



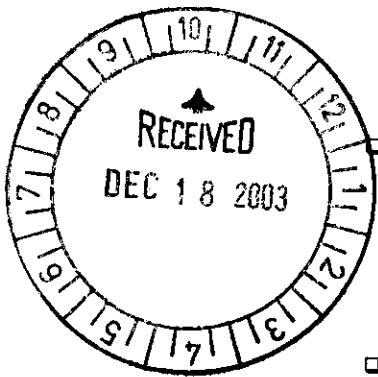
Petition to Amend the Official Zoning Map

Before the City Council of the City of Raleigh, North Carolina

The petitioner seeks to show the following:

1. That, for the purposes of promoting health, morals, or the general welfare, the zoning classification of the property described herein must be changed.
2. That the following circumstance(s) exist(s):
 - City Council has erred in establishing the current zoning classification of the property by disregarding one or a combination of the fundamental principles of zoning as set forth in the enabling legislation, North Carolina General Statutes Section 160A-381 and 160A-383.
 - Circumstances have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
 - The property has not heretofore been subject to the zoning regulations of the City of Raleigh.
3. That the requested zoning change is or will be in accordance with the Raleigh Comprehensive Plan.
4. That the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are:
 - 1) to lessen congestion in the streets;
 - 2) to provide adequate light and air;
 - 3) to prevent the overcrowding of land;
 - 4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
 - 5) to regulate in accordance with a comprehensive plan;
 - 6) to avoid spot zoning; and
 - 7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the City.

Please check boxes where appropriate



THEREFORE, petitioner requests that the Official Zoning map be amended to change the zoning classification of the property as proposed in this submittal, and for such other action as may be deemed appropriate.

Signature(s)

H. William Hull, Jr. and Marilyn H. Hull

By: Lacy H. Reaves

Lacy H. Reaves, Attorney

Date:

December 19, 2003

EXHIBIT B. Request for Zoning Change

Office Use Only	
Petition No.	<u>2-21-04</u>
Date Filed:	<u>12-19-03</u>
Filing Fee:	<u>500⁰⁰ PAID</u>
	<u>CH # 11015</u>

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See instructions, page 6

	Name(s)	Address	Telephone / Fax
1) Petitioner(s): Note: Conditional Use District Petitioner(s) must be owner(s) of petitioned property.	<u>H. William Hull, Jr., and Marilyn H. Hull</u>	<u>8521 Old Leadmine Road Raleigh, NC 27615-2934</u>	_____
2) Property Owner(s):	<u>Same as Petitioner</u>	_____	_____
3) Contact Person(s):	<u>Lacy H. Reaves</u>	<u>434 Fayetteville St. Mall Suite 1900 Raleigh, NC 27601</u>	<u>(919) 743-7304 - Office (919) 743-7358 - Fax <lreaves@kclh.com></u>
4) Property Description: Please provide surveys if proposed zoning boundary lines do not follow property lines.	Wake County Property Identification Number(s) (PIN): <u>PIN 1708.17-00-6360</u>		_____
	General Street Location (nearest street intersections): <u>At the end of Woburn</u> <u>Drive which turns north off of Windsor Ridge Drive.</u>		
5) Area of Subject Property (acres):	<u>13.31 Acres</u>		
6) Current Zoning District(s) Classification: Include Overlay District(s), if Applicable	<u>Residential-4 District</u>		
7) Proposed Zoning District Classification: Include Overlay District(s) if Applicable. If existing Overlay District is to remain, please state.	<u>Residential-6 Conditional Use District</u>		

8) Adjacent Property Owners

The following are all of the person, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred (100) feet (excluding right-of-way) of (front, rear, all sides and across any street) the property sought to be rezoned.

(Important: Include PIN Numbers with names, addresses and zip codes.) Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below in the format illustrated in the first box. Please use this form only – form may be photocopied – please type or print.

