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# ZEBULON

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NORTH CAROLINA

**TOWN OF ZEBULON  
BOARD OF ADJUSTMENT**


**JULY 29, 2021**

**7:00 pm**

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
- III. NEW BUSINESS**
  - A. Case #582914 - 208 W. Sycamore – Variance from Section 4.3.3.O of the Unified Development Ordinance to allow access to a duplex directly from West Sycamore Street where side or rear access is required.*
  - B. Case #598480 - 212 W. Sycamore – Variance from Section 4.3.3.O of the Unified Development Ordinance to allow access to a duplex directly from West Sycamore Street where side or rear access is required.*
- IV. ADJOURNMENT**

STAFF REPORT  
BOARD OF ADJUSTMENT  
208 W. SYCAMORE STREET VARIANCE  
JULY 29, 2021

**Topic: Case 582914 - 208 W. SYCAMORE STREET VARIANCE**

Speaker: Michael J. Clark, AICP, CZO, Planning Director  
From: Michael J. Clark, AICP, CZO, Planning Director  
Prepared by: Michael J. Clark, AICP, CZO, Planning Director  
Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Adjustment will consider a request from Brian O'Connell for a variance from Section 4.3.3.O of the UDO to allow for multiple driveways at 208 W. Sycamore Street in front of the structure and vehicle access from Sycamore Street.

**Background:**

On March 5, 2021, the applicant submitted a request for a duplex to be constructed at 208 W. Sycamore Street under application RBPR-055033-2021. The application was reviewed by Town of Zebulon Staff and Wake County Building and Inspections Staff and issued in error on March 24, 2021 as the site plan showed two driveways with direct access onto Sycamore. The site is zoned Downtown Periphery and proposed use of a Duplex is a permitted use by right per Section 4.2.3 of Unified Development Ordinance, however, is subject to the standards of Section 4.3.3.O which requires single family attached structures to be accessed from the rear or the side of the structure. Chapter 9 of the UDO defines duplex as a single family attached structure. Section 5.3.3.B of the UDO exempts minimum parking within the Downtown Core and the Downtown Periphery Zoning Districts.

The previous dwelling was demolished, and the site is currently vacant. The applicant began construction of another structure at 212 W. Sycamore and inquired with Staff about a lot division to create two separate units. This request resulted in an additional investigation into the application for 208 W. Sycamore (RBPR-055033-2021) and the error was discovered. In accordance with North Carolina General Statute 160D-403(F) the permit was officially rescinded on June 28, 2021.

The applicant was informed they may continue the use of the existing single driveway for the construction of a duplex, however garage doors and/or parking will need to be on the side or rear of the structure in accordance with Section 4.3.3.O and that conforming alternatives are available.

**Discussion:**

The discussion before the Board of Adjustment is whether the proposed request meets the Standards of Section 2.2.21.G.1 of the UDO.

**Variance Standards:**

In accordance with Section 2.2.21.G.1.a of the UDO, the request must meet all of the following standards:

- i. *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.*

STAFF REPORT  
BOARD OF ADJUSTMENT  
208 W. SYCAMORE STREET VARIANCE  
JULY 29, 2021

- ii. *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.*
- iii. *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 the variance shall not be regarded as a self-created hardship.*
- iv. *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.*

Furthermore, in addition to the above standards, the Board of Adjustment may also consider the following:

- i. *The variance approval is the minimum necessary to make possible the reasonable use of the land, building, or structure.*
- ii. *All property taxes on the land subject to the variance application have been paid in full.*
- iii. *None of the following may be used as the basis for approving a variance:*
  - 1. *Neither the nonconforming use of lands, buildings, or structures in the same zoning district, or the permitted use of lands, buildings, or structures in other zoning districts, or personal circumstances;*
  - 2. *A request for a particular use that is expressly, or by inference, prohibited in the zoning district;*
  - 3. *Hardships resulting from factors other than application of the relevant standards of this ordinance;*
  - 4. *The fact that land or a structure may be utilized more profitably or be more marketable with a variance;*
  - 5. *The citing of other conforming or nonconforming uses of land or structures in the same or other zoning districts; or*
  - 6. *Financial hardship.*

**Staff Recommendation:**

Staff Recommends denial of the variance request for 208 W. Sycamore as conforming alternatives to construct a duplex are still available and that no practical difficulty or hardship exists for this site.

**Attachments:**

- 1. Application
- 2. Site Plan
- 3. Building Elevations
- 4. UDO Section 4.3.3.O
- 5. UDO Section 2.2.21
- 6. UDO Section 4.2.3 (Subset of Use Table)
- 7. NCGS 160D-403(F)
- 8. Site Photos



**Town of Zebulon  
Planning Department**

1003 N. Arendell Avenue, Zebulon, NC 27597  
Phone: (919) 823-1810 | Fax: (919) 887-2824  
www.townofzebulon.org

**Project Overview**

**#582914**

<b>Project Title:</b> 208 W. Sycamore St	<b>Jurisdiction:</b> Town of Zebulon
<b>Application Type:</b> Variance Request Application	<b>State:</b> NC
<b>Workflow:</b> Variance Request (Initial Review): Planning Director	<b>County:</b> Wake

**Description of Request**

<b>Would you like to enter your project using Street Address or PIN?:</b> Street Address	<b>Street Address of Property::</b> 208 W. SYCAMORE ST., ZEBULON
<b>Parcel Identification Number (NC PIN)::</b>	<b>Acreage::</b> .32
<b>Deed Book::</b> 018274	<b>Deed Page(s)::</b> 02093
<b>Existing Zoning of the Property::</b> DTP Downtown Periphery	<b>Proposed Zoning of the Property:</b> DTP Downtown Periphery
<b>Existing Use of the Property:</b> : Single-family Detached Dwelling	<b>Proposed Use of the Property::</b> Single-family Attached Dwelling
<b>Scope of Work::</b> 3 bedroom, 3 1/2 bath duplex, single car garage	

**Contact Information**

<b>Contact Info: Applicant/Agent</b> Brian O'Connell O'Connell Developing, LLC 1212 Riggins Mill Road Cary, NC 27519 P:9192913794 <a href="mailto:bldroco1@gmail.com">bldroco1@gmail.com</a>	<b>Contact Info: Property Owner</b> Brian O'Connell O'Connell Developing, LLC 1212 Riggins Mill Road Cary, NC 27519 P:9192913794 <a href="mailto:bldroco1@gmail.com">bldroco1@gmail.com</a>
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**Are you the owner of the property?:** I am the property owner

Note: If you are not the owner of the property, you must obtain the Owner's consent and signature giving you permission to submit this application.

**Supplemental Information**

The Variance Request Application also requires supplemental information beyond our standard online application. Please follow the directions below to access the appropriate forms and documents.

1. [Access the online Application Package here.](#)
2. Fill out the following sections of the document package:
  - a. Required Findings of Fact; and
  - b. Owner's Consent Form (also available via hyperlink in your submittal checklist – note that only one consent form is required for submittal).
3. Save your PDF Application Package as "Application Supplemental" and submit it with all other required documents on the document upload screen (available in next steps of online submittal).

Please click on the **Save and Continue** button below to complete your application submittal.



APPLICATION FOR VARIANCE

PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property: 208 W. Sycamore St. Zebulon		Acreage: .32
Parcel Identification Number (NC PIN): 2705244950	Deed Book: 018274	Deed Page(s): 02093
Existing Zoning of the Property: DTP	Proposed Zoning of the Property: DTP	
Existing Use of the Property: DTP	Proposed Use of the Property: DTP	
Section(s) of UDO requesting variance from:  4.3.3 Section 07  5.1.3.C Duplex development of duplex Exemption		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: Brian O'Connell		
Street Address of Applicant/Agent: 1212 Riggins mill Rd		
City: Cary	State: NC	Zip Code: 27514
Email of Applicant/Agent: bldroco1@gmail.com	Telephone Number of Applicant/Agent: 919 291 3794	Fax Number of Applicant/Agent:
Are you the owner of the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Are you the owner's agent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Note: If you are not the owner of the property, you must obtain the Owner's consent and signature giving you permission to submit this application.

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner: O'Connell Developing, LLC		
Street Address of Property Owner: 1212 Riggins mill Rd		
City: Cary	State: NC	Zip Code: 27514
Email of Property Owner: bldroco1@gmail.com	Telephone Number of Property Owner: 919 291 3794	Fax Number of Property Owner:
I hereby state that the facts related in this application and any documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.		
Signature of Applicant: 	Print Name: Brian O'Connell	Date: 7-7-21
Signature of Owner: 	Print Name: Brian O'Connell	Date: 7-7-21



**PART 4. REQUIRED FINDINGS OF FACT**

In accordance with Section 2.2.21.G.1.a of the UDO, the burden of proof is on the applicant to provide competent and substantial evidence demonstrating how the proposed request will meet the following findings of fact:

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.

Staff erroneously approved applicant permit for construction to the detriment of the applicant. A variance should be granted.  
Applicant relied on the permit staff.

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.

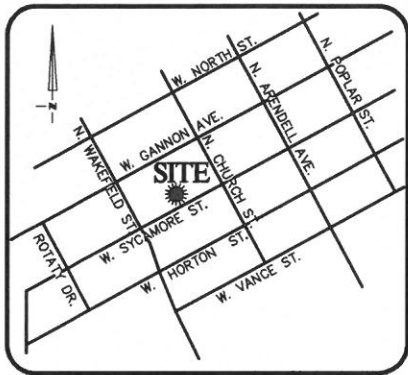
Staff erroneously approved applicant permit for construction to the detriment of the applicant. A variance should be granted.  
Applicant relied on the permit staff.

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 the variance shall not be regarded as a self-created hardship.

Staff erroneously approved applicant permit for construction to the detriment of the applicant. A variance should be granted.  
Applicant relied on the permit staff.

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.

Staff erroneously approved applicant permit for construction to the detriment of the applicant. A variance should be granted.  
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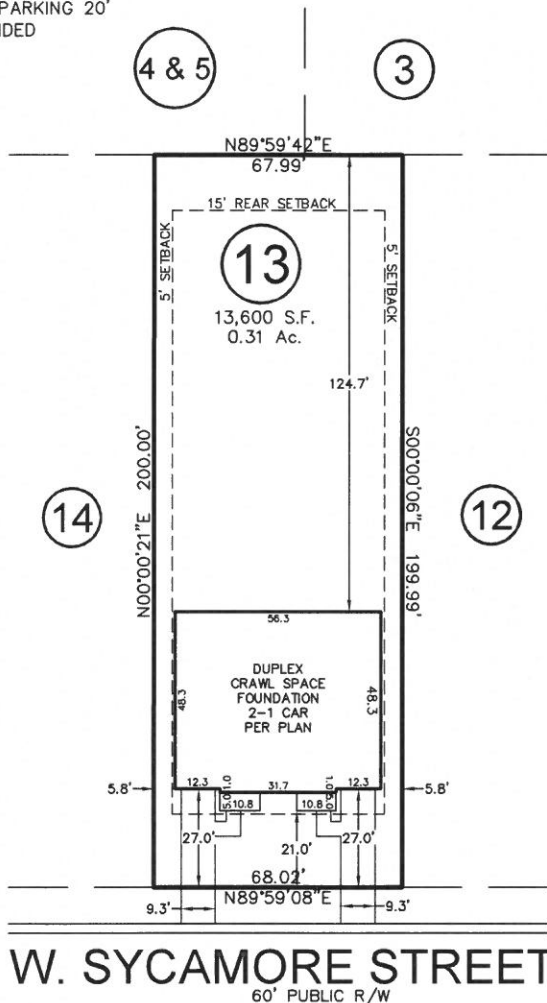
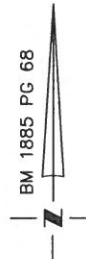
**VICINITY MAP**  
Not To Scale



IMPERVIOUS SURFACE AREA	
DESCRIPTION	AREA
HOUSE w/ PORCH	2,863 S.F.
HVAC	18 S.F.
DRIVEWAY & WALKS	584 S.F.
TOTAL (PROPOSED)=	3,465 S.F.
LOT AREA =	13,600 S.F.
% IMPERVIOUS AREA	=25.5%
% MAX. IMPERVIOUS AREA	=85%

SETBACKS: (ZONE DTP)

FRONT - 0' OFF STREET PARKING 20'  
SIDE - NONE, 5' IF PROVIDED  
REAR - 15'

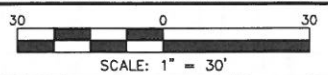


**W. SYCAMORE STREET**  
60' PUBLIC R/W

THIS DRAWING DOES NOT  
REFLECT AS-BUILT INFORMATION

**PRELIMINARY PLAT**  
NOT FOR RECORDATION, CONVEYANCES, OR SALES

THIS PROPERTY MAY BE SUBJECT TO ANY AND ALL APPLICABLE DEED  
RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AND  
RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD OR IMPLIED



**RESIDENTIAL  
LAND SERVICES, PLLC.**  
1917 Evans Road  
Cary, North Carolina 27513  
Phone (919) 378-9316  
Firm License # P-0873

**HOUSE LOCATION PLOT PLAN**  
FOR  
#208 W. SYCAMORE STREET  
LOT 13, BLOCK 29, TOWN OF ZEBULON, N.C.  
Little River Township, Wake County, North Carolina

PROPERTY OF: O'CONNELL DEVELOPING

MAP BOOK 1885 PAGE 68 DEED REFERENCE 5457 704

DRAWN BY: JWW      DATE: FEBRUARY 24, 2021



# Attachment 3, 208 W. Sycamore

TDB RBPR-055033-2021

### GENERAL NOTES:

- IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT ALL DIMENSIONS, ROOF PITCHES, AND SQUARE FOOTAGE ARE CORRECT PRIOR TO CONSTRUCTION. K&A HOME DESIGNS, INC. IS NOT RESPONSIBLE FOR ANY DIMENSIONING, ROOF PITCH, OR SQUARE FOOTAGE ERRORS ONCE CONSTRUCTION BEGINS.
- ALL WALLS SHOWN ON THE FLOOR PLANS ARE DRAWN AT 4" UNLESS NOTED OTHERWISE.
- ALL ANGLED WALL SHOWN ON THE PLANS ARE 45 DEGREES UNLESS NOTED OTHERWISE.
- STUD WALL DESIGN SHALL CONFORM TO ALL NORTH CAROLINA STATE BUILDING CODE REQUIREMENTS.
- DO NOT SCALE PLANS. DRAWING SCALE MAY BE DISTORTED DUE TO CORNER IMPERFECTIONS.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NORTH CAROLINA RESIDENTIAL STATE BUILDING CODE, 2018 EDITION.

### SQUARE FOOTAGE (ONE UNIT)

HEATED SQUARE FOOTAGE	UNHEATED SQUARE FOOTAGE
FIRST FLOOR= 3122	CARAGE= 247
SECOND FLOOR= 965	FRONT PORCH= 54
THIRD FLOOR= N/A	SCREEN PORCH= N/A
BASEMENT= N/A	DECK= N/A
	STORAGE= N/A

TOTAL HEATED= 3887 TOTAL UNHEATED= 301

### CRAWL SPACE VENTILATION CALCULATIONS (ONE UNIT)

VENT LOCATIONS MAY VARY FROM THOSE SHOWN ON THE PLAN BUT SHOULD BE PLACED TO PROVIDE ADEQUATE VENTILATION AT ALL POINTS TO PREVENT DEAD AIR POCKETS.

100% VAPOR BARRIER MUST BE PROVIDED WITH 12" MIN. LAP JOINTS.

THE TOTAL AREA OF VENTILATION OPENINGS MAY BE REDUCED TO 1/3500 AS LONG AS REQUIRED OPENINGS ARE PLACED SO AS TO PROVIDE CROSS-VENTILATION OF THE SPACE. THE INSTALLATION OF OPERABLE COVERS SHALL NOT BE PROHIBITED. (COMPLY WITH NC CODE MIN. WITH REGARD TO VENT PLACEMENT FROM CORNERS)

N/A SQ. FT. OF CRAWL SPACE/1500

N/A SQ. FT. OF REQUIRED VENTILATION

PROVIDED BY: N/A VENTS AT 0.45 SQ. FT. NET FREE

VENTILATION EACH: N/A SQ. FT. OF VENTILATION

### \*\*FOUNDATION DRAINAGE- WATERPROOFING PER SECTIONS 405 & 406.

### ATTIC VENTILATION CALCULATIONS (ONE UNIT)

CALCULATIONS SHOWN BELOW ARE BASED ON VENTILATORS USED AT LEAST 3 FT. ABOVE THE CORNICE VENTS WITH THE BALANCE OF VENTILATION PROVIDED BY EAVE VENTS.

CATHEDRAL CEILING SHALL HAVE A MIN. 1" CLEARANCE BETWEEN THE BOTTOM OF THE ROOF DECK AND THE INSULATION.

1423 SQ. FT. OF ATTIC/300= 4.74

EACH OF INLET AND OUTLET REQUIRED

### WALL AND ROOF CLADDING DESIGN VALUES

WALL CLADDING IS DESIGNED FOR A 24.1 SQ. FT. OF GREATER POSITIVE AND NEGATIVE PRESSURE.

ROOF VALUES BOTH POSITIVE AND NEGATIVE SHALL BE AS FOLLOWS:

45.5 LBS. PER SQ. FT. FOR ROOF PITCHES OF 8/12 TO 2.25/12

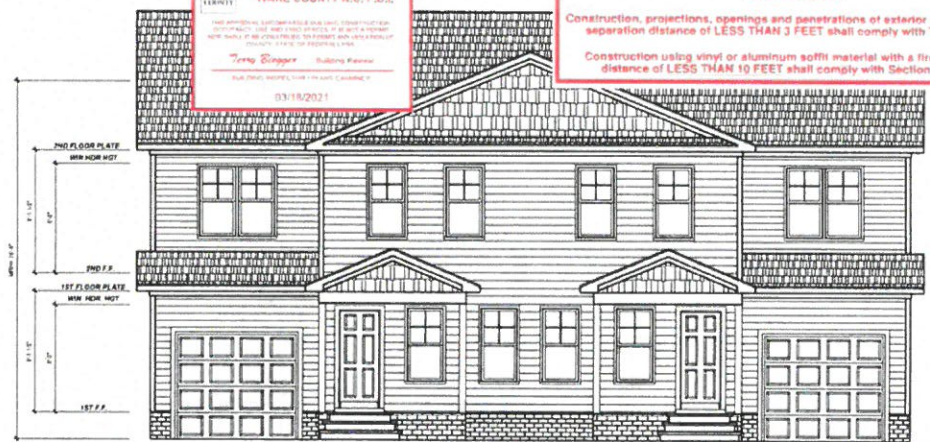
34.8 LBS. PER SQ. FT. FOR ROOF PITCHES OF 2.25/12 TO 7/12

21 LBS. PER SQ. FT. FOR ROOF PITCHES OF 7/12 TO 12/12

\*\* MEAN ROOF HEIGHT, BT. OR LESS

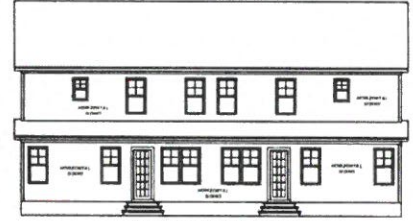
PLANS APPROVED BY  
WAKE COUNTY N.C. P.D.L.  
03/18/2021

FIRE-RESISTANT CONSTRUCTION REQUIRED PER SECTION R302 OF THE 2018 NCRC  
Construction, projections, openings and penetrations of exterior walls with a fire separation distance of LESS THAN 3 FEET shall comply with Table R302.1  
Construction using vinyl or aluminum soffit material with a fire separation distance of LESS THAN 10 FEET shall comply with Section R302.1.1

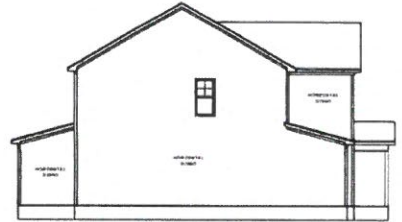


FRONT ELEVATION  
1/4" = 1'-0"

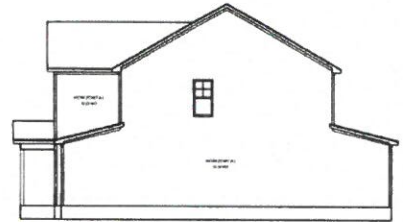
TOWN OF ZEBULON



REAR ELEVATION  
1/8" = 1'-0"



LEFT ELEVATION  
1/8" = 1'-0"



RIGHT ELEVATION  
1/8" = 1'-0"

DATE	21.03.21
BY	2-15-21
APPROVED	K&A
REVISION	REFER TO ELEV

NO.	DATE	REVISION
1		
2		
3		

9101 Ten-Ten Rd.  
Raleigh, NC 27603  
Office: (919) 302-0693



Email: ken@kandahomedesigns.com Website: www.kandahomedesigns.com



O'Connell  
Developing, LLC  
1212 Riggins Mill Rd.  
Cary, NC 27519

ELEVATIONS
Sheet Number
1
of 3

**STRUCTURAL NOTES**

1) ALL CONSTRUCTION SHALL CONFORM TO THE LATEST REQUIREMENTS OF NORTH CAROLINA STATE 2018 RESIDENTIAL B.B. AND CODES. IN ADDITION TO ALL LOCAL CODES AND REGULATIONS.

