



**ZONING HARDSHIP VARIANCE APPLICATION**

Submit required documentation to:  
Wake County Planning Department/Current Planning Section  
PO Box 550 Wake County Office Building  
Raleigh, NC 27602-0550 336 Fayetteville Street Mall, Downtown Raleigh  
Contact Current Planning at (919) 856-6335 for additional information.

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

Zoning 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:

This variance request, from Article 16-10-2 (G), is to increase the allowed reduction of a buffer from a 25% reduction to a 59% reduction. This would allow a 25' buffer as opposed to a 45' buffer. The encroachment into the buffer requested by the variance is 0.05 AC (2,265 sf).

**Property**

Parcel Identification Number: 0799-28-09439

Address: 11000 Norwood Road

Location: \_\_\_\_\_ side of Northeast Corner of, at/between  
(north, east, south, west) (street)  
Creedmoor Road (SR 50) and Norwood Road  
(street) (street)

Total site area in square feet and acres: 5.10 ACRES square feet 222,262 SF acres

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

List Conditions of any Conditional Use Zoning Districts: N/A

Present land use(s): Food Mart/ Gas Station

**Property Owner**

Name: COC Properties Inc. Hicks, William E.

Address: PO Box 4978

City: Cary State: NC Zip Code: 27519-4978

E-mail Address: bhicks@incprop.com Fax: \_\_\_\_\_

Telephone Number: (919)782-4798

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

Name: Marlane Klintworth

Address: 11509 John Allen Road

City: Raleigh State: NC Zip Code: 27519-4978

E-mail Address: MarlaneK@aol.com Fax: \_\_\_\_\_  
Telephone Number: (919) 868-4472 Relationship to Owner: Authorized Agent

**Extent of Proposed Variance** (Describe the extent to which the regulation is proposed to be varied.)  
This variance request is to reduce excessive buffers in order to allow the redevelopment of a gas station which is in non-conformance with the current UDO. The property is currently zoned R-40W, but it cannot be used for residential use due to the environmental contamination which is on the site. With the proposed development of a retail/pharmacy store replacing the existing gas station; this would not only benefit the surrounding residential communities, but also eliminate any further possible contamination to the environment, such as the surrounding waters. With the gas station having been in place prior to the drafting of current Wake County UDO, the proposed development more closely reflects the intention of the UDO, whereas the gas station does not. With the the regulation of the impervious area allowed, and this site being in the Falls Lake Watershed District, this site would be limited to 1.22 acres of useable land. Added to that, the regulation of the current zoning in regard to Perimeter Bufferyards, decreases the amount of useable land to 0.89 acres, due to the irregular shapes of the remaining property. By granting the variance in the reduction of the Bufferyard from 25% to 59% the proposed retail development would work on this site.

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 to conduct relevant site inspections as deemed necessary to process the application.

Signature: *William C. Hart* Date: 12/19/06

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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: *[Signature]* Date: 12/22/06

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

