



STAFF REPORT
**RELENTLESS COLLISION FENCE HEIGHT
VARIANCE**
B2500026

Meeting Date: October 28, 2025

Reference Name	Relentless Collision Fence Height Variance (B2500026)		Jurisdiction	City
Request	A request for a variance from the fence height requirements			
Site Characteristics	Tier	Suburban		
	Zoning District	Industrial Light (IL)		
	Overlays	None		
	Site Acreage	0.98 acres		
Applicant	Rick Allison	Submittal Date	August 26, 2025	
Location	442 Martin Luther King Jr. Parkway			
REID(s)	133858			
Place Type	General Industrial			

1. Summary

Rick Allison, on behalf of the property owner, requests a variance from Unified Development Ordinance (UDO) Paragraph 9.9.1 to construct a gated fence, eight feet in height and within a required street yard. The applicant proposes to install the fence to enclose an existing parking lot used to temporarily store vehicles being held for repair at the auto collision facility on site (see Attachment F, *Plot Plan with Proposed Fence*). The table in UDO Paragraph 9.9.1A.4 permits a fence with a maximum height of four feet when located in a required street yard in the Suburban Tier. The minimum required street yard for properties in the Industrial Light (IL) zoning district is 40 feet (UDO Paragraph 6.10.1B.2) and the fence is proposed 26.3 feet from the right-of-way.

The property is in the Industrial Light (IL) zoning district, within the Suburban development tier, and the General Industrial Place Type. The property is addressed off of Martin Luther King Jr. Parkway but access to the site is from Cher Drive, a private street. A related case, B2500025, is

scheduled to be heard at the same BOA meeting as this case. Case B2500025 is a request for a variance from the vehicle stacking spaces requirement for unstaffed gates.

2. Summary of Issues

The proposed project does not appear to meet three of the four findings of fact that are required for the Board to approve the variance. Witness testimony and board discussion during the public hearing may provide additional evidence to support or oppose the four findings of fact.

There are two primary uses occurring on site: “vehicle service, major,” and “outdoor storage yard.” A site plan for a change of use to convert the property from a warehouse storage use to a vehicle service use, major, was approved in 2020 (see Attachment E, *Site Plan D2000064*) but that application did not note the Outdoor Storage use. The variance application states that the intended use of the proposed fence is to secure “a significant number of vehicles on-site for repair and processing.” This storage constitutes a vehicle storage yard, which is Class B Outdoor Storage (UDO Paragraph 7.5.3C.1). Outdoor storage yards are included in the “Warehouse and Freight” use category, which is a permitted use in the Industrial Light (IL) zoning district. However, UDO Paragraph 5.3.4V.6 prohibits outdoor storage associated with Vehicle Service Uses, Major, that were established on or after January 1, 1994. The outdoor storage use occurring on site is not currently permitted.

Zoning Enforcement staff are investigating this potential site plan and zoning violation. One avenue to bring the site into compliance is to remove some of the stored vehicles and limit future temporary storage to the number of vehicles permitted with the use per UDO Paragraph 5.3.4V.4.

Recommended Conditions of Approval

UDO Paragraph 3.14.7B. The Board of Adjustment may approve the request, deny the request, or continue the request. In approving the variance, the Board of Adjustment may prescribe reasonable and appropriate conditions provided that the conditions are reasonably related to the variance.

- A. The improvements shall be substantially consistent with the plans and all information submitted to the Board as part of the application except as noted below
- B. The proposed fence shall be installed at grade with the vehicle storage area.
- C. Fencing material visible above the existing earth berm in the southwestern portion of the property may not exceed four feet in height.
- D. The temporary vehicle storage area shall be screened from view from adjacent streets, public vehicular use areas, and adjacent residential development.
- E. The following screening material shall be used individually or in combination to provide year-round screening.
 - a. Solid walls constructed of material per paragraph 9.9.3, Walls;

- b. Wood fences with a minimum opacity of 85%;
 - c. Metal panels with a minimum opacity of 85%;
 - d. Solid evergreen hedge per paragraph 9.7.2C, Evergreen Hedges;
 - e. Earth berm constructed pursuant to paragraph 9.4.8B, Berms; or
 - f. Wood fences or metal panels with an opacity of less than 85% augmented with upright evergreen shrubs planted four feet on center along the length of the screening.
- F. One upright shrub of an evergreen species shall be installed per four linear feet of any screen wall or fence that is visible off-site.
- G. No portion of the fence shall encroach into site triangles per UDO Paragraph 12.3.1D, Site Triangles.

3. Variance Requirements for Approval: UDO Section 3.14

The Board of Adjustment may vary certain requirements of this Ordinance, in harmony with the general purpose of these regulations, where special conditions applicable to the property in question would make the strict enforcement of the regulations impractical or result in a hardship in making reasonable use of the property.

UDO Paragraph 3.14.8 establishes the findings listed below that the Board of Adjustment must make in granting any variance.

- A. 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.***

Staff Analysis. Unnecessary hardship would result from the strict application of the Ordinance because UDO Paragraph 5.3.4V.4 permits the temporary storage of up to ten inoperable vehicles and it is reasonable to secure those vehicles in a manner sufficient to prevent theft or interference. The peculiar shape of the property and siting of the primary structure limit the space available to store vehicles behind the front building line or in a non-street frontage area on site. Additionally, UDO Paragraph 9.9.1B requires that fences or walls located between the structure and the public or private street, and located up to 50 feet from the street, must use the “street frontage” standards.

The applicant has not provided evidence explaining why the storage lot must remain at its current size. Reducing the size of the outdoor storage lot would result in sufficient space for the temporary storage of inoperable vehicles, while not requiring the fence to encroach into the required street yard.

- B. 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.***

Staff Analysis. The property is peculiar in its shape and location. The property is a corner lot addressed off of Martin Luther King Jr. Parkway but with the front building

line facing Cher Drive. The peculiar shape of the property and siting of the structure preclude the fence height allowances in UDO Paragraph 9.9.1B which could provide relief for other corner lots. However, the desire to have a storage lot of a particular size constitutes a personal circumstance.

- C. 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 granting a variance shall not be regarded as a self-created hardship.***

Staff Analysis. The applicant has not provided evidence to explain why the storage lot must be maintained at an area too large to allow the fence to be outside the street frontage and thus have the desired height without a variance.

- D. The requested variance is consistent with the spirit, purpose, and intent of the Ordinance, such that public safety is secured, and substantial justice achieved.***

The purpose of the Ordinance is to promote the health, safety and general welfare of the residents of Durham City and County. In support of these purposes, the Ordinance contains regulations designed to regulate the area of yards and open spaces for buildings; encourage an aesthetically attractive community; and to prevent secondary effects from land uses that could negatively impact nearby land uses.

The purpose of limiting fence heights in required street yards and in front of the front building line of a structure is to preserve light, air, and view for pedestrians, vehicles, and adjoining property owners.

The requested variance is not consistent with the spirit, purpose, and intent of the Ordinance because the proposed gated fence is intended to enclose an unpermitted use (the storage of more than ten inoperable vehicles) and because an eight-foot-tall fence in the required street yard is substantially taller than the permitted height of four feet. The applicant has not provided sufficient evidence to prove that the size of the storage lot cannot be reduced to allow the placement outside the street frontage. As such, the applicant has not met their burden of proof or persuasion in a manner sufficient to allow the Board of Adjustment to make the findings required to grant the variance request. However, the Ordinance permits the temporary storage of up to ten inoperable vehicles on the site and it is reasonable to secure those vehicles from theft or interference in order to make reasonable use of the property.