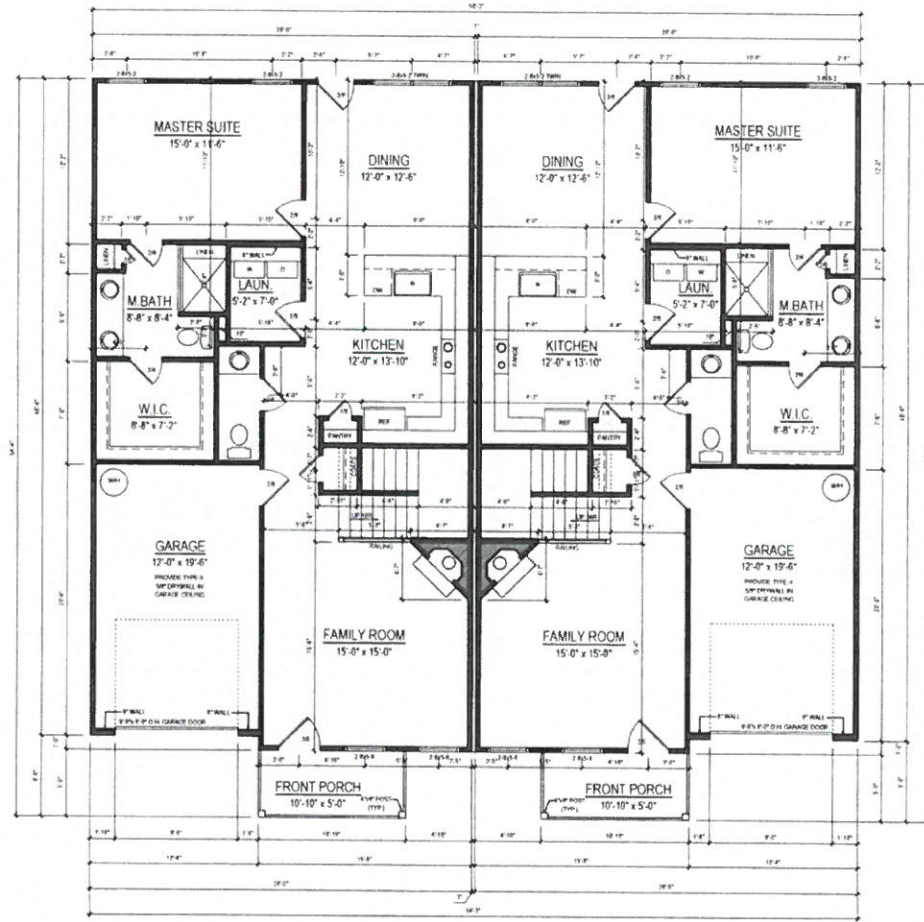
2) DESIGN LOADS:

	AN UNIFORM DEAD LOAD (DL)	UNIFORM DEAD LOAD (DL)	DEFLECTION (D.S.)
ALL FLOORS	10	15	1/80
ATTIC (W/OUT SHEATH)	20	10	1/200
ATTIC (W/ SHEATH)	15	5	1/200
EXTERNAL BALCONY	30	10	1/80
ROOF	20	10	1/40
ROOF (W/OUT SHEATH)	20	20	1/40
WIND LOAD	BASED ON 15 MPH 3-second gust		

- 3) MINIMUM ALLOWABLE SOLE BEARING PRESSURE = 2000 PSF
- 4) CONCRETE SHALL HAVE A MINIMUM 28 DAY STRENGTH OF 3000 PSI AND A MAXIMUM SLAB OF FIVE INCHES UNLESS NOTED OTHERWISE.
- 5) MINIMUM DEPTH OF UNARMED FULL AGGREGATE FOUNDATION WALLS TO BE LESS THAN 4" WITHOUT USING REINFORCED ALL BRACING. REFER TO SECTION 0505 FOR REINFORCEMENT. BUILDING CODE FOR BRICKELL LIMITATIONS BASED ON WALL HEIGHT SHALL PRECEDE THIS TYPE AND UNARMED FULL HEIGHT.
- 6) ALL FRAMING LUMBER SHALL BE 2X4'S TO 2X10'S PER IBC.
- 7) ALL FRAMING LUMBER EXPOSED TO THE ELEMENTS SHALL BE TREATED MATERIAL.
- 8) ALL LOAD BEARING MEMBERS SHALL BE 2X4'S UNLESS ALL APPROX AND DOWN MEMBERS SHALL BE SUPPORTED BY 1X6'S OR 1X8'S AND 1X6'S USED AT EACH END UNLESS NOTED. ALL DOWN MEMBERS SHALL BE SUPPORTED BY 2X10'S OR THE AMOUNT OF STUDS REQUIRED FOR FULL BEARING AT EACH END UNLESS NOTED. POINT LOADS (STOVE, SINK, ETC.) SHALL CONSIST OF 2 STUDS UNLESS NOTED. ALL SUPPORTS OF 2 STUDS OR MORE SHALL BE TRANSMITTED THROUGH EACH FLOOR TO THE FOUNDATION.
- 9) ALL EXTERIOR WALLS TO BE SHALOW FINISH. THIN WOOD STRUCTURAL PANELS FINISH WITH 1/2" G.C. AT EDGES AND 1/2" G.C. AT 8" SUPPORTS. BLOWING SHALL BE INSTALLED IF LESS THAN 10% OF THE WALL LENGTH IS SHOWN. FINISH BLOWING SHALL BE INSTALLED AT 12" ON EDGES AND 12" O.C. AT 12" SPACINGS.
- 10) ALL STRUCTURAL STEEL SHALL BE A36. STEEL BEAMS SHALL BE SUPPORTED AT EACH END BY A MINIMUM BEARING LENGTH OF 3" OF BONES AND FULL FLANGE BEARING SHALL BE PROVIDED FROM BEAM SUPPORT TO FOUNDATION. BEAMS SHALL BE ATTACHED TO EACH SUPPORT WITH PLATES. SOME USE SHIMMER AND IF LOCAL LATERAL SUPPORT IS CONSIDERED APPROPRIATE PROVIDING THE JOISTS ARE NAIL TO THE SOLE PLATES AND THE SOLE PLATES ARE NAIL TO JOISTS TO THE BEAM FLANGES AT C.C.
- 11) JOIST AND RAIL PLACEMENT PER SECTION 0505. ALL 1" DIAMETER ANCHOR BOLTS SPACED AT 12" O.C. AND PLACED 12" FROM THE END OF EACH PLATE SECTION.
- 12) FLOORING, DRAINAGE GAUGING PROOFING OR WATERPROOFING PER SECTION 0505 AND 0511. ALL RETIERS THE BUILDING CODE.
- 13) WIND AND ROOF CLADDING VALUES:  
WIND CLADDING SHALL BE DESIGNED FOR 30 PSI SDFI OR GREATER POSITIVE AND NEGATIVE PRESSURE.  
ROOF VALUES 80% POSITIVE AND NEGATIVE SHALL BE AS FOLLOWS:  
ALL ROOF SLOPE FOR ROOF PANELS OF 1/2" TO 1/2"  
ALL ROOF SLOPE FOR ROOF PANELS OF 1/2" TO 1/2"  
ALL ROOF SLOPE FOR ROOF PANELS OF 1/2" TO 1/2"  
ALL ROOF SLOPE FOR ROOF PANELS OF 1/2" TO 1/2"
- 14) FOR ROOF SLOPE FROM 2 TO 12 THROUGH 4 BY 12 IN ORDER TO INSTALL 2 LAYERS OF 5/8" PLY PAPER.
- 15) IF THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND ALL P.S. ARE CORRECT PRIOR TO CONSTRUCTION, DESIGNER IS NOT RESPONSIBLE FOR CORRECTING OR FOR THE FINISHED CONSTRUCTION WORK.

**TABLE N1102.1 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT**

CLIMATE ZONE	MINIMUM SLABING FACTOR	MINIMUM INSULATION R-VALUE				CEILING SPACE VALUE	GARAGE CEILING
		CEILING	WALLS	FLOORS	BASEMENT WALLS		
3	38	R-13	R-13	R-13	R-5	R-5	R-5
4	38	R-13	R-13	R-13	R-5	R-5	R-5



**FIRST FLOOR PLAN**  
1/4" = 1'-0" CEILING HT. = 9'-0"

Drawn	21-033
Date	2-15-21
Checked	
Scale	1/4" = 1'-0"

REVISIONS	
No.	Remarks

9101 Ten-Ten Rd.  
Raleigh, NC 27603  
Office: (919) 302-0693



Duplex

O'Connell  
Developing, LLC.  
1212 Riggins Mill Rd.  
Cary, NC 27519

FIRST FLOOR  
Sheet Number  
**2**  
of 3

Email: keel@kaandahomedesigns.com Website: www.kaandahomedesigns.com

**STRUCTURAL NOTES**

1) ALL CONSTRUCTION SHALL CONFORM TO THE LATEST EDITIONS OF 2018 NORTH CAROLINA STATE RESIDENTIAL BUILDING CODE IN ADDITION TO ALL LOCAL CODES AND REGULATIONS.

2) DESIGN LOADS:

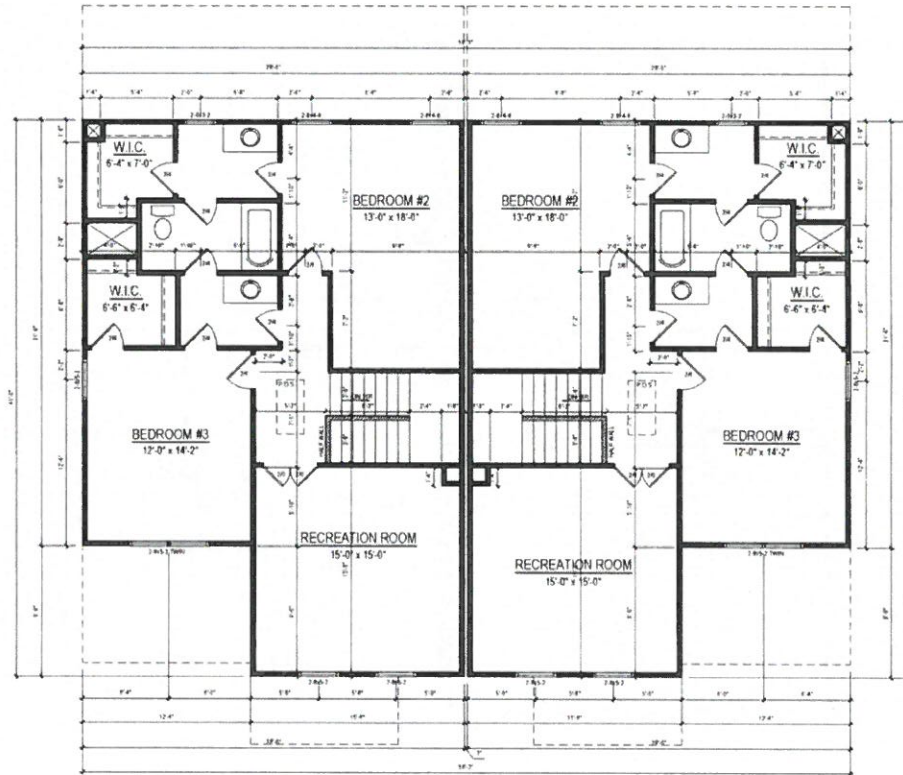
FLOOR	LIVE LOAD (PSF)	DEAD LOAD (PSF)	DEFLECTION (IN. ALL)
ALL FLOORS	40	10	1/400
ATTIC (MULTI-BAY)	20	10	1/400
ATTIC (SINGLE-BAY)	10	5	1/400
CEILING, BALCONY	20	10	1/400
ROOF	20	10	1/120
ROOF TRUSSES	20	20	1/400

NOTE: DEAD LOADS BASED ON 15 LB/FT<sup>2</sup> TYPICAL JOIST

- 3) MINIMUM ALLOWABLE SOIL BEARING CAPACITY = 2000 PSF
- 4) CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF FIVE THOUSEND UNLESS NOTED OTHERWISE (5000).
- 5) REINBARMENT OF CONCRETE SHALL BE PLACED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. REFER TO SECTION 905 OF 2018 NC RESIDENTIAL BUILDING CODE FOR REBAR LIMITATIONS BASED ON WALL HEIGHT. REINBARMENT SIZE, TYPE, AND SPACING SHALL BE NOTED.
- 6) ALL FRAMING LAMBERS EXPOSED TO THE ELEMENTS SHALL BE TREATED MATERIAL.
- 7) ALL LOAD BEARING MEMBERS SHALL BE OVERHUNG ALL WINDOWS AND DOOR HEADS SHALL BE SUPPORTED BY JACK STUDS AND 2" MINIMUM STUDS AT EACH END UNLESS NOTED. ALL OTHER BEAMS SHALL BE SUPPORTED BY 2" STUDS OR THE ABOVE OF STUDS PROVIDED FOR EACH BEARING AT EACH END UNLESS NOTED. POINT LOADS (STAIR WELLS, ETC.) SHALL CONSIST OF 2 STUDS UNLESS NOTED. ALL SUPPORTS OF 2 STUDS OR MORE SHALL BE TRANSFERRED THROUGH EACH FLOOR TO THE FOUNDATION.
- 8) ALL EXTERIOR WALLS TO BE BRICKED UP WITH 1/2" MINIMUM STRUCTURAL PANELS FINISHED WITH 5/8" DIA. AT EDGES AND 1/2" DIA. AT CORNERS. BRICKWORK SHALL BE INSTALLED AT LEAST THREE FEET UP OF THE WALL. LEAKS IN BRICKWORK WHERE BLOCKING IS USED ALL PANELS SHALL BE FASTENED BY 6" DIA. AT EDGES AND 1/2" DIA. AT CORNERS.
- 9) ALL EXTERIOR WALLS SHALL BE BRICKED UP WITH 1/2" MINIMUM STRUCTURAL PANELS FINISHED WITH 5/8" DIA. AT EDGES AND 1/2" DIA. AT CORNERS. BRICKWORK SHALL BE INSTALLED AT LEAST THREE FEET UP OF THE WALL. LEAKS IN BRICKWORK WHERE BLOCKING IS USED ALL PANELS SHALL BE FASTENED BY 6" DIA. AT EDGES AND 1/2" DIA. AT CORNERS.
- 10) ANCHOR BOLT PLACEMENT PER SECTION 905.1.6. 1/2" DIAMETER ANCHOR BOLTS SPACED AT 6" O.C. AND PLACED 12" FROM THE END OF EACH PLATE SECTION.
- 11) FOUNDATION DRAINAGE CHAMP PROOFING OR WATERPROOFING PER SECTION 905.4 AND 905.5 OF 2018 NC RESIDENTIAL BUILDING CODE.
- 12) WALL AND ROOF CLADDING VALUES:  
WALL CLADDING SHALL BE DESIGNED FOR A 20.1 PSF OR GREATER POSITIVE AND NEGATIVE PRESSURE. ROOF VALUES BOTH POSITIVE AND NEGATIVE SHALL BE AS FOLLOWS:  
433 LB/SQ FT FOR ROOF PITCHES OF 3:12 TO 12:12  
514 LB/SQ FT FOR ROOF PITCHES OF 2:12 TO 3:12  
215 LB/SQ FT FOR ROOF PITCHES OF 1:12 TO 2:12  
140 LB/SQ FT FOR ROOF PITCHES OF 1:12 TO 1:12
- 13) ROOF SLOPES FROM 2:12 THROUGH 4:12 BUILDER TO INSTALL 2 LAYERS OF 1/2" FIBER PAPER.  
NOTE: IN THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL DIMENSIONS AND REVISIONS ARE CORRECT PRIOR TO CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR DIMENSIONS OR REVISIONS ONCE CONSTRUCTION BEGINS.

**TABLE N1102.1 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT**

CLIMATE ZONE	MINIMUM U-FACTOR	MINIMUM INSULATION R-VALUE				
		CEILING	WALLS	FLOORS	BASEMENT WALLS	GLAZED FENESTRATION
3	0.25	R-10	R-13	R-10	R-5	R-2
4	0.25	R-10	R-13	R-10	R-5	R-2



**SECOND FLOOR PLAN**  
1/4" = 1'-0" CEILING HT = 9'-0"

Drawn	21-033
By	2-15-21
Checked	
Date	
Scale	1/4" = 1'-0"

REVISIONS		
No.	Desc.	Issued

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1212 Riggins Mill Rd.  
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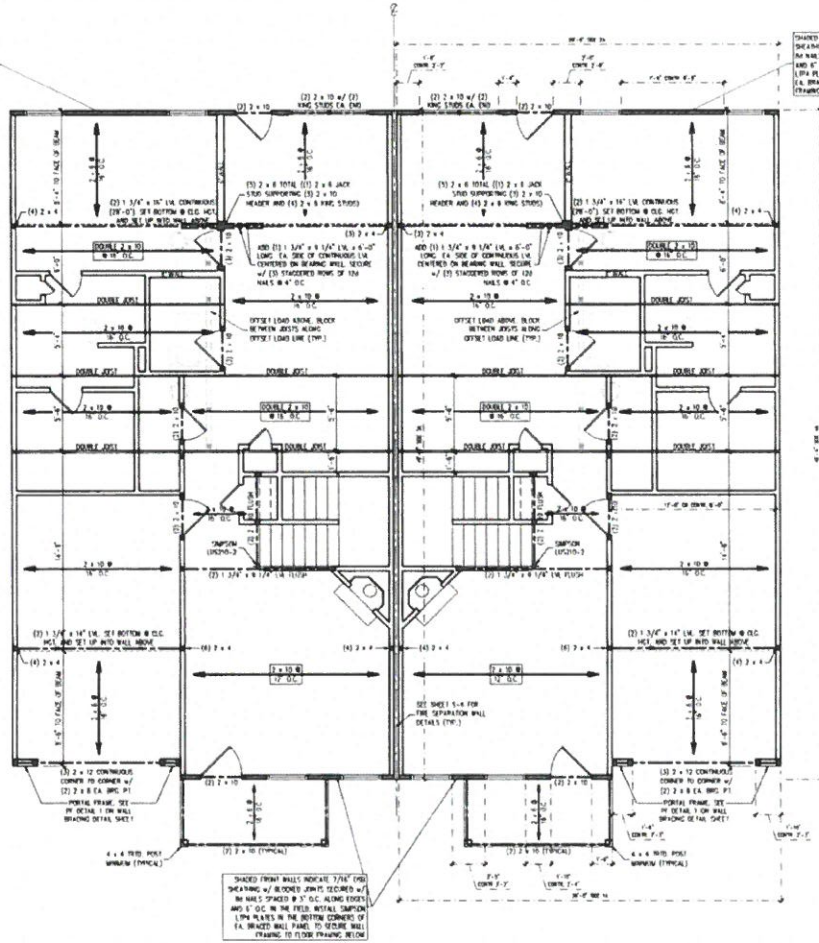
SECOND FLOOR

Sheet Number  
**3**



SHADED NEAR WALLS INDICATE 7/16" ODB SHEATHING w/ BLOCKED JOINTS REQUIRED w/ 16" BARS SPACED @ 7" O.C. ALONG EDGES AND 8" O.C. IN THE FIELD. METAL SIMPSON LPSA PLATES IN THE BOTTOM CORNERS OF EA BRACKET WALL PANEL TO SECURE WALL FRAMING TO FLOOR FRAMING BELOW.

SHADED NEAR WALLS INDICATE 7/16" ODB SHEATHING w/ BLOCKED JOINTS REQUIRED w/ 16" BARS SPACED @ 7" O.C. ALONG EDGES AND 8" O.C. IN THE FIELD. METAL SIMPSON LPSA PLATES IN THE BOTTOM CORNERS OF EA BRACKET WALL PANEL TO SECURE WALL FRAMING TO FLOOR FRAMING BELOW.



- BRACKET WALL SECTION NOTES:**
- BRACKET WALL SECTION PER SECTION NEEDS TO BE WORK 2018 FORMING.
  - CS-WIP RETENS TO THE TYPICAL SHEATHING-WOOD STRUCTURAL PANELS. WALL BRACING HEADS 7/16" ODB SHEATHING SHALL BE INSTALLED ON ALL EXPOSED SURFACES OF ALL EXTERIOR WALLS ATTACHED w/ 16" COMMON WALL OR 16" x 17" (10G) x 1/2" (1) 1/2" WALL SPACERS 7" O.C. ALONG PANEL EDGES AND 12" O.C. IN THE FIELD (10G).
  - 120" METERS TO THE TOPPING BRACKET WALL BRACING MEMBER SHALL BE INSTALLED ON BOTH SIDES OF THE BRACKET WALL FASTENED WITH 1 1/4" x 1/4" SCREWS OR 1 1/4" x 1/4" COILED NAILS SPACED 7" O.C. ALONG PANEL EDGES AND 7" O.C. ALONG INTERMEDIATE SUPPORTS (10G).
  - SEE NOTES AND DETAIL SHEETS FOR ADDITIONAL BRACKET WALL INFORMATION.

**BRACKET WALL SECTION SUMMARY:**

SECTION	REQUIRED LENGTH	PROVIDED LENGTH
SECTION 1A	12.6' F	12.6' F
SECTION 2A	24.6' F	24.6' F
SECTION 3A	12.6' F	12.6' F
SECTION 4A	15.6' F	15.6' F

- SECOND FLOOR FRAMING STRUCTURAL NOTES:**
- ALL FRAMING LENGTHS TO BE TOP OF DIMS. ALL TREATED LENGTHS TO TOP OF DIMS.
  - ALL LOAD BEARING HEADERS TO BE (2) 2 x 10 DIMS. WINDOW AND DOOR HEADERS TO BE SUPPORTED w/ (1) JOIST END AND (1) KING STUD (EA END PANEL).
  - INSTALL AN EXTRA OR DOUBLE JOIST UNDER WALLS PARALLEL TO THE JOIST BEARING NOTED ON THE PLAN.
  - SECURE 4 x 4 OR 6 x 6 POSTS TO COMMON FLOORING w/ SIMPSON ANCHOR OR ANCHOR POST ANCHORS. SECURE 4 x 4 OR 6 x 6 POSTS TO HEADERS/BEAMS w/ 20G LB CARNOTITE LIFT CONNECTORS (10G).
  - REFER TO NOTES AND DETAIL SHEETS FOR ADDITIONAL STRUCTURAL INFORMATION.



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**DUPLEX O'CONNELL DEVELOPING, LLC.**

REVISIONS:

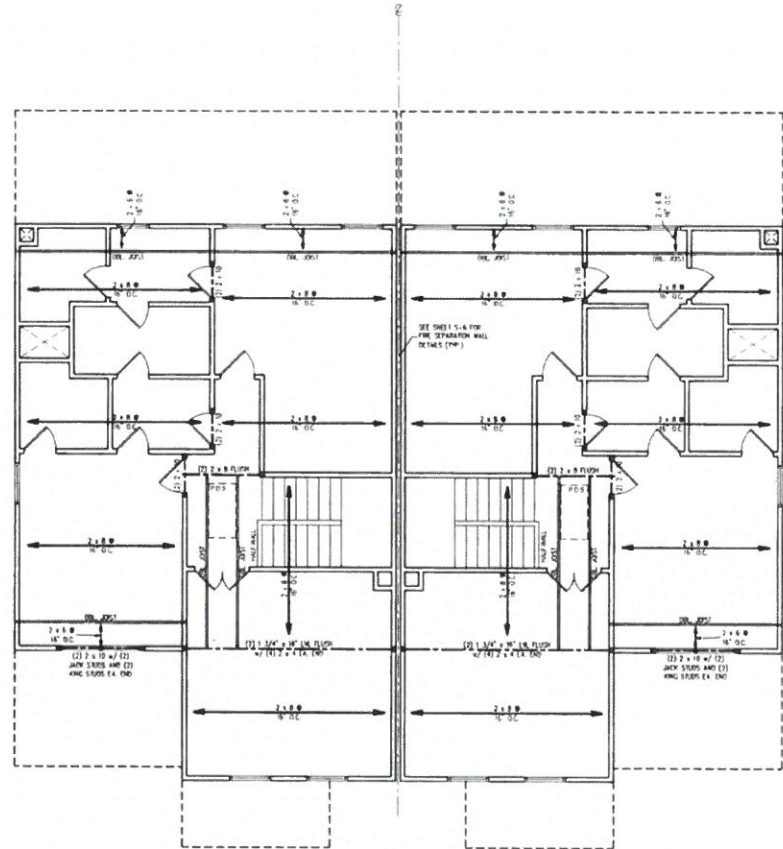
DESIGN BY: ERM HOME DESIGN, INC.  
 ENGINEER BY: J. SMITH  
 SCALE: 1/4" = 1'-0"  
 DATE: 2-18-2021  
 SHEET: 2 OF 6

**LEGEND**

—	150D COLUMN AT POINT LOADS THAT REQUIRE TOP BLOCKING TO CENTER ON FOUNDATION
—	16" SUPPORT HEADERS: (1) JOIST END AND (1) KING STUD (10G)
—	16" STUD BEAMS: (2) STUDS (10G)
—	OFFSET TOP/LOAD THROUGH JOIST JOINTS SHALL BE SUPPORTED BY BEAM JOINT, OR RECEIVING AS NOTED ON THE PLAN.
—	BEAM OR HEADER AS NOTED
—	THIS LINE TYPE INDICATES PLUMBING OF LINESHEDS ON THE FLOOR ABOVE TO HELP ELIMINATE FRAMING CONFLICTS WITH UTILITIES. FOR REFERENCE ONLY. SEE ARCHITECTURAL DRAWINGS.
(10G)	UNLESS NOTED OTHERWISE

**S-2**  
**SECOND FLOOR FRAMING PLAN**

TDB RPPR.055033.2021



**BRACED WALL DESIGN NOTES:**

- BRACED WALL DESIGN PER SECTION 902.10 OF THE 2018 IRC.
- THIS SECTION NEEDS TO BE IN THE 2018 IRC. THE AMOUNT OF BRACING ON THE SECOND FLOOR EXCEEDS THE MAXIMUM REQUIRED FOR THE FIRST FLOOR AND NO BRACED WALL ANALYSIS IS REQUIRED.
- CS-WR SYSTEMS TO THE "DOWNWARD SHEARING-WIND STRUCTURAL PANELS" WALL BRACING NEEDS 2"x4" OR THE FRAME SHALL BE INSTALLED ON ALL DETERMINABLE SURFACES OF ALL EXTERIOR WALLS ATTACHED TO AN EXTERIOR WALL OR AN 18" x 18" LONG x 6" DIA. ONLY WALL STUDS OF 6" OC ALONG PANEL EDGES AND 12" OC IN THE FIELD (N/A).
- SEE NOTES AND DETAIL SHEETS FOR ADDITIONAL BRACED WALL INFORMATION.

