

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.

Tiny Home

Norwood Property

405 Cobb Terrace
Chapel Hill, NC

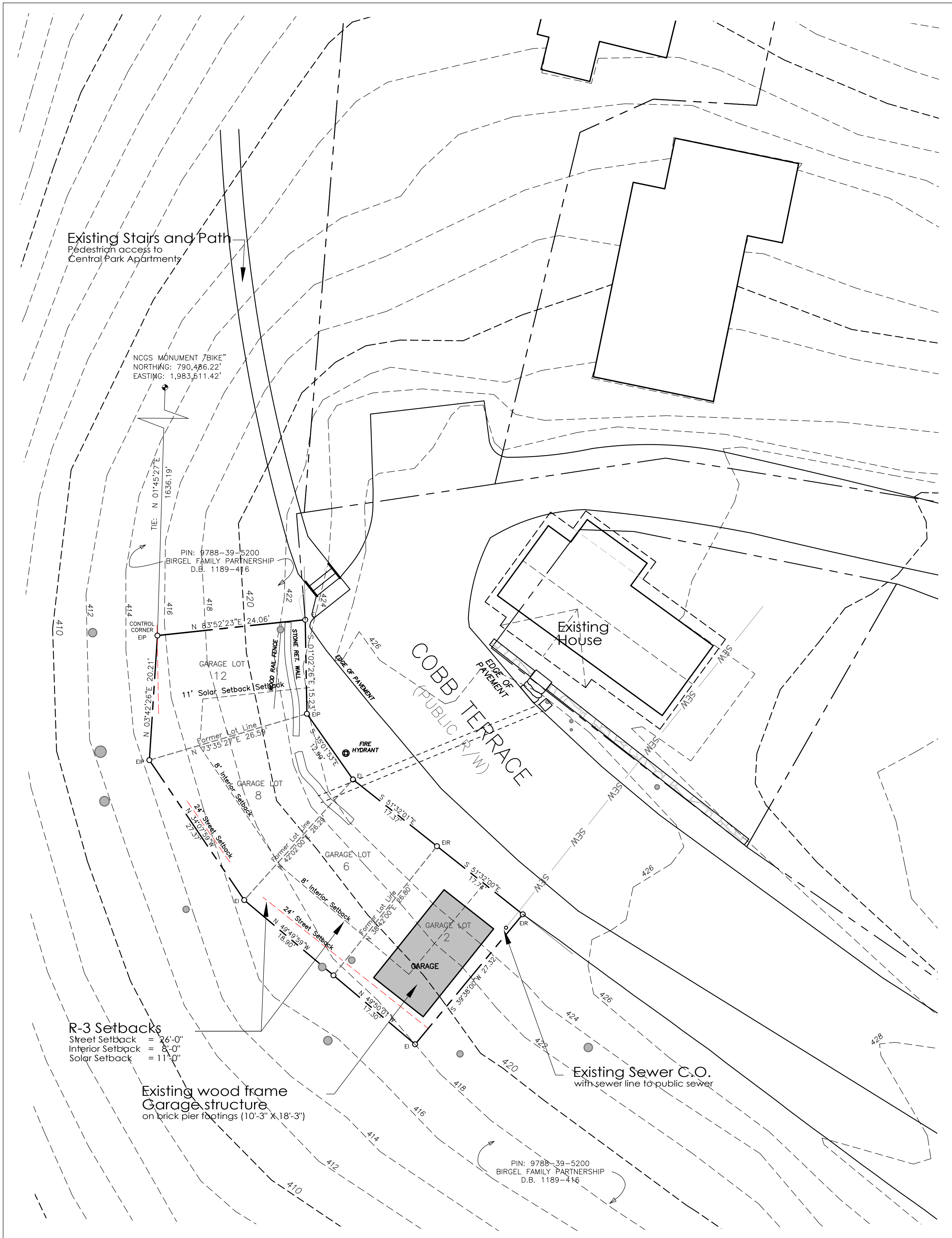
