



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-36-16

Property Address: 602 E. South St.

Property Owner: Ashkan and Cynthia Hosseini

Project Contact: Ashkan Hosseini

Nature of Case: A request for a 2' side yard setback variances, on both sides, a 4' sum of side yards setback variance, pursuant to section 2.2.1 of the Part 10A Unified Development Ordinance, a 2' variance pursuant to section 1.5.4.D.1.c. of the Part 10A Unified Development Ordinance and complete relief from the parking setback requirements set forth in section 1.5.5. of the Part 10A Unified Development Ordinance in order to allow for 2 off-street parking spaces to occupy more than 40% of the front yard area resulting in a detached house with 3' side yard setbacks, a 6' sum of side yard setbacks, building eaves and/or roof overhangs that are 1' from the property line and a vehicular surface area that exceeds 40% of the front yard area on a .09 acre property zoned R-10.



602 E. South Street – Location Map

To BOA: 3-14-16

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-10



602 E. South Street – 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.

Zoning District Standards: The subject property is zoned Residential-10

<u>Lot Dimensions</u>	
Area (min)	4,000 SF
Width – interior lot (min)	45'
Width – corner lot (min)	60'
Depth (min)	60'
Density (max)	10 u/a
<u>Yard Type</u>	<u>Minimum Setback</u>
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	10'
Rear	20'



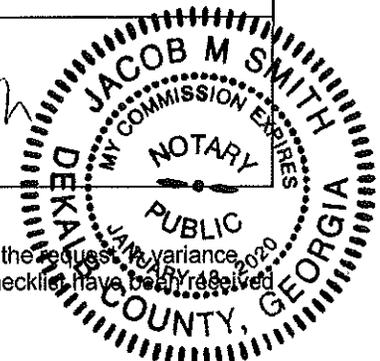
Planning & Development

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.) Please see separate sheet.	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 602 E South St Raleigh NC 27601	Date 2/5/16	
Property PIN 1703954996	Current Zoning R-10	
Nearest Intersection Chavis Way & E South St	Property size (in acres) 0.09	
Property Owner Ashkan Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Project Contact Person Ashkan Hosseini	Phone 919-413-1005	Fax
	Email ashkanh9@gmail.com	
Property Owner Signature 	Email ashkanh9@gmail.com	
Notary Sworn and subscribed before me this <u>10th</u> day of <u>Feb</u> , 20 <u>16</u>	Notary Signature and Seal 	



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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Property Owner Cynthia Karol Hosseini	Phone 919-413-1005	Fax	
	Email ashkanh9@gmail.com		
Project Contact Person Ashkan Hosseini	Phone 919-413-1005	Fax	
	Email ashkanh9@gmail.com		
Property Owner Signature <i>Cynthia Karol Hosseini</i>	Email ashkanh9@gmail.com		
Notary Sworn and subscribed before me this <u>8</u> day of <u>February</u> , 20 <u>16</u>	Notary Signature and Seal <i>Tamara Pratt</i>	TAMARA PRATT NOTARY PUBLIC DeKalb County State of Georgia My Comm. Expires Nov. 1, 2019	

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[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)Real Estate ID **0011266** PIN # **1703954996**[Account Search](#)Location Address
602 E SOUTH STProperty Description
602 E SOUTH STREET[Pin/Parcel History](#) [Search Results](#) [New Search](#)[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner HOSSEINI, ASHKAN & CYNTHIA KAROL (Use the Deeds link to view any additional owners)		Owner's Mailing Address 108 KINGSMILL RD CARY NC 27511-7240	Property Location Address 602 E SOUTH ST RALEIGH NC 27601-2476
Administrative Data Old Map # B011-B0053-0001 Map/Scale 1703 52 VCS 01RA549 City RALEIGH Fire District Township RALEIGH Land Class VACANT ETJ RA Spec Dist(s) Zoning R-20 History ID 1 History ID 2 Acreage .09 Permit Date Permit #		Transfer Information Deed Date 2/11/2016 Book & Page 16290 2114 Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date 9/24/2013 Land Sale Price \$16,000 Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area	
		Assessed Value Land Value Assessed \$72,000 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$72,000 Assessed*	

*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.

