

MEMORANDUM

TO: Chapel Hill Board of Adjustment

FROM: Colleen Willger, Planning Director
Becky McDonnell, Planner II

SUBJECT: 758 Old Mill Road: Dimensional Variance
(PIN 9798-18-7419, Project #21-034)

DATE: June 3, 2021

VARIANCE SUMMARY

The applicant, Traci D'Alessio, is requesting an after-the-fact dimensional variance from the minimum interior setback for fences over six feet (6') tall, for an 8' to 8'6" tall fence along the eastern property line. The subject property is located at 758 Old Mill Road.

EXISTING CONDITIONS

The 1.08 acre subject lot is in the Residential Low Density – 1 (RLD-1) zoning district and the Greenwood Neighborhood Conservation District. The lot contains a single-family home and slopes downward to the south.

BACKGROUND

April 18, 2014: Subject property acquired by Traci and David D'Alessio, owners.

March 30, 2021: Application submitted for an after-the-fact residential zoning-building permit. Applicant was informed that the fence would not be approved and was advised of options to come into compliance, a variance from the Board of Adjustment being one of the options.

April 28, 2021: Application submitted for a Dimensional Variance by Traci D'Alessio.

DESCRIPTION OF VARIANCE REQUEST

Property line setbacks on the subject lot are regulated by Article 3.8 and Appendix B of the Chapel Hill Land Use Management Ordinance (LUMO). Fences and walls not exceeding six feet (6') in height are not subject to the required minimum setbacks. Fences or walls taller than 6'

must meet the minimum setbacks; in this case, the minimum interior setback is twenty feet (20'). The applicants are requesting an after-the-fact dimensional variance to exceed the six foot (6') limit by two and a half feet (2'6") to accommodate an eight to eight and a half foot (8'-8'6") fence located on the property line, to screen nearby Fordham Boulevard. These improvements are shown on the attached site plan (Attachment 5).

DISCUSSION

If the variance is granted for the proposed construction, the applicants would then be required to obtain an After-the-Fact Residential Zoning-Building Permit from the Town.

ATTACHMENTS

1. Resolution A (approving the variance)
2. Alternative Resolution A (without chair summary) (approving the variance)
3. Resolution B (denying the variance)
4. Procedure for Variances
5. Application Materials
6. Area Map of Subject Lot