

PLANNING & INSPECTIONS DEPARTMENT
Craig N. Benedict, AICP, Director

Current Planning
(919) 245-2575
(919) 644-3002 (FAX)
www.orangecountync.gov



131 W. Margaret Lane
Suite 201
P. O. Box 8181
Hillsborough, NC 27278



AGENDA
ORANGE COUNTY
BOARD OF ADJUSTMENT
LOWER LEVEL MAIN CONFERENCE ROOM – WEST CAMPUS
OFFICE BUILDING
131 W. Margaret Lane
HILLSBOROUGH, NORTH CAROLINA
October 10, 2016
7:30 p.m.

- 1. CALL TO ORDER**
- 2. CONSIDERATION OF ADDITIONS TO AGENDA**
- 3. APPROVAL OF MINUTES – January 11, 2016 REGULAR MEETING**
- 4. PUBLIC CHARGE:**

The Board of Adjustment pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. All electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate.

The Board of Adjustment is a quasi-judicial administrative body established in accordance with the provisions of local regulations and State law to perform specified functions essential to the County's planning program. Action(s) taken by the board are based solely on competent, substantial, and material evidence presented during a previously scheduled and advertised public hearing on a specific item. As detailed within Section 2.12.2 of the UDO the Board chair reserves the right to exclude evidence and testimony that is deemed: 'incompetent, irrelevant, immaterial, or unduly repetitious' and

therefore fails to reasonably address the issues before the Board of Adjustment. While it should be noted there is no time limit on the presentation of evidence, the Chair asks that the presentation of evidence be consistent with established policies, rules of procedure, and acceptable levels of decorum to ensure a fair and equitable hearing for all parties.

5. A-1-16 – Appeal of a decision concerning a parcel of property located at the intersection of Morrow Mill and Millikan Roads (PIN: 9729-50-7168).

In accordance with the provisions of Section 2.11 and 2.26 of the Orange County Unified Development Ordinance (UDO) the applicants have appealed a decision of the Zoning Officer, as articulated within a May 18, 2016 e-mail, related to the processing of a building permit for a parcel of property identified utilizing Orange County Parcel Identification Number (PIN) 9729-50-7168 owned by Southeast Property Group LLC care off Ms. Kara Brewer.

Specifically the applicants allege staff erred by not requiring zoning approval for said permit.

6. ADJOURNMENT

IF UNABLE TO ATTEND THIS MEETING, PLEASE CALL THE PLANNING DEPARTMENT (NUMBERS LISTED BELOW – PRESS 1 PLUS EXTENSION 2575 OR 2585). STAFF CAN THEN DETERMINE IF A QUORUM WILL BE PRESENT FOR THE MEETING.

HILLSBOROUGH – (919) 732-8181 ; MEBANE – (919) 227-2031

CHAPEL HILL – (919) 967-9251 ; DURHAM – (919) 688-7331

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**MINUTES
BOARD OF ADJUSTMENT
JANUARY 11, 2016
PUBLIC HEARING**

7 **MEMBERS PRESENT:** Samantha Cabe (Chair)
8 Karen Barrows (Vice-Chair)
9 Matt Hughes, Alternate Member
10 Barry Katz
11 Susan Halkiotis

12
13 **STAFF PRESENT:** Michael Harvey, Current Planning Supervisor
14 Patrick Mallet, Planner II
15 Elaina Cheek, Board Secretary
16 James Bryan, Staff Attorney
17 Anne Marie Tosco, Staff Attorney
18

19 **AGENDA ITEM 1: CALL TO ORDER**

20
21 Samantha Cabe called the meeting to order.
22

23 **AGENDA ITEM 2: CONSIDERATION OF ADDITIONS TO AGENDA**

24
25 Matt Hughes added an additional item to include appointment of Board Secretary, Elaina Cheek.
26

27 **MOTION** made by Susan Halkiotis to include appointment of Board Secretary, Elaina Cheek. Seconded by
28 Karen Barrows and Barry Katz.

29 **VOTE:** Unanimous
30

31 **AGENDA ITEM 3: APPROVAL OF MINUTES**

32
33 No amendments to minutes.
34

35 **MOTION** made by Samantha Cabe. Seconded by Susan Halkiotis.

36 **VOTE:** Unanimous
37

38 **AGENDA ITEM 4: READING OF PUBLIC CHARGE**

39
40 *Karen Barrows read the public charge*

41
42 *The Board of Adjustment pledges to the citizens of Orange County its respect. The Board asks its citizens*
43 *to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At*
44 *any time should any member of the Board or any citizen fail to observe this public charge, the Chair will ask*
45 *the offending person to leave the meeting until that individual regains personal control. Should decorum fail*
46 *to be restored, the Chair will recess the meeting until such time that a genuine commitment to this to this*
47 *public charge is observed. All electronic devices such as cell phones, pagers, and computers should please*
48 *be turned off or set to silent.*

1
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3 *regulations and State law to perform specified functions essential to the County's planning program. Action(s) taken*
4 *by the board are based solely on competent, substantial, and material evidence presented during a previously*
5 *scheduled and advertised public hearing on a specific item. As detailed within Section 2.12.2 of the UDO the Board*
6 *chair reserves the right to exclude evidence and testimony that is deemed: 'incompetent, irrelevant, immaterial, or*
7 *unduly repetitious' and therefore fails to reasonably address the issues before the Board of Adjustment. While it*
8 *should be noted there is no time limit on the presentation of evidence, the Chair asks that the presentation of*
9 *evidence be consistent with established policies, rules of procedure, and acceptable levels of decorum to ensure a*
10 *fair and equitable hearing for all parties.*

11
12 **AGENDA ITEM 5: CONSIDERATION OF AN AMENDMENT TO A CLASS B SPECIAL USE PERMIT**
13 **APPLICATION**

14
15 *In accordance with Section(s) 2.7 Special Uses, 5.2.1 Table of Permitted Uses, 5.3.2 Application of Use*
16 *Standards – Special Uses, and 5.10 Standards for Telecommunication Towers of the UDO, Crown Castle*
17 *International is requesting the modification of a previously issued Class B Special Use Permit (SUP),*
18 *allowing for the development of a telecommunication tower, to change vehicular access to same from*
19 *Landau Drive to Old Oak Place.*

20 *The parcel subject to this application, currently listed as being owned by Perry Sloan Trustee, is identified*
21 *utilizing Orange County Parcel Identification Number (PIN) 9883-17-7293, is zoned Rural Residential (R-1)*
22 *and has frontage along Old Oak Place (SR 2268). There is no physical street address currently assigned to*
23 *this parcel (hereafter 'the property').*

24 *As detailed within the application, the applicant is proposing to abandon the existing driveway through*
25 *Landau Drive and create new vehicular access to the existing tower through the identified property with a*
26 *driveway off of Old Oak Place.*

27
28 Michael Harvey swore in the following individuals:

29
30 Jerry Bouche
31 Graham Herring
32 Paul Parker
33

34 Michael Harvey: Before we begin we would to ask the County Attorney, Mr. Bryan, if he has any initial
35 comments before we move forward... I didn't know if you had something about process before I begin or
36 not.
37

38 James Bryan: So, each time it seems there's always something a little different and this one is a little
39 different. This is a modification of a SUP, not just a standard SUP. It's a little unclear what that process is.
40 How we normally do it is we have the submission standards and the standards of evaluation all jumbled
41 together. Both in UDO and in the packets. There is a part of the UDO that says if you're going to modify a
42 SUP the procedure is to give a new site plan and a narrative of that. It doesn't say whether that replaces or
43 is in addition to the submittal requirements. There's different ways that the staff and applicant might
44 encourage you. I'll try my best to give you my interpretation of what it is... Now you might be able to look at
45 the prior submittal and if it's the same drawing that's fine; however, you might have a scenario where the
46 submittal requirements have changed so, if it's something 20 years ago we didn't require and now we do
47 they have to show it at some point. That might become an issue. The other part of it is, what exactly are
48 you evaluating? I believe that it's clear that it's the same evaluation. This is a SUP for a telecommunication
49 power facility but, there's a whole bunch of standards that have to apply. They have to meet those today as
50 they met them 20 years ago or whenever. Even though the modification might be small, it might be what

1 you deem irrelevant to it, they have to meet all the standards as they did in the past.

2
3 Samantha Cabe: So would it be safe to say that the standard is to evaluate this modification together with
4 the original applications so it meets all the standards as modified? So the SUP as modified must meet the
5 standards that we apply from section 5.3 of the UDO; is that safe to say?
6

7 James Bryan: I'd say all of that's correct but... There's also specific standards of the evaluation for
8 telegram towers... I think the crux of it is 5.10.8 (B) (4) and those are standards of evaluation, there's 23
9 standards of evaluation for telecom facilities.
10

11 Samantha Cabe: Ok, thank you.
12

13 Michael Harvey: If that's all, I'll quickly move through staff reports and turn it over to the applicant. So we
14 have an agenda attachment at the beginning of page 51; within this packet you have staff's abstract, you
15 have a property vicinity map on page 58 and on page 59 is the application package, beginning on page 81
16 you have notification materials...inaudible... Under separate cover was an 11x17 copy of the site plan. As
17 you'll know from various e-mails to address some of James' concerns we've produced additional material
18 for you, including a revised attachment 4 which is the SUP findings and fact which I will walk you through
19 from staffs standpoint. A supplemental packet of information that begins on pages 200-341, and this is a
20 copy of the original SUP that was reviewed and acted upon on April 8, 1996. This is ... finds on page 240.
21 We also have structural analyses that have been prepared on this tower dealing with change out and
22 existing independence.
23

24 So Madam Chair, what I ask first is that the provided abstract that you would have all been sent since
25 apparently page 52 wasn't included in the packet you were sent, as well as the supplemental material again
26 pages 200-341, revised attachment 4 and a copy of the UDO all be entered into the record.
27

28 **MOTION** made by Susan Halkiotis. Seconded by Karen Barrows.

29 **VOTE:** Unanimous
30

31 Documents admitted to record.
32

33 Michael Harvey: Thank you. Very quickly I would like to turn it over to the applicant. What is occurring with
34 this request, as detailed within my abstract and also detailed within the applicant's proposal, this is an
35 existing tower facility that was permitted 1986 by the BOA of the issuance of a Class B SUP. It is a
36 maximum 160 foot tall telecommunications tower. The original access and the approved site plan came
37 through Landau Drive, allowing it affording access to this property. As indicated by the applicant due by
38 potential modification development sale of property they chose to secure a more direct, more consistent,
39 access route and have chosen to come off Old Oak Place, an existing, publicly maintained roadway to get
40 access to the tower. The site plan submitted shows proposed location of the easement and discusses the
41 development of the driveway. Obviously this is coming off an existing state maintained road so it would be
42 handled as any other residential driveway. One comment on making the onset before we get into depth;
43 one concern that was raised at the neighborhood meeting was, is this a precursor to future and further
44 development of this parcel? And the answer is no. If this modification is approved and if this driveway is
45 moved this does not grant the development authority to this property other than allowing this easement as
46 shown and there's nothing on the site plan affording access to telecommunication tower. So this is not a
47 precursor for subdivision. This is not a precursor for any further development on this property. This is just
48 merely to grant easement to get the tower access. If the undeveloped 24-acre parcel is developed, that
49 easement will have to be preserved to maintain or the applicant will have to come back through and do

1 another modification to address access.

2
3 Just going through the abstract; the area is predominantly single-family residential development, with large
4 scale parcels of property. This particular parcel of property is in farm use; it's actually encumbered by a
5 timber deed and was recently timbered. Consistent with that deed harvest the existing vegetation on the
6 property. There isn't any water sewer service in the area but, I will point out that this is a driveway so no
7 water sewer is necessary. There will be no septic or well associated with the extension of this driveway. To
8 the North you have Interstate-85. You have utility easements running through the northern portion of the
9 property. Electrical utility lines and again, we have single-family residential here, we have residential here
10 to the East and there's large tracks to the South and also undeveloped property. So what's being requested
11 is to encumber this particular parcel of property under the same SUP as the existing tower for means of
12 allowing ingress/egress. To do this under the ordinance requires a modification. Why? You're changing a
13 conditional of the original permit that had access off of land out here and encumbering a separate parcel of
14 property with a drive access easement. That requires a modification. Staff does not have a legal ability to
15 allow for a minor change to allow that to occur because this parcel here is now going to be encumbered by
16 some of the provisions of this SUP.

17
18 The applicant was required, and again I'm focusing on pages 59-80 to submit the appropriate application
19 site plan. We've required that they complete an environmental assessment application. They have provided
20 a narrative outline of the rationale behind this move, which I'll let them get into in a moment. In concluding
21 staff comments, this is a modification to an existing drive location; there will be no change to the tower. You
22 approving this request if that is your choice to do this evening will not impact or require any modification to
23 the actual tower itself. The tower's not going to be increased in height, it's not going to increase the number
24 of antennas that can be put on it; you're just allowing for modification to the drive access point. You're
25 approval does not grant the applicant any authority to engage in any land development, they still have to go
26 through a permitting process specific with the DOT with Orange County Erosion Control as applicable,
27 especially with a stream crossing here. And we'll talk about conditions at an appropriate time in a minute
28 but, I want to remind the board that if you see fit based on the competent material evidence and testimony
29 entered into the record this evening to grant this modification, the applicant still has obligations to go
30 through a permit and review process. Now, primarily, that's going to be with Orange County Erosion Control
31 but you'll note that the DOT will be involved as well as Orange County's Fire Marshal's office.

32
33 We have found several components of the comprehensive plan, as noted on page 54, that we believe
34 support the request. You will note, again on page 54, that staff held the required neighborhood information
35 meeting, for all SUP's we're required to hold a neighborhood information meeting, this meeting was held on
36 November 30. We have provided a summary of the comments. We also forwarded a copy of an email that
37 was sent not only to all those that attended the neighborhood meeting but to the applicant as well, so they
38 could understand what some of the comments were. The biggest concern was how the applicant handles
39 the stream crossing and the short and sweet answer is that they'd have to get the appropriate permit but,
40 stream crossings are permitted. They would have to mitigate any potential environmental harm that they
41 would do to the erosion control permitting process. There were questions about how big the driveway would
42 be, there were a lot of concerns about the property being cleared and I will just reiterate for the record the
43 clearing that has already occurred was external to this request. It was actually being done consistent with a
44 previously recorded timber deed.

45
46 There was concern expressed by several neighbors over the condition of the road. We have reached out to
47 the DOT who indicated they will investigate whether or not there needs to be maintenance done on Old
48 Oak Place. Unfortunately, all I can testify to is that in talking with the DOT they don't see the addition of the
49 driveway as creating any major change in existing traffic patterns. I will state for the record that the addition

1 of the driveway is external to any internal neighborhood road maintenance concerns. And I will let the
2 applicant address the number of times vehicles will be expected to service the area. They don't believe it
3 will be more than once or twice per month.
4

5 Several residents had asked staff to re-explain the general findings of fact, that's section 5.3.2; whether or
6 not the use is in harmony with the area, maintains or enhances adjacent property and will promote the
7 public health, safety and general welfare. Questions were asked about what types of vehicles will be
8 accessing the site, that information is in attachment 2 and you can see staff's response on page
9 *inaudible*. There were questions and concerns on whether or not this would require an alteration to the
10 tower; it won't. There was a question posed whether or not the proposed driveway would require installation
11 of streetlights; I will state that the UDO that's been entered into the record will not require streetlights. The
12 site plan does not show streetlights so there will not be any installed along the driveway. In order to do so
13 the applicant would have to go back through the modification process and ask you all for permission and
14 supply a lighting plan. There was a concern after the conclusion of the meeting of whether or not the
15 proposed relocation of the driveway would somehow require the existing telecommunication tower to be
16 illuminated. Their answer is it will not. Towers only have to be illuminated if they're 200 feet or taller to
17 comply with both FCC and FAA regulations.
18

19 Local residents were notified of our neighborhood meeting via certified mail as the ordinance required at
20 the time. The neighborhood meeting was held. We have provided you a copy of those certificates as well
21 as my testimony that we did send everything out as we were required to do. Review of the SUP's carried
22 out is a quasi judicial format, meaning you're basing decision on the sworn competent material evidence
23 and testimony entered into the record. The applicant as you all know has the burden of establishing through
24 evidence submission of material that they've implied with the code. Those in opposition also have the same
25 burden of showing you how it won't comply with the code. We have an incredibly detailed set of findings in
26 order to address some of the attorneys concerns and I will, at the appropriate time, walk you through page
27 by page of those findings and the information that is available in the record that we have entered in the
28 record in order to provide you the justification of how staff reached their conclusions.
29

30 Unless there are any specific questions for me I'd like to turn it over to the applicant.
31

32 Henry Kampen: Good evening. My name is Henry Kampen and my address is 301 Fayetteville Street in
33 Raleigh and along with my colleague Merrock Parrot we represent Crown Castle and have worked with Mr.
34 Harvey and appreciate his assistance through this process. We have 2 witnesses to offer this evening to
35 give brief testimony about this project. First is Paul Parker and the second is Graham Herring. I'll ask Mr.
36 Parker if you can come forward...
37

38 Paul Parker: Good evening Board. My name is Paul Parker. I'm employed as real estate specialist with
39 Crown Castle. I've been employed at Crown Castle for 4 years, I'm about to have 25 years' experience in
40 telecommunications siting industry. This SUP modification is to alter the site access to the existing cell
41 tower, and that's all we're doing. We're not raising the tower, we're not doing anything else to the tower,
42 we're not putting lights or anything else. New site access is necessary because the current access
43 interferes with the land owner's long term plan for that property so, we've found an alternate access that
44 works. As such, the new site access is proposed across a neighboring parcel. Briefly address each of the
45 required findings of fact under the ordinance except for the impact value which will be addressed by
46 Graham Herring. The use will maintain or promote the public health, safety and general welfare is located
47 where propose and develop and operating according to the plan as submitted. Traffic to the site will not
48 substantially increase. The telecommunications facility is not staffed daily and will only be accessed on an
49 average monthly basis. The telecommunications facility generates less traffic than a single family home,

1 therefore, it's traffic impacts are minimal. The only earth work done on the site will be to create the
2 proposed 15 foot wide gravel access road across the site in adjacent land and parts on number
3 9883177293. The applicant has an executed easement agreement which is recorded with the adjacent
4 property owned. With respect to harmony; with the surrounding area in compliance with the comprehensive
5 plan the location and character of the use will largely remain the same as it was approved in 1996. Hence,
6 no tower will be raised, just an access road we're trying to get to the tower site. There will not be an
7 increase in traffic with the site. Between 2001 and 2015 there are approximately 26 trips by Crown service
8 technicians to the tower. That amounts to approximately 2 trips a year. So, with respect to this use being in
9 harmony with the area the same factors that led the Board in 1996 will remain applicable with the grant of
10 this request. With respect to the method and adequacy provisions of sewage disposal facilities, solid waste,
11 and water there will be no negative impacts to the provisions of services and utilities, soil, erosion and
12 sediment or public community or private water supplies. We don't supply water to the tower site. We do
13 supply electricity to the site, that's it. Crown will obtain all necessary soil and erosion permits as a part of
14 the zoning compliance permitting requirements of the county after this request is approved. With respect to
15 method and adequacy of the provision police, fire, and rescue squad protection the site is appropriately
16 located to be served by police, fire, and rescue services. As indicated in the staff report Orange County
17 Emergency Services and the Sheriff's Offices have indicated the project can be served. With respect to the
18 method and adequacy, vehicular access to the site and traffic conditions around the site, the change in the
19 access road location will not result in an increased traffic to the site. Again, that would be approximately 2
20 visits to the site per year by Crown employees. Does anybody have any questions?

21
22 Henry Kampen: One question, just to be clear... My understanding that Crown's not proposing a single
23 solitary change to the existing tower... Is that correct?

24
25 Paul Parker: That is correct. The only change is that we are adding additional foliage and landscaping
26 around it.

27
28 Michael Harvey: Mr. Parker, you may have said this but I didn't hear it. Would you please state if you were
29 sworn?

30
31 Paul Parker: I am Paul Parker. Raleigh, North Carolina, and I am sworn.

32
33 Michael Harvey: Thank you.

34
35 Barry Katz: You are going to move the gate?

36
37 Paul Parker: We will have a gate at the...

38
39 Barry Katz: From one side to the other?

40
41 Paul Parker: Yes... This will be an extremely secure site, as all of our sites are. From where we come off of
42 the public right away there's going to be a gate and then when we exit the Perry Sloan parcel there's going
43 to be another locked gate there. And then, on either side there's going to be an 8 foot chain link fence with
44 razor wire at the top.

45
46 Barry Katz: Will the gate be after the turn or at the turn?

47
48 Paul Parker: The gate is proposed to be, it should show it on the site plan...

49

1 Samantha Cabe: Right at the edge of the state access.

2

3 Paul Parker. I'm sure that DAT is requiring apron to be put down and then just past the apron we'll have 16
4 foot wired fence.

5

6 Michael Harvey: For the record, it's sheet C-1a and then sheet C-3 at the site plan.

7

8 Henry Kampen: Anything else for Mr. Parker? Graham Herring... Please state whether you were sworn and
9 your name.

10

11 Graham Herring: Madam Chair and members of the Board, my name is Graham Herring. 8052 Grey Oak
12 Drive, Raleigh, North Carolina. I am a licensed North Carolina real estate broker...

13

14 Henry Kampen: Excuse me, Mr. Herring, would you state for the record whether you've been sworn in or
15 not?

16

17 Graham Herring: I have been sworn... Licensed North Carolina real estate broker with a development
18 background for 35 plus years. I was engaged to conduct an analysis to determine whether the proposed
19 site access road will maintain or enhance the value of the contiguous properties. I've prepared a report of
20 my analysis which has been distributed to you and marked as application hearing exhibit 1, I believe... In
21 preparing this analysis I have reviewed the application materials and site plans and I've personally been to
22 the site for the purpose of inspection of the proposed facility. And to look at the contiguous properties and
23 other properties within the Old Oak Place development. I also analyzed historical data on a number of visits
24 of the cell tower for the period between 2001 and 2015. Crown has ... anybody as far as their technicians
25 or contractors that enters the existing facility has to contact them at an 800 number and there's also
26 electronic security where they keep up the record of all entries and time and etcetera. Between 2001 and
27 2015 there were 26 visits to the site certified through Crown Castle Network Operation Center, that again
28 amounts to approximately 2 trips per year. Obviously, far fewer trips than the average single-family home
29 would have and on such an occasion. The proposed construction would take approximately 60 days and
30 the interior strings of Old Oak Place develop will be kept and maintained in clean condition during the
31 process of the construction. In addition, the new gravel access road will be shielded by new plantings and
32 portions and should also, with that and the fencing, cut down on any visibility into the new access road. In
33 my professional opinion, this use will maintain or enhance the value of contiguous property. I'll be happy to
34 answer any questions that you have with regard to my testimony.

35

36 Barry Katz: You mentioned it would take approximately 2 months to build this road in...

37

38 Graham Herring: Weather permitting...

39

40 Barry Katz: Of course. This seems to be some indication that the condition of Old Oak Place is not the best,
41 that it already has some deterioration and I think there's been some concern that the construction vehicles
42 going in during that time would further deteriorate the conditions of Old Oak Place. So can you characterize
43 the types of vehicles that might be going in and out during this construction, and whether or not there's
44 anyone that could have a professional opinion about whether this would in fact further degrade the quality
45 of the roads; and if there's some way to address that potential?

46

47 Henry Kampen: I think that Mr. Katz ... that Mr. Parker can answer the question better, if that's alright?

48

49 Paul Parker: The trucks that will be coming in during construction; you'll have a bobcat and regular heavy

1 construction for maybe 60 days. We're pushing for 30, and so after that you're talking about a regular
2 Dodge pick-up truck.

3
4 Barry Katz: It's the construction time and whether or not that is going to deteriorate the quality of life for the
5 people who live on Old Oak Place, because of the further deterioration of that road and, if there was such
6 deterioration, whether that can be mitigated.

7
8 Paul Parker: Yes; that can be mitigated. We would be prepared to take care of any damage done to that
9 road during this construction.

10
11 Barry Katz: So this may be the time where this was mentioned, I guess that's page 55, where there was
12 some general concern about the condition of the neighborhood road and the staff answered they were
13 going to ask the DOT if they would look at this and if they would ask the applicant to post a construction
14 dock to cover potential impacts to the roadways associated with construction, as part of this. My
15 understanding is this is not an obligation but, this is something that was a request. Have you considered
16 this request and had you have a decision about that?

17
18 Paul Parker: We've considered the request and we've not had any dollar amount, as far as what kind of
19 bond to put up or who to put the bond with, but we are prepared to maintain the current integrity of the road.

20
21 Barry Katz: Is there a historic standard for how this is dealt with/addressed? Do you know?

22
23 James Bryan: I believe that there is a current bond on this project, of at least \$75,000. It's my
24 understanding... Typically the ... will say if it's tied to a... If that changes the bond needs to be re-issued
25 so, if it needs to be re-issued perhaps it needs to be re-issued with a higher value.

26
27 Samantha Cabe: Mr. Bryan, I have a question for you... The bond that would be applicable to any damage
28 to the road- would that amount be determined by the DOT or since it's a state maintained road that would
29 be subject to being damaged? Do you know?

30
31 James Bryan: That is a very interesting dilemma. This Board can only put on conditions that says it's
32 required in order to meet these standards.

33
34 Samantha Cabe: I wasn't suggesting that we make that a condition, I'm just asking if that's a question for
35 the North Carolina DOT whether or not to require bond since this is a state maintained road?

36
37 James Bryan: Could be... It depends. I'm not sure about a clear answer. Just because the road
38 deteriorates and you say, "Ok, now we've got a bond for a million dollars. DOT here's a million dollars, you
39 can't tell the state to fix any road.". They may be happy to take the money but they're not obligated to fix
40 that particular road.

41
42 Barry Katz: I thought this bond covered the cost of repairing the road to the conditions that existed previous
43 to the construction, and that the money was somehow tied. There's no tying, is there?

44
45 James Bryan: I believe that the current bond is for the current parcel, not for adjacent parcels.

46
47 Barry Katz: Alright, just to be clear about it... Regardless of the intention of Crown, there's no way to tie
48 Crown to responsibility to maintain the road at the quality at which it was at beginning of construction?

49

1 Michael Harvey: We have recommended a condition on page 136 that the applicant is required to maintain
2 all of our North Carolina DOT approvals and permits. Allowing for the creation of the driveway. The
3 question concerning the current status of the road is going to be addressed, from my standpoint, at that
4 particular time that the permit is requested. The DOT does have an opportunity at that point in time to
5 require the posting of a bond on any project they see fit but they have to issue a permit for. Having said
6 that, I'll reiterate what's in staff's abstract; while I know that there are concerns over the current condition of
7 the road, my interaction with the DOT thus far has been they will go out and evaluate the situation. It is a
8 publicly maintained road and they have an obligation to maintain it to the appropriate standard. This project
9 not withstanding. I do think some of the current maintenance issues or concerns are external to this
10 request; they already exist. If this project will exasperate those concerns then the DOT, through its
11 permitting process, can require a bond or they can coordinate with the construction firm as we have seen
12 on other projects to initiate maintenance of the roadways in concert with the construction.

13
14 Samantha Cabe: Thank you Mr. Harvey.

15
16 Graham Herring: And that was my understanding also.

17
18 Henry Kampen: That's all the evidence that the applicant has to present.

19
20 Graham Herring: Thank you. vice

21
22 Susan Halkiotis: I'm assuming that the existing driveway is going to serve this tower until this road is
23 completed, correct?

24
25 Paul Parker: That's correct.

26
27 Susan Halkiotis: And I'm sure that you already have some detailed ideas about how to cross that stream?

28
29 Paul Parker: Yes, Ma'am.

30
31 Susan Halkiotis: So what would be the chance that you could use the existing road to bring that heavy
32 equipment? I share Barry's concern about bringing heavy equipment over any service whether it's gravel or
33 paved because I know what it does.

34
35 Paul Parker: Well, I believe it was about a year ago or a year and a half ago when they clear cut that, and
36 they did bring heavy equipment across for that project. We're not talking about this kind of heavy
37 equipment. We're talking about a truck with a Bobcat on the back. We're not talking about a major
38 excavator and giant machinery and multiple trucks. We're talking about a very small construction project.

39
40 Susan Halkiotis: A Bobcat to build a 12 foot?

41
42 Paul Parker: Yes, Ma'am. A 15 foot wide. But that's essentially it. Think of a UPS truck, a box truck. But
43 mini excavators, it's not going to be what you see DOT massive thing. And we can utilize that access but,
44 it's a lot shorter for us to come that way.

45
46 Barry Katz: I was also unclear about the culvert that you're going to use. It seemed like you were going to
47 be putting in a fairly substantial culvert, is that true?

48
49 Paul Parker: Absolutely. That's required by our...

1
2 Barry Katz: One that's bigger than the one there? One that's way bigger?

3
4 Paul Parker: Yes, it's to meet the standards...

5
6 Barry Katz: And getting that culvert in is not going to require...

7
8 Paul Parker: We won't be destroying more than 50 feet of stream...

9
10 Barry Katz: But as far as the vehicles, etcetera... The management of strategically getting that culvert in;
11 will that require more than just a Bobcat?

12
13 Paul Parker: It will definitely require an 18-wheeler truck to bring in the culvert.

14
15 Barry Katz: And that's once?

16
17 Paul Parker: Yes.

18
19 Barry Katz: Somehow we just want to make sure that the people that live on Old Oak Place are not worse
20 off; we need to approve this and this issue... We just want to see to what extent we have a responsibility for
21 the adjacent properties to make sure that they're left whole by this event. And now we're getting the
22 impression that it's really not us but the DOT that's responsible for doing that. Would you say that that's so?

23
24 Michael Harvey: For the maintenance issues on Old Oak Place; yes. That's going to be on the DOT.

25
26 Barry Katz: Ok.

27
28 Michael Harvey: But I will say one of the reasons staff recommended the condition is to try to address the
29 concern of the residents and why we reached out to the DOT after the neighborhood meeting.

30
31 Barry Katz: Well it's certainly a concern for us but we're limited to how we address this issue.

32
33 Samantha Cabe: Any other questions for any of the applicant's witnesses from the Board? ... At this time if
34 there are any witnesses for the opposition; if they could come to the microphone, state whether you've
35 been sworn and...

36
37 Jerry Bouche: Yeah, my name is Jerry Bouche and I have been sworn. I'm the property owner at 2100 Old
38 Forest Drive; which is on the corner of Old Oak and Old Forest. So the road will be right along my fence
39 line there. So first of all, I'm under the impression the state maintenance ends about less than 100 feet from
40 the corner of Old Oak and Old Forest because that's where the asphalt ends. I have always maintained the
41 rock and grass substrate next to my lawn. I keep it mowed during the summer and I keep the rock and
42 gravel at level. I know when the state first took maintenance of the Wingate subdivision they push that
43 snow right up to the edge of the asphalt and that's as far as they go. So, I think that's where state
44 maintenance ends. My question is, for someone who will accept responsibility I think he says that the state
45 transportation will have to do that. I can also tell you now that when, a year and a half ago, when they cut
46 that timber they absolutely destroyed the culverts bringing those trucks in and out of this, just the one lane
47 paved road throughout that subdivision. And this property gets saturated pretty quickly, it's just grass. The
48 rock that the timber company put down is gone and I can park my car... I do use that for parking sometimes
49 because I have my daughter's car, my wife's car, my company vehicle and sometimes a company route

1 truck out there also and during the rainy season you can't park a car out there; even on the rock, there's
2 already down there to the surface from that. So I have a huge concern about what that driveway will look
3 like and, also this is the first I've heard about a fence going up... How will that look with a razor wire and an
4 8 foot fence? Will that be seen from my property? Can you point exactly on that map where that fence will
5 be?
6

7 Paul Parker: We'll come in however far; it really makes a zero difference to us. We're doing it for the
8 security so that nobody can come back in here and try to come back around and do anything. We're going
9 to block off anybody from being able to get access. The razor wire is going to be up on this side. *inaudible*
10 ... We can put it wherever you want to. I can put it over here if you want to but we have it on the site plan, I
11 believe, right here at the front. What ultimately happens is we don't want anybody coming back here at all.
12

13 Jerry Bouche: Sandy and I have lived there since 1996 on that piece of property and we've never had a
14 problem. My other concern is that a lot of times people that turn right on Old Oak and are looking for an
15 address on Old Forest will fail to make the right hand turn on Old Forest and will keep driving so will there
16 be a sign, will there be a posted dead end or no admittance type sign there?
17

18 Paul Parker: Yes, it'll be a 16 foot wide gate. It will be identified with the Crown Castle Tower site number
19 with a telephone number and whenever our contractor or technician comes in they have to call that number
20 and give notice.
21

22 Jerry Bouche: I'm not that concerned about the frequency of the visits to the tower, it doesn't seem like it's
23 that much at all. But I don't know how you put that much rock all the way and not send a dump truck or 3 in
24 there with rock. Are you saying... Is that going to be rock all the way back, 15 foot wide?
25

26 Paul Parker: The green probably represents the entire width of the easement. We're going to only go 15
27 feet wide and yes, it's going to be full on DOT certified gravel road and this is a matter of, think of it as a
28 matter of national security to get back to this tower site to service it so, it will be a nice road. We want to be
29 good neighbors with you so it you want some gravel for up around front...
30

31 Jerry Bouche: Well my concern is where the asphalt ends now for the state and then there's just rock and
32 then you go in with heavy rock... I just don't see the continuity in what that looks like. Because that is my
33 driveway into my house, I have no driveway from Old Forest Drive, my driveway is accessed by Old Oak
34 Road.
35

36 Samantha Cabe: So, could I ask a question of Mr. Parker that may clarify this? So is it the intent that your
37 company will pick up and begin their road at the end of the pavement or at the property line?
38

39 Paul Parker: We have no rights to the DOT property at all so wherever the Perry Sloan property starts
40 that's where we'll start maintaining?
41

42 Samantha Cabe: So what happens to that little spot between the pavement and where...
43

44 Michael Harvey: DOT is on the hook.
45

46 Paul Parker: They will make us, probably, put an apron, I don't know if you know what that is but it's like a
47 driveway apron. That's probably what they're going to have to make us do. And they may make us extend it
48 with a little bit of asphalt, we just don't know yet.
49

1 Henry Kampen: The point is, the DOT will make that decision and direct Crown to do whatever they chose
2 to.

3
4 Jerry Bouche: Because that apron would be considered, would they state consider that... run that apron to
5 my cement pad for my driveway, for my parking.
6

7 Paul Parker: I would start right where the road ends and enters the property right there. So wherever that
8 black line is right there, that's the DOT.. I'm not sure if that's your driveway; I would consider that the DOT. I
9 understand that you use it but that's...

10
11 Jerry Bouche: I understand that that's a right away but when I turn into my cement pad on my driveway,
12 there's still just another 30 foot of just rock there? Or would you or the state consider making whomever's
13 responsibility it is all the aesthetically pleasing with one sub straight on one...
14

15 Paul Parker: Yeah, I would like to see what the state is going to require us to do and we're willing to go
16 above and beyond the call of duty should it... We want to be good neighbors; we don't want to leave you
17 hanging.
18

19 Michael Harvey: Let me also make sure everybody understands the gate, according to sheet C1 of the site
20 plan, is going to be in this general area right here.
21

22 Paul Parker: We're going to have 2 gates.
23

24 Samantha Cabe: We didn't see that...
25

26 Susan Halkiotis: I couldn't see where you were pointing to for the fence but I imagine that your concern was
27 that you don't want to look out your backyard and see razor wire.
28

29 Jerry Bouche: The razor wire will be back toward the facility itself. It'll just be a gate.
30

31 Paul Parker: We want a gate there...
32

33 Jerry Bouche: Every now and then we'll have a neighbor or so park where that gate is proposed and walk
34 back to the fishing and do a little fishing in that pond.
35

36 Graham Herring: Where you turn in is on your drive, your concrete pad goes up to a parking pad and also
37 ties into the ... of your swimming pool that...
38

39 Jerry Bouche: Yes, at the intersection of Old Oak and Old Forest is maybe 150 of asphalt then it turns into
40 rock. Rock runs up to and circles around to meet my concrete pad from my driveway.
41

42 Barry Katz: I just wondered if you feel that your concerns have been addressed at this meeting thus far.
43

44 Jerry Bouche: Yes, sir.
45

46 Michael Harvey: Can I make a suggestion? Part of staffs confusion is obviously the site plan, we see the 1
47 gate and I understand from testimony this evening that there's actually going to be 2 gates. Staff would like
48 recommend that the Board consider opposing an additional condition saying that the applicant provide a
49 revised site plan that the applicant and staff meet with the Bouche's to discuss the location of the potentially

1 augmented landscaping in and around that second gate to address any visual concerns.

2

3 Henry Kampen: That's fine.

4

5 Michael Harvey: I'll get to that in a minute.

6

7 James Bryan: I'm not sure... The conditions have to be clear.

8

9 Samantha Cape: The intent is that since the first initial gate is not reflected on the site plan the Board would
10 like to potentially impose an additional... The staff is recommending imposing an additional condition that
11 essentially imposes a requirement that the applicant make that gate aesthetically pleasing and work with
12 staff to do so.

13

14 Michael Harvey: That the location and landscaping in around the entrance gate be reviewed and it not be
15 right at the intersection of the property in Old Oak Place. The offset be out of view and I'll come up with
16 some language as we go through the script.

17

18 Samantha Cabe: Ok. Thank you... Is there any other testimony that either side would like to offer?

19

20 Michael Harvey: And do you have any questions for staff before we begin the script?

21

22 Karen Barrows: I have one question Michael... The staff recommends the following conditions on page
23 137, number 7: Any and all abandoned structures shall be removed. That's addressed in the...

24

25 Michael Harvey: When you actually get into the provisions of the UDO that's now a condition that has to be
26 applied to all SUP dealing with telecommunication towers. So we're recommended its position because it's
27 now a requirement.

28

29 Karen Barrows: But it's in the original attachment 4.

30

31 Samantha Cabe: These are the standards and Mr. Harvey is suggesting we add is as a condition to the
32 issuance of the permit because it is a standard. So it's listed here in the original attachment as a standard
33 but it was not listed as a condition to the issuance of the permit.

34

35 Karen Barrows: So if it's a standard it doesn't mean it necessarily has to be...

36

37 Michael Harvey: The UDO requires that be a condition on all approvals. Because of the wording of the
38 UDO we added it and added what is now number 8 as well for the same reason. Because the UDO makes
39 special reference to it being a condition. As those 2 conditions didn't apply in '96 they aren't specifically
40 referenced on the recorded SUP. We're including it herein so we're consistent with the UDO.

41

42 Karen Barrows: Ok.

43

44 Michael Harvey: So we are using the revised attachment 4. I'll try to be as synced as possible and if you
45 have questions please stop to interrupt me to make sure that I'm answering your questions.

46

47 So obviously, we're looking at a modification. This modification would allow the relocation of the driveway of
48 proposed. Beginning on page 105, page 105 to 106 we are providing you with information on whether or
49 not the applicant met submittal and application component require... detail within sections 2.2 and 2.73

1 inclusive of the UDO. Were the proper forms filed? Yes, that's actually contained in attachment 2 of your
2 application. Were the fees paid? I will testify, the answer is yes; and in attachment 2 you have a copy of the
3 receipt. Full description of the use? Yes, that's contained within the attachment 2 of your application
4 package as well as the site plan. Information needed for use standards... where it's all contained either in
5 the attachment 2 which is the application or site plan, preliminary subdivision plat? There's no subdivision
6 proposed so none was required. Elevations of all structures project does not involve the erection of a
7 structure, just relocation of a driveway. I will point out to you that both the supplemental information
8 contained on pages 200 thru 240, as well as the site plan does show existing structures that are on the
9 property that have already been permitted. Environmental assessment...

10
11 James Bryan: Ok let me go back, there's some confusion on my part. The elevations of all structures; is
12 that a recommendation out of yes?

13
14 Michael Harvey: No, we're saying it's not applicable because there's no structures proposed as part of this
15 requirement but what I have said is that on pages 200 thru 240 there's information on the structures that
16 have already been approved and constructed on the property as well as on the site plan that's already been
17 submitted as part of this application requires.

18
19 James Bryan: So it could be yes if it were...

20
21 Michael Harvey: Correct... I'm making the statement for obvious reasons because I'm trying to be
22 consistent with my script and also say what's available, yes.

23
24 James Bryan: Ok, I just want to be clear to the Board that there's a difference of opinion here. I am
25 recommending that this is applicable, that the Board has to have a... it was submitted.

26
27 Samantha Cabe: Then I have a question for staff. Well, I have a question for the attorney first; when you
28 said that it was submitted do you mean submitted as part of the modification application or submitted either
29 with modification application or with the initial application?

30
31 James Bryan: Yes, it's not clear. I think we've got something to hang our hat on either way but, my
32 strongest recommendation is that if it were to be appealed to the Superior Court our firmest ground would
33 be if it was newly submitted. I think if it's prior information, I think if it's reasonable that it's the same
34 information I think we're on pretty strong grounds there. So I think either one I'm comfortable with. But one
35 is definitely stronger than the other one and there's no clear direction from the UDO about what it is.

36
37 Henry Campen: I would just point out, Madam Chair, *inaudible* got standing to appeal other than us and if
38 it's staff's recommendations as are outlined in this narrative are upheld then *inaudible* appeal that issue.

39
40 Samantha Cabe: Thank you.

41
42 Michael Harvey: Next standard: Environmental assessment per the provisions of sections 6.62 and 6.16.3
43 of the UDO this project is exempt, doesn't disturb sufficient land area to require environmental assessment.
44 We also base this decision on the environmental impact application that is contained in attachment 2 they
45 submitted. It provided sufficient detail for us to make this finding that it was not applicable. Method of debris
46 disposal: There's notes in the submitted site plan. The applicant has indicated that obviously, at least to us
47 and as well as the application, that any debris in going to be disposed of in accordance with the Orange
48 County Solid Waste Management Plan, which is the requirement for all permits. Any permit issued allowing
49 land disturbing activity has the same writer and condition; that all debris has to be disposed of in

1 accordance with that document. We have under development schedule we have the site plan, we also have
2 to testimony from this hearing this evening. Extending vesting request; there is no vesting that's been
3 required. Notification requirements; on page 106 now, that is covered under attachment 3 as well as my
4 testimony here this evening and my abstract. Does anybody have any questions on 105 or 106? Ok, page
5 107 deals with compliance with standards 5.3.2b; this is waste disposal, safety, vehicular access. I've
6 testified this evening that with respect to waste disposal both environmental health and solid waste have
7 not indicated to have a concern. This still has to go through a permitting procedure; they'll be applying for
8 solid waste permit as a part of erosion control and construction authorization from the county. There is no
9 office on site so there's no need for well or septic systems so there will be no environmental permit review.
10 With respect to safety we have had conversations with Orange County emergency service at the Sheriff;
11 they have indicated that they can provide service. We have, however, recommended the imposition of
12 condition that the Fire Marshal review the driveway proposal as he does with every driveway proposal, as
13 part of the zoning compliance for new process and then any associated conditions will be addressed at that
14 time. Vehicular access; supporting evidence is in the application and site plan as well as staff testimony.
15 With respect to the conversation with DOT we've obviously recommended a condition that they give the
16 implacable NCDOT permitting and that questions or concerns related to that will be addressed at that
17 appropriate time. Any questions? Shooting to 108; this gets into the specific findings with respect to
18 telecommunication towers. Site plan; we obviously have a site plan. The applicants testimony, our
19 testimony, it's in the record. The detailed description of the proposed telecommunication supports structure.
20 For that we have entered into the record of this ordinance the original BOA application package, as well as
21 the recorded SUP. This is on pages 200 thru 240 of your supplemental information that provides a
22 description of the existing telecommunications tower. There's also brief descriptions of the existing tower in
23 the application packet itself. I will stipulate once again for the record, the existing facility will not be modified
24 as part of this request. Elevation drawings... of the proposed tower, again we're referring back to the
25 original SUP. The original application contained on pages 200 to 240. Page 109; A signed statement from
26 the application certifying that the proposed telecommunication support structure shall be maintained in a
27 safe manner, is in compliance with all conditions of all applicable permits and authorizations without
28 exceptions, and is in compliance with all applicable and permissible local State, and Federal rules. We
29 have made a finding that the original SUP and application, as well as a recorded SUP provides this
30 information. That's on pages 200 to 240. We also have provided you statements on pages 241 thru 341 of
31 the supplemental information; this is structural analysis reports, completed by engineers allowing for the
32 erection of individual antenna on the tower. The most recent done in 2014 indicate that the tower was
33 structurally sound and complying with applicable standards. Page 110; a statement prepared by a
34 professional engineer certifying that the tower's compliance with applicable standards as set forth in the
35 State of North Carolina Building Code. Again, I'll refer you to the supplemental information, the original SUP
36 application, the recorded SUP and the 2 structural analyses for the most recent completed on April 30,
37 2014. This project will not alter the towers capacity or impact, it's existing ability to maintain antennas on
38 site. I'll direct you to pages 200 to 341 for the information concerning the towers structural compliance with
39 Safe Building Code. Page 111; A statement indicating how the proposed over will minimize visual
40 intrusiveness to surrounding properties in the area; again, I will refer you to the supplemental information.
41 I'll also refer you to testimony from tonight's meeting that the tower's not going to be altered from its
42 previously approved status. A copy of the installed foundation design including a geotechnical sub-surface
43 report. We are recommending a finding not applicable because no tower is being installed as part of this
44 proposal and as such we couldn't require the applicant to provide one.

45
46 James Bryan: And just to be clear, I'm advising the Board that you need a yes or no vote on whether that
47 was provided or not.

48
49 Samantha Cabe: Again, my question would be; was one provided with the initial application?

1
2 Michael Harvey: The geotechnical report was not a requirement in 1996. What I will state is, obviously, a
3 building permit was issued to authorize for the tower to be erected. We have the original recorded SUP
4 indicating that the project was in compliance with the ordinances as it existed at that time. We have 2
5 structural analysis' contained on pages 200 to 341, indicating that the tower's compliant with applicable
6 State building codes. So we offer that into evidence to make it an affirmative finding in this answer.
7

8 Page 112; existing cell sites (latitude, longitude, power levels) to which this proposed site will be a handoff
9 candidate. We've also again made the same recommendation, however, to address Mr. Bryan's concern
10 according to the original permit findings of fact in this case, pages 205 to 240, *inaudible* that information's
11 not changed to our knowledge so that is the closest tower of an existing cell site to which this is a proposed
12 candidate for handoff. So, if you make it an affirmative finding there's information contained on pages 205
13 thru 240 of the supplemental material that will get you the ability to make an affirmative finding. Propagation
14 studies; page 113, staff has recommended that finding provision is not applicable; the State no longer
15 allows us to require propagation studies. The ordinance is going to have to be amended to remove that so
16 we're comfortable making the recommendation we have based on current guidelines and State law. It
17 cannot be irrational to deny a telecommunication tower permit so we were reviewing this
18 telecommunication tower permit today, some of you might remember with Curly Road- the applicant wasn't
19 required to submit propagation studies, for the reasons that I've already testified to. Page 114; the search
20 ring utilized to find the proposed site. We are making reference back to the original SUP application as well
21 as the recorded SUP. The original application demonstrated the need for the telecommunication tower in
22 this area and the Board after holding the required public hearing made the determination that they could
23 issue the permit, indicating it was necessary. I'll just stipulate again, as nothing associated with the
24 relocation of this access driveway alters the operational parameters of the approved and constructed tower,
25 this information is still viable. The number type, height, and model of the proposed antennas. I'm going to
26 refer you all to the supplemental material, especially the structural analysis to provide a breakdown of the
27 antennas that are on the tower. Page 115; the make, model and manufacturer of the tower. That's also
28 contained in the SUP application and the SUP itself that is recorded. The frequency, modulation and class
29 of service of radio or other transmitting equipment. I'm going to refer you to the entire supplemental
30 package. Specifically, the structural analysis reports that provide that information on pages 323 thru 341.
31 And questions before I move on? Page 116; the maximum transmission power capability of all radios, as
32 designed, if the applicant is a cellular facility. Again, I'm going to refer you to the supplemental material.
33 Specific to pages 323 thru 341. This also goes for the actual antenna transmission and the maximum
34 effective radiated power of the antenna. Also contained in the structural reports we have provided to you.
35 Directions of maximum lobes and associated radiation of the antenna. Again, that's also provided in the
36 structural analysis reports. Certification that the NIER levels at the proposed site are within the threshold
37 level adopted by the FCC. We're indicating a finding amount applicable for the reason stated. Having said
38 that, if you look at the structural analysis reports contained in the supplemental package material you will
39 find that the project's been found to comply with FCC standards. If the Board chooses to make it an
40 affirmative finding then you would make it consistent with the structural analysis information that's been
41 entered into the record, indicating the project complies with applicable FCC standards. Page 118;
42 certification that the proposed antennas will not cause interference with other telecommunications devices.
43 As no antennas are proposed we are providing you the structural analysis and the supplemental
44 information is proof that there's space left on the tower to handle additional antenna. A written affidavit
45 stating why the proposed site is necessary for their communications service. There's application 2 of the
46 current application that indicates why the driveway needs to be moved and we're also going to refer you
47 back to the original SUP as to why the tower should've been built in the first place. A copy of the FCC
48 license applicable for the intended use of the facility as well as a copy of the 5 and 10 year building out plan
49 required by the FCC. We're recommending that that's not applicable because the tower's already

1 constructed and it's operating under current FCC guidelines and standards.

2
3 James Bryan: And just to be clear I would say that that needs a yes or no as to whether it was provided.

4
5 Samantha Cabe: Was that one of the provisions that wasn't in place at the time of the original application?
6 Because if they're actually functioning I would presume they can only do so with an FCC license.

7
8 Michael Harvey: Correct. And again, to go to James' point I'll refer you the structural analysis and
9 supplemental material as evidence as proof that they are currently operating in compliance and in
10 accordance with the adopted FCC standards. Which is what those reports testify to as well as to stay
11 building code.

12
13 James Bryan: Just to be clear, that's not the standard. The standard is a submittal of the copy of the
14 license. And also, with anything whether it's a daycare and you have the standards and it doesn't meet the
15 standards, if it doesn't meet the standards then you could be a condition to meet the standard, you're
16 allowed to do that. So a condition can be to provide a copy of your license.

17
18 Henry Campen: I'm just curious, I have to ask the question of the council whether *inaudible* with Crown,
19 would you have prefer Crown re-file the entire application of '96. Update it if necessary and re-file the whole
20 thing for the tower as well as the new access road. Is that what you're suggesting? I think I'm
21 misunderstanding.

22
23 James Bryan: Yeah, I think a modification request for a SUP, I think you would have to look at it use by use
24 because each use has different submittal standards. A telecom tower has the most submittal requirements
25 so it's far different from a daycare. But, for any use you would have to look at all the submittal requirements
26 and say, "Yes, here's a copy of our old one. Here's a statement that I'm re-affirming it and if there's
27 anything that's changed in the last 20 years, either in the UDO's requirements or in our use, here's the
28 updates for it." I think that's how our UDO reads.

29
30 Henry Campen: Just for record, we've been working with Mr. Harvey for some months on this and his
31 advice was not to that effect. The first we heard about this interpretation of your ordinance was Friday
32 afternoon... Just for the record.

33
34 Samantha Cabe: I have a quick question, this question might be bests answered by Mr. Parker. How
35 difficult would it be to get a copy of your FCC license and a copy of the building plan that is supposedly
36 required by the FCC anyway? Would that be difficult to get?

37
38 Paul Parker: I would not think so. I think that you guys already have it on record.

39
40 Michael Harvey: It's not in any file I saw. But I will, again, I'm going to testify as I did a few minutes ago that
41 in order to get the building permit they had to submit the copy. But, I think that James has provided you a
42 solution which is, and we'll get to that as a recommended condition, that they produce the required license
43 per section of the UDO.

44
45 Samantha Cabe: And I wrote that down. I guess my question was how big of a hurdle is this and if they've
46 already provided it with their submission to Orange County in the form of a submission to the permitting
47 department rather than the BOA suffice for the providing a copy of?

48
49 Henry Campen: We'd be happy to provide that as a condition to the...

1
2 Michael Harvey: Ok, section on page 119; section 5.8.10 A2, application for the co-location of antennas.
3 Staff is recommending finding that this provision is not applicable. It's just not proposed co-location of an
4 antenna. Period. Compliance with sections 5.8.10 B 1a and 1b; Overall Policy and Desired Goals. We have
5 found that the applicant has provided this information, it's the narrative contained in attachment 2. So they
6 have met their burden. The next provision, the Balloon Test. Staff is recommending the finding of this
7 provision is N/A because as required by the code all proposed telecommunication support structures are
8 supposed to fly a balloon test. There's no telecommunication support structures proposed, no balloon test
9 was required.

