



## Board of Adjustment Case Report

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

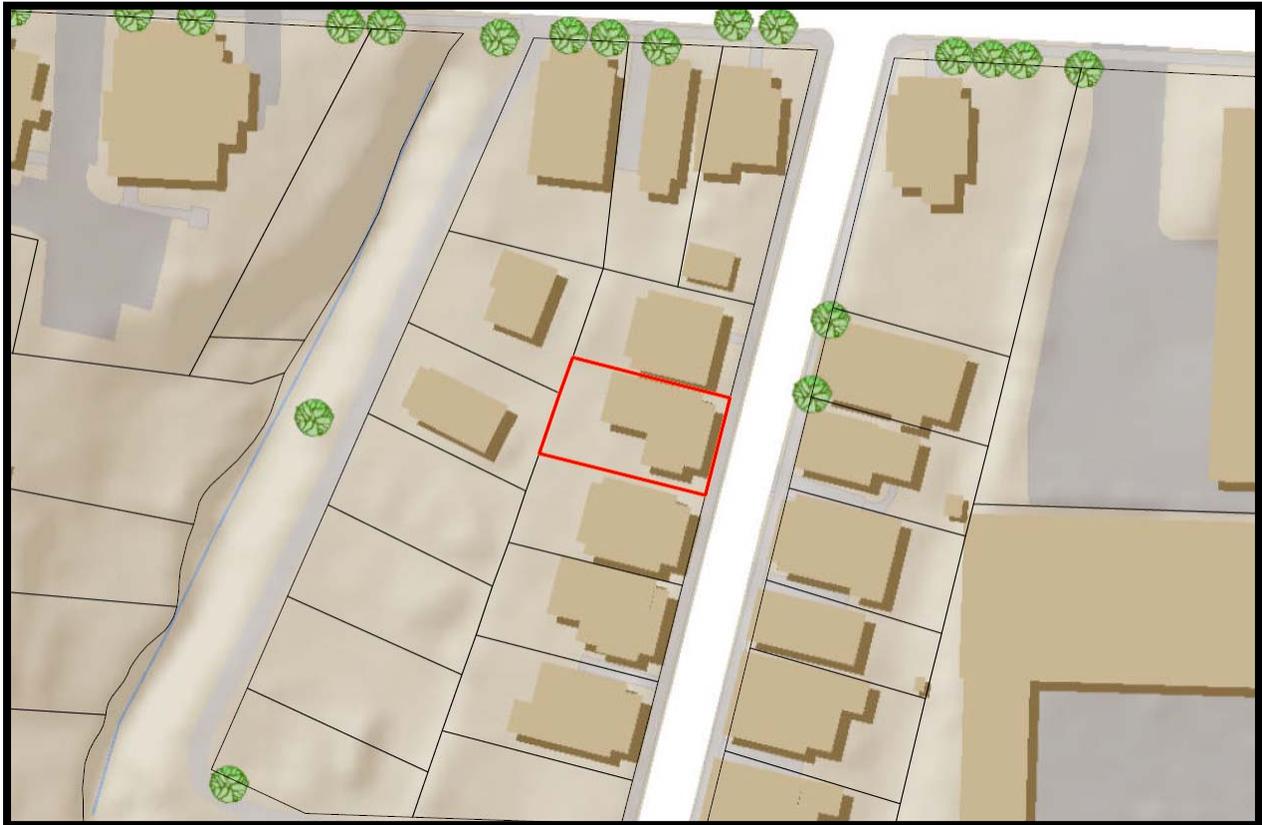
**Case File:** A-34-16

**Property Address:** 506 S. Saunders St.

**Property Owner:** Anna Lynch & Jerry Williamson

**Project Contact:** Anna Lynch

**Nature of Case:** A request for a 1.4' northern side yard setback variance to legalize and extend an existing detached house to the rear, a 1' sum of side yards setback variance to legalize and extend an existing detached house to the rear and an 11' rear yard setback variance to expand the existing detached house to the rear pursuant to section 2.2.1. of the Part 10A Unified Development Ordinance that results in a 3.6' side yard setback, a 9' aggregate side yard setback and a 9' rear yard setback on a .06 acre property zoned Residential Mixed Use-3.

