



# Planning, Development & Inspections

TEL (PLANNING) 919 856 6310  
TEL (INSPECTIONS) 919 856 6222

A Division of Community Services  
P.O. Box 550 • Raleigh, NC 27602  
www.wakegov.com

## MINUTES OF REGULAR MEETING

### Wake County Board of Adjustment

Tuesday, May 14, 2019 (9:00 a.m.)  
Wake County Justice Center  
300 S. Salisbury St., Room 2700  
Raleigh, North Carolina

**Members Present:** (5) Mr. Brenton McConkey (Chair), Mr. Don Mial (Vice Chair), Ms. Sheree Vodicka, Mr. DeAntony Collins, Mr. Will Barker

**Members Absent:** (3) Mr. Brian Foxx, Mr. John Barker, Mr. Waheed Haq

**Vacant Seat:** (1)

**County Staff Present:** (7) Mr. Steven Finn (Land Development Administrator), Ms. Jenny Coats (Community Services Operations Director) Ms. Celena Everette (Planner II), Ms. Kathy Williams (Planner), Mr. Tim Maloney (Planning Development & Inspections Director), Ms. Beth Simmons (Community Services Operations Supervisor), Ms. Loretta Alston (Clerk to the Board)

**Guests:** Mr. Bobby Choplin, Property Owner

**County Attorney Present:** (1) Mr. Ken Murphy (Senior Assistant County Attorney)

1. **Meeting called to order:** Mr. McConkey called the meeting to order at 9:05 a.m.
2. **Approval of Minutes of the April 9, 2019 Meeting:** Mr. McConkey made a motion to approve the April 9, 2019 meeting minutes as drafted. The motion was seconded by Ms. Vodicka and the minutes were approved unanimously.
3. **Approval of Written Decision Regarding BA-SU-2261-18 Electrical Substation Expansion**  
Mr. McConkey noted that four of the five original voting members present were: Mr. McConkey, Mr. Mial, Ms. Vodicka and Mr. Collins. Mr. McConkey made a motion to approve the written decision as drafted. The motion was seconded by Mr. Mial. By a vote of 4-0, the written decision was adopted.
4. **PLG-ZV-001292-2019 – A variance request to encroach into a 50-foot accessory building and structure setback by 16-feet**  
This is a request for a variance from Article 4-70-1-F, *Accessory Buildings and Structures*, which requires accessory buildings and structures to not be located nearer the street than the main building or 50-feet whichever is less.

The applicant is requesting a variance to allow a proposed pool to encroach 16 feet into the required 50-foot accessory building and structure setback along the northern property line. This request would allow the proposed pool to have a 34-foot accessory building and structure setback to Ovid Lane.

### **Voting Members (5)**

The voting members were identified as: Mr. McConkey, Mr. Mial, Ms. Vodicka, Mr. Collins and Mr. Barker.

### **Documentary Evidence**

Staff Report, PowerPoint presentation, applicant application

### **Testimony of Staff**

Before the case was heard, Wake County staff member, Ms. Kathy Williams. was duly sworn.

Ms. Kathy Williams asked for the staff report, PowerPoint presentation, and applicant's application with supporting documents be accepted as evidence into the record for variance request PLG-ZV-001292-2019. The item is a variance request from Article 4-70-1-F of the Wake County UDO, for a proposed pool to encroach into the required 50-foot accessory building and structure setback by 16-feet. Mr. McConkey accepted the staff report, PowerPoint presentation, and applicant's application with supporting documents into the record. The evidence is attached and made part of these minutes as Appendix 1, Appendix 2, and Appendix 3, respectively.

Ms. Williams stated the petitioner's name as Karen Fiorini with Backyard Oasis Pools and the landowner as Bobby and Amber Choplin. The property is located at 1500 Sweet Meadow Lane and is zoned Residential-40 Watershed.

The lot was created as part of a 3-lot subdivision recorded in 2015 and consists of 1.08 acres. The area is zone R-40W. The lot was created with 3 of the 4 property lines having road frontage. Ovid Lane to the North, Melvin Arnold Road to the East, and Sweet Meadow Lane to the South. The proposed pool cannot be closer to the roads than the home or 50-feet whichever is less. In this case, 50-feet would be the lesser setback since the home is approximately 68-feet from the Ovid Lane.

