ORDINANCE (2007) 261 ZC 605

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH.

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same if hereby amended as follows:

1. **Z-16-07 – Buffaloe Road** on the north side of Buffaloe Road, west of Old Milburnie Road, being Wake County PIN 1746628360. Approximately 55.78 acres rezoned to Residential-6 Conditional Use.

   Conditions: 06/26/07

   - **a.** Residential density shall not exceed 5 dwelling units per acre.
   - **b.** There shall be no more than: (i) one (1) public street access onto Buffaloè Road from the Property; (ii) one (1) public street access onto Old Milburnie Road from the Property.
   - **c.** Development of the Property shall be limited to single family detached dwelling units and any accessory uses allowed in R-6 districts, under Section 10-2071 of the City Code.
   - **d.** Buildings constructed upon the Property shall not exceed the lesser of thirty five (35) feet in height or three (3) occupied stories.
   - **e.** No connection of any road on the Property to Phlox Road will be made unless required by the City of Raleigh or State of North Carolina in connection with or as a requirement for rezoning, subdivision or site plan approval for the Property or in connection with the annexation of all or part of the Property or the Ivy Ridge Subdivision into the City of Raleigh or otherwise.
   - **f.** Lots along the west property line abutting the R-4 zoned lots located on Ivy Ridge subdivision, having PIN No. 1746519833 (Lot 24. DB 11077, Page 1820), 1746529343 (Lot 23, DB 6980, Page 455), 1746527667(Lot 19, DB 8110, Page 1845), 1746526818 (Lot 18, DB 7159, Page 853). and Lots along the east property line abutting Old Milburnie Road or the R-4 zoned lot located on Old Milburnie Road having PIN No. 1746816700 (DB WL-4, Page 33) shall have a minimum size of 9,000 square feet.
   - **g.** Dwellings constructed after the adoption of this zoning ordinance upon lots along the west property line abutting the R-4 zoned lots in the Ivy Ridge subdivision, having Pin Nos. 1746519833 (Lot 24, DB 11077, Page l820), 1746529343 (Lot 23, DB 6980, Page 455), 1746527667 (Lot 19, DB 8110, Page 1845), 1746526818 (Lot 18, DB 7159, Page 853), shall have a minimum floor area gross square footage in the principal building of 2,500 square feet.
   - **h.** Any dwellings constructed on the Property shall be constructed upon either a crawl space or a full or partial basement.
   - **i.** Homes constructed on Lots along the west property line abutting the R-4 zoned lots located in Ivy Ridge Subdivision, having PIN Nos. 1746519833 (Lot 24, DB

11077, Page 1820), 1746529343 (Lot 23, DB 6980, Page 455), 1746527667(Lot 19, DB 8110, Page 1845), 1746526818 (Lot 18, DB 7159, Page 853), and Lots along the east property line abutting the R-4 zoned lot located on Old Milburnie Road PIN No. 1746816700 (DB WL-4, Page 33) shall not contain any vinyl or masonite siding.

j. One offer of cross access will be made to the manufactured housing zoned parcel (Pippin Properties) having PIN No. 1746635571 (DB 8818, Page 671) on the north property line of the Property, one offer of cross access will be made to the Watkins parcel, PIN No. 1746816700 (DB WL-4-033) abutting the east property line of the Property, and one offer of cross access will be made to property now or formerly owned by Vision Baptist Church, Inc., PIN No. 1746619306 (DB 10286, P 1824) abutting the south property line of the Property.

k. Reimbursement for additional right-of-way dedications along Buffaloe Road and Old Milburnie Road shall be at the Residential-4 District values.

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extend of such conflict.

Section 3. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

Section 4. That this ordinance shall become effective upon the date of adoption.

Adopted: July 10, 2007
Effective: July 10, 2007

Distribution: Planning Department (3)
City Attorney
Inspections Department (5)
Transcription Services – Taylor