



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2475
www.raleighnc.gov

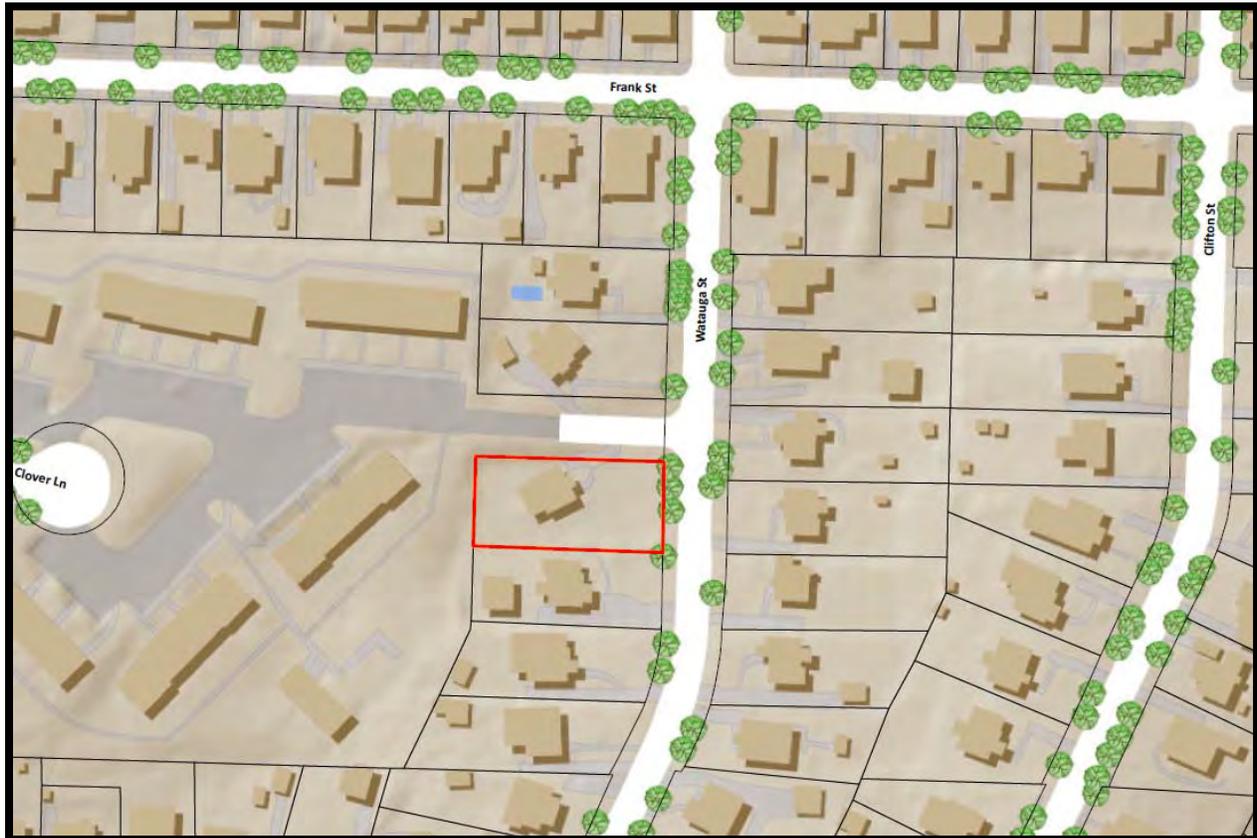
Case File: A-61-15

Property Address: 1219 Watauga Street

Property Owner: Patrick Lexa

Project Contact: Patrick Lexa

Nature of Case: A request for relief from Section 1.5.12.D.3. of the Unified Development Ordinance to allow a detached garage to be constructed in the front yard of an existing detached house on a .24 acre property zoned Residential-6 and Neighborhood Conservation Overlay District.



1219 Watauga Street – Location Map

To BOA: 8-10-15

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Residential-6 and Neighborhood Conservation Overlay District (Mordecai)



1219 Watauga Street – Zoning Map

VARIANCE STANDARDS: In accordance with UDO §10.2.10 Variance, before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

- 3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- 4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Setback Standards: The subject property is zoned Residential-6

Yard Type	Minimum Setback
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	15'
Rear	20'

Neighborhood Conservation Overlay District: Mordecai

Minimum lot size: 7,260 square feet.

Maximum lot size: 14,520 square feet.

Minimum lot width: 50 feet.

Maximum lot width: 100 feet.

Front yard setback: Minimum of 15 feet, maximum of 25 feet.

Maximum building height: 35 feet.

As with all NCOD's, all lots and structures existing at the time that the -NCOD is first applied to the property shall not be deemed nonconforming solely because of this overlay district.

