



## Administrative Action Preliminary Subdivision

City of Raleigh  
Development Plans Review Center  
One Exchange Plaza  
Raleigh, NC 27602  
(919) 996-2626  
www.raleighnc.gov

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**Case File / Name:** S-77-15 / Raleigh Dairyland Subdivision

**General Location:** The site is a .509 acre tract located on the southwest corner of the intersection of Thomas Road and Lake Boone Trail, at 3312 Thomas Road.

**CAC:** Glenwood

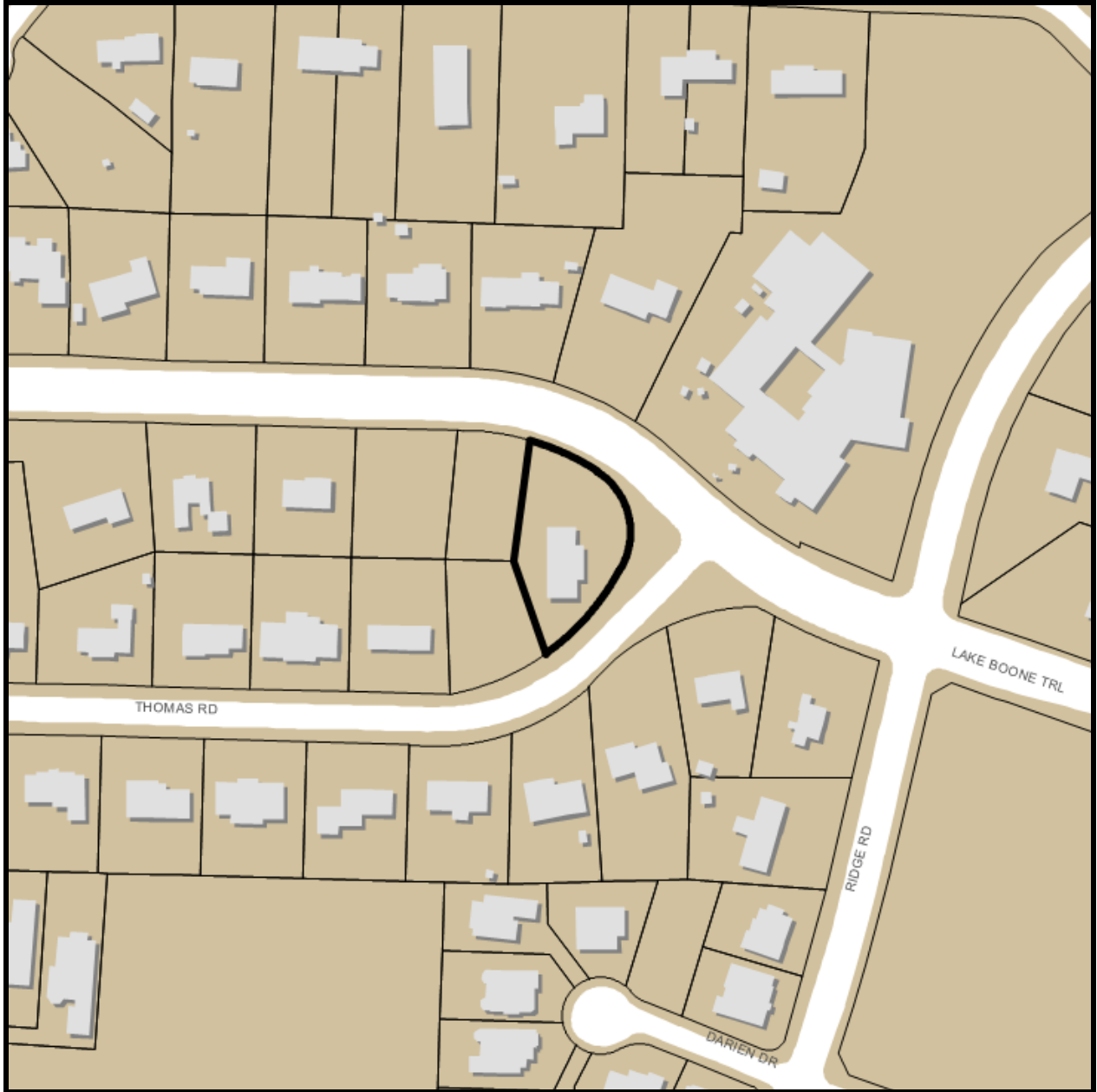
**Nature of Case:** Subdivision of one parcel totaling .509 acres into two parcels, each zoned Residential-4.