Real Estate ID **0011266**

PIN # **1703954996**

Account Search

Location Address
602 E SOUTH ST

Property Description
602 E SOUTH STREET

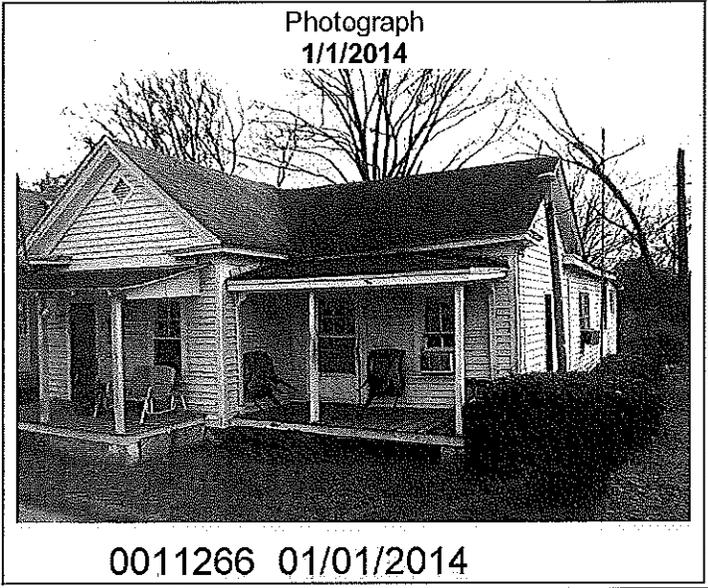
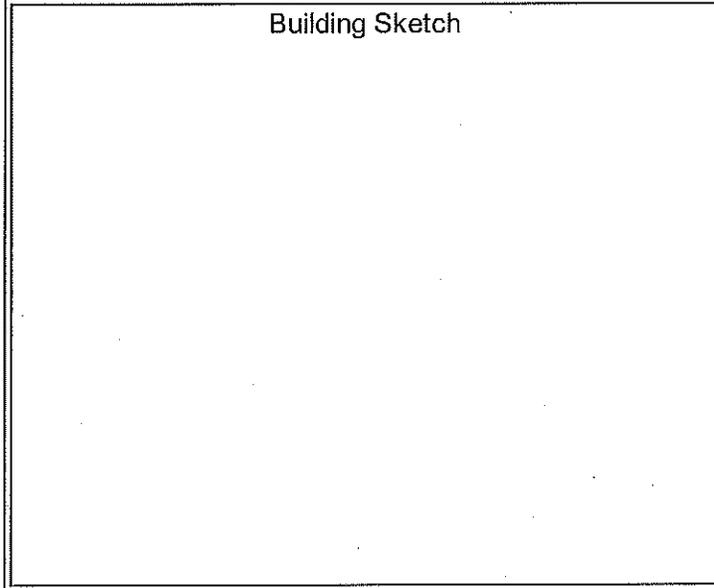
[Pin/Parcel History](#) [Search Results](#) [New Search](#)



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

Building Location Address 602 E SOUTH ST		Building Description 01RA549	Card 01 Of 01
Bldg Type Units Heated Area Story Height Style Basement Exterior Const Type Heating Air Cond Plumbing	Year Blt Addns Int. Adjust. Other Features	Eff Year Remod	Base Bldg Value Grade Cond % Market Adj. Market Adj. Accrued % Incomplete Code Card 01 Value All Other Cards Land Value Assessed \$72,000 Total Value Assessed \$72,000

