



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-86-15

Property Address: 706 Colleton Road

Property Owner: Habitat Improvements LLC & Tephra Development, LLC

Project Contact: Isabel Mattox

Nature of Case: A request for two 2.54' variances in the minimum lot width requirements for detached house lots set forth in Section 2.2.1 of the Part 10 A Unified Development Ordinance in order to subdivide a .21 acre parcel into two 42.4' wide lots zoned Residential-10 and located at 706 Colleton Road.



706 Colleton Road – Location Map

To BOA: 10-12-15

Staff Coordinator: Eric S. Hodge, AICP

ZONING
DISTRICTS: Residential-10



706 Colleton Road – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-10

Lot Dimensions

Area (min)	4,000 SF
Width – interior lot (min)	45'
Width – corner lot (min)	60'
Depth (min)	60'
Density (max)	10 u/a'

<u>Yard Type</u>	<u>Minimum Setback</u>
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	10'
Rear	20'



Planning & Development

Development Services
 Customer Service Center
 One Exchange Plaza
 1 Exchange Plaza, Suite 400
 Raleigh, North Carolina 27601
 Phone 919-996-2495
 Fax 919-516-2685

Variance Application

	OFFICE USE ONLY
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) SEE ATTACHED ADDENDUM.	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address 706 Colleton Road	Date Sept. 11, 2015	
Property PIN 1714520545	Current Zoning R-10	
Nearest Intersection Colleton Road and Brighton Road	Property size (in acres) .21 Acres	
Property Owner Habitat Improvements LLC and Tephra Development LLC	Phone	Fax
	Email	
Project Contact Person Isabel Worthy Mattox	Phone 919-828-7171	Fax 919-831-1205
	Email Isabel@mattoxfirm.com	
	Email	
Property Owner Signature HABITAT IMPROVEMENT LLC By: _____	Email	
Notary Sworn and subscribed before me this _____ day of _____, 20____	Notary Signature and Seal	

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.

Property Owner Signature:
 TEPHRA DEVELOPMENT LLC
 By: Stuart Cullinan
 STUART COLLINAN, MANAGER

Notary Signature and Seal
 Sworn and subscribed
 before me this 10 day of September, 2015
Andrew M. Molina
 Notary Public
 Andrew M. Molina

VARIANCE NO. _____ DATE OF APPLICATION _____ ANDREW M. MOLINA Notary Public Wake Co., North Carolina My Commission Expires Feb. 11, 2020
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	Email Isabel@mattoxfirm.com	
Property Owner Signature HABITAT IMPROVEMENT LLC By: <i>[Signature]</i>	Email	
Notary Sworn and subscribed before me this <u>10</u> day of <u>September</u> , 2015.	Notary Signature and Seal <i>[Signature]</i>	
	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> JONATHAN E CHEWNING Notary Public, South Carolina My Commission Expires November 18, 2015 </div>	

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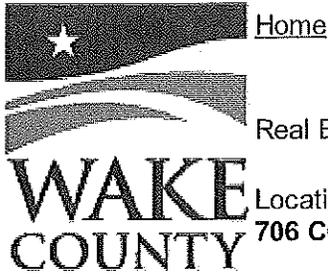
Property Owner Signature:
 TEPHRA DEVELOPMENT LLC
 By: _____

Notary Signature and Seal
 Sworn and subscribed _____
 before me this ____ day of _____, 2015.

 Notary Public

ADDENDUM
To
Variance Application
706 Colleton Road

Applicant requests two (2) 2.54-foot variances in the minimum lot width for detached houses in the R-10 zoning district for 2 lots (proposed Lots 52 and 53) to be created under a proposed subdivision in order that such lots will be permitted to be 42.40 feet in width rather than 45 feet in width.

[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)
Real Estate ID **0007185** PIN # **1714520545**
[Account Search](#)

 Location Address
706 COLLETON RD

 Property Description
LO52 WINDSOR PARK
[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

For real estate accounts created or new construction built after January 1, 2015: Property values are under review for tax year 2016. Land and building values on these properties will reflect an assessment based on the January 1, 2008 Schedule of Values until late 2015 or early 2016 at which time the January 1, 2016 revaluation values for both land and buildings will be available.