PIN REF.: 9788-38-5891

Board of Adjustment
Review

Issued: 02-19-24
Revised: _____

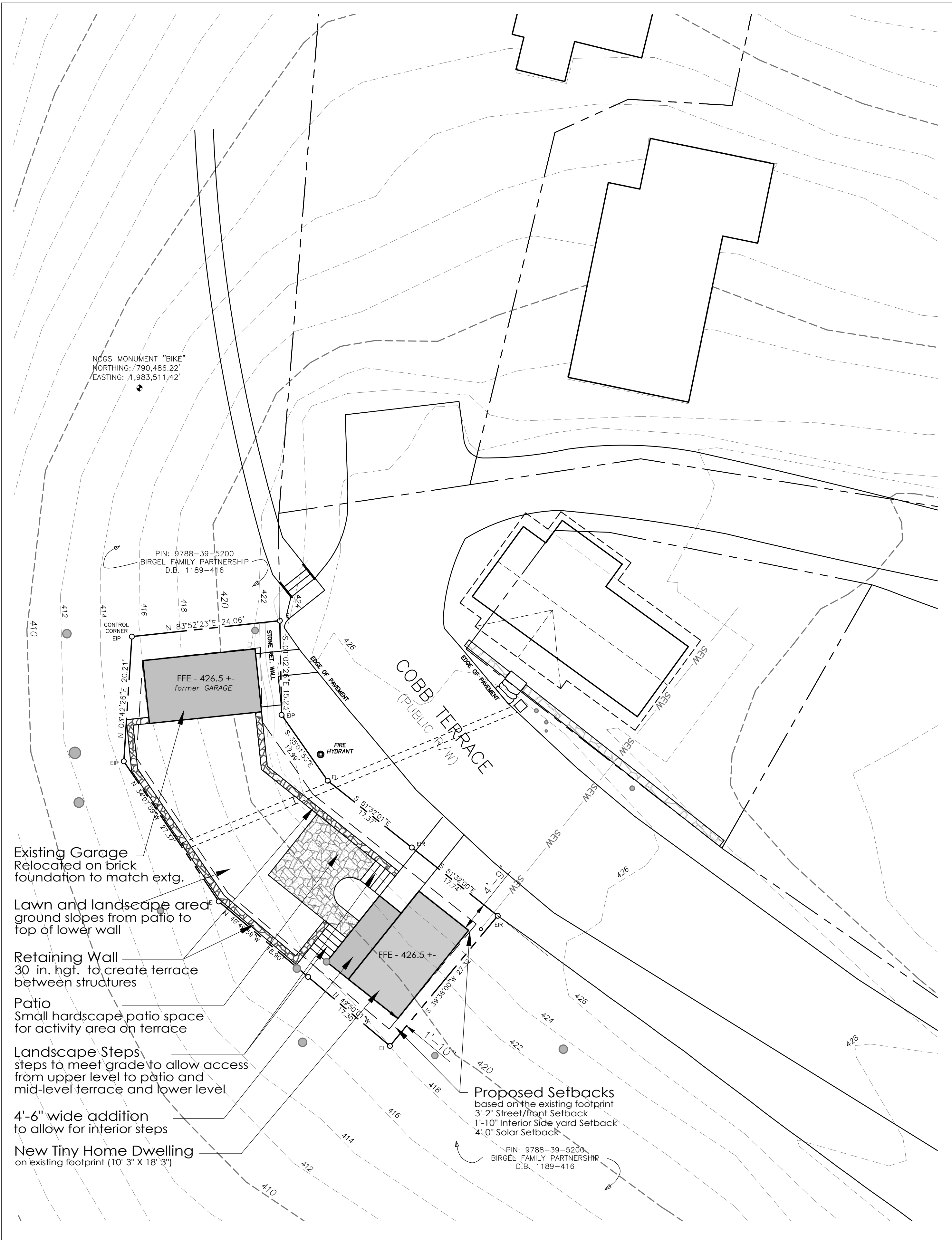
Existing Conditions

