

VARIANCE OR APPEAL APPLICATION



TOWN OF CHAPEL HILL
Planning & Development Services
405 Martin Luther King Jr. Blvd.
phone (919) 969-5066 fax (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9799-33-1312

Date: 8/29/18

Section A: Project Information

Project Name: 308 Hickory Drive
Property Address: 308 Hickory Drive Zip Code: 27517
Existing Zoning District: Little Ridgefield NCD
Description of Request: Variance to allow the building of a residential home on a documented flood plain.

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

Applicant Information (to whom correspondence will be mailed):

Name: Michael Isola
Address: 10 Woodward Ln.
City: Durham State: NC Zip Code: 27713
Phone: 919-210-7962 Email: Atlanticcoastconstruction2017@gmail.com

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

Signature: [Signature] Date: 8/29/18

Owner/Contract Purchaser Information:

☒ Owner

☐ Contract Purchaser

Name: Mehul Patel
Address: 400 Meadowmont Ln.
City: Chapel Hill State: NC Zip Code: 27517
Phone: 919-225-1432 Email: Navigonconsulting@gmail.com

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

Signature: [Signature] Date: 8.29.2018



**VARIANCE OR APPEAL APPLICATION
SUBMITTAL REQUIREMENTS**
TOWN OF CHAPEL HILL
Planning & Development Services

Variances and Appeals may be granted by the Board of Adjustment for dimensional regulations, water and sewer regulations, steep slope regulations, house size limitations, Resource Conservation District regulations, Jordan Buffer regulations, and Watershed Protection District regulations. The following must accompany your application. Failure to do so will result in your application being considered incomplete.

<input checked="" type="checkbox"/>	Application fee (refer to fee schedule)	Amount Paid \$	<input type="text" value="600"/>
<input checked="" type="checkbox"/>	Digital Files – provide digital files of all plans and documents		
<input checked="" type="checkbox"/>	Mailing list of owners of property within 1,000 foot perimeter of subject property (see GIS notification tool)		
<input checked="" type="checkbox"/>	Mailing fee for above mailing list	Amount Paid \$	<input type="text" value="141.60"/>
<input checked="" type="checkbox"/>	Written Narrative describing the proposal		
<input checked="" type="checkbox"/>	Statement of Justification – Respond to subsection 4.12.2(a)(1-4) of the Land Use Management Ordinance.		
<input checked="" type="checkbox"/>	Recorded Plat or Deed of Property		
<input checked="" type="checkbox"/>	Stream Determination – necessary for all submittals		
<input type="checkbox"/>	Jurisdictional Wetland Determination – if applicable		
<input checked="" type="checkbox"/>	Reduced Site Plan Set (reduced to 8.5" x 11")		

Type of Variance or Appeal (Choose one of the following):

- ☐ Dimensional Variance ☐ Water and Sewer Variance ☐ Steep Slope Variance
- ☐ House Size Variance
- ☒ Resource Conservation District Variance
- ☐ Jordan Watershed Riparian Buffer Variance
- ☐ Watershed Protection District Variance
- ☐ Appeal

Standing: Explain to the Board how the applicant is an aggrieved party (NC General Statute Sec. 160A-388(b1)(1))
Statement of Justification: Provide justification for decision that is being appealed.



**VARIANCE OR APPEAL APPLICATION
SUBMITTAL REQUIREMENTS**
TOWN OF CHAPEL HILL
Planning & Development Services

Plan Sets (2 copies to be submitted no larger than 24" x 36")

Plans should be legible and clearly drawn. All plan set sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable

☒ X

Area Map

- a) Overlay Districts
- b) 1,000 foot notification boundary

☒ X

Detailed Site Plan

Variance Request

Narrative & Statement of Justification

Patel Residence
308 Hickory Drive
Chapel Hill, NC 27517

January 17, 2018

1. Narrative

Request:

The contract purchasers request one (1) Variance from the Chapel Hill Land Use Management Ordinance (LUMO) to avoid the hardships that would result from carrying out the strict letter of the LUMO. Specifically, the request is:

- 1) A variance from the Resource Conservation District (RCD) regulations in section 3.6.3 of the Chapel Hill LUMO to construct a new single-family residence.

Although much effort has been taken to design a structure that would not encroach on any flood prone areas within the parcel, it has been realized that this is not a feasible endeavor and all subsequent future building will require the development within a recorded flood plain.

3.6.3 Resource Conservation District.

The resource conservation district (herein sometimes RCD) is intended to be applied to the areas within and along watercourses within the town's planning jurisdiction in order to preserve the water quality of the town's actual or potential water supply sources, to minimize danger to lives and properties from flooding in and near the watercourses to preserve the water-carrying capacity of the watercourses, and to protect them from erosion and sedimentation, to retain open spaces and greenways and to protect their environmentally-sensitive character, to preserve urban wildlife and plant life habitats from the intrusions of urbanization, to provide air and noise buffers to ameliorate the effects of development, and to preserve and maintain the aesthetic qualities and appearance of the town.

Background:

Mehul and Angina Patel recently purchased the property located at 308 Hickory Lane in Chapel Hill NC. This purchase was due in part to positive interactions with the Zoning Dept and Storm-water personnel as to the viability of obtaining a building permit. A preliminary plan was drafted and Mr. Patel was advised that although all necessary design parameters might be met within the submitted plans, he would still need to obtain a variance from the RCD as the lot falls

within a documented 100yr flood plain. Shortly thereafter I was retained to develop and build a residential home located at 308 Hickory Drive. Both the owner and I are well aware that this lot sits within a floodplain and are fully prepared to design and build the structure to satisfy both FEMA and Chapel Hill Floodplain requirements. As you can see by the plans submitted, I have taken all necessary requirements and implemented them within my design. Although FEMA has strict rules regarding this structure and its placement, I am also subject to the Guidelines set forth by the Little Ridgefield Neighborhood Conservation District. As for the actual act of floodproofing, I felt it was far easier to raise the house up on concrete piers and close the underside of the floor joists (to ward off little critters from exploring). Flood water is free to pass in and out as needed without needing flood gate calculations and full hydrological engineering. The garage is the only portion of the home that will have automatic flood gates along with concrete block walls up to the 5'-0" Flood Line. All the Electrical, Plumbing and HVAC will be located above the FFE and out of any possible flood waters. I trust this gives insight along with my plans as to what I have designed and am currently proposing.



Variance Descriptions

Variance Request – Section 3.6.3 – Resource Conservation District (RCD)

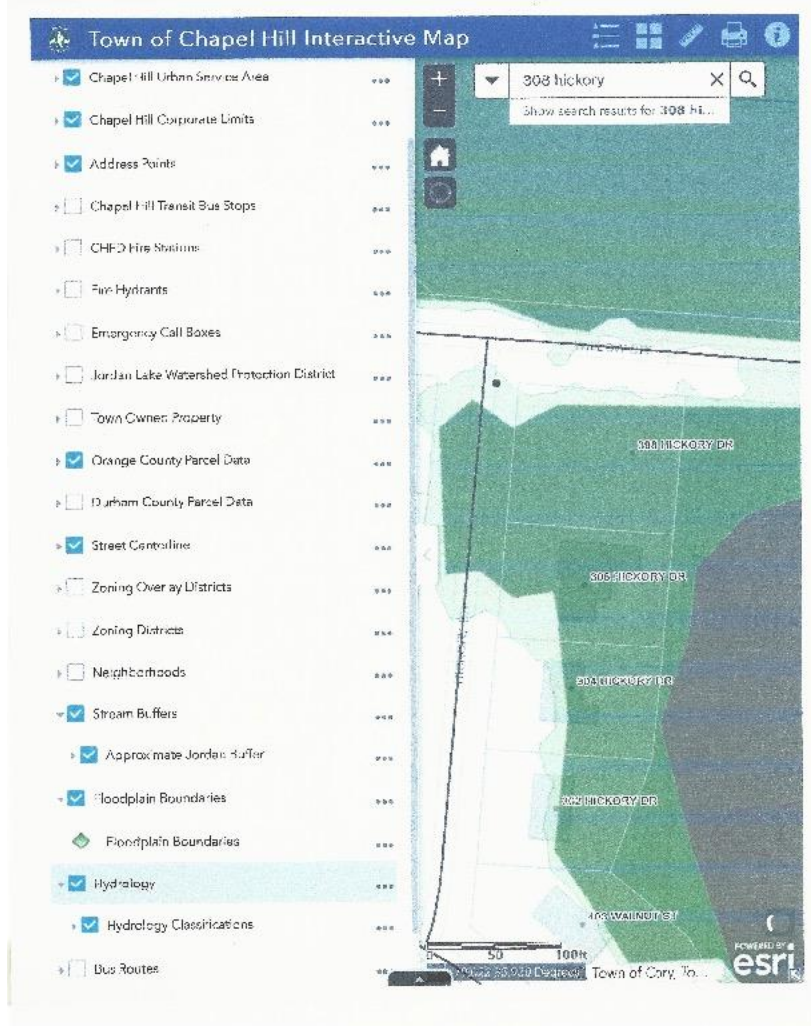
The applicant is requesting to permit the disturbance of 7,000 SF (59%) of the RCD area which is 11,780 SF as indicated on the attached survey. 4,000 SF of this disturbance will consist of impervious area house improvements (34% of the total area within the RCD). 308 Hickory is a lot that falls almost entirely (89.8%) within the RCD/Floodplain, please see attached GIS overlay.