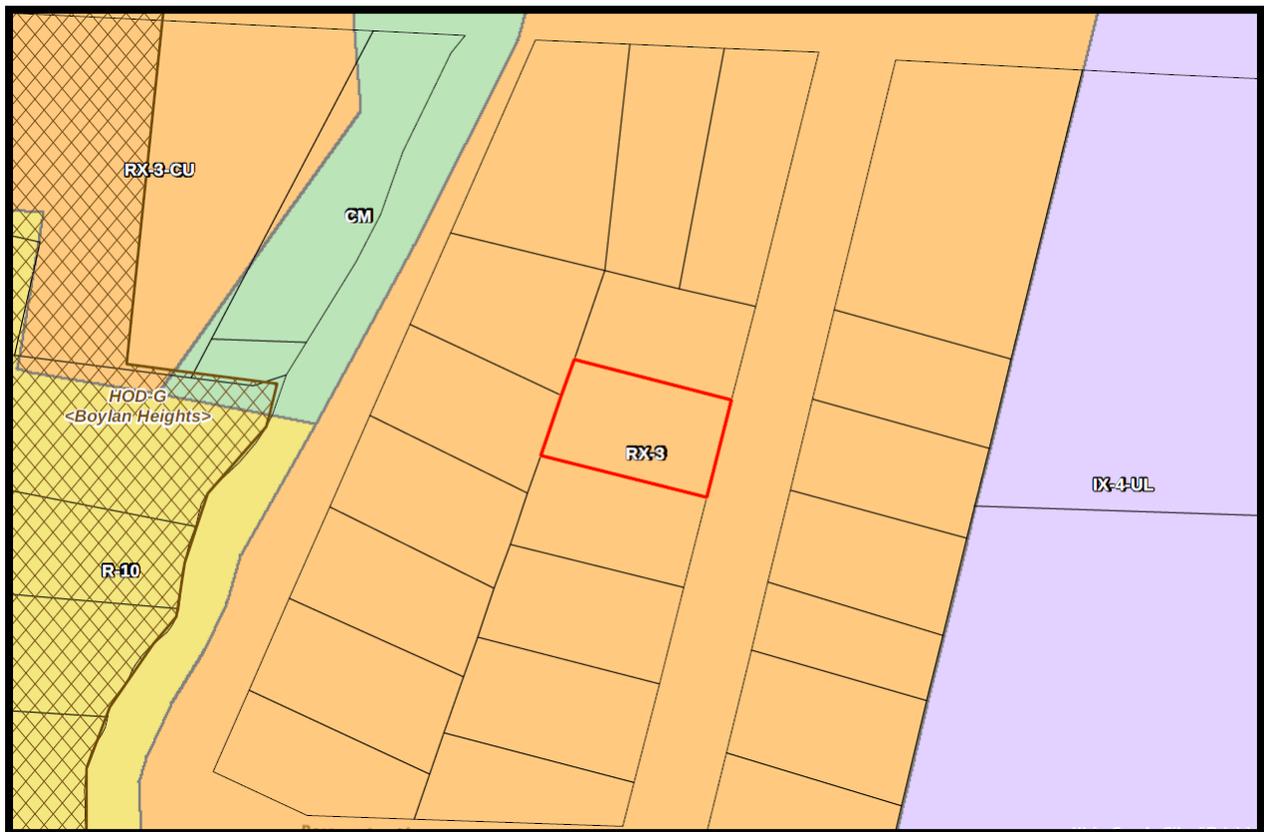


**506 S. Saunders Street – Location Map**

To BOA: 3-14-16

Staff Coordinator: Eric S. Hodge, AICP

**ZONING DISTRICTS:** Residential Mixed Use-3



**506 S. Saunders Street – 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 Mixed Use-3

<b>Lot Dimensions</b>	
Area (min)	4,000 SF
Width – interior lot (min)	45'