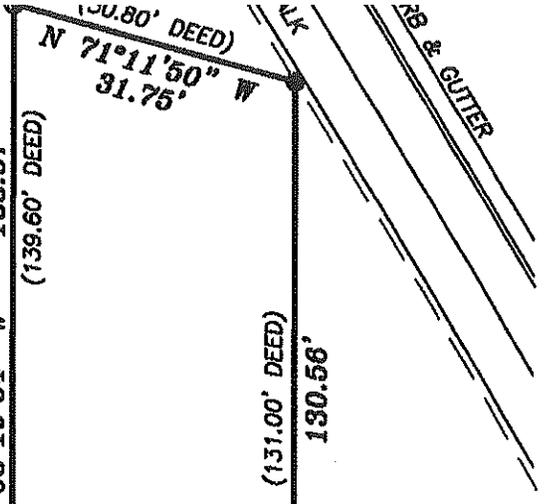
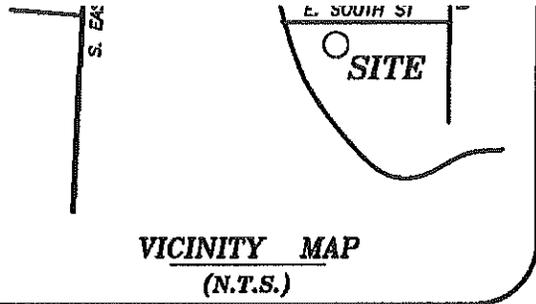
Main and Addition Summary					Other Improvements					
Story	Type	Code	Area	Inc	Units	DesItem	Code	Year %ADJ	Inc	Value
M										
A										
B										
C										
D										
E										
F										
G										
H										



602 E South St Variance Description:

We are seeking 2 foot and 2 foot side yard setback variances and a 4 foot aggregate side yard setback variance pursuant to section 2.2.1 of the Unified Development Ordinance resulting in a single family home with 3 foot side yard setbacks on each side and an aggregate side yard setback of 6 feet . We are also seeking a 1 foot variance pursuant to section 1.5.4 of the Unified Development Ordinance part D.1.c. (Building Features) requiring that building eaves, roof overhangs and light shelf extensions are at least 2 feet from the vertical plane of any lot line resulting in roof overhangs that are at least 1 foot from the vertical plane of the lot lines. We are also seeking complete relief from the Parking Setback requirements set forth in section 1.5.5. of the Unified Development Ordinance which limits parking in the front setback to no more than 40% of the area between the front building façade and the front property line in order to create a 2 car wide driveway that allows for 2 off street parking spaces.

We have the narrowest lot on our block at 30.6 feet wide which presents challenges when trying to build a home with the existing setback requirements. The nature of our variance request isn't out of line with variances that have been granted for many of the houses on our block. All of the houses on our block have front yard setbacks of roughly 5 feet and without relief from the parking setback requirements of section 1.5.5., would require us to set the house back over 30 feet from the front property line in order to accommodate 2 off street parking spaces. This would severely make our home look out of place. The majority of the houses on our block obtained relief from the 2 off street parking requirement of the UDO whereas we will comply with this requirement.



LEGEND

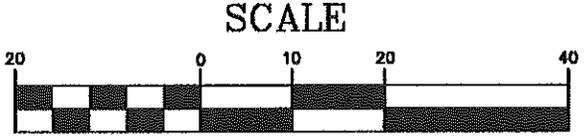
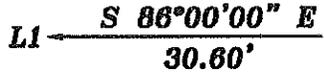
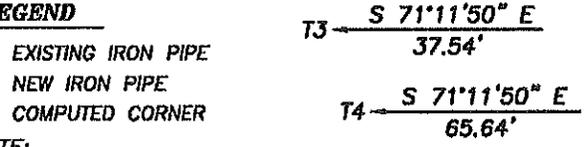
- EXISTING IRON PIPE
- NEW IRON PIPE
- × COMPUTED CORNER

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 1885, PG 109.