**CEILING FRAMING STRUCTURAL NOTES:**

- ALL FRAMING MEMBER TO BE 2"x6" (2x6) ALL PRE-CAST CONCRETE TO BE 50% (2x6) (2x6).
- ALL LOAD BEARING MEMBERS TO BE (2) 2" x 10 (2x10).
- WINDON AND CORNER HEADERS TO BE SPECIFIED W/ (1) JACK STUDS AND (2) KING STUDS EX (END STUDS).
- REFER TO NOTES AND DETAIL SHEETS FOR ADDITIONAL STRUCTURAL INFORMATION.



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**DUPLEX O'CONNELL DEVELOPING, LLC.**

REVISIONS:

ISSUED BY: K&H HOME DESIGN, INC.

ENGINEERED BY: J. SMITH

SCALE: 1/4" = 1'-0"

DATE: 2-18-2021

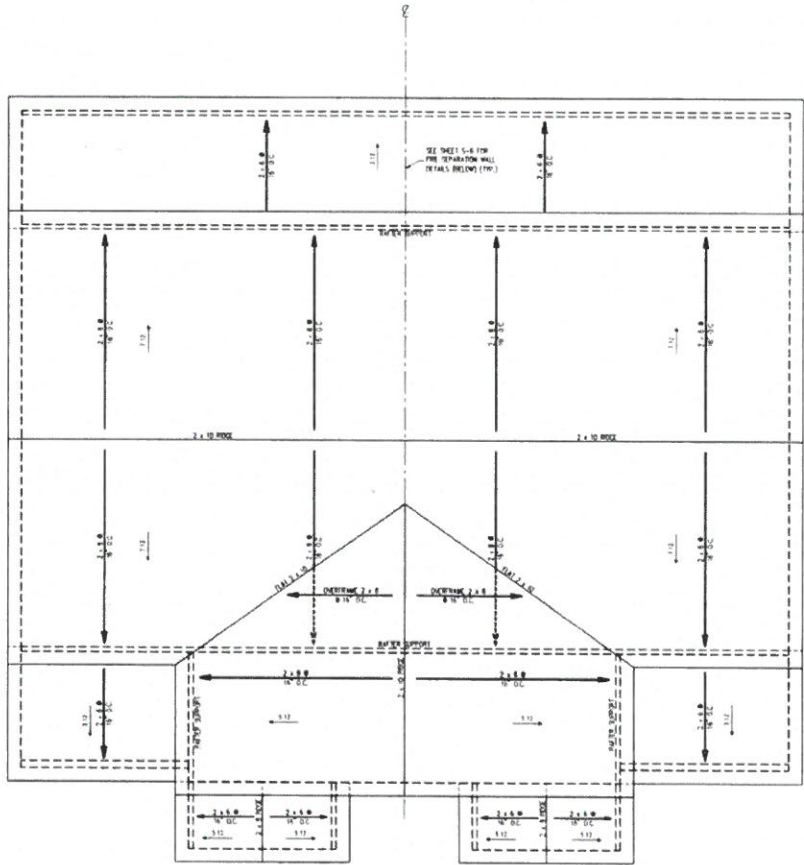
SHEET: 3 OF 8

**S-3**  
**CEILING FRAMING PLAN**

LEGEND	
(S) 2" x 6" (2x6)	2" x 6" (2x6) (2x6)
(J) 2" x 10" (2x10)	2" x 10" (2x10) (2x10)
(K) 2" x 10" (2x10)	2" x 10" (2x10) (2x10)
(S) 2" x 10" (2x10)	2" x 10" (2x10) (2x10)
(K) 2" x 10" (2x10)	2" x 10" (2x10) (2x10)
(S) 2" x 10" (2x10)	2" x 10" (2x10) (2x10)
(K) 2" x 10" (2x10)	2" x 10" (2x10) (2x10)
(S) 2" x 10" (2x10)	2" x 10" (2x10) (2x10)
(K) 2" x 10" (2x10)	2" x 10" (2x10) (2x10)

TDB BRBR\_055033\_2021

- ROOF FRAMING STRUCTURAL NOTES:**
1. ALL FRAMING MEMBER TO BE (2) LAY (SINGLE)
  2. SHEAR ROOF w/ 7/8" OMB SHEARING JOISTS w/ 8M NAILS @ 8" O.C. ALONG JOISTS AND 10" O.C. IN THE FIELD
  3. CHOP FRAME OVER-FRAMED ROOF JOISTS w/ 2 x 4 MEMBERS 2 x 4 PARTIAL @ 4" O.C. AND FLAT 2 x 4 VALLEY FLAT @ THE VALLEY (SEE NOTES 1 & 2)
  4. FLASHING FLAT VALLEYS TO BE RIGID OR BRIDGE WITH 18" WIDE FLASHING. SEE 18" O.C. NAIL PER FLASHING. SEE FLASHING WITH IN ROOF SHEETING IF DESIGNED. SEE FLASHING TO FLAT VALLEYS WITH A MIN. OF (6) 12# TOE NAILS.
  5. DETAILS (1) SIMPSON HO-SH HANGING TR (TOP CORNER) @ 16" RADIUS BEARING.
  6. REFER TO ROOF AND DETAIL SHEETS FOR ADDITIONAL STRUCTURAL INFORMATION.



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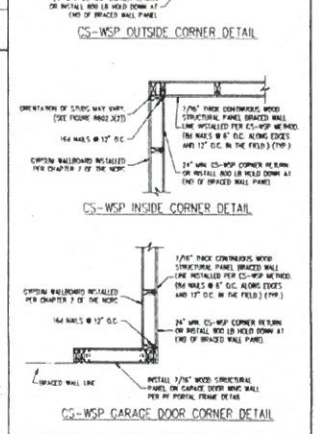
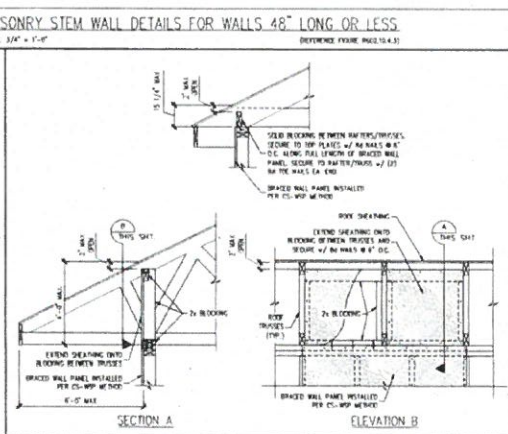
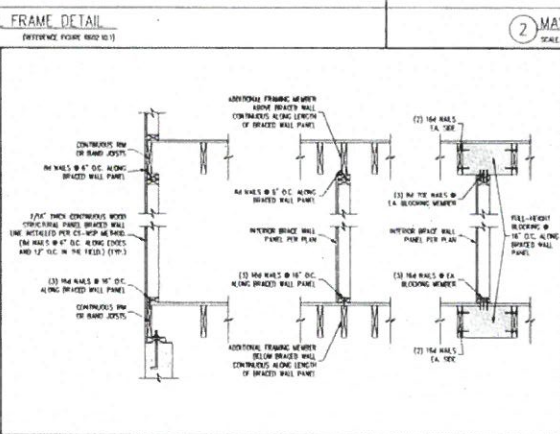
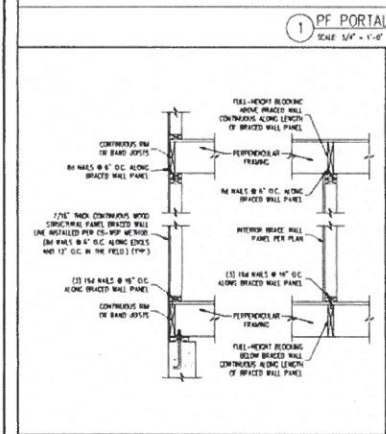
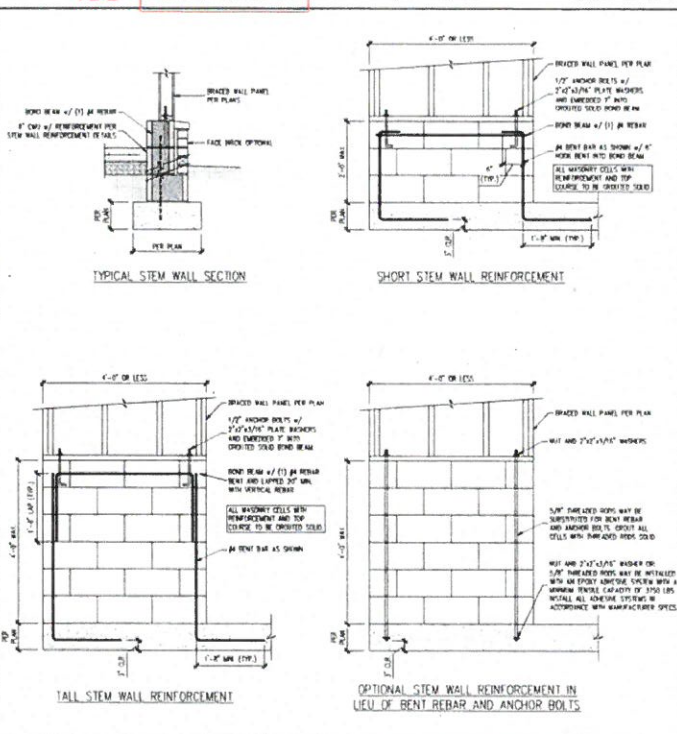
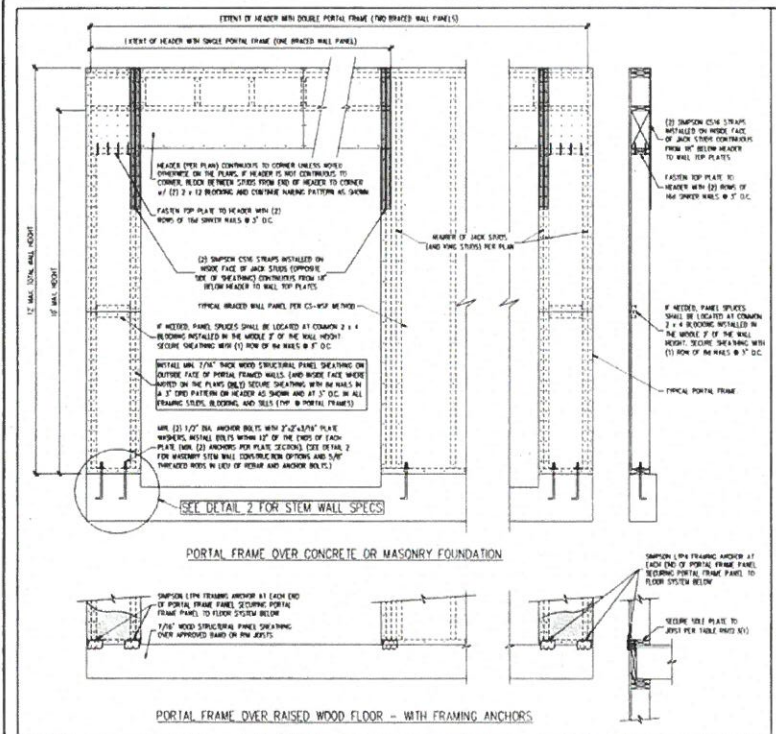


**DUPLEX O'CONNELL DEVELOPING, LLC.**

REVISIONS:	

DRAWN BY: EBA HONE DESIGN, INC.  
 ENGINEERED BY: J. SMITH  
 SCALE: 1/4" = 1'-0"  
 DATE: 2-18-2021  
 SHEET: 4 OF 8

**S-4**  
 ROOF FRAMING PLAN



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**DUPLEX O'CONNELL DEVELOPING, LLC.**

DESIGNED BY: KEA HEAL DESIGN, INC.  
ENGINEERED BY: J. SMITH  
SCALE: 1/4" = 1'-0"  
DATE: 2-19-2021  
SHEET: 5 OF 8

**S-WB WALL BRACING DETAIL SHEET**



**DESIGN NO. U336 SPECIFICATIONS**  
 RBBP055033 - FIRE RESISTANCE RATINGS - ANSUL Z63  
 DECEMBER 03, 2020

DESIGNED TO THE NEW SEPARATION WALL (SEE ONLY WORKING WALL RATING - 2 HR SEPARATION WALL, SEE ITEMS 1, 2 AND 3) REAR WALL FRAMING - 2 HR (PROJECTED WALL, SEE ITEMS 4 AND 4A) WORKING WALL RATING - 2 HR (PROJECTED WALL, SEE ITEM 4B) TYPICAL FRAMING - 10R WH

MEASURES, BOTH METHODS SHALL BEAR THE LEAD CONSTRUCTION MARK FOR APPROVED WORK EXPLAINING THE LEAD CERTIFICATION.

**SEPARATION WALL (NEW METHOD) - R1.111**

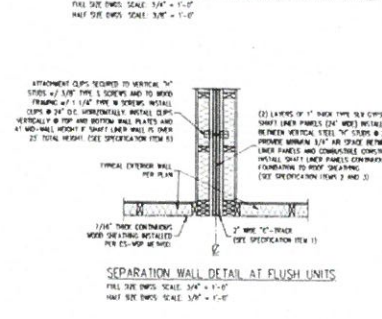
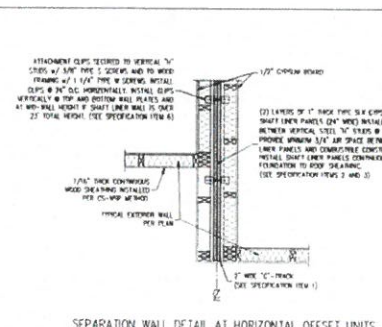
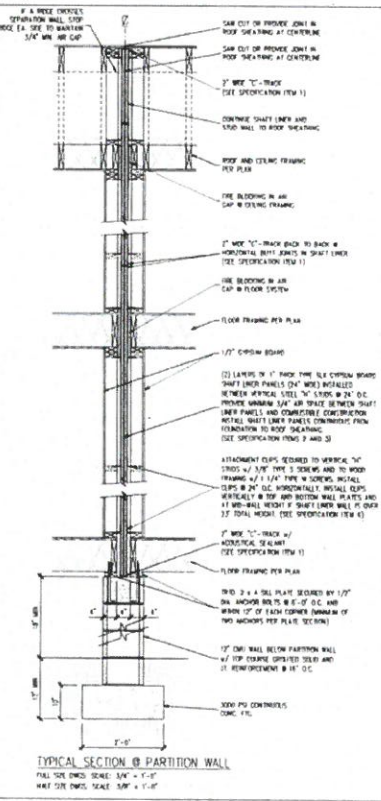
- FLOOR INTERMEDIATE END OF TOP 2" WALL - 2" WIDE CHANNEL "C" SHAPED WITH 1" LONG LEGS FORMED FROM NO. 25 WILD CALY STEEL SECURED WITH SAFIRE FASTENERS SPACED 24" O.C.
- WALL STUDS - STEEL MEMBERS FORMED FROM NO. 25 WILD CALY STEEL SHAPING "C" SHAPED FLANGED STUDS 24" O.C. (GENERAL VIEW 1) AND FLANGED WITH 1/4"
- CEILING BOARDING - TWO LAYERS OF 1/2" THICK CEILING BOARD (SEE PANELS SHOWN VERTICALLY BETWEEN STEEL STUDS)
  - + CC# INC. - TYPE "B"
  - + UNLESS SPECIFIED OTHERWISE - TYPE "0"
  - + USE NONE OPTION "2" OR "3"
  - + USE NONE 5 A OR 6 C - TYPE "0"

**PROJECTED WALL (REAR WALL) OR WORKING WALL**

- WALL STUDS - GENERAL 2 x 4 W/AL FRAMING 24" O.C. STUDS CROSS BRACED AT MID-HEIGHT WHERE NECESSARY FOR CLIP ATTACHMENT WITHIN 1/4" SEPARATION BETWEEN ROOF FRAMING AND THE SEPARATION WALL.
  - AW - STEEL STUDS - #14
  - BR - STEEL STUDS - #14
- CEILING BOARDING - GLAZED OR UNGLAZED - 1/2" WIDE, 4 FT. HIGH, APPLIED EITHER HORIZONTALLY OR VERTICALLY CEILING BOARD ATTACHED TO STUDS WITH 1/4" LONG STUDS (GENERAL WALLS SHOWN AT O.C. VERTICAL JOINTS LOCKED OVER STUDS, (OPTIONAL) JOINTS LOCKED WITH PAPER TAPE AND JOINT COMPOUND SHALL BE COVERED WITH JOINT COMPOUND)
- ATTACHMENT CLIPS - ALUMINUM ANGLE, 3/16" THICK, 1/2" WIDE WITH 2" AND 1 1/2" LEGS. CLIPS SECURED WITH TWO 5 SCREWS (SEE LONG TO "F" CLIP) AND NUT TYPE "A" SCREWS (SEE 1/4" LONG TO WOOD FRAMING INDOOR HOLES PROVIDED IN CLIP)
  - AW - CLIP PLACEMENT (SEE 6A) FOR SEPARATION WALLS UP TO 32" HIGH SPACE CLIPS A MAX OF 16" O.C. VERTICALLY BETWEEN WOOD FRAMING AND "F" CLIP
  - BR - CLIP PLACEMENT (SEE 6B) FOR SEPARATION WALLS UP TO 42" HIGH SPACE CLIPS AS DESCRIBED IN ITEM 6A FOR UPPER 24" REAR/WALL AREA BELOW REQUIRES CLIP SPACES A MAX 3" O.C. VERTICALLY BETWEEN WOOD FRAMING AND "F" CLIP
  - CC - CLIP PLACEMENT (SEE 6C) FOR SEPARATION WALLS UP TO 32" HIGH SPACE CLIPS AS DESCRIBED IN ITEM 6A FOR UPPER 24" SPACE CLIP AS DESCRIBED IN ITEM 6B FOR REST OF BELOW THE UPPER 24" REAR/WALL AREA BELOW REQUIRES CLIP SPACES A MAX OF 42" O.C. VERTICALLY BETWEEN WOOD FRAMING AND "F" CLIP
- NON-BEARING WALL FRAMING INTERSECTION (OPTIONAL) - TWO UPPER 2 x 4 STUDS OR MEMBERS 2 x 4 STUDS MAILED TOGETHER WITH (2) 1/2" LONG NON-BEARING WALL STUDS A MAX 3" O.C. VERTICALLY AND FASTENED TO ONE SIDE OF THE UPPER 2 x 4 STUD WITH 3" LONG NON-BEARING WALL STUDS A MAX 3" O.C. VERTICALLY. INTERSECTION BETWEEN PARTITION WALL STUDS TO BE FLUSH WITH NO. 2 x 4 STUD. THE WALL PARTITION STUDS ARE TO BE FRAMED WITH A SECOND 2 x 4 WOOD STUD FASTENED WITH 3" LONG NON-BEARING WALL STUDS A MAX 3" O.C. VERTICALLY. WHATEVER THE NON-BEARING WALL PARTITION INTERSECTION FOR THIS CLIP. NON-BEARING WALL PARTITION STUD SHALL BE AT 1" SPACING EQUAL TO DEPTH OF THE WALL.
- BLOCKING AND SEALING (OPTIONAL) - INTENDED FOR USE AS AN AIR BARRIER - NOT INTENDED TO BE USED AS (PREVENTING) A BARRIER TO BE APPLIED ALONG THE PARTITION FRAMING, AND AT THE INTERFACE BETWEEN WOOD OR STEEL FRAMING AND CEILING BOARD PANELS TO CREATE AN AIR BARRIER
  - + FRAMING REGULATOR LLC - TYPE (GENERAL PLUS)
  - + SEALING AND SEALING (OPTIONAL) - INTENDED FOR USE AS AN AIR BARRIER - NOT INTENDED TO BE USED AS PREVENTING A BARRIER TO BE APPLIED ALONG THE PARTITION FRAMING OR THE 1/4" AIR SPACE BETWEEN WOOD FRAMING (6A) AND SHUNT/WALL PANELS (7A) TO CREATE AN AIR BARRIER
  - + CONCRETE REPAIRS, INC. - GREAT CRACK GAPS & CRACKS, GREAT CRACK PRO GAPS & CRACKS, GREAT CRACK PRO WINDOW AND DECK
  - + CONCRETE REPAIRS, INC. - GREAT CRACK GAPS & CRACKS, GREAT CRACK PRO GAPS & CRACKS, GREAT CRACK PRO WINDOW AND DECK
  - + CONCRETE REPAIRS, INC. - GREAT CRACK GAPS & CRACKS, GREAT CRACK PRO GAPS & CRACKS, GREAT CRACK PRO WINDOW AND DECK

**TOP VIEW - EXPOSED TO FIRE FROM EITHER SIDE**  
 FULL SIZE DIMS. SCALE 1/4" = 1'-0"  
 HALF SIZE DIMS. SCALE 1/8" = 1'-0"

**SECTION (A) 1/4" = 1'-0"**



**NOTE:**

- ALL FIRE SEPARATION WALL MATERIALS SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND IN ACCORDANCE WITH R302 OF THE 2018 NRC.
- ALL FIRE BLOCKING SHALL BE INSTALLED PER R302.11 OF THE 2018 NRC.



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 N.C. CERTIFICATE NUMBER: PA-2312



**DUPLEX O'CONNELL DEVELOPING, LLC.**

NO.	DATE	DESCRIPTION

DESIGNED BY: KBA HOME DESIGN, INC.  
 CHECKED BY: J. SMITH  
 SCALE: 1/4" = 1'-0"  
 DATE: 2-18-2021  
 SHEET: 8 OF 8

**S-D1**  
**SEPARATION WALL DETAILS**

**ARTICLE 4: USES**

4.3. Use-Specific Standards

4.3.3. Residential Use Types

**a. MAXIMUM HEIGHT**

A dwelling unit shall not exceed 1½ stories, or 24 feet, above grade.

**b. DWELLING SIZE**

- i. A dwelling unit shall be at least 600 square feet in floor area, but not more than 2,000 square feet in floor area.
- ii. At least 2 dwellings in a pocket neighborhood shall maintain a total square footage that differs by at least 200 square feet in floor area from the average square footage of all other dwellings. Nothing shall prohibit a configuration where all dwellings are different sizes.

**c. FENCES**

Pocket neighborhoods are exempted from the standards in Section 5.5, Fences and Walls, but shall comply with the following:

- i. Fences within front yards or side yards forward of the front façade plane shall not exceed three feet in height.
- ii. Fences in rear yards or side yards behind the front facade plane shall not exceed six feet in height.
- iii. In no instance shall a fence be placed within a use or access easement.

**d. HOMEOWNER'S ASSOCIATION**

A pocket neighborhood shall include a homeowner(s) or property owner(s) association that maintains control of common areas and takes responsibility for maintenance of common features in the neighborhood established and configured in accordance with Section 6.5, Owners' Associations.

**O. SINGLE-FAMILY ATTACHED DWELLING**

Single-family attached development shall comply with the following provisions:

**1. BUILDING PLACEMENT**

- a. A minimum ten feet of separation shall be maintained between all buildings in the development.
- b. Buildings must be set back from private drives and parking lots a minimum of ten feet as measured from back of curb or edge of pavement, if no curb is provided.
- c. Buildings shall be setback from public streets in the development in accordance with the street setbacks for the district where located.

**2. MAXIMUM NUMBER OF UNITS PER BUILDING**

Table 4.3.3.O.2: Maximum Number of Units in a Buildings, sets out the maximum number of attached residential dwelling units allowed in a single building by zoning district:

<b>TABLE 4.3.3.O.2: MAXIMUM NUMBER OF UNITS IN A BUILDING</b>	
<b>ZONING DISTRICT</b>	<b>MAXIMUM NUMBER OF UNITS IN A SINGLE BUILDING</b>
R4 & R6	6
RMF	12
GC	12
OI	8
DTC	5
DTP	8

**3. RECREATION FACILITIES**

## ARTICLE 4: USES

### 4.3. Use-Specific Standards

### 4.3.3. Residential Use Types

Active recreation facilities must be placed a minimum of 50 feet from adjacent land used for single-family detached residential purposes.

#### 4. UTILITIES

All electric, communications, water and sewer utility lines shall be installed underground.