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

**Parking Requirements:** Single-unit Living – 2 spaces per unit









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# Wake County Real Estate Data Account Summary

[iMaps](#)  
[Tax Bills](#)

Real Estate ID **0080524** PIN # **1703464813**

[Account Search](#)

Location Address **506 S SAUNDERS ST** Property Description **LO9 PROP OF ALEX ROSENGARTEN BM1918-00050**

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

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

Property Owner <b>LYNCH, ANNA &amp; JERRY WILLIAMSON</b> (Use the Deeds link to view any additional owners)	Owner's Mailing Address <b>506 S SAUNDERS ST</b> <b>RALEIGH NC 27603-2156</b>	Property Location Address <b>506 S SAUNDERS ST</b> <b>RALEIGH NC 27603-2156</b>
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Administrative Data	Transfer Information	Assessed Value
Old Map # <b>C001-C0005-0019</b>	Deed Date <b>6/16/2010</b>	Land Value Assessed <b>\$85,000</b>
Map/Scale <b>1703 10</b>	Book & Page <b>13973 0800</b>	Bldg. Value Assessed <b>\$134,173</b>
VCS <b>01RA750</b>	Revenue Stamps <b>410.00</b>	Tax Relief
City <b>RALEIGH</b>	Pkg Sale Date <b>6/16/2010</b>	Land Use Value
Fire District	Pkg Sale Price <b>\$205,000</b>	Use Value Deferment
Township <b>RALEIGH</b>	Land Sale Date	Historic Deferment
Land Class <b>R-&lt;10-HS</b>	Land Sale Price	Total Deferred Value
ETJ <b>RA</b>	<b>Improvement Summary</b>	Use/Hist/Tax Relief
Spec Dist(s)	Total Units <b>1</b>	Assessed
Zoning <b>R-20</b>	Recycle Units <b>1</b>	Total Value <b>\$219,173</b>
History ID 1	Apt/SC Sqft	Assessed*
History ID 2	Heated Area <b>852</b>	
Acreage <b>.06</b>		
Permit Date <b>7/29/2009</b>		
Permit # <b>0000082086</b>		

\*Wake County assessed building and land values reflect the market value as of January 1, 2016, 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, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

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

Real Estate ID **0080524**

PIN # **1703464813**

Account Search

Location Address  
**506 S SAUNDERS ST**

Property Description  
**LO9 PROP OF ALEX ROSENGARTEN BM1918-00050**

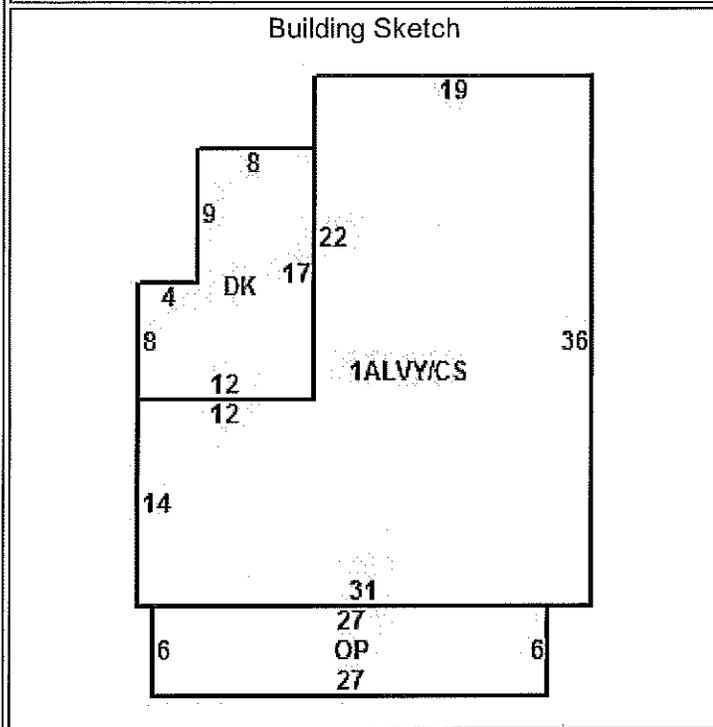
[Pin/Parcel History](#) [Search Results](#) [New Search](#)



