



# Board of Adjustment Case Report

City of Raleigh  
Planning & Development Department  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2475  
www.raleighnc.gov

**Case File:** A-56-16

**Property Address:** 11100 Fellowship Drive

**Property Owner:** Triangle Christian Center/Eagles Nest Christian Fellowship Inc.

**Project Operator:** Andrew Petesch

**Nature of Case:** Amend existing Special Use Permit for a Day Care Center to increase the enrollment at an existing facility from 150 enrollees up to 250 enrollees pursuant to section 6.4.1.C of the Part 10A Unified Development Ordinance on a 9.07 acre parcel zoned Residential-4 and located at 11100 Fellowship Drive.



11100 Fellowship Drive – Location Map

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**ADDITIONAL NOTES:** There are no additional notes for this plan.

**PREVIOUS VARIANCES:** None

**PREVIOUS ACTIVE SPECIAL USE PERMIT CASES:** A-57-09 (see BOA excerpts at end of staff report for more details).

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**To BOA:** 5-9-16

**Staff Coordinator:** Eric S. Hodge, AICP

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**ZONING DISTRICTS:** Residential-4



**11100 Fellowship Drive – Zoning Map**

Sec. 6.4.1.c. C. Day Care Center

## 1. Defined

A day care for more than 8 persons where staffing complies with state and local regulations. Includes nursery school and preschool.

## 2. Use Standards

a. In a Residential District, the following minimum lot areas per enrollee apply:

- i. R-1, R-2, and R-4: 1,040 square feet; (Subject property sized to accommodate 379 enrollees)
- ii. R-6: 640 square feet; and
- iii. R-10: 240 square feet.

b. In a Residential District, 1 unlit announcement sign is allowed, not to exceed 2 square feet in area and 3½ feet in height.

c. In a Residential District, a Type A1 or A2 transitional protective yard (see Sec. 7.2.4.A.) must be established along any side of the property abutting a residential use. (Subject property does not abut any residential uses)

d. In a Residential District, a Type C2 street protective yard (see Sec. 7.2.4. B.) must be established along all property lines abutting a public right-of-way. (The applicant has submitted schematic plans showing their intent to utilize existing landscaping materials towards meeting this requirement. If the Board approves the Special Use Permit, the applicants will need to submit more detailed plans for permitting demonstrating compliance with the planting requirements prior to beginning operation of the daycare.)

e. Must comply with all state and local standards.

Sec. 7.2.4. Protective Yards

## A. Transitional Protective Yards

1. A transitional protective yard is required along perimeter lot lines:

a. For specific uses as set forth in Chapter 6. Use Regulations ( type as specified); and

b. Where an IH District abuts any other district other than an IH District a Type B1 or B2 transitional protective yard must be installed.

Type A1: 6.5' wall, 6' wide yard, 4 shade trees spaced over every 100' linear feet.

Type A2: 6.5' fence, 10' wide yard, 4 shade trees and 4 understory tree spaced over every 100' linear feet.

## B. Street Protective Yard

1. A street protective yard is required along the edge of the street right-of-way:

- a. For specific uses as set forth in Chapter 6. Use Regulations ( type as specified); and
  - b. Where an IH District is across the street from any other district other than an IH District, a Type C1 or C2 street protective yard must be installed.
2. A required street protective yard may be replaced with a tree conservation area that meets the requirements of Article 9.1. Tree Conservation
  3. The protective yards in Special Highway Overlay Districts 1 and 2 (Sec. 5.3.1. D.) take the place of any street protective yard required inSec. 7.2.4.B.
- Type C2: 15' wide yard, 4 shade trees spaced over every 100' of street right of way & 15 shrubs spaced over every 100' of street right of way.

**EXCERPT FROM MINUTES OF THE JULY 13, 2009  
RALEIGH BOARD OF ADJUSTMENT MEETING**

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A-57-09 – 07/13/09

**DECISION:** Approved

**WHEREAS,** Eagles Nest Christian Fellowship, property owner, appeals for a Special Use Permit per Code Section 10-2144 to expand increase the maximum number of enrollees in their approved daycare facility from 100 to 150 children in the Residential-4 zoning district at 11100 Fellowship Drive.

Zoning Enforcement Administrator Walt Fulcher (sworn) gave the following testimony.

