
BUILDING: 1,820 SQ.FT  
DISSIPATER: 18 SQ.FT  
DRIVEWAY: 2,768 SQ.FT  
GRAVEL WALKWAY: 187 SQ.FT

MAX IMPERVIOUS ALLOW: 4,840 SQ.FT  
TOTAL LAND DISTURB: **6,081 SQ.FT**



FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

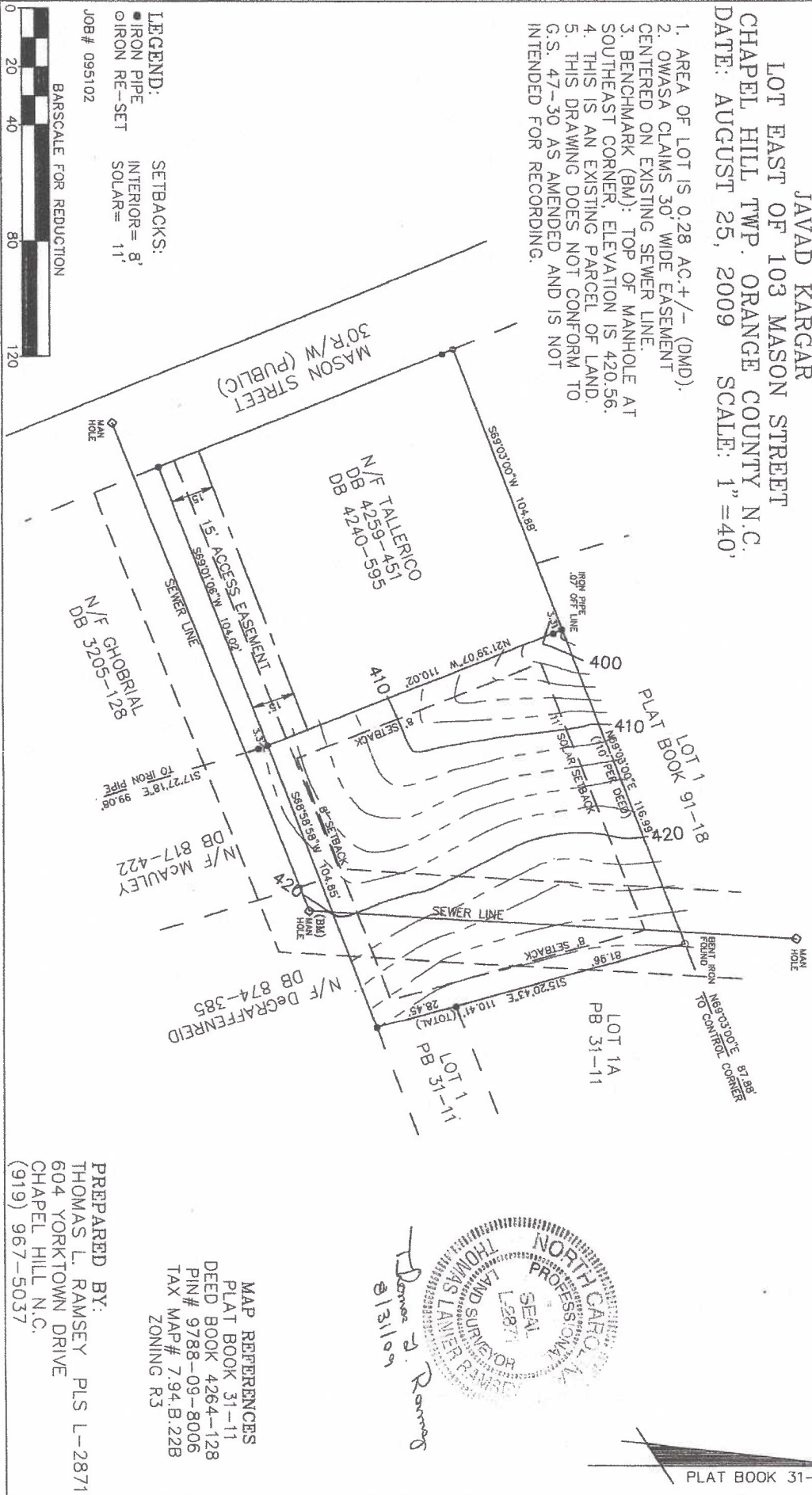


REAR ELEVATION  
SCALE: 1/4" = 1'-0"

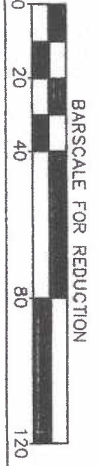
LOT SURVEY FOR JAVAD KARGAR  
 THIS PROPERTY IS NOT LOCATED IN THE RESOURCE CONSERVATION DISTRICT AS DEFINED IN THE CHAPEL HILL DEVELOPMENT ORDINANCE/LAND USE MANAGEMENT ORDINANCE.

LOT EAST OF 103 MASON STREET  
 CHAPEL HILL TWP. ORANGE COUNTY N.C.  
 DATE: AUGUST 25, 2009 SCALE: 1"=40'

1. AREA OF LOT IS 0.28 AC +/- (DMD).
2. OWASA CLAIMS 30' WIDE EASEMENT CENTERED ON EXISTING SEWER LINE.
3. BENCHMARK (BM): TOP OF MANHOLE AT SOUTHEAST CORNER, ELEVATION IS 420.56.
4. THIS IS AN EXISTING PARCEL OF LAND.
5. THIS DRAWING DOES NOT CONFORM TO G.S. 47-30 AS AMENDED AND IS NOT INTENDED FOR RECORDING.



LEGEND:  
 ● IRON PIPE  
 ○ IRON RE-SET  
 SETBACKS:  
 INTERIOR = 8'  
 SOLAR = 11'

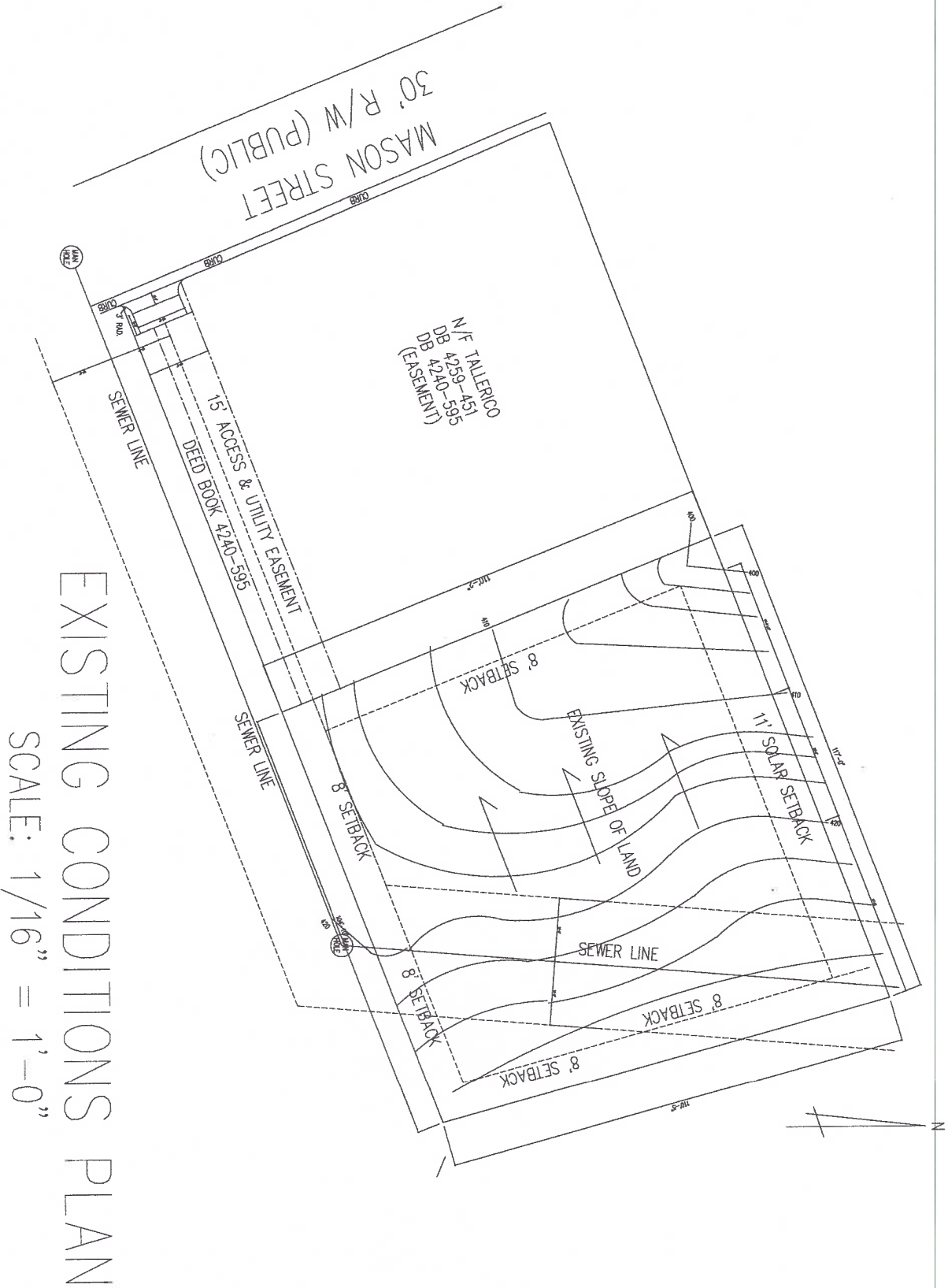


THOMAS L. RAMSEY  
 NORTH CAROLINA  
 LAND SURVEYOR  
 SEAL  
 L5871  
 8/31/09

MAP REFERENCES  
 PLAT BOOK 31-11  
 DEED BOOK 4264-128  
 PIN# 9788-09-8006  
 TAX MAP# 7.94.B.22B  
 ZONING R3

PREPARED BY:  
 THOMAS L. RAMSEY PLS L-2871  
 604 YORKTOWN DRIVE  
 CHAPEL HILL N.C.  
 (919) 967-5037





# EXISTING CONDITIONS PLAN

SCALE: 1/16" = 1'-0"

SETBACKS OF BUILDING FROM PROPERTY LINES  
 AT LEFT SIDE = 12'  
 AT RIGHT SIDE = 68'  
 AT FRONT = 36'-9"  
 AT REAR = 44'

TOTAL LAND DISTURBE: 6,081 SQ. FT.

MAX. IMPERVIOUS ALLOWED: 4,840 SQ. FT.

