



**Request to Deviate from Impervious Surface Allotment on Individual Residential Lot**

**Purpose:** The request to deviate form is required to initiate an increase in impervious surface area greater than the deeded impervious limit and less than the zoning limit. To qualify, the lot or subdivision must not have been recorded with a “perpetuity statement”, i.e. Maximum Impervious Area Square Footage on each Individual Lot will be Stringently Enforced into Perpetuity.

Please complete all spaces below

S# \_\_\_\_\_

<b>Site Information</b>				
Subdivision Name / Lot				
Project Street Address			City	State      Zip
Date Recorded (Book of Maps, pg)	Lot #	Building Permit #	Pin #	
1. Maximum Impervious Surface Allotted (MISA) on Lot–(Recorded or Interpreted)				sf
2. Existing Impervious Area				sf
3. Total Impervious Area of Site Plan (Existing and/or Proposed plus additional)				sf
4. Specify Total Requested - Existing and/or Additional Impervious Surface Above MISA				(#3-#1) sf
<b>Applicant Information -Contact Person</b>				
Applicant Prepared By (Name and Title)			Company	
Street Address			City	State      Zip
Telephone Number (Desk/Cell)	Fax Number	Email Address		
<b>Property Owner Information</b>				
Property Owner, if different than applicant (Name and Title)			Company	
Street Address			City	State      Zip
Telephone Number (Desk/Cell)	Fax Number	Email Address		
<b>Designer for Stormwater Device Information</b>				
Contractor if different than above (Name and Title)			Company	
Street Address			City	State      Zip
Telephone Number (Desk/Cell)	Fax Number	Email Address		

*This request for Wake County to approve a deviation from the impervious surface allotment as recorded on the record plat does not relieve the applicant from her or his responsibility to meet all applicable State and Federal Laws, including, but not limited to necessary approvals from Federal Emergency Management Area flood regulations/requirements, Division of Water Quality stormwater or other water quality regulations/requirements, U.S. Army Corps of Engineers Article 404/401 (Wetlands/Streams) jurisdiction/requirements, and/or any Federal, State, County and Local regulations or permit requirements. The approval issued in this letter cannot supersede any other required permit or approval.*

## II. APPLICANT’S REQUIREMENTS TO COMPLETE PERMIT

1. **Application to Deviate** *(all inspections on hold, until this form is received by Wake County)*
  - Complete and submit **deviation application** *(this form)* with **\$400** permit fee.
  
2. **Plan Submittal, Review, and Approval** *(foundation inspection on hold- electrical final for pools, until Wake County Water Quality Director approves plan)*
  - Submit a **Stormwater Management Plan (SMP)**. Plan shall comply with the current Wake County stormwater regulations outlined in Article 9 Stormwater Management of the Wake County Unified Development Ordinance (UDO) and designed according to the Stormwater Design Manual. Plan should include same elements of “**As Built**” survey below.
  - The stormwater planning process can occur in parallel with the on-site wastewater design. Stormwater devices shall meet all setback requirements from well, septic or repair areas. On-site approval shall preclude the stormwater plan approval.
  - After your **SMP** has been approved Environmental Services will prepare a **Letter of Conditional Approval** and place the building permit on a final hold for a CO pending conditions of approval.
  
3. **Installation, “As-Built” and Agreements** *(Upon receipt of the “As Built” survey along with both Maintenance and Stormwater Agreements, you may call IDPP (919) 856-6060 for a certificate of occupancy; if all other permit requirements have been met)*
  - Comply with approved plan & implement the SMP: Install stormwater device(s).
  - Submit a final “**As-Built**” survey prepared by a Professional Land Surveyor. The survey shall include:
    - A detailed impervious summary for the lot: see UDO 21-11 “Impervious Surface”
    - Location of the stormwater devices and access easement
    - Indicate impervious areas from which stormwater is collected and
    - Conveyance system for routing stormwater from impervious area to device.
    - Location of wells, septic and repair areas
    - Property setbacks, buffers, flood zones or any existing easements
    - Plan and profile views of the stormwater device(s), with supporting calculations
  - Sign /notarize Maintenance and Stormwater Agreements. Submit Maintenance Agreement with Wake County Environmental Services and record the Stormwater Agreement with Wake County Register of Deeds.

## III. APPLICANT’S CERTIFICATION:

I, certify that the information included on this form is, to the best of my knowledge and belief true, accurate, complete, correct and that the proposed lot complies with the requirements of the *Wake County Unified Development Ordinance*.