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

Building Location Address <b>506 S SAUNDERS ST</b>		Building Description <b>01RA750</b>		Card <b>01</b> Of <b>01</b>	
Bldg Type	<b>01 Single Family</b>	Year Blt	<b>1920</b>	Eff Year	<b>2000</b>
Units	<b>1</b>	Addns		Remod	<b>1963</b>
Heated Area	<b>852</b>	Int. Adjust.			
Story Height	<b>1 Story</b>	Other Features			
Style	<b>Conventional</b>				
Basement	<b>Crawl Space</b>				
Exterior	<b>Aluminum Vinyl</b>				
Const Type					
Heating	<b>Central</b>				
Air Cond	<b>Central</b>				
Plumbing	<b>1.5 BATH</b>				
		Base Bldg Value			<b>\$86,274</b>
		Grade			<b>A 144%</b>
		Cond %			<b>A 90%</b>
		Market Adj.			<b>F 120%</b>
		Market Adj.			
		Accrued %			<b>108%</b>
		Incomplete Code			
		<b>Card 01 Value</b>			<b>\$134,173</b>
		All Other Cards			
		Land Value Assessed			<b>\$85,000</b>
		Total Value Assessed			<b>\$219,173</b>

Main and Addition Summary					Other Improvements					
Story	Type	Code	Area	Inc	Units	DesItem	Code	Year %ADJ	Inc	Value
M	1	ALVY/CS	852							
A		OP	162							
B		DK	168							
C		@								
D										
E										
F										
G										
H										



## 506 S. Saunders Street Improvements – Variance Hardship

2/11/16

### Proposed Improvement Summary:

We are proposing an addition that would extend 11.0' into the 20' rear setback, and would match the existing house's 1.4' encroachment into the north 5' sideyard setback. Also, the aggregate the two sideyards (for the existing structure) is 9.0'; the zoning code requires 10' total. This addition would allow the existing house to add a half bath (from 2 bedrooms/1.5 baths to 2 bedrooms/2 baths, closer to the majority of the nearby houses), and modernize the bedroom and closet areas to allow for more occupants to potentially live in the house. The neighbors are in favor of this addition.

### Hardship Reasoning

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 from the property.* **Hardship for the side setback:** the existing structure is over the side setback by 1.5 feet and needs to be made legal as-is; any addition along this line would need to jog inwards, which would add cost and reduce space within the addition. **Hardship for the rear setback:** a large existing tree precludes the owner from expanding within the existing setbacks, either out or up (second story). Additionally, the cross-access agreement does not allow use of the backyard for this property, hence the elevated addition above the existing parking area. The existing house is only 852 square feet; an elevated addition to the rear is the only direction that can reasonably be used for expansion.

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.* 100-year-old oak is directly adjacent to the house and covers the entire house footprint, unlike neighboring houses. This tree is in good health and is the only nearby large tree. Improvements have been designed to build in areas that will not harm the tree; a second story would not be an option due to the proximity of this tree over the house. Additionally, the rear cross-access agreement takes up nearly the entire back yard, which precludes the owners from using their rear yard area as "backyard" like other nearby neighbors. The rear addition will be on columns, elevated above the current parking spaces for this house, allowing us to maintain the vehicular access and parking areas for this lot and the adjacent neighbors.

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.* The existing structure and the tree are both over 100 years old. No other improvements are contributing to these issues.

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.* The existing vehicular access will be maintained. These improvements are consistent with other nearby improvements. Also, these improvements will increase potential density for this lot, which is a goal of downtown and this zoning classification in general.

