

Application Materials

401 Cobb Terrace

May 2, 2024

1. Variance Application
2. Narrative Describing Proposal
3. Statement of Justification
4. Site Plan
5. Deed and Plat



BOA-24-2

Board of Adjustment
(BOA) Application

Status: Active

Submitted On: 2/25/2024

Primary Location

401 COBB TER
CHAPEL HILL, NC 27514

Owner

NORWOOD JOHN H
8412 SAWYER DR RALEIGH,
NC 27613

Applicant

John Norwood
 919-614-0022
 johnhnorwood@gmail.com
 8412 Sawyer Drive
Raleigh, NC 27613

Application Information

Application Type*

Variance

Variance Type*

Dimensional

Description of Request*

Relocate an existing historic shed (as repaired and modified) to a different location on the property where a similar shed used to stand, re-build a tiny house in the adjusted footprint of the original location of the relocated shed, and construct a retaining wall between the two buildings to create a terrace.

Applicant Authorization

The undersigned applicant hereby certifies that, to the best of the applicant's knowledge and belief, all information supplied with this application is true and accurate.

Applicant Signature*

John Norwood
Jan 25, 2024

Relationship to Property Owner*

Self

Narrative Describing Proposal:

History: Together with the development of the Cobb Terrace neighborhood approximately 100 years ago, a row of several adjacent carriage houses were constructed on lots measuring approximately 500 sf. Each carriage house belonged to one of the houses on Cobb Terrace. Over time, the carriage houses were removed and the lots were absorbed into adjacent property. The subject property contains the only surviving structure. About 20 years ago, the owner acquired the property that contains the carriage house and then subsequently acquired the three remaining lots to the west. The owner engaged OWASA, the Town of Chapel Hill, a local attorney and surveyor, to combine the four small lots into one lot. This allowed the installation of sewer services and the entitlements to convert the structure into a dwelling unit. The sewer line has been installed and now the owner plans to move forward with the project.

Description: The following proposal points relate to the site plan approval. The building permit process will come later, where the exact building descriptions will be proposed.

1. Move the existing carriage house to the north-west side of the property, such that it sits on the foundation location of a similar carriage house that has been removed quite some time ago.
2. Rebuild a new carriage house as a dwelling unit on the foundation location where the existing carriage house currently sits, with architecture in the same style as the current structure. The footprint will increase toward the center of the property, and an enclosed exterior stairway will be added. The ground floor will contain the main dwelling area and a daylight basement will sit underneath the main floor.
3. Add a retaining wall at the back of the property and back-fill with dirt to create a flat terrace in-between the two structures. This will also require extending the existing storm drain pipe to the back of the property.

Statement of Justification

(subsection 4.12.2(a) of the Land Use Management Ordinance, variances)

The owner is hereby filing a request to the Board of Adjustment for ordinance variances.

(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.

- With a lot depth of approximately 24-27 feet, the existing carriage house structure and the three now-demolished original carriage house structures substantially encroached upon the set-back requirements. These set-back requirements did not exist when the property was developed more than 100 years ago.
- No usable structure can exist on the property that is compliant with the modern set-back requirements.
- Originally, there were four structures on the property, each measuring approximately 10 feet wide by 20 feet deep with an area of approximately 200 square feet, or a total of approximately 800 square feet among all four original structures.
- The two proposed structures, which include the relocation of the existing structure and the expanded re-build of the existing structure, both fall within the same set-back lines as the original structures. The proposed re-built carriage house expands its footprint to the interior of the lot and widens its original set-back encroachment, but the two center structures that had encroached into the set-back area no longer exist.
- The proposed two structures contain square feet that measure approximately 65% to 70% of the original square feet contained in the original four structures on the property.

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

- See comments and explanations in # 1 above that describe the adjusted “Grandfathering” of the proposed improvements.