Home Design Efforts (Considerations and Concessions)

As can be seen by the plans submitted, I have taken in all the necessary requirements and implemented them within my design. Although FEMA has strict rules regarding this structure and its placement, I am also subject to the Guidelines set forth by the Little Ridgefield Neighborhood Conservation District. The home needs to be 2'-0" above the Base Flood Elevation of 255.3'. My proposed FFE or Finished Floor Elevation is sitting right at 258.9'. As for the actual act of floodproofing, I felt it was far easier to raise the house up on concrete piers and close the underside of the floor joists (to ward off little critters from exploring). Flood water is free to pass in and out as needed without needing flood gate calculations and full hydrological engineering. The garage is the only portion of the home that will have automatic flood gates along with concrete block walls up to the 4'-0" Flood Line. All the Electrical, Plumbing and HVAC will be located above the FFE and out of any possible flood waters.

The home design considerations and concessions are as follows:

1. The placement of the home was carefully chosen not to encroach on front lawn area and remain aligned with the setbacks of the neighbor's homes. We also shifted the home as far away from the neighborhood signage as possible to minimize any impact building would have on the existing community.
2. Any and all of both FEMA and Chapel Hill Storm Water requirements have been carefully assessed to the best of my ability have been satisfied within the confines of the building envelope. Although specific requirements were slated, we have chosen to overbuild with the intentions that no part of the finished home would be damaged due to flooding in the foreseeable future.



II. Statement of Justification

Section 3.6.3 of the Chapel Hill Land Use Management Ordinance states that:

No land disturbance, other than for a use of activity expressly permitted in subsection (1) above, is permitted within the resource conservation district unless a variance is approved pursuant to subsection (j)

Section 5.4 of the Chapel Hill Land Use Management Ordinance states that:

When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the board of adjustment shall have the power to vary or modify any of the regulations or provisions of the ordinance so that provisions of the ordinance upon a showing of all the following:

(1) Unnecessary hardship would result from the strict application of the ordinance. It

shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

Response: The property is encumbered to the east by a perennial stream and has been deemed a 100yr flood plain both by the RCD and FEMA. These buffers extend almost into the entire (89.8%) of the Property. By avoiding the Flood Plain Extents, this variance request is being made to permit the construction of a single family home rendering this lot usable. Without the granting of this variance, the property would be rendered unusable for its intended use as a single family home site.

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

Response: The conditions outlined in this submittal are directly related to the topography and unique flood related conditions of the property and are not a matter of personal circumstance. The topographical features present on this property (stream and subsequent flood zone) are extreme and not common for a single family lot. The severity of the topographic features are not typical of the area or the neighborhood.

(3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

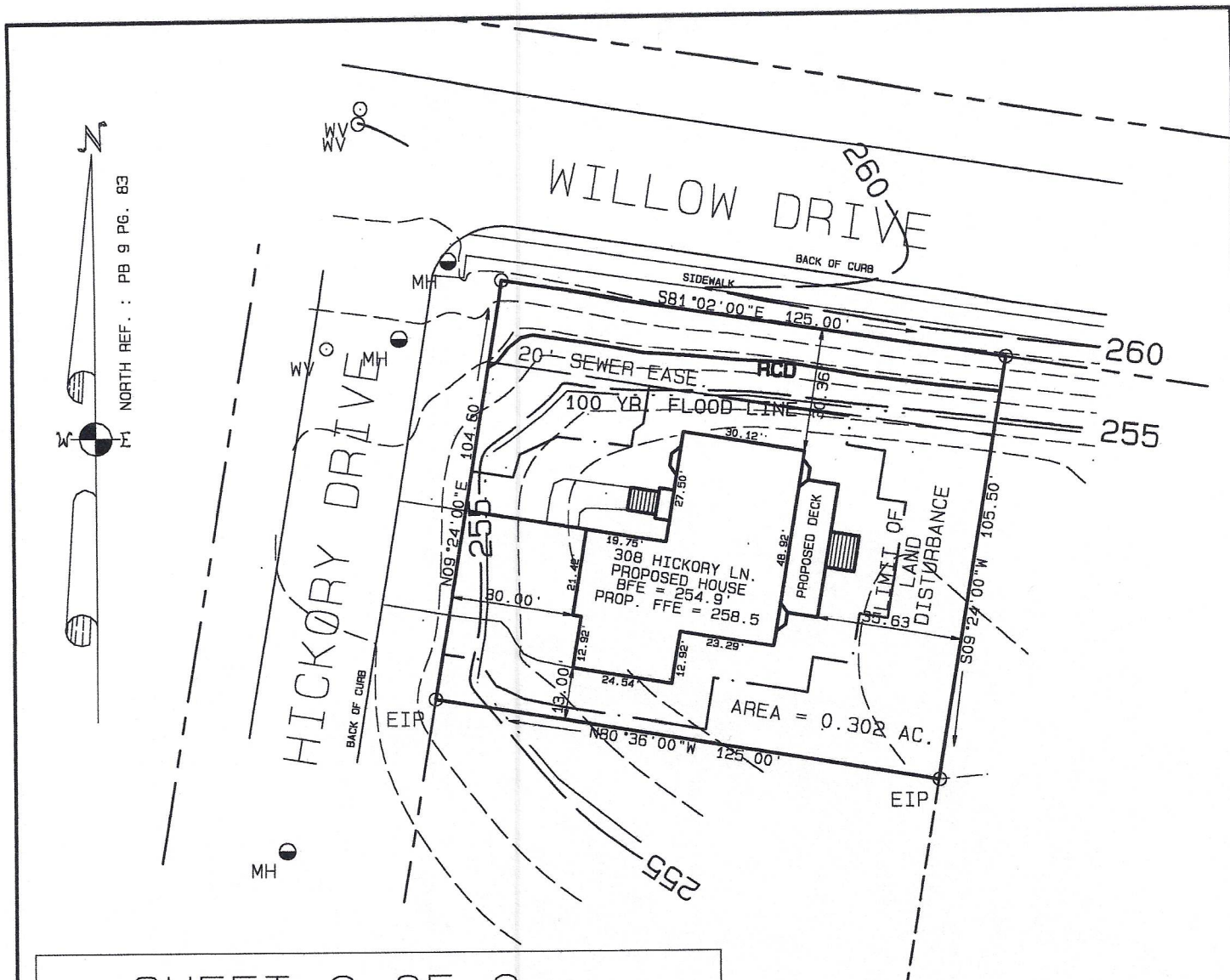
Response: The conditions outlined in this submittal are pre-existing and were not a result of any action taken by the applicant or the property owner. The topographic features have existed since the lot was originally subdivided in the 1980's and the property has remained undisturbed since that time. It is evident to note that the requirements of the Chapel Hill LUMO from which we are requesting relief from were enacted well after the creation of this lot in the mid 1980's.

(4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance such that public safety is secured, and substantial justice is achieved.

Response: As this is a subdivided lot zoned for a single family (R-1A), it is apparent that the intended use for the property is single family residential consistent with the adjacent and surrounding properties. The requested variance, if granted, will render the property usable for its intended use while avoiding any impacts to the FEMA enacted flood zone and subsequent buffers. The variance poses no threat to public safety and this variance request, if granted, serves justice by not allowing the strict letter of the ordinance to render this property unsuitable for its intended use.

Thank you for your consideration on this matter.

C. Michael Isola
Atlantic Coast Construction, LLC



SHEET 2 OF 2

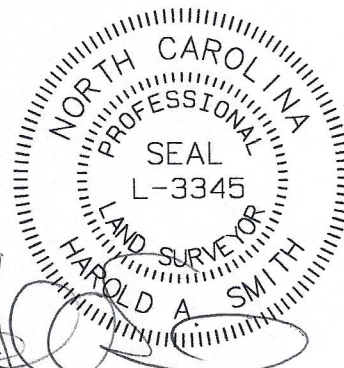
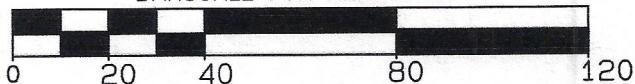
AREA IN RCD = 11780 SQ.FT.

ZONING = R-2
SETBACKS : FRONT = 26'
SIDE = 11'
CORNER SIDE = 26'
REAR = 11'
PROP. IMPERVIOUS = 3752 SQ.FT. (29%)
LAND DIST. AREA = 6874 SQ.FT. (52%)
LAND DIST. AREA IN RCD = 6874 SQ.FT. (58%)

GENERAL NOTES :

- 1) THIS IS A SURVEY OF AN EXISTING PARCEL.
- 2) NO NCGS MONUMENT WITHIN 2000'.
- 3) THIS LOT IS WITHIN A FLOOD PLAIN
ACCORDING TO FEMA MAP COMMUNITY PANEL
NO. 3710979900K, EFFECTIVE DATE : 02-02-07.
- 4) THIS MAP IS NOT FOR RECORDING.
- 5) EIP=EXISTING IRON PIPE
NIP=NEW IRON PIPE
EIR=EXISTING IRON REBAR
NIR=NEW IRON REBAR

BARSCALE FOR REDUCTION



WAKE COUNTY, NORTH CAROLINA
I, HAROLD A. SMITH, PLS L-3345,
CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY
SUPERVISION FROM AN ACTUAL SURVEY MADE
UNDER MY SUPERVISION FROM INFORMATION
SHOWN IN DEED BOOK 5887 PAGE 400;
AND DEED BOOK ----- PAGE ----
PLAT BOOK 9 PAGE 83
THAT THE RATIO OF PRECISION AS CALCULATED
BY LATITUDES AND DEPARTURES WAS GREATER
THAN 1:20,000; THAT THIS PLAT WAS PREPARED
IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION
NUMBER, AND SEAL THIS THE 16TH DAY OF
JULY A.D., 2018.

