



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-89-15

Property Address: 2029 Delta Woods Lane

Property Owner: JW Homes, LLC

Project Contact: Dan Marro

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 .24 acre property zoned Residential-4 and Urban Watershed Protection Overlay District.



2029 Delta Woods Lane – Location Map

To BOA: 11-9-15

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Residential-4 and Urban Watershed Protection Overlay District



2029 Delta Woods 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:

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%.

A-89-15



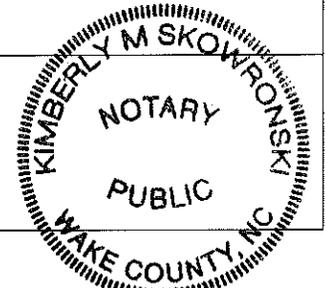
Planning & Development

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

		OFFICE USE ONLY
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) Raleigh Plan Review Transaction # 441906 This lot is in the Urban Water shed is required to provide 40% of the lot wooded or planted with trees per UDO 9.1.9. A. The building lot is .24 acres. The 40% forestation is incongruent in this neighborhood.		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 2029 Delta Woods Lane Raleigh, NC 27614	Date 09/17/2015	
Property PIN 1729437417	Current Zoning R-4	
Nearest Intersection Delta Woods Ln. and Lidgerwood Lane	Property size (in acres) .24 acres	
Property Owner JW Homes, LLC.	Phone 919-481-3309	Fax 919-481-9157
	Email dan.marro@jwhomes.com	
Project Contact Person Dan Marro	Phone 919-481-3309ext 112	Fax 919-481-9157
	Email dan.marro@jwhomes.com	
Property Owner Signature <i>Dan Marro</i>	Email	
Notary Sworn and subscribed before me this <u>17th</u> day of <u>September</u> , 20 <u>15</u>	Notary Signature and Seal <i>Kimberly M. Skowronski</i> exp. 02-14-2018	



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.



[Home](#)

Wake County Real Estate Data Account Summary

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

Real Estate ID **0422639** PIN # **1729437417**

Location Address: **2029 DELTA WOODS LN**
Property Description: **LO22 river run PH5 BM2014-00838**

[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 JW HOMES LLC (Use the Deeds link to view any additional owners)		Owner's Mailing Address 4125 ATLANTA RD SE SMYRNA GA 30080-6577		Property Location Address 2029 DELTA WOODS LN RALEIGH NC 27614-7756	
Administrative Data Old Map # 263-- Map/Scale 1729 03 VCS 13RA157 City RALEIGH Fire District Township NEUSE Land Class VACANT ETJ RA Spec Dist(s) Zoning R-4 History ID 1 History ID 2 Acreage .24 Permit Date Permit #		Transfer Information Deed Date 11/20/2012 Book & Page 15023 1050 Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date Land Sale Price Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area		Assessed Value Land Value Assessed \$136,000 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$136,000 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.

