



Board of Adjustment Case Report

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

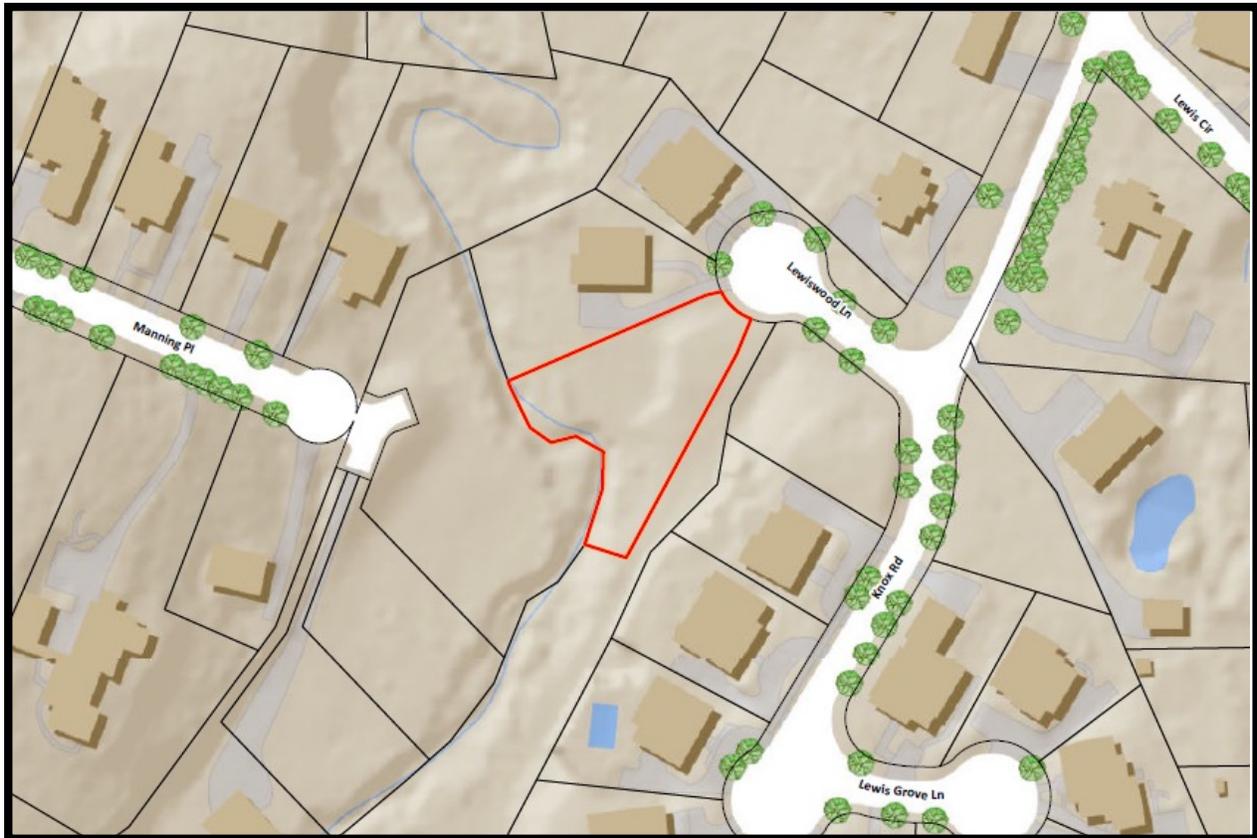
Case File: A-36-15

Property Address: 2509 Lewiswood Lane

Property Owner: Charles & Carrie Barzola

Project Contact: Charles Barzola

Nature of Case: A request for a 4.5' side yard setback variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance to allow for the construction of a detached house resulting in a 5.5' side yard setback on a .43 acre property zoned Residential-4 located at 2509 Lewiswood Lane.



