



CERTIFICATE OF APPROPRIATENESS PLACARD

for Raleigh Historic Resources

Project Description:

Install 42" fence

304 Linden Ave

Address

Oakwood

Historic District

Historic Property

COA-0073-2025

Certificate Number

5/21/2025

Date of Issue

11/21/2025

Expiration Date

This card must be kept posted in a location within public view until all phases of the described project are complete. The work must conform with the code of the City of Raleigh and laws of the state of North Carolina. When your project is complete, you are required to ask for a final zoning inspection in a historic district area. Telephone the RHDC office at 832-7238 and commission staff will coordinate the inspection with the inspections Department. If you do not call for this final inspection, your Certificate of Appropriateness is null and void.

Signature, _____

Collette K

Raleigh Historic Development Commission

Pending the resolution of appeals, commencement of work is at your own risk.

Type or print the following:

Applicant name: Michael Bender

Mailing address: 510 Pace St.

City: Raleigh

State: NC

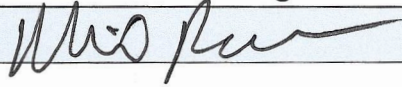
Zip code: 27604

Date: 5/2/2025

Daytime phone #: 9198107503

Email address: michaelbenbender@gmail.com

Applicant signature:



Minor work (staff review) – one copy

Major work (COA committee review) – ten
copies

Additions > 25% of building sq. footage

New buildings

Demolition of building or structure

All other

Post approval re-review of conditions of
approval

Office Use Only

Transaction #: _____

File #: **COA-0073-2025**

Fee: _____

Amount paid: _____

Received date: _____

Received by: _____

Property street address: 304 Linden Ave

Historic district: Oakwood

Historic property/Landmark name (if applicable):

Owner name: Hellbender Properties, LLC (Michael Bender, managing member)

Owner mailing address: 510 Pace St. Raleigh NC 27604

For applications that require review by the COA Committee (major work), provide addressed and stamped envelopes for owners for all properties with 100 feet on all sides of the property, as well as the property owner.

Property Owner Name & Address

Property Owner Name & Address

I understand that all major work applications that require review by the Raleigh Historic Development Commission's COA Committee must be submitted by 4 p.m. on the date of the application deadline; otherwise, consideration will be delayed until the following committee meeting. An incomplete application will not be accepted.

Will you be applying for rehabilitation tax credits for this project? Yes <input type="radio"/> No <input checked="" type="radio"/>	Office Use Only Type of work: <u>35</u>
Did you consult with staff prior to filing the application? Yes <input type="radio"/> No <input checked="" type="radio"/>	

Design Guidelines: please cite the applicable sections of the design guidelines (www.rhdc.org).		
Section/Page	Topic	Brief description of work (attach additional sheets as needed).
2.4 p 15	Fences	Add 42" 65% solid wooden picket fence on the east side property line terminating at the front south side property line

Minor Work Approval (office use only)	
Upon being signed and dated below by the Planning Director or designee, this application becomes the Minor Work Certificate of Appropriateness. It is valid until <u>11/24/25</u> .	
Please post the enclosed placard form of the certificate as indicated at the bottom of the card. Issuance of a Minor Work Certificate shall not relieve the applicant, contractor, tenant, or property owner from obtaining any other permit required by City Code or any law. Minor Works are subject to an appeals period of 30 days from the date of approval.	
Signature (City of Raleigh) <u>Collette K</u>	Date <u>05/21/25</u>

LOT --- SECTION --- BLOCK --- PHASE --- SUBDIVISION ---

AS RECORDED IN MAP BOOK --- VOL. --- PAGE ---

LEGEND:

OF THE WAKE COUNTY REGISTRY. D.B. 14382-2044

I declare that this survey complies with the North Carolina Standards of Practice for Surveying (section 1600) for class A surveys and that the calculated ratio of precision before adjustments is 10,000+. Furthermore, building corners shown are primary control monumentation for the reestablishment of property corners in the absence of grid monuments and other subdivision property corners. This survey is not to be recorded without the written authorization of the surveyor. This map remains the property of the surveyor and is to be used only for conveyance of this lot to the person(s) shown on this map.