Sec. 1.5.12. Private Residential Garage Parking Options

A. Intent

1. The intent of the residential garage options is to minimize the visual impact of street-facing garage doors.
2. Where garage doors can be seen from the street, measures should be taken to reduce the visual impact of the doors.
3. Measures include garage doors set back from the front wall plane, architectural treatments, translucent garage doors, single doors, projecting elements over the garage doors (such as bay windows) and limits on the total number of doors that face the street.
4. Where garage doors are located perpendicular to the street, measures should be taken to reduce the visual impact of the side wall that faces the street. Measures include architectural treatments, changes in material, landscaping, vegetation or the installation of windows.

B. Applicability

1. Any private residential garage constructed after September 1, 2013 must meet the standards of this section. Alternative compliance may be considered by the Planning and Development Officer, consistent with the intent of this section.
2. In addition to the standards provided in this section, attached and detached garages must meet all applicable requirements for either principal buildings or accessory structures as set forth in this UDO.
3. Any garage constructed prior to September 1, 2013 that does not comply with these private residential garage parking options is not considered non-conforming. If a pre-existing garage is voluntarily demolished, any new garage must be constructed in compliance with these regulations. If a pre-existing garage that does not meet these regulations is destroyed following a casualty, the garage may be reconstructed to its previous state.

C. Administrative Alternate Findings

The Planning and Development Officer may in accordance with Sec. 10.2.17, approve an alternate garage option, subject to all of the following findings:

1. The approved alternate meets the intent of the garage option regulations;
2. The approved alternate conforms with the Comprehensive Plan and adopted City plans;
3. The approved alternate does not negatively impact pedestrian circulation and safety;
4. Measures are taken to mitigate the visual impact of the garage design; and
5. The required garage setbacks are met.

D. Detached House and Attached House

On lots of less than 1 acre, garage placement must match one of the following standards.

1. Front-facing, Attached to House

- a. Garage doors are oriented towards the front wall plane.
- b. For garage doors positioned 6 feet or less behind the front wall plane of habitable space, garage doors may not comprise more than 50% of the overall width of the front-facing wall planes of the house.
- c. For garage doors positioned more than 6 feet behind the front wall plane of habitable space, garage doors may not comprise more than 66% of the overall width of the front-facing wall planes of the house.

2. Side-facing, Attached to House

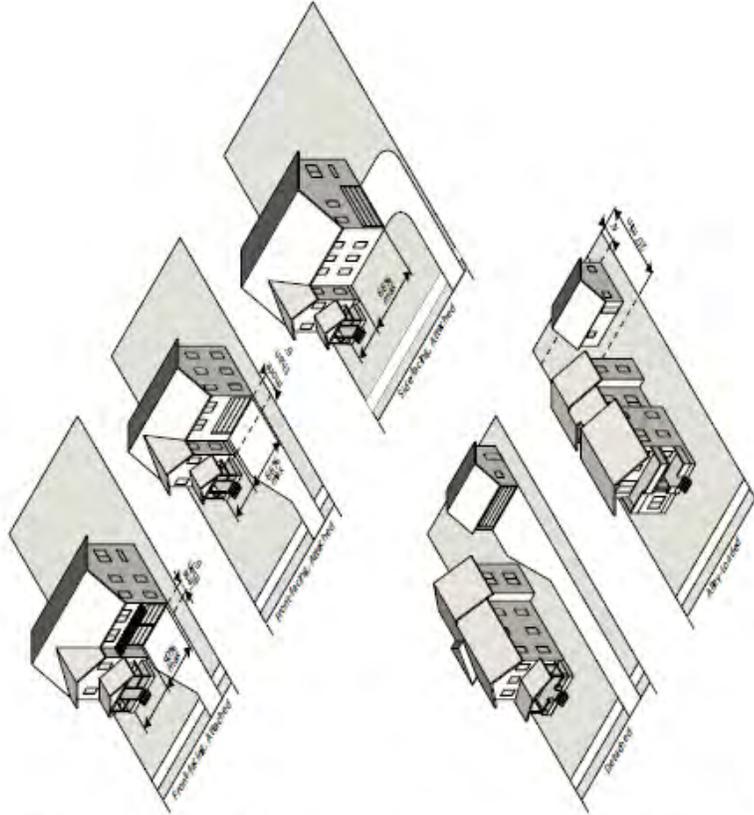
- a. Garage doors are oriented perpendicular to the front wall plane.
- b. The garage may not comprise more than 66% of the overall width of all front-facing wall planes of the house.

3. Detached

Garage is placed entirely to the rear of the house.

4. Alley-Loaded

- a. Garage is placed entirely to the rear of the house and is alley-accessed.
- b. Garage doors must face the alley.
- c. The garage must either be located 4 feet from the alley right-of-way or be a minimum of 20 feet from the alley right-of-way.
- d. Where parking spaces are located between the garage and the alley, the garage must be located at least 20 feet from the alley right-of-way.





