



# 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-113-15

**Property Address:** 8441 Lentic Court

**Property Owner:** Pulte Home Corporation

**Project Contact:** Michael Birch

**Nature of Case:** A request for a 5' aggregate side yard setback variance pursuant to section 2.2.1. of the Part 10A Unified Development Ordinance to legalize a detached house currently under construction that results in a 10' aggregate side yard setback on a .19 acre property zoned Residential-6 and located at 8441 Lentic Court.



**8441 Lentic Court – Location Map**

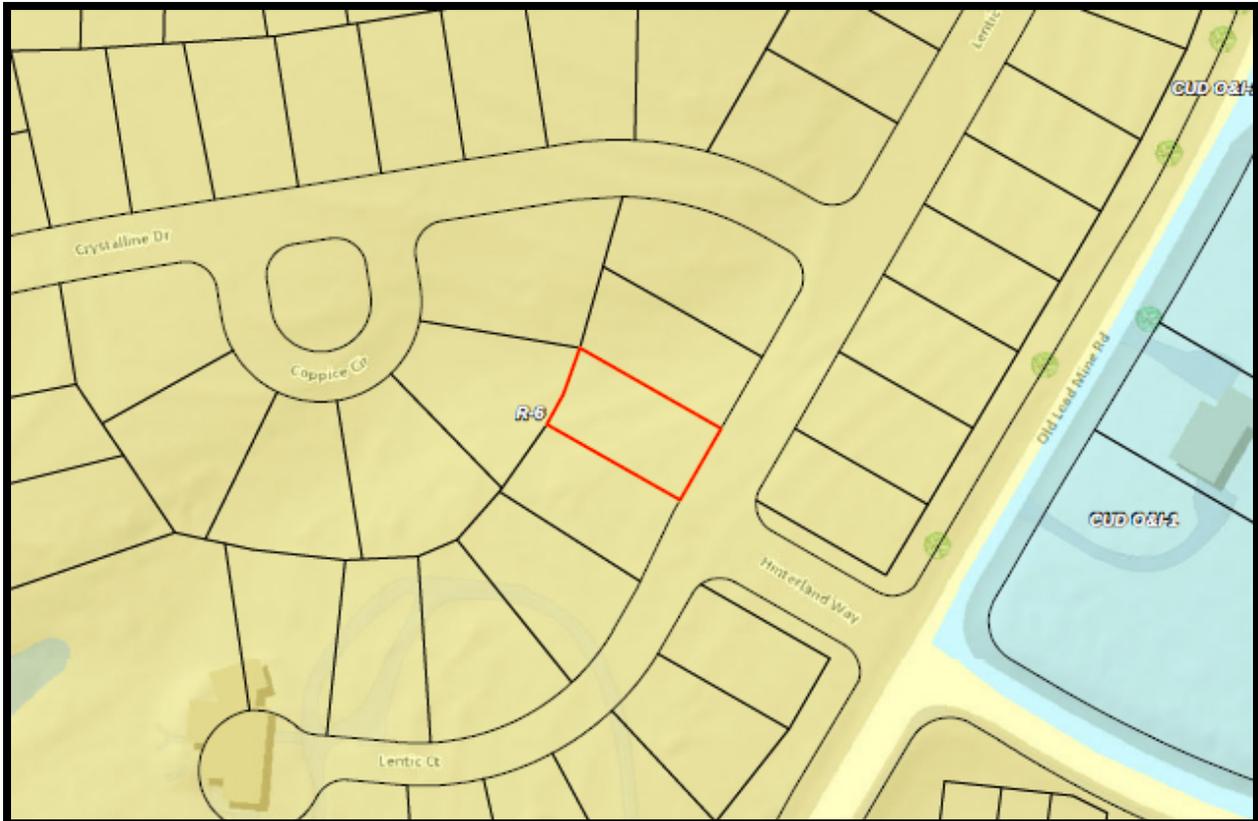
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To BOA: 12-14-15

Staff Coordinator: Eric S. Hodge, AICP

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**ZONING DISTRICTS:** Residential-6