Professional Land Surveyor

Notes: 1) North arrow is referenced to recorded document shown above unless denoted otherwise.
 2) House ties are radial to property lines unless shown otherwise.
 3) Underground pipes not located with this survey.
 4) All areas are computed by coordinates.
 5) Flood plain statement attached separately, if requested, and not part of this survey.
 6) This property may be subject to the Neuse River Buffer.

○ = EXISTING IRON PIPE
 ● = NEW IRON PIPE
 P = POPECH, S = STOOD SH = SHED
 * - * - * = FENCE, R = RADIUS
 --- = CREEK (APPROX. LOCATION)
 +E = OVERHEAD ELECTRIC LINE
 LP = LIGHT POLE, PP = POWER POLE
 PK = MASONRY NAIL, MH = MAN-HOLE
 LBS = LOCATION BY SCALE
 C = CHIMNEY, □ = ELECT. TRANSFORMER
 L = ARC LENGTH, CH = CHORD LENGTH
 YI = YARD INLET, DI = DROP INLET
 D = DECK, FH = FIRE HYDRANT
 N/F = NOW OR FORMERLY
 DU = DESTINATION UNKNOWN
 OU = OWNERSHIP UNKNOWN
 [] = ADDRESS

NOTE DIFFERENCES IN DEED AND SURVEY
 OF EXISTING CORNER STAKES.

N/F
 C.O. PALENCHAR

The survey map shows a 1-story wood house with a deck and porch. The house is situated on a lot with various boundaries and features. Key dimensions and bearings include:

- Top boundary: 500°25'53"E, 48.01'
- Left boundary: 47.03', 99.78'
- Right boundary: 99.47', 44.00' TO E. LANE ST.
- Bottom boundary: 48.10', N00°47'50"W
- Area: 0.110 AC.
- Neighbors' fences and walls: NEIGHBORS WOOD FENCE ENCROACHES 1.1', NEIGHBORS WOOD RET. WALL ENCROACHES 1.9', NEIGHBORS WOOD FENCE TIES TO DUIS & ENCROACHES 2.0', NEIGHBORS METAL FENCE ENCROACHES 3.1', NEIGHBORS METAL FENCE ENCROACHES 1.3'.
- Other features: DECK, PORCH, 304, 30.2', 14', 15.5', 9.4', 8.1', 38.2', 6.1', 7.8', 36.4', 40.3', 48.03', 48.10', 48.01', 9.3', 4.8', 10.3', 9.3', 1.1', 0.3', POINT ON WALL.

LINDEN AVENUE
 66' R/W

New Fence
 42"
 65% closed

SURVEY FOR

MICHAEL B. BENDER
 SHENANDOAH A. HELLMAN

WAKE COUNTY, NORTH CAROLINA

0' 0.5' 1' 1.5'
 BAR SCALE

LOT ____ SECTION ____ BLOCK ____ PHASE ____ SUBDIVISION ____

AS RECORDED IN MAP BOOK ____ VOL. ____ PAGE ____

OF THE WAKE COUNTY REGISTRY. D.B. 14382-2044

I declare that this survey complies with the North Carolina Standards of Practice for Surveying (section 1600) for class A surveys and that the calculated ratio of precision before adjustments is 10,000. Furthermore, building corners shown are primary control monumentation for the reestablishment of property corners in the absence of grid monuments and other subdivision property corners. This survey is not to be recorded without the written authorization of the surveyor. This map remains the property of the surveyor and is to be used only for conveyance of this lot to the person(s) shown on this map.