2509 Lewiswood Lane – Location Map

To BOA: 6-8-15

Staff Coordinator: Eric S. Hodge, AICP

ZONING
DISTRICTS: Residential-4



2509 Lewiswood Lane – 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-4

Yard Type	Minimum Setback
Front Yard	20'
Side Street	15'
Side	10'
Sum of Side Setbacks	20'
Rear	30'



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-36-15

	OFFICE USE ONLY
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) Move the proposed house 4.5 ft East into the 10 ft setback. Only the front corner of the house would intrude into the setback for a few feet in either direction. We are doing our best to build a house which fits into the neighborhood on a difficult lot to build on, with numerous buffers, easements, etc. We are doing what we believe to be best for the entire street by requesting this Variance. Please see attached Exhibit's A, B, C, D, E	Transaction Number
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 2509 Lewiswood Lane Raleigh, NC		Date
Property PIN 0794997410	Current Zoning R-4	
Nearest Intersection Lewiswood Lane & Knox Road		Property size (in acres) .43
Property Owner Charles & Carrie Barzola	Phone 919-333-6930	Fax 866-375-3073
	Email charlie.barzola@gmail.com	
Project Contact Person Charles Barzola	Phone 919-333-6930	Fax 866-375-3073
	Email charlie.barzola@gmail.com	
Property Owner Signature 	Email charlie.barzola@gmail.com	
Notary	Notary Signature and Seal	
Sworn and subscribed before me this <u>5</u> day of <u>May</u> , 20 <u>15</u>	 <div style="border: 1px solid black; padding: 5px; display: inline-block;"> Crystle J. Corry NOTARY PUBLIC Franklin County, NC My Commission Expires 04/22/2019. </div>	

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

A-36-15

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.			

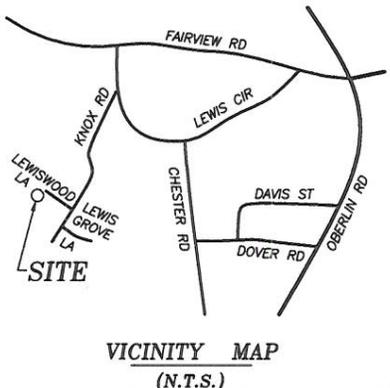


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Variance Intake Requirements

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 type="checkbox"/>				
2. Variance application review fee (see Development Fee Schedule for rate)	<input type="checkbox"/>				
3. Completed, notarized application signed by the property owner	<input type="checkbox"/>				
4. One set of stamped envelopes addressed to all property owners within 100 feet of the subject property	<input type="checkbox"/>				
5. List of all adjacent property owners					
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 type="checkbox"/>	<input type="checkbox"/>			
7. If the variance request involves a structure, sign or fence, architectural elevations must be submitted	<input 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 type="checkbox"/>			
9. Is variance needed to legalize an existing improvement?	<input type="checkbox"/>	<input type="checkbox"/>			

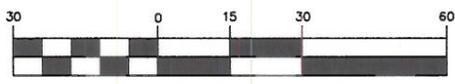


I, Jeffrey H. Davis, PLS, certify this map was drawn under my supervision from an actual survey made under my supervision; and that the error of closure as calculated by latitudes and departures is $1/10,000+$; that the boundaries not surveyed are shown as broken lines plotted from information found in Book ___; Page ___; that this map was prepared in accordance with G.S. 47-30 amended.

Witness my original signature, registration number and seal this 24TH day of FEBRUARY 2015.

Signed *Jeffrey H. Davis*

Seal



SCALE

(IN FEET)
1 inch = 30 ft.

NOTE:
THIS PROPERTY DOES NOT LIE WITHIN 2000' OF A N.C.G.S. MONUMENT.
THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.
UTILITIES SHOWN ARE FOR REPRESENTATION ONLY AND NOT TO BE USED FOR PROPERTY LINE LOCATION
ALL CREEKS, EASEMENTS, BUFFERS, FLOOD LIMITS & SETBACKS TAKEN FROM BOM 2003, PG 2204

PRELIMINARY PLAT, NOT FOR RECORDATION, CONVEYANCES, OR SALES THIS PLAN MUST BE APPROVED BY ALL STATE AND LOCAL REVIEWING AUTHORITIES FOR CONCURRENCE WITH SITE ZONING AND CODE OF ORDINANCES

C1
R=45.00'
L=32.97'
Delta=41°58'30"

LEGEND

- EXISTING IRON PIPE
- NEW IRON PIPE
- × COMPUTED CORNER

FLOOD LIMITS SCALED FROM WAKE COUNTY G.I.S.

