CA# 1089
Case File: IR-3-07

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-3-07 Sunset Hills Lots 80 & 81**

General Location: Located on north side of Farrior Road, east of Dixie Trail, inside the city limits.

Planning District / CAC: North Hills / Glenwood

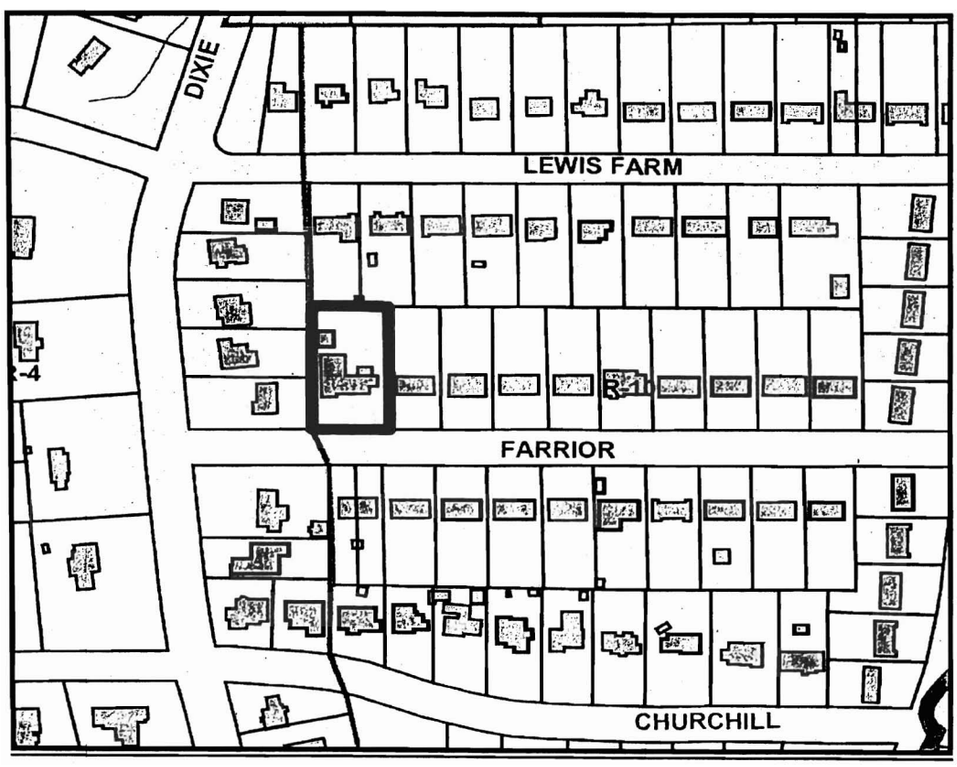
Nature of Case: This is an "infill" recombination to reconfigure 3 existing lots (#80, 81 & 82 recorded BM 1945 PG 98) into 2 lots zoned Residentil-10.