The applicant is requesting a special use permit to increase the enrollment of an approved day care from 100 to 150 children in the Residential-4 zoning district. There are 10 requirements in the code which must be satisfied in order to approve this request:

- 1) The use will not be injurious to property or improvements in the affected area.
- 2) In Residential-4 zoning there must be 1,300 square feet of land area per enrollee. The church is on a 9-acre site which will allow a max of 303 children.
- 3) The fenced outdoor play area has 5,625 square feet to accommodate 75 children.
- 4) The day care is located within the Learning Center
- 5) There are 194 off street parking spaces (Required 1 for every 8 seats in assembly room)
- 6) The church is located on the corner of a major thoroughfare
- 7) The landscaping meets the landscape ordinance
- 8) No excessive light will be generated at the facility in any manner which will annoy residents of the surrounding structures.

They are not requesting a sign for the daycare.

The applicant meets the requirements for the expansion of the day care.

**Applicant**

Christine Whitfield (sworn) indicated she has been director of the church's learning center for the past 4 years. She stated the learning center has experienced significant growth recently and seeks to expand its enrollment to accommodate a waiting list for its pre-k and kindergarten program. Brief discussion took regarding the hours of operation.

**Opposition**

None

EXCERPT FROM MINUTES OF THE JULY 13, 2009  
RALEIGH BOARD OF ADJUSTMENT MEETING

PAGE \_\_\_\_ OF \_\_\_\_

**Findings of Fact**

1. Applicant seeks a special use permit pursuant to Raleigh City Code Section 10-2144 to increase the maximum number of enrollees in an approved daycare facility from 100 to 150 children.
2. The Board has considered Applicant's verified application and the evidence and the testimony adduced at the hearing.
3. The daycare facility has been in existence for four years, and seeks to expand its enrollment to accommodate a waiting list for its pre-k and kindergarten program.
4. Pursuant to Raleigh City Code Section 10-2141(b), the Board has considered the following relevant factors:
  - (a) The character and use of buildings and structures adjoining or in the vicinity of the property mentioned in the application.
  - (b) The number of persons residing, studying, working in or otherwise occupying buildings adjoining or in the vicinity of the property mentioned in the application.
  - (c) Traffic conditions in the area and accessibility of the building for fire and police protection.
5. Based on the application, including the plot plan, and the testimony at the hearing, Applicant has satisfied the requirements of Raleigh City Code Section 10-2144(b)(daycare facility).

**Conclusions of Law**

1. Applicant has met the requirements of Raleigh City Code Section 10-2144, and the special use permit for expanding the daycare facility should be issued.
2. The decision is subject to review for fraud, material misrepresentation, or other misconduct at the proceeding or for violations on the subject property of either any provision of Chapter 10 of the Raleigh City Code Section or an imposed limiting condition, and if such a determination is made by the Board, its prior decision may be reversed, modified, or affirmed.

**Motion**

Mr. Figgins made a motion to approve the Special Use Permit. His motion was seconded by Mr. Coble and received the following vote: Ayes – 5 (McBennett, Coble, Figgins, Jeffreys, McLamb); Noes – none.



# 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

## Special Use Permit Application

		OFFICE USE ONLY
<b>Nature of request (Submit addendum on separate sheet, if more space is needed.)</b> Expanding mixed used Childcare Center inside Triangle Christain Center/Eagles Nest Christian Fellowship from 150 children to 250 children.		Transaction Number
<b>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 special use permit request, provide the case number.</b> A-96-05, A-50-07, & A-57-09		

GENERAL INFORMATION			
Property Address 11100 Fellowship Drive, Raleigh, 27617		Date April 6, 2016	
Property PIN 0758893821		Current Zoning Residential 4 (R-4)	
Nearest Intersection Glenwood Ave/T.W. Alexander Road		Property size (in acres) 9.07 acres	
Property Owner Triangle Christain Center/Eagles Nest Christain Fellowship Inc. CEO/Pastor: James F. Whitfield		Phone 919-846-0470	Fax 919-596-1636
		Email pastor@trianglecc.org	
Project Contact Person Christine Whitfield, Learning Center Director		Phone 919-539-8213	Fax 919-596-1636
		Email christinew@trianglecc.org	
Property Owner Signature <i>James F. Whitfield</i>		Email pastor@trianglecc.org	
Notary Sworn and subscribed before me this <u>5</u> day of <u>APRIL</u> , 2016		<i>Sharon L. ...</i> Notary Signature and Seal <i>KEY LEAH CARP 8/20/16</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 Special Use Permit Application will not be considered complete until all required submittal components listed on the Special Use Permit Checklist have been received and approved.



