

Z-61-99 Duraleigh Road, east side, north of Weaver Drive, west of Kilkenny Place, being Wake County Tax Map Parcel 0786.15 54 8070. Approximately .38 acre rezoned to Office & Institution-1 Conditional Use.

Conditions: (8/18/99)

A. The existing building shall remain and the character of this and any additional construction shall remain residential in appearance (Existing building is 2,036 sq. ft. with a 28'x82' footprint, frame and brick with a pitch roof and casement windows). Any renovation, maintenance, or new construction, including rebuilding in the event of destruction of the present structure, will be of residential character with a sloped roof with a peak and minimum pitch of 4/12, clapboard, aluminum, vinyl, or brick siding, and not to exceed 30 feet in height.

B. Any development of this property, whether by renovation or reconstruction, will be limited to a maximum floor area ratio(FAR) of 0.33 (not the 0.75 ratio allowed by O&I-1).

C. The following uses, otherwise permissible within O&I-1 zoning classification, will not be allowed on this property:

1. telecommunications or wireless communications tower
2. retail sales of all types
3. adult establishment
4. day care facility
5. correctional facility
6. veterinary office/hospital, kennel or cattery
7. power plant or electric utility substation
8. eating establishment
9. dance studio
10. rooming house, boarding houses, lodging/tourist home
11. church
12. outdoor pay phones or paging system
13. transitional housing except supportive housing residence.
14. group housing development, multi-family dwelling
15. cemetery, funeral home, crematory
16. parking lot, parking deck, parking garage as a principle use.
17. school
18. public library
19. radio and television studio
20. landfill
21. recreation use of any type or athletic club
22. hospital, nursing home, rest home, or 24 hour medical facility.
23. bank, ATM facility
24. civic club
25. agriculture uses of any type

D. Trees over ten inches (10") in diameter located within the side yard setbacks will be actively protected during any grading or construction on the site in accordance with the City Code section 10-2082.5(f)(2). All other trees on property over ten inches (10") in diameter will remain and similarly be protected unless their removal is deemed necessary for parking, access to property, health of remaining trees/plants, or general safety of persons/property.

E. If additional right-of-way (not exceeding ten (10') in width) is taken by the government for improvements to adjacent roadways, the property owner will be compensated and/or reimbursed at R-4 land values.

F. Any redevelopment shall comply with Planning Commission CR 7107.

G. Off-street parking will comply with City Code Section 10-2081 and will be landscaped in accordance with section 10-2082.