

BA 2126-10

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
Contact (919) 856-6335 for additional information.

File #
Fee
APR 29 2010
Amt Paid
Check #
Rec'd Date
Rec'd By
Planning, Development and Inspections

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:

Article 4-60, A) & accessory buildings placed on property without permits. Location of accessory buildings are not beside the main residence. They are presently in front.

Property

Parcel Identification Number: 1639380756

Address: 115 Ferndale Drive, Garner, NC 27529

Location: West side of Ferndale, at/between
(north, east, south, west) (street)
Raynor Rd and Old Meadowbrook
(street) (street)

Total site area in square feet and acres: 65,166.29 square feet 1.4960 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R-30

List Conditions of any Conditional Use Zoning Districts: NA

Present land use(s): Residence of Applicant

How is this proposed use a public necessity? NA

What is impact on surrounding neighborhood and adjacent properties? The buildings will be partially visible during winter months.

Property Owner

Name: Charles Getz

Address: 115 Ferndale Drive

City: Garner, NC State: NC Zip Code: 27529

E-mail Address: Charles.getz@mts.com Fax: _____

Telephone Number: 919-677-2369

Applicant (person to whom all correspondence will be sent)

Name: Charles Getz
Address: 115 Ferndale Drive
City: Gartner State: NC Zip Code: 27529
E-mail Address: charles.getz@mts.com Fax: _____
Telephone Number: 919-677-2369 Relationship to Owner: Same

Extent of Proposed Variance (Describe the extent to which the regulation is proposed to be varied.)

Leave the storage shed and carport at their
current locations in front of the house

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: Chad D Getz Date: 29 April 10

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.

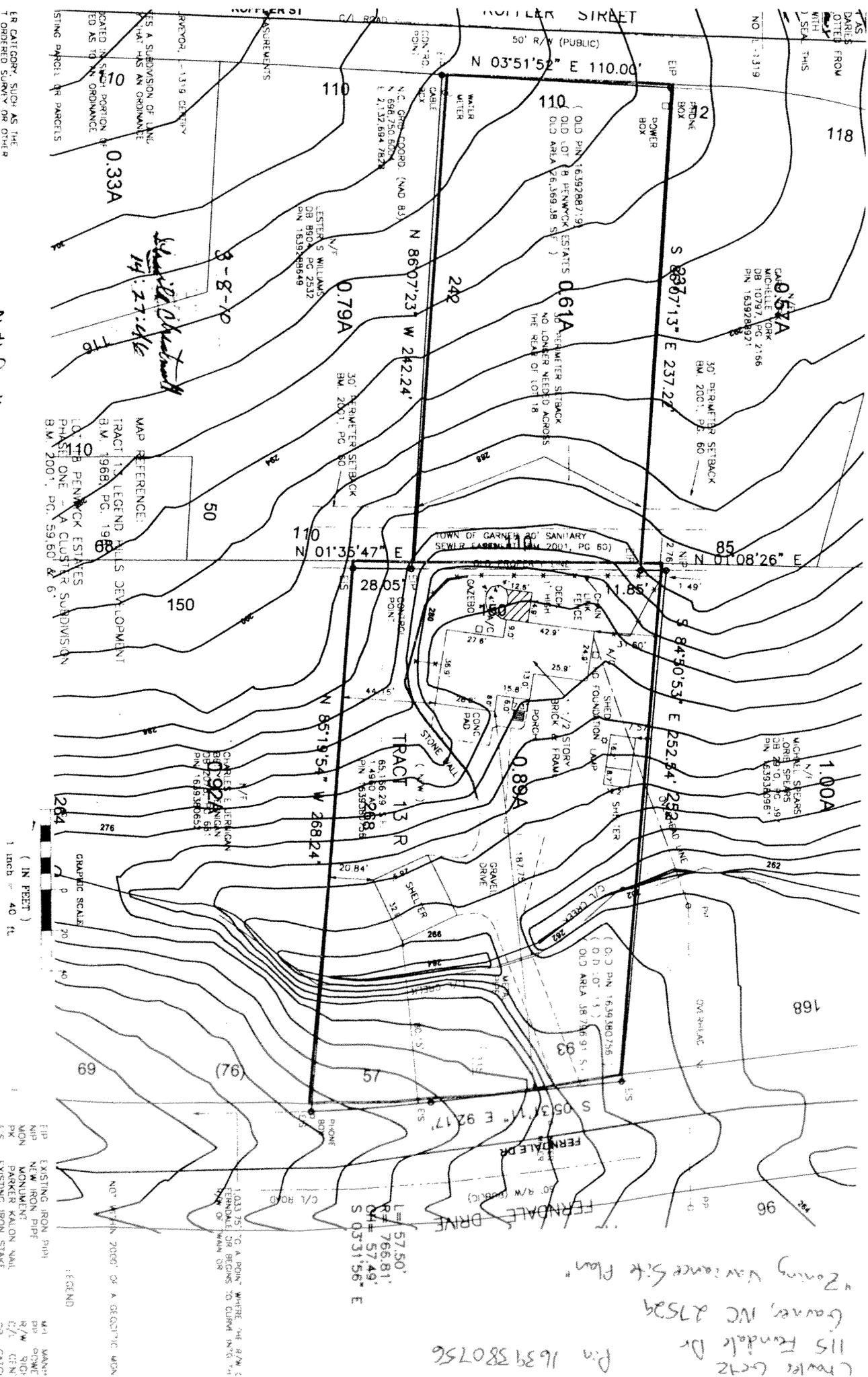
Signature: Chad D Getz Date: 29 April 10

