



**ZONING HARDSHIP VARIANCE APPLICATION**

Wake County

MAR 22 2011

File # V-2145-11  
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:

REQUEST OF OVERAGE OF IMPERVIOUS AREA.  
SEE ATTACHMENT A

**Property**

Parcel Identification Number: 0790323400  
Address: 2839 Oak Ridge Ct.  
Location: West side of Oak Ridge Ct., at/between  
(north, east, south, west) (street)  
Hwy 401 and Oak Ridge  
(street) (street)

Total site area in square feet and acres: Approx 21,139.86 square feet .48 acres  
Zoning District(s) and Overlay Districts (if any) and land area within each: R-40W

List Conditions of any Conditional Use Zoning Districts: \_\_\_\_\_

Present land use(s): Residence

How is this proposed use a public necessity?  
SEE ATTACHMENT A.

What is impact on surrounding neighborhood and adjacent properties? NONE

**Property Owner**

Name: Sherwood Thornton  
Address: 2839 Oak Ridge Ct.  
City: Raleigh State: NC Zip Code: 27603  
E-mail Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Telephone Number: 919-779-0072

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

Name: Sherwood Thornton  
Address: 2839 Oak Ridge Ct.  
City: Raleigh State: NC Zip Code: 27607  
E-mail Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Telephone Number: 919-779-0072 Relationship to Owner: SELF

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

SEE ATTACHMENT A.

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

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

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).

## Attachment A

For 10 years Sherwood Thornton has rented a building for storage purposes. Unexpectedly in January 2011, he was informed that the building would no longer be available. At this time the building is being prepared for the market and is planned to be sold within the next 30 days.

Upon receiving notice that the storage building would no longer be available, Mr. Thornton began taking action to have a building constructed on his property located at 2839 Oak Ridge Court, Raleigh, NC. When attempting to acquire building permits, Mr. Thornton discovered that his property is part of the Swift Creek Land Management Plan by the Wake County Planning, Development and Inspections, IDPP. To this day no formal notification has been given to Mr. Thornton to inform him of his property's status with the Management Plan, other than a zoning map that was received when attempting to acquire a building permit. The hardship of having to store valuable items within a short timeline is present due to these new zoning restrictions that were not previously in place.

Alternate plans were considered, however due to sewer lines an additional structure cannot be added to the existing residence and the cost of renting another storage space exceeds the cost to construct a building. After considering all possibilities, a freestanding 1100 sqft building on a 44 x 25 ft pad was decided to best fit all criteria. However, due to the impervious area restrictions on the property from the Management Plan, a maximum of 12% impervious area is allowed. Currently, the property is at 14.3% impervious area; with the construction of the storage building the percentage will become 19%. It should be noted that when the current residence was constructed and purchased, no restrictions on impervious area existed.

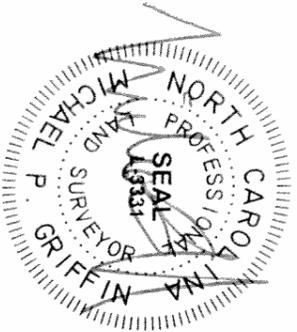
It is understood that the Management Plan has an important purpose; therefore if the storage shed is permitted Mr. Thornton plans to utilize rain barrels to aid in the water run off issue. Over the past 40 years of owning the property, Mr. Thornton has paid all taxes and fees as a good upstanding citizen. He is continuing his responsibilities by appropriately requesting permits to begin construction.

The storage building's purpose will be to maintain collectibles Mr. Thornton has acquired over the years. These collectibles are costly and need to be secured in an enclosed structure to preserve their value. The necessity of an enclosed storage area is also needed due to the property's proximity to Highway 401 and the risk to theft.