Planning & Development

Development Services
Customer Service Center
One Exchange Plaza
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601
Phone 919-996-2495
Fax 919-516-2685

Variance Application

A-61-15

		OFFICE USE ONLY
Nature of variance request (Submit addendum on separate sheet, if more space is needed.)		Transaction Number
SECTION 1.5.12.D3 → SEE ADDITIONAL SHEET		
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.		

GENERAL INFORMATION			
Property Address		Date	
1219 WATAUGA ST RALEIGH NC 27604		6-3-2015	
Property PIN	Current Zoning		
1704-94-7576	R-6		
Nearest Intersection		Property size (in acres)	
WATAUGA + FRANK ST		.24	
Property Owner		Phone	Fax
PATRICK LEXA		919-412-0814	-
		Email	
		PMLEXA@GMAIL.COM	
Project Contact Person		Phone	Fax
BRIAN SMITH		919-337-3305	-
		Email	
		BRIAN@TAYLORCUSTOMHOMES.COM	
Property Owner Signature		Email	
		PMLEXA@GMAIL.COM	
Notary		Notary Signature and Seal	
Sworn and subscribed before me this <u>7</u> day of <u>July</u> , 20 <u>15</u>			

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.



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Variance Checklist

TO BE COMPLETED BY APPLICANT		YES	N/A
PRE-SUBMITTAL REQUIREMENTS			
1. Pre-Application Conference with staff		✓	
2. Completed Variance Intake Requirements sheet		✓	
3. Variance applications shall be submitted to the Zoning Division, 4 th floor of One Exchange Plaza		✓	
VARIANCE REQUIREMENTS			
1. The property owner must be the applicant.		✓	
2. A signed, notarized application and submittal fee are required.		✓	
3. The applicant must submit stamped envelopes addressed to the property owners within 100 feet of the subject property. City staff will mail the public hearing notices.		✓	
4. The Board of Adjustment conducts a quasi-judicial hearing. You may not contact the Board members once the application has been filed.		✓	
5. The Board of Adjustment is not empowered to modify zoning lines or grant a use variance.		✓	
6. The Board of Adjustment may attach conditions of approval to a variance to protect surrounding properties.		✓	
7. City Staff will place a public hearing sign on the subject property. The sign must be prominently displayed on the property for at least ten days before the hearing. The property owner is responsible for maintaining the sign during this ten day period. The owner must return the sign to city staff within three days of the hearing. The owner will be charged \$45 for any sign not returned.		✓	
VARIANCE CONSIDERATIONS			
The Board of Adjustment will review all variance requests against the following showings:		✓	
1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made from the property.		✓	
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.		✓	
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.		✓	
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.		✓	



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Variance Intake Requirements

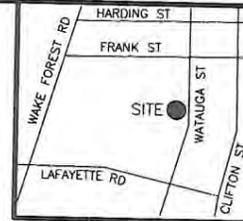
TO BE COMPLETED BY APPLICANT			COMPLETED BY CITY STAFF		
	YES	N/A	YES	NO	N/A
General Requirements – Variance					
1. I have referenced the Variance Checklist and by using this as a guide, it will ensure that the application is processed in a timely manner	<input checked="" type="checkbox"/>				
2. Variance application review fee (see Development Fee Schedule for rate)	<input checked="" type="checkbox"/>				
3. Completed, notarized application signed by the property owner	<input checked="" type="checkbox"/>				
4. One set of stamped envelopes addressed to all property owners within 100 feet of the subject property	<input checked="" type="checkbox"/>				
5. List of all adjacent property owners	<input checked="" type="checkbox"/>				
6. Plot Plan drawn to scale, containing a north arrow, area of lot, location of all existing improvements and use areas, location of proposed improvements, location of any constraints such as flood plain area, tree conservation area, buffer yards, easements, and sight distance triangles	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
7. If the variance request involves a structure, sign or fence, architectural elevations must be submitted	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
8. If the property has been cited by a Code Enforcement Officer, include a copy of the citation	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
9. Is variance needed to legalize an existing improvement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

- NOTES:
 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
 2) AREAS COMPUTED BY COORDINATE METHOD
 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD
 4) NO HORIZONTAL CONTROL FOUND WITHIN 2000 FEET OF SURVEY
 5) BOUNDARY PREDICATED ON EXISTING MONUMENTATION FOUND IN THE FIELD

IMPERVIOUS SURFACE TABLE

EXISTING HOUSE.....	1409 SF
DRIVE & WALK.....	.0238 SF
SHED.....	.0067 SF
PROPOSED ADDITION.....	.0717 SF
PROPOSED GARAGE.....	.0384 SF
TOTAL.....	2739 SF
LOT AREA.....	10772 SF
PERCENTAGE OF IMPERVIOUS AREA.....	25.4%

BOM 1949 PG 119



VICINITY MAP
(not to scale)

