



Board of Adjustment Case Report

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

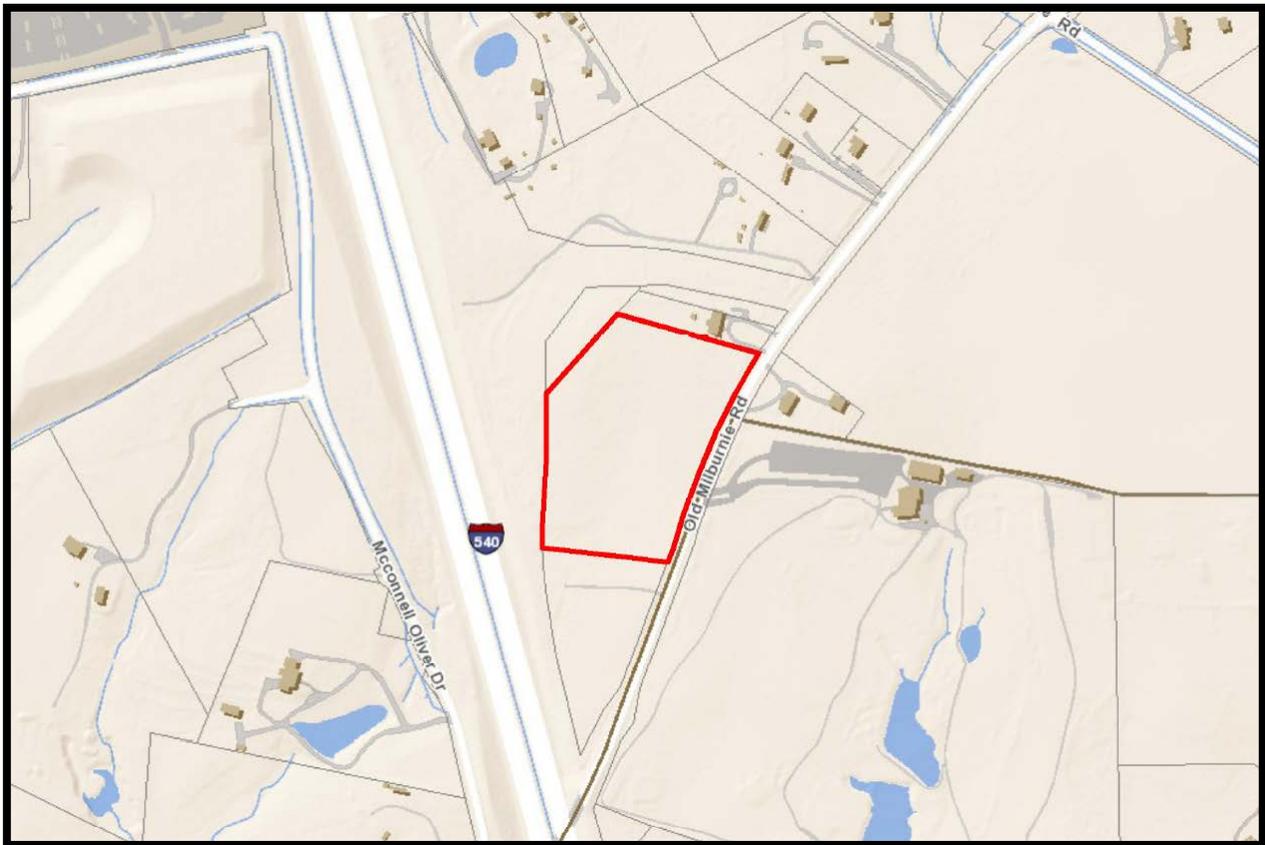
Case File: A-86-16

Property Address: 2309 Old Milburnie Road

Property Owner: Mary Frances Allen Wilkerson and Martin & Ann Allen

Project Contact: Michael Birch

Nature of Case: A request for a variance to the requirements of Section 6.3.1.D.2.b. of the Part 10A Unified Development Ordinance to increase the number of number of students allowed on a 11.76 acre site by 126 enrollees, resulting in 445 square feet of land area per student instead of 500 square feet of land area per student, in order to permit a "School, Public or Private (K-12)" with 1,150 students on a 11.76 acre site zoned Residential-4 and Special Highway Overlay District-1 and located at 2309 Old Milburnie Road

