



Monday, May 14, 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.

J. Carr McLamb, Jr. - Chairman/City
Karen M. Kemeraite - Vice Chair/City
John Silverstein - Counsel to the Board
Judson V. Root - City
Donald Mial - Secretary/County
Neil R. Riemann - City
Jamie McCaskill - City Alternate
David Smyth - 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

Subject **A. New Agenda Item**

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 1. OLD BUSINESS

Type

Subject **B. A-34-18: 905 Tryon Hill Drive, 0 & 865 W. Morgan Street (Motion to Dismiss)**

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 1. OLD BUSINESS

Type

A-34-18 WHEREAS MMP, LLC, property owner, requests complete relief from and waiver of all requirements set forth in Section 8.4 and other provisions of the Unified Development Ordinance as they may pertain to right-of-way dedication as a condition of any site plan review and/or approval in connection with development of the property referenced herein, specifically complete relief from and waiver of any reservation, dedication, and/or any other requirement by the City of Raleigh that the applicant reserve, dedicate, or set aside any portion of its property for the construction of the "Morgan Street Extension" as shown in the City of Raleigh 2030 Comprehensive Plan Street Map, Map T-1 (p. 69), and in Transportation Element B.9, Future Street Improvements, Table T-2, New Location Projects, Morgan Street Extension (pages 99-100) on a 2.36 acre property zoned Commercial Mixed-Use-7-Urban General and Special Residential Parking Overlay District and located at 905 Tryon Hill Drive, 0 and 865 W. Morgan Street.

File Attachments
[20180409PLANA-34-18.pdf \(9,398 KB\)](#)

Subject C. A-38-18: 1539 1/2 Battery Drive

Meeting May 14, 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 ½ Battery Drive.

File Attachments
[20180409PLANA-38-18.pdf \(1,534 KB\)](#)

2. NEW BUSINESS

Subject A. A-43-18 3012 Medlin Drive

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

A-43-18 WHEREAS Graham and Molly Walker, property owners, request a 1.8' rear setback variance and a .4' side setback variance from the requirements set forth in Section 2.2.1. of the Unified Development Ordinance to legalize an existing accessory structure (shed) as well as a 5' rear setback variance from that same section to allow a patio that was constructed without permits to remain that results in a 3.2' rear yard setback and a 4.6' side yard setback for the existing shed and a 0' rear setback for the unpermitted patio on a .22 acre parcel zoned Residential-10 and located at 3012 Medlin Drive.

File Attachments
[20180514PLANA-43-18.pdf \(5,904 KB\)](#)

Subject B. A-44-18: 17 St. Augustine Avenue

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

A-44-18 WHEREAS Hock Holdings, LLC and Reset Property Solutions, LLC, property owners request a 5' primary street setback variance, a 15' rear setback variance, two 2' side setback variances and a 4' sum of side setbacks variance from Section 2.2.1. of the Unified Development Ordinance as well as a 2 parking-space reduction from the off-street parking requirements set forth in Section 7.1.2.C. of the Unified Development Ordinance to allow for a detached house to be built that results in a 5' primary street setback, a 5' rear setback, 3' side setbacks, 6' sum of side setbacks and no off-street parking on a .04 acre parcel zoned Residential-10 and located at 17 St. Augustine Avenue.

File Attachments
[20180514PLANA-44-18.pdf \(810 KB\)](#)

Subject C. A-45-18: 615 Monroe Drive
Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH
Category 2. NEW BUSINESS

Type

A-45-18 WHEREAS Mollie Doll, property owner, requests an 8.2' primary street setback variance from the Residential Infill Compatibility requirements set forth in Section 2.2.7.C. of the Unified Development Ordinance in order to construct a detached house that results in a 29.7' primary street setback on a .22 acre parcel zoned Residential-10 and Neighborhood Conservation Overlay District and located at 615 Monroe Drive.

File Attachments
[20180514PLANA-45-18.pdf \(552 KB\)](#)

Subject D. A-46-18: 710 Rosemont Avenue
Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH
Category 2. NEW BUSINESS

Type

A-46-18 WHEREAS Donna and Joseph Bailey, property owners, request a 17.5' primary street setback variance from the Neighborhood Conservation Overlay District requirements set forth in Section 5.4.3.F.14.d. of the Unified Development Ordinance in order to allow a detached house to be built that results in a 14' primary street setback on a .16 acre parcel zoned Residential-6, Neighborhood Conservation Overlay District and Special Residential Parking Overlay District and located at 710 Rosemont Avenue.

File Attachments
[20180514PLANA-46-18.pdf \(1,431 KB\)](#)

Subject E. A-47-18: 300 Glenwood Avenue
Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH
Category 2. NEW BUSINESS

Type

A-47-18 WHEREAS Lanewood 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 in order to permit a change of use to the existing general building to allow a restaurant use on a .129 acre parcel zoned Downtown Mixed Use-7-Shopfront and located at 300 Glenwood Avenue.

File Attachments
[20180514PLANA-47-18.pdf \(587 KB\)](#)

Subject F. A-48-18: 540, 530, 532 & 534 E. Hargett St. and 201, 203, 205, 207, 209, 211, 217, 219, 221, 224, 225, 226, 227, 228 and 229 Woodsborough Place
Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH
Category 2. NEW BUSINESS

Type

A-48-18 WHEREAS Gregory B. Crampton, Chapter 7 Bankruptcy Trustee for Young Women's Christian Association of the Greater Triangle, Inc, property owner, requests variance from the standard set forth in UDO Section 10.3.5.A.2. to allow for the recombination of existing lots for single family use when the property owner owns adjoin property; and a variance to the neighborhood transition standards set forth in Article 5 of the Unified Development Ordinance to permit the construction of single family homes with the following transition provided in lieu of the Article 5 requirements: (1) a 20' building setback (30' variance), and (2) a 6.5' tall closed fence on property zoned Office Mixed-Use-3 Conditional Use and located at 540, 530, 532 and 534 East Hargett Street and 201, 203, 205, 207, 209, 211, 217, 219, 221, 224, 225, 226, 227, 228, and 229 Woodsborough Place.

