

ORDINANCE 371 ZC 436
EFFECTIVE 7/7/98

Z-45-98 Lynn Road, north side, between Magnolia Court, and Lead Mine Road, being Wake County Tax Map parcel 1707.13 02 4668. Approximately one acre rezoned to Residential-6 Conditional Use.

Conditions: (06/23/98)

A. The property will be developed in accordance with Planning Commission Certified Requirement 7107.

B. Right-of-way required to be dedicated for future improvements to adjacent roadways shall qualify for reimbursement at R-4 values.

C. Site plans for construction, other than for a single detached residence, on the subject property shall include a tree protection area to be established from forty-five (45') of the center line of existing Lynn Road with an average width of twenty-five feet (25') (twenty feet minimum) shall be maintained along the subject property's frontage on Lynn Road. With the exception of a single drive entrance/exit on Lynn Road, the area will remain undisturbed except for:

1. Storm drainage facilities, erosion control devices, electric, telephone, cable television and similar installations (fiber optic cable, etc.), gas and/or water, sanitary sewer installations, and similar utilities approved by the appropriate local government authority. Any such construction shall be underground and designed and undertaken so as to create as little disturbance of the area as possible while still honoring public service, health and safety requirements.
2. The planting of new vegetation, construction of fences, walls, berms or similar construction which tends to enhance the area's visual appeal, or sight and noise screening characteristics.
3. Treatment or removal of nuisance or diseased vegetation as certified by city arborist or other public official designated by the Raleigh city manager. To illustrate, but not limit, the foregoing: Trees which encroach upon property boundaries or whose limbs hang over adjacent properties, overhead electric lines, streets or drives may be removed; pine trees infested with or threatened by pine bark beetles or similar pests be removed.