

# Design Adjustment Application



**DEVELOPMENT SERVICES DEPARTMENT**

The purpose of this request is to seek a Design Adjustment from the Development Services Director, or designee, for a specific project only and, if granted, may be approved with special conditions and provisions.

This application and all further action shall be consistent with Section 10.2.18 in the Unified Development Ordinance (UDO). The consideration and decision of this request shall be based solely on the conformance of the findings, as outlined in Sec. 8.3.6, Sec. 8.4.1.E and Sec. 8.5.1.G of the UDO or the Raleigh Street Design Manual.

<b>PROJECT</b>	<b>Project Name</b> FOX ROAD SUBDIVISION		
	<b>Case Number</b> S-5-18		
	<b>Transaction Number</b> 543541		
<b>OWNER</b>	<b>Name</b> MURDOCK & GANNON CONSTRUCTION LLC		
	<b>Address</b> PO BOX 61370		<b>City</b> RALEIGH
	<b>State</b> NC	<b>Zip Code</b> 27661	<b>Phone</b> 9196495549
<b>CONTACT</b>	<b>Name</b> MAC MCINTYRE PE		<b>Firm</b> CAA ENGINEERS
	<b>Address</b> 4932 B WINDY HILL DRIVE		<b>City</b> RALEIGH
	<b>State</b> NC	<b>Zip Code</b> 27609	<b>Phone</b> 9196495549
<b>REQUEST</b>	<b>I am seeking a Design Adjustment from the requirements set forth in the following:</b>		
	<input checked="" type="checkbox"/> <a href="#">UDO Art. 8.3 Blocks, Lots, Access</a>	- See page 2 for findings	
	<input checked="" type="checkbox"/> <a href="#">UDO Art. 8.4 New Streets</a>	- See page 3 for findings	
	<input type="checkbox"/> <a href="#">UDO Art. 8.5 Existing Streets</a>	- See page 4 for findings	
	<input type="checkbox"/> <a href="#">Raleigh Street Design Manual</a>	- See page 5 for findings	
	<b>Provide details about the request; (please attach a memorandum if additional space is needed):</b>		
THE REQUEST IS FOR DESIGN ADJUSTMENT IS FOR BLOCK PERIMETER AND FOR MODIFYING THE CITY'S NORMAL STREET SECTIONS			

It is the responsibility of the applicant to provide all pertinent information needed for the consideration of this request. Applicant must be the Property Owner.

By signing this document, I hereby acknowledge the information on this application is, to my knowledge, accurate.

Owner/Owner's Representative Signature

3-22-2018  
Date

CHECKLIST	
Signed Design Adjustment Application	<input checked="" type="checkbox"/> Included
Page(s) addressing required findings	<input checked="" type="checkbox"/> Included
Plan(s) and support documentation	<input type="checkbox"/> Included
Notary page (page 6) filled out; Must be signed by property owner	<input checked="" type="checkbox"/> Included
First Class stamped and addressed envelopes with completed notification letter	<input type="checkbox"/> Included

Submit all documentation, with the exception of the required addressed envelopes and letters to [designadjustments@raleighnc.gov](mailto:designadjustments@raleighnc.gov).

**Deliver the addressed envelopes and letters to:**  
Development Services, Development Engineering  
One Exchange Plaza, Suite 500  
Raleigh NC, 27601

<b>For Office Use Only</b>	<b>RECEIVED DATE:</b>	<b>DA -</b>	<b>-</b>
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# Article 8.3, Blocks, Lots, Access

## Administrative Design Adjustment Findings



DEVELOPMENT  
SERVICES  
DEPARTMENT

The Development Services Director may in accordance with *Sec. 10.2.18*, approve a design adjustment, subject to all of the following findings. Describe how each item is met:

- A. The requested design adjustment meets the intent of this Article;

**THE INTENT OF THE ACCESS REGULATIONS PER SECTION 8.3.1 C AND 8.31.C ARE TO PROVIDE SAFE VEHICULAR /PEDESTRIAN ACCESS. A PRIVATE CROSS ACCESS EASEMENT HAS BEEN PROVIDED IN THE PROPOSED SUBDIVISION TO ALLOW FOR A POSSIBLE FUTURE CONNECTION TO THE NORTHERN ADJACENT PROPERTY**