#### 5. CONDOMINIUMS

Single-family attached development configured as condominiums shall comply with the following standards:

- a. Condominiums shall conform to the use and development requirements of this Ordinance for the zoning district(s) where located.
- b. Condominiums shall conform to the requirements of the North Carolina Condominium Act, in Chapter 47C of the North Carolina General Statutes.
- c. Condominium ownership may be created by the owner or co-owners of a structure(s) by an express declaration of their intention to submit such property to the provisions of the North Carolina Condominium Act, which declaration shall be subject to approval by the Board of Commissioners and recorded in the office of the Register of Deeds in the county where the development is located.

#### 6. ACCESS TO DEVELOPMENT

- a. Single-family attached developments shall abut a public street.
- b. Individual single-family attached lots need not abut a public street provided that every dwelling unit shall be provided access to their property via either a public right-of-way or a private vehicular or pedestrian way owned by the individual lot owner in fee or in common ownership with other property owners in the townhouse development.
- c. Adequate access shall be provided for firefighting equipment, service deliveries and refuse collections.

#### 7. VEHICULAR ACCESS TO INDIVIDUAL DWELLINGS

Vehicular access points to individual dwellings or individual lots within a single-family attached development shall only be from the side or rear of the lot.

#### 8. GUEST PARKING SPACES REQUIRED

- a. Single-family attached residential developments of three or more dwelling units shall provide shared or common guest parking facilities in accordance with the standards in [Table 5.8.4.H: Minimum Off-Street Parking Requirements Table](#).
- b. Guest parking spaces shall be evenly distributed around the development, to the maximum extent practicable.
- c. Guest parking areas shall be served by pedestrian access that connects to the existing public sidewalk, greenway, or trail network serving the development.

### P. SINGLE-FAMILY DETACHED DWELLING

New single-family detached dwellings constructed after January 1, 2020 shall comply with the following standards:

#### 1. FINISHED FLOOR HEIGHT

Except for single-family detached dwellings subject to a deed restricting limiting the age of residents to 55 years of age or older, the finished floor elevation shall be at least 18 inches above the finished grade adjacent to the home's primary entrance.

#### 2. INGRESS/EGRESS ON EVERY SIDE

Single-family detached dwellings shall be configured so that each side of the dwelling includes some form of ingress or egress capable of allowing emergency exit from or entrance into the dwelling. Windows, doors, or other wall penetrations shall be credited towards these standards. Skylights shall also be credited towards these standards in cases where there is sufficient access to the ground from the roof.

#### 3. SITE ACCESS

**ARTICLE 2: PROCEDURES**

2.2. Application Review Procedures

2.2.21. Variance

**2.2.21. VARIANCE**

**A. PURPOSE AND INTENT**

The purpose of this section is to allow certain deviations from the dimensional standards of this Ordinance (such as height, yard setback, lot coverage, or similar numerical standards) when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner’s control (such as topographical conditions, narrowness, shallowness, or shape of a specific parcel of land), a literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. This section also includes standards for variance from the Town’s special flood hazard area standards in Section 3.8.2, Flood Hazard Overlay (FHO) District, as well as the procedures and standards for variances from the watershed protection standards included in Section 3.3.2, Residential Watershed (R1) District.

**B. APPLICABILITY**

1. Development that would otherwise be subject to undue and unique hardship from the applications of the standards in this Ordinance may seek relief from the standards in accordance with this section.
2. No variance may be sought that increases development density (e.g., units per acre) beyond that allowed in a base zoning district, or that would permit a use not allowed in a zoning district.

**C. VARIANCE PROCEDURE**

The variance procedure is described in Figure 2.2.21, Variance Procedure, as supplemented by Section 2.3, Application Processing, and the Procedures Manual.

**D. BOARD OF ADJUSTMENT REVIEW AND DECISION**

1. The BOA, after the conclusion of a quasi-judicial public hearing, shall decide the application for a variance.
2. The decision shall be based on the evidence in the record, as supplemented by the arguments presented at the quasi-judicial hearing, and the standards in Section 2.2.21.G, Variance Review Standards.
3. The decision shall be one of the following:
  - a. Approval of the variance as proposed;
  - b. Approval of the variance with revisions; or
  - c. Denial of the variance.
4. The concurring vote of four-fifths of the BOA shall be necessary to grant a variance.
5. Each decision shall be made in writing and reflect the BOA’s determination of facts and their application to the standards in this Ordinance.
6. The written decision shall be signed by the Chair or other duly authorized member of the BOA.
7. The decision of the BOA shall be effective upon the filing of the written decision.

**E. NOTIFICATION OF DECISION**

The decision of the BOA shall be delivered by personal service, electronic mail, or by first-class mail to the applicant, the landowner, and to any person who has submitted a written request for a copy prior to the

<b>FIGURE 2.2.21: VARIANCE PROCEDURE</b>	
Step	Action
1	Pre-application Conference See <u>Section 2.3.2, Pre-application Conference</u>
2	File Application See <u>Section 2.3.3, Application Filing</u>
3	Completeness Determination See <u>Section 2.3.3.G, Determination of Application Completeness</u>
4	Planning Director Review See <u>Section 2.3.5, Staff Review and Action</u>
5	Public Hearing Scheduled
6	Public Notice See <u>Section 2.3.6, Public Notice</u>
7	Board of Adjustment Review and Decision See <u>Section 2.3.7, Public Hearings and Meetings</u>
8	Notification of Decision See <u>Section 2.3.9, Notification of Decision</u>
9	Recordation

## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

date the decision becomes effective. The person providing notification of decision shall certify that proper notification has been made.

#### F. RECORDATION

If a variance application is approved, the notice of decision may be recorded by the applicant in the office of the Wake County Register of Deeds.

#### G. VARIANCE REVIEW STANDARDS

The standards in this section are organized into the standards applicable to variances from the zoning-related provisions, the flood hazard overlay provisions, and the watershed protection provisions.

##### 1. ZONING-RELATED VARIANCE STANDARDS

###### a. REQUIRED FINDINGS OF FACT

A zoning variance shall be approved on a finding the applicant demonstrates all of the following:

- i. 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.
- ii. 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.
- iii. 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 the variance shall not be regarded as a self-created hardship.
- iv. 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.

###### b. OTHER CONSIDERATIONS

In addition to the making the required findings in subsection (a) above, the BOA may also consider the following:

- i. The variance approval is the minimum necessary to make possible the reasonable use of the land, building, or structure.
- ii. All property taxes on the land subject to the variance application have been paid in full.
- iii. None of the following may be used as the basis for approving a variance:
  1. Neither the nonconforming use of lands, buildings, or structures in the same zoning district, or the permitted use of lands, buildings, or structures in other zoning districts, or personal circumstances;
  2. A request for a particular use that is expressly, or by inference, prohibited in the zoning district;
  3. Hardships resulting from factors other than application of the relevant standards of this ordinance;
  4. The fact that land or a structure may be utilized more profitably or be more marketable with a variance;
  5. The citing of other conforming or nonconforming uses of land or structures in the same or other zoning districts; or
  6. Financial hardship.

##### 2. FLOOD HAZARD OVERLAY VARIANCE STANDARDS

In addition to the standards for a zoning variance, variances from the flood hazard overlay standards in this Ordinance shall be reviewed and decided in accordance with the standards in [Section 3.8.2, Flood Hazard Overlay \(FHO\) District](#), and the following:

###### a. REQUIRED FINDINGS OF FACT

A variance from the flood hazard area standards shall be approved on a finding the applicant demonstrates all of the following standards are met:

## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

- i. There is a good and sufficient cause to grant the variance;
- ii. The variance is the minimum necessary to provide relief;
- iii. Failure to grant the variance would result in exceptional hardship to the landowner; and
- iv. Granting the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with this Ordinance.

#### b. OTHER CONSIDERATIONS

In addition to making the required findings in subsection (a) above, the BOA may also consider the following:

- i. Approval of the variance will not render the building in violation of applicable federal, state, or local requirements;
- ii. Approval of the variance will not result in any increase in flood levels within any designated floodway or non-encroachment area during the base flood discharge;
- iii. The variance is issued prior to any other prerequisite permit or development approvals;

#### c. HISTORIC SITES OR STRUCTURES

Reconstruction or rehabilitation of structures listed on the National Register of Historic Places or the State Inventory of Historic Places may occur in a flood hazard area without need for obtaining a variance in accordance with this subsection.

#### d. REQUIRED FINDINGS FOR DENIAL

All of the following factors shall be considered by the BOA if an application for a variance to the flood hazard area standards is denied:

1. The danger that materials may be swept onto other lands and injure others;
2. The danger to life and land due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual landowner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location as a functionally-dependent facility;
6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the town's adopted policy guidance and the town's floodplain management program;
9. The safety of access to the use in times of flood for ordinary emergency vehicles;
10. The expected height, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

### 3. WATERSHED PROTECTION VARIANCE STANDARDS

#### a. VARIANCES DISTINGUISHED

- i. Variances from the water supply watershed standards in Section 3.3.2, Residential Watershed (R1) District, in the shall take the form of a minor variance or a major variance.
- ii. Major variances pertain to any of the following:
  1. i) The relaxation, by a factor greater that 10 percent, of any management requirement under the low density option;
  2. ii) The relaxation, by a factor greater than five percent, of any buffer, density or built upon area requirement under the high density option; or
  3. iii) Any variation in the design, maintenance or operation requirements of a wet detention pond or other approved stormwater management system.

## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

- iii. Minor variances pertain to a relaxation, by a factor of up to ten percent of any buffer, density, or built-upon area requirement under the low density option.

#### b. REQUIRED FINDINGS OF FACT

Before the Watershed Review Board may grant a variance, it shall make the following three findings, which shall be recorded in the permanent record of the case, and shall include the factual reasons on which they are based:

- i. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. In order to determine that there are practical difficulties or unnecessary hardships, the Board must find that the five following conditions exist:
  - 1. In complying with the provisions of this Ordinance, the applicant can secure no reasonable return from, nor make reasonable use of, their property. Merely proving that the variance would permit a greater profit to be made from the property will not be considered adequate to justify the granting of a minor variance. Moreover, the BOA shall consider whether the variance is the minimum possible deviation from the terms of this Ordinance that will make possible the reasonable use of the property;
  - 2. The hardship results from the application of the ordinance to the property rather than from other factors such as deed restrictions or other hardship;
  - 3. The hardship is due to the physical nature of the applicant's property, such as size, shape or topography, which is different from that of neighboring property;
  - 4. The hardship is not the result of the actions of an applicant who knowingly or unknowingly violates the ordinance, or who purchases the property after the effective date of the ordinance and then comes to the Board for relief; and
  - 5. The hardship is peculiar to the applicant's property, rather than the result of conditions that are widespread. If other properties are equally subject to the hardship created in the restriction, then granting a variance would be special privilege denied to others, and would not promote equal justice.
- ii. The variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit.
- iii. In the granting of the variance, the public safety and welfare have been assured and substantial justice has been done. The BOA shall not grant a variance if it finds that doing so would in any respect impair the public health, safety, or general welfare.

#### c. CONDITIONS OF APPROVAL

- i. In granting a variance approval, the BOA may attach conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable.
- ii. If a variance for the construction, alteration, or use of property is granted, the construction, alteration or use shall be in accordance with the approved site plan.

#### d. PRIOR DENIAL

The BOA shall refuse to hear an appeal or an application for a variance previously denied if it finds that there have been no substantial changes in conditions or circumstances bearing on the appeal or application.

#### e. EXPIRATION

A variance issued in accordance with this section shall be considered a watershed protection permit and shall expire if a building permit or watershed occupancy permit for the use is not obtained by the applicant within six months from the date of the decision.

#### f. ADDITIONAL PROVISIONS FOR MAJOR VARIANCES

##### i. Generally

If the application calls for the granting of a major variance, and if the BOA decides in favor of granting the variance, the BOA shall prepare a preliminary record of the hearing with all deliberate speed. The preliminary record of the hearing shall include the following:

## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

1. The variance application;
2. The hearing notices;
3. The evidence presented;
4. Motions, offers of proof, objections to evidence and rulings on them;
5. Proposed findings and exceptions; and
6. The proposed decision, including all conditions proposed to be added to the permit.

#### ii. Action by the Environmental Management Commission

The preliminary record shall be sent to the Environmental Management Commission for its review as follows:

1. If the Commission concludes from the preliminary record that the variance qualifies as a major variance and that the property owner can secure no reasonable return from, nor make any practical use of the property unless the proposed variance is granted, and the variance, if granted, will not result in a serious threat to the water supply, then the Commission shall approve the variance as proposed or approve the proposed variance with conditions and stipulations.
2. The Commission shall prepare a decision and send it to the BOA. If the Commission approves the variance as proposed, the BOA shall prepare a final decision granting the proposed variance.
3. If the Commission approves the variance with conditions and stipulations, the BOA shall prepare a final decision, including those conditions and stipulations, granting the proposed variance.
4. If the Commission concludes from a preliminary record that the variance qualifies as a major variance and that the property owner can secure a reasonable return from or make a practical use of the property without the variance or the variance, if granted, will result in a serious threat to the water supply, then the Commission shall deny approval of the variance as proposed.
5. The Commission shall prepare a decision and send it to the BOA.
6. The BOA shall prepare a final decision denying the variance as proposed.

#### H. INSUFFICIENT GROUNDS FOR APPROVING VARIANCES

The following factors shall not constitute sufficient grounds for approval of any variance:

1. A request for a particular use that is expressly, or by inference, prohibited in the zoning district;
2. Hardships resulting from factors other than application of requirements of this Ordinance;
3. The fact that land or a structure may be utilized more profitably or be more marketable with a variance;  
or
4. The citing of other nonconforming or conforming uses of land or structures in the same or other zoning districts.

#### I. CONDITIONS OF APPROVAL

In granting a variance, the BOA may prescribe conditions of approval to ensure compliance with the standards of this section, and to assure that the use of the land to which the variance applies will be compatible with surrounding lands and will not alter the essential character of the neighborhood.

1. A variance granted subject to a condition of approval shall be permitted as long as there is compliance with the condition.
2. Violation of a condition of approval shall be deemed a violation of this Ordinance.
3. If a violation or invalidation of a condition of approval occurs, the Planning Director may revoke the authorization for the development subject to the variance.

#### J. EFFECT

##### 1. GENERAL

Approval of a variance authorizes only the particular regulatory relief approved by the BOA. It does not exempt the applicant from the responsibility to obtain all other permits or development approvals required by this Ordinance or any other applicable laws, and does not indicate that the development



## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

for which the variance is granted should receive other permits or development approvals under this Ordinance unless the relevant and applicable portions of this Ordinance are met.

#### **2. NOTIFICATION REGARDING FLOOD INSURANCE COSTS**

- a. An applicant for whom a flood hazard area variance is approved shall be provided written notice by the Planning Director specifying the difference between the base flood elevation (BFE) and the elevation to which the structure is built. The notice shall inform the applicant about the risks to life and property from construction below the BFE and that issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance.
- b. The notification shall be maintained by the Planning Director with the record of the variance action.

#### **3. RECORDS**

Upon request, the Planning Director shall report all flood-related variances approved in accordance with this section to the Federal Emergency Management Agency and the State of North Carolina.

#### **K. AMENDMENT**

Amendment of a variance may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

#### **L. EXPIRATION**

1. If the BOA does not include a time period by which development subject to variance expires, development shall commence within 12 months of the date of issuance of the variance or the variance shall expire and become null and void.
2. A variance shall expire and become invalid if the property owner changes development on the site such that the extraordinary and exceptional conditions that warranted the hardship and variance no longer do so.

#### **M. APPEAL**

1. Any decision by the BOA shall be subject to review by the Superior Court of Wake County by proceedings in the nature of certiorari and in accordance with Section 160D-1402 of the North Carolina General Statutes.
2. Petitions for review must be filed with the Clerk of Court within 30 days of the date the decision is filed in the office of the appropriate review authority and delivered by personal delivery, electronic mail, or first-class mail to the applicant, landowner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective.

**ARTICLE 4: USES**

4.2. Principal Uses

4.2.3. Principal Use Table

**4.2.3. PRINCIPAL USE TABLE**

**TABLE 4.2.3: PRINCIPAL USE TABLE**

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "-"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE				USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
<b>RESIDENTIAL USE CLASSIFICATION</b>																
Assisted Living Facility	-	-	-	S	S	-	P	-	-	-	-	P	-	P	A	4.3.3.A
Boarding/ Rooming House	-	S	S	S	P	P	-	-	-	-	-	S	P	P	A	4.3.3.B
Bungalow Court	-	P	P	P	P	P	-	-	-	-	-	S	-	P	A	4.3.3.C
Continuing Care Retirement Center	-	-	-	P	P	S	P	-	-	-	-	P	-	P	A	4.3.3.D
Duplex Dwelling	-	S	S	P	P	P	S	-	-	-	-	P	P	P	A	
Family Care Home	P	P	P	P	P	P	P	-	-	-	-	P	P	P	A	4.3.3.E
Group Home	-	-	-	S	S	S	-	-	-	-	-	S	-	S	A	4.3.3.F
Halfway House	-	-	-	S	S	-	-	-	-	-	-	S	-	-	A	4.3.3.G
Live/Work Dwelling	-	-	-	-	P	P	P	P	S	-	-	P	P	P	A	4.3.3.H
Manufactured Dwelling	[3]					-	-	-	-	-	-	[3]	-	-	A	4.3.3.I
Manufactured Dwelling Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4.3.3.J
Mobile Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4.3.3.K
Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4.3.3.L
Multi-family Dwelling	-	-	S	S	P	-	P	-	-	-	-	P	P	P	A	4.3.3.M
Pocket Neighborhood	-	P	P	P	P	P	-	-	-	-	-	P	-	P	A	4.3.3.N
Nursing Home	-	-	S	S	S	S	P	-	-	-	-	P	-	P	A	
Single-family Attached Dwelling	-	-	S	S	P	-	P	-	-	-	-	P	P	P	A	4.3.3.O
Single-family Detached Dwelling	P	P	P	P	P	P	P	-	-	-	-	P	P	P	A	4.3.3.P
Triplex/Quadplex	-	-	S	P	P	P	P	-	-	-	-	P	P	P	A	4.3.3.Q
Upper-story Residential	-	-	-	P	P	P	P	P	P	P	-	P	P	P	A	4.3.3.R
<b>INSTITUTIONAL USE CLASSIFICATION</b>																
Adult Day Care Center	-	-	-	-	S	-	P	P	-	-	-	P	-	S	A	4.3.4.A
Airport & Related Facilities	-	-	-	-	-	-	-	-	S	S	S	-	-	-	A	
Antenna Collocation, Major	S	S	S	S	P	P	P	P	P	P	P	P	P	P	A	4.3.4.B
Antenna Collocation, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	
Arboretum or Formal Garden	P	P	P	P	P	P	P	-	-	-	-	P	P	P	A	
Auditorium	-	-	-	-	-	-	P	P	S	P	-	P	P	P	A	4.3.4.C
Blood/Tissue Collection	-	-	-	-	-	-	-	-	-	-	-	S	-	S	-	

Attachment 7, 208 W. Sycamore

N.C.G.S 160D-403(f)

(f) Revocation of Development Approvals. - In addition to initiation of enforcement actions under G.S. 160D-404, development approvals may be revoked by the local government issuing the development approval by notifying the holder in writing stating the reason for the revocation. The local government shall follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval. Development approvals shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any applicable local development regulation or any State law delegated to the local government for enforcement purposes in lieu of the State; or for false statements or misrepresentations made in securing the approval. Any development approval mistakenly issued in violation of an applicable State or local law may also be revoked. The revocation of a development approval by a staff member may be appealed pursuant to G.S. 160D-405. If an appeal is filed regarding a development regulation adopted by a local government pursuant to this Chapter, the provisions of G.S. 160D-405(e) regarding stays apply.


Attachment 8, 208 W. Sycamore St.





STAFF REPORT  
BOARD OF ADJUSTMENT  
212 W. SYCAMORE STREET VARIANCE  
JULY 29, 2021

**Topic: Case # 568480 - 212 W. SYCAMORE STREET VARIANCE**

Speaker: Michael J. Clark, AICP, CZO, Planning Director  
From: Michael J. Clark, AICP, CZO, Planning Director  
Prepared by: Michael J. Clark, AICP, CZO, Planning Director  
Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Adjustment will consider a request from Brian O'Connell for a variance from Section 4.3.3.O of the UDO to allow for multiple driveways at 208 W. Sycamore Street in front of the structure and vehicle access from Sycamore Street.

**Background:**

On March 5, 2021, the applicant submitted a request for a duplex to be constructed at 208 W. Sycamore Street under application RBPR-055035-2021. The application was reviewed by Town of Zebulon Staff and Wake County Building and Inspections Staff and issued in error on March 24, 2021 as the site plan showed two driveways with direct access onto Sycamore. The site is zoned Downtown Periphery and proposed use of a Duplex is a permitted use by right per Section 4.2.3 of Unified Development Ordinance, however, is subject to the standards of Section 4.3.3.O which requires single family attached structures to be accessed from the rear or the side of the structure. Chapter 9 of the UDO defines duplex as a single family attached structure. Section 5.3.3.B of the UDO exempts minimum parking within the Downtown Core and the Downtown Periphery Zoning Districts.

The previous dwelling was demolished under permit DPR-051948-2021, which is still open. The applicant began construction of the structure at 212 W. Sycamore and inquired to staff about a lot division to create two separate units. This request resulted in additional investigation into the application and the error was discovered. In accordance with North Carolina General Statute 160D-403(F) the permit was officially rescinded on June 28<sup>th</sup>, 2021, and a Stop Work Order was issued. However, the applicant had progressed with substantial construction, including the installation of footings, foundation, and framing of the approved structure, prior to issuance of the Stop Work Order. The attorney for the applicant was notified that the Stop Work Order was issued and no work may continue until a variance was issued.

**Discussion:**

The discussion before the Board of Adjustment is whether the proposed request meets the Standards of Section 2.2.21.G.1 of the UDO.

**Variance Standards:**

In accordance with Section 2.2.21.G.1.a of the UDO, the request must meet all of the following standards:

- i. *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.*

STAFF REPORT  
BOARD OF ADJUSTMENT  
212 W. SYCAMORE STREET VARIANCE  
JULY 29, 2021

- ii. *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.*
- iii. *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 the variance shall not be regarded as a self-created hardship.*
- iv. *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.*

Furthermore, in addition to the above standards, the Board of Adjustment may also consider the following:

- i. *The variance approval is the minimum necessary to make possible the reasonable use of the land, building, or structure.*
- ii. *All property taxes on the land subject to the variance application have been paid in full.*
- iii. *None of the following may be used as the basis for approving a variance:*
  1. *Neither the nonconforming use of lands, buildings, or structures in the same zoning district, or the permitted use of lands, buildings, or structures in other zoning districts, or personal circumstances;*
  2. *A request for a particular use that is expressly, or by inference, prohibited in the zoning district;*
  3. *Hardships resulting from factors other than application of the relevant standards of this ordinance;*
  4. *The fact that land or a structure may be utilized more profitably or be more marketable with a variance;*
  5. *The citing of other conforming or nonconforming uses of land or structures in the same or other zoning districts; or*
  6. *Financial hardship.*

**Staff Recommendation:**

Staff Recommends approval of the proposed request as substantial construction of the approved dwelling establishes a practical difficulty.

**Attachments:**

1. Application
2. Site Plan
3. Building Elevations
4. UDO Section 4.3.3.O
5. UDO Section 2.2.21
6. UDO Section 4.2.3 (Subset of Use Table)
7. NCGS 160D-403(F)
8. Site Photos



Town of Zebulon  
Planning Department

1003 N. Arendell Avenue, Zebulon, NC 27597  
Phone: (919) 823-1810 | Fax: (919) 887-2824  
www.townofzebulon.org

**Project Overview** **#568480**

<b>Project Title:</b> 212 W. Sycamore Street	<b>Jurisdiction:</b> Town of Zebulon
<b>Application Type:</b> Variance Request Application	<b>State:</b> NC
<b>Workflow:</b> Variance Request (Initial Review): Planning Director	<b>County:</b> Wake

**Description of Request**

<b>Would you like to enter your project using Street Address or PIN?:</b> Street Address	<b>Street Address of Property::</b> 212 W. SYCAMORE ST., ZEBULON
<b>Parcel Identification Number (NC PIN)::</b>	<b>Acreage::</b> .31
<b>Deed Book::</b> 018274	<b>Deed Page(s)::</b> 02093
<b>Existing Zoning of the Property::</b> DTP Downtown Periphery	<b>Proposed Zoning of the Property:</b> DTP Downtown Periphery
<b>Existing Use of the Property: :</b> Single-family Detached Dwelling	<b>Proposed Use of the Property::</b> Single-family Attached Dwelling
<b>Scope of Work::</b> Construction of a single family attached duplex.	