File Attachments

[20180514PLANA-48-18.pdf \(1,182 KB\)](#)

Subject **G. A-49-18: 2449 Lynn Road**

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

A-49-18 WHEREAS 2449 Lynn Road, LLC, property owner, requests a 38.5' variance (for the western property line) and a 21' variance (for the southern property line) from the 50' Zone B Use restricted area requirements of the Neighborhood Transitions set forth in Article 3.5 of the Unified Development Ordinance and a variance allowing a 1% of the site/154 SF reduction in the required outdoor amenity area requirements set forth in Section 3.2.5.A.3. of the Unified Development Ordinance in order to permit a general building (office) to locate within 11.5' of the western property line and within 29' of the southern property line and an amenity area that is 1,380 SF or 9% of the .36 acre parcel zoned Office Mixed-Use-3 Conditional Use and located at 2449 Lynn Road.

File Attachments

[20180514PLANA-49-18.pdf \(1,207 KB\)](#)

Subject **H. A-50-18: 11200 Oak Stone Court**

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

A-50-18 WHEREAS Paran Homes, LLC, property owner, requests a variance affording complete relief from the 40% forestation requirements set forth in Section 9.1.9. of the Unified Development Ordinance in order to permit a detached house on a .27 acre parcel zoned Residential-4 and Urban Watershed Protection Overlay District and located at 11200 Oak Stone Court.

File Attachments

[20180514PLANA-50-18.pdf \(673 KB\)](#)

Subject **I. A-51-18: 11204 Oak Stone Court**

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

A-51-18 WHEREAS Paran Homes, LLC, property owner, requests a variance affording complete relief from the 40% forestation requirements set forth in Section 9.1.9. of the Unified Development Ordinance in order to permit a detached house on a .26 acre parcel zoned Residential-4 and Urban Watershed Protection Overlay District and located at 11204 Oak Stone Court.

File Attachments
[20180514PLANA-51-18.pdf \(613 KB\)](#)

Subject **J. A-52-14: 11208 Oak Stone Court**

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

A-52-18 WHEREAS Paran Homes, LLC, property owner, requests a variance affording complete relief from the 40% forestation requirements set forth in Section 9.1.9. of the Unified Development Ordinance in order to permit a detached house on a .47 acre parcel zoned Residential-4 and Urban Watershed Protection Overlay District and located at 11208 Oak Stone Court.

File Attachments
[20180514PLANA-52-18.pdf \(567 KB\)](#)

Subject **K. A-53-18: 2424 Victoria Park Lane**

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

A-53-18 WHEREAS Thomas and Michele Wilson, property owners, request a variance affording complete relief from the 40% forestation requirements set forth in Section 9.1.9. of the Unified Development Ordinance in order to permit a detached house on a .65 acre parcel zoned Residential-6 Conditional Use and Urban Watershed Protection Overlay District and located at 2424 Victoria Park Lane.

File Attachments
[20180514PLANA-53-18.pdf \(635 KB\)](#)

Subject **L. A-54-18: 3451 Sumner Boulevard**

Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH

Category 2. NEW BUSINESS

Type

A-54-18 WHEREAS G&I VIII CBL TTC LLC, property owner, requests a variance with respect to the provisions of Article 9.1 of the Unified Development Ordinance in order to remove the existing tree conservation area on a 2.71 acre parcel zoned Commercial Mixed-Use-3-UL: and located at 3451 Sumner Boulevard.

File Attachments
[201805014PLANA-54-18.pdf \(1,500 KB\)](#)

Subject M. A-55-18: 3501 Sumner Boulevard
Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH
Category 2. NEW BUSINESS

Type

A-55-18 WHEREAS G&I VIII CBL TTC LLC, property owner, requests a variance with respect to the provisions of Article 9.1 of the Unified Development Ordinance in order to remove the existing tree conservation area on a 14.84 acre parcel zoned Commercial Mixed-Use-3-UL: and located at 3501 Sumner Boulevard.

File Attachments
[20180514PLANA-55-18.pdf \(994 KB\)](#)

Subject N. A-56-18: 5959 Triangle Town Boulevard
Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH
Category 2. NEW BUSINESS

Type

A-56-18 WHEREAS G&I VIII CBL TTC LLC, property owner, requests a variance with respect to the provisions of Article 9.1 of the Unified Development Ordinance in order to remove the existing tree conservation area on a 35.37 acre parcel zoned Commercial Mixed-Use-3-UL: and located at 5959 Triangle Town Boulevard.

File Attachments
[20180514PLANA-56-18.pdf \(1,558 KB\)](#)

Subject O. A-57-18: 2445 Kennington Road
Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH
Category 2. NEW BUSINESS

Type

A-57-18 WHEREAS Erica and Anthony Ferranti, property owners, appeal the administrative decision associated with the denial of a Stormwater Design Exception application regarding proposed fencing and its relation to an existing drainage inlet and associated pipe located on a .36 acre parcel zoned Residential-6 and located at 2445 Kennington Road.

File Attachments
[20180514PLANA-57-18.pdf \(10,959 KB\)](#)

3. REPORT OF THE BOARD'S ATTORNEY

4. APPROVAL OF MINUTES

Subject A. January 8, 2018 meeting
Meeting May 14, 2018 - REGULAR MEETING - SECOND MONDAY OF EACH MONTH
Category 4. APPROVAL OF MINUTES

Type

5. ADJOURNMENT