Property Owner HABITAT IMPROVEMENT LLC TEPHRA DEVELOPMENT LLC (Use the Deeds link to view any additional owners)		Owner's Mailing Address 310 HECK ST RALEIGH NC 27601-1214		Property Location Address 706 COLLETON RD RALEIGH NC 27610-1660	
Administrative Data Old Map # 525-00000-0112 Map/Scale 1714 15 VCS 01RA512 City RALEIGH Fire District Township RALEIGH Land Class VACANT ETJ RA Spec Dist(s) Zoning R-10 History ID 1 History ID 2 Acreage .21 Permit Date 5/18/2011 Permit # 0000092528		Transfer Information Deed Date 8/20/2013 Book & Page 15412 1646 Revenue Stamps 46.00 Pkg Sale Date Pkg Sale Price Land Sale Date 8/20/2013 Land Sale Price \$23,000		Assessed Value Land Value Assessed \$16,800 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$16,800 Assessed*	
		Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area			

*Wake County assessed building and land values reflect the market value as of January 1, 2008, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2008 values will remain in effect until the next county-wide revaluation, which begins January 1, 2016. Until that time, any real estate accounts created or new construction built is assessed according to the 2008 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

Real Estate ID **0007185**

PIN # **1714520545**

Account Search

Location Address
706 COLLETON RD

Property Description
LO52 WINDSOR PARK

[Pin/Parcel History](#) [Search Results](#) [New Search](#)



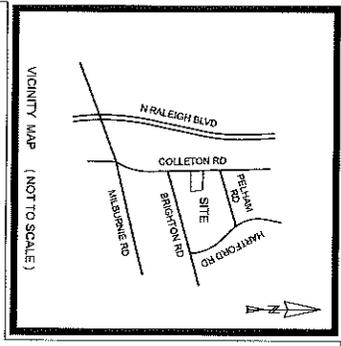
[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address 706 COLLETON RD	Building Description 01RA512	Card 01 Of 01
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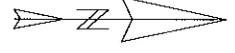
Bldg Type Units Heated Area Story Height Style Basement Exterior Const Type Heating Air Cond Plumbing	Year Blt Addns Int. Adjust. Other Features	Eff Year Remod	Base Bldg Value Grade Cond % Market Adj. Market Adj. Accrued % Incomplete Code Card 01 Value All Other Cards Land Value Assessed \$16,800 Total Value Assessed \$16,800
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Main and Addition Summary					Other Improvements					
Story	Type	Code	Area	Inc	Units	DesItem	Code	Year %ADJ	Inc	Value
M										
A										
B										
C										
D										
E										
F										
G										
H										

Building Sketch	Photograph 12/6/2011  0007185 12/06/2011
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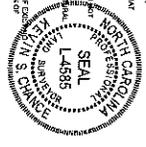


