



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

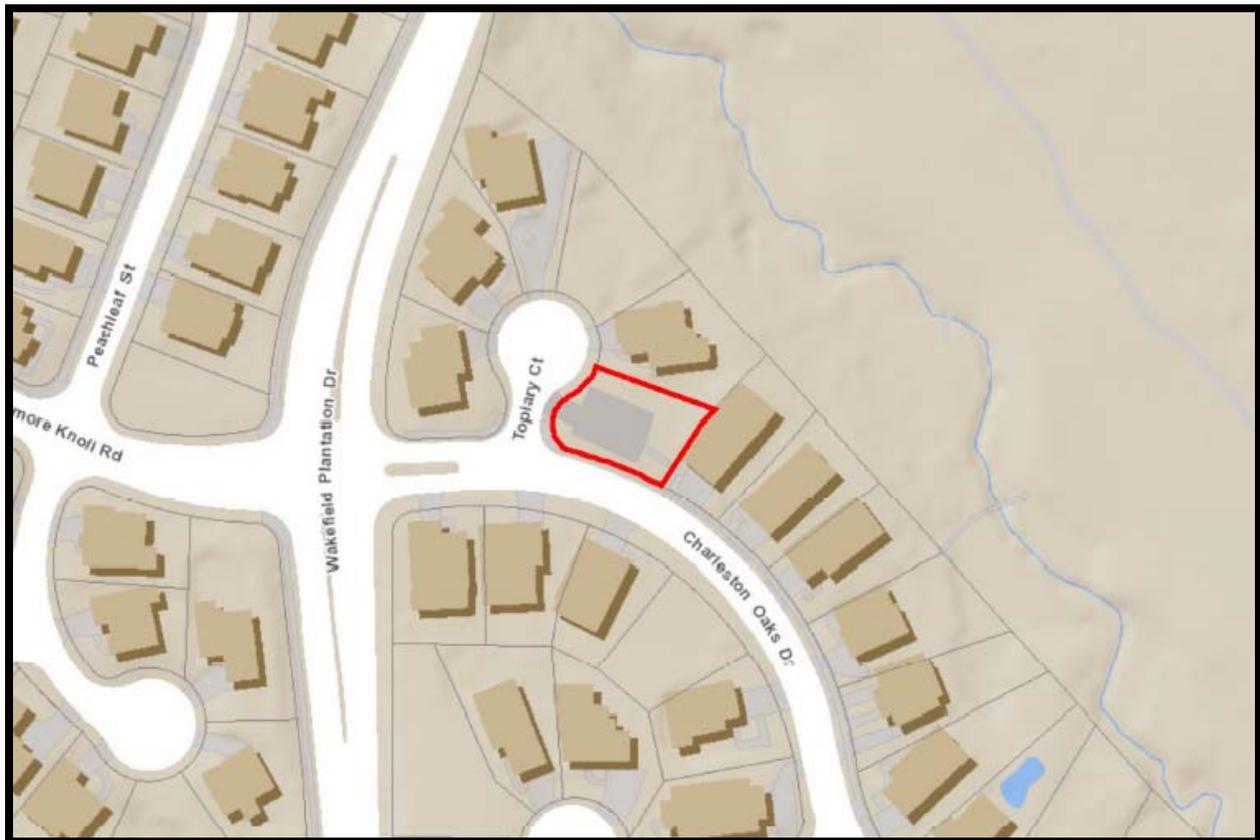
Case File: A-93-16

Property Address: 12700 Topiary Court

Property Owner: SCJ Investments, LLC

Project Contact: Scott Greene

Nature of Case: A request for a variance from all of the wooded area requirements set forth in Section 9.1.9.A. of the Unified Development Ordinance to allow for the construction of a detached house on a .15 acre property zoned Residential-6 Conditional Use District and Urban Watershed Protection Overlay District.

