

**RALEIGH BOARD OF ADJUSTMENT  
DECISIONS  
August 8, 2016**

**A-89-16, WHEREAS**, NorthStar Capital Group, LLC, property owner, requests a variance for complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2 of the Unified Development Ordinance to allow for the construction of two detached houses and any accessory structures/impervious surfaces on a .46 acre site zoned Residential-10 and located at 3014 Churchill Road.

**Decision:**      Approved as requested.

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**A-90-16 and A-91-16, WHEREAS**, Rufty Homes Inc., property owner, requests variances for complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2 of the Unified Development Ordinance to allow for the recombination of six lots into three lots and the subsequent construction of a detached house and any accessory structures/impervious surfaces on each of the recombined lots that range in size from .57 to .64 acres and are zoned Residential-4 and located at 2625 and 2631 Churchill Road.

**Decision:**      Approved as requested.

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**A-92-16, WHEREAS**, Charles and Rosalyn Creech, property owners, request complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .35 acre property zoned Residential-4 and located at 3141 Ashel Street.

**Decision:**      Approved as requested.

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**A-93-16, WHEREAS**, SCJ Investments, LLC, property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A of the Unified Development Ordinance to allow for the construction of a detached house on a .15 acre property zoned Residential-6 Conditional Use District and Urban Watershed Protection Overlay District located at 12700 Topiary Court.

**Decision:**      Approved as requested.

**A-94-16, WHEREAS,** SCJ Investments, LLC, property owner, requests a variance from all of the forestation requirements set forth in Section 9.1.9.A of the Unified Development Ordinance to allow for the construction of a detached house on a .12 acre property zoned Residential-6 Conditional Use District and Urban Watershed Protection Overlay District located at 12608 Port Chester Court.

**Decision:** Approved as requested.

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**A-95-16, WHEREAS,** the Point Church of the Triangle, property owner, requests relief from the landscaping requirements set forth in Section 7.2.8.C.2 of the Unified Development Ordinance to allow for a fence in excess of 42 inches in height to remain unscreened with planting materials adjacent to a thoroughfare on a 6 acre property zoned Residential-1 and located at 3700 Lake Wheeler Road.

**Decision:** Approved as requested.

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**A-96-16, WHEREAS,** DDR Southeast Capital Crossing, LLC, property owner, requests a 157.22 square foot variance from the maximum wall sign size requirements set forth in Section 7.3.4.D of the Unified Development Ordinance to allow for the erection of a 197.22 square foot wall sign on a 8.09 acre property zoned Commercial Mixed Use-3-Parking Limited (CX-3-PL) and located at 2900 and 2950 E. Millbrook Road.

**Decision:** Approved with the condition the sign is subject to the Parking Limited 5.5 year amortization period as outlined in City of Raleigh Ordinance No. (2015) 523 ZC 721 (Z-27(B)-14) adopted November 17, 2015 and effective February 13, 2016.

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**A-97-16, WHEREAS,** the City of Raleigh, property owner, requests relief from the zone A protective yard wall and landscaping requirements set forth in Section 3.5.3.A of the Unified Development Ordinance for the western property line located in the southernmost portion of the property resulting in a 17 feet-20 feet transition area containing no wall or landscape material on a .92 acre parcel zoned IX3-UL-CU and NX3-UL-CU to be developed with 15 residential townhomes and located at 400 Chavis Way.

**Decision:** Approved as requested.

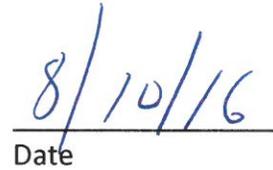
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**A-98-16, WHEREAS,** the City of Raleigh, property owner, requests a 5 foot variance to reduce the width of the zone A protective yard requirements set forth in Section 3.5.3.A of the Unified Development Ordinance along the southern property line as well as a variance to place the

wall required therein on the subject property side of the zone A planting area as well as a variance from the wall articulation requirements of Section 7.2.8.B.5. for the interior side of the wall which results in a 5 foot wide zone A protective yard with landscaping on the outside of the wall on a .27 acre parcel zoned IX3-UL-CU to be developed with a two-story general building used for commercial purposes and located at 419 South East Street.

**Decision:** Approved as requested.

  
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J. Carr McLamb, Jr., Chairman

  
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Date