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

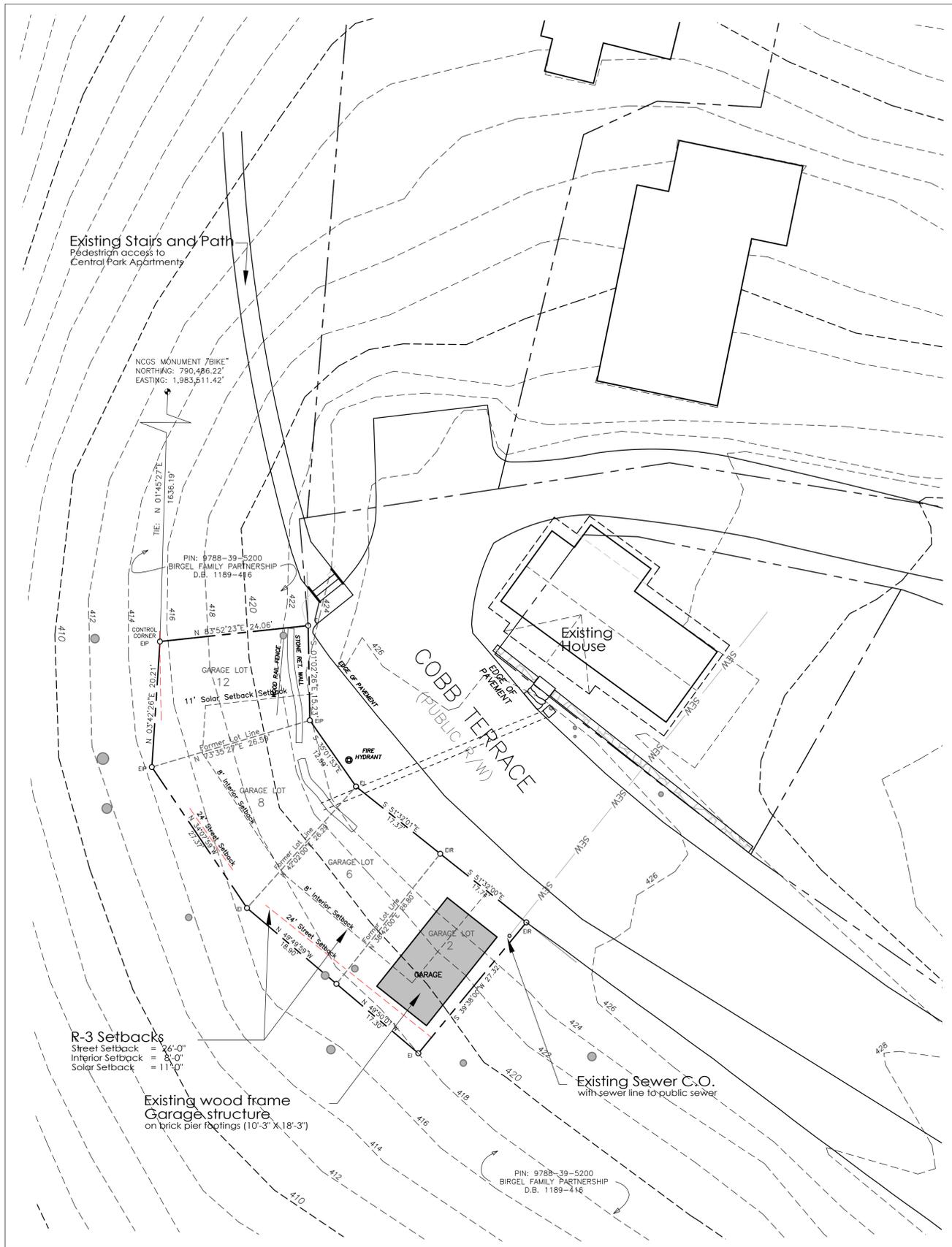
The subject hardship was not created by the owner and the owner had knowledge of the existing hardship when they purchased the property. The owner has not made any changes to the property except for:

- regular maintenance of the existing carriage house,
- the installation of an OWASA-approved sewer line to the property and
- the combination of the four separate carriage house lots into one solid lot.

Note that the combination of the four lots created a reduction in the size set-back violation on one side of the existing carriage house because the interior property division lines were removed.