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.

Project Tracking Form - Board of Adjustment
Special Use Permit/Variance/Appeal

Application Submittal Date	04/29/10
Development Staff Review Meeting	06/10/10
Revised Application Submittal Deadline	07/27/10
Board of Adjustment Meeting	09/14/10

BA V 2126-10 (PIN# 1639.01 38 0756) A Zoning Hardship Variance Request to allow two existing accessory buildings to remain closer to the street than the associated single family dwelling. (Article 4-60, Accessory Uses and Structures, Wake County Unified Development Ordinance). The property is zoned R-30 (Residential 30) and is located on the west side of Ferndale Drive, between Old Meadowbrook and Twain Drive(s). The site is located in the Town of Garner's Short Range Urban Services Area as per the Wake County Land Use Plan



TR CATEGORY, SUCH AS THE ORDERED SURVEY OR OTHER

NO. 1319

AS DOTTED FROM WITH THIS

118

0.57A
MICHILLE YORK
DB 10797, PG 2166
PIN 153928921

0.61A
OLD PIN 163928879
OLD LOT 18 PENNICK ESTATES
OLD AREA 26,369.38 SF
NO LONGER NEEDED ACROSS
THE REAR OF LOT 18

0.79A
ESTER'S WILLIAMS
DB 890, PG 2532
PIN 1539289649

0.89A
1.00A
W/ STEAKS
CONC PAD 18'
PIN 1539303967

0.92A
CHARLES E. IEROMON
BIRMINGHAM
DB 2727, PG 683
PIN 1639306653

0.89A
65,166.28 SF
1,480 ADP
PIN 1539306653

0.92A
65,166.28 SF
1,480 ADP
PIN 1539306653

"Zoning Variance Site Plan"
Governs, NC 27529
115 Fendale Dr
Pin 1639380756

LEGEND
EIP EXISTING IRON PIPE
NIP NEW IRON PIPE
MON MONUMENT
PK PARKER KALON NAIL
E/S EXISTING IRON STAKE
M/W MANNING
P/P PERMANENT
R/W RIGHT OF WAY
D/C DRAINAGE
C/S CENTERLINE

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft

MAP REFERENCE:
TRACT 13, LEGEND HILLS DEVELOPMENT
B.M. 1968, PG. 1968
TRACT 13, PENNICK ESTATES
PHASE ONE - A CLUSTER SUBDIVISION
B.M. 2001, PG. 59.50 & 6

ROLLER STREET
50' R/W (PUBLIC)
N 03°51'52" E 110.00'

30' PERMETER SETBACK
BM 2001, PG. 80

30' PERMETER SETBACK
BM 2001, PG. 80

TOWN OF GARNER 40' SANITARY
SEWER EASEMENT
B.M. 2001, PG. 60

TRACT 13 R

My name is Charles Getz and I am applying for a hardship variance. I have lived at this residence since 1986. I am a registered voter and in good standing with the county. My wife and I have decided to stay in this house into our elderly years. Because of this decision we started an addition in 2003, finished in 2009, and are currently installing a GeoThermal heating/cooling system.

