



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

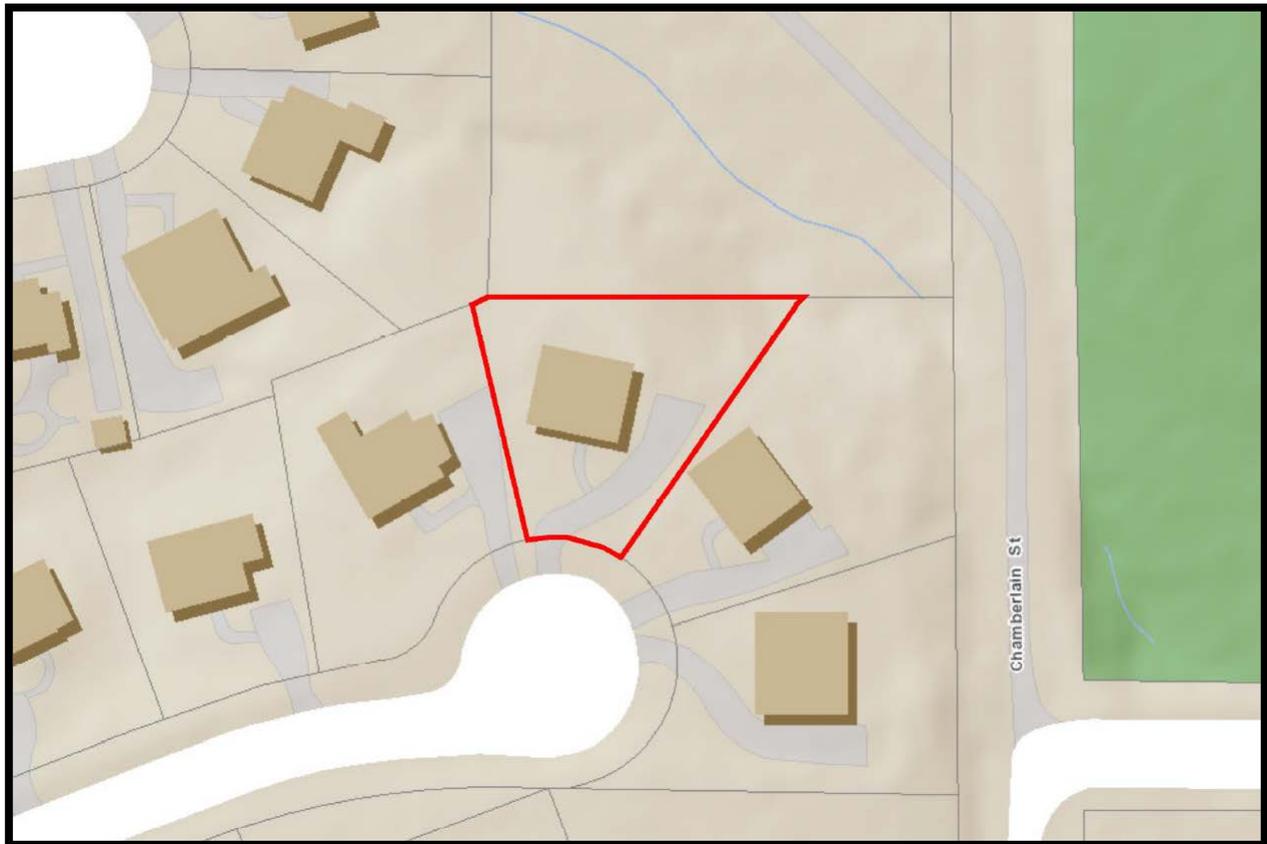
Case File: A-83-16

Property Address: 2508 Ashley Court

Property Owner: John and Alysia Yates

Project Contact: Howard Moye

Nature of Case: A request for a 1.7' rear yard setback variance, a 2.5' rear yard encroachment variance and a .25' rear yard encroachment variance pursuant to Sections 1.5.4.D. and 2.2.1 of the Part 10A Unified Development Ordinance to legalize an existing deck, and construct an addition to the rear of the detached house as well as a rear porch resulting in an 18.3' rear setback, a 9.5' rear setback for the deck and an 11.75 rear setback for the proposed porch on a .19 acre property zoned Residential-6 and Special Residential Parking Overlay District and located at 2508 Ashley Court.



2508 Ashley Court – Location Map

To BOA: 7-11-16

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Residential-6 and Special Residential Parking Overlay District



2508 Ashley Court – 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-6

| Yard Type | Minimum Setback |
|----------------------|------------------------|
| Front Yard | 10' |
| Side Street | 10' |
| Side | 5' |
| Sum of Side Setbacks | 15' |
| Rear | 20' |