REV. 12-18-18: ADDITION OF RCD (BFE+2')

REV.

LOT 5, BLK. C, RIDGEFIELD SUBD. AS RECORDED IN PLAT
BOOK 9 PAGE 83 OF ORANGE COUNTY REGISTER OF DEEDS.

A SURVEY FOR
MEHUL PATEL

CHAPEL HILL, NORTH CAROLINA

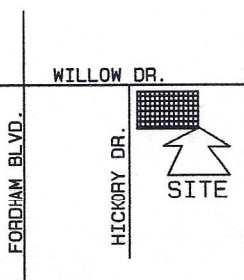
HAROLD "TODD" SMITH

LAND SURVEYING L-3345

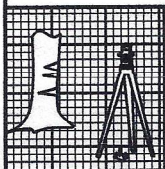
1012 ROCK DRIVE

RALEIGH, N.C.

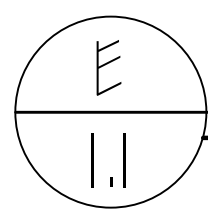
(919) 605-6953



VICINITY MAP

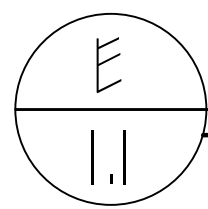


DATE : 07-16-18 SCALE : 1" = 40' F.B. S-261/12 DWG. NO. 218-210C PROJ. NO. 218-210



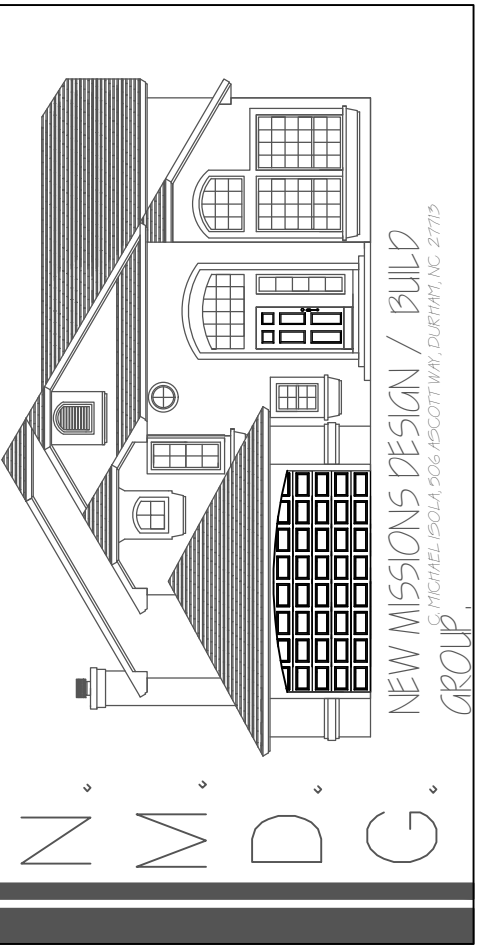
FRONT ELEVATION

SCALE: 3/8" = 1'-0"



REAR ELEVATION

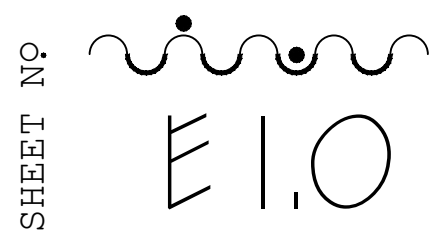
SCALE: 1/4" = 1'-0"