**Contact:** Alison Pockat, Alison Pockat, ASLA

**Design Adjustment:** NA

**Administrative  
Alternate:** NA

**Hardship Variance:** A request for a 9' minimum lot depth variance, and an 11.5' minimum lot width variance pursuant to section 2.2.1 of 10A Unified Development Ordinance allowing for a two lot subdivision of a .509 acre parcel zoned Residential-4 and located at 3312 Thomas Road was granted by the Board of Adjustment. (A-50-16)



Location Map – 3312 Thomas Road



**RALEIGH BOARD OF ADJUSTMENT**  
**Decisions**  
May 9, 2016

**A-49-16 – 5/9/16**

WHEREAS, Kenneth and Ann Gray, property owners, request a 7.82' front yard setback variance to legalize the existing house, a 15.6' front yard setback variance pursuant to Section 2.2.1 of the Part 10A Unified Development Ordinance and a Special Use Permit to expand the house by 15%, pursuant to Sections 5.4.3.A.3. and 10.3.6. of the Part 10A Unified Development Ordinance to allow for an expansion of the existing detached house that results in a 34.4' front yard setback on a .78 acre property zoned Residential-4 and Neighborhood Conservation Overlay District located at 4610 Joyner Place.

**Decision:** Approved as requested.

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**A-50-16 – 5/9/16**

WHEREAS, Raleigh Custom Homes, property owner, requests a 9' minimum lot depth variance and an 11.5' minimum lot width variance pursuant to Section 2.2.1. of the Part 10A Unified Development Ordinance to allow for a two-lot subdivision of a .50 acre parcel zoned Residential-4 and located at 3312 Thomas Road.

**Decision:** Approved as requested.

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**A-51-16 – 5/9/16**

WHEREAS, Sears Family LLC, property owner, requests complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a dwelling and any accessory structures/impervious surfaces on each of the two portions of a .32 acre property zoned Residential-6 and located at 2809 Grant Avenue.

**Decision:** Approved as requested.

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**A-52-16 – 5/9/16**

WHEREAS, Frank and Alison Hurst, property owners, request complete relief from the active stormwater control measures and requirements set forth in Section 9.2.2. of the Part 10A Unified Development Ordinance to allow for the construction of a detached house and any accessory structures/impervious surfaces on a .555 acre property zoned Residential-4 and located at 902 Cranbrook Road.

**Decision:** Approved as requested.

**A-53-16 – 5/9/16**

WHEREAS, Gregory and Eleanor Rice, property owners, request a .3' side yard setback to legalize the existing detached house and a .09' side yard setback variance pursuant to Section 2.2.1. of the Part 10A Unified Development Ordinance to allow for an addition to the rear of the existing detached house that results in a 4.7' side yard setback for the existing dwelling and a 4.91' side yard setback for the proposed addition on a .28 acre property zoned Residential-6 and Special Residential Parking Overlay District and located at 304 Brooks Avenue.

Decision: Approved as requested.

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**A-54-16 – 5/9/16**

WHEREAS, Catherine Thomas, property owner, requests a 4' side yard setback pursuant to Section 2.2.1. of the Part 10A Unified Development Ordinance to allow for an addition to the rear of the existing detached house that results in a 6' side yard setback on a .26 acre property zoned Residential- 4 and located at 2330 Byrd Street.

Decision: Deferred to the Board's June 13, 2016 meeting.