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## Wake County Real Estate Data Account Summary

[iMaps](#)  
[Tax Bills](#)
Real Estate ID **0030716** PIN # **0758893821**
[Account Search](#)

Location Address      Property Description  
**11100 FELLOWSHIP DR LO1 EAGLES NEST CHRSTN FLWSHP BM2000-01358**

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


<b>Property Owner</b> <b>EAGLES NEST CHRISTIAN FELLOWSHIP CHURCH INC</b> (Use the Deeds link to view any additional owners)		<b>Owner's Mailing Address</b> <b>PO BOX 17142</b> <b>RALEIGH NC 27619-7142</b>		<b>Property Location Address</b> <b>11100 FELLOWSHIP DR</b> <b>RALEIGH NC 27617-7780</b>	
<b>Administrative Data</b> Old Map # <b>275-00000-0062</b> Map/Scale <b>0758 02</b> VCS <b>GWRA001</b> City <b>RALEIGH</b> Fire District Township <b>CEDAR FORK</b> Land Class <b>EXEMPT</b> ETJ <b>RA</b> Spec Dist(s) Zoning <b>R-4</b> History ID 1 History ID 2 Acreage <b>9.07</b> Permit Date <b>11/16/2000</b> Permit # <b>0000005019</b>		<b>Transfer Information</b> Deed Date <b>11/22/1999</b> Book & Page <b>08466 0852</b> Revenue Stamps Pkg Sale Date <b>11/22/1999</b> Pkg Sale Price <b>\$355,000</b> Land Sale Date Land Sale Price  <b>Improvement Summary</b> Total Units <b>1</b> Recycle Units <b>0</b> Apt/SC Sqft Heated Area <b>31,332</b>		<b>Assessed Value</b> Land Value Assessed <b>\$1,360,500</b> Bldg. Value Assessed <b>\$4,697,353</b>  Tax Relief  Land Use Value Use Value Deferment Historic Deferment Total Deferred Value  Use/Hist/Tax Relief Assessed Total Value <b>\$6,057,853</b> 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](mailto:RevHelp@wakegov.com) or call 919-856-5400.

Real Estate ID **0030716**

PIN # **0758893821**

Account Search

Location Address  
**11100 FELLOWSHIP DR**

Property Description  
**LO1 EAGLES NEST CHRSTN FLWSHP BM2000-01358**

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



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

Building Location Address <b>11100 FELLOWSHIP DR</b>	Building Description <b>EAGLES NEST CHRISTIAN FELLOWSHIP</b>	Card <b>01</b> Of <b>02</b> <a href="#">Card 2&gt;</a>
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Bldg Type <b>66 Church</b>	Year Blt <b>1999</b> Eff Year <b>1999</b>	Base Bldg Value <b>\$3,267,215</b>
Units	Addns Remod	Grade <b>25.69 130%</b>
Heated Area <b>22,338</b>	Int. Adjust.	Cond % <b>B 80%</b>
Story Height <b>1 Story</b>	Other Features	Market Adj.
Style <b>Conventional</b>		Market Adj.
Basement <b>Crawl Space</b>		Accrued % <b>80%</b>
Exterior <b>Stucco on Mason</b>		Incomplete Code
Const Type <b>Exposed Steel</b>		<b>Card 01 Value \$3,582,324</b>
Heating <b>Central</b>		All Other Cards <b>\$1,115,029</b>
Air Cond <b>Central</b>		Land Value Assessed <b>\$1,360,500</b>
Plumbing <b>Adequate</b>		Total Value Assessed <b>\$6,057,853</b>

Main and Addition Summary				
Story	Type	Code	Area	Inc
M	1 STM/CS		22338	
A	1 OP	0310	30	
B	1 CN O	0310	1200	
C				
D				
E				
F				
G				
H				

Other Improvements					
Units	DesItem	Code	Year	%ADJ	Inc Value
134120	SF PAVASPH	0028	1999	50	184420

