



Board of Adjustment Case Report

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

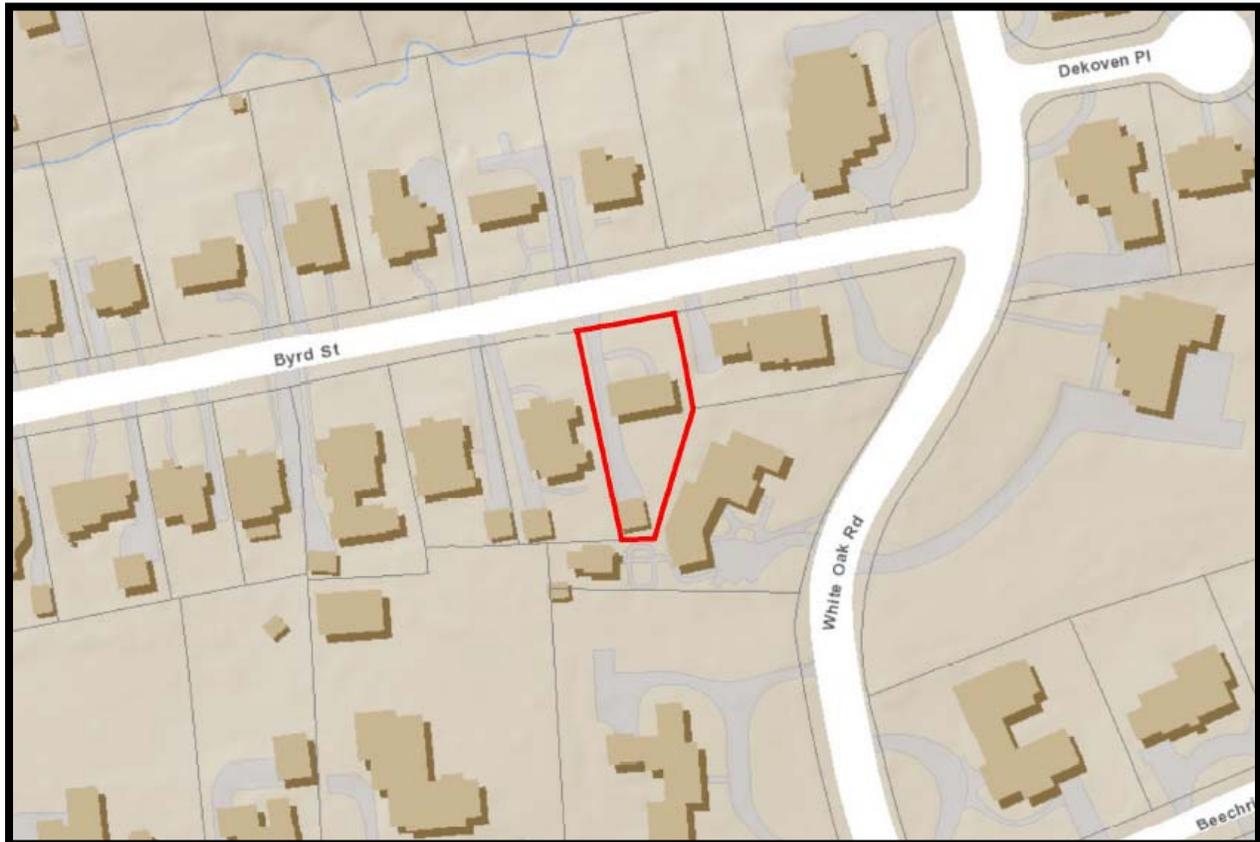
Case File: A-54-16

Property Address: 2330 Byrd Street

Property Owner: Catherine (Cady) Thomas

Project Contact: Gene Davis

Nature of Case: A request for a 4' side yard setback pursuant to Section 2.2.1. of the Part 10A Unified Development Ordinance to allow for an addition to the rear of the existing detached house that results in a 6' side yard setback on a .26 acre property zoned Residential-4 and located at 2330 Byrd Street.