The requested variance could be deemed consistent with the spirit, purpose, and intent of the Ordinance if the unpermitted use ceased and if the permitted use of storing fewer than ten inoperable vehicles were adequately screened from public view.

4. Notification

Staff certifies that letters have been sent to property owners and residents within 600 feet of the site and the posting of a sign on the property has been carried out in accordance with UDO Paragraph 3.2.5. In addition, email notice was provided per the Durham Planning and Development Public Notification Service.

5. Staff Contact

Leigha Larkins, 919-560-4137, ext. 28263, or Leigha.Larkins@DurhamNC.gov

6. Attachments

Attachment A – Context Map

Attachment B – Aerial Map

Attachment C – Place Type Map

Attachment D – Application

Attachment E – Site Plan D2000064

Attachment F – Plot Plan with Proposed Fence

Attachment G – Fence Example Photo (Raleigh Location)

Attachment H – Staff Photo: Lot for Temporary Vehicle Storage

7. Possible Motion

I hereby make a motion that case number **B2500025, an application for a variance from the fence height requirements**, on property located at **442 Martin Luther King Jr. Parkway**, has successfully met the applicable requirements of the Unified Development Ordinance and is hereby granted subject to the following conditions:

1. The improvements shall be substantially consistent with the plans and all information submitted to the Board as part of the application, except as noted below.
2. The proposed fence shall be installed at grade with the vehicle storage area.
3. Fencing material visible above the existing earth berm in the southwestern portion of the property may not exceed four feet in height.
4. The temporary vehicle storage area shall be screened from view from adjacent streets, public vehicular use areas, and adjacent residential development.
5. The following screening material shall be used individually or in combination to provide year-round screening.
 - a. Solid walls constructed of material per paragraph 9.9.3, Walls;
 - b. Wood fences with a minimum opacity of 85%;
 - c. Metal panels with a minimum opacity of 85%;
 - d. Solid evergreen hedge per paragraph 9.7.2C, Evergreen Hedges;
 - e. Earth berm constructed pursuant to paragraph 9.4.8B, Berms; or
 - f. Wood fences or metal panels with an opacity of less than 85% augmented with upright evergreen shrubs planted four feet on center along the length of the screening.
6. One upright shrub of an evergreen species shall be installed per four linear feet of any screen wall or fence that is visible off-site.
7. No portion of the fence shall encroach into site triangles per UDO Paragraph 12.3.1D, Site Triangles.



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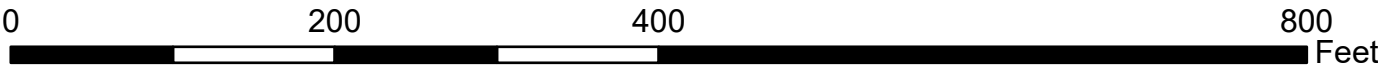
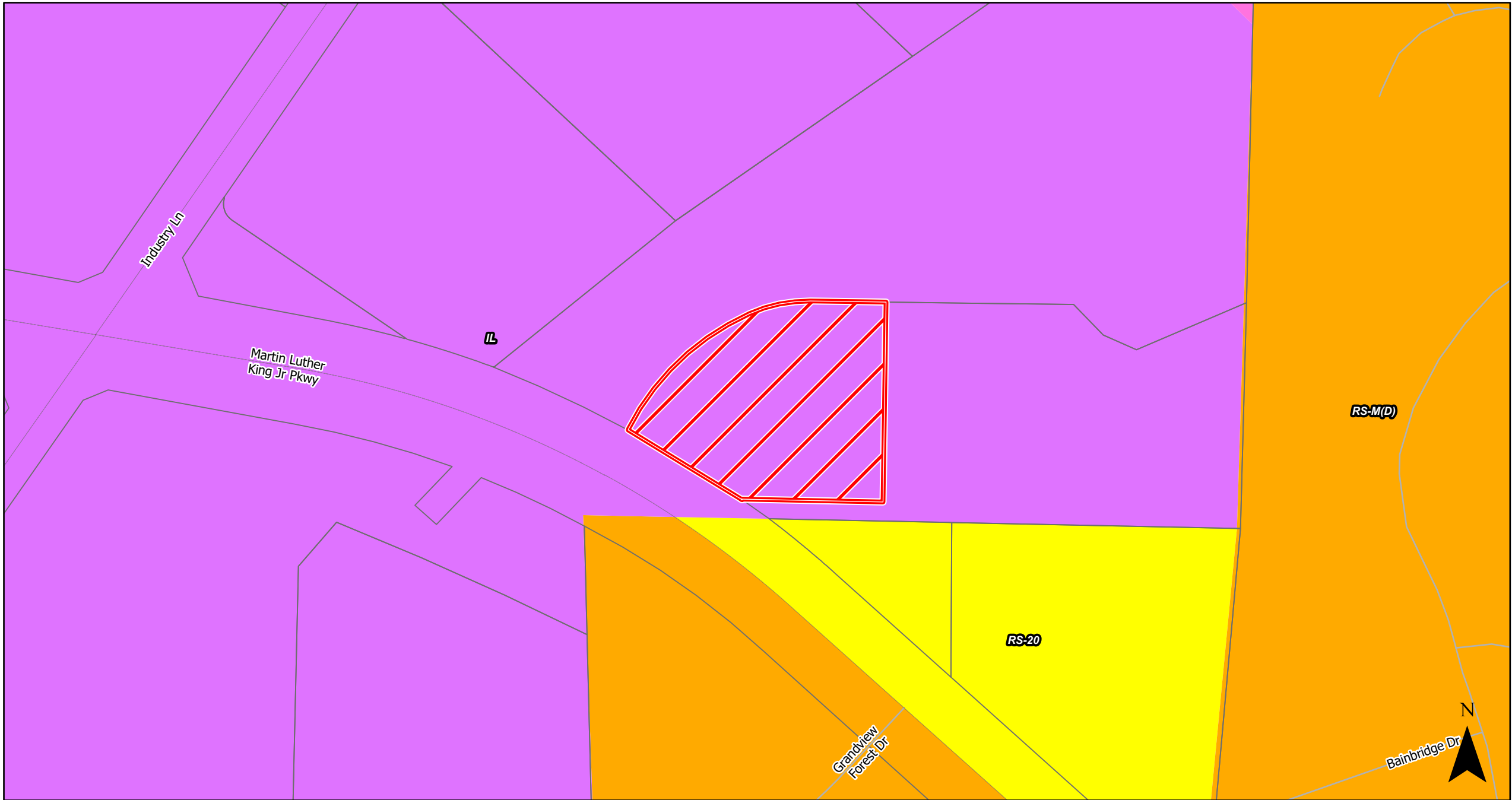
Attachment A: Zoning Context Map

B2500026 - Relentless Collision Vehicle Height Variance

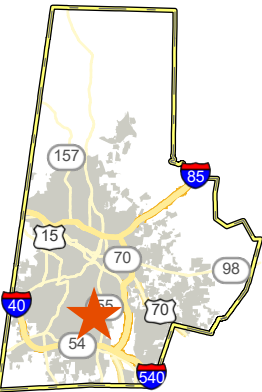
Legend:

- Case Area
- Parcels
- Durham Zoning
 - RS-20
 - RS-M
 - OI
 - IL

Existing: Office Institutional (OI)



Planning & Development Department
October 2, 2025



Maps, tabular data, and spatial information presented are developed from public records. While efforts have been made to use the most current and accurate public record data, no warranties as to the accuracy of the data provided are being made by the City of Durham, the County of Durham, and the mapping and software companies involved. Users of this content should consult public information sources to verify the accuracy of the data provided.





