

ORANGE COUNTY

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NORTH CAROLINA

MODIFICATION OF SPECIAL USE PERMIT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned property owner(s) N. C. Delta Upsilon Foundation, Incorporated having applied to the Town of Chapel Hill for modification of the existing Special Use Permit on the property hereinafter described, said Special Use Permit recorded in Book 238, page 410 at the Office of the Register of Deeds, said modification was granted by the Town of Chapel Hill on May 14, 1979, the terms of said modification being as follows:

NAME OF PROJECT: Delta Upsilon Fraternity House

TYPE OF SPECIAL USE: Fraternity House

NAME OF DEVELOPER: N.C. Delta Upsilon Foundation, Incorporated

DESCRIPTION OF PREMISES

LOCATION: Northeast corner of East Rosemary Street and Hillsborough Street

TAX MAP REFERENCE: Chapel Hill Town Map 79, Block 19, Lot 20

AREA OF PROPERTY: Approximately 2500 square feet

SPECIAL TERMS AND CONDITIONS

- A. Special terms and conditions imposed as part of the original Special Use Permit approval of June 12, 1972. Refer to plans marked received February 29, 1972, and site plan marked received April 4, 1972 and approved by the Board of Aldermen on June 12, 1972, subject to the following:
1. That the social area be reduced in size.
 2. That the building meet the square footage requirements according to the Zoning Ordinance, using outside dimensions, and be returned to the Board of Aldermen for approval.
 3. If the building must be built in stages, that the living area be built first.
 4. That the meeting room cannot be used for sleeping purposes.
 5. That the Martin-Dey House be offered free to anyone willing to move it, and if it is not taken over by the time the space is needed, it can be demolished.
 6. That the development begin within three years, and be completed within five years.
- B. Special terms and conditions imposed as part of the Modification of Special Use Permit approval of September 15, 1975. Refer to plans approved by the Board of Aldermen on September 15, 1975 subject to the following:
1. That a sanitary sewer plan for the site be submitted to and approved by the Town Manager prior to issuance of a building permit.
 2. That the plans and special terms and conditions of this modification shall replace all previous plans and special terms and conditions of all special use permits for a fraternity house at this location.
 3. That construction begin by July 1, 1977 and be completed by July 1, 1979.

4. That the preliminary architectural drawings and the detailed landscape plan be submitted to and approved by the Appearance Commission prior to issuance of a building permit.
 5. That the landscape plan include screening of the parking area from the view of abutting properties on the north side of the lot by a solid wall a minimum of six (6) feet high. Such wall shall be constructed along the entire northern boundary of the property and shall turn southward along the eastern and western property lines for a minimum distance of twenty (20) feet.
 6. That the applicant submit to the Building Inspector for his approval prior to the issuance of a building permit detailed plans for noise containment within the proposed structure. Such plans to include, but not be limited to provisions for sound absorbing materials on the floors, walls, and ceilings of the first floor dining room and second floor meeting room.
 7. That all windows located on the western side of the proposed structure be fixed such that they cannot be opened, and fitted with double paned glass.
 8. That the renovation of the existing Bain and Dey houses be completed prior to or concurrent with completion of the proposed structures.
 9. That the Dey House be maintained and used exclusively for residential purposes by the Fraternity.
- C. Special terms and conditions imposed as part of the Modification of Special Use Permit approval of May 14, 1979. Refer to plans dated March 24, 1979 and approved by the Board of Aldermen on May 14, 1979 subject to the following:
1. That the design of the fence be approved by the Historic District Commission.
 2. That except as modified herein, all other special terms, conditions, and stipulations heretofore made applicable to the Special Use Permit be continued in effect, and that the Board finds that with all stipulations and conditions as modified, the use continues to meet the four requisite findings set forth in the initial Special Use Permit.
 3. That the off-street parking requirement be reduced from 38 parking spaces to 31 parking spaces as provided for in Section 6-B-2-k of the Zoning Ordinance.

* * * END * * *