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**A-55-16 – 5/9/16**

WHEREAS, A Woman's Choice of Raleigh Inc., property owner, requests complete relief from the opacity requirements of Sec. 7.2.8.B.8. of the Part 10A Unified Development Ordinance and a 2' variance from the maximum fence height requirements of Section 7.2.8.B.8. of the Part 10A Unified Development Ordinance to allow for an 8' tall closed wooden privacy fence to be located in the street setback area of a .38 acre parcel zoned Office Mixed Use-3 and located at 3305 Drake Circle.

Decision: Approved as requested.

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**A-56-16 – 5/9/16**

WHEREAS, Triangle Christian Center/Eagles Nest Christian Fellowship Inc., property owner, requests a Special Use Permit to increase the enrollment at an existing Day Care Center from 150 enrollees to 250 enrollees pursuant to Section 6.4.1.C. of the Part 10A Unified Development Ordinance on a 9.07 acre parcel zoned Residential-4 and located at 11100 Fellowship Drive.

Decision: Approved as requested.

  
J. Carr McLamb, Chairman

5/11/16  
Date

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**SUBJECT:** S-77-15 / Raleigh Dairyland Subdivision

**CROSS-  
REFERENCE:** Transaction # 454814

**LOCATION:** The site is a .509 acre tract located on the southwest corner of the intersection of Thomas Road and Lake Boone Trail, at 3312 Thomas Road. The site is located within the city limits.

**PIN:** 0795317968

**REQUEST:** This request is to approve the subdivision of a .509 acre tract, into 2 lots, one 10,868.25 square feet size and the other 10,817.71 square feet size, both of which are zoned Residential-4.

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**OFFICIAL ACTION:** Approval with conditions

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**CONDITIONS OF  
APPROVAL:**

***Prior to issuance of a grading permit for the site:***

- (1) That in accordance with Part 10A Section 9.4.4, a surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City;

***Prior to Planning Department authorization to record lots:***

- (2) That a demolition permit is to be issued for the existing house on site to be removed from the parent tract and that this building permit number be noted on all maps for recording with the Wake County Register of Deeds;
- (3) That street right of way and utility easements be dedicated to the City of Raleigh as shown on the preliminary plan and be shown on the final subdivision map for recording with the Wake County Register of Deeds;
- (4) That a tree impact permit is obtained from the City of Raleigh;
- (5) That a fee in lieu for 1' of sidewalk width for the frontage along Lake Boone Trail shall be paid to the City of Raleigh prior to recordation in the Wake County Register of deeds;
- (6) That in accordance with Part 10A Section 8.1.3, a surety equal to 125% of the cost of development related improvements i.e. the 6' wide sidewalk addition for Thomas Road, and all street trees within the Right of Way is paid to the Public Works Department;

I hereby certify this administrative decision.

Signed:(Planning Dir.) Kenneth Bowers (S. Bowers) Date: 7-5-16  
Staff Coordinator: Michael Walters

SEE LAST PAGE FOR IMPORTANT INFORMATION ON THE NEXT STEP IN THE SUBDIVISION PROCESS.

**FINDINGS:** City Administration finds that this request, with the above conditions being met, conforms to Chapter 2, Article 2.2, Sections 2.2.1, Chapter 7, Article 7.2. This approval is based on a preliminary plan dated 05/28/16 owned by Raleigh Custom Homes, submitted by Alison Pockat, Alison Pockat ASLA.

**ZONING:**

**ZONING DISTRICTS:** Residential 4 (R-4), Unified Development Ordinance, Effective Sept. 1, 2013.

**TREE CONSERVATION:** NA

**PHASING:** There is one phase in this development.

**COMPREHENSIVE PLAN:**

**GREENWAY:** There is no greenway on this site.

**STREET PLAN MAP:** Dedication of right-of-way on the following street is required by the Street Plan Map of the Comprehensive Plan.