Application for Variance



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

| NATURE OF REQUEST | OFFICE USE ONLY |
|--|--|
| Nature of variance request (if more space is needed, submit addendum on separate sheet): <p style="text-align: center; font-size: 1.2em;">see addendum</p> | Transaction Number <p style="font-size: 1.5em;">A-83-16</p> |
| 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 | 2508 Ashley Court | | Date | 6/10/16 |
| Property PIN # | 0794951629 | Current Zoning | R-6 | |
| Nearest Intersection | Gardner Street | | Property size (in acres) | .19 |
| Property Owner | John + Alycia Yates | | Phone | 919-833-4202 Fax |
| Owner's Mailing Address | 2508 Ashley Ct Raleigh NC 27607 | | Email | ywates3@gmail.com |
| Project Contact Person | Howard Moya | | Phone | 919-669-7650 Fax 919-844-7888 |
| Contact Person's Mailing Address | P.O. Box 20667 Raleigh N.C. 27619 | | Email | hmoya111@nc.rr.com |
| Property Owner Signature | John Yates / Aly Yates | | Email | |
| Notary Sworn and subscribed before me this <u>10</u> day of <u>June</u> , 20 <u>16</u> My Commission Expires 6-11-2017. | Notary Signature and Seal   | | | |

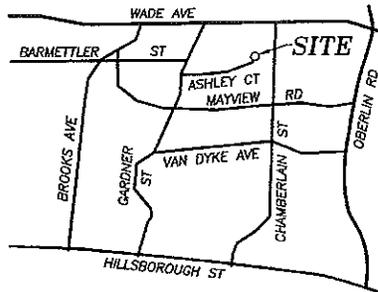
Addendum of the Application for Variance – 2508 Ashley Court, Raleigh, N.C. 27607

Nature of Request

- Construct new heated addition which will encroach 1.7 feet into the required 20 foot rear yard setback for a residential parcel zoned r-6.

- Replace/Construct an existing deck structure. Deck footprint will not increase in deminision but is presently 2.5 feet beyond the allowed 8 foot encroachment within the required 20 foot rear yard setback for a residential parcel zoned r-6.

- Construct a covered screen porch over an existing deck area which is presently .25 feet beyond the allowed 8 foot encroachment within the required 20 foot yard setback for a residential parcel zoned r-6.



VICINITY MAP
(N.T.S.)

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

SCALE



(IN FEET)
1 inch = 20 ft.

FLOOD CERTIFICATION

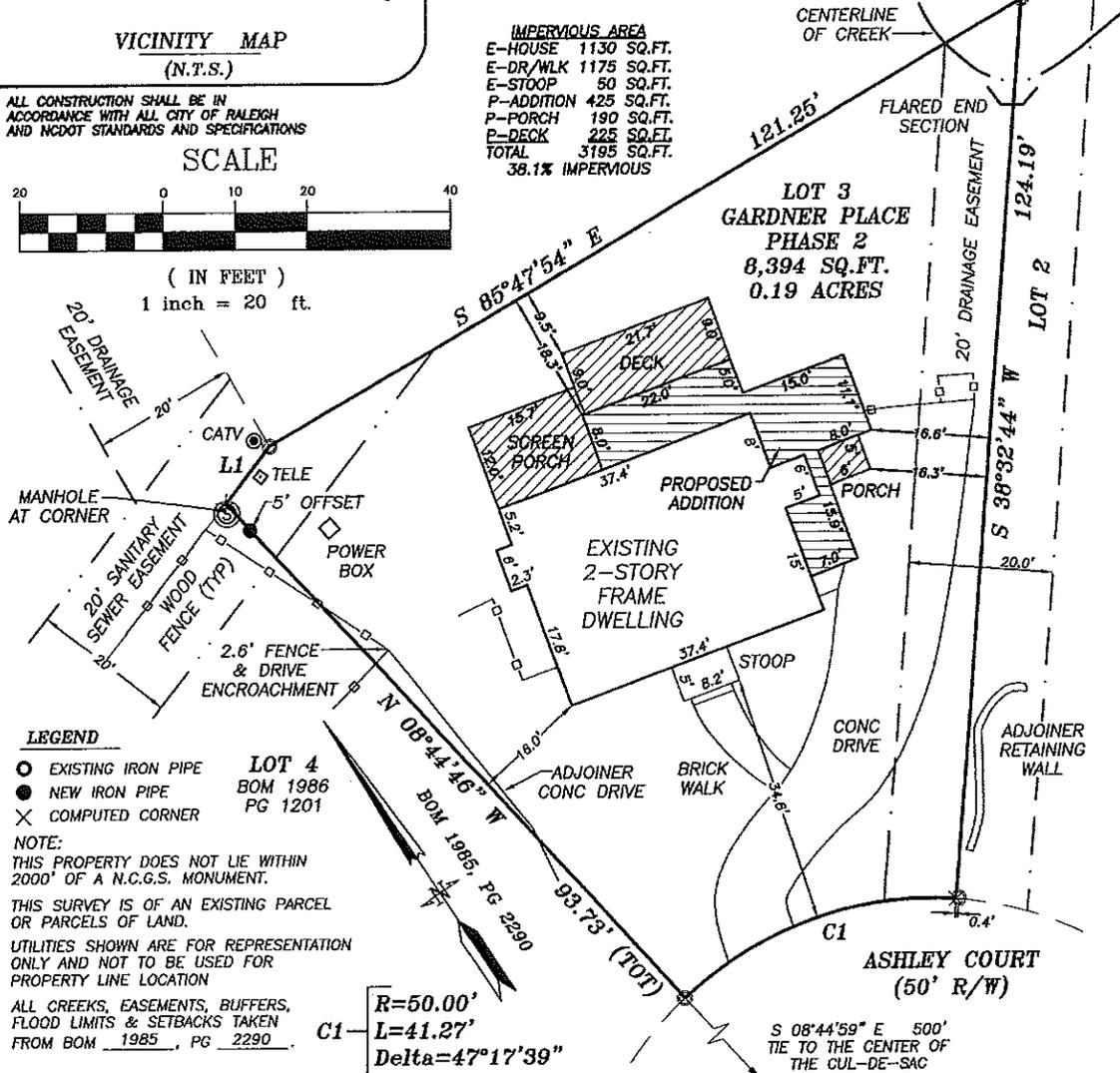
THIS WILL CERTIFY THAT THE SUBJECT PROPERTY () IS or (X) IS NOT located in a SPECIAL FLOOD HAZARD AREA as determined by the Department of Housing and Urban Development, or as shown on the FLOOD INSURANCE RATE MAP.