10
11 James Bryan: This is one that I think is required. I don't know how you could require it afterwards.

12
13 Michael Harvey: I'm holding onto the fact that the language that the ordinance has proposed new wireless
14 facilities; no new facility is proposed, ergo, the staff did not require them to hold the balloon test.

15
16 Samantha Cabe: Ok.

17
18 Michael Harvey: Submittal of site plan is the next standard requirement. We have a site plan in the record.
19 Plans and elevations for all proposed structures and descriptions of the color, nature and exterior material,
20 along with the make, model and manufacturer of the proposed structure, maximum antenna heights, and
21 power levels. This is all contained in the supplemental material we've provided you. So we're indicating this
22 condition has been met. A landscape plan; the application attachment 2 discusses landscaping. The site
23 plan discusses landscaping, specifically sheet C-1A denotes additional vegetation that's going to be
24 installed. Evidence that the applicant has investigated the possibilities of placing the proposed equipment
25 on an existing wireless support structure; we're making the finding that's N/A as no proposed equipment or
26 proposed antenna were part of this application.

27
28 James Bryan: 3D?

29
30 Michael Harvey: Yes, sir. 5.8.10 3d.

31
32 James Bryan: I would recommend that you need a yes or no.

33
34 Henry Campen: There's no proposed equipment.

35
36 Samantha Cabe: We get it.

37
38 Michael Harvey: Documentation from applicable state or federal agencies indicating requirements, which
39 affect the appearance of the proposed structure, such as lighting and coloring; we're making an affirmative
40 finding, again, using the supplemental material we've provided you. The original SUP, the approved and
41 recorded SUP, and all the other information we've entered into the record. Page 122, draft bond
42 guaranteeing approval of the wireless support structure; we're recommending it's N/A. To address Mr.
43 Bryan's concern we can give you a recommended finding of yes, and that there's an existing bond covering
44 the removal of this facility if it's already in place. There is no bond, however, require independent of that
45 previously issued bond covering the installation of the roadway. A list of current tax method map identifying
46 all property owners; that's attachment 2, it's been provided. A report containing any comment received by
47 the applicants response to the balloon test; since no balloon test was done and no balloon test was
48 required this report was not required to be submitted. Neither was there evidence that the balloon test
49 requirements were met, nor a notarized statement that the sign advertised that the balloon test was posted.

1 I will remind the board, however, there's evidence in your packet that we held the required neighborhood
2 meeting and posted the signs associated with the required neighborhood meeting.

3
4 Samantha Cabe: Are you saying that this is one that you agree with, or you're saying we should have a
5 yes?

6
7 James Bryan: I believe that... The supporting evidence says that it wasn't required but it wasn't required by
8 staff. I believe the UDO does require it. It may be ridiculous, there may be somebody that says "this is
9 ridiculous, you've got an existing building the same height...", but that's how the UDO is written and I have
10 to advise the Board that you guys are bound to enforce the UDO as it is written.

11
12 Samantha Cabe: Ok, thank you.

13
14 Michael Harvey: My point is the ordinance makes specific reference that the balloon test should be flown to
15 height of proposed towers and since there's no proposed tower the staff gained that there was no
16 requirement to comply with the balloon test.

17
18 James Bryan: For that you guys are getting a use. The use is for the entire parcel and it's for a tower.
19 There's no avoiding that there is a tower. It's being modified. How it's being modified is far away but the use
20 is being modified.

21
22 Michael Harvey: On page 122, I've testified that there is a bond already in place. There is; so if you make it
23 an affirmative finding then you're making it an affirmative finding based on the supplemental material and
24 my testimony that a bond already exists for the removal of the telecom tower associated with the original
25 approval. They have supplied the tax map information as required. We've already covered the balloon test
26 so I apologize for being repetitive. On the SUP application shall include a statement that the facility and its
27 equipment will comply with all federal, state, and local emission requirements. I'm going to refer you again;
28 we've made an affirmative finding. The original SUP application and all the supplement material we've
29 submitted, including the structural analyses supplied this required information. On page 124, for
30 environmental assessment analysis and visual addendum; the UDO requires, if this is required, then this is
31 the standard it has to meet. The environmental assessment was not a requirement because they're not
32 disturbing sufficient land areas, it's already been testified to, to require one and the visual addendum is also
33 not required because, quite frankly, there is nothing being done to the existing tower. And that's section
34 5.8.10 B3m. And it reads as follows: An applicant may be required to submit an environmental assessment
35 analysis and a visual addendum based on the results of that analysis including the visual addendum the
36 county may require submission of a more detailed visual analysis.

37
38 Samantha Cabe: So that's a permissive submission anyway?

39
40 Michael Harvey: Yes, and I didn't require them to submit it.

41
42 Samantha Cabe: Ok, so you agree with those?

43
44 James Bryan: Yes. There's a few things that are truly non applicable. If the UDO makes it a conditional
45 statement, if it says, "If this, and that..." then it's not applicable, the Board doesn't have to make an
46 affirmative yes or no, or they can just say yes it was met because it was conditional.

47
48 Samantha Cabe: Ok.

49

1 Michael Harvey: On page 125, visual impact assessment; again, I made the determination it's not required
2 based on the wording of the UDO. The next section, demonstration that the wireless support structure is
3 sites so as to have the least visual intrusive effect reasonably possible; we're referring you back to the
4 original SUP application file and recorded SUP, as well as the vicinity map attachment 1, and the applicant
5 modification attachment 2 in support that the wireless support structure so as to have the least visually
6 intrusive effect reasonably possible. A statement prepared by a professional engineer licensed by the state
7 of North Carolina certifying the tower's in compliance with applicable standards as set forth by state
8 building code. This is a requirement that shows up 3 times in the UDO, so forgive me for being repetitive
9 but, as we've already stipulated too, the structural analysis reports contained, on pages 241 thru 341, that
10 required information and signifying that it complies with state building code. Proposed telecommunications
11 equipment planned cannot be accommodated on an existing wireless support structure; our finding is an
12 affirmative based on the original SUP application file and recorded SUP permit, this is in the supplemental
13 information we've provided. BOA have already determined that this tower needed to be erected to address
14 the concerns associated with the original application and that finding has already been made; there's
15 nothing being done by the modification changing that finding. Location of wireless support structures; again,
16 we've made an affirmative finding based on the original SUP application and the recorded SUP that's in
17 your supplemental material. Fall back zones; same, we're referring back to the original SUP and the
18 recorded SUP. We're also referring you to the site plan that's submitted that shows the fall zones indicated
19 with tower compliance. Page 127, access; site plan shows the proposed new access road. We also have to
20 applicant's testimony this evening and attachment 2 of the application listing out their rationale for having to
21 move the driveway from Landau to Old Oak Place. Any questions on that?

22
23 Barry Katz: Are you ok with that?

24
25 James Bryan: It's recommending yes but I think that this is the issue... If I may, the Board might want to
26 take a look, there are 4 sub-sections for access. I don't know if the Board has really considered those but,
27 it's up to the Boards discretion.

28
29 Michael Harvey: The 4 sub-sections that Mr. Bryan's referring to is in a wireless telecommunication support
30 structure site and access road, turn around space, and parking shall be provided to assure adequate
31 emergency and service access; it's my testimony that site plan provides a level of detail showing the
32 driveway location, showing the compound as it currently exists and showing where vehicles will be able to
33 park, stay, turn around and then leave the site. Maximum use of existing roads where the public or private
34 shall be made to the extent practical and they are doing that. They're making use of an existing publicly
35 maintained roadway, Old Oak Place, to get access to the tower. Road construction shall, at all times,
36 minimize ground disturbance, and the cutting of vegetation. That's actually a requirement of the Orange
37 County .. permitting process. Roadways shall closely follow natural contours to ensure minimal visual
38 disturbance and reduce soil erosion. My statement is, when you review the site plan the proposed drive
39 location is an area of the property that's relatively flat near an adjacent utility lines, they will not require cut
40 field grade or massive alteration to the existing property... Any questions before I ramble? Page 128,
41 landscape and buffers- Type C land use buffer; I'm referring you to the application submitted and the site
42 plan and the vicinity map show the existing vegetation and it's also shown on sheet C-1a... We're back
43 again to the visibility of balloon shall not constitute sole justification of denial; N/A as no balloon was flown.
44 And I'll defer to James but, when you read this particular section, it reads as follows: The visibility of the
45 balloon to adjacent properties and the surrounding area shall not constitute sole justification of denial of a
46 permit application but, is an indication of what location on site may be less visually intrusive. My point being
47 is that this provision is telling you just because somebody saw the balloon is not justification to deny a
48 permit application. To me, there is some question whether or not it's even a finding that has to be made, it's
49 just a directive and I defer to James on that. I put N/A for the reason stated.

1
2 James Bryan: Yes, this is, I think, just another example of just poor draftsmanship in the UDO. This is not a
3 standard from which any Board can say yes or no. So, either N/A or yes because...
4

5 Michael Harvey: Next, the applicant shall demonstrate and provide a description in writing and by drawing
6 how it shall effectively screen from view the base and all related equipment and structures; we're going to
7 refer you to the application attachment 2 and the site plan and vicinity map again with the same rationale I
8 indicated above. They're showing existing vegetation, as well as proposed vegetation to augment what's
9 already on site. The site plan shall indicate a location of at least 2 equipment buildings in addition to that
10 proposed for use by the applicant; I'll refer you to the original SUP application and the recorded SUP that
11 provides this information. I'll also tell you that the current site plan that's submitted shows locations of
12 structures on the property and there are a minimum of 2. Page 129, all utilities at a facility site shall be
13 installed underground and in compliance with all laws, ordinances, rules and regulations of the County
14 where appropriate; I have made a finding of N/A as the relocation of the drive will not impact existing
15 utilities.
16

17 James Bryan: I don't think they would have to comply, I don't know if there are existing utilities.
18

19 Samantha Cabe: We had testimony that there was electricity being provided. Can we have Mr. Parker
20 testify as to whether that was underground?
21

22 Paul Parker: That's the plan, yes, ma'am. Underground utilities.
23

24 Samantha Cabe: Is it not already there?
25

26 Paul Parker: No, we have not... We have electricity on the site on a current access but, not where we're
27 applying for right now.
28

29 Samantha Cabe: So you're going to dig up the electrical access and move it too?
30

31 Paul Parker: We're going to abandon and put in new.
32

33 Barry Katz: I think what he's saying is that in order for the gate to be electronically monitored there has to
34 be electricity going to it.
35

36 Paul Parker: This is electricity to run the towers.
37

38 Barry Katz: So, your testimony is that all utilities will be underground where appropriate.
39

40 Paul Parker: Yes.
41

42 Michael Harvey: Applicant testimony indicates that they'll comply with all utilities being underground where
43 appropriate.
44

45 Jerry Bouche: The current subdivision is all underground.
46

47 Barry Katz: And is that a good excess power available for you to use that ok?.. I see, ok.
48

49 Michael Harvey: Ok, the next standard's 5.10.8 B4J, all wireless support structures shall satisfy all

1 applicable public safety, land use, or zoning issues required in this Ordinance; I'm going to refer you to the
2 applicant contained in attachment 2, staff testimony this evening. And we have made it an affirmative
3 finding. Fences and walls; we are making an affirmative finding both in the application attachment 2 and the
4 site plan show fences and walls, not only existing but proposed. The tower is structurally designed to
5 support additional users; we will refer you to the supplemental information specific with the structural
6 analysis reports completed and August of 2010 and April of 2014 showing that there are multiple
7 opportunities for additional to be erected on the tower. To minimize the number of antenna arrays the
8 County may require the use of dual mode antennas; I have made a finding of N/A, there are no antennas
9 proposed as part of this application. It is objective and as there are no antennas proposed we've said that
10 the findings N/A in this particular case. Page 131, Structures shall be galvanized and/or painted with a rust-
11 preventive paint of an appropriate color to harmonize with the surroundings; we're going to refer you to the
12 supplemental information, original SUP application and the recorded SUP. Information's contained within
13 these documents indicating how the tower complies with the standard. The next standard, both the wireless
14 telecommunications support structure and any and all accessory or associated telecommunication
15 equipment and related facilities shall maximize the use of building materials, colors and textures designed
16 to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings; I'm
17 going to refer you to the site plan that's been submitted as well as the supplemental information we have
18 provided you as documenting in compliance with the standard. Next, on page 132, antennas shall be flush
19 mounted; again I'm going to refer you to the original SUP application file and the structural analyses
20 provided. They provide detail that the antennas that are erected on the tower are flush mounted. Lighting;
21 staff is recommending the finding of this provision in N/A. The tower is not going to have to be illuminated
22 based on current FAA or FCC standards or guidelines, it is not legally required as part of this application
23 proposal because the tower is not going to be required to be illuminated and the application site plan does
24 not indicate that they're going to installing street lighting in or around the driveway. So that's our
25 recommended finding.

26
27 James Bryan: I think that this one is 50/50. Lighting has 4 sub parts. The vast majority of them say that
28 where the... So all of this is applicable. And some of them say where the feds require you to do it, you have
29 to do it this way and then there are some parts where if you have lighting it's going to have to be done this
30 way.

31
32 Samantha Cabe: So I understand what you're saying and I guess what... Correct me if I'm wrong, but
33 because the towers already erected and we know that the feds are not requiring lighting because the
34 tower's under 200 feet, is that why you're saying it's not applicable?

35
36 Michael Harvey: Correct. I'm hanging my hat on Q sub section 2, if lighting is legally required or proposed
37 the applicant shall provide a detailed plan for sufficient lighting that's unobtrusive and offensive in effect as
38 permissible under state and federal regulations. So, lighting is not required because the tower's under 200
39 feet and it's not proposed. And that's my rationale for making it N/A finding. And then sub section 3; for any
40 facility with lighting is required, this facility is not required to have lighting.

41
42 James Bryan: The ... it's for that and for any reason road lights are attached. So if they want to attach lights
43 for their own, so their guys can look at it while they work...

44
45 Samantha Cabe: Ok.

46
47 Michael Harvey: The last standard in this case, the tower and antenna will not result in a significant adverse
48 impact on the view of or from any historic site, scenic road, or major view corridor; the application we're
49 currently reviewing the site plan, the property vicinity map in attachment 1 as well as we're going to refer

1 you to the original SUP application file indicating the applicants met their burden. Page 133, facilities,
2 including antennas, towers and other supporting structures, shall be made inaccessible to individuals;
3 again, we've heard lots of testimony tonight about fences and gates so, I'm going to refer you to
4 attachments 2 of this application as well as the site plan. We'll also refer you to attachment 1, which is our
5 vicinity map. Abandoned structures shall be removed within 12 months; we've talked about this a little bit,
6 that's why we're recommending this become a condition of approval because it's a requirement for all SUP
7 under the current ordinance. Page 134, a determination shall be made that the facility and its equipment
8 will comply with all federal, state, and local emission requirements; we're going to refer you to the structural
9 analysis provided in supplemental material as satisfying this requirement. The SUP shall include a
10 condition that the electromagnetic radiation levels maintain compliance with the requirements of the FCC;
11 we are recommending that the applicant has met this burden, but also recommending it become a condition
12 of approval, specifically as the ordinance language say that this shall become a condition of approval.
13 Warning signage on compound fence; we have verified that the site visit the required warning signs, as
14 stipulated, in the sub section high voltage, no trespassing are present. Liability insurance; we have
15 applicant testimony, as well as staff comment this evening. Bond Security. Applicant/Owner shall file a
16 bond with the County to assure faithful performance of terms and conditions of SUP; we're changing that
17 based on my previous testimony in response to a question by the County Attorney to an affirmative. There
18 is an existing bond already on file for this project.

19
20 Samantha Cabe: So your recommendation is yes?

21
22 Michael Harvey: Yes. Because we have an existing bond. We looked at it from a driveway stand point, not
23 from the tower stand point, as James asked us to. So, page 135, general findings on whether or not the use
24 will comply with section 5.3.2. 2A, 2B, and 2C. With the Board's indulgence I'd like to review the conditions
25 and then staff's going to make a recommendation on 5.3.2 2A, 2B, and 2C... First of all, I will remind the
26 Board, as detailed on page 136, we have not had any comments or evidence submitted to us in advance of
27 the hearing indicating that this project does not comply with the provisions of 5.3.2 A. We also do not
28 believe that the applicant has failed to meet their burden *inaudible* there is insufficient evidence in the
29 record proving that their burden has been met. With respect to compliance with the standards and
30 provisions of the UDO. We have recommended several conditions and there have been conditions
31 discussed here this evening, so I would like to go through those real quick. The first condition is that
32 nothing associated with this approval shall be deemed as prohibiting the use of the subject parcels of farm
33 or prevent the maintenance of existing utilities, with the exception of preserving the access easement as
34 noted on the approved site plan. When Mr. Bryan's tenure with the County began we began focusing on the
35 need to ensure that the SUP is limited in its scope with respect to what it's purporting to regulate. An
36 example is, if somebody chooses to engage in a farming activity, does the planting of a new row of crop
37 constitute a modification of a parcel of property? The answer is it shouldn't. So, this condition has been
38 developed, and many of you have seen it on several SUP applications. Especially where there's farm
39 activity to ensure that there's nothing associated with the application in and of itself that limits what
40 otherwise prohibit the legal engagement of that activity. We also don't want to inadvertently capture any
41 alteration of the existing utility infrastructure on site as somehow creating a modification of the SUP. Duke
42 power has to go out there and do something major to the utility lines that's Duke Power's prerogative and
43 obligation to do so in order to ensure the continued provision of service. Nothing associated with the
44 approval shall be as modifying an existing telecommunication tower, other than the relocation of the
45 existing driveway. This addresses a comment that I made earlier this evening, as well as, concerns from
46 the neighborhood meeting about if this gives them .. to start messing with the tower itself; the answer's no.
47 So we wanted to include a provision in here that stipulated for the record that you can't do anything to the
48 tower, all you're getting authorization to do is move the access road. Three, final the .. street address shall
49 be completed by Orange County... of the issuance of any permits. Orange County has a new addressing

1 ordinance, there will be a new address assigned to this property and it will be off of Old Oak Place because
2 that's the driveway. Why is that important? It guarantees emergency vehicles will know where to go and
3 know how to access the site. The applicant shall be required ... all required NCDOT approvals and permits
4 in light of the creation of the driveway... and the land disturbing activity, that's been discussed already.
5 Orange County Emergency Services shall review and issue approval for the proposed access road serving
6 the tower. That's a typical permitting requirement. The next recommended condition is the applicant shall
7 pay all necessary development permits from the County prior to the initiation of land disturbing activity. This
8 includes but is not limited to erosion control management permit, a solid waste management permit and a
9 zoning compliance permit. And I must stipulate that these permits will be required at certain thresholds. An
10 erosion control permit will be required but unless the applicant exceeds certain development thresholds as
11 stipulated in the UDO a storm water permit may not be required, but it's all part of one universal process.
12 Condition 7 and 8 I think are self-explanatory. We've outlined the reasons and rationales, conditions 9 or 10
13 are required by the UDO which is why we've suggested them. There have been 3 conditions by my count
14 that have been recommended for you all to consider *inaudible* that signage be posted at the end of Old
15 Oak Place addressing access management dead end as to address a concern from the Bouche's over
16 people not understanding this is a dead end road, and I believe that that's a condition that can be met in
17 discussion with DOT but, I believe that's a reasonable condition that can be imposed. Another condition
18 would be that the applicant submit a revised site plan showing a new gate location, that this new gate
19 location not be located along Old Oak Place and that its location be reviewed and commented on by the
20 Bouche's in order to ensure that the gate is not visually intrusive and that sufficient landscaping be installed
21 in and around the posts to shield it from view. And then the final condition that I have written is that the
22 applicant shall be required to submit a copy to the County staff of a FCC license for the continued operation
23 of the telecommunication tower in accordance with section 5.10.8 A1T of the UDO. So those are the
24 recommended conditions. And based on these recommended conditions and the testimony this evening
25 staff would like to make an affirmative finding that the use will maintain or promote the public health, safety,
26 and general welfare. This is the application package, the staff abstract and staff testimony, and the
27 applicant testimony this evening; we believe they have met their burden. We do recommend the Board find
28 that the use will maintain or enhance the value of contiguous property; this is obviously based on the
29 testimony from Graham Herring as well as the application package. The location and character of the use
30 developed according to the plan submitted will be in harmony with the area which is to be located, again
31 staff's basing this on the application package, the testimony we've heard this evening and the site plan as
32 well as the imposition of the grand total of 13 conditions that we believe address concerns about the project
33 moving forward and we believe will address and ensure harmony with the area.

34
35 Henry Campen: Madam Chair, if I may make one... to one of the conditions that was added. With respect
36 to the access and landscaping, I'd just ask that condition be modified just slightly to provide that the
37 landscaping and mitigation of the fence be reasonably acceptable to the neighbors and to the staff. I think
38 that it's an indication to testimony that the company is willing to work with the... staff. I would just like that to
39 be clear.

40
41 Michael Harvey: I have no objection; I'm just coming up with what I've written down.

42
43 Karen Barrows: I'm curious Michael; your staff doesn't usually make recommendations on 5.3.2 A, B and C.

44
45 Michael Harvey: We don't usually make recommendations prior to the public hearing. The reason being is
46 that those have to be determined based on the testimony and evidence entered into the record. As we did
47 with the most recent BOA application, of course we did offer comment on an applicant's compliance with
48 these sections as a staff recommendation during a hearing. We will never provide you an advanced
49 recommendation because that can be seen as trying to influence the jury as it would.

1
2 Samantha Cabe: Did staff's presentation raise any questions or need for rebuttal evidence or additional
3 evidence from either the applicant or the contiguous land owners?
4

5 Henry Campen: Nothing about the staff's presentation raises any concerns on behalf of the applicant. Your
6 counsel's interpretation of the ordinance does raise some concerns, I can speak to that or not at the
7 appropriate time...
8

9 Samantha Cabe: Would the Board like to hear the applicant's attorney's opinion as to the necessary
10 findings that have been in dispute with staff and the Board's Attorney?... Can you make like a 30 second
11 argument?
12

13 Henry Campen: With all due respect to my colleague... Courts are often called upon to interpret statutes
14 that have provisions that appear to be... in conflict, it's called statutory interpretation. And a fundamental..
15 of statutory interpretation in the courts everywhere is that the courts have to interpret the statutes as a
16 whole as making sense, that there's some purpose behind it. Even though there may be parts in conflict,
17 they have to harmonize those. That's not an exactly analogy to what you're doing here but it's closest I can
18 come up with on the spur of the moment. I think to require an applicant for this project to resubmit an entire
19 application for a tower that's been there for 20 years it just defies logic. And I don't believe a court that's
20 called upon to judge this issue would find that that's required, would find that that's a harmonious, logical,
21 reasonable interpretation requirement of the ordinance. I believe the way the staff has interpreted this
22 where there are versions of the ordinance that address what is actually being proposed, yes he's made
23 recommendations with respect to those in... But the balloon test, for goodness sake, the balloon test was
24 designed to give the neighbors some indication of where this tower's going to appear on the horizon. Well,
25 they've been looking at this tower for 20 years. So, that's all I have to say.
26

27 Samantha Cabe: Thank you. Did that raise any questions for the Board?
28

29 Barry Katz: Just for a second... Resubmit the application; this is the concern that's here. Mr. Bryan is
30 asking for a resubmission of the application, is that true?
31

32 James Bryan: No, I'm not asking for anything, I'm advising the Board that they need an affirmed finding on
33 all of the...
34

35 Barry Katz: Oh, ok so we've seen...
36

37 James Bryan: And how they do it is up to them.
38

39 Barry Katz: I see. Where we have, let's say on page 200, is this not part of your application?
40

41 Henry Campen: It is the application.
42

43 Barry Katz: Alright, so we have it. Ok.
44

45 Susan Halkiotis: That's kind of my question too. Except for those things that have been changed since
46 1996...
47

48 Samantha Cabe: I have a proposal of how to do this. Once the staff has gotten all the information they
49 need from the other people in the room then I'll ask for a motion to close to public hearing and enter into

1 deliberations.

2

3 **MOTION** made by Susan Halkiotis. Seconded by Matt Hughes.

4

5 Samantha Cabe: So the meeting is now closed and the BOA will begin deliberations. My suggestion to the
6 Board would be that we go through the different sections of the staff recommendations because there are
7 some sections where we can do as we usually do and adopt the recommendations because there's no
8 conflict. When we get to the sections where there are conflict my recommendation is I have noted where
9 there's conflict and we can talk about those individually and resolve those and then vote on the section as a
10 whole. If that is.. once we resolve those conflicts we can vote on the whole section. Does that make sense
11 to everyone, if I proceed that way? Does anyone have any objections to that?

12

13 Ok so, the first section would be the application components which are reflected on page 105 and I do not
14 believe there was any conflict among staff and legal counsel as to any of these findings. Does anyone want
15 to discuss any of these findings? And if not, do I have a motion to approve to adopt the findings of staff with
16 regard to the application components that are set forth on page 105 of the attachment 4?

17

18 **MOTION** made by Barry Katz to adopt the application components. Seconded by Susan Halkiotis.

19 **VOTE:** Unanimous

20

21 Samantha Cabe: The second section is reflected on page 106, are the notification requirements. Again, this
22 is a section where there was no dispute between staff and legal counsel. Do I have a motion to adopt the
23 recommendation of staff with regard to those findings?

24

25 **MOTION** made by Matt Hughes to adopt the recommendation of staff on page 106. Seconded by Karen
26 Barrows.

27 **VOTE:** Unanimous

28

29 Samantha Cabe: Moving on to page 107 we get into the specific standard section. The first page of the
30 specific standards are specific standards in general and not specific to telecommunication facilities, which
31 are set forth in section 5.3.2. I do not believe there was any dispute between staff and legal counsel for the
32 items on 107. Do I have a motion to adopt the findings of staff with regard to the findings set forth on page
33 107 of attachment 4?

34

35 **MOTION** made by Barry Katz to adopt the findings of staff on page 107. Seconded by Susan Halkiotis.

36 **VOTE:** Unanimous

37

38 Samantha Cabe: Moving on to page 108 and following pages, the standards specific for telecommunication
39 facilities. This is the section where we get into some discrepancy between staff and legal counsel, and I
40 believe the best way to do this is if there are no discrepancies on a page I will ask for a motion to adopt
41 what is on the specific page and then if we have a page where there is a discrepancy we'll discuss the
42 conflicting finding, make a decision on that and then adopt the whole page. Is that satisfactory to the
43 Board?

44

45 So, page 108 I have not noted any discrepancies with regard to those findings, staff recommendations are
46 all yes with the supporting evidence listing there, mostly contained in their original permit that was
47 submitted through supplemental information. Do I have a motion to adopt?

48

49 **MOTION** made by Barry Katz to adopt the findings of staff on page 108. Seconded by Susan Halkiotis.

1 **VOTE:** Unanimous.

2

3 Samantha Cabe: Page 109, do I have a motion to adopt the finding on page 109, which actually went with
4 the prior sub section?

5

6 **MOTION** made by Barry Katz to adopt the finding on page 109. Seconded by Susan Halkiotis.

7 **VOTE:** Unanimous

8

9 Samantha Cabe: Page 110, that is one finding, there is no conflict. Do I have a motion to adopt the finding
10 set forth on page 110?

11

12 **MOTION** made by Barry Katz to adopt finding on page 110. Seconded by Susan Halkiotis.

13 **VOTE:** Unanimous

14

15 Samantha Cabe: Page 111, there are 2 findings set forth on this page with the second finding being in
16 conflict. And that is a finding that there is a copy of the installed foundation design including a due technical
17 sub surface soils investigation, an evaluation report and foundation recommendation for the proposed
18 wireless support structure. Just for the record, staff is indicating that this is not applicable because a
19 geotechnical evaluation was not required at the time that the original application was submitted in 1996.
20 And that there is no telecommunication facility proposed as part of this application, and we've heard the
21 Board's legal counsel's position on that. Do we have any discussion from the Board?

22

23 Barry Katz: Well, it seems like it's not applicable because we're really talking about a road. We're not
24 modifying a tower, or the actual site where the tower is. And these are conditions that have changed and
25 that's what the objection or concern is. But, it seems still not applicable in these circumstances. It could at
26 another time be really germane but not now... I think Mr. Bryan is right to raise this up but, this is a time
27 where it doesn't seem to be germane.

28

29 Samantha Cabe: And I would note for our discussion as well that staff indicated that the evidence before us
30 in our packet does indicate compliance with current building codes and whether or not that might be
31 sufficient evidence to support a yes finding is up to the Board. So, if there's no more discussion... I will
32 entertain a motion.

33

34 **MOTION** made by Barry Katz to adopt both articles on page 111 as recommended by planning staff.
35 Seconded by Susan Halkiotis.

36 **VOTE:** Unanimous

37

38 Samantha Cabe: Moving on to page 112, this again is a finding that is in conflict. The existing cell site's
39 latitude, longitude and power levels to which this proposed site will be a handoff candidate. The staff is
40 recommending that this is not applicable as there's no telecommunication facility proposed as part of this
41 application. And counsel is recommending yes, staff is advised that if we do find an affirmative finding of
42 yes that support for that submission could be found at pages 205 to 240 of the supplemental information
43 that we were provided.

44

45 Barry Katz: I'm confused... I understand but this is about a handoff. That has nothing germane to this, what
46 we're dealing with. I can see in the overall picture how that is, but I don't see it.

47

48 Samantha Cabe: I think we're dealing with fundamental different as to whether on a modification question
49 we're considering the entire project again anew in a way, or if we're just considering the parts of it that will

1 be modified. And I think in practical terms you can't undo a cell tower that's already there and so the only
2 modifications that have been proposed are unrelated to the telecommunications tower. It's my
3 understanding that what staff is saying here is that they're maintaining their position throughout this
4 application that because it's not recommending any telecommunication facility being added that this is the
5 reason for their non-applicable finding. However, there is evidence within the record that this information
6 was provided at some time.

7
8 Barry Katz: In this document?

9
10 Samantha Cabe: I have noted from Michael's testimony pages 205 to 240.

11
12 Barry Katz: Yeah, ok.

13
14 Susan Halkiotis: In essence we can change the finding... Is that what you're saying?

15
16 Samantha Cabe: We could, or we could find that it's not applicable because there's no telecommunication
17 facility proposed...

18
19 Barry Katz: If we were to change this to yes, would this oblige the applicant to take any action?

20
21 Samantha Cabe: No, I don't think so. I don't know what the rest of the Board thinks, I think it's just a finding
22 that yes or no.

23
24 **MOTION** made by Barry Katz that the finding meets submission requirement on page 112. Seconded by
25 Susan Halkiotis.

26 **VOTE:** Unanimous

27
28 Samantha Cabe: On page 112, the Board has found that the existing cell sites to which this proposed site
29 will be a handoff candidate was provided in pages 205-240 of the supplemental information packet.. We are
30 making the finding the information provided in the supplemental packet meets this submission requirement.

31
32 On page 113, this is the submission requirement that propagation studies of the proposed site and showing
33 all adjoining planned proposed in service or existing sites were provided. Again, staff is recommending the
34 finding that this provision is not applicable as there is no telecommunication facility proposed as part of this
35 application. Additionally, it should be further noted that state law no longer requires the submittal of
36 propagation studies for telecommunication facilities. So I believe this was one of the ones that we are
37 actually in agreement on. Do I have a motion with regard to...

38
39 **MOTION** made by Barry Katz to adopt findings recommended by staff on page 113. Seconded by Susan
40 Halkiotis.

41 **VOTE:** Unanimous

42
43 Samantha Cabe: On page 114 of attachment 4 with regard to those findings of fact there is no dispute
44 between staff and legal counsel with regard to those findings. They're both suggested findings of yes. Do I
45 have a motion to adopt...

46
47 **MOTION** made by Barry Katz to adopt findings recommended by staff on page 114. Seconded by Karen
48 Barrows.

49 **VOTE:** Unanimous

1
2 Samantha Cabe: Same with page 115, the findings that are set forth on 115, there's no dispute between
3 staff and legal counsel. Do I have a motion to adopt those findings recommended by staff?
4

5 **MOTION** made by Barry Katz to adopt findings recommended by staff on page 115. Seconded by Susan
6 Halkiotis.

7 **VOTE:** Unanimous
8

9 Samantha Cabe: Onto page 116 of attachment 4. The 2 findings set forth there, again there's no conflict
10 between staff and legal counsels recommendation. Do I have a motion to adopt the findings set forth on
11 page 116?
12

13 **MOTION** made by Karen Barrows to adopt findings recommended by staff on page 116. Seconded by
14 Barry Katz.

15 **VOTE:** Unanimous
16

17 Samantha Cabe: On page 117, I don't have a note about this but the second finding set forth there staff is
18 recommending that it is not applicable on the basis that the provision is not applicable as the relocation of
19 the driveway will not impact the NIER levels of the proposed site. And that is with regard to a submission of
20 a certification that NIER levels at the proposed site are within the threshold levels adopted by the FCC. Do I
21 have a motion as to the 2 findings on that page?
22

23 **MOTION** made by Karen Barrows to adopt findings recommended by staff on page 117. Seconded by
24 Barry Katz.

25 **VOTE:** Unanimous
26

27 Samantha Cabe: Page 118, there are 3 findings there. The third finding on that page was the provision of
28 the FCC license. We have discussed making a condition of the approval of the permit. The other findings
29 were both yes with no discrepancy between staff and legal counsel's recommendation. Do I have a motion
30 with regard to the findings on page 118?
31

32 Barry Katz: That would mean that they would provide a copy? That's what we're proposing?
33

34 Samantha Cabe: Yes.
35

36 Barry Katz: With that being said I move to adopt that... Including the 3 provisions.
37

38 Samantha Cabe: So just to be clear your motion is to adopt the recommendation of staff set forth on page
39 118 with the added condition that a copy of the FCC license and 5 and 10 year building out plan shall be
40 provided as a condition of the issuance of the permit?
41

42 Barry Katz: Yes.
43

44 James Bryan: If I may, just for clarification, I think you'd want that last one yes, it's the same idea that you
45 had.. and the only way to impose a condition is if it was necessary.
46

47 Samantha Cabe: Ok, got it. So just to clarify your motion is to adopt the recommendations set forth on page
48 118 with the modification to change the finding in the third fact to yes, with the condition that the applicant
49 provide a copy of the FCC license and their 5 and 10 year building out plan as required by the FCC as a

1 condition of the issuance of the SUP.

2

3 Barry Katz: Yes, thank you.

4

5 **MOTION** made by Barry Katz to adopt findings recommended by staff on page 118. Seconded by Karen
6 Barrows.

7 **VOTE:** Unanimous

8

9 Samantha Cabe: On page 119 there are 4 findings of facts, 2 of which staff is recommending are not
10 applicable and the balloon test being one of them which we've heard the recommendation of counsel. Do I
11 have a motion with regard to 1 or all of the findings on that page?

12

13 **MOTION** made by Barry Katz to adopt findings recommended by staff on page 119. Seconded by Karen
14 Barrows.

15 **VOTE:** Unanimous

16

17 Samantha Cabe: On page 120 there are 3 findings of fact. The third finding of fact staff is recommending
18 that is not applicable and there is disagreement from legal counsel. Do I have a motion with regard to 1 or
19 all of the findings set forth on page 120?

20

21 Karen Barrows: I would be comfortable accepting staff's recommendations as there is no evidence that the
22 applicant is going to add anything to the tower.

23

24 **MOTION** made by Karen Barrows to adopt findings recommended by staff on page 120. Seconded by
25 Barry Katz.

26 **VOTE:** Unanimous

27

28 Samantha Cabe: Page 121 there's 1 finding where there's no conflict, do I have a motion to adopt that
29 finding?

30

31 **MOTION** made by Barry Katz to adopt finding recommended by staff on page 121. Seconded by Susan
32 Halkiotis.

33 **VOTE:** Unanimous

34

35 Samantha Cabe: On page 122, there are 5 findings of fact set forth there with several of them being non
36 applicable recommended by staff with some conflict from the legal counsel. Most of them dealing with the
37 balloon test. Do I have any motion with regard to 1 or all of the recommendations set forth on page 122?

38

39 **MOTION** made by Karen Barrows to adopt the findings recommended by staff on page 122. Seconded by
40 Susan Halkiotis.

41 **VOTE:** Unanimous

42

43 Samantha Cabe: On page 123, there are 2 findings. The first one dealing with the balloon test and the
44 recommended finding of non-applicable. Do I have a motion with regard to 1 or all of the findings on that
45 page?

46

47 James Bryan: If I may, I think you can go through 128 if you wanted to..

48

49 Samantha Cabe: Thank you. So I will restate for the record, the findings set forth on page 123 through 128

1 are staff recommendations that there is no conflict between staff and legal counsel. Do I have a motion with
2 regard to all the findings set forth on pages 123 through 128 of attachment 4?
3

4 **MOTION** made by Susan Halkiotis to adopt findings recommended by staff on pages 123 through 128.
5 Seconded by Barry Katz.

6 **VOTE:** Unanimous
7

8 Samantha Cabe: Thank you Mr. Bryan. Beginning on page 129 there are 3 findings of fact with the first
9 being non applicable and you may recall that the applicant did present testimony that utilities provided to
10 the site will be underground. Do I have a motion with regard to 1 or all of the findings on that page?
11

12 Karen Barrows: I'll make a motion that we accept these items with the staff recommendations.
13

14 Samantha Cabe: I have a friendly amendment to that. I would ask that you amend your motion to include
15 modifying the finding with regard to the first finding of fact on page 129 that the finding of yes, based upon
16 the applicant testimony that utilities be installed underground.
17

18 Karen Barrows: Ok, so I will modify the motion to say that all 3 of these have a yes.
19

20 **MOTION** made by Karen Barrows to make a finding of yes for the findings on page 129. Seconded by
21 Susan Halkiotis.

22 **VOTE:** Unanimous
23

24 Samantha Cabe: Page 130, there are 2 findings of fact and I do not believe there are conflicts between
25 legal counsel and staff. Do I have a motion with regard to those findings?
26

27 **MOTION** made by Barry Katz to adopt findings recommended by staff on page 130. Seconded by Susan
28 Halkiotis.

29 **VOTE:** Unanimous
30

31 Samantha Cabe: Page 131, the 2 findings of fact. The 2 findings set forth there, there's no conflict between
32 staff and legal counsel. Do I have a motion with regard to those findings?
33

34 **MOTION** made by Karen Barrows to adopt findings recommended by staff on page 131. Seconded by
35 Barry Katz.

36 **VOTE:** Unanimous
37

38 Samantha Cabe: On page 132, there are 3 findings. The finding regarding lighting there is some difference
39 of opinion. The opinion of staff is that the ordinance reads that if lighting is required or proposed that these
40 submissions are required and it's staffs position that the lighting is not proposed or required with this
41 project, so they have recommended a finding of non-applicable. Do I have a motion with regard to 1 or all of
42 the findings on this page?
43

44 Barry Katz: Now, the counsel recommended something different?
45

46 Samantha Cabe: I believe I had noted that counsel believed that there needed to be something submitted
47 with regard to lighting.
48

49 **MOTION** made by Barry Katz to adopt findings recommended by staff on page 132. Seconded by Susan

1 Halkiotis.

2 **VOTE:** Unanimous

3

4 Samantha Cabe: Page 133, the 2 findings there; the recommended findings of staff are yes, there's no
5 conflict that I noted. Is there a motion with regard to 1 or both those findings?

6

7 **MOTION** made by Susan Halkiotis to adopt findings recommended by staff on page 132. Seconded by
8 Karen Barrows.

9 **VOTE:** Unanimous

10

11 Samantha Cabe: Page 134, there are 5 findings there. I have in my notes that the fourth finding staff
12 recommended changing that to a finding of yes based on evidence of the existing bond in place. And that
13 modification to staff recommendation was from Mr. Harvey's testimony. Do I have a motion with regard to
14 those findings?

15

16 Barry Katz: I move to adopt them with the change that the fourth item, 5.10.8 B5 be changed to a yes.

17

18 **MOTION** made by Barry Katz. Seconded by Susan Halkiotis.

19 **VOTE:** Unanimous

20

21 Samantha Cabe: The recommendations of staff set forth on page 134 is modified by testimony or adopted
22 by the Board... Page 135, we will go through these separately. The first finding that we must make is that
23 the use will or will not maintain or promote the public health, safety, and general welfare if located where
24 proposed and developed and operated according to the plan as submitted.

25

26 Barry Katz: I have a question. Do we have to do anything about these recommendations before we finish
27 page 135 or can we do it after?

28

29 Samantha Cabe: It's my understanding that we make these findings and then before we make the ultimate
30 decision to approve the permit, we make a motion to approve would be conditions. So we can go through
31 these findings first.

32

33 Barry Katz: Well, I move that we accept the applicants application for section 5.3.2 A to A. That first one, as
34 far as maintain/promote the public health and safety.

35

36 **MOTION** made by Barry Katz. Seconded by Susan Halkiotis.

37 **VOTE:** Unanimous

38

39 Samantha Cabe: With regard to the second finding, do I have a motion?

40

41 Karen Barrows: I'll make a motion that the use will maintain or enhance the value of the contiguous
42 property.

43

44 **MOTION** made by Karen Barrows. Seconded by Barry Katz.

45 **VOTE:** Unanimous

46

47 Samantha Cabe: And the third finding that we're required to make that the location and character of the
48 use, if developed according to the plan submitted, will or will not be in harmony with the area in which it is
49 to be located, and the use is in compliance with the plan for the physical development of the County as

1 embodied in these regulations or in the comprehensive plan or portion thereof adopted by the Board Of
2 County Commissioners. Do I have a motion with regard to that finding?

3
4 Barry Katz: I'll move that the submitted plan will be in harmony with the area in which it is located. And
5 comply.

6
7 **MOTION** made by Barry Katz. Seconded by Susan Halkiotis.

8 **VOTE:** Unanimous

9
10 Samantha Cabe: So do I have a motion with regard to whether this Board should approve or not approve
11 the application for the SUP with or without conditions?

12
13 Barry Katz: I move that we adopt this plan with the conditions stated on pages 136 and 137...

14
15 Samantha Cabe: So if we could make a friendly amendment to your motion to approve this permit with the
16 10 conditions set forth on pages 136 through 137 of attachment 4 and adding 3 additional conditions to the
17 issuance of the SUP. The first condition being that signage be posted at the end of Old Oak Place to
18 indicate that the road is a dead end or a similar message notifying the end of the right of way. The second
19 additional proposed condition is that the applicant submit a revised site plan including the location of the
20 entrance gate that was not submitted on their current site plan and that the gate location not be located on
21 Old Oak Place, but placed out of view from the Bouche's property and to be placed in such a manner that is
22 reasonably acceptable to staff and the contiguous land owners.

23
24 Barry Katz: There was also the suggestion of some vegetation to enhance the landscape.

25
26 Samantha Cabe: So I think that might be within the requirement that they submit a revise site plan to reflect
27 the location of the entrance gate and that that gate not be located on Old Oak place but be placed out of
28 view from the Bouche's residence and include the location of any landscaping that may be done to make it
29 reasonably acceptable to staff and contiguous landowners. Can we work with that? And I would
30 recommend the third condition to be added to your motion that the applicant provides a copy of their FCC
31 license and 5 to 10 year building out plan that was required by the FCC to be submitted to them.

32
33 Barry Katz: I accept those friendly suggestions and I motion.

34
35 **MOTION** made by Barry Katz. Seconded by Susan Halkiotis.

36 **VOTE:** Unanimous

37
38
39 **AGENDA ITEM 6: ADJOURNMENT**

40
41 **MOTION** made by Barry Katz. Seconded by Susan Halkiotis.

42
43
44
45 _____
NAME OF CHAIR, CHAIR

RECOMMENDATION:

While staff has not received any comments from local residents and property owners indicating the project, as submitted, does not comply with the UDO and no information has been submitted to staff establishing the grounds for making a negative finding on the general standards as detailed herein. These standards include maintaining or promoting the public health, safety, and general welfare, maintaining or enhancing the value of contiguous property, the use is in harmony with the area in which it is to be located, and the use being in compliance with the general plan for the physical development of the County.

Staff has reviewed the application, the site plan, and all supporting documentation and has found that the applicant **complies** with the specific standards and required regulations as outlined within the UDO

Provided the Board of Adjustment finds in the affirmative on the specific and general standards as detailed herein, and no evidence is entered into the record demonstrating the applicant has either:

- a. Failed to meet their burden of proof that the project complies with the specific development standards for a telecommunication facility, or
- b. Fails to comply with the general standards detailed within Section 5.3.2 (A) (2)

of the UDO, the Board could make an affirmative finding on this application.

In the event that the Board makes an affirmative finding, and issues the permit, staff recommends the attachment of the following conditions:

1 After considering all written and oral evidence presented at the PUBLIC HEARING, the Board made the following
2 findings:

- 3 a. The application was complete per the provisions of the Ordinance,
- 4 b. The application demonstrated compliance with the applicable provisions of the Ordinance,
- 5 c. The applicant, through the submittal of correspondence as well as through direct testimony offered during the
6 hearing, demonstrated that the project was compliant with the various provisions of Section 5.3.2 of the
7 Ordinance,
- 8 d. The applicant, within the application itself as well as through direct testimony of experts, demonstrated that the
9 project complied with the various site-specific development criteria detailed within Section 5.10.8 of the
10 Ordinance, and
- 11 e. There was no evidence offered into the record demonstrating the applicant had not met their burden as detailed
12 within the UDO with respect to the approval of the application as submitted.

13 In addition, the Board made affirmative findings on the following standards contained within Section 5.3.2 (A) (2):

- 14 i. *The use will maintain or promote the public health, safety and general welfare, if located where*
15 *proposed and developed and operated according to the plan as submitted.*

16 The applicant and staff provided testimony indicating that the proposed use will maintain the public
17 health, safety, and general welfare if developed on the subject property. There was no evidence
18 entered into the record refuting the applicant's testimony concerning the project's compliance with
19 respect to the promotion of the public health, safety, and general welfare.

20 The Board voted unanimously to make a finding that the applicant had met their burden and proved
21 that the proposed use would maintain or promote the health, safety, and general welfare if developed.

- 22
- 23 ii. *The use will maintain or enhance the value of contiguous property.*

1 The applicant had an expert testify that the proposed re-location of the driveway would not impact
 2 adjacent property values. There was no evidence entered into the record refuting the applicant's
 3 testimony or the impact analysis report.

4 In the end, the Board voted unanimously to make a finding that the applicant had met her burden and
 5 proved that the proposed use was compliant with the established standard.
 6

- 7 iii. *The location and character of the use, if developed according to the plan submitted, will be in harmony*
 8 *with the area in which it is to be located and the use is in compliance with the plan for the physical*
 9 *development of the County as embodied in these regulations or in the Comprehensive Plan, or portion*
 10 *thereof, adopted by the Board of County Commissioners.*

11 The applicant and staff provided testimony indicating that the proposed use was in character with the
 12 area based on the requirements of the Ordinance and the Comprehensive Plan. The Board voted
 13 unanimously indicating that the applicant had met her burden of proof for this required finding.
 14

15 After considering all written and oral evidence presented at the PUBLIC HEARING, the Board voted unanimously to
 16 **approve** the SUP application subject to the following conditions:

- 17 1. Nothing associated with this approval shall be deemed as prohibiting the use of the subject parcel as a farm or
 18 prevent the maintenance of existing utilities with the exception of preserving the access easement as denoted
 19 on the approved site plan.
- 20 2. Nothing associated with this approval shall be seen as modifying the existing telecommunication tower other
 21 than the relocation of the existing driveway off of Landau Drive.
- 22 3. Final assignment of a street address shall be completed by Orange County Land Records prior to the issuance
 23 of any permit authorizing land disturbing activity on the property.
- 24 4. The applicant shall be required to obtain all required North Carolina Department of Transportation approvals
 25 and permits allowing for the creation of the driveway prior to the commencement of land disturbing activity.
- 26 5. Orange County Emergency Services shall review and issue approval for the proposed access road serving the
 27 tower.
- 28 6. The applicant shall obtain all necessary development permits from the County prior to the initiation of and land
 29 disturbing activity associated with the construction of the new driveway including, but not limited to:
 - 30 a. Erosion Control/Stormwater Management Permit,
 - 31 b. Solid Waste Management Permit, and
 - 32 c. Zoning Compliance Permit.

33 As part of the review of proposed construction drawings roadway, the Orange County Erosion Control shall
 34 review and evaluate all proposed stream crossings to ascertain if additional permits are required.

- 35 7. Any and all abandoned structures shall be removed within 12 months as required under Section 5.10.8 (B) (4) (t)
- 36 8. As required under Section 5.10.8 (B) (4) (v) electromagnetic radiation levels shall be maintained in compliance
 37 with applicable FCC regulations.
- 38 9. The applicant, working with the Department of Transportation, shall cause signage to be posted indicating Old
 39 Oak Place is a dead end road and denoting the end of the State maintained right-of-way.
- 40 10. The applicant shall cause the development of a revised site plan denoting the location of a second gate, not
 41 adjacent to Old Oak Place or in view of the adjacent property owners, that is reasonably acceptable to staff and
 42 adjacent property owners. The applicant shall install vegetation in and around the second gate to screen it
 43 from view.

