Raleigh Board of Adjustment
December 12, 2016
Decisions

A-127-16, WHEREAS, St. James Apostolic Church, Inc., property owner, requests an 11.4' rear setback variance to legalize the existing civic building, as well as a 9.5' rear setback variance and a 3.3' side street setback variance to expand the existing civic building pursuant to Section 2.2.5. of the Unified Development Ordinance resulting in a 8.6' rear setback and a 6.7' side street setback on a .17 acre property zoned Residential-10 and located at 701 Bart Street.

Decision: Approved as requested.

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A-128-16, WHEREAS, Joseph and Brooke Lilley, property owners, request a 14' rear yard setback variance pursuant to Section 2.2.1 of the Unified Development Ordinance to expand the existing detached house into the rear yard resulting in a 6' rear yard setback on a .07 acre property zoned Residential Mixed-Use (RX-3) and located at 507 Rosengarten Alley

Decision: Approved as requested.

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A-129-16, WHEREAS, the Roman Catholic Diocese of Raleigh, property owner, requests a 2.5' height variance and a 23.7 square foot maximum copy area variance from the tract identification sign standards of Section 7.3.11 of the Unified Development Ordinance that results in a tract identification sign that is 8.6' tall and contains 39.7 square feet of copy area on a 26.25 acre site zoned Residential-4 and located at 11401 Leesville Road.

Decision: Approved a 2.5-foot variance in the maximum height allowance for the ground sign as well as a 4-square foot variance in the maximum copy area allowed to increase the maximum copy area from 16 square feet to 20 square feet.

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A-130-16, WHEREAS, Heaton Construction Inc., property owner, requests a variance from all of the forestation 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 .43 acre property zoned Residential-6 Conditional Use District and Urban Watershed Protection Overlay District located at 12612 Village Springs Road.

Decision: Approved as requested.

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A-131-16, WHEREAS, Kenneth and Martha Heaton, property owners, request a variance from all of the forestation 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 .42 acre property zoned Residential-6 Conditional Use District and Urban Watershed Protection Overlay District located at 12616 Village Springs Road.

Decision: Approved as requested.

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A-132-16, WHEREAS, Halpern Enterprises, Inc., property owner, requests variances to Conditions 8, 14, 15, 16, and 17 of City of Raleigh Ordinance (2016) 622 ZC 735, which sets forth those zoning conditions associated with rezoning case Z-6-16. The variance to each zoning condition is summarized herein: (1.) Condition 8: a variance to this condition that prohibits a driveway cut along the property's Old Leesville Road frontage in order to permit a driveway serving the Leesville Teacherage structure. (2.) Condition 14: a variance to the language of this condition that prohibits a building from being located south of the line described in the condition. (3.) Condition 15: a variance to the requirement that a portion of the property be maintained as a tree conservation area or undisturbed area in order to permit the location of a driveway serving the Leesville Teacherage structure. (4.) Condition 16: a variance to this condition in order to permit the Leesville Teacherage to remain on the property even though its primary building materials do not comply with this condition and (5.) Condition 17: a variance to this condition in order to permit the relocation of the Leesville Teacherage structure to another location on the property and to allow for the issuance of a building permit for new development once such relocation occurs on a 7.72 acre property zoned Neighborhood Mixed-use-3 Conditional Use (NX-3-CU) and located at 9501 Leesville Road and 9513, 9601 and 9605 Old Leesville Road.

Decision: Deferred to the Board's January 9, 2017 meeting.

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A-133-16, WHEREAS, ITB Holdings, LLC, property owner, requests a variance to Raleigh City Code section 10-2046(d)(2) to permit twenty-foot front yard setbacks and twenty-foot corner lot side yard setback along Wake Forest Road and the proposed extension of Wake Towne Drive, for property with an site plan submitted and in review under the previous Industrial-1 legacy zoning ordinance. The requested variances propose to reduce the front yard setback and corner lot side yard setback from 50 feet to 20 feet on a 22.44 acre property currently zoned Commercial Mixed Use-3 stories-Parking Limited (CX-3-PL) and located at 2912 Wake Forest Road.

Decision: Deferred to the Board's January 9, 2017 meeting.

J. Carr McLamb, Jr., Chairman

Date 12/21/16