A permit for a residence on the property was finalized in April of 2017. The applicant submitted an application for an inground pool with concrete decking in December of 2018. Upon review it was noticed that the proposed pool was encroaching into the 50-foot accessory building and structure setback.

The proposed location of the pool will be impacting the existing designated septic repair area. The site plan submitted by the applicant, which is also the soil scientist report map, shows the proposed location of the pool and the proposed re-designation of the septic repair area. The site plan shows the proposed pool encroachment of 16-feet into the required 50-foot accessory building and structure setback along the northern property line.

This request would allow the proposed pool to have a setback of 34-foot from Ovid Lane. If the variance is approved, the applicant would have to apply for applicable permits.

Ms. Williams presented a video from the vantage point of the proposed pool area where the variance is being requested behind the house on the property. Notification letters to adjoining property owners were mailed on April 22, 2019 and a public hearing placard was placed on the site on April 23, 2019.

Mr. McConkey inquired about the likelihood in Wake County that a lot would be created with three of the four property lines having street signage. Ms. Williams stated that it is uncommon.

Ms. Vodicka asked about the impact of the septic repair area. Ms. Williams presented an additional PowerPoint slide and stated that the current repair area is located where the proposed pool would be located. The repair area is a secondary location for septic systems in the event the primary location becomes unusable. The site plan submitted by the petitioner shows the new area that soil scientists designated as the new repair area and that permit would need to be obtained.

## **Testimony of the Petitioner**

Before testimony was given, petitioner Mr. Bobby Choplin, was duly sworn.

Mr. Bobby Choplin, property owner at 1500 Sweet Meadow Lane, Raleigh NC, came forward to address the Board. Mr. McConkey asked Mr. Choplin for background information regarding the proposed location of the pool. Mr. Choplin stated that in regard to the roads surrounding his property on three sides, two of them are private roads that mainly serve as a driveway. The restrictions to the three roads reduce the utilization of his property by 47 percent due to the setbacks and the protective vegetative zones that ensure that property maintenance and visibility is contained to the property. The location of the pool was selected for safety purposes and that location has the only clearly visible site line directly from the home. The east side, which has more land space, has zero visibility and more visibility from the third, and more public road.

Mr. Barker asked staff if there were any comments from neighbors either for or against the pool. Ms. Williams stated there has not been.

Mr. McConkey asked for clarification regarding any detached, accessory structure in this same exact location and if it would require a variance request. Ms. Williams verified that any detached structure in this location would require a variance request.

Mr. Mial asked if the home had a septic tank and would it need to be removed. Mr. Williams stated the home did have a septic tank, but only the repair area for septic would need to be removed.

Mr. McConkey asked for clarification on the 15-foot pool setback (from the septic system and repair area) on the site plan. Ms. Williams stated that since there would be digging involved for the in-ground pool, the setback is required for the septic system and repair area.

Having no additional persons speaking for or against the variance request, Mr. McConkey closed the public comments section of the meeting at 9:20am and opened the floor for Board discussion.

## **Board Discussion**

Mr. McConkey reminded the Board that four-fifths of the Board must vote in affirmative to grant a variance request. The Board must make positive findings on **all** of the following findings of fact from G.S. 160A-188 in order to approve this variance request.

## **Findings of Fact**

- 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.**

After discussion, the Board found that the location of the existing home and septic repair area on the property, combined with three of the property's four property lines abutting roads and thus triggering the 50-foot street setbacks required by UDO Section 4-70-1(F), limits the Choplins' ability to construct accessory structures such as a swimming pool on the property, thus creating a hardship.

- 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.**

After discussion, the Board found that the hardship results from the iniquity that three of the four property lines abut a private or public road, including the northern property line which abuts Ovid Lane, thus triggering the 50-foot street setback required by UDO Section 4-70-1(F) for the proposed

swimming pool. Applying the 50-foot street setback required by UDO Section 4-70-1(F) to the property's three property lines, results in 47 percent of the property being unusable for accessory structures such as the proposed swimming pool.

- 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.**

After discussion, the Board determined that the Choplins were not aware of the 50-foot street setback required from Ovid Lane for accessory structures, as it was not noted on the plat filed with the Register of Deeds or on the February 16, 2016 survey of the property. The Choplins became aware of the setback when they submitted a permit application for the swimming pool in December 2018. The Subject Property had already been created, via recordation of a subdivision plat, with three of the four property lines having street frontage when the Choplins bought it.