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Attachment B: Aerial Map

B2500026 - Relentless Collision Vehicle Height Variance

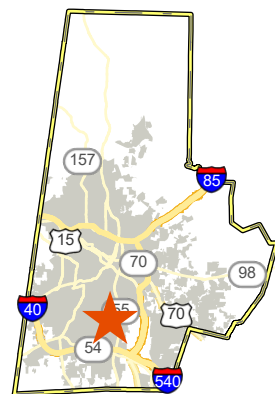
Legend:

-  Case Area
-  Parcels



0 200 400 800 Feet

Planning & Development Department
October 2, 2025



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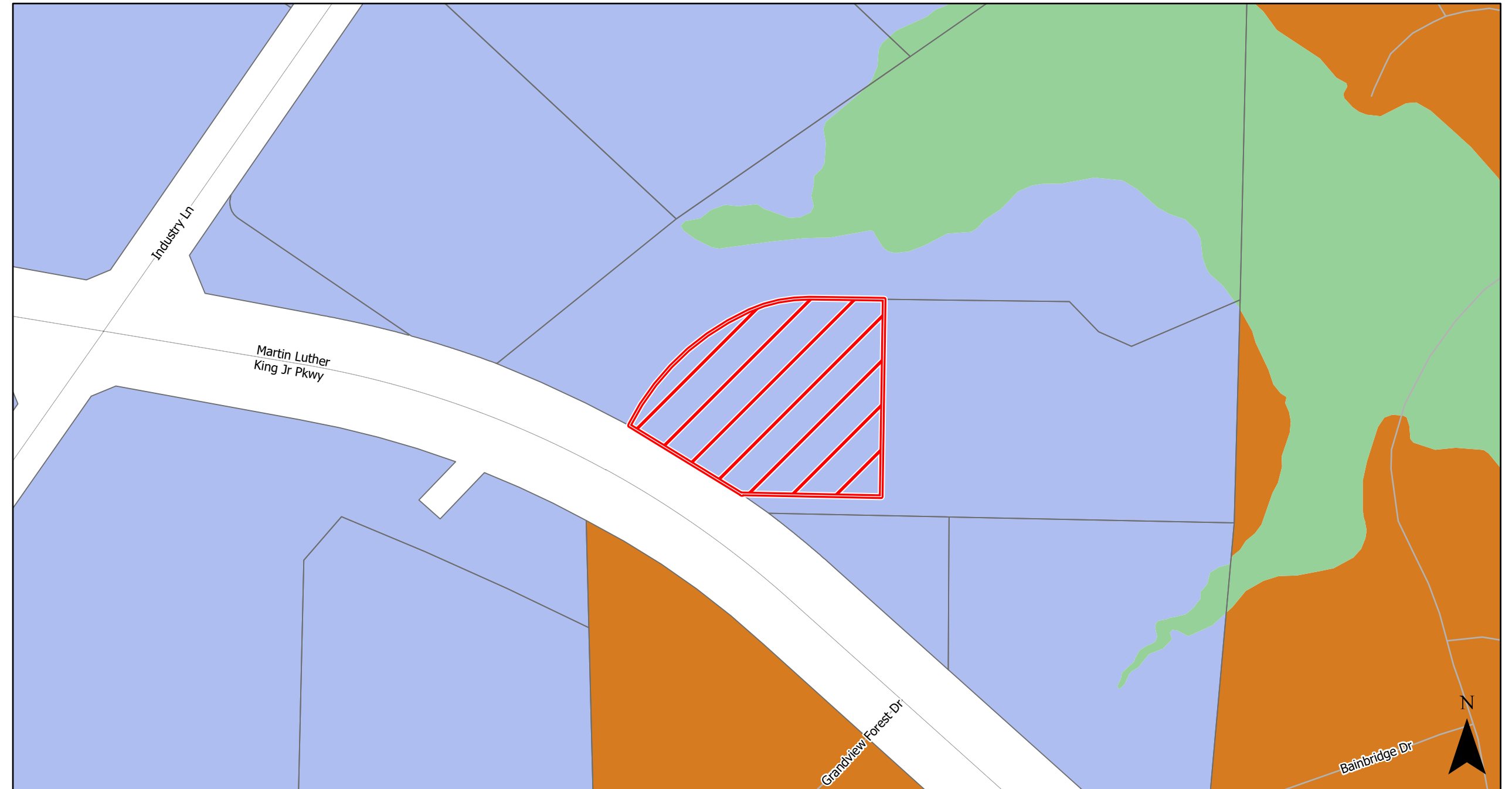
Attachment C: Place Type Map

B2500026 - Relentless Collision Vehicle Height Variance

Legend:

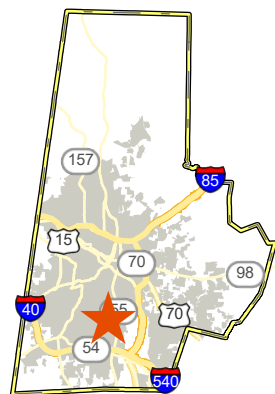
- Case Area
- Parcels
- Place Type Map**
- Apartment & Townhouse Neighborhood
- General Industrial
- Recreation & Open Space

Existing: General Industrial



0 200 400 800 Feet

Planning & Development Department
October 2, 2025



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Minor Special Use Permit (mSUP), Variance, and Reasonable Accommodation Application

Planning & Development Department

Planning & Development

Download and open PDF document file before entering information

Application Guide and Submittal Portal: <https://durhamnc.gov/5007>

Application Questions: BOA@DurhamNC.gov | 919-560-4137

PROJECT INFORMATION:

Application Type: <input type="checkbox"/> mSUP <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Reasonable Accommodation	
Site Address: 442 Martin Luther King JR PKWY	Total Site Area (in acres): .98
Zoning District(s): Light Industrial (IL)	Zoning Overlay(s): Floodzone X
Jurisdiction: <input checked="" type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Both	Development Tier(s): Suburban
REID(s): 133858	Associated Site Plan Case Number: n/a
Current Use(s): Relentless Collision - Auto Body Shop	Proposed Use(s): Relentless Collision - Auto Body Shop

APPLICATION REQUIREMENTS (INCLUDE LIST NUMBER IN ATTACHMENT NAME WITH SUBMITTAL)

This application is a form of written testimony and is used to provide evidence that the required findings for approval can be made. The applicant has the burden of proof and must provide sufficient evidence in order for the required findings to be made. All submitted information and documents may be used during the public hearing.

ALL EVIDENCE PRESENTED IN RELATION TO EFFECT ON REAL ESTATE VALUE AND/OR TRAFFIC IMPACTS SHOULD BE PROVIDED BY EXPERT WITNESSES. EVIDENCE PRESENTED BY NON-EXPERT WITNESSES CANNOT BE RELIED UPON BY THE BOARD. G.S 160D-1402

NOTE: Attendance at the Board of Adjustment hearing is required. Applicants may represent themselves or may be represented by someone appropriate for quasi-judicial public hearings. Decisions can be appealed to Superior Court within 30 days.