2330 Byrd Street – Location Map

To BOA: 5-9-16 (deferred at applicant's request), 6-13-16

Staff Coordinator: Eric S. Hodge, AICP

ZONING DISTRICTS: Residential-4



2330 Byrd 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.

Setback Standards: The subject property is zoned Residential-4

<u>Yard Type</u>	<u>Minimum Setback</u>
Front Yard	20'
Side Street	15'
Side	10'
Sum of Side Setbacks	20'
Rear	30'



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.)		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 2330 Byrd Street	Date March 30, 2016	
Property PIN 1705501846	Current Zoning R-4	
Nearest Intersection Byrd Street and White Oak Road	Property size (in acres) 0.26	
Property Owner Catherine (Cady) Thomas	Phone 919-624-6488	Fax 919-856-9157
	Email CadyLou1@gmail.com	
Project Contact Person Cady Thomas	Phone 919-624-6488	Fax 919-856-9157
	Email CadyLou1@gmail.com	
Property Owner Signature <i>Cady Thomas</i>	Email CadyLou1@gmail.com	
Notary	Notary Signature and Seal	
Sworn and subscribed before me this <u>30th</u> day of <u>March</u> , 20 <u>16</u>	 <i>Dietra B. Kee</i>	

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.

March 30, 2016

Chairman Carr McLamb
C/o Raleigh City Planning and Development Office
Development Services Customer Service Center
1 Exchange Plaza, Suite 400
Raleigh, North Carolina 27601

Chairman McLamb, Board Members, and Mr. Hodge,

Thank you for considering my request for a variance to my side yard setback. As you will see, my plans require that I only be six (6) feet from the property line rather than ten (10) as required by the R-4 zoning ordinance.

My backyard creates a hardship for renovation that is unique to this property because of the layout of my lot. This lot is not rectangular but more of a triangle. The side lot line curves immediately behind the original structure and turns in towards the back yard. It gets narrower the closer it gets to the back yard line at the end of the lot. This effectively gives me 5 different lot lines to work around. If the line was straight, I would not need a variance as the renovation would be completely within the required setback lines.

This renovation is necessary because my aging parents have recently sold their home and are spending more time with me. My father's knees are getting progressively worse due to years of football, military service and golf. It is necessary for me to create a bedroom and full bathroom on my main floor. The only area in which to do this is my current den. Having more than adults in this home is also showing the need for a much enlarged kitchen.

The renovation must go as placed because of the location of the garage and the set up of the home. If we move it directly behind the house, we will block most of the entry into the left side of the garage and block all natural light coming into the home from the back of the house. It would also leave me with no backyard for my dogs to play. Additionally, the neighbor children frequently use the basketball net left by the previous owners. That net would have to be removed if the building has to shift.

This renovation will be completely hidden from the street and will be artfully constructed so as to reduce noise for the neighbors on the side where the variance is requested. There will only be skylights facing that direction and no door exits.

I welcome any questions you may have and look forward to meeting you all at my hearing.