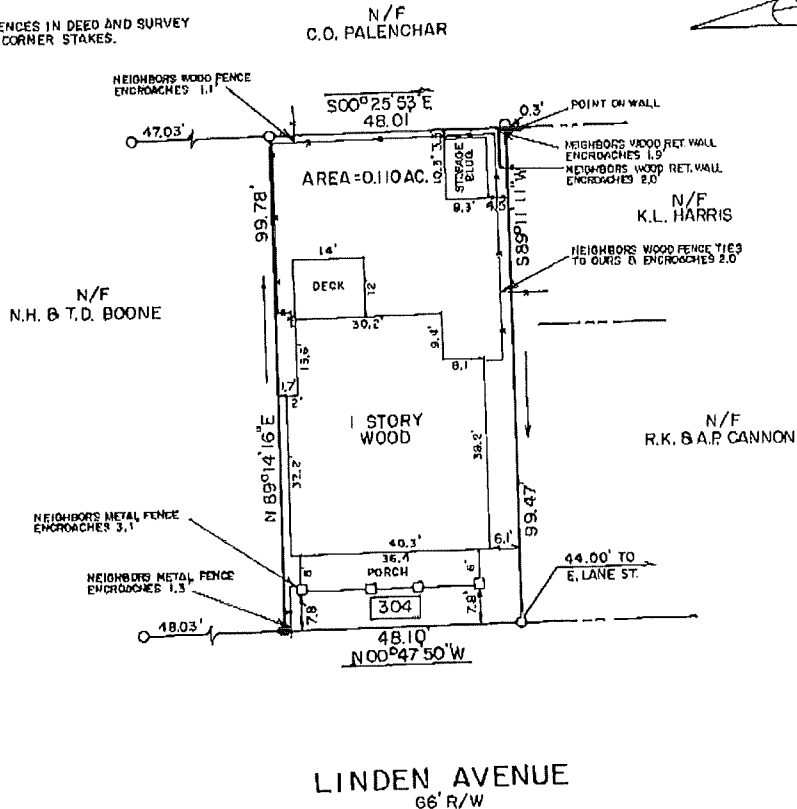
Professional Land Surveyor

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LINDEN AVENUE
66' R/W

SURVEY FOR

MICHAEL B. BENDER
SHENANDOAH A. HELLMAN

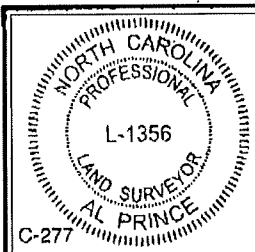
WAKE COUNTY, NORTH CAROLINA

0' 0.5' 1' 1.5'
BAR SCALE

DATE: 06 OCTOBER 2016

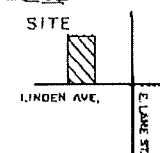
TOWNSHIP: RALEIGH

SCALE: 1" = 30'

**AL PRINCE & ASSOCIATES, P.A.**

ENGINEERS-SURVEYORS-PLANNERS

P.O. BOX 44, 27512-0044
209 NEW EDITION COURT
CARY, NORTH CAROLINA, 27511
PH. 919-467-3545 FAX 919-467-8607



VICINITY MAP N.T.S.

Subject: Request for Permit – Fence at 304 Linden Ave

I am writing to formally request a permit for a new fence addition along the east side of my property at **304 Linden Avenue**.

Project Description: I propose to install a 42-inch tall, 65% open plain wood picket fence along the eastern side property line, extending approximately 50 feet. The new fence will run from the existing backyard fence to the front corner of the property line at Linden Avenue, adjacent to **701 E Lane Street**.

Purpose and Justification: The adjacent property at 701 E Lane Street operates as a commercial restaurant. Unfortunately, the rear of the restaurant directly faces our side yard and is consistently used in ways that negatively impact our residential property. Specifically:

- The area between the properties is used for excess trash storage, including multiple commercial trash cans, oil buckets, kegs, and other unsightly and odorous materials.
- The land has become compacted dirt with embedded debris, and maintenance is lacking.
- The restaurant's staff frequently crosses into my yard to perform operations, creating an ongoing pattern of unpermitted encroachment.
- Despite repeated requests, the restaurant has not taken steps to mitigate these issues or relocate their trash storage.

The proposed fence is intended to:

- Create a clear and respectful boundary between the properties.
- Prevent continued encroachment and misuse of my private yard.
- Provide a modest visual and physical barrier to improve the aesthetics, hygiene, and enjoyment of our side yard and front-to-back yard access.

Given the circumstances, this fence is a reasonable and necessary step to protect my property and quality of life as a homeowner in a residential zone.

Thank you for considering this request. I am happy to provide additional information or meet with the appropriate staff to discuss further.

Sincerely,
Michael Bender, 304 Linden Homeowner



Approximate property line.

304 Linden on the Left, 701 E Lane on the Right (restaurant)



Close up of circled area in image above showing expected iron property marker.



Frequent trash and unorganized restaurant material on the porch facing Linden Ave.



Example of the unsightly and smelly items that accumulate next to my home.