1. Documentation of the Pre-submittal Meeting (Required)	4. Floor Plan, Elevations, and Plot Plan or Site Plan, as applicable
2. Payment Receipts	(Additional supporting documents may be requested by the Case Planner and/or may be provided by the applicant)
3. <u>For mSUPs</u> : Responses to General Findings and Review Factors (UDO Section 3.9.8A and B), Additional Findings and/or Review Factors (if applicable), and Responses to Limited Use Standards (if applicable) <u>For Variances</u> : Responses to General Findings and Review Factors (UDO Section 3.14.8) <u>For Reasonable Accommodations</u> : Responses to General Findings (UDO Section 3.24)	

ACKNOWLEDGEMENTS AND PETITIONS

I, the undersigned, acknowledge that the application is complete and that all information included is accurate to the best of my knowledge. Applications are considered accepted only after they have been determined to be complete according to paragraph 3.2.4 of the Unified Development Ordinance, not upon submission.

	Owner	Applicant	Agent (if applicable)
Name:	Rick Allison		
Firm:	Relentless Collision		
Phone:	919-503-7377		
Email:	rallison@relentlesscollision.com		
Address:	442 martin luther king jr pkwy		
Digital Signature:	Richard W. Allison III <small>Digitally signed by Richard W. Allison III Date: 2025.08.26 12:58:56 -04'00'</small>		
Date Signed:	26 August 2025		

<u>All applications:</u>	<p>In granting a Minor Special Use Permit, Variance, or Reasonable Accommodation request, the Board of Adjustment may prescribe reasonable and appropriate conditions provided that the conditions are reasonably related to the request. The conditions shall become part of the approval. Violations of any of the conditions shall be treated in the same manner as other violations of the Ordinance.</p> <p>The Board of Adjustment may prescribe whether a reasonable accommodation is granted to the applicant or shall be allowed to pass with transfer of property.</p> <p>Furthermore, Special Use Permits and Variances shall become null and void in any of the following cases (Section 3.9.14 or 3.14.8 of the UDO):</p> <p>A. If a site plan or architectural review, as applicable, is not approved within 12 months of the date of permit approval.</p> <p>B. If an approved site plan, architectural review application, or building permit expires.</p> <p>C. If a building permit is not issued within two years of the date of approval, in cases where a corresponding site plan or architectural review is not required. In the case of a Variance, also if the Ordinance standard subject to the variance has been amended prior to the issuance of a building permit.</p> <p>D. If a substantial violation of the conditions of the permit, as determined by the Planning Director or designee occurs. The addition of language to the special use permit regarding such voiding shall not be required.</p> <p>Digital Signature: _____ Date Signed: _____</p>
<u>For mSUPs:</u>	<p>I, _____, hereby petition the Durham Board of Adjustment for a Minor Special Use Permit to allow use of the property as described in material submitted with this request.</p> <p>Digital Signature: _____ Date Signed: _____</p>
<u>For Variances:</u>	<p>I, <u>Richard W. Allison III</u>, hereby petition the Durham Board of Adjustment for a Variance from the literal provisions cited to allow use of the property as described in material submitted with this request. Richard W. Allison</p> <p>Digital Signature: <u>III</u> <small>Digitally signed by Richard W. Allison III Date: 2025.08.26 12:59:10 -04'00'</small> Date Signed: 8/25/25</p>
<u>For Reasonable Accommodations:</u>	<p>I, _____, do hereby petition the City of Durham/County of Durham for a Reasonable Accommodation to the Unified Development Ordinance provisions described in material submitted with this request to allow use of the property also as described in this request.</p> <p>Digital Signature: _____ Date Signed: _____</p>
RESPONSES REQUIRED (PLACE RESPONSES IN A SEPARATE WORD DOCUMENT FOR SUBMITTAL)	
Minor Special Use Permit Responses:	<ol style="list-style-type: none"> 1. Ordinance provision(s) that require and mSUP for this project 2. What is proposed? <p>General Findings: Applications for minor special use permits shall be approved only if the Board of Adjustment finds that the use as proposed, or the use as proposed with conditions, is:</p> <ol style="list-style-type: none"> 1. In harmony with the area and not substantially injurious to the value of properties in the general vicinity; 2. In conformance with all special requirements applicable to the use; 3. Will not adversely affect the health or safety of the public; and 4. Will adequately address the review factors identified below <p>Review Factors: The applicant shall demonstrate that the review factors listed below have been adequately addressed:</p> <ol style="list-style-type: none"> 1. Circulation: Number and location of access points to the property and the proposed structures and uses, with particular reference to automotive, bicycle, mass transit and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe. 2. Parking and Loading: Location of off-street parking and loading areas. 3. Service Entrances and Areas: Locations of refuse and service areas with particular reference to ingress and egress of service vehicles. 4. Lighting: Locations of exterior lighting with reference to glare, traffic safety, economic effect and compatibility with other property in the area.

	<ol style="list-style-type: none"> 5. Signs: Appropriateness of signs considering location, color, height, size, and design within the context of other property in the area. 6. Utilities: Location and availability of utilities. 7. Open Spaces: Location of required yards and other open spaces and preservation of existing trees and other natural features 8. Environmental Protection: Preservation of tree coverage, Durham Inventory Sites, floodplain, stream buffers, wetlands, steep slopes, open space, and other natural features, and protection of water quality. 9. Screening, Buffering, and Landscaping: Installation of screening, buffering, fencing, and landscaping where necessary to protect adjacent property. 10. Effect on Adjacent Property: Effects of the proposed use on nearby properties, including, but not limited to, the effects of noise, odor, lighting, and traffic. 11. Compatibility: The level of general compatibility with nearby properties and impacted neighborhoods, including but not limited to the appropriateness of the scale, design, and use in relationship to other properties. 12. Consistency with Policy: Consistency with the Comprehensive Plan and applicable development tier guidelines, overlay purposes, and zoning district intent statements in Article 4, Zoning Districts. 13. Other Factors: Any other factors that the approving authority considers to be appropriate to the property in question. <p>Also address Limited Use Standards, as applicable</p>
<p>Variance Responses:</p> <p>Burden of Proof: <i>The applicant seeking the variance shall have the burden of presenting evidence sufficient to allow the Board of Adjustment or Governing Body to reach the conclusions set forth below, as well as the burden of persuasion on those issues.</i></p>	<ol style="list-style-type: none"> 1. Ordinance provision(s) from which a variance is requested 2. What is proposed? 3. What the Ordinance provision(s) require <p>General Findings: <i>The Board of Adjustment must make these findings in order to grant any variance.</i></p> <ol style="list-style-type: none"> 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. 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 granting 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 achieved.
<p>Reasonable Accommodation Responses:</p>	<p>General Findings: <i>Applications for Reasonable Accommodations shall be approved only if the Board of Adjustment finds based on competent, material, and substantial evidence that the proposed accommodation:</i></p> <ol style="list-style-type: none"> 1. Will be used by an individual or individuals with a disability or handicap protected under federal law; 2. Is "reasonable." An accommodation is reasonable if it will not undermine the legitimate purposes and effects of existing zoning regulations, and if it will not impose significant financial and administrative burdens upon the city or county and/or constitute a substantial or fundamental alteration of the ordinance provisions; 3. Is "necessary." An accommodation is necessary if it will provide direct or meaningful therapeutic amelioration of the effects of the particular disability or handicap, and it will afford handicapped or disabled persons equal opportunity to enjoy and use housing in residential districts in the city or county.