**8441 Lentic Court Avenue – 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-10

<b>Yard Type</b>	<b>Minimum Setback</b>
Front Yard	10'
Side Street	10'
Side	5'
Sum of Side Setbacks	15'
Rear	20'





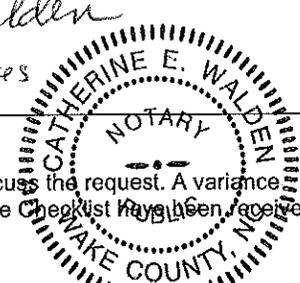
# Planning & Development

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.) See attached Exhibit A.		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 8441 Lentic Court		Date November 11, 2015	
Property PIN 1708-20-2404	Current Zoning Residential-6		
Nearest Intersection Hinterland Way and Lentic Court		Property size (in acres) 0.19	
Property Owner Pulte Home Corporation 1225 Crescent Green, Suite 110 Cary, NC 27518		Phone	Fax
		Email	
Project Contact Person Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Raleigh, NC 27560		Phone 919.590.0388	Fax
		Email mbirch@morningstarlawgroup.com	
Property Owner Signature <i>Chris Raughley</i>		Email <i>chris.raughley@pultegroup.com</i>	
Notary Sworn and subscribed before me this <u>11</u> day of <u>Nov</u> , 20 <u>15</u>		Notary Signature and Seal <i>Catherine E. Walden</i> my commission expires <u>10.20.20</u>	



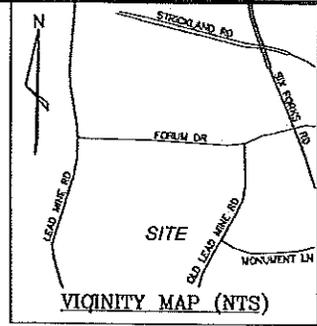
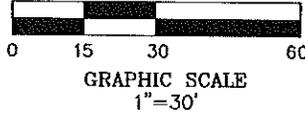
It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.

## Exhibit A

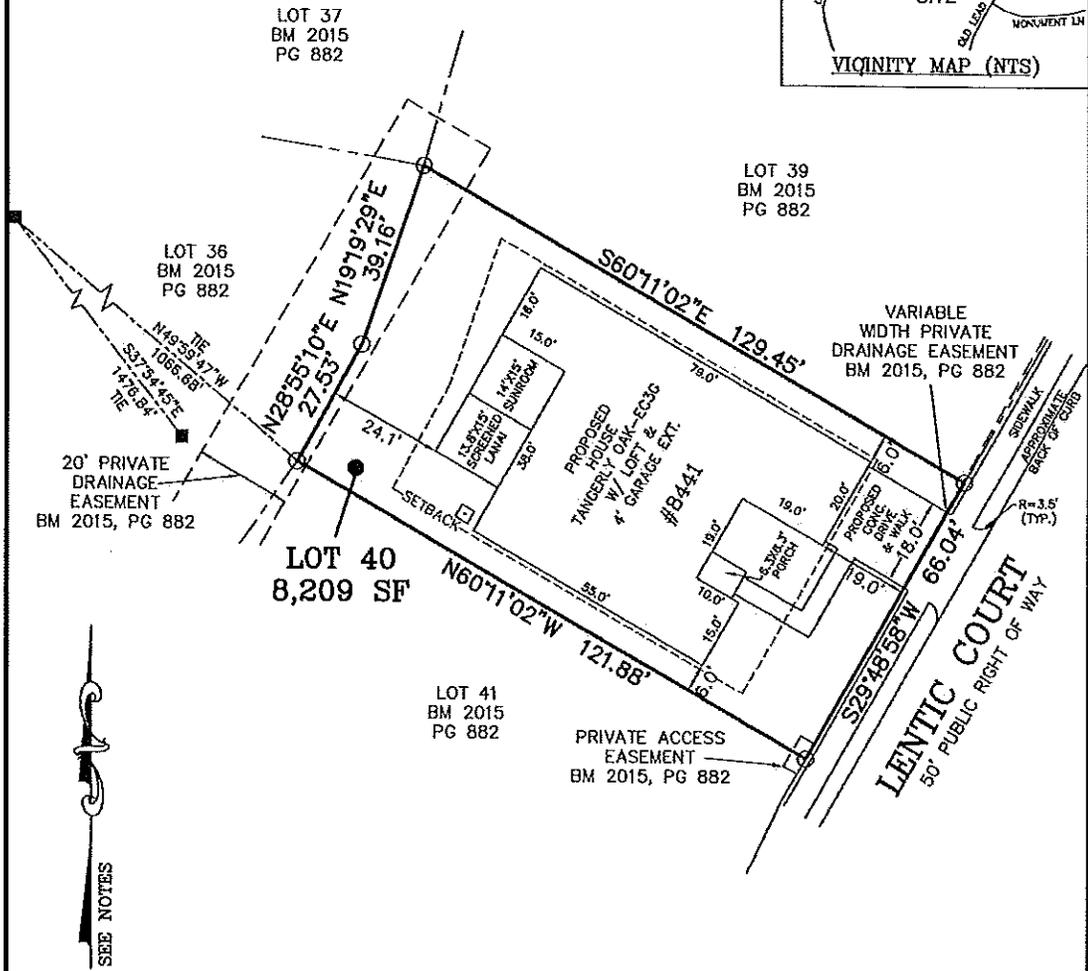
**Nature of the Variance:** The property owner is requesting a five (5) feet variance to the aggregate side yard setback for a detached house on property zoned Residential-6. Unified Development Ordinance section 2.2.1.B4 states that the aggregate side yard setback is fifteen (15) feet. If the variance is granted, an aggregate side yard setback of ten (10) feet would be permitted. Additionally, this variance would legalize the structure for which a building permit was issued by the City (Group # 363216).