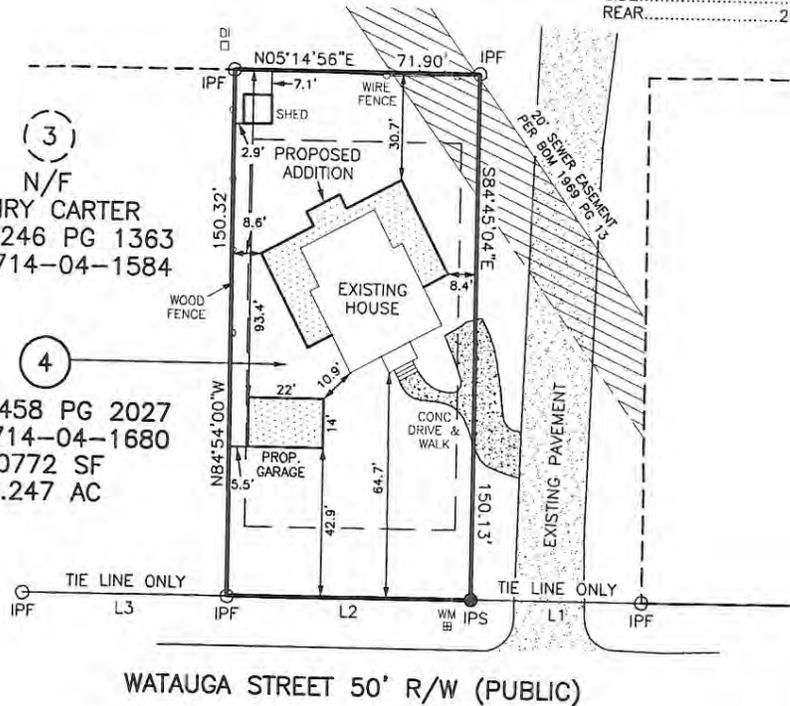
N/F
 KIP DELL HOMES INC
 DB 2025 PG 267
 PIN 1704-94-7576

MINIMUM BUILDING SETBACKS
 ZONING: R-6

FRONT.....	20 FEET
SIDE.....	5 FEET
REAR.....	20 FEET

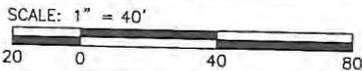
(3)
 N/F
 HENRY CARTER
 DB 10246 PG 1363
 PIN 1714-04-1584

(4)
 DB 12458 PG 2027
 PIN 1714-04-1680
 10772 SF
 0.247 AC



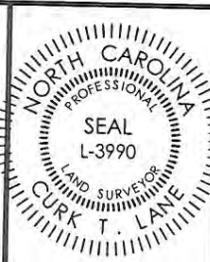
WATAUGA STREET 50' R/W (PUBLIC)

NUMBER	DIRECTION	DISTANCE
L1	S05°12'56"W	49.97'
L2	S05°06'00"W	71.51'
L3	S05°08'51"W	59.96'



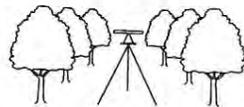
LOT 4
 MEADOWBROOK

- LEGEND
- IPF IRON PIPE FOUND
 - IPS IRON PIN SET
 - RRSF RAILROAD SPIKE
 - 1SFD 1 STORY FRAME DWELLING
 - WV WATER VALVE
 - WM WATER METER
 - CO CLEAN OUT
 - S.F. SQUARE FEET
 - 100.0 ELEVATIONS
 - CATV CABLE TV BOX
 - ELEC ELECTRIC BOX
 - PB PLAT BOOK
 - PP POWER POLE
 - DB DEED BOOK
 - LINES NOT SURVEYED



PHYSICAL SURVEY
 FOR
PATRICK LEXA
 1219 WATAUGA STREET, RALEIGH, NC 27604
 RALEIGH TOWNSHIP WAKE COUNTY NORTH CAROLINA

TRUE LINE SURVEYING, P.C.



205 WEST MAIN STREET
 CLAYTON, N.C. 27520
 TELEPHONE: (919) 359-0427
 FAX: (919) 359-0428
 www.truelinesurveying.com

NOT PREPARED FOR RECORDATION JOB NO. 2397.001

I, CURK T. LANE CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, THAT THE ERROR OF CLOSURE AS CALCULATED IS 1:10,000+, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES.