Re: BOA Notes

From Larkins, Leigha <Leigha.Larkins@durhamnc.gov>
Date Wed 9/10/2025 3:34 PM
To Rick Allison <rallison@RELENTLESSCOLLISION.COM>

Hi Rick,

Received. Please expect staff comments by the end of the week.

Best,
Leigha

**Leigha Larkins****Senior Planner**

Durham City-County Planning & Development Department
101 City Hall Plaza, Ground Floor, Suite G500
Durham, NC 27701
919-560-4137 ext: 28263

[Durham City-County Planning & Development Department](#)

We are working on a New Unified Development Ordinance (UDO). Learn more and follow the progress at:

[EngageDurham.com/NewUDO](https://engage.durhamnc.gov/NewUDO)

Please note that e-mail correspondence to and from this sender may be subject to the provisions of North Carolina Public Records Law and disclosed to third parties.

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From: Rick Allison <rallison@RELENTLESSCOLLISION.COM>
Sent: Monday, September 8, 2025 6:55 PM
To: Larkins, Leigha <Leigha.Larkins@durhamnc.gov>

Cc: Rick Allison <rallison@RELENTLESSCOLLISION.COM>

Subject: BOA Notes

Good Afternoon Leigha,

Attached are more documents and a photo of my Raleigh location to show the fence type that will be put in. Below are my responses to the general findings:

I respectfully submit this response in support of my request for a variance regarding fence height and vehicle stacking for my business property. In reviewing the criteria for variance approval, I believe our situation meets the standards as outlined in the ordinance:

1. Unnecessary Hardship

Strict application of the current ordinance creates unnecessary hardship for our business operations. Without the variance, we are unable to adequately secure and screen the number of vehicles necessary for daily operations. This directly affects our ability to safely store customer property, protect it from theft or vandalism, and maintain orderly vehicle flow.

2. Peculiar Conditions of the Property

The hardship arises from conditions peculiar to our business and property. As an operating body shop, we must temporarily store a significant number of vehicles on-site for repair and processing. Unlike residential or retail properties, our business requires both secure fencing and organized stacking to ensure safety, efficiency, and compliance with insurance and customer expectations. These conditions are unique to our operations and are not shared by the general public or neighboring properties.

3. Not a Self-Created Hardship

The hardship is not the result of actions taken by myself or the business. Our property was leased and developed for collision repair services, and the need for secure fencing and vehicle stacking arises directly from the nature of the business, not from any voluntary action to create additional difficulty. Without the requested variance, the property cannot reasonably be used for its intended and zoned purpose.

4. Consistency with Ordinance Intent

Granting the requested variance is consistent with the spirit, purpose, and intent of the ordinance. A taller fence will ensure public safety by securing customer vehicles and preventing unauthorized access. Allowing for appropriate vehicle stacking will improve site organization, reduce congestion, and prevent potential hazards. This variance upholds both public safety and substantial justice by balancing operational necessity with community standards.

For these reasons, I respectfully request that the Board grant the variance for fence height and vehicle stacking. Doing so will not only allow my business to function safely and effectively but also ensure that we remain a responsible and secure part of the community

Rick Allison

Relentless Collision

C: 919-503-7377





HORVATH ASSOCIATES
CIVIL ENGINEERING LANDSCAPE ARCHITECTURE
LAND PLANNING STORMWATER MANAGEMENT
16 CONSULTANT PLACE, SUITE 201
DURHAM, NORTH CAROLINA 27707
P 919.490.4990 F 919.490.8953
NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS LICENSE NO.: C-0676
www.horvathassociates.com

442 MARTIN LUTHER KING JR PARKWAY
KING JR PARKWAY
442 MARTIN LUTHER KING JR PARKWAY
CITY OF DURHAM
DURHAM, NORTH CAROLINA

COVER SHEET



1	4/20/2020 PER CITY REVIEW COMMENTS	TJS
2	4/23/2020 ISSUED FOR SITE PLAN APPROVAL	TJS

B11 - CALL BEFORE YOU DIG	
DRAWN BY:	CHECKED BY:
LLM	TJS
DATE	MARCH 27, 2020
PROJECT NO.	2011
SHEET NO.	

C000

<LEVEL 1 SITE PLAN>

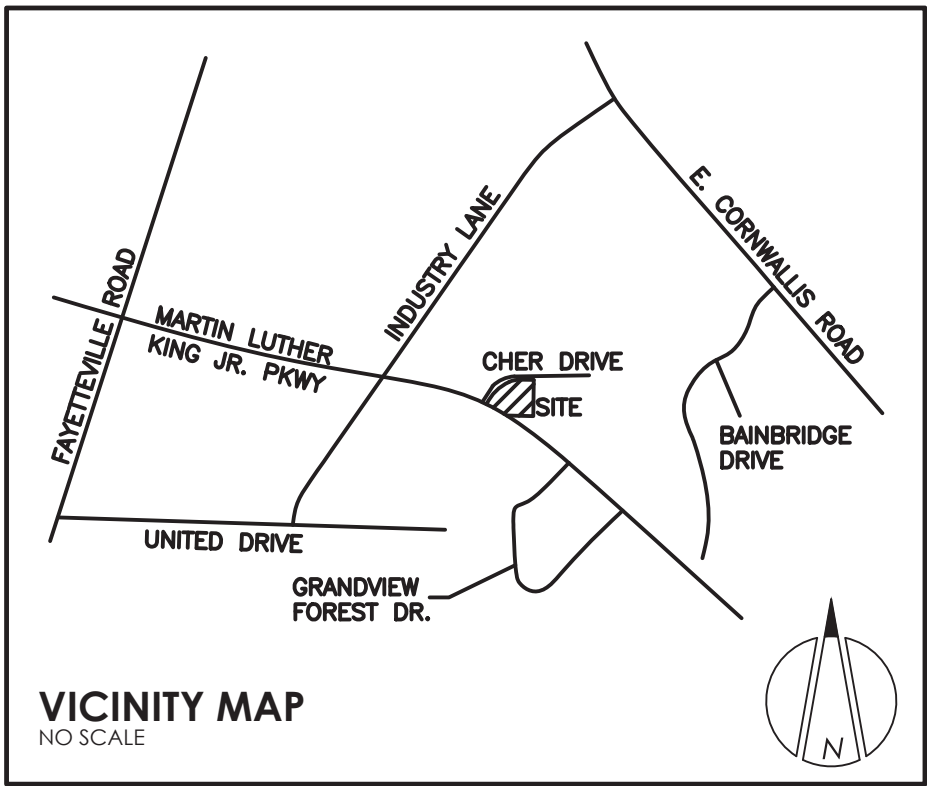
<LEVEL 1 SITE PLAN>

442 MARTIN LUTHER KING JR PARKWAY

422 MARTIN LUTHER KING JR PARKWAY, CITY OF DURHAM, NORTH CAROLINA

OWNER
UDI COMMUNITY DEVELOPMENT GROUP
631 UNITED DRIVE
DURHAM, NC 27713

ENGINEER/LAND PLANNER
HORVATH ASSOCIATES, PA
TIM SIVERS, PLA
16 CONSULTANT PLACE, SUITE 201
DURHAM, N.C. 27707
P: (919) 490-4990
F: (919) 490-8953
EMAIL@horvathassociates.com