370243 0794 J
COMMUNITY # PANEL SUFFIX
N/F JERRY LEE BASTIAN
CLODAGH MARY BASTIAN
DB 8283, PG 257

J. H. Davis
PROFESSIONAL LAND SURVEYOR

N 72°05'37" E
L1 9.96'

IMPERVIOUS AREA
E-HOUSE 1130 SQ.FT.
E-DR/WLK 1175 SQ.FT.
E-STOOP 50 SQ.FT.
P-ADDITION 425 SQ.FT.
P-PORCH 190 SQ.FT.
P-DECK 225 SQ.FT.
TOTAL 3195 SQ.FT.
38.1% IMPERVIOUS



LEGEND

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

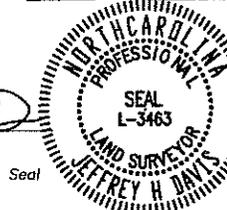
NOTE:
THIS PROPERTY DOES NOT LIE WITHIN 2000' OF A N.C.G.S. MONUMENT.
THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.
UTILITIES SHOWN ARE FOR REPRESENTATION ONLY AND NOT TO BE USED FOR PROPERTY LINE LOCATION
ALL CREEKS, EASEMENTS, BUFFERS, FLOOD LIMITS & SETBACKS TAKEN FROM BOM 1985, PG 2290

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
16TH day of SEPTEMBER 2010.

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

Signed *J. H. Davis*



SITE PLAN CREATED 6-2-2016

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

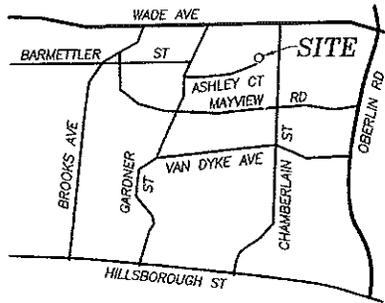
SITE PLAN

| | | |
|-------------------------------|-------------------------------|--|
| WAKE PAGE 2290 CO. REG. | B.O.M. 1985 C.N. = 16296-1 | JOHN W. YATES, III ALYSIA P. YATES |
| | | LOT 3 GARDNER PLACE, PHASE 2 2508 ASHLEY COURT RALEIGH NORTH CAROLINA |
| | | DATE: 09-16-2010 SCALE: 1" = 20' |
| | | DWG. NO. A-13221SITE |



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



VICINITY MAP
(N.T.S.)