**Contact Information**

<b>Contact Info: Applicant/Agent</b> Brian O'Connell O'Connell Developing, LLC 1212 Riggins Mill Road Cary, NC 27519 P:9192913794 <a href="mailto:bldroco1@gmail.com">bldroco1@gmail.com</a>	<b>Contact Info: Property Owner</b> Brian O'Connell O'Connell Developing, LLC 1212 Riggins Mill Road Cary, NC 27519 P:9192913794 <a href="mailto:bldroco1@gmail.com">bldroco1@gmail.com</a>
--	---

**Are you the owner of the property?:** I am the property owner

Note: If you are not the owner of the property, you must obtain the Owner's consent and signature giving you permission to submit this application.

**Supplemental Information**

The Variance Request Application also requires supplemental information beyond our standard online application. Please follow the directions below to access the appropriate forms and documents.

1. [Access the online Application Package here.](#)
2. Fill out the following sections of the document package:
  - a. Required Findings of Fact; and
  - b. Owner's Consent Form (also available via hyperlink in your submittal checklist – note that only one consent form is required for submittal).
3. Save your PDF Application Package as "Application Supplemental" and submit it with all other required documents on the document upload screen (available in next steps of online submittal).



Please click on the **Save and Continue** button below to complete your application submittal.



# APPLICATION FOR VARIANCE

PART 1. DESCRIPTION OF REQUEST/PROPERTY		
Street Address of the Property: 208 W. Sycamore St. Zebulon		Acreage: .32
Parcel Identification Number (NC PIN): 2705244950	Deed Book: 018274	Deed Page(s): 02093
Existing Zoning of the Property: DTP	Proposed Zoning of the Property: DTP	
Existing Use of the Property: DTP	Proposed Use of the Property: DTP	
Section(s) of UDO requesting variance from:  4.3.3 Section 07  5.1.3.C Duplex development of duplex Exemption		

PART 2. APPLICANT/AGENT INFORMATION		
Name of Applicant/Agent: Brian O'Connell		
Street Address of Applicant/Agent: 1212 Riggins mill Rd		
City: Cary	State: NC	Zip Code: 27514
Email of Applicant/Agent: bldroco1@gmail.com	Telephone Number of Applicant/Agent: 919 291 3794	Fax Number of Applicant/Agent:
Are you the owner of the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Are you the owner's agent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Note:</b> If you are not the owner of the property, you <u>must</u> obtain the Owner's consent and signature giving you permission to submit this application.

PART 3. PROPERTY OWNER INFORMATION		
Name of Property Owner: O'Connell Developing, LLC		
Street Address of Property Owner: 1212 Riggins mill Rd		
City: Cary	State: NC	Zip Code: 27514
Email of Property Owner: bldroco1@gmail.com	Telephone Number of Property Owner: 919 291 3794	Fax Number of Property Owner:

I hereby state that the facts related in this application and any documents submitted herewith are complete, true, correct, and accurate to the best of my knowledge.

Signature of Applicant: 	Print Name: Brian O'Connell	Date: 7-7-21
Signature of Owner: 	Print Name: Brian O'Connell	Date: 7-7-21



**PART 4. REQUIRED FINDINGS OF FACT**

In accordance with Section 2.2.21.G.1.a of the UDO, the burden of proof is on the applicant to provide competent and substantial evidence demonstrating how the proposed request will meet the following findings of fact:

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.

Staff erroneously approved applicant permit for construction to the detriment of the applicant. A Variance should be granted.  
Applicant relied on the permit staff.

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.

Staff erroneously approved applicant permit for construction to the detriment of the applicant. A Variance should be granted.  
Applicant relied on the permit staff.

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 the variance shall not be regarded as a self-created hardship.

Staff erroneously approved applicant permit for construction to the detriment of the applicant. A Variance should be granted.  
Applicant relied on the permit staff.

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.

Staff erroneously approved applicant permit for construction to the detriment of the applicant. A Variance should be granted.  
Applicant relied on the permit staff.

Legal Description (metes and bounds)

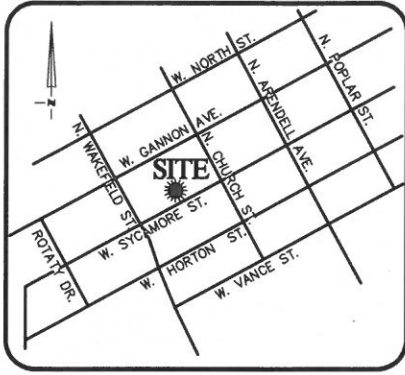
Starting 200.37 N 0° 4' 12" E

68.22 S 89° 45' 26" E

200 S 0° 6' 8" W

68.11 N 89° 55' 45" E

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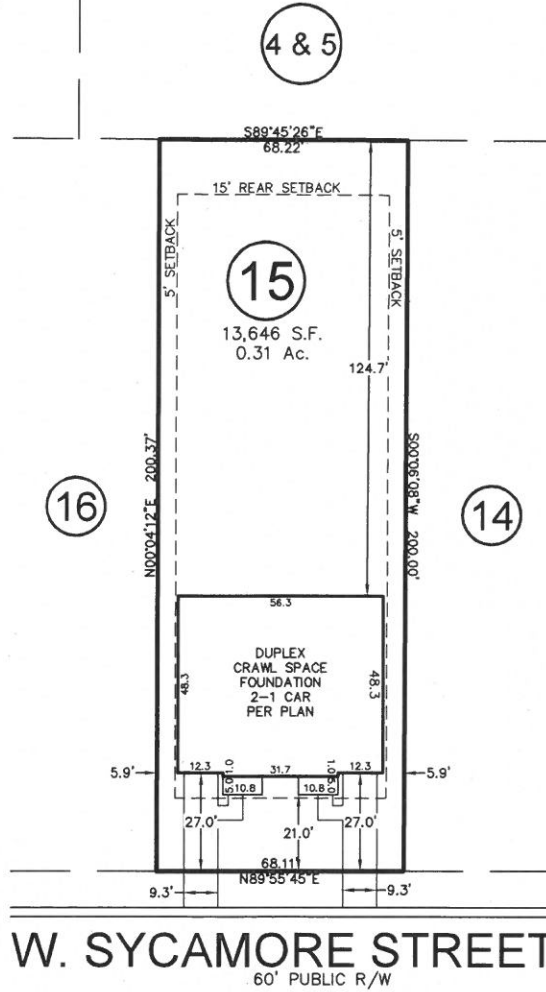
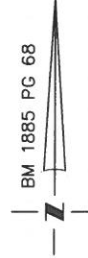
VICINITY MAP  
Not To Scale



IMPERVIOUS SURFACE AREA	
DESCRIPTION	AREA
HOUSE w/ PORCH	2,863 S.F.
HVAC	18 S.F.
DRIVEWAY & WALKS	584 S.F.
TOTAL (PROPOSED)=	3,465 S.F.
LOT AREA =	13,646 S.F.
% IMPERVIOUS AREA	=25.4%
% MAX. IMPERVIOUS AREA	=85%

SETBACKS: (ZONE DTP)

FRONT - 0' OFF STREET PARKING 20'  
SIDE - NONE, 5' IF PROVIDED  
REAR - 15'



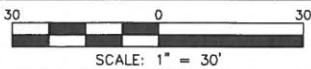
**Approved**  
Town of Zebulon  
Planning Department  
Connor Jones  
03/15/2021 1:44:07 PM

**W. SYCAMORE STREET**  
60' PUBLIC R/W

THIS DRAWING DOES NOT  
REFLECT AS-BUILT INFORMATION

**PRELIMINARY PLAT**  
NOT FOR RECORDATION, CONVEYANCES, OR SALES

THIS PROPERTY MAY BE SUBJECT TO ANY AND ALL APPLICABLE DEED  
RESTRICTIONS, EASEMENTS, RIGHT-OF-WAY, UTILITIES AND  
RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD OR IMPLIED



**RESIDENTIAL  
LAND SERVICES, PLLC.**

1917 Evans Road  
Cary, North Carolina 27513  
Phone (919) 378-9316  
Firm License # P-0873

**HOUSE LOCATION PLOT PLAN**

FOR  
#212 W. SYCAMORE STREET  
LOT 15, BLOCK 29, TOWN OF ZEBULON, N.C.  
Little River Township, Wake County, North Carolina

PROPERTY OF: O'CONNELL DEVELOPING  
MAP BOOK 1885 PAGE 68 DEED REFERENCE 5457 704

DRAWN BY: JWW

DATE: FEBRUARY 24, 2021

Attachment 3, 212 W. Sycamore

TDB RBPR-055033-2021

**GENERAL NOTES:**

- IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT ALL DIMENSIONS, ROOF PITCHES, AND SQUARE FOOTAGE ARE CORRECT PRIOR TO CONSTRUCTION. K&A HOME DESIGNS, INC. IS NOT RESPONSIBLE FOR ANY DIMENSIONING, ROOF PITCH, OR SQUARE FOOTAGE ERRORS ONCE CONSTRUCTION BEGINS.
- ALL WALLS SHOWN ON THE FLOOR PLANS ARE DRAWN AT 4" UNLESS NOTED OTHERWISE.
- ALL ANGLED WALLS SHOWN ON THE PLANS ARE 45 DEGREES UNLESS NOTED OTHERWISE.
- STUD WALL DESIGN SHALL CONFORM TO ALL NORTH CAROLINA STATE BUILDING CODE REQUIREMENTS.
- DO NOT SCALE PLANS. DRAWING SCALE MAY BE DISTORTED DUE TO COMPUTER IMPERFECTIONS.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NORTH CAROLINA RESIDENTIAL STATE BUILDING CODE, 2018 EDITION.

**SQUARE FOOTAGE (ONE UNIT)**

HEATED SQUARE FOOTAGE	UNHEATED SQUARE FOOTAGE
FIRST FLOOR= 1122	GARAGE= 247
SECOND FLOOR= 965	FRONT PORCH= 52
THIRD FLOOR= N/A	SCREEN PORCH= N/A
BASEMENT= N/A	DECK= N/A
	STORAGE = N/A

TOTAL HEATED= 2087 TOTAL UNHEATED= 301

**CRAWL SPACE VENTILATION CALCULATIONS (ONE UNIT)**

VENT. LOCATIONS MAY VARY FROM THOSE SHOWN ON THE PLAN BUT SHOULD BE PLACED TO PROVIDE ADEQUATE VENTILATION AT ALL POINTS TO PREVENT DEAD AIR POCKETS.  
 100% VAPOR BARRIER MUST BE PROVIDED WITH 12" MIN. LAP JOINTS.

THE TOTAL AREA OF VENTILATION OPENINGS MAY BE REDUCED TO 1/2500 AS LONG AS REQUIRED OPENINGS ARE PLACED SO AS TO PROVIDE CROSS-VENTILATION OF THE SPACE. THE INSTALLATION OF OPERABLE LOUVERS SHALL NOT BE PROHIBITED. (COMPLY WITH NC CODE MIN. WITH REGARD TO VENT PLACEMENT FROM CORNERS)

N/A SQ. FT. OF CRAWL SPACE/1500

N/A SQ. FT. OF REQUIRED VENTILATION

PROVIDED BY: N/A VENTS AT 0.45 SQ. FT. NET FREE

VENTILATION EACH= N/A SQ. FT. OF VENTILATION

\*\* FOUNDATION DRAINAGE: WATERPROOFING PER SECTIONS 403 & 406

**ATTIC VENTILATION CALCULATIONS (ONE UNIT)**

CALCULATIONS SHOWN BELOW ARE BASED ON VENTILATORS USED AT LEAST 9 FT. ABOVE THE CORNICE VENTS WITH THE BALANCE OF VENTILATION PROVIDED BY EAVE VENTS.  
 CATHEDRAL CEILINGS SHALL HAVE A MIN. 1" CLEARANCE BETWEEN THE BOTTOM OF THE ROOF DECK AND THE INSULATION.

1423 SQ. FT. OF ATTIC/300= 4.74  
 EACH OF INLET AND OUTLET REQUIRED

**WALL AND ROOF CLADDING DERIV. VALUES**

WALL CLADDING IS DESIGNED FOR A 24.3 SQ. FT. OR GREATER POSITIVE AND NEGATIVE PRESSURE.

ROOF VALUES BOTH POSITIVE AND NEGATIVE SHALL BE AS FOLLOWS:

45.5 LBS. PER SQ. FT. FOR ROOF PITCHES OF 0/12 TO 2.25/12

34.8 LBS. PER SQ. FT. FOR ROOF PITCHES OF 2.25/12 TO 7/12

21 LBS. PER SQ. FT. FOR ROOF PITCHES OF 7/12 TO 12/12

\*\* MEAN ROOF HEIGHT BY OR LESS

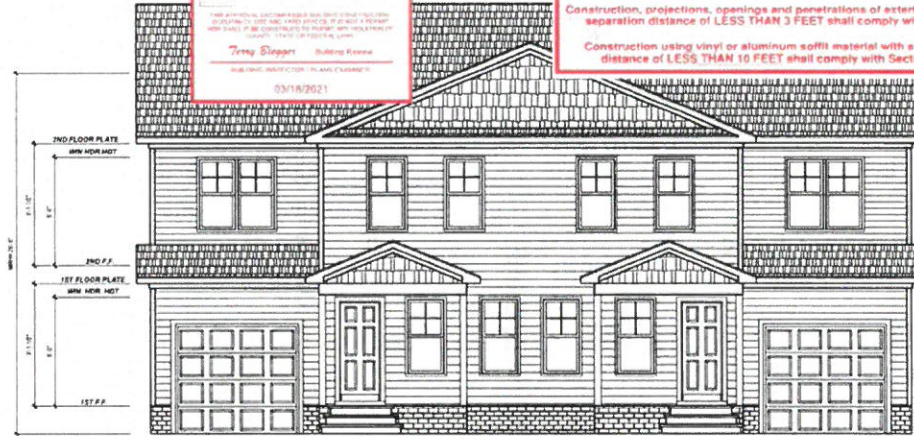
PLANS APPROVED BY WAKE COUNTY N.C. P.D.I.

WAKE COUNTY N.C. P.D.I.  
 JERRY SIGBERT Building Review  
 BUILDING INSPECTOR - PLANS DIVISION  
 03/14/2021

**FIRE-RESISTANT CONSTRUCTION REQUIRED PER SECTION R302 OF THE 2018 NCRC**

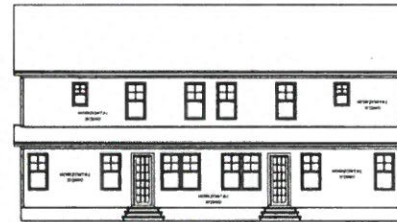
Construction, projections, openings and penetrations of exterior walls with a fire separation distance of LESS THAN 3 FEET shall comply with Table R302.1

Construction using vinyl or aluminum soffit material with a fire separation distance of LESS THAN 10 FEET shall comply with Section R302.1.1



FRONT ELEVATION  
 1/8" = 1'-0"

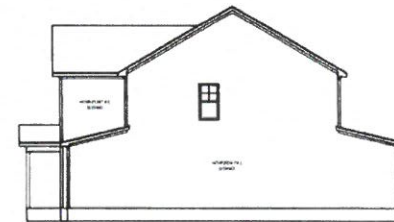
TOWN OF ZEBULON



REAR ELEVATION  
 1/8" = 1'-0"



LEFT ELEVATION  
 1/8" = 1'-0"



RIGHT ELEVATION  
 1/8" = 1'-0"

Scale:	21-0/32
Date:	2-15-21
Project Name:	K&A
Site:	REFER TO ELEV

REV.	DATE	REVISION

9101 Ten-Ten Rd.  
 Raleigh, NC 27603  
 Office: (919) 302-0693



Email: k&a@kandahomedesigns.com Website: www.kandahomedesigns.com



O'Connell  
 Developing, LLC  
 1212 Riggins Mill Rd.  
 Cary, NC 27519

ELEVATIONS
Sheet Number:
1
of 3

**STRUCTURAL NOTES**

1) ALL CONSTRUCTION SHALL CONFORM TO THE LATEST REQUIREMENTS OF NORTH CAROLINA STATE 2018 RESIDENTIAL B.A.M.C. CODES IN ADDITION TO ALL LOCAL CODES AND REGULATIONS

2) DESIGN LOADS

	LIVE LOAD (PSF)	DEAD LOAD (PSF)	DEFLECTION (IN. MAX)
ALL FLOORS	40	10	1/80
ATTIC (SEE DRAWINGS)	20	10	1/240
CEILING (SEE DRAWINGS)	10	5	1/240
EXTERNAL BALCONY	60	10	1/80
ROOF	20	10	1/180
WIND SPEED	90	20	1/180
SEISMIC LOAD	BASED ON 15% SDS ZONE 2		

3) MAXIMUM ALLOWABLE SOLE BEARING PRESSURE = 3000 PSF

4) CONCRETE SHALL HAVE A MINIMUM 28 DAY STRENGTH OF 3000 PSI AND A MAXIMUM SLUMP OF FIVE INCHES UNLESS NOTED OTHERWISE.

5) MAXIMUM DEPTH OF LAMINAR NEEDS FULL AGEMENT FOUNDATION WALLS TO BE LESS THAN 1/4" WITHOUT USING SUPPORT WALL BRACING. REFER TO SECTION 9403 OF 2018 NC RESIDENTIAL BUILDING CODE FOR BACKLIFT LIMITATIONS BASED ON WALL HEIGHT SHALL INCLUDE 30%, 1" MIN. AND UNBALANCED ENDS WALL HEIGHT

6) ALL FRAMING ELEMENTS SHALL BE EXPOSED TO 100 MPH WINDS

7) ALL TRAVELING ELEMENTS EXPOSED TO THE ELEMENTS SHALL BE TREATED WITH W.P.

8) ALL LOAD BEARING MEMBERS SHALL BE 2X4'S UNLESS NOTED OTHERWISE AND 2X6'S UNLESS NOTED OTHERWISE. ALL MEMBERS SHALL BE SUPPORTED BY 12" DIA. STUD AND 1/2" DIA. STUD AT EACH END UNLESS NOTED OTHERWISE. ALL OTHER BEAMS SHALL BE SUPPORTED BY 12" STUD OR THE AMOUNT OF STUDS REQUIRED FOR FULL BEARING AT EACH END UNLESS NOTED OTHERWISE. POINT LOADS (STY, KNEES, ETC.) SHALL CONSIST OF 2 STUDS UNLESS NOTED. ALL SUPPORTS OF 2 STUDS OR MORE SHALL BE TRANSMITTED THROUGH EACH FLOOR TO THE FOUNDATION.

9) ALL EXTERIOR WALLS TO BE SHOWN WITH 1/2" MIN. THICK CONCRETE PANELS FINISHED WITH 1/2" WALL F.C.C. AT EDGES AND 1/2" DIA. AT CORNERS. BLOCKING SHALL BE INSTALLED IF LESS THAN 10% PERCENT OF THE WALL LENGTH IS SHOWN WITH 1/2" MIN. THICK CONCRETE PANELS FINISHED WITH 1/2" WALL F.C.C. AT EDGES AND 1/2" DIA. AT CORNERS.

10) ALL STRUCTURAL STEEL SHALL BE A36. STEEL BEAMS SHALL BE SUPPORTED AT EACH END WITH A MINIMUM BEARING LENGTH OF 3-1/2" UNLESS NOTED OTHERWISE. ALL BEAMS SHALL BE SUPPORTED TO FOUNDATION. BEAMS SHALL BE ATTACHED TO EACH SUPPORT WITH PLATE SCISSORS TO 1/2" DIA. STEEL PLATE. LATERAL SUPPORT IS CONSIDERED ADEQUATE PROVIDING THE JOISTS ARE TIED TO THE SOLE PLATES AND THE SOLE PLATES ARE TIED OR BOLTED TO THE BEAM FLANGES @ 4" O.C.

11) UNDESIGNED PLUMBING PER SECTION 9403.1 & 1/2" DIA. AND/OR BELLS SPACED AT 4" O.C. AND PLACED 12" FROM THE END OF EACH PLATE SECTION

12) FOUNDATION DRAINAGE CHAMP PROOFING OR WATER PROOFING PER SECTION 9403 AND USE OF 2018 NC RESIDENTIAL BUILDING CODE

13) WALL AND ROOF DRAINAGE VENTILES

WALL DRAINAGE SHALL BE PROVIDED FOR 24" ROOF OR GREATER POSITIVE AND NEGATIVE PRESSURE

ROOF VENTILES BOTH POSITIVE AND NEGATIVE SHALL BE AS FOLLOWS

1/2" DIA. ROOF FOR ROOF PITCHES OF 1:12 TO 2:12

3/4" DIA. ROOF FOR ROOF PITCHES OF 2:12 TO 3:12

1" DIA. ROOF FOR ROOF PITCHES OF 4:12 TO 12:12

WALL DRAINAGE SHALL BE AS FOLLOWS

1/2" DIA. ROOF FOR ROOF PITCHES OF 1:12 TO 2:12

3/4" DIA. ROOF FOR ROOF PITCHES OF 2:12 TO 3:12

1" DIA. ROOF FOR ROOF PITCHES OF 4:12 TO 12:12

WALL DRAINAGE SHALL BE AS FOLLOWS

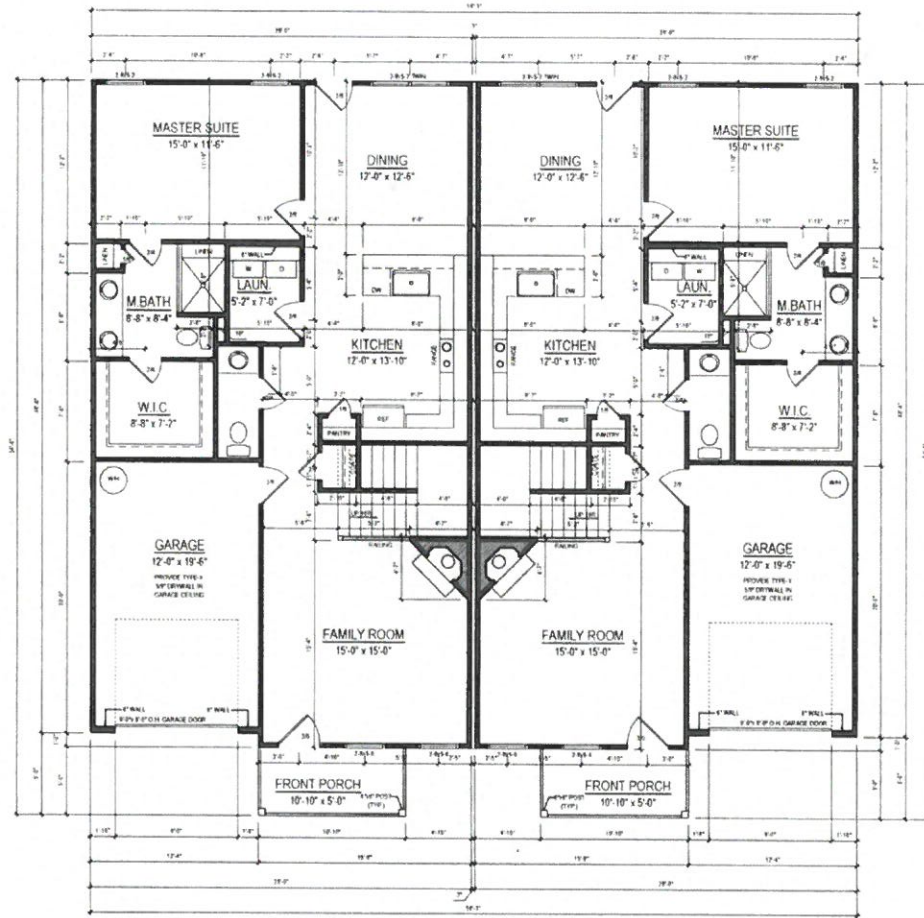
1/2" DIA. ROOF FOR ROOF PITCHES OF 1:12 TO 2:12

3/4" DIA. ROOF FOR ROOF PITCHES OF 2:12 TO 3:12

1" DIA. ROOF FOR ROOF PITCHES OF 4:12 TO 12:12

**TABLE N1102.1 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT**

CLIMATE ZONE	MINIMUM R-VALUE	MINIMUM INSULATION R-VALUE					
		CEILING	WALLS	FLOORS	FOUNDATION WALLS	GLASS PERIMITERS	GLASS SPACES
3	38	R-38 or R-30	R-13	R-19	R-5/1	R-6	R-3/1
4	35	R-35 or R-30	R-13	R-19	R-5/1	R-6	R-3/1



**FIRST FLOOR PLAN**  
1/4" = 1'-0" CEILING HT. = 9'-0"

Sheet No.	21-003
Date	7-15-21
Drawn By	K. RIGGS
Scale	1/4" = 1'-0"

REVISIONS	
No.	DESCRIPTION

9101 Ten-Ten Rd.  
Raleigh, NC 27603  
Office: (919) 302-0693



Email: Ken@KandAHomeDesigns.com Website: www.KandAHomeDesigns.com



O'Connell  
Developing, LLC  
1212 Riggins Mill Rd.  
Cary, NC 27519

FIRST FLOOR
Sheet Number
<b>2</b>
of 3

**STRUCTURAL NOTES**

1) ALL CONSTRUCTION SHALL CONFORM TO THE LATEST REQUIREMENTS OF NORTH CAROLINA STATE 2018 RESIDENTIAL BUILDING CODE, IN ADDITION TO ALL LOCAL CODES AND REGULATIONS.