D.B. 12687, PG. 1331



- REFERENCES:
1. DB 15412, PG 1646
 2. BM 1946, PG 5
 3. PIN 1714.15-52-0545

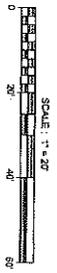
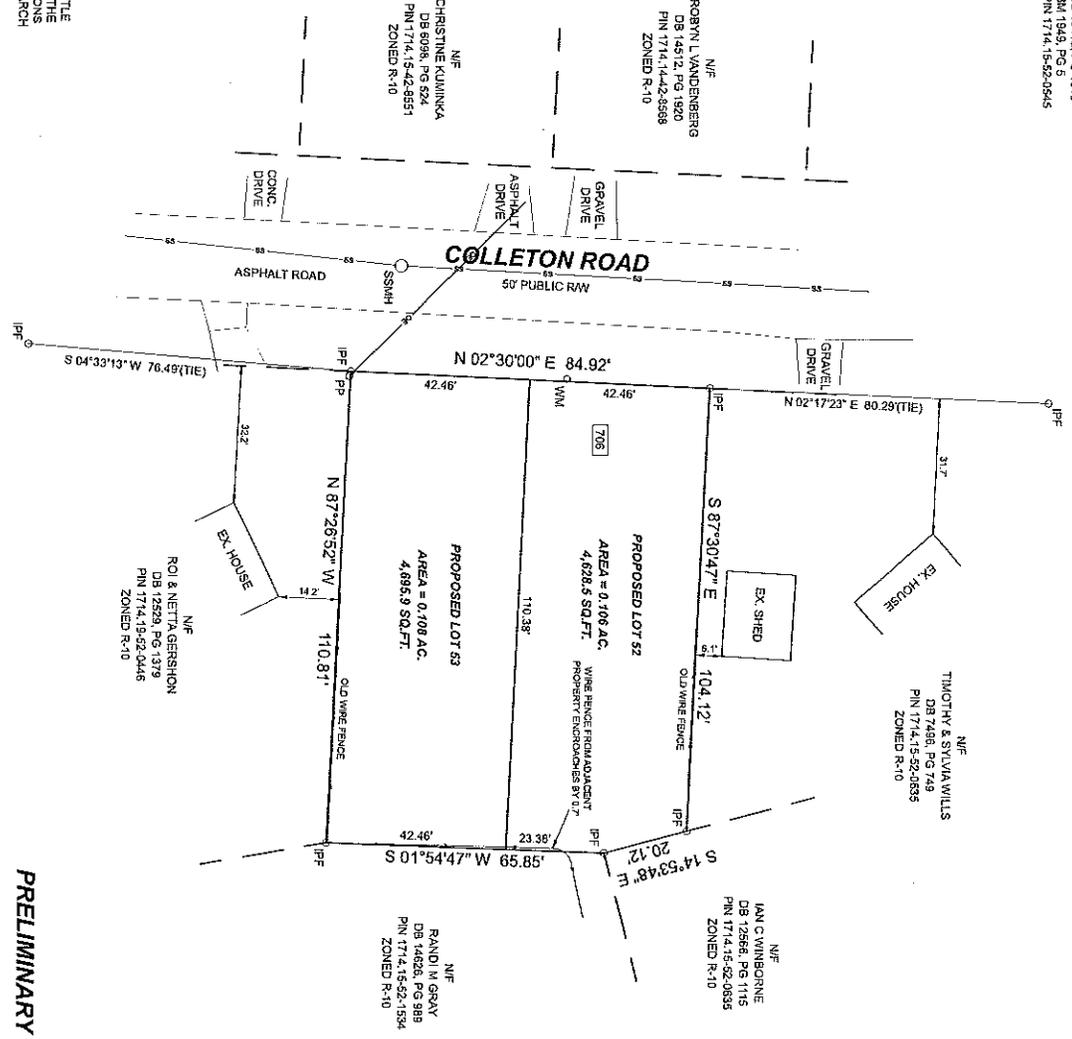
STATE OF NORTH CAROLINA
 WAKE COUNTY
 I, KEVIN S. CHANCE, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION. I CERTIFY THAT THE RATIO OF REDUCTION AS CALCULATED BY LENGTHS AND BEARINGS IS 1:10,000 - THAT THE BOUNDARIES AND INTERIORS OF THE PROPOSED LOTS SHOWN ON THIS MAP WERE MEASURED AND CALCULATED FROM THE SURVEY DATA AND THAT THE SURVEY WAS PREPARED IN ACCORDANCE WITH G.S. 42-40 THROUGH 42-49 AND 42-50 THROUGH 42-59. I AM A LICENSED SURVEYOR IN WAKE COUNTY, NORTH CAROLINA, LICENSE NO. L-4585 (N.C.).



ROBYN L. VANDENBERG
 DB 14512, PG 1920
 PIN 1714.14-42-8588
 ZONED R-10

CHRISTINE KUJINIKA
 DB 8098, PG 624
 PIN 1714.15-42-9851
 ZONED R-10

- NOTES:
1. THIS SURVEY PERFORMED AND MAPPED WITHOUT THE BENEFIT OF A TITLE SEARCH BY A LICENSED NORTH CAROLINA REAL ESTATE ATTORNEY. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY FACTS AND/OR OMISSIONS (SUCH AS EASEMENTS, ETC.) THAT MAY BE REVEALED BY A TITLE SEARCH BY A LICENSED NORTH CAROLINA REAL ESTATE ATTORNEY.
 2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 3. ALL N.C.G.S. MONUMENT FOUND WITHIN 200'.
 4. SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE X (AREAS DETERMINED BY THE FEDERAL GOVERNMENT'S 24 ANNUAL CHANCE AND FUTURE CONDITIONS FLOOD ANALYSIS (FLOOD), SEE PLAN K212017-4501, EFFECTIVE DATE MAY 2, 2006).
 5. SUBJECT PROPERTY ARE ZONED R-10 (PER WAKE COUNTY GIS).