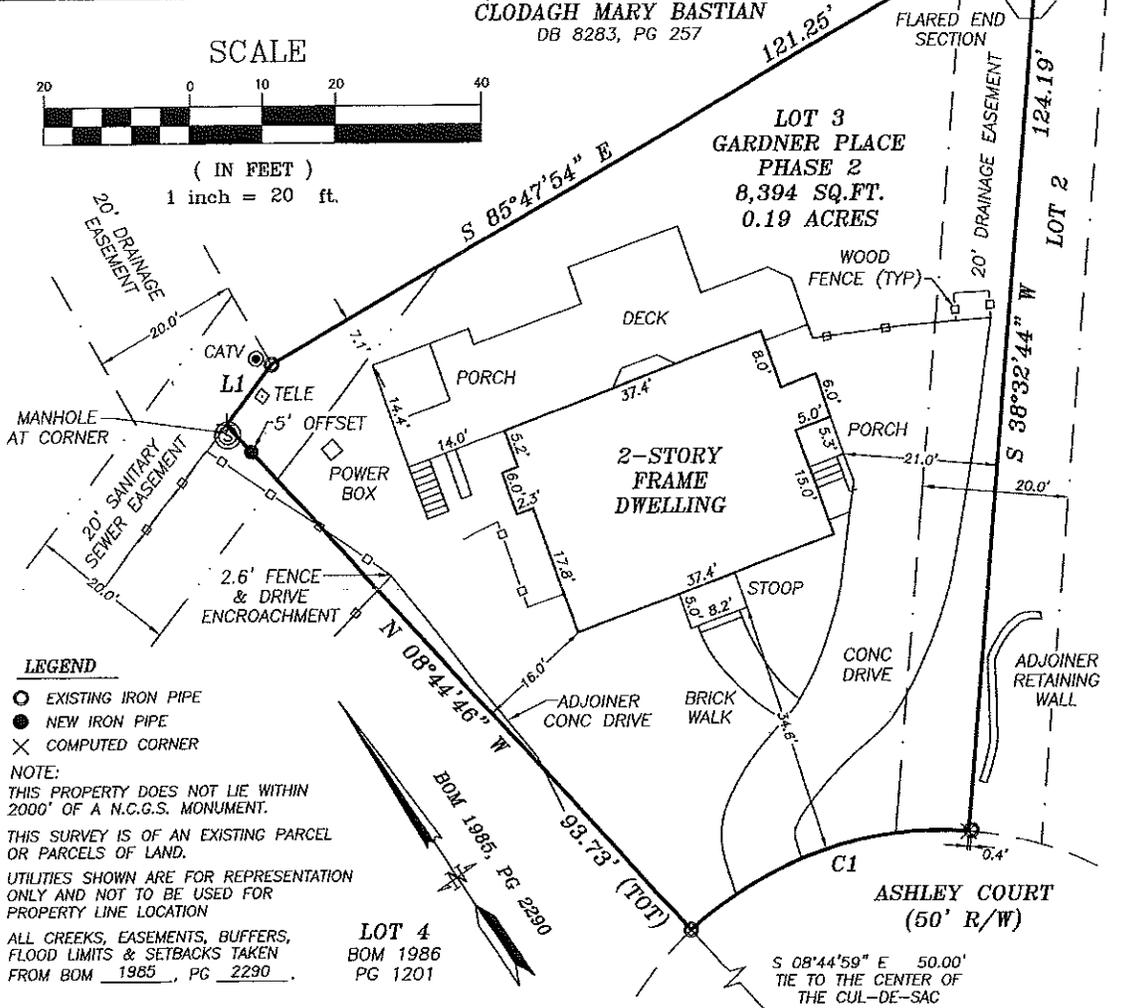
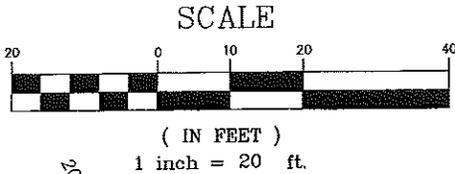
FLOOD CERTIFICATION

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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 *J.H.D. PLS*
PROFESSIONAL LAND SURVEYOR

$R=50.00'$ $L1$ $N 72^{\circ}05'37'' E$
 $L=41.27'$ $9.96'$
 $\Delta=47^{\circ}17'39''$

N/F JERRY LEE BASTIAN
CLODAGH MARY BASTIAN
DB 8283, PG 257



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 1965, PG 2290.

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
16TH day of SEPTEMBER 2010.

Signed *J.H.D.*



existing structures

| | | |
|--------------------------------------|------------------|--|
| B.O.M. 1985 PAGE 2290 CO. REG. | C.N. = 16296 | JOHN W. YATES, III ALYSIA P. YATES |
| | | LOT 3 GARDNER PLACE, PHASE 2 2508 ASHLEY COURT RALEIGH NORTH CAROLINA |
| | DATE: 09-16-2010 | DWG. NO. A-13221 |
| | SCALE: 1" = 20' | |