INDEX OF DRAWINGS:
C000 COVER SHEET
C100 EXISTING CONDITIONS & SITE PLAN

DEVELOPMENT SUMMARY:	
SITE SUMMARY	CHANGE OF USE: ADDITION OF BIKE PARKING
PROJECT SCOPE:	42,907 SF (0.985 AC)
GROSS LAND AREA:	42,907 SF (0.985 AC)
PROJECT AREA:	28 SF (0 AC)
AREA OF DISTURBANCE:	IL
EXISTING ZONING:	WAREHOUSE STORAGE
EXISTING USE:	VEHICLE SERVICE, MAJOR
PROPOSED USE:	(AUTO BODY SHOP WITH 6 SERVICE BAYS)
	JORDAN LAKE
	CAPE FEAR
	INSIDE
	SUBURBAN
WATERSHED:	
RIVER BASIN:	
CITY LIMIT:	
TIER:	
LOT SUMMARY	
REFER TO APPROVED SITE PLAN #D06-227, 01/09/2007	
BUILDING SUMMARY	
EXISTING BUILDING AREA:	12,000 SF
PARKING SUMMARY	
REQUIRED PARKING:	@3/SERVICE BAY = 18 SPACES
TOTAL REQUIRED PARKING:	18 SPACES
ADA PARKING REQUIRED:	1 SPACE
ADA PARKING PROVIDED (EXISTING VAN ACCESS SPACES):	2 SPACES
STANDARD PARKING PROVIDED (EXISTING):	17 SPACES
TOTAL PARKING PROVIDED (EXISTING):	19 SPACES
BIKE PARKING REQUIRED :	2 SPACES
BIKE PARKING PROVIDED:	2 SPACES
IMPERVIOUS SUMMARY	
REFER TO APPROVED SITE PLAN #D06-227, 01/09/2007	
APPROXIMATELY 28 SF OF NEW IMPERVIOUS IS PROPOSED.	
TREE COVERAGE SUMMARY	
REFER TO APPROVED SITE PLAN #D06-227, 01/09/2007	
OPEN SPACE SUMMARY	
REFER TO APPROVED SITE PLAN #D06-227, 01/09/2007	

PURPOSE:
THE PURPOSE OF THIS LEVEL 1 ADMINISTRATIVE SITE PLAN FOR PARCEL 133858 IS TO CHANGE THE EXISTING WAREHOUSE-STORAGE USE TO VEHICLE SERVICE - MAJOR. THE PROPOSED USE WILL CONSIST OF AN AUTO BODY SHOP WITH 6 SERVICE BAYS, ALLOWED WITHIN IL ZONING. EXISTING PARKING MEETS THE UDO REQUIREMENTS FOR PARKING. THE SITE PLAN ADDS 2 BICYCLE PARKING SPACES.

APPROVAL STAMP

SITE PLAN

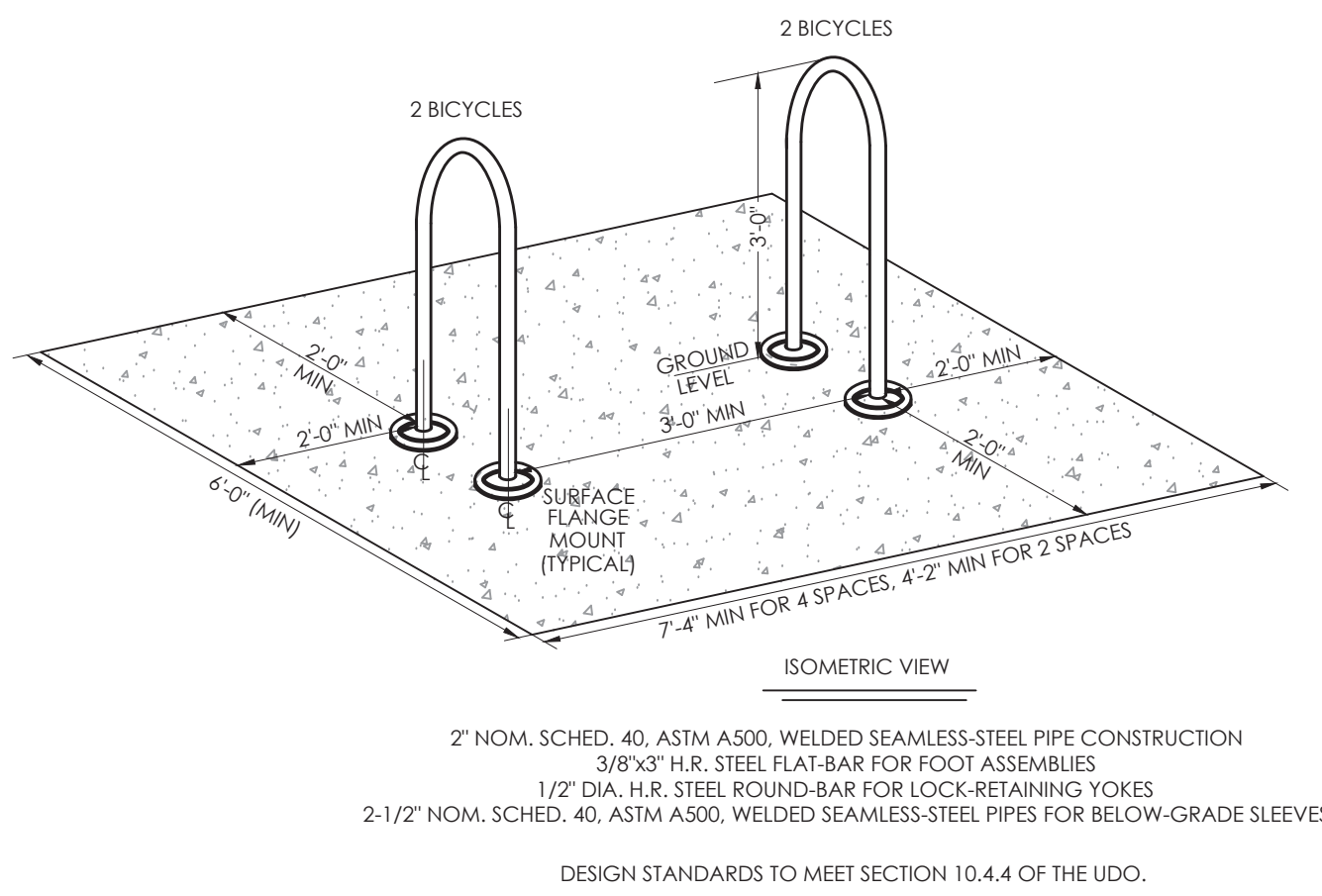
SITE PLAN APPROVED BY THE DURHAM CITY-COUNTY PLANNING DEPARTMENT

Kym Saizintz 5/13/20
Planning Director or Designee and Date

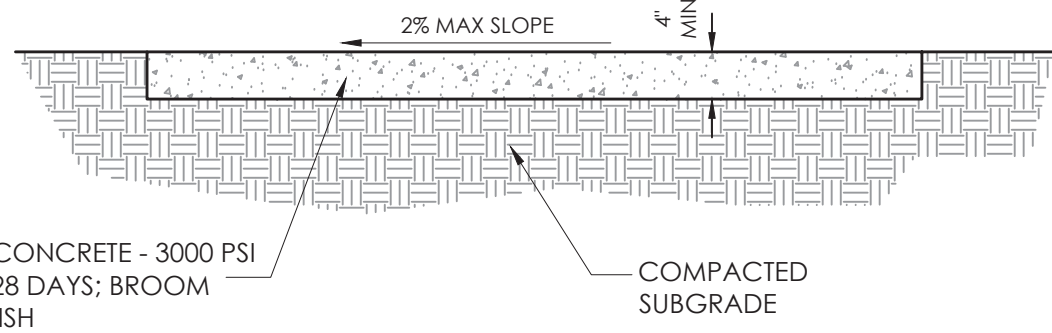
NULL OR VOID AFTER FOUR YEARS FROM DATE OF APPROVAL
(For portions without an active building permit or Certificate of Compliance)