PRELIMINARY PLOT PLAN FOR
**JOHN WIELAND
 HOMES & NEIGHBORHOODS**

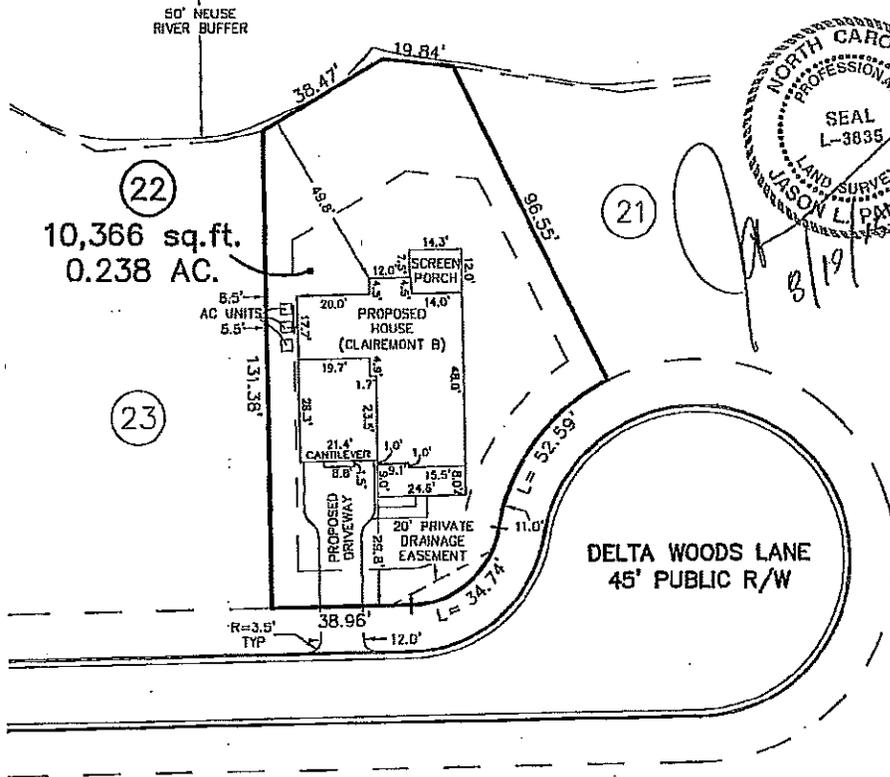
LOT 22, RIVER RUN SUBDIVISION, PH.4
 2029 DELTA WOODS LANE
 REF: B.M. 2014, PAGES 837-842
 NEUSE TOWNSHIP
 WAKE COUNTY, NORTH CAROLINA
 JULY 24, 2015
 REVISED AUGUST 19, 2015
 ZONED R-4 CLUSTER

PLAN INFORMATION BLOCK		
FLOORPRINT	TOTAL SQ.FT.	STORIES
2416	6871	3
CRAWL	BASEMENT	FRACASE
		siding
SLAB	DECKING	PAV. SURFACE AREA
	40'	3272

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



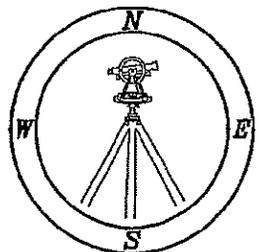
SCALE 1" = 40'



THIS SURVEYOR DOES NOT WARRANT THE ACCURACY OF ARCHITECTURAL DIMENSIONS. THEY ARE TO BE VERIFIED BY THE CONTRACTOR.

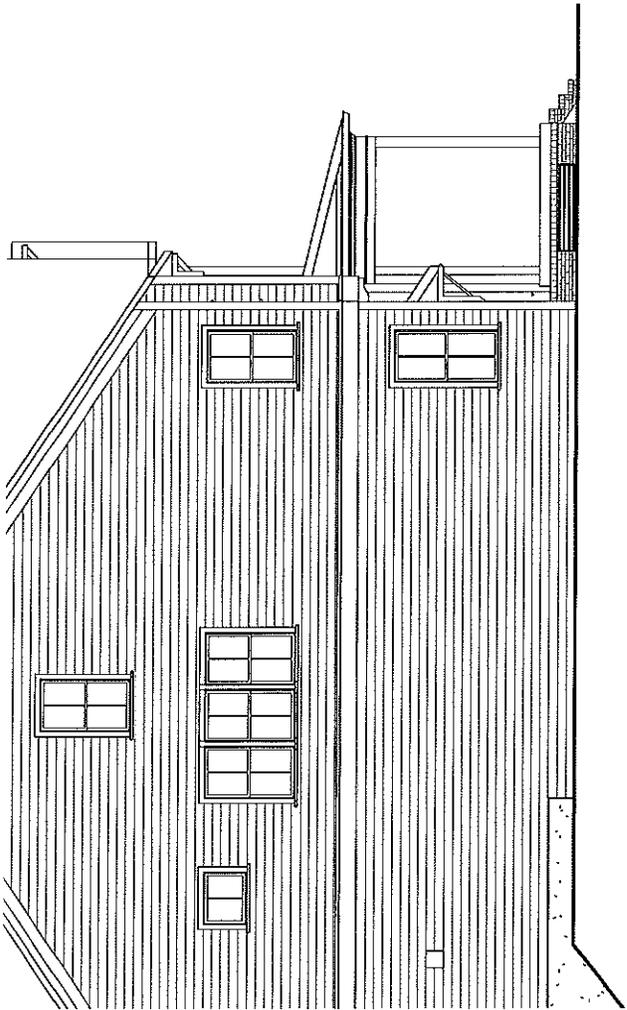
NOTE:
 -IMPERVIOUS CALCULATIONS ACCOUNT FOR IMPERVIOUS AREA CONTAINED WITHIN LOT LINES ONLY.

