



**ZONING HARDSHIP VARIANCE APPLICATION**

Wake County

SEP 30 2010

Planning, Development and Inspections

File # V-2134-10  
Fee  
Amt Paid  
Check #  
Rec'd Date  
Rec'd By

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.

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:

ENCROACHMENT INTO FRONT SETBACK LINE BY  
5.6' DEPTH AND 100 SF FOR CONSTRUCTION OF  
DRIVEWAY OVERHANG ON FRONT OF EXISTING  
STRUCTURE - SECTION 5-11-2 REQUIRES 30' FRONT SETBACK

**Property**

Parcel Identification Number: 1639617858 / 1639627004 / 1639627145

Address: 9300 WHITE OAK ROAD, GARNER, NC 27529

Location: EAST side of White Oak Road, at/between  
(north, east, south, west) (street)

CARLEY CIRCLE and JOHNSTON COUNTY LINE  
(street) (street)

Total site area in square feet and acres: 106,059 square feet 2.43 acres

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

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

Present land use(s): CHURCH

How is this proposed use a public necessity?

What is impact on surrounding neighborhood and adjacent properties?

NONE

**Property Owner**

Name: GOOD SAMARITAN BAPTIST CHURCH

Address: 9300 WHITE OAK ROAD

City: GARNER NC State: NC Zip Code: 27520

E-mail Address: \_\_\_\_\_ Fax: \_\_\_\_\_

Telephone Number: (919) 772-4059

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

Name: DAVID E. (Trey) GURLEY, III, PE  
Address: PO Box 10806  
City: GOLDSBORO State: NC Zip Code: 27532  
E-mail Address: trey@gurleyengineering.com Fax: (919) 581-8045  
Telephone Number: (919) 581-8055 Relationship to Owner: ENGINEER

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

A drive thru is proposed for the front of the  
existing church facility. The drive thru would  
encroach the front yard setback at a maximum  
of 5.6'. The encroachment would be 100 SF.

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: James Barlow Date: 9-7-10

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: [Signature] Date: 9/7/2010

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).

Zoning Hardship Variance Statement of Justification

1. The church was built in its existing location in 1956 with an existing drive along the front of the building to allow parishioners to be let out at the front door in cases of inclement weather or for the elderly or others who may have encounter hardships from walking from a distant parking space.