- 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.**

After Board discussion, the Board found that the property is well buffered with Tree and Vegetation Protection Zones on all three sides that abut roads, which are sufficient to screen the property from street view, including the view of the proposed swimming pool from Ovid Lane. The requested variance will still allow the proposed swimming pool to be set back 34-feet from Ovid Lane, which is a sufficient setback to screen the view from Ovid Lane. Ovid Lane is a small private road with frontage on only the Subject Property and two other lots, and the accessory structure at issue in this variance request is a swimming pool, not a garage or other above-ground structure that would be more difficult to effectively screen from street view with a reduced setback.

There being no further discussions on the finding of facts, Mr. McConkey asked for a motion.

**Motion and Conclusions of Law:** In the matter of PLG-ZV-001292-2019, Mr. Mial moved that the Board find and conclude that the petition does meet the requirements of Article 19-26 of the Wake County Unified Development Ordinance and North Carolina General Statute Section 160A-388(d), and requested variance be granted to encroach 16-feet into the required 50 foot Accessory Building and Structure setback along the north property line, making the setback 34-feet from Ovid Lane, with the recommended conditions. The motion to approve is made based on the following conclusions of law and findings of fact:

- 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 the granting of a variance shall not be regarded as a self-created hardship, and;
- 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 motion was seconded by Mr. Barker. The variance was granted with a unanimous vote (5-0).

**It is Therefore Ordered:**

1. The petitioner/landowner must record the notarized form pertaining to the order of the Board in the Wake County Register of Deeds and return a copy to Planning, Development and Inspections Division of Community Services.
2. The petitioner/landowner must apply/complete applicable permits which would include but not limited to a building permit and a wastewater permit.

**5. Planning, Development & Inspections Report**

Mr. Finn noted the Board's discussion regarding purposes of development standards. He referenced Article 1 as a reinforcement in general terms of why we have the regulations in the UDO. He gave examples of setbacks to allow for privacy, character, space for air, and to limit noise or light. He also stated Article 1 mentions of property value and compatible land uses. Further, he used the term "curb appeal" regarding why there are setbacks for accessory buildings and structures in front of primary residences. Mr. Finn mentioned Ms. Williams reference to rarity of scenario and complimented her efforts. He shared that he had been with Wake County almost 13 years and the variance request heard earlier was the first instance he had seen. It was mentioned that there are some platted roads in a grid pattern in the Bonsal area that could potentially have frontage on three roads, but unlikely to have issues.

Mr. McConkey thanked staff and acknowledged that this is the first example of this type of variance request.

**6. Adjournment**

Mr. McConkey adjourned the meeting at 9:35 a.m.

**Appendix 1 – Staff Report**

**STAFF REPORT TO THE BOARD OF ADJUSTMENT PRESENTED BY: Kathy Williams, Planner I**

**PETITION FOR:** A VARIANCE TO ENCROACH INTO A 50' ACCESSORY BUILDING AND STRUCTURE SETBACK BY 16'

**I. REQUEST:** PLG-ZV-001292-2019

This is a request for a variance from Article 4-70-1-F, *Accessory Buildings and Structures*, which requires accessory buildings and structures to not be located nearer the street than the main building or 50 feet whichever is less.

The applicant is requesting a variance to allow a proposed pool to encroach 16 feet into the required 50 foot accessory building and structure setback along the northern property line. This request would allow the proposed pool to have a 34 foot accessory building and structure setback to Ovid Lane.

**II. PROJECT LOCATION**

The property is located at 1500 Sweet Meadow Lane.

