



**Monday, September 10, 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. Kemeraite - 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. A-38-18: 1539 1/2 Battery Drive

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 1. OLD BUSINESS

Type

**A-38-18** WHEREAS CJ Properties and Investments LLC., property owner, requests a 150 square foot variance of impervious surface in order to exceed the 38% maximum impervious surface exemption afforded by Section 9.2.2.A. which results in a detached house on a lot with a 43% impervious surface coverage without active stormwater controls on a .078 acre parcel zoned Residential-4 and located at 1539 1/2 Battery Drive.

File Attachments  
[20180910PLANA-38-18.pdf \(854 KB\)](#)

## **2. NEW BUSINESS**

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

**Meeting** Sep 10, 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

[20180910PLANA-72-18.pdf \(2,526 KB\)](#)

**Subject** **B. A-82-18: 3929 & 3925 Arrow Drive**

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-82-18** WHEREAS VT Arrow Properties, LLC and Arrow Drive Development, LLC, property owners, request an extension of time associated with case A-100-17 approved September 11, 2017 which authorized a 1.24 acre variance to the minimum lot size requirements set forth in Section 6.4.6.D.2. of the Unified Development Ordinance for a hotel, motel, inn to be located in the Office Park District to allow for a proposed hotel on a 1.26 acre tract zoned Office Park-7 and Special Highway Overlay District-2 and located at 3929 and 3925 Arrow Drive.

File Attachments

[20180910PLANA-82-18.pdf \(3,190 KB\)](#)

**Subject** **C. A-83-18: 109 Georgetown Road**

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-83-18** WHEREAS Shelley Greene, property owner, requests a 1.3' side yard setback variance to legalize the existing detached house as well as a 1.8' side yard setback variance in order to expand the structure to the rear that results in a 3.7' side yard setback for the existing structure and a 3.2' side yard setback for the proposed expansion on a .27 acre parcel zoned Residential-10 and Neighborhood Conservation Overlay District and located at 109 Georgetown Road.

File Attachments

[20180910PLANA-83-18.pdf \(488 KB\)](#)

**Subject** **D. A-84-18: 10404 Dapping Drive**

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-84-18** WHEREAS Elizabeth Barnhill, property owner, requests a 12' 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 construct a deck on the rear of the existing townhome that results in a 0' rear setback for the deck on a .736 acre parcel zoned Residential-10 Conditional Use and Urban Watershed Protection Overlay District and located at 10404 Dapping Drive.

File Attachments  
[20180910PLANA-84-18.pdf \(770 KB\)](#)

**Subject** **E. A-85-18: 428 S. McDowell Street**

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

**Type**

**A-85-18** WHEREAS No Diving, LLC, property owner, requests a variance affording complete relief from the outdoor amenity area required by Section 3.2.5.A.3. of the Unified Development Ordinance as well as complete relief from the long-term bicycle parking required by Section 7.1.2.C. of the Unified Development Ordinance in order to permit a change of use to the existing general building to allow a restaurant use on a .91 acre parcel zoned Downtown Mixed Use-20-Shopfront and located at 428 S. McDowell Street.

File Attachments  
[20180910PLANA-85-18.pdf \(818 KB\)](#)

**Subject** **F. A-86-18: 2003 State Street**

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

**Type**

**A-86-18** WHEREAS YMCA of the Triangle, property owner, requests a complete variance from the Parking Limited frontage's build-to requirements of Section 3.4.5.C. of the Unified Development Ordinance (UDO), a complete variance from the Parking Limited frontage's pedestrian access requirements of Section 3.4.5.F. of the UDO and a complete variance from the Parking Limited frontage's streetscape requirements of Section 3.4.5.G. of the UDO as well as 2' variance from the minimum residential floor height called for in Section 3.2.4.F.1. of the UDO and complete relief from the Zone A fence and planting requirements for both Type 1 and Type 3 protective yards as called for in Section 3.5.5. of the UDO to construct an apartment development on a 6.05 acre parcel zoned Commercial Mixed Use-5-Parking Limited and located at 2003 S. State Street.

