Certified Action
of the City of Raleigh Planning Commission

City of Raleigh
Development Plans Review Center
One Exchange Plaza
Raleigh, NC 27601
(919) 516-2626
www.raleighnc.gov

Case File / Name: **IR-1-07 Deborah Benton**

General Location: On the northeast corner of Taylor Street and Bedford Avenue, inside the city limits.

Planning District / CAC: University / Wade

Nature of Case: This is an "infill" recombination to reconfigure 3-existing lots 418, 419 & 420; recorded BM 1924 PG 10, into 2 single-family lots zoned Special R-6.

Lot 418 will be .202-acres (8,814 square feet) with a road frontage of 77.25 linear feet along Bedford Avenue and 105-linear feet along Taylor Street.

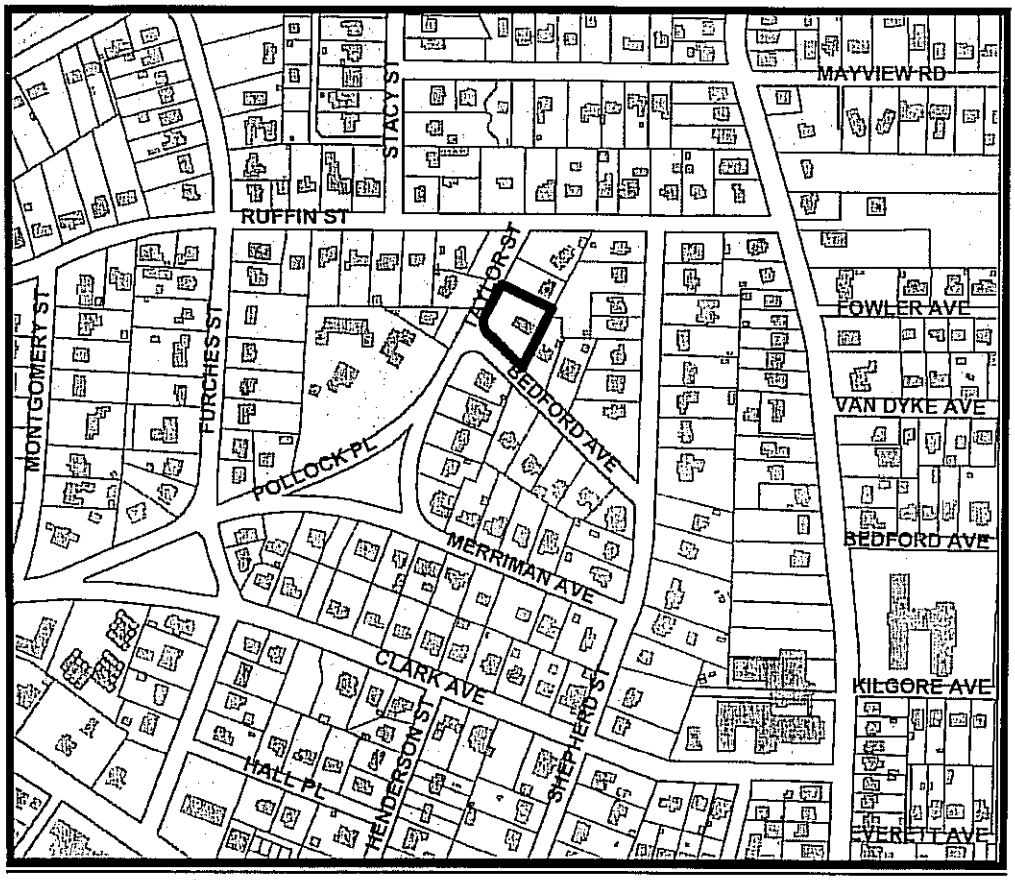
Lot 420 will be .308-acres (13,397 square feet) with a road frontage of 90.72-linear feet along Bedford Avenue; there is an existing house on lot 420 that will remain and meets all required setbacks for Special R-6.