148 LINCOLN LANE
CHAPEL HILL, NC

SHEET CONTENTS
CONTENTS1--FRAMING-1ST-FLOOR
CONTENTS2--PROPOSED-PLAT
CONTENTS3--ELEVATIONS-1
CONTENTS4--ELEVATIONS-2

PROJECT NUMBER ACC20165
DRAWN BY: CM
DATE: 07-SEPTEMBER-2016
REVISIONS:
REV1

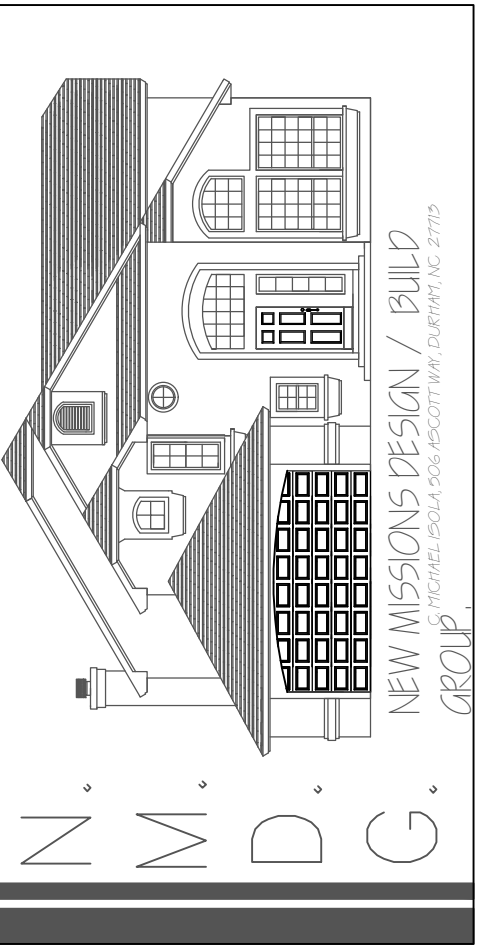




E
2.1 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



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

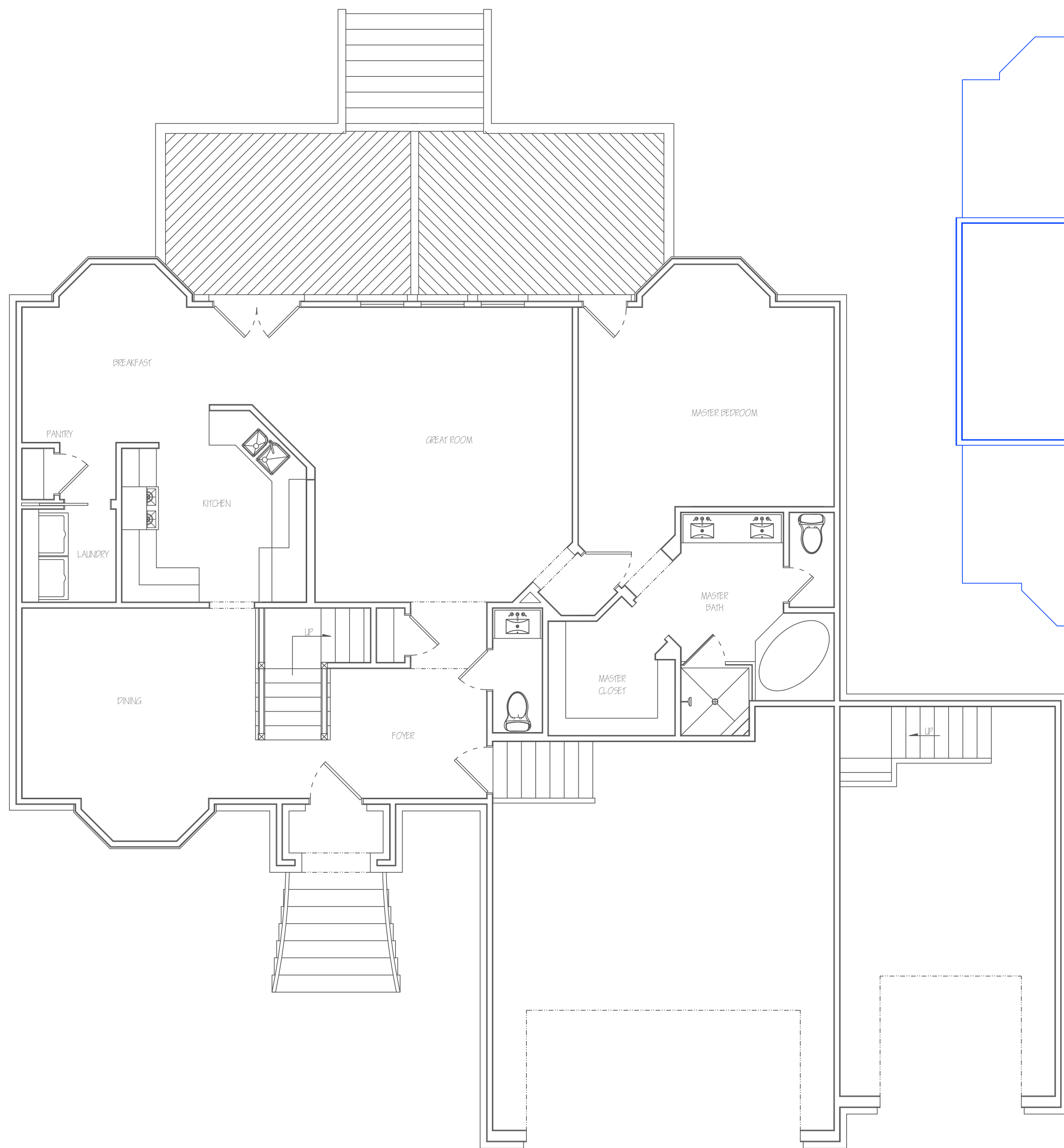


148 LINCOLN LANE
CHAPEL HILL, NC

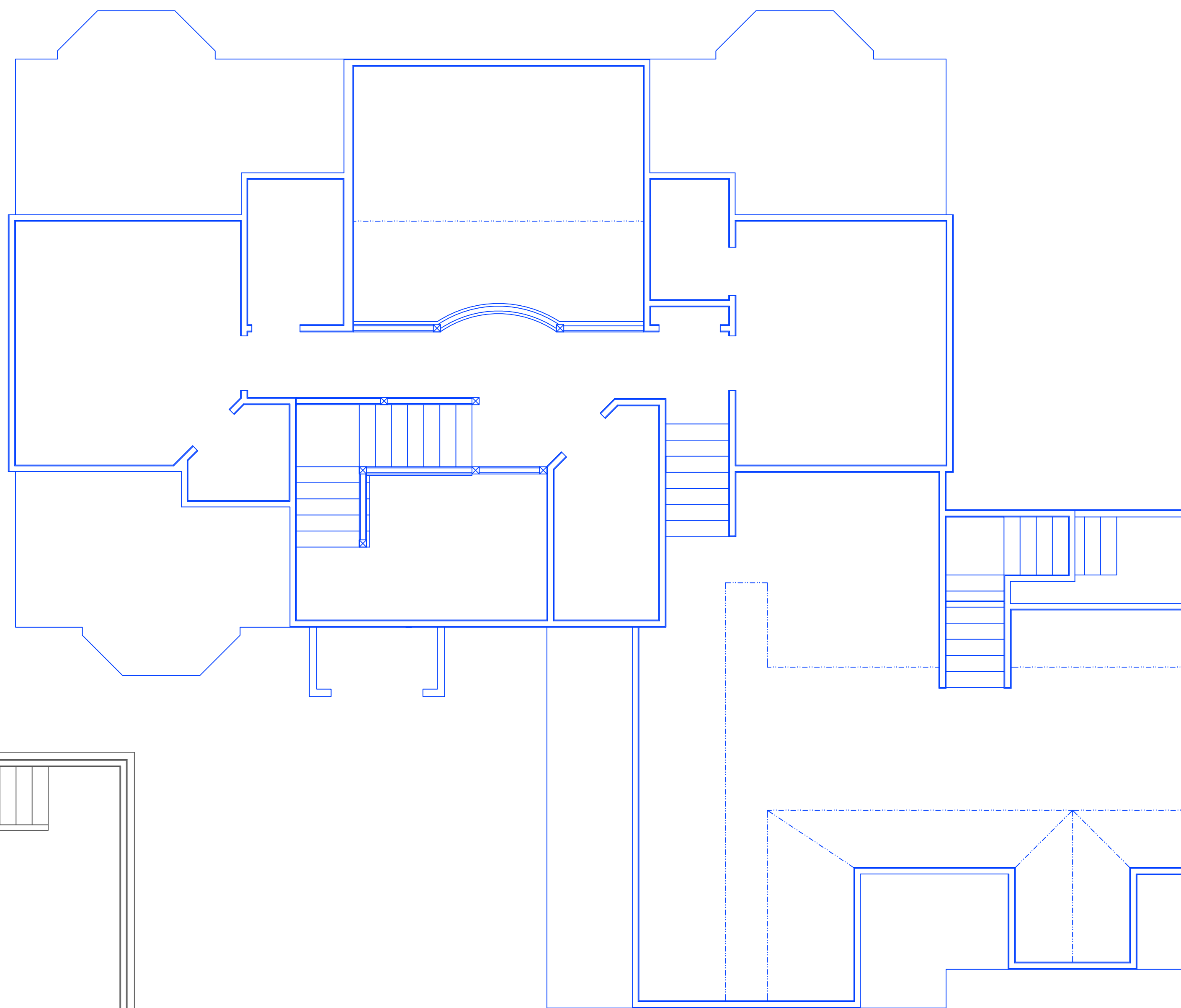
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PROJECT NUMBER ACC20165
DRAWN BY: CM
DATE: 07-SEPTEMBER-2016
REVISIONS:
REV1

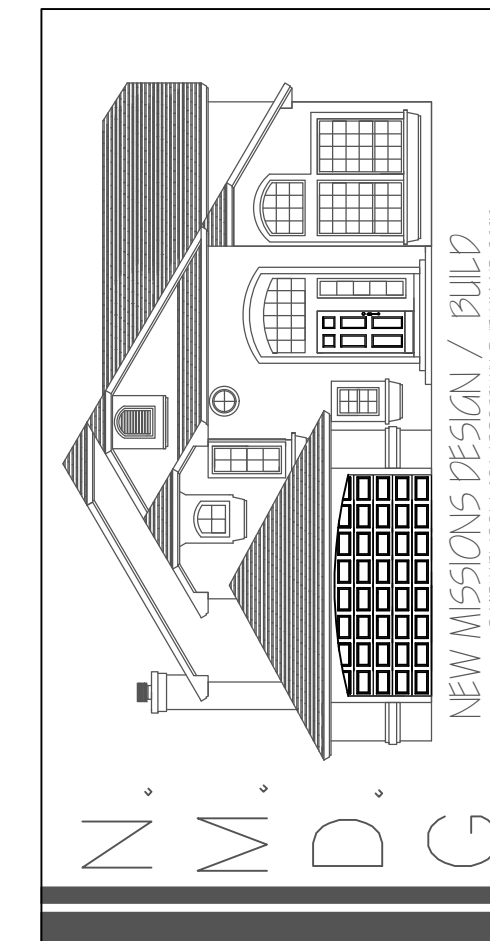
SHEET NO
E 2.0



A
1.0
1ST FLOOR FRAMING
 SCALE: 1/2" = 1'-0"



A
2.0
2ND FLOOR FRAMING
 SCALE: 1/4" = 1'-0"



148 LINCOLN LANE
 CHAPEL HILL, NC

* SHEET CONTENTS
 CONTENTS1--FRAMING-1ST-FLOOR
 CONTENTS2--PROPOSED-PLAT
 CONTENTS3--ELEVATIONS-1
 CONTENTS4--ELEVATIONS-2

* PROJECT NUMBER ACC20165
 DRAWN BY: CM
 DATE: 07-SEPTEMBER-2016
 REVISIONS:
 REV1

SHEET NO
 A1.0

ER
JB



20180928000186280 DEED
Bk:RB6526 Pg:389
09/28/2018 11:54:24 AM 1/2

FILED Mark Chilton
Register of Deeds, Orange Co. NC
Recording Fee: \$26.00
NC Real Estate TX: \$90.00

JB

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$90.00

Parcel Identifier No. 9799-33-1312 Verified by *JB* County on the ____ day of ____, 2018
By: _____

This instrument was prepared by: BAGWELL HOLT SMITH P.A.

Grantee's address (return to): 400 Meadowmont Lane, Chapel Hill, NC 27517

THIS DEED is made this 21st day of September, 2018, by and between

GRANTOR	GRANTEE
NORTH CAROLINA BOTANICAL GARDEN FOUNDATION, INC., a North Carolina nonprofit corporation, formerly THE BOTANICAL GARDEN FOUNDATION, INC., a North Carolina nonprofit corporation	MEHUL PATEL and spouse, Anjana Patel 400 Meadowmont Lane, Chapel Hill, NC 27517

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 required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the **Orange County**, North Carolina and more particularly described as follows:


BEING all of Lot No. 5, Block C, Ridgefield Subdivision, as shown on a plat and survey thereof recorded in Plat Book 9, Page 83, Orange County Registry, to which plat reference is hereby made for a more particular description of same, and being the same property conveyed to Grantor in a deed recorded in Book 5887, Page 400, Orange County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims, excepting ad valorem taxes for the current year, restrictive covenants of record affecting the property, utility easements and rights of way of record, of all persons whomsoever.

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

NORTH CAROLINA BOTANICAL GARDEN FOUNDATION, INC.