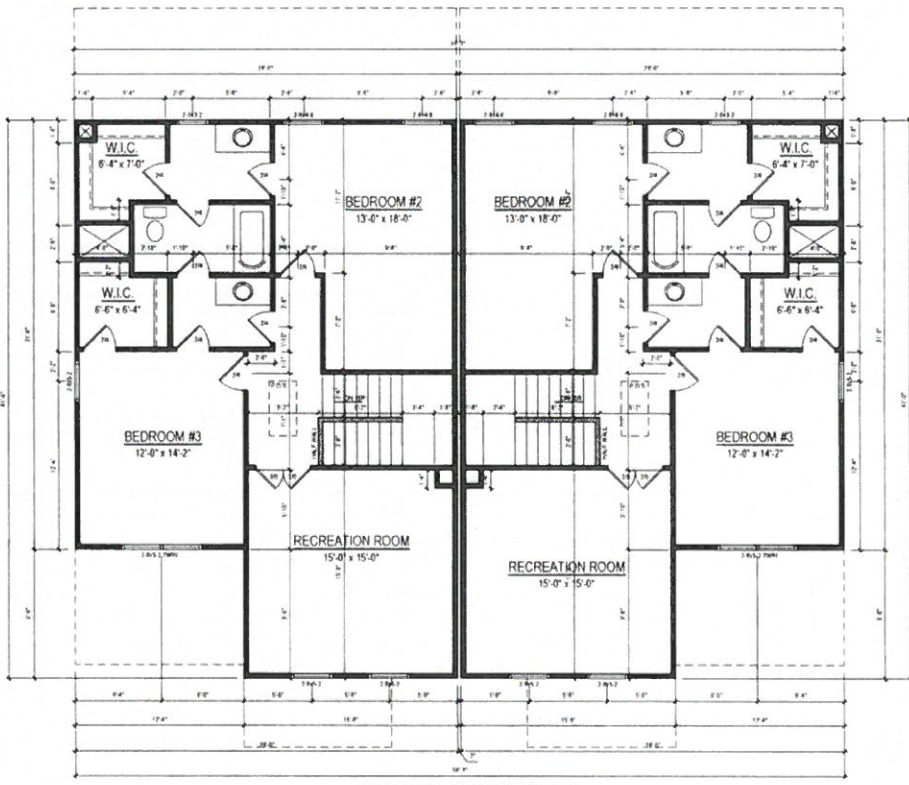
2) DESIGN LOADS:

	DEAD LOAD (PSF)	LIVE LOAD (PSF)	WIND LOAD (PSF)
ALL FLOORS	10	20	150
ATTIC (off-floor joists)	20	10	150
ATTIC (on joists)	10	5	150
EXTERNAL BALCONY	20	10	150
ROOF	20	10	150
ROOF TRUSS	20	20	150
WIND LOAD	BASED ON 155 MPH (Category 2)		

- 3) MINIMUM ALLOWABLE SOIL BEARING PRESSURE = 2,000 PSF
- 4) CONCRETE SHALL HAVE A MINIMUM 28 DAY STRENGTH OF 3,000 PSI AND A MINIMUM SLUMP OF FIVE INCHES (UNLESS NOTED OTHERWISE).
- 5) MINIMUM DEPTH OF UNBALANCED FULL AGEMENT FOUNDATION WALLS TO BE 18 INCHES (IF 18" OUT LEVING SUPPORT) OR 18 INCHES (IF 18" IN SECTION) PLUS 2 INCHES BEYOND THE BUILDING CODE FOR EACH. UNBALANCED RATIO ON WALL HEIGHT SHALL EXCEED 1.0 AND UNBALANCED RATIO SHALL NOT EXCEED 1.0.
- 6) ALL FRAMING LAMBER EXPOSED TO THE WEATHER SHALL BE TREATED MATERIAL.
- 7) ALL LOAD BEARING MEMBERS SHALL BE 2X4 IN SIZE. ALL INTERIOR AND EXTERIOR WALLS SHALL BE SUPPORTED BY ITS JACK STUDS AND FLUKE STUDS AT EACH END UNLESS NOTED. ALL OTHER BEAMS SHALL BE SUPPORTED BY 2x12S OR THE EQUIVALENT OF TRUSS REQUIRED FOR FULL BEARING AT EACH END UNLESS NOTED. JOIST SPACING SHALL BE 16" ON CENTER. ALL WALLS SHALL BE 2 STUDS UNLESS NOTED. ALL SUPPORTS OF 2 STUDS OR MORE SHALL BE TRANSFERRED THROUGH EACH FLOOR TO THE FOUNDATION.
- 8) ALL EXTERIOR WALLS TO BE SHEATHED WITH 1/2" CDX STRUCTURAL PANELS FASTENED WITH 8D NAILS @ 12" O.C. AT EDGES AND 18" O.C. IN FIELD. SUPPORTS LOCATED SHALL BE PRELLEL OR LESS THAN 90 DEGREES TO THE WALL. LENGTH IS VARYING WHERE IN FOUR IS GOOD. ALL PANELS SHALL BE FASTENED AT 12" O.C. AT EDGES AND 18" O.C. IN FIELD.
- 9) ALL STRUCTURAL STEEL SHALL BE A36. ALL STEEL BEAMS SHALL BE SUPPORTED AT EACH END WITH A MINIMUM BEARING LENGTH OF 3" ON EACH END. ALL PLATE BEAMS SHALL BE 1/4" THICK AND 6" WIDE. ALL PLATE BEAMS SHALL BE ATTACHED TO EACH SUPPORT WITH TWO LAG BOLTS (10" CENTER) AND TWO LONG LAG BOLTS. SUPPORT IS CONSIDERED ADEQUATE PROVIDED THE JOIST AND THE WELDED TO THE STEEL PLATE AND THE JOIST PLATE AND WELDED TO BOLTS TO THE BEAM FLANGES @ 12" O.C.
- 10) ANCHOR BOLT PLACEMENT PER SECTION 4.1.6. 1/2" DIA. FOR ANCHOR BOLT SPACES AT 14" O.C. AND PLACED 12" FROM THE EXTERIOR FINISH SURFACE.
- 11) FOUNDATION DRAINAGE: GRAP PROTECTING OF WATER PENETRATING PER SECTION 4.1.6. PER 2018 NC RESIDENTIAL BUILDING CODE.
- 12) WIND AND ROOF GLAZING VALUES SHALL BE DETERMINED FOR A 30-MINUTE FIRE RESISTANCE AND NEGATIVE PRESSURE. ROOF VALUES BOTH POSITIVE AND NEGATIVE SHALL BE AS FOLLOWS:  
 A) 15 LB/PSF FOR ROOF AREAS OF 9'0" TO 29'0"  
 B) 10 LB/PSF FOR ROOF AREAS OF 29'0" TO 71'0"  
 C) 5 LB/PSF FOR ROOF AREAS OF 71'0" TO 121'0"  
 D) 0 LB/PSF FOR ROOF AREAS OF 121'0" TO 151'0"
- 13) FOR ROOF SLABS FROM 2 TO 12 THROUGH 12 NUMBER TO INSTALL 2 LAYERS OF 19 GAGE REINFORCING BARS IN THE CONCRETE RESPONSIBILITY TO VERIFY ALL DIMENSIONS AND SO FID. ARE CORRECT PRIOR TO CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR OVERLOOKING ON THIS. FID. FINISH ONCE CONSTRUCTION BEGINS.

**TABLE N1102.1 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT**

CLIMATE ZONE	MINIMUM R-VALUE	MINIMUM INSULATION R-VALUE				GLAZING	SPAZZ PANELS
		CEILING	WALLS	FLOORS	BASEMENT WALLS		
3	35	R-38 @ 6.0"	R-15	R-49	R-5.0	5.0	5.0
4	35	R-38 @ 6.0"	R-15	R-49	R-5.0	5.0	5.0



**SECOND FLOOR PLAN**  
1/4" = 1'-0" CEILING HT. = 9'-0"

DATE	21-05-21
BY	2-15-21
REVISIONS	AWESOME
NO.	NO.
DATE	DATE
BY	BY

REVISIONS		
NO.	DATE	REVISION

9101 Ten-Ten Rd.  
Raleigh, NC 27603  
Office: (919) 302-0693



O'Connell  
Developing, LLC  
1212 Riggins Mill Rd.  
Cary, NC 27519

SECOND FLOOR

Sheet Number  
**3**  
of 3

Website: www.KandADesigns.com  
Email: Kent@KandADesigns.com



GENERAL NOTES

- ENGINEER'S SEAL APPLIES ONLY TO STRUCTURAL COMPONENTS. ENGINEER'S SEAL DOES NOT CERTIFY DIMENSIONAL ACCURACY OF ARCHITECTURAL LAYOUT INCLUDING ROOF SYSTEM. ENGINEER'S SEAL DOES NOT APPLY TO LAYOUT OR FLOORING FINISH LAYOUT DESIGN AND ACCURACY.
- ALL CONSTRUCTION SHALL CONFORM TO THE LATEST REQUIREMENTS OF THE NORTH CAROLINA REVENUE CODE (NRC) 2018 (SECTION AND ALL LOCAL CODES AND REGULATIONS). THE STRUCTURAL ENGINEER IS NOT RESPONSIBLE FOR AND WILL NOT HAVE CONTROL OF CONSTRUCTION METHOD, MATERIALS, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROCEDURES IN CONNECTION WITH THE CONSTRUCTION WORK.

DESIGN LOADS (K/FT <sup>2</sup> )	LIVE LOAD (PSF)	DEAD LOAD (PSF)	DEFLECTION (IN)
RESIDUAL OTHER THAN STEERING DECKS	40	10	L/360
STEERING DECKS	40	10	L/360
ATTC WITH SHARED STORAGE	20	10	L/360 (L/360 + 1/4" MIN)
ATTC WITHOUT STORAGE	10	10	L/360
STAIRS	40	10	L/360
EXTERIOR BALCONIES	40	10	L/360
DECKS	40	10	L/360
HANDRAILS	200 LB OR 50 PSY	10	L/360
POSTERIOR VEHICLE GARAGES	30	10	L/360
PINE DECKS	40	10	L/360
ORGANIC SOIL LOAD	20	10	L/360
WIND LOAD	PER SECTION 2.0.2, MEAN ROOF HEIGHT 45 FT (EXPOSURE B)		

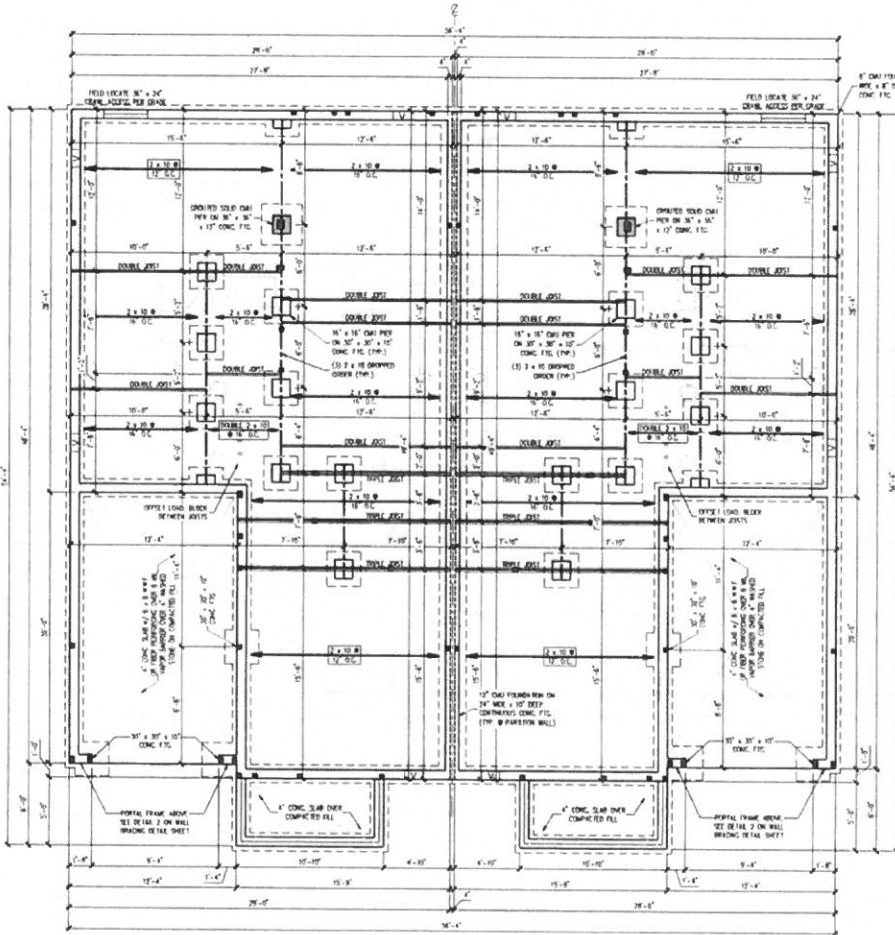
- THE STRUCTURE IS DESIGNED FOR 120 MPH WIND WITH DESIGN WIND SPEEDS:
- WIND CLASSING BASED FOR +15.5 PSF AND -30 PSF (+/-) INDICATE POSITIVE / NEGATIVE PRESSURE (PPS)
- ROOF CLASSING BASED FOR 1.2LZ TO 1.2LZ (1.2LZ) +1.2 PSF AND -18 PSF 2.2LZ TO 2.2LZ (2.2LZ) +1.0 PSF AND -18 PSF
- THE POSITIVE AND NEGATIVE WIND PRESSURE FOR DOORS AND WINDOWS FOR A MEAN ROOF HEIGHT OF 30 FEET OR LESS IS 25 PSF
- EFFECT EFFICIENCY COMPLIANCE AND INSULATION VALUES OF THE BUILDING TO BE IN ACCORDANCE WITH CHAPTER 15 OF THE 2018 NRC.

FOOTING AND FOUNDATION NOTES

- FOUNDATION DESIGN BASED ON A MINIMUM ALLOWABLE BEARING CAPACITY OF 3000 PSF. CONTACT ENGINEER IF ALLOWABLE BEARING CAPACITY CAN NOT BE DETERMINED.
- FOUNDATION ANCHORAGE TO CONFORM WITH SECTION 803.1.8 OF THE 2018 NRC.
- FOR ALL CONCRETE SLABS AND FOOTINGS, THE AREA WITHIN THE PERIMETER OF THE BUILDING ENVELOPE SHALL HAVE ALL VEGETATION TOP SOIL AND FOREIGN MATERIAL REMOVED. FILL MATERIAL SHALL BE FREE OF VEGETATION AND FOREIGN MATERIAL. THE FILL SHALL BE COMPACTED TO 95% TO EXCEED UNIFORM SUPPORT OF THE SLAB. ALL EXISTING WELLS APPROXIMATELY 2" TO 4" IN DIAMETER SHALL NOT EXCEED 24" FOR CLEAR SPACE OR GRAVEL. A 4" THICK BASED COURSE CONTAINING CLEAN GRAVEL SAND OR GRAVEL SHALL BE PLACED A 3/8" COURSE IS NOT REQUIRED WHERE A CONCRETE SLAB IS INSTALLED ON WELL-DRIVING OR SAND-GRAVEL BATTERY SLEES CLASSIFIED AS GROUP 1, ACCORDING TO THE UNITED SOIL CLASSIFICATION SYSTEM IN ACCORDANCE WITH TABLE 803.1.1 OF THE 2018 NRC.
- PROTECT EXISTING FOUNDATION FROM PLACING CONCRETE WHEN BOTTOM OF CONCRETE SLAB IS AT OR BELOW WATER TABLE. IF APPLICABLE, 1/2" - 1" DEEP CONTROL JOINTS ARE TO BE SAVED WITHIN 4 TO 12 HOURS OF CONCRETE FINISHING AND WALL LOCATIONS HAVE BEEN MARKED. ADJUST WHERE NECESSARY.
- CONCRETE SHALL CONFORM TO SECTION 803.2 OF THE NRC. 2018 (SECTION CONCRETE SHALL HAVE A MINIMUM 28 DAY STRENGTH OF 3000 PSI. CONCRETE REINFORCING STEEL SHALL BE ASTM A630 GRADE 60 UNLESS OTHERWISE SPECIFIED. ALL STEEL SHALL MAINTAIN A MINIMUM CONCRETE COVER AROUND REINFORCING STEEL OF 2" IN FOOTINGS AND 1 1/2" IN SLABS (ENCL).
- WARRANTY COATED STEEL CONFORMING TO AISC 360/358/359 AND WELDED SHALL CONFORM TO AISC 358.
- THE UNDEVELOPED HEIGHT OF WELDED STEEL SHALL NOT EXCEED FOUR TIMES THE LEAST DIMENSION FOR UNWELDED HOLLOW CONCRETE. WELDED UNITS AND TEES SHALL EXCEED DIMENSION FOR SOLID OR STEEL FILLED PIPES. PIPES ARE TO BE FILLED WITH CONCRETE OF TYPE 1 OR 5 MORTAR PIPES AND WALLS SHALL BE COVERED WITH 4" OF SOLID WASTEWATER.
- THE CENTER OF EACH PIER SHALL BE IN THE MIDDLE THIRD OF ITS RESPECTIVE FOOTING. EACH COLUMN SHALL BEAR IN THE MIDDLE THIRD OF THE PIERS.
- ALL CONCRETE AND MASONRY FOUNDATION WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 803.4 OF THE 2018 NRC OR IN ACCORDANCE WITH AIA 318 AND AIA 318.4 OR AIA 330/352/359/422 (ENCL). WASTEWATER FOUNDATION WALLS ARE TO BE REINFORCED PER TABLE 803.1.1 (3) FROM 1/2" TO 3/4" DIA. OF THE 2018 NRC (ENCL). CONCRETE FOUNDATION WALLS ARE TO BE REINFORCED PER TABLE 803.1.1 (3) OF THE 2018 NRC (ENCL). (ENCL) CONCRETE FOUNDATION WALLS DOWN TO 2 x 4 @ 16" O.C. FRAMED WALLS WHERE GRANT PERMITS (ENCL).

FRAMING NOTES

- ALL FRAMING LAMBER SHALL BE #2 SYP (ENCL). ALL TREATED LAMBER SHALL BE #2 SYP (ENCL). ALL FRAMING CONNECTIONS SHALL BE MADE IN ACCORDANCE WITH TABLE 803.1.1 (1) OF THE 2018 NRC WHERE APPLICABLE (ENCL).
- LAMINATED VENEER LAMBER (LVL) MINIMUM PROPERTIES:  $E = 2000 \text{ PSI}$ ,  $F_v = 285 \text{ PSI}$ ,  $F_x = 1,900,000 \text{ PSI}$ . LAMINATED STRAND LUMBER (LSL) MINIMUM PROPERTIES:  $E = 2,200 \text{ PSI}$ ,  $F_v = 210 \text{ PSI}$ ,  $F_x = 1,900,000 \text{ PSI}$ . INSTALL ALL CONNECTIONS PER MANUFACTURER'S SPECIFICATIONS.
- ALL LOAD BEARING MEMBERS SHALL CONFORM TO TABLES 803.1.1 AND 803.1.2 OF THE 2018 NRC UNLESS NOTED OTHERWISE ON THE PLANS. ALL MEMBERS SHALL BE SUPPORTED BY (1) JACK STRUT AND (2) ONE STRUT (ENCL) FROM THE FIRST KING STRUT LOADS OF THE MEMBER TO THE MEMBER WITH (4) END-NAILS. INSTALL KING STRUTS PER SECTION 803.1.5 OF THE 2018 NRC (ENCL).
- ALL BEAMS OF OTHER TRUSSES THAT FRAME PARALLEL TO THE LINE WITH A SUPPORT WALL SHALL BEAR ON A MINIMUM OF (2) STUDS (ENCL). ALL BEAMS OF OTHER TRUSSES THAT FRAME INTO OR ONTO A PERPENDICULAR WALL SHALL BE SUPPORTED BY A MINIMUM OF (2) STUDS AND HAVE 4" MINIMUM BEARING. IF A BEAM OR OTHER TRUSS IS TO BE SUPPORTED BY (2) OR MORE STUDS, THE BEAM MUST BE BUILT UP ON THE SUPPORT COLUMN FOR THE FULL WALL BEYOND (ENCL). BEAM ENDS THAT BUTT INTO ONE ANCHOR SHALL EACH BEAR EQUAL LENGTHS (ENCL).
- BRICKED WALL PANELS SHALL BE CONSIDERED AS MOVED ON THE PLANS. THE WALL BRACING DETAIL SHEET, AND IN ACCORDANCE WITH SECTION 803.2.1 OF THE 2018 NRC.

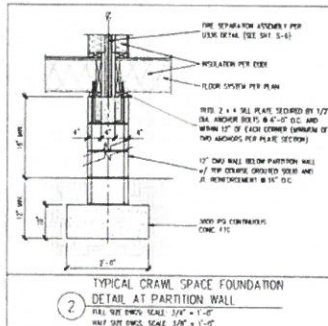
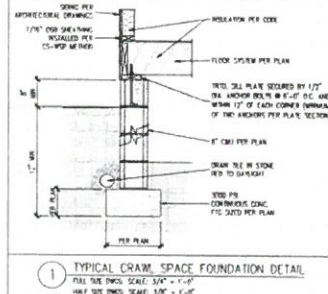


DRUM SPACE CALCULATION (ENCL 100)

USE TO 7' 10\"/>

DRUM SPACE STRUCTURAL MODEL

- ALL FRAMING LAMBER TO BE #2 SYP (ENCL). ALL TREATED LAMBER TO BE #2 SYP (ENCL).
- INSTALL AN ECHO OF DOUBLE JOIST UNDER WALLS PARALLEL TO THE FLOOR JOISTS MADE MOVED ON THE PLANS.
- INSTALL 1/2\"/>



LEGEND

- SHED COLUMN ON FLOOR ABOVE THAT REQUIRE SCHED BRACING TO COLUMN OR FOUNDATION
- FRAMING OR ANCHORAGE ON THE FLOOR ABOVE TO BE USED EXISTING FRAMING CONNECTS WITH STEELPLATE. FOR REFERENCE ONLY. SEE ARCHITECTURAL DRAWINGS.
- NEW BEAM OR COLUMN AS MOVED
- ENCL UNLESS NOTED OTHERWISE



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DUPLEX O'CONNELL DEVELOPING, LLC.