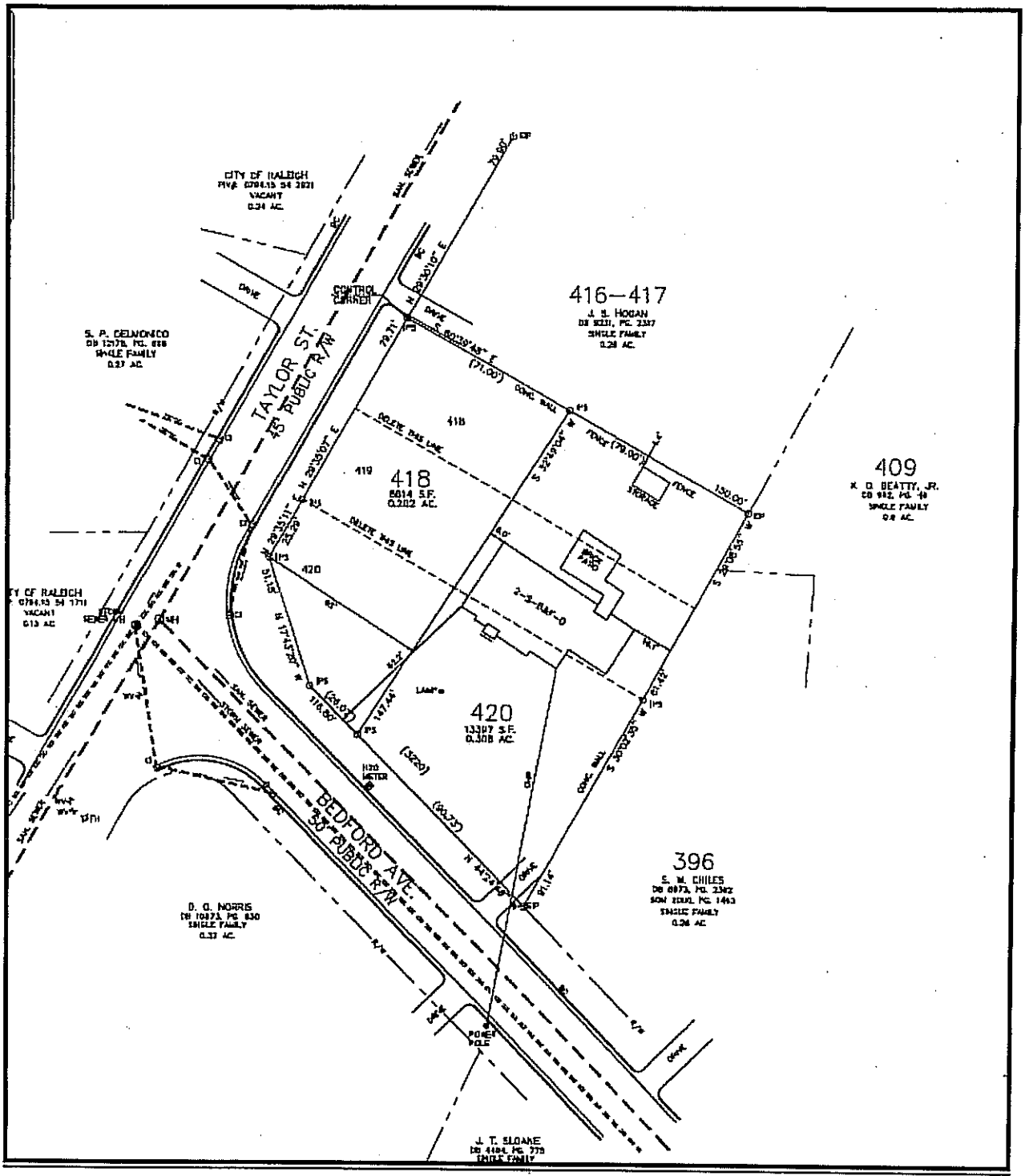
The median lot size is .30.
The median road frontage is 86.5-linear feet.

Lot 420 meets the median lot size and road frontage of the surrounding lots.
Lot 418 fails to meet the median lot size and road frontage along Bedford Avenue but exceeds the road frontage along Taylor Street.

Issues and Outstanding Issues: Planning Commission should evaluate this request utilizing the infill standards of code section 10-3032(d) as found on page 8 of this staff report.

Contact: B.L. Scott & Company


MAYVIEW RD
STACY ST
RUFFIN ST
TAYLOR ST
FOWLER AVE
MONTGOMERY ST
FURCHES ST
BEDFORD AVE
VAN DYKE AVE
POLLOCK PL
MERRIMAN AVE
BEDFORD AVE
CLARK AVE
KILGORE AVE
HENDERSON ST
STEPHENSON ST
Hall Pl
EVERETT AVE



IR-1-07 Deborah Benton

SUBJECT: IR-1-07 Deborah Benton Recombination

CROSS-REFERENCE: N/A

LOCATION: On the northeast corner of Taylor Street and Bedford Avenue, inside the city limits.