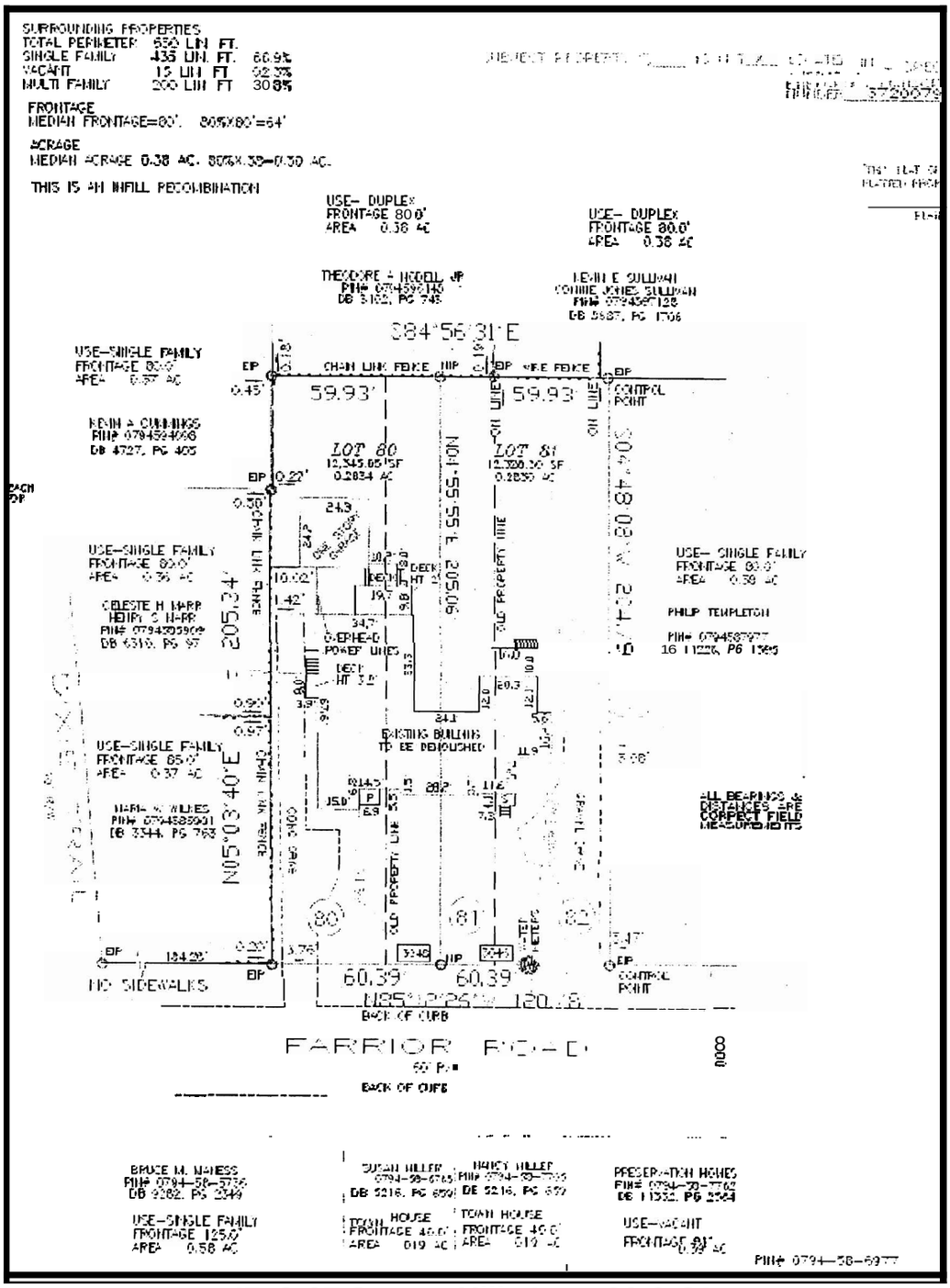
Located across the 3 property lines is an existing duplex that will be removed.

Lot 80 will be .283 (12,345 square feet) with a road frontage of 60.39 linear feet.
Lot 81 will be .283 (12,328 square feet) with a road frontage of 60.39 linear feet.

Issues: Planning Commission should evaluate this request utilizing the infill standards of code section 10-3032(d) as found on page 6 of this staff report.

Contact: John Y. Phelps, Jr





IR-3-07 Sunset Hills Lots 80 & 81

SUBJECT: IR-3-07 / Sunset Hills Lots 80 & 81

CROSS-REFERENCE: N/A

LOCATION: Located on north side of Farrior Road, east of Dixie Trail, inside the city limits.

REQUEST: This request is to approve an "infill recombination" to recombine 3-existing lots into 2-lots, zoned Residential -10. 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 lot frontages less than 80% of the median of the surrounding lots, and lots sized less than 80% of the median of the surrounding lots.

Median lot size of surrounding lots	**.38 acres (80% = .30)**
Proposed lot size lot #80	**.283 acres (74% of median)**
Proposed lot size lot #81	**.283 acres (74% of median)**
Median lot frontage of surrounding lots	**80' (80% = 64')**
Proposed lot frontage lot #80	**60.39' (75% of median)**
Proposedlot frontage lot #81	**60.39' (75% 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, with the conditions of approval below being met, this plan conforms to Chapter 2, Part 10, Section 10-2021and to Chapter 3, Part 10, Sections 10-3001-3059. This approval is based on a preliminary plan dated 3/16/07, owned by Samual Freeze, submitted by John Y Phelps Jr.

ADDITIONAL NOTES: There are no additional notes for this plan.

To PC: April 24, 2007
Case History:

Staff Coordinator: Jacque Baker

Motion: Mullins
Second: Everett
In Favor: Anderson, Baker, Bartholomew, Chambliss, Davis, Everett, 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.) date: 4/26/07

(PC Chair) date: 4/26/07

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 lot layout standards of Section 10-3032(d);

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

- Elevations
- Building Heights
- Air, Light and privacy

The owner has proposed in writing the following: .