# Rosengarten Park Architectural Review Committee

Project reviewed: 506 South Saunders Street addition

The Rosengarten Park Architectural Review Committee reviews all submitted plans and specifications showing the nature, kind, shape, height, materials, exterior colors, siding, location and elevations of the proposed improvements relative to their existing and future surroundings, as to be in harmony of external design and location in relation to surrounding structures and topography.

In accordance to Article V, Architectural Control, of the Declaration of Covenants, Conditions, Easements and Restrictions for Rosengarten Park, the Rosengarten Park Architectural Review Committee approves the submitted addition and renovation plans provided by Cadius Design for the residence at 506 South Saunders Street based on the following:

- While the addition has some modern external features that differ from the character of surrounding structures, they are focused on the rear and side of the house.
- The front facade of the house will remain the same and in character with the other homes in the neighborhood.
- New materials, such as siding and window framing, will blend with the existing materials, thus the design will remain in character with surrounding homes.
- The addition does not interfere with the vehicular cross-access easement on the rear of the property and meets all easement requirements under the neighborhood's covenants.

## Architectural Review Committee

Name

Signature

Date

Erin L. Wynia

Erin L. Wynia

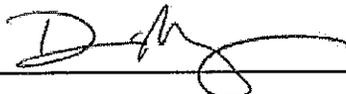
2.11.16

Ryan C. Smith

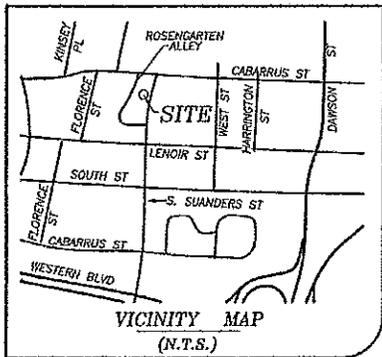


2/11/16

Dan Meyer



2/12/16



**FLOOD CERTIFICATION**

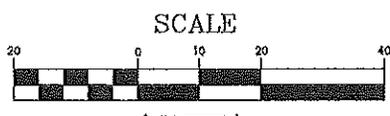
THIS WILL CERTIFY THAT THE SUBJECT PROPERTY ( ) IS or ( X ) IS NOT located in a SPECIAL FLOOD HAZARD AREA as determined by the Department of Housing and Urban Development, or as shown on the FLOOD INSURANCE RATE MAP.

370243 1703 J  
 COMMUNITY # PANEL SUFFIX  
 JEFFREY H. DAVIS  
 PROFESSIONAL LAND SURVEYOR

LOT 8

IMPERVIOUS AREA  
 HOUSE 880 SQ.FT.  
 DECK 210 SQ.FT.  
 PORCH 170 SQ.FT.  
 DR/WALK 940 SQ.FT.  
 TOTAL 2,180 SQ.FT.  
 81.6% IMPERVIOUS

**NOTES:**  
 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CITY OF RALEIGH AND NC DOT STANDARDS AND SPECIFICATIONS  
 FENCE CHANGES OWNERSHIP AT PROPERTY LINE  
 ACCESS, COURTYARD, & PARKING EASEMENTS PER DEED BOOK 13612 PAGES 2450-51 & DEED BOOK 13612 PAGES 2482-92