**LEGEND**

- MATHEMATICAL POINT
- CONTROL CORNER
- A/C UNIT



-ALL CONSTRUCTION TO BE PER CITY OF RALEIGH AND OR NCDOT STANDARDS AND SPECIFICATIONS.



SEE NOTES

**NOTES:**

- REFERENCE WAKE CO. BM 2015, PG 877-884 FOR BOUNDARY INFORMATION, NORTH INDEX & TIE LINES TO SUBDIVISION CONTROL CORNERS.
- ZONING: R-6 & CM
- BUILDING SETBACK:  
FRONT-18'  
SIDE-5'  
REAR-20'
- LOT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SCALED FROM NFIP FIRM #3720170800J, WITH AN EFFECTIVE DATE OF MAY 2, 2006.

IMPERVIOUS SURFACE TABLE	
TOTAL ESTIMATED IMPERVIOUS-4,150 SF	
SITE	SQ. FT.
HOUSE/PORCH	3,252
DRIVEWAY	342
LEADWALK	131
SUNROOM	210
SCREENED LANAI	206
A/C PAD	9
SOD	4,059

**PERMIT PLAN LOT: 40**

MANORS AT OLD LEAD MINE SUBDIVISION PHASE 1  
CITY OF RALEIGH, WAKE COUNTY, NC

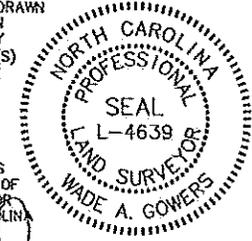
SURVEYED FOR  
**PULTE HOME CORPORATION**  
1225 CRESCENT GREEN DRIVE, SUITE 250  
CARY, NC 27518



**MSS LAND CONSULTANTS, PC**  
"Committed to Total Quality Service"  
Firm License: C-2070  
E.S.T. 1998

6118 St. Giles St (Suite E)  
Raleigh, NC 27612  
Phone (919) 610-4464  
Fax (919) 610-9102  
Email: gowers@mssland.com

I CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION(S) REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS SHOWN HEREON; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000+; THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 58.1600)



WADE A. GOWERS, PLS L-4639

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