L - 3990
 REGISTRATION NUMBER SURVEYOR

C-1857
 DATE OF SURVEY: 1/30/15 DRAWN: DANNY DATE: 5/11/15 CHECKED: CURK

Nature Of Variance Request

Patrick Lexa, June 3, 2015
1219 Watauga St, Raleigh NC 27604
919.412.0814
PMLexa@gmail.com

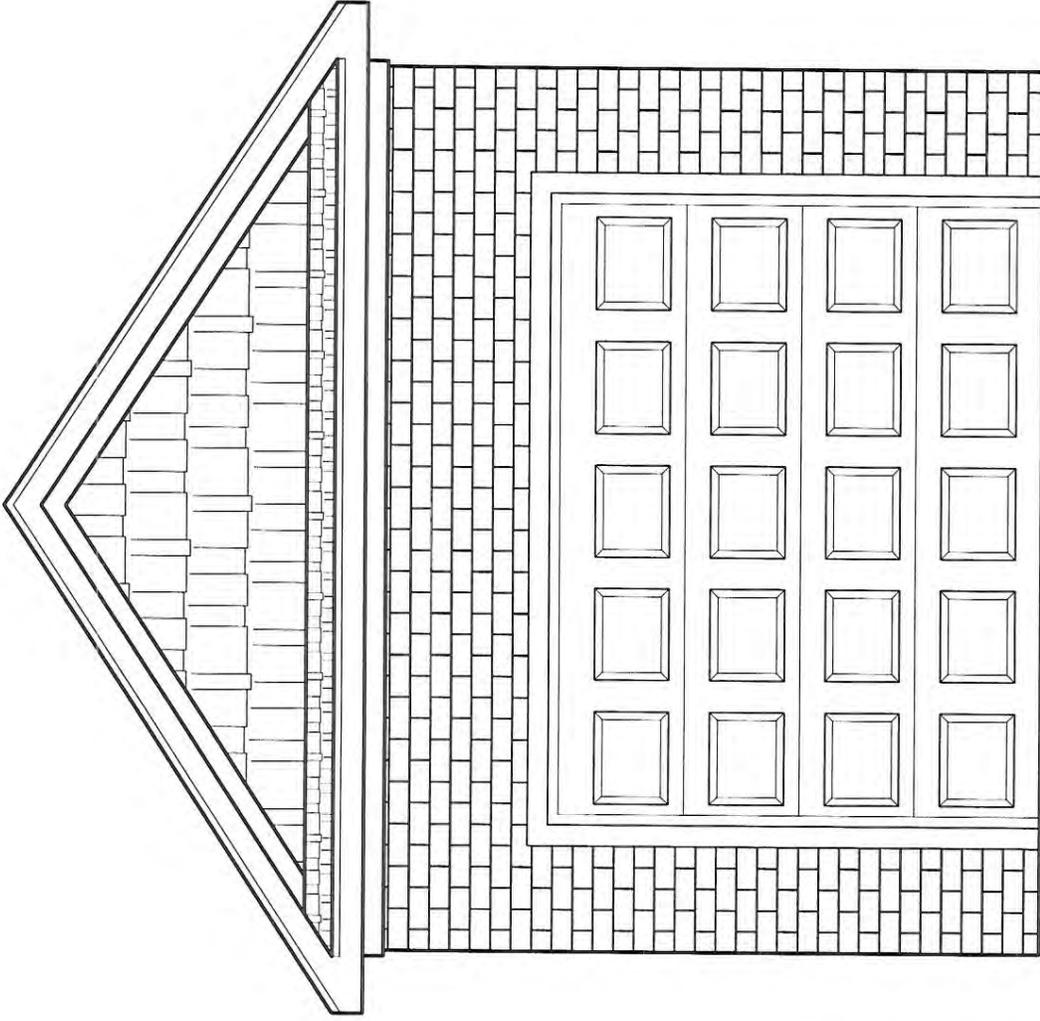
Greetings,

The reason we are seeking a variance on the addition of a garage (section 1.5.12 d3.) to our property and declaring a hardship is due to the fact that we cannot add it to the rear of the house. This garage will be in within the setbacks of the existing property and will have a minimal impact in terms of the space it utilizes (will measure 14'x22'). This garage will absolutely be aesthetically appealing and will match the finish and color scheme of the addition to our house. We really need this variance as we plan to start a family soon and need the extra space it provides. By all means please let us know if there is anything we can provide or help with.