REQUEST: This request is to approve the recombination to reconfigure 3-existing lots 418, 419 & 420 (BM 1924 PG 10), into 2 single-family lots zoned Special R-6.

This development constitutes an "infill recombination" of less than 5 acres surrounded on at least 66% of its perimeter by developed single-family detached dwellings, and contains both a lot frontage less than 80% of the median of the surrounding lots, and a lot size less than 80% of the median of the surrounding lots.

Median lot size of surrounding lots	**.30 acres (80% = .24)**
Proposed lot size lot #418	**.20 acres (66% of median)**
Proposed lot size lot #420	**.30 acres (100% of median)**
Median lot frontage of surrounding lots	**86.5' (80% = 69.2')**
Proposed lot frontage lot #418 (corner lot)	**77.25' (89% of median) Bedford Avenue**
Proposed lot frontage lot #418 (corner lot)	**105' (121% of median) Taylor Street**
Proposed lot frontage lot # 420	**90.73' (65.5% of median)**

OFFICIAL ACTION: **Approval with conditions**

CONDITIONS OF APPROVAL: **As noted on the Staff Report, attached**

FINDINGS: The Planning Commission finds that this request, with the conditions of approval below being met, meets the infill lot layout standards of 10-3032(d). The Planning Commission also finds that this plan, with the conditions of approval below being met, conforms to Chapter 2, Part 10, Section 10-2018, Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated March 7, 2007, owned by Deborah Sanders Benton, submitted by B.L Scott & Company.

ADDITIONAL NOTES: The recombination has been reviewed by the Wade CAC and the University Park Homeowner Association.

To PC: May 22, 2007

Case History:

Staff Coordinator: Jacque Baker

Motion: Baker
Second: Mullins
In Favor: Anderson, Baker, Bartholomew, Chambliss, Davis, Haq, Kane, Kuczmarski, Mullins, Smith
Opposed:
Excused:

This document is a true and accurate statement of the findings and recommendations of the Planning Commission. Approval of this document incorporates all of the findings of the Staff Report attached.

Signatures: (Planning Dir.) (PC Chair)

date: 5/24/07 date: 5/24/07

Staff Report

RECOMMENDED ACTION: **Approval with Conditions**

CONDITIONS OF APPROVAL:

Planning Commission Actions:

(1) That the Planning Commission finds that this infill recombination meets the standards of Section 10-3032(d) regarding lot configuration, compliance with general plans and protection from adverse effects of development;

The applicant has materials and information to meet standard 5 of code section 10-3032(d) for the following:

- Elevations
- Building Heights
- Air, light and privacy

The owner has purposed in writing the following:

(2) **Height:** Maximum building height not to exceed 35 feet for lots 418 from average natural ground elevation (per City of Raleigh Code section 10-2076(b).

(3) **Exterior Building Materials:** In keeping with surrounding properties the exterior materials shall be 75% brick and 25% hardy-plank, vinyl and/or wood for lot 418. The sofit will be vinyl or wood.

(4) **Size.** The minimum floor area gross shall not be less than 1,600 square feet finished and a maximum of 4,000 square feet excluding decks, porches, patios, and basements for lot 418.

Administrative Actions:

Prior to Planning Department authorization to record lots:

(5) That a final detailed landscape plan showing street yards in accordance with 10-2082.5 be submitted/stamped and approved by the Site Review Specialist in the Inspection Department and a stamped approved copy is placed on file in the Planning Department;

(6) That the approved landscaping be installed on lot 420 prior to Planning Department authorization to map recording;

(7) That the owner prepare a restrictive covenants requiring 75% brick, 25% hardy-plank, vinyl and/or wood for lot 418 and establishing a minimum floor area gross of no less than 1,600 square feet and a maximum of 4,000 square feet exclusive of porches and basement with a maximum building height not to exceed 35 feet from the average natural ground elevation [as per City Code Section 10-2076(b)]. That the City Attorney approves the restrictive covenant prior to its recordation. That the recorded copy of this restrictive

covenant be provided to the Planning Department within 14 days of authorization of lot recording. If a recorded copy of this document is not provided to the Planning Department within the 14 day period, further plat recordings and building permits authorization may be withheld;

(8) That the recorded plat contain the following note: " A restrictive covenant for 418 has been recorded for house size and building height";

Prior to issuance of building permits in the Inspections Department:

(9) That building plans with a copy of the recorded restrictive covenants be submitted to the Inspection Department;

Prior to issuance of Certificate of Occupancy in the Inspections Department:

(10) That the approved landscaping be installed for lot 418 and inspected by the zoning inspector prior to issuance of Certificate of Occupancy.