IMPERVIOUS SURFACE TABLE	
HOUSE	2,416 S.F.
SCREEN PORCH	170 S.F.
DRIVEWAY	602 S.F.
SIDEWALKS	54 S.F.
UTILITIES/MISC.	30 S.F.
TOTAL IMPERVIOUS AREA	3,272 S.F.
TOTAL LOT AREA	10,366 S.F.
PERCENTAGE OF IMPERVIOUS AREA	31.56%

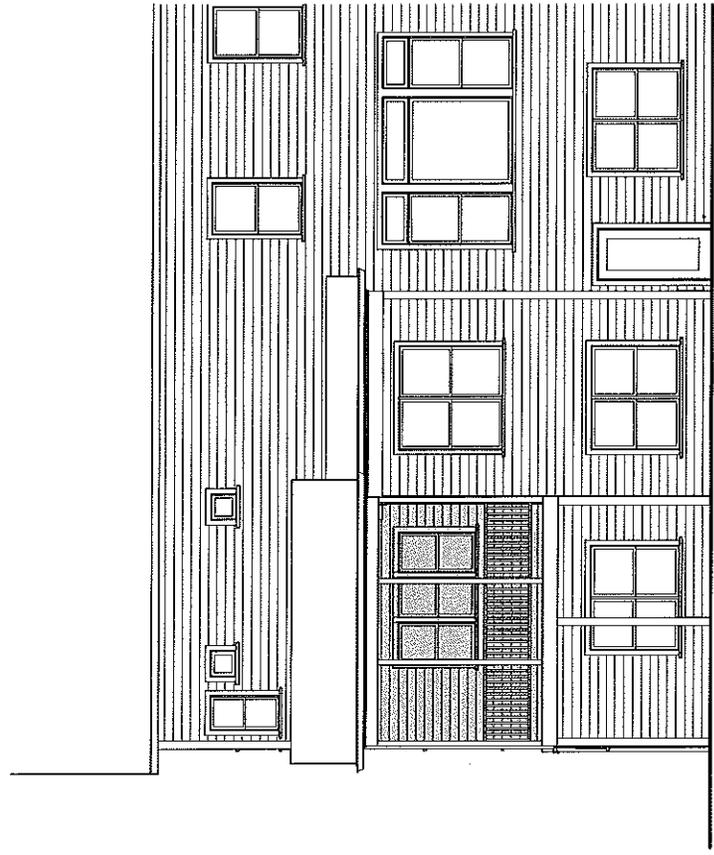


**CAWTHORNE, MOSS
 & PANCIERA, P.C.**
 Professional Land Surveyors
 C-1525
 333 S. White Street
 Post Office Box 1253
 Wake Forest, N.C. 27588
 (919)556-3148