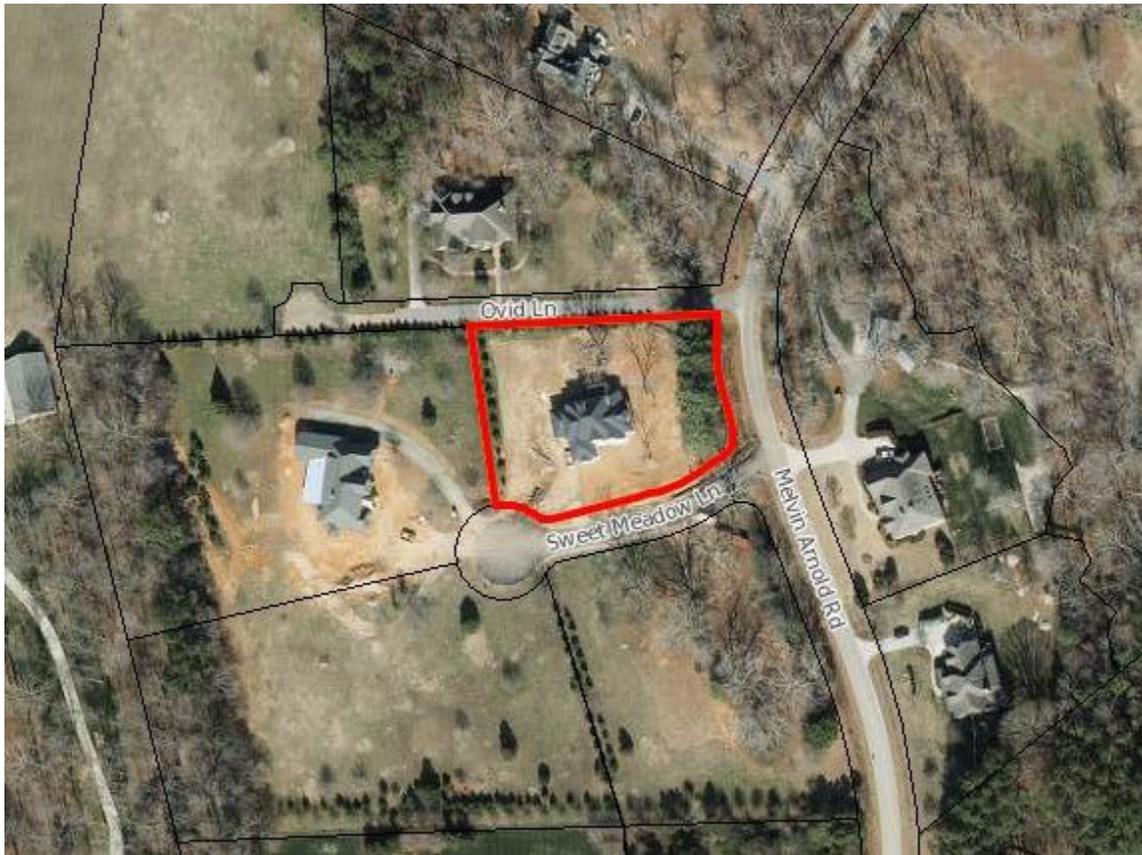
**III. PROJECT PROFILE**

- WAKE COUNTY PIN: 0890 08 4653
- DEED REFERENCE: BK016230 PG00919
- PROPERTY ADDRESS: 1500 Sweet Meadow Lane
- PROPERTY SIZE: 1.08 acres
- ZONING DISTRICT: Residential-40 Watershed (R-40W)
- LAND USE CLASSIFICATION: Non-Urban Services Area
- WATERSHED: Falls Lake
- CROSS REFERENCE FILES: N/A
- PROPERTY OWNER: Bobby & Amber Choplin
- APPLICANT: Karen Fiorini (Backyard Oasis Pools)

**IV. PROJECT SETTING – SURROUNDING ZONING DISTRICTS AND LAND USES**

<b>DIRECTION</b>	<b>LAND USE</b>	<b>ZONING</b>
North	Residential	Residential-40W (R-40W)
East	Residential	Residential-40W (R-40W)
South	Vacant/Residential	Residential-40W (R-40W)
West	Residential	Residential-40W (R-40W)

## V. AERIAL MAP



## VI. ZONING STANDARDS

Article 4 of the Unified Development Ordinance contains use regulations which include accessory building and structure setbacks. Section 4-70-1, *Accessory Buildings and Structures*, requires that any accessory building or structure may not be located nearer the street than the main building or 50 feet whichever is less.

## VII. VARIANCE

### A. REQUEST

This is a request for a variance from Article 4-70-1-F, *Accessory Buildings and Structures* to encroach 16 feet into the required 50 foot Accessory Building and Structure setback along the north property line, making the proposed pool setback 34 feet from Ovid Lane.