- 1 11. The applicant shall provide a copy of the FCC license for the existing telecommunication tower as required
2 under Section 5.10.8 (A) (1) (t) of the UDO.
- 3 12. The Special Use Permit will automatically expire within 12 months from the date of approval if the use has not
4 commenced or construction has not commenced or proceeded unless a timely application for extension of this
5 time limit is approved by the Board of Adjustment.
- 6 13. If any condition of this Special Use Permit shall be held invalid or void, then this Special Use Permit shall be
7 void in its entirety and of no effect.

| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|---|--------------|--|-------|-----|
| APPLICATION COMPONENTS | | | | |
| Proper forms | 2.2 | Application (Attachment 2) | Yes | Yes |
| Fees paid | 2.2.4(D) | Staff Testimony/Application (Attachment 2) | Yes | Yes |
| Full description of use <ul style="list-style-type: none"> • Location • Appearance • Operational characteristics | 2.7.3(B)(1) | Application (Attachment 2 and Site plan) | Yes | Yes |
| Owner Information | 2.7.3(B)(2) | Application (Attachment 2 and Site plan) | Yes | Yes |
| Information needed for Use Standards | 2.7.3(B)(3) | Application (Attachment 2 and Site Plan) | Yes | Yes |
| Site Plans (10 copies for Class B; 26 for Class A) | 2.7.3(B)(4) | Application/Staff Testimony (Site plan) | Yes | Yes |
| Preliminary Subdivision Plat (if necessary) | 2.7.3(B)(5) | [No subdivision proposed.] | N/A | |
| List of parcels within 1,000 feet | 2.7.3(B)(6) | Application (Attachment 2) | Yes | Yes |
| Elevations of all structures | 2.7.3(B)(7) | Project does not involve the erection of a structure, just a relocation of a driveway | N/A | N/A |
| Environmental Assessment (or EIS) <ul style="list-style-type: none"> • Topography • Drainage issues • Natural or Cultural resources • Mining • Hazardous Wastes • Wastewater treatment • Water usage | 2.7.3(B)(8) | Project exempt per Section(s) 6.16.2 and 6.16.3 of UDO Proposed level of land disturbance for project does not meet established thresholds for an environmental assessment to be completed. Proposed new driveway will only result in 14,000 sq.ft. of land disturbing activity. | N/A | N/A |
| Method of Debris Disposal | 2.7.3(B)(9) | Applicant Testimony | Yes | Yes |
| Development Schedule | 2.7.3(B)(10) | Application (Site plan) | Yes | Yes |

| | | | | |
|--------------------------|--------------|---------------|-----|-----|
| Extended Vesting Request | 2.7.3(B)(11) | Not requested | N/A | N/A |
|--------------------------|--------------|---------------|-----|-----|

1

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| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|---|----------|---|-------|-----|
| NOTIFICATION REQUIREMENTS | | | | |
| Public Notice <ul style="list-style-type: none"> • Date • Time • Place | 2.7.5(a) | Abstract (Attachment 3) | Yes | Yes |
| Published in Newspaper <ul style="list-style-type: none"> • Two successive weeks • First notice at least ten days prior but no more than twenty-five days prior | 2.7.5(b) | Abstract (Attachment 3) and Staff Testimony | Yes | Yes |
| Sign Posting on Property (at least 10 days prior) | 2.7.5(c) | Staff Testimony (Attachment 3 posted sign on <i>January 1, 2016</i>) | Yes | Yes |
| Mailed Notice <ul style="list-style-type: none"> • All adjacent property owners (within 1000 ft.) • Not less than fifteen days prior | 2.7.5(d) | Abstract (Attachment 3) | Yes | Yes |

2

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| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|--|-------------|---|-------|-----|
| SPECIFIC STANDARDS | | | | |
| Waste Disposal Method and adequacy of provision for sewage disposal facilities, solid waste and water service. | 5.3.2(B)(1) | Both Environmental Health and Solid Waste have indicated they have no concerns given the fact the project only involves the development of a driveway. Conditions are recommended to require Solid Waste Permit as part of typical development review process. | Yes | Yes |
| Safety Method and adequacy of police, fire and rescue squad protection. | 5.3.2(B)(2) | Abstract and Staff Testimony Orange County Emergency Service staff and the Sheriff's office have indicated the project can be served. | Yes | Yes |
| Vehicle Access Method and adequacy of vehicle access to the site and traffic conditions around the site. | 5.3.2(B)(3) | Application and Site plan There will not be an appreciable traffic increase in the area associated with the relocation of a driveway serving the existing telecommunication facility through Old Oak Place (SR 2268). | Yes | Yes |

2

1

| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|---|-----------------------|---|-------|-----|
| STANDARDS for Telecommunication Facilities | | | | |
| Site Plan A site plan prepared in accordance with Section 2.5 of UDO | 5.10.8 (A) (1) (a) | Application, Applicant Testimony, Staff Testimony, and Site plan | Yes | Yes |
| A detailed description of the proposed telecommunication support structure (i.e. monopole, self-supporting lattice, etc.) including a detailed narrative description and explanation of the specific objective(s) for the new facility including a description as to the coverage and/or capacity, technical requirements, and the identified boundaries of the specific geographic area of intended coverage for the proposed telecommunication support structure. | 5.10.8 (A) (1) (b) | <p>Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board.</p> <p>The original application file for the project contains a description of the telecommunication tower as well as a narrative explaining the objectives of the tower as proposed in 1996. The recorded Special Use Permit also contains a description of the approved tower, specifically a 160 ft. monopole telecommunication tower.</p> <p>The existing facility will not be modified as part of this request. All that is being modified is the access driveway serving the tower from Landau Drive to Old Oak Place (SR 2268).</p> | Yes | Yes |
| Elevation drawings and color renderings of the proposed tower. | 5.10.8 (A) (1) (c) | <p>Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board.</p> <p>This information was part of the original application package reviewed and approved by the Board of Adjustment on April 8, 1996.</p> | Yes | Yes |
| A signed statement from the applicant certifying that the proposed telecommunication support structure: | 5.10.8 (A) (1) (d) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the | Yes | Yes |

| | | | | |
|--|--|--|--|--|
| <p>(i) Shall be maintained in a safe manner,</p> <p>(ii) Is in compliance with all conditions of all applicable permits and authorizations without exception, and</p> <p>(iii) Is in compliance with all applicable and permissible local, State, and Federal rules and regulations.</p> | | <p>supplemental information supplied to the Board.</p> <p>Statements contained within the application package indicate the structure shall be constructed in a safe manner and would be constructed in compliance with applicable local, State, and Federal regulations.</p> <p>As the request will not alter the existing tower, merely the driveway access approved by the Board of Adjustment on April 8, 1996, staff believes the original documentation contained within the 1996 permit application is still relevant and applicable to this petition.</p> | | |
|--|--|--|--|--|

1

| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|---|-------------------------------|---|------------|------------|
| STANDARDS for Telecommunication Facilities (continued) | | | | |
| <p>A statement, prepared by a professional engineer certifying the tower's compliance with applicable standards as set forth in the State of North Carolina Building Code, any associated regulations; and describing the tower's capacity.</p> | <p>5.10.8 (A) (1) (e)</p> | <ol style="list-style-type: none"> 1. Original Special Use Permit Application file, 2. Recorded Special Use Permit allowing for the erection of the approved tower, and 3. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated August 9, 2010, and 4. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated April 30, 2014. <p>The Tower's capacity is not an issue as nothing associated with the relocation of the driveway impacts its compliance with State Building code Standards.</p> <p>This information can be found on page(s) 200 through 341 of the supplemental information supplied to the Board.</p> | <p>Yes</p> | <p>Yes</p> |
| <p>A statement indicating how the proposed tower will minimize visual intrusiveness to surrounding properties in the area.</p> | <p>5.10.8 (A) (1) (f)</p> | <ol style="list-style-type: none"> 1. Original Special Use Permit Application file (pages 205-240 of supplemental information package) 2. Recorded Special Use Permit allowing for the erection of the approved tower (pages 200-204 of supplemental information package), 3. Current applicant submitted site plan, and 4. Property vicinity map | <p>Yes</p> | <p>Yes</p> |

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| | | <p>(Attachment 1) denoting the location of the tower with respect to its proximity to adjacent properties.</p> <p>The tower already in existence and nothing proposed will invalidate the original finding related to the structure not representing a visual intrusion to surrounding properties.</p> <p>The Site Plan denotes the planting of vegetation along the proposed new driveway to minimize the visual impact of the new driveway.</p> | | |
| <p>A copy of the installed foundation design including a geotechnical sub-surface soils investigation, evaluation report, and foundation recommendation for the proposed wireless support structure.</p> | <p>5.10.8 (A) (1) (g)</p> | <p>Staff is recommending a finding that this provision is not applicable as there is no telecommunication facility proposed as part of this application.</p> <p>The proposed modification will not modify or alter the existing telecommunication tower structure as approved by the Board of Adjustment on April 8, 1996 and constructed thereafter. As the tower is not being modified or relocated, previous findings made by the Board of Adjustment, in approving the original application, with respect to the appropriateness of the soil in supporting the foundation of a telecommunication tower are still valid.</p> | <p>N/A</p> | <p>N/A</p> |

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| <p>The existing cell sites (latitude, longitude, power levels) to which this proposed site will be a handoff candidate.</p> | <p>5.10.8 (A) (1) (h)</p> | <p>Staff is recommending a finding that this provision is not applicable as there is no telecommunication facility proposed as part of this application.</p> <p>This was not a requirement contained within the County's land use regulations in 1996.</p> <p>According to the original permit findings of fact on this case (pages 205-240 of the supplemental information packet) the closest tower to this property was 6,000 feet west of the property.</p> <p>The proposed modification, specifically the relocation of the access driveway from Landau Drive to Old Oak Place, will not impact the current operational capacity of the existing telecommunication tower nor require the modification of surrounding telecommunication facilities to address service issues.</p> | <p>N/A</p> | <p>Yes</p> |
| <p>Propagation studies of the proposed site and showing all adjoining planned, proposed, in-service or existing sites.</p> | <p>5.10.8 (A) (1) (i)</p> | <p>Staff is recommending a finding that this provision is not applicable as there is no telecommunication facility proposed as part of this application.</p> <p>It should further be noted State law no longer requires the submittal of propagation studies for telecommunication facilities or allows the lack of same to a basis of denial.</p> <p>The request to relocate the driveway from Landau Drive to Old Oak Place is not related to the development of a telecommunication tower in Orange County.</p> <p>Propagation studies are designed to demonstrate a need for service in a given area thereby serving as a justification for an applicant in locating such a facility where proposed.</p> | <p>N/A</p> | <p>N/A</p> |

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| | | As this request only involves the relocation of a driveway serving an existing tower, whose operation shall not be impacted by said change, a propagation study is not warranted. | | |
| The search ring utilized in finding the proposed site. | 5.10.8 (A) (1) (j) | <p>Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower.</p> <p>This information can be found on pages 200 through 240 of the supplemental application packet supplied to the Board.</p> <p>The original application file demonstrated the need for a telecommunication tower in this area and the Board, after holding the required public hearing, determined the standard had been met.</p> <p>As nothing associated with the relocation of the access driveway for the telecommunication facility alters the operational parameters of the approved and constructed tower, this information is still viable.</p> | Yes | Yes |
| The number, type, height, and model of the proposed antennas along with a copy of the applicable specification sheet(s). | 5.10.8 (A) (1) (k) | <ol style="list-style-type: none"> 1. Original Special Use Permit Application file, 2. Recorded Special Use Permit allowing for the erection of the approved tower, and 3. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated August 9, 2010, and 4. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable | Yes | Yes |

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| | | State building code dated April 30, 2014. Required information is outlined within this supplemental document. | | |
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| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
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| STANDARDS for Telecommunication Facilities (continued) | | | | |
| The make, model and manufacturer of the tower and antenna(s), antenna heights and power levels of proposed site. | 5.10.8 (A) (1) (l) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower as contained in the supplemental information packet (pages 200 through 240). The original application identified this information. | Yes | Yes |
| The frequency, modulation and class of service of radio or other transmitting equipment. | 5.10.8 (A) (1) (m) | <ol style="list-style-type: none"> 1. Original Special Use Permit Application file, 2. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated August 9, 2010, and 3. A Structural Analysis Report completed by FDH Engineering Inc., sealed by Christopher Ply, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated April 30, 2014. <p>This information is contained throughout all identified documents. There is also specific detail(s) referenced on page(s) 323-341 of the supplemental package.</p> <p>The Tower's capacity is not an issue as nothing associated with the relocation of the driveway impacts the frequency, modulation, and class of service of equipment.</p> | Yes | Yes |
| The maximum transmission power capability of all radios, as designed, if the applicant is a cellular facility. | 5.10.8 (A) (1) (n) | <ol style="list-style-type: none"> 1. Original Special Use Permit Application file, 2. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural | Yes | Yes |

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| | | <p>integrity as well as compliance with applicable State building code dated August 9, 2010, and</p> <ol style="list-style-type: none"> 3. A Structural Analysis Report completed by FDH Engineering Inc., sealed by Christopher Ply, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated April 30, 2014. <p>This information is contained throughout all identified documents. There is also specific detail(s) referenced on page(s) 323-341 of the supplemental package.</p> | | |
| The actual intended transmission and the maximum effective radiated power of the antenna(s). | 5.10.8 (A) (1) (o) | <ol style="list-style-type: none"> 1. Original Special Use Permit Application file, 2. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated August 9, 2010, and 3. A Structural Analysis Report completed by FDH Engineering Inc., sealed by Christopher Ply, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated April 30, 2014. <p>This information is contained throughout all identified documents. There is also specific detail(s) referenced on page(s) 323-341 of the supplemental package.</p> | Yes | Yes |
| The direction(s) of maximum lobes and associated radiation of the antenna(s). | 5.10.8 (A) (1) (p) | <ol style="list-style-type: none"> 1. Original Special Use Permit Application file, 2. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as | Yes | Yes |

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| | | <p>compliance with applicable State building code dated August 9, 2010, and</p> <p>3. A Structural Analysis Report completed by FDH Engineering Inc., sealed by Christopher Ply, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated April 30, 2014.</p> <p>This information is contained throughout all identified documents. There is also specific detail(s) referenced on page(s) 323-341 of the supplemental package.</p> | | |
| Certification that the NIER levels at the proposed site are within the threshold levels adopted by the FCC. | 5.10.8 (A) (1) (q) | Staff is recommending a finding that this provision is not applicable as the relocation of the driveway, as proposed, will not impact the NEIR levels of the proposed site. | N/A | N/A |
| Certification that the proposed antenna(s) will not cause interference with other telecommunications devices. | 5.10.8 (A) (1) (r) | <p>1. A Structural Analysis report completed by Bant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated August 9, 2010, and</p> <p>2. A Structural Analysis Report completed by FDH Engineering Inc., sealed by Christopher Ply, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated April 30, 2014.</p> <p>This information is contained throughout these reports indicating the antenna on the existing telecommunication tower will not cause interference.</p> | Yes | Yes |
| A written affidavit stating why "the proposed site is necessary for their communications service". | 5.10.8 (A) (1) (s) | Application (Attachment 2) contains a narrative outlining the rationale and need with respect to relocating the existing driveway in order to ensure the continued provision of | Yes | Yes |

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| | | communication services. | | |
| A copy of the FCC license applicable for the intended use of the facility as well as a copy of the 5 and 10 year building out plan required by the FCC. | 5.10.8 (A) (1) (t) | Staff is recommending a finding that this provision is not applicable as the proposal does not impact the existing FCC license for the facility. | N/A | N/A |

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| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|--|----------------------------------|---|-------|-----|
| STANDARDS for Telecommunication Facilities (continued) | | | | |
| Applications for the co-location of antennas | 5.8.10 (A) (2) | Staff is recommending a finding that this provision is not applicable as the proposal does not involve the co-location of an antenna. | N/A | N/A |
| Overall Policy and Desired Goals Alternatives to constructing new wireless support structures, placement to minimize adverse aesthetic impacts, etc. | 5.8.10 (B) (1) (a) and (b) | Application (Attachment 2) As proposed the modification will ensure the continued operation of the existing telecommunication facility. This could help to potentially minimize the need for additional facilities in the area as this facility will be allowed to continue operation with a relocated driveway. | Yes | Yes |
| Balloon Test | 5.8.10 (B) (2) | Staff is recommending a finding that this provision is not applicable as the proposal does not involve the erection of a new telecommunication tower requiring the holding of a balloon test. This section requires a balloon test for 'proposed new wireless facilities'. As no new wireless facilities were proposed a balloon test was not required. The required neighborhood meeting, however, was held on November 30, 2015. Please refer to Attachment 3 for more information. | N/A | N/A |
| Submittal of site plan | 5.8.10 (B) (3) (a) | Application (Attachment 2), Site plan, Applicant Testimony, Staff testimony. Site plan denotes the location of the new driveway. | Yes | Yes |
| Plans and elevations for all proposed structures and descriptions of the color and nature of all exterior material, along with the make, model, and manufacturer of the proposed structure, maximum antenna heights, and power levels. | 5.8.10 (B) (3) (b) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board. The original application file for the | Yes | Yes |

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| | | <p>project contains a description of the telecommunication tower as well as a narrative explaining the objectives of the tower as proposed in 1996. The recorded Special Use Permit also contains a description of the approved tower, specifically a 160 ft. monopole telecommunication tower.</p> <p>The structural analysis contained on pages 242 through 341 of the supplemental information package provides additional detail on the antenna as well.</p> <p>The existing facility will not be modified as part of this request. All that is being modified is the access driveway serving the tower from Landau Drive to Old Oak Place (SR 2268).</p> | | |
| A Landscape and Tree Preservation Plan | 5.8.10 (B) (3) (c) | <p>Application (Attachment 2) ; Site Plan ; Vicinity Map (Attachment 1).</p> <p>Existing vegetation around the tower is not being impacted thereby invalidating the County's previous approval.</p> <p>Sheet C-1A of the site plan denotes the planting of additional vegetation around the driveway and tower compound in an effort to augment existing vegetation.</p> | Yes | Yes |
| Evidence that the applicant has investigated the possibilities of placing the proposed equipment on an existing wireless support structure. | 5.8.10 (B) (3) (d) | <p>Staff is recommending a finding that this provision is not applicable as the proposal does not involve the placement of 'equipment' on the tower requiring an assessment of available space on adjacent towers.</p> | N/A | N/A |
| Documentation from applicable state or federal agencies indicating requirements, which affect the appearance of the proposed wireless support structure, such as lighting and coloring. | 5.8.10 (B) (3) (e) | <p>Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board.</p> <p>The original application file for the project contains a description of the telecommunication tower as well as a narrative explaining the objectives</p> | Yes | Yes |

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| | | <p>of the tower as proposed in 1996. Given the height of the tower no lighting or 'appearance' issues had to be addressed for the tower to be erected.</p> <p>The existing facility will not be modified as part of this request. All that is being modified is the access driveway serving the tower from Landau Drive to Old Oak Place (SR 2268).</p> | | |
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| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|--|-----------------------|---|-------|-----|
| STANDARDS for Telecommunication Facilities (continued) | | | | |
| Draft bond guaranteeing removal of the wireless support structure in the event that it is abandoned or unused for a period of 12 months. | 5.8.10 (B) (3) (f) | Staff is recommending a finding that this provision is not applicable as the proposal does not invalidate the existing removal bond for the facility | N/A | N/A |
| A listing of, and current tax map identifying, all property owners within 1,000 feet of the parcel | 5.8.10 (B) (3) (g) | Application (Attachment 2) | Yes | Yes |
| A report containing any comments received by the applicant in response to the balloon test along with color photographs from various locations around the balloon. | 5.8.10 (B) (3) (h) | Staff is recommending a finding that this provision is not applicable as no balloon test was done or required for this project as the request did not involve any alteration (i.e. increasing height) of the existing, approved, tower or propose a 'new wireless support structure' | N/A | N/A |
| Evidence that the balloon test requirement has been met. | 5.8.10 (B) (3) (i) | Staff is recommending a finding that this provision is not applicable as no balloon test was done or required to allow for the re-location of the existing driveway. A balloon test was not required as the application did not proposed a 'new wireless support structure' as detailed in Section 5.8.10 (B) (2) of the UDO. | N/A | N/A |
| A notarized statement that the sign posting requirement has been met. | 5.8.10 (B) (3) (j) | Staff is recommending a finding that this provision is not applicable as no balloon test was done or required for the project given the fact the erection of a tower was not part of the request. A balloon test was not required as the application did not proposed a 'new wireless support structure' as detailed in Section 5.8.10 (B) (2) of the UDO. | N/A | N/A |
| Photographs of a clearly visible balloon floated at the proposed tower location as well as photographs with the proposed tower and associated antennas | 5.8.10 (B) (3) (k) | Staff is recommending a finding that this provision is not applicable as no balloon test was done or required for the project. A balloon test was not required as | N/A | N/A |

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| superimposed upon them showing what the proposed tower will look like. | | the application did not proposed a 'new wireless support structure' as detailed in Section 5.8.10 (B) (2) of the UDO. | | |
| The Special Use Permit application shall include a statement that the facility and its equipment will comply with all federal, state and local emission requirements. | 5.8.10 (B) (3) (l) | <p>Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board.</p> <p>The Structural Analysis contained on pages 241 through 341 provide proof that the tower is sound and equipment is consistent with applicable local, State, and Federal regulations.</p> <p>This is also a requirement of the Orange County Unified Development Ordinance (UDO) in order for the tower to remain in use.</p> | Yes | Yes |
| Environmental Assessment Analysis and a Visual addendum. | 5.8.10 (B) (3) (m) | <p>Staff is recommending a finding that this provision is not applicable as the project does not involve the erection of a telecommunication tower requiring the submittal of a visual addendum or analysis.</p> <p>As previously indicated herein the proposed will not generate sufficient land disturbance to require an Environmental Assessment per the requirements of the UDO.</p> <p>This section indicates an Environmental Assessment Analysis and Visual Addendum 'may' be required. It is not mandatory.</p> <p>As the project does not alter the existing telecommunication facility staff did not require compliance with this provision of the UDO.</p> | N/A | N/A |

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| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|--|-----------------------|---|-------|-----|
| STANDARDS for Telecommunication Facilities (continued) | | | | |
| Visual Impact Assessment requirements | 5.8.10 (B) (3) (n) | Staff is recommending a finding that this provision is not applicable as the project does not involve the erection of a telecommunication tower requiring the submittal of a visual addendum or analysis. No visual impact assessment was required. | N/A | N/A |
| Demonstration that the wireless support structure is sited so as to have the least visually intrusive effect reasonably possible and have the least adverse visual effect on the environment and its character, on existing vegetation, and on the residences in the area of the telecommunications tower. | 5.8.10 (B) (3) (o) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board. Also the Vicinity Map (Attachment 1), the application for modification (Attachment 2), the submitted site plan, and staff's abstract support this conclusion. | Yes | Yes |
| A statement, prepared by a professional engineer licensed in the State of North Carolina certifying the tower's compliance with applicable standards as set forth in the State of North Carolina Building Code, and any associated regulations. | 5.8.10 (B) (3) (p) | The structural analysis reports contained on pages 241-341 of the supplemental packet of information supplied to the Board provides evidence the tower is structural sound and that same complies with applicable State building code. | Yes | Yes |
| Proposed telecommunications equipment planned cannot be accommodated on an existing wireless support structures | 5.10.8 (B) (4) (a) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board. This provides documentation that the tower was necessary, which is why the permit was approved. Staff would like to remind the Board the project does not involve the erection of a telecommunication tower requiring an assessment of | Yes | Yes |

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| | | proposed telecommunication equipment could be supported on an existing wireless support structure. | | |
| Location of Wireless Support Structures | 5.10.8 (B) (4) (b) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board. This provides documentation that the tower complied with applicable locational criteria. | Yes | Yes |
| Fall zone setbacks of 110% of tower height (not including lighting rod) | 5.10.8 (B) (4) (c) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board. The current submitted scaled site plan demonstrates compliance with fall zone requirements. | Yes | Yes |
| Access | 5.10.8 (B) (4) (d) | Site plan. Access shall not be off of Old Oak Place (SR 2268) The reason for the modification is that the original, approved, Special Use Permit and site plan denoted access of off Landau Drive. As the access driveway is being changed this modifies the previously approved site plan requiring your review and approval. | Yes | Yes |
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| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|---|-----------------------|---|-------|-----|
| STANDARDS for Telecommunication Facilities (continued) | | | | |
| Landscape and Buffers – Type C land use buffer | 5.10.8 (B) (4) (e) | Application (Attachment 2) ; Site Plan ; Vicinity Map (Attachment 1). Existing vegetation around the tower is not being impacted thereby invalidating the County's previous approval. Sheet C-1A of the site plan denotes the planting of additional vegetation around the driveway and tower compound in an effort to augment existing vegetation. | Yes | Yes |
| Visibility of balloon shall not constitute sole justification of denial but shall serve as an indication of what location on the site may be less visually intrusive. | 5.10.8 (B) (4) (f) | Staff is recommending a finding that this provision is not applicable as no balloon test was done for this project as the request did not involve any alteration (i.e. increasing height) of the existing, approved, tower. | N/A | N/A |
| The applicant shall demonstrate and provide a description in writing and by drawing how it shall effectively screen from view the base and all related equipment and structures of the proposed facility. | 5.10.8 (B) (4) (g) | Application (Attachment 2) ; Site Plan ; Vicinity Map (Attachment 1). Existing vegetation around the tower is not being impacted thereby invalidating the County's previous approval. Sheet C-1A of the site plan denotes the planting of additional vegetation around the driveway and tower compound in an effort to augment existing vegetation. | Yes | Yes |
| The site plan shall indicate a location for at least two equipment buildings in addition to that proposed for use by the applicant. | 5.10.8 (B) (4) (h) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board. The current submitted scaled site plan demonstrates compliance with this standard as well by showing existing equipment buildings. | Yes | Yes |
| | 5.10.8 (B) | Staff is recommending a finding that | N/A | Yes |

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| All utilities at a facility site shall be installed underground and in compliance with all Laws, ordinances, rules and regulations of the County where appropriate. | (4) (i) | <p>this provision is not applicable as there are no utilities being proposed with this proposal.</p> <p>The re-location of the driveway will not impact existing utilities.</p> | | |
| All wireless support structures shall satisfy all applicable public safety, land use, or zoning issues required in this Ordinance. | 5.10.8 (B) (4) (j) | <p>Application (Attachment 2) and Staff testimony.</p> <p>The project, specifically the re-location of the driveway, will not impact the existing wireless support structure from a public safety, land use, or zoning standpoint.</p> <p>Re-location of the driveway will not increase traffic on existing State maintain roadways as to create a public safety hazard.</p> <p>Re-location of the driveway will allow for the continued operation of the facility as identified by the applicant.</p> | Yes | Yes |
| Fences and Walls | 5.10.8 (B) (4) (k) | <p>Application (Attachment 2) ; Site Plan.</p> <p>The site plan denotes the location of proposed fences and walls for the existing telecommunication compound as well as the access road.</p> | Yes | Yes |
| Tower is structurally designed to support additional users. | 5.10.8 (B) (4) (l) | <ol style="list-style-type: none"> 1. Original Special Use Permit Application file, 2. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated August 9, 2010, and 3. A Structural Analysis Report completed by FDH Engineering Inc., sealed by Christopher Ply, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated April 30, 2014. | Yes | Yes |

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| | | This information demonstrates there are multiple uses on the existing tower proving it was structurally designed to support additional users. | | |
| To minimize the number of antenna arrays the County may require the use of dual mode antennas. | 5.10.8 (B) (4) (m) | Staff is recommending a finding that this provision is not applicable as the re-location of the driveway will not impact the placement of antenna(s) or address the need for the use of dual mode antenna(s). | N/A | N/A |

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| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|---|-----------------------|---|-------|-----|
| STANDARDS for Telecommunication Facilities (continued) | | | | |
| Structures shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings. | 5.10.8 (B) (4) (n) | Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board. Information is contained within these documents indicating the tower is in harmony with the surrounding area. | Yes | Yes |
| Both the wireless telecommunications support structure and any and all accessory or associated telecommunication equipment and related facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings, this shall include the utilization of stealth technology as may be required by the County. | 5.10.8 (B) (4) (o) | As depicted on the submitted site plan existing vegetation around the tower is not being impacted by the project. Sheet C-1A of the site plan also denotes the planting of additional vegetation around the driveway and tower compound in an effort to augment existing vegetation. Original Special Use Permit Application file and recorded Special Use Permit allowing for the erection of the approved tower contains information that the tower will be in harmony with the natural surroundings. This information can be found on page(s) 200 through 240 of the supplemental information supplied to the Board. | Yes | Yes |
| Antennas shall be flush mounted | 5.10.8 (B) (4) (p) | 1. Original Special Use Permit Application file, 2. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated August 9, 2010, and 3. A Structural Analysis Report completed by FDH Engineering Inc., sealed by Christopher Ply, describing the tower's capacity and | Yes | Yes |

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|---|-----------------------|--|-----|-----|
| | | <p>structural integrity as well as compliance with applicable State building code dated April 30, 2014.</p> <p>As noted in these documents antenna are flush mounted to the tower.</p> | | |
| Lighting | 5.10.8 (B) (4) (q) | <p>Staff is recommending a finding that this provision is not applicable as the request to re-locate the existing driveway does not alter the existing tower in any manner as to require lighting to be provided.</p> <p>The submitted site plan does not propose the erection of street lights along the driveway either.</p> <p>Lighting of the tower is only required if same is over 200 ft. in height in order to comply with FAA and FCC requirements. This tower, according to the recorded Special Use Permit is only 160 ft. in height.</p> | N/A | N/A |
| The tower and antenna will not result in a significant adverse impact on the view of or from any historic site, scenic road, or major view corridor. | 5.10.8 (B) (4) (r) | <p>Application (Attachment 2) ; Site Plan, and Property Vicinity Map (Attachment 1)</p> <p>Staff will also refer to the original Special Use Permit application file contained within the supplemental information packet on page(s) 205 through 240.</p> | Yes | Yes |
| Facilities, including antennas, towers and other supporting structures, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with | 5.10.8 (B) (4) (s) | <p>Application (Attachment 2) ; Site Plan ; Vicinity Map (Attachment 1).</p> <p>Existing vegetation around the tower is not being impacted thereby invalidating the County's previous approval.</p> <p>Sheet C-1A of the site plan denotes the planting of additional vegetation around the driveway and tower compound in an effort to augment existing vegetation.</p> <p>A fence and gate shall be erected as denoted on Sheet C-3 of the site</p> | Yes | Yes |

| | | | | |
|---|-----------------------|--|-----|-----|
| | | <p>plan limiting vehicular access to the site.</p> <p>There is an existing fence around the base of the previously approved telecommunication tower preventing access.</p> | | |
| Abandoned structures shall be removed with 12 months. | 5.10.8 (B) (4) (t) | Staff is recommending this become a condition of approval | Yes | Yes |
| | | | | |

1
2

1

| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|--|-----------------------|--|-------|-----|
| STANDARDS for Telecommunication Facilities (continued) | | | | |
| A determination shall be made that the facility and its equipment will comply with all federal, state and local emission requirements, and the Special Use Permit shall include a statement that the facility and its equipment will comply with all federal, state and local emission requirements. | 5.10.8 (B) (4) (u) | <p>1. A Structural Analysis report completed by B ant T Engineering, sealed by Chad Tuttle, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated August 9, 2010, and</p> <p>2. A Structural Analysis Report completed by FDH Engineering Inc., sealed by Christopher Ply, describing the tower's capacity and structural integrity as well as compliance with applicable State building code dated April 30, 2014.</p> <p>Modification of the permit to re-locate the driveway will not alter or invalidate continued compliance with federal, state, or local emission standards.</p> | Yes | Yes |
| The Special Use Permit shall include a condition that the electromagnetic radiation levels maintain compliance with requirements of the FCC, regarding emission of electromagnetic radiation. | 5.10.8 (B) (4) (v) | <p>Staff recommends imposition of the condition.</p> <p>As this proposal does not involve a co-location or modification of existing antenna there is no requirement for documentation proving same at this time.</p> | Yes | Yes |
| Warning signage on compound fence | 5.10.8 (B) (4) (w) | Staff has verified through a site visit there is existing warning signage on the actual compound fence in compliance with this requirement. | Yes | Yes |
| Bond Security. Applicant/owner shall file a bond with the County to assure faithful performance of terms and conditions of Special Use Permit. | 5.10.8 (B) (5) | <p>Staff is recommending a finding that this provision is not applicable.</p> <p>The relocation of the driveway will not alter existing bonds we have on file with respect to the operation of the existing tower.</p> | N/A | Yes |
| Liability Insurance | 5.10.8 (B) (6) | Applicant testimony. | Yes | Yes |

2

1

| REQUIREMENT | UDO | SUPPORTING EVIDENCE | Staff | BOA |
|---|---------------------------|---|-------|------|
| SPECIFIC STANDARDS | | | | |
| In accordance with Section 5.3.2 (A) (2), the Board of Adjustment shall also consider the following general conditions before the application for a Special Use can be approved. | | | | |
| NOTE: Planning Staff does not provide a recommendation on these items as the Board is expected to act based on the sworn testimony provided at the hearing. Staff is providing a brief synopsis of the information contained within the submittal the applicant argues demonstrates compliance for reference purposes only. | | | | |
| The use (will / will not) maintain or promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted. | Section 5.3.2 (A) (2) (a) | Application package inclusive (Attachment 2) | N/A | Will |
| The use (will / will not) maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not maintain or enhance the value of contiguous property). | Section 5.3.2 (A) (2) (b) | Application package inclusive (Attachment2) and site plan. | N/A | Will |
| The location and character of the use, if developed according to the plan submitted, (will / will not) be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in these regulations or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners. | Section 5.3.2 (A) (2) (c) | Application package inclusive (Attachment 2) ; staff testimony and abstract ; site plan | N/A | Will |

2

**ORANGE COUNTY
BOARD OF ADJUSTMENT
AGENDA ITEM ABSTRACT CASE A-1-16
Meeting Date: October 10, 2016**

**Agenda
Item No. A-1-16**

SUBJECT: CASE A-1-16: Appeal of a Decision made by the Zoning Officer

DEPARTMENT: Planning and Inspections

ATTACHMENTS:

1. Appeal Application
2. Property Vicinity Map
3. Kara Brewer Building Permit Application

INFORMATION CONTACT:

Michael D. Harvey, Planner III (919) 245-2597
Craig Benedict, Director (919) 245-2575

PURPOSE: To convene the hearing and begin review of an appeal application submitted by several local property owners concerning a May 18, 2016 e-mail from the Zoning Officer, a copy of which can be found in Attachment 1.

BACKGROUND: A building permit application was filled by Southeast Property Group LLC, care of Ms. Kara Brewer, proposing the erection of an agricultural structure on a parcel of property located at the intersection of Morrow Mill and Millikan Road and further identified utilizing Orange County Parcel Identification Number (PIN) 9729-50-7168. For more information please refer to Attachment 3.

Staff provided an update to Ms. Brown (attorney for the appellants) informing her that “[a]s a result of the submitted documentation no zoning approval of the project was required for a building permit.” The appellants allege this was a decision by staff and that staff erred in making this decision in not conducting a zoning review of the project.

With respect to the review of an appeal application the Board needs to remember the following:

- a. The hearing, while open to the public, is not a public hearing where non-applicants are allowed to address the Board or present arguments/testimony for or against a particular item.

The sole intent of the meeting is to allow the applicant to present testimony detailing how staff erred with respect to the interpretation/enforcement of the UDO.

- b. Per Section 2.26.4 of the UDO all decisions of the Board of Adjustment are: ‘... *subject to review at the request of any person who has standing as detailed within NCGS 160A-393 (d) by the Superior Court by proceedings in the nature of certiorari*’.

This appeal must be filed within 30 days of the availability of the notice of decision in accordance with the UDO.

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Orange County Planning and Inspections Department

BOARD OF ADJUSTMENT - GENERAL APPLICATION FORM

** NOTE - This form shall accompany all specific application packages as denoted herein **

REQUEST (Check the box denoting the purpose of your application to the Board of Adjustment)

APPEAL:

VARIANCE:

INTERPRETATION:

GENERAL INFORMATION:

Date: 06/17/16

Property Address: Approximately 22 acres on Morrow Mill Road and Millikan Road

Applicant: Gleta Carswell, Rene Quadt, Margaret Wilkman,*

Owner: Southeast Property Group, LLC

Address: c/o LeAnn Nease Brown, their attorney

Address: c/o Kara Brewer, its registered agent

101 N. Columbia Street, Chapel Hill, NC 27514

82 Jordan Hills, Chapel Hill, NC 27517-6432

Phone Number: (919) 968-1111

Phone Number: (919) 357-2118

Cell Phone: ---

Cell Phone: ---

*Alice Sandra Wilkman, Thomas Ray, Doris Ray

PROPERTY INFORMATION (IF APPLICABLE):

Watershed: _____ Zoning: AR Lot Area: 22±

PIN Number: 9729-50-7168

Township: Bingham

Subdivision: Lot 3 Margaret Jo Pickard Estate (Plat Book 86, Page 95)

Dced Book/Page Number: 5924/494

Legal Relationship of Applicant to property owner: Appellants reside at 2700 Millikan Road, 7310 Morrow Mill Road and 7319 Morrow Mill Road respectively and are persons who will suffer special damages as a result of the decision appealed.

SUBMITTAL INFORMATION:

- 1) A completed, signed Variance or Appeal/Interpretation Form (whichever is applicable), (See attached).
- 2) Small Scale Map showing the exact location of property with respect to existing streets, street numbers and size of lots, nature of adjacent property uses, and other important features within and contiguous to the property. This site plan should further denote the issue being raised for the Board of Adjustment's consideration (if applicable), (See attached).
- 3) Any and all documentation outlining the nature of the requested action including documentation justifying the issuance of a requested variance or the facts associated with a request to reverse or otherwise modify a previously issued interpretation, and (Please see attached and Record prepared in accordance with N.C.G.S. Section 160A-388(b1)(5)).
- 4) An application filing fee in accordance with the adopted Orange County Fee Schedule (Enclosed).

OFFICIAL USE ONLY:

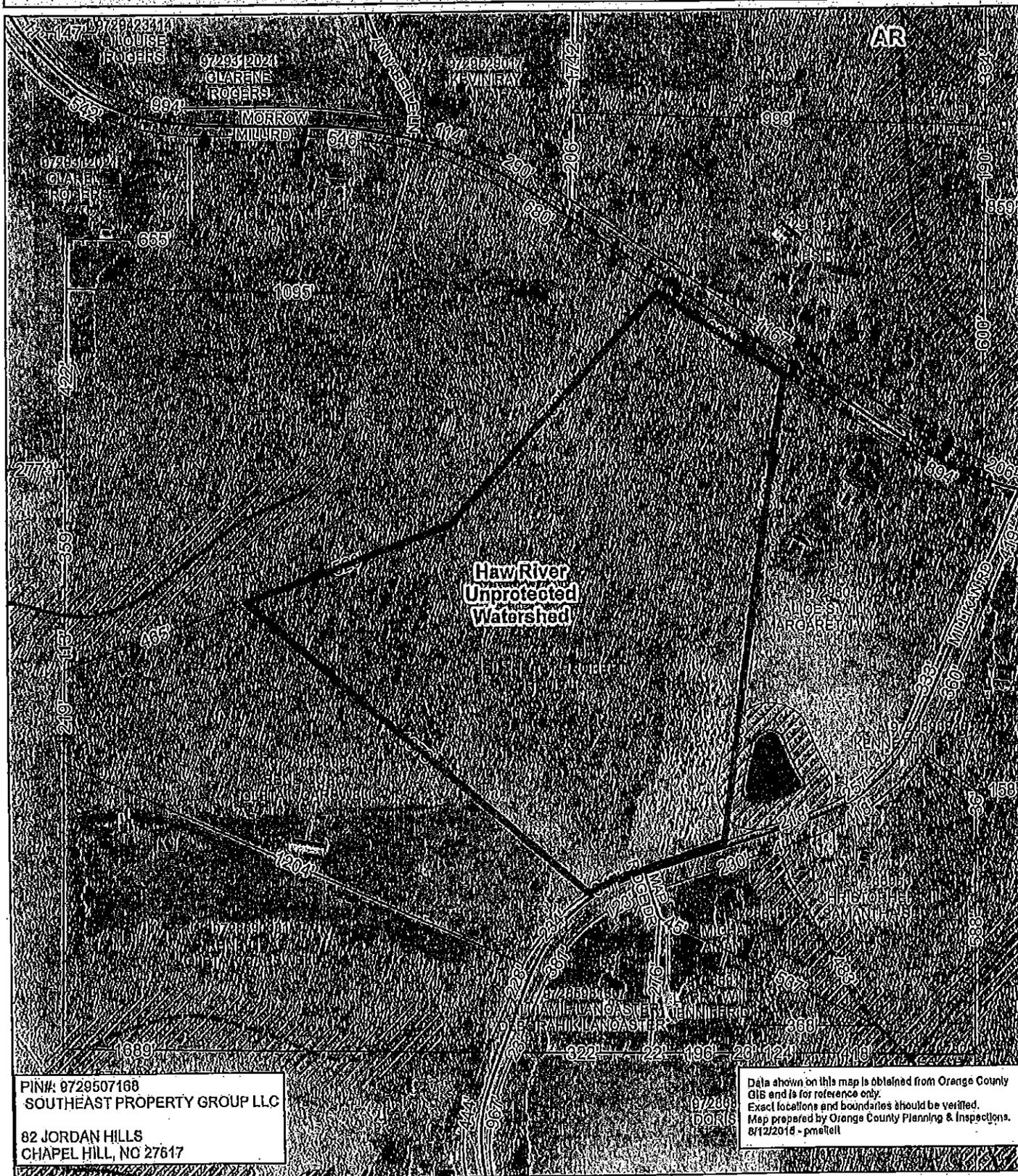
Date Application Properly Filed: _____

Accepted By: _____

Fee Collected: _____ Receipt Number: _____

Staff Assigned to Review: _____

Date scheduled for PUBLIC HEARING: _____



PIN#: 9729507168
 SOUTHEAST PROPERTY GROUP LLC
 82 JORDAN HILLS
 CHAPEL HILL, NC 27617

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections. 8/12/2016 - pmett

- | | | | |
|---------------|-----------------------|--------------------------|-------------|
| Streams | — Soils Survey Stream | ▨ Water Body Buffer 65ft | ▭ Watershed |
| TYPE | — USGS Stream | ▭ Parcels | |
| — USGS Stream | — Soils Survey Stream | ▭ Zoning | |
| | ▨ Stream Buffer 65ft | ▭ Water Body | |



1 inch = 300 feet
 0 .75 150 Feet



Orange County Planning and Inspections Department

BOARD OF ADJUSTMENT APPLICATION FOR AN APPEAL/INTERPRETATION

The Orange County Board of Adjustment with a four-fifths (4/5) vote, may overturn or modify an interpretation of an Administrative Official for the Orange County Planning Department concerning the enforcement and/or the interpretation of a specific provision of the Unified Development Ordinance (UDO). Under the State-enabling act, the review of an interpretation by the Board of Adjustment is not intended to vary the UDO but to interpret and apply what the governing body has written and how it is being implemented in a particular circumstance. The decision of the Board of Adjustment shall be in accord with what the members believe to be the actual meaning and intent of the UDO.

RELIEF REQUESTED: *Please check all applicable boxes and complete the required documentation attached.*

APPEAL:

INTERPRETATION:

I, Gleta Carswell, Rene Quadt, Margaret Wilkman* hereby appeal to the Board of Adjustment from the following adverse decision of an Administrative Official of the Planning and Development Department of the County of Orange, North Carolina made on the 18th day of May, 2016

**Alice Sandra Wilkman, Thomas Ray and Doris Ray, through our attorney, LeAnn Nease Brown*

The decision ordered that: See attached email from Michael Harvey, Planning Supervisor dated May 18, 2016.

This adverse decision was made with respect to property described in the attached General Application form.

I, Gleta Carswell, Rene Quadt, Margaret Wilkman* hereby request an interpretation of:

**Alice Sandra Wilkman, Thomas Ray and Doris Ray, through our attorney, LeAnn Nease Brown*

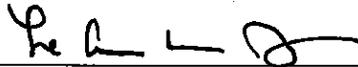
The Zoning Map

The Unified Development Ordinance (UDO), Section 1.1.8, 2.2.3, 2.7, 2.2.8, 10.1 definition of agritourism insofar as it relates to the use of the property described in the attached General Application form.

**** NOTE:** If the owner of the property subject to this application is **not** the same as the appellant, a notarized letter from the owner signifying his/her approval authorizing the submittal of the application shall be required **

STATEMENT BY APPELLANT:

I certify that the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

Signature of applicant: 

LeAnn Nease Brown as attorney for Gleta Carswell, Rene Quadt, Margaret Wilkman,
Alice Sandra Wilkman, Thomas Ray and Doris Ray

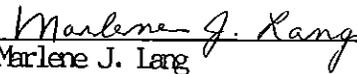
Date: 06/17/16

NOTARY:

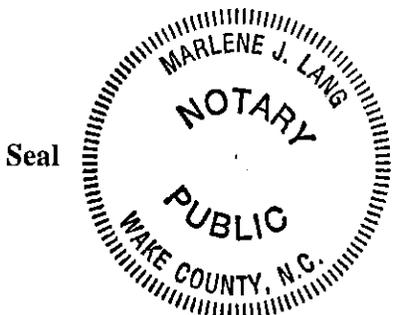
STATE OF North Carolina, COUNTY OF Orange

On this 17th day of June, 2016

LeAnn Nease Brown personally appeared before me and is known to me to be the person who signed the foregoing instrument and he/she acknowledged that he/she signed the same and being duly sworn by me, made oath that the statements in the foregoing instrument are true.

Signature of Notary Public 
Marlene J. Lang

My Commission expires: 01/25, 2019



LeAnn Nease Brown

From: Michael Harvey <mharvey@orangecountync.gov>
Sent: Wednesday, May 18, 2016 4:21 PM
To: LeAnn Nease Brown
Cc: John Roberts; James Bryan; Anne Marie Tosco; Craig Benedict
Subject: Barn of Chapel Hill

Ms. Brown: as an update to the Barn project off of Morrow Mill Road I would like to offer you the following: As you may already be aware the applicant has filed a building permit application proposing the construction of an agricultural structure (i.e. barn) along with an affidavit indicating the structure will be used for agricultural purposes exempt from zoning. As a result of the submitted documentation no zoning approval of the project was required for a building permit. Future zoning enforcement will be dependent upon actual use of the property and whether it is consistent with the County's Unified Development Ordinance or state statutory exemptions.

Please let me know if I can be of further assistance.

Michael D. Harvey AICP, CFM, CZO
Current Planning Supervisor – Planner III
Orange County Planning Department
131 West Margaret Lane
PO Box 8181
(919) 245-2597 (phone)
(919) 644-3002 (fax)

Pursuant to North Carolina General Statute 132, correspondence sent and received from this account is a public record and may be disclosed to third parties.

Insert to BOA Application for an Appeal/Interpretation:

Decision Being Appealed.

By email dated May 18, 2016, appellants, through their counsel, were notified by Michael Harvey, Planning Supervisor, that Southeast Property Group, LLC (SPG), the owner of an approximately 22 acre tract on Morrow Mill Road and Millikan Road (no address assigned), Orange County PIN 9729-50-7168 (SPG tract), filed a building permit application proposing construction of a "barn" on the SPG tract. The notification stated that SPG had filed an affidavit indicating the structure would be "used for agricultural purposes exempt from zoning." The planning supervisor determined that "[a]s a result of the submitted documentation, no zoning approval of the project was required for a building permit." Under N.C.G.S. §160A-388(b1) and the Orange County Unified Development Ordinance, applicants are appealing to the Orange County Board of Adjustment the decision of the planning supervisor that no zoning approval of a building permit is required.

Appellants and Standing.

Appellants, Gleta Carswell and Rene Quadt, are the owners of property at 2700 Millikan Road. Their property is contiguous to the SPG tract, bordering it on the east side. SPG proposes a secondary entrance to the SPG tract next to 2700 Millikan Road.

Appellants, Margaret Wilkman and Alice Sandra Wilkman, are the owners of property at 7310 Morrow Mill Road. 7310 Morrow Mill Road is at the corner of Morrow Mill Road and Millikan Drive. 7310 Morrow Mill Road is contiguous to the SPG tract and adjacent to SPG's proposed main entrance on Morrow Mill Road.

Appellants, Thomas Ray and Doris Ray, are the owners of property at 7319 Morrow Mill Road. 7319 Morrow Mill Road is directly across the street from the SPG tract. The property and driveway entrance to the SPG tract is across from the Ray's home at 7319 Morrow Mill Road.

Each appellant will sustain real and proven special damages distinct from the rest of the community if the SPG tract is developed under the building permit over which Orange County has determined it has no zoning jurisdiction. Appellants will experience increased traffic, light pollution, noise pollution and other related pollution if the SPG tract is developed as proposed. Increased traffic from events culminates at appellants' properties. Each appellant will experience damage to their property from overflow parking, littering and noise. Each appellant has significant safety concerns arising out of development of the SPG tract as proposed. Each appellant faces the threat of trespass, damage to animals on their farms and other special damages. Each will be damaged from loss of the quiet enjoyment of their properties. If the

SPG tract is developed as proposed, it will decrease the value of appellants' properties.

SPG is Estopped From Claiming The Proposed Development
is Exempt from Zoning.

On November 9, 2015, the Board of Adjustment considered and denied a Class B Special Use Permit Application to develop a retreat center on the SPG tract. Zoned agricultural residential (AR), the SPG tract has frontage along Morrow Mill Road (SR 1958) and Millikan Road (SR 1959). Called "The Barn of Chapel Hill," SPG's proposed retreat center was designed for weddings, corporate retreats and other similar special events. SPG proposed a 4,200 square foot historic barn to be relocated onto the SPG tract. SPG's Class B Special Use Permit Application contemplated 150 parking spaces to accommodate event attendees, outdoor parking lot lighting and landscaping. The main entrance to be used by event attendees was off Morrow Mill Road with a secondary entrance off of Millikan Road for staff, event organizers and emergency service personnel. The Application showed that the barn proposed had a 250 person maximum occupancy.

Orange County Staff determined SPG's proposed use required a Class B Special Use Permit. The determination that a Class B Special Use Permit was required was not appealed by SPG.

During the special use permit public hearing, SPG testified that the barn would be used primarily for weddings and wedding rehearsals on Friday and Saturday nights along with fundraisers and charity events.

The Board of Adjustment received competent, material and substantial evidence about potential adverse impacts on public health and safety from the proposed event barn, including from traffic and noise. Among the witnesses was Norel D. Stewart, an expert witness in acoustics. He testified regarding sound decibel levels and the impact of sound emanating from the proposed event barn. He testified that sound from events would be noticeable both outdoors and indoors.

Based on the competent, material and substantial evidence presented during its public hearing, the Board of Adjustment determined that SPG failed in its burden of proof that the use as proposed would maintain or promote the public health, safety and general welfare if located where proposed and developed and operated according to the plan as submitted. The Board of Adjustment further determined that SPG failed in its burden of proof that the use as proposed would maintain or enhance the value of contiguous property. The Board of Adjustment further determined that SPG failed in its burden of proof that the location and character of the use, if developed according to the plan, would be in harmony with the area in which it would be located. The Board of Adjustment further determined that SPG failed in its burden of proof that the use complies with the general plans for the physical development of Orange County.

The Board of Adjustment denied the Class B Special Use Permit Application by unanimous vote on November 9, 2015. No appeal was taken.

Subsequent to the November 2015 denial and without a special use permit, SPG, through its registered agent, Kara Brewer, applied for building permit on January 5, 2016. The building permit application listed the proposed use as "Farm Event Building" with the use category "assembly" marked. On information and belief, the details of the construction proposed were substantially the same as those in the denied Class B Special Use Permit Application.

In February 2016, SPG filed a driveway permit application with the North Carolina Department of Transportation. On information and belief, the trip generation estimate provided to NCDOT is dated November 9, 2015 and analyzes the traffic impact of a "special events" and "retreat center." On information and belief, the driveway permits sought were for two driveways in approximately the same locations as the denied Class B Special Use Permit Application.

On March 16, 2016, SPG filed a new building permit application. The March application had been changed to describe the project as "barn for agricultural use, including but not necessarily limited to, the storage and processing of agricultural products and equipment; agritourism such as educational workshops, school field trips, weddings, retreats and farm dinners, and support for all other activities related and incidental to the operation of a farm." Where "assembly" had been checked for the proposed use in the January application, "utility and miscellaneous" was checked in the March application with "farm use" written beside it.

The application for the denied Class B Special Use Permit, the January 5, 2016 application for building permit and the March 10, 2016 application for building permit each describe the land disturbance as 85,000 square feet. The building cost listed in the January 2016 and March 2016 building permit applications is \$734,988.75. The heating and air conditioning cost listed is \$74,615.00 (7 electric heating and cooling units are planned). The January 5, 2016 and March 10, 2016 applications for building permit identify the building size as 3,996 square feet with a 658 foot loft, consistent with the 4,200 square foot building described in the denied Class B Special Use Permit Application.

On information and belief, in or around February 2016, SPG applied to Orange County Environmental Health for a wastewater system to serve an event center for 250 guests and 10 staff members (a daily design flow of 2,750 gallons). The design required 82,500 square feet of suitable soil area but only 50,000 square feet were available. On information and belief, a Wastewater System Construction Authorization was issued May 12, 2016 for an event center with 3 events per week for 250 people per day plus a staff of 10 and for a staff of 5 for 4 days per week for non-events. The Wastewater System Construction Authorization includes a septic tank, pump tank and a grease trap with a 2,500 gallon septic tank to serve only kitchen waste.

A review of the materials submitted for the building permit issued by Orange County reveals virtually the same design as the wedding and special event venue denied by the Board of Adjustment. Having been informed by Orange County to proceed with a special use permit, having done so without appeal, having had its application denied and having taken no appeal, SPG is estopped from presenting the same plans to Orange County purportedly as a farm building. The proposal is not exempt from the requirements of the Orange County Unified Development Ordinance.

The Orange County Unified Development Ordinance Prohibits
SPG From Applying for a Building Permit After Denial of
Its Application for a Class B Special Use Permit.

Section 2.2 of the Orange County Unified Development Ordinance addresses applications under the Ordinance. Section 2.2.7 and 2.2.8 set forth Orange County's prohibition against the filing of an application for the same or similar project affecting the same property or portion of it for one year after a denial. Section 2.7 of the Orange County Unified Development Ordinance addresses special use permits. For Class B Special Use Permits, the denial decision is delegated by the Board of County Commissioners to the Board of Adjustment. The provisions of 2.2.8 regarding the effect of denial on subsequent applications applies to the denial of SPG's Class B Special Use Permit Application by the Board of Adjustment. The Planning Director erred in accepting two separate applications for a building permit by SPG following the denial of the Class B Special Use Permit Application.

Orange County is Required to Enforce the Orange County
Unified Development Ordinance Regarding Non-Farm Use.

Orange County is required to enforce its Ordinance fairly and equitably. It is required to review building permit applications to determine that the use proposed is not one requiring unattained zoning approvals. Orange County is required to determine the true intent and purpose behind a building permit application.

While N.C.G.S. §153A-340 provides that zoning regulations adopted by counties apply to properties used for bona fide farm purposes in limited ways, N.C.G.S. §153A-340(b)(1) expressly states it is not intended to limit the application of zoning regulations to uses of farm property for non-farm purposes. N.C.G.S. §153A-340 does not exempt non-farm uses on farm property from zoning regulations. It does not exempt non-farm commercial use of property from zoning regulations. It does not exempt non-farm event centers from zoning regulations.

Section 1.1.8 of the Orange County Unified Land Development Ordinance follows N.C.G.S. §153A-340. While its provisions do not apply to property used for bona fide farm purposes (as that term is defined

in the North Carolina General Statutes), the Ordinance applies to non-farm use of farm property.

The March 2016 application for building permit filed by SPG demonstrates (particularly when compared to materials filed with Orange County for the denied Class B Special Use Permit) that the building proposed is a use for a non-farm purpose.

Orange County's reliance on a March 3, 2016 affidavit submitted to by Kara Brewer purporting to claim a bona fide farm exemption is misplaced. Paragraph 3 of the affidavit acknowledges: "non-farm uses are not exempt and I am subject to future zoning enforcement for any non-farm use that does not comply with the Orange County Unified Development Ordinance." The event center proposed is designed and intended for a non-farm use that does not comply with the Orange County Unified Development Ordinance. The affidavit acknowledges such a use is not exempt.