ZONING:

ZONING DISTRICTS: Special-Residential-6.

LANDSCAPING: Street yard landscaping in conformity with Section 10-2082.5 is shown.

TREE CONSERVATION: Site is less than 2-acres in size and is exempt from 10-2082.14.

PHASING: N/A

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

THOROUGHFARE / COLLECTOR PLAN: Dedication of right-of-way and construction is not required in a recombination.

TRANSIT: No transit easement required in a recombination.

URBAN FORM: This site is located in the University Planning District, in an area designated a residential area.

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in this zoning district is 7,260 square feet. The minimum lot depth in this zoning district is 80'. Lots in this development conform to these minimum standards. This is an infill recombination as defined in Section 10-3003. The total acreage is less than 5 acres, it is surrounded on at least 66% of its perimeter by developed single-family detached dwellings, and the infill contains both a lot frontage less than 80% of the median of the surrounding lots, and a lot size less than 80% of the median of the surrounding lots.

Lot lines are angled from the street in a similar manner as typical surrounding lots. Lots consist of no more than 4 lines as is typical of surrounding lots. The building envelope for the proposed new lots is placed in such a way that they are not one behind the other when viewed from the public street. Lots proposed may be adequately served by City services.

INFILL STANDARDS:

Any infill lot formed either by recombination or by subdivision after the application of this regulation shall comply with the following:

(1) All lot line boundaries shall meet all of the following;

a. Lot lines are angled from the street in a similar manner as typical surrounding lots and, consist of no more than 4 lot lines as is typical of surrounding lots;
b. Lots proposed may be adequately served by City services.
c. The proposed lots may not be further subdivided and a reservation for a public street is not required.
d. The project is in conformance with the Comprehensive Plan.
e. Measures are proposed to protect other properties from adverse effects and interference with air, light and privacy of surrounding residential properties.

Lot line boundaries may be approved that do not meet subparagraphs a.b.or c. above if the Planning Commission finds the lot line configuration is harmonious wit the lot configuration pattern of the surrounding peripheral lots.

(2) Lots shall be configured to be adequately served by City services, allow for access of emergency vehicles, and meet City standards for proximity to fire hydrants and fire line where public water is available.

(3) If a lot is to be formed of a size that would allow further subdivision, a forty-foot minimum width shall be maintained on all parts of the lot to allow a public street to be extended to serve any additional lots that may be proposed in the future.

(4) The Planning Commission first finds that the infill project is in accordance with the general plans for the physical development of the City as embodied in the Comprehensive Plan (including the design standards contained therein), redevelopment plans, Streetscape Plans, Neighborhood Plans or other City Council-adopted plans and standards. If there are conflict between the plan and Code restrictions, the more stringent shall apply.

(5) The Planning Commission first finds that the infill project contains adequate measures to protect other properties, including public corridors from adverse effects expected from the development or recombination, including stormwater,

traffic, and interference with air, light and privacy of surrounding residential properties.

BLOCK LAYOUT: The existing street layout conforms to City Code, providing for efficient circulation of traffic within the entire neighborhood area. The maximum block length in this development meets the 1500-foot standard as noted in the Streets, Sidewalks and Driveway Access Handbook. No dead end street in this development exceeds 800 feet in length.

PUBLIC UTILITIES: City water and sewer services are available. The lot owner is responsible for installation of all lines necessary to provide service to this site. Each lot will have individual water and sewer taps.

SOLID WASTE: Refuse collection is to be provided by the City based on the standards in the Solid Waste Collection Design Manual.

CIRCULATION: Street improvements are not required in a recombination.

PEDESTRIAN: Construction of sidewalks is not required in a recombination.

FLOOD HAZARD: There are no flood hazard areas on this site.

STORMWATER MANAGEMENT: This site is not subject to stormwater management of Part 10 Chapter 9; (code section 10-9021(3) exemptions).

WETLANDS / RIPARIAN BUFFERS: No wetland areas or Neuse River riparian buffers are required on this site.

STREET NAMES: No new street names are required for this development.

OTHER REGULATIONS: Developer shall meet all City requirements, including underground utility service (§10-3059), flood protection measures (Part 10, Chapter 4), and the soil erosion ordinance (Part 10, Chapter 5), unless specifically varied by this approval.