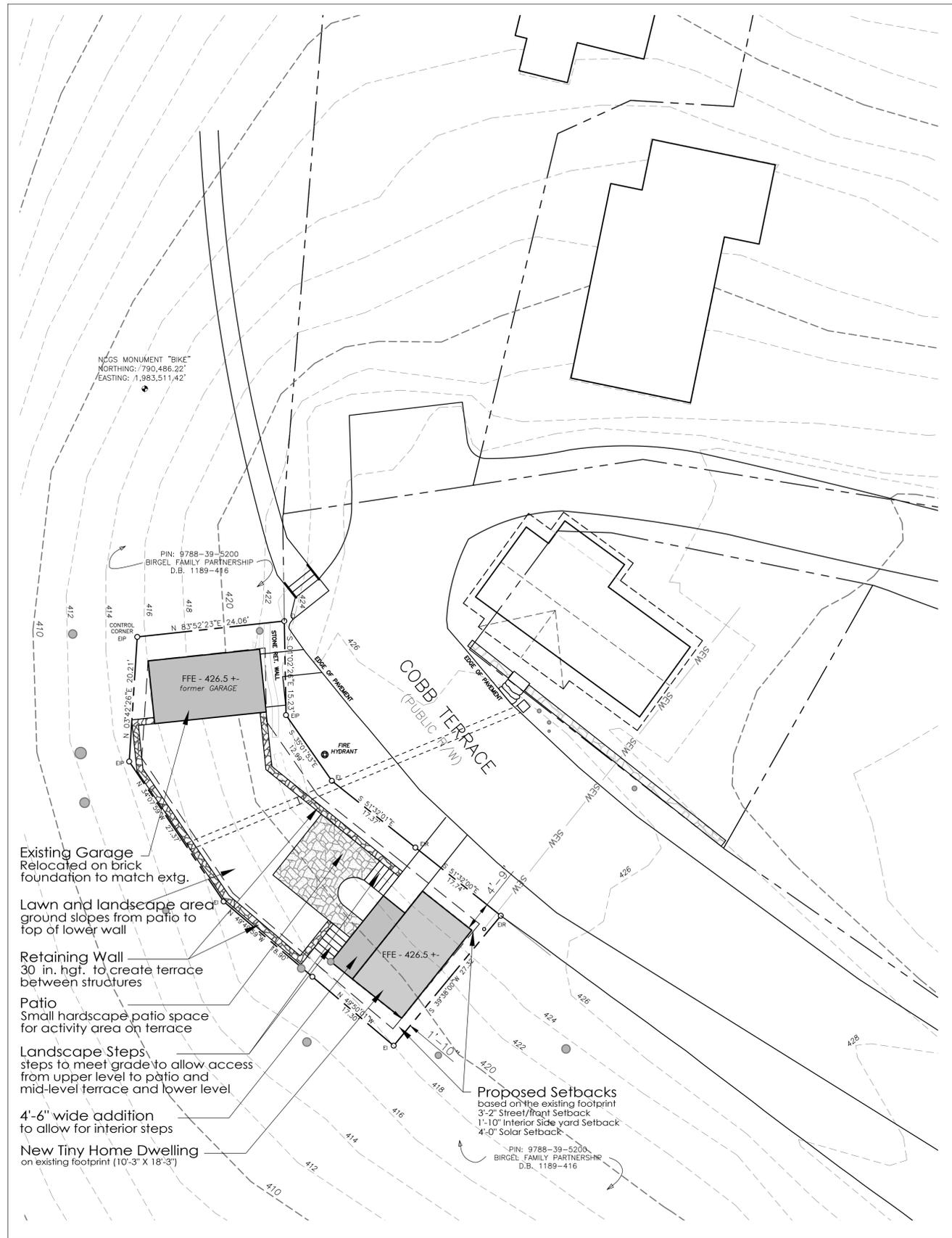
(4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

- The requested variance maintains the same set-backs and aesthetic as is commonly found in the neighborhood and is reasonably consistent with that of the original structures on the property.
- The requested variance does not cause crowding toward a neighboring structure and does not cause any space that would impede fire and rescue services. Also it does not obstruct any buried utilities.
- The requested variance causes no concern to public safety because it does not obstruct sight distances for vehicular or pedestrian traffic.