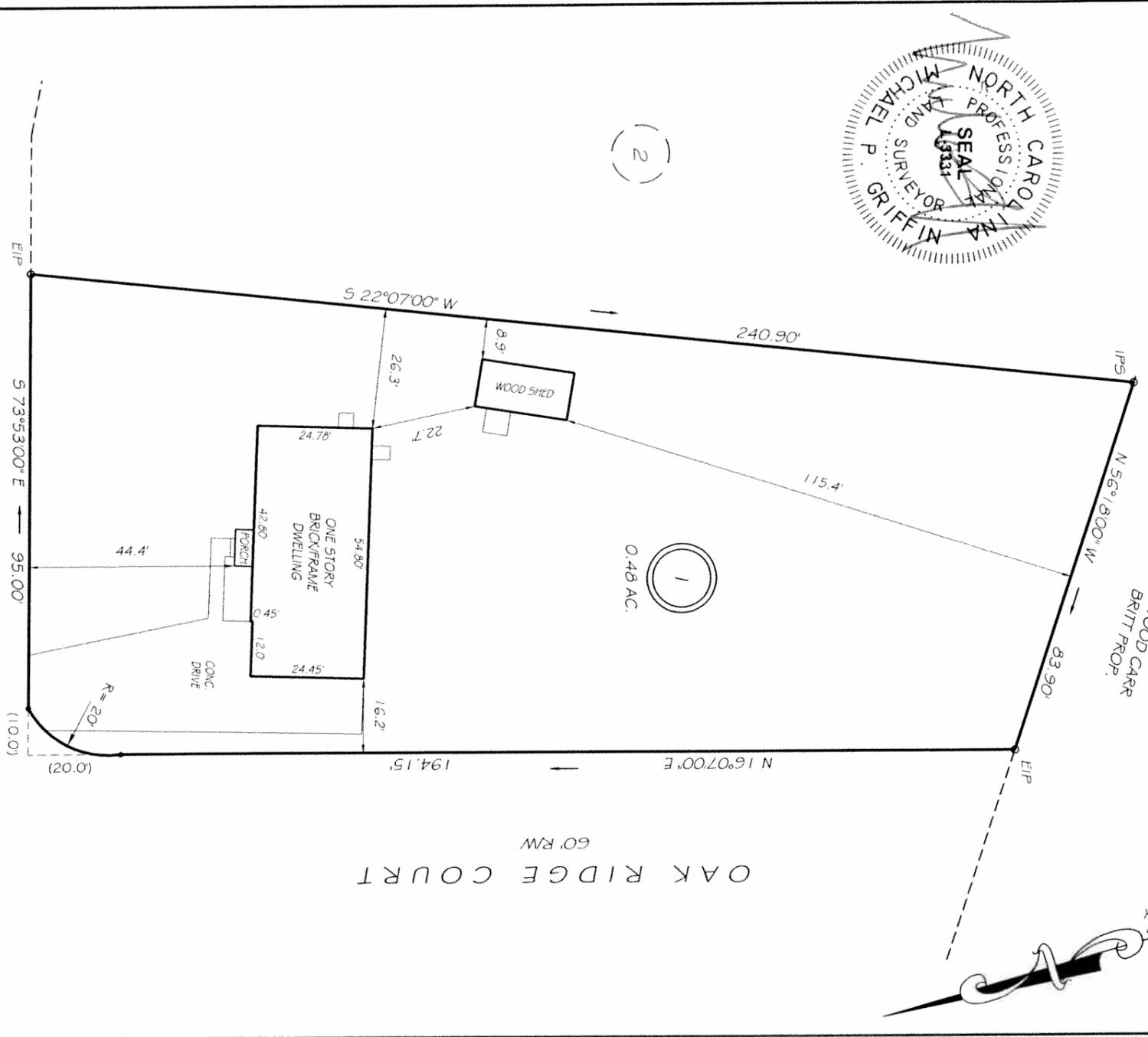
Granting this variance would not adversely affect the health or safety of the other residents, as most currently have storage buildings of their own. Having an enclosed building would help to deter theft, as personal property would not be out in the open and security would be preserved. Granting this variance is crucial to ensure that Mr. Thornton does not have to endure additional hardships and is able to fully enjoy his personal property.