The items under consideration are the placement of a storage shed and a carport. The structures do not meet the requirement of being equal or behind the residence dwelling. The survey is the result of a recent change where our 0.89 acre residential lot was combined with a 0.6 acre lot behind the existing residence property. The properties were combined to provide an area for the GeoThermal bed and to meet county requirements. The lot was originally purchased to provide privacy to the back of the home from a new development. The lot will continue to provide the privacy desired and serve as the GeoThermal heating/cooling mass. This lot is wooded as is the residential lot.

It would be very difficult and costly to move the storage shed farther back from its current location. A drainage waterway crosses the back yard and goes along the edge of the property. The ground behind the waterway slopes upward and would have to be excavated and a tree would need to be removed. A placement here would violate the 30 foot setback rule. The shed could not be moved around the other side of the house due to a retaining wall. Please see pictures A, B, C, and D. The cost of excavation is prohibitive.



A



B Waterway



C Waterway Back fence is the property line

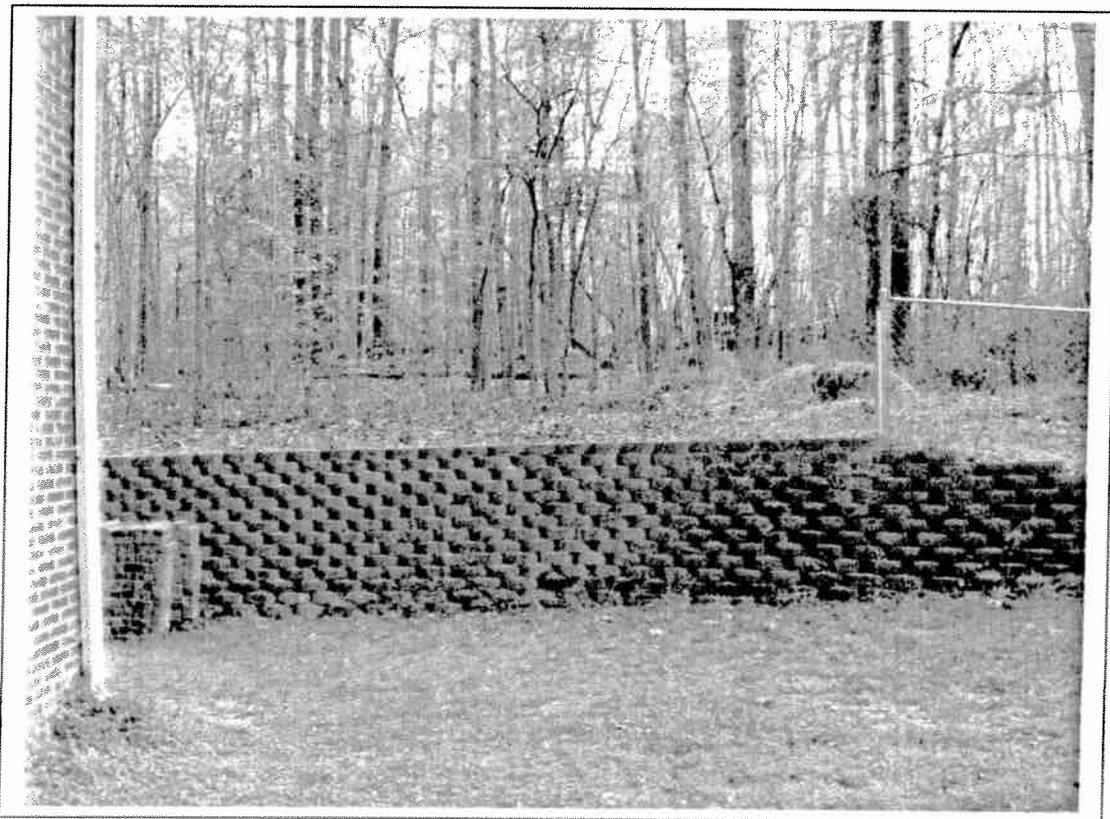


D

The carport has similar restrictions to being moved. The residential lot is heavily wooded and sloping. The entire bank from the just above the car port to an area beside the house would have to be excavated along with the tree removal. The cost is prohibitive. I have gotten an estimate of \$13,500 to \$15,000. Please see pictures D (above), E, and F. The \$5,000 retaining wall would have to be removed.