APPROVED SITE PLAN #D06-227
CASE #D2000064

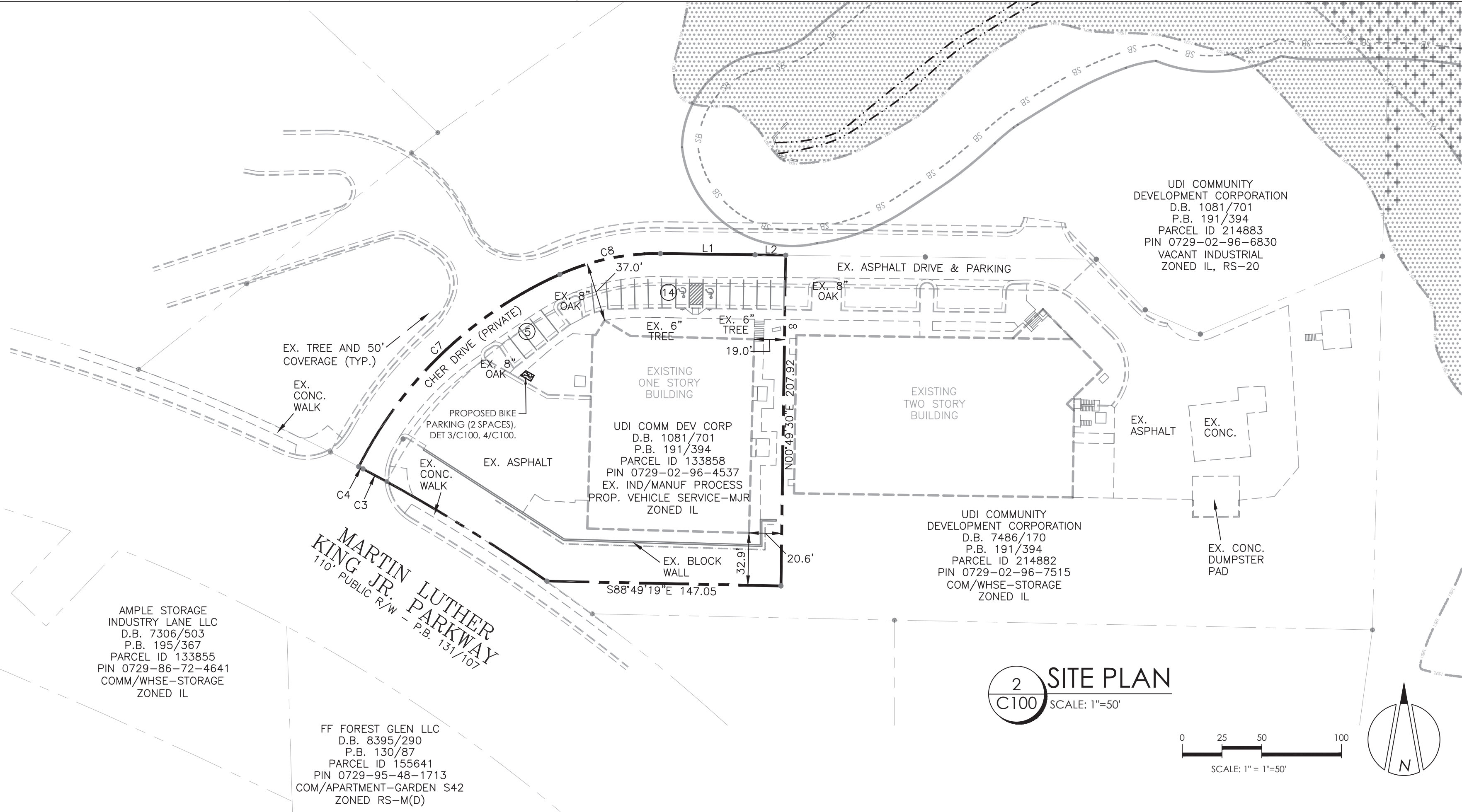
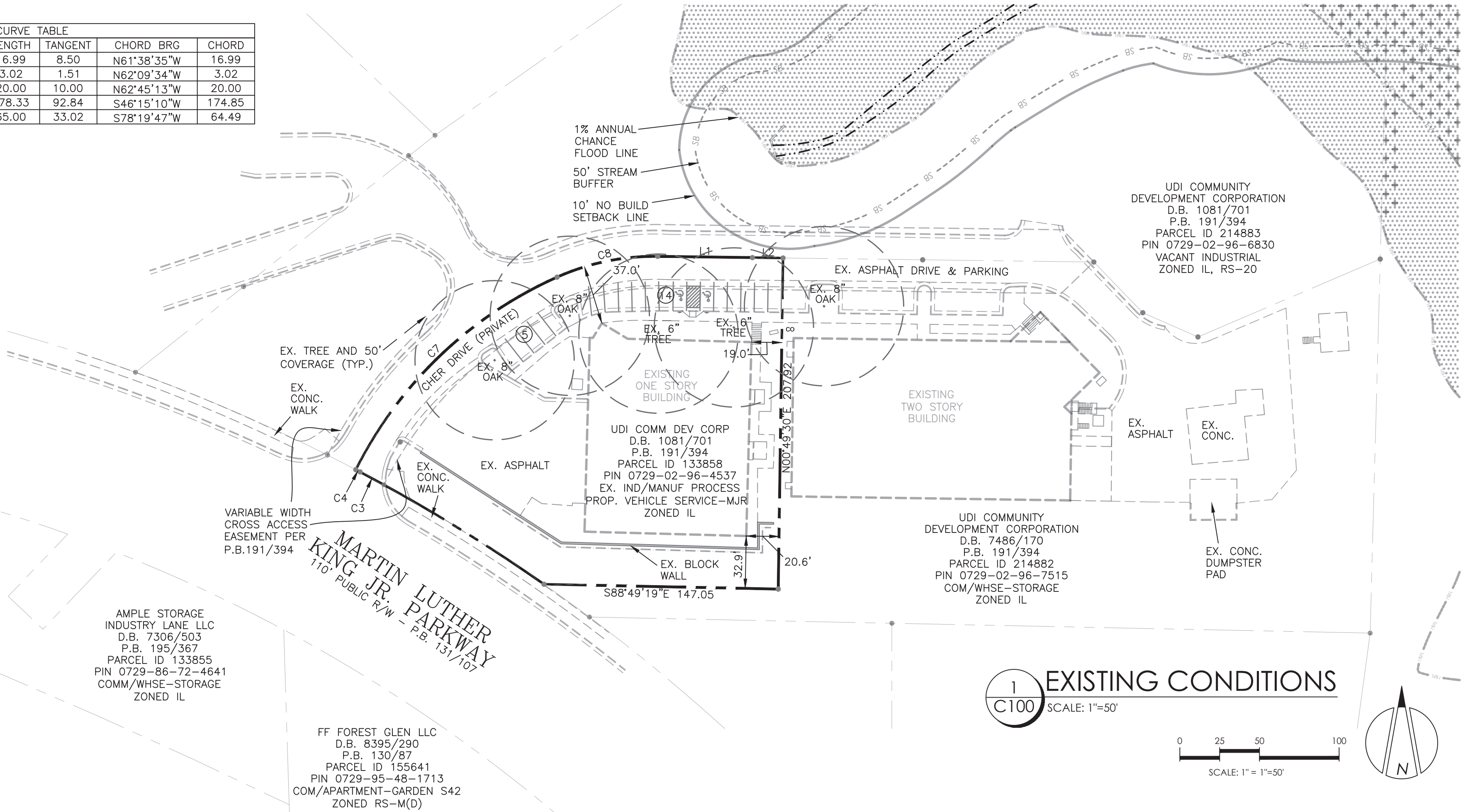
LINE TABLE			CURVE TABLE						
LINE	DIRECTION	LENGTH	CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BRG	CHORD
L1	S89°15'23"E	59.52	C3	0°52'38"	1110.00	16.99	8.50	N61°38'35"W	16.99
L2	S89°15'23"E	19.20	C4	0°09'20"	1110.00	3.02	1.51	N62°09'34"W	3.02
			C5	1°01'57"	1110.00	20.00	10.00	N62°45'13"W	20.00
			C7	39°19'34"	259.81	178.33	92.84	S46°15'10"W	174.85
			C8	24°49'40"	150.00	65.00	33.02	S78°19'47"W	64.49