- B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

**THE DESIGN ADJUSTMENT DOES CONFORM WITH THE 2030 COMPREHENSIVE PLAN AND WILL NOT IMPACT THE FUTURE LAND USE OR FUTURE STREET NETWORK**

- C. The requested design adjustment does not increase congestion or compromise Safety;

**THE DESIGN ADJUSTMENT WOULD HAVE NO IMPACT ON CONGESTION ON FOX ROAD**

- D. The requested design adjustment does not create any lots without direct street Frontage;

**THE DESIGN ADJUSTMENT WILL NOT CREATE ANY LOTS WITHOUT DIRECT STREET FRONTAGE. THE EXISTING SINGLE FAMILY HOMES TO THE NORTH OF THE PROJECT HAVE DIRECT ACCESS TO EXISTING PUBLIC ROADS. THE ADDITIONAL LOT TO THE EAST OF THE PROPOSED SUBDIVISION IS A COMMON OPEN SPACE LOT FOR EXISTING TOWNHOMES .**

- E. The requested design adjustment is deemed reasonable due to one or more of the following:

1. Topographic changes are too steep;
2. The presence of existing buildings, stream and other natural features;
3. Site layout of developed properties;
4. Adjoining uses or their vehicles are incompatible;
5. Strict compliance would pose a safety hazard; or
6. Does not conflict with an approved or built roadway construction project
7. adjacent to or in the vicinity of the site.

**THE DESIGN ADJUSTMENT IS DEEMED REASONABLE DUE TO FOLLOWING:**

**2. THERE ARE EXISTING SINGLE FAMILY HOMES TO THE NORTH AND EXISTING COMMON OPEN SPACE FOR TOWNHOME DEVELOPMENT TO THE EAST OF PROPERTY**

**3. THE SITE LAYOUT OF EXISTING DEVELOPED PROPERTIES: 2 WELL ESTABLISHED SINGLE FAMILY HOMES TO THE NORTH AND OPEN SPACE LOT TO THE EAST**

**6. THE REQUESTED ADJUSTMENT DOES NOT CONFLICT WITH AN APPROVED OR BUILT ROADWAY**

## Article 8.4, New Streets Administrative Design Adjustment Findings



DEVELOPMENT  
SERVICES  
DEPARTMENT

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The Development Services Director may in accordance with *Sec. 10.2.18*, approve a design adjustment, subject to all of the following findings. Describe how each item is met:

- A. The requested design adjustment meets the intent of this Article;

THE DESIGN ADJUSTMENT IS REQUESTED AS PER SECTION 8.4.2 D.4, THE NCDOT MAINTAINS THE PORTION OF FOX ROAD WHERE THIS PROJECT IS BEING CONSTRUCTED. THE NCDOT HAS REQUESTED NO TREES BE PLANTED BETWEEN THE CURB AND SIDEWALK, THEREFORE A TYPE C2 STREET YARD IS REQUIRED. ON MALONE COURT THE EXISTING LANDSCAPING IN R/W IS TO REMAIN ALONG WITH PLACEMENT OF SIDEWALK IN EASEMENT PER CITY APPROVAL

- B. The requested design adjustment conforms with the Comprehensive Plan and adopted City plans;

THE DESIGN ADJUSTMENT CONFORMS TO COMPREHENSIVE PLAN

- C. The requested design adjustment does not increase congestion or compromise safety;

THE DESIGN ADJUSTMENT DOES NOT INCREASE CONGESTION OR OR COMPROMISE SAFETY

- D. The requested design adjustment does not create additional maintenance responsibilities for the City;

THE DESIGN ADJUSTMENT DOES NOT CREATE ADDITIONAL MAINTENANCE RESPONSIBILITIES

- E. The requested design adjustment has been designed and certified by a Professional Engineer; and

THE DESIGN ADJUSTMENT HAS BEEN DESIGNED AND CERTIFIED BY A PROFESSIONAL ENGINEER

- F. The requested design adjustment shall address Stormwater collection and conveyance and not adversely impact Stormwater collection.