L 3.0



Existing Conditions Norwood Property

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



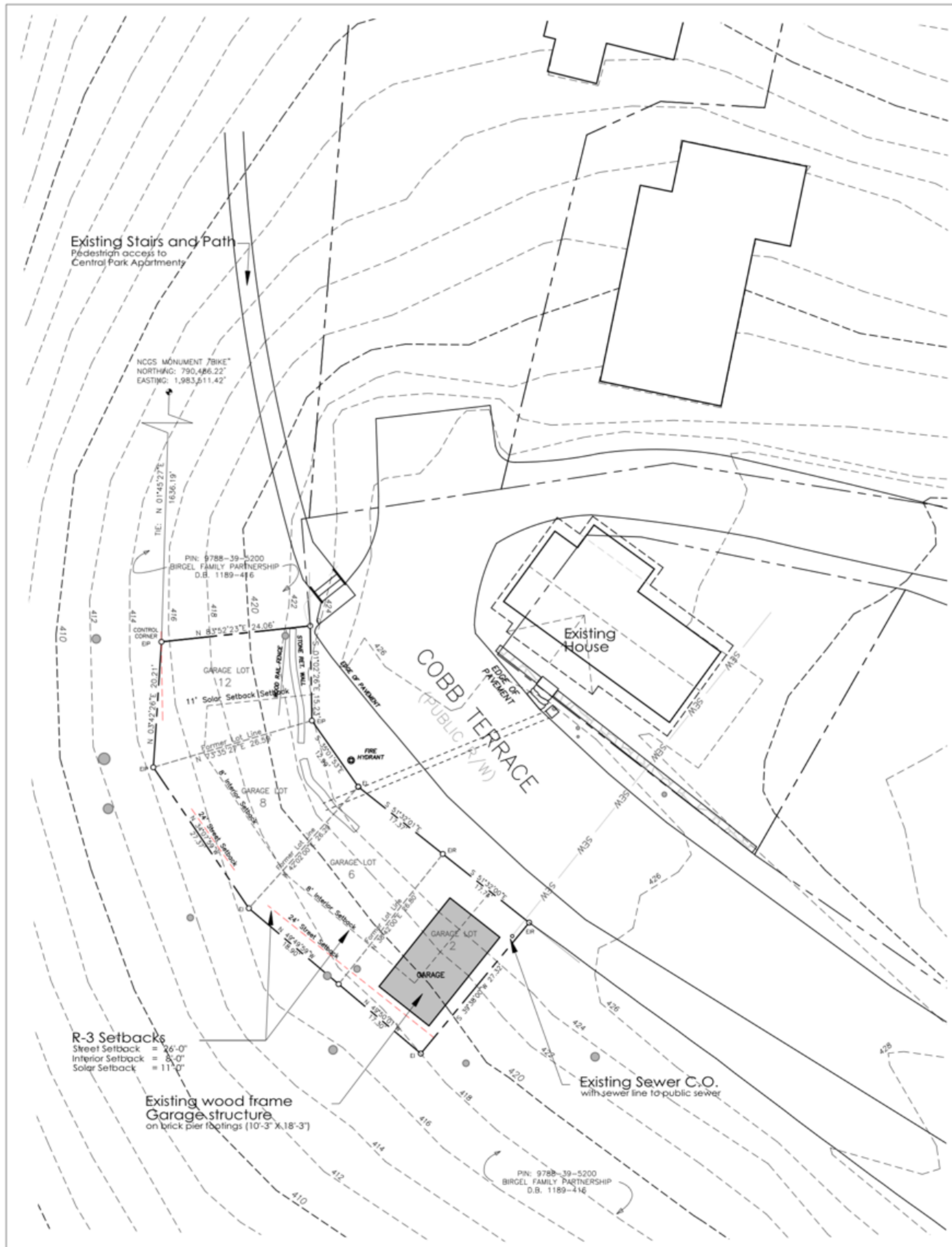