Thanks so much for your consideration,

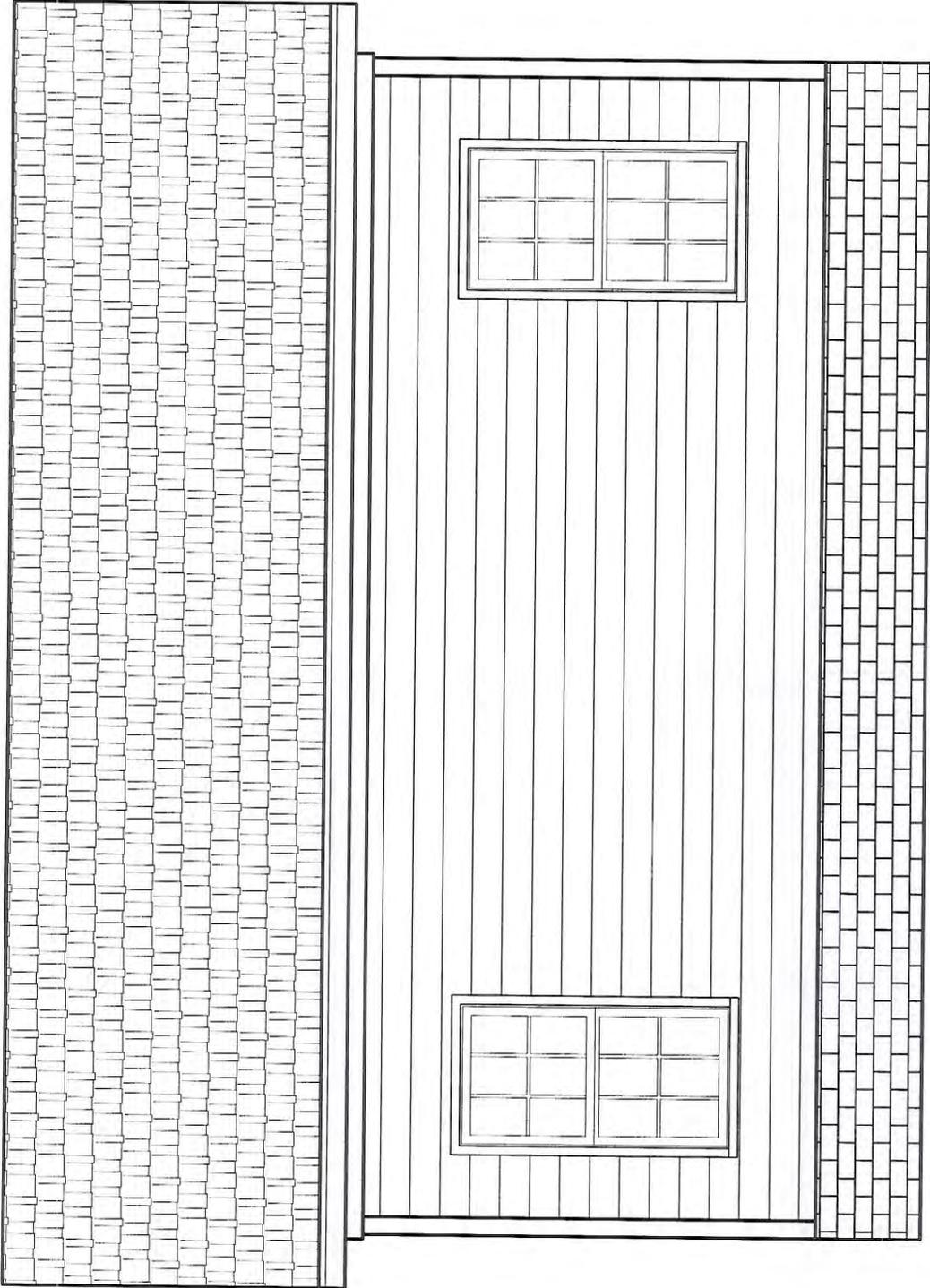
Patrick M. Lexa





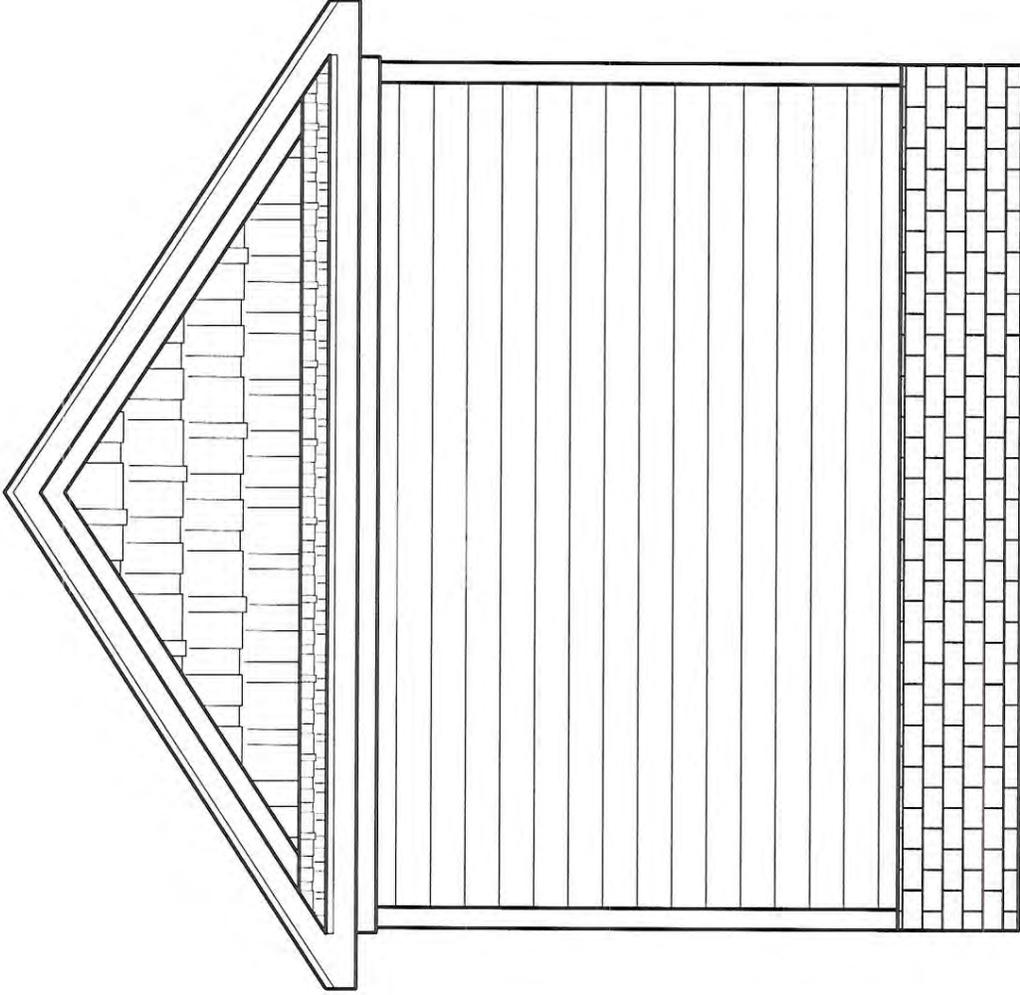