FLOOR AREA RATIO: .15

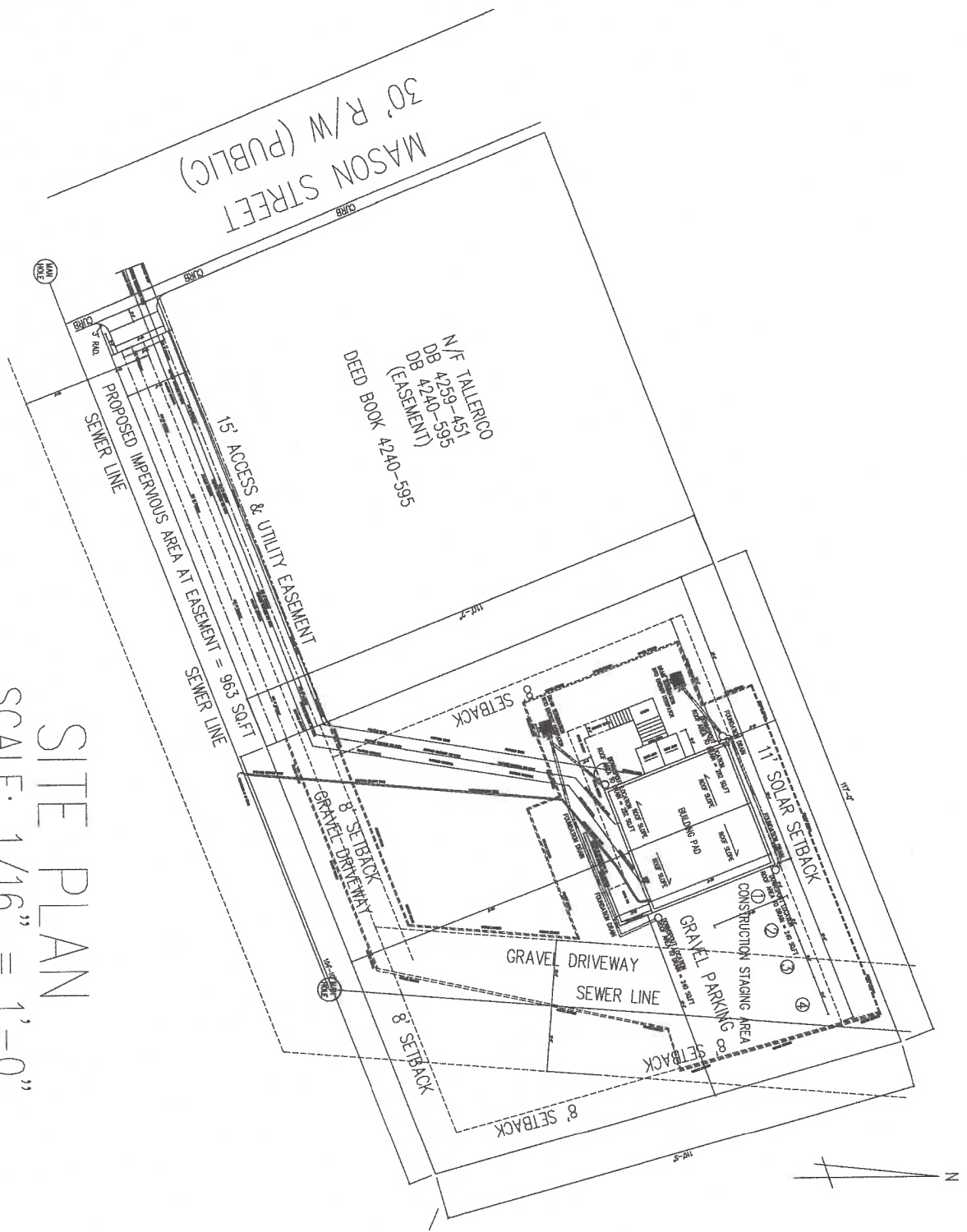
TOTAL FLOOR AREA: 1,800 SQ. FT.  
 FINISHED: 1,745 SQ. FT.  
 UNFINISHED: 55 SQ. FT.

PREPARED BY: THOMAS E. HARBEL  
 JANUARY 20, 2015  
 thomasharbelle@gmail.com

109 MASON ST CHAPEL HILL, N.C.  
 NEIGHBORHOOD CONSERVATION (CD-1)  
 PIN NUMBER: 9788-09-8006  
 TAX MAP: 754.B.228  
 ZONING: R-3

# SITE PLAN

SCALE: 1/16" = 1'-0"



N.F. TALLERO  
 DB 4240-595  
 DB 4240-595  
 (EASEMENT)  
 DEED BOOK 4240-595

PREPARED BY: THOMAS E. HARBELL  
 JANUARY 20, 2015  
 tharb@harcort.com

109 MASON ST. CHAPEL HILL, N.C.  
 NEIGHBORHOOD CONSERVATION (CO-1)  
 PIN NUMBER: 9788-09-8096  
 TAX MAP: 794.8.229  
 ZONING: R-3

TOTAL FLOOR AREA: 1,800 SQ. FT.  
 FINISHED: 1,745 SQ. FT.  
 UNFINISHED: 55 SQ. FT.

FLOOR AREA RATIO: .15

TOTAL LAND AREA: 12,197 SQ. FT.

IMPERVIOUS AREAS: 4,793 SQ. FT.

BUILDING: 1,820 SQ. FT.  
 DRIPSPATER: 18 SQ. FT.  
 GRAVEL DRIVEWAY: 2,768 SQ. FT.  
 GRAVEL WALKWAY: 187 SQ. FT.

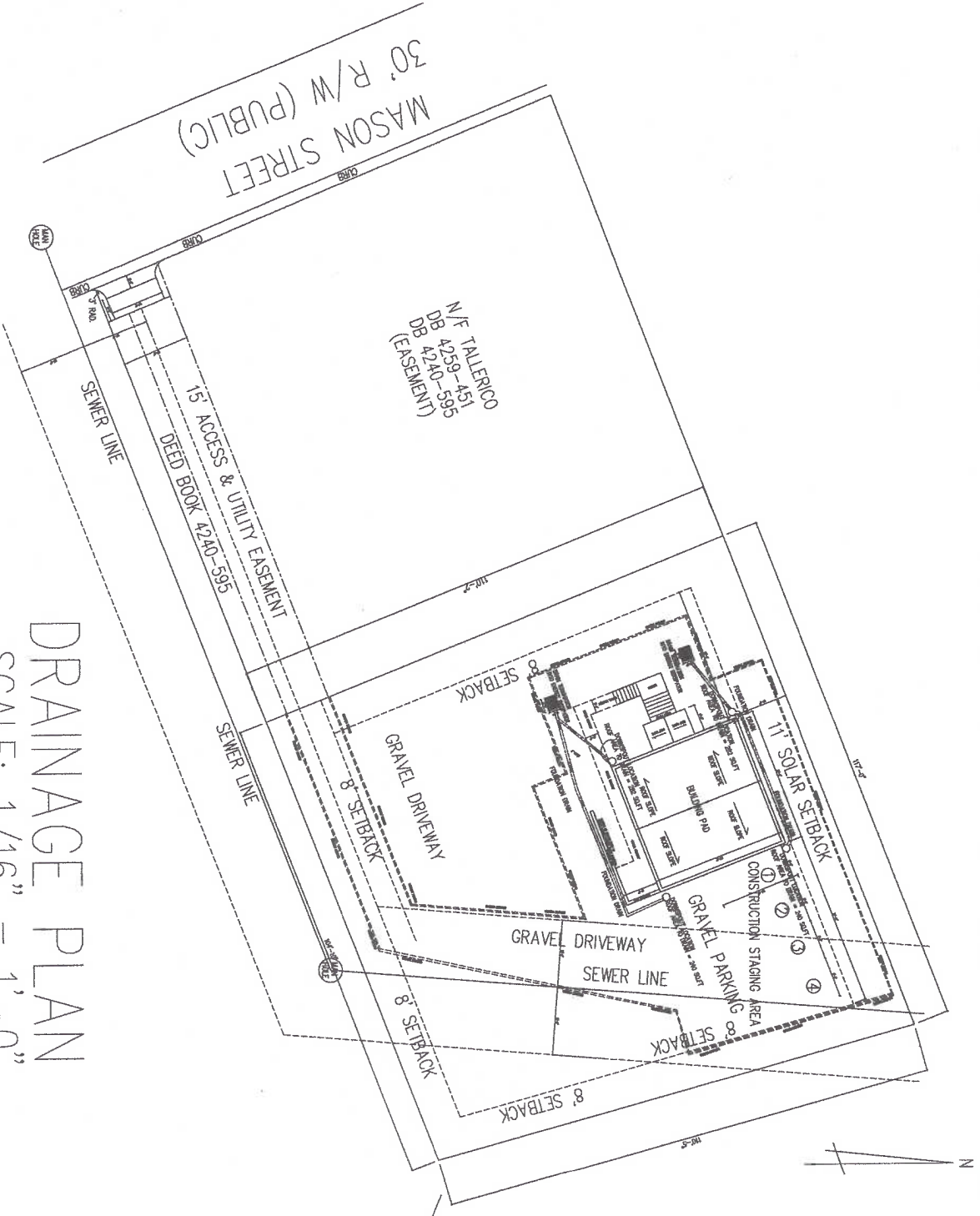
MAX. IMPERVIOUS ALLOWED: 4,840 SQ. FT.

TOTAL LAND DISTURB: 6,081 SQ. FT.

SETBACKS OF BUILDING FROM PROPERTY LINES  
 AT LEFT SIDE = 12'  
 AT RIGHT SIDE = 69'  
 AT FRONT = 38'-5"  
 AT REAR = 44'

# DRAINAGE PLAN

SCALE: 1/16" = 1'-0"



N/F TALLERICO  
DB 4259-451  
DB 4210-595  
(EASEMENT)

MASON STREET  
(PUBLIC)

15' ACCESS & UTILITY EASEMENT  
DEED BOOK 4210-595

SEWER LINE

SEWER LINE

GRAVEL DRIVEWAY

GRAVEL DRIVEWAY

GRAVEL PARKING AREA

SEWER LINE

8' SETBACK

8' SETBACK

8' SETBACK

8' SETBACK

11' SOLAR SETBACK



PREPARED BY: THOMAS E. HARBELL  
JANUARY 20, 2010  
thomaseh@earthlink.net

109 MASON ST. CHAPEL HILL, N.C.  
NEIGHBORHOOD CONSERVATION (CO-1)  
P.N. NUMBER: 9788-09-8006  
TAX MAP: 7.94.B.228  
ZONING: R-3

TOTAL FLOOR AREA: 1,800 SQ. FT.  
FINISHED: 1,745 SQ. FT.  
UNFINISHED: 55 SQ. FT.

FLOOR AREA RATIO: .15

TOTAL LAND AREA: 12,197 SQ. FT.

IMPERVIOUS AREAS: 4,793 SQ. FT.

BUILDING: 1,820 SQ. FT.

DISPARER: 18 SQ. FT.