Orange County appears to misinterpret N.C.G.S. 150A-340(b)(2). Non-farm uses are not exempt from zoning regulations even if criteria are met which evidence a bona fide farm. Under N.C.G.S. §150A-340(b)(2)(5) and (6), the exemption applies when the operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction are incident to the farming operation. Even when performed on an actual farm, activities including "agritourism" must be incident to the operation of a farm in order for the exemption from zoning to apply. See, N.C.G.S. §150A-340, N.C.G.S. §106.581.1 and the Orange County Unified Development Ordinance generally and at Article 10.1. SPG is not exempt from zoning because it filed an affidavit suggesting it is operating a "farm" and the weddings and events it proposes are "agritourism." The facts do not show that the event venue is ancillary to a farming operation or is agritourism. The planning supervisor's determination that SPG's building permit application for the same facilities and activities as proposed in the denied Class B Special Use Permit Application is error.

The Planning Director Erred in Interpreting the Orange County Unified Development Ordinance, the Provisions of N.C.G.S. §153A-340 and Other Applicable Law in Determining that No Zoning Approval of SPG's Building permit was Required.

The Planning Director erred in interpreting the Orange County Unified Development Ordinance, including but not limited to, Sections 1.1.8, 2.7, 2.2.8 and 10.1. The Planning Director erred in interpreting the provisions of N.C.G.S. §153A-340 and other applicable statutory and case law in determining no zoning approval was required before SPG was issued a building permit. The Planning Director erred in allowing SPG to file applications for a building permit after denial of its Class B Special Use Permit Application.

Reservation of Rights to Raise Additional Issues.

Under N.C.G.S. §160A-388(b)(8), appellants are not be limited at the hearing of this appeal to matters stated in this notice. Appellants reserved all rights to raise additional issues at the hearing of this matter.

Prayer for Relief.

Because the issuance of a building permit to SPG was erroneous, appellants respectfully pray the Board of Adjustment (1) stay the building permit pending appeal, (2) reverse and vacate the May 16, 2016 decision, and (3) remand this matter to the Planning Director to rescind the building permit issued to SPG.

13460\01\m\002Insert to BOA Application for an Appeal

Attachment 2 - Property Vicinity Map



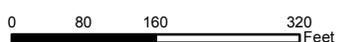
PIN#: 9729507168
 SOUTHEAST PROPERTY GROUP LLC
 82 JORDAN HILLS
 CHAPEL HILL, NC 27517

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections.

- | | | | |
|----------------------------|------------------------|---------------------------------------|--|
| USGS Water Feature | Parcels | Zoning | 100 YR Floodplain (Effective 02/02/07) |
| Soils Survey Water Feature | Township | City Limits | Floodway (Effective 02/02/07) |
| OC Updated Water Feature | School System Boundary | ETJ | 500 YR Floodplain (Effective 02/02/07) |
| Water Body | Contours | Conservation Easements Held by Others | Buildings |
| River Basins | County Boundary | Orange County Conservation Easements | Water and Sewer Boundary |
| Watershed | Soils | | |



1 inch = 212.543 feet

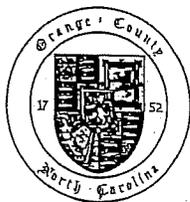


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Required for All Projects

ORANGE COUNTY
CENTRAL PERMITTING
131 W. Margaret Ln., Hillsborough, NC. 27278

BUILDING INSPECTIONS
Phone: 919-245-2600
FAX: 919-644-3347



GENERAL INFORMATION
SHEET

ENVIRONMENTAL HEALTH
Phone: (919) 245-2360
FAX: (919) 644-3006

DATE: 3/10/2014 PIN # 9729507168

Project Address / Location: Morrow Mill Rd

Subdivision: _____ Lot # _____

Water Supply: Public Water Private Well Community Well
Sanitary System: Public Sewer Private Septic Community Septic DWR

OWNER INFORMATION:

Name: Southeast Property Group
Address: 82 Jordan Hills
Chapel Hill NC 27517
Telephone # 919-357-2118 Cell #: _____
E-mail address: Kmbrewer@gmail.com
Signature: Kam Brew

APPLICANT INFORMATION:

Same As Owner
Name: Professional Building Systems Inc
Address: 500 Millstone Dr Suite 101
Hillsborough NC 27278
Telephone # 919 732 5497 Cell #: 919 418 2976
E-mail address: mike@probuiltplus.com
Signature: JPNCO

PROJECT DESCRIPTION: Barn for Agricultural use, including, but not necessarily limited to, the storage and processing of agricultural products and equipment; agritourism such as educational workshops, school field trips, weddings, retreats, and farm dinners; and support for all other activities related and incidental to the operation of a farm.

| | | |
|--|--------------------------------|------------------------|
| For Office Use Only CB # <u>B16-00020</u> | IP # <u>IP16-00001</u> | CA # <u>CA16-00001</u> |
| Erosion Control # _____ | Well Permit # <u>W16-00002</u> | XS# _____ |

DOCUMENTS REQUIRED TO OBTAIN RESIDENTIAL BUILDING PERMITS

The following information will be needed to process your application.

- 1) **Authorization to Construct Septic System/Existing Systems Inspection**
 - (a) If you have a private septic system, contact the Orange County Environmental Health Department at 131 W Margaret Lane, Suite 100, Hillsborough, N.C. 919- 245-2360
 - (b) If on city sewer or community septic system "Authorization to Construct" is not required.
 - (c) If you have an existing system an "Existing Systems Inspection" will be required from Environmental Health.
- 2) **Must-submit (1) set of Building plans (drawn to scale), MIRROR IMAGE NOT ACCEPTED,**
Include the Following:
 - (a) Foundation plan (cross-section of footing and foundation).
 - (b) Floor plan, fully dimensioned, with all rooms identified
 - (c) Wall cross-sections, showing all framing details, insulation information, etc
 - (d) Wall bracing methods, lengths and locations (to be depicted on separate detail)
 - (e) Framing Plans, (floors & roof); including: roof & foundation ventilation calculations and truss, LVL, and TJI layout/engineering.
 - (f) Building elevations (front view, rear view, left and right view)

Any deviation from approved plans will require additional review and update of permit fees
- 3) **Site Plan: 2 copies – drawn to scale (see example) should include the following:**
Not required if going in a Mobile Home Park
 - (a) Property lines and dimensions
 - (b) Easements, streams, creeks, rights-of-way
 - (c) Existing structures (house, garage, shed, pool, etc.) on the lot
 - (d) Distance from proposed structure to the property line (measured from right of way not edge of road)
 - (e) North arrow
 - (f) Location of driveway, parking areas, sidewalks and patios
- 4) **Worker's Compensation Insurance:** If Cost of Construction is \$30,000 or more, documentation showing proof of Workman's Compensation insurance for the General Contractor is required.
- 5) **The Completed Application Questionnaire**
 - (a) Fill in all applicable spaces
 - (b) Be sure to provide contractors company name, city from which they operate, license number and signature. All contractor information must be supplied before work in that trade can begin.
 - (c) If your project involves a Home Occupation you will need to obtain a Home Occupation Permit from the Current Planning Division before you can operate from your home.
 - (d) If your property lies within the town limits or the extraterritorial jurisdiction of Hillsborough you will need a zoning permit from them at 101 E. Orange St., before the building permit can be issued.
Town of Hillsborough: (919) 732-1270.
- 6) **Tax Moving Permit** (not needed if buying off the dealer's lot). This is obtained from the tax office in the county where the home is currently located.

*Within the State of North Carolina, a moving permit for a Manufactured Home must be obtained from the tax office in the jurisdiction in which the home is located. This must be done before the home is moved to property or a park in Orange County. **ATTACH A COPY OF THE MOVING PERMIT TO THIS APPLICATION.***

IMPORTANT: If a person commences any work on a building or service system before obtaining the necessary permits they shall be subject to penalty as established by the local governing body [G.S. 153A-354, 160a-114]. In Orange County the permit fees will be doubled if work has begun with no permits.

Required for All Projects

CONTRACTOR INFORMATION SHEET

SIGNATURES OF CONTRACTORS REQUIRED.

FAX to Orange County Building Inspections—919-644-3347

Inspection results will be e-mailed to respective contractor if e-mail address is supplied.

PERMIT NUMBER: CB16-00020 ADDRESS: _____

CHANGE OF CONTRACTOR (Written approval required by permit holder)

General Contractor: Professional Building Systems Inc License Number 35341
 Address 303 Millstone Dr Suite 101 City/State/Zip Hillsborough NC 27228 Class U
 Contact Person Mike Porco E-mail: mike@prbuilfplus.com Telephone 919 418 2976
 Contractor Signature: [Signature] Fax: 919 732 5497

Electrical Contractor: 3103 HAI Siler Drive License Number 11335-
 Address PR FAULK Elect City/State/Zip Sanford NC 27332 Class U
 Contact Person MIKE LASSITER E-mail: MLassiter@prfaulkelectric.com Telephone 919 775 1990
 Contractor Signature: _____ Fax: 919 775 1841

Plumbing Contractor: Goodrich Plumbing License Number 23484
 Address 274 Meadow Branch Rd City/State/Zip Pittsboro, NC 27312 Class 1
 Contact Person: Brad Goodrich E-mail: 1goodrichplumbing@gmail.com Telephone 919-270-8527
 Contractor Signature: [Signature] Fax 919-966-7941
NOTE: SPH license only allows wiring from pump or pressure switch at tanks. Please supply info on licensed electrician that will be wiring switch if not the electrician listed under Electrical Contractor above.

Mechanical Contractor: Comfort Engineers Inc License Number 9342
 Address PO Box 2955 City/State/Zip Durham NC, 27715 Class P, H1, H2 & H31
 Contact Person MIKE GARRARD E-mail: _____ Telephone 919 383 0158
 Contractor Signature: _____ Fax: 919 383 0212
NOTE: SPH license only allows wiring from disconnect to HVAC unit. Please supply info on any additional electrical work being performed if other than the electrician listed under Electrical Contractor above

Alarm System Installer: License Number _____
 Address _____ City/State/Zip _____
 Contact Person _____ E-mail: _____
 Telephone _____
 Contractor Signature: _____ Fax: _____

Sprinkler System Installer: License Number _____
 Address _____ City/State/Zip _____
 Contact Person _____ E-mail: _____
 Telephone _____
 Contractor Signature: _____ Fax: _____

Required for All Projects

PROJECT INFORMATION

Please Complete All Applicable Sections

2. Business name BARN for agricultural use, including agritourism

3. Project square footages: 1st floor 3996 2nd floor _____ 3rd Floor _____ Loft 658
Mezzanine

4. Type of Construction: IA IB IIA IIB IIIA IIIB IV VA VB
 Modular off frame Modular on frame

5. FIRE PROTECTION:

Submittal requirements: All design drawings are required to be sealed by a NC licensed professional engineer or a NC licensed Fire Sprinkler contractor as permitted by NC General Statutes. All submittals require (1) full size set of shop drawings & (2) half size sets.

Sprinkler Systems/Standpipe/Fire Pump: Hydraulic calculations and a current (<12 month) water flow test-include fire pump test when applicable

Fire Alarm Systems: Submittals shall comply with current NC State Building Code: Fire Prevention Code

Clean Agent/Dry Chemical/CO2/Inert Gas/AES: A current manufacturer's issued certification for the installer

AST/UST: Cut sheets for tank(s) and MSDS for product

Type of Fire Protection System: _____ New installation _____ Renovation/Modification of Existing _____ Removal Of System

_____ Fire Alarm _____ Sprinkler/Standpipe/Fire Pump _____ AST/UST
_____ Clean Agent System _____ Dry Chemical System _____ Commercial Cooking System (AES)
_____ CO2/Inert Gas

Responsibility: The following are responsible for submitting plans, information specifications, etc. that are in compliance with all applicable codes, standards and NC General Statutes: 1) applicant 2) architect 3) engineer 4) owner

Approvals by Orange County Fire Marshal's Office at the time of plan review, even if in error or omission of a specific requirement, do not relieve the aforementioned of responsibility to correct such an error or omission prior to the final inspection and/or acceptance by the Orange County Fire Marshal's Office.

6. MECHANICAL

What type of heating/cooling system will be installed?

_____ Gas _____ Natural Gas _____ LP
_____ Oil _____ Electric _____ Other (specify) _____
How many units? 7

Will commercial ventilation and exhaust system be installed? _____ Yes No (Includes fans, blowers and duct system for removal of dust, gases)

If yes, specify the number of units and type _____

7. ELECTRICAL

Name of Power Company serving property: Piedmont (REA) Duke Durham Duke Burlington
(Please circle one)

What type of electrical system is being installed? 600 amp 1 phase
What is the cost of electrical work? 74,615.00

_____ Extend existing wiring
_____ Adding additional electrical fixtures and/or outlets
_____ generator: _____ amps _____ KW's
_____ Service change from _____ amp to _____ amp

Will a temporary electrical service pole be needed (saw service)? Yes _____ No

8. **PLUMBING** adding new fixtures replacing fixtures adding new lines /drains replacing lines/drains

9. What is the total cost of construction for project including labor and materials (exclude cost of land)? 734,988.75

PROJECT INFORMATION
Please Complete All Applicable Sections

1. Existing Use : _____

Example:

Existing: Mercantile

Proposed Use: _____

Proposed: Institutional

Classification by USE and OCCUPANCY (Determine appropriate classification and check space beside description):

ASSEMBLY Groups A-1, A-2, A-3, A-4 and A-5

Use of building or structure, or portion thereof, for the gathering of persons for purposes such as civic, social or religious functions, recreation, food or drink consumption or awaiting transportation. A-1 Uses with fixed seating, such as Motion picture theatres, television and radio shows admitting an audience or theaters. A-2 Uses intended for food and/or drink consumption, such as: banquet halls, nightclubs, restaurants, taverns and bars. A-3 Uses intended for worship, recreation, or amusement. A-4 Uses intended for indoor sporting events, with spectator seating. A-5 Uses intended for participation in or viewing outdoor activities: such as, bleachers, grandstands or stadiums.

BUSINESS

Use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts.

EDUCATIONAL

Use of building or structure or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade. Day Care classified as Educational if providing supervision, education or personal care for more than five children but less than 100, older than 2 1/2 years of age, located on the level of exit discharge with exits direct to the exterior.

FACTORY Groups F, F-1, F-2

F - Use of building or portion thereof for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations not classified as Hazardous Occupancy. F-1 Moderate-Hazard Occupancy, uses such as Aircraft, Woodworking etc., F-2 Low-Hazard Occupancy, uses such as manufacturing of nonalcoholic beverages, brick and masonry and ice.

HIGH-HAZARD Groups H-1, H-2, H-3, H-4 and H-5

Use of building or structure or portion thereof, that involves the manufacturing, processing, generation or storage of materials that contain a physical or health hazard in quantities in excess of those found in Tables 307.7(1) and 307.7(2). Also, see definition of "control area".

INSTITUTIONAL Groups I-1, I-2, I-3, I-4

Use of a building or structure, or portion thereof, in which people having physical limitations because of health or age are harbored for medical treatment or other care or treatment, or in which people are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. I-4 Use of building or structure occupied by persons of any age who receive custodial care for less than 24 hours by individuals not related and not in private home of person cared for. Places of worship during religious services not included.

MERCANTILE Group M

Buildings and structures or a portion thereof, for the display and sale of merchandise, and involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public. Mercantile occupancies shall include, but not be limited to Department Stores, Drug Stores, Markets, Motor Vehicle Service Stations, Retail or Wholesale Stores and Sales Rooms.

RESIDENTIAL Groups R-1, R-2, R-3, R-4

Use of a building or structure, or a portion thereof, for sleeping accommodations when not classed as an Institutional Group 1. R-1 residential occupancies where the occupants are primarily transient in nature (less than 30 days) including Boarding Houses (transient) and Hotels (including motels); R-2 residential occupancies containing more than two dwelling units where the occupants are primarily permanent in nature, including Apartment house, Boarding houses (not transient), Convents, Dormitories, Fraternities and sororities. R-3 residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2 or I and where buildings do not contain more than two dwelling units, or adult and child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours. R-4 residential occupancies shall include building arranged for occupancy as Residential Care/Assisted Living Facilities, or adult and child day care facilities that provide accommodation in a residence occupied as a home by the caregiver for persons of any age for less than 24 hours, including more than five but not more than 16 occupants, excluding staff.

STORAGE Groups S, S-1, S-2

Group S, use or building or portion thereof, for storage not classified as a hazardous occupancy. S-1 Uses for storage such as aerosols, clothing, furniture and motor vehicle repair garages. S-2 uses of buildings for the storage of noncombustible materials such as products on wood pallets or in paper cartons, glass bottles, alcoholic beverages up to 12%, food products or appliances.

UTILITY AND MISCELLANEOUS FARM Use

Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy such as: aircraft hangars, agricultural buildings, greenhouses, tanks, etc.

Required for Projects \$30,000 and Above

ORANGE COUNTY BUILDING INSPECTIONS
Daniel H. Bruce, Chief Building Official



(919) 245-2600
(919) 644-3347 (FAX)
www.co.orange.nc.us

131 West Margaret Lane
Suite 101
Hillsborough,
North Carolina, 27278

AFFIDAVIT OF WORKERS' COMPENSATION COVERAGE
N.C.G.S. §87-14

The undersigned applicant for Building Permit # _____ being the

- Contractor
- Owner
- Officer/Agent of the Contractor or Owner

do hereby aver under penalties of perjury that the person(s), firm(s) or corporation(s) performing the work set forth in the permit:

- has/have three (3) or more employees and have obtained workers' compensation insurance to cover them
- has/have one or more subcontractor(s) and have obtained workers' compensation insurance covering them,
- has/have one or more subcontractor(s), who has/have their own policy of workmen's compensation covering themselves.
- has/have not more than two (2) employees and no subcontractors,

while working on the project for which this permit is sought. It is understood that the Inspections Department issuing the permit may require certificates of coverage of workers' compensation insurance prior to issuance of the permit and at any time during the permitted work from any person, firm or corporation carrying out the work.

Firm name: Professional Building Systems Inc

By: Michael Porco MP

Title: President

Date: 3.10.16

92
CB16-00020

Orange County Inspections Department

STATE OF NORTH CAROLINA
ORANGE COUNTY

BONA FIDE FARM EXEMPTION AFFIDAVIT
PURSUANT TO N.C.G.S. 153-340(b)

Address/PIN of Property where Building will be Constructed or Altered: 9729507168

For Building Permit purposes, I hereby claim an exemption under N.C.G.S. § 153-340(b) from possessing a Zoning Compliance Permit (required Orange County UDO § 2.4.1) through the following:

1. I certify that the property is a bona fide farm because I possess:

- a. a farm sales tax exemption certificate issued by the Department of Revenue.
- b. the property tax listing showing that the property is eligible for participation in the present use value program pursuant to N.C.G.S. § 105-277.3.
- c. the farm owner/operator's Schedule F from the most recent federal income tax return.
- d. a forest management plan.
- e. a Farm Identification Number issued by the USDA Farm Service Agency.

2. I certify that the building's bona fide farm purpose performed on the farm will be:

- a. the production and activities relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, or poultry.
- b. some other form of agriculture, as defined in N.C.G.S. § 106-581.1 including:
 - i. the cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.
 - ii. the planting and production of trees and timber.
 - iii. dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing.
 - iv. aquaculture as defined in N.C.G.S. § 106-758.
 - v. the operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.
 - vi. the marketing and selling of agricultural products, agritourism, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on the farm, and similar activities incident to the operation of a farm.
 - vii. a public or private grain warehouse or warehouse operation where grain is held 10 days or longer and includes, but is not limited to, all buildings, elevators, equipment, and warehouses consisting of one or more warehouse sections and considered a single delivery point with the capability to receive, load out, weigh, dry, and store grain.

3. I understand that nonfarm uses are not exempt and that I am subject to future zoning enforcement for any nonfarm use that does not comply with the Orange County Unified Development Ordinance.

Kara Brewer (Signature)
Kara Brewer (Printed Name)
3/3/2016 (Date)

BREWER BARN CHAPEL HILL, NORTH CAROLINA

PROJECT TEAM:

DESIGN & CONSTRUCTION CONSULTANT
HERITAGE RESTORATIONS

CONTACT - GREG GODSEY 877-354-2276 (GREG@HERITAGEBARN.S.COM)

ARCHITECT - JAMES M. KISTLER

CONTACT - JAMES M. KISTLER 210-872-0737 (JIM@HERITAGEBARN.S.COM)

STRUCTURAL ENGINEER - ECS MID-ATLANTIC, LLC.

CONTACT - MICHAEL J. SLADKI 703-471-8400 (MSLADKI@ECSLIMITED.COM)



The Brewer Barn is a farm building constructed for bona fide farm purposes, including, but not necessarily limited to, the storage and processing of agricultural products and equipment; Agritourism such as educational workshops, school field trips, weddings, retreats, and farm dinners; and support for other activities related and incidental to the operation of a farm.

DRAWING INDEX:

- A000 COVER SHEET
- A100 BUILDING CODE & EGRESS
- A101 GENERAL NOTES
- A200 FOUNDATION PLAN
- A201 FIRST FLOOR PLAN
- A202 MEZZANINE PLAN
- A203 ROOF PLAN
- A204 DOOR & WINDOW SCHEDULE
- A205 ADD ALTERNATE PLANS
- A206 MECHANICAL ATTIC PLAN & SECTION
- A301 ELEVATION
- A302 ELEVATION
- A303 BUILDING SECTIONS
- A401 REFLECTED CEILING PLAN
- A402 REFLECTED CEILING PLAN
- A403 ADD ALTERNATE REFLECTED CEILING PLANS
- A501 WALL SECTIONS
- A502 CUPOLA DETAILS
- A503 WALL SECTIONS
- A504 AWING DETAILS
- S100 STRUCTURAL NOTES
- S200 FOUNDATION PLAN
- S201 MEZZANINE FRAMING PLAN/DETAILS
- S202 MEZZANINE FRAMING PLAN/DETAILS
- S501 FOUNDATION DETAILS

APPR. DVED
ORANGE COUNTY BUILDING INSPECTIONS
James M. Kistler
CODE ENFORCEMENT OFFICIAL
3-15-2016
DATE
C1516-00080
PERMIT NUMBER
FIELD COPY

BREWER BARN
CHAPEL HILL, NORTH CAROLINA
C1516-00080

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #4 | 11/4/15 |
| 4 | REVISION #5 | 2/15/16 |

REVISION
6
DATE 160215

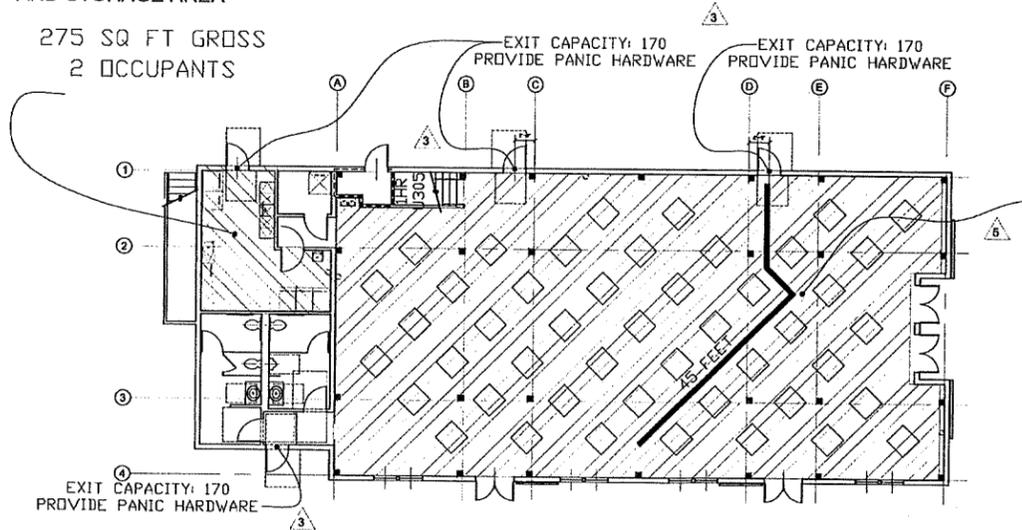
JAMES M. KISTLER
REGISTERED ARCHITECT
12970
FEB. 15, 2016

COVERSHEET
A000
DESIGN BY: JMK
DRAWN BY: JMK

Heritage RESTORATIONS
311 EAST CHAMBERLAIN RD.
WACO, TX 76703
TEL: 314-872-1190
FAX: 314-872-1194
WWW.HERITAGEBARN.S.COM

PREP, PROCESSING, PACKAGING
AND STORAGE AREA

275 SQ FT GROSS
2 OCCUPANTS



1 FIRST FLOOR
Scale: 3/32" = 1'-0"

3050 SQ FT NET
204 OCCUPANTS
SEATING SHOWN FOR 184

LAYOUT PROVIDED TO ILLUSTRATE AN
AGRITOURISM FLOOR PLAN.

TYPICALLY, THE OCCUPANCY OF THIS FARM
BUILDING WILL BE LESS THAN (10) PERSONS.
DURING AGRITOURISM EVENTS, THE EXPECTED
OCCUPANCY IS BETWEEN 15 AND 250 PERSONS.

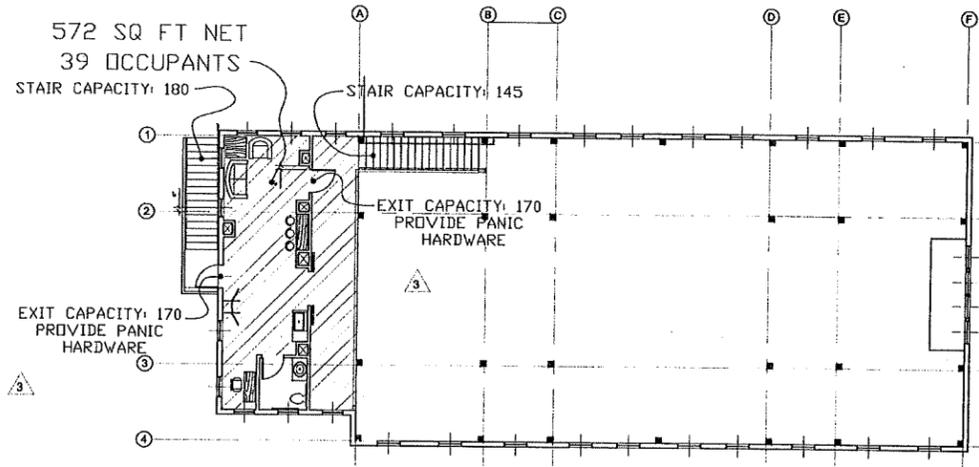
Event Calculation

CODE INFORMATION

- APPLICABLE CODES:
- NORTH CAROLINA STATE BUILDING CODE, 2012
 - NORTH CAROLINA STATE BUILDING CODE: ENERGY CONSERVATION CODE, 2012
 - NORTH CAROLINA STATE PLUMBING CODE, 2012
 - NORTH CAROLINA STATE MECHANICAL CODE, 2012
 - NATIONAL ELECTRICAL CODE, 2011
 - ICC/ANSI A117.1-2009 (ACCESSIBLE AND USABLE FACILITIES & BUILDINGS)
 - NORTH CAROLINA FIRE CODE, 2012
 - ADA, AMERICANS WITH DISABILITIES ACT OF 1990
 - ORANGE COUNTY, NORTH CAROLINA ORDINANCE

FARM OFFICE/AUXILIARY AREA

572 SQ FT NET
39 OCCUPANTS



2 Office Loft
Scale: 3/32" = 1'-0"

| | |
|---|--|
| AREAS: | FIRST FLOOR = 3996 GROSS SF |
| | OFFICE LOFT = 658 GROSS SF |
| MAXIMUM OCCUPANCY: | FIRST FLOOR 3050 @ 15 SF/OCCUPANT = 204 |
| | 238 @ 200 SF/OCCUPANT = 2 |
| | OFFICE LOFT 572 @ 15 SF/OCCUPANT = 39 |
| TOTAL OCCUPANCY: | 245 |
| EGRESS CAPACITY: | 660 (EXCLUDES DOOR @ PREP/PROCESSING AREA) |
| CONSTRUCTION TYPE: | VB |
| MAXIMUM ALLOWABLE COMMON PATH OF EGRESS TRAVEL: | 30 FT |
| ACTUAL COMMON PATH OF EGRESS TRAVEL: | 0 FT |
| MAXIMUM ALLOWABLE TRAVEL DISTANCE: | 200 FT |
| ACTUAL TRAVEL DISTANCE: | 45 FT |



BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|----------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #3 | 10/27/15 |
| 4 | REVISION #4 | 2/8/16 |
| 5 | REVISION #5 | 2/15/16 |

REVISION
6
DATE: 160215



SHEET TITLE
A100
DESIGN BY: JMK
DRAWN BY: JMK

GENERAL NOTES

1. GENERAL NOTES APPLY TO ALL DRAWINGS
2. CONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS (I.E. EXISTING MATERIALS, FRAMING MEMBER SIZES AND LOCATIONS, METHODS OF CONSTRUCTION). IF DISCREPANCIES ARE FOUND, NOTIFY ARCHITECT BEFORE PROCEEDING WITH WORK.
3. UNLESS OTHERWISE NOTED, ALL DETAILS, SECTIONS AND NOTES SHOWN ON THE CONTRACT DRAWINGS ARE INTENDED TO BE TYPICAL AND SHALL APPLY TO SIMILAR CONDITIONS ELSEWHERE.

DIMENSIONING

4. DRAWING SCALE: MODERN REPROGRAPHIC TECHNIQUES MAY RENDER DRAWINGS DIFFERENTLY THAN THE INTENDED PRINTED SCALE. THEREFORE, DO NOT RELY UPON THE SCALE OF DRAWINGS. CONTACT THE ARCHITECT FOR REQUIRED DIMENSIONS THAT ARE NOT PROVIDED HEREIN.
 - 4.1. DIMENSIONS ARE TO FINISHED FACE OF WALL UNLESS NOTED OTHERWISE.
5. CODE COMPLIANCE: PERFORM ALL WORK IN STRICT ACCORDANCE WITH APPLICABLE LAWS, CODES, AND ORDINANCES.
6. DISCREPANCIES: THE GENERAL CONTRACTOR SHALL PROMPTLY NOTIFY THE ARCHITECT OF IDENTIFIED DISCREPANCIES.

CONTRACTOR RESPONSIBILITIES

7. CONTRACTOR IS REQUIRED TO SCHEDULE AND SUBMIT FEES FOR ALL REQUIRED INSPECTIONS
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF AND THE SAFETY IN AND AROUND THE JOB SITE AND OF ADJACENT PROPERTIES.
9. PERMITS: THE GENERAL CONTRACTOR SHALL SECURE NECESSARY AND REQUIRED PERMITS AND APPROVALS FROM JURISDICTIONAL AUTHORITIES PRIOR TO COMMENCING THE WORK. THIS REQUIREMENT SHALL APPLY TO ON-SITE AND OFF-SITE WORK.
 - 9.1. CONTRACTOR SHALL PAY ALL PERMIT FEES.
 - 9.2. CONSTRUCTION LOADS: THE GENERAL CONTRACTOR SHALL NOT LOAD NEW OR EXISTING CONSTRUCTION BEYOND ITS DESIGN CAPACITY WITH STORED MATERIAL, CONSTRUCTION EQUIPMENT, OR SIMILAR ITEMS.
10. WOOD IN CONTACT WITH CONCRETE/MASONRY: ALL WOOD IN CONTACT WITH CONCRETE OR MASONRY CONSTRUCTION SHALL BE PRESSURE TREATED.
11. GENERAL SEALANTS: CONTINUOUSLY SEAL PERIMETER OF ALL DOOR AND WINDOW FRAMES, MILLWORK, TRIM, CABINETS, AND SIMILAR FIXED CONSTRUCTION. ALL CONTROL AND EXPANSION JOINTS SHALL BE CONTINUOUSLY SEALED, BOTH SIDES OF JOINT.
12. MANUFACTURER'S SPECIFICATIONS FOR INSTALLATION OF MATERIALS SHALL BE FOLLOWED.
13. PROTECT NEW WORK DURING THE CONSTRUCTION PERIOD. REPAIR ALL EXISTING CONSTRUCTION AFFECTED BY NEW WORK TO ITS ORIGINAL CONDITION. REPAIR DAMAGES AT NO ADDITIONAL COST TO THE OWNER.
14. KEEP THE SITE AND BUILDING REASONABLY CLEAN AND DUST FREE DURING WORK HOURS AND LEGALLY DISPOSE OF ALL RUBBISH DAILY.
15. CONSTRUCTION MATERIALS SHALL BE STORED ON DUNNAGE, PROTECTED FROM WEATHER, AND PROPERLY SECURED AT ALL TIMES.
16. CONTRACTOR SHALL MAINTAIN THE IMMEDIATE CONSTRUCTION SITE IN A SECURE, CLEAN AND SAFE MANNER.
17. COORDINATE EXACT LOCATIONS OF PLUMBING SERVICES WITH LOCAL UTILITY COMPANY.
18. PROVIDE ADA COMPLIANT FIXTURES WERE SHOWN ON PLANS.
19. ALL PIPING TO BE CONCEALED. PROVIDE WALL CAVITIES AS REQUIRED, INSULATION AS REQUIRED, AND APPROPRIATE INSTALLATION FOR UNDERGROUND PIPING.
20. KITCHEN EXHAUST HOOD SHALL BE PROTECTED WITH AN APPROVED FIRE-EXTINGUISHING SYSTEM INSTALLED IN ACCORDANCE WITH THE INTERNATIONAL FIRE CODE 2012
21. MEANS OF EGRESS ILLUMINATION LEVEL SHALL NOT BE LESS THAN 1 FOOTCANDLE (11 LUX) AT THE WALKING SURFACE AND SHALL MEET THE REQUIREMENTS IN THE INTERNATIONAL BUILDING CODE 2012 SECTIONS 1006.1 THROUGH 1006.3.

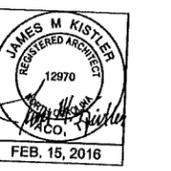
22. DOORS DESIGNATED AS ACCESSIBLE MEANS OF EGRESS SHALL BE EQUIPPED WITH PANIC HARDWARE OR FIRE EXIT HARDWARE
23. EXIT SIGNS SHALL BE INTERNALLY OR EXTERNALLY ILLUMINATED AND COMPLY WITH INTERNATIONAL BUILDING CODE, 2012, SECTION 1011
24. OPENINGS FOR UNDERFLOOR VENTILATION SHALL HAVE A MINIMUM COMBINED AREA OF NOT LESS THAN 1 SQUARE FOOT PER 1500 SF OF FLOOR AREA. GROUND SURFACE SHALL BE COVERED WITH A CLASS I VAPOR BARRIER. OPENINGS FOR UNDERFLOOR VENTILATION SHALL BE PROVIDED TO THE INTERIOR AND MECHANICAL VENTILATION SHALL ALSO BE PROVIDED BY THE UNDERFLOOR SYSTEM
25. ALL SOIL BENEATH THE BUILDING SHALL BE TREATED WITH TERMITICIDE IN ACCORDANCE WITH STATE REGULATIONS BY A LICENSED APPLICATOR



BREWER BARN
CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #6 | 2/15/16 |

REVISION
6
DATE: 160216



BUILDING CODE
A101
DESIGN BY: JMK
DRAWN BY: JMK

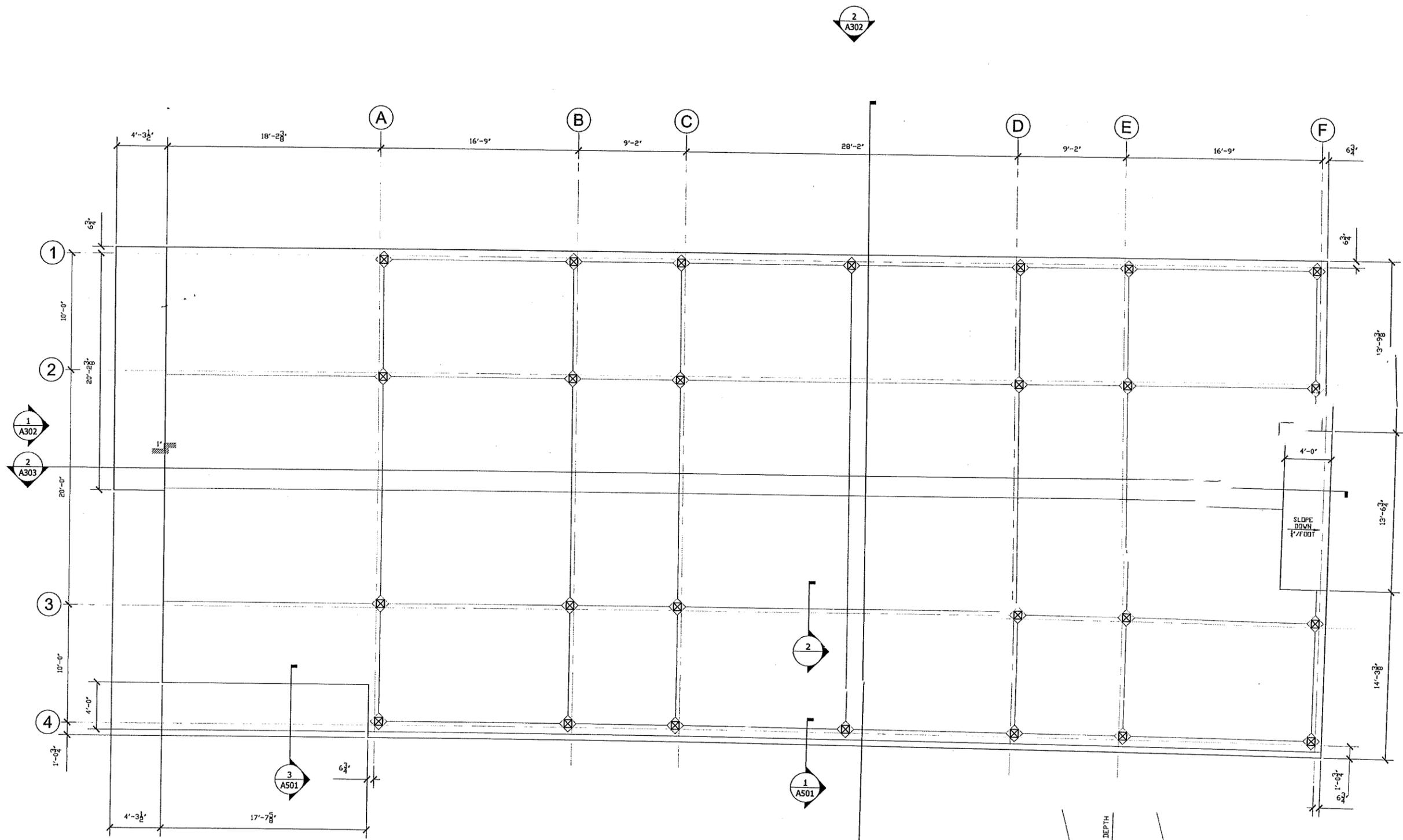
BREWSTER BARN
 CHAPEL HILL, N.C.

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 8/20/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/22/15 |
| 3 | REVISION #6 | 2/15/16 |

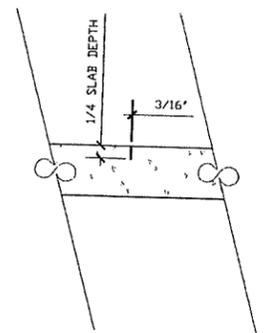
| | |
|----------|--------|
| REVISION | 6 |
| DATE | 160215 |

JAMES M. KISTLER
 REGISTERED ARCHITECT
 12970
 ARCHITECTS & ASSOCIATES, P.C.
 FEB. 15, 2016

SHEET TITLE
A200
 DESIGN BY: JMK
 DRAWN BY: JMK



1 FOUNDATION PLAN
 Scale: 1/4"=1'-0"

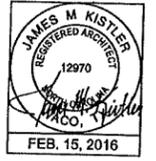


2 CONCRETE CONTROL JOINT
 Scale: 1 1/2"=1'-0"

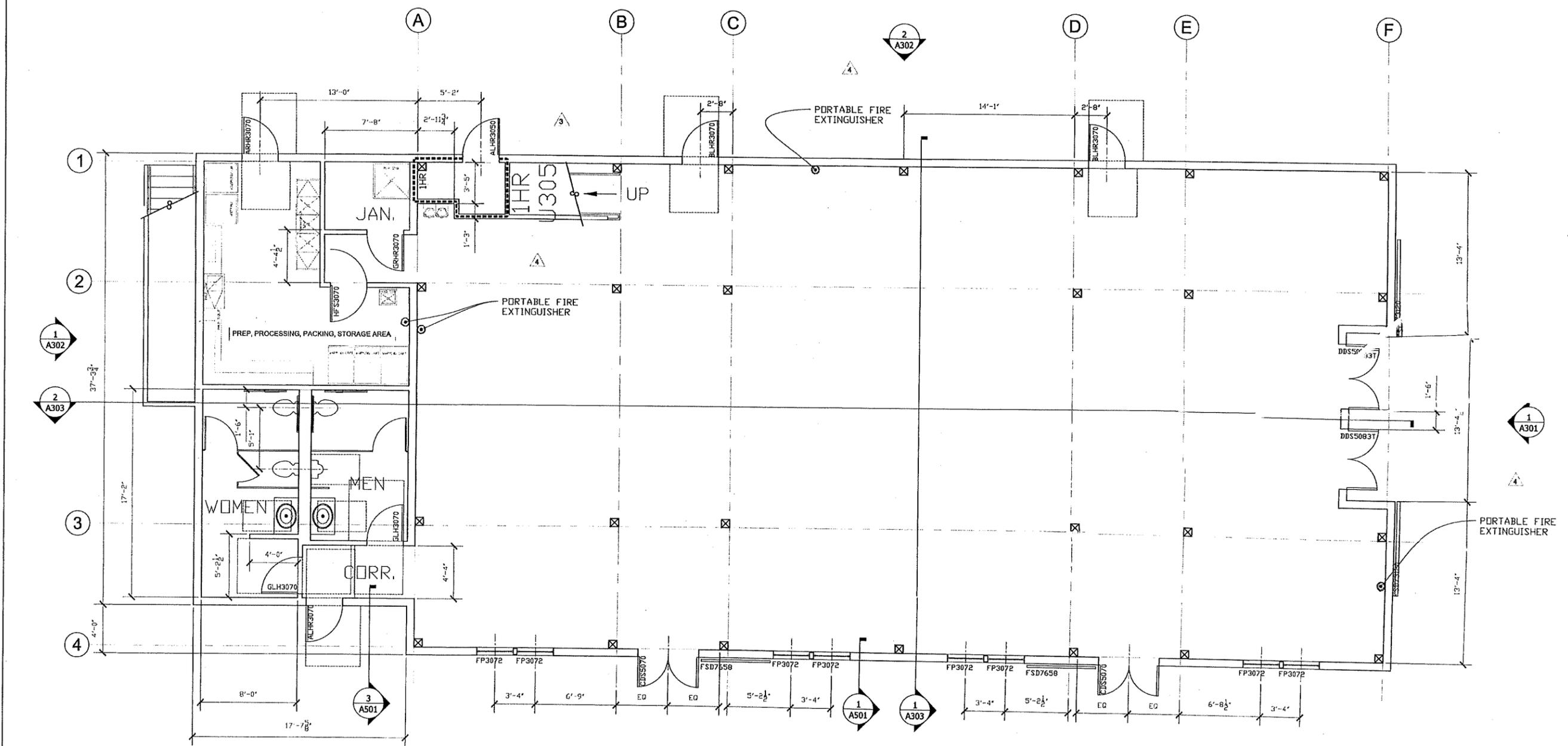
BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|----------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #3 | 10/27/15 |
| 4 | REVISION #5 | 2/8/16 |
| 5 | REVISION #6 | 2/15/16 |

| | |
|----------|--------|
| REVISION | 6 |
| DATE: | 160215 |



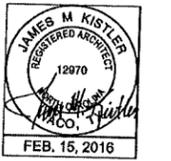
| | |
|-------------|------|
| SHEET TITLE | A201 |
| DESIGN BY: | JMK |
| DRAWN BY: | JMK |



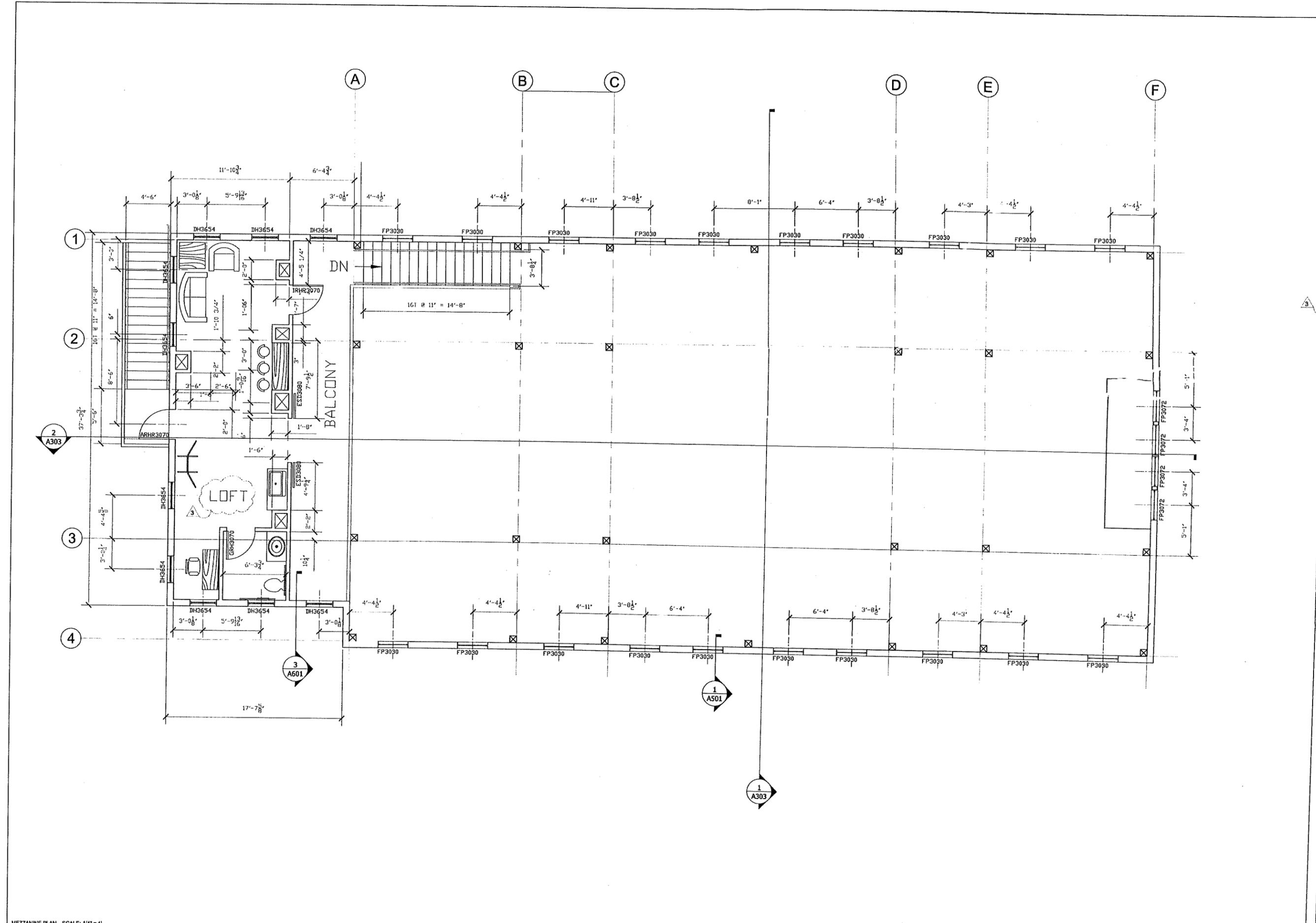
BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #6 | 2/15/16 |

| | |
|----------|--------|
| REVISION | 6 |
| DATE | 160215 |



| | |
|-------------|------|
| SHEET TITLE | A202 |
| DESIGN BY: | JMK |
| DRAWN BY: | JMK |



MEZZANINE PLAN SCALE: 1/4" = 1'

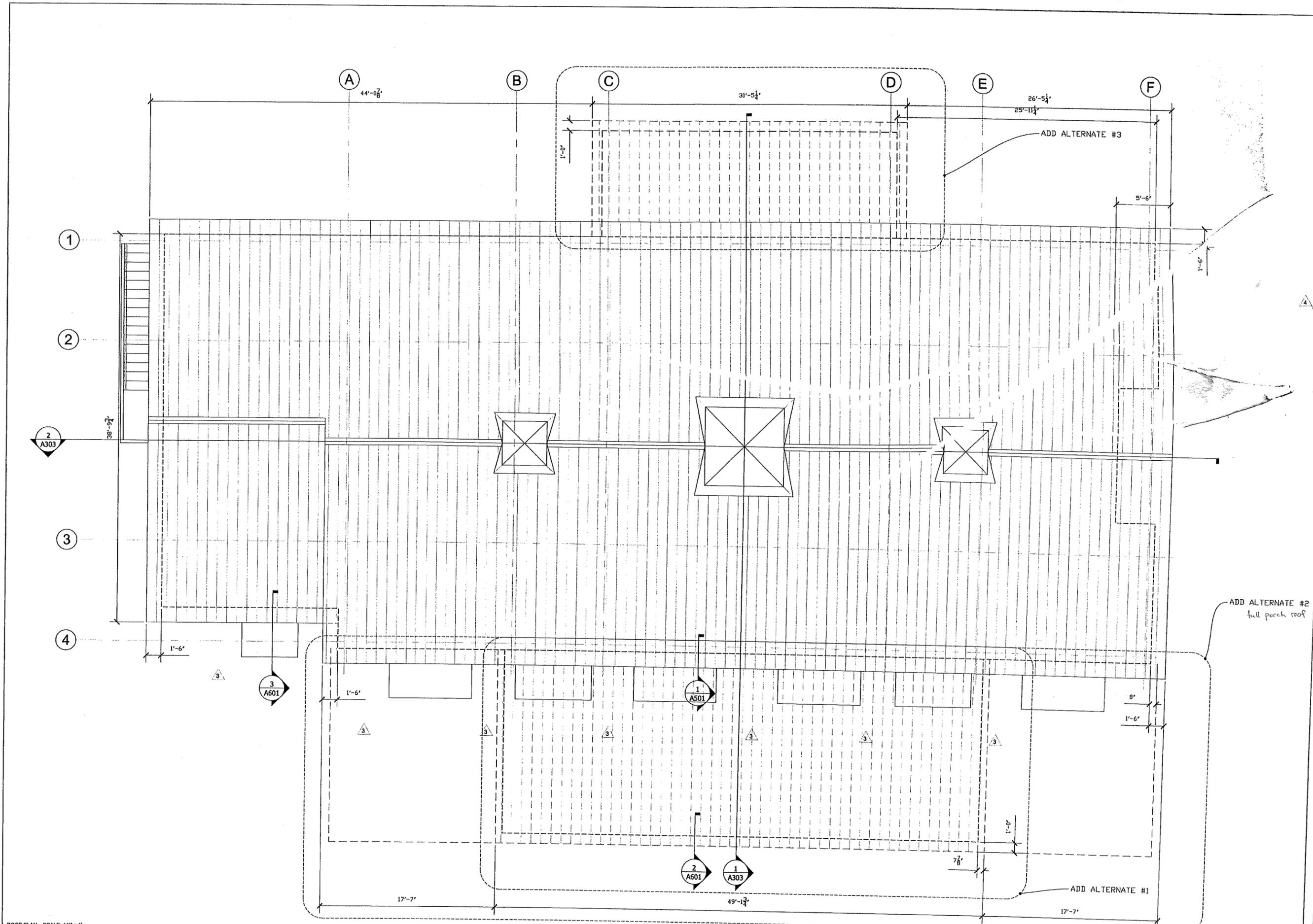
BRUEWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|----------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #3 | 10/27/15 |
| 4 | REVISION #6 | 2/15/16 |

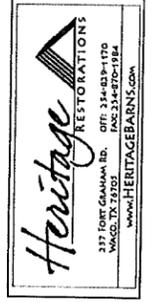
| REVISION | DATE |
|----------|--------|
| 6 | 160215 |



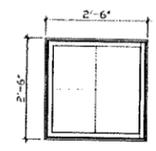
| SHEET TITLE |
|----------------|
| A203 |
| DESIGN BY: JMK |
| DRAWN BY: JMK |



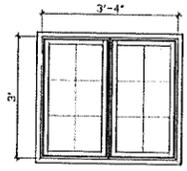
ROOF PLAN SCALE: 1/4" = 1"