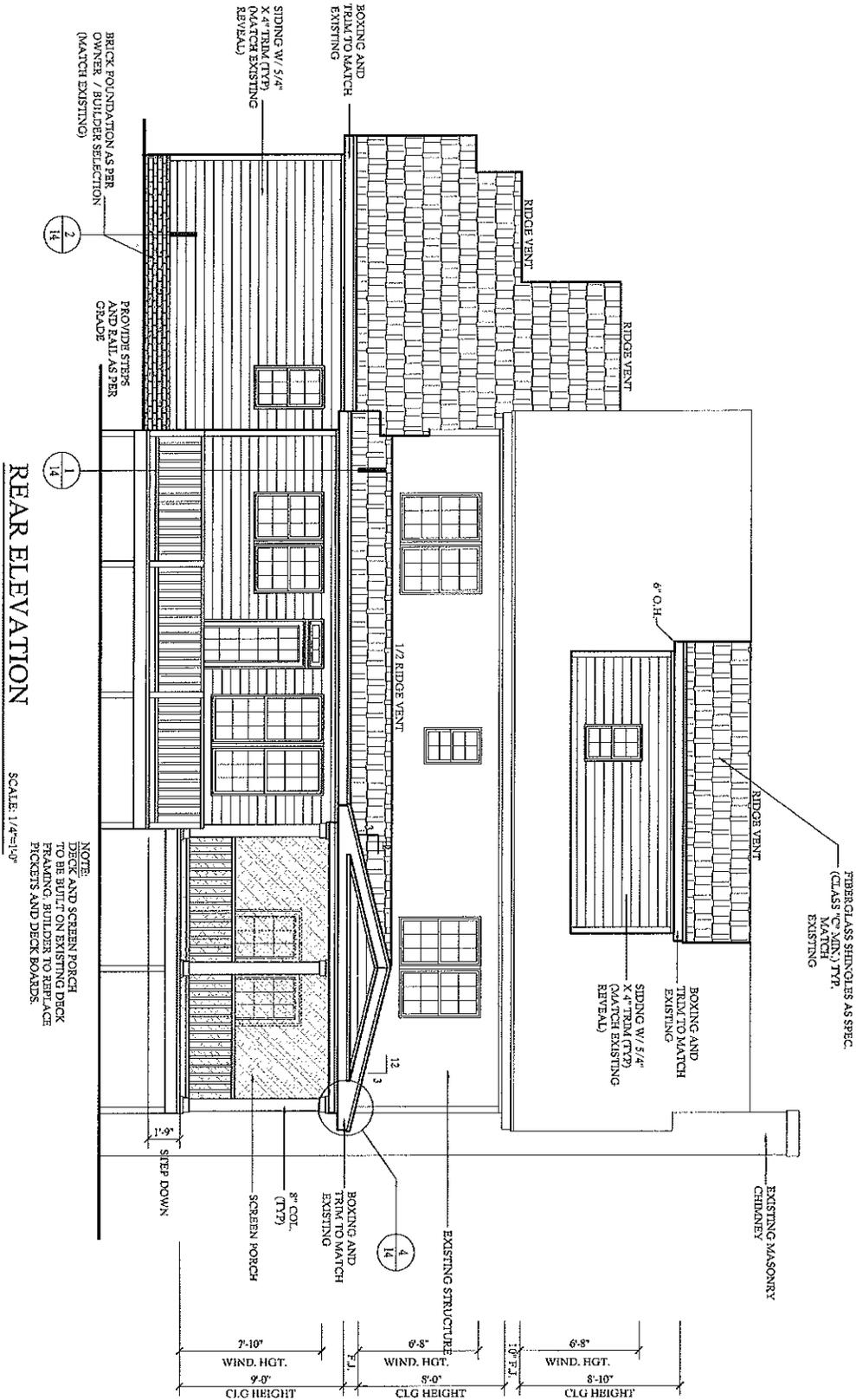
TURNING POINT SURVEYING PLLC

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RALEIGH, NORTH CAROLINA 27612
FAX (800)948-0213 PH (919)781-0234
License No: P-0121

REMODELING AND REHABILITATION LIABILITY DISCLAIMER

INASMUCH AS THE REMODELING AND/OR REHABILITATION OF AN EXISTING BUILDING REQUIRES THAT CERTAIN ASSUMPTIONS BE MADE REGARDING EXISTING CONDITIONS AND BECAUSE SOME OF THESE ASSUMPTIONS MAY BE INCORRECT, THE DESIGN PROFESSIONAL SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY OR FOR ANY COSTS INCURRED BY THE OWNER AS A RESULT OF SUCH DAMAGE. THE DESIGN PROFESSIONAL SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY OR FOR ANY COSTS INCURRED BY THE OWNER AS A RESULT OF SUCH DAMAGE. THE DESIGN PROFESSIONAL SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY OR FOR ANY COSTS INCURRED BY THE OWNER AS A RESULT OF SUCH DAMAGE.

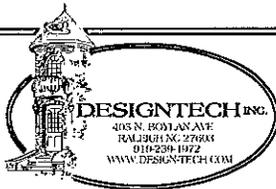
NOTE: CRITICAL CONTRACTOR MUST VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO STARTING CONSTRUCTION. NOTIFY DESIGNTECH OF ANY DISCREPANCIES.



REAR ELEVATION

SCALE: 1/4"=1'-0"

NOTE:
DECK AND SCREEN PORCH
TO BE BUILT ON EXISTING DECK
FRAMING. BUILDER TO REPLACE
PICKETS AND DECK BOARDS.