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CITY OF RALEIGH AND NCDOT STANDARDS AND SPECIFICATIONS

LINE	LENGTH	BEARING
L1	30.61'	S25°31'01"W
L2	35.03'	N68°39'43"W
L3	47.43'	N21°20'17"E
L4	29.55'	N04°30'42"E
L5	25.04'	N56°47'58"W
L6	20.58'	S79°54'33"W
L7	20.88'	N51°06'07"W
L8	36.65'	N22°16'31"W
L9	4.70'	N15°53'49"W
L10	13.29'	N79°28'29"E

FLOOD CERTIFICATION

THIS WILL CERTIFY THAT THE SUBJECT PROPERTY (X) IS or () IS NOT located in a SPECIAL FLOOD HAZARD AREA as determined by the Department of Housing and Urban Development, or as shown on the FLOOD INSURANCE RATE MAP.

370243 0794 J
COMMUNITY # PANEL SUFFIX

Jeffrey H. Davis PLS
PROFESSIONAL LAND SURVEYOR

LOT 16 FLYTHE HILLS PHASE ONE 18,752 SQ.FT. 0.43 ACRES

T1 S 28°54'29" E 200.72'

IMPERVIOUS AREA
HOUSE 1730 SQ.FT.
DECK 280 SQ.FT.
STOOP 65 SQ.FT.
DR/WLK/RTW 1755 SQ.FT.
TOTAL 3830 SQ.FT.
20.4% IMPERVIOUS

SITE PLAN CREATED 05-06-2015

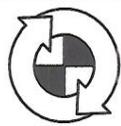
PLAN INFORMATION BLOCK	
Footprint:	Total Square Feet:
Crawl:	Slab:
Basement:	Mean Height:
Stories:	Facade:
Impervious Surface Area:	

SITE PLAN

CHARLIE BARZOLA
CARRIE BARZOLA

LOT 16
FLYTHE HILLS, PHASE ONE
2509 LEWISWOOD LANE
RALEIGH NORTH CAROLINA

DATE: 02-24-2015 DWG. NO. A-18817
SCALE: 1" = 30'