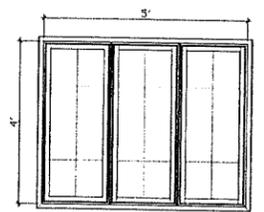
BREWER BARN
CHAPEL HILL, NORTHCAROLINA



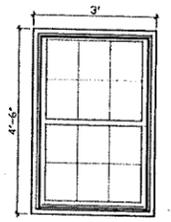
FP3038 LOW-E4
QTY 20 366 GLASS



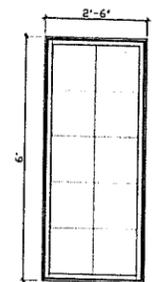
FP4038 LOW-E4
QTY 8 366 GLASS



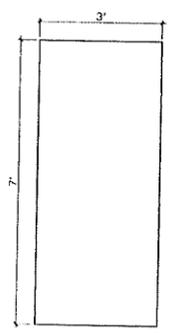
FP6048 LOW-E4
QTY 4 366 GLASS



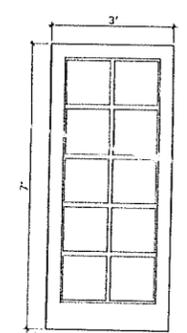
DH3654 LOW-E4
QTY 10 366 GLASS



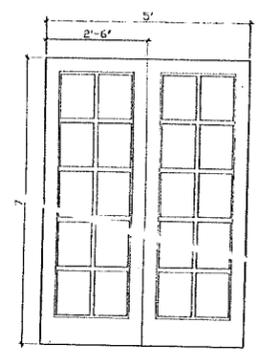
FP3072 LOW-E4
QTY 10 366 GLASS



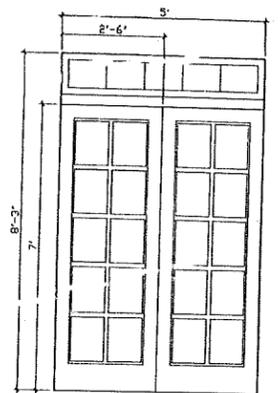
TYPE A
RHR3070
QTY 02
LHR3070
QTY 02



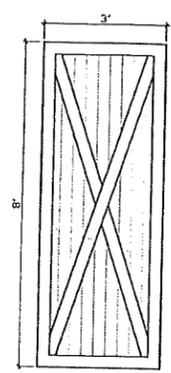
TYPE B
RHR3070
QTY 01
LHR3070
QTY 02



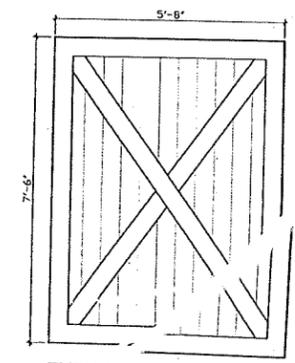
TYPE C
DS5070
QTY 02



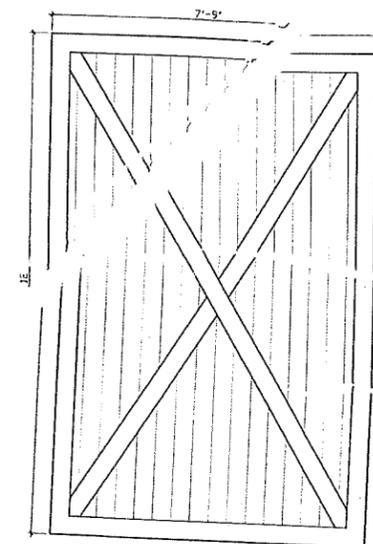
TYPE D
DS5083T
QTY 02



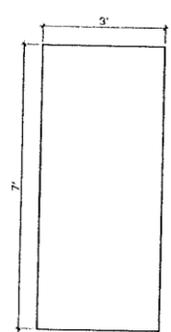
TYPE E
SD3080
QTY 02



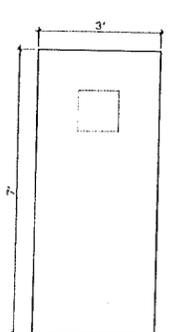
TYPE F
SD73120
QTY 02



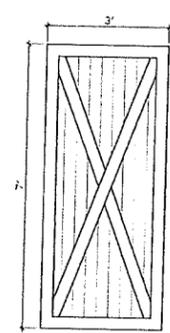
TYPE F
SD73120
QTY 02



TYPE G
RHR3070
QTY 01
RH3070
QTY 01
RH21070
QTY 01
LH3070
QTY 03



TYPE H
F83070
QTY 01

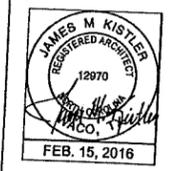


TYPE I
RHR3070
QTY 01

DOOR & WINDOW SCHEDULE SCALE: 1/2" = 1'

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 8/21/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #6 | 2/15/16 |

| | |
|----------|--------|
| REVISION | 6 |
| DATE: | 160215 |



| | |
|-------------|------|
| SHEET TITLE | A204 |
| DESIGN BY: | JMK |
| DRAWN BY: | JMK |

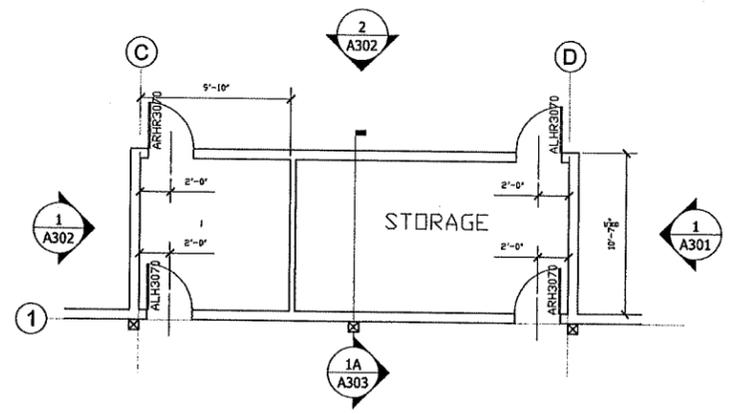
BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 9/22/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #3 | 2/15/16 |

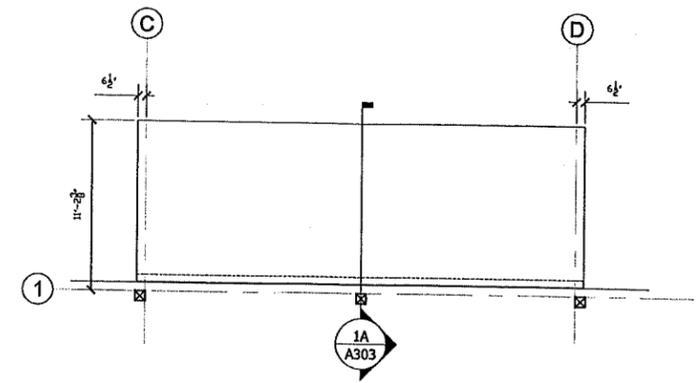
| | |
|----------|--------|
| REVISION | 6 |
| DATE: | 160215 |

JAMES M. KISTLER
 REGISTERED ARCHITECT
 12970
 ARCHITECTS & ASSOCIATES
 CO., P.A.
 FEB. 15, 2016

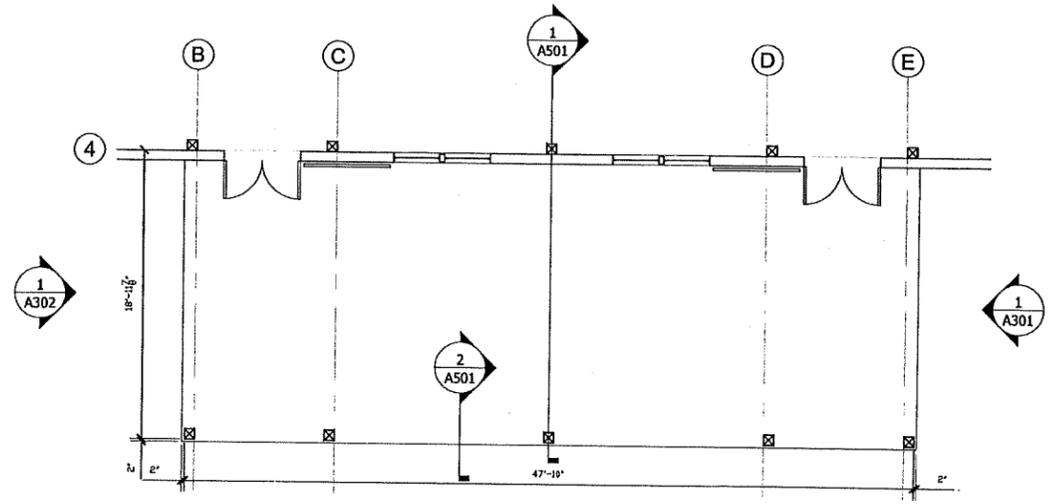
SHEET TITLE
A205
 DESIGN BY: JMK
 DRAWN BY: JMK



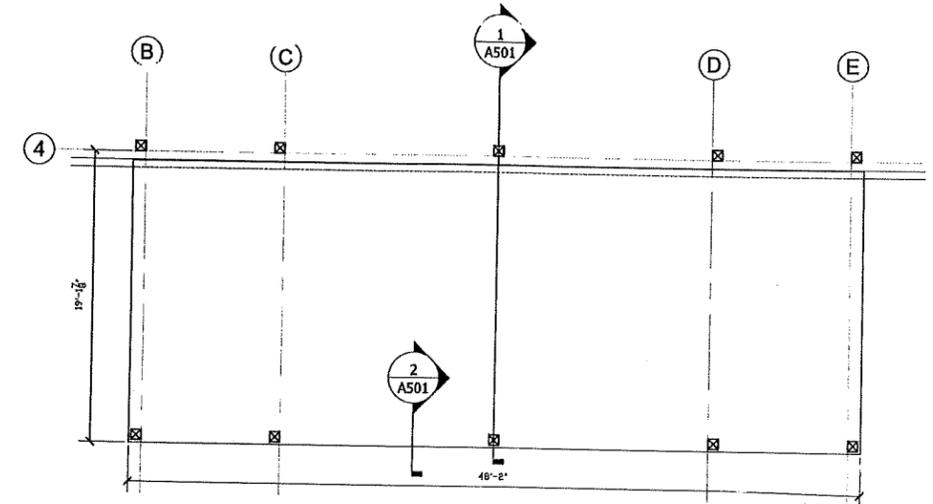
1 ADD ALTERNATE #3 PLAN
 Scale: 3/16"=1'-0"



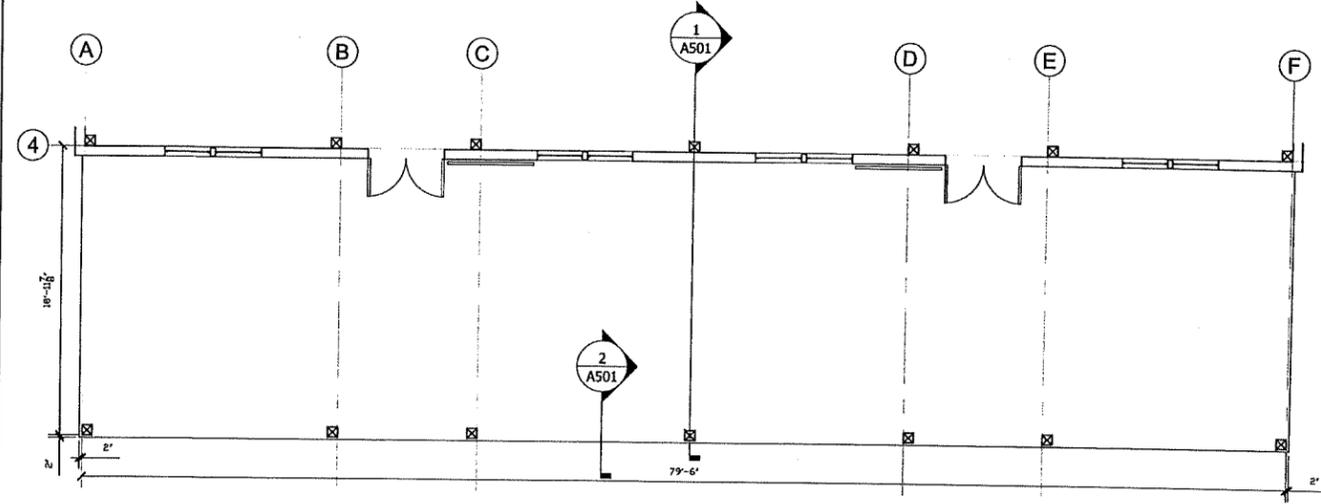
2 ADD ALTERNATE #3 FOUNDATION PLAN
 Scale: 3/16"=1'-0"



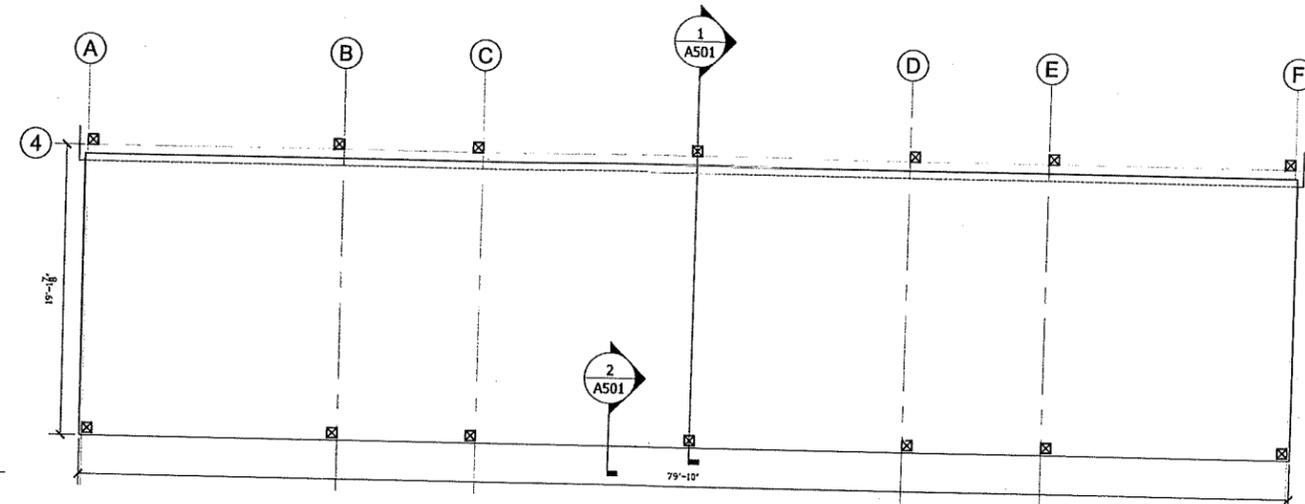
3 ADD ALTERNATE #1 PLAN
 Scale: 3/16"=1'-0"



4 ADD ALTERNATE #1 FOUNDATION PLAN
 Scale: 3/16"=1'-0"



5 ADD ALTERNATE #2 PLAN
 Scale: 3/16"=1'-0"

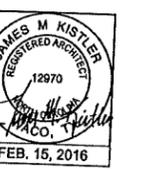


6 ADD ALTERNATE #2 FOUNDATION PLAN
 Scale: 3/16"=1'-0"

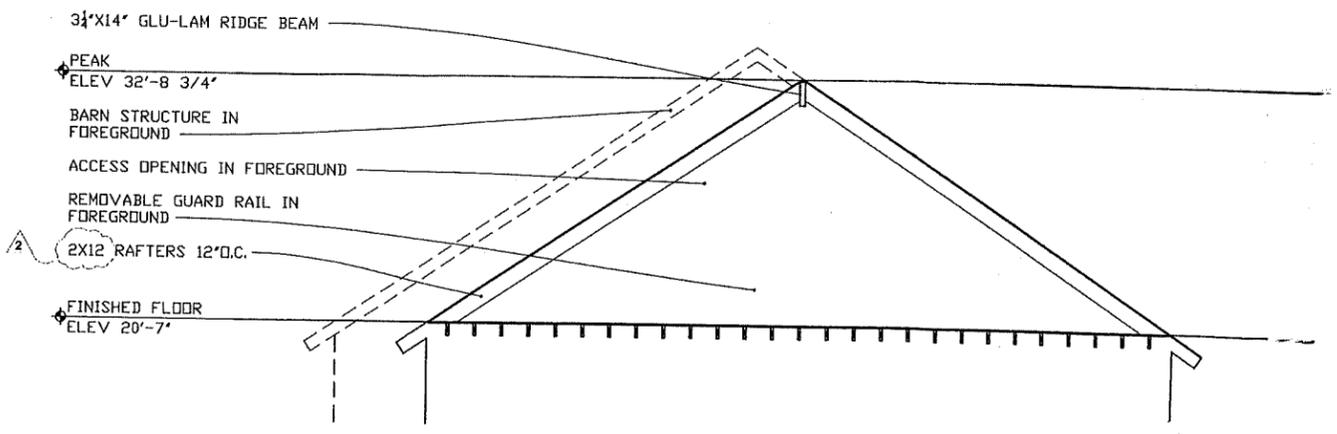
BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|----------------------|---------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | REVISION #6 | 2/15/16 |
| | | |
| | | |

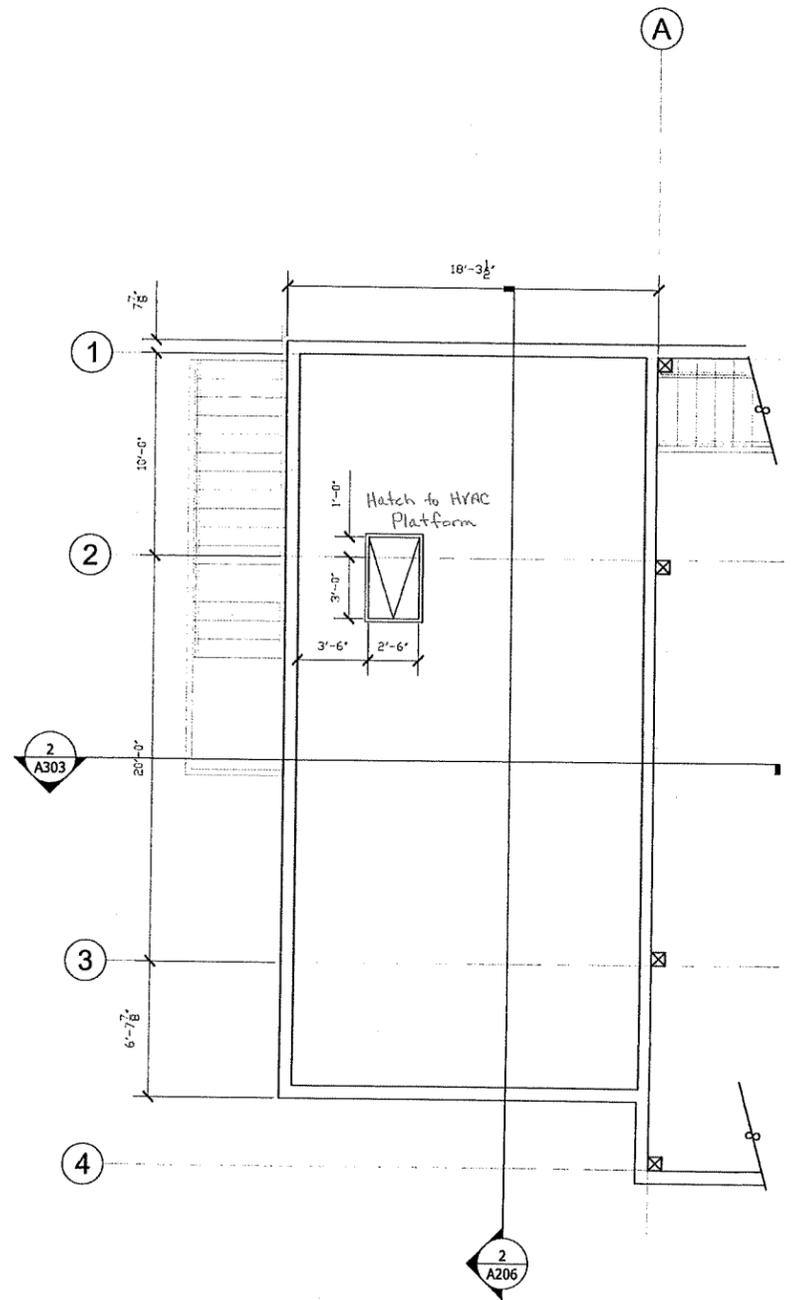
| REVISION |
|--------------|
| 6 |
| DATE: 160215 |



| CHEET TITLE |
|----------------|
| A206 |
| DESIGN BY: JMK |
| DRAWN BY: JMK |

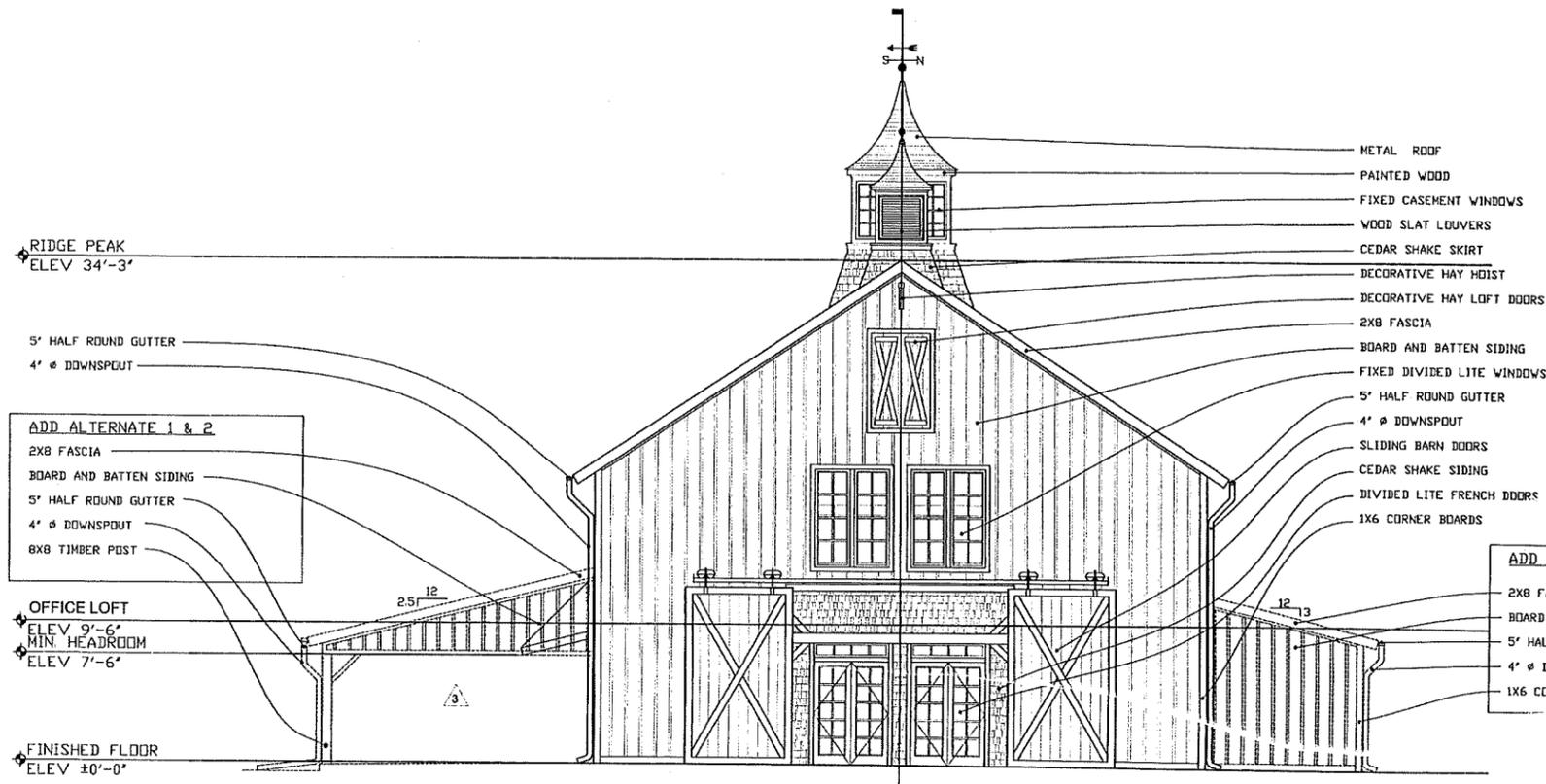


1 MECHANICAL ATTIC SECTION
 Scale: 1/4"=1'-0"

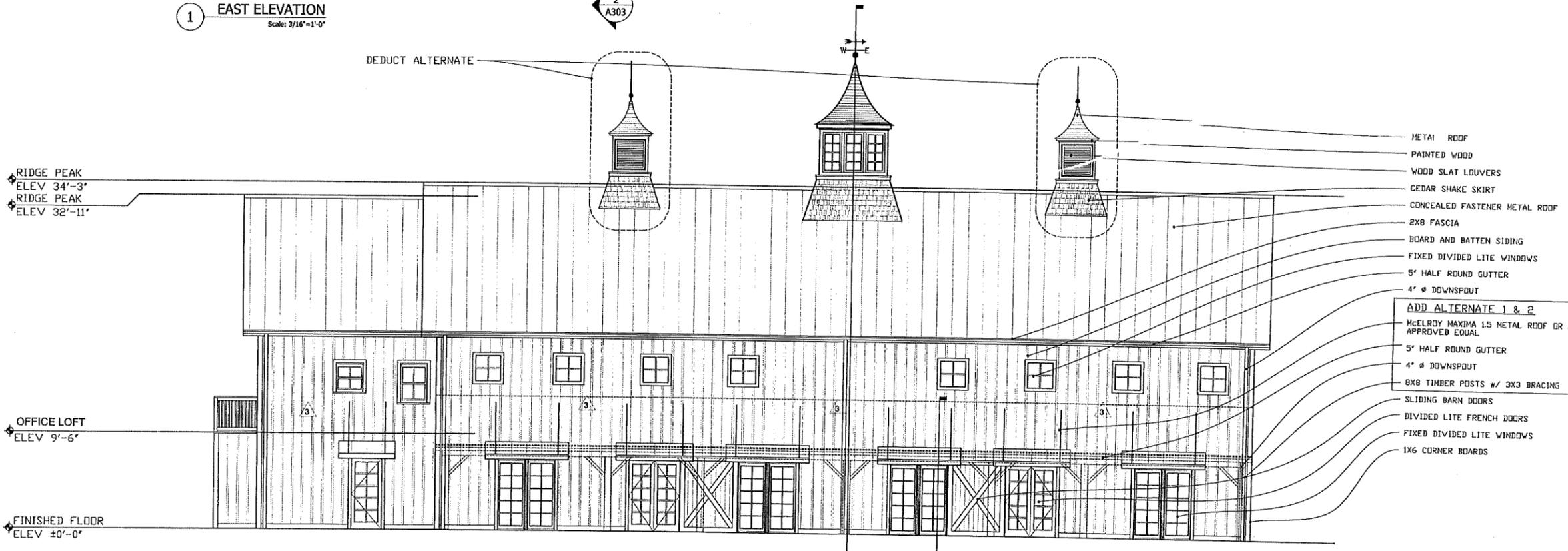


1 MECHANICAL ATTIC PLAN
 Scale: 1/4"=1'-0"

BREWER BARN
 CHAPEL HILL, NORTH CAROLINA



1 EAST ELEVATION
 Scale: 3/16"=1'-0"



2 SOUTH ELEVATION
 Scale: 3/16"=1'-0"

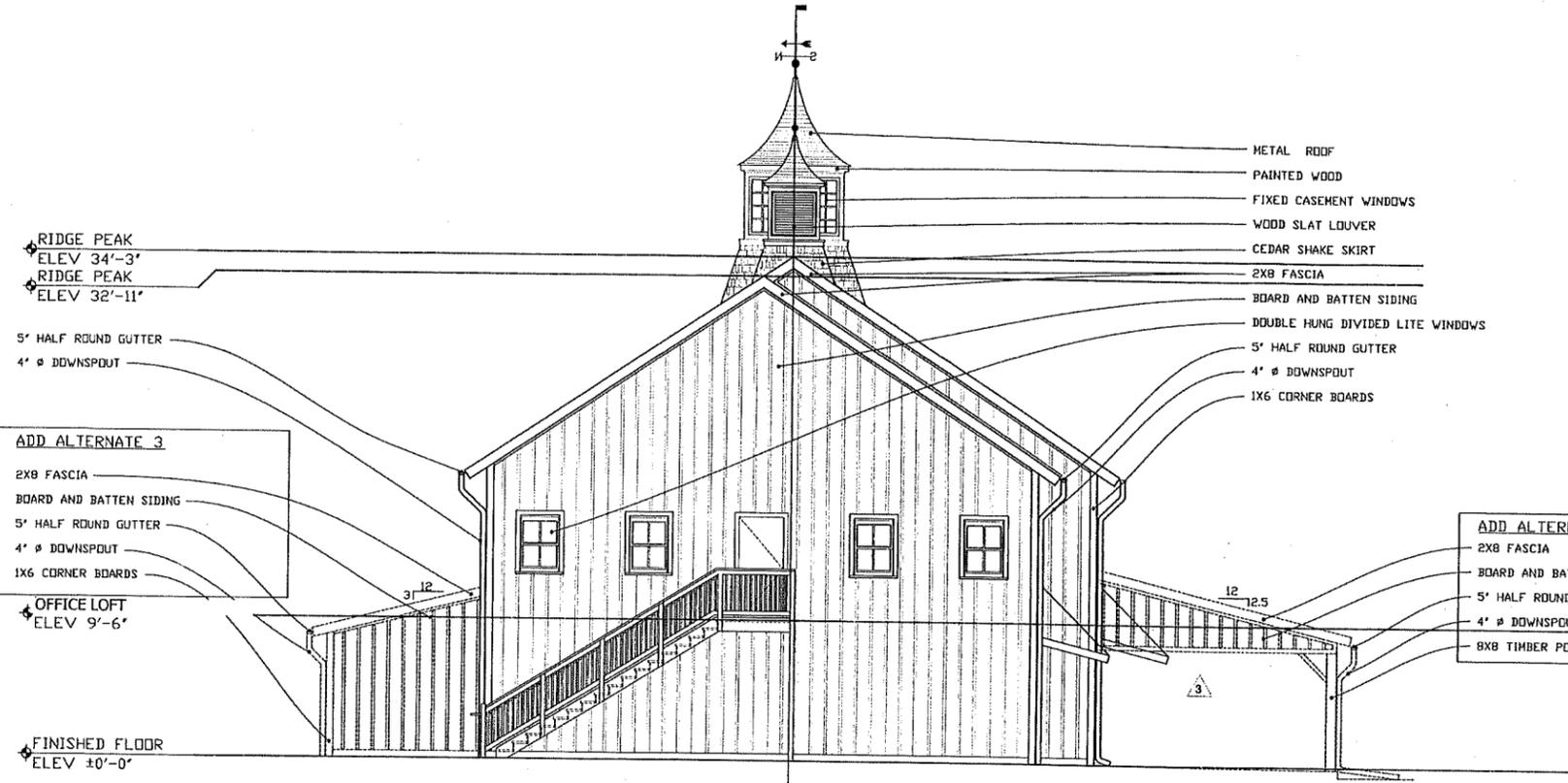
| REV. | ISSUED FOR PERMIT | DATE | REVISION DESCRIPTION |
|------|--|----------|----------------------|
| 1 | ISSUED FOR PERMIT | 6/30/15 | |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 | |
| 3 | REVISION #3 | 10/27/15 | |
| 4 | REVISION #4 | 11/14/15 | |
| 5 | REVISION #5 | 2/15/16 | |

| REVISION | DATE |
|----------|--------|
| 6 | 160215 |

JAMES M. KISTLER
 REGISTERED ARCHITECT
 12970
 ARCHITECTURAL
 CO., INC.
 FEB. 15, 2016

SHEET TITLE
A301
 DESIGN BY: JMK
 DRAWN BY: JMK

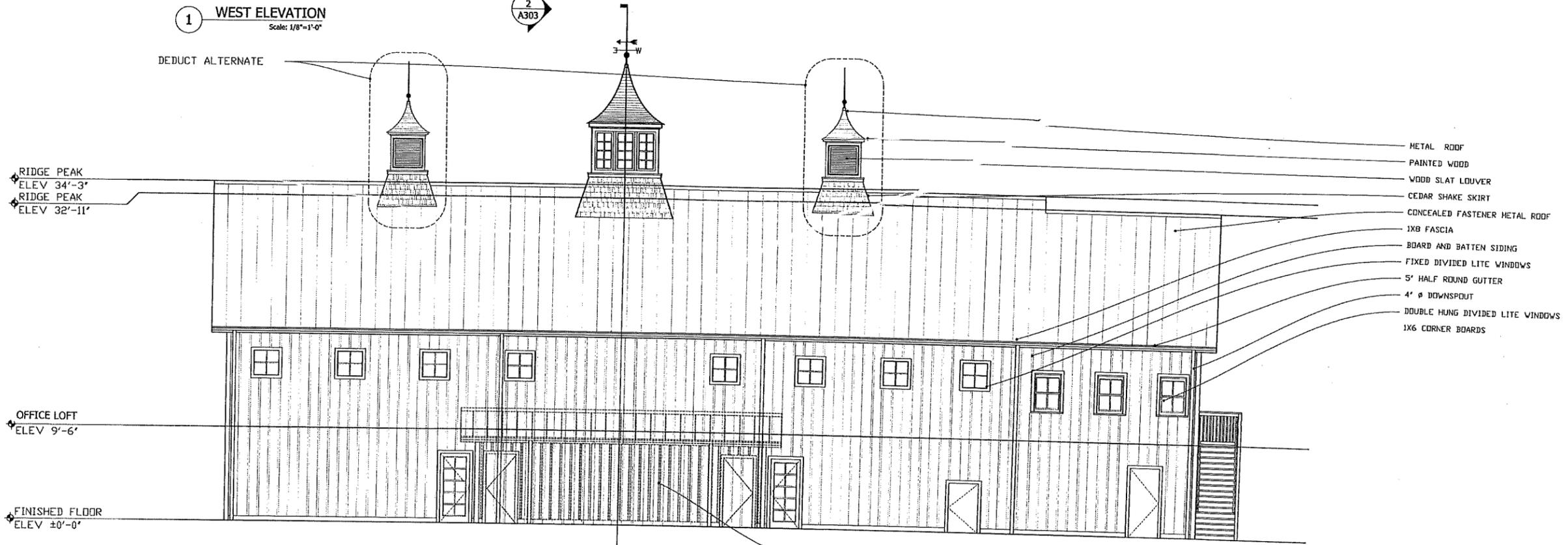
BREWER BARN
 CHAPEL HILL, NORTH CAROLINA



ADD ALTERNATE 3
 2X8 FASCIA
 BOARD AND BATTEN SIDING
 5' HALF ROUND GUTTER
 4' # DOWNSPOUT
 1X6 CORNER BOARDS

ADD ALTERNATE 1 & 2
 2X8 FASCIA
 BOARD AND BATTEN SIDING
 5' HALF ROUND GUTTER
 4' # DOWNSPOUT
 8X8 TIMBER POSTS w/ 3X3 BRACING

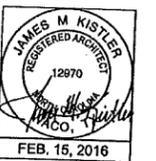
1 WEST ELEVATION
 Scale: 1/8"=1'-0"



2 NORTH ELEVATION
 Scale: 1/8"=1'-0"

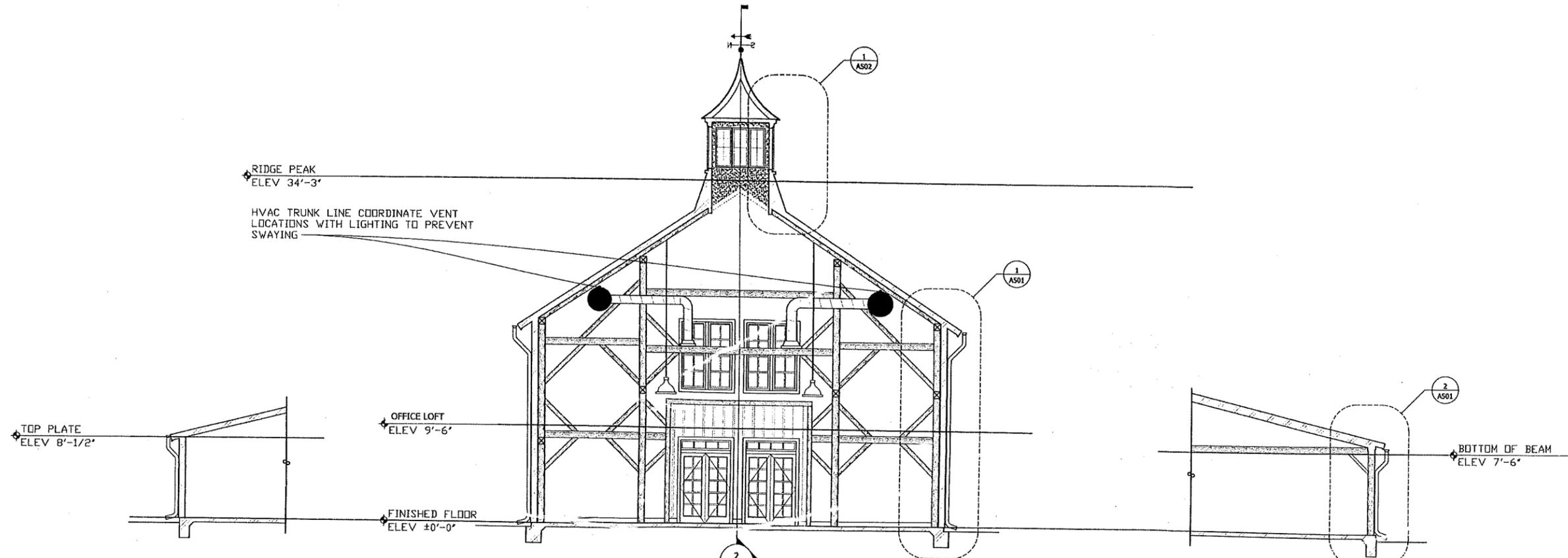
| REV. | REVISION DESCRIPTION | DATE |
|------|--|----------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #3 | 10/27/15 |
| 4 | REVISION #6 | 2/15/16 |

| | |
|----------|--------|
| REVISION | 6 |
| DATE | 160215 |



| | |
|-------------|------|
| SHEET TITLE | A302 |
| DESIGN BY: | JMK |
| DRAWN BY: | JMK |

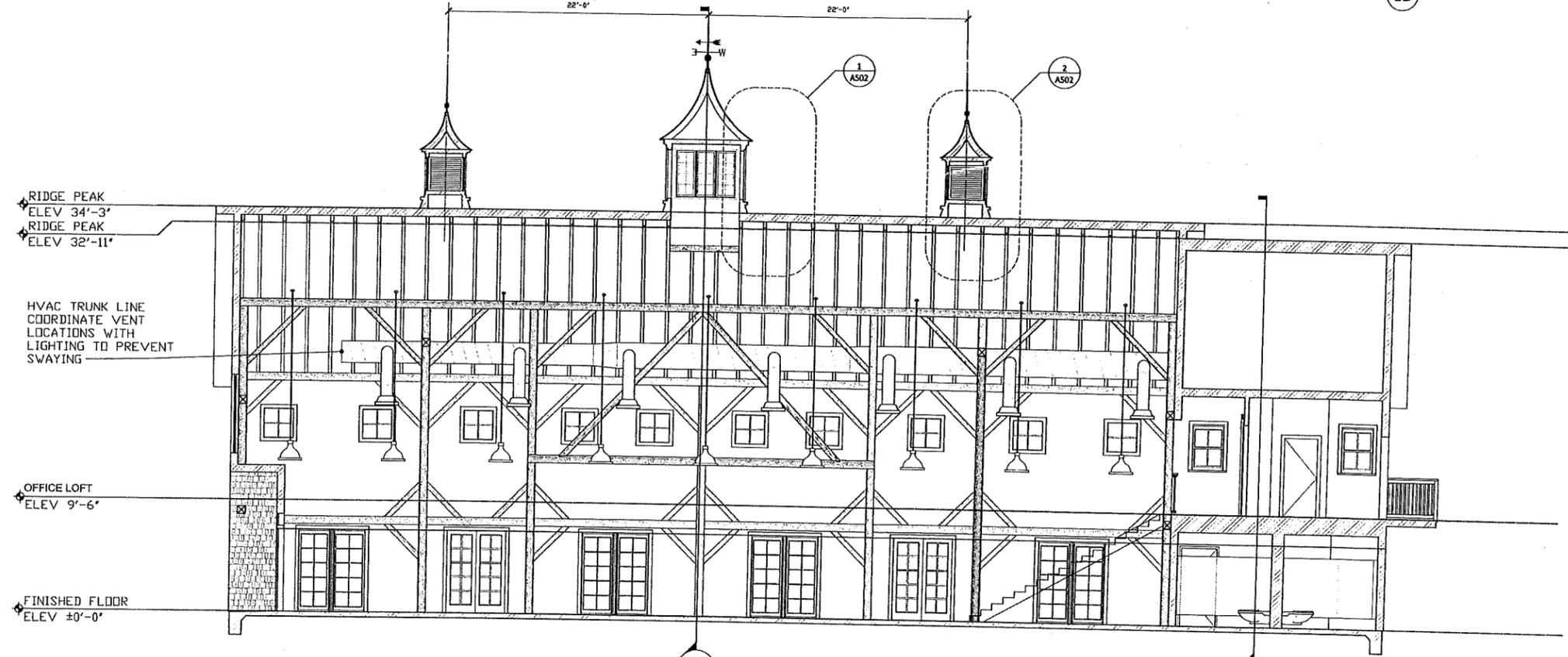
BREWER BARN
 CHAPEL HILL, NORTH CAROLINA



1A ADD ALTERNATE #3 SECTION
 Scale: 3/16"=1'-0"

1 BUILDING SECTION
 Scale: 3/16"=1'-0"

1B ADD ALTERNATE #1&2 SECTION
 Scale: 3/16"=1'-0"

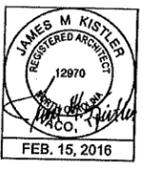


2 BUILDING SECTION
 Scale: 3/16"=1'-0"

BUILDING SECTIONS SCALE: 3/16"=1'

| REV. | REVISION DESC. | DATE |
|------|-------------------------------|---------|
| 1 | ISSUED FOR PERMIT | 8/30/15 |
| 2 | ISSUED FOR PERMIT REVISION #1 | 9/23/15 |
| 3 | ISSUED FOR PERMIT REVISION #2 | 2/15/16 |

| REVISION | DATE |
|----------|--------|
| 6 | 160215 |



| SHEET TITLE |
|----------------|
| A303 |
| DESIGN BY: JMK |
| DRAWN BY: JMK |

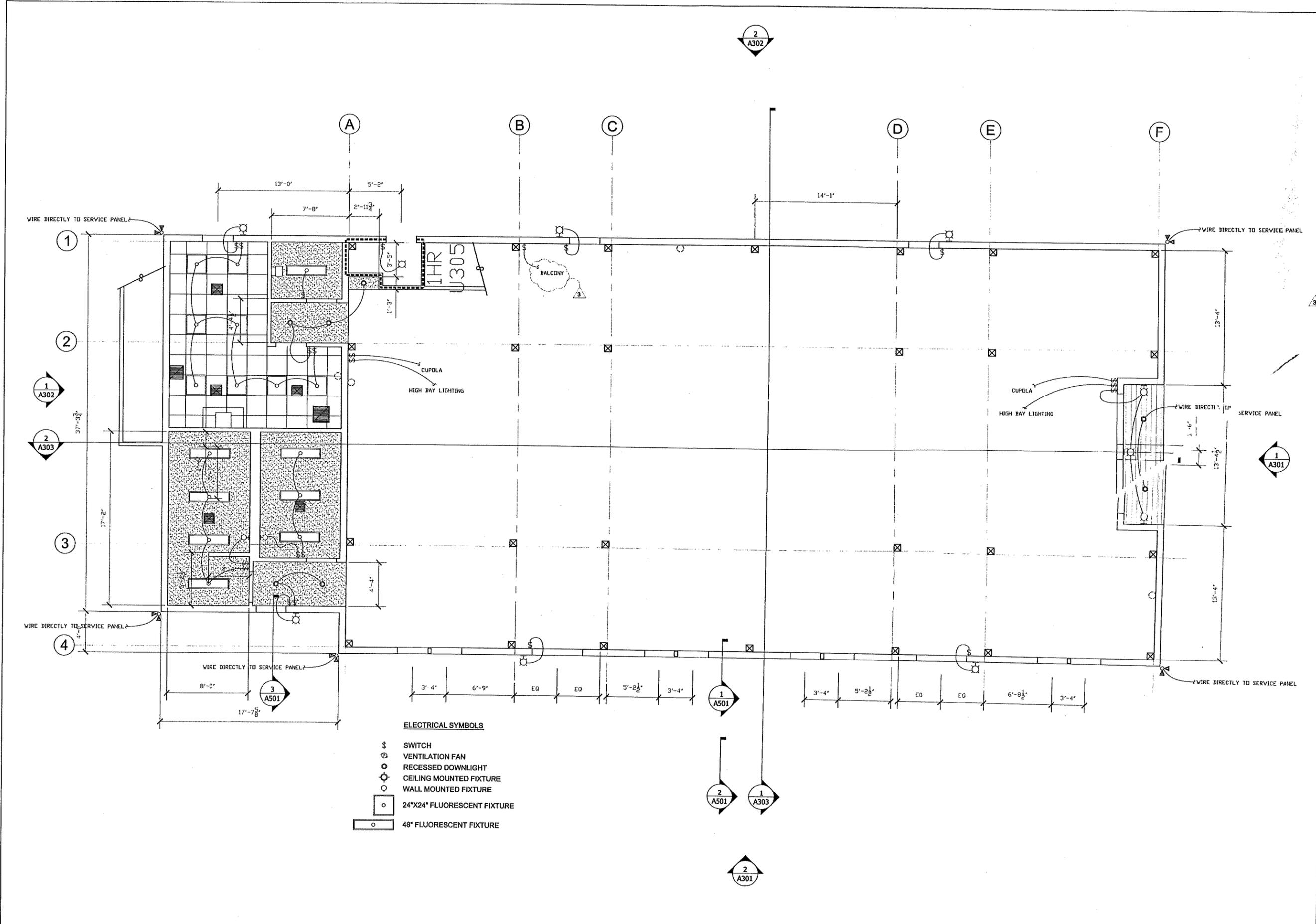
'BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 8/23/15 |
| 3 | REVISION #6 | 2/15/16 |

| REVISION | DATE |
|----------|--------|
| 6 | 160215 |



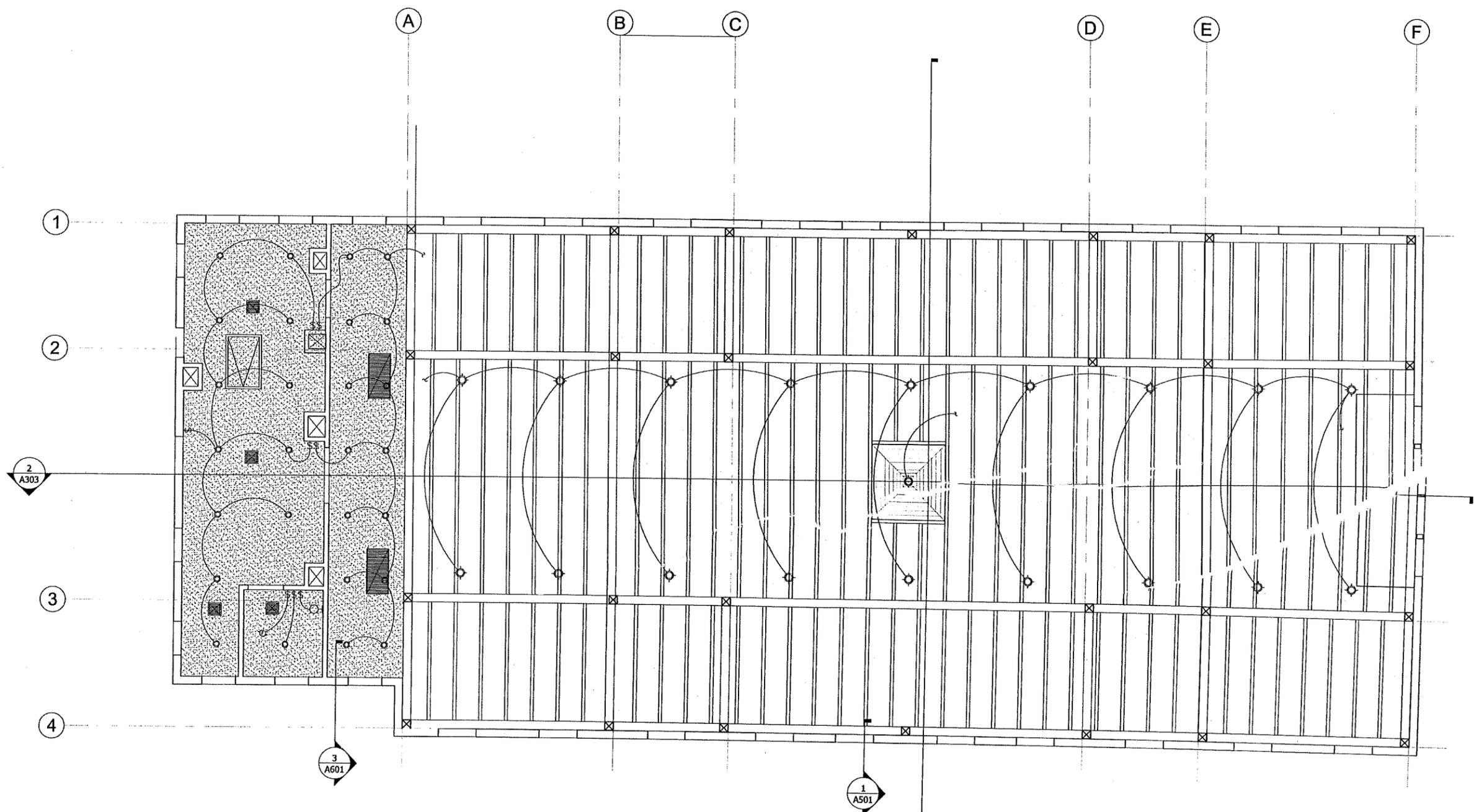
| SHEET TITLE | DESIGN BY | DRAWN BY |
|-------------|-----------|----------|
| A401 | JMK | JMK |



- ELECTRICAL SYMBOLS**
- ⊗ SWITCH
 - ⊙ VENTILATION FAN
 - RECESSED DOWNLIGHT
 - CEILING MOUNTED FIXTURE
 - WALL MOUNTED FIXTURE
 - 24"X24" FLUORESCENT FIXTURE
 - 48" FLUORESCENT FIXTURE

FIRST FLOOR REFLECTED CEILING PLAN SCALE: 1/4" = 1'

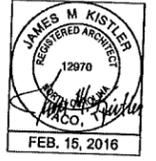
BREWSTER BARN
 CHAPEL HILL, NORTH CAROLINA



- ELECTRICAL SYMBOLS**
- ⌘ SWITCH
 - ⊙ VENTILATION FAN
 - RECESSED DOWNLIGHT
 - ⊙ CEILING MOUNTED FIXTURE
 - WALL MOUNTED FIXTURE
 - 24"X24" FLUORESCENT FIXTURE
 - 48" FLUORESCENT FIXTURE

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 6/8/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/29/15 |
| 3 | REVISION #3 | 2/15/16 |

| REVISION | DATE |
|----------|--------|
| 6 | 160215 |



SHEET TITLE
A402
 DESIGN BY: JMK
 DRAWN BY: JMK

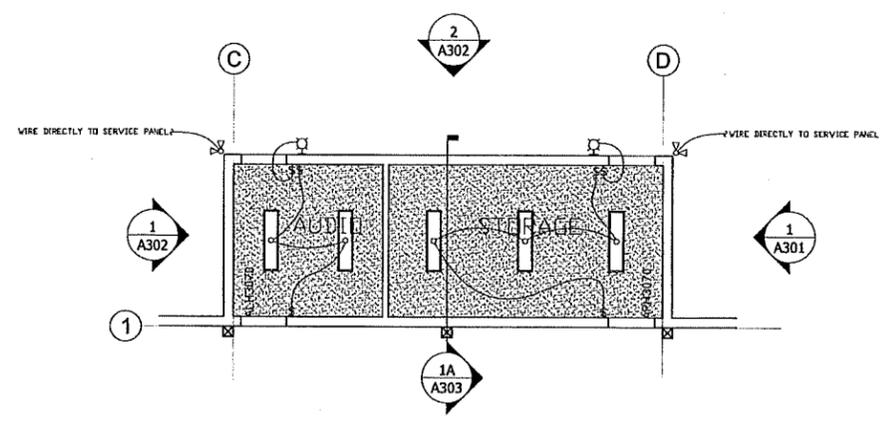
BREWERY BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 8/20/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 8/23/15 |
| 3 | REVISION #6 | 2/15/16 |