YATES RESIDENCE
ADDITION/RENOVATION
2508 ASHLEY COURT, RALPH NC

ALL
BY
SHEET NO. 2 OF 16

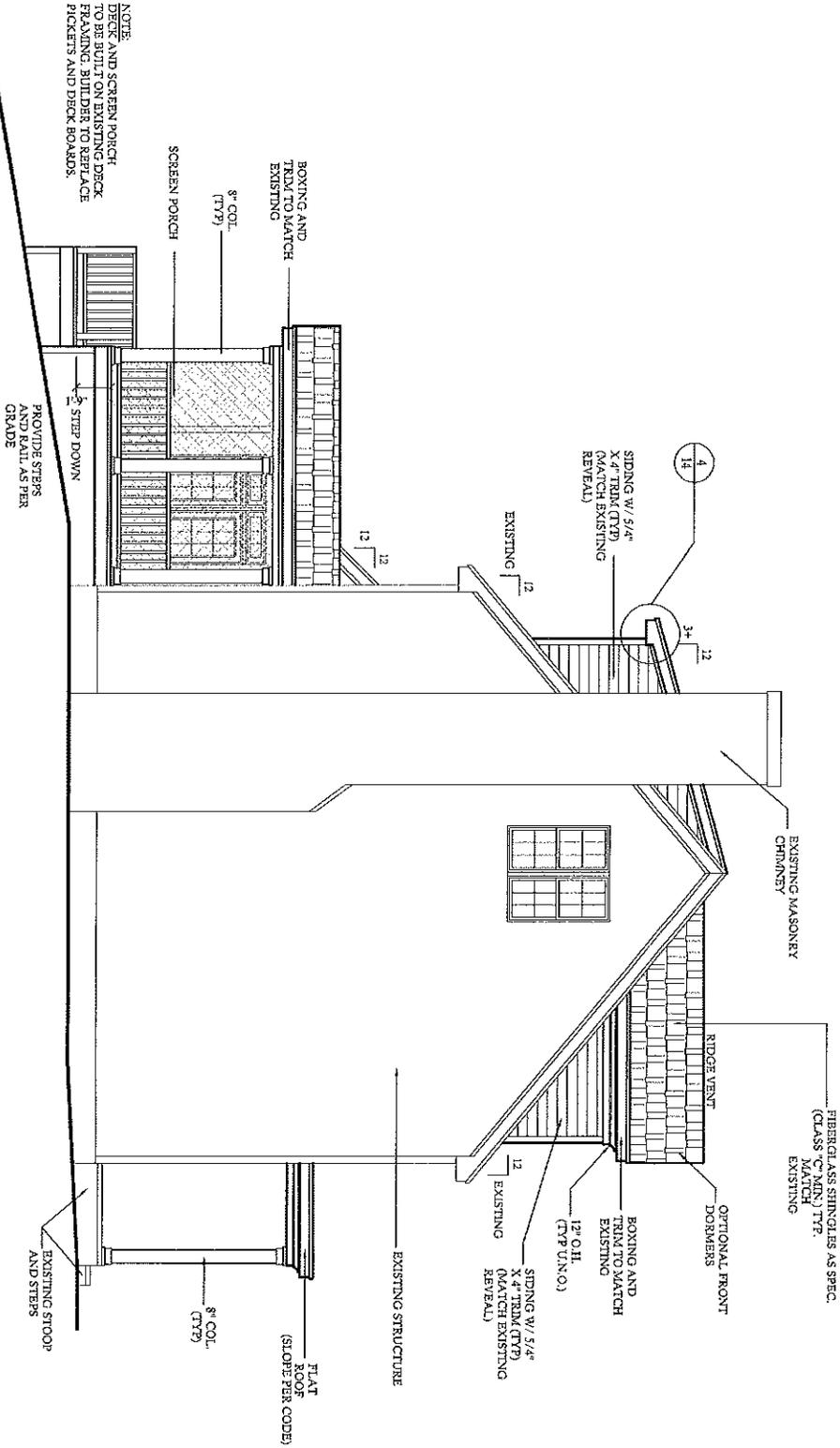
DRAWN BY:
RNN
CHECKED BY:
JCD
DATE:
6-3-16
PLAN NO.
YATES

| REVISIONS | DATE | NAME |
|-----------|------|------|
| | | |
| | | |

REMODELING AND REHABILITATION LIABILITY DISCLAIMER

VERIFICATION OF EXISTING CONDITIONS
 CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO DESIGN TECH, INC. FOR CORRECTIONS OR JUSTIFICATION. CONTRACTOR SHALL COMPLY WITH ALL LOCAL BUILDING CODES WHERE HOME IS TO BE BUILT. IF NO ENGINEERING DRAWINGS ARE PROVIDED, CONTRACTOR MUST CONSULT WITH LOCAL ENGINEER FOR STRUCTURAL DESIGN. ONCE CONSTRUCTION HAS BEGUN, CONTRACTOR WILL ASSUME ALL RESPONSIBILITY. PLAN HAS BEEN DESIGNED TO COMPLY WITH 2012 IRC.

NOTE: CRITICAL CONTRACTOR MUST VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO STARTING CONSTRUCTION AND NOTIFY DESIGNTECH OF ANY DISCREPANCIES.

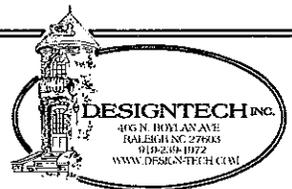


LEFT SIDE ELEVATION

SCALE: 1/4"=1'-0"

| | |
|------------|--|
| REVISIONS: | CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO DESIGN TECH, INC. FOR CORRECTIONS OR JUSTIFICATION. CONTRACTOR SHALL COMPLY WITH ALL LOCAL BUILDING CODES WHERE HOME IS TO BE BUILT. IF NO ENGINEERING DRAWINGS ARE PROVIDED, CONTRACTOR MUST CONSULT WITH LOCAL ENGINEER FOR STRUCTURAL DESIGN. ONCE CONSTRUCTION HAS BEGUN, CONTRACTOR WILL ASSUME ALL RESPONSIBILITY. PLAN HAS BEEN DESIGNED TO COMPLY WITH 2012 IRC. |
| DATE: | |
| NAME: | |