Name(s):	Street Address(es):	City/State/Zip:	Wake Co. PIN #'s:
<u>Emerald Chase Homeowners Assoc.</u>	<u>P.O. Box 51149</u>	<u>Raleigh, NC 27609</u>	<u>1708.17-00-4947</u>
<u>Franks Place LLC</u>	<u>8341 Old Lead Mine Rd.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-8996</u>
<u>Mason Long Williams & Isabella Williams Smith Trustees</u>	<u>3537 Peakwood Dr. SW</u>	<u>Roanoke, VA 24014</u>	<u>1708.17-10-8874</u>
<u>Mason Long Williams & Isabella Williams Smith Trustees</u>	<u>8341 Lead Mine Rd.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-10-8341</u>
<u>Wake County Board of Education</u>	<u>3600 Wake Forest Rd.</u>	<u>Raleigh, NC 27609</u>	<u>1707.05-19-4674</u>
<u>Greystone Association c/o Charleston Management</u>	<u>P.O. Box 97242</u>	<u>Raleigh, NC 27624</u>	<u>1707.05-09-6113</u>
<u>Nilda Reyes Davis & Frank R. Davis</u>	<u>8220 Woburn Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-8984</u>
<u>Randall A. Fleischmann & Vanessa Rosa Fleischmann</u>	<u>8216 Woburn Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-8853</u>
<u>Alfred J. & Lois A. Makoid</u>	<u>8125 Windsor Ridge Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-6950</u>
<u>Jon Christopher Jones</u>	<u>8121 Windsor Ridge Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-5961</u>
<u>Ali Reza Bonakdar & Ameneh Gholizadeh</u>	<u>8117 Windsor Ridge Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-4980</u>
<u>Kenneth A. & Georgianne Lipscomb</u>	<u>8113 Windsor Ridge Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-3991</u>
<u>Joyce Nussey & Elton N. Choplin</u>	<u>8109 Windsor Ridge Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-2898</u>
<u>William G. & Karen D. Bear</u>	<u>8105 Windsor Ridge Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-2814</u>
<u>Joseph R. & Andrea Pare McVerry</u>	<u>8004 Selfridge Ct.</u>	<u>Raleigh, NC 27615</u>	<u>1707.05-09-0888</u>
<u>Kenneth Michael & Wendy S. Wallace</u>	<u>8124 Coleraine Pl.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-1015</u>
<u>Thomas J. & Laurie M. Casey</u>	<u>8128 Coleraine Pl.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-2007</u>
<u>Neil R. O'Connor</u>	<u>8132 Coleraine Pl.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-2117</u>
<u>Chih Te & Su Ju Chen</u>	<u>8136 Coleraine Pl.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-1284</u>
<u>Sam W. B. & Wanda C. McLurkin</u>	<u>8140 Coleraine Pl.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-2314</u>
<u>Steven & Kathleen D. Hamilton</u>	<u>8144 Coleraine Pl.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-2412</u>
<u>Mary Gardner Jordaine</u>	<u>8148 Coleraine Pl.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-2500</u>
<u>Roy Joseph Saba</u>	<u>1409 Bridgeport Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-2507</u>
<u>Connie Grant Reavis</u>	<u>1405 Bridgeport Dr.</u>	<u>Raleigh, NC 27615</u>	<u>1708.17-00-2636</u>

For additional space, photocopy this page.

EXHIBIT C. Request for Zoning Change

Office Use Only
Petition No. Z-21-04
Original Date Filed: 12-19-03
Amended Date: _____

Please use this form only – form may be photocopied – please type or print. See instruction, page 8.

1) Conditional Use Zone Requested: Residential-6 Conditional Use District

2) Narrative of conditions being requested:

For purposes of the following conditions, Tax Parcel PIN 1708-00-6360 is hereinafter referred to as the "Property."

(1) The Property shall be developed only for single family detached dwellings, townhouses or unit ownership (condominium) dwellings.

I acknowledge that these restrictions and conditions are offered voluntarily and with knowledge of the guidelines stated on Page 7 through 9 of the Zoning Application Instructions.

Signature(s)

Date:

H. William Hull, Jr.
H. William Hull, Jr.

12/17/03

Marilyn H. Hull
Marilyn H. Hull

12/17/03

Note: if additional space is necessary, attach extra page(s) signed and dated by all property owners

EXHIBIT D. Petitioner's Argument on Behalf of The Zoning Change Requested

Please use this form only -- form may be photocopied -- please type or print.

This section is reserved for the applicant to state factual information in support of the rezoning request. Suggested items of discussion are:

1. An error by the City Council in establishing the current zoning classification of the property.
2. How circumstances (land use and future development plans) have so changed since the property was last zoned that its current zoning classification could not properly be applied to it now were it being zoned for the first time.
3. The public need for additional land to be zoned to the classification requested.
4. The impact on surrounding area that the uses permitted within the requested district would create. Include but do not necessarily limit yourself to the following: transportation, utilities, stormwater drainage, fire and safety, parks and recreation, topography, access to light and air, etc.
5. The impact on public services, facilities, and infrastructure.
6. The benefits to the community at large.
7. Compliance with the Comprehensive Plan.

The Comprehensive Plan's recommended Urban Form for the North District identifies the Petitioners' property for residential use. The Residential-6 Conditional Use District requested in this case is within the Plan's definition of "Low Density Residential" uses and, as conditioned, is appropriate in view of developments which have been built or are planned on adjoining and neighboring properties.