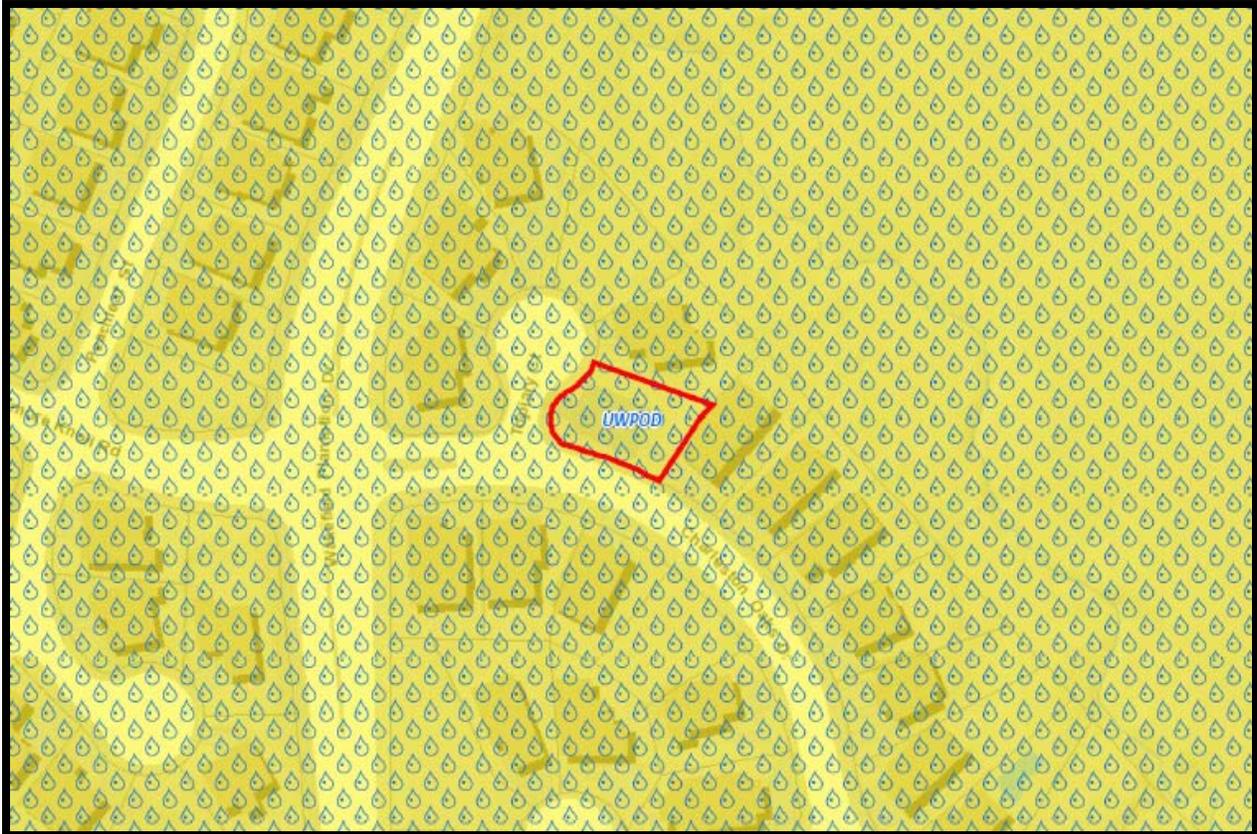


12700 Topiary Court – Location Map

To BOA: 8-8-16

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Residential-6 and Urban Watershed Protection Overlay District



12700 Topiary Court – 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:

To Legalize the Existing Structure:

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.**

Sec. 9.1.9 Watershed Protection Overlay Districts

A. Except as otherwise provided below, every lot located within a -UWPOD, -FWPOD or -SWPOD must provide and maintain an area set aside for trees equal to at least 40% of the lot area. Within this area, trees must either be preserved or planted in accordance with the following:

1. Tree areas may be 1 contiguous area or scattered areas throughout the lot, but no required tree area may be less than 1/5 of the total gross land area required to be set aside for trees;
2. All areas required to be set aside for trees shall be maintained as wooded areas;
3. Wooded areas may consist of either areas where active tree preservation is observed or tree planting areas;
4. Each active tree preservation area must contain a minimum of 2 inches of tree caliper per every 100 square feet and within such areas, active tree preservation shall be followed;
5. Areas that are set aside for trees that do not meet the standards for active tree protection areas must be planted with shade trees; and
6. The minimum size and planting rate of new tree plantings used to fulfill this requirement shall be either 1 bare-root seedling at least 14 inches tall planted per 100 square feet (10 feet by 10 feet centers) or one 2-inch caliper tree planted per 200 square feet.