### B. BACKGROUND

This lot was created as part of a 3 lot subdivision recorded in 2015 and consist of 1.08 acres. This area is zoned Residential-40 Watershed. **The lot was created with 3 of the 4 property lines having street frontage** which means the proposed pool cannot be closer to the street than the main structure or 50' whichever is less. In this case 50' would be less since the home is setback approximately 68' from the Ovid Lane.

A building permit #0162489 for a residence on the property was finalized in April of 2017. The applicant submitted an application #RABS-011128-2018 for an inground pool with concrete decking in December of 2018. Upon review it was noticed that the proposed pool was encroaching into the 50' accessory building and structure setback by 16 feet.

**The proposed location of the pool will be impacting the existing designated septic repair area as identified on the existing septic permit.** The site plan submitted by the applicant is the soil scientist report map that shows the proposed location of the pool and the proposed re-designation of the septic repair area.

The site plan shows the proposed pool encroachment of 16 feet into the required 50 foot accessory building and structure setback along the northern property line. This request would allow the proposed pool to have a setback of 34 feet from Ovid Lane

This is a request for a variance from Article 4-70-1-F, *Accessory Buildings and Structures*, which requires accessory buildings and structures may not be located nearer the street than the main building or 50 feet whichever is less.

If the variance is approved, the applicant would have to apply for applicable permits which would include but not limited to obtaining and completing a building permit and a wastewater permit to relocate the repair area to accommodate the proposed pool location.

Notification letters to adjoining property owners were mailed on April 22, 2019 and a public hearing placard was placed on the site on April 23, 2019.

#### **VIII. REQUIRED CONCLUSIONS/FINDINGS:**

The Board of Adjustment shall not approve a petition for a variance unless it first reaches each of the following conclusions based on findings of fact supported by competent, substantial, and material evidence.

The Board of Adjustment must make positive findings on **all** of the following findings of fact from G.S. 160A-188 in order to approve this variance request:

- (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 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.

## **IX. RECOMMENDATION**

Staff recommends that if the Board of Adjustment reaches positive conclusions on **all** of the required findings of fact, the following conditions be required:

- (1) The petitioner/landowner must record the notarized form pertaining to the order of the Board in the Wake County Register of Deeds and return a copy to Planning, Development and Inspections Division of Community Services.
- (2) The petitioner/landowner must apply/complete applicable permits which would include but not limited to a building permit and a wastewater permit.

## **MOTIONS**

**TO GRANT:** In the matter of PLG-ZV-001292-2019, I move that the Board find and conclude that the petition does meet the requirements of Article 19-26 of the Wake County Unified Development Ordinance and North Carolina General Statute Section 160A-388(d), and that the requested variance be granted to encroach into the required 50 foot accessory building and structure setback by 16 feet, with the recommended condition. The motion to approve is made based on the following conclusions and findings of fact:

- 5) 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;
- 6) 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;
- 7) 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, and
- 8) 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.

**TO DENY: In the matter of PLG-ZV-001292-2019, I move that the Board find and conclude that the petition does not meet the requirements of Article 19-26 of the Wake County Zoning Unified Development Ordinance and North Carolina General Statute Section 160A-388(d) for the reason that (state why) and that the requested variance be denied.**

# Board of Adjustment

*PLG-ZV-001292-2019*

*May 14, 2019*



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# PLG-ZV-001292-2019

## Variance Request

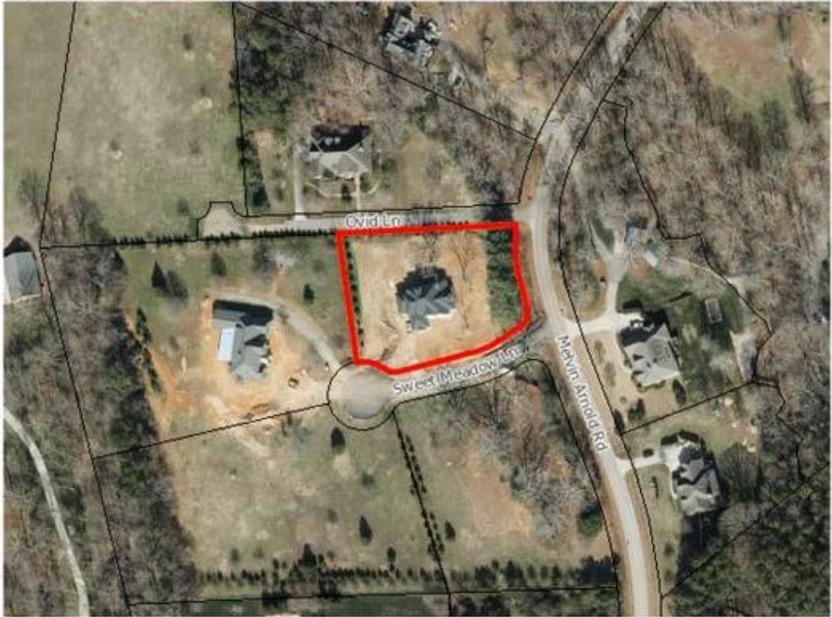
- **Petitioner:** Karen Fiorini (Backyard Oasis Pools)
- **Landowner:** Bobby & Amber Choplin
- **Property Location:** 1500 Sweet Meadow Lane
- **Request:** Variance to allow a proposed pool to encroach 16 feet into the required 50 foot accessory building and structure setback along the northern property line.

