

**TOWN OF CHAPEL HILL
HISTORIC DISTRICT COMMISSION
WRITTEN DECISION
(HDC-24-17)**

Subject Property: 218 Wilson Street, Chapel Hill, NC
PIN#: 9788-35-0684
Historic District: Cameron-McCauley Historic District
Property Owner: State of North Carolina
Applicant: Daniel Stern, on behalf of the North Carolina Botanical Garden at the University of North Carolina Chapel Hill

At its regular meeting on May 14, 2024, after conducting a duly advertised quasi-judicial evidentiary hearing, and after considering the above-referenced application for certificate of appropriateness, the application materials, staff report, testimony, exhibits, and evidence presented at the hearing or otherwise appearing in the record, and the approval criteria established under N.C. Gen. Stat. § 160D-947, Section 3.6.2(e) of the Land Use Management Ordinance (the “LUMO”), and the relevant provisions of the Chapel Hill Historic Districts Design Principles & Standards (the “Principles & Standards”), the Town of Chapel Hill Historic District Commission (the “HDC”) voted 6-0 to **APPROVE** a certificate of appropriateness for all elements of the application on the basis that the proposed work is not incongruous with the special character of the historic district.

Findings:

1. The Subject Property is located at 218 Wilson Street, Chapel Hill, NC (PIN 9788-35-0684), is located within the Town’s Cameron-McCauley Historic District, and is zoned Residential-3 (R-3).
2. The Subject Property is owned by the State of North Carolina (the “Owner”).
3. The certificate of appropriateness application (the “Application”) was submitted by Daniel Stern, on behalf of the North Carolina Botanical Garden at the University of North Carolina Chapel Hill (the “Applicant”) on April 3, 2024.
4. The Application sought approval to:
 - a. Construct a new deer fencing and split rail fence similar in appearance to those in the adjacent Community Garden;
 - b. Install new Chapel Hill gravel pathways without edging;
 - c. Introduce new fire and water elements, gathering areas, and seating.
5. The Application was scheduled for hearing by the HDC at its regular meeting on May 14, 2024. Notice of the HDC’s regular meeting and evidentiary hearing was provided as required by law.

6. HDC Chair Brian Daniels and HDC Member Duncan Lascelles were absent from the May 14, 2024, meeting and evidentiary hearing. All other HDC members were present. HDC Vice-Chair Polly van de Velde acted as Chair.

7. The staff report, application materials, and presentation materials were all entered into the record.

8. At the evidentiary hearing, HDC Members indicated that they did not have any conflicts of interest and the Applicant did not object to participation in the evidentiary hearing, deliberation, or decision by any Member of the HDC.

9. At the evidentiary hearing, oaths were administered to:

- a. Marissa Carmi
- b. Joanna Massey Lelekacs
- c. Preston Montague
- d. Daniel Widis

10. At the evidentiary hearing, the Applicant presented testimony and a PowerPoint presentation describing the proposed work, and generally provided evidence that:

- a. The HDC previously approved a COA which permitted all of the work proposed in the Application;
- b. The Application seeks to remove work previously approved by the HDC;

11. No public comment or other witness testimony was received by the HDC.

12. No evidence was presented in opposition to the Application.

Conclusions

1. Based upon the uncontroverted competent, material, and substantial evidence submitted in the record, the approval criteria described in N.C. Gen. Stat. § 160D-947, Section 3.6.2(e) of the LUMO, and in the Principles & Standards, the work proposed in the Application is not incongruous with the special character of the Cameron-McCauley Historic District.

ACCORDINGLY, based on the foregoing the Town of Chapel Hill Historic Districts Commission hereby **APPROVES** the Application proposed by the Applicant for the Subject Property and **DIRECTS** Town Staff to issue a Certificate of Occupancy to the Applicant.

This the ____ day of _____, 2024.

Brian Daniels, HDC Chair