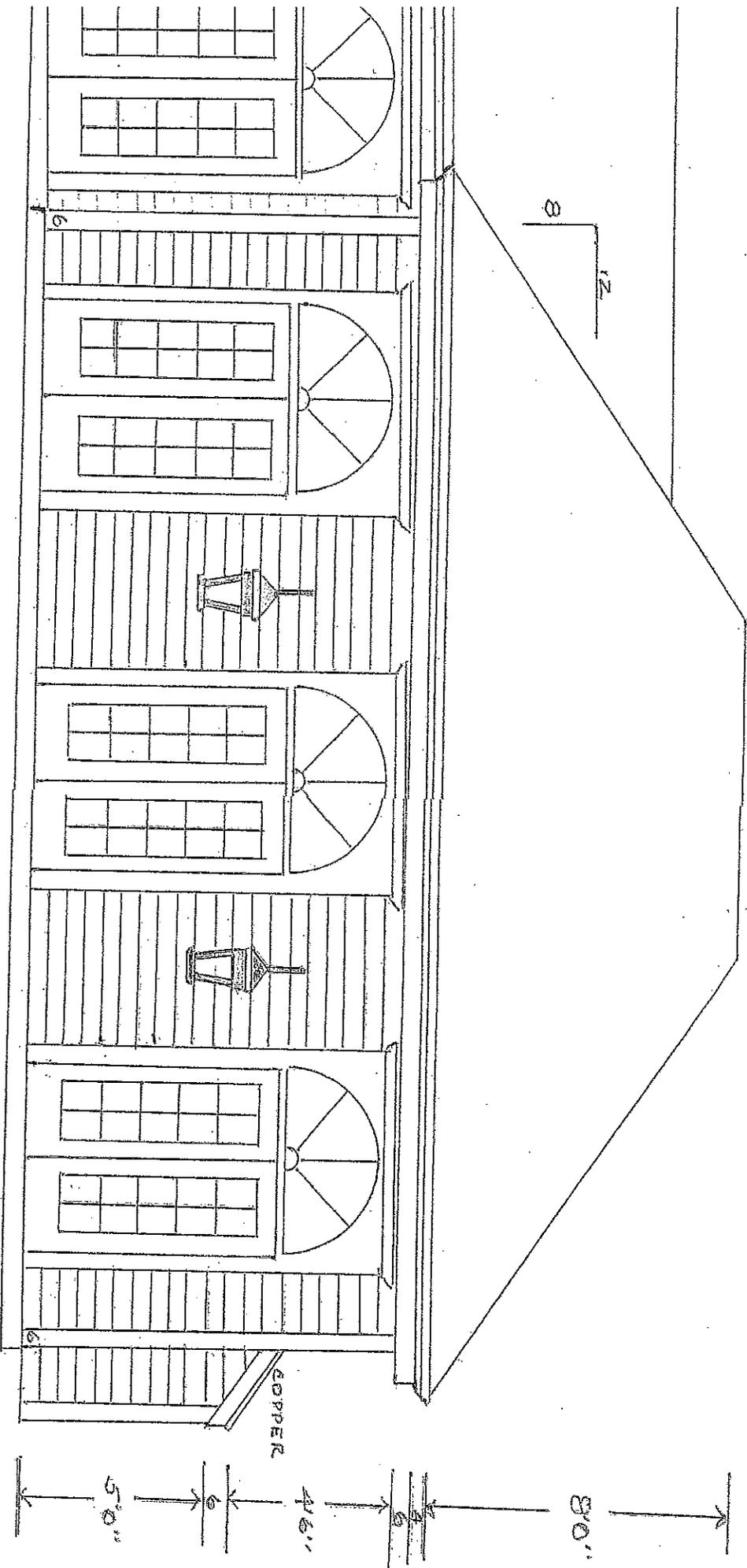
Thank you, again, for your consideration.

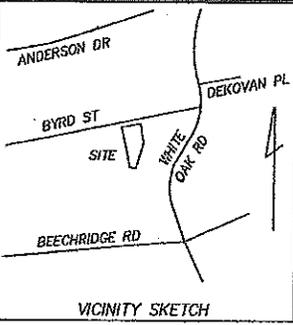
Sincerely,



Catherine (Cady) Thomas

ELEVATION





THIS PLOT PLAN IS NOT A CERTIFIED SURVEY. THIS PLOT PLAN IS NOT TO BE INCLUDED IN THE PUBLIC RECORD. THIS PLOT IS ONLY TO BE USED BY THE RECORD OWNER(S) AND OR THE CONTRACTOR(S) TO OBTAIN PERMIT(S) TO IMPROVE THE PROPERTY SHOWN. A CERTIFIED SURVEY FOR THIS PROPERTY WAS RELEASED BY THIS SURVEYOR ON JUNE 13, 2015 AND IS THE BASIS FOR INFORMATION SHOWN HEREON.

EXISTING IMPERVIOUS AREA	
DWELLING	1,362 SF
GARAGE	415 SF
AC	12 SF
DRIVEWAY & WALKWAY	2,477 SF
TOTAL	4,277 SF OR 38.0%
PROPOSED IMPERVIOUS AREA	
PROPOSED ADDITION	852 SF
LESS PART OF EXISTING DWELLING	20 SF
LESS PART OF EXISTING WALKWAY	55 SF
TOTAL PROPOSED	5,054 SF OR 44.9%