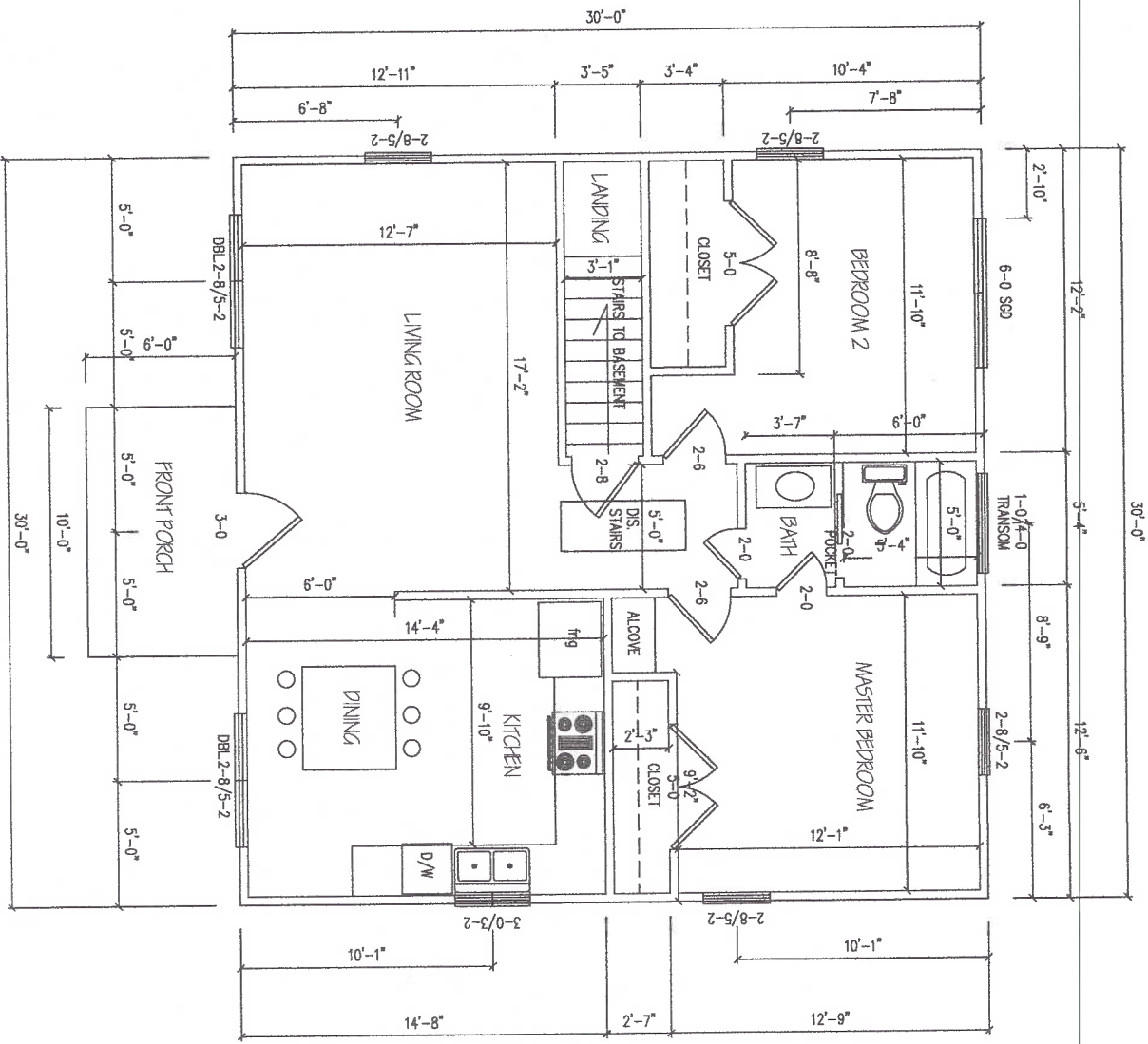
GRAVEL DRIVEWAY: 2,768 SQ. FT.

GRAVEL WALKWAY: 187 SQ. FT.

MAX. IMPERVIOUS ALLOWED: 4,840 SQ. FT.

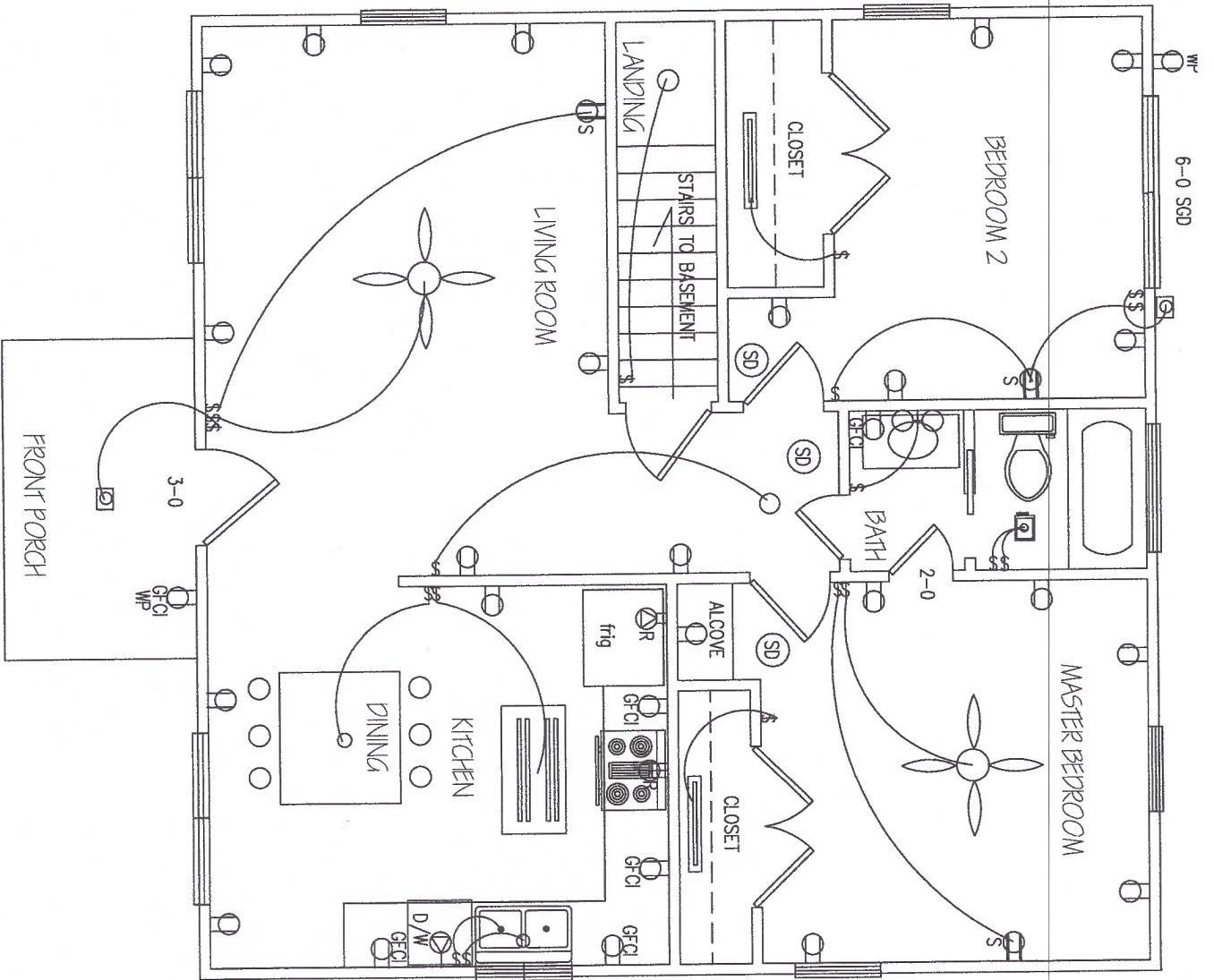
TOTAL LAND DISTURBE: 6,081 SQ. FT.

SETBACKS OF BUILDING FROM PROPERTY LINES  
AT LEFT SIDE = 12'  
AT RIGHT SIDE = 66'  
AT FRONT = 38'-9"  
AT REAR = 44'



# FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

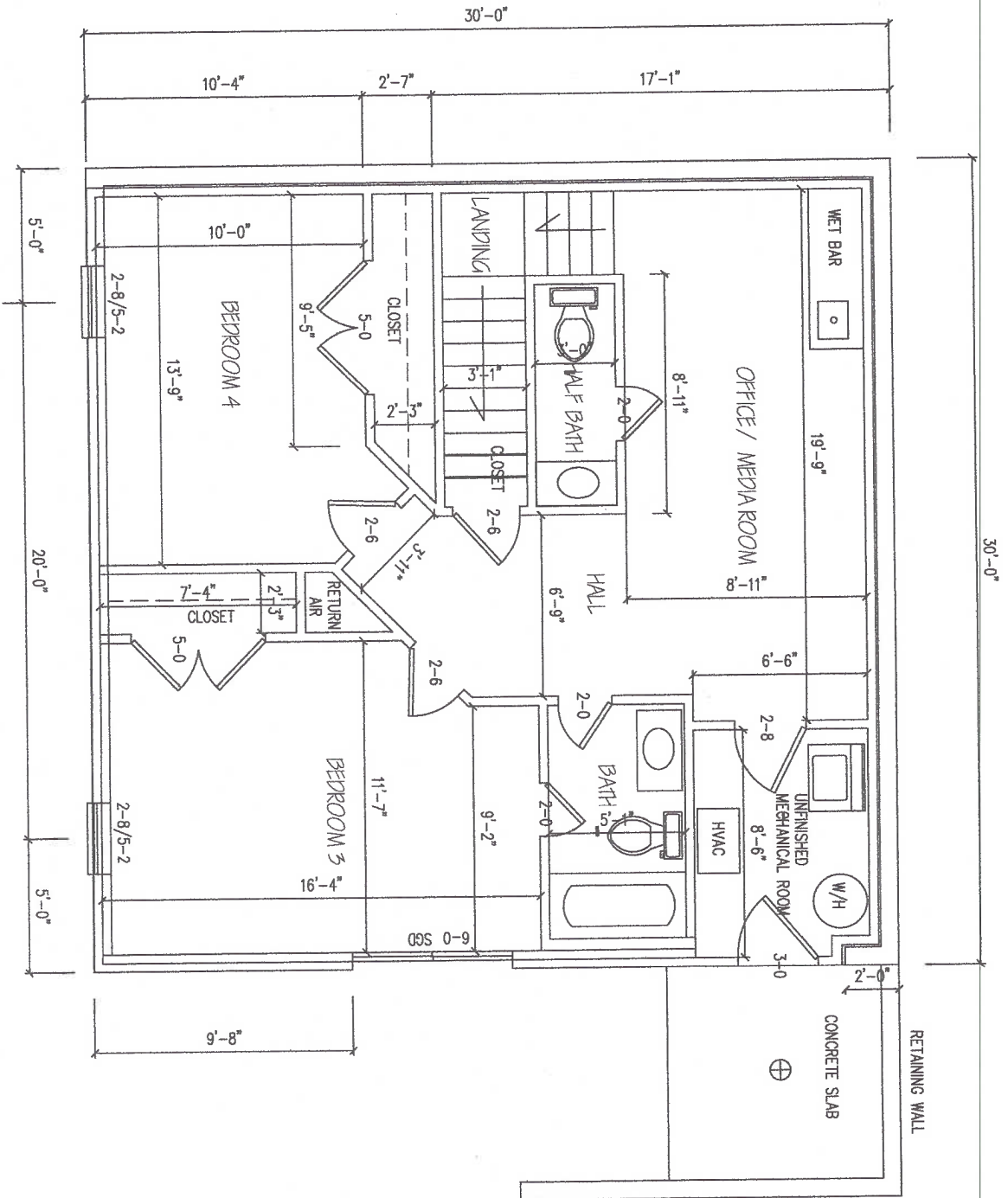


# FIRST FLOOR ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"

**SYMBOL KEY**

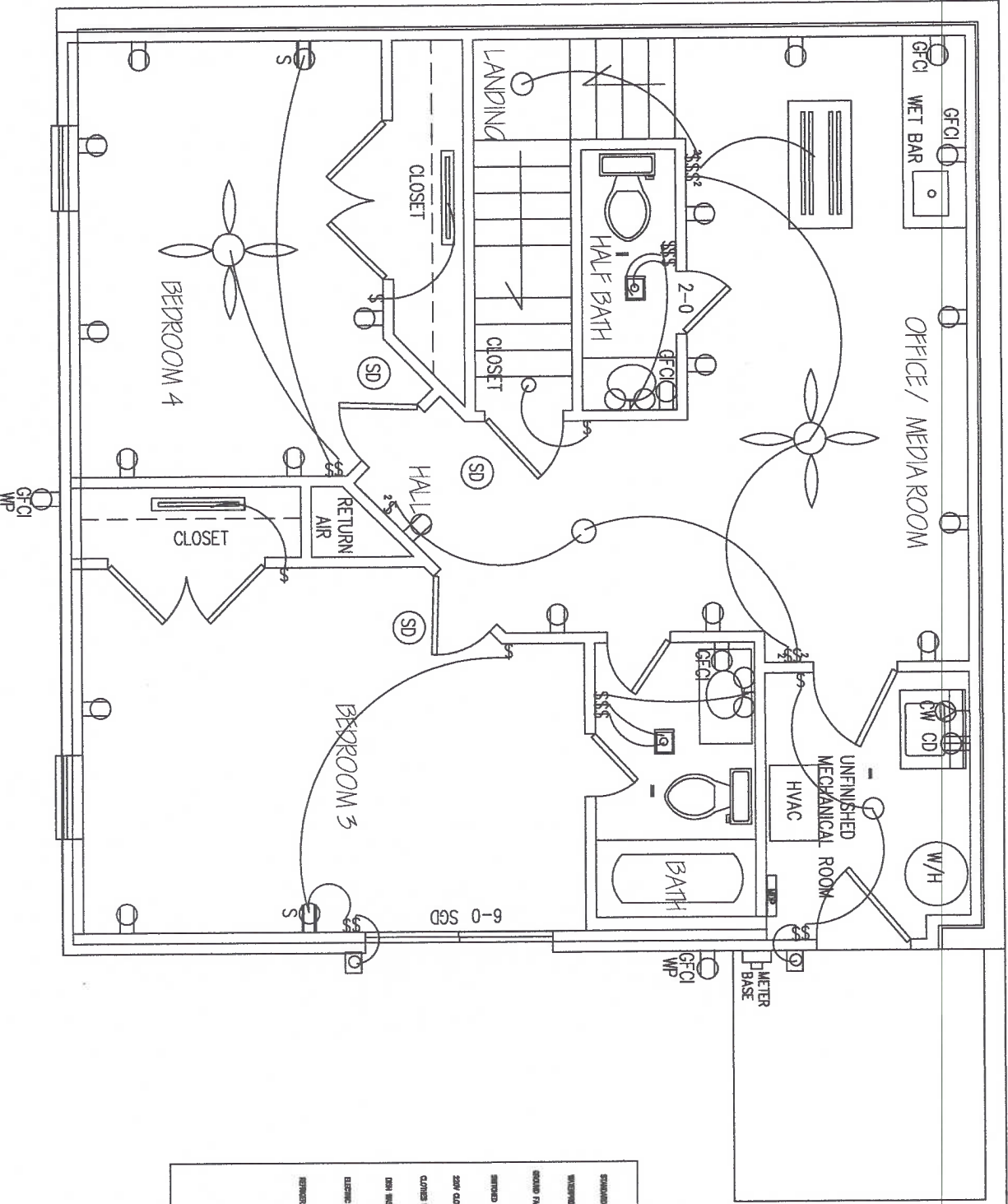
	STAIRCASE		TOILET FLUSH
	INTERRUPTER SWITCH		3-WAY SWITCH
	GROUND FAULT DEVICE		VANITY LIGHT FIXTURE
	SWITCHED OUTLET		CEILING LIGHT
	200V CLOTHES DRYER		RANGE/REFRIGERATOR
	CLOTHES WASHER		STAIRCASE
	HOT WATER		ELECTRICAL PANEL
	ELECTRIC RANGE		COMBINATION LIGHT/FAN
	REFRIGERATOR		FAN w/ LIGHT



# BASEMENT PLAN

SCALE: 1/4" = 1'-0"

RETAINING WALL



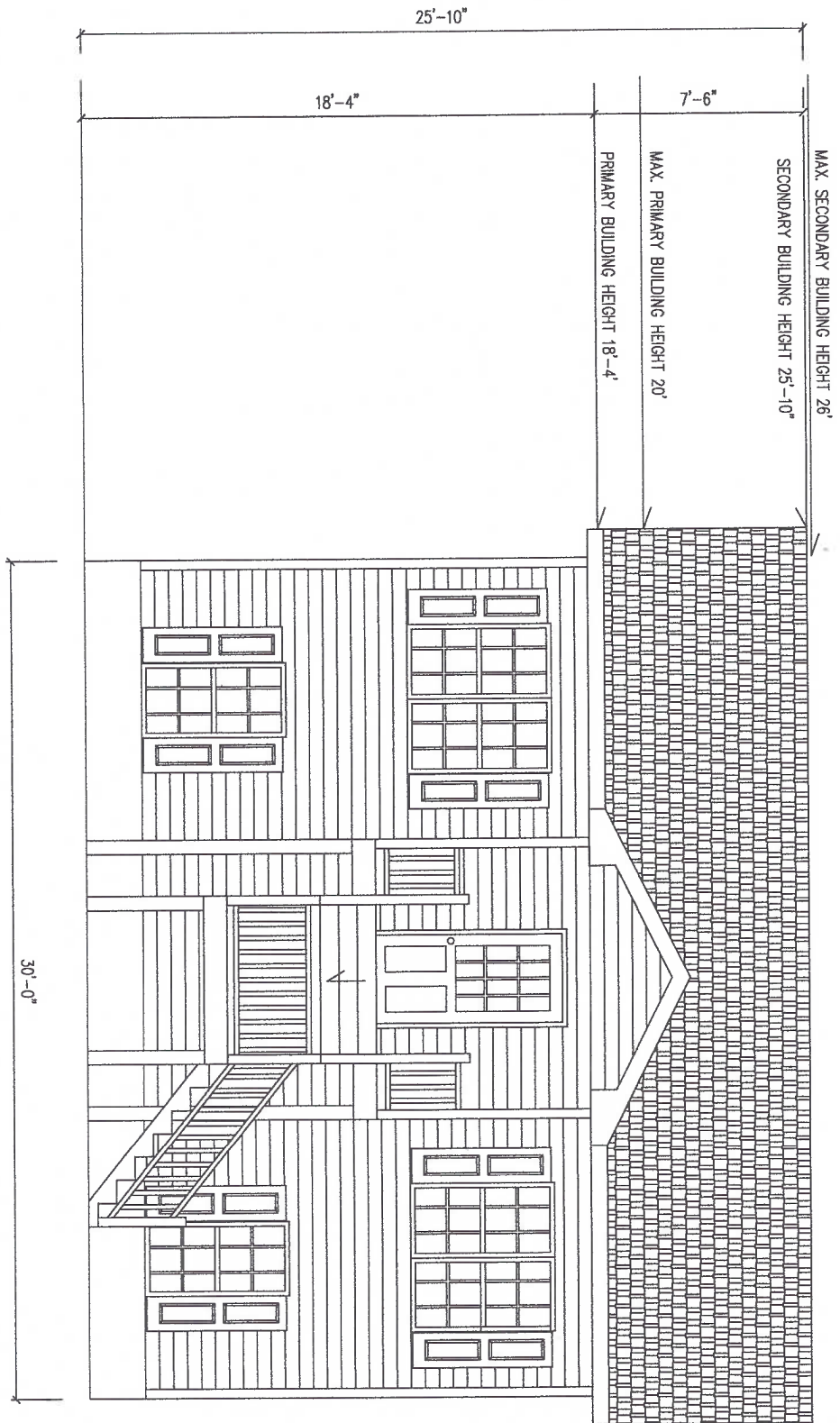
SYMBOL KEY

STANDARD OUTLET	TOILET SINK
WATERPROOF OUTLET	3-WAY SWITCH
GROUND FAULT SWITCH	VANITY LIGHT FIXTURE
SMOOTH OUTLET	CROWN LIGHTS
200V CLOTHES DRYER	WALLMOUNTED
CLOTHES WASHER	PLUMBING
LAUNDRY WASHER	COMBINATION LIGHT/FAN
ELECTRIC RANGE	FAN W/LIGHT
REFRIGERATOR	