PRELIMINARY MAP
 NOT FOR SALES, CONVEYANCES OR RECORDING

PRELIMINARY MAP
 NOT FOR SALES, CONVEYANCES OR RECORDING

6900 FIELD HILL ROAD
 RALEIGH, NORTH CAROLINA - 27603
CHANCE SURVEYING CO., P.A.
 LICENSE NO. C-2964
 PHONE (919) 329-5795
 www.chancesurveying.com
 EMAIL: kchance@nc.rr.com

SHEET: 1
 OF: 1

TITLE:
 PROPOSED SUBDIVISION OF
WINDSOR PARK, LOT 52
 RALEIGH TOWNSHIP - WAKE COUNTY - NORTH CAROLINA

DATE	REVISIONS	BY

DATE: 03 SEPTEMBER 2015
 SCALE: 1" = 20'
 DRAWN BY: KSC
 CHECKED BY: KEVIN S. CHANCE
 FILE NAME: Windsor Park Lot 52.dwg

ZIEVERINK, WILLIAM F
PIN 1714428249
2041 MILBURNIE RD
RALEIGH NC 27610-2211

PEEBLES, MIKIYA M
PIN 1714428450
PO BOX 14651
RALEIGH NC 27620-4651

JACKSON, PREASLEY R
PIN 1714428466
705 COLLETON RD
RALEIGH NC 27610-1659

KUMINKA, CHRISTINE
PIN 1714428551
PO BOX 1715
MEDIA PA 19063-8715

VANDENBERG, ROBYN L
PIN 1714428568
713 COLLETON RD
RALEIGH NC 27610-1659

HENDERSON, ESKABONNA ENRIQUE
PIN 1714428665
717 COLLETON RD
RALEIGH NC 27610-1659

BARRETT, KEVIN
PIN 1714428754
801 COLLETON RD
RALEIGH NC 27610-1657

SCHRADER, MICHAEL JOHN
PIN 1714520246
5862 FARINGDON PL STE 1
RALEIGH NC 27609-4582

GERSHON, ROI EISNER, NETTA L
PIN 1714520446
9601 ALLSBROOKE DR
RALEIGH NC 27613-7701

HABITAT IMPROVEMENT LLC
TEPHRA DEVELOPMENT LLC
PIN 1714520545
310 HECK ST
RALEIGH NC 27601-1214

WILLS, TIMOTHY WILLS, SYLVIA
PIN 1714520635
4705 PARR VISTA CT
RALEIGH NC 27612-7076

SMITH, SANDRA R SMITH &
CHARLES G
PIN 1714520841
800 COLLETON RD
RALEIGH NC 27610-1658

WILSON, NICOLE D
PIN 1714521322
604 BRIGHTON RD
RALEIGH NC 27610-1606

JARRETT, BECKIE M
PIN 1714521383
123 MONTGOMERY ST
RALEIGH NC 27607-4057

GRAY, RANDI M
PIN 1714521534
605 BRIGHTON RD
RALEIGH NC 27610-1605

WOLFORD, BRIAN A
PIN 1714521595
609 BRIGHTON RD
RALEIGH NC 27610-1605

WINBORNE, IAN C
PIN 1714521605
PO BOX 1450
OXFORD NC 27565-1450

STROTH, APRIL DAWN
PIN 1714521668
2108 PELHAM RD
RALEIGH NC 27610-1630

SCHRADER FAMILY LIMITED
PARTNERSHIP
PIN 1714522344
5862 FARINGDON PL STE 1
RALEIGH NC 27609-4582