



Planning & Development

Zoning Division
 One Exchange Plaza, Suite 300
 Raleigh, North Carolina 27601
 Phone 919-996-2626

City of Raleigh Official Zoning Code Interpretation

Requested Interpretation		Case Number
A. Are the Subdivision lots associated with S-5-2014 interior or corner lots? B. What properties should be utilized to calculate the setbacks required in Section 2.2.7.(C) for S-5-2014? C. What is the minimum and maximum setback for the lots created by S-5-2014?		UI-10-2014
Site Address/PIN: 2021 Prescott Place/1717769353 000		
Date Submitted: June 26, 2014	Date Issued: July 23, 2014	Code Sections Affected: Sec. 2.2.7(C)

STAFF ANALYSIS

- A. The lots in question only have frontage on one street. Corner lots have frontage on multiple streets.
- B. Case S-5-12 is a request to subdivide one lot into two lots. The property is surrounded by residential single-family development. Section 2.2.7. B provides the applicable standards for residential infill compatibility. In assessing the applicable lots used to determine compliance with the street setback regulations at the time of building permit review, staff would begin by classifying the resulting lots as "interior lots." Section 2.2.7.C states that interior lots shall utilize the setbacks of the two closest lots in either direction along the block face. The lots are to be measured on the basis of the two closest lots in either direction; in this instance two lots to the west and two lots to the east. The parent parcel is located one lot from a corner lot. The lot on the corner of Inverness Court and Prescott Place would be utilized as one of the adjacent lots to the West.
- C. Setbacks are reviewed and approved as part of a building permit. As the code is always subject to future text changes and amendments, it is not prudent to record setbacks with a subdivision because the regulations could change over time and the recorded setbacks could be invalid if the code were changed. Also, the infill context could change over time as building activity occurs on neighboring parcels. The current context at the time of permitting is what is factored in whenever a permit subject to Section 2.2.7 is being reviewed.

STAFF INTERPRETATION

- A. The subdivision lots associated with S-5-12 (proposed lots 1 & 2) are considered interior lots.
- B. The calculation of "street setbacks" cannot be applied to at least 4 lots on an interior lot, therefore any buildings constructed on the resulting 2 lots associated with S-5-14 must meet the district standards. The easternmost resulting lot, shown as Lot 2 in S-5-14 could potentially be subject to the street setback standards of Section 2.2.7 if the westernmost lot, Lot 1, had a building constructed or permitted for it in advance of Lot 2 applying for permits.
- C. Building setbacks are determined as part of a building permit application.

SIGNATORY

Travis R. Crane, Planning and Zoning Administrator