# BASEMENT ELECTRICAL PLAN

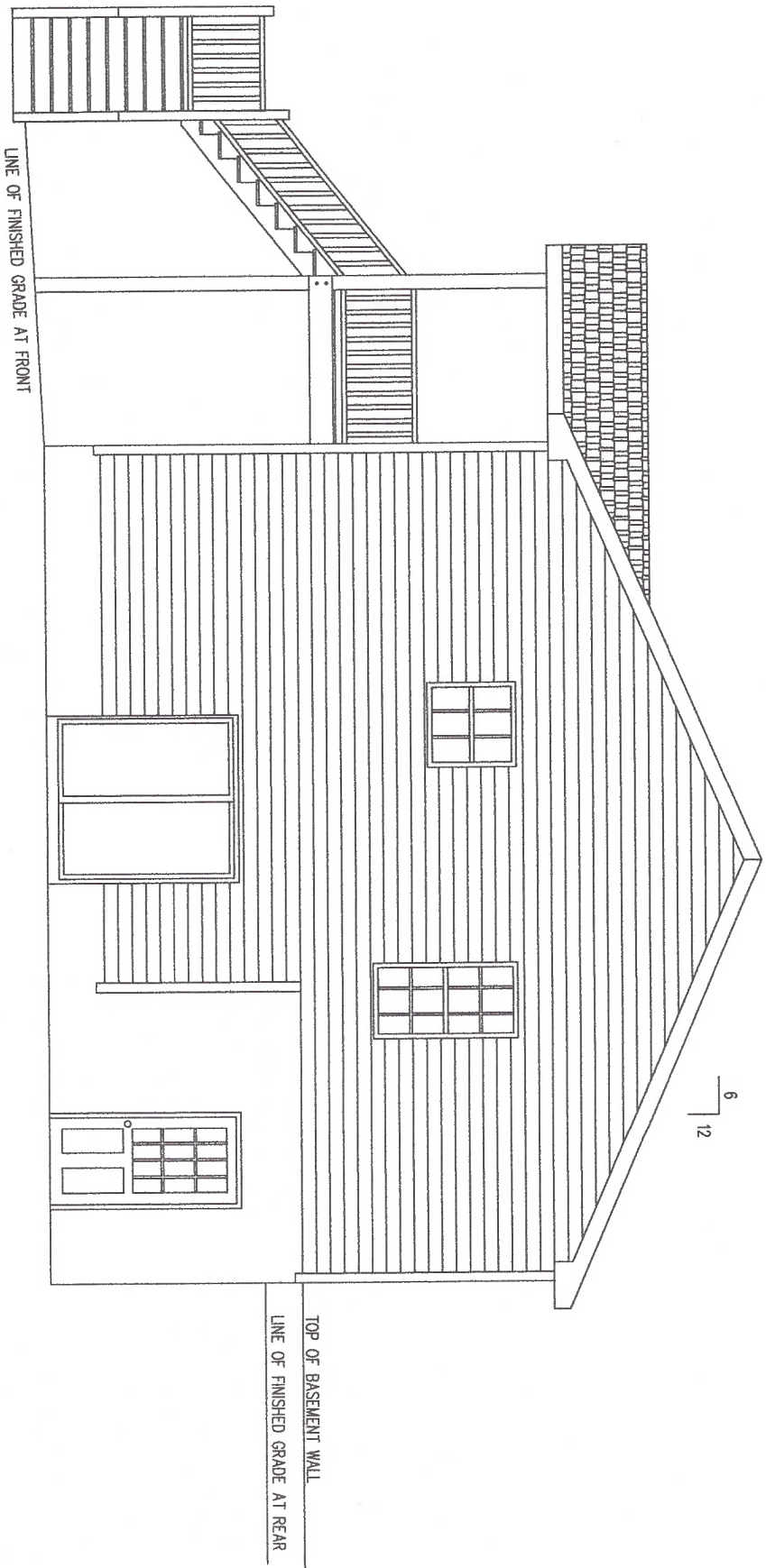
SCALE: 1/4" = 1'-0"





FRONT ELEVATION

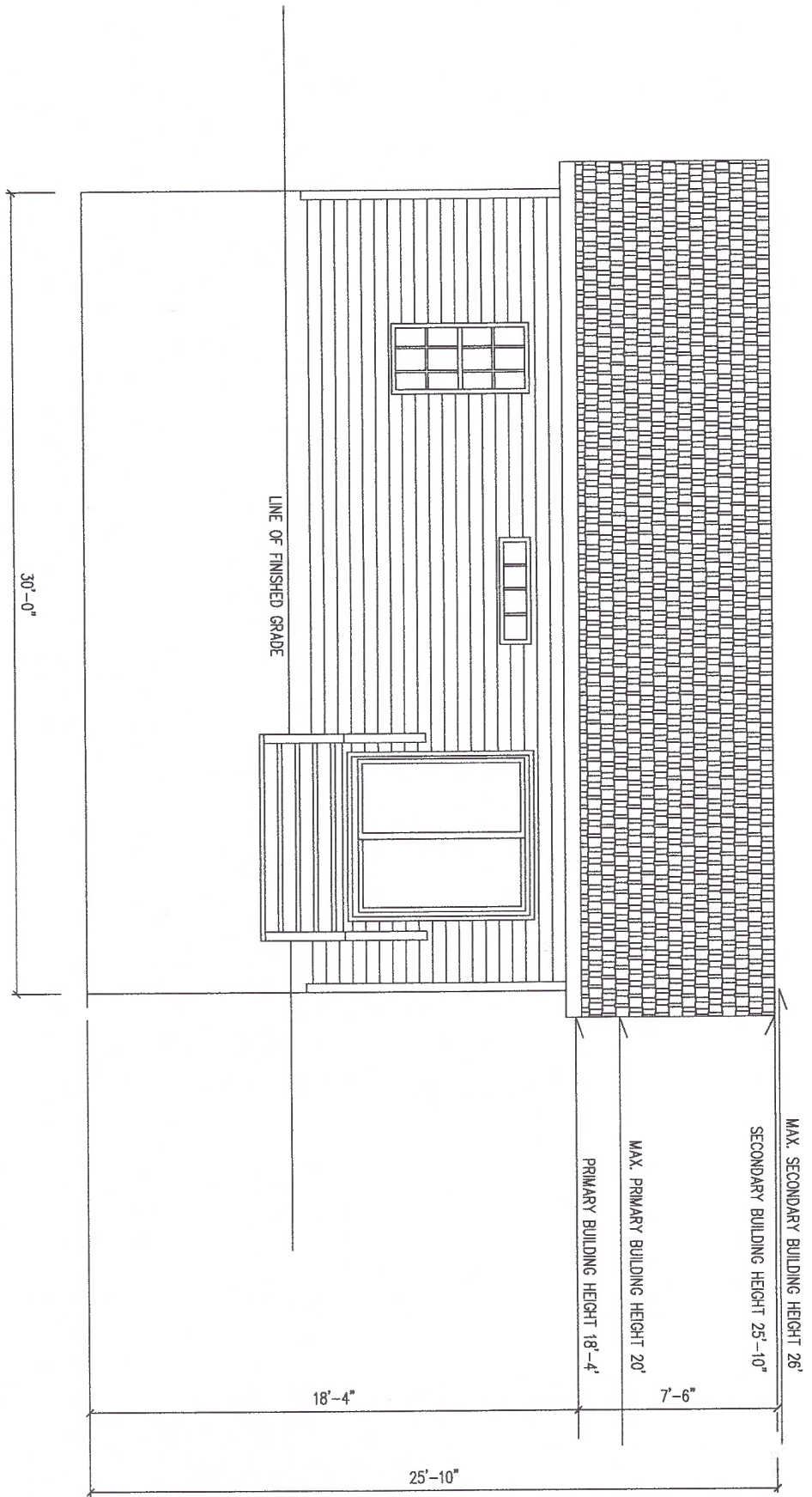
SCALE: 1/4" = 1'-0"