Frequently trash is ground into the dirt between our homes including latex gloves, cardboard, paper towels, and general trash items. Pests and rodents are also a concern.

Materials and Design

Outdoor Essentials

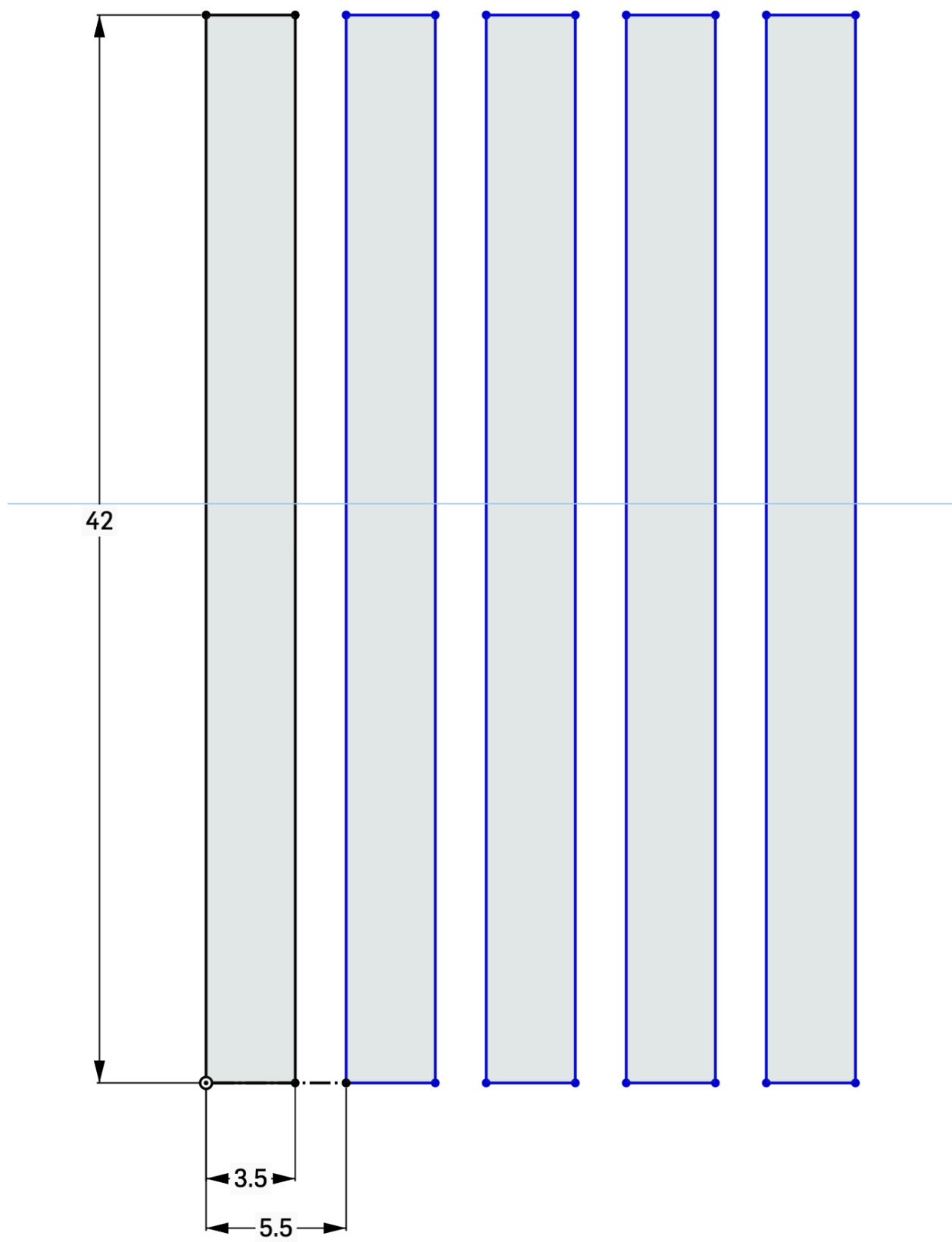
5/8 in. x 3-1/2 in. x 3-1/2 ft. Western Red Cedar Flat Top Fence Picket (13-Pack)

★★★★☆ (79) Questions & Answers (13)