THE DESIGN ADJUSTMENT HAS NO ADVERSE EFFECTS TO STORMWATER COLLECTION

# Individual Acknowledgement



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DEPARTMENT

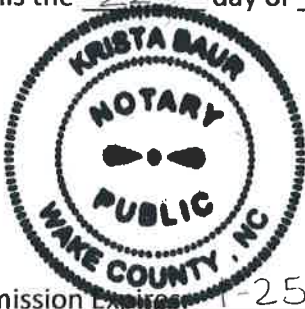
STATE OF NORTH CAROLINA  
COUNTY OF WAKE

INDIVIDUAL

I, KRISTA H BAOR, a Notary Public do hereby certify that  
STEPHEN GANNON personally appeared before me this day and  
acknowledged the due execution of the forgoing instrument.

This the 22<sup>nd</sup> day of MARCH, 2018.

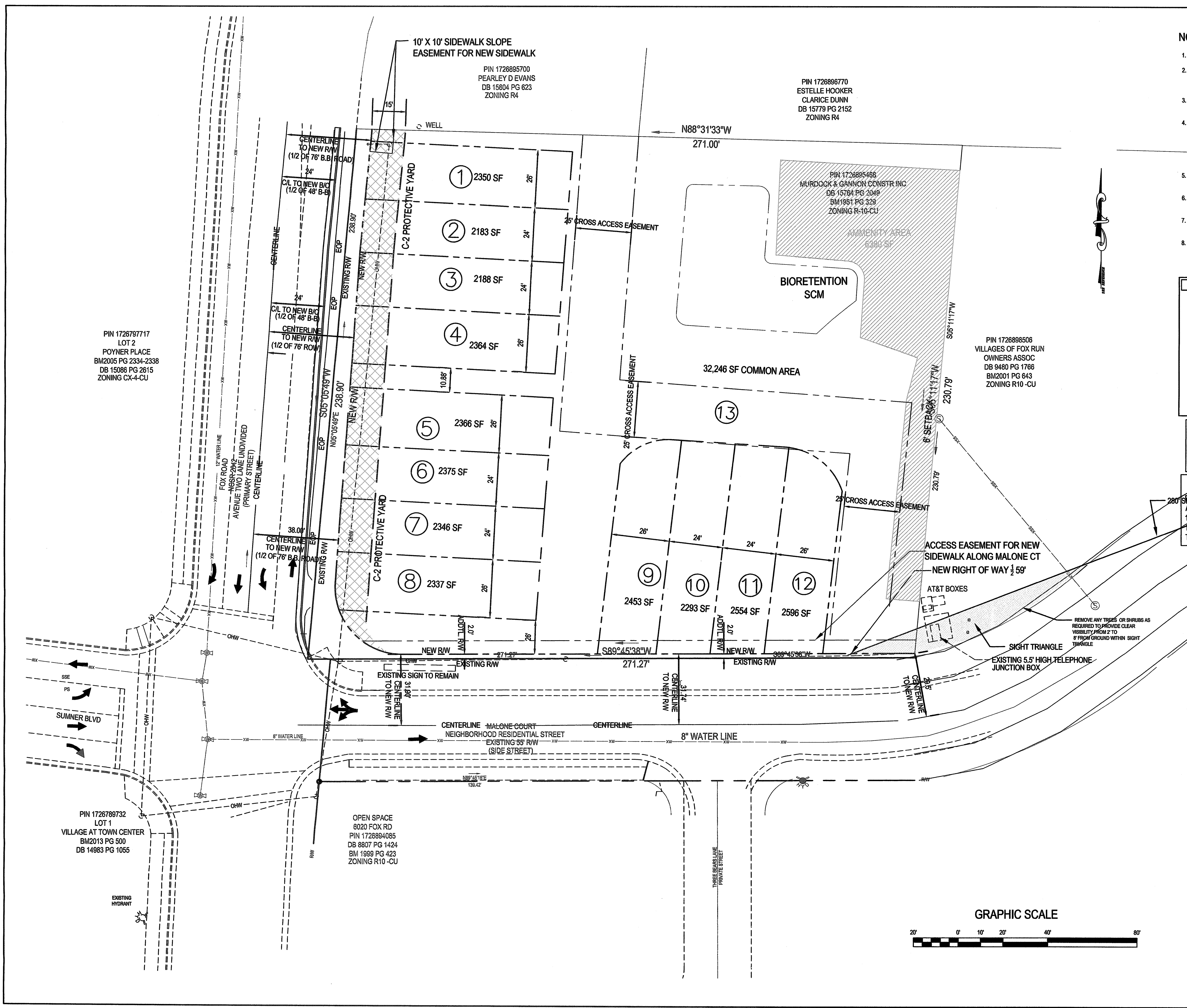
(SEAL)