DRAWN BY: RAN
 CHECKED BY: JOD
 DATE: 6-2-16
 PLAN NO.: YATES



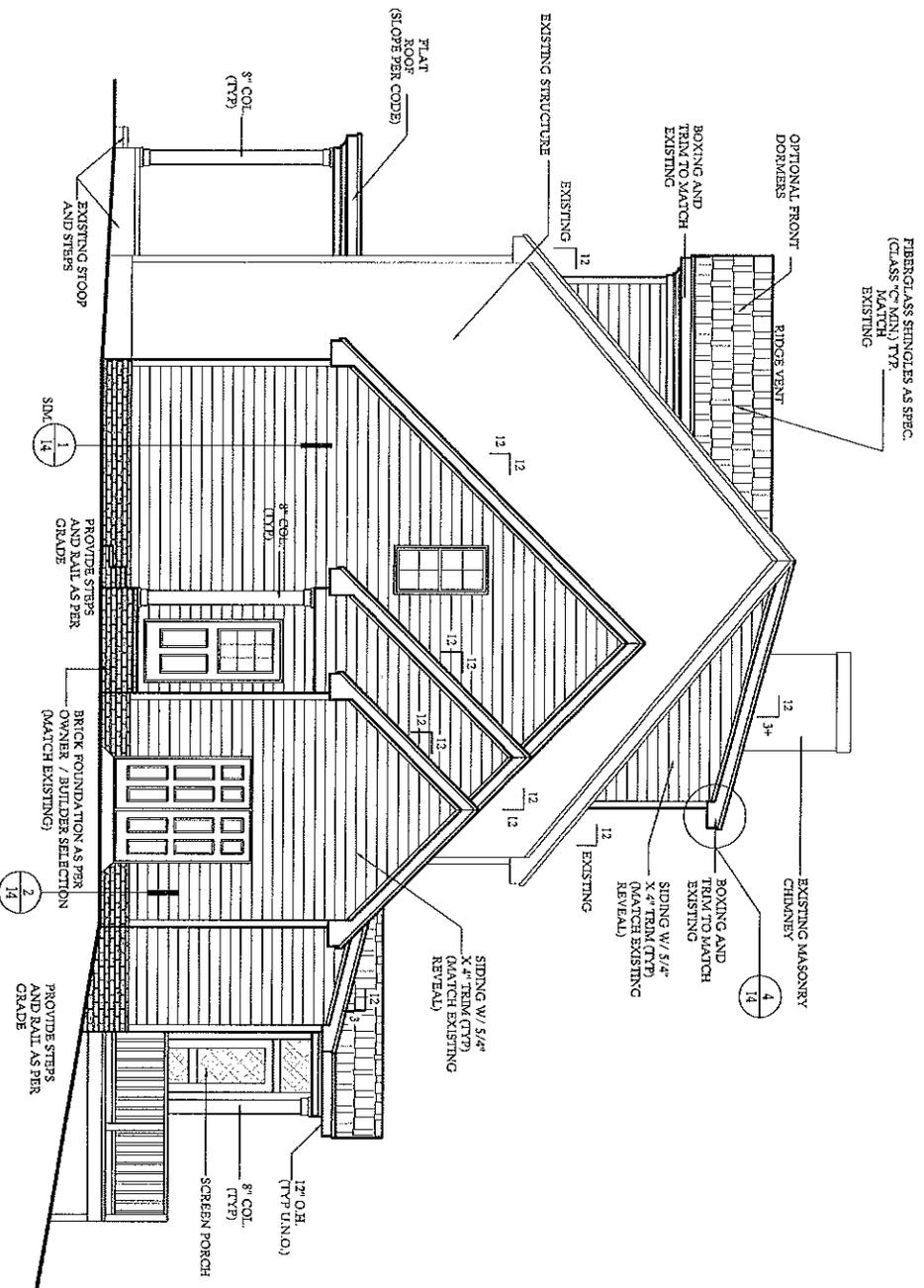
YATES RESIDENCE
 ADDITION/RENOVATION
 2508 ASHLEY COURT, RALEIGH NC

ALL
 B/D
 SHEET NO. 3 OF 16

REMODELING AND REHABILITATION LIABILITY DISCLAIMER
 VERIFICATION OF EXISTING CONDITIONS

IN A SCHEDULED REMODELING AND OR REHABILITATION OF AN EXISTING BUILDING, REQUIREMENTS THAT THE CONTRACTOR SHALL VERIFY THE EXISTING BUILDING CONDITIONS, AND BE AWARE OF THESE REQUIREMENTS PRIOR TO STARTING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING CONDITIONS AND FOR NOTIFYING THE OWNER OF ANY DISCREPANCIES PRIOR TO STARTING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE OWNER OF ANY DISCREPANCIES PRIOR TO STARTING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE OWNER OF ANY DISCREPANCIES PRIOR TO STARTING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE OWNER OF ANY DISCREPANCIES PRIOR TO STARTING CONSTRUCTION.