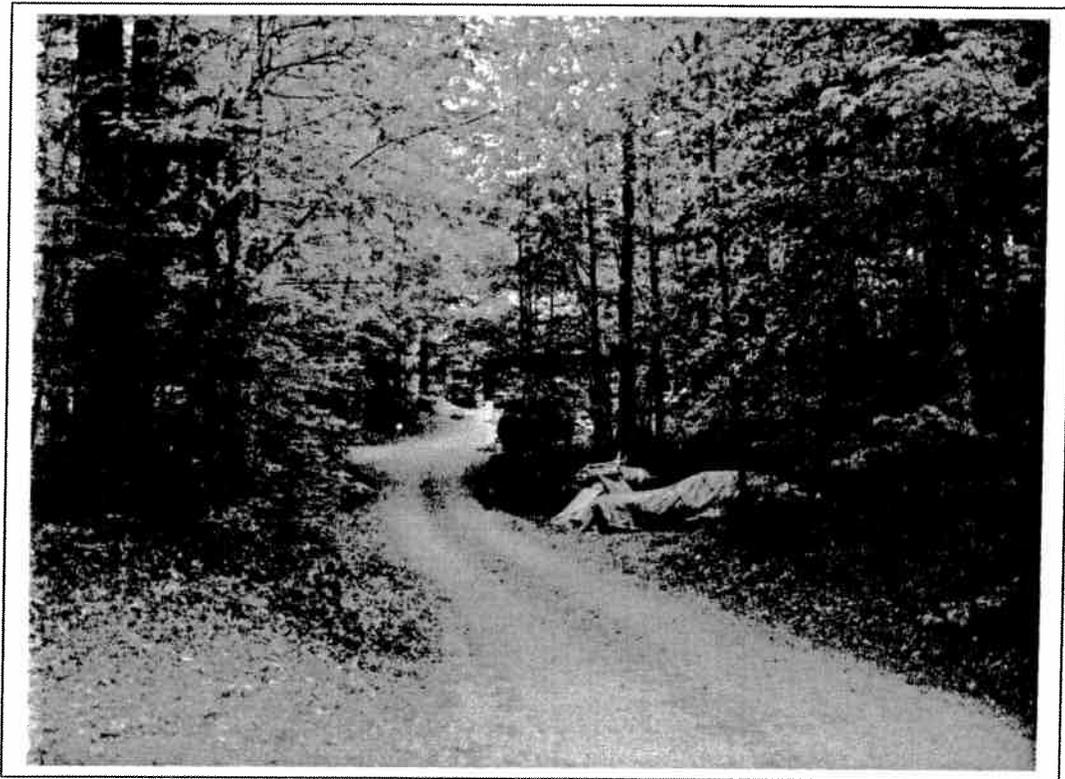
E



F

To remove the storage shed and the carport from the property would cause the destruction of mechanical property due to continuous weather exposure. The storage shed is used to house replacement parts for various machines, lawn equipment, and a 4-wheeler. The carport is used to protect a boat, car trailer, small tractor and a spare vehicle. The weather effects would ultimately destroy the equipment or mandate expensive repairs.

The buildings are not outwardly visible except in the winter when the trees are not in leaf; even then they are partially hidden by trees. I believe that the current placement does not detract from the presentation of the residence or the neighborhood. Please see pictures G, H, and I.



G

Looking in the driveway



H Looking from the right of the driveway



I Looking from the left of the driveway

In summary I want to thank the board for their consideration of my application. The buildings are needed to protect investments of personal property from the elements. The personal property would be damaged if continuously exposed to the elements. The cost would be prohibitive to perform the necessary tree removal and excavation. The residence would not fit in with existing neighboring homes as they have wooded lots. The current locations are not detracting from the neighborhood or the property itself.