Notary Public

Krista H Baor

My Commission Expires 1-25-21



- NOTES:**
- BOUNDARY / TOPO INFORMATION TAKEN FROM THE WOODCOCK GROUP LLC SURVEYING.
  - CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES & SHALL BE RESPONSIBLE FOR ANY DAMAGE RESULTING FROM HIS ACTIVITIES. CALL UTILITY LOCATOR SERVICE AT LEAST 48 HOURS PRIOR TO DIGGING.
  - ALL CONSTRUCTION SHALL CONFORM TO CITY OF RALEIGH AND NCDOT STANDARDS & SPECIFICATIONS.
  - RESIDENTIAL INFILL RULES MAY APPLY TO THESE PROPOSED LOTS. DETERMINATION OF COMPLIANCE WILL BE MADE UPON ISSUANCE OF RESIDENTIAL BUILDING PERMITS. (SECTION 2.2.7, UOJ) DRIVEWAYS ARE TO BE BETWEEN 10'-18" WIDE, PERPENDICULAR TO THE STREET, LOCATED A MINIMUM OF 3.5' FROM ADJACENT PROPERTY LINES, COMPLY WITH THE 20' MINIMUM CORNER CLEARANCE FOR A DRIVEWAY AT AN INTERSECTION. DRIVEWAYS WILL BE REVIEWED WITH THE BUILDING PLAN SUBMITTAL.
  - ANY UNUSED EXISTING UTILITY SERVICES SHALL BE ABANDONED AT THE TAP (MAIN) AND REMOVED FROM ROW OR EASEMENT PER PUBLIC UTILITIES HANDBOOK PGS 67 & 125.
  - ALL CONSTRUCTION WILL BE IN STRICT CONFORMANCE TO THE CITY OF RALEIGH STANDARDS AND SPECIFICATIONS.
  - NO CHANGES MAY BE MADE TO THE APPROVED DRAWINGS WITHOUT WRITTEN PERMISSION FROM THE ISSUING AUTHORITY.
  - PARKING REQUIRED BY TOWNHOMES WILL BE PROVIDED IN GARAGE AND THEIR OWN DRIVEWAY AND IN OFFSTREET PARKING SPACES.

**R10 MINIMUM SETBACKS & DATA**

FROM A PRIMARY STREET (MIN REQ)	10 LF
FROM A PRIMARY STREET (PROVIDED)	10 LF
FROM A SIDE STREET	10 LF
FROM A SIDE LOT LINE (MIN REQ)	0 LF OR 6 LF
FROM A SIDE LOT LINE (PROVIDED)	0 LF TO 6 LF
FROM A REAR LOT LINE (MIN REQ)	20 LF (MIN)
FROM A REAR LOT LINE (PROVIDED)	GREATER THAN 20 LF
PRIMARY STREET BUILD-TO (REQD)	10' MIN / 55' MAX
PRIMARY STREET BUILD-TO (PROVIDED)	14' - 19.5'
BUILDING WIDTH IN PRIMARY BUILD-TO (REQUIRED)	70% MIN
BUILDING WIDTH IN PRIMARY BUILD-TO (PROVIDED)	83% MIN
MAXIMUM HEIGHT	40' MAX
PROPOSED RIGHT OF WAY DEDICATION	1882 SF

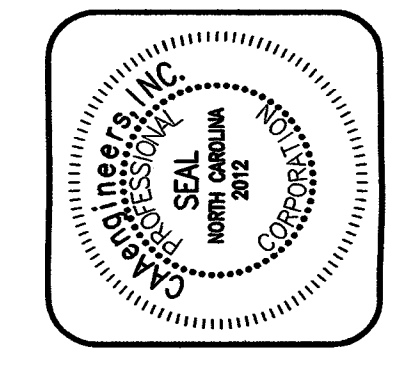
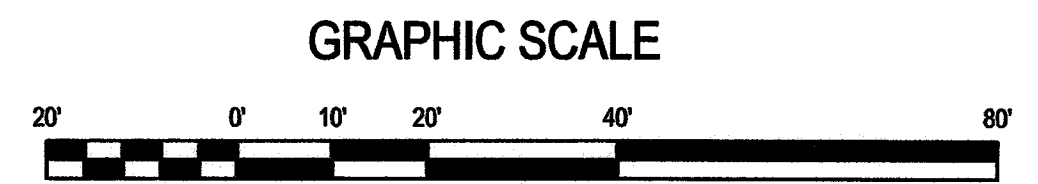
**BUILDING WIDTH IN PRIMARY BUILD TO CALCULATIONS:**  
 LOT FRONTAGE: 231'  
 BUILDING FRONTAGE: 192'  
 REQUIRED (MIN): 70%  
 PROVIDED: 192'/231' = 83%