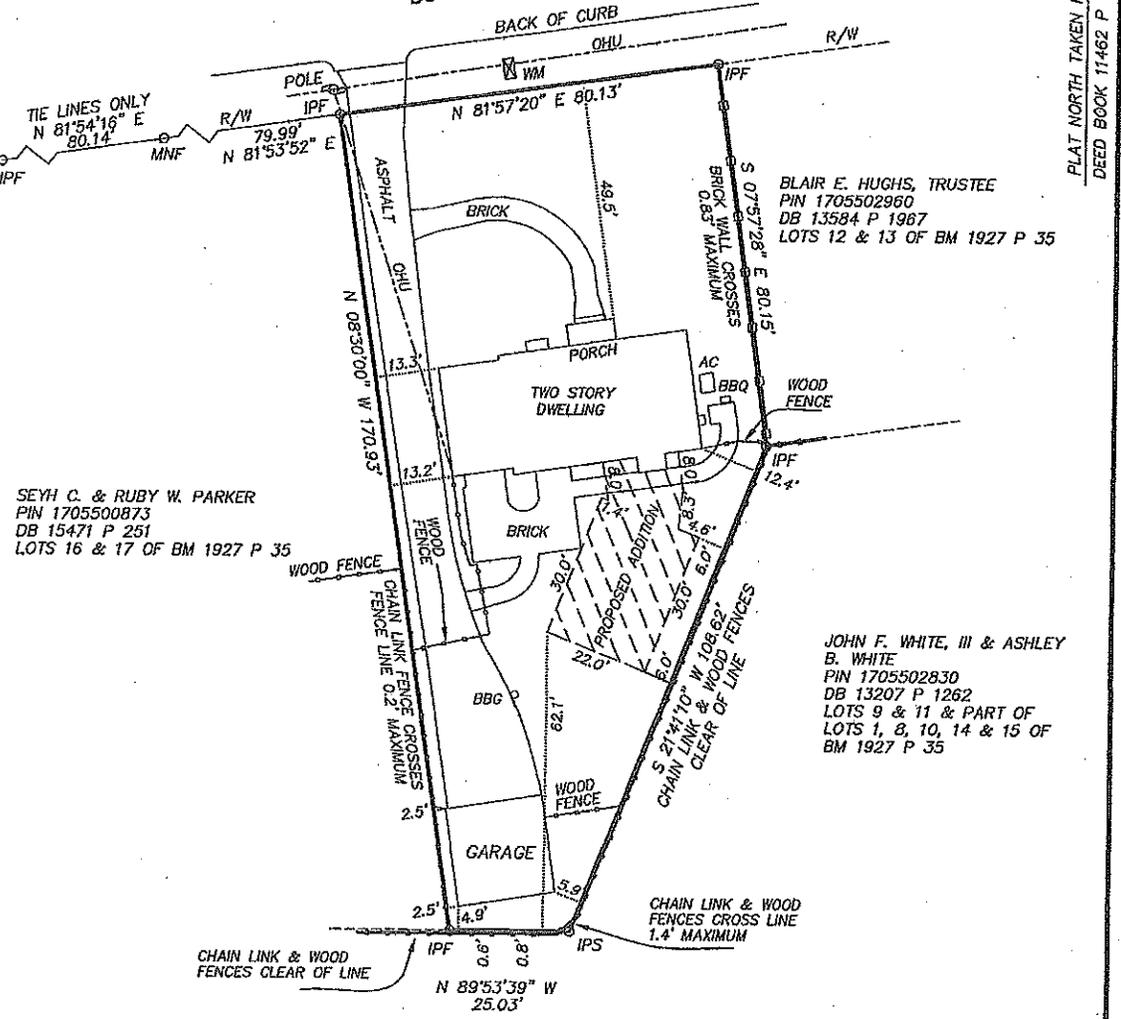
James L. Peacock
L-3435
3-23-16

SUBJECT PROPERTY DATA
RECORD OWNER: CATHERINE L. THOMAS
PIN 1705501846
DEED BOOK 11462 PAGE 1419
PART OF LOTS 10, 14 & 15 OF "WHITEWOOD" RECORDED IN BOOK OF MAPS 1927 PAGE 35.
ZONING R-4
2330 BYRD STREET
RALEIGH, NC 27608

11,258 SF
0.258 ACRES
BY COORDINATES

- LEGEND
- IPF IRON PIPE FOUND
 - IPS IRON PIPE SET
 - MNF MAG
 - NAIL FOUND
 - R/W RIGHT OF WAY
 - PIN PARCEL ID NUMBER
 - DB DEED BOOK
 - PB PLAT BOOK
 - P PAGE
 - OHU OVERHEAD UTILITIES
 - WM WATER METER
 - AC AIR CONDITIONER
 - BBQ GRILL
 - BBG BASKETBALL GOAL

