



Monday, August 13, 2018  
REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Raleigh Municipal Building  
1:00 p.m.  
City Council Chambers - Room 201  
222 West Hargett Street  
Raleigh, North Carolina

A quasi-judicial public hearing will be conducted to discuss the following matters. It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the specific facts.

Karen M. Kemerait - Chair/City  
Judson V. Root - Vice Chair/City  
John Silverstein - Counsel to the Board  
Donald Mial - Secretary/County  
Neil R. Riemann - City  
Jamie McCaskill - City  
David Smyth - City Alternate  
Michael Rainey - City Alternate  
VACANT - County Alternate

**NOTICE TO HEARING IMPAIRED**

Audio enhancements have been installed in the Council Chamber. Assistive listening devices are available upon request. Interpreters for deaf and hearing impaired persons are available. If needed, please provide a 24-hour notice by calling 919-996-3100 (voice) or 919-996-3107 (TDD).

**1. OLD BUSINESS**

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**Subject**                      **A. New Agenda Item**

Meeting                      Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category                      1. OLD BUSINESS

Type

**2. NEW BUSINESS**

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**Subject**                      **A. New Agenda Item**

Meeting                      Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category                      2. NEW BUSINESS

Type

**Subject**                      **B. A-68-18: 12701 Richmond Run Drive**

Meeting                      Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category                      2. NEW BUSINESS

Type

Alec Adler, property owner, requests complete relief from the active stormwater control requirements set forth in Section 9.2.2. of the Unified Development Ordinance in order to add a swimming pool and associated outdoor decks, patios and sidewalks that result in a maximum impervious surface of 51% of the lot on a .51 acre parcel zoned Residential-6 and Urban Watershed Protection Overlay District and located at 12701 Richmond Run Drive.

File Attachments  
[20180813PLANA-68-18.pdf \(574 KB\)](#)

**Subject** C. A-69-18: 5012 Aspen Meadow Street

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-69-18** WHEREAS M/I Homes of Raleigh, LLC, property owner, requests a 10' rear yard setback variance pursuant to Section 2.2.1. of the Unified Development Ordinance in order to construct a detached house that results in a 20' rear yard setback on a .15 acre parcel zoned Residential-4 Conditional Use District and Residential-6 Conditional Use District and located at 5012 Aspen Meadow Street.

File Attachments  
[20180813PLANA-69-18.pdf \(1,532 KB\)](#)

**Subject** D. A-70-18: 4169 Dalcross Road

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-70-18** WHEREAS Tara Burnette, property owner, requests a 2 parking-space variance from the minimum parking requirements set forth in Section 7.1.2.C. of the Unified Development Ordinance in order to utilize an existing detached house with two off-street parking spaces for a supportive housing residence on a .11 acre parcel zoned Residential-6 and located at 4169 Dalcross Road.

File Attachments  
[20180813PLANA-70-18.pdf \(646 KB\)](#)

**Subject** E. A-71-18: 5945 Kohler Lane

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-71-18** WHEREAS Dorothy Hopkins, property owner, requests an 11' rear yard setback variance from the allowed encroachments set forth in Section 1.5.4.D.1. of the Unified Development Ordinance in order to convert the existing deck on the rear of the townhome to a covered porch that results in a 0' rear setback for the porch on a .046 acre parcel zoned Residential-10 and located at 5945 Kohler Lane.

File Attachments

**Subject** F. A-72-18: 503 Bart Street

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-72-18** WHEREAS Sarah Luzzi, property owner, requests a 10' minimum lot depth variance from the requirements set forth in Section 2.2.1. of the Unified Development Ordinance and a 10' minimum corner-lot width variance pursuant to the same Section 2.2.1. These variances are being sought in order to subdivide the existing parcel such that it results in two non-conforming lots: the interior lot which would be 50' deep and the corner lot which would be 50' wide. The subject parcel is a .2 acre tract zoned Residential-10 and located at 503 Bart Street.

File Attachments  
20180813PLANA-72-18.pdf (2,526 KB)

**Subject** G. A-73-18: 1401 Duplin Road

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-73-18** WHEREAS AD3 Development LLC, property owner, requests a 41' reduction from the accessory structure primary street setbacks set forth in Section 2.2.1. of the Unified Development Ordinance as well as complete relief from the private residential garage parking options set forth in Section 1.5.12.D.3. of the Unified Development Ordinance in order to construct a detached garage in front of the existing detached house that would be 9' from the primary street on a .42 acre parcel zoned Residential-4 and located at 1401 Duplin Road.

File Attachments  
20180813PLANA-73-18.pdf (1,820 KB)

**Subject** H. A-74-18: 2215 St. Mary's Street

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-74-18** WHEREAS William and Laurie Barton, property owners, request a 3' rear yard setback variance pursuant to Section 2.2.1. of the Unified Development Ordinance in order to construct an addition to the back of the existing detached house that results in a 17' rear yard setback on a .37 acre parcel zoned Residential-6 and located at 2215 St. Mary's Street.

File Attachments  
20180813PLANA-74-18.pdf (1,609 KB)

**Subject** I. A-75-18: 7506 Falls of Neuse Road

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-75-18** WHEREAS Saint Andrews Presbyterian Church, property owner, requests a variance from Section 9.1.10. of the Unified Development Ordinance in order to remove trees in a manner not allowed without recording tree conservation in order to allow for the construction of a stormwater device on a 6.36 acre parcel zoned Residential-4 and located at 7506 Falls of Neuse Road.