By: 
GREG FITCH, President

102 Henderson Street
Chapel Hill, NC 27514

Pursuant to N.C.G.S. §105-317.2, the Seller/Grantor states as follows:

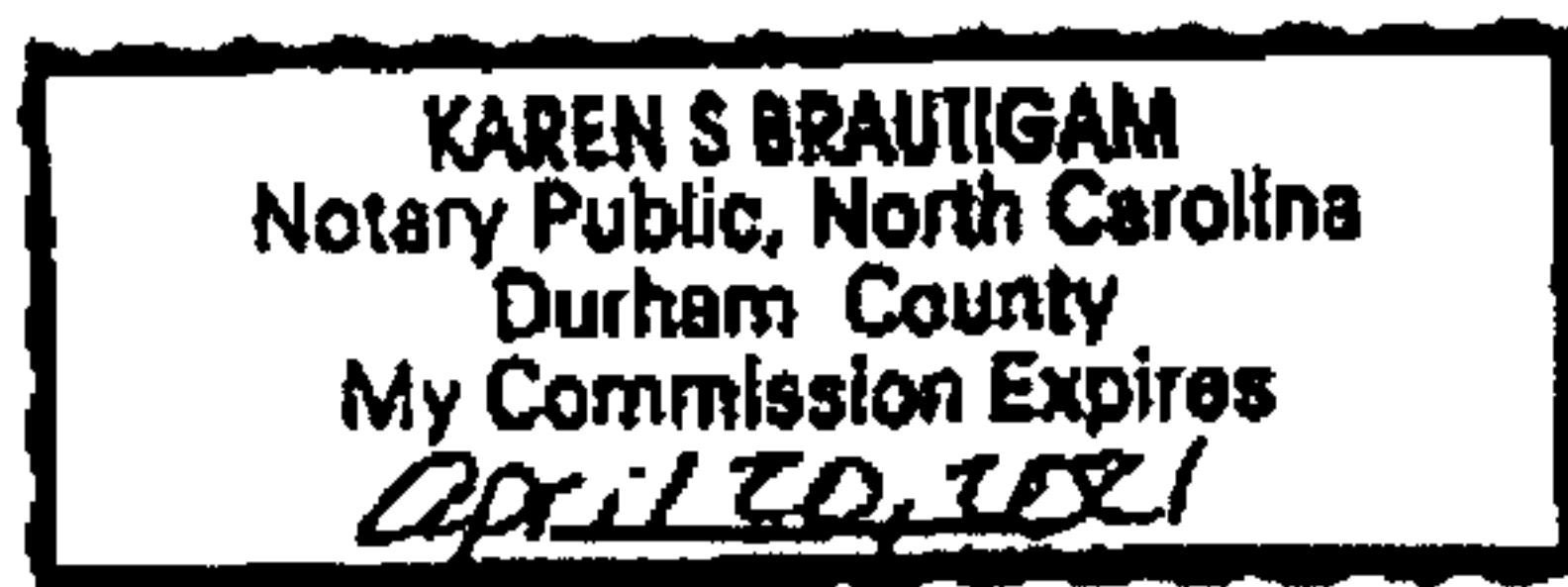
The property conveyed herein _____ includes X does not include (initial one) the primary residence of one or more of the Grantors. Grantor's address is provided above.

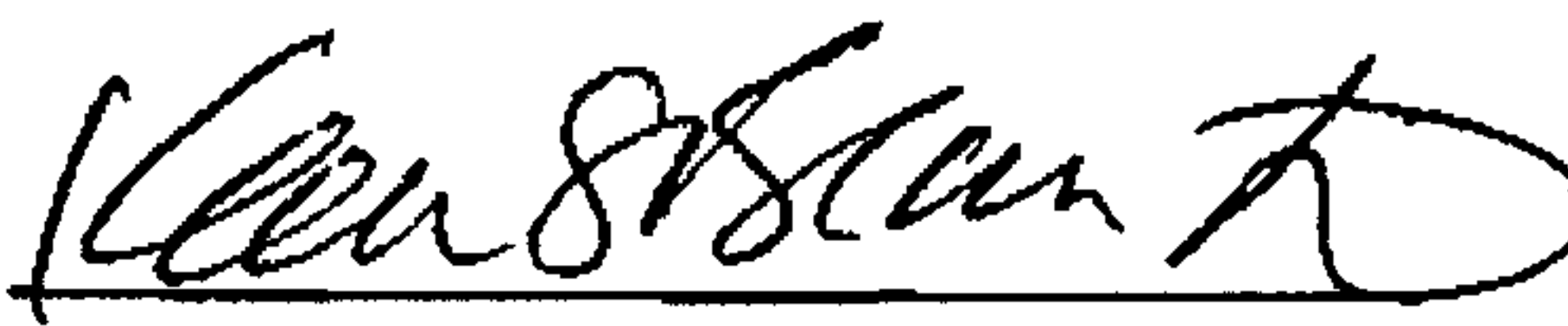
Chatham County, North Carolina

I, Karen S. Brautigam ^{Durham} Notary Public for Orange County, North Carolina, certify that **Greg Fitch** personally came before me this day and acknowledged that he is President of **North Carolina Botanical Garden Foundation, Inc.**, a North Carolina corporation, and that he, as President, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the 27th day of September, 2018.

(Official Seal)




Karen S. Brautigam Notary Public

My commission expires: April 10, 2021



**PUBLIC WORKS DEPARTMENT
STORMWATER MANAGEMENT DIVISION**

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

May 22, 2018

Mr. Jose Fernandez
401 Cedarmere Drive
Wendell, NC 27591
919antonio@gmail.com

**RE: Stream Determination for 308 Hickory Drive, Chapel Hill, NC
PIN 9799-33-1312**

Dear Mr. Fernandez:

As requested, the Town Public Works Department has performed a stream determination for the property identified on the attached forms. This determination indicates whether different types of streams (perennial, intermittent, and/or ephemeral) or perennial waterbodies are present on the property in question or on nearby properties. These streams and their classifications are shown on the accompanying map. Stream segments regulated by the Town's Jordan Lake Watershed Riparian Buffer regulations are highlighted. **Locations of all features on the map are approximate and must be field surveyed for precise location.**

This stream determination information is used to determine the location and extent of the Resource Conservation District (RCD) and Jordan Lake Watershed Riparian Buffers. Specific land use regulations and restrictions apply within the boundaries of these protected areas. If you are considering any kind of work on this property, including clearing vegetation, paving, grading, or building, please consult with the Town Planning Department to determine the possible extent of the Resource Conservation District (RCD) and Jordan Lake Watershed Riparian Buffer on this property and the applicable corresponding regulations.

This stream determination will remain in effect for five years from the date of the site visit, after which a new stream determination with site visit will be required.

In accordance with the Town's procedures, you may appeal this administrative decision to the Town Manager. If you wish to do so, you must file your written appeal accompanied by any materials you believe support your appeal, within **30 days** of receipt of this letter.

If you have questions regarding stream determinations, please contact me at (919) 969-7202 or aweakley@townofchapelhill.org. If you have questions regarding the Town's Resource Conservation District (RCD) or the Jordan Watershed Riparian Buffer regulations, please contact the Planning Department at (919) 968-2728, or view information online at: <http://www.townofchapelhill.org/town-hall/departments-services/public-works/stormwater-management/regulations-ordinances>.

Regards,

A handwritten signature in black ink that reads "Allison Schwarz Weakley".

Allison Schwarz Weakley
Stormwater Analyst

Cc: Bill Bracey, Botanical Garden Foundation, Inc. (bill_bracey@yahoo.com)



**PUBLIC WORKS DEPARTMENT
STORMWATER MANAGEMENT DIVISION**

405 Martin Luther King, Jr. Blvd.

Chapel Hill, NC 27514-5705

Telephone (919) 969-7246

Fax (919) 969-7276

www.townofchapelhill.org

STREAM DETERMINATION SITE VISIT RESULTS

Property Information	
Parcel ID Number (PIN)	Address / Location Description
9799-33-1312	308 Hickory Drive

These are the results of a site visit to the properties listed above for a stream determination conducted on 5/15/2018 by Town Staff:

☐ No perennial, intermittent, or ephemeral streams or perennial waterbodies were identified on or near the property(ies) in question.

☒ Perennial, intermittent, or ephemeral streams, or perennial waterbodies, were identified on or near the property(ies) in question and shown on the attached map(s).

A map showing water features, their Town flow classifications, presence of Jordan Watershed Riparian Buffers, and their approximate locations is attached. Origins or breakpoints that have been flagged in the field are marked on the map. Stream classification forms and additional site visit notes and maps are also attached.

Other conditions exist which may affect the location of the Resource Conservation District or Jordan Watershed Riparian Buffer:

☒ FEMA floodzone is mapped in the area. Precise location of the Base Flood Elevation and associated Resource Conservation District must be determined by a field survey commissioned by the owner or a representative.

☐ Segments of perennial or intermittent stream are piped in the area, as shown on the map. These segments do not have an associated Jordan Watershed Riparian Buffer.

☒ Possible Jurisdictional Wetlands have been identified in the area. A formal review by a professional certified in Jurisdictional Wetland Delineation is recommended.

Allison Weasley

Town Staff Signature

5/21/2018

Date

Stream Determination Area Map

- - - Ephemeral Stream
- . - Intermittent Stream
- Perennial Stream
- 2-foot Contours
- 10-foot Contours
- Buildings
- Parcels
- ▨ Possible Jurisdictional Wetlands
- Wide Perennial Stream
- Approximate Jordan Buffer
- Impervious Surfaces for Cars
- Other Impervious Surfaces
- Subject Property

Address: 308 Hickory Drive, Chapel Hill, NC

Parcel ID: 9799-33-1312

0 50 100 200 Feet




1 inch = 100 feet

**Stream locations are approximate and must be verified by survey.
Buffers are measured from top of bank. RCD buffers may apply.
Please contact the Town of Chapel Hill Planning Department to verify.**