Site Plan Norwood Property

Cobb Terrace

Cobb Terrace

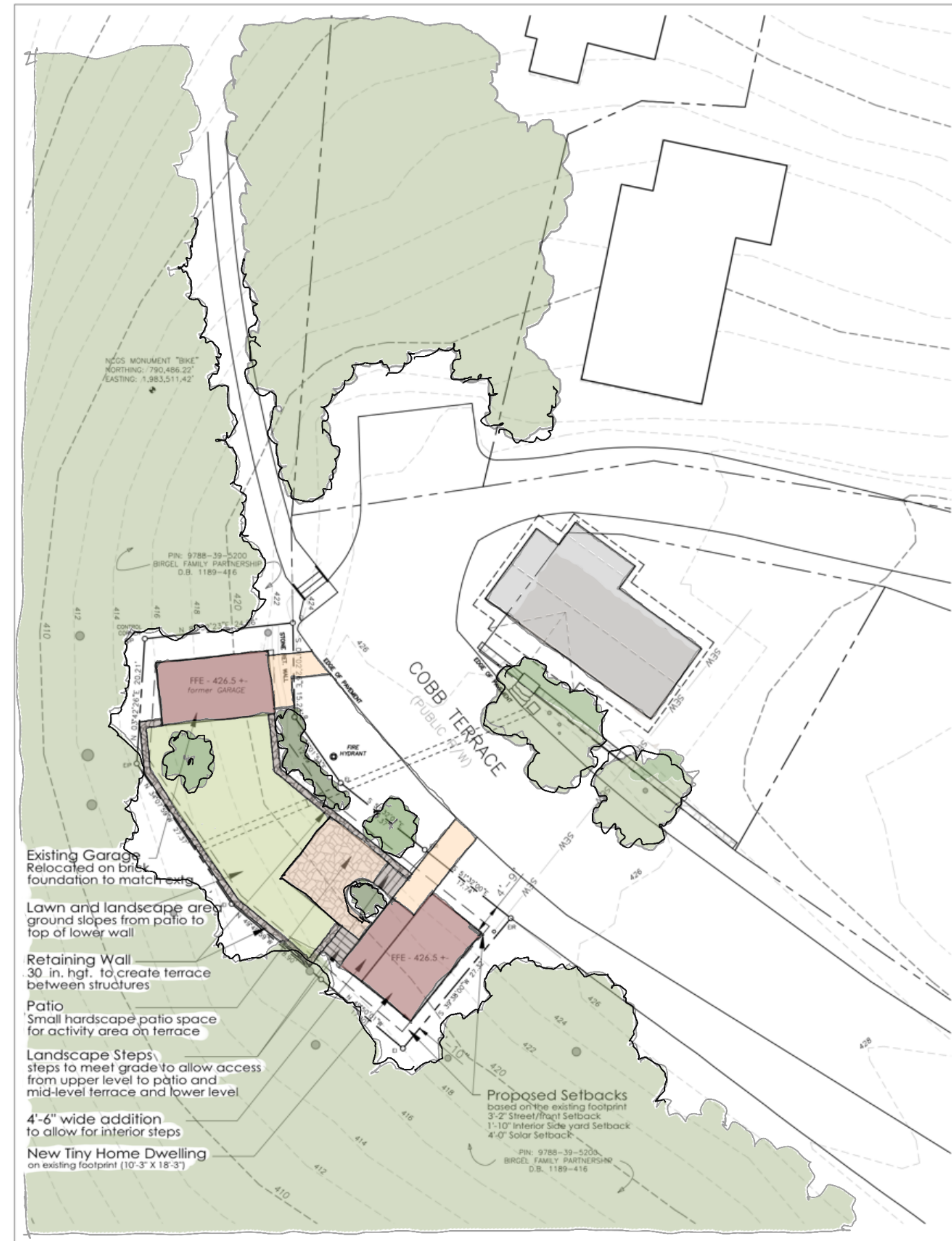
Norwood Property

10' 0 10' 10'
NORTH Scale : 1" = 10'-0"