PARCEL 5926
TAX MAP 1703.52
BLOCK 95
 DB 11076, PG 998

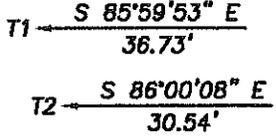
LOT PART OF 13
MAYNARD & WATSON LAND
4,119 SQ.FT.
0.09 ACRES
 (VACANT)

N/F CITY OF RALEIGH
 DB 1077, PG 555

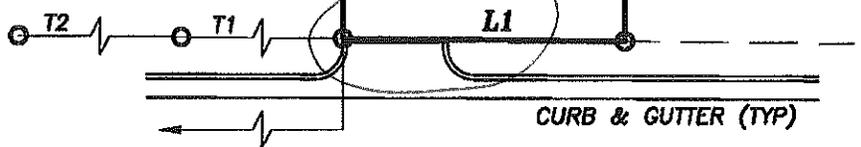


(IN FEET)
 1 inch = 20 ft.

ADJOINER DWELLING



existing
 Curb Cut



FLOOD CERTIFICATION

THIS WILL CERTIFY THAT THE SUBJECT PROPERTY () IS or (X) 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	1703	J
COMMUNITY #	PANEL	SUFFIX

Jeffrey H. Davis, PLS
 PROFESSIONAL LAND SURVEYOR

TIE 207'± ALONG THE SOUTH R/W OF E. SOUTH STREET TO ITS INTERSECTION WITH THE WEST R/W OF WYNNE STREET

E. SOUTH STREET
 (40' R/W)

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 25TH day of SEPTEMBER 2015.
 Signed *Jeffrey H. Davis*



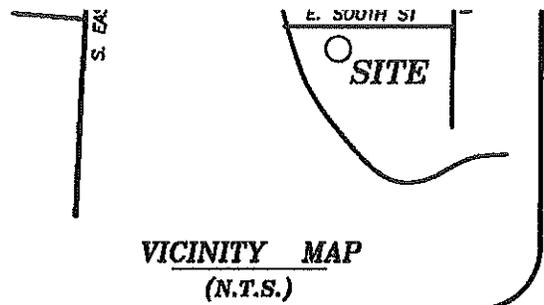
Seal

C.N. =
 B.O.M.
 PAGE MAKE

ASHKAN & CYNTHIA KAROL HOSSEINI
SAYED HASSAN HOSSEINI



TURNING POINT



VICINITY MAP
(N.T.S.)