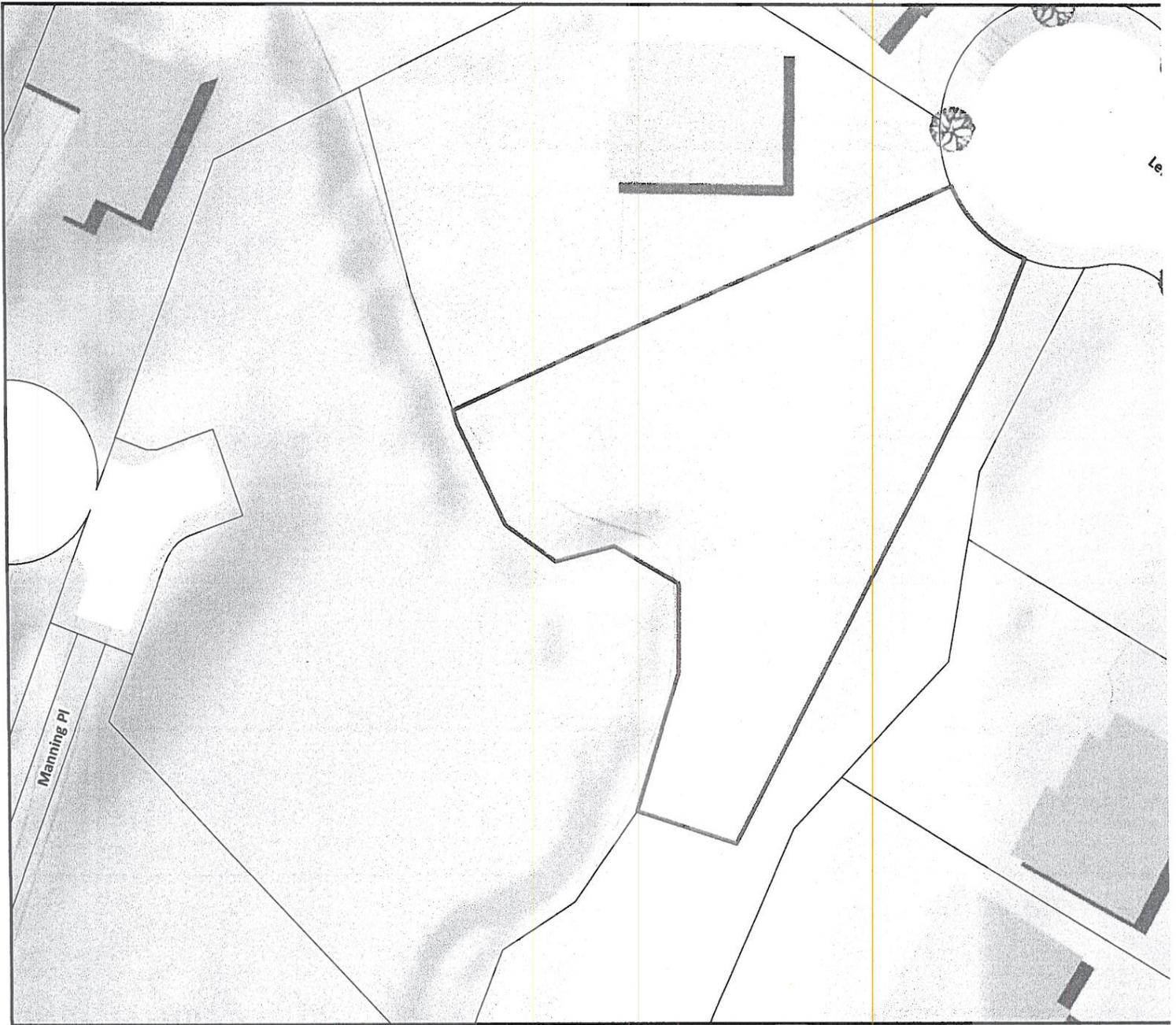


TURNING POINT SURVEYING PLLC

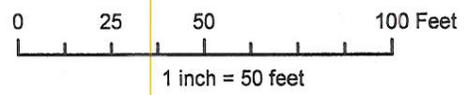
4113 JOHN S. RABOTEAU WYND
RALEIGH, NORTH CAROLINA 27612
FAX (800)948-0213 PH (919)781-0234
License No: P-0121

C.N. = 22321
B.O.M. 2003
PAGE 2204
WAKE CO. REG.

Exhibit C



2509 Lewiswood Lane Raleigh NC 27608



*Disclaimer:
This map is for informational purposes only. It is not intended to be used as a legal document. However, it is provided for your reference.*