Existing Conditions Norwood Property

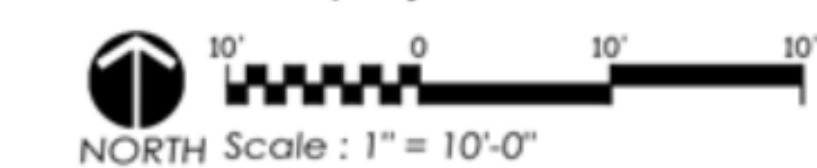
Cobb Terrace Existing Conditions with former individual lots shown (now recombined)



Site Plan Norwood Property

Cobb Terrace

Cobb Terrace
Norwood Property



Tiny Home

Norwood
Property

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Chapel Hill, NC

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Existing Conditions

L 3.0



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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: _____ / _____ / _____

WE, THE UNDERSIGNED, BEING THE OWNERS OF ALL
AFFRONTED PARCELS OF LAND SHOWN ON THIS PLAN,
HEREBY AGREE TO AND WAIVE TO THE RECOMBINATION AS
SHOWN.

John H. Norwood 2/1/2017

Kristine D. Norwood 2/1/2017

STATE OF NORTH CAROLINA

COUNTY OF ORANGE

Wayne R. Hadler
NOTARY PUBLIC
My Commission Expires 02/22/2020

DATE: 2/1/17 MY COMMISSION EXPIRES: 02/22/2020

WAYNE R. HADLER
NOTARY PUBLIC
Orange County
My Commission Expires 02/22/2020

NCCS MONUMENT MARK
NORTHING: 750,456.22
EASTING: 1,953,511.42

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STATE OF NORTH CAROLINA

COUNTY OF ORANGE

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THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS
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DATE OF CERTIFICATION: 2-16-2017

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PAGE 1000; BOOK 5579, PAGE 1001; BOOK 5580, PAGE 1002;
BOOK 5581, PAGE 1003; BOOK 5582, PAGE 1004; BOOK 5583,
PAGE 1005; BOOK 5584, PAGE 1006; BOOK 5585, PAGE 1007;
BOOK 5586, PAGE 1008; BOOK 5587, PAGE 1009; BOOK 5588,
PAGE 1010; BOOK 5589, PAGE 1011; BOOK 5590, PAGE 1012;
BOOK 5591, PAGE 1013; BOOK 5592, PAGE 1014; BOOK 5593,
PAGE 1015; BOOK 5594, PAGE 1016; BOOK 5595, PAGE 1017;
BOOK 5596, PAGE 1018; BOOK 5597, PAGE 1019; BOOK 5598,
PAGE 1020; BOOK 5599, PAGE 1021; BOOK 5600, PAGE 1022;
BOOK 5601, PAGE 1023; BOOK 5602, PAGE 1024; BOOK 5603,
PAGE 1025; BOOK 5604, PAGE 1026; BOOK 5605, PAGE 1027;
BOOK 5606, PAGE 1028; BOOK 5607, PAGE 1029; BOOK 5608,
PAGE 1030; BOOK 5609, PAGE 1031; BOOK 5610, PAGE 1032;
BOOK 5611, PAGE 1033; BOOK 5612, PAGE 1034; BOOK 5613,
PAGE 1035; BOOK 5614, PAGE 1036; BOOK 5615, PAGE 1037;
BOOK 5616, PAGE 1038; BOOK 5617, PAGE 1039; BOOK 5618,
PAGE 1040; BOOK 5619, PAGE 1041; BOOK 5620, PAGE 1042;
BOOK 5621, PAGE 1043; BOOK 5622, PAGE 1044; BOOK 5623,
PAGE 1045; BOOK 5624, PAGE 1046; BOOK 5625, PAGE 1047;
BOOK 5626, PAGE 1048; BOOK 5627, PAGE 1049; BOOK 5628,
PAGE 1050; BOOK 5629, PAGE 1051; BOOK 5630, PAGE 1052;
BOOK 5631, PAGE 1053; BOOK 5632, PAGE 1054; BOOK 5633,
PAGE 1055; BOOK 5634, PAGE 1056; BOOK 5635, PAGE 1057;
BOOK 5636, PAGE 1058; BOOK 5637, PAGE 1059; BOOK 5638,
PAGE 1060; BOOK 5639, PAGE 10