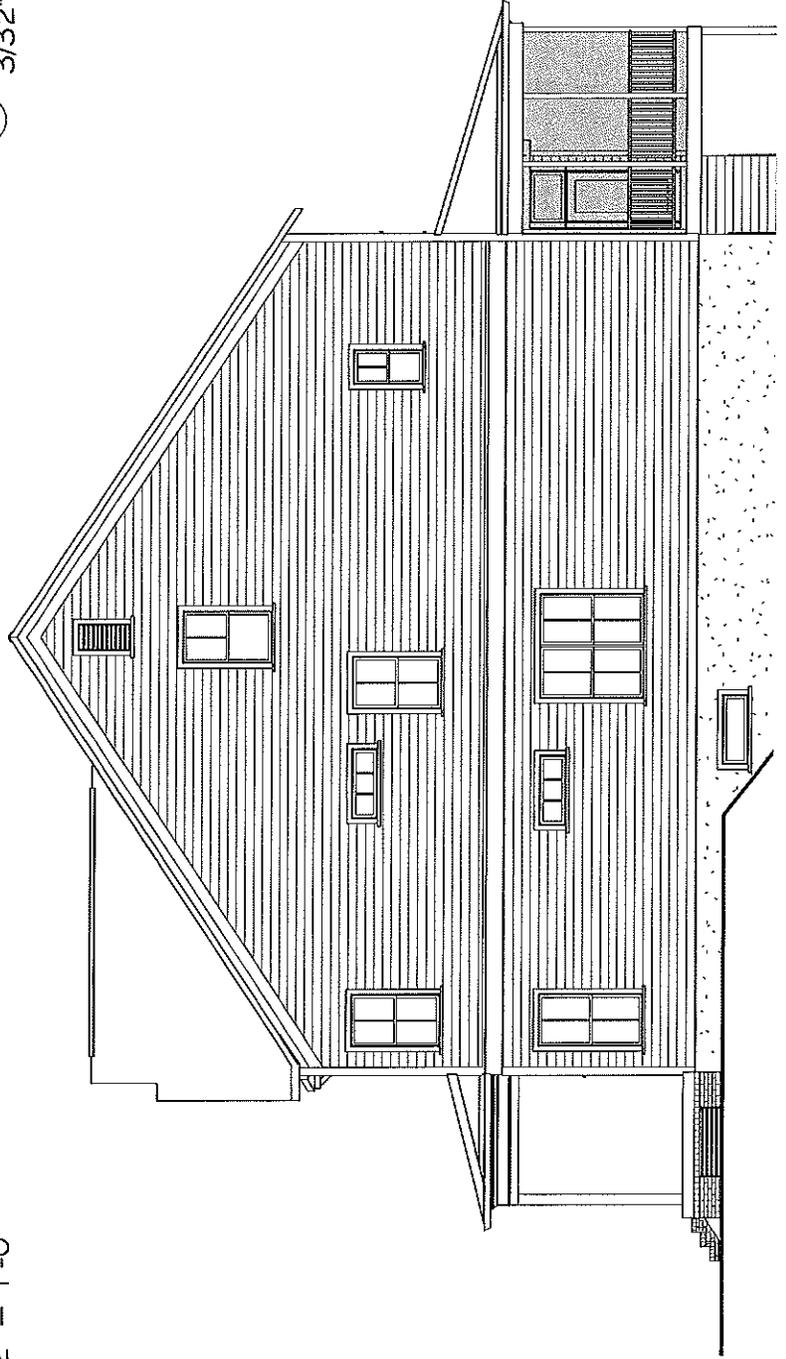
NOTES:
 -THIS PLAN DOES NOT REFLECT AN ACTUAL SURVEY. IT IS A PRELIMINARY PLAN AND SHOULD BE USED FOR ITS INTENDED PURPOSE ONLY.
 -NOT FOR RECORDATION, CONVEYANCES, OR SALES.