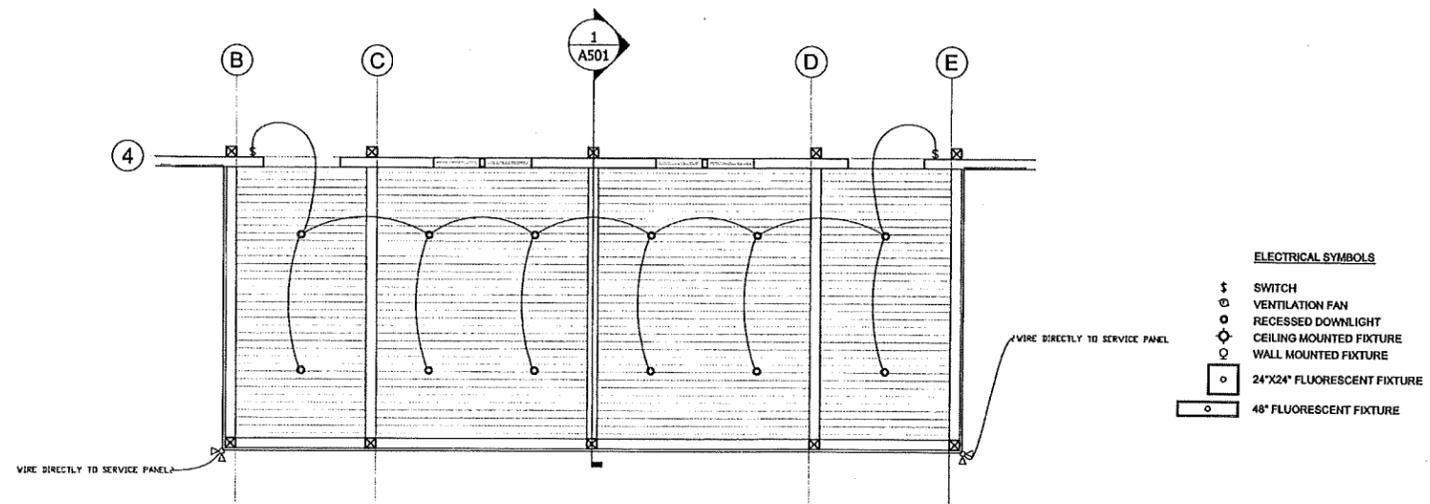
| | |
|----------|----------|
| REVISION | 6 |
| DATE: | 160215 |

JAMES M. KISTLER
 REGISTERED ARCHITECT
 12970
 ARCHITECTS
 P.A.C.O.
 FEB. 15, 2016

SHEET TITLE
A403
 DESIGN BY: JMK
 DRAWN BY: JMK

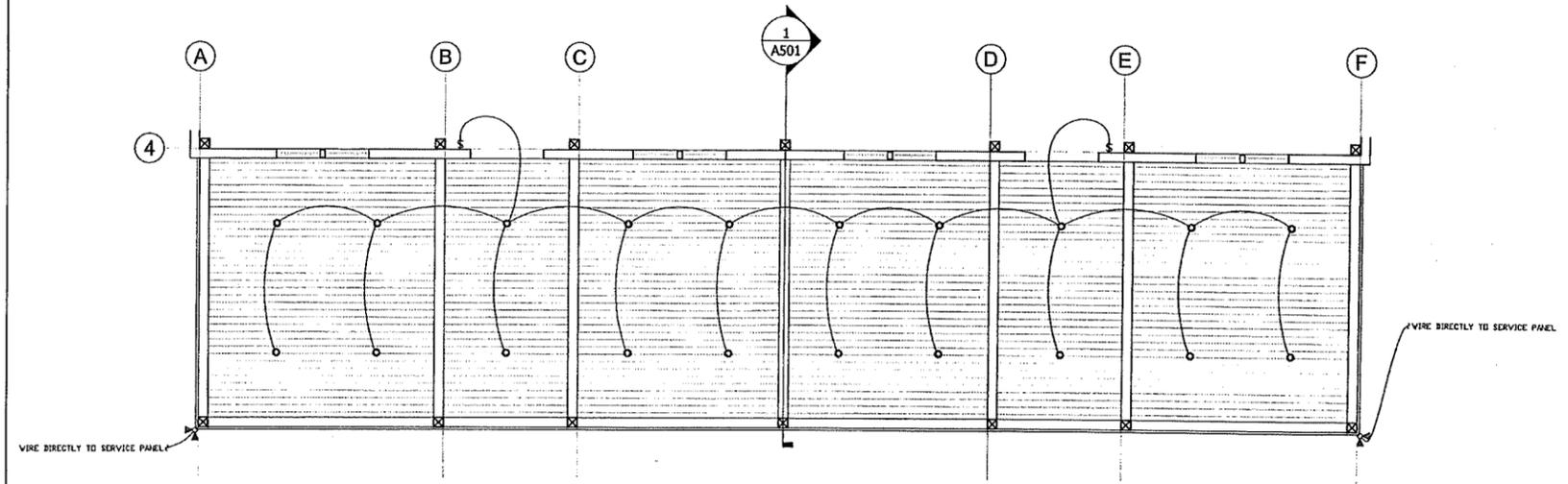


1 ADD ALTERNATE #3 REFLECTED CEILING PLAN
 Scale: 3/16"=1'-0"



- ELECTRICAL SYMBOLS**
- ⋈ SWITCH
 - ⊙ VENTILATION FAN
 - RECESSED DOWNLIGHT
 - ⊕ CEILING MOUNTED FIXTURE
 - ⊖ WALL MOUNTED FIXTURE
 - 24"X24" FLUORESCENT FIXTURE
 - 48" FLUORESCENT FIXTURE

2 ADD ALTERNATE #1 REFLECTED CEILING PLAN
 Scale: 3/16"=1'-0"



3 ADD ALTERNATE #2 REFLECTED CEILING PLAN
 Scale: 3/16"=1'-0"

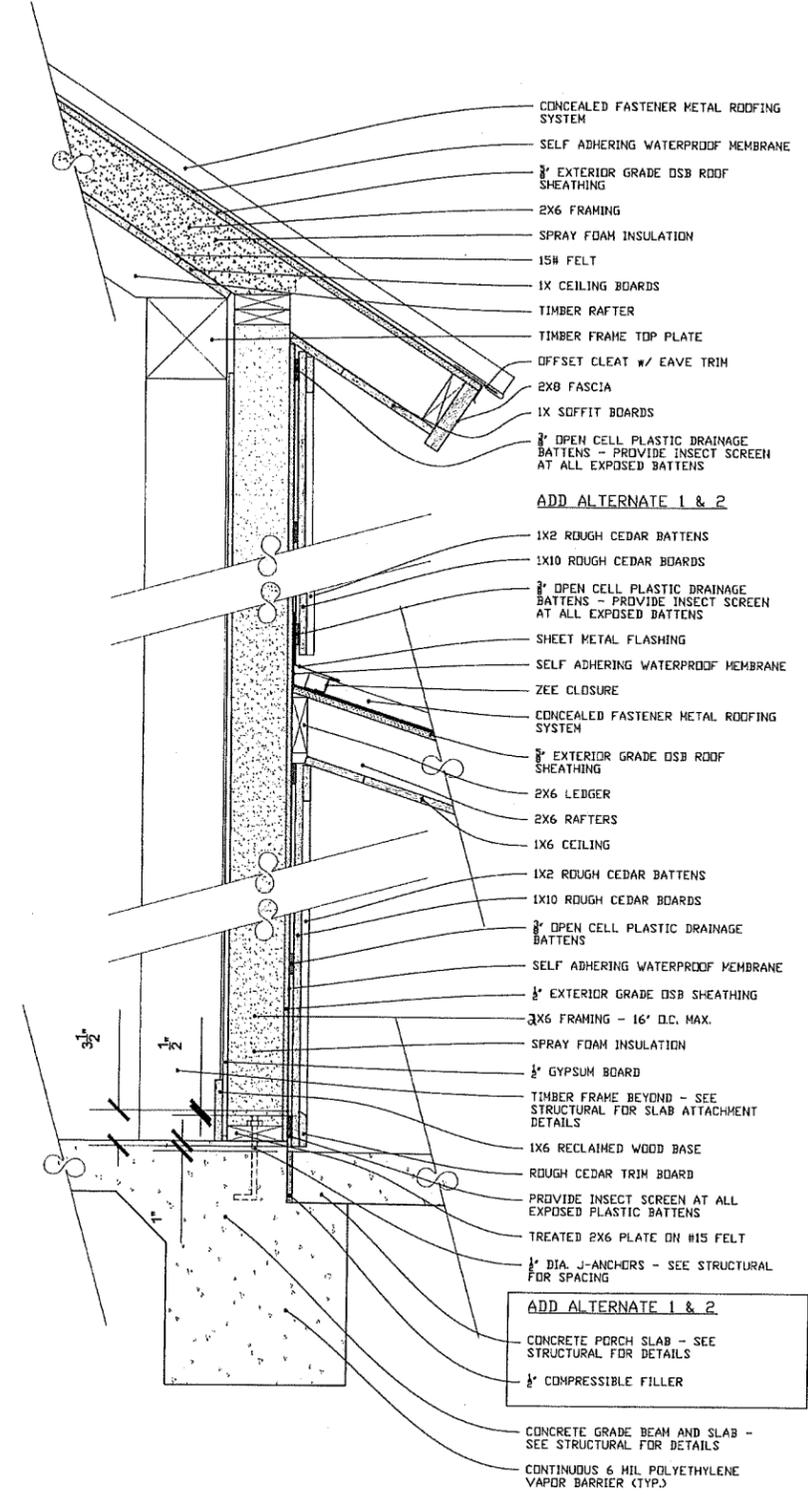
BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | DATE | DESCRIPTION |
|------|---------|--|
| 1 | 8/30/15 | ISSUED FOR PERMIT |
| 2 | 9/23/15 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION |
| 3 | 2/15/16 | REVISION #3 |

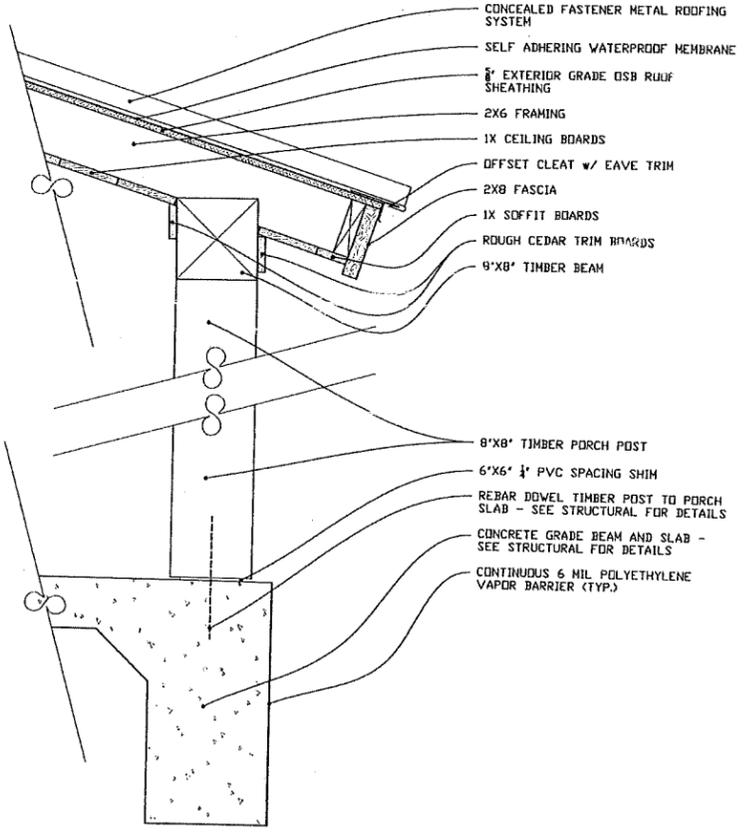
| REVISION | DATE |
|----------|--------|
| 6 | 160215 |

JAMES M. KISTLER
 REGISTERED ARCHITECT
 12970
 WACO, TEXAS

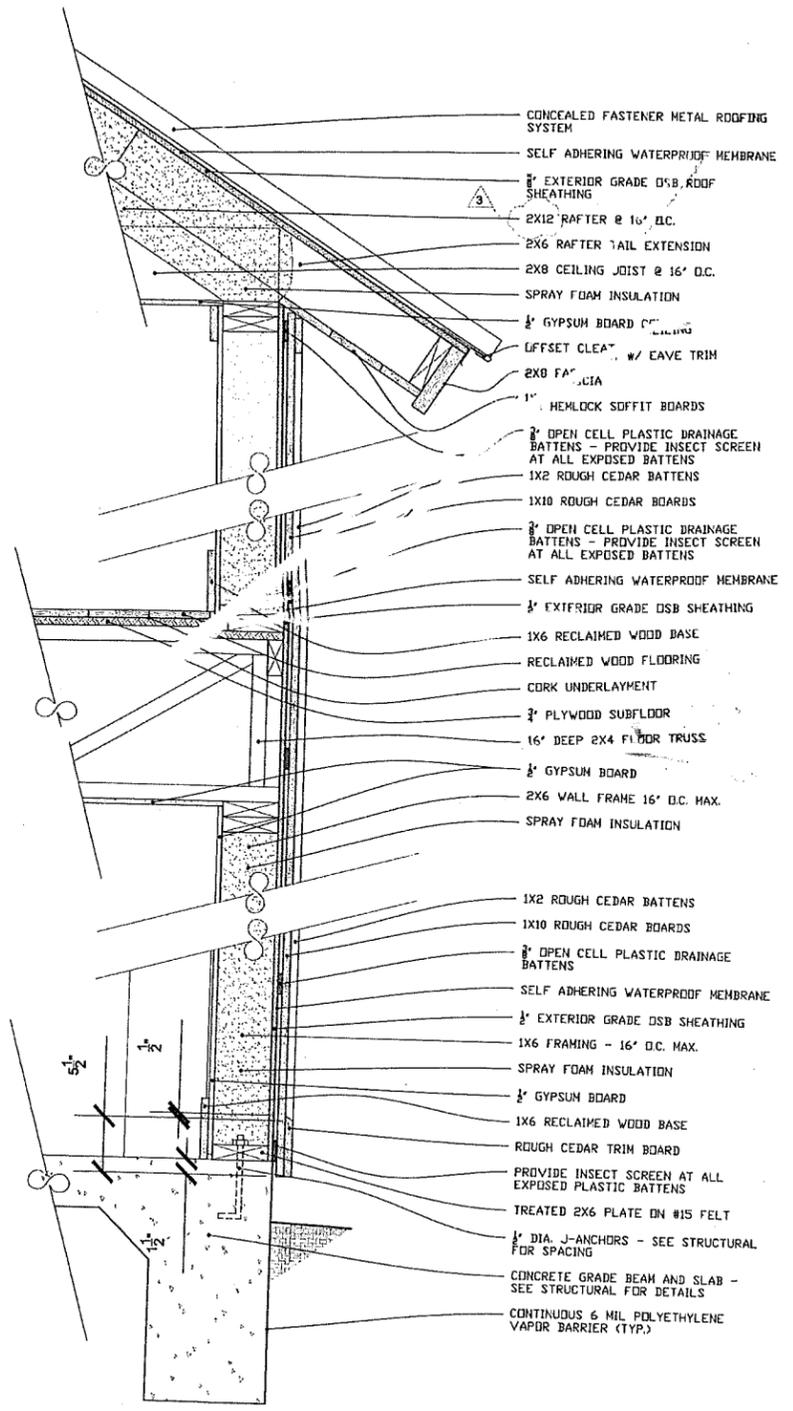
FEB. 15, 2016
 SHEET TITLE
A501
 DESIGN BY: JMK
 DRAWN BY: JMK



1 BARN WALL SECTION
 Scale: 1 1/2" = 1'-0"



2 SECTION @ ADD ALT. 1 & 2
 Scale: 1 1/2" = 1'-0"



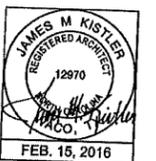
3 SECTION @ BARN ADDITION
 Scale: 1 1/2" = 1'-0"

BREWER BARN
 CHAPEL HILL, NORTH CAROLINA
 0816 - 0808 20

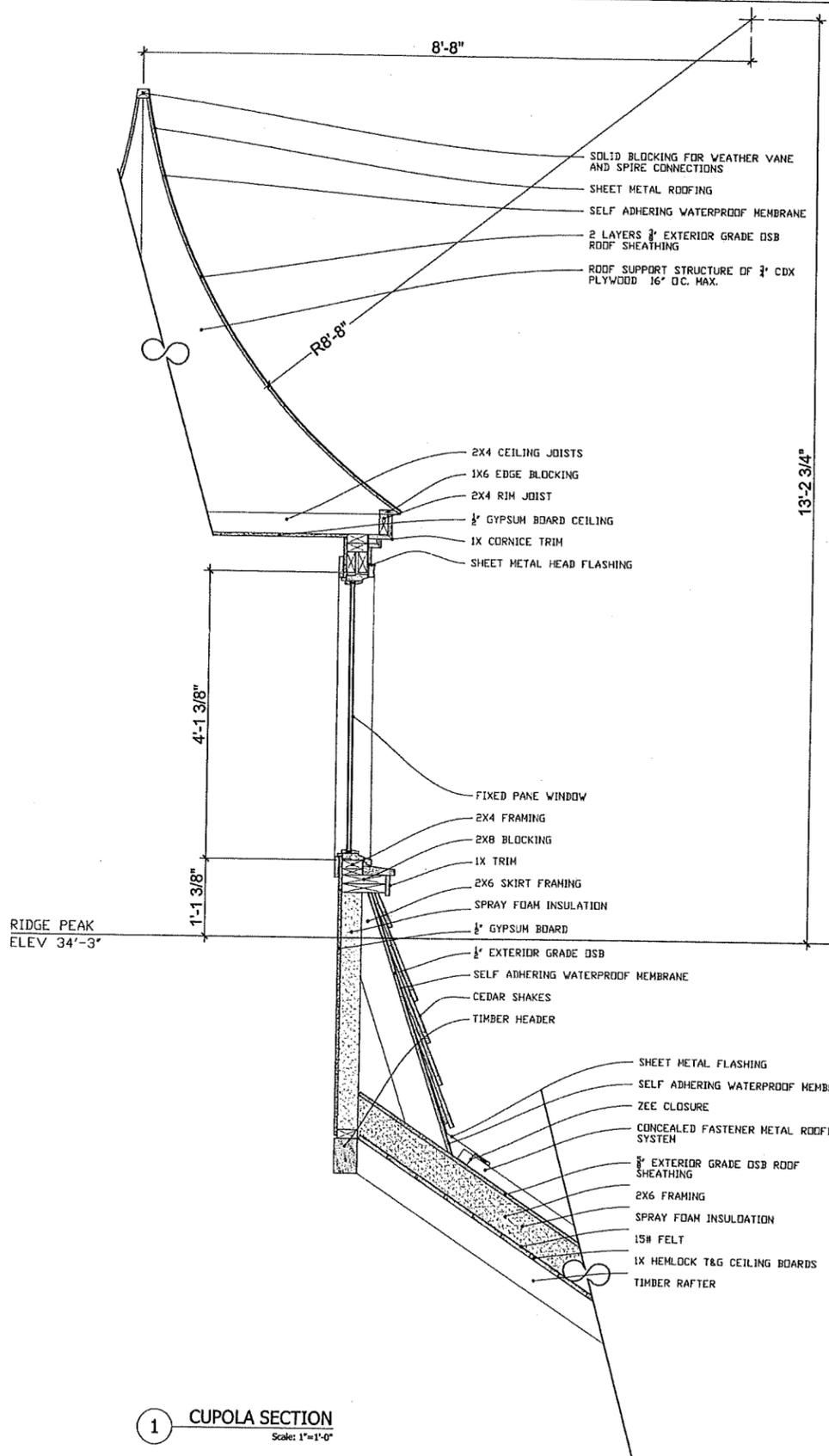
| REV. | DATE | DESCRIPTION |
|------|---------|--|
| 1 | 8/30/15 | ISSUED FOR PERMIT |
| 2 | 8/23/15 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION |
| 3 | 2/15/16 | REVISION #6 |

| REVISION |
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| 6 |

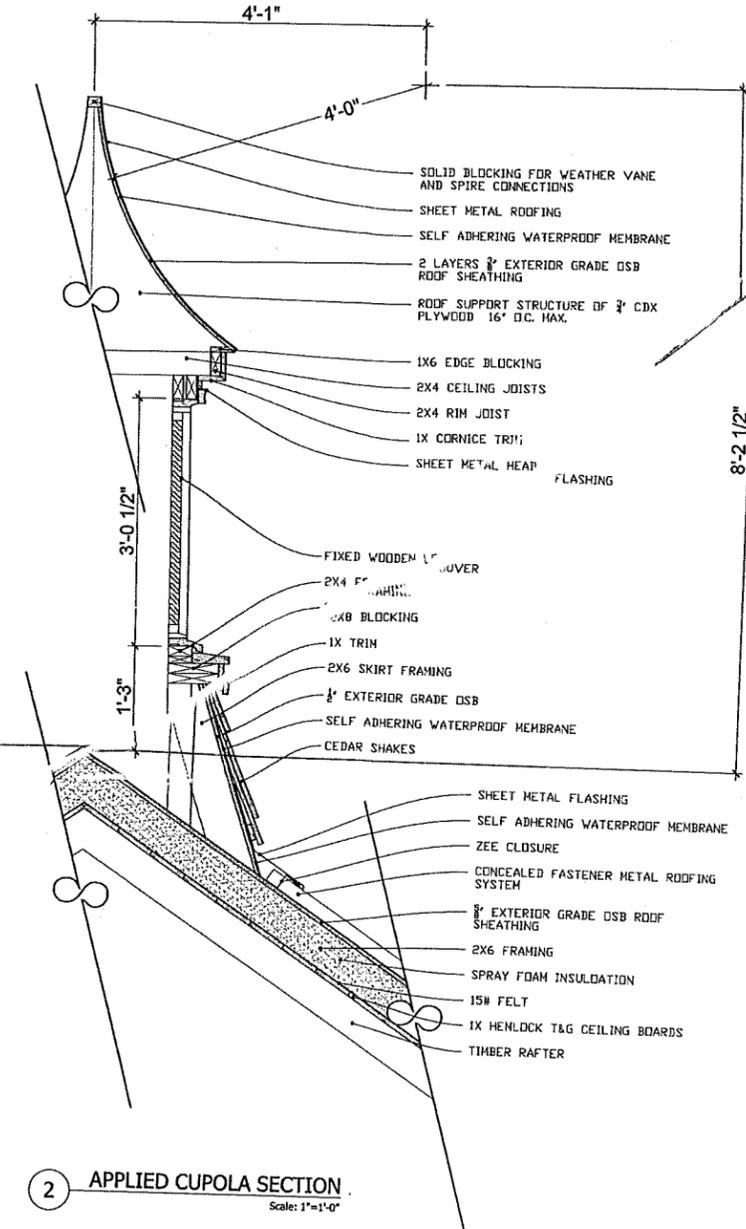
DATE: 160215



SHEET TITLE
A502
 DESIGN BY: JMK
 DRAWN BY: JMK



1 CUPOLA SECTION
 Scale: 1"=1'-0"



2 APPLIED CUPOLA SECTION
 Scale: 1"=1'-0"

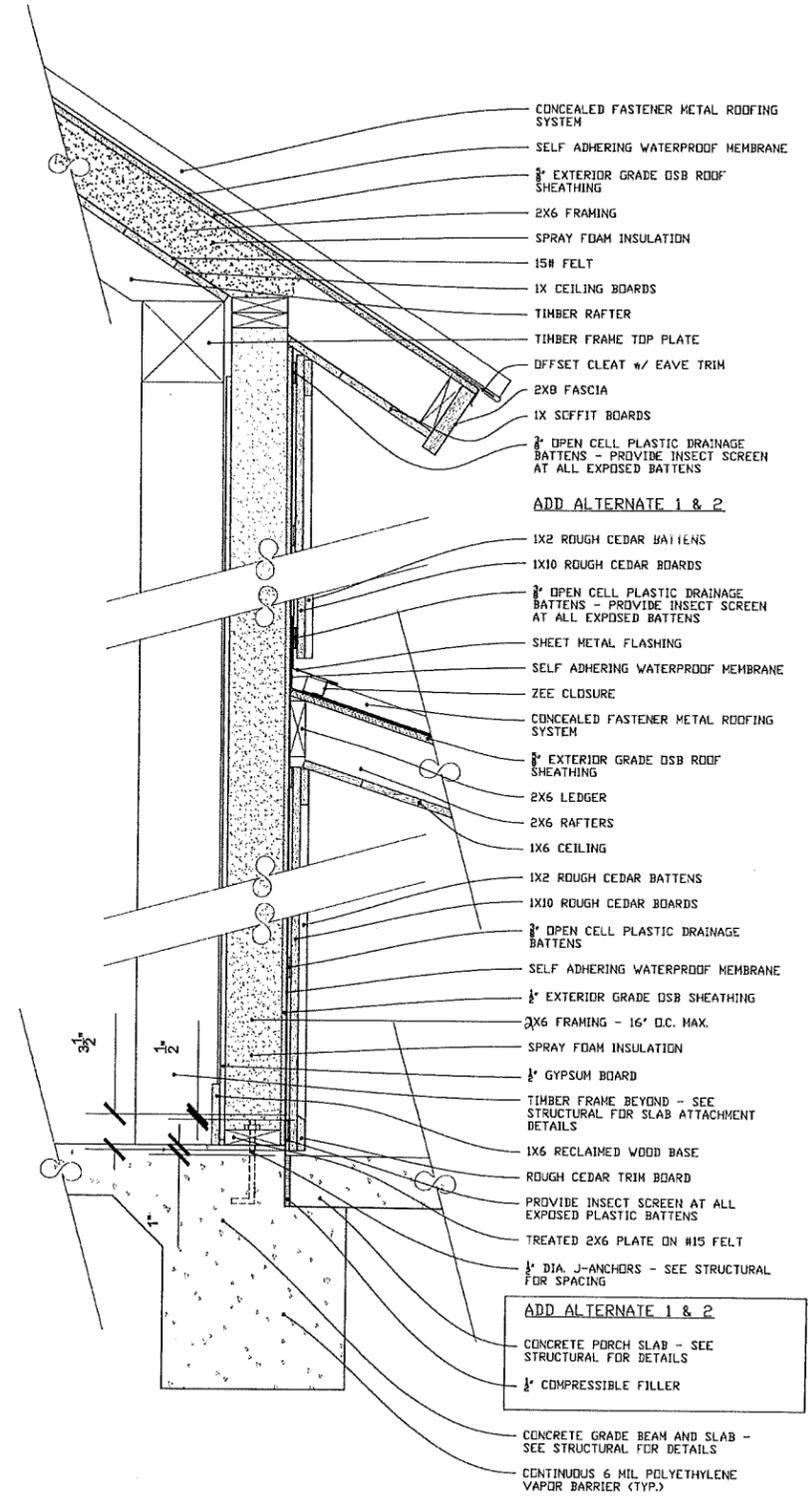
BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 6/30/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | REVISION #6 | 2/15/16 |

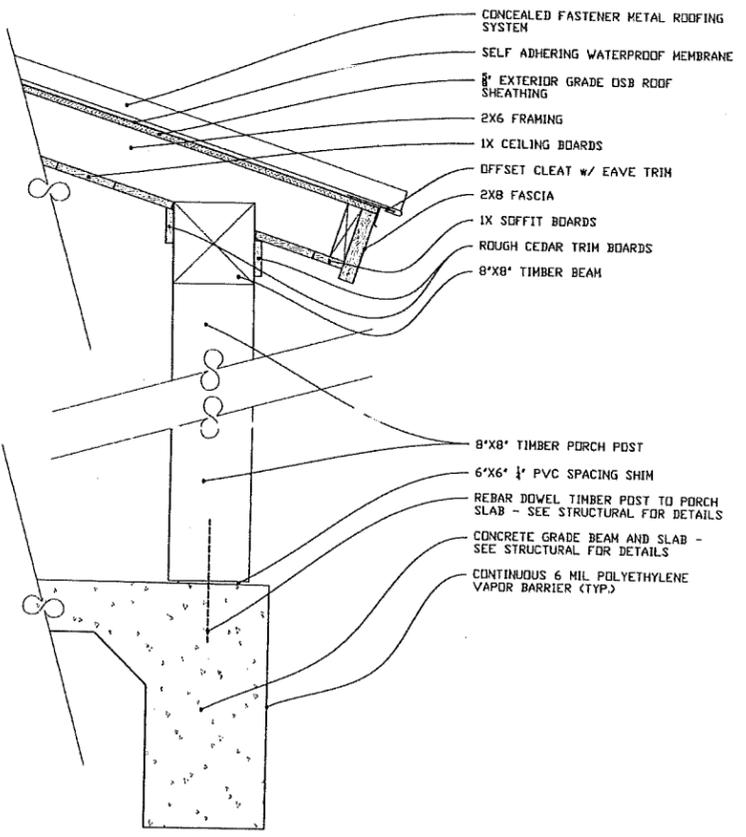
| REVISION | DATE |
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| 6 | 160215 |

JAMES M. KISTLER
 REGISTERED ARCHITECT
 12970
 ARCHITECT
 FEB. 16, 2016

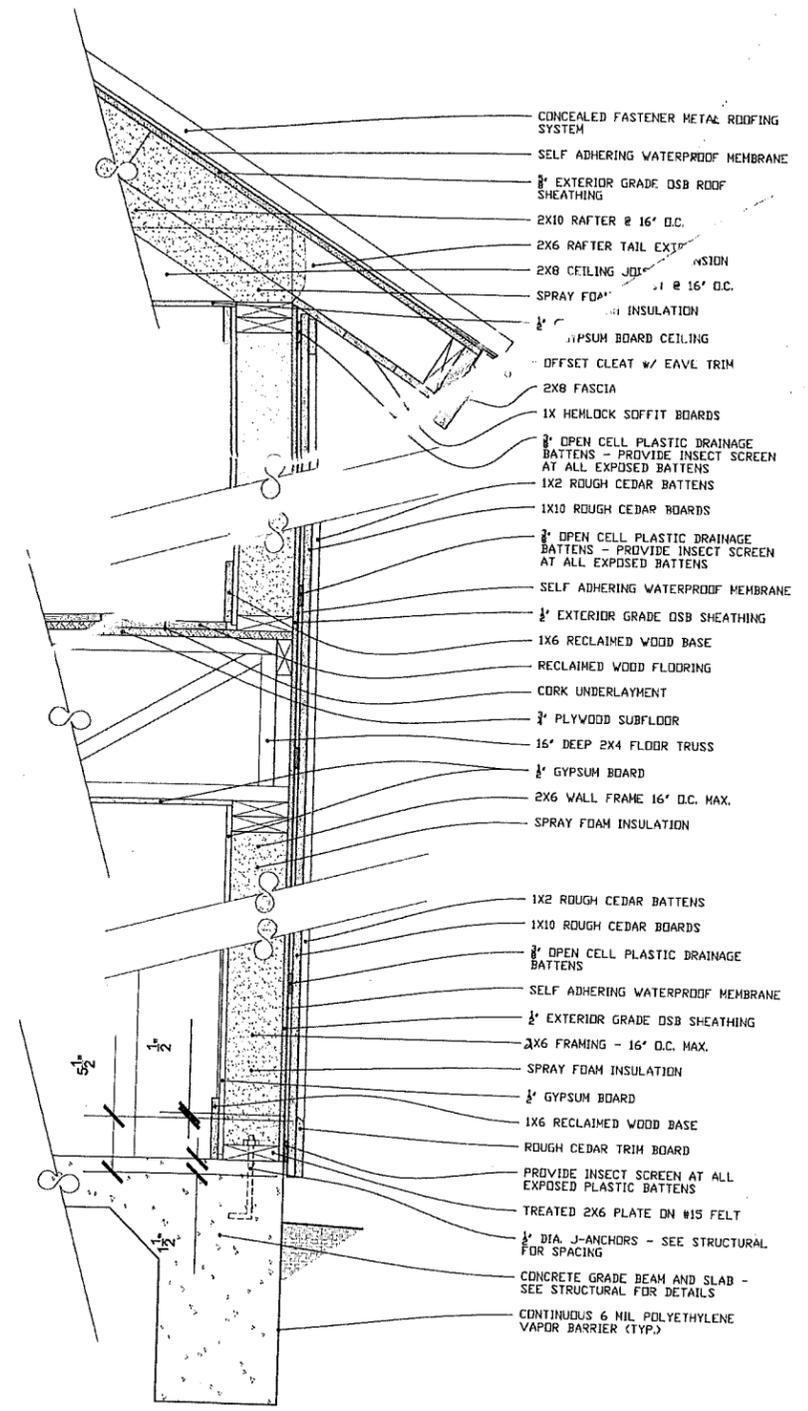
SHEET TITLE
A503
 DESIGN BY: JMK
 DRAWN BY: JMK



1 BARN WALL SECTION @ VERANDA
 Scale: 1 1/2" = 1'-0"

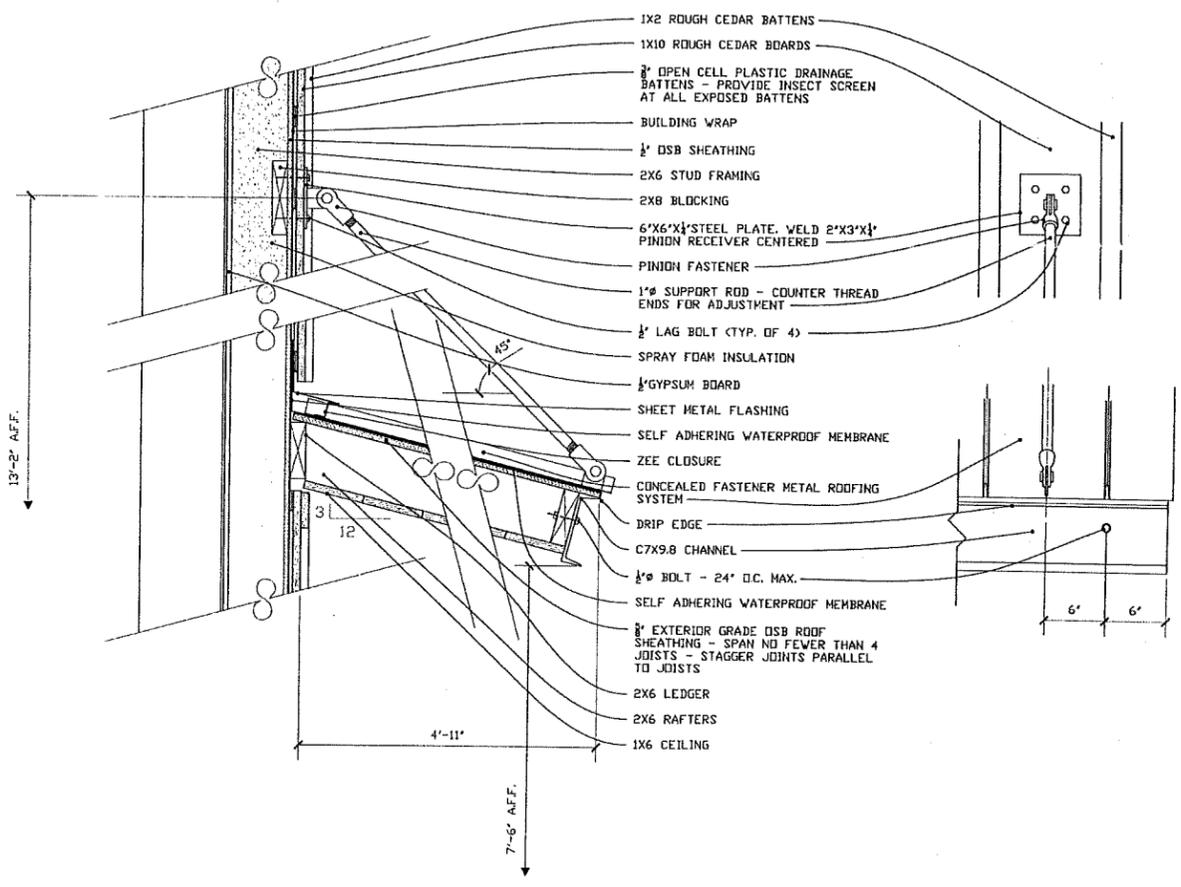


2 SECTION @ VERANDA ADD ALT. 1 & 2
 Scale: 1 1/2" = 1'-0"



3 SECTION @ BARN ADDITION
 Scale: 1 1/2" = 1'-0"

BREWER BARN
 CHAPEL HILL, NORTH CAROLINA



1 SOUTH WALL AWNING DETAIL
 Scale: 1 1/2" = 1'-0"

2

| REV. | REVISION / DESCRIPTION | DATE |
|------|------------------------|---------|
| 1 | REVISION #4 | 11/4/15 |
| 2 | REVISION #5 | 2/15/16 |

| | |
|----------|--------|
| REVISION | 6 |
| DATE: | 160215 |

JAMES M. KISTER
 REGISTERED ARCHITECT
 12970
 WACO, TEXAS
 FEB. 15, 2016

NEW SHEET

SHEET TITLE
A504
 DESIGN BY: JMK
 DRAWN BY: JMK



BREWER BARN
CHAPEL HILL, NORTH CAROLINA

General Structural Notes:

- The foundations are designed in accordance with the 2012 North Carolina Building Code.
- Scales indicated on the drawings are for general information only. Dimensions are not to be obtained by scaling from the drawings.
- The design gravity loads are as follows:
 Floor/Roof Dead load = 10psf
 Floor Live Load = 100psf
 Roof Live Load = 20psf
 Ground Snow Load = 15psf
- The lateral loads are as follows:
 Basic Wind Speed = 90mph
 Exposure Category = B
 Seismic Design Category = B
 Seismic Site Class = D
- Submit product data and mix designs to Owner for approval prior to use in construction.
- Means and methods of construction are to be determined by General Contractor.

Foundations

- The foundation has been designed for an allowable bearing pressure of 2000 psf per the geotechnical report provided by TerraTech Engineers, Inc. dated June 9, 2015.
- Soft, organic, or unsuitable soils shall be removed from the area of the foundations.
- Bottom of footing to be at least 18" below finished grade.

Concrete:

- Concrete shall have a sand fine aggregate and normal weight coarse aggregate conforming to ASTM-C150, and shall have a minimum compressive strength of 3,500psi at 28 days with 6% ±1 air entrainment.
- Unless submitted and approved otherwise, ASTM C150, Type I cement shall be used.
- Concrete shall be air-entrained as specified above and shall have a slump of 5" ± 1". Concrete shall be placed with an ambient temperature range of 55 to 90 degrees Fahrenheit. Vibrate concrete in accordance with ACI-C309.
- Materials used for forming shall be straight, smooth, and - where possible from a constructability standpoint - be continuous with the number of provided joints and seams minimized.

3,500 psi
Special Mix
Site testing &
compressive tests
required

Wood:

- Trusses and truss to truss connections by Truss Manufacturer. Provide shop drawing for review/approval.
- All joists, headers, beams, built-up columns, exterior and interior bearing wall studs, top plates and bottom plates to be minimum SPF#2 unless noted otherwise.
- Non-bearing interior wall studs may be SPF-stud grade 2x4 at 24" o.c.
- All lumber used in exterior applications, including: balcony deck boards, ledger, joists, beams, wood in contact with exterior masonry or concrete slabs or walls, and sill plates exposed to concrete shall be southern pine treated in accordance with AWPA U1. Use category 2 for sill plates, category 3B for exterior members, and category 4A for wood in ground contact. See AWPA U1 for all other cases.
- All metal connectors and fasteners in contact with pressure treated wood shall be of hot-dipped zinc-coated galvanized minimum 1.85 ounce per square foot (ASTM A653, A123, and A153), stainless steel (Type 303,304,305 or 316) or other corrosion resistant materials that are compatible with the preservative used and exposure conditions. Contractor to verify the suitability of connectors with the manufacturer and the governing jurisdiction.
- Fasteners should match the type of connector being used. Stainless steel connectors require stainless steel fasteners and hot dipped galvanized connectors require hot dipped galvanized fasteners that meet the specifications of ASTM A153.
- All studs shall be installed in accordance with NFPA (National Forest Products Association) requirements. Members are not to be drilled in excess of NDS or local code requirements, whichever is more stringent. All posts and studs shall stack continuously to solid bearing on foundation walls or beams; provide solid blocking and or cripples as required between floors.

- Sheathing: each panel shall be identified with the appropriate trademark of the American Plywood Association, and shall meet the requirements of APA PRP-108 performance standards. All panels which have any edge or surface permanently exposed to the weather shall be classed exterior grade. Panel thickness, grade, and group number or span rating shall be at least equal to that shown on the drawings. Application shall be in accordance with the recommendations of the American Plywood Association. All adhesives shall conform to APA specification AFG-01 and applied in accordance with the manufacturer's recommendations. Lap sheathing over wall plates to prevent uplift.
- Moisture content of lumber delivered to the site shall be less than or equal to 19%.

Reinforcing Steel:

- All Reinforcing steel to be grade 60. Reinforcing to conform to ASTM A615. WWF is to conform to ASTM A185
- Lap splice lengths are to be 48db, where db denotes bar diameter.
- Detailing of concrete reinforcing bars and accessories shall conform to the recommendations of ACI 315, "Details and Detailing of Concrete Reinforcement" and ACI SP-66, "Detailing Manual". Placing of reinforcing bars shall conform to the recommendations of ACI 315R, "Manual of Engineering and Placing Drawings for Reinforced Concrete Structures" and CRSI, "Manual of Standard Practice".

Additional Notes:

- Owner shall retain the services of independent agencies to perform inspections of the following items in accordance with Chapter 17 of IBC 2012: Engineered Fill, Soils, and Concrete. As construction proceeds, provide copies of field reports to the design team. *and Inspection Department*
- General Contractor to provide shop drawings for the following: concrete mix design, anchor bolt layout, and rebar. Provide electronic copies for review and approval.

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 3/3/16 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 2/15/16 |

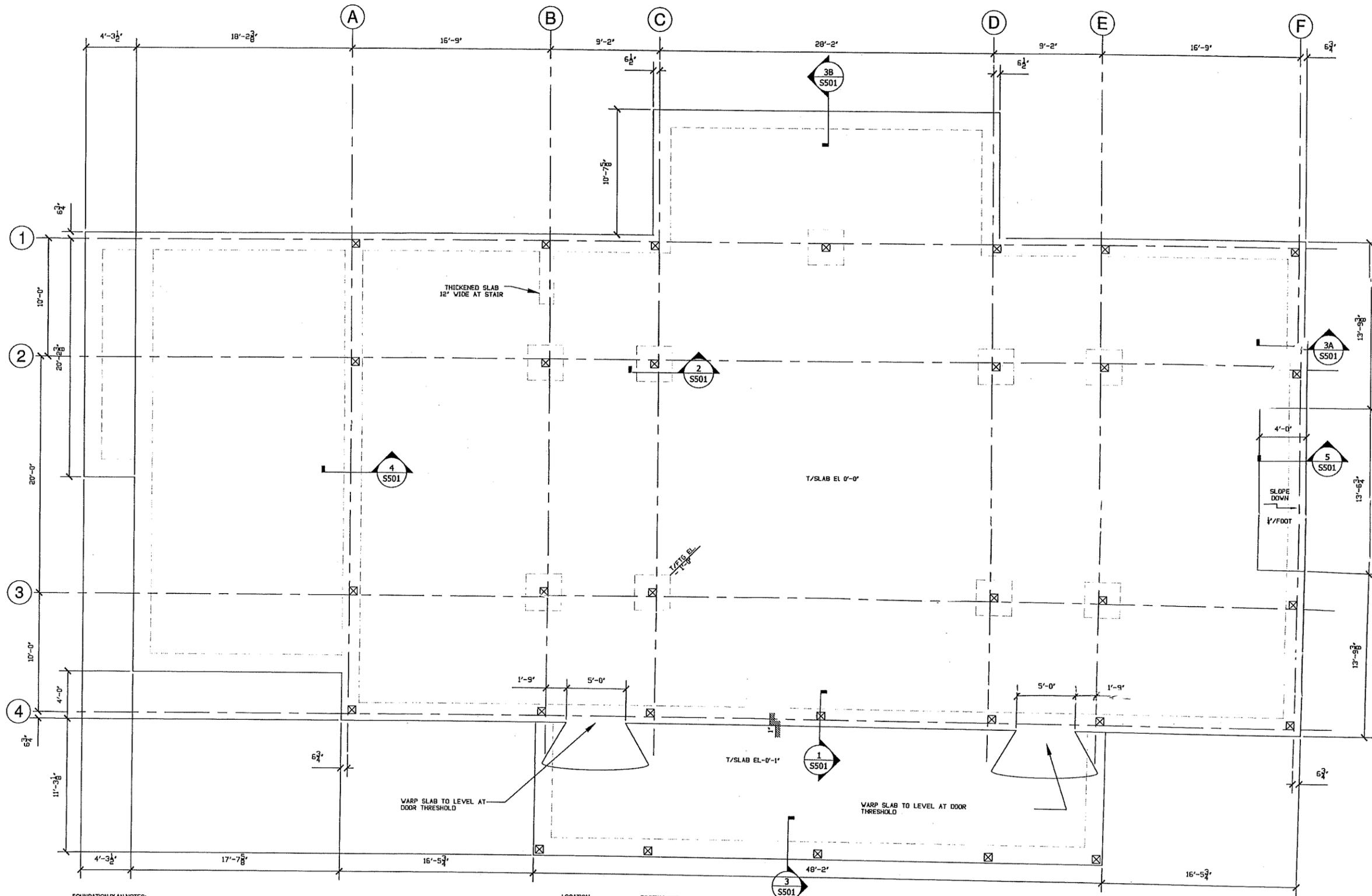
REVISION
3
DATE: 160215



SHEET TITLE
S100
DESIGN BY: MJS
DRAWN BY: PMH



BREWER BARN
CHAPEL HILL, NORTH CAROLINA

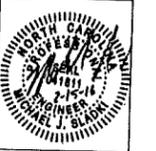


- FOUNDATION PLAN NOTES:**
1. TOP OF SLAB ELEVATION SHALL BE AS SHOWN, G.C. TO VERIFY WITH LATEST ARCHITECTURAL AND CIVIL DRAWINGS.
 2. G.C. TO VERIFY ALL DIMENSIONS SHOWN WITH LATEST ARCHITECTURAL AND CIVIL DRAWINGS. NOTIFY ARCHITECT/ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
 3. SLAB ON GRADE SHALL BE 3500 PSI NORMAL WEIGHT CONCRETE, 4" THICK, REINFORCED WITH #4 OVER 4" AGGREGATE BASE COURSE PER THE GEOTECHNICAL REPORT.
 4. G.C. TO COORDINATE LOCATIONS OF DEPRESSIONS, CURBS, ETC. WITH LATEST ARCHITECTURAL DRAWINGS.
 5. TOP OF FOOTING ELEVATIONS ARE 1'-0" BELOW SLAB ON GRADE, U.N.O. FOOTINGS SHALL BE CENTERED UNDER COLUMNS, U.N.O.
 6. COORDINATE ALL UNDERGROUND UTILITIES POINT OF ENTRY INTO BUILDING WITH LATEST ARCHITECTURAL/CIVIL DRAWINGS PRIOR TO POURING FOOTINGS TO AVOID UNDERMINING FOOTINGS AFTER THEY ARE POURED.
 7. COORDINATE REQUIREMENTS FOR UNDERSLAB DRAINAGE WITH LATEST ARCHITECTURAL, MEP AND LATEST GEOTECHNICAL REPORT.
 8. AT ALL EXTERIOR WALLS ATTACH ALL BOTTOM PLATES TO SLAB WITH SIMPSON 'IM' OR 'MISA' STRAP ANCHORS AT 36" O.C. MAX. PLACE FIRST STRAP 12" FROM END OF WALL. CONTRACTOR MAY SUBMIT ALTERNATE FOR APPROVAL.
 9. AT ALL INTERIOR BEARING WALLS ATTACH ALL BOTTOM PLATES TO SLAB WITH HILTI 'CUTRESS' POWDER ACTIVATED FASTENERS AT 18" O.C. MAX. PLACE FIRST ANCHOR 12" FROM END OF WALL. CONTRACTOR MAY SUBMIT ALTERNATE FOR APPROVAL.
 10. SEE ARCHITECTURAL DRAWINGS FOR CONTROL JOINT LAYOUT.
 11. ALL DIMENSIONS ARE FROM ARCHITECTURAL DRAWINGS.

| REV. | REVISION DESCRIPTION | DATE |
|------|--|----------|
| 1 | ISSUED FOR PERMIT | 07/03/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 08/23/15 |
| 3 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 2/15/16 |

| REVISION |
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| 3 |

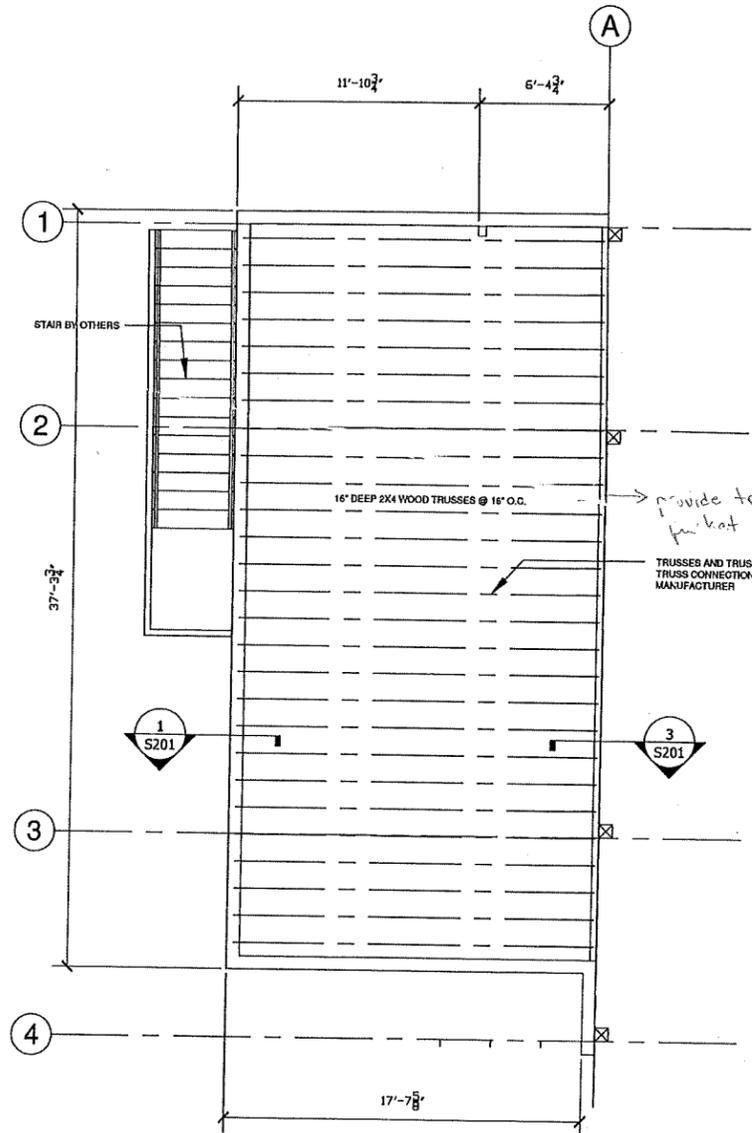
DATE: 160215



| | |
|-------------|------|
| SHEET TITLE | S200 |
| DESIGN BY: | MJS |
| DRAWN BY: | PMH |



BREWER BARN
CHAPEL HILL, NORTH CAROLINA

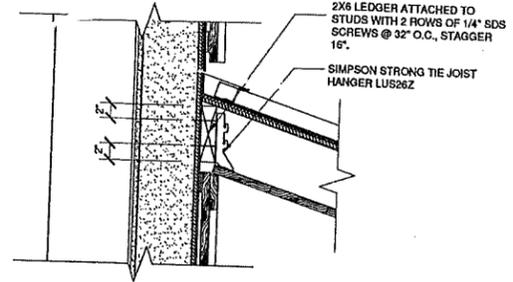
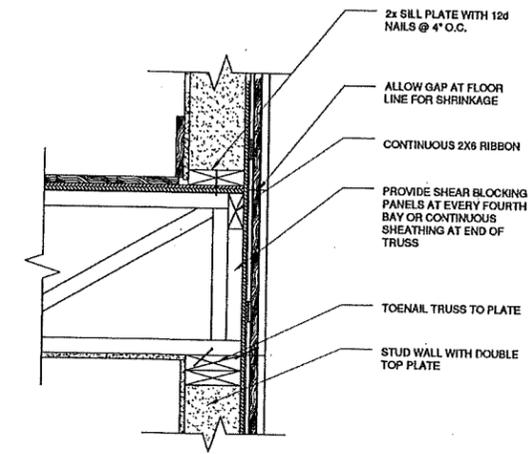
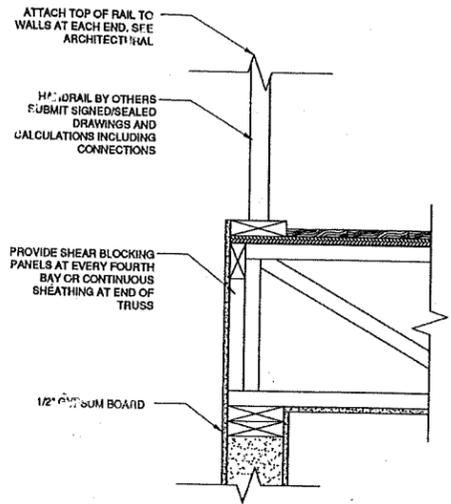


OFFICE_LOFT_FRAMING_PLAN

- FLOOR FRAMING NOTES (WOOD)**
1. ALL FLOOR FRAMING SHALL BE 16" DEEP PRE-ENGINEERED OPEN WEB WOOD TRUSSES DESIGNED AND SPACED BY TRUSS MANUFACTURER AT 16" O.C. MAX, U.N.O. FOR THE DESIGN LOADS.
 2. FLOOR TRUSS MANUFACTURER TO PROVIDE BLOCKOUTS FOR MECHANICAL DUCTS. VERIFY SIZE AND LOCATION OF FLOOR OPENINGS WITH LATEST ARCHITECTURAL AND MEP DRAWINGS.
 3. ALL TRUSS TO TRUSS CONNECTIONS TO BE SPECIFIED BY TRUSS MANUFACTURER.
 4. EXTERIOR DECK MEMBERS SHALL BE P.T. SP#2 MATERIAL.
 5. ADD EXTRA FLOOR TRUSS UNDER FULL HEIGHT WALLS WHERE WALL EXTENDS MORE THAN HALF THE SPAN OF THE TRUSS.
 6. ALL STAIRS TO BE PREFABRICATED AND DESIGNED BY OTHERS. LANDING SHALL BE 2X8 @ 16" O.C.