File Attachments  
[20180910PLANA-86-18.pdf \(780 KB\)](#)

**Subject** **G. A-87-18: 1912 Hillsborough Street**

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-87-18** WHEREAS Bell Curve, LLC, property owner, requests complete relief from the requirements of Section 1.5.5.C. of the Unified Development Ordinance that requires on-site and structured parking be located behind the parking setback line as well as complete relief from the parking setbacks called for in Section 3.2.4.C. of the Unified Development Ordinance in order to construct an apartment building type on a .4 acre site zoned Commercial Mixed Use-5-Conditional Use and located at 1912 Hillsborough Street.

File Attachments  
[20180910PLANA-87-18.pdf \(599 KB\)](#)

**Subject** H. A-88-18: 827 W. Morgan Street

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-88-18** WHEREAS Morgan West, LLC, property owner, requests a variance of 12 vehicle parking spaces to reduce the minimum amount of required vehicle parking spaces called for in Section 7.1.3.C.3. of the Unified Development Ordinance in order to convert, renovate and expand an existing general building into a 6,183 square foot restaurant and brewery that provides no off-street parking on a .25 acre parcel zoned Neighborhood Mixed-Use-5-Urban Limited and located at 827 W. Morgan Street.

File Attachments  
[20180910PLANA-88-18.pdf \(767 KB\)](#)

**Subject** I. A-89-18: 1330 & 1340 St. Mary's Street

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-89-18** WHEREAS St. Mary's Office LLC and Tri-Cities, LLC, property owners, request a complete variance to the neighborhood transition requirements set forth in Article 3.5 of the Unified Development Ordinance in order to legalize the existing conditions as well as complete relief from the parking lot layout and landscaping standards of Article 7.1 of the UDO in order to permit a parking lot renovation that results in an increase of 13 parking spaces on a 1.85 acre site zoned Office Mixed-Use-7 and Office Mixed-Use-3 and located at 1330 and 1340 St. Mary's Street.

File Attachments  
[20180910PLANA-89-18.pdf \(1,738 KB\)](#)

**Subject** J. A-90-18: 2720 Poole Road

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-90-19** WHEREAS Alice Langley, property owner, requests variances of 22' and 54', both from the 1125' supportive housing separation requirements called for in Section 6.2.2.J.2.C. of the Unified Development Ordinance in order to permit a Supportive Housing Residence on a 1.05 acre property zoned Residential-6 and located at 2720 Poole Road.

File Attachments  
[20180910PLANA-90-18.pdf \(2,301 KB\)](#)

**Subject** K. A-91-18: 1120 Green Street

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-91-18** WHEREAS Senter Tractor Co. Inc., property owner, requests an appeal of an administrative decision associated with the June 22, 2018 notice of violation from the City of Raleigh citing the property owner with operating a towing yard for vehicles on a 1.39 acre parcel zoned Industrial Mixed-Use-3 and located at 1120 Green Street.

File Attachments  
[20180910PLANA-91-18.pdf \(3,025 KB\)](#)

**Subject** L. A-92-18: 1501 Basewood Drive

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 2. NEW BUSINESS

Type

**A-92-18** WHEREAS James Mangum, neighboring property owner, requests an appeal of an administrative decision by the City of Raleigh to issue a fence permit for his neighbor's .3 acre property zoned Residential-6 owned by Kasia Nils and located at 1501 Basewood Drive.

File Attachments  
[20180910PLANA-92-18.pdf \(1,651 KB\)](#)

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

### 4. APPROVAL OF MINUTES

**Subject** A. Minutes - August 13, 2018 Meeting

**Meeting** Sep 10, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

**Category** 4. APPROVAL OF MINUTES

Type

A draft copy of the August 13, 2018 minutes is included in the agenda packet.

File Attachments  
[20180910CCO20180813BOAMinutesDraft.pdf \(199 KB\)](#)

## 5. ADJOURNMENT

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