

MEMORANDUM

TO: Chapel Hill Board of Adjustment
FROM: Tas Lagoo, Long-Range Planning Manager
SUBJECT: 700 Bolinwood Drive: Dimensional Variance
(PIN 9789-51-5651, Project # BOA-26-2)
DATE: June 4, 2026

VARIANCE REQUEST SUMMARY

The applicant, Bryan Alston, on behalf of property owners Stratford Investments, LLC and others, requests a variance from the street setback. The variance will enable construction of a new leasing office for the Stratford Hills Apartments.

BACKGROUND

The subject property is in a Residential-2 (R-2) zoning district. The property includes several multi-family apartment buildings, a clubhouse, and swimming pool.

EXTENT OF VARIANCE

LUMO § 3.8.3 imposes minimum street setbacks that define how close buildings may be to the street.

LUMO § 3.8.3 – Dimensional Standards	Current	Requested
Street Setback	24 feet	6 feet

DISCUSSION

In the case of applications for a variance, the board’s decision must be based on findings as to each of the determinations required in LUMO Section 4.12. The board may choose to approve, approve subject to conditions, or deny the application. The board may impose reasonable conditions on the granting of any variance to ensure that the public health, safety, and general welfare are protected and substantial justice is done. In its consideration of applications for a variance, the board shall not use the existence of nonconformities in the vicinity as justification for the granting of variances.

Section 4.12.2(a) of the LUMO provides:

When unnecessary hardships would result from carrying out the strict letter of a zoning ordinance, the Board of Adjustment shall have the power to vary or modify any of the regulations or provisions of the ordinance upon a showing of all of the following:

- (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.

(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.

(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.

(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 attached materials include two resolutions:

- **Resolution A** directs staff to prepare a written order **granting** the variance.
- **Resolution B** directs staff to prepare a written order **denying** the variance.

The board will need to formally adopt the written order prepared by staff at its next meeting.

ATTACHMENTS

1. Resolution A (directing staff to prepare a written order **granting** the variance)
2. Resolution B (directing staff to prepare a written order **denying** the variance)
3. Variance Procedures
4. Application Materials