Mr. Thornton had previously considered adding a storage building to his property, however was not financially ready until now. Due to the urgent need of the storage he would like to initiate construction of an enclosed building on his personal property and is requesting permission from IDPP to acquire the appropriate permits needed.

I, MICHAEL P. GRIFFIN, certify that under my direction and supervision this map was drawn from an actual field survey; that the error of closure of the survey as calculated by coordinates is 1: 10,000+; that the area shown hereon was calculated by coordinates. Witness my hand and seal this 1ST day of MARCH 2011.



BM 1971 PAGE 407  
WAKE CO. REGISTRY



(2)

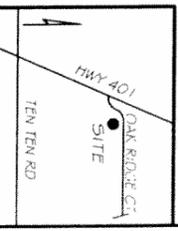
**LEGEND**

EIP	EXISTING IRON PIPE	FES	FLARED END SECTION
IPS	IRON PIPE SET	WM	WATER METER
R/W	RIGHT OF WAY	CO	CLEAN OUT
N/F	NOW OR FORMERLY	FT	FIRE HYDRANT
EIS	EXISTING IRON STAKE	CB	CATCH BASIN

THIS PROPERTY IS NOT LOCATED IN THE 100 YEAR FLOOD ZONE.

**IMPERVIOUS AREAS**

HOUSE	1 388 SQ. FT.
DRIVE & WALKS	1 375 SQ. FT.
SHED	209 SQ. FT.
PADS	51 SQ. FT.
<b>TOTAL</b>	<b>3023 SQ. FT.</b>
<b>PERCENTAGE</b>	<b>14.3 %</b>