FRONT ELEVATION

1/4" = 1'-0"



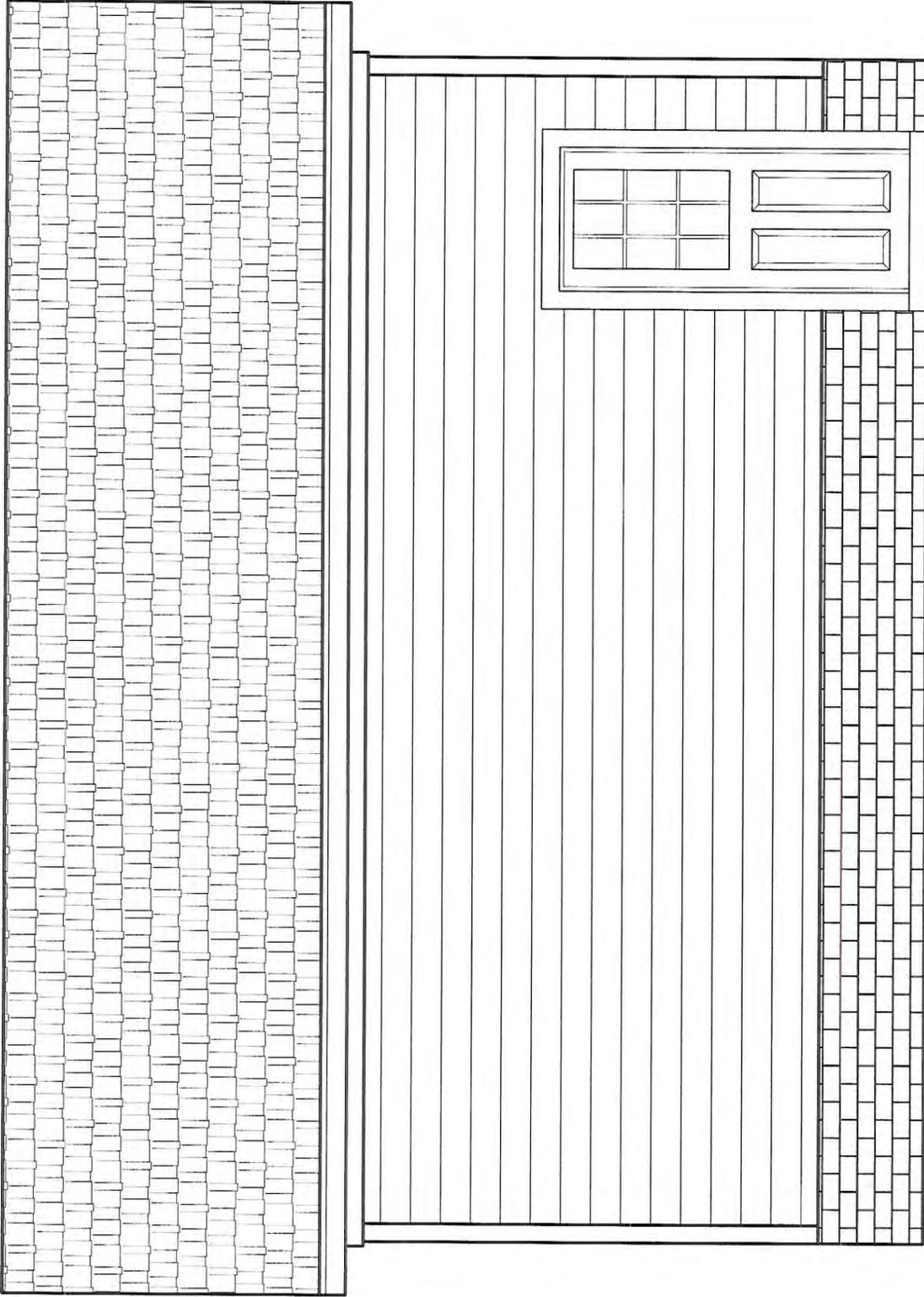
LEFT ELEVATION

1/4" = 1'-0"