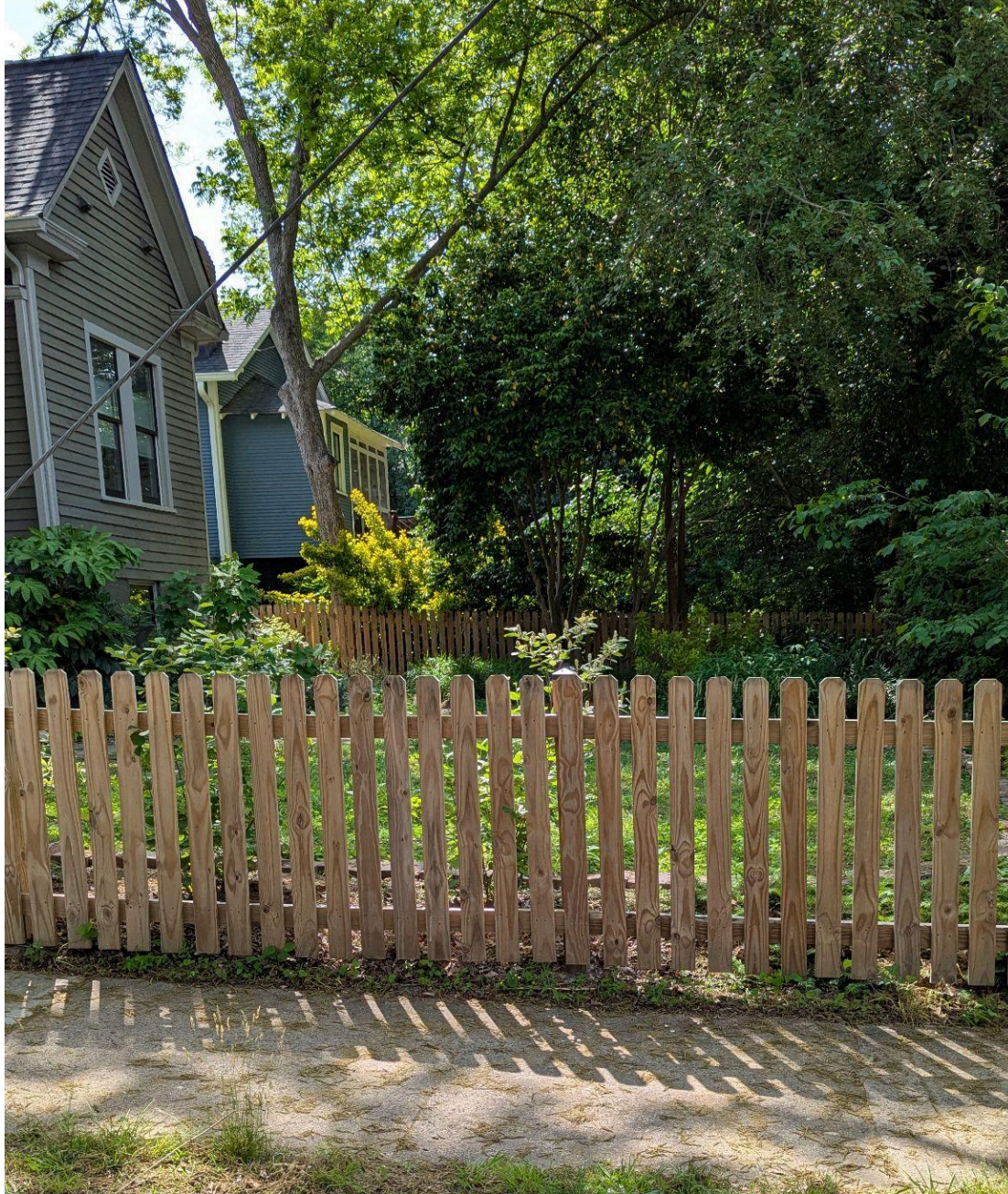
Hover Image to Zoom

 Share  Print



Pressure treated 4x4 posts every ~6' with a top and bottom pressure treated 2x4 stringer to attach flat top pickets with nails.

Examples of fences nearby



609 E. Lane St (1 of 2)



609 E. Lane St (2 of 2)



208 Linden Ave



560 E Jones St



204 Linden Ave



608 Oakwood Ave