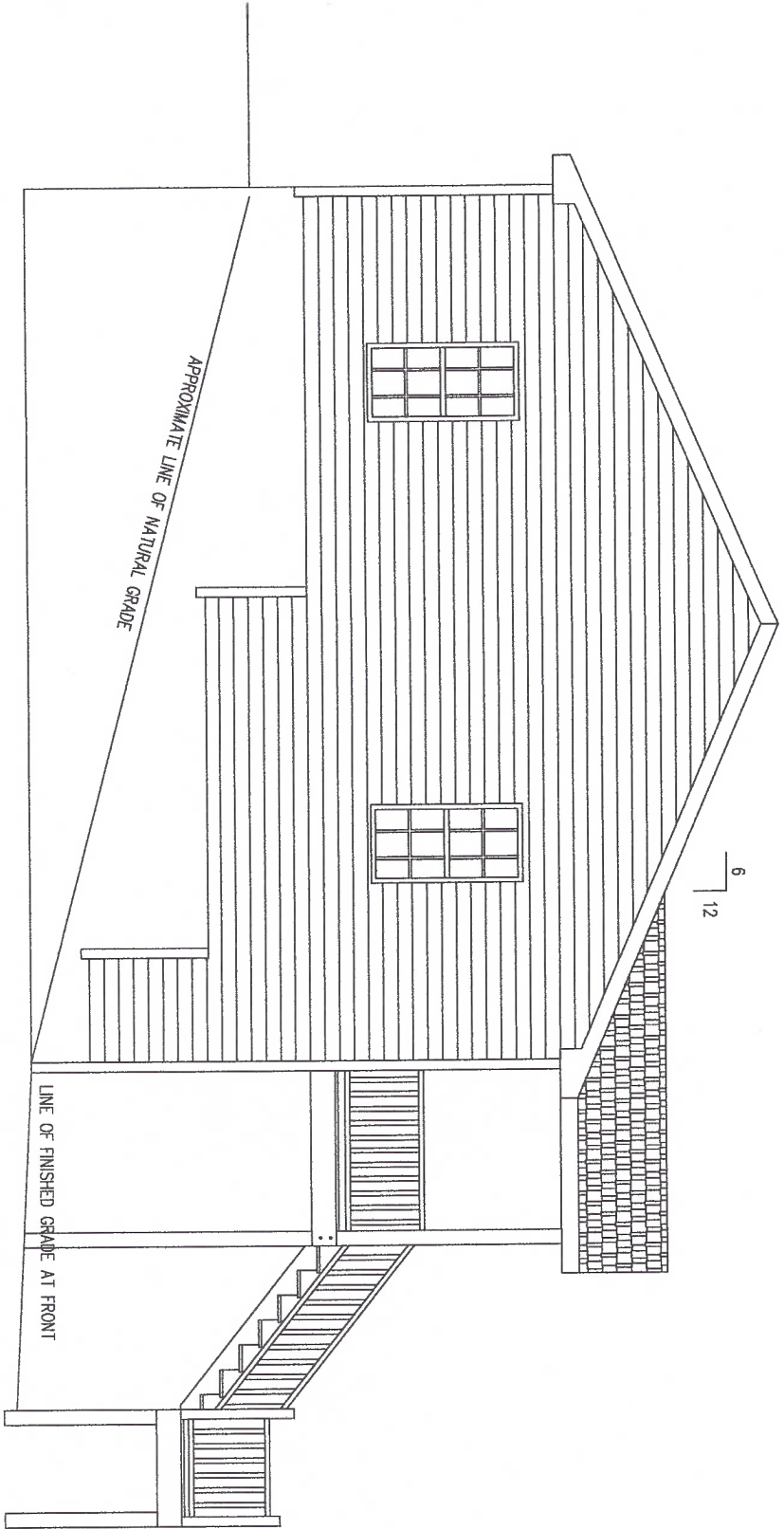


# RIGHT SIDE ELEVATION

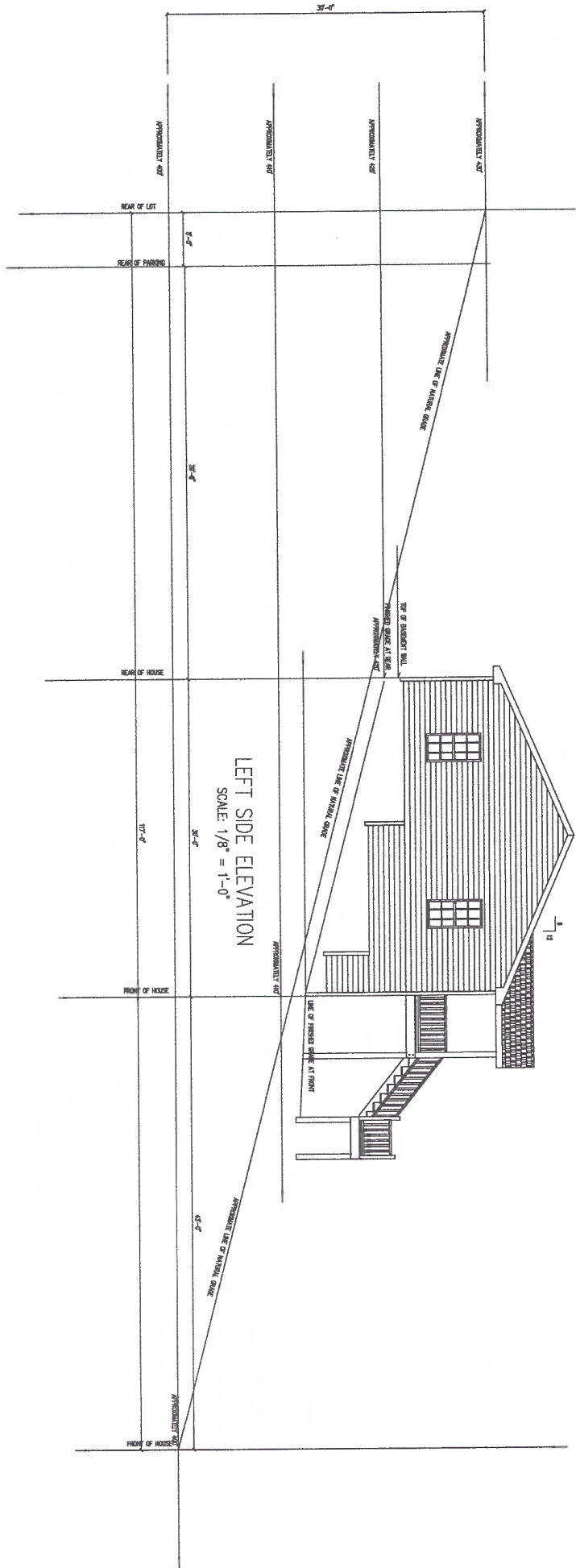
SCALE: 1/4" = 1'-0"

REAR ELEVATION  
SCALE: 1/4" = 1'-0"

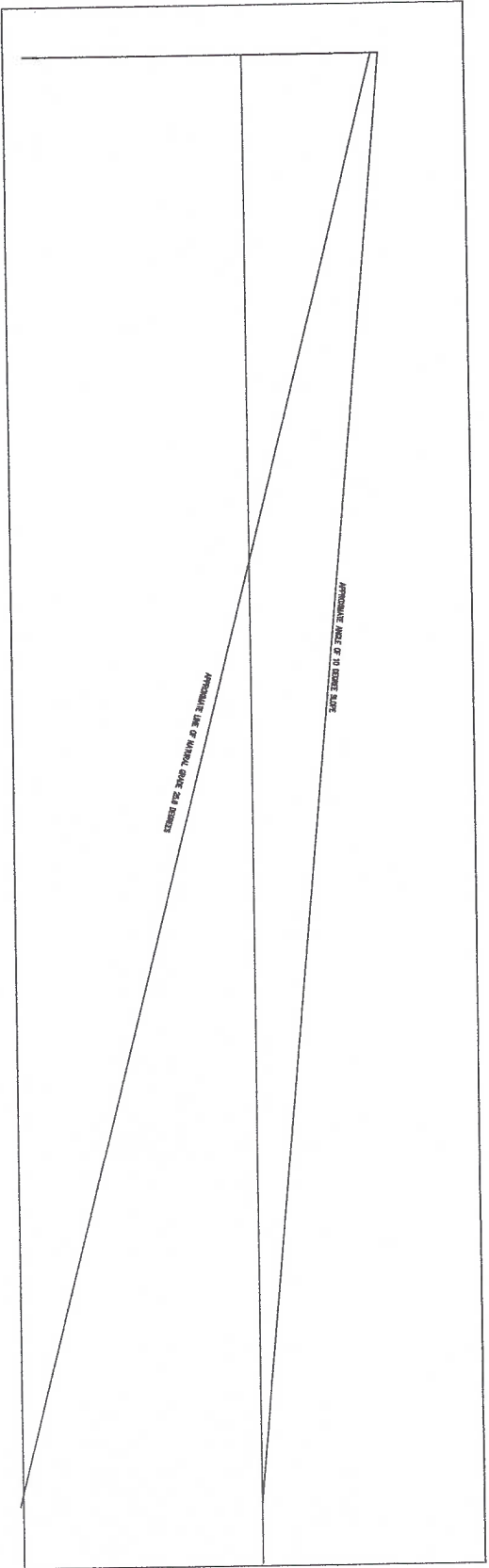




LEFT SIDE ELEVATION  
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION  
 SCALE: 1/8" = 1'-0"



# DIFFERENCE OF SLOPE

9788193231	MERCIA RESIDENTIAL PROPERTIES	PO BOX 2371	CHAPEL HILL NC	27515
9788193231	MERCIA RESIDENTIAL PROPERTIES	PO BOX 2371	CHAPEL HILL NC	27515
9788093581	JACOBS HIAWATHA HRS	2 JAY STC/O CECIL JACOBS	Chapel Hill NC	27516
9788094564	JACOBS HIAWATHA H HRS	2 JAY STC/O CECIL JACOBS	CHAPEL HILL NC	27516
9788095433	J H H ASSOC LTD	608 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788094147	CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788097500	CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788190423	GEAR EDGAR HRS	202 CARVER ST	CHAPEL HILL NC	27514
9788194511	CHAPEL HILL HOUSING AUTHORITY	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788098335	PATMORE MARK	101 CARVER ST	CHAPEL HILL NC	27516
9788192219	JOHNSON BRIAN W	P O BOX 4302	CHAPEL HILL NC	2.75E+08
9788098257	PATMORE MARK	101 CARVER ST	CHAPEL HILL NC	27516
9788099114	DURANDO MICHAEL L	326 MCMASTERS ST	CHAPEL HILL NC	27516
9788094412	TALLERICO ANTHONY F	3094 MEADOWLANDS LN	SAN JOSE CA	95135
9788190153	GRULICH VICTORIA MARY	433 MASON ST	CHAPEL HILL NC	27516
9788096126	TAYLOR JEAN M	PO BOX 2371	CHAPEL HILL NC	2.75E+08
9788191382	PATMORE MARK R	13605 OLD CREEDMOOR RD	RALEIGH NC	27587
9788192260	HLESSI LLC	314 MCMASTERS RD	CHAPEL HILL NC	2.75E+08
9788191165	NORWOOD ROBERT	P O BOX 4302	CHAPEL HILL NC	2.75E+08
9788192158	JOHNSON BRIAN W	326 MCMASTERS ST	CHAPEL HILL NC	27516
9788099028	DURANDO MICHAEL L	109 N GRAHAM ST #200	CHAPEL HILL NC	27516
9788190036	EMPOWERMENT INC	187 LANTZ DR	MORGAN T CA	95037
9788097023	TALLERICO MICHAEL	312 MCMASTERS ST	CHAPEL HILL NC	27516
9788192107	PETERSON ERIC WEST	319 PROVIDENCE RD	CHAPEL HILL NC	27514
9788096101	MASTIN HOLDINGS LLC	2601 BRIDGEWATER CENTER	CHAPEL HILL NC	27514
9788099032	HABITAT FOR HUMANITY N C INC	328 MCMASTERS ST	WILMINGT NC	28411
9788086901	PANNELL MAXINE M	207 BARNES ST	CHAPEL HILL NC	27516
9788098090	DEGRAFFENREID JAMES JR	101 CARVER ST	CARRBORO NC	2.75E+08
9788088937	MCCAULEY ESTHER A	332B MCMASTERS ST	CHAPEL HILL NC	27516
9788086793	PATMORE MARK R	115 MARTHA LN	CHAPEL HILL NC	27516
9788087964	GHOBRIAL SHERIF S	3094 MEADOWLANDS LN	CHAPEL HILL NC	27514
9788085827	PERRY WILLIAM C	P O BOX 2371	SAN JOSE CA	95135
9788082799	TALLERICO ANTHONY		CHAPEL HILL NC	27515
9788087756	PATMORE MARK R		CHAPEL HILL NC	27515



9788087651	EDWARDS JOHN A	709 SPRING VALLEY RD	COLONIAL VA	23834
9788084621	EDWARDS TASHIA	624 SYKES ST APT#C	CHAPEL HILL NC	27516
9788083799	CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788085665	CHAPEL HILL HOUSING AUTHORITY	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788086524	EDWARDS JOHN A	709 SPRING VALLEY RD	COLONIAL VA	23834
9788088511	FOUSHEE JENNIE	1317 PARRISH RD	CHAPEL HILL NC	2.75E+08
9788089444	CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788098475	NICHOLSON GROVER C	NICHOLSON SHEP 4609 LINDSAY DR	RALEIGH NC	2.76E+08
9788099432	DAVIS LONNIE ETAL	LASSITER ERNESTINE 101 QUEEN ST	Carboro NC	27510
9788092300	UNKNOWN	NUNN ST	CHAPEL HILL NC	27516
9788192428	JOHNSON BRIAN W	P O BOX 4302	CHAPEL HILL NC	2.75E+08
9788192393	MERCIA RESIDENTIAL PROP INC	PO BOX 2371	CHAPEL HILL NC	27515
9788191304	MERCIA RESIDENTIAL PROPERTIES INC	P O BOX 2371	CHAPEL HILL NC	2.75E+08
9788099187	NOEL ANTHONY L	322 MCMASTERS ST	CHAPEL HILL NC	27516
9788093464	ALSTON KENNETH L	ALSTON CYNTHIEFER 471 HUDSON RD	PITTSBORO NC	27312
9788092127	WOODEN STACEY L	SCHREIBER DAVID B 2012 GREENBERRY RD	BALTIMOR MD	21209
9788181797	ORANGE COUNTY	PO BOX 8181	HILLSBORO NC	27278
9788099084	COBLE BRIAN T	COBLE JENNIFER S 4303 E GREENSBORO	CHAPEL HILL NC	27253
9788095175	MASTIN HOLDINGS LLC	319 PROVIDENCE RD	CHAPEL HILL NC	27514
9788093385	VARANASI RAVIKANT V	VARANASI SANGI 12 KILBERRY DR	PINEHURST NC	28374
9788094386	CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9778999279	TOWN OF CHAPEL HILL	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788093346	HODGES LARKY	HODGES KIP 3412 E. SUNCREST CT	PHOENIX AZ	85044
9788093258	BIEK AARON	BENJAMIN P LAUREN E 505 ATHERTON ST	CHARLOTTI NC	28203
9788195921	CHAPEL HILL TOWN OF	405 MARTIN LUTHER KING JR BLVD	CHAPEL HILL NC	27514
9788191113	EMPOWERMENT INC	109 N GRAHAM ST #200	CHAPEL HILL NC	27516
9788191113	EMPOWERMENT INC	109 N GRAHAM ST #200	CHAPEL HILL NC	27516
9788095041	JONES GLENDA D	428 MASON ST	Chapel Hill NC	27514