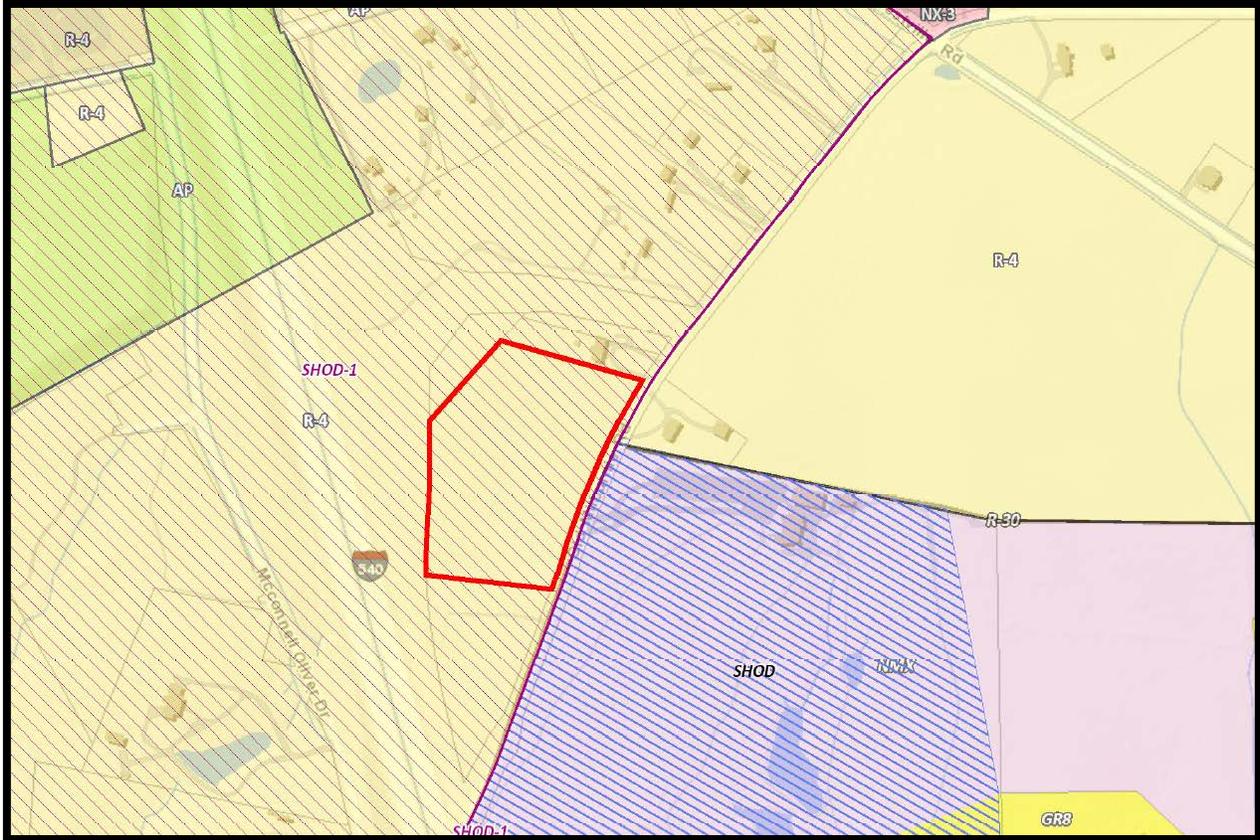


2309 Old Milburnie Road – Location Map

To BOA: 7-11-16

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Residential-4 and Special Highway Overlay District



2309 Old Milburnie Road – 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.**

Section 6.3.1.D. School, Public or Private (K-12)

1. Defined

A public or private (including charter or religious) school at the primary, elementary, middle, junior high or high school level that provides basic academic education.

2. Use Standards

a. Meet the curricular teaching certification of instruction approved by the State Board of Education.

b. Be located on a lot with a total area of 500 square feet area per enrolled pupil.

c. Be located outside any Airport Overlay District or Primary Reservoir Watershed Protection Area.

d. The additional traffic generated to and from the site during peak travel periods, combined with the background traffic volume traveling on the roadway would not reduce the roadway or nearby intersections' capacity below level-of-service "D," as defined in the Highway Capacity Manual, 1994.

e. In a Residential District, a Type A1 or A2 transitional protective yard (see Sec. 7.2.4.A.) must be established along any side of the property abutting any residential use.

f. In a Residential District, a Type C2 street protective yard (seeSec. 7.2.4.B.) must be established along all property lines abutting a public right-of-way.

