



City of Raleigh Board of Adjustment

Monday, August 14, 2017 – 1 P.M.

Avery Upchurch Municipal Building, Room 201

A quasi-judicial public hearing will be conducted at 222 West Hargett Street, Room 201 to discuss the following matters. It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the specific facts.

1. Old Business:

- a. [A-84-17](#) WHEREAS, Frank and Kelly Shepherd, property owners, request a 7.05' side yard setback variance pursuant to Section 2.2.1 .of the Unified Development Ordinance to enclose an existing porch on the side of the detached house that results in a 2.95' side yard setback on a .42 acre parcel zoned Residential-4 and located at 2612 St. Marys Street.
- b. [A-90-17](#) WHEREAS. Donna and Kirk Preiss, property owners, request a variance from Section 7.2.5.C.3. of the Unified Development Ordinance in order to construct a dumpster enclosure utilizing a wooden fence instead of a masonry wall on a .2 acre parcel zoned Residential-6 and Neighborhood Conservation Overlay District located at 115 Hawthorne Road.

2. New Business:

- a. [A-94-17](#) WHEREAS, TIE TWO, LLC, property owner, requests a 4' setback variance pursuant to Section 6.7.2.B. of the Unified Development Ordinance which requires all accessory structures to be at least 10' from any other building or structure on the same lot which if approved would result in only a 6' separation between structures on a .99 acre parcel zoned Commercial Mixed-Use-3- Parking Limited and located at 6101 Glenwood Avenue.
- b. [A-95-17](#) WHEREAS Francis Gordon, property owner, requests a 6.1' side street setback variance to legalize an existing detached house as well as a 3.3' side street setback variance to expand the existing detached house pursuant to Section 2.2.1. of the Unified Development Ordinance which results in a 3.9' side street setback for the existing detached house and a 6.7' side street setback for the proposed addition on a .225 acre property zoned Residential-4 and located at 802 Williamson Drive.

- c. [A-96-17](#) WHEREAS Trailwood Apartments, LLC, property owner, requests a variance pursuant to Sections 3.4.3. and Article 9.1 of the Unified Development Ordinance to allow for a variable width sidewalk construction easement to be located within portions of the 50' wide area otherwise required to be a heavily landscaped buffer between the roadway and adjacent development that is also otherwise required for tree conservation areas on a 5 acre site zoned Residential Mixed-Use-3 Parkway Conditional Use, Special Highway Overlay District-1 and Special Residential Parking Overlay District located at 1820 and 1824 Trailwood Drive.
- d. [A-97-17](#) WHEREAS Linda Kimball, property owner, requests a variance from Section 3.4.4.D.1. of the Unified Development Ordinance to allow for parking and vehicular surface areas to be located between a proposed building and the street and a 2'4" side yard setback variance pursuant to Section 1.5.4.D.1.b. to allow for a proposed stoop both of which are part of a proposal for a new detached house that results in having parking between the building and the street and a stoop that is 8" from a side property line on a .08 acre parcel zoned Office Mixed-Use-3 Detached and Neighborhood Conservation Overlay District and located at 5 North Swain Street.
- e. [A-98-17](#) WHEREAS Veronica Kemeny-Weinstock, property owner, requests a Special Use Permit pursuant to Sections 6.7.3.E. and Section 10.2.9. of the Unified Development Ordinance to permit a Live-Work unit for a licensed clinical social worker on a .14 acre parcel zoned Residential-6 and located at 8304 Bellingham Circle.
- f. [A-100-17](#) WHEREAS VT Arrow Properties LLC and Arrow Drive Development LLC, property owners, request a 1.24 acre variance to the minimum lot size requirements set forth in Section 6.4.6.D.2. of the Unified Development Ordinance for a hotel, motel, inn to be located in the Office Park district to allow for a proposed hotel on a 1.26 acre tract zoned Office Park-7 and Special Highway Overlay District-2 and located at 3929 and 3925 Arrow Drive.
- g. [A-101-17](#) WHEREAS AIS Forestry and Farming LLC, property owner, requests a complete variance to the Parkway frontage standards set forth in Sections 3.4.3.C and 3.4.3.E. of the Unified Development Ordinance as applied to the proposed public street accessing the property off of Corporate Center drive resulting in parking areas within 50' of the proposed road and no 50' wide landscape buffer between the proposed road and the proposed outdoor sports and entertainment facility. Additionally, the petitioner requests a complete variance to UDO sections 9.1.4.A. and 9.1.4.E. as it relates to the standards applicable to the portion of the property subject to the Parkway frontage, resulting in no requirement for tree conservation or affirmative