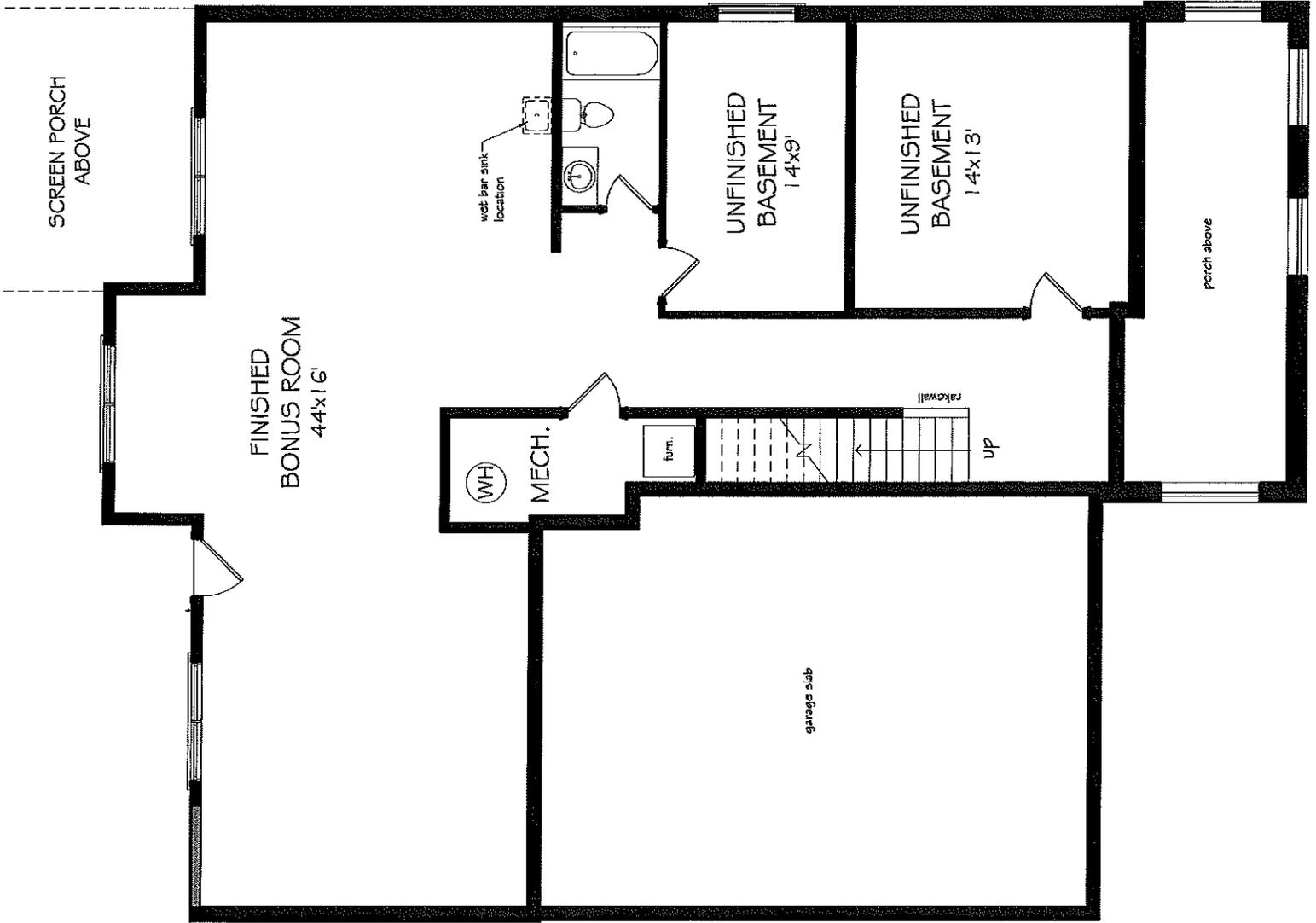


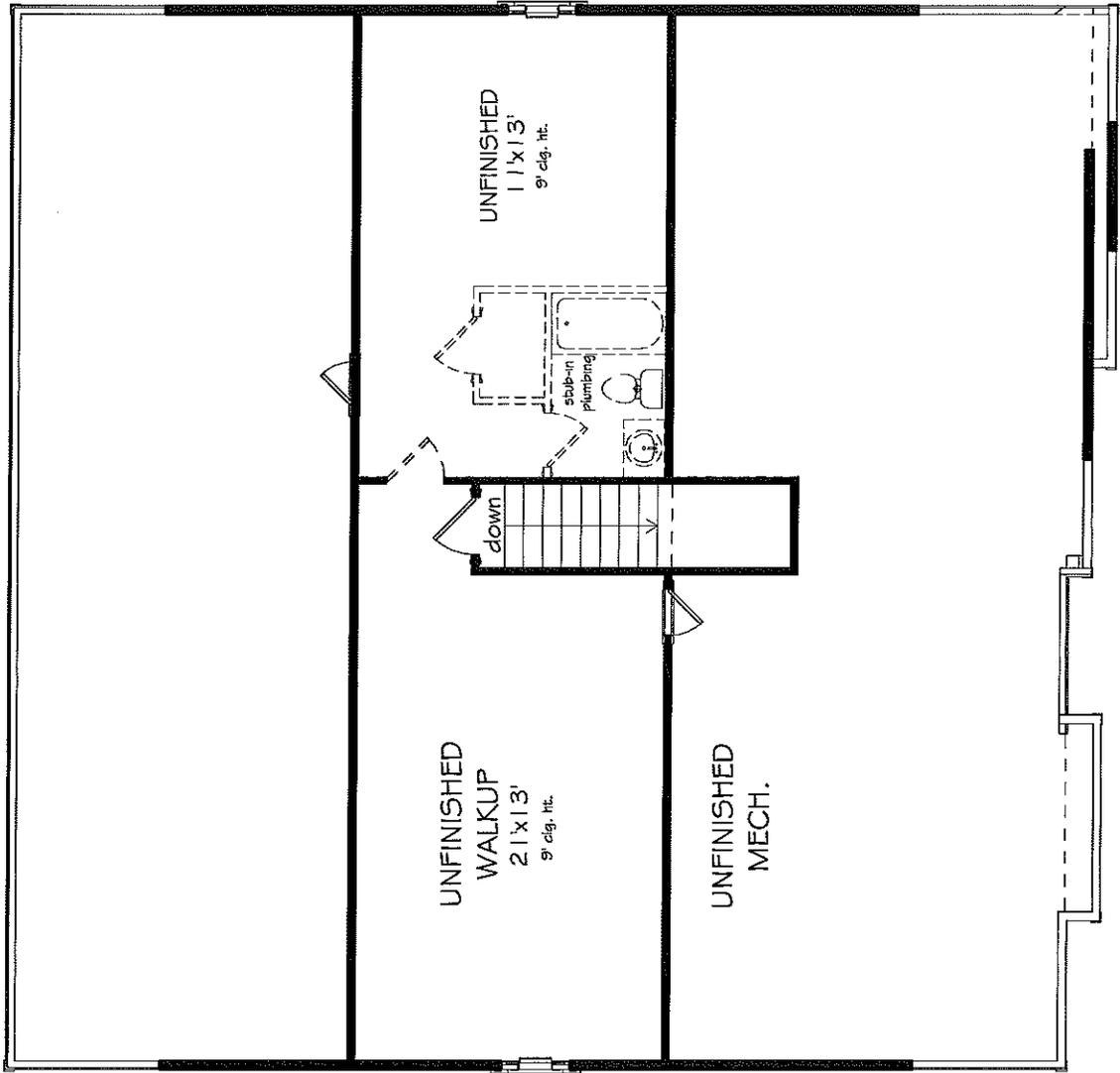
① PERSONAL PLAN-LEFT ELEVATION-B
3/32" = 1'-0"



② PERSONAL PLAN-REAR ELEVATION-B
3/32" = 1'-0"







PERSONAL PLAN-UNFINISHED WALKUP FLOOR

① PLAN-B

1/8" = 1'-0"