LEGEND

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

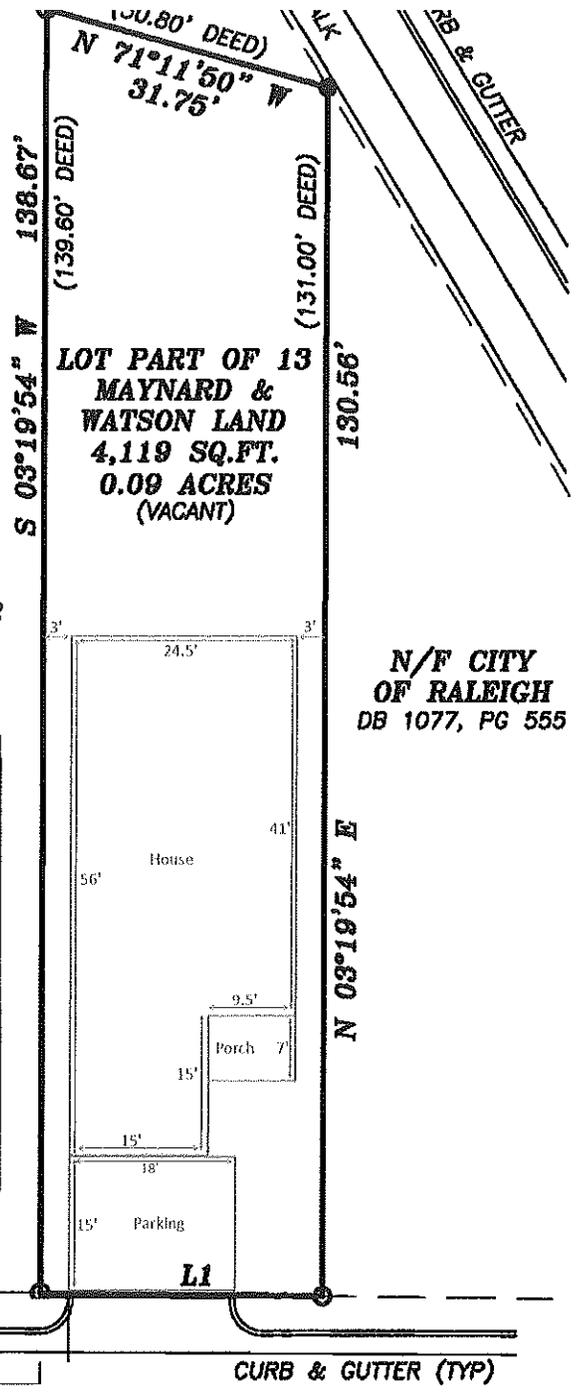
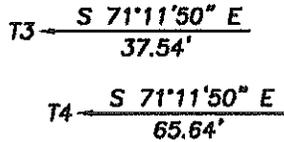
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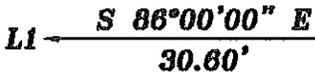
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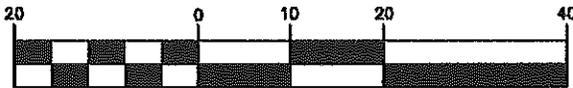
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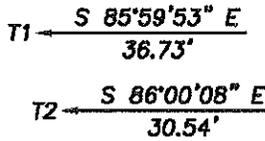


SCALE



(IN FEET)
1 inch = 20 ft.

ADJOINER DWELLING



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(40' R/W)