REVISIONS:

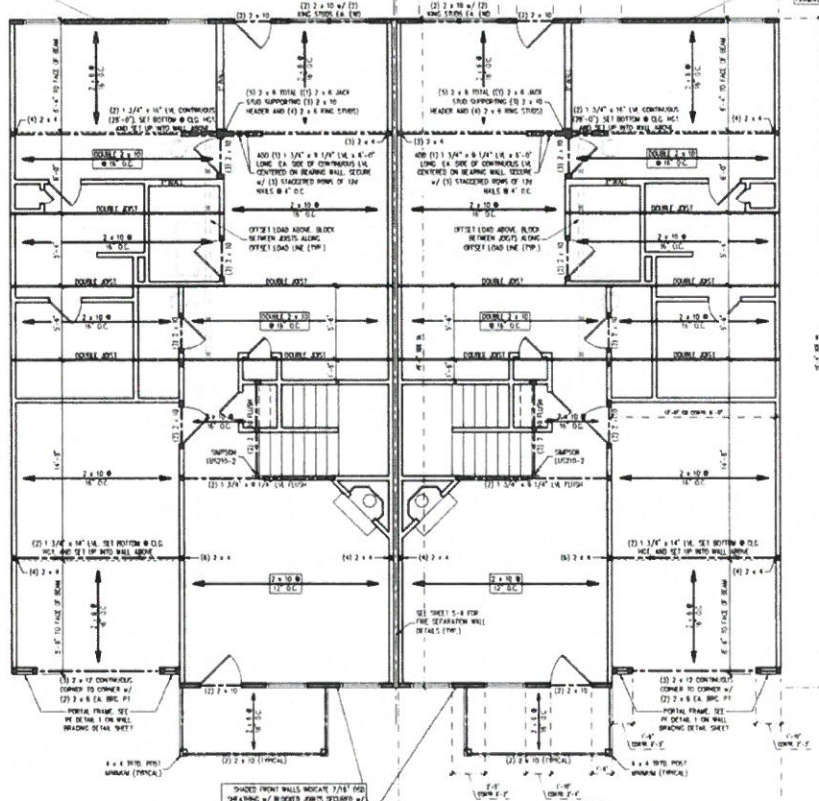
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DRAWN BY: KBA HOME DESIGN, INC.  
 ENGINEERED BY: J. SMITH  
 SCALE: 1/4\"/>

S-1  
 CRAWLSPACE FOUNDATION PLAN

SHADED REAR WALLS INDICATE 7/8" TOP SHEATHING w/ BURRED JOINTS REQUIRED w/ 3/4" TOP SHEATHING SHALL BE INSTALLED ON ALL EXTERIOR WALLS. SEE SHEET 5.4 FOR BRACED WALL FRAMING TO FLOOR FRAMING DETAIL.

SHADED REAR WALLS INDICATE 7/8" TOP SHEATHING w/ BURRED JOINTS REQUIRED w/ 3/4" TOP SHEATHING SHALL BE INSTALLED ON ALL EXTERIOR WALLS. SEE SHEET 5.4 FOR BRACED WALL FRAMING TO FLOOR FRAMING DETAIL.



SHADED FRONT WALLS INDICATE 7/8" TOP SHEATHING w/ BURRED JOINTS REQUIRED w/ 3/4" TOP SHEATHING SHALL BE INSTALLED ON ALL EXTERIOR WALLS. SEE SHEET 5.4 FOR BRACED WALL FRAMING TO FLOOR FRAMING DETAIL.

- BRACED WALL SECTION NOTES:**
- BRACED WALL SECTION PER SECTION DETAILS OF THE WORK FOR EDITION.
  - CEILING JOISTS TO THE "TYPICAL SHEATHING WOOD LAMINATE PANELS" SHALL BRACING BE 2x4 OR 2x6 JOISTS. ALL JOISTS SHALL BE INSTALLED ON ALL EXTERIOR WALLS. SEE SHEET 5.4 FOR BRACED WALL FRAMING TO FLOOR FRAMING DETAIL.
  - "TOP" JOISTS TO THE "TYPICAL SHEATHING WOOD LAMINATE PANELS" SHALL BRACING BE 2x4 OR 2x6 JOISTS. ALL JOISTS SHALL BE INSTALLED ON ALL EXTERIOR WALLS. SEE SHEET 5.4 FOR BRACED WALL FRAMING TO FLOOR FRAMING DETAIL.
  - SEE SHEETS 5.4 AND 5.5 FOR ADDITIONAL BRACED WALL INFORMATION.

**BRACED WALL SECTION SUMMARY:**

SECTION	SECTION TYPE	SECTION LENGTH
(1) 2 x 4	SECTION 1	12.0 FT
(2) 2 x 10	SECTION 2	12.0 FT
(3) 2 x 10	SECTION 3	12.0 FT
(4) 2 x 4	SECTION 4	12.0 FT

- SECOND FLOOR FRAMING STRUCTURAL NOTES:**
- ALL FRAMING TO BE 2x4 UNLESS OTHERWISE NOTED.
  - ALL JOIST BEARING HEADERS TO BE 2x10 OR 2x12 UNLESS OTHERWISE NOTED.
  - WINDON AND DOOR HEADERS TO BE SUPPORTED w/ (1) JOIST AND (2) KING STUD (SEE SHEET 5.4).
  - INSTALL AN EXTRA OR DOUBLE JOIST UNDER WALLS PARALLEL TO THE JOIST WERE NOTED ON THE FRAME.
  - SECURE 4 x 4 OR 6 x 6 POSTS TO CONCRETE FLOORS w/ JOIST WERE NOTED UNDER POSTS (SEE SHEET 5.4).
  - REFER TO NOTES AND DETAIL SHEETS FOR ADDITIONAL STRUCTURAL INFORMATION.



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**DUPLEX DEVELOPING, LLC.**

REVISIONS:

NO.	DESCRIPTION

DRAWN BY: KIM HOE DESIGN, INC.

ENGINEERED BY: J. SMITH

SCALE: 1/4" = 1'-0"

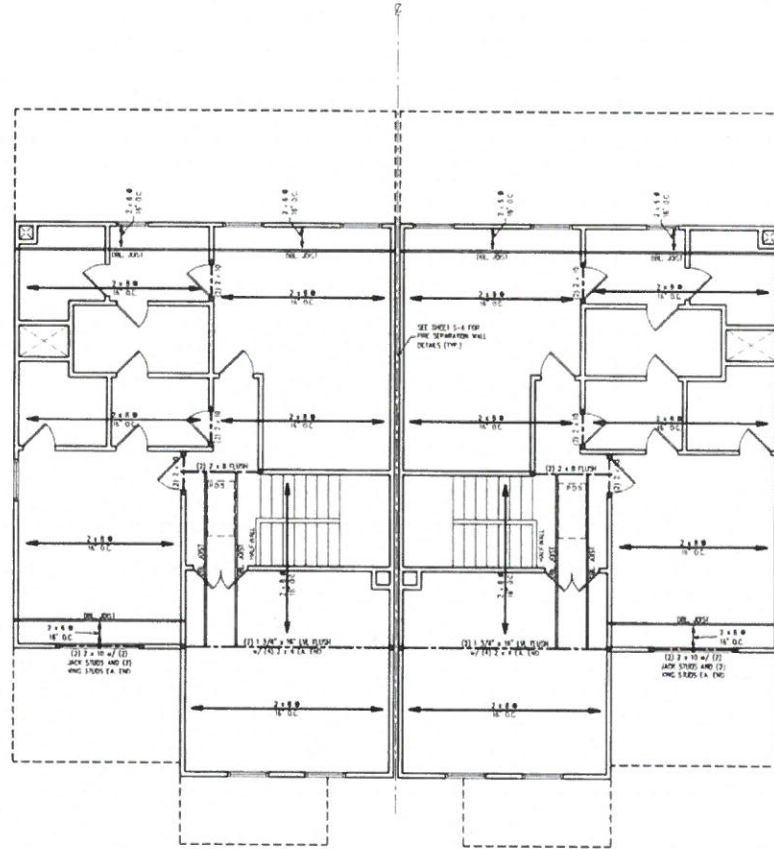
DATE: 3-18-2021

SHEET: 2 OF 6

**S-2 SECOND FLOOR FRAMING PLAN**

**LEGEND**

[Symbol]	2x4 COLUMN AT POINT LOADS. NOT REQUIRED TO BE CONNECTED TO GROUND OR FOUNDATION.
[Symbol]	ALL UNLESS NOTED: (1) JOIST AND (2) KING STUD (F.M.)
[Symbol]	ALL UNLESS NOTED: (1) KING STUD AND (2) JOIST (F.M.)
[Symbol]	EXTERIOR WALLS FROM "TOP" JOIST MUST BE SUPPORTED BY BEAM, JOIST, OR BRACING AS NOTED ON THE PLAN.
[Symbol]	BEAM OR HEADER AS NOTED
[Symbol]	END LINE TYPE INDICATES BRACING OR APPLICABLE TO THE FLOOR ABOVE TO HELP ELIMINATE FRAMING CONTACT WITH UNITS (FOR INTEREST ONLY, SEE ARCHITECTURAL DRAWINGS)
[Symbol]	ENDS UNLESS NOTED OTHERWISE



- BRACE WALL JOIST WALL:**
- BRACE WALL DESIGN PER SECTION MODEL OF THE WORK OVER EXIST.
  - PER SECTION MODEL TO 33 OF THE 2018 IBC, BE HANGING TO BRACES ON THE SECOND FLOOR LEVELS. THE WEIGHT REQUIRED FOR THE FIRST FLOOR AND NO BRACES WILL ANALYSIS IS REQUIRED.
  - CS-WP REFER TO THE "CONNECTIONS" SHEETING - WOOD STRUCTURAL FRAMES" WALL BRACING MEMBER 1/4" DIA. STEEL BRACE SHALL BE INSTALLED ON ALL DESIRABLE SPACES OF ALL EXISTING WALL ATTACHED w/ AN ANCHOR NAIL OR AN (2) 1/2" LONG x 6-1/2" DIA. NAILS SPACED 6" O.C. ALONG PANEL EDGES AND 12" O.C. IN THE FIELD (ENG).
  - SEE NOTES AND DETAIL SHEETS FOR ADDITIONAL BRACE WALL INFORMATION.
- CEILING FRAMING STRUCTURAL WALL:**
- ALL FRAMING (WALLS) TO BE 2X12 (2) DIMS. ALL OTHERS (WALLS) TO BE 2X10 (2) DIMS.
  - ALL LONG BEARING MEMBERS TO BE (2) 2x10 DIMS.
  - WINDOW AND DOOR HEADERS TO BE SUPPORTED w/ (2) 2x10 DIMS AND (2) KING STUD (2x10 DIMS).
  - REFER TO NOTES AND DETAIL SHEETS FOR ADDITIONAL STRUCTURAL INFORMATION.



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 ENGINEERED BY: J. SMITH  
 SCALE: 1/4" = 1'-0"  
 DATE: 3-18-2021

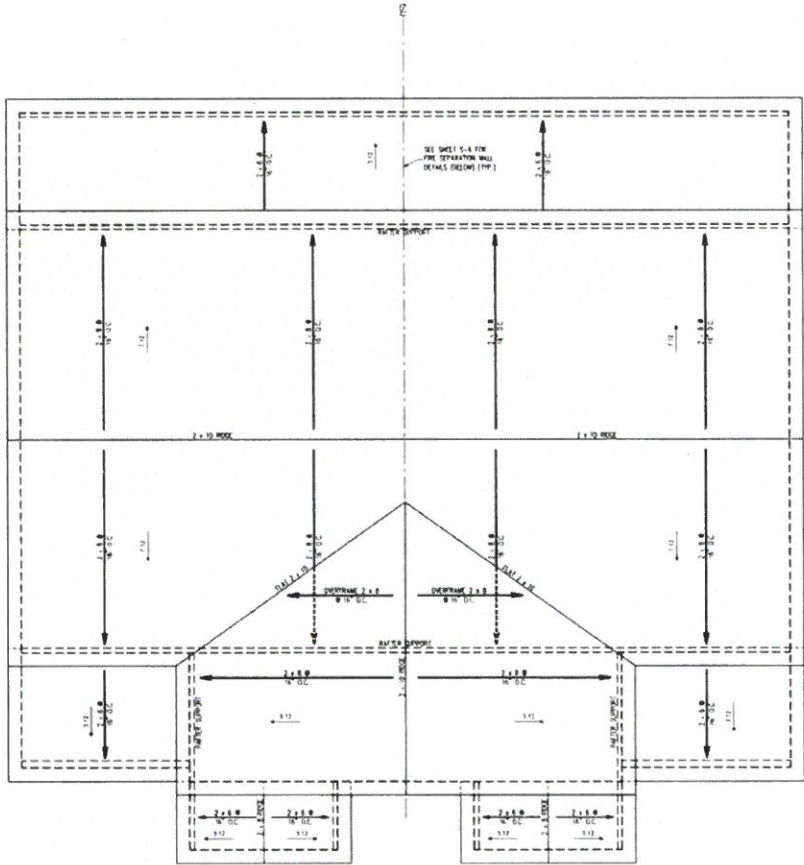
**LEGEND**

—	1500 CORNER AT POINT LOADS THAT REQUIRE SOLE BRACING TO CENTER ON FOUNDATION
■	ALL SUPPORT HEADERS: (1) JOIST STUD AND (2) KING STUD (ENG)
—	ALL JOIST/BEAM: (1) STUDS (ENG)
—	BEAM OR HEADER AS NOTED
○	JOIST/BEAM/STUD (2) STUDS (ENG)
—	UNLESS NOTED OTHERWISE

SHEET 3 OF 6  
**S-3**  
 CEILING FRAMING PLAN

TDB BRPB\_055033\_2021

- ROOF FRAMING STRUCTURAL NOTES:**
1. ALL FRAMING LUMBER TO BE #2 SYP (DWS)
  2. SHEATHING TO BE 1/2" OSB SHEATHING SECURED W/ 8D NAILS @ 2" O.C. ALONG EDGES AND 12" O.C. IN THE FIELD
  3. SPOK FRAME OVER-FRAMED ROOF SYSTEMS W/ 2" x 8 BRIMS, 2" x 6 RAFTERS @ 24" O.C. AND 2" x 10 VALLEYS OR ONE VALLEY RAFTERS (RWD)
  4. FASTER FLAT VALLEYS TO RAFTERS OR PLYWOOD BRIMS AS IN HORIZONTAL VIEW @ 24" O.C. WITH PLYS HORIZONTAL TO OVERLAP WITHIN 6" OF THE BRIM. IF REQUIRED, SEEING DIRECTORS TO FLAT VALLEYS WITH 1/2" DIA. (3/4") 12D NAILS.
  5. DETAIL (1) RAFTERS WITH HORIZONTAL FE (FOR FINISH) OR EA. RAFTER BEARING.
  6. REFER TO NOTES AND DETAIL SHEETS FOR ADDITIONAL STRUCTURAL INFORMATION.



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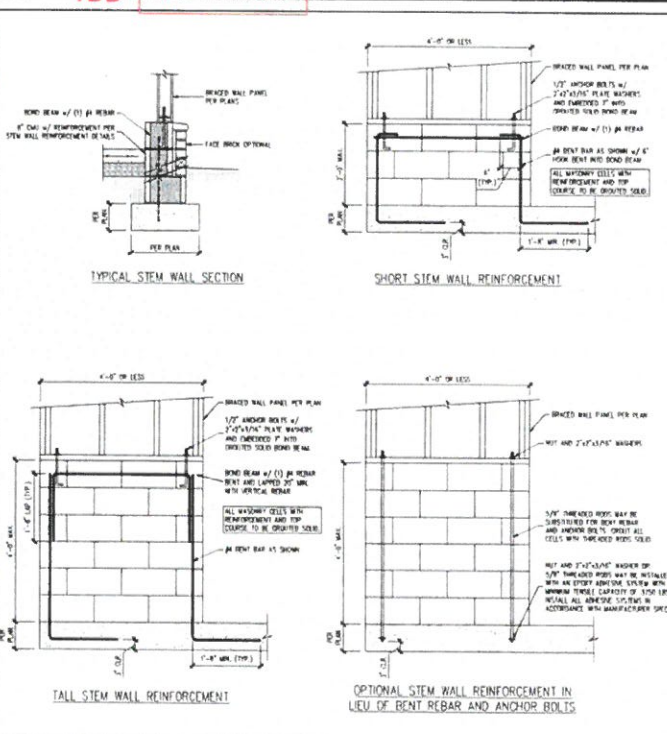
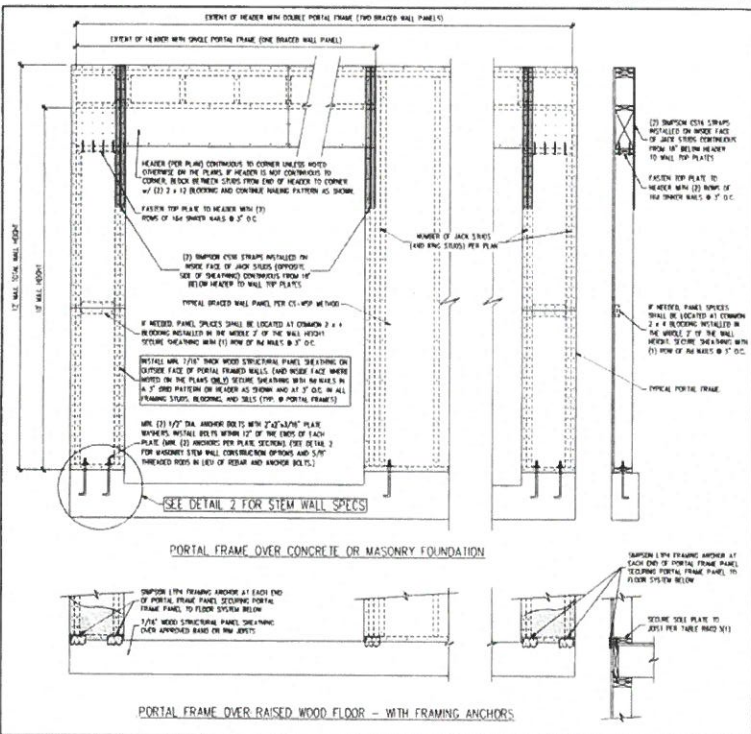


**DUPLEX O'CONNELL DEVELOPING, LLC.**

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 ENGINEERED BY: J. SMITH  
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 DATE: 2-18-2021  
 SHEET: 4 OF 6

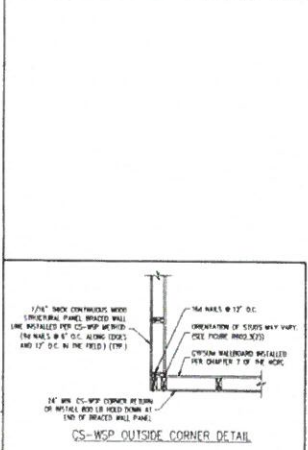
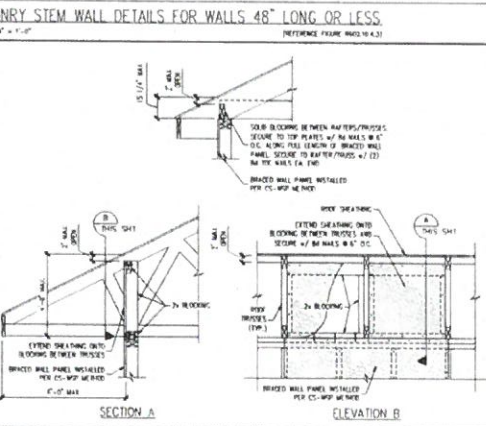
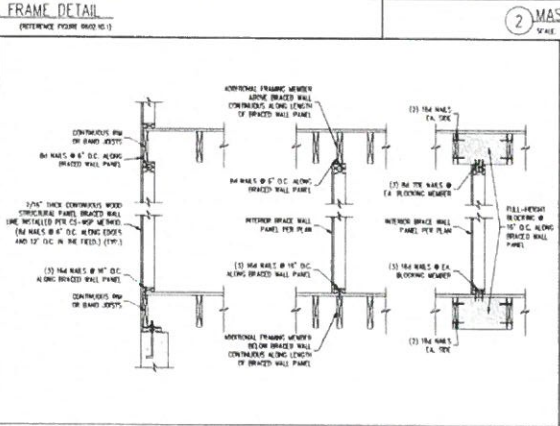
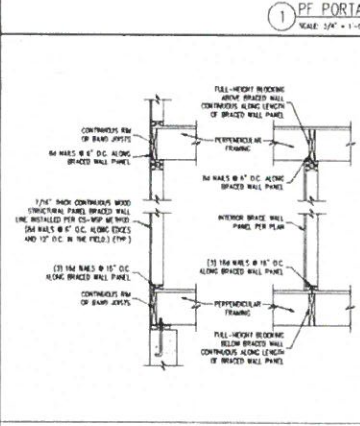
**S-4**  
**ROOF FRAMING PLAN**



- GENERAL WALL BRACING NOTES:**
1. WALL BRACING SECTIONS IN ACCORDANCE WITH CHAPTER 4 OF THE 2018 NORTH CAROLINA INTERNATIONAL BRACING CODE (IBC) TABLES AND FIGURES REFERENCED ARE FROM THE 2018 IBC. REFER TO THE OTHER SIDE FOR ADDITIONAL INFORMATION AND NOTES.
  2. SEE STRUCTURAL SHEETS FOR THE BRACED WALL DESIGN SUMMARY WHICH SPECIFIES THE TOTAL AMOUNT OF BRACING REQUIRED AND PROVIDED ALONG EACH BRACED WALL LINE ON EACH FLOOR (WHERE REQUIRED). THE LENGTH AND LOCATION OF BRACED WALLS ARE ESTIMATED BY THE ENGINEER DESIGNER AND BASED ON EACH STRUCTURAL FLOOR PLAN (WHERE REQUIRED).
  3. ALL EXTERIOR WALLS ARE TO BE TIED TO THE EXTERIOR FACE WITH 1/2" DIA. WOOD STRUCTURAL PANELS IN ACCORDANCE WITH THE CS-WSP METHOD AS SPECIFIED IN SECTION BRACED 3 OF THE 2018 IBC (UNLESS NOTED OTHERWISE).
  4. CS-WSP NOTES TO THE CONTRACTOR: BRACING - WOOD STRUCTURAL PANELS SHALL BE BRACED WITH 1/2" DIA. SHEATHING SHALL BE INSTALLED ON ALL SHEATHABLE SURFACES OF ALL EXTERIOR WALLS ATTACHED BY AN EXTERIOR WALL OR BY (3) 1/2" DIA. LONG x 2 1/2" THICK WOOD BRACES AT 8' O.C. ALONG PANEL EDGES AND 12' O.C. IN THE FIELD (END).
  5. THE INTERIOR SIDE OF ALL EXTERIOR WALLS AND BOTH SIDES OF INTERIOR WALLS SHALL BE TIED WITH 1/2" CROWN WALL BOLDS. WHEN NOT USING BRACING METHOD CS-WSP WALL BOLDS SHALL BE FASTENED PER TABLE BRBR 15 BRACING METHOD CS-WSP.
  6. TOP NOTES TO THE CONTRACTOR: WALL BRACING METHOD. WHEN NOTED ON THE PLAN, 1/2" DIA. CROWN WALL BOLDS SHALL BE INSTALLED ON BOTH SIDES OF THE BRACED WALL FASTENED WITH 1/2" DIA. SCREWS OR 5/8" DIA. COLLAR WALLS SPACED 7' O.C. ALONG PANEL EDGES AND 7' O.C. ALONG INTERMEDIATE SUPPORTS (BAYS).
  7. THE REQUIRED BRACED WALL LENGTHS FOR EACH SIDE OF THE DEVELOPMENT WILL BE DETERMINED AND INDICATED PER TABLE BRBR 15. THE CS-WSP CONTRACTOR'S ACTUAL LENGTH MAY BE CONTROLLING AS ITS ACTUAL LENGTH AND BE MADE TO CONFORM TO TABLE BRBR 15 WITHIN LENGTH.

