

Z-97-95 Ray Road, southwest side, between Laurel Mountain Road and Willow Bend Lane (Extension) just south across Ray Road from Wheatstone Drive, being a portion of Parcel 5237, Map 0787.08, Block 89. Approximately 10.4 acres rezoned to Residential-10 Conditional Use.

Conditions: (11/28/95)

1. Development of the requested R-10 CUD area of Parcel 0787.08 89 5237 will comply with the provisions of CR 7107 of the City of Raleigh Planning Commission.
 2. Development of the R-10 CUD zoned property will be limited to the following allowable uses in the R-10 district as set out in Code Section 10-2071.
 - a. Agriculture uses except temporary events;
 - b. All recreational uses that are non-governmental, not for profit;
 - c. All recreational uses that are governmental, except outdoor stadium/ theater/ amphitheater/ race track, rifle ranges and temporary events;
 - d. All residential land uses except rooming house, boarding house, lodging house or tourist home, temporary events and transitional housing.
 - e. The following institutional/civic/services uses; civic club, accessory structure, church, school, day care facility with 50 or less enrolled.
 - f. The following commercial uses: Bed & Breakfast Inn, Christmas tree, greens and ornamental outdoor display area sales during the month of December.
 - g. The following industrial uses: Reservoir and water control structures and utility services.
 - h. Accessory uses.
- C. Cluster unit developments will not exceed 4 units per acre but will still utilize R-10 lot standards.
- D. Single Family detached/group housing/multi-family/townhouse/condominium development will not exceed 4 units per acre.
- E. Undisturbed yard areas - Will be provided as set forth below along Ray Road and Hare Snipe Creek:
- a. A forty (40) foot wide undisturbed yard area shall be preserved along the proposed additional ten (10) feet of right-of-way for Ray Road. Right-of-way required beyond ten (10) additional feet of width will reduce the width of this yard area. The undisturbed yard area shall begin at the property line shared by Parcels 787.08 98 5947 and 0787.08 89 5237 and it will extend northwestward for a distance of 1125 feet Northwest along Ray Road as shown on Exhibit A.

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b. An eighty (80) foot wide undisturbed yard area shall be preserved on the East side of Hare Snipe Creek as shown on Exhibit A.

For these yard areas the term "Undisturbed" shall mean: No grading or removal of vegetation and no use of the yards for parking or structures except as follows:

1. Construction easements for road widening and related utilities;
2. Utility services as defined in Code Section 10-2002 and related easements;
3. Storm drainage facilities (pipes, ditches, etc.) including detention devices required to meet Condition A above and related easements;
4. Tree and shrub plantings along with walls or fences to complete required transitional protective yard standards as set forth in the City's Landscape Ordinance;
5. Removal of dead, diseased or damaged plant materials that pose safety hazards; and,
6. Thinning of underbrush and seedlings approved by the City's Zoning Enforcement Supervisor to create a well kept woodland, or natural area, appearance.

F. The additional ten (10) feet of right-of-way for Ray Road from the zoned area shall remain at R-4 values for reimbursement purposes.