Exhibit D



2509 Lewiswood Lane Raleigh NC Aerial



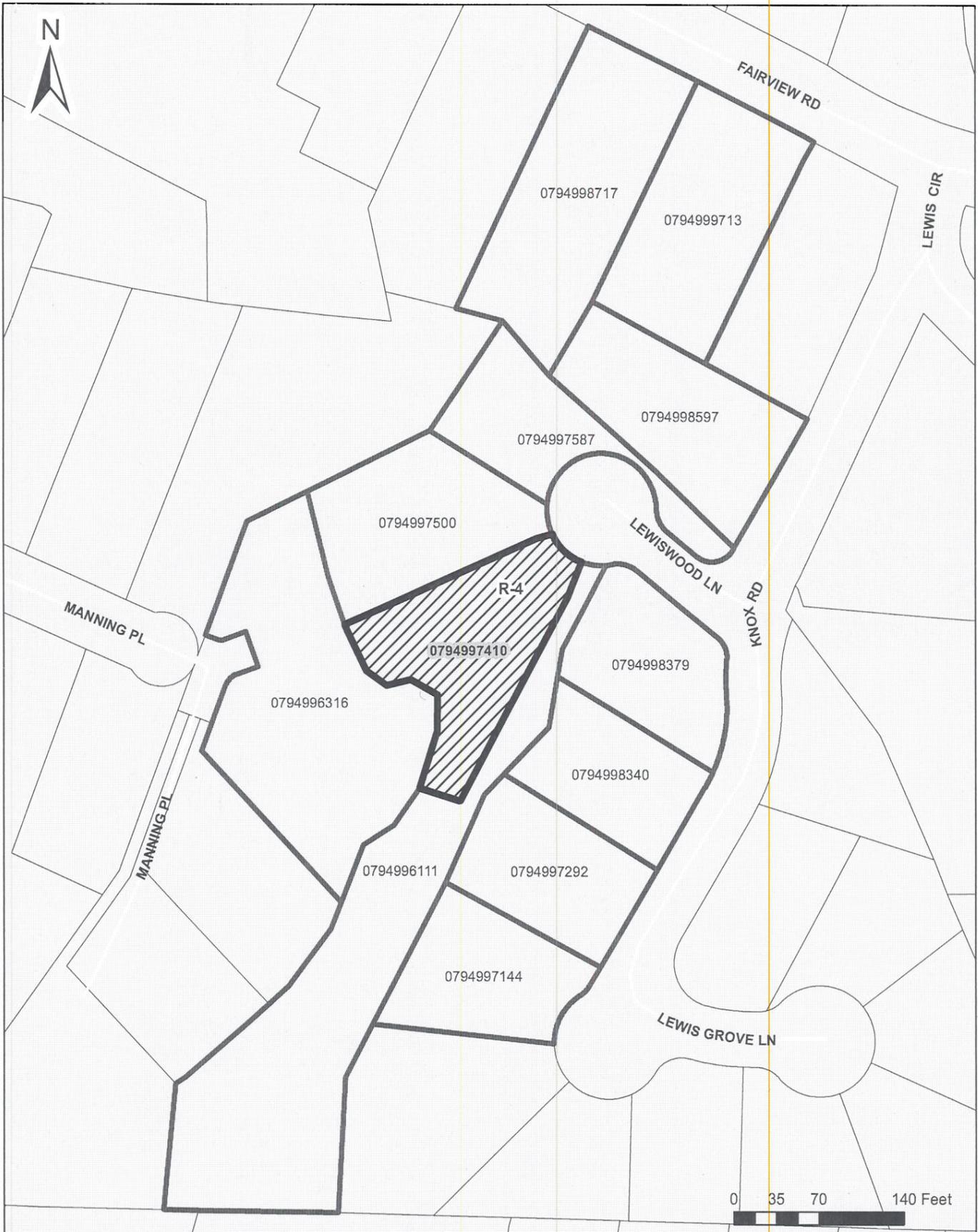
0 25 50 100 Feet

1 inch = 50 feet

*Disclaimer:
This map is for informational purposes only. It is not intended to be used as a legal document. However, it is a true and accurate representation of the property as shown in the aerial photograph.*