Provide Copy of engineering to Inspection Department

provide truss packet to Inspection Department



| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 9/13/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/23/15 |
| 3 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 2/19/16 |

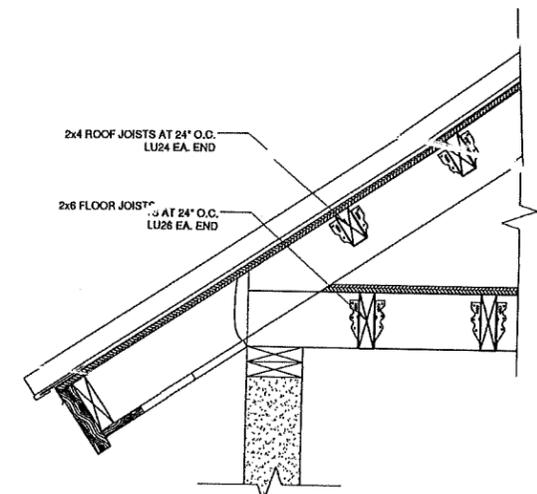
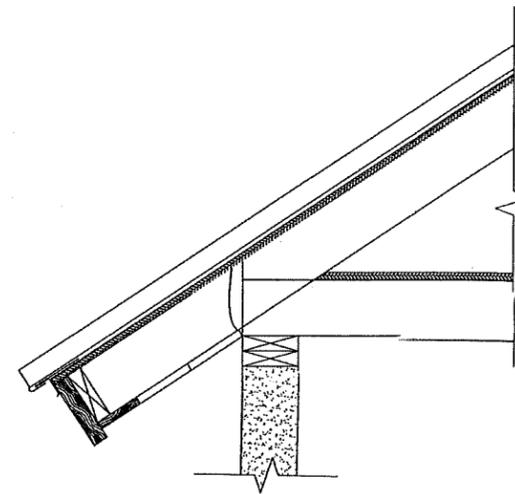
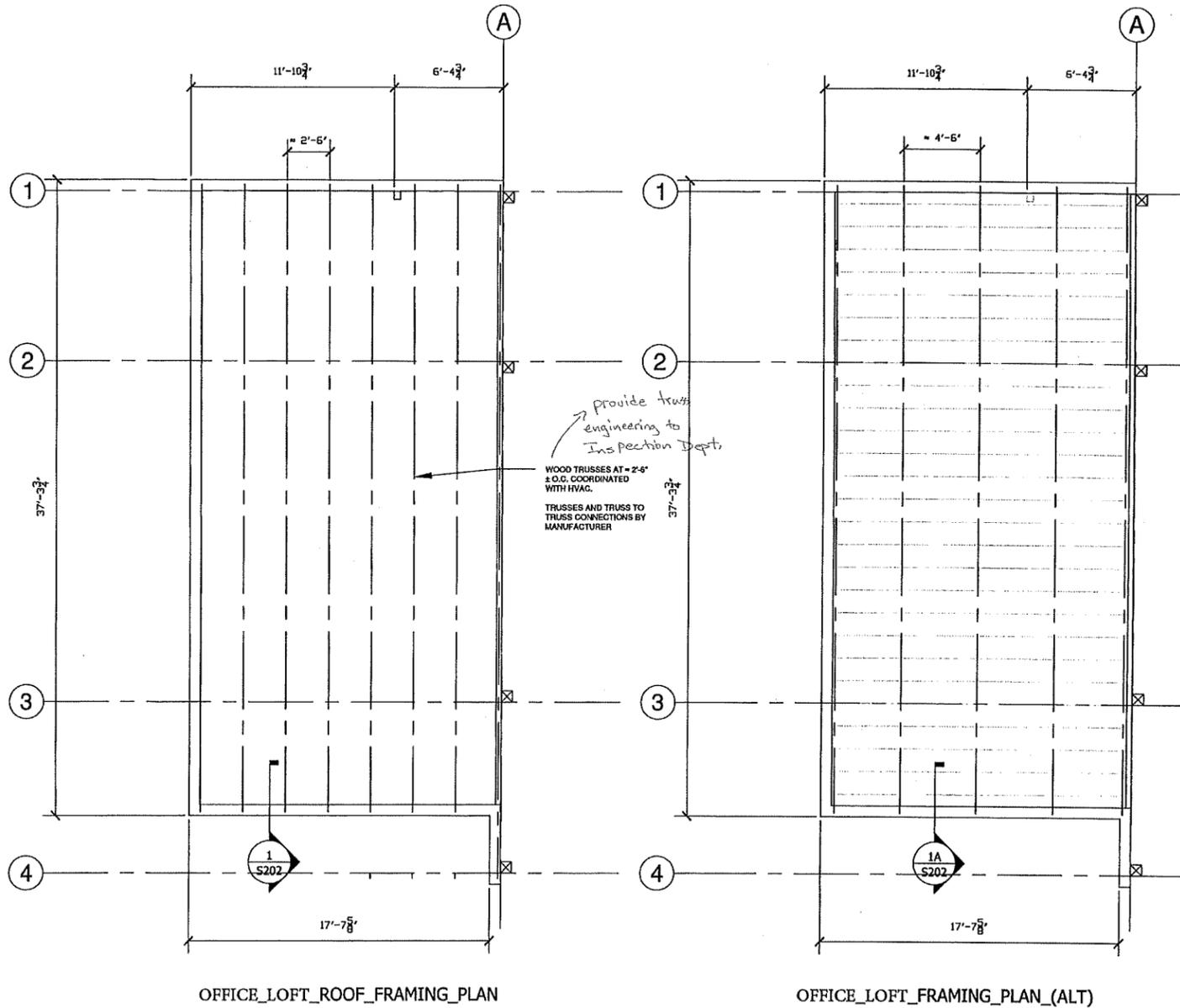
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| REVISION | 3 |
| DATE: | 160215 |



| | |
|-------------|------|
| SHEET TITLE | S201 |
| DESIGN BY: | MJS |
| DRAWN BY: | PMH |



BREWER BARN
CHAPEL HILL, NORTH CAROLINA



- FLOOR FRAMING NOTES (WOOD):**
1. ALL ROOF FRAMING SHALL BE PRE-ENGINEERED TRUSSES DESIGNED AND SPACED BY TRUSS MANUFACTURER AT 2'-6" O.C. MAX. U.N.D. FOR THE DESIGN LOADS.
 2. TRUSS MANUFACTURER TO PROVIDE BLOCKOUTS FOR MECHANICAL DUCTS. VERIFY SIZE AND LOCATION OF FLOOR OPENINGS WITH LATEST ARCHITECTURAL AND MEP DRAWINGS.
 3. ALL TRUSS TO TRUSS CONNECTIONS TO BE SPECIFIED BY TRUSS MANUFACTURER.

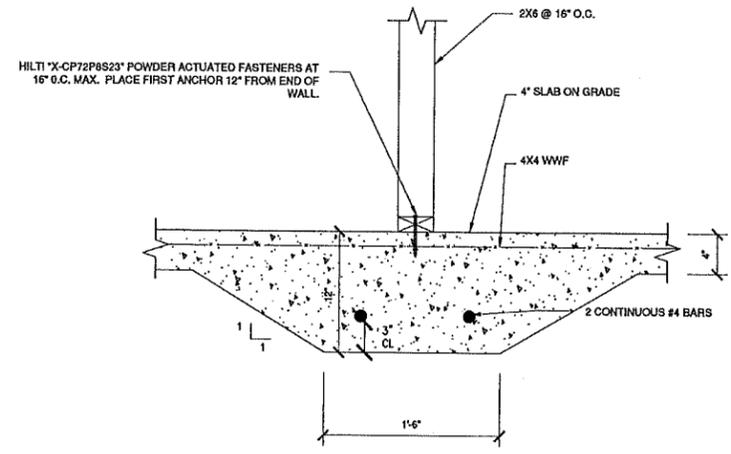
DOUBLE TRUSSES AT 4'-6" TO ALLOW FOR 4 "GAPS" FRAME SIDE TO SIDE TO ALLOW BETWEEN TRUSSES WITH 2X6 FLOOR JOISTS AND 2X4 ROOF JOISTS. TRUSS MANUFACTURER TO COMMENT.

| REV. | REVISION DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 3/13/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 8/22/15 |
| 3 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 2/15/16 |

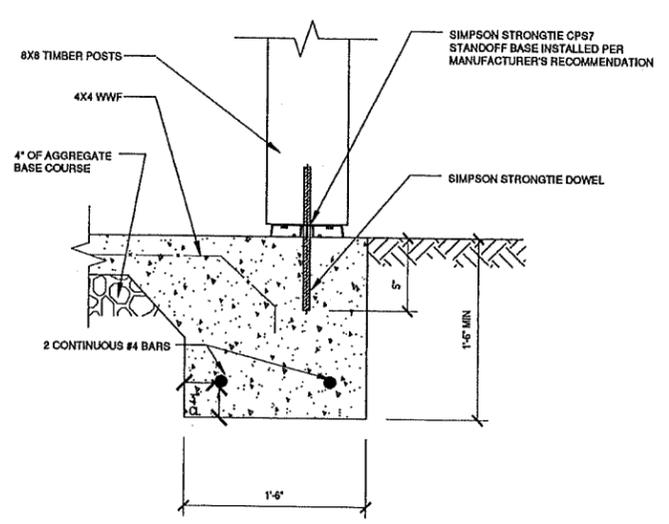
| REVISION | DATE |
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| 3 | 160215 |



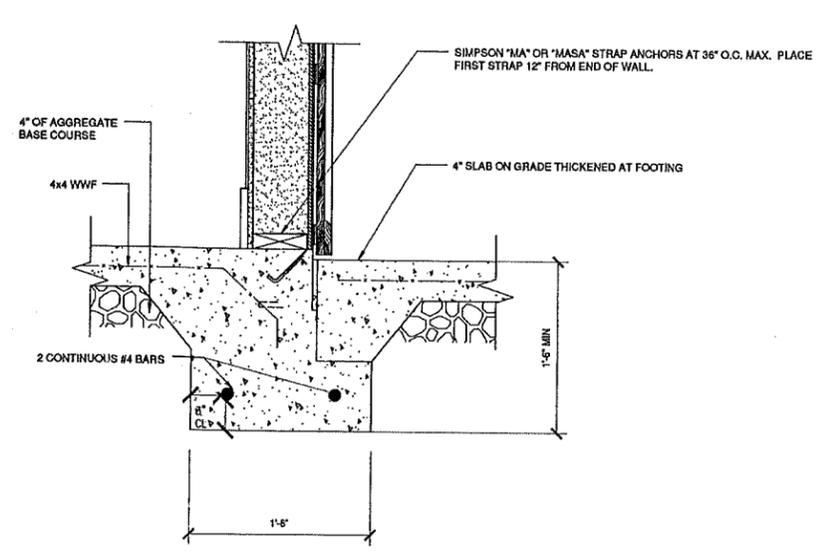
| SHEET TITLE |
|----------------|
| S202 |
| DESIGN BY: MJS |
| DRAWN BY: PMH |



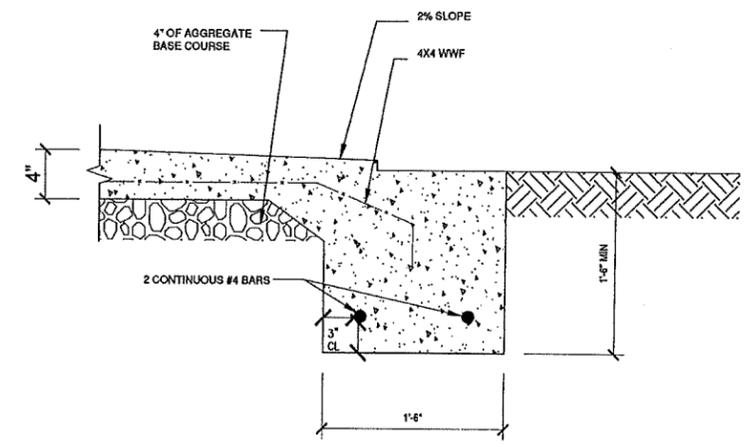
04 INT. CONTINUOUS WALL FOOTING
SCALE: 1-1/2"=1'



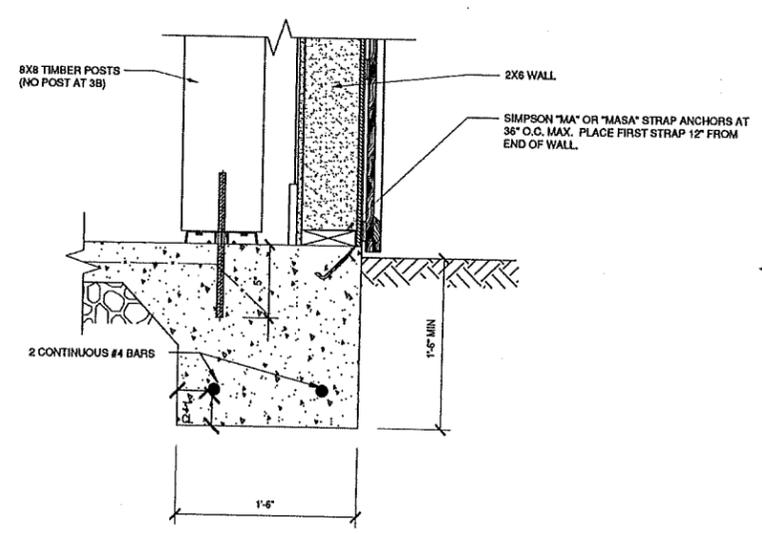
03 PERIMETER FOOTINGS
SCALE: 1-1/2"=1'



01 THICKENED SLAB
SCALE: 1-1/2"=1'

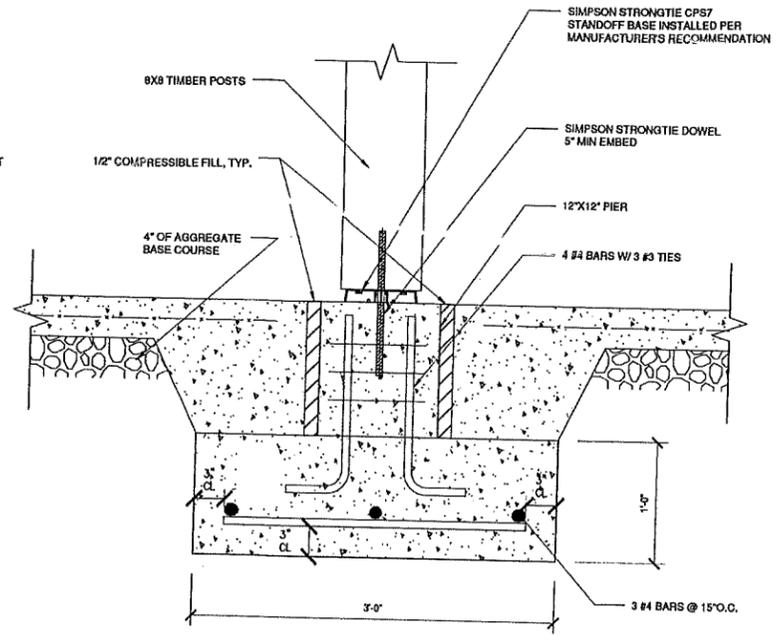


05 SLOPED SLAB
SCALE: 1-1/2"=1'



3A PERIMETER FOOTINGS (POST_AND_WALL)
SCALE: 1-1/2"=1'

3B PERIMETER FOOTINGS (WALL_ONLY)
SCALE: 1-1/2"=1'



02 INTERIOR FOOTINGS
SCALE: 1-1/2"=1'

| REV. | DESCRIPTION | DATE |
|------|--|---------|
| 1 | ISSUED FOR PERMIT | 9/15/15 |
| 2 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 9/24/15 |
| 3 | ISSUED FOR PERMIT REVISIONS/CONSTRUCTION | 2/15/16 |

| REVISION |
|----------|
| 3 |

DATE: 160215



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|----------------|
| SHEET TITLE |
| S501 |
| DESIGN BY: MJS |
| DRAWN BY: PMH |

GENERAL ELECTRICAL NOTES

- ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE AND ALL LOCAL AND STATE CODES.
- ALL MATERIAL, DEVICES, APPLIANCES, AND EQUIPMENT SHALL BE NEW AND SHALL CONFORM TO THE STANDARDS OF THE UNDERWRITER'S LABORATORIES, INC., AND THE NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION.
- ALL ELECTRICAL PERMITS AND INSPECTION FEES SHALL BE OBTAINED AND PAID FOR BY THE ELECTRICAL CONTRACTOR. IN ADDITION, THE E.C. IS RESPONSIBLE FOR OBTAINING THE LOW VOLTAGE PERMIT. E.C. SHALL COORDINATE WITH "BLACKFIN" REPRESENTATIVES FOR FURTHER INFORMATION. DRAWINGS ARE DIAGNOSTIC ONLY AND INDICATE ONLY THE GENERAL ARRANGEMENT. SEE ARCHITECTURAL DRAWINGS FOR EXACT DIMENSIONS.
- ELECTRICAL CONTRACTOR SHALL GUARANTEE ALL WORK AND MATERIALS FOR ONE YEAR EFFECTIVE THE DAY THE PROJECT IS ACCEPTED BY THE OWNER.
- ELECTRICAL CONTRACTOR SHALL MAKE ALL ELECTRICAL POWER CONNECTIONS TO HVAC, PLUMBING AND OTHER EQUIPMENT AS REQUIRED.
- A COMPLETE GROUNDING SYSTEM SHALL BE PROVIDED AND INSTALLED IN ACCORDANCE WITH ARTICLE 250 OF THE NEC, AND AS SHOWN ON THE DRAWINGS.
- ALL CUTTING AND PATCHING OF WALLS AND FLOORS FOR ELECTRICAL EQUIPMENT SHALL BE THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR.
- CONDUCTORS SHALL BE COPPER RATED AT NOT LESS THAN 600 VOLTS. MINIMUM SIZE SHALL BE #12 AWG UNLESS OTHERWISE NOTED ON THE DRAWINGS. ALL WIRE #8 AWG AND LARGER SHALL BE STRANDED. ALL CONDUCTORS #10 AND SMALLER SHALL BE SOLID, UNLESS OTHERWISE NOTED. BRANCH CIRCUIT CONDUCTORS SHALL BE TYPE THHN OR THHN AS REQUIRED. EXTEND ALL ELECTRICAL SERVICE AND CONTROL WIRING FOR HVAC UNITS THROUGH PLENUM AREA OR FITCH PAN TO HVAC DISCONNECTS. MOUNT HVAC DISCONNECTS ON UNITS.
- ALL WIRING SHALL BE INSTALLED IN GALVANIZED RIGID CONDUIT, INTERMEDIATE METAL CONDUIT, OR EMT. EMT SHALL NOT BE USED IN OR UNDER CONCRETE SLABS, OR IN MASONRY WALLS. USE SCHEDULE 40 PVC OUTDOORS WHERE NOT SUBJECT TO PHYSICAL DAMAGE OR BELOW FLOOR SLABS. MINIMUM CONDUIT SIZE TO BE 1/2". ALL CONDUIT RUNS AND ROUTING SHALL BE LAID OUT IN AN ORGANIZED MANNER, WITH CONDUITS TO BE PARALLEL AND BENDS AT A RIGHT ANGLE. ANY EXPOSED CONDUIT IN KITCHEN SHALL BE SEALTITE.
- PROVIDE A PULLWIRE IN ALL EMPTY CONDUITS.
- PROVIDE A TYPED DIRECTORY IN ALL PANELBOARDS CLEARLY DESCRIBING THE LOCATION OF AND TYPE OF LOAD BEING SERVED FOR ALL CIRCUITS. PROVIDE ENGRAVED PHENOLIC NAMEPLATES FOR ALL PANELBOARDS AND DISCONNECT SWITCHES, WHITE LETTERS ON BLACK BACKGROUND.
- FUSES 0 - 600 AMPS SHALL BE UL CLASS "RK-1" LOW PEAK DUAL ELEMENT TIME DELAY WITH 200,000 AMPERE INTERRUPTING RATING AS MANUFACTURED BY BUSGMANN, UNLESS NOTED OTHERWISE.
- ALL TERMINALS/SLUGS SHALL BE 6075I RATED. ALL TERMINALS, SPLICING CONNECTORS, LUGS, ETC SHALL BE IDENTIFIED FOR USE WITH THE MATERIAL (CUAL) OF THE CONDUCTOR AND SHALL BE PROPERLY INSTALLED.
- VERIFY ALL REQUIREMENTS AND COORDINATE EXACT LOCATION OF INCOMING ELECTRICAL SERVICE WITH LOCAL POWER COMPANY PRIOR TO PROJECT START-UP. NOTIFY ENGINEER OF ANY CHANGES AS MAY BE REQUIRED.
- E.C. TO VERIFY DEVICE PLATE COLOR AND MATERIAL WITH ARCHITECT PRIOR TO PURCHASE.
- THE ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL ELECTRICAL EQUIPMENT FROM FOREIGN MATERIAL DURING CONSTRUCTION (PAINT, SPACKLE, ETC.). PAINT TENANT-INSTALLED ELECTRICAL EQUIPMENT AND CONDUIT ON EXTERIOR WALLS TO MATCH ADJACENT WALL COLORS.
- PENETRATIONS OF REQUIRED SMOKE PARTITIONS SHALL BE SEALED USING METHODS APPROVED UNDER THE STATE BUILDING CODE. COORDINATION WITH THE GENERAL CONTRACTOR SHALL BE MAINTAINED TO INSURE THAT THIS SMOKE STOPPING IS ACCOMPLISHED.
- WHERE PENETRATIONS ARE MADE THROUGH A REQUIRED FIRE-RESISTIVE WALL, FLOOR, OR PARTITION FOR THE PURPOSE OF RUNNING RACEWAY CARRYING ELECTRICAL, TELEPHONE, TELEVISION, OR LOCAL COMMUNICATION AND/OR SIGNALING CIRCUITS, THE OPENING AROUND THE RACEWAY SHALL BE FIRE STOPPED PER THE STATE BUILDING CODE. COORDINATION WITH THE GENERAL CONTRACTOR SHALL BE MAINTAINED TO INSURE THAT THIS FIRE STOPPING IS ACCOMPLISHED. USE APPROVED U.L. OR EQUIVALENT ASSEMBLIES.
- IN REQUIRED FIRE RATED WALLS AND PARTITIONS, OPENINGS FOR INSTALLATION OF BOXES THAT ARE GREATER THAN 6 SQUARE INCHES SHALL BE PROTECTED AS REQUIRED BY U.L. COORDINATE CLOSELY WITH THE GENERAL CONTRACTOR TO INSURE THAT THE INTEGRITY OF THE U.L. RATING IS MAINTAINED.
- WHERE A HOME RUN IS SHOWN THE CIRCUIT SHALL BE INSTALLED IN A DEDICATED CONDUIT, DO NOT COMBINE WITH OTHER CIRCUITS. WHERE A CIRCUIT HOMERUN IS NOT SHOWN, THE CONTRACTOR SHALL COMBINE CIRCUITS AS FOLLOWS: A MAXIMUM OF THREE 20A BRANCH CIRCUITS MAY BE COMBINED IN A COMMON HOMERUN WITH SEPARATE NEUTRALS FOR A MAXIMUM TOTAL OF SIX CURRENT CARRYING CONDUCTORS. ALL BRANCH CIRCUITS LARGER THAN 20A SHALL BE SEPARATELY HOMERUN TO THE PANEL.
- COORDINATE WITH THE CABLE TV AND TELEPHONE UTILITIES AS REQUIRED FOR SERVICE ENTRANCE REQUIREMENTS. INSTALLATION MUST COMPLY WITH THEIR RESPECTIVE REGULATIONS AND REQUIREMENTS.
- RECEPTACLES SHALL BE SPECIFICATION GRADE EQUAL TO HUBBELL 5200/5300 SERIES, GROUND FAULT RECEPTACLES SHALL BE HUBBELL GF-5362. LIGHTING SWITCHES SHALL BE SPECIFICATION GRADE EQUAL TO HUBBELL 1200 SERIES.
- ALL EXTERIOR FIXTURES AND DEVICES SHALL BE RATED FOR OPERATION AT 0' F AND SHALL BE DAMP OR WET LABELED AS REQUIRED.
- THE ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING ALL ELECTRICAL EQUIPMENT, DEVICES, ETC. IN ACCORDANCE WITH LOCAL SEISMIC CODE REQUIREMENTS. PROVIDE SEISMIC RESTRAINTS, ACCESSORIES AND INSTALLATION DETAIL AS REQUIRED.
- ALL QUESTIONS MUST BE SUBMITTED IN R.F.I. FORMAT IN CHRONOLOGICAL ORDER TO THE ARCHITECT AND ENGINEER(S) OF RECORD AND MUST BE ADDRESSED BY THE AFOREMENTIONED PARTIES PRIOR TO BECOMING A PROPOSED CHANGE ORDER.
- ALL DEVICES REQUIRED TO BE ADA ACCESSIBLE SHALL BE INSTALLED PER ANSI A117.1.
- OUTLETS AND ELECTRICAL BOXES SHALL BE STAGGERED BETWEEN STUDS TO REDUCE SOUND TRANSMISSION.
- CONFIRM ALL T-STAT, OCCUPANCY SENSORS, AND LIGHT SWITCH LOCATIONS AGAINST FURNITURE PLAN. NOTIFY TENANT OF ANY DISCREPANCIES. IF OCCUPANCY SENSOR FALLS BEHIND A PIECE OF FURNITURE THE WALL SENSOR SHOULD BE REVISED TO A CEILING MOUNTED OCCUPANCY SENSOR.

LIGHTING FIXTURE SCHEDULE

| MARK | MANUF. | CATALOG NUMBER | LAMP DATA | | VOLTS | BALLAST DATA | | INPUT WATTS | MOUNTING | DESCRIPTION |
|------|----------------------|--|-----------|---------------------|---------|--------------|------------|-------------|-----------|--|
| | | | NO. | TYPE | | NO. | TYPE | | | |
| A1 | RESTORATION HARDWARE | CAPINO VINTAGE CANDELABRA ROUND CHANDELIER 72" | 36 | 25W | 120 | - | - | 900 | PENDANT | ROUND CHANDELIER 72" WITH DIMMING CAPABILITY. |
| A2 | RESTORATION HARDWARE | CAPINO VINTAGE CANDELABRA TWO-TIER CHANDELIER 72" | 66 | 15W | 120 | - | - | 990 | PENDANT | TWO-TIER CHANDELIER 72" WITH DIMMING CAPABILITY. |
| B | BARNLIGHT ELECTRIC | THE ORIGINAL WAREHOUSE GOOSENECK LIGHT 12" SHADE | 1 | 23W GU24 BI-PIN CFL | 120 | 1 | ELECTRONIC | 26 | PENDANT | THE ORIGINAL WAREHOUSE GOOSENECK LIGHT LISTED FOR WET LOCATION; FIXTURE SHALL BE FULL CUTOFF. |
| C | LITHONIA | 65821M LED 30K L7XLED T24 | - | LED | 120 | - | - | 10.8 | RECESSED | 6" NOMINAL APERTURE RECESSED LED DOWNLIGHT WITH MATTE WHITE FINISH. |
| D | BARNLIGHT ELECTRIC | THE ORIGINAL WAREHOUSE LED GOOSENECK LIGHT 12" SHADE | - | LED | 120 | - | - | 12 | PENDANT | THE ORIGINAL WAREHOUSE GOOSENECK LIGHT. |
| E | CRAFTMADE | 25704 92 LED | 1 | LED | 120 | - | - | 12 | WALL | OILED BRONZE BRANBURY 1-LIGHT LED OUTDOOR WALL SCONCE - 7 INCHES WIDE. |
| F | LITHONIA | LB 232 120 | 2 | F324 T8 | 120 | 1 | ELECTRONIC | 64 | SURFACE | 4" LOW PROFILE WRAPAROUND FLUORESCENT LIGHTING FIXTURE WITH PRISMATIC ACRYLIC LENS. |
| FE | LITHONIA | LB 232 120 EL14 | 2 | F324 T8 | 120 | 1 | ELECTRONIC | 64 | SURFACE | 4" LOW PROFILE WRAPAROUND FLUORESCENT LIGHTING FIXTURE WITH PRISMATIC ACRYLIC LENS. PROVIDE 90 MINUTE BATTERY BACKUP. |
| G | LITHONIA | C 2 32 120 ES | 2 | F324 T8 | 120 | 1 | ELECTRONIC | 64 | SURFACE | 48" GENERAL PURPOSE T8 FLUORESCENT STRIP LIGHTING FIXTURE. |
| K | LITHONIA | 25P6 G 3 17 A1215 120 | 3 | F174 T8 | 120 | 1 | ELECTRONIC | 51 | LAY-IN | SPECIFICATION GRADE 2'x2' LAY-IN FLUORESCENT FIXTURE WITH 0.125" THICK ACRYLIC LENS. |
| KE | LITHONIA | 25P6 G 3 17 A1215 120 EL | 3 | F174 T8 | 120 | 1 | ELECTRONIC | 51 | LAY-IN | SPECIFICATION GRADE 2'x2' LAY-IN FLUORESCENT FIXTURE WITH 0.125" THICK ACRYLIC LENS. PROVIDE 90 MINUTE BATTERY BACKUP. |
| X | LITHONIA | OPLR 6LC 120 MD | - | LED | 120 | - | - | 22 | SURFACE | SECURITY LIGHTING WITH WET LABEL LISTING. COORDINATE FINISH AND LOCATION WITH ARCHITECT. |
| Ⓢ | LITHONIA | L01 SH - R 120/277 EL N | - | LED | 120/277 | - | - | 0 | UNIVERSAL | THERMOPLASTIC LED EXIT SIGN WITH RED LETTERS AND WHITE HOUSING. PROVIDE 90 MINUTE BATTERY BACKUP. |
| Ⓢ | LITHONIA | ELH1254 H212 | 2 | H122 | 120/277 | - | - | 54 | UNIVERSAL | SURFACE MOUNTED EMERGENCY LIGHT. MOUNT AT 8'-6" AFF TO BOTTOM. PROVIDE WITH 90 MINUTE BATTERY BACKUP. |
| Ⓢ | LITHONIA | AFN DB EXT FND | 2 | 54 LED | 120/277 | - | - | 11 | WALL | SURFACE MOUNTED EXTERIOR EMERGENCY LIGHT MOUNT AT 8'-6" AFF. CONNECT TO UNSWITCHED LEG OF EXTERIOR LIGHTING CIRCUIT. |

NOTES:

- CONFIRM MANUFACTURER, TYPE, FINISH AND VOLTAGE OF ALL LIGHTING FIXTURES AND ACCESSORIES WITH ARCHITECT, OWNER AND LANDLORD PRIOR TO PURCHASE AND INSTALLATION.
- CATALOG NUMBERS AND MANUFACTURERS ARE TO INDICATE TYPE AND QUALITY OF FIXTURE DESIRED. SUBMIT CUTSHEETS OF THESE AND ALTERNATE MANUFACTURERS FOR ARCHITECT AND OWNER APPROVAL PRIOR TO PURCHASE OF ANY FIXTURES. INFORMATION ON ALTERNATE FIXTURES PROPOSED BY THE CONTRACTOR SHALL INCLUDE THE ADD/DEDUCT ASSOCIATED WITH ACCEPTANCE OF THAT FIXTURE (OR THE ALTERNATE PACKAGE AS A WHOLE).
- MASTER SLAVE WIRING CONFIGURATIONS SHALL BE USED FOR MULTI-LAMP FLUORESCENT FIXTURES IN ACCORDANCE WITH ENERGY CONSERVATION CODE SECTION 506.3. THE CONTRACTOR SHALL VERIFY THE QUANTITY AND TYPE OF BALLASTS REQUIRED TO PERMIT BI-LEVEL SWITCHING WHERE INDICATED. WHERE BI-LEVEL SWITCHING IS INDICATED INBOARD AND OUTBOARD LAMPS SHALL BE SWITCHED SEPARATELY.
- EXIT AND EMERGENCY LIGHTING FIXTURES SHALL BE CIRCUITED TO AN UNSWITCHED LEG OF THE LOCAL LIGHTING CIRCUIT, UNLESS NOTED OTHERWISE.
- PROVIDE DISCONNECT FOR LUMINAIRES WITH LINEAR FLUORESCENT LAMPS AND/OR SERVICEABLE BALLASTS PER NEC 410.10(G).
- FIXTURES WITH A STANDARD FACTORY INSTALLED EMERGENCY OPTION SHOULD USE THAT WHERE "EMC" IS SHOWN.
- COLOR TEMPERATURES OF COMPACT FLUORESCENT AND LED LAMPS SHALL BE CONFIRMED WITH THE ARCHITECT.

LIGHTING SYSTEMS ENERGY CONSERVATION CODE SECTION 404, 505 AND 506

THIS PROJECT IS CLASSIFIED AS - RESIDENTIAL AND COMPLIES WITH SECTION 404 COMMERCIAL (SEE BELOW)

LIGHTING POWER DENSITY CALCULATION COMPLIANCE

INTERIOR LIGHTING POWER DENSITY CALCULATION PER TABLE 505.5.2. SEE LIGHTING FIXTURE SCHEDULE FOR FIXTURE INFORMATION.

INTERIOR WATTAGE SPECIFIED VS. ALLOWED 4,392 VS. 4,600

EXTERIOR LIGHTING POWER DENSITY CALCULATION PER TABLE 505.6.2. SEE LIGHTING FIXTURE SCHEDULE FOR FIXTURE INFORMATION.

TRADABLE EXTERIOR WATTAGE SPECIFIED VS. ALLOWED 360 VS. 540

NONTRADABLE EXTERIOR WATTAGE SPECIFIED VS. ALLOWED NA VS. NA

DESIGNER STATEMENT:

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE DESIGN OF THIS BUILDING COMPLIES WITH THE LIGHTING SYSTEMS REQUIREMENTS OF THE INTERNATIONAL ENERGY CONSERVATION CODE, SECTION 505 AND ANY LOCAL AMENDMENTS THEREOF.

SIGNED: Paul Scott
 NAME: PAUL SCOTT, PE
 TITLE: ELECTRICAL ENGINEER

SECTION 506 COMPLIANCE - N/A 506.21 506.22 506.23 506.24 506.25 506.26

ELECTRICAL ABBREVIATIONS

| | |
|------|---|
| 18' | DIMENSION INDICATES HEIGHT ABOVE FINISHED FLOOR AT WHICH CENTER OF DEVICE IS TO BE MOUNTED. |
| AFF | ABOVE FINISHED FLOOR. |
| AFG | ABOVE FINISHED GRADE. |
| E.C. | ELECTRICAL CONTRACTOR. |
| FPN | FUSE PER EQUIPMENT NAMEPLATE REQUIREMENTS. |
| G.C. | GENERAL CONTRACTOR. |
| M.C. | MECHANICAL CONTRACTOR. |
| P.C. | PLUMBING CONTRACTOR. |
| WP | INDICATES DEVICE TO HAVE WEATHERPROOF COVER. |
| UON | UNLESS OTHERWISE NOTED. |
| FACP | FIRE ALARM CONTROL PANEL. |
| NL | NIGHT LIGHT, LIGHT NOT SWITCHED. |

The barn is a farm building constructed for bona fide farm purposes, including, but not necessarily limited to, the storage and processing of agricultural products and equipment; agritourism such as educational workshops, school field trips, weddings, retreats, and farm dinners; and support for all other activities related and incidental to the operation of a farm.

ELECTRICAL SYMBOL LEGEND

- CIRCUIT CONDUCTORS CONCEALED IN FLOOR, WALL OR CEILING.
- ARROWHEAD INDICATES HOMERUN TO PANEL NOTED.
- INDICATES HOT LEG OF CIRCUIT TO BE CARRIED OVER TO NEXT DEVICE. SEE PLANS FOR CONTROL SCHEME.
- JUNCTION BOX CEILING MOUNTED.
- JUNCTION BOX FLOOR MOUNTED.
- JUNCTION BOX WALL MOUNTED AT HEIGHT INDICATED ON DRAWINGS.
- SINGLE POLE SWITCH, 20A, 120/277 VOLT, 48" A.F.F. TO CENTER.
 - "3" INDICATES 3-WAY SWITCH.
 - "4" INDICATES 4-WAY SWITCH.
 - "D" INDICATES DIMMER SWITCH OF TYPE TO SUIT LOAD.
 - "K" INDICATES KEY OPERATED SWITCH.
 - "M" INDICATES 120V, 20A MOTOR RATED TOGGLE SWITCH.
- INDICATES FLUORESCENT FIXTURES DUAL SWITCHED, INBOARD/OUTBOARD SWITCHED SEPARATELY.
- SINGLE RECEPTACLE, 20 AMP, 120 VOLT, 18" A.F.F. TO CENTER, OR AS SPECIFIED BY OWNER.
- DUPLEX RECEPTACLE 15 AMP, 120 VOLT, 18" A.F.F. TO CENTER.
 - "GF" INDICATES GROUND FAULT CIRCUIT INTERRUPTER TYPE.
 - "WP" INDICATES WEATHERPROOF.
 - "EMC" INDICATES MOUNT GF INSIDE ENCLOSURE OF ELECTRIC WATER COOLER.
 - "R" INDICATES REGISTER/PRINTER RECEPTACLE.
- QUADRI-PLEX RECEPTACLE, AS ABOVE, 18" A.F.F. UON.
- HORIZONTAL MOUNTED RECEPTACLE WITH INSULATED SLIDING DOOR OUTLET COVER, P. 0404.
- DUPLEX RECEPTACLE, AS ABOVE, MOUNTED 6" ABOVE COUNTER TOP OR 4" ABOVE BACKSPLASH, AS APPROPRIATE, OR AT HEIGHT INDICATED.
- DUPLEX RECEPTACLE, AS ABOVE, MOUNTED 6" ABOVE COUNTER TOP OR 4" ABOVE BACKSPLASH, AS APPROPRIATE, OR AT HEIGHT INDICATED, WITH GFI PROTECTION.
- 240V RECEPTACLE, SEE PLAN, FOR NEMA CONFIGURATION. COORDINATE EXACT REQUIREMENTS WITH EQUIPMENT TO BE INSTALLED.
- TELEPHONE OUTLET, 18" A.F.F. TO CENTER, UNLESS OTHERWISE NOTED.
- TELEPHONE DATA OUTLET, 18" A.F.F. TO CENTER, UNLESS OTHERWISE NOTED.
- HEAVY DUTY FUSIBLE/NON-FUSIBLE DISCONNECT SWITCH, NUMBERS INDICATE FRAME SIZE, NUMBER OF POLES AND FUSING. PROVIDE NEMA 1 ENCLOSURE INSIDE. PROVIDE NEMA 3 ENCLOSURE FOR ALL SWITCHES LOCATED OUTSIDE.
 - "FP" INDICATES FUSE PER EQUIPMENT NAMEPLATE.
 - "NF" INDICATES NON-FUSED.
- 240/220V PANEL, SURFACE OR RECESS MOUNTED, SEE SCHEDULE FOR DETAILS.
- FAN, PROVIDED AND INSTALLED BY MECHANICAL CONTRACTOR, WIRED BY ELECTRICAL CONTRACTOR. PROVIDE DISCONNECTING MEANS AS REQUIRED.
- WATER HEATER, PROVIDED AND INSTALLED BY PLUMBING CONTRACTOR, WIRED BY ELECTRICAL CONTRACTOR. PROVIDE DISCONNECTING MEANS AS REQUIRED.
- RECESSED MOUNTED 2x4 FLUORESCENT TROFFER, SEE FIXTURE SCHEDULE FOR DETAILS.
- TRACK LIGHTING FIXTURE, SEE FIXTURE SCHEDULE FOR DETAILS.
- SURFACE MOUNTED FLUORESCENT STRIP, SEE FIXTURE SCHEDULE FOR DETAILS.
- WALL MOUNTED LIGHTING FIXTURE, SEE FIXTURE SCHEDULE FOR DETAILS.
- SURFACE, RECESSED OR GROUND MOUNTED LIGHTING FIXTURE, SEE FIXTURE SCHEDULE FOR DETAILS.
- ELECTRIC UTILITY METER LOCATION.
- WALL MOUNTED CABLE TV OUTLET. COORDINATE EXACT LOCATION AND MOUNTING HEIGHT WITH OWNER.

ELECTRICAL SYMBOL LEGEND - SENSORS

- WALL SWITCH PASSIVE INFRARED AND MICROPHONIC OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL HSD PDT. TIME DELAYS 10 MINUTES FOR ON/OFF.
 - WALL OR CEILING MOUNTED PASSIVE INFRARED OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL HW B. TIME DELAYS 10 MINUTES FOR ON/OFF.
 - CEILING MOUNTED PASSIVE INFRARED AND MICROPHONIC OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL CH PDT 9. TIME DELAYS 30 MINUTES FOR ON/OFF.
 - CEILING MOUNTED PASSIVE INFRARED AND MICROPHONIC OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL CH PDT 10. TIME DELAYS 30 MINUTES FOR ON/OFF.
 - CORNER MOUNTED PASSIVE INFRARED OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL HW 16. TIME DELAYS 10 MINUTES FOR ON/OFF.
 - CORNER MOUNTED PASSIVE INFRARED OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL HW 16 R P. TIME DELAYS 10 MINUTES FOR ON/OFF.
 - CORNER MOUNTED PASSIVE INFRARED AND MICROPHONIC OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL HW PDT 16 R P. TIME DELAYS 10 MINUTES FOR ON/OFF.
 - WALL SWITCH PASSIVE INFRARED OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL HSD. TIME DELAYS 10 MINUTES FOR ON/OFF.
 - CEILING MOUNTED PASSIVE INFRARED AND MICROPHONIC OCCUPANCY SENSOR EQUAL TO SENSOR SWITCH MODEL CH PDT 10. TIME DELAYS 10 MINUTES FOR ON/OFF.
 - WALL SWITCH PASSIVE INFRARED OCCUPANCY SENSOR WITH DUAL RELAYS FOR INBOARD/OUTBOARD SWITCHING EQUAL TO SENSOR SWITCH MODEL HSD 2P. TIME DELAYS 10 MINUTES FOR ON/OFF.
- THE MOTION SENSOR LAYOUT SHALL BE REVIEWED AND ADJUSTED BY THE ACTUAL DEVICE MANUFACTURER WHICH THE CONTRACTOR SELECTS. THE CONTRACTOR SHALL PROVIDE SHOP DRAWINGS FOR THE SYSTEM TO THE ENGINEER FOR REVIEW, PRIOR TO PURCHASE AND INSTALLATION.



HERITAGE RESTORATIONS
 ARCHITECT - JAMES M. HESTER
 210-922-0727
 JMH@HERITAGEBARN.COM

BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

REVISIONS

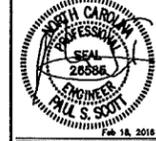
DATE: 02-15-16

DRAWN BY: JRS

PROJECT NO.: ZYY-1506

SHEET TITLE: ELECTRICAL SCHEDULES/NOTES AND LEGEND

HALL LEGEND:
1-HOUR FIREWALL
SEE ARCHITECT PLANS FOR FURTHER DETAIL



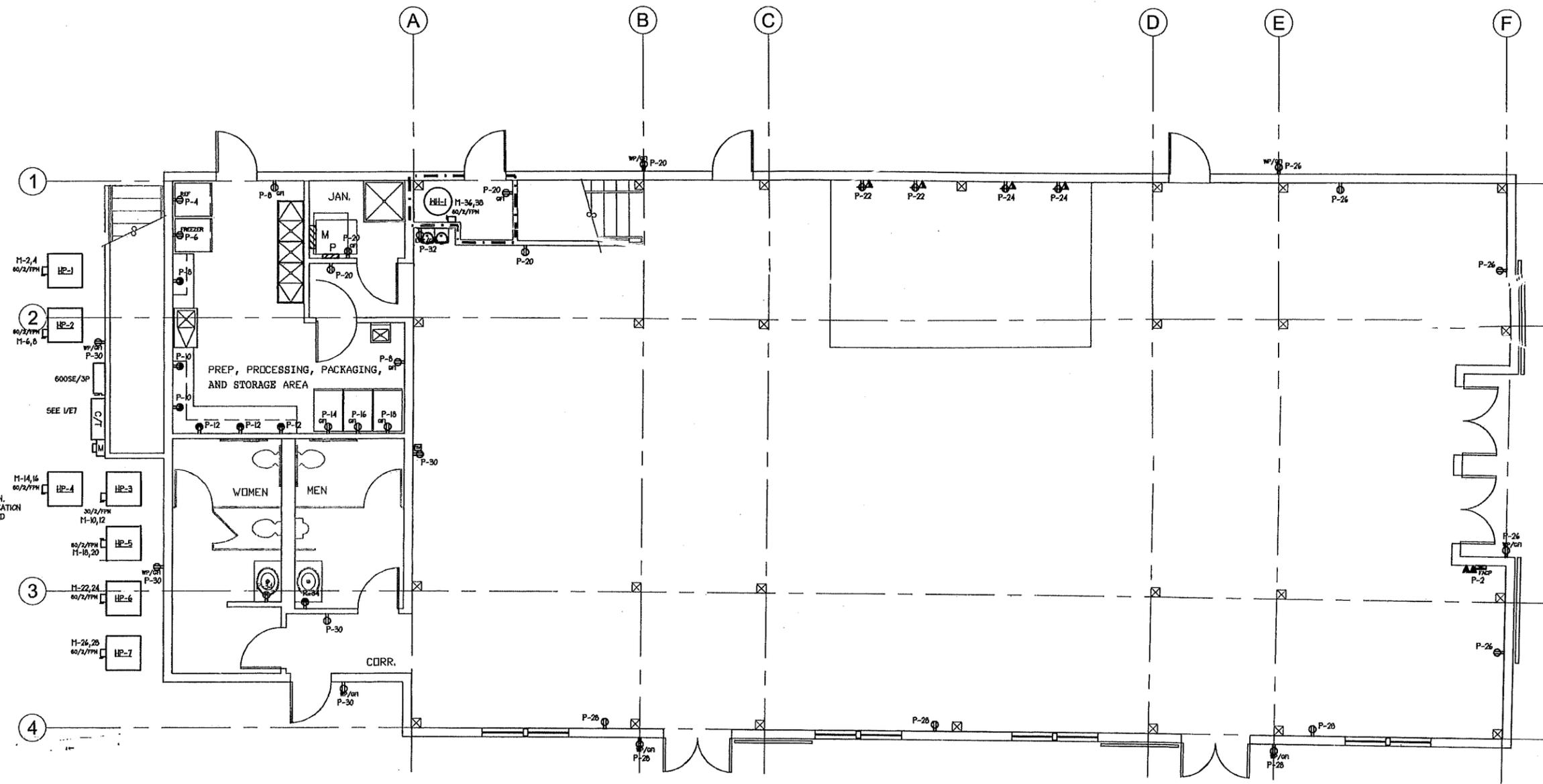
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ARCHITECT - JAMES M. KESTLER
210-872-0737
[WWW.HERITAGEBARN.COM]

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DATE: 02-15-16
DRAWN BY: JRS
PROJECT NO.: ZY-1506
SHEET TITLE: ELECTRICAL POWER PLAN - FIRST LEVEL

SHEET: E4



1 ELECTRICAL POWER - FIRST LEVEL PLAN
1/4" = 1'-0"

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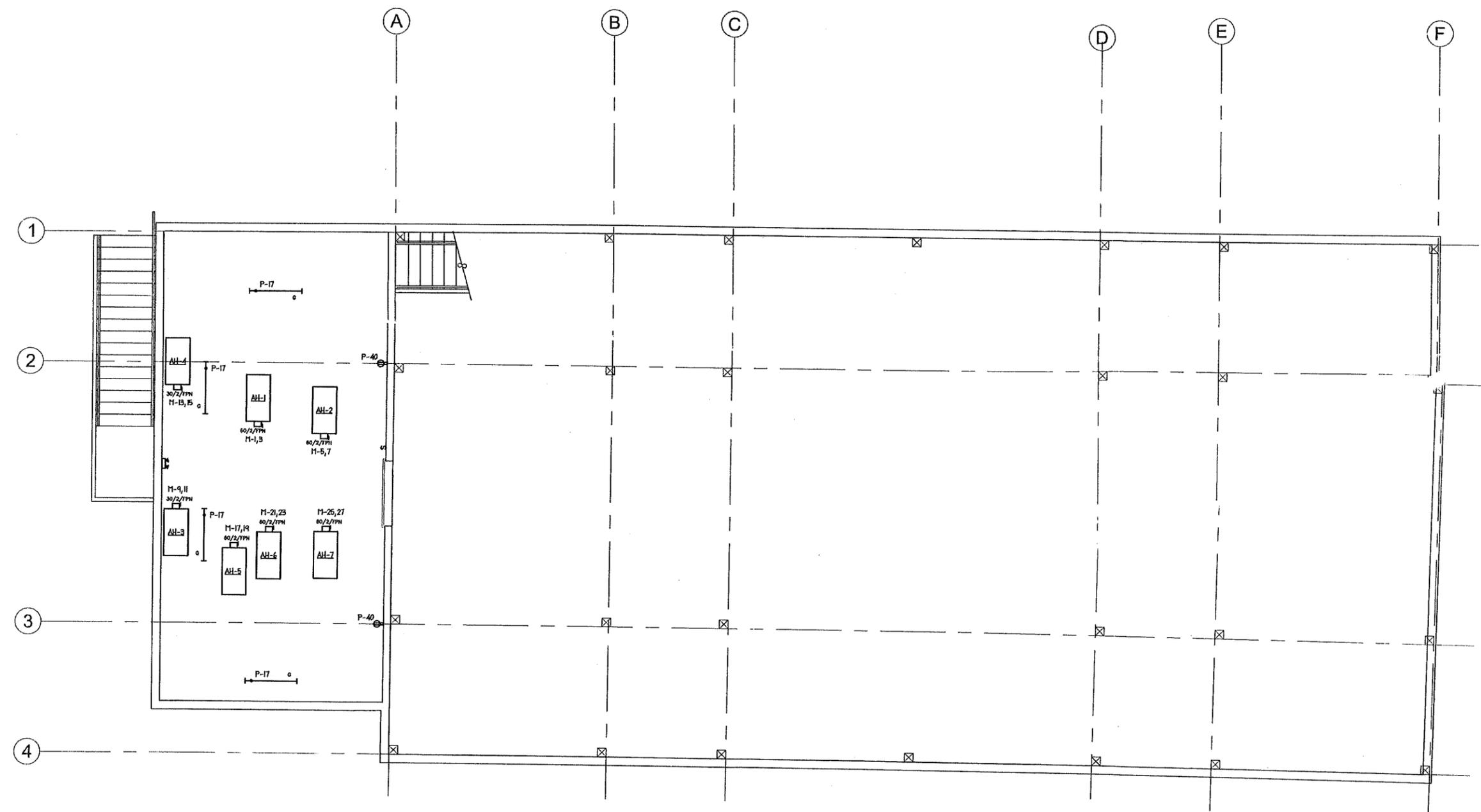
HALL LEGEND:
1-HOUR FIREHALL
SEE ARCHITECT PLANS FOR FURTHER DETAIL



HERITAGE RESTORATIONS
ARCHITECT - JAMES M. KESTLER
210-872-0037
[JMK@HERITAGEBARN.COM]

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1 UPPER LEVEL PLAN
1/4"=1'-0"

GENERAL NOTES: (ELECTRICAL PLANS)
1. COORDINATE TYPE 'G' LIGHT FIXTURE LOCATIONS WITH HVAC INSTALLATION.