**Existing Conditions
Norwood Property**

Cobb Terrace Existing Conditions with former individual lots shown (now recombined)



**Site Plan
Norwood Property**

Cobb Terrace

Tiny Home

**Norwood
Property**

405 Cobb Terrace
Chapel Hill, NC

PIN REF.: 9788-38-5891

Board of Adjustment
Review

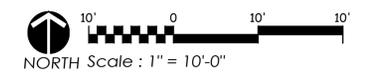
Issued: 02-19-24

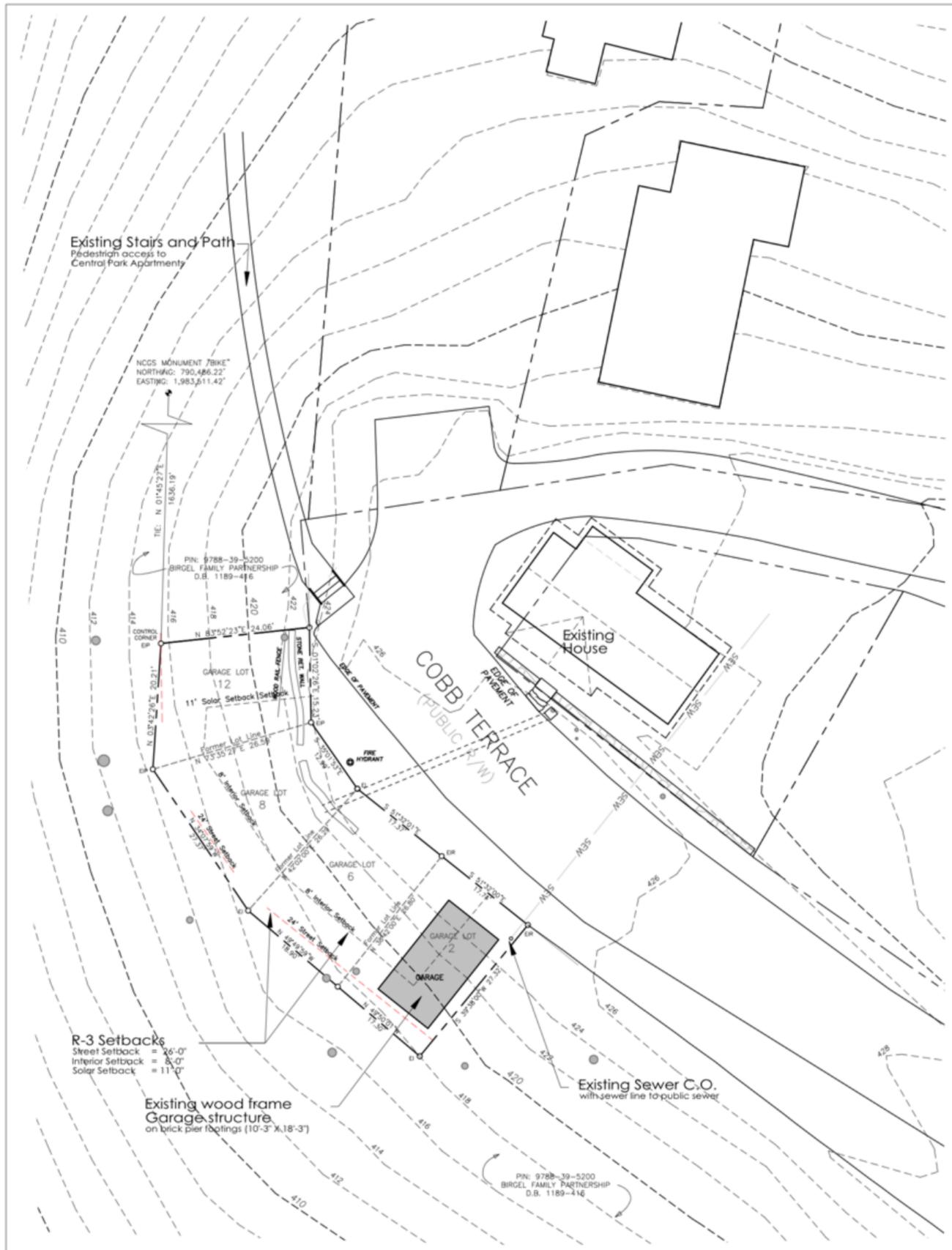
Revised: _____

Existing Conditions

L 3.0

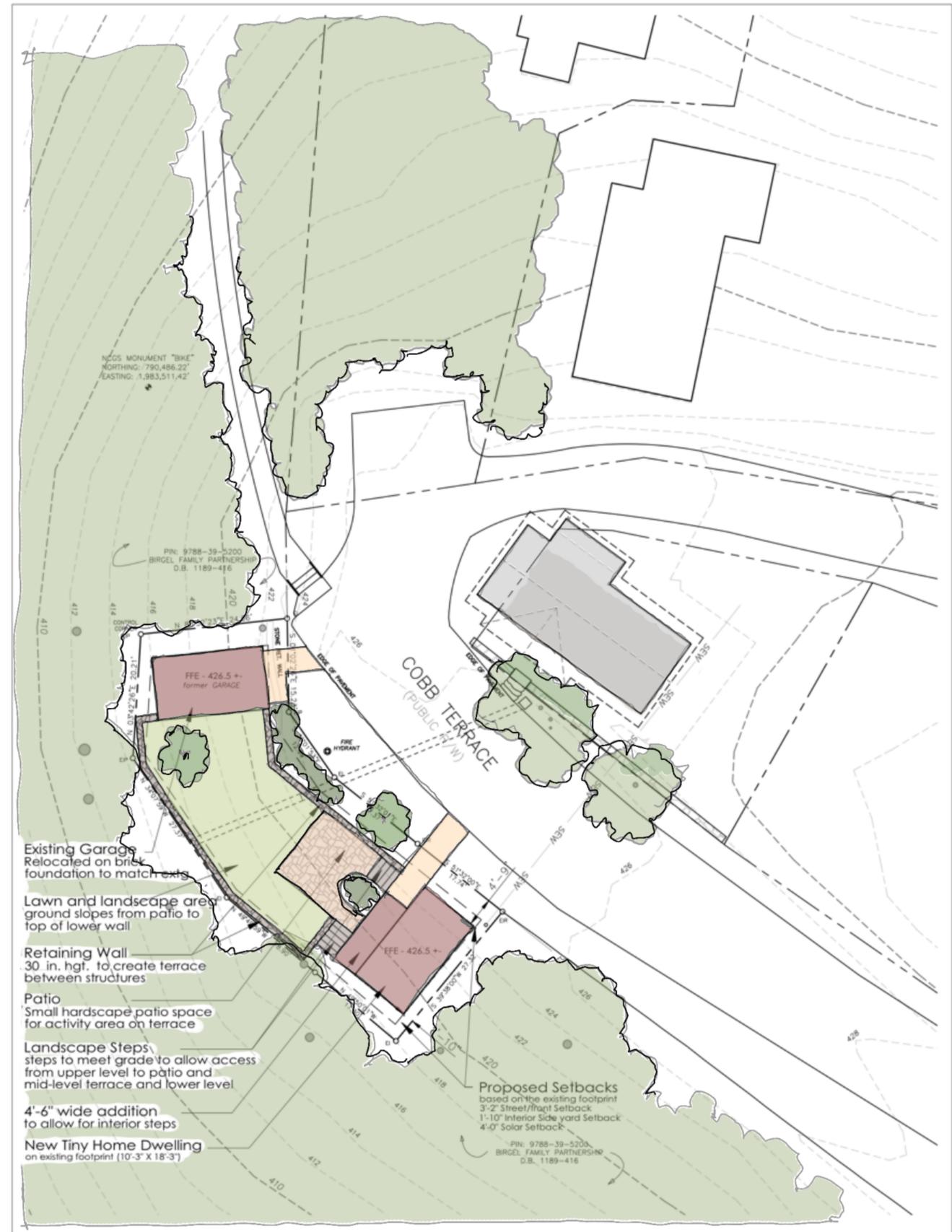
Cobb Terrace
Norwood Property





**Existing Conditions
Norwood Property**

Cobb Terrace Existing Conditions with former individual lots shown (now recombined)