File Attachments  
[20180813PLANA-75-18.pdf \(1,320 KB\)](#)

**Subject** J. A-76-18: 1332 Battery Drive

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-76-18** WHEREAS Hatteras Holdings, LLC, property owner, requests a 13' variance from the minimum lot width requirements set forth in Section 2.2.1. of the Unified Development Ordinance in order to subdivide the parcel into two 32' wide tracts as well as a variance to the requirement set forth in Section 8.3.5.C.2.b. in order to permit the two proposed detached house building lots that are less than 40' in width to take vehicular access from driveways. The subject property is a .25 acre parcel zoned Residential-10 and located at 1332 Battery Drive.

File Attachments  
[20180813PLANA-76-18.pdf \(506 KB\)](#)

**Subject** K. A-77-18: 3400 Rock Creek Drive

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-77-18** WHEREAS Concept 8 Holdings, LLC, property owner, requests a 5' side wall height variance from the residential infill compatibility standards for side setback planes set forth in Section 2.2.7.D.1 of the Unified Development Ordinance in order to construct a detached house that has a 30'7" tall side wall located 13.7' from the southern property line on a .55 acre parcel zoned Residential-4 and located at 3400 Rock Creek Drive.

File Attachments  
[20180813PLANA-77-18.pdf \(4,720 KB\)](#)

**Subject** L. A-78-18: 300 Glenwood Avenue

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-78-18** WHEREAS Lanewood LLC, property owner, requests a complete variance to section 8.5.1. of the Unified Development Ordinance such that no right-of-way dedication or streetscape improvements are required along W. Lane Street as part of changing the use of the existing building to a restaurant and bar on a .1 acre parcel zoned Downtown Mixed-Use-7-Shopfront and located at 300 Glenwood Avenue.

File Attachments  
[20180813PLANA-78-18.pdf \(517 KB\)](#)

**Subject M. A-79-18: 703 E. Jones Street**

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-79-18** WHEREAS Tephra Development LLC, property owner, requests a 131' variance to the maximum front yard setback standards of Section 5.4.3.F.9.c. of the Unified Development Ordinance in order to construct either a detached house or an attached house that results in a 156' primary street maximum setback on a lot created as part of a two-lot subdivision of the existing .39 acre parcel zoned Residential-10 and Neighborhood Conservation Overlay District and located at 703 E. Jones Street.

File Attachments  
[20180813PLANA-79-18.pdf \(461 KB\)](#)

**Subject N. A-80-18: 1401 S. Bloodworth Street**

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

**A-80-18** WHEREAS Track Two Properties, LLC, property owner, requests a complete variance to the right-of-way dedication and streetscape requirements of Article 8.5 of the Unified Development Ordinance for the property's frontage along both S. Bloodworth Street and Hoke Street as well as an 8 parking space variance to reduce the amount of off-street parking required by Section 7.1.2.C. of the Unified Development Ordinance In the alternative, if the above request is not approved, a request for a complete variance to the off-street parking requirements set forth in Section 7.1.2.C The subject property is an existing mixed-use, multi-tenant building containing industrial uses and the proposed use to be added is a restaurant/bar and is located on a .69 acre parcel zoned Industrial-Mixed Use-3 and located at 1401 S. Bloodworth Street. The property proposed to be used for remote parking is a 1.81 acre parcel zoned Heavy Industrial and located at 1419 S. Bloodworth Street.

File Attachments  
[20180813PLANA-80-18.pdf \(372 KB\)](#)

**Subject** O. A-81-18: 4110 & 4200 Trinity Road  
**Meeting** Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH  
**Category** 2. NEW BUSINESS

Type

**A-81-18** WHEREAS The Station at Raleigh, LLC, property owner, requests a special use permit pursuant to Sections 6.7.3.G.5. and 10.2.9. of the Unified Development Ordinance to construct a swimming pool with a linear dimension greater than 65' and an area greater than 4,000 square feet as part of a recreational use related to a residential development on an 18.4 acre parcel zoned Commercial Mixed-Use-12 Conditional Use and located at 4110 and 4200 Trinity Road.

File Attachments  
20180813PLANA-81-18.pdf (874 KB)

### **3. REPORT OF THE BOARD'S ATTORNEY**

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**Subject** A. Report of the Board's Attorney  
**Meeting** Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH  
**Category** 3. REPORT OF THE BOARD'S ATTORNEY

Type

### **4. APPROVAL OF MINUTES**

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**Subject** A. January 8, 2018 meeting  
**Meeting** Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH  
**Category** 4. APPROVAL OF MINUTES

Type

**Subject** B. July 9, 2018 Meeting  
**Meeting** Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH  
**Category** 4. APPROVAL OF MINUTES

Type

**Subject** C. April 9, 2018 - A-41-18 Finding of Fact Correction  
**Meeting** Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH  
**Category** 4. APPROVAL OF MINUTES

Type

### **5. ADJOURNMENT**

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**Subject** A. Adjournment

Meeting Aug 13, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH  
Category 5. ADJOURNMENT  
Type