# ORANGE WATER AND SEWER AUTHORITY

*A public, non-profit agency providing water, sewer and reclaimed water services  
to the Carrboro-Chapel Hill community.*

January 20, 2015

H & M Brothers, Inc.  
P.O. Box 692  
Chapel Hill, NC 27514

**Ref: 109 Mason Street, PIN # 9788-09-8006**

Dear Sir,

We have received and reviewed a request from Houtan Kargar dated January 15, 2015 for the above referenced property. The request is to grant permission for the owner to place a gravel driveway and parking area on an existing 30' prescriptive sanitary sewer easement located on the property. After reviewing the request the following is offered:

Permission is granted to construct and maintain a gravel driveway and parking area as requested with the following conditions:

- Any grading on the easement shall be such that OWASA will have safe and unrestricted access.
- No encroachment of any other structures will be allowed into the easement.
- The easement and sanitary sewer line shall remain accessible to OWASA at all times.

Should you have any questions or would like clarification of any of these comments, please do not hesitate to call.

Sincerely,

Carlton Hawkins  
Engineering Technician

cc: Todd Spencer, P.E.  
Nick Parker

**ORANGE WATER AND SEWER AUTHORITY**  
**CONDITIONAL STATEMENT OF SERVICE AVAILABILITY**  
**TO SPECIFIED PROPERTY**

Type of Property: Single Family Residential

Street Address: 109 Mason Street

City: Chapel Hill PIN: 9788-09-8006

Legal Description (such as Tax Map, Block, Lot #): Lot N of McMasters St.

Anticipated Date (Month/Year) OWASA Service will be Required: 1/15

APPLICANT (Print Name): Houtan Kargar  
(APPLICANT'S contact information is provided the reverse side)

**SERVICES TO BE PROVIDED:** As information for a Building Permit request to a local government, the APPLICANT has requested, and the Orange Water and Sewer Authority (OWASA) hereby concurs, that subject to the conditions stated below, OWASA will provide the following services to the above-referenced property:

Public Water Service and/or  Public Sewer Service

**CONDITIONS OF OWASA CONCURRENCE:** OWASA will not provide public water or sewer service to the APPLICANT'S above-referenced property until and unless:

- (a) The property to be served is located within OWASA's water and sewer service area at the time service connection is to be made;
- (b) All applicable water and/or sewer utility improvements required to serve the property have been completed in accord with OWASA's standard specifications, policies, rules and regulations related to service eligibility;
- (c) All applicable improvements specified in (b) above have been dedicated to and accepted by OWASA, including receipt and acceptance by OWASA of all final as-built documentation associated with the work;
- (d) All easements required for connection to water and/or sewer mains have been secured and recorded;
- (e) All applicable service availability charges, capacity fees, meter and tap fees, and other charges in effect at the time the actual service to the above-referenced property is connected to the OWASA system have been paid in full to OWASA; and
- (f) OWASA has no obligation to undertake or complete water and/or sewer utility improvements required under (b) above.

*It is expressly understood by all parties that OWASA is under no obligation to provide service to the lot hereby referenced until all requirements above have been met.*

Fee schedules are prepared for the acceptance of fees only after the water and sewer utility improvements required to serve the property have been completed and said improvements have been accepted by OWASA. The availability fees in effect at the time of service initiation will apply. OWASA's continued service to the subject property is dependent on the customer's (1) payment to OWASA for the applicable charges for ongoing service, and (2) compliance with all OWASA rules, regulations and ordinances pertaining to the use and protection of OWASA's water supply system and wastewater system.

Signature of APPLICANT: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by OWASA: Carlton Hawkins Date: 12-17-14  
Title: Engineering Technician





## ORANGE WATER AND SEWER AUTHORITY

*A public, non-profit agency providing water, sewer and reclaimed water services to the Carrboro-Chapel Hill community.*

12/17/14

Houtan Kargar  
4003 Peachway Court  
Durham, NC 27705

**Subject: Water Service Connection Variance Request** – Lot north of McMasters Street and east of Mason Street (109 Mason Street) (PIN # 9788-09-7023)

Dear Mr. Kargar,

We are in receipt of your variance request of December 15, 2014 regarding the above referenced property. We have reviewed our sewer system maps and proximity of public water and sewer to the referenced property and offer the following:

Public water mains are not readily available to the lot in question. Our records indicate the closest water mains are located in Mason Street. OWASA policy requires that public water mains must be adjacent to and cross frontage (and within an easement or public right of way) of the property which it will serve.

Although public water mains are not currently accessible, it is evident that a public water extension to the lot in question would provide no benefit to any other than the subject property. Additionally, records indicate that immediately adjacent properties are all currently served by OWASA utility lines. Therefore, the variance for the subject property is hereby granted with the following conditions:

- You will need to obtain the appropriate legal right or authorization from the property owner(s) whose property would be crossed in order to connect. I am not aware of what rights the current 'utility easement' provides to you but would suggest you confer with your attorney. Again, OWASA would only install the water service from the main in Mason Street up to just inside the public right of way of the road and set the meter box at that point. You will need to mark the location of the 15' utility easement at the right of way of Mason Street and mark the spot you would like the water meter installed. Beyond this location, the water service line would be privately installed and maintained.
- For the portion of the private sewer service line within the prescriptive easement, the line will need to be constructed of ductile iron pipe and connected to the public sewer system in accordance with OWASA's standards and specifications. A ductile iron cleanout will need to be provided at the edge of the easement (15 ft. from the main). If a pump system


is required, the sewage would need to be pumped to the ductile iron cleanout and then flow by gravity the remainder of the distance to the sewer main.

- Following construction by your contractor/plumber, you would need to provide OWASA with an "as-built" drawing indicating the location of the sewer service connection to OWASA's public sewer main. Your contractor/plumber can help you with this.
- No structural encroachments or grading shall occur within the prescribed OWASA easement since OWASA is legally obligated to be able to travel along the sewer alignment without restrictions.
- Please contact any jurisdictional authorities that regulate development of land for this tract before beginning any construction.
- As I mentioned and according to our General Counsel, OWASA presently has a prescriptive easement for the sanitary sewer line on this property. And while this allows OWASA the ability to travel its easement and make repairs if necessary, we advise property owners to properly document the existence of such sewer lines with a legally recorded deed of easement. For that reason, we ask that you consider granting OWASA a standard 30 foot sanitary sewer easement for the sewer line that crosses the subject property as shown on the Model Plot Plan you provided to properly document its existence. OWASA will also absorb costs necessary to perform survey and record the legal document once signed.

With respect to water and sewer connections, fees would be due in accordance with the *OWASA Rates and Fees Schedule* in effect at the time service is initiated.

Should you have any questions or would like clarification, please do not hesitate to call.

Sincerely,

  
Carlton Hawkins, PLS  
Engineering Technician

cc: Todd Spencer, P.E.  
Joe Leo  
File

**NORTH CAROLINA QUITCLAIM DEED**

Excise Tax \$0.00 - NO TAXABLE CONSIDERATION

Parcel Identifier No. 9788-09-8086 DO  
Mail after recording to: HOUTAN KARGAR, 4003 Peachway Court, Durham, NC 27705-5390  
This instrument prepared by: JAVAD KARGAR, Deed preparation only  
Brief description for the index: Intrafamily Gift Transfer (Land)

THIS QUITCLAIM DEED made this 14 day of December, in the year 2014, by and between

<u>GRANTOR</u>	+	<u>GRANTEE</u>
JAVAD KARGAR	+	HOUTAN KARGAR
4003 Peachway Court	+	4003 Peachway Court
Durham, NC 27705	+	Durham, NC 27705
	+	

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine, or neuter as may be required by context

WITNESSETH, that said Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has remised and released and by these presents does hereby remise, release, and forever quitclaim to Grantee and his heirs and assigns all right, title, claim, and interest of the said Grantor in and to a certain tract or parcel of land lying and being in the County of Orange, and State of North Carolina, in Chapel Hill Township, and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

Grantor acquired the property hereinabove described by instrument recorded in Book **RB4264** at Page **128**

SUBJECT to all easements, rights-of-way, protective covenants and mineral/oil reservations of record, if any

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges thereunto belonging to him the said Grantee and his heirs, in fee simple, and assigns free and discharged from all right, title, claim or interest of the said Grantor or anyone claiming by, and through or under them.

Grantor makes no warranty, express or implied, as to title to the Property.

IN TESTIMONY WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written,

JAVAD KARGAR (SEAL)



STATE OF NORTH CAROLINA  
COUNTY OF ORANGE

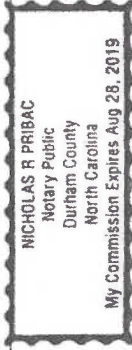
I, a Notary Public, of said State and County aforesaid, do hereby certify that Javad Kargar, Grantor(s), personally appeared before me this day, and (i) I have personal knowledge of the identity of the Grantor(s), or (ii) I have seen satisfactory evidence of the grantor(s) identity, by current state or federal identification with the Grantor(s) photograph in the form of a NC DL or (iii) a credible witness has sworn to the identity of the Grantor(s) each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated herein and in the capacity indicated.

Witness my hand and official seal or stamp, this 4 day of December, in the year 2014

Nicholas R. Ribac  
Notary Public Official Signature  
(seal or stamp)

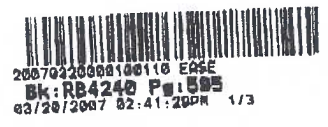
Nicholas R. Ribac  
Notary Printed or Typed Name

My commission expires Aug. 28, 2019





24  
EP



FILED Joyce H. Pearson  
Register of Deeds Orange COUNTY, NC  
BY: *Monica K. Miller*

Prepared by/return to: Joseph W. Marion - P.O. Box 51009, Durham, NC 27717 - (919) 493-8421

NORTH CAROLINA  
ORANGE COUNTY

EASEMENT  
9788-09-8004  
9788-09-1023

This Declaration of Easement, made this 20<sup>th</sup> day of March, 2007, by Barndoor Properties, Inc. (hereinafter "Grantor").