NOTE: CRITICAL CONTRACTOR MUST VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO STARTING CONSTRUCTION. NOTIFY DESIGN/TECH OF ANY DISCREPANCIES.



RIGHT SIDE ELEVATION

SCALE: 1/4"=1'-0"

NOTE:
 AND SCREEN PORCH
 TO USE ANGLE IRON
 FRAMING. REFER TO DECK
 PICKETS AND DECK BOARDS.

| | | |
|--|---|--|
| <p>DESIGNTECH INC. 495 N. DULAN AVE RALEIGH, NC 27603 919-239-1972 WWW.DESIGNTECH.COM</p> | <p>DRAWN BY: RKR CHECKED BY: JOD DATE: 6-2-16 PLAN NO. YATES</p> | <p>CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. ANY ERROR OR OMISSIONS SHALL BE REPORTED TO DESIGN/TECH, INC. FOR CORRECTIONS OR JUSTIFICATION. CONTRACTOR MUST COMPLY WITH ALL LOCAL BUILDING CODES WHERE HOME IS TO BE BUILT. THE CONTRACTOR'S DRAWINGS ARE PROVIDED. CONTRACTOR MUST CONSULT WITH LOCAL ENGINEER FOR STRUCTURAL DESIGN. ONCE CONSTRUCTION HAS BEGUN, CONTRACTOR WILL ASSUME ALL RESPONSIBILITY. A PLAN HAS BEEN DESIGNED TO COMPLY WITH 2012 IRC.</p> |
| | <p>YATES RESIDENCE ADDITION/RENOVATION 2508 ASHLEY COURT, RALEIGH NC</p> | <p>SHEET NO 4 OF 16</p> |



[Home](#)

Wake County Real Estate Data Account Summary

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

Real Estate ID **0151226** PIN # **0794951629**

[Account Search](#)

Location Address
2508 ASHLEY CT

Property Description
LO3 GARDNER PLACE PH2 BM1985-02290

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

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

| | | |
|---|---|--|
| Property Owner YATES, JOHN W III & ALYSIA P (Use the Deeds link to view any additional owners) | Owner's Mailing Address 2508 ASHLEY CT RALEIGH NC 27607-6955 | Property Location Address 2508 ASHLEY CT RALEIGH NC 27607-6955 |
| Administrative Data Old Map # D045-D0200-0044 Map/Scale 0794 12 VCS 01RA290 City RALEIGH Fire District Township RALEIGH Land Class R-<10-HS ETJ RA Spec Dist(s) Zoning R-6 History ID 1 History ID 2 Acreage .19 Permit Date Permit # | Transfer Information Deed Date 9/17/2010 Book & Page 14077 1553 Revenue Stamps 736.00 Pkg Sale Date 9/17/2010 Pkg Sale Price \$368,000 Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 2,485 | Assessed Value Land Value Assessed \$160,000 Bldg. Value Assessed \$260,466 Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$420,466 |

*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 0151226

PIN # 0794951629

Account Search

Location Address
2508 ASHLEY CT

Property Description
LO3 GARDNER PLACE PH2 BM1985-02290

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

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

| | | | | | |
|--|-------------------------|--|-----------------------------|-----------------------------|-------------|
| Building Location Address 2508 ASHLEY CT | | Building Description 01RA290 | | Card 01 Of 01 | |
| Bldg Type | 01 Single Family | Year Blt | 1986 | Eff Year | 1986 |
| Units | 1 | Addns | 1987 | Remod | |
| Heated Area | 2,485 | Int. Adjust. | ATTIC-Fully Finished | | |
| Story Height | 2 Story | Other Features | One Fireplace | | |
| Style | Conventional | | | | |
| Basement | Crawl Space | | | | |
| Exterior | Frame | | | | |
| Const Type | | | | | |
| Heating | Central | | | | |
| Air Cond | Central | | | | |
| Plumbing | 2.5 BATH | | | | |
| | | Base Bldg Value | \$179,443 | | |
| | | Grade | A 144% | | |
| | | Cond % | A 84% | | |
| | | Market Adj. | F 120% | | |
| | | Market Adj. | | | |
| | | Accrued % | 101% | | |
| | | Incomplete Code | | | |
| | | Card 01 Value | \$260,466 | | |
| | | All Other Cards | | | |
| | | Land Value Assessed | \$160,000 | | |
| | | Total Value Assessed | \$420,466 | | |

| Main and Addition Summary | | | | | Other Improvements | | | | | | |
|---------------------------|------|---------|------|-----|--------------------|---------|------|------|------|-----|-------|
| Story | Type | Code | Area | Inc | Units | DesItem | Code | Year | %ADJ | Inc | Value |
| M | 2 | FF/FR/C | 1073 | | | | | | | | |
| A | | DK | 523 | | | | | | | | |
| B | 1 | SFR | 18 | | | | | | | | |
| C | | STG | 30 | | | | | | | | |
| D | | OP | 25 | | | | | | | | |
| E | | STP | 40 | | | | | | | | |
| F | | | | | | | | | | | |
| G | | | | | | | | | | | |
| H | | | | | | | | | | | |