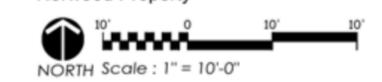
**Site Plan
Norwood Property**

Cobb Terrace

- Existing Garage Relocated on brick foundation to match exits
- Lawn and landscape area ground slopes from patio to top of lower wall
- Retaining Wall .30 in. hgt. to create terrace between structures
- Patio Small hardscape patio space for activity area on terrace
- Landscape Steps steps to meet grade to allow access from upper level to patio and mid-level terrace and lower level
- 4'-6" wide addition to allow for interior steps
- New Tiny Home Dwelling on existing footprint (10'-3" X 18'-3")

Proposed Setbacks
based on the existing footprint
3'-2" Street/Patio Setback
1'-10" Interior Side yard Setback
4'-0" Solar Setback

**Cobb Terrace
Norwood Property**



Tiny Home

Norwood Property

405 Cobb Terrace
Chapel Hill, NC

PIN REF.: 9788-38-5891

Board of Adjustment
Review

Issued: 02-19-24
Revised:

Existing Conditions

L 3.0



20170216000032100 MAINT
Bk:RB6265 Pg:235
02/16/2017 01:29:53 PM 1/1

FILED Mark Gilton
Register of Deeds, Orange Co, NC
Recording Fee: \$.00
NC Real Estate TX: \$.00

MB



**NORTH CAROLINA
ORANGE COUNTY**

PUBLIC NOTICE

INDEX MAINTENANCE

PIN SHEET (S) CORRECTED

BOOK/PAGE: 3914/544

INST. TYPE: DEED

DATE: 16 NOV 2005

**GRANTOR (S): NORWOOD JOHN H
NORWOOD KRISTINE D**

GRANTEE (S): GRASSHOPPER PROPERTIES LLC

**REASON FOR MAINTENANCE: To correct the assignment of PIN's to the
Instrument above referenced.**

CORRECT PIN (S): 9788 - 38 - 5732

WRONG PIN (S): 9788 - 38 - 4797

COMMENTS: _____

By the Land Records Division/Tax Administration

Prepared by: MAB

DATE: 02 / 16 / 2017

Keyed by: _____

DATE: _____ / _____ / _____

CERTIFICATE OF OWNERSHIP
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREIN, WHICH PROPERTY IS WITHIN THE SUBDIVISION IDENTIFIED HEREIN, WHICH PROPERTY IS WITHIN THE JURISDICTION OF THE TOWN OF CHAPEL HILL, AND THAT I FREELY ADMIT THE FACT OF SUBDIVISION.

DATE: 6/27/2016
 COUNTY OF ORANGE
 NORTH CAROLINA
 I, William J. Thompson, A NATURAL PERSON FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT THE FOLLOWING PERSON(S) IS/ARE THE OWNER(S) OF THE PROPERTY DESCRIBED IN THIS PLAN, ACCORDING TO THE RECORDS OF THE TOWN OF CHAPEL HILL, AND IN THE COUNTY INDICATED, FOR THE PURPOSES STATED THEREIN AND IN THE CAPACITY INDICATED.

John H. Norwood, Kristine D. Norwood
 JOHN H. NORWOOD, KRISTINE D. NORWOOD
 My Commission Expires 06/22/2020

DATE: 6/27/2016
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 I, John H. Norwood, Kristine D. Norwood, A NATURAL PERSON FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT THE FOLLOWING PERSON(S) IS/ARE THE OWNER(S) OF THE PROPERTY DESCRIBED IN THIS PLAN, ACCORDING TO THE RECORDS OF THE TOWN OF CHAPEL HILL, AND IN THE COUNTY INDICATED, FOR THE PURPOSES STATED THEREIN AND IN THE CAPACITY INDICATED.