Exhibit E





2509 Lewiswood Lane



0794997410
BARZOLA, CHARLES A BARZOLA, CARRIE
CATHERINE ODOM
144 MONTPELIER LN
CLAYTON NC 27527-4231

0794996111
TRUSWOOD PROPERTIES LLC
PO BOX 90035
RALEIGH NC 27675-0035

0794996316
TRUSWOOD PROPERTIES LLC
PO BOX 90035
RALEIGH NC 27675-0035

0794997144
LOUTIT, CHRISTOPHER
1709 KNOX RD
RALEIGH NC 27608-1150

0794997292
RATLEDGE, JAMES E RATLEDGE, TOLER
WORKMAN
1713 KNOX RD
RALEIGH NC 27608-1150

0794997500
MILLS, HARRIET E MILLS, PATRICK
2515 LEWISWOOD LN
RALEIGH NC 27608-1386

0794997587
THORNE, NANCY S
705 LAKESTONE DR
RALEIGH NC 27609-6341

0794998340
MCNAMARA, THOMAS KEVIN MCNAMARA,
MICHELE J
1717 KNOX RD
RALEIGH NC 27608-1150

0794998379
WORTHINGTON, JOSHUA ROBERT
WORTHINGTON, JOANNA HIL...
2501 LEWISWOOD LN
RALEIGH NC 27608-1386

0794998597
KELLY, RAYMOND F JR KELLY, AMY A
1807 KNOX RD
RALEIGH NC 27608-1133

0794998717
RICHARDSON, WALTER EARL
RICHARDSON, JEAN E
2905 FAIRVIEW RD
RALEIGH NC 27608-1129

0794999713
RAXTER, RONALD D RAXTER, DAWN
ELIZABETH
2903 FAIRVIEW RD
RALEIGH NC 27608-1129



[Home](#)

Wake County Real Estate Data Account Summary

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

Real Estate ID **0267881** PIN # **0794997410**

Location Address 2509 LEWISWOOD LN	Property Description LO16 DUNCAN B & MARY RAY RAY CUSTOM HOMES INC BM2003-02204
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Account Search

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

NORTH CAROLINA [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 BARZOLA, CHARLES A BARZOLA, CARRIE CATHERINE ODOM Use the Deeds tab above to view any additional owners	Owner's Mailing Address 144 MONTEPELIER LN CLAYTON NC 27527-4231	Property Location Address 2509 LEWISWOOD LN RALEIGH NC 27608-1386
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Administrative Data	Transfer Information	Assessed Value
Old Map # E015-00000-0000	Deed Date 3/6/2015	Land Value \$441,830
Map/Scale 0794 08	Book & Page 15939 2309	Assessed
VCS 01RA323	Revenue Stamps 700.00	Bldg. Value
City RALEIGH	Pkg Sale Date	Assessed
Fire District	Pkg Sale Price	
Township RALEIGH	Land Sale Date 3/6/2015	Tax Relief
Land Class VACANT	Land Sale Price \$350,000	
ETJ RA		Land Use Value
Spec Dist(s)	Improvement Summary	Use Value Deferment
Zoning R-4	Total Units 0	Historic Deferment
History ID 1	Recycle Units 0	Total Deferred Value
History ID 2	Apt/SC Sqft	
Acreage .43	Heated Area	Use/Hist/Tax Relief
Permit Date		Assessed
Permit #		Total Value \$441,830
		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 **0267881**

PIN # **0794997410**

Location Address
2509 LEWISWOOD LN

Property Description
**LO16 DUNCAN B & MARY RAY RAY CUSTOM HOMES INC
BM2003-02204**

Account Search

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

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



Building Location Address 2509 LEWISWOOD LN		Building Description 01RA323		Card 01 Of 01	
Bldg Type	Year Blt	Eff Year	Base Bldg Value		
Units	Addns	Remod	Grade		
Heated Area	Int. Adjust.		Cond %		
Story Height	Other Features		Market Adj.		
Style			Market Adj.		
Basement			Accrued %		
Exterior			Incomplete Code		
Const Type			Card 01 Value		
Heating			All Other Cards		
Air Cond			Land Value Assessed \$441,830		
Plumbing			Total Value Assessed \$441,830		
Main and Addition Summary				Other Improvements	
Story	Type	Code	Area	Inc	Value
M					
A					
B					
C					
D					
E					
F					
G					
H					
Building Sketch				Photograph	

Patrick & Harriet Mills 2515 Lewiswood Lane Raleigh, NC 27608

Nancy Thorne 705 Lakeside Dr Raleigh, NC 27609

Rob & Joanna Worthington 2501 Lewiswood Lane Raleigh, NC 27608

Truswood Properties PO BOX 90035 Raleigh, NC 27675

Kevin & Michelle McNamara 1717 Knox Rd. Raleigh, NC 27608

James & Toler Ratledge 1713 Knox Rd. Raleigh, NC 27608

Christopher Loutit 1709 Knox Rd. Raleigh, NC 27608

Raymond & Amy Kelly 1807 Knox Rd. Raleigh, NC 27608