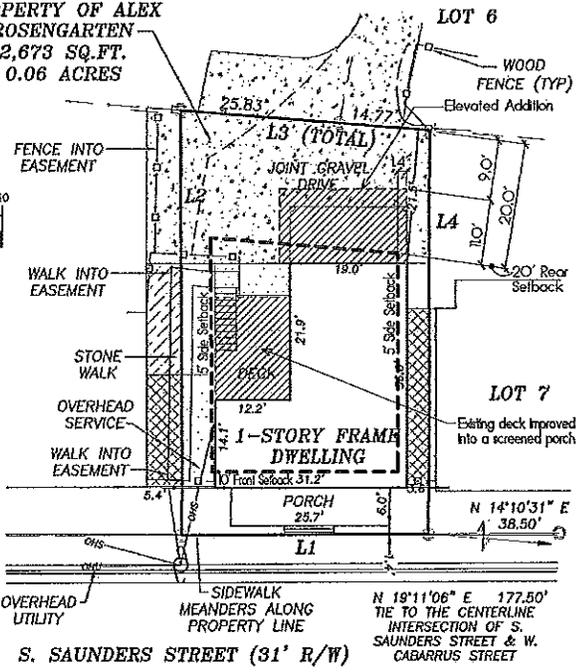


- LEGEND** N.C. GRID (NAD 83)
- EXISTING IRON PIPE
  - NEW IRON PIPE
  - ⊙ NAIL FOUND
  - ⊗ COMPUTED CORNER
  - POWER BOX
  - ⊠ TELE
  - ⊙ CATV
  - ⊙ LIGHT POLE
  - ⊙ UTILITY POLE
  - ⊙ FIRE HYDRANT

**NOTE:**  
 THIS PROPERTY DOES NOT LIE WITHIN 2000' OF A N.C.G.S. MONUMENT.  
 THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.

UTILITIES SHOWN ARE FOR REPRESENTATION ONLY AND NOT TO BE USED FOR PROPERTY LINE LOCATION  
 ALL CREEKS, EASEMENTS, BUFFERS, FLOOD LIMITS & SETBACKS TAKEN FROM BOM - 1918, PG 50

LOT 9  
 PROPERTY OF ALEX ROSENGARTEN  
 2,673 SQ.FT.  
 0.06 ACRES



S. SAUNDERS STREET (31' R/W)  
 SIDEWALK MEANDERS ALONG PROPERTY LINE  
 N 19°11'06" E 177.50' TIE TO THE CENTERLINE INTERSECTION OF S. SAUNDERS STREET & W. CABARRUS STREET

- COURTYARD AREA DB 13612 PAGES 2450-2481
- CROSS ACCESS EASEMENT DB 13612 PAGES 2482-2492
- COURTYARD EASEMENT DB 13612 PAGES 2482-2492
- PARKING EASEMENT DB 13612 PAGES 2482-2492

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.08'	S14°10'31"W
L2	68.10'	S75°51'32"E
L3	40.60'	N19°03'20"E
L4	64.65'	S75°31'46"E

I, Jeffrey H. Davis, PLS, certify this map was drawn under my supervision from an actual survey made under my supervision; and that the error of closure as calculated by latitudes and departures is  $\frac{1}{10,000+}$ ; that the boundaries not surveyed are shown as broken lines plotted from information found in Book -- ; Page -- ; that this map was prepared in accordance with G.S. 47-30 amended.

Witness my original signature, registration number and seal this 29TH day of JANUARY 2016.

Signed *Jeffrey H. Davis*



SITE PLAN CREATED 2-3-2016

PLAN INFORMATION BLOCK	
Footprint:	Total Square Feet:
Crawl:	Basement:
Mean Height:	Stories:
Facade:	
Impervious Surface Area:	

ANNA LYNCH  
 JERRY WILLIAMSON  
 LOT 9  
 PROPERTY OF ALEX ROSENGARTEN  
 506 S. SAUNDERS STREET  
 RALEIGH NORTH CAROLINA  
 DATE: 01-29-2016 DWG. No. A-19933  
 SCALE: 1" = 20'

**TURNING POINT SURVEYING PLLC**  
 4113 JOHN S. RABOTEAU WYND  
 RALEIGH, NORTH CAROLINA 27612  
 FAX (800)948-0213 PH (919)781-0234  
 License No: P-0121

C.N. = 23539  
 B.O.M. 1918  
 PAGE 50  
 WAKE CO. REG.