- **Height:** Maximum building height not to exceed 36-feet from average natural ground elevation (per City of Raleigh Code section 10-2076(b);
- **Exterior Building Materials:** Hardy Plank and brick combination;
- **Size:** The minimum floor area gross shall be no less than 3,400 square feet and maximum floor area gross shall not be more than 4,000 square feet;

Prior to Planning Department authorization to record lots:

(2) That a demolition permit be issued for the removal of the existing house, by the Inspections Department and this building permit number be shown on all maps for recording;

(3) That the recorded plat contain the following note: "A restrictive covenant for lots 80 & 81 has been recorded for building materials, house size and building height

(4) That the owner prepare a restrictive covenants requiring a combination of brick or hardy plank siding, for lots 80 & 81, establishing a floor area gross of not less than 3,400 square feet and no more than 4,000 square feet and limiting building height not to exceed 36 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;

Prior to issuance of building permits in the Inspections Department:

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

ZONING:

ZONING DISTRICTS: Residential-10.

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

TREE CONSERVATION: Site is less than 2.0 acres and is exempt from tree conservation.

PHASING: There are no phases in this development.

COMPREHENSIVE PLAN:

GREENWAY: There is no greenway on this site.

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

TRANSIT: Transit easement dedication not required with a recombination.

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

SUBDIVISION STANDARDS:

LOT LAYOUT: The minimum lot size in this zoning district is 5,000 square feet. The minimum lot depth in this zoning district is 70'. Lots in this development conform to these minimum standards. This is an infill subdivision as defined in Section 10-3003. The total acreage is less than 5 acres surrounded on at least 66% of its perimeter by developed single-family detached dwellings, and containing both lot frontages less than 80% of the median of the surrounding lots, and lots sized 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 developer of each lot is responsible for installation of all lines necessary to provide service to his lot.

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

CIRCULATION: Street improvements are not required in a recombination.

PEDESTRIAN: Sidewalk is not required with 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; the property is less than 1.00-acres in size (code section 10-9021 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.

April 3,2007

City of Raleigh
Planning Department
PO Box 590
Raleigh, NC 27602

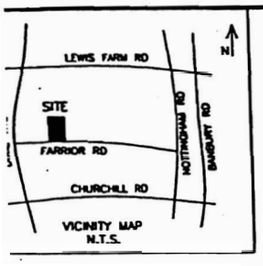
Dear Sir/Madam:

The following materials will be used in the construction of the 2(two) homes that will be built on the Sunset Hills Farrior land – case # IR-3-07. We will be using a Hardy Plank and brick combination. Also, the height of these homes will be 36' tall and the square footage will be between 3,400 to 4,000 sq. ft.

Should anything else be required please let me know. Thank you.

Sincerely,

Samuel Kern Freeze



DB 3895, PG 784

SURROUNDING PROPERTIES

TOTAL PERIMETER	650 LIN. FT.	
SINGLE FAMILY	435 LIN. FT.	66.9%
VACANT	15 LIN. FT	02.3%
MULTI FAMILY	200 LIN. FT.	30.8%

FRONTAGE
MEDIAN FRONTAGE=80'. 80%X80'=64'

ACRAGE
MEDIAN ACRAGE 0.38 AC. 80%X.38=0.30 AC.

THIS IS AN INFILL RECOMBINATION

SUBJECT PROPERTY I S IS NOT x LOCA
EMER
NUME

USE- DUPLEX
FRONTAGE 80.0'
AREA 0.38 K

USE- DUPLEX
FRONTAGE 80.0'
AREA 0.38 AC

THIS PLAT NOT TO BE RECORDED
AFTER_____DAY OF_____
1 COPY TO BE RETAINED FOR THE
CITY.
THIS PLAT IS ☐IN ☐OUT OF THE
CITY LIMITS.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I CERTIFY THAT THE FOLLOWING PERSON(S) PERSONALLY APPEARED BEFORE ME THIS DAY, EACH ACKNOWLEDGING TO ME THAT HE OR SHE VOLUNTARILY SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSE STATED THEREIN AND IN THE CAPACITY INDICATED:

DATE_____, 2007

_____
PRINTED NAME_____, NOTARY PUBLIC
MY COMMISSION EXPIRES_____

I, JOHN Y. PHELPS JR., PROFESSIONAL LAND SURVEYOR, L-1319 CERTIFY TO ONE OR MORE OF THE FOLLOWING

☐ D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY OR OTHER EXCEPTIONS TO THE DEFINITION OF SUBDIVISION.