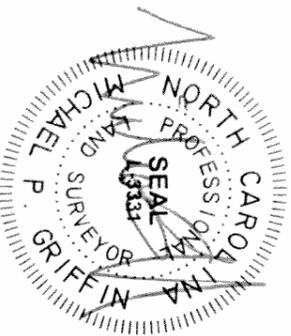


**GRIFFIN LAND SURVEYING, INC.**  
P.O. BOX 148  
FUQUAY-VARINA, NC 27526  
(919) - 567 - 1963

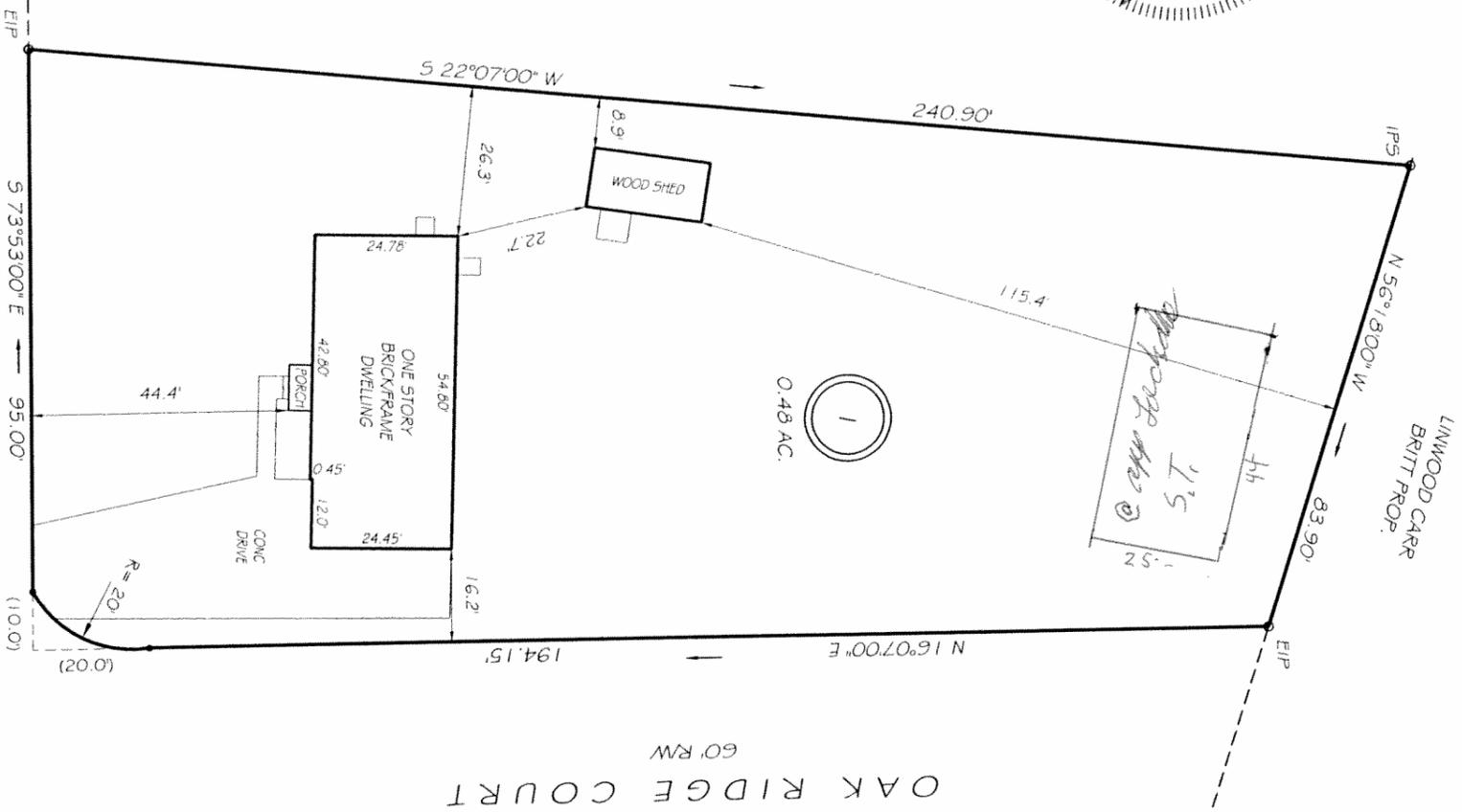
DRAWN BY KDF DATE 3/1/11  
CHECKED BY MPG SCALE 1" = 30'

**SURVEY FOR**  
**SHERWOOD A. THORNTON**  
OAK RIDGE VALLEY  
LOT 1  
2839 OAK RIDGE COURT  
RALEIGH, N.C.  
WAKE COUNTY WHITE OAK TOWNSHIP

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 Witness my hand and seal this 15<sup>th</sup> day of MARCH 2011.



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 WAKE CO. REGISTRY



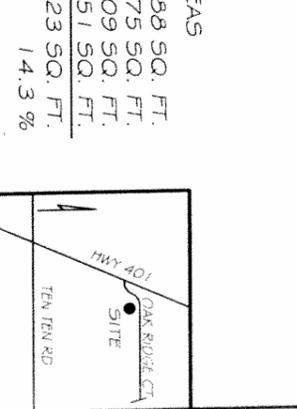
**LEGEND**

EIP	EXISTING IRON PIPE	FES	FLARED END SECTION	60' RW
IP5	IRON PIPE SET	WM	WATER METER	
R/W	RIGHT OF WAY	CO	CLEAN OUT	
N/F	NOW OR FORMERLY	FH	FIRE HYDRANT	
EIS	EXISTING IRON STAKE	CB	CATCH BASIN	

**IMPERVIOUS AREAS**

HOUSE	1388 SQ. FT.
DRIVE # WALKS	1375 SQ. FT.
SHED	209 SQ. FT.
PADS	51 SQ. FT.
<b>TOTAL</b>	<b>3023 SQ. FT.</b>
<b>PERCENTAGE</b>	<b>14.3%</b>



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