tree planting within the area otherwise subject to the Parkway frontage. on a 21.87 acre property zoned Office Park-4 Parkway and located at 1021 Corporate Center Drive.

- h. [A-102-17](#) WHEREAS CIP Brier Creek LLC, property owner, requests a 2' variance to Section 3.2.4.F.1. of the Unified Development Ordinance, to allow for a ground floor elevation of 0' in an apartment building on a 3.77 acre parcel zoned Commercial Mixed-Use-5 Urban Limited Conditional Use and located at 9200 Bruckhaus Street.
- i. [A-103-17](#) WHEREAS BCRD Holdings LLC, property owner, requests a 25' variance to reduce the width of the Parkway frontage standards of Sections 3.4.3.c and 3.4.3.E. of the Unified Development Ordinance that results in a 25' building and parking setback and a 25' protective yard. Additionally, the petitioner requests a complete variance to UDO sections 9.1.4.A.2 and 9.1.4.A.8., and UDO section 9.1.4.E. as it relates to the standards applicable to the portion of the property subject to the Parkway frontage and area along a major thoroughfare, resulting in no requirement for tree conservation or affirmative tree planting within the area otherwise subject to the Parkway frontage or otherwise subject to the requirement for an undisturbed buffer within 100 feet of a major thoroughfare. The subject property is a 4.38 acre parcel zoned Commercial Mixed-Use-3 Parkway and located at 9400 Brier Creek Parkway.
- j. [A-104-17](#) WHEREAS BCRD Holdings LLC, property owner, requests a 25' variance to reduce the width of the Parkway frontage standards of Sections 3.4.3.c and 3.4.3.E. of the Unified Development Ordinance that results in a 25' building and parking setback and a 25' protective yard. Additionally, the petitioner requests a complete variance to UDO sections 9.1.4.A.2 and 9.1.4.A.8., and UDO section 9.1.4.E. as it relates to the standards applicable to the portion of the property subject to the Parkway frontage and area along a major thoroughfare, resulting in no requirement for tree conservation or affirmative tree planting within the area otherwise subject to the Parkway frontage or otherwise subject to the requirement for an undisturbed buffer within 100 feet of a major thoroughfare. The subject property is a 2.07 acre parcel zoned Commercial Mixed-Use-3 Parkway and located at 9600 Brier Creek Parkway.
- k. [A-105-17](#) WHEREAS BCRD Holdings LLC, property owner, requests a 25' variance to reduce the width of the Parkway frontage standards of Sections 3.4.3.c and 3.4.3.E. of the Unified Development Ordinance that results in a 25' building and parking setback and a 25' protective yard. Additionally, the petitioner requests a complete variance to UDO sections 9.1.4.A.2 and 9.1.4.A.8., and UDO section 9.1.4.E. as it relates to the standards applicable

to the portion of the property subject to the Parkway frontage and area along a major thoroughfare, resulting in no requirement for tree conservation or affirmative tree planting within the area otherwise subject to the Parkway frontage or otherwise subject to the requirement for an undisturbed buffer within 100 feet of a major thoroughfare. The subject property is a 3.85 acre parcel zoned Commercial Mixed-Use-3 Parkway and located at 9550 Brier Creek Parkway.

- 3. Report of the Board's Attorney**
- 4. Approval of Minutes:** July 10, 2017 meeting
- 5. Adjournment**