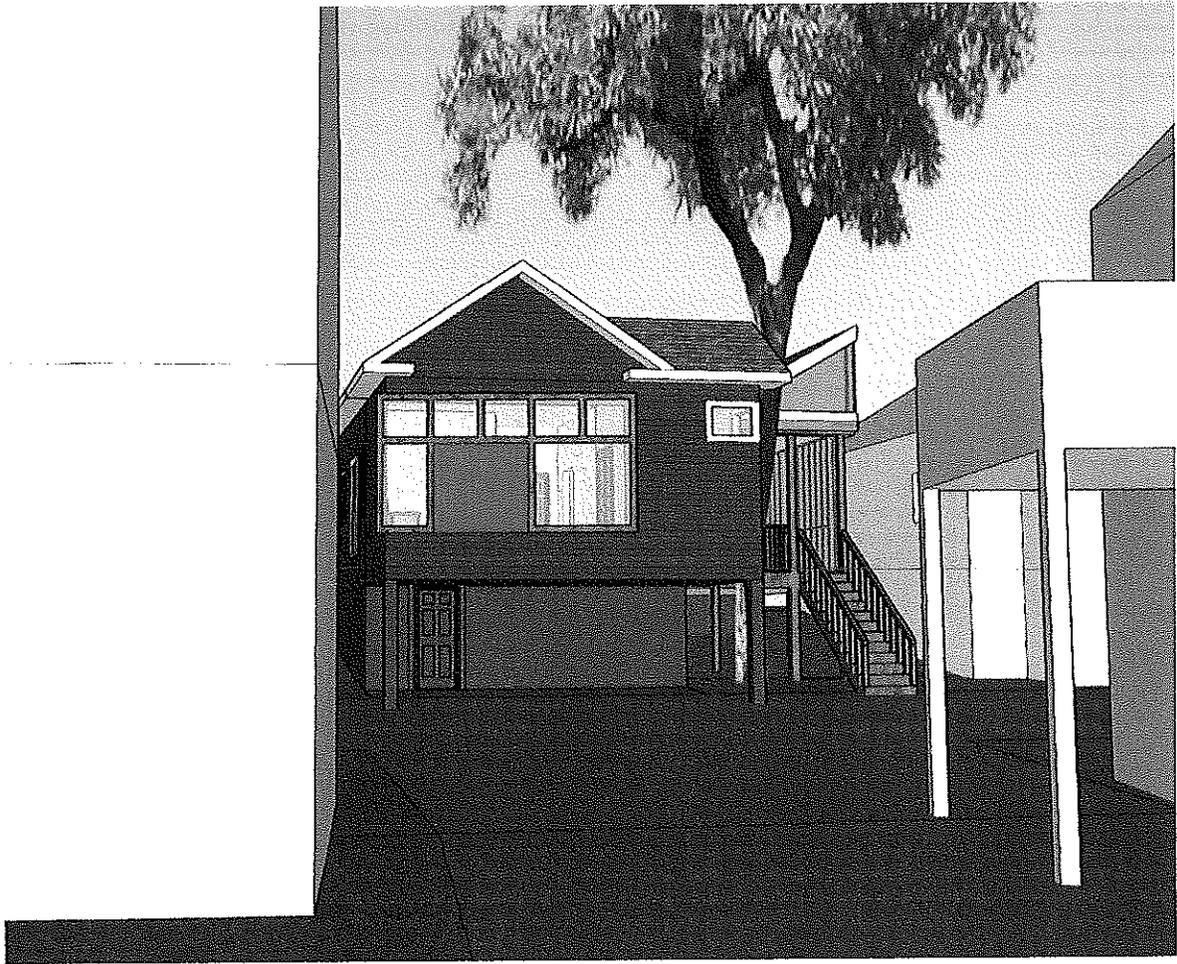












# Rosengarten Park Neighborhood

W Cabarrus St

\* Neighborhood Comparisons \*

## Legend

[XXX] House Number

SF Square Footage of House

X/X Bedrooms/Bathrooms # of