**NAME:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

Owner/Owners Agent

**DATE:** \_\_\_\_\_

WAKE COUNTY USE ONLY				
Disposition	S.W. Manager	Date	Dir. Water Quality Division	Date
Accepted				
Denied				
Recommended to Board of Adjustment				
Zoning District/Limit				

**TABLE 1** (Please perform the following exercise to determine required information in item #1, on page 1.)

<b>Date Residential Lot Created:</b>											
<b>Watershed (circle)</b>											
Neuse	Cape Fear	Swift Creek	Little River	Other Specify:				(See Attached <b>Tables A&amp;B</b> , <b>Note:</b> Date Lot was Created)			
<b>Specify Zoning District: (circle)</b>											
R-80W	R-80	R-40W	R-40&R-30	R-20	R-15	R-10	R-5	WSII	WCAO	WMAO	
Highway District	WPAO-2	Airport Dist.	RCO	EDD	O&I	PD	MH	GB	HC	I-1, I-2	

State law reference: **Authority to regulate stormwater G.S. 143-214.7(c) and 1989 Session laws Chapter 1043.**

**Table A**

**IMPERVIOUS SURFACE LIMITATIONS FOR EXISTING LOTS AND LOTS  
CREATED/ACCEPTED FOR SUBDIVISION APPROVAL PRIOR TO JULY 2, 2001**

Zoning District	Residential Impervious Surface Limitations (percentage)
R-80W	30%, see Note 1, below
R-80	30%
R-40-W	30%, see Note 1, below
R-40 and R-30	30%
R-20, R-15, R-5	30%
WSII and WCAO	12%* see Note 1, below
WMAO	24%* see Note 1, below
WPAO	24% (with curb and gutter)*; 30% (no curb and gutter)*
WPAO-2	30%*
RCO	Underlying Zoning Controls
Highway District	30% without Stormwater Management 100% with Stormwater Management
EDD	50% without Stormwater Management 100% with Stormwater Management
Airport District, O&I, PD, MH, GB, HC, I-1 and I-2	No Maximum

Note 1:

- R-80W and R-40W development in the Little River water-supply watershed is limited to 6% and 12% respectively, without exception.
- Development in the Swift Creek water-supply watershed is subject to the requirements of the Swift Creek Land Management Plan.
- R-40W development in other water supply watersheds may be increased to 24%, provided stormwater management is provided.

Asterisks (\*) denote that underlying zoning may be more restrictive.

- All Residential and Commercial properties require a preliminary site plan prepared by a Professional Land Surveyor, Landscape Architect, Professional Engineer, the landowner or his authorized agent in order to initiate the permit process effective July 2, 2001.
- An as-built plan prepared by at Professional Land Surveyor is required before a Certificate of Occupancy may be issued.

**(Contact Wake County Zoning and Subdivision to verify impervious surface allowed 919-856-6216)**

**Table B**

**IMPERVIOUS SURFACE LIMITATIONS FOR APPROVED SUBDIVISION LOTS  
CREATED AFTER JULY 2, 2001**

<b>Zoning District</b>	<b>Residential Impervious Surface Limitations (percentage)</b>
R-80W	15% without Stormwater Management* . See Note 1.
R-80	15% without Stormwater Management*
R-40-W	15% without Stormwater Management* . See Note 1.
R-40 and R-30	15% without Stormwater Management*
R-20, R-15, R-5	15% without Stormwater Management*
WSII and WCAO	12%* see Note 1, below
WMAO	15% without Stormwater Management* . See Note 1.
WPAO	15% without Stormwater Management*
WPAO-2	15% without Stormwater Management*
RCO	15% without Stormwater Management*
Highway District	15% without Stormwater Management*
EDD	15% without Stormwater Management*
Airport District, O&I, PD, MH, GB, HC, I-1 and I-2	15% without Stormwater Management*

Note 1:

- R-80W and R-40W development in the Little River water-supply watershed is limited to 6% and 12% respectively, without exception.
- Development in the Swift Creek water-supply watershed is subject to the requirements of the Swift Creek Land Management Plan.
- R-40W development in other water supply watersheds may be increased to 24%, provided stormwater management is provided.

Asterisks (\*) denote nitrogen export check required and is limited to 3.6 lbs./ac./yr. without Best Management Practices or payments made to the N.C. Ecosystem Enhancement Program(NCEEP).

- Building permits for all Residential and Commercial properties require a preliminary site plan prepared by a Professional Land Surveyor, Landscape Architect, Professional Engineer, the landowner or his authorized agent in order to initiate the permit process.
- An as-built certification by a Professional Land Surveyor is also required prior to issuance of a certificate of occupancy.

**(Contact Wake County Zoning and Subdivision to verify impervious surface allowed 919-856-6216)**