B. After wooded areas have been determined and prior to or concurrent to any subdividing of the property or issuance of building permit, the landowner shall record with the local County Register of Deeds a plat with metes and bounds descriptions of all wooded areas.

C. For lots located within areas designated "New Urban" by the Swift Creek Land Management Plan, the regulations of Sec. 9.1.9.A. above apply with the exception that only 25% of each lot must contain an area set aside for trees.

D. For lots located within a conservation development, areas set aside for trees may in lieu of being situated on the individual dwelling lots may instead be located within the required open space, provided that the overall acreage set aside for trees is not diminished.

E. The requirements of this section do not apply to lots devoted exclusively to stormwater control measures or to those lots located in those areas of the Comprehensive Plan designated for impervious surfaces in excess of 30%.

Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

| NATURE OF REQUEST | OFFICE USE ONLY |
|---|--|
| <p>Nature of variance request (if more space is needed, submit addendum on separate sheet):</p> <p>* This lot is overlaid with the Urban Watershed Protection Overlay and requires 40% of the property to be wooded.</p> <p>§ The Overlay is a typographical error in the UDO</p> | <p>Transaction Number</p> <p>A-93-16</p> |
| <p>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.</p> | |

| GENERAL INFORMATION | | | | | |
|----------------------------------|---|----------------|--|---------------------|--------------|
| Property Address | 12700 Topiary Ct, Raleigh NC 27614 | | Date | 7/8/16 | |
| Property PIN | 1830138939 | Current Zoning | | | |
| Nearest Intersection | Wakefield Plantation Dr & Charleston Oaks Dr | | Property size (in acres) | | |
| Property Owner | SCJ Investments, LLC | Phone | 919-795-1057 | Fax | 919-785-2955 |
| Owner's Mailing Address | 2212 Hope Mills Rd Fayetteville, NC 28304 | | Email | insurit@outlook.com | |
| Project Contact Person | Scott Greene | Phone | 919-795-1057 | Fax | |
| Contact Person's Mailing Address | Same | | Email | same | |
| Property Owner Signature | | | Email | | |
| Notary | <p>Sworn and subscribed before me this <u>8</u> day of <u>July</u>, 20<u>16</u></p> <p></p> | | <p>Notary Signature and Seal</p> <p></p> | | |



[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)

Real Estate ID 0293003 PIN # 1830138939

[Account Search](#)

Location Address
12700 TOPIARY CT

Property Description
LO7 SAVANNAH @ WAKEFIELD PH1 BM2001-01991

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



NORTH CAROLINA

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

| | | |
|--|---|--|
| Property Owner SCJ INVESTMENTS LLC (Use the Deeds link to view any additional owners) | Owner's Mailing Address 2212 HOPE MILLS RD FAYETTEVILLE NC 28304-4228 | Property Location Address 12700 TOPIARY CT RALEIGH NC 27614-8875 |
|--|---|--|

| Administrative Data | Transfer Information | Assessed Value |
|---------------------------------|---------------------------------|-------------------------------------|
| Old Map # 215-00000-0000 | Deed Date 6/30/2016 | Land Value Assessed \$72,000 |
| Map/Scale 1830 03 | Book & Page 16440 1438 | Bldg. Value Assessed |
| VCS 19RA010 | Revenue Stamps 190.00 | Tax Relief |
| City RALEIGH | Pkg Sale Date | Land Use Value |
| Fire District | Pkg Sale Price | Use Value Deferment |
| Township WAKE FOREST | Land Sale Date 6/30/2016 | Historic Deferment |
| Land Class VACANT | Land Sale Price \$95,000 | Total Deferred Value |
| ETJ RA | | Use/Hist/Tax Relief |
| Spec Dist(s) | Improvement Summary | Assessed |
| Zoning CUD R-6 | Total Units 0 | Total Value \$72,000 |
| History ID 1 | Recycle Units 0 | Assessed* |
| History ID 2 | Apt/SC Sqft | |
| Acreage .15 | Heated Area | |
| Permit Date | | |
| Permit # | | |

*Wake County assessed building and land values reflect the market value as of January 1, 2016, 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, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 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.