BACK OF CURB
BYRD STREET
50' PUBLIC R/W



SEYH C. & RUBY W. PARKER
PIN 1705500873
DB 15471 P 251
LOTS 16 & 17 OF BM 1927 P 35

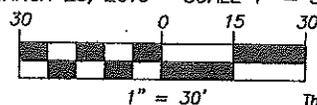
BLAIR E. HUGHES, TRUSTEE
PIN 1705502960
DB 13584 P 1967
LOTS 12 & 13 OF BM 1927 P 35

JOHN F. WHITE, III & ASHLEY B. WHITE
PIN 1705502830
DB 13207 P 1262
LOTS 9 & 11 & PART OF LOTS 1, 8, 10, 14 & 15 OF BM 1927 P 35

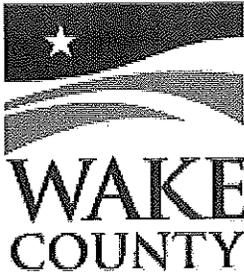
PLAT NORTH TAKEN FROM
DEED BOOK 11462 P 1419

CAROLINA LAND SURVEYING
4006 BUTLER BOULEVARD
RALEIGH, NC 27604
FIRM LICENSE NUMBER F-0135
919 832-1643
919 255-5544 CELL
carolinals@mindspring.com

PLOT PLAN FOR
CATHERINE L. THOMAS
RALEIGH TOWNSHIP, WAKE COUNTY, NORTH CAROLINA
MARCH 23, 2016 SCALE 1" = 30'



Thomas.dwg



[Home](#)

Wake County Real Estate Data Account Summary

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

Real Estate ID **0032084** PIN # **1705501846**

[Account Search](#)

Location Address
2330 BYRD ST

Property Description
LO10,14&15 PRT OF WHITEWOOD BM1927-00035

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

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



Property Owner THOMAS, CATHERINE L (Use the Deeds link to view any additional owners)		Owner's Mailing Address 2330 BYRD ST RALEIGH NC 27608-1412		Property Location Address 2330 BYRD ST RALEIGH NC 27608-1412	
Administrative Data Old Map # F023-F0063-0018 Map/Scale 1705 19 VCS 01RA313 City RALEIGH Fire District Township RALEIGH Land Class R-<10-HS ETJ RA Spec Dist(s) Zoning R-4 History ID 1 History ID 2 Acreage .26 Permit Date Permit #		Transfer Information Deed Date 7/12/2005 Book & Page 11462 1419 Revenue Stamps 1290.00 Pkg Sale Date 7/12/2005 Pkg Sale Price \$645,000 Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 2,723		Assessed Value Land Value Assessed \$340,000 Bldg. Value Assessed \$368,554 Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$708,554 Assessed*	

*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 or call 919-856-5400.

Real Estate ID **0032084**

PIN # **1705501846**

Account Search

Location Address
2330 BYRD ST

Property Description
LO10,14&15 PRT OF WHITEWOOD BM1927-00035

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Building Location Address 2330 BYRD ST		Building Description 01RA313	Card 01 Of 01
Bldg Type 01 Single Family	Year Blt 1930 Eff Year 1995	Base Bldg Value \$190,343	
Units 1	Addns 1985 Remod	Grade A+25 180%	
Heated Area 2,723	Int. Adjust. BSMT-25% Partly Fini	Cond % A 88%	
Story Height 2 Story	Other Features One Fireplace	Market Adj. F 120%	
Style Conventional		Accrued % 106%	
Basement 50% Partial Bas		Incomplete Code	
Exterior Brick		Card 01 Value \$368,554	
Const Type		All Other Cards	
Heating Central		Land Value Assessed \$340,000	
Air Cond Central		Total Value Assessed \$708,554	
Plumbing 2.5 BATH			

Main and Addition Summary					Other Improvements					
Story	Type	Code	Area	Inc	Units	DesItem	Code	Year %ADJ	Inc	Value
M	2	BR/PB	1000		20X20	SF GARFR	0307	1950	55	6750
A		OP	18							
B	2	SFR	299							
C		OP	40							
D		PATIO	340							
E										
F										
G										
H										