Street Name	Designation	Existing R/W	Proposed R/W
Lake Boone Trail	Avenue 2-Lane, divided	73' R/W	½ of 76' R/W
Thomas Road	Neighborhood Local	60' R/W	NA

**CONSTRUCTION:** Proposed street improvements shall conform to normal city construction standards.

Street Name	Designation	Ex. sidewalk	Prop. sidewalk	Ex. street (boc -boc)	Prop. street (boc to boc)
Lake Boone Trail	Avenue 2-Lane, divided	5'	None (fee in lieu for 1' sidewalk width)	53'	None
Thomas Road	Neighborhood Local	0	6' wide	31'	None

**CIRCULATION:** The Block perimeter standard is already met.

**STREETSCAPE:** Existing sidewalk is 5' in width. A fee-in-lieu will be charged for 1' of sidewalk. Street trees will be placed behind the existing sidewalk in the right-of-way. A Design Adjustment has been approved. The applicable streetscape for both Lake Boone Trail and Thomas Road is residential. (8.5.2 )

**TRANSIT:** This site is presently not served by the existing transit system.

**COMPREHENSIVE PLAN:** This site is located in the Glenwood Advisory Council in an area designated as low density residential.

**SUBDIVISION STANDARDS:**

**LOT LAYOUT:** The minimum lot size in R-4 zoning district is 10,000 square feet. The minimum lot depth in this zoning district is 100 feet. The minimum lot width of an interior lot in this zoning district is 65 feet. Lots in this development conform to these minimum standards with variances as granted by the Board of Adjustment. A request for a 9' minimum lot depth variance, and an 11.5' minimum lot width variance pursuant to section 2.2.1 of 10A Unified Development Ordinance was granted by the Board of Adjustment. (A-50-16)

**PUBLIC UTILITIES:** City water and sewer services are available. The subdivider is responsible for installation of all lines necessary to provide service to this site.

**SOLID WASTE:** Individual lot service by the City is to be provided.

**BLOCKS / LOTS / ACCESS:** Block perimeters, lot arrangement and access conform to Chapter 8 of the UDO. A fee for street signs is required in accordance with the Raleigh Street Design Manual.

**PEDESTRIAN:** Proposed sidewalk locations conform to City regulations. A sidewalk is required along Lake Boone Trail and Thomas Road. A 5' wide sidewalk exists along Lake Boone Trail, the additional 1' sidewalk width will be met via a fee in lieu. A 6' wide sidewalk is proposed for Thomas Road.



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

**STORMWATER  
MANAGEMENT:** This site is not subject to stormwater management controls in accordance with or Article 9 chapter 2 of the Unified Development Ordinance. The site is claiming exemption 3 per UDO 9.2.2.A, as amended by TC-6-15. Proposed stormwater control measures are shown in accordance with the Raleigh Stormwater Control and Watercourse Buffer Manual.

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

**STREET NAMES:** No new streets are being proposed with this development.

**OTHER  
REGULATIONS:** Developer shall meet all City requirements, including underground utility service, flood protection measures, and the soil erosion ordinance, unless specifically varied by this approval.

**SUNSET DATES:** If significant construction has not taken place on a project after preliminary subdivision approval, that approval may "sunset" and be declared void, requiring re-approval before permits may be issued. To avoid allowing this preliminary approval to "sunset", the following must take place by the following dates:

**3-Year Sunset Date:** 7-5-2019

Record entire subdivision.

**WHAT NEXT?:**

- MEET ALL CONDITIONS OF APPROVAL.
- COMPLETE INFRASTRUCTURE CONSTRUCTION DRAWINGS FOR ANY PUBLIC IMPROVEMENTS Streets, Utility lines to be owned and maintained by the City. and submit them to the Development Plans Review Center for approval.
- HAVE A REGISTERED SURVEYOR PREPARE FINAL PLATS FOR RECORDING. These also must be submitted to the Development Plans Review Center for authorization signature prior to recording with the Wake County Register of Deeds.
- MEET THE REQUIREMENTS OF THE SUNSET THRESHOLDS AS NOTED ABOVE.

**FACILITY FEES  
REIMBURSEMENT:**

If oversized street construction takes place, or greenway or oversized public street right-of-way is conveyed to the public, the owner is responsible for application to the City for reimbursement allowed by Code. Reimbursement takes place twice a year in January and July; a written request must be filed with the Planning Department for greenway and street right-of-way; and in the Public Works Department for street construction; by the first working day in November and May each year.