WITNESSETH

THAT WHEREAS, said Grantor is the owner of a certain lot of land with a postal address of 103 Mason Street, Chapel Hill, North Carolina (PIN NO 9788-09-7023, T.M. 7.94.B.22A), said lot being more particularly described in a Deed recorded in Book 939, Page 404, Orange County Registry (said lot hereinafter referred to as the "Street Lot"); and

WHEREAS, Grantor is also the owner of an adjoining lot of land lying to the east of the Street Lot, said tract of land being more particularly described in Book 3807, Page 481, Orange County Registry (said lot hereinafter referred to as the "Remote Lot"); and

WHEREAS, Grantor is hereby declaring a permanent non-exclusive easement over the Street Lot which easement is fifteen (15) feet in width and runs 105.00 feet from Mason Street to the Remote Lot along the southern boundary of the Street Lot (the "Easement Area") for the purpose of providing access from Mason Street to the Remote Lot, and for the purpose of constructing, maintaining, using, and repairing underground utility lines serving the Remote Lot.

NOW, THEREFORE, the Grantor does declare as follows:

1. Grant of Sewer Easement. Subject to the terms and conditions of this Agreement, Grantor does hereby declare that the Street Lot is burdened by and subject to a permanent non-exclusive easement over, under, upon, through and across the Easement Area for the purpose of providing a right of ingress, egress, and regress to the owner of the Remote Lot from Mason Street to the Remote Lot, and for the purposes of constructing, maintaining, using, and repairing underground utility lines serving the Remote Lot.
  
2. Easement Area. A metes and bounds description of the Easement Area is as follows:  
BEGINNING at the southwestern corner of the Street Lot (being the common corner with Sherif S. Ghobrial (Book 3205, Page 128) and running with Mason Street North 27° 31' 05" West 15 feet to a point; thence North 63° 08' 20" East 105.00 feet to a point in the common boundary of the Street Lot and the Remote Lot, thence South 27° 31' 05" East 15 feet to the common line with Ghobrial; thence along the common line with Ghobrial South 63° 08' 20" West 105.00 feet to the point and place of beginning.
  
3. Nature of Easement. This Easement shall run with the land and shall be appurtenant to the Remote Lot (now owned by Grantor), and shall bind and inure to the benefit of Grantor and its successors, assigns and grantees.

IN WITNESS WHEREOF, the Grantor has executed this Agreement on the day and year first above written.

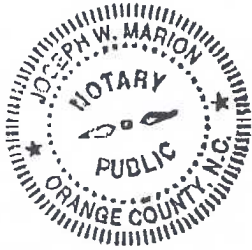
BARNDOR PROPERTIES, INC.

Sign: *Barney Dale*  
Print: Barney Dale, President

STATE OF NORTH CAROLINA - COUNTY OF DURHAM

I, Joseph W. Marion, a Notary Public for Orange County, State of North Carolina, do hereby certify that Barney Dale, personally came before me this day and acknowledged that he is the President of Barndoor Properties, Inc., a North Carolina corporation, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and official stamp or seal, this 20<sup>th</sup> day of March, 2007.



Sign: *Joseph W. Marion*  
Print: Joseph W. Marion - Notary Public  
My Commission Expires: 11-20-08

**ENGINEERING DEPARTMENT  
STORMWATER MANAGEMENT**

405 Martin Luther King, Jr. Blvd.  
Chapel Hill, NC 27514-5705  
Telephone (919) 969-7246  
Fax (919) 969-7276  
www.townofchapelhill.org

February 15, 2007

Barney Dale  
P.O. Box 10041  
Chapel Hill, NC 27515

RE: Stream determination  
PIN: 9788-09-8006  
TMBL: 7.94.B.22A

Dear Mr. Dale,

As requested, the Town Engineering Department has performed a stream determination on the property identified below. This determination provides important information regarding different types of streams (perennial, intermittent, and/or ephemeral) and whether or not any such streams are present on or adjacent to the property in question. Based on this stream determination, and characteristics such as elevation and location, this property may include a Resource Conservation District (RCD) area. Specific land use regulations and restrictions apply within the boundary of the RCD.

We performed a site inspection of this property, Tax Map # 7.94.B.22A, PIN # 9788-09-8006, on the east side of Mason Street on February 9, 2007. We determined that the property does contain an ephemeral stream, starting close to the northwest corner of the property. We have not identified any other streams on adjacent properties that may affect the location of the Resource Conservation District boundary on your property. Comments and findings regarding our site inspection can be found on the attached stream determination form and map.

NOTE: THIS IS A STREAM DETERMINATION ONLY. It is intended to assist the requestor in identifying whether or not the property in question includes a Resource Conservation District and, if so, where it is located, depending on which ordinance(s) are applicable.

Please provide a copy of this information to a registered Land Surveyor for use in the preparation of your parcel plan or plat, which must be submitted with the permit application documents for review and approval by the Town. It is the responsibility of the Surveyor to review the stream determination information in association with information available in Article 3.6.3 of the Land Use Management Ordinance (LUMO) to identify the applicable RCD criteria. The Surveyor must certify whether or not a Resource Conservation District exists on the property in question and, if so, where the RCD boundary is located. The following language must be provided verbatim on the application plan or plat and must be certified by a registered Land Surveyor. No additional or alternative wording or caveats are acceptable.

1. "This parcel is not located within the Resource Conservation District as defined in the Chapel Hill Development Ordinance/Land Use Management Ordinance."

Or

2. "All or a portion of this parcel is located within the Resource Conservation District as defined in the Chapel Hill Development Ordinance/Land Use Management Ordinance and as shown hereon."

If you have questions regarding stream determinations, please contact me at (919) 969-7202. If you have questions regarding the Town's Land Use Management Ordinance or Resource Conservation Districts, please contact the Planning Department at (919) 968-2728, or view a copy online at <http://www.townofchapelhill.org/index.asp?NID=149>.

Regards,



Patricia D'Arconte  
Stormwater Engineering Technician

cc: Planning Department

201307180938

2013 "Update"  
provided by:  
dalmond@townofchapelhill.org  
(919) 969-2042

NC Division of Water Quality - Methodology for Identification of Intermittent Perennial Streams and Their Origins v. 4.11

NC DWQ Stream Identification Form Version 4.11 7.94.B.9, 7.94.B.24, 7.94.B.24B

Date: 7/12/13	Project/Site: Inland 6-way	Latitude:
Evaluator: Almond	County:	Longitude:
Total Points: Stream is at least intermittent if $\geq 19$ or perennial if $\geq 30^*$	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name: D

A. Geomorphology (Subtotal = 7)

	Absent	Weak	Moderate	Strong
1 <sup>a</sup> . Continuity of channel bed and bank	0	1	0	3
2. Sinuosity of channel along thalweg	0	0	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate	0	1	2	3
5. Active/relict floodplain	0	1	2	3
6. Depositional bars or benches	0	1	2	3
7. Recent alluvial deposits	0	1	2	3
8. Headcuts	0	1	0	3
9. Grade control	0	0.5	1	1.5
10. Natural valley	0	0.5	1	1.5
11. Second or greater order channel	No = 0		Yes = 3	

<sup>a</sup>artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 2)

12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	0	0.5	0
15. Sediment on plants or debris	0	0.5	1	1.5
16. Organic debris lines or piles	0	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3	

C. Biology (Subtotal = 0)

18. Fibrous roots in streambed	3	2	1	0
19. Rooted upland plants in streambed	3	2	1	0
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3
21. Aquatic Mollusks	0	1	2	3
22. Fish	0	0.5	1	1.5
23. Crayfish	0	0.5	1	1.5
24. Amphibians	0	0.5	1	1.5
25. Algae	0	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0			

\*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

485 Buson Street / Inland 6-way





ORANGE COUNTY | NORTH CAROLINA

**PIN History**

Search PIN 9788098006

PIN	Document
Parent	
<b>Selected</b>	
9788098006	
Children	

**PIN Information**

PIN Inquiry		Interest Owners	Interest Owner Search	Prior Owners		
Seq	Account Number	Current Owner	Date Recorded	Book/Page	Legal Reference	Stamp Value
1	298429	1- JAVAD KARGAR	12/12/2014	5881/255		\$0.00
2	284316	1- INC BARNDORR PROPERTIES	4/23/2007	4264/128		\$20.00
3	106698	1- MYRTLE D ETAL DAWSON 2- SHEILA ANN STURDIVANT	7/15/2005	3807/481		\$20.00
4	19652	1- E W DAWSON	1/28/1986		86-E-045	\$0.00
5			11/14/1957	164/471		\$0.00

Begin Property Search Below: Start New Search Search Help

PIN	PIN Status	Township	Current Owner	Legal Description	Date Recorded	Book/Page	Sub Code
0800041646	Active	CHAPEL HILL	BRINKLEY ALBERT W SR BRINKLEY BETSY R	2 A B MORRIS P54/4DC	7/27/1995	370/131DC	0
0800041805	Active	CHAPEL HILL	BRINKLEY ALBERT W SR BRINKLEY BETSY R	3 A B MORRIS P54/4DC	7/27/1995	370/131DC	0
0800050553	Active	CHAPEL HILL	McFARLAND WILLIAM A McFARLAND DAWN M	TR 1 A B MORRIS DUR CO P73/50	10/18/2006	4144/114	0
0800062560	Active	CHAPEL HILL	BROWN JUSTIN L ETAL HILL FRANCES	P/O 10 GEORGE W BROWN ESTATE	10/22/2014	14-E-555	0
0800085035	Active	CHAPEL HILL	ORANGE COUNTY	3 HOPE CREEK P97/15	3/11/2005	3693/318	0
0800092043	Inactive	CHAPEL HILL	MORTGAGE & REALTY ASSOC	S/O CAMBRIDGE RD	2/13/1980	332/403	0
0800092259	Active	CHAPEL HILL	ORANGE COUNTY	2 TRINITY SCHOOL P101/61	1/4/2007	4195/51	0
0800094200	Inactive	CHAPEL HILL	MORTGAGE & REALTY ASSOC	E/S SR 1734 P80/118	4/28/1998	258/1145	0
0800094380	Inactive	CHAPEL HILL	MORTGAGE & REALTY ASSOC	E/O SR 1734 AKA #1 MTGE & REALTY ASSOC	12/31/1998	258/1145	0
0800094824	Inactive	CHAPEL HILL	TRINITY SCHOOL OF DURHAM & CHAPEL HILL INC	P/O 1 TRINITY SCHOOL P101/61	1/4/2007	4195/42	0

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