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**DUPLEX O'CONNELL DEVELOPING, L.L.C.**



REVISIONS:


DESIGNED BY: KARA HENNE DESIGN, INC.  
ENGINEERED BY: J. SMITH  
SCALE: 1/4" = 1'-0"  
DATE: 3-18-2021  
SHEET: 5 OF 6

**S-WB WALL BRACING DETAIL SHEET**



**ARTICLE 4: USES**

4.3. Use-Specific Standards

4.3.3. Residential Use Types

**a. MAXIMUM HEIGHT**

A dwelling unit shall not exceed 1 ½ stories, or 24 feet, above grade.

**b. DWELLING SIZE**

- i. A dwelling unit shall be at least 600 square feet in floor area, but not more than 2,000 square feet in floor area.
- ii. At least 2 dwellings in a pocket neighborhood shall maintain a total square footage that differs by at least 200 square feet in floor area from the average square footage of all other dwellings. Nothing shall prohibit a configuration where all dwellings are different sizes.

**c. FENCES**

Pocket neighborhoods are exempted from the standards in Section 5.5, Fences and Walls, but shall comply with the following:

- i. Fences within front yards or side yards forward of the front façade plane shall not exceed three feet in height.
- ii. Fences in rear yards or side yards behind the front facade plane shall not exceed six feet in height.
- iii. In no instance shall a fence be placed within a use or access easement.

**d. HOMEOWNER’S ASSOCIATION**

A pocket neighborhood shall include a homeowner(s) or property owner(s) association that maintains control of common areas and takes responsibility for maintenance of common features in the neighborhood established and configured in accordance with Section 6.5, Owners’ Associations.

**O. SINGLE-FAMILY ATTACHED DWELLING**

Single-family attached development shall comply with the following provisions:

**1. BUILDING PLACEMENT**

- a. A minimum ten feet of separation shall be maintained between all buildings in the development.
- b. Buildings must be set back from private drives and parking lots a minimum of ten feet as measured from back of curb or edge of pavement, if no curb is provided.
- c. Buildings shall be setback from public streets in the development in accordance with the street setbacks for the district where located.

**2. MAXIMUM NUMBER OF UNITS PER BUILDING**

Table 4.3.3.O.2: Maximum Number of Units in a Buildings, sets out the maximum number of attached residential dwelling units allowed in a single building by zoning district:

<b>TABLE 4.3.3.O.2: MAXIMUM NUMBER OF UNITS IN A BUILDING</b>	
<b>ZONING DISTRICT</b>	<b>MAXIMUM NUMBER OF UNITS IN A SINGLE BUILDING</b>
R4 & R6	6
RMF	12
GC	12
OI	8
DTC	5
DTP	8

**3. RECREATION FACILITIES**

## ARTICLE 4: USES

### 4.3. Use-Specific Standards

### 4.3.3. Residential Use Types

Active recreation facilities must be placed a minimum of 50 feet from adjacent land used for single-family detached residential purposes.

#### 4. UTILITIES

All electric, communications, water and sewer utility lines shall be installed underground.

#### 5. CONDOMINIUMS

Single-family attached development configured as condominiums shall comply with the following standards:

- a. Condominiums shall conform to the use and development requirements of this Ordinance for the zoning district(s) where located.
- b. Condominiums shall conform to the requirements of the North Carolina Condominium Act, in Chapter 47C of the North Carolina General Statutes.
- c. Condominium ownership may be created by the owner or co-owners of a structure(s) by an express declaration of their intention to submit such property to the provisions of the North Carolina Condominium Act, which declaration shall be subject to approval by the Board of Commissioners and recorded in the office of the Register of Deeds in the county where the development is located.

#### 6. ACCESS TO DEVELOPMENT

- a. Single-family attached developments shall abut a public street.
- b. Individual single-family attached lots need not abut a public street provided that every dwelling unit shall be provided access to their property via either a public right-of-way or a private vehicular or pedestrian way owned by the individual lot owner in fee or in common ownership with other property owners in the townhouse development.
- c. Adequate access shall be provided for firefighting equipment, service deliveries and refuse collections.

#### 7. VEHICULAR ACCESS TO INDIVIDUAL DWELLINGS

Vehicular access points to individual dwellings or individual lots within a single-family attached development shall only be from the side or rear of the lot.

#### 8. GUEST PARKING SPACES REQUIRED

- a. Single-family attached residential developments of three or more dwelling units shall provide shared or common guest parking facilities in accordance with the standards in [Table 5.8.4.H: Minimum Off-Street Parking Requirements Table](#).
- b. Guest parking spaces shall be evenly distributed around the development, to the maximum extent practicable.
- c. Guest parking areas shall be served by pedestrian access that connects to the existing public sidewalk, greenway, or trail network serving the development.

### P. SINGLE-FAMILY DETACHED DWELLING

New single-family detached dwellings constructed after January 1, 2020 shall comply with the following standards:

#### 1. FINISHED FLOOR HEIGHT

Except for single-family detached dwellings subject to a deed restricting limiting the age of residents to 55 years of age or older, the finished floor elevation shall be at least 18 inches above the finished grade adjacent to the home's primary entrance.

#### 2. INGRESS/EGRESS ON EVERY SIDE

Single-family detached dwellings shall be configured so that each side of the dwelling includes some form of ingress or egress capable of allowing emergency exit from or entrance into the dwelling. Windows, doors, or other wall penetrations shall be credited towards these standards. Skylights shall also be credited towards these standards in cases where there is sufficient access to the ground from the roof.

#### 3. SITE ACCESS



**ARTICLE 2: PROCEDURES**

**2.2.21. VARIANCE**

**A. PURPOSE AND INTENT**

The purpose of this section is to allow certain deviations from the dimensional standards of this Ordinance (such as height, yard setback, lot coverage, or similar numerical standards) when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner’s control (such as topographical conditions, narrowness, shallowness, or shape of a specific parcel of land), a literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. This section also includes standards for variance from the Town’s special flood hazard area standards in Section 3.8.2, Flood Hazard Overlay (FHO) District, as well as the procedures and standards for variances from the watershed protection standards included in Section 3.3.2, Residential Watershed (R1) District.

**B. APPLICABILITY**

1. Development that would otherwise be subject to undue and unique hardship from the applications of the standards in this Ordinance may seek relief from the standards in accordance with this section.
2. No variance may be sought that increases development density (e.g., units per acre) beyond that allowed in a base zoning district, or that would permit a use not allowed in a zoning district.

**C. VARIANCE PROCEDURE**

The variance procedure is described in Figure 2.2.21, Variance Procedure, as supplemented by Section 2.3, Application Processing, and the Procedures Manual.

**D. BOARD OF ADJUSTMENT REVIEW AND DECISION**

1. The BOA, after the conclusion of a quasi-judicial public hearing, shall decide the application for a variance.
2. The decision shall be based on the evidence in the record, as supplemented by the arguments presented at the quasi-judicial hearing, and the standards in Section 2.2.21.G, Variance Review Standards.
3. The decision shall be one of the following:
  - a. Approval of the variance as proposed;
  - b. Approval of the variance with revisions; or
  - c. Denial of the variance.
4. The concurring vote of four-fifths of the BOA shall be necessary to grant a variance.
5. Each decision shall be made in writing and reflect the BOA’s determination of facts and their application to the standards in this Ordinance.
6. The written decision shall be signed by the Chair or other duly authorized member of the BOA.
7. The decision of the BOA shall be effective upon the filing of the written decision.

**E. NOTIFICATION OF DECISION**

The decision of the BOA shall be delivered by personal service, electronic mail, or by first-class mail to the applicant, the landowner, and to any person who has submitted a written request for a copy prior to the

<b>FIGURE 2.2.21: VARIANCE PROCEDURE</b>	
Step	Action
1	Pre-application Conference See <u>Section 2.3.2, Pre-application Conference</u>
2	File Application See <u>Section 2.3.3, Application Filing</u>
3	Completeness Determination See <u>Section 2.3.3.G, Determination of Application Completeness</u>
4	Planning Director Review See <u>Section 2.3.5, Staff Review and Action</u>
5	Public Hearing Scheduled
6	Public Notice See <u>Section 2.3.6, Public Notice</u>
7	Board of Adjustment Review and Decision See <u>Section 2.3.7, Public Hearings and Meetings</u>
8	Notification of Decision See <u>Section 2.3.9, Notification of Decision</u>
9	Recordation

## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

date the decision becomes effective. The person providing notification of decision shall certify that proper notification has been made.

#### F. RECORDATION

If a variance application is approved, the notice of decision may be recorded by the applicant in the office of the Wake County Register of Deeds.

#### G. VARIANCE REVIEW STANDARDS

The standards in this section are organized into the standards applicable to variances from the zoning-related provisions, the flood hazard overlay provisions, and the watershed protection provisions.

##### 1. ZONING-RELATED VARIANCE STANDARDS

###### a. REQUIRED FINDINGS OF FACT

A zoning variance shall be approved on a finding the applicant demonstrates all of the following:

- i. 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.
- ii. 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.
- iii. 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 the variance shall not be regarded as a self-created hardship.
- iv. 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.

###### b. OTHER CONSIDERATIONS

In addition to the making the required findings in subsection (a) above, the BOA may also consider the following:

- i. The variance approval is the minimum necessary to make possible the reasonable use of the land, building, or structure.
- ii. All property taxes on the land subject to the variance application have been paid in full.
- iii. None of the following may be used as the basis for approving a variance:
  1. Neither the nonconforming use of lands, buildings, or structures in the same zoning district, or the permitted use of lands, buildings, or structures in other zoning districts, or personal circumstances;
  2. A request for a particular use that is expressly, or by inference, prohibited in the zoning district;
  3. Hardships resulting from factors other than application of the relevant standards of this ordinance;
  4. The fact that land or a structure may be utilized more profitably or be more marketable with a variance;
  5. The citing of other conforming or nonconforming uses of land or structures in the same or other zoning districts; or
  6. Financial hardship.

##### 2. FLOOD HAZARD OVERLAY VARIANCE STANDARDS

In addition to the standards for a zoning variance, variances from the flood hazard overlay standards in this Ordinance shall be reviewed and decided in accordance with the standards in [Section 3.8.2, Flood Hazard Overlay \(FHO\) District](#), and the following:

###### a. REQUIRED FINDINGS OF FACT

A variance from the flood hazard area standards shall be approved on a finding the applicant demonstrates all of the following standards are met:

## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

- i. There is a good and sufficient cause to grant the variance;
- ii. The variance is the minimum necessary to provide relief;
- iii. Failure to grant the variance would result in exceptional hardship to the landowner; and
- iv. Granting the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with this Ordinance.

#### b. OTHER CONSIDERATIONS

In addition to making the required findings in subsection (a) above, the BOA may also consider the following:

- i. Approval of the variance will not render the building in violation of applicable federal, state, or local requirements;
- ii. Approval of the variance will not result in any increase in flood levels within any designated floodway or non-encroachment area during the base flood discharge;
- iii. The variance is issued prior to any other prerequisite permit or development approvals;

#### c. HISTORIC SITES OR STRUCTURES

Reconstruction or rehabilitation of structures listed on the National Register of Historic Places or the State Inventory of Historic Places may occur in a flood hazard area without need for obtaining a variance in accordance with this subsection.

#### d. REQUIRED FINDINGS FOR DENIAL

All of the following factors shall be considered by the BOA if an application for a variance to the flood hazard area standards is denied:

1. The danger that materials may be swept onto other lands and injure others;
2. The danger to life and land due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual landowner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location as a functionally-dependent facility;
6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the town's adopted policy guidance and the town's floodplain management program;
9. The safety of access to the use in times of flood for ordinary emergency vehicles;
10. The expected height, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

### 3. WATERSHED PROTECTION VARIANCE STANDARDS

#### a. VARIANCES DISTINGUISHED

- i. Variances from the water supply watershed standards in Section 3.3.2, Residential Watershed (R1) District, in the shall take the form of a minor variance or a major variance.
- ii. Major variances pertain to any of the following:
  1. i) The relaxation, by a factor greater than 10 percent, of any management requirement under the low density option;
  2. ii) The relaxation, by a factor greater than five percent, of any buffer, density or built upon area requirement under the high density option; or
  3. iii) Any variation in the design, maintenance or operation requirements of a wet detention pond or other approved stormwater management system.

## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

- iii. Minor variances pertain to a relaxation, by a factor of up to ten percent of any buffer, density, or built-upon area requirement under the low density option.

#### b. REQUIRED FINDINGS OF FACT

Before the Watershed Review Board may grant a variance, it shall make the following three findings, which shall be recorded in the permanent record of the case, and shall include the factual reasons on which they are based:

- i. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance. In order to determine that there are practical difficulties or unnecessary hardships, the Board must find that the five following conditions exist:
  - 1. In complying with the provisions of this Ordinance, the applicant can secure no reasonable return from, nor make reasonable use of, their property. Merely proving that the variance would permit a greater profit to be made from the property will not be considered adequate to justify the granting of a minor variance. Moreover, the BOA shall consider whether the variance is the minimum possible deviation from the terms of this Ordinance that will make possible the reasonable use of the property;
  - 2. The hardship results from the application of the ordinance to the property rather than from other factors such as deed restrictions or other hardship;
  - 3. The hardship is due to the physical nature of the applicant's property, such as size, shape or topography, which is different from that of neighboring property;
  - 4. The hardship is not the result of the actions of an applicant who knowingly or unknowingly violates the ordinance, or who purchases the property after the effective date of the ordinance and then comes to the Board for relief; and
  - 5. The hardship is peculiar to the applicant's property, rather than the result of conditions that are widespread. If other properties are equally subject to the hardship created in the restriction, then granting a variance would be special privilege denied to others, and would not promote equal justice.
- ii. The variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit.
- iii. In the granting of the variance, the public safety and welfare have been assured and substantial justice has been done. The BOA shall not grant a variance if it finds that doing so would in any respect impair the public health, safety, or general welfare.

#### c. CONDITIONS OF APPROVAL

- i. In granting a variance approval, the BOA may attach conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable.
- ii. If a variance for the construction, alteration, or use of property is granted, the construction, alteration or use shall be in accordance with the approved site plan.

#### d. PRIOR DENIAL

The BOA shall refuse to hear an appeal or an application for a variance previously denied if it finds that there have been no substantial changes in conditions or circumstances bearing on the appeal or application.

#### e. EXPIRATION

A variance issued in accordance with this section shall be considered a watershed protection permit and shall expire if a building permit or watershed occupancy permit for the use is not obtained by the applicant within six months from the date of the decision.

#### f. ADDITIONAL PROVISIONS FOR MAJOR VARIANCES

##### i. Generally

If the application calls for the granting of a major variance, and if the BOA decides in favor of granting the variance, the BOA shall prepare a preliminary record of the hearing with all deliberate speed. The preliminary record of the hearing shall include the following:

## ARTICLE 2: PROCEDURES

### 2.2. Application Review Procedures

### 2.2.21. Variance

1. The variance application;
2. The hearing notices;
3. The evidence presented;
4. Motions, offers of proof, objections to evidence and rulings on them;
5. Proposed findings and exceptions; and
6. The proposed decision, including all conditions proposed to be added to the permit.

#### ii. Action by the Environmental Management Commission

The preliminary record shall be sent to the Environmental Management Commission for its review as follows:

1. If the Commission concludes from the preliminary record that the variance qualifies as a major variance and that the property owner can secure no reasonable return from, nor make any practical use of the property unless the proposed variance is granted, and the variance, if granted, will not result in a serious threat to the water supply, then the Commission shall approve the variance as proposed or approve the proposed variance with conditions and stipulations.
2. The Commission shall prepare a decision and send it to the BOA. If the Commission approves the variance as proposed, the BOA shall prepare a final decision granting the proposed variance.
3. If the Commission approves the variance with conditions and stipulations, the BOA shall prepare a final decision, including those conditions and stipulations, granting the proposed variance.
4. If the Commission concludes from a preliminary record that the variance qualifies as a major variance and that the property owner can secure a reasonable return from or make a practical use of the property without the variance or the variance, if granted, will result in a serious threat to the water supply, then the Commission shall deny approval of the variance as proposed.
5. The Commission shall prepare a decision and send it to the BOA.
6. The BOA shall prepare a final decision denying the variance as proposed.

#### H. INSUFFICIENT GROUNDS FOR APPROVING VARIANCES

The following factors shall not constitute sufficient grounds for approval of any variance:

1. A request for a particular use that is expressly, or by inference, prohibited in the zoning district;
2. Hardships resulting from factors other than application of requirements of this Ordinance;
3. The fact that land or a structure may be utilized more profitably or be more marketable with a variance;  
or
4. The citing of other nonconforming or conforming uses of land or structures in the same or other zoning districts.

#### I. CONDITIONS OF APPROVAL

In granting a variance, the BOA may prescribe conditions of approval to ensure compliance with the standards of this section, and to assure that the use of the land to which the variance applies will be compatible with surrounding lands and will not alter the essential character of the neighborhood.

1. A variance granted subject to a condition of approval shall be permitted as long as there is compliance with the condition.
2. Violation of a condition of approval shall be deemed a violation of this Ordinance.
3. If a violation or invalidation of a condition of approval occurs, the Planning Director may revoke the authorization for the development subject to the variance.

#### J. EFFECT

##### 1. GENERAL

Approval of a variance authorizes only the particular regulatory relief approved by the BOA. It does not exempt the applicant from the responsibility to obtain all other permits or development approvals required by this Ordinance or any other applicable laws, and does not indicate that the development

## ARTICLE 2: PROCEDURES

for which the variance is granted should receive other permits or development approvals under this Ordinance unless the relevant and applicable portions of this Ordinance are met.

### 2. NOTIFICATION REGARDING FLOOD INSURANCE COSTS

- a. An applicant for whom a flood hazard area variance is approved shall be provided written notice by the Planning Director specifying the difference between the base flood elevation (BFE) and the elevation to which the structure is built. The notice shall inform the applicant about the risks to life and property from construction below the BFE and that issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance.
- b. The notification shall be maintained by the Planning Director with the record of the variance action.

### 3. RECORDS

Upon request, the Planning Director shall report all flood-related variances approved in accordance with this section to the Federal Emergency Management Agency and the State of North Carolina.

#### K. AMENDMENT

Amendment of a variance may only be reviewed and considered in accordance with the procedures and standards established for its original approval.

#### L. EXPIRATION

1. If the BOA does not include a time period by which development subject to variance expires, development shall commence within 12 months of the date of issuance of the variance or the variance shall expire and become null and void.
2. A variance shall expire and become invalid if the property owner changes development on the site such that the extraordinary and exceptional conditions that warranted the hardship and variance no longer do so.

#### M. APPEAL

1. Any decision by the BOA shall be subject to review by the Superior Court of Wake County by proceedings in the nature of certiorari and in accordance with Section 160D-1402 of the North Carolina General Statutes.
2. Petitions for review must be filed with the Clerk of Court within 30 days of the date the decision is filed in the office of the appropriate review authority and delivered by personal delivery, electronic mail, or first-class mail to the applicant, landowner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective.

**ARTICLE 4: USES**

4.2. Principal Uses

4.2.3. Principal Use Table

**4.2.3. PRINCIPAL USE TABLE**

**TABLE 4.2.3: PRINCIPAL USE TABLE**

A=Allowed (if listed in a PD master plan); P=Permitted subject to applicable use-specific standards; S=Requires approval of a special use permit and compliance with applicable use-specific standards; "-"=Prohibited

USE TYPE [1]	RESIDENTIAL					COMMERCIAL						MIXED USE				USE-SPECIFIC STANDARDS [2]
	R1	R2	R4	R6	RMF	NC	GC	HC	LI	CI	HI	OI	DTC	DTP	PD	
<b>RESIDENTIAL USE CLASSIFICATION</b>																
Assisted Living Facility	.	.	.	S	S	.	P	.	.	.	.	P	.	P	A	<a href="#">4.3.3.A</a>
Boarding/ Rooming House	.	S	S	S	P	P	.	.	.	.	.	S	P	P	A	<a href="#">4.3.3.B</a>
Bungalow Court	.	P	P	P	P	P	.	.	.	.	.	S	.	P	A	<a href="#">4.3.3.C</a>
Continuing Care Retirement Center	.	.	.	P	P	S	P	.	.	.	.	P	.	P	A	<a href="#">4.3.3.D</a>
Duplex Dwelling	.	S	S	P	P	P	S	.	.	.	.	P	P	P	A	
Family Care Home	P	P	P	P	P	P	P	.	.	.	.	P	P	P	A	<a href="#">4.3.3.E</a>
Group Home	.	.	.	S	S	S	.	.	.	.	.	S	.	S	A	<a href="#">4.3.3.F</a>
Halfway House	.	.	.	S	S	.	.	.	.	.	.	S	.	.	A	<a href="#">4.3.3.G</a>
Live/Work Dwelling	.	.	.	.	P	P	P	P	S	.	.	P	P	P	A	<a href="#">4.3.3.H</a>
Manufactured Dwelling	[3]					.	.	.	.	.	.	[3]	.	.	A	<a href="#">4.3.3.I</a>
Manufactured Dwelling Park	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	<a href="#">4.3.3.J</a>
Mobile Home	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	<a href="#">4.3.3.K</a>
Mobile Home Park	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	<a href="#">4.3.3.L</a>
Multi-family Dwelling	.	.	S	S	P	.	P	.	.	.	.	P	P	P	A	<a href="#">4.3.3.M</a>
Pocket Neighborhood	.	P	P	P	P	P	.	.	.	.	.	P	.	P	A	<a href="#">4.3.3.N</a>
Nursing Home	.	.	S	S	S	S	P	.	.	.	.	P	.	P	A	
Single-family Attached Dwelling	.	.	S	S	P	.	P	.	.	.	.	P	P	P	A	<a href="#">4.3.3.O</a>
Single-family Detached Dwelling	P	P	P	P	P	P	P	.	.	.	.	P	P	P	A	<a href="#">4.3.3.P</a>
Triplex/Quadplex	.	.	S	P	P	P	P	.	.	.	.	P	P	P	A	<a href="#">4.3.3.Q</a>
Upper-story Residential	.	.	.	P	P	P	P	P	P	P	.	P	P	P	A	<a href="#">4.3.3.R</a>
<b>INSTITUTIONAL USE CLASSIFICATION</b>																
Adult Day Care Center	.	.	.	.	S	.	P	P	.	.	.	P	.	S	A	<a href="#">4.3.4.A</a>
Airport & Related Facilities	.	.	.	.	.	.	.	.	S	S	S	.	.	.	A	
Antenna Collocation, Major	S	S	S	S	P	P	P	P	P	P	P	P	P	P	A	<a href="#">4.3.4.B</a>
Antenna Collocation, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	
Arboretum or Formal Garden	P	P	P	P	P	P	P	.	.	.	.	P	P	P	A	
Auditorium	.	.	.	.	.	.	P	P	S	P	.	P	P	P	A	<a href="#">4.3.4.C</a>
Blood/Tissue Collection	.	.	.	.	.	.	.	.	.	.	.	S	.	S	.	

Attachment 7, 212 W. Sycamore

N.C.G.S 160D-403(f)

(f) Revocation of Development Approvals. - In addition to initiation of enforcement actions under G.S. 160D-404, development approvals may be revoked by the local government issuing the development approval by notifying the holder in writing stating the reason for the revocation. The local government shall follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing, in the review and approval of any revocation of that approval. Development approvals shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any applicable local development regulation or any State law delegated to the local government for enforcement purposes in lieu of the State; or for false statements or misrepresentations made in securing the approval. Any development approval mistakenly issued in violation of an applicable State or local law may also be revoked. The revocation of a development approval by a staff member may be appealed pursuant to G.S. 160D-405. If an appeal is filed regarding a development regulation adopted by a local government pursuant to this Chapter, the provisions of G.S. 160D-405(e) regarding stays apply.



# Attachment 8, 212 W. Sycamore



Attachment 8, 212 W. Sycamore



Attachment 8, 212 W. Sycamore