USGS 24K Topographic / County Soil Survey Maps

 Subject Property

Address: 308 Hickory Drive, Chapel Hill, NC

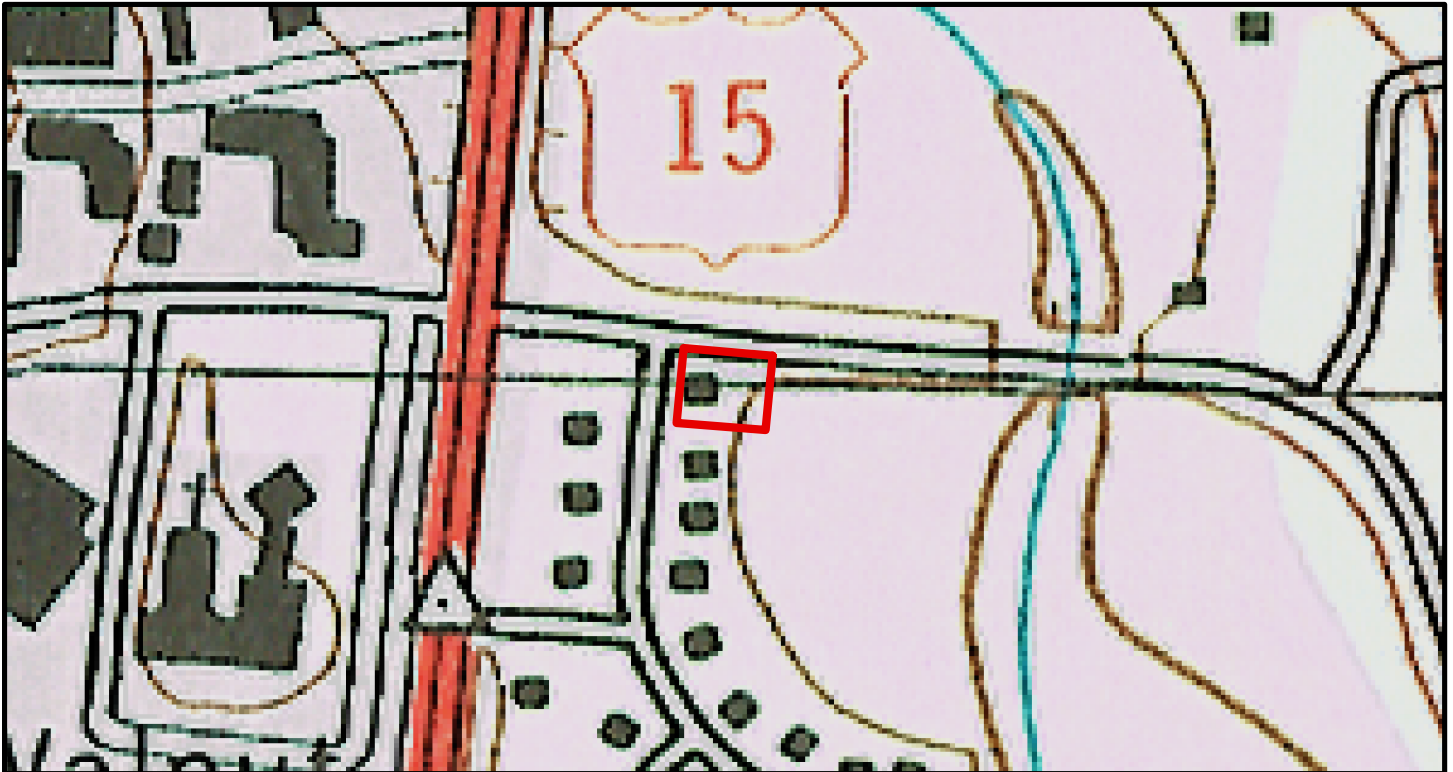
0 80 160 240 320 Feet

Parcel ID: 9799-33-1312

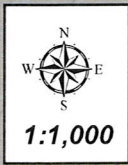
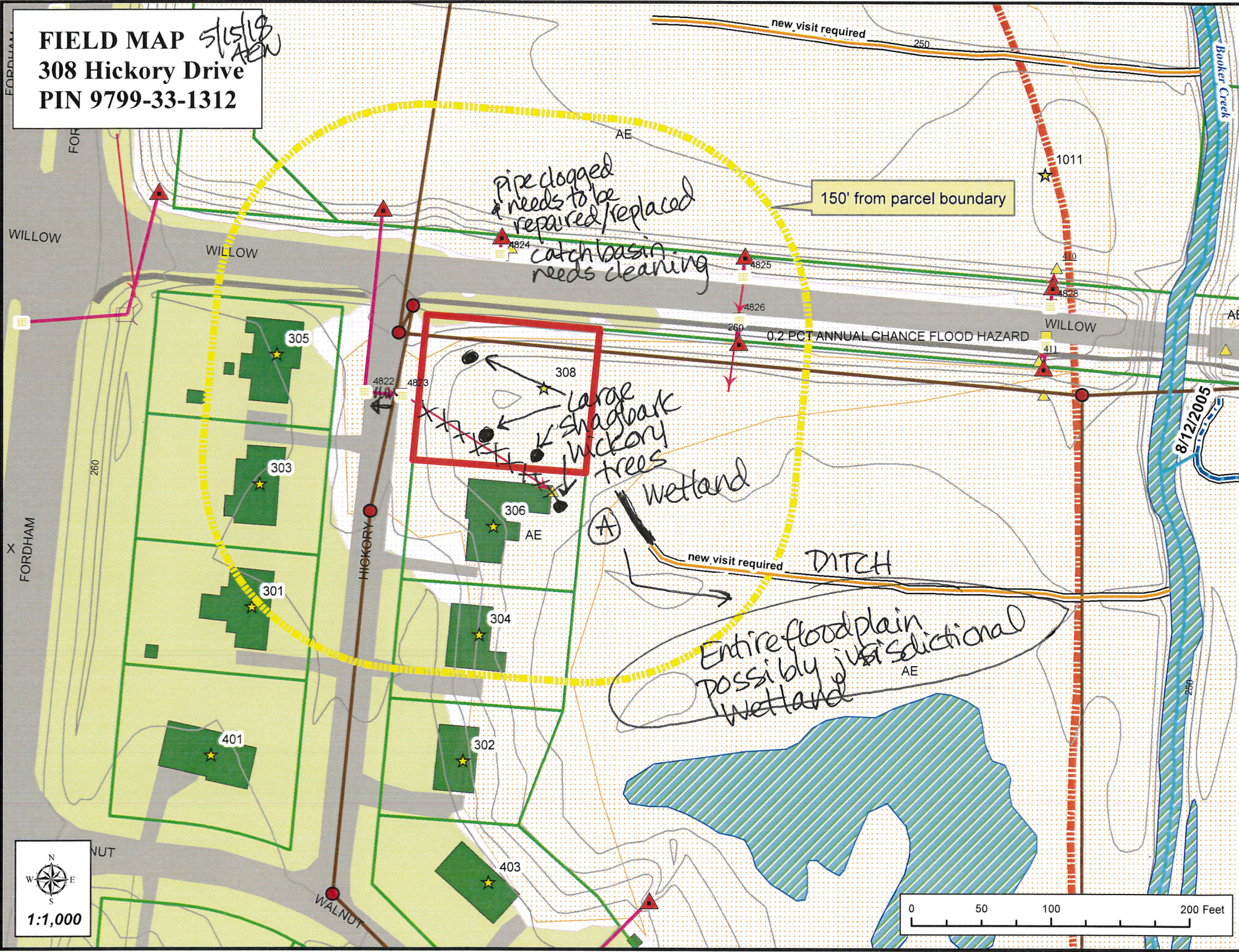


1 inch = 267 feet

Created by Town of Chapel Hill Public Works Department - Stormwater Management Division- 5/21/2018



FIELD MAP 5/15/18
308 Hickory Drive
PIN 9799-33-1312



201805151644

Feature (A)

NC DWQ Stream Identification Form Version 4.11

Date: 5/15/18	Project/Site: 308 Hickory Dr	Latitude: 35.93
Evaluator: Weakley & Salat	County: Orange	Longitude: -79.023
Total Points: Stream is at least intermittent if ≥ 19 or perennial if ≥ 30 * 13.5	Stream Determination (circle one) Ephemeral Intermittent Perennial	Other e.g. Quad Name:

A. Geomorphology (Subtotal = 2)	Absent	Weak	Moderate	Strong
1 ^a . Continuity of channel bed and bank	0	1	2	3
2. Sinuosity of channel along thalweg	0	1	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3
4. Particle size of stream substrate in FP	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	2	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	

^a artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 5.5)	Absent	Weak	Moderate	Strong
12. Presence of Baseflow	0	1	2	3
13. Iron oxidizing bacteria	0	1	2	3
14. Leaf litter	1.5	1	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 = 6)	Absent	Weak	Moderate	Strong
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: Ditch thru floodplain. Entire floodplain likely jurisdictional wetland.