REVISIONS

DATE 02-15-16
DRAWN BY JRS
PROJECT NO. ZY-1506
SHEET TITLE ELECTRICAL PLAN, UPPER LEVEL

SHEET E6

WALL LEGEND
 I-HOUR FIREWALL
 SEE ARCHITECT PLANS FOR FURTHER DETAIL



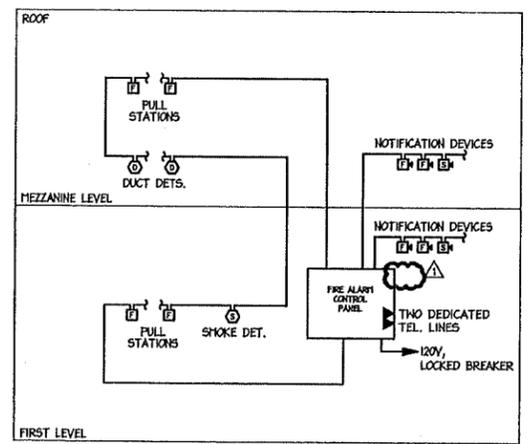
HERITAGE RESTORATIONS
 ARCHITECT - JAMES M. KISTLER
 210-872-0737
 (JMK@HERITAGEBARN.COM)

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REVISIONS
 CODE COMMENTS 02.08.2016

DATE: 02-15-16
 DRAWN BY: JRS
 PROJECT NO.: ZY-1506
 SHEET TITLE: FIRE ALARM PLANS

SHEET
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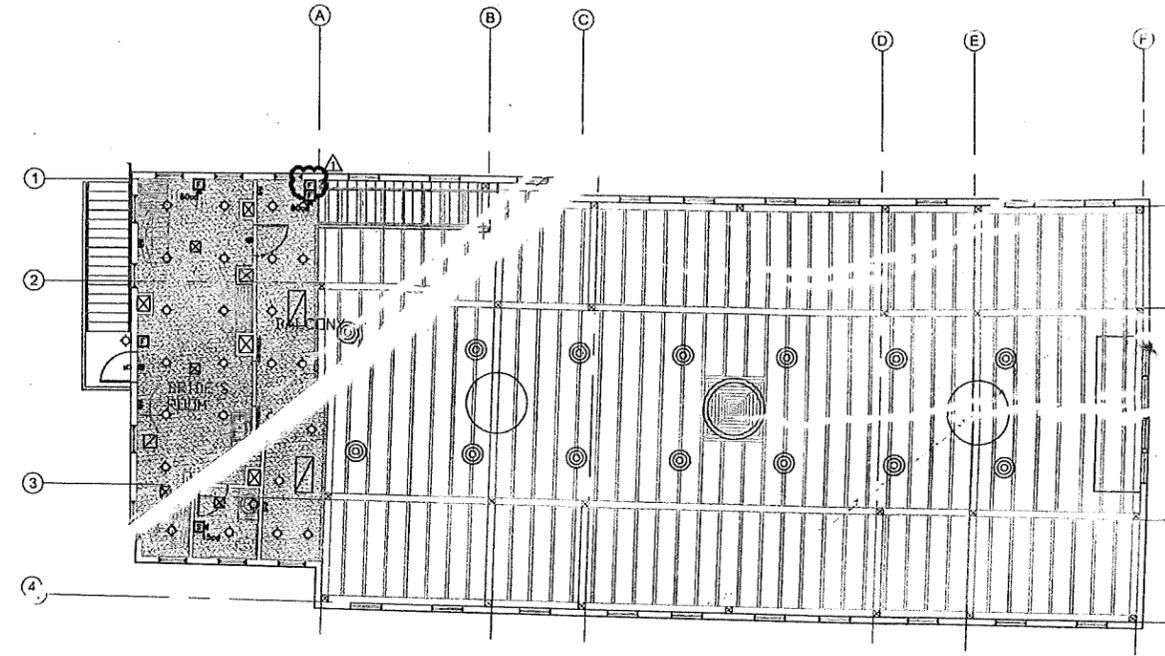
5 FIRE ALARM RISER DIAGRAM
 NTS

GENERAL NOTES: (FIRE ALARM RISER DIAGRAM)

- FIRE ALARM SYSTEM SHALL BE ADDRESSABLE, 24V DC, POWER LIMITED, FULLY SUPERVISED, WITH 24 HOUR STANDBY BATTERY. GARDHILL IDENTIFLEX 602 SERIES OR EQUAL. PANEL TO BE 5811-FLUSH MOUNTED.
- FIRE ALARM DEVICES ARE TO BE INSTALLED IN ACCORDANCE WITH NFPA 72 AND 'ADA'.
- ALL FIRE ALARM WIRING SHALL BE IN CONDUIT OR AS ALLOWED BY NEC OR LOCAL AHI.
- DEVICE QUANTITIES SHALL BE AS INDICATED ON THE PLANS. VERIFY QUANTITY AND EXACT LOCATION WITH AUTHORITY HAVING JURISDICTION TO ENSURE BID INCLUDES ALL REQUIRED WORK.
- ELECTRICAL CONTRACTOR SHALL PROVIDE A FIRE ALARM LAYOUT PLAN AT THE FACP.
- TESTING OF THE FIRE ALARM SYSTEM SHALL BE THE RESPONSIBILITY OF THE ELECTRICAL CONTRACTOR.
- ALL VISUAL DEVICES IN A COMMON VIEWING AREA SHALL BE SYNCHRONIZED.
- ALL NOTIFICATION APPLIANCES WITH AUDIBLE NOTIFICATION CAPABILITIES SHALL EMIT A THREE-PULSE TEMPORAL PATTERN TONE COMPLIANT WITH ANSI S3.41.

| FIRE ALARM SYSTEM SCHEDULE | RESPONSE | | | | | |
|---|--------------------------|--------------------------|----------------------------------|---|---|------------------------|
| | ALL AUDIBLE SIGNAL SOUND | ALL VISUAL SIGNALS FLASH | SEND ALARM TO CENTRAL MONITORING | SEND TROUBLE SIGNAL TO CENTRAL MONITORING STATION | SEND SUPERVISORY SIGNAL TO CENTRAL MONITORING STATION | ACTIVATE HVAC SHUTDOWN |
| ALARM | | | | | | |
| GENERAL ALARM (ANY INPUT DEVICE IN ALARM, SD, PS) | X | X | X | | | X |
| DUCT DETECTORS | | | | | X | X |
| FACP POWER LOSS OR FAULT CONDITION | | | | X | | |
| TROUBLE SIGNAL THROUGHOUT BUILDING | | | | X | | |

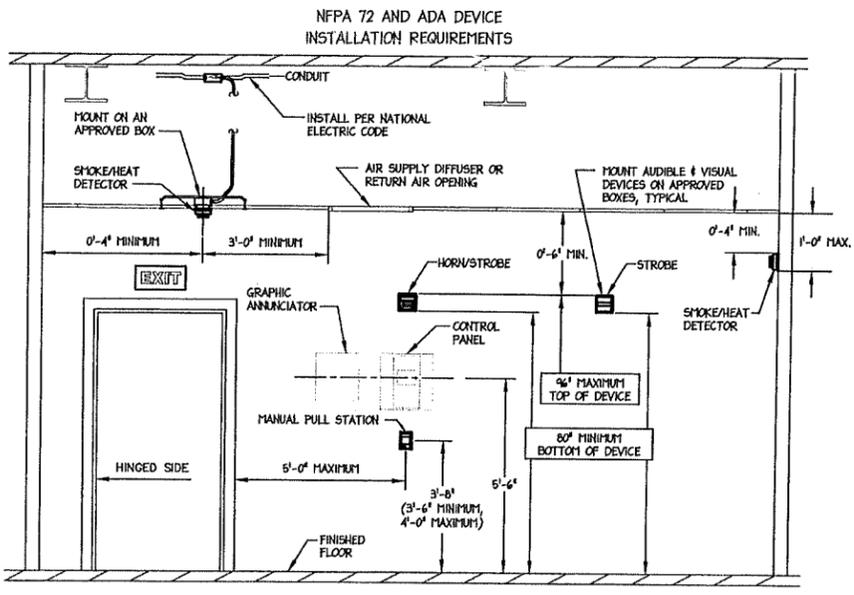
| FIRE ALARM SYMBOL LEGEND | |
|--------------------------|--|
| | FIRE ALARM CONTROL PANEL, SURFACE MOUNTED. |
| | FIRE ALARM SYSTEM ANNUNCIATOR PANEL, 48" A.F.F. |
| | FIRE ALARM SYSTEM MANUAL PULL STATION, 48" A.F.F. |
| | FIRE ALARM SYSTEM ALARM INDICATING DEVICE, HORIZ/STROBE, 60" A.F.F. |
| | FIRE ALARM SYSTEM ALARM INDICATING DEVICE, HORIZ/STROBE, CEILING OR PENDANT MOUNTED. |
| | FIRE ALARM SYSTEM CEILING MOUNTED SMOKE DETECTOR, MULTI-MODE TYPE. |
| | FIRE ALARM SYSTEM DUCT MOUNTED SMOKE DETECTOR. DETECTOR SHALL BE SUPPLIED AND WIRED BY E.C., INSTALLED BY H.C. |



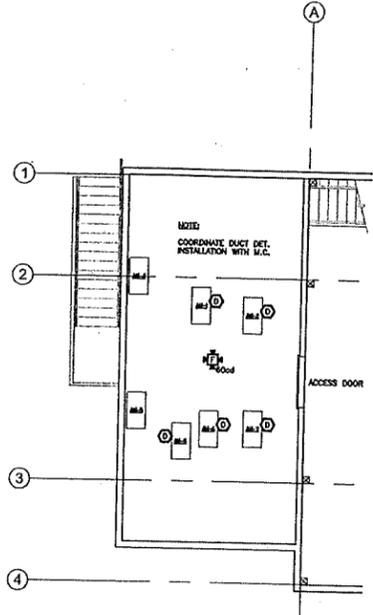
2 OFFICE LEVEL PLAN
 1/8"=1'-0"

GENERAL NOTES: (FIRE ALARM PLANS)

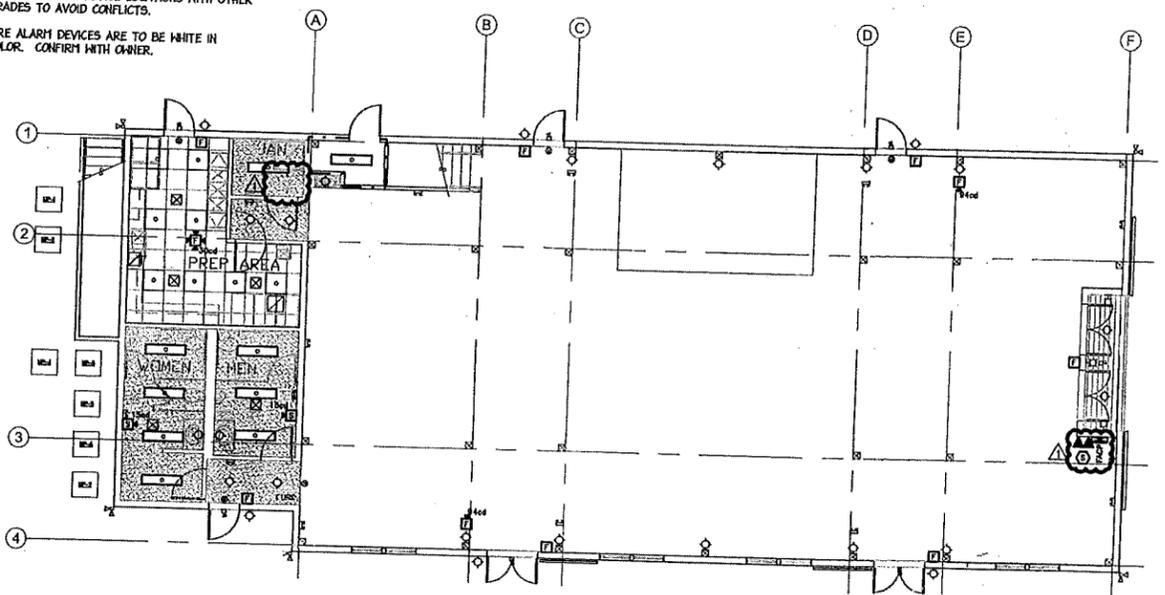
- COORDINATE EXACT LOCATION OF FACP WITH LOCAL FIRE MARSHAL PRIOR TO ROUGH-IN.
- COORDINATE ALL DEVICE LOCATIONS WITH OTHER TRADES TO AVOID CONFLICTS.
- FIRE ALARM DEVICES ARE TO BE WHITE IN COLOR. CONFIRM WITH OWNER.



4 ADA DEVICE INSTALLATION
 DIAGRAMMATIC ONLY

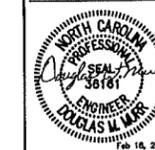


3 UPPER LEVEL PLAN
 1/8"=1'-0"



1 FIRST LEVEL PLAN
 1/8"=1'-0"

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HERITAGE RESTORATIONS
ARCHITECT - JAMES H. KISTLER
210-872-0737
[JMK@HERITAGEBARN.COM]

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HVAC GENERAL NOTES

- THE CONTRACTOR SHALL FURNISH AND INSTALL ALL MATERIAL AND EQUIPMENT IN STRICT ACCORDANCE WITH APPLICABLE CODES AND STANDARDS, AND PER MANUFACTURER'S DIRECTIONS.
- THE CONTRACTOR SHALL SECURE AND PAY FOR ALL NECESSARY PERMITS, LICENSE, INSPECTIONS, APPROVALS, AND FEES.
- THE CONTRACTOR SHALL COORDINATE HIS WORK WITH ALL OTHER TRADES BEFORE INSTALLATION OF ANY MATERIALS OR EQUIPMENT.
- THESE DRAWINGS ARE DIAGNOSTIC AND SHOW GENERAL LOCATION AND ARRANGEMENT OF ALL MATERIALS AND EQUIPMENT. THE DRAWINGS SHALL BE FOLLOWED AS CLOSELY AS BUILDING CONSTRUCTION AND ALL OTHER WORK WILL PERMIT.
- DO NOT SCALE DRAWINGS FOR MEASUREMENTS.
- ALL DUCT DIMENSIONS SHOWN ARE INTERIOR DUCT DIMENSIONS.
- ALL PENETRATIONS THROUGH EXTERIOR WALLS & ROOF SHALL BE FLASHED & COUNTERFLASHED IN A WATERPROOF MANNER (COLOR TO MATCH EXTERIOR).
- SEAL ALL PENETRATIONS OF RATED WALLS WITH FIRE DAMPER AND SEALANT MATERIAL APPROVED BY LOCAL CODE.
- ALL SUSPENDED MATERIALS AND EQUIPMENT SHALL BE INDIVIDUALLY SUPPORTED FROM THE BUILDING STRUCTURE. DO NOT SUSPEND ITEMS FROM THE CEILING OR ITS SUPPORT SYSTEM.
- INSTALL ALL CONTROL DEVICES, INCLUDING THERMOSTATS AND SWITCHES, 4'-0" ABOVE FINISHED FLOOR. PROVIDE THE REQUIRED DEVICE(S) FOR ALL SYSTEMS WHETHER LOCATED ON THE PLANS OR NOT.
- LOCATE CEILING DIFFUSERS IN ACCORDANCE WITH ARCHITECTURAL REFLECTED CEILING PLANS (IF PROVIDED).
- PROVIDE MANUFACTURER'S RECOMMENDED CLEARANCES AROUND MECHANICAL UNITS FOR MAINTENANCE AND FILTER REMOVAL.
- ALL PIPING AND DUCTWORK LOCATIONS SHALL BE COORDINATED BY WORK UNDER OTHER DIVISIONS OF THE SPECIFICATIONS, TO AVOID INTERFERENCE.
- ALL SUPPLY AND RETURN DUCTS SHALL BE INSULATED AS FOLLOWS:
CONDITIONED SPACES R-6 MINIMUM
NON-CONDITIONED SPACES R-8 MINIMUM
CONCEALED SHEET METAL DUCT MAY BE EXTERNALLY INSULATED WITH MINERAL FIBER BOARD OR BLANKET OR MAY BE INTERNALLY INSULATED WITH DUCT LINER. THE FIRST 15' FROM THE AIR HANDLER SHALL BE INTERNALLY LINED. EXPOSED SPIRAL DUCTWORK SHALL BE DOUBLE WALL.
- INDEPENDENT CERTIFIED TEST AND BALANCE CONTRACTOR SHALL BALANCE SYSTEM TO AIR QUANTITIES INDICATED ON PLANS AND PROVIDE OWNER'S REPRESENTATIVE WITH COMPLETE BALANCE REPORT. IF BALANCING DAMPERS ARE NOT PROVIDED IN RETURN DUCTWORK, CONTRACTOR SHALL BALANCE SUPPLY SIDE TO AIR QUANTITIES INDICATED ON PLANS AND SHALL BALANCE OUTSIDE AIR AND RETURN AIR FLOWS AT THE AIR HANDLER TO AIR QUANTITIES INDICATED IN THE SCHEDULE. PROVIDE NEW AIR FILTERS FOR EACH UNIT.
- PROVIDE 1 YEAR WARRANTY ON ALL EQUIPMENT AND 5 YEAR WARRANTY ON ALL COMPRESSORS.
- ALL INTAKE OPENINGS SHALL BE LOCATED A MINIMUM OF 10'-0" FROM ALL EXHAUST LOCATIONS.
- CONDENSATE DRAIN PIPING AND FITTINGS SHALL BE SCHEDULE 40 PVC. DRAINS FROM AIR HANDLING UNITS SHALL BE TRAPPED.
- A COMPLETE SYSTEM OF SEISMIC RESTRAINTS SHALL BE DESIGNED BY MASON INDUSTRIES & SEALED BY THEIR REGISTERED ENGINEER & INSTALLED BY THIS CONTRACTOR, AS REQUIRED BY APPLICABLE CODES FOR THE LOCALE OF THIS PROJECT.
- ALL MAIN DUCTWORK SHALL BE GALVANIZED SHEET METAL CONSTRUCTED IN ACCORDANCE WITH SMANNA STANDARDS. RUNOUTS FROM MAIN BRANCH DUCTS MAY BE FLEXIBLE DUCT CONFORMING TO THE REQUIREMENTS OF UL 181 FOR CLASS I FLEXIBLE AIR DUCTS.
- THE MECHANICAL CONTRACTOR SHALL PROVIDE REFRIGERANT AND LOW VOLTAGE CONTROL LINES FROM THE CONDENSERS TO THE AIR HANDLING UNITS. COORDINATE ROUTING AND INSTALLATION WITH THE GENERAL CONTRACTOR. SIZE REFRIGERANT LINES PER MANUFACTURER'S REQUIREMENTS.
- ELECTRICAL CONTRACTOR TO PROVIDE ALL HIGH VOLTAGE ELECTRICAL WIRING, CONDUIT, DISCONNECT SWITCHES, FUSES, ETC. TO SPLIT SYSTEM UNITS. ALL FINAL ELECTRICAL CONNECTIONS ARE BY ELECTRICAL CONTRACTOR.
- OUTSIDE AIR DUCTWORK SHALL BE WRAPPED WITH 1/2" FIBERGLASS DUCT WRAP WITH VAPOR BARRIER.
- REFRIGERANT PIPING, NOT SHOWN ON PLANS, SHALL BE SIZED & INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS, INSTALLATION INSTRUCTIONS AND LOCAL CODES.
- MECHANICAL CONTRACTOR SHALL VERIFY LOCATION OF ALL PENETRATIONS FOR LOUVERS, & HALL CAPS WITH ARCHITECT & OWNER PRIOR TO INSTALLATION.
- MECHANICAL CONTRACTOR SHALL PAINT ALL LOUVERS AND VENT CAPS. CONFIRM COLOR WITH ARCHITECT & OWNER PRIOR TO INSTALLATION.
- ALL CUTTING AND PATCHING OF WALLS AND FLOORS FOR MECHANICAL EQUIPMENT SHALL BE THE RESPONSIBILITY OF THE MECHANICAL CONTRACTOR.

NOTE:
G.C. AND M.C. ARE TO CONTACT LIGHTHOUSE ENGINEERING WHEN SYSTEMS ARE INSTALLED TO A POINT THAT SYSTEM INSPECTION AND VERIFICATION CAN BE MADE IN COMPLIANCE WITH THE N.C.E.C.C. SECTION 509.2.4.3. ITEMS THAT WILL BE REQUIRED AT SYSTEM INSPECTION INCLUDE:
-COMPLETED TEST AND BALANCE REPORT
-OPERATION AND MAINTENANCE MANUALS
-SYSTEM INSTALLATION AND OPERATION
-CONTROLS INSTALLATION AND OPERATION

**ENERGY REQUIREMENTS:
MECHANICAL SYSTEMS, SERVICE SYSTEMS AND EQUIPMENT**

METHOD OF COMPLIANCE
 PRESCRIPTIVE ENERGY COST BUDGET

THERMAL ZONE 4A

EXTERIOR DESIGN CONDITIONS
 WINTER DRY BULB 16
 SUMMER DRY BULB 93

INTERIOR DESIGN CONDITIONS
 WINTER DRY BULB 70
 SUMMER DRY BULB 75
 RELATIVE HUMIDITY 50

BUILDING HEATING LOAD (MBH) 224.2
 BUILDING COOLING LOAD (MBH) 247.9

MECHANICAL SPACING CONDITIONING SYSTEM
 UNITARY
 DESCRIPTION OF UNIT SEE SCHEDULES
 HEATING EFFICIENCY SEE SCHEDULES
 COOLING EFFICIENCY SEE SCHEDULES
 HEAT OUTPUT OF UNIT SEE SCHEDULES
 COOLING OUTPUT OF UNIT SEE SCHEDULES

BOILER
 TOTAL BOILER OUTPUT NA
 CHILLER
 TOTAL CHILLER OUTPUT NA

LIST EQUIPMENT EFFICIENCIES SEE SCHEDULES

EQUIPMENT SCHEDULES WITH MOTORS (MECHANICAL SYSTEMS)
 MOTOR HORSEPOWER SEE SCHEDULES
 NUMBER OF PHASES SEE SCHEDULES
 MINIMUM EFFICIENCY SEE SCHEDULES
 MOTOR TYPE SEE SCHEDULES
 NUMBER OF POLES SEE SCHEDULES

DESIGNER'S STATEMENT:
 TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE DESIGN OF THIS BUILDING COMPLIES WITH THE MECHANICAL SYSTEMS, SERVICE SYSTEMS AND EQUIPMENT REQUIREMENTS OF THE N.C.S. ENERGY CONSERVATION CODE.

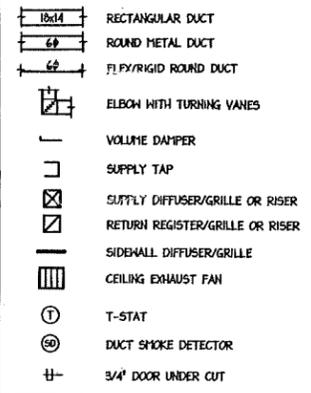
SIGNED: *Douglas H. Murr*
 NAME: DOUGLAS H. MURR, PE
 TITLE: MECHANICAL ENGINEER

SPLIT SYSTEM HEAT PUMP UNIT SCHEDULE

| UNIT TAG | AREA SERVED | MANUF. MODEL | FAN DATA | | | | COOLING | | HEAT | | ELECTRICAL DATA | | | HEAT PUMP | | | | NOTES | | | | |
|----------|-----------------|-------------------|----------|------------------------------|------------|----------|-------------|-------------|-------------|----------------|-----------------|---------|----------|-----------|------------------|---------|------------|-------|--------|----------------|---------|----------|
| | | | FAN CFM | ESP (\" OF H ₂ O) | MOTOR (HP) | OA (CFM) | TOTAL (MBH) | SENS. (MBH) | TOTAL (MBH) | HEAT (KWH/24H) | VOLTAGE (V/PH) | MCA (A) | MOCP (A) | UNIT TAG | MANUF. MODEL | TONNAGE | EFF. (EER) | | HSPF | VOLTAGE (V/PH) | MCA (A) | MOCP (A) |
| AH-1 | RECEPTION NORTH | CARRIER FV4CNB006 | 2000 | 0.5' | 3/4 | NOTE 15 | 56.5 | 42.7 | 36.0 | 8.0 | 240/1# | 48.5 | 50 | HP-1 | CARRIER 25HCB660 | 5.0 | 16.0 | 9.0 | 240/1# | 37.5 | 60 | 1-15 |
| AH-2 | RECEPTION NORTH | CARRIER FV4CNB006 | 2000 | 0.5' | 3/4 | NOTE 15 | 56.5 | 42.7 | 36.0 | 8.0 | 240/1# | 48.5 | 50 | HP-2 | CARRIER 25HCB660 | 5.0 | 16.0 | 9.0 | 240/1# | 37.5 | 60 | 1-15 |
| AH-3 | LOFT | CARRIER FV4CNB002 | 800 | 0.5' | 1/2 | 75 | 24.0 | 16.5 | 15.3 | 5.0 | 240/1# | 28.4 | 30 | HP-3 | CARRIER 25HCB624 | 2.0 | 17.0 | 9.0 | 240/1# | 16.2 | 25 | 1-12, 14 |
| AH-4 | KITCHEN | CARRIER FV4CNB003 | 1200 | 0.5' | 1/2 | 75 | 35.2 | 25.0 | 22.4 | 5.0 | 240/1# | 28.4 | 30 | HP-4 | CARRIER 25HCB636 | 3.0 | 16.0 | 9.0 | 240/1# | 23.7 | 40 | 1-14 |
| AH-5 | RECEPTION SOUTH | CARRIER FV4CNB006 | 1600 | 0.5' | 3/4 | NOTE 16 | 47 | 35.2 | 29.2 | 5.0 | 240/1# | 33.5 | 35 | HP-5 | CARRIER 25HCB648 | 4.0 | 16.0 | 9.0 | 240/1# | 29.8 | 50 | 1-14, 16 |
| AH-6 | RECEPTION SOUTH | CARRIER FV4CNB006 | 1600 | 0.5' | 3/4 | NOTE 16 | 47 | 35.2 | 29.2 | 5.0 | 240/1# | 33.5 | 35 | HP-6 | CARRIER 25HCB48 | 4.0 | 16.0 | 9.0 | 240/1# | 29.8 | 50 | 1-14, 16 |
| AH-7 | RECEPTION SOUTH | CARRIER FV4CNB006 | 2000 | 0.5' | 3/4 | NOTE 16 | 56.5 | 42.7 | 36.0 | 8.0 | 240/1# | 48.5 | 50 | HP-7 | CARRIER 25HCB660 | 5.0 | 16.0 | 9.0 | 240/1# | 32.0 | 50 | 1-14, 16 |

- NOTES:
- COOLING CAPACITIES ARE RATED IN ACCORDANCE WITH ARI STANDARD 210/240 AT 95°F AMBIENT OUTDOOR AIR TEMP., 80°F DRY BULB, 67°F WET BULB ENTERING AIR TEMP., AND AIR QUANTITY LISTED BY MFG. UNITS ABOVE 5 TONS ARE RATED IN ACCORDANCE WITH ARI STANDARD 340.
 - REFRIG. PIPING TO BE SIZED PER TOTAL INSTALL. EQUIV. LENGTH. LONG-LINE APP. TO BE PROVIDED WHENEVER MFG. RECOMM. LENGTHS ARE EXCEEDED, INCL. LIQ. LINE SOLENOID VALVES, ACCUMULATOR, ETC. MAX T.E.L. IS PER MFG.
 - PROVIDE SINGLE POINT ELECTRICAL CONNECTION FOR AIR HANDLING UNIT.
 - PROVIDE 3 SETS OF NEW FILTERS FOR EACH UNIT. PROVIDE ONE AT INSTALLATION, ONE PRIOR TO AIR BALANCE AND ONE AT TURNOVER TO OWNER.
 - SYSTEMS SHALL HAVE A MINIMUM 15.0 SEER AND 9.0 HSPF.
 - PROVIDE MANUFACTURER'S 7 DAY PROGRAMMABLE THERMOSTAT W/ MANUAL OVERRIDE.
 - PROVIDE BI-FLOW TXV FOR HEAT PUMP OPERATION.
 - AHU TO USE HORIZONTAL APPLICATION.
 - RUN CONDENSATE TO EXTERIOR DOWN TO GRADE, AWAY FROM FOOT TRAFFIC, TOWARDS STORM RUN-OFF. IF NOT POSSIBLE FOR A GRAVITY RUN, PROVIDE CONDENSATE PUMP.
 - OUTSIDE AIR PROVIDED BY NATURAL VENTILATION AND INFILTRATION.
 - OUTDOOR THERMOSTAT TO LOCK-OUT ELECTRIC HEAT WHEN TEMPERATURE IS 40°F OR HIGHER. PROVIDE UNIT WITH EMERGENCY HEAT OVERRIDE OPTION.
 - CYCLE PROTECTOR AND TIME DELAY RELAY (IF AVAILABLE).
 - LOW AMBIENT KIT DOWN TO OFF.
 - CATALOG NUMBERS AND MANUFACTURERS ARE TO INDICATE TYPE AND QUALITY OF UNIT DESIRED. SUBMIT CUTSHEETS OF THESE AND ALTERNATE MANUFACTURERS FOR ARCHITECT AND OWNER APPROVAL PRIOR TO PURCHASE OF ANY UNITS. INFORMATION ON ALTERNATE UNITS PROPOSED BY THE CONTRACTOR SHALL INCLUDE THE ADD/DEDUCT ASSOCIATED WITH ACCEPTANCE OF THAT UNIT (OR THE ALTERNATE PACKAGE AS A WHOLE).
 - OUTSIDE AIR SHALL BE BALANCED TO 400 CFM FOR AH-1 AND AH-2 COMBINED.
 - OUTSIDE AIR SHALL BE BALANCED TO 520 CFM FOR AH-5, AH-6 & AH-7 COMBINED.

MECHANICAL LEGEND



FAN SCHEDULE

| UNIT NO. | SERVICE | AREA SERVED | CFM | S.P. | RPM | TYPE & ARRANGEMENT | MIN. MOTOR HP & VOLTAGE | MANUFACTURER & MODEL NO. | DRIVE | CONTROL SCHEME | REMARKS |
|----------|---------|----------------|-----|-------|------|--------------------|-------------------------|--------------------------|--------|----------------|-----------|
| EF-1 | EXHAUST | JANITOR/UNISEX | 70 | 0.25' | 700 | CEILING | 50 WATTS/0.65A 120/1# | GREENNECK MODEL SP-B90 | DIRECT | A - UNISEX | 1 2 3 4 5 |
| EF-2 | EXHAUST | BATHROOMS | 140 | 0.25' | 1050 | CEILING | 129 WATTS/1.5A 120/1# | GREENNECK MODEL SP-B150 | DIRECT | A | 1 2 3 4 5 |

- NOTES:
- SCREEN
 - BACKDRAFT DAMPER
 - COLOR BY ARCHITECT
 - INTEGRAL DISCONNECT SWITCH
 - SPEED CONTROLLER
- CONTROL OPTIONS:
 A. CONTROL W/ ROOM LIGHTS
 B. CONTROL W/ SWITCH

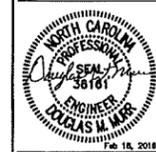
DIFFUSER SCHEDULE

| SYMBOL | CFM | NECK SIZE | MODULE SIZE | FRAME TYPE | PATTERN | DAMPER | MATERIAL | SERVICE | FINISH | MANUFACTURER & MODEL NO. | NOTES |
|--------|----------|-----------|-------------|------------|---------------------|--------|----------|---------|--------|--------------------------|-------|
| (A) | AS NOTED | AS NOTED | 12x12 | SURFACE | 4-WAY | YES | STEEL | SUPPLY | NOTE 2 | TITUS TDC | 1-3 |
| (B) | AS NOTED | AS NOTED | 24x24 | SURFACE | - | NO | STEEL | RETURN | NOTE 2 | TITUS PAR | 1-3 |
| (C) | AS NOTED | AS NOTED | AS NOTED | SURFACE | 360° | NO | STEEL | SUPPLY | NOTE 2 | TITUS THRA | 1-2 |
| (D) | AS NOTED | AS NOTED | AS NOTED | CURVED | 2-WAY | YES | STEEL | SUPPLY | NOTE 2 | TITUS 5300FS | 1-2 |
| (E) | AS NOTED | AS NOTED | AS NOTED | SURFACE | FIXED BLD. 35° DEF. | NO | STEEL | RETURN | NOTE 2 | TITUS 350RS | 1-2 |
| (F) | AS NOTED | AS NOTED | AS NOTED | SURFACE | 2-WAY | NO | STEEL | SUPPLY | NOTE 2 | TITUS 300FS | 1-2 |

- NOTES:
- DIFFUSER DESIGNATIONS ON PLANS AS FOLLOWS:
 DIFFUSER OR NECK SIZE: $\frac{6x4}{75}$ (A) DIFFUSER TYPE AS NOTED ABOVE
 AIR QUANTITY: $\frac{6x4}{75}$ (A)
 - FINISH TO MATCH / BE ABLE MATCH CEILING OR WALL OR DOOR.
 - FACTORY INSULATION BACKING ON GRILLES EXPOSED TO NON-CONDITIONED AREAS. ALTERNATELY, FIELD SUPPLY AND INSTALL.

REVISIONS

DATE 02-15-16
 DRAWN BY DWM
 PROJECT NO. ZYY-1506
 SHEET TITLE MECHANICAL SCHEDULES, NOTES AND LEGEND
 SHEET MI



HERITAGE RESTORATIONS ARCHITECT - JAMES M. KISTLER 210-872-0737 [M]@HERITAGEBASIS.COM

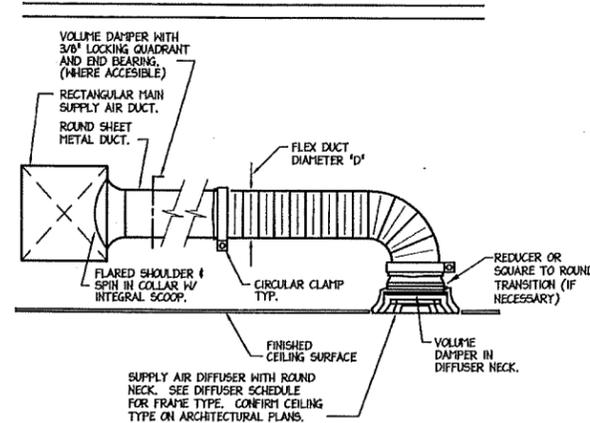
BREWER E BARN CHAPEL HILL, NORTH C. AROLINA

COMcheck Software Version 4.0.0 Mechanical Compliance Certificate

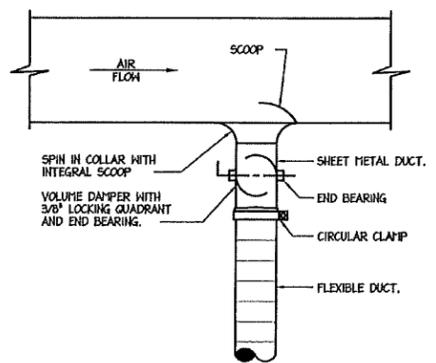
Section 1: Project Information
Section 2: General Information
Section 3: Mechanical Systems List

Section 4: Requirements Checklist
Additional Efficiency Package Requirements
Requirements Specific to HVAC Systems 1 & 2

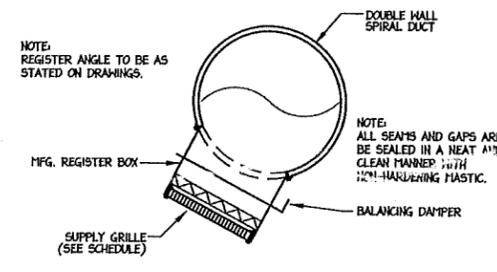
Section 5: Compliance Statement
Compliance Statement
Douglas W. Barn



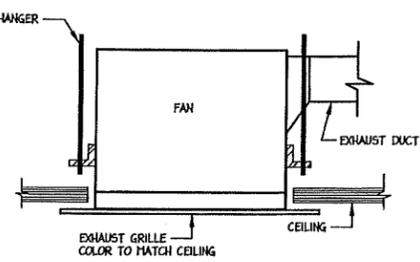
8 SUPPLY AIR DIFFUSER DETAIL NO SCALE



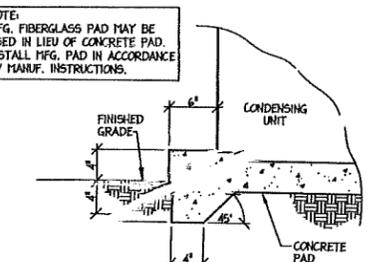
7 BRANCH TAKEOFF TO SINGLE OUTLET NO SCALE



6 SPIRAL DUCT REGISTER NO SCALE



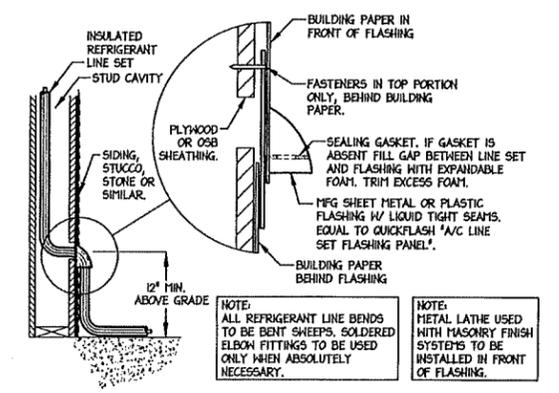
5 EXHAUST FAN DETAIL NO SCALE



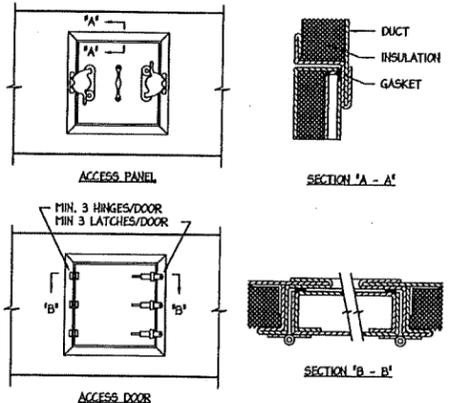
4 CONDENSING UNIT PAD DETAIL NO SCALE

NOTES:

- 1. SEE FLOOR PLANS AND SPECIFICATIONS FOR DUCT INSULATION REQUIREMENTS.
2. TAP OFF TOP/SIDE/BOTTOM OF DUCT AS REQUIRED

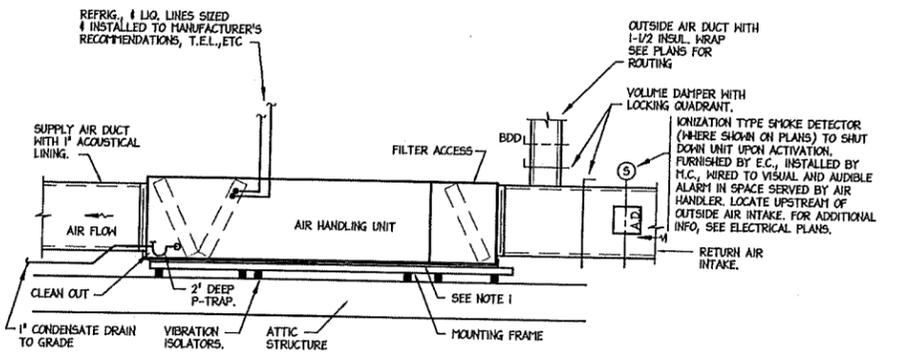


3 HVAC LINE SET PENETRATION DETAIL (NON-BRICK EXT.) NO SCALE



- NOTES:
1. LATCHES SHALL BE OF THE WEDGE TYPE TO CLOSE DOORS TIGHTLY.
2. HINGES ON THE ACCESS DOORS SHALL HAVE NON-CORROSIVE PINS.
3. PROVIDE ACCESS DOORS ON DUCTWORK INSTALLED IN CHASE, ABOVE CEILING, INSTALLED IN EQUIPMENT ROOMS, PROVIDE ACCESS PANELS ON ALL EQUIPMENT AND DUCTWORK INSTALLED ABOVE FINISHED CEILINGS WHERE SPACE LIMITATIONS DO NOT ALLOW HINGED DOORS TO OPEN.
4. DOORS/PANELS TO HAVE UL LISTING WHERE LOCATED IN RATED CHASE ASS'Y.

2 ACCESS DOOR AND PANEL DETAILS NO SCALE



- NOTES:
1. 1\"/>

1 AIR HANDLING UNIT DETAIL NO SCALE

Table with columns: REVISIONS, DATE, DRAWN BY, PROJECT NO., SHEET TITLE, SHEET, M2



HERITAGE RESTORATIONS
 ARCHITECT - JAMES M. KSTLER
 210-872-0737
 [JMK@HERITAGEBARNS.COM]

BREWER BARN
 CHAPEL HILL, NORTH CAROLINA

HALL LEGEND:
 [Symbol] 1-HOUR FIREWALL
 SEE ARCHITECT PLANS FOR FURTHER DETAIL

EXHAUST CALCULATIONS

JANITOR'S CLOSET, EF-1:
 - 40 SQFT X 8 FT CEILING = 320 CUFT
 - 10 AIR CHANGES/HOUR = 320 CUFT X (10/60)
 = 53.3 CFM
 EF-1 PROVIDES 70 CFM

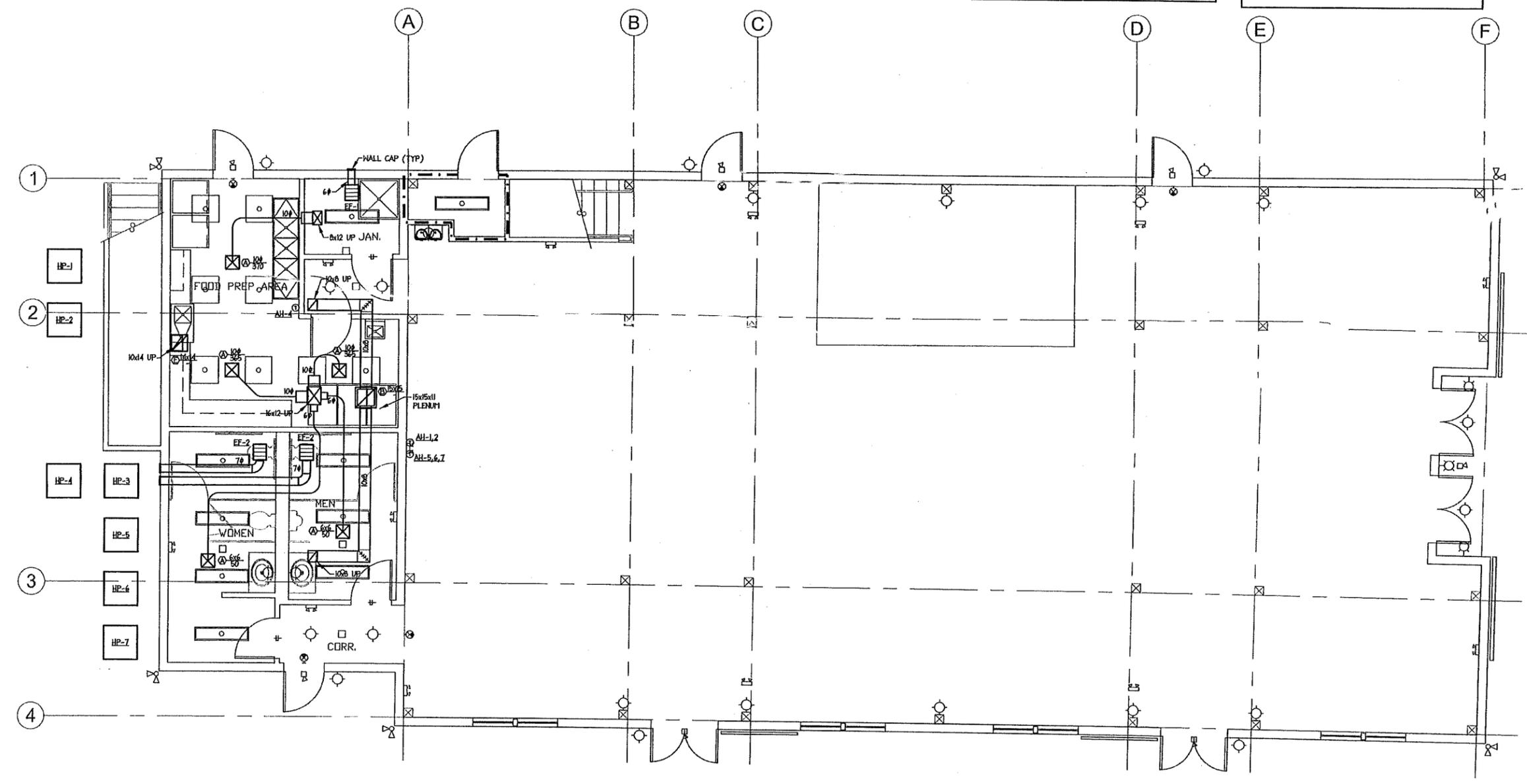
WOMEN'S & MEN'S BATHROOM, EF-2:
 - 70 CFM/WATER CLOSET X 2 WATER CLOSETS
 = 140 CFM
 EF-2 PROVIDES 140 CFM

VENTILATION CALCULATIONS

CALCULATIONS BASED ON THE 2012 NCBC SECTION 402.2

UNIT AH-1 & AH-2:
 FLOOR AREA = 1598 SQFT
 OPERABLE EXTERIOR OPENINGS = 77 SQFT
 OPERABLE OPENING AREA % = 4.8% (> 4%)

UNIT AH-5, AH-6 & AH-7:
 FLOOR AREA = 1598 SQFT
 OPERABLE EXTERIOR OPENINGS = 93 SQFT
 OPERABLE OPENING AREA % = 5.8% (> 4%)



1 FIRST LEVEL PLAN
 1/4"=1'-0"

REVISIONS

DATE
 02-15-16
 DRAWN BY
 DMM
 PROJECT NO.
 ZYY-1506
 SHEET TITLE
 MECHANICAL
 PLAN -
 FIRST LEVEL

SHEET

M3

WALL LEGEND:
1-HOUR FIREWALL
'SEE ARCHITECT PLANS FOR FURTHER DETAIL'



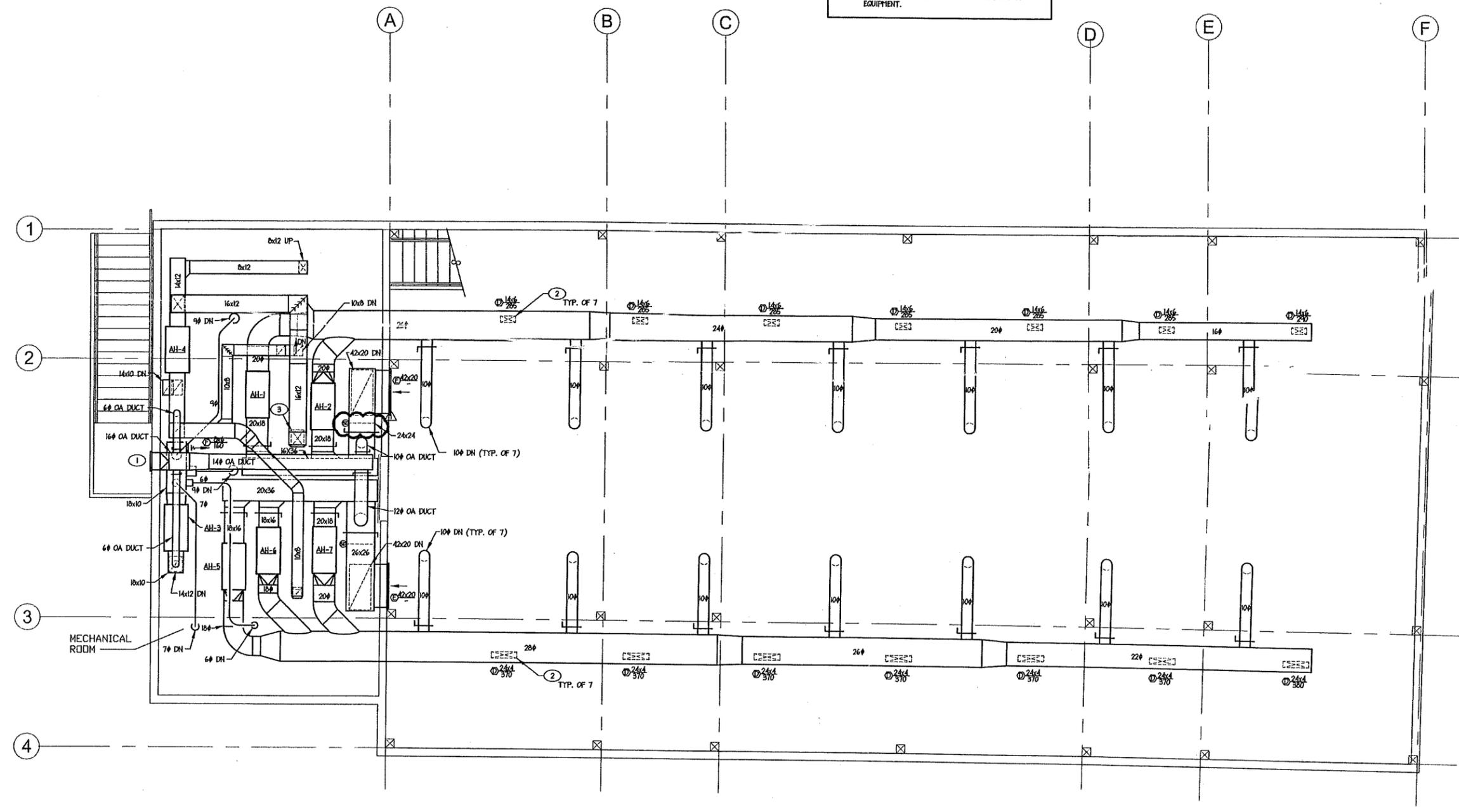
HERITAGE RESTORATIONS
ARCHITECT - JAMES M. KISTLER
210-872-0737
JMK@HERITAGERESTORATIONS.COM

GENERAL NOTE

1. ALL EXPOSED DUCTWORK SHALL BE DOUBLE-WALL SPIRAL DUCTWORK.
2. MECHANICAL ROOM IS CROWDED WITH MECHANICAL EQUIPMENT AND DUCTWORK. M.C. SHALL CONFIRM PLACEMENT OF EQUIPMENT AND LAYOUT OF DUCTWORK PRIOR TO INSTALLATION TO ENSURE EACH ITEM FITS IN THE GIVEN MECHANICAL SPACE. M.C. SHALL ENSURE THAT THE MAINTENANCE CLEARANCE IS PRESERVED FOR EACH PIECE OF EQUIPMENT.

TAGGED NOTES - THIS SHEET

- 1 DRAINABLE FRESH AIR LOUVER WITH MINIMUM FREE AREA OF 1.0 SQFT. CONSULT ARCHITECT FOR MODEL AND COLOR.
- 2 SUPPLY GRILLES SHALL BE INSTALLED AT A DOWNWARD ANGLE OF 65° FROM HORIZONTAL.
- 3 16"x12" SUPPLY AIR DUCT DOWN TO FIRST LEVEL.



1 UPPER LEVEL PLAN
1/4"=1'-0"

REVISIONS
CODE COMMENTS 02.08.2016

DATE
02-15-16
DRAWN BY
DWM
PROJECT NO.
ZYY-1506
SHEET TITLE
MECHANICAL
PLAN -
UPPER LEVEL

SHEET
M5

BREWER BARN
CHAPEL HILL, NORTH CAROLINA