3 BIKE RACK
C100 SCALE: N.T.S.



4 CONCRETE BIKE PAD
C100 SCALE: N.T.S.



2 SITE PLAN
C100 SCALE: 1"=50'

THE FOLLOWING GENERAL CONDITIONS APPLY TO THE SITE:

- THIS SITE IS NOT IN ANY SPECIAL FLOOD HAZARD AREAS OR FUTURE CONDITIONS FLOOD HAZARD AREAS, AS SHOWN ON FIRM PANEL 3720072900, DATED 10/19/2019.
- FOR COMMERCIAL SITES WITHOUT PROPOSED RESTAURANTS (BUT WHERE RESTAURANTS WOULD BE AN ALLOWED USE IN THE ZONING DISTRICT), AS DESIGNED, A RESTAURANT FACILITY MAY NOT BE PERMITTED IN THIS BUILDING. A REVISED SITE PLAN WILL BE REQUIRED TO ACCOMMODATE A GREASE TRAP, TRASH HANDLING AND OTHER REQUIREMENTS RELATED TO A RESTAURANT FACILITY.

EXISTING CONDITIONS NOTES:

- BOUNDARY SURVEY AND EXISTING CONDITIONS ARE FROM RECORDED PLAT P.B.191/394 BY TRIANGLE SURVEYORS AND SITE OBSERVATION.
- NO STEEP SLOPES FOUND ON THE SITE.
- NO DURHAM HISTORIC INVENTORY SITES OR DURHAM NATURAL INVENTORY AREAS LOCATED ON OR WITHIN 100' OF THIS PROPERTY.
- NO GREENWAY OR TRAILS ARE LOCATED OR PLANNED FOR THIS SITE AS PER THE DURHAM URBAN TRAILS AND GREENWAY MASTER PLAN.
- 100 YR FLOOD PLAIN IS LOCATED WITHIN 100' OF THIS PROPERTY.
- THIS SITE IS NOT IN ANY SPECIAL FLOOD HAZARD AREAS OR FUTURE CONDITIONS FLOOD HAZARD AREAS, AS SHOWN ON FIRM PANEL 3720072900, EFFECTIVE 10/10/2018.

GENERAL SITE NOTES

- NEW CONCRETE BIKE PARKING PAD SHALL SLOPE POSITIVELY AWAY FROM BUILDING. NO PONDING OF WATER IS ALLOWED. MAXIMUM SLOPE IN ANY DIRECTION 2%.
- CONTRACTOR TO VERIFY THE WORK TAKING PLACE RELATED TO THE CHANGES IN THIS SITE PLAN WILL BE FULLY COMPLIANT WITH THE NORTH CAROLINA ACCESSIBILITY CODES (ANSI 117.1-2009 AND CHAPTER 11 OF THE NCBC) UNLESS AND EXCEPT IN AREAS WHERE AN APPROVED STATEMENT FROM A SITE ENGINEER, SURVEYOR OR ARCHITECT VERIFIES THAT SITE CONDITIONS EXIST WHERE THE TOPOGRAPHY OF THE SITE IS EXTREME AND ONLY ALTERNATE METHODS OF COMPLIANCE ARE POSSIBLE. AN ANALYSIS AND CERTIFICATION OF THE SITE, PERFORMED BY THE DESIGN PROFESSIONAL OR DESIGNEE, MUST BE SUBMITTED TO THE BUILDING INSPECTIONS DEPARTMENT CERTIFYING THAT ALL SITE ACCESSIBILITY CODE REQUIREMENTS SUCH AS CURB CUTS, RAMP SLOPES, SIDEWALK SLOPES AND WIDTHS, AND CROSS SLOPES MEET THE REQUIREMENTS OF THE NC ACCESSIBILITY CODE PRIOR TO CO ISSUANCE.
- CONTRACTOR SHALL VERIFY LOCATION OF UNDERGROUND UTILITIES BEFORE DIGGING. CALL 811.

DEVELOPMENT SUMMARY:

SITE SUMMARY
PROJECT SCOPE: CHANGE OF USE, ADDITION OF BIKE PARKING
GROSS LAND AREA: 42,907 SF (0.985 AC)
PROJECT AREA: 42,907 SF (0.985 AC)
AREA OF DISTURBANCE: 28 SF (0 AC)
EXISTING ZONING: IL
EXISTING USE: WAREHOUSE STORAGE
PROPOSED USE: VEHICLE SERVICE, MAJOR (AUTO BODY SHOP WITH 6 SERVICE BAYS)
WATERSHED: JORDAN LAKE
RIVER BASIN: CAPE FEAR
CITY LIMIT: INSIDE
TIER: SUBURBAN

LOT SUMMARY
REFER TO APPROVED SITE PLAN #D06-227, 01/09/2007

BUILDING SUMMARY
EXISTING BUILDING AREA: 12,000 SF

PARKING SUMMARY
REQUIRED PARKING: @3/SERVICE BAY = 18 SPACES
TOTAL REQUIRED PARKING: 18 SPACES
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IMPERVIOUS SUMMARY
REFER TO APPROVED SITE PLAN #D06-227, 01/09/2007
APPROXIMATELY 28 SF OF NEW IMPERVIOUS IS PROPOSED.

TREE COVERAGE SUMMARY
REFER TO APPROVED SITE PLAN #D06-227, 01/09/2007

OPEN SPACE SUMMARY
REFER TO APPROVED SITE PLAN #D06-227, 01/09/2007

EX.
CONC.
WALK

C7
CHER DRIVE (PRIVATE)
EX. OAK
130'

EX.
CONC.
WALK

EX. ASPHALT

UDI COMM DEV CORP
D.B. 1081/701
P.B. 191/394
PARCEL ID 133858
PIN 0729-02-96-4537
EX. IND/MANUF PROCESS
PROP. VEHICLE SERVICE-MJR
ZONED IL

EX. BLOCK
WALL

MARTIN LUTHER
KING JR. PARKWAY
110' PUBLIC R/W - P.B. 131/107

Not to Scale

Attachment G – Fence Example Photo
(Raleigh Location)



Attachment H: Staff Photo: Lot for Temporary
Vehicle Storage (Northwest Property Boundary)