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## BACKGROUND



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# BACKGROUND

- A building permit for a residence on the property was finalized in April of 2017
- The applicant submitted an application for an inground pool with concrete decking in December of 2018.

# SITE PLAN



## VIDEO



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WAKE COUNTY

## RECOMMENDATION

Staff recommends that, if the BOA reaches positive conclusions on all of the required findings, that it approve the variance request subject to the conditions identified in the staff report.

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WAKE COUNTY

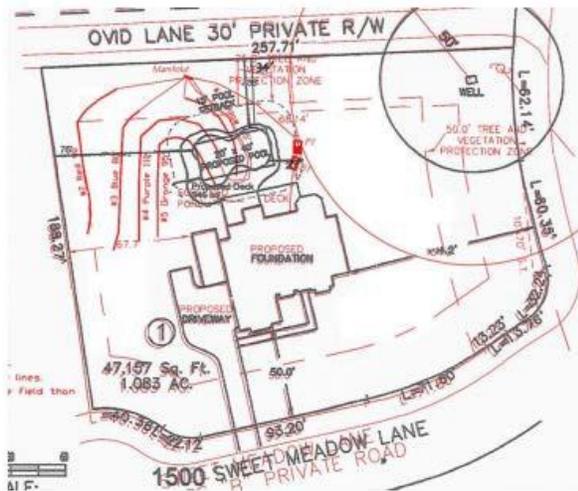
# PLG-ZV-001292-2019

- Presentation by Petitioner
- Comments by Proponents
- Comments by Opponents

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WAKE COUNTY

## Supplemental Slide



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WAKE COUNTY



# ZONING HARDSHIP VARIANCE APPLICATION

Submit required documentation to:  
Wake County Planning, Development and Inspections  
PO Box 550 Wake County Office Building  
Raleigh, NC 27602-0550 336 Fayetteville Street Mall, Downtown Raleigh

File#  
Fee  
Amt Paid  
Check#  
Rec'd Date  
Rec'd By

NORTH CAROLINA Contact (919) 856-6335 for additional information.

**Unified Development Ordinance Regulation(s) Proposed to be Varied** (cite each section(s) and identify requirement from which the variance(s) is (are) being requested; quantify variance - i.e. if this is a variance to allow an encroachment into a setback, give depth of encroachment and total square feet of area proposed to encroach into setback - be specific):

Requesting a variance for a proposed building project qualified under "Accessory Building Setbacks". We are requesting concession from one of the three 50' street setbacks. The proposed project would encroach 16' into the Ovid Lane 50' Private Road Setback (approximately 752 sq' total encroachment).

The existing property is a unique corner lot, in that, three (3) property lines abut a private or public road. Applying a 50' easement to three (3) lot lines will consume the lot and significantly constricts the homeowner's use of property. If the lot consist of 47,157 sq' applying WC UDO 4-70 (f) would restrict @ 46.9 % of the entire lot (@22,150 sq' would be designated to the 50' setbacks).

According to the Builder and Homeowner, neither were aware of the application of WC UDO 4-70 (f), as it was not noted on the plot plan filed with RODs or the Property Survey conducted on February 16, 2016.