_____
JOHN Y. PHELPS JR. PROFESSIONAL LAND SURVEYOR NO. L-1319

STATE OF NORTH CAROLINA
_____ COUNTY
I, JOHN Y. PHELPS JR., PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION, DEED DESCRIPTION RECORDED IN DEED BOOK _____ PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:28,028 ; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK _____ PAGE _____ THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS _____DAY OF _____ 20____

_____
JOHN Y. PHELPS JR. REGISTRATION NO. L-1319

REFERENCE MAP ENTITLED:
SUNSET HILLS EXTENDED
FARRIOR LAND
BOM 1945, VOL 1, PG 98

RECOMBINATION MAP DRAWN FROM
SURVEY OF LOT 80, 81, & 82
OF SUNSET HILLS EXTENDED
BY JOHN Y. PHELPS, JR. 10/10/06

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

THEODORE A NODELL, JR
PIN# 0794586148
DB 3102, PG 743

KEVIN E SULLIVAN
CONNIE JONES SULLIVAN
PIN# 0794597128
DB 8687, PG 1706

S84°56'31"E

USE-SINGLE FAMILY
FRONTAGE 80.0'
AREA 0.37 AC

EIP 0.18' CHAIN LINK FENCE NIP 0.19' EIP WIRE FENCE EIP
0.45'
59.93' ON LINE 59.93' ON LINE
CONTROL POINT

KEVIN A CUMMINGS
PIN# 0794594098
DB 4727, PG 405

LOT 80
12,345.05 SF
0.2834 AC

LOT 81
12,328.30 SF
0.2830 AC

S04°48'08"W 204.79'

EIP 0.22'
0.50'
CHAIN LINK FENCE
24.3'
24.2'
ONE STORY GARAGE
18.2'
8.0'
DECK HT 2
10.02'
19.7'
9.8'
1.42'
34.7'
OVERHEAD POWER LINES
33.3'
DECK HT 3.2'
11.67'
0.90'
0.97'
20.20'
3.08'
EXISTING BUILDING TO BE DEMOLISHED
OLD PROPERTY LINE
N04°55'52"W 204.79'

USE-SINGLE FAMILY
FRONTAGE 80.0'
AREA 0.36 AC

CELESTE H MARR
HENRY S MARR
PIN# 0794585909
DB 6310, PG 97

USE-SINGLE FAMILY
FRONTAGE 85.0'
AREA 0.37 AC

MARIA W WILKES
PIN# 0794585901
DB 3344, PG 763

USE- SINGLE FAMILY
FRONTAGE 80.0'
AREA 0.38 AC

PHILIP TEMPLETON
PIN# 0794587977
DB 11226, PG 1595

DIXIE TRAIL
70' R/W
N05°03'40"E 205.34'
CHAIN LINK FENCE
CONC DRIVE
GRAVEL DRIVE
POWER LINE
WATER METERS
(80) (81) (82)
3048 3046
EIP 0.20' 3.76' NIP 3.17' EIP
184.26'
EIP
NO SIDEWALKS
60.39' 60.39'
N85°12'26"W 120.78'
CONTROL POINT
BACK OF CURB
FARRIOR ROAD
60' R/W
60.00'
BACK OF CURB

ALL BEARINGS & DISTANCES ARE CORRECT FIELD MEASUREMENTS

BRUCE M. MANESS
PIN# 0794-58-5736
DB 9282, PG 2349

USE-SINGLE FAMILY
FRONTAGE 125.0'
AREA 0.58 AC

SUSAN MILLER
PIN# 0794-58-6785
DB 5216, PG 659

TOWN HOUSE
FRONTAGE 40.0'
AREA 019 AC

NANCY MILLER
PIN# 0794-58-7705
DB 5216, PG 659

TOWN HOUSE
FRONTAGE 40.0'
AREA 019 AC

PRESERVATION HOMES
PIN# 0794-58-7762
DB 11332, PG 2564

USE-VACANT
FRONTAGE 81'
0.39 AC

PIN# 0794-
ZONED R-1

SCALE	1"=30
DATE	1/25/07
FD. BK	81169-RE
	FB 1190

"RECOMBINED PROPERTIES ARE SUBJECT TO PART 10, CHAPTER 9 (STORMWATER CONTROL AND WATERCOURSE BUFFER REGULATIONS) OF THE RALEIGH CITY CODE."

RECORDED IN BOOK OF MAPS_____PAGE_____ WAKE COUNTY