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Seal



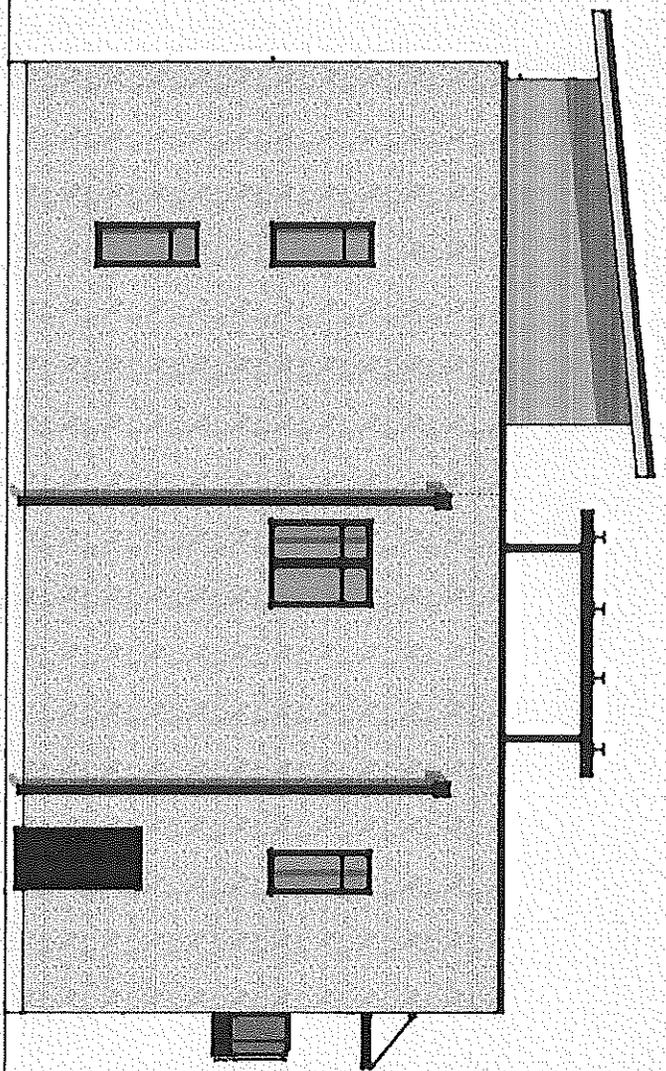
C.N. =
B.O.M.
PAGE
WAKE

ASHKAN & CYNTHIA KAROL HOSSEINI
SAYED HASSAN HOSSEINI



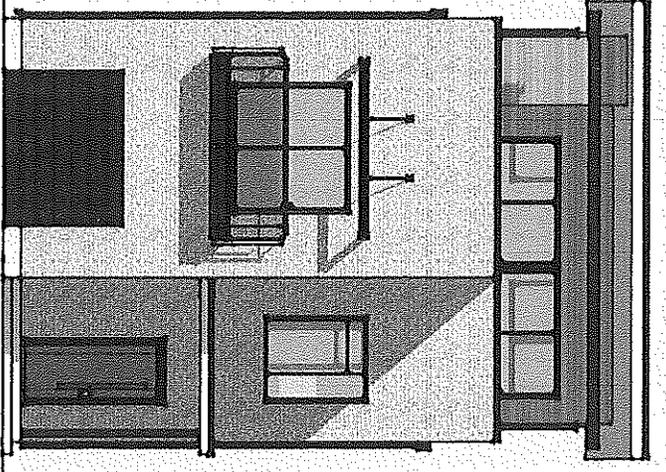
TURNING POINT

LEFT ELEVATION



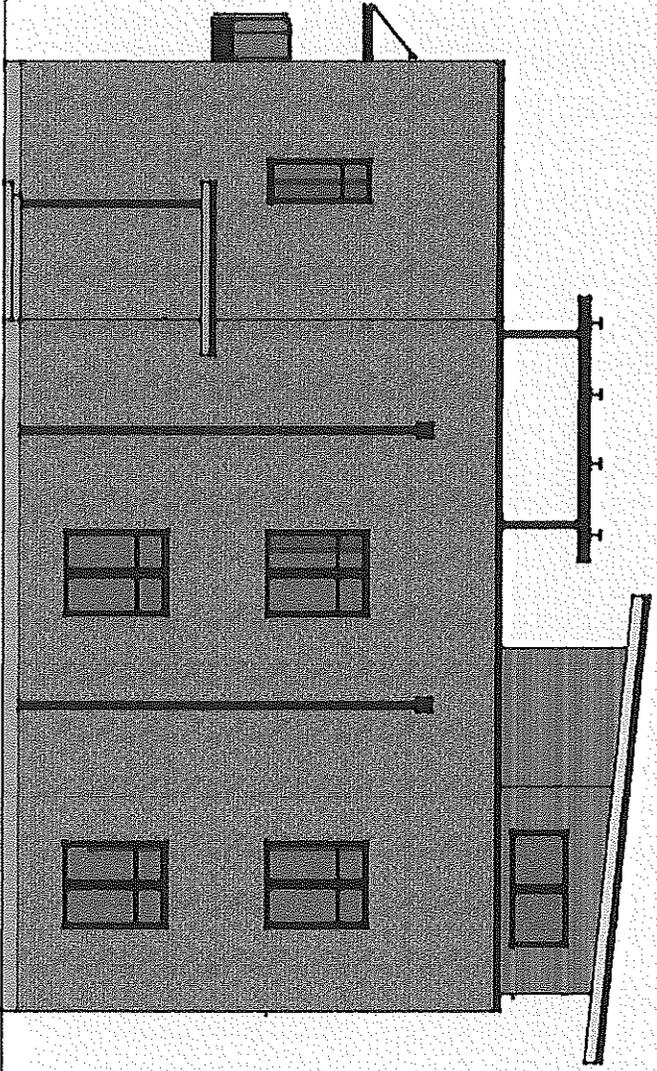
58'

Front Elevation



37'

RIGHT ELEVATION



24.5'

Back Elevation