Should the variance be approved, sufficient protection zone & setback still exist to screen the street view. There is an existing 25' Tree & Vegetation Protection Zone applied to the Ovid Lane Property Line. Additionally, there is a 50' Tree & Vegetation Protection Zone applied to the Melvin Arnold Road Property Line. Further, a 50' Building Setback from the Sweet Meadow Lane Private Setback.

We are seeking relief from the 50' easement on the rear property line (Ovid Lane Private R/W). The homeowner is seeking no relief from the 25' Tree & Vegetation Protection Zone applied to the same Property Line.

## **Property**

Parcel Identification Number: 0890084653

Address: 1500 Sweet Meadow Lane

Location: North side of Sweet Meadow Lane, at Melvin Arnold Road/NCSR 1843  
(north, east, south, west) (street)

Total site area in square feet and acres: 47 157 square feet 1.083 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R-40W

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List Conditions of any Conditional Use Zoning Districts: NIA

Present land use(s): Single - Family Dwelling

How is this proposed use a public necessity? It is not.

What is impact on surrounding neighborhood and adjacent properties?

None, sufficient protection zone and setbacks (34' would remain of the Private Street Setback & 25' Tree & Vegetation Protection Zone) still exist to screen the street view on the Ovid Lane Property Line. Additionally, there is a 50' Tree & Vegetation Protection Zone and Public Street Setback applied to the Melvin Arnold Road Property Line. Further, a 50' Private Street Building Setback from the Sweet Meadow Lane Private Setback.

**Property Owner**

Name: Bobby & Amber Choplin

Address: 1500 Sweet Meadow Lane  
Raleigh, NC 27613

E-mail Address: Bobby Chopin (bchoplin@gmail.com) Fax: \_\_\_\_\_

Telephone Number: 919-244-1129

**Applicant** (person to whom all correspondence will be sent)

Name: Karen Fiorini

Backyard Oasis Pools, Inc.  
4154-110 Shearon Farms Avenue  
Wake Forest, NC 27587

919.556.7227 Work/919.796.7060 Mobile  
K.Fiorini@BYOPools.com

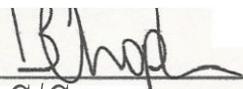
Relationship to Owner: Contractor: Permit Filing Agent of Backyard Oasis Pools, Inc.

**Extent of Proposed Variance** (Describe the extent to which the regulation is proposed to be varied.)  
Attach additional sheet as necessary.

Requesting a variance from an "Accessory Building Setbacks". The variance relief would apply to one of the three 50' street setbacks. The proposed project would encroach 16' into the Ovid Lane 50' setback (approximately 752 sq' total encroachment). The 25' Tree & Vegetation Protection Zone would not be impacted

All property owners must sign this application unless one or more individuals are specifically authorized to act as an agent on behalf of the collective interest of some or all of the owners (provide a copy of such authorization.)

The undersigned property owner(s) hereby authorize the filing of this application (and any subsequent revisions thereto). The filing of this application authorizes the Wake County staff to enter upon the site

Signature:  Bobby Choplin Date: 4/2/2019

Signature:  Amber Choplin Date: 4/2/2019

to conduct on-site inspections as deemed necessary to process the application.

Land use professionals (architects, engineers, planners, landscape architects, etc.), as well as employees of corporate or municipal applicants, may testify at quasi-judicial proceedings about factual matters in support of an application, petition or appeal. However, they MAY NOT examine or cross-examine witnesses make legal arguments as to why an application, petition or appeal should be granted, or otherwise advocate for results on behalf of another individual or entity at a quasi-judicial proceeding. These functions can ONLY be performed at a quasi-judicial proceeding by an attorney licensed to practice law in North Carolina. Therefore, it is **strongly recommended** that



unless you are an individual representing yourself in a quasi-judicial proceeding, you have an attorney present to present your case.

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate.

**Signature:** all ,.£l,ti-UY\L **Date:** 4/21/2019

Notes: All documents and maps submitted as required become the property of Wake County.  
The Wake County Unified Development Ordinance is on the web at [www.wakegov.com](http://www.wakegov.com).

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REGULAR MEETING  
WAKE COUNTY BOARD OF ADJUSTMENT  
May 14, 2019

All petitions complete, Brenton McConkey declared the regular meeting of the Wake County Board of Adjustment for Tuesday, May 14, 2019 adjourned at 9:35 a.m.

Respectfully Submitted:

Brenton McConkey  
Wake County Board of Adjustment

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