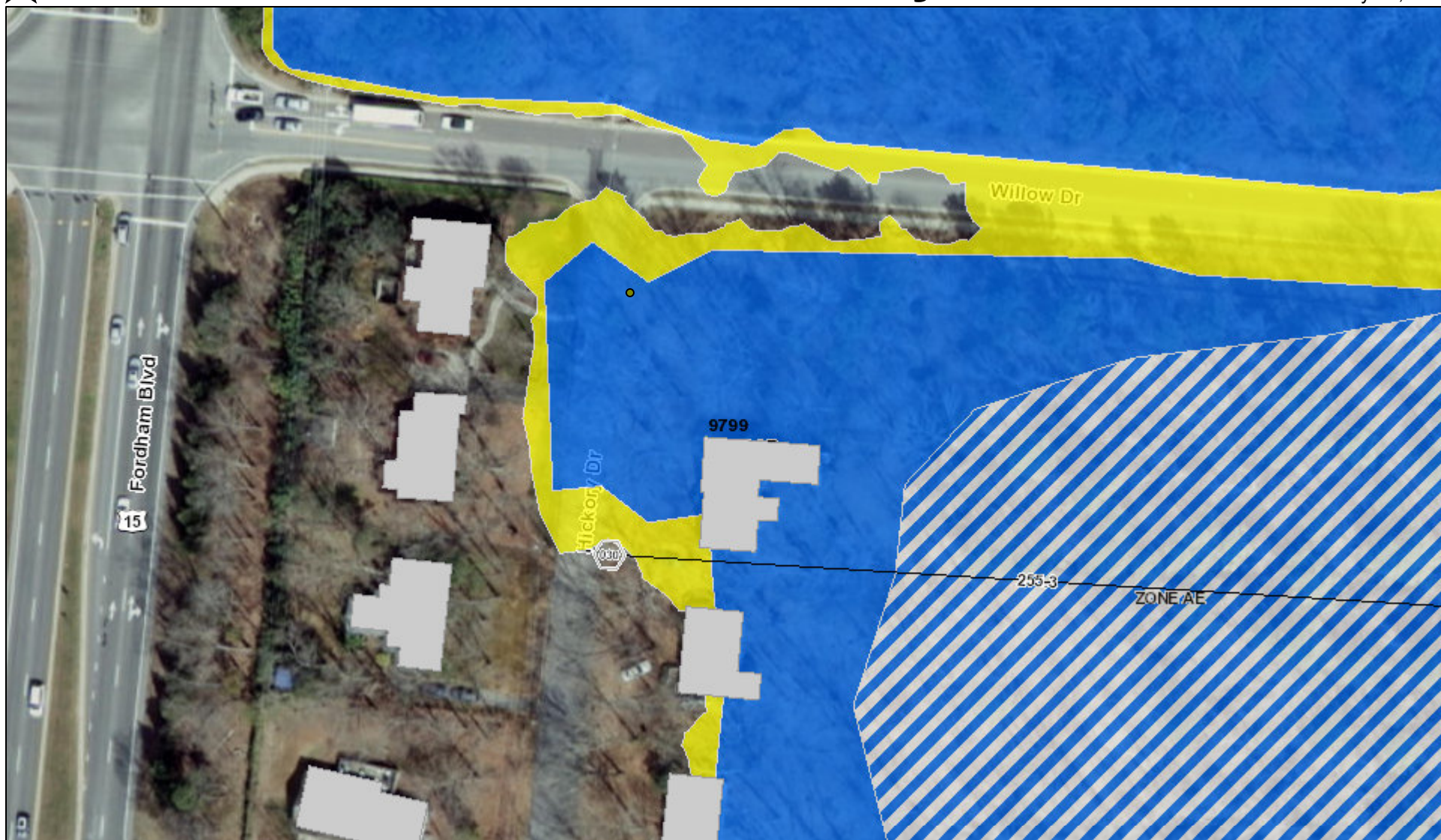






308 Hickory Drive

May 22, 2018

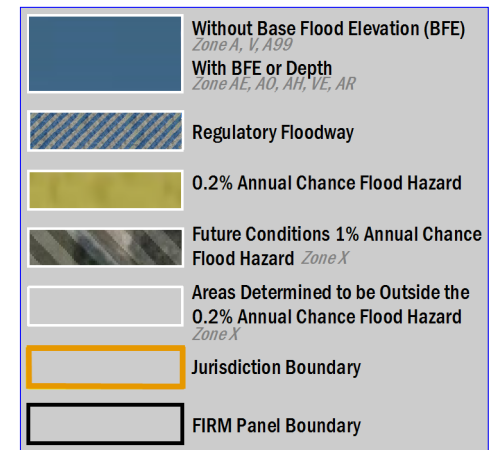


Legend

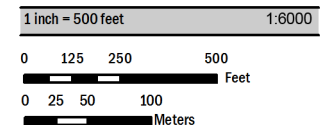
	Panels		AE
	Political Areas		Floodway (AE)
	Stream Centerline		0.2 % Chance Annual Flood Hazard
	Cross Sections		Future Conditions 1% Annual Chance Flood Hazard
	Levee		

North Carolina Floodplain Mapping Program





North Carolina State Plane Projection Feet (Zone 3200)
Datum: NAD 1983 (Horizontal), NAVD 1988 (Vertical)



FEMA National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

Panel(s): 9799

CONTAINS:

COMMUNITY	CID
TOWN OF CHAPEL HILL	370180

Notice to User: The Map Number(s) shown below should be used when placing map orders; the Community Number(s) shown above should be used on insurance applications for the subject community.

SELECTED PANELS:

MAP NUMBER	EFFECTIVE DATE
3710979900K	2/2/2007





FEMA: National Flood Insurance Program

Page 2 of 2



Panel(s):9799

CONTAINS:

COMMUNITY **CID**
TOWN OF CHAPEL HILL 370180

Notice to User: The Map Number(s) shown below should be used when placing map orders; the Community Number(s) shown above should be used on insurance applications for the subject community.

SELECTED PANELS:

MAP NUMBER **EFFECTIVE DATE**
3710979900K 2/2/2007

NOTES TO USERS

This is an official FIRMette of a portion of the effective panels listed in the Title Block shown on Page 1. The information represented on this FIRMette was extracted from the effective digital flood hazard data available at <http://fris.nc.gov/fris>.

Base flood elevation data, floodway, nonencroachment widths, information on certain areas no in the Special Flood Hazard Areas protected by flood control structures, and other pertinent data are available in the Flood Insurance Study (FIS) available at <http://fris.nc.gov/fris>. Users should be aware that flood elevations shown on this FIRMette represent elevations rounded to one tenth of a foot (0.1') and should be utilized in conjunction with data available in the FIS.

NOTES TO USERS

Base map information and geospatial data used to develop this FIRMette were obtained from various organizations, including the participating local community(ies), state and federal agencies, and/or other sources. The primary base for this FIRM is aerial imagery acquired by the State in 2010. Information and geospatial data supplied by the local community(ies) that met FEMA base map specifications were considered the preferred source for development of the base map.

See geospatial metadata for the associated digital FIRMette for additional information about base map preparation. Base map features shown on this FIRMette, such as corporate limits, are based on the most up-to-date data available at the time of publication. Changes in the corporate limits may have occurred since this map was published. Map users should consult the appropriate community official or website to verify current conditions of jurisdictional boundaries and base map features. This map may contain roads that were not considered in the hydraulic analysis of streams where no new hydraulic model was created during the production of this statewide format FIRM.

Flood elevations on this map are referenced to either or both the North American Vertical Datum of 1988 (NAVD 88) or National Geodetic Datum of 1929 (NGVD 29), and are labeled accordingly. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. To obtain current elevation, description, and/or location information for bench marks shown on this map, or for information regarding conversion between NGVD 29 and NAVD 88, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov/>.

MORE INFORMATION

Letters of Map Amendment (LOMA)	1-877-336-2627 http://msc.fema.gov/
Letters of Map Revision (LOMR)	919-715-5711 www.ncfloodmaps.com
Flood Insurance Availability	
North Carolina Division of Emergency Management (NCDEM)	919-715-5711 http://www.nccrimecontrol.org/nfip
National Flood Insurance Program (NFIP)	1-877-638-6620 http://www.fema.gov/business/nfip
Questions about this FIRMette	1-877-336-2627 http://fema.gov