REAR ELEVATION

1/4" = 1'-0"



RIGHT ELEVATION

1/4" = 1'-0"



[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)

[Tax Bills](#)

Real Estate ID **0040801** PIN # **1714041680**

[Account Search](#)



Location Address
1219 WATAUGA ST

Property Description
LO4 MEADOWBRK SUB REV

[Pin/Parcel History](#) [Search Results](#) [New Search](#)

[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.

Property Owner LEXA, PATRICK Use the Deeds tab above to view any additional owners	Owner's Mailing Address 1219 WATAUGA ST RALEIGH NC 27604-2035	Property Location Address 1219 WATAUGA ST RALEIGH NC 27604-2035
Administrative Data Old Map # G044-- Map/Scale 1714 13 VCS 01RA563 City RALEIGH Fire District Township RALEIGH Land Class R-<10-HS ETJ RA Spec Dist(s) Zoning R-6 History ID 1 History ID 2 Acreage .24 Permit Date 4/28/2006 Permit # 0000056186	Transfer Information Deed Date 3/23/2007 Book & Page 12458 2027 Revenue Stamps 430.00 Pkg Sale Date 3/23/2007 Pkg Sale Price \$215,000 Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 750	Assessed Value Land Value \$100,300 Assessed Bldg. Value \$91,510 Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$191,810 Assessed*

*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

Real Estate ID **0040801**

PIN # **1714041680**

Location Address
1219 WATAUGA ST

Property Description
LO4 MEADOWBRK SUB REV

Account Search

[Pin/Parcel History](#) [Search Results](#) [New Search](#)

[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)



Building Location Address 1219 WATAUGA ST		Building Description 01RA563		Card 01 Of 01	
Bldg Type	01 Single Family	Year Blt	1952	Eff Year	1990
Units	1	Addns		Remod	
Heated Area	750	Int. Adjust.		Base Bldg Value	\$83,768
Story Height	1 Story	Other Features		Grade	B+05 126%
Style	Conventional			Cond %	B 85%
Basement	Crawl Space			Market Adj.	F 120%
Exterior	Brick			Market Adj.	B 85%
Const Type				Accrued %	87%
Heating	Central			Incomplete Code	
Air Cond	Central			Card 01 Value	\$91,510
Plumbing	1 BATH			All Other Cards	
				Land Value Assessed	\$100,300
				Total Value Assessed	\$191,810
Main and Addition Summary				Other Improvements	
Story	Type	Code	Area	Inc	Units
M	1	BR/CS	750		DesItem
A		EP	288		Code
B		OP	45		Year
C		DK	90		% Inc
D					ADJ
E					
F					
G					
H					
Building Sketch				Photograph 4/19/2007	
				0040801 04/19/2007	



1219 Watauga Street



1714041680
LEXA, PATRICK
1219 WATAUGA ST
RALEIGH NC 27604-2035

1704947576
CLOVER LANE LLC
2320 BEECHRIDGE RD
RALEIGH NC 27608-1430

1714041488
SMITH, WILLIAM F HEIRS
C/O MARY B SMITH
1211 WATAUGA ST
RALEIGH NC 27604-2035

1714041584
CARTER, HENRY LEE
1215 WATAUGA ST
RALEIGH NC 27604-2035

1714041782
KORRECK, JASON M BENEDICK, JENNIFER
K
1227 WATAUGA ST
RALEIGH NC 27604-2035

1714043461
VICKSTROM, MARK D VICKSTROM, HOLLY
F
1208 WATAUGA ST
RALEIGH NC 27604-2036

1714043487
SMITH, MARY B
1211 WATAUGA ST
RALEIGH NC 27604-2035

1714044503
WHITLEY, DWIGHT AVERY
3170 S SMITHFIELD RD
KNIGHTDALE NC 27545-7791

1714044508
DUVALL, MATTHEW SALTER, MELISSA
1220 WATAUGA ST
RALEIGH NC 27604-2036

1714044614
BURKE, RYAN JOSEPH RIDDLE, MICAELA
1224 WATAUGA ST
RALEIGH NC 27604-2036

1714044707
BROWNING, CARTER W BROWNING,
LAURA M
1232 WATAUGA ST
RALEIGH NC 27604-2036

1714044710
BUMGARNER, JONATHAN R
1228 WATAUGA ST
RALEIGH NC 27604-2036