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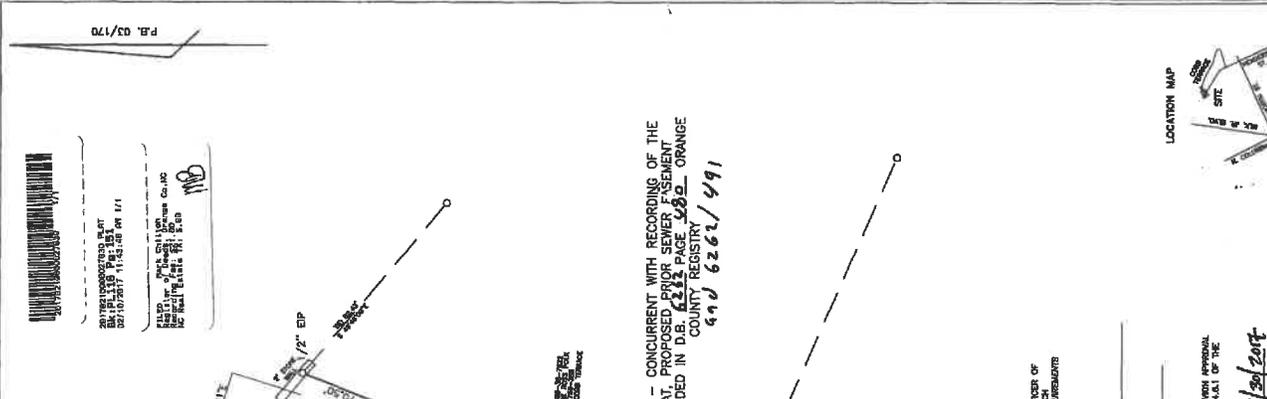
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NOTE - CONCURRENT WITH RECORDING OF THE PLAT, PROPOSED PRIVATE SANITARY SEWER EASEMENT RECORDED IN D.B. 6262 PAGE 492-0 ORANGE COUNTY REGISTRY 690 6262/491

NOTE - GARAGE LOT 2 WILL BE CONVERTED FOR SINGLE FAMILY USE

LEGEND:
 ○ EXISTING IRON PIPE (EIP)
 ○ EXISTING IRON PIPE (EIP)
 ○ IRON RIB SET (IRS)
 ○ CALCULATED POINT (CALC. PT.)
 ○ FIRE HYDRANT
 ○ UTILITY POLE (UP)
 ○ GAS VALVE (GV)
 ○ SEWER CLEAN OUT (C/O)
 ○ WATER METER (WM)
 ○ TREE

PROPOSED SEWER SERVICE EASEMENT
 PROPERTY OF GRASSHOPPER PROPERTIES LLC
 PROPERTY ADDRESS: 14 COBB TERRACE
 LOT 14, COBB TERRACE
 PIN REFERENCE: 9788-38-5786 mab
 DEED REFERENCE: D.B. 3914/844
 PLAT REFERENCE: P.B. 03/170
 OWNER'S ADDRESS: 8412 SWOWER DRIVE RALEIGH, NC 27613

PROPERTY OF JOHN H. NORWOOD KRISTINE D. NORWOOD
 PROPERTY ADDRESS: 401 COBB TERRACE
 GARAGE LOT 2, COBB TERRACE
 PIN REFERENCE: 9788-38-5732 mab
 DEED REFERENCE: D.B. 2049/587
 PLAT REFERENCE: P.B. 03/170
 OWNER'S ADDRESS: 8412 SWOWER DRIVE RALEIGH, NC 27613

PROPERTY OF WILLIAM J. THOMPSON
 PROPERTY ADDRESS: 15 COBB TERRACE
 LOT 15, COBB TERRACE
 PIN REFERENCE: 9788-38-7929 mab
 DEED REFERENCE: D.B. 786/380
 OWNER'S ADDRESS: 210 PEARSON AVE. CHAPEL HILL, NC 27516

CHAPEL HILL TOWNSHIP ORANGE COUNTY NORTH CAROLINA

SCALE: 1" = 20'

MAY 17, 2016