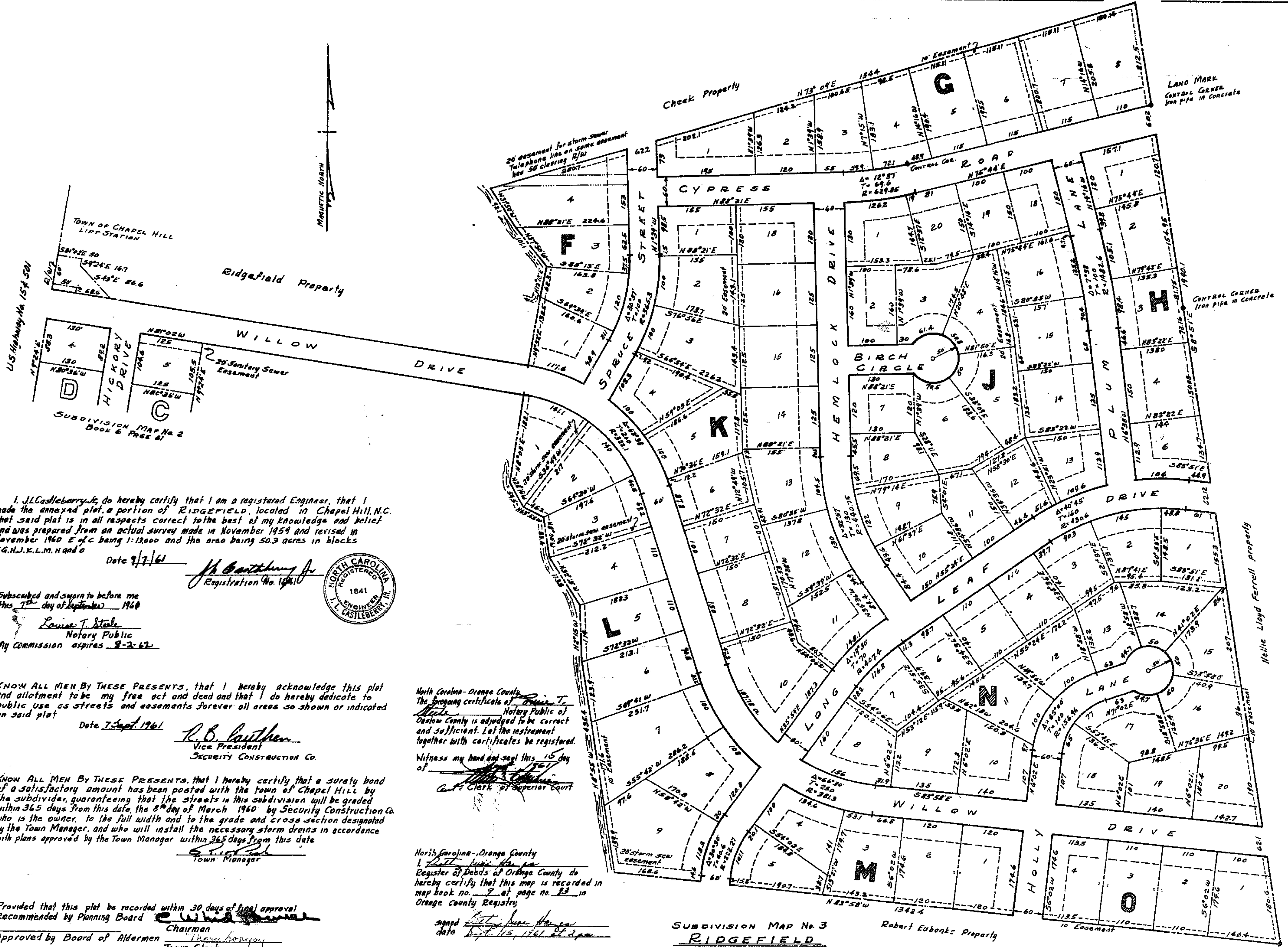
LEGEND

LEGEND

MAP REVISIONS

*This FIRMette includes revisions for the following LOMR

LOMR	DATE
Engineering LOMR model, Case Number09-04-1756P	7/31/2009



I, J. L. Castleberry, Jr., do hereby certify that I am a registered Engineer, that I made the annexed plat, a portion of RIDGEFIELD, located in Chapel Hill, N.C. that said plat is in all respects correct to the best of my knowledge and belief and was prepared from an actual survey made in November 1959 and revised in November 1960 and the area being 50.3 acres in blocks F, G, H, J, K, L, M, N and O.

Date 9/7/61

J. L. Castleberry, Jr.
Registration No. 1841



Subscribed and sworn to before me this 7th day of September, 1960

Louise J. Stale
Notary Public

My Commission expires 8-2-62

KNOW ALL MEN BY THESE PRESENTS, that I hereby acknowledge this plat and allotment to be my free act and deed and that I do hereby dedicate to public use as streets and easements forever all areas so shown or indicated on said plat

Date 7 Sept. 1961

R. B. Carther
Vice President
SECURITY CONSTRUCTION CO.

KNOW ALL MEN BY THESE PRESENTS, that I hereby certify that a surety bond of a satisfactory amount has been posted with the town of Chapel Hill by the subdivider, guaranteeing that the streets in this subdivision will be graded within 365 days from this date, the 8th day of March 1960 by Security Construction Co. who is the owner, to the full width and to the grade and cross section designated by the Town Manager, and who will install the necessary storm drains in accordance with plans approved by the Town Manager within 365 days from this date

S. R. Carther
Town Manager

Provided that this plat be recorded within 30 days of final approval
Recommended by Planning Board *[Signature]*

Approved by Board of Aldermen
Chairman *[Signature]*
Town Clerk *[Signature]*

North Carolina - Orange County
The foregoing certificate of *[Signature]*
Notary Public of
Orange County is adjudged to be correct
and sufficient. Let the instrument
together with certificates be registered.

Witness my hand and seal this 15 day
of *[Signature]*
Clerk of Superior Court

North Carolina - Orange County
I, *[Signature]*, Register of Deeds of Orange County do
hereby certify that this map is recorded in
map book no. 7 at page no. 83 in
Orange County Registry

signed *[Signature]* on
date Sept. 15, 1961 at 2 p.m.

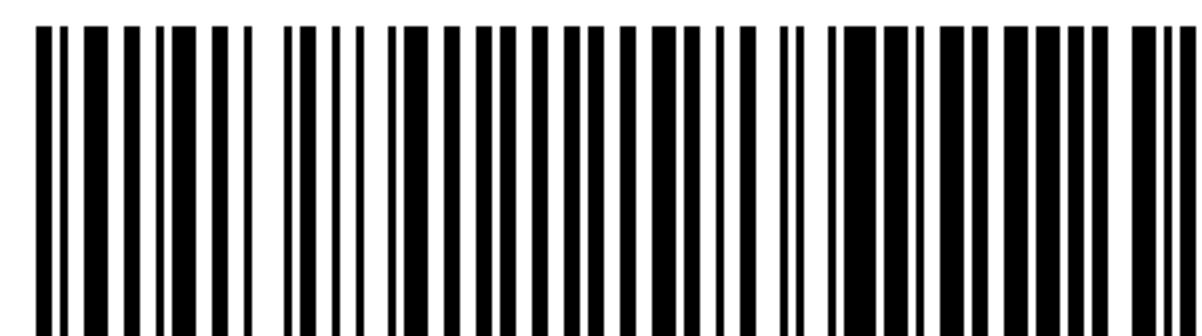
SUBDIVISION MAP No. 3
RIDGEFIELD
CHAPEL HILL, N.C.
SCALE 1"=100' DEC. 1959

Robert Eubanks Property

Revised Nov. 28, 1960

THIS IS A REVISION OF N.E.
RECORDED IN MAP BOOK 8
PAGE 80, ORANGE COUNTY
REGISTRY.

CONTROL CORNER
Cross cut in stone flush
with surface of ground



19610915000027400



**PUBLIC WORKS DEPARTMENT
STORMWATER MANAGEMENT DIVISION**

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

**Stream Determination Request
AUTHORIZED AGENT FOR LEGAL REPRESENTATION FORM**

PROPERTY LEGAL DESCRIPTION:

PARCEL ID (PIN) 9799331312

STREET ADDRESS: 308 HICKORY DRIVE

Please print:

Property Owner: BOTANICAL GARDEN FOUNDATION, INC

Property Owner: _____

The undersigned, owner(s) of the above described property, do hereby authorize

José A. Fernández, of _____
(Contractor/Agent) (Name of consulting firm if applicable)

to request a stream determination on this property and to act on my/our behalf and take all actions, I/we could have taken if present, necessary for the processing, issuance and acceptance of the stream determination for this property.

Property Owner's Address (if different than property above):

Owner Telephone: 919.619.2160 Email: bill-bracey@yahoo.com

We hereby certify the above information submitted is true and accurate to the best of our knowledge.

[Signature]
Owner Authorized Signature

5/2/18
Date

Owner Authorized Signature
[Signature]
Contractor/Agent Authorized Signature

Date
5/2/18
Date

Please return form by email (aweakley@townofchapelhill.org), fax, or mail to the above address in care of the "Stormwater Analyst." The form may also be dropped off at the Stormwater Management office at 208 N. Columbia Street, Chapel Hill, NC. For questions, please call (919) 969-RAIN.



**PUBLIC WORKS DEPARTMENT
STORMWATER MANAGEMENT DIVISION**

405 Martin Luther King, Jr. Blvd.

Chapel Hill, NC 27514-5705

Telephone (919) 969-7246

Fax (919) 969-7276

www.townofchapelhill.org

REQUEST FOR STREAM DETERMINATION

Stream determinations provide information used to determine whether the Town's Resource Conservation District (RCD) or Jordan Watershed Riparian Buffer Protection regulations apply to a property. Town staff will typically conduct a field visit to classify streams on the property(ies) indicated below within two weeks of a request, depending on weather conditions, staff availability, and scope of the request. Please note that stream determinations cannot be conducted within 48 hours of a rain event. There is no fee for stream determinations conducted by Town staff.

A stream determination report indicates the results of a stream classification. Stream classifications expire after five years. If a stream determination has been completed on or near the property(ies) listed below within the last five years, a site visit may not be required unless local hydrology has changed significantly or the stream classification has expired. If a site visit is not required, the stream determination will be based on a records review.

Requests may be emailed (aweakley@townofchapelhill.org), faxed, dropped off at Town Hall or the Stormwater Office, or mailed to the above address in care of the "Stormwater Analyst."

Requestor's Name:

José A. Fernández

Mailing Address:

401 Cedarmere Dr. Wendell, NC 27591

City, State, ZIP:

Phone / FAX / Email:

919antonio@gmail.com

Check method(s) for report to be sent:

☐

US Mail

☒

Email

☐

FAX

☐

Call for pickup

Signature of property owner or designated legal agent granting permission to Town Staff to enter the property(ies) indicated below for purposes of a Stream Determination:

[Signature]
(Signature)

5/2/18
(Date)

Owner Name(s):

BOTANICAL GARDEN FOUNDATION, INC
(Please print)

Company Name (if applicable):

Property Information	
Fill in both columns, <u>or</u> fill in Parcel ID Number (PIN) and attach a site map indicating location.	
Parcel ID Number (PIN)	Address / Location Description
<u>9799331312</u>	<u>308 HICKORY DRIVE</u>

Where the total area of the property(ies) to visit is over 3 acres, please attach an as-built drawing or a topographic map with current landmarks.