

ORDINANCE B

AN ORDINANCE APPROVING AN ABANDONMENT OF THE 108 WEST CAMERON AVENUE SITE FROM THE EXISTING PHI GAMMA DELTA SPECIAL USE PERMIT

WHEREAS, on July 7, 1997, the Chapel Hill Town Council approved a Special Use Permit for a fraternity dwelling, known as Epsilon of Phi Gamma Delta, Inc., encumbering 23,763 square feet and approximately 0.55 acre, which was recorded at the Orange County Register of Deeds in Deed Book 1776, Page 335, identified as Orange County Parcel Identifier Numbers (9788-36-4372); and

WHEREAS, the 1997 Special Use Permit limited the Phi Gamma Delta Fraternity to no more than 10,870 square feet of floor area (10,770 sq. ft. for the house, 100 sq. ft. for the shed) and eight to twelve parking spaces; and

WHEREAS, on April 12, 2012, the Historic District Commission (HDC) approved a Certificate of Appropriateness (COA) that included a raised patio (loggia) with screened porch below and restriping parking spaces; and

WHEREAS on March 26, 2018, staff issued a ZCP for the construction of a raised patio (loggia) with screened porch below; doors, transoms, and lighting; parking lot restriping; and stormwater drainage redesign to be completed in accordance with the 2012 COA; and

WHEREAS on February 15, 2019, staff issued a Notice of Violation to Phi Gamma Delta due to changes to the property that occurred without required permits. These changes included replacing screened openings with windows, a new stone patio, and removing parking spaces in the backyard; and

WHEREAS on October 31, 2019, Phi Gamma Delta submitted a request to abandon the Special Use Permit and apply for Conditional Zoning to rezone the property from Office/Institutional-1 (OI-1) to Office/Institutional-3-Conditional Zoning (OI-3-CZ)

BE IT FURTHER RESOLVED that the Council hereby abandons the Special Use Permit for 108 West Cameron Avenue, known as Epsilon of Phi Gamma Delta, Inc., as it pertains to the 0.55-acre parcel, for which the Phi Gamma Delta Conditional Zoning Permit is currently proposed. The abandonment of the Special Use Permit and Modifications would be such that the subject parcel for the Phi Gamma Delta Conditional Zoning (PIN 9788-36-4372), would no longer be encumbered by the Special Use Permit, subject to the following conditions:

1. That the property shall remain a fraternity or sorority dwelling; and
2. That the applicant shall record the abandonment document for the parcel identified as Orange County Parcel Identifier Number (PIN 9788-36-4372), for the proposed Phi Gamma Delta Special Use Permit, dated July 7, 1997.

This the ____ day of _____, 2020.