

**Raleigh Board of Adjustment
December 14, 2015
Decisions**

A-102-15 WHEREAS, Brian and Sarah Ketchem, property owners, request a 1' side yard setback variance and a 1' aggregate side yard setback variance pursuant to section 2.2.1 of the Unified Development Ordinance to both legalize and expand the existing detached house to the rear resulting in a 4' foot side yard setback and a 14' aggregate side yard setback on a .14 acre property zoned Residential-6 and Neighborhood Conservation Overlay District and located at 1928 Alexander Road.

Decision: Approved as requested.

A-103-15, WHEREAS, William and Kelly Valdespino, property owners, request an 8.8' rear yard setback variance pursuant to section 2.2.1 of the Unified Development Ordinance to allow for the connection of an existing detached accessory structure to the existing dwelling which results in an 11.2' rear yard setback on a .20 acre property zoned Residential-10 and located at 2201 Oxford Hills Drive.

Decision: Approved as requested.

A-104-15, WHEREAS, Mary Moffitt and Michael Graziano, property owners, request a special use permit to allow live-work for a recording studio business pursuant to section 6.7.3.E. of the Part 10A Unified Development Ordinance on a .84 acre property zoned Residential-4 and located at 1726 Brooks Avenue.

Decision: Approved as requested.

A-105-15, WHEREAS, Gaylord Design Build, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .53 acre property zoned Residential-4 and located at 5409 Crestview Road.

Decision: Approved as requested.

A-106-15, WHEREAS, War Chest, LLC, property owner, requests a 7.6' front yard setback variance, a 9.8' corner side yard setback variance, a 16.5' rear yard setback variance, a 4.1 aggregate front and rear yard setback variance and a .6' aggregate side yard setback variance from the standards set forth in Section 10-2075 of the Part

10 Development Regulations as well as a variance to the off-street parking requirements of Section 10-2081 of the Part 10 Zoning Code to legalize the existing detached house as well as to permit the construction of a second story addition resulting in a 12.2' front yard setback, a 10.2' corner side setback, a 24.4' aggregate side yard setbacks, a 15.9' aggregate front and rear setback and a 3.5' rear yard setback with no off-street parking on a .05 acre property zoned Residential-20 and located at 801 East Davie Street.

Decision: Approved as requested.

A-107-15 WHEREAS, JW Homes, LLC, property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .32 acre property zoned Residential-4 and Urban Watershed Protection Overlay District located at 11724 Wake Bluff Drive.

Decision: Approved as requested.

A-108-15, WHEREAS, JW Homes, LLC, property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .25 acre property zoned Residential-4 and Urban Watershed Protection Overlay District located at 11716 Wake Bluff Drive.

Decision: Approved as requested.

A-109-15 WHEREAS, JW Homes, LLC, property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .25 acre property zoned Residential-4 and Urban Watershed Protection Overlay District located at 2033 Delta Woods Lane.

Decision: Approved as requested.

A-110-15, WHEREAS, JW Homes, LLC, property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A. of the Part 10 A Unified Development Ordinance to allow for the construction of a detached house on a .27 acre property zoned Residential-4 and Urban Watershed Protection Overlay District located at 2001 Delta Woods Lane.

Decision: Approved as requested.

A-111-15, WHEREAS, Armitage Development Group, LLC, property owner, requests a variance from the right-of-way dedication requirements of Section 8.5.1. of the Part 10A Unified Development Ordinance resulting in no right--of--way dedication along Hillsborough Street and Boylan Avenue frontages of a .28 acre property zoned Neighborhood Business and Downtown Overlay District and located at 623 Hillsborough Street.

Decision: Approved with the condition the variance is limited to Site Plan Approval SP-73-15.

A-112-15, WHEREAS, DD Mellowfield II, LLC, property owner, requests a Special use permit to allow a swimming pool exceeding 4,000 Square feet pursuant to Section 10-2072 of the Part 10 Development Regulations on a 20.67 acre property zoned Office and Institution-2 Conditional Use District and Special Highway Overlay District-2 located at 2520 Ratchford Drive.

Decision: Approved with the condition that sanctioned competitive swim meets are prohibited from taking place at the pool.

A-113-15, WHEREAS, Pulte Home Corporation, property owner, requests 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.

Decision: Approved with the following conditions:

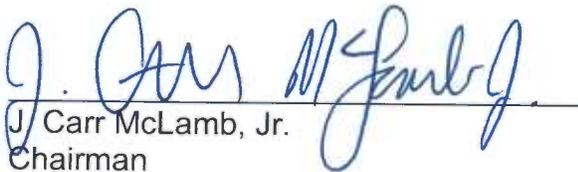
1. The width of any garage doors facing the street shall be no greater than 50% of the width of the street-facing building façade. On corner lots, only one street facing façade shall be required to meet this standard.
2. The main entrance of the dwelling shall be oriented toward the public street right-of-way.
3. Building height shall be a maximum of 34 feet, as measured by Part 10, Chapter 2 of the Raleigh City Code.
4. HVAC equipment generators, and similar mechanical equipment shall not be located within the side yard areas.

A-114-15 through A-159-15, WHEREAS, Pulte Home Corporation, property owner, requests a 5' aggregate side yard setback variance pursuant to section 2.2.1. of the Part 10A Unified Development Ordinance to construct 46 detached houses that result in 10' aggregate side yard setbacks on property zoned Residential-6 and located at the following addresses within the "Old Lead Mine" subdivision: 912, 916, 920, 924, 928,

932, 944, 948, 952, 956, 960, 964, 957, 953, 949, 945, 941, 937, 933, 929, 925, and 921 Mere Oak Drive; 8445, 8441, 8437, 8433, 8429, 8425, 8421, 8417, 8432 and 8436 Lochwind Run; 8445, 8437, 8433, 8421, 8413, 8424, 8428, 8432, 8452, 8456, 8460, 8464, 8468, and 8472 Lentic Court.

Decision: Approved with the following conditions:

1. The width of any garage doors facing the street shall be no greater than 50% of the width of the street-facing building façade. On corner lots, only one street facing façade shall be required to meet this standard.
2. The main entrance of the dwelling shall be oriented toward the public street right-of-way.
3. Building height shall be a maximum of 34 feet, as measured by Part 10, Chapter 2 of the Raleigh City Code.
4. HVAC equipment generators, and similar mechanical equipment shall not be located within the side yard areas.



J. Carr McLamb, Jr.
Chairman



Date