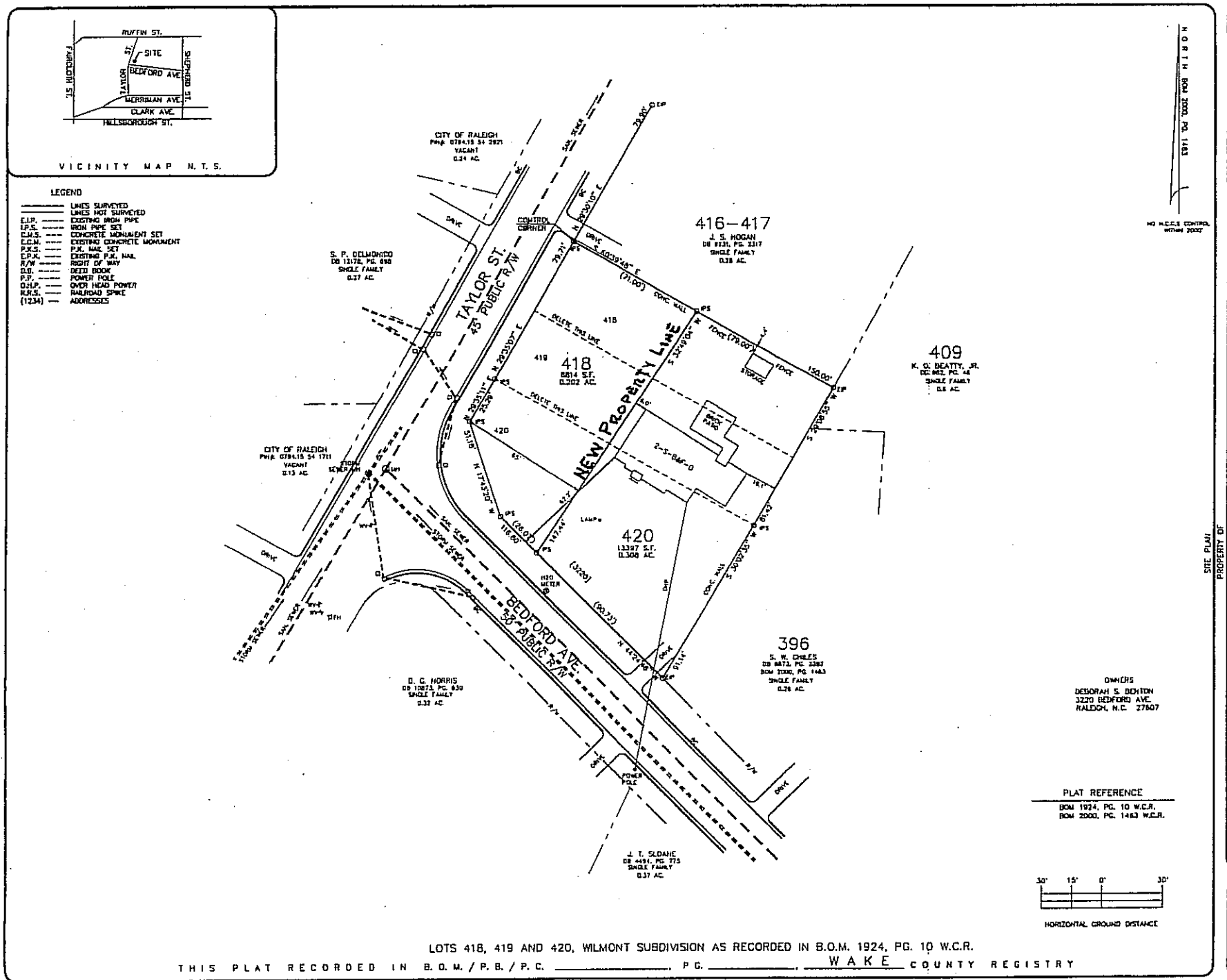
Infill Recombination IR-1-2007

BUILDING MATERIAL DESCRIPTION FOR ONE NEW SINGLE FAMILY HOUSE- TO BE CONSTRUCTED

Height of home will not exceed 35 feet;

Exterior Building Materials (excluding windows and doors) for walls will be 75 % or more Brick and the remaining 25 % Hardi Plank, vinyl and/or wood. The sofit will be vinyl or wood;

The one new single family house will be a minimum of 1600 heated square feet and a maximum of 4000 heated square feet excluding decks, porches, patios, and basements.



LOTS 418, 419 AND 420, WILMONT SUBDIVISION AS RECORDED IN B.O.M. 1924, PG. 10 W.C.R.

THIS PLAT RECORDED IN B. O. M. / P. B. / P. C. _____, PG. _____, WAKE COUNTY REGISTRY

IR-1-07