Raleigh Board of Adjustment
Decisions
July 11, 2016

A-58-16, WHEREAS, Lafayette Ferguson Norton, Geraldine Norton Aquadro and Jean Norton Dickman, property owners, request a variance for 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 two detached houses and any accessory structures/impervious surfaces on a .44 acre site zoned Residential-6 and located at 2129 Cowper Drive.

Decision: Approved with the condition the Applicant installs a silt fence to control stormwater runoff during construction.

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A-59-16 Through A-65-16, WHEREAS, Robuck Partners LLC, property owner, requests variances for 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 recombination of seven lots into six lots and the subsequent construction of a detached house and any accessory structures/impervious surfaces on each of the recombined lots currently ranging in size from .16 to .28 acres and zoned Residential-10 and located at 900, 902, 1000, 1002, 1004, 1006, and 1008 Norris Street.

Decision: Approved as requested.

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A-69-16, WHEREAS, Robert and Nancy Brodd, property owners, request a 2' side yard setback variance to add a two car garage with conditioned space above to the existing detached house pursuant to Section 2.2.1. of the Part 10A Unified Development Ordinance that results in an 8' side yard setback on a .51 acre parcel zoned Residential-2 and located at 8273 Hillside Drive.

Decision: Approved as requested.

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A-70-16, WHEREAS, David Jr. and Veronica Autry, property owners, request a 6.8' western side yard setback variance for existing exterior building wall, a 1.15' western side yard setback encroachment variance for existing roof eave overhang,, a 1.7' eastern side yard setback variance, an 8.5' sum of side setbacks variance and a 1.6' primary street setback variance to legalize the existing detached house as well as 6.9' western side yard setback variance, a 1' western side yard setback encroachment variance for roof eave overhang encroachment and a 3.8' variance to the primary street setback encroachments to allow an addition onto the rear of the existing detached house and reconstruction of the front porch steps pursuant to Sections 1.5.4.D. and 2.2.1 of the Part 10A Unified Development Ordinance resulting in a 3.1' western

side setback for exterior building wall, a 1.85' side setback for roof eave overhang, an 11.4' sum of side setbacks and a 7.2' primary street setback (for porch steps) on a .14 acre parcel zoned Residential-4 and located at 1211 East Martin Street.

Decision: Approved as requested.

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A-73-16, WHEREAS, Matthew and Brittany Botzum, property owners, request 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 .167 acre property zoned Residential-6 and located at 3600 Phyllis Drive.

Decision: Approved as requested.

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A-74-16, WHEREAS, Carolina Cottage Homes, 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 .17 acre property zoned Residential-6 and located at 3602 Phyllis Drive.

Decision: Approved as requested.

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A-75-16, WHEREAS, Hamilton Company LLC, 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 where the total impervious surface will not exceed 5,000 square feet or 32% of the lot on a .37 acre property zoned Residential-6 and located at 206 Furches Street.

Decision: Approved as requested.

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A-76-16, WHEREAS, Robert Koscso, 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-6 Conditional Use District and Urban Watershed Protection Overlay District located at 12601 Port Chester Court.

Decision: Approved as requested.

A-77-16, WHEREAS, Peter and Sara Williams, property owners, request a 19.8' rear yard setback encroachment variance pursuant to Sections 1.5.4.D. and 2.2.1. of the Part 10A Unified Development Ordinance to allow a patio in the rear of the yard that results in a 2.2' rear yard setback for the patio on a .53 acre property zoned Residential-4 and located at 4105 Lambeth Drive.

Decision: Approved as requested.

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A-78-16, WHEREAS, Janice Evans James, property owner, requests a 4.07' side street setback variance pursuant to Section 2.2.1. of the Part 10A Unified Development Ordinance to legalize the existing detached house and allow a second story addition above it that results in a 5.93' side street setback on a .17 acre property zoned Residential-10 and NCOD and located at 1101 South Person Street.

Decision: Approved as requested.

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A-79-16, WHEREAS, Steve Petersen and Michelle Frazier, property owners, request an 11.5' rear yard setback variance pursuant to Section 2.2.1 of the Part 10A Unified Development Ordinance to legalize the existing detached house and expand it to the side in line with the existing rear building wall that results in an 8.5' rear yard setback on a .26 acre property zoned Residential-6 and Special Residential Parking Overlay District and located at 2703 North Mayview Road.

Decision: Approved as requested.

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A-80-16, WHEREAS, Residential Development Solutions, LLC, property owner, request a 1' side yard setback for both side property lines, a 2' variance from the sum of side yard setbacks pursuant to Section 2.2.1 of the Part 10A Unified Development Ordinance and complete relief from the off-street parking requirements set forth in Section 7.1.2. of the Part 10A Unified Development Ordinance that results in 4' side yard setbacks, 8' sum of side yard setbacks and no off-street parking on a .12 acre property zoned Residential-10 and located at 907 E. Martin Street.

Decision: Approved as requested.

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A-81-16, WHEREAS, Elizabeth Mascarenhas, property owner, requests a 6.2' side street setback variance pursuant to Section 2.2.1 of the Part 10A Unified Development Ordinance to legalize the existing detached house and expand it vertically resulting in a 3.5' side street setback on a .10 acre property zoned Residential-6 and Special Residential Parking Overlay District and located at 2601, Unit A, Van Dyke Avenue.

Decision: Approved as requested.

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A-82-16, WHEREAS, Builders Group Custom Homes, Inc., 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 .14 acre property zoned Residential-6 Conditional Use District and Urban Watershed Protection Overlay District located at 2741 Peachleaf Street.

Decision: Approved as requested.

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A-83-16, WHEREAS, John and Alysia Yates, property owners, request 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.

Decision: Approved as requested.

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A-84-16, WHEREAS, Kate Fonville, property owner, requests a 17' primary street yard setback variance pursuant to the Residential Infill Compatibility requirements of Section 2.2.7. of the Part 10A Unified Development Ordinance to construct a detached house that results in a 25' front yard setback on a .24 acre property zoned Residential-6 and located at 1020 Harvey Street.

Decision: Approved with the following conditions:

1. Side yard setbacks set as indicated on plot plan included in the Application Packet;
2. Height limitations and variances be recorded with the Wake County Register of Deeds.

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A-85-16, WHEREAS, Rush Street Associates, LLC, property owner, requests 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 4.8 acre site by 182 enrollees, resulting in 348 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 600 students on a 4.8 acre site zoned Industrial Mixed Use-3 and located at 120 Rush Street.

Decision: Withdrawn by Applicant.

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A-86-16, WHEREAS, Mary Frances Allen Wilkerson and Martin & Ann Allen, property owners, request 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.

Decision: Denied.

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A-87-16, WHEREAS, Jay Lamm, property owner, requests a special use permit to allow a boardinghouse with up to 6 occupants pursuant to Section 6.2.2.B. of the Part 10A Unified Development Ordinance on a .29 acre property zoned Residential-10 and located at 605 Juno Court.

Decision: Approved with the condition the Special Use Permit is limited to the Lessee, Jesuit Volunteer Corps.

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A-88-16, WHEREAS, Jay Lamm, property owner, requests a variance to the off-street parking requirements of Section 7.1.2. of the Part 10A Unified Development Ordinance to reduce the required parking for a 6-occupant Boardinghouse down by six parking spaces resulting in two off-street parking spaces being provided for a proposed Boardinghouse on a.29 acre property zoned Residential 10 and located at 605 Juno Court.

Decision: Approved as requested.

J. Carr McLamb, Jr., Chairman

8/8/16
Date