Application for Variance



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):	Transaction Number A-86-16
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 <i>2309 Old Milbunnie Rd</i>	Date <i>6-9-16</i>	
Property PIN <i>1745356377</i>	Current Zoning	
Nearest Intersection <i>Old Milbunnie Rd + Forestville Rd</i>	Property size (in acres) <i>8.42</i>	
Property Owner <i>Mary Frances Allen Wilkerson</i>	Phone <i>919-280-2801</i>	Fax
Owner's Mailing Address <i>2505 Old Milbunnie Rd</i>	Email <i>fwilkerson@nc.rr.com</i>	
Project Contact Person	Phone	Fax
Contact Person's Mailing Address	Email	
Property Owner Signature <i>Mary Frances Allen Wilkerson</i>	Email	
Notary Sworn and subscribed before me this <u><i>9th</i></u> day of <u><i>June</i></u> , 20 <u><i>16</i></u>	Notary Signature and Seal 	

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GENERAL INFORMATION			
Property Address	2301 Old Milburne Rd		Date
Property PIN	1745345713	Current Zoning	
Nearest Intersection	Old Milburne Rd + Forestville Rd	Property size (in acres)	
Property Owner	Martin L. + Ann L. Allen	Phone	Fax
Owner's Mailing Address	2300 Old Milburne Rd	Email	
Project Contact Person		Phone	Fax
Contact Person's Mailing Address			Email
Property Owner Signature			Email
Notary Sworn and subscribed before me this <u>9th</u> day of <u>June</u> , 20 <u>16</u>	Notary Signature and Seal 		

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GENERAL INFORMATION			
Property Address	2301 Old Milburnie Rd		Date
Property PIN	1745345713	Current Zoning	
Nearest Intersection	Old Milburnie Rd + Forestville Rd		Property size (in acres)
Property Owner	Phone	Fax	3.34
Owner's Mailing Address	Email		
Project Contact Person	Phone	Fax	annmarty@gmail.com
Contact Person's Mailing Address	Email		
Property Owner Signature	Email		
Notary Sworn and subscribed before me this <u>9TH</u> day of <u>June</u> , 20 <u>16</u>	Notary Signature and Seal 		

EXHIBIT A

The applicant is requesting a variance to UDO section 6.3.1.D.2.b., which requires a school to be located on a lot with a total area of 500 square feet per enrolled pupil. The property is 11.76 acres, which would permit up to 1,024 students. The applicant is requesting a variance to permit a maximum enrollment of 1,150 pupils. This would result in approximately 445 square feet per pupil.



[Home](#)

Wake County Real Estate Data Account Summary

[IMAPS](#)

[Tax Bills](#)

Real Estate ID **0107254** PIN # **1745356377**

[Account Search](#)

Location Address Property Description
2309 OLD MILBURNIE RD PROP MARY MARTIN ALLEN TR2 BM1978-00677

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

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

Property Owner ALLEN, MARY FRANCES (Use the Deeds link to view any additional owners)	Owner's Mailing Address 2505 OLD MILBURNIE RD RALEIGH NC 27604-9649	Property Location Address 2309 OLD MILBURNIE RD RALEIGH NC 27604-9646
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Administrative Data Old Map # 441-00000-0071 Map/Scale 1745 01 VCS 17RA900 City Fire District 23 Township ST. MATTHEWS Land Class VACANT ETC. RA Spec Dist(s) Zoning R-4 History ID 1 History ID 2 Acreage 8.42 Permit Date Permit #	Transfer Information Deed Date 1/1/1978 Book & Page 02674 0347 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 \$254,970 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$254,970
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*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 **0107254**

PIN # **1745356377**

Account Search

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2309 OLD MILBURNIE RD

Property Description
PROP MARY MARTIN ALLEN TR2 BM1978-00677

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Building Location Address 2309 OLD MILBURNIE RD		Building Description 17RA900		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 \$254,970 Total Value Assessed \$254,970																																																																																																																																					
<table border="1"> <thead> <tr> <th colspan="5">Main and Addition Summary</th> <th colspan="5">Other Improvements</th> </tr> <tr> <th>Story</th> <th>Type</th> <th>Code</th> <th>Area</th> <th>Inc</th> <th>Units</th> <th>DesItem</th> <th>Code</th> <th>Year</th> <th>%ADJ</th> <th>Inc</th> <th>Value</th> </tr> </thead> <tbody> <tr><td>M</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>A</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>B</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>C</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>D</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>E</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>F</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>G</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>H</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>				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												Building Sketch		Photograph	
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