**LOT AREA SUMMARY**

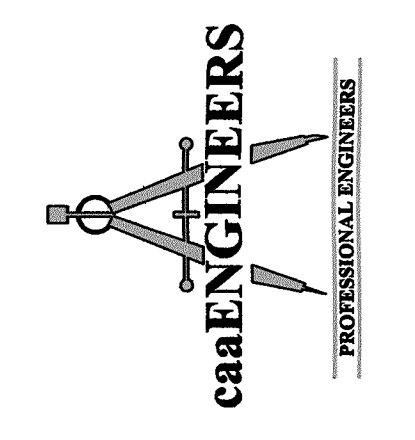
PROPOSED LOT AREA	= 63,467 - (2150 + 666 SF PROP ROW) = 60,651 SF
AMENITY AREA REQUIRED 10%	= 60,651 x .10 = 6065 SF
12 RESIDENTIAL LOTS	= 28,405 SF
1 COMMON AREA LOT	= 32,246 SF
TOTAL COMMON AMENITY AREA PROVIDED	= 8296 SF

**LEGEND**

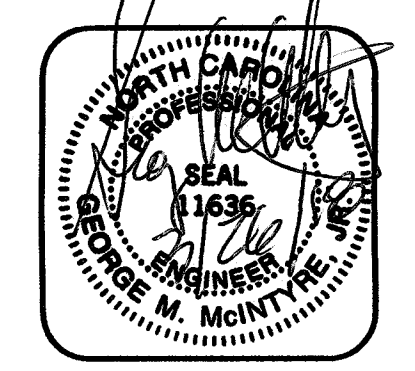
	C2 PROTECTIVE YARD
	AMENITY AREA



**caaENGINEERS, Inc.**  
 Professional Engineers  
 1233 Heritage Links Drive  
 Wake Forest, North Carolina 27587  
 4932 B Windy Hill Drive  
 Raleigh, NC 27609 919-625-6755  
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NO.	DATE	BY	REVISION/DESCRIPTION
1	03-22-2018	Per City Comment	
2		Comment	
3		Comment	
4		Comment	
5		Comment	
6		Comment	
7		Comment	
8		Comment	
9		Comment	
10		Comment	
11		Comment	
12		Comment	
13		Comment	



**Subdivision and Lot Easement Plan**  
 Fox Road Subdivision  
 Murdock & Gannon Construction LLC  
 Raleigh, Wake County, North Carolina

Job No. \_\_\_\_\_  
 Dwg No. **C3**

PIN 172679717  
 LOT 2  
 POYNER PLACE  
 BM2005 PG 2334-2338  
 DB 15086 PG 2615  
 ZONING CX-4-CU

PIN 1726895700  
 PEARLEY D EVANS  
 DB 15604 PG 623  
 ZONING R4

PIN 1726896770  
 ESTELLE HOOKER  
 CLARICE DUNN  
 DB 15779 PG 2152  
 ZONING R4

PIN 1726895468  
 MURDOCK & GANNON CONSTR. INC  
 DB 15764 PG 2049  
 BM1951 PG 323  
 ZONING R-10-CU

PIN 1726898506  
 VILLAGES OF FOX ROAD  
 OWNERS ASSOC  
 DB 9480 PG 1766  
 BM2001 PG 643  
 ZONING R10-CU

PIN 1726789732  
 LOT 1  
 VILLAGE AT TOWN CENTER  
 BM2013 PG 500  
 DB 14983 PG 1055

OPEN SPACE  
 6020 FOX RD  
 PIN 1726894085  
 DB 8807 PG 1424  
 BM 1999 PG 423  
 ZONING R10-CU