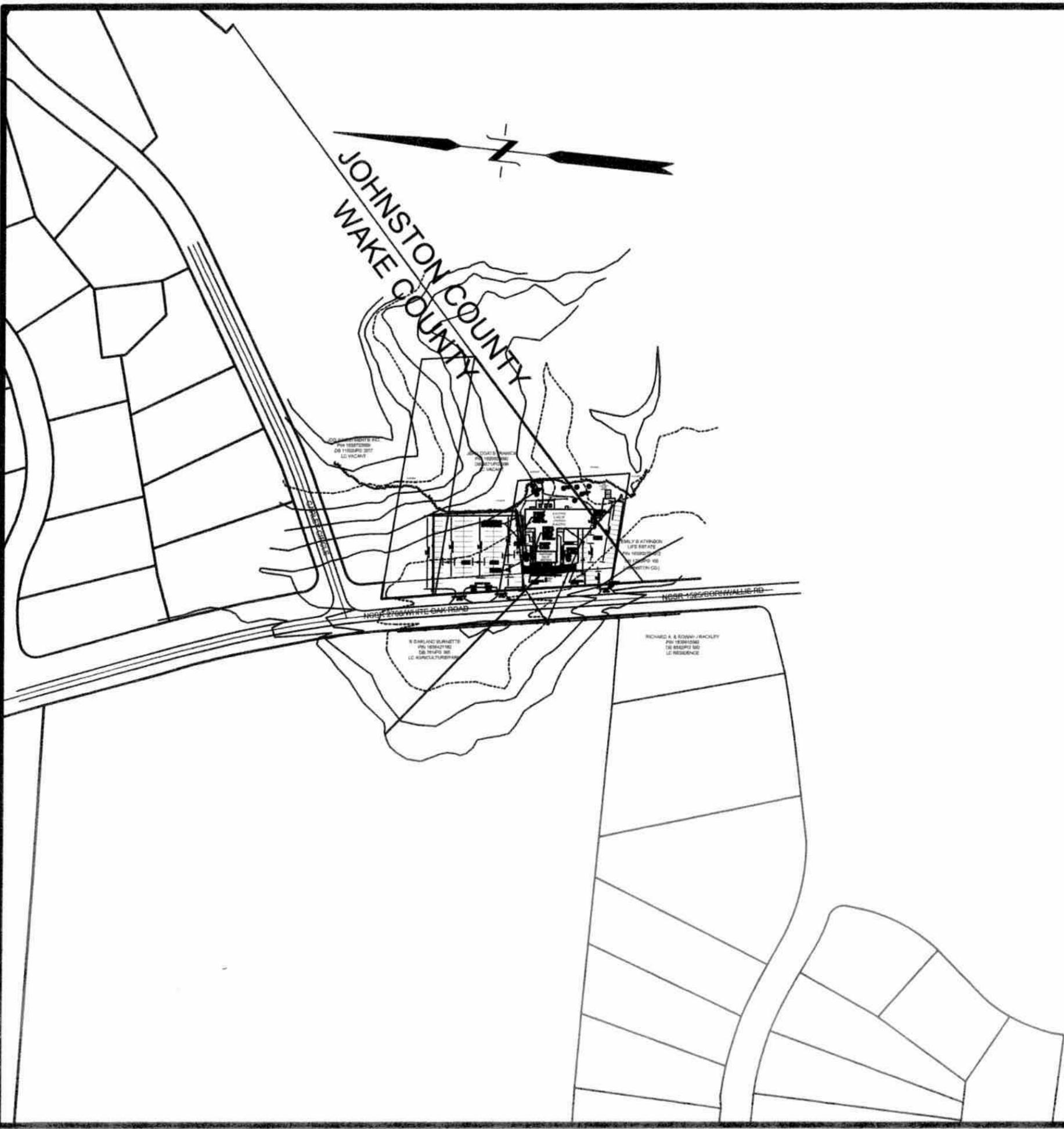
To modernize the facility, a foyer and bathrooms were added to the front of the building in the summer of 2010. This addition of the foyer allowed for less congestion and better ingress/egress into the sanctuary. The addition of the bathrooms will result in fewer disturbances of church services and improved uses of the facility such as weddings, guest speakers and funerals.

With the addition, the existing drive along the front had to be moved closer to the front of the property. The church would like to add a drive thru to allow for protection from the weather during the time someone is being let out at the front door. The church is situated on the property such that the drive thru cannot be situated in any other place but the front of the church. The addition would only encroach into the front setback 5.6' and the footprint would only be 100 SF within the front setback.

As the church is an existing facility and has been for many years, the setback hardship directly affects the church property and is solely peculiar to the existing site.

2. The addition would be in keeping with the existing land use in that the facility has been and will remain a church. The addition of the drive thru will be built in a manner that will maintain the historic appearance of the church and in no way change the facility's character within the community. The addition will only encroach into the front setback the minimum distance required to allow a car to pass through, i.e., only one lane of passage.
3. The addition of the drive thru would in no way impact the safety or well being of any neighboring properties, passersby or any visitors to the proposed site. The addition will be 5.6' into the setback and will not degrade the line of sight of drivers passing by. The addition will not add to the runoff from the property as it will be built over existing impervious surfaces. The addition will not create additional difficulties in regard to traffic, water supply, sewerage, flooding, etc.

The addition in no way would degrade the value of neighboring properties. By not allowing the variance, the church could be harmed by loss of parishioners who may find it hard to attend services due to the lack of an inviting entrance.



SURROUNDING AREA WITHIN 1000'  
**GOOD SAMARITAN BAPTIST CHURCH**  
 9433 WHITE OAK ROAD  
 ST MARY'S TOWNSHIP, WAKE COUNTY, NORTH CAROLINA

SCALE: 1"=200'  
 SEPTEMBER 8, 2010

GURLEY ENGINEERING, INC.  
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