



ZONING HARDSHIP VARIANCE APPLICATION

File #
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.

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):

This is a variance to allow a 2 foot encroachment into an existing setback in order to permit an existing garage add on that was built by a prior owner of the property.

Property

Parcel Identification Number: 1719.02687638

Address: 1628 Brook Run Drive,

Location: West side of Brook Run Drive, at/between
(north, east, south, west) (street)

_____ and _____
(street) (street)

Total site area in square feet and acres: _____ square feet approx 1 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R40

List Conditions of any Conditional Use Zoning Districts: _____

Present land use(s): Residential

How is this proposed use a public necessity?

What is impact on surrounding neighborhood and adjacent properties?

Property Owner

Name: Howard Harnett and Jvette M. Harnett

Address: 1628 Brook Run Drive

City: Raleigh State: NC Zip Code: 27614

E-mail Address: h-harnett@yahoo.com Fax: _____

Telephone Number: 919-259-2815

Applicant (person to whom all correspondence will be sent)

Name: W. Travis Barkley, Attorney
Address: 8881 East Park Drive, Suite 501
City: Raleigh, NC State: NC Zip Code: 27617
E-mail Address: barkleylaw@gmail.com Fax: 919-882-8228
Telephone Number: 919-993-862 Relationship to Owner: Attorney

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

This a 2 foot encroachment variance for a pre-existing garage to be permitted. The garage has been completed and in place for more than 20 years and would be a hardship to remove at this time and is out of the control of the current town (results from cond. fions that are peculiar to the property) and the requested variance is consistent with the spirit of the ordinance and does not affect the neighborhood negatively.

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: [Signature] Date: 12-01-16

Signature: [Signature] Date: 12-01-16

Signature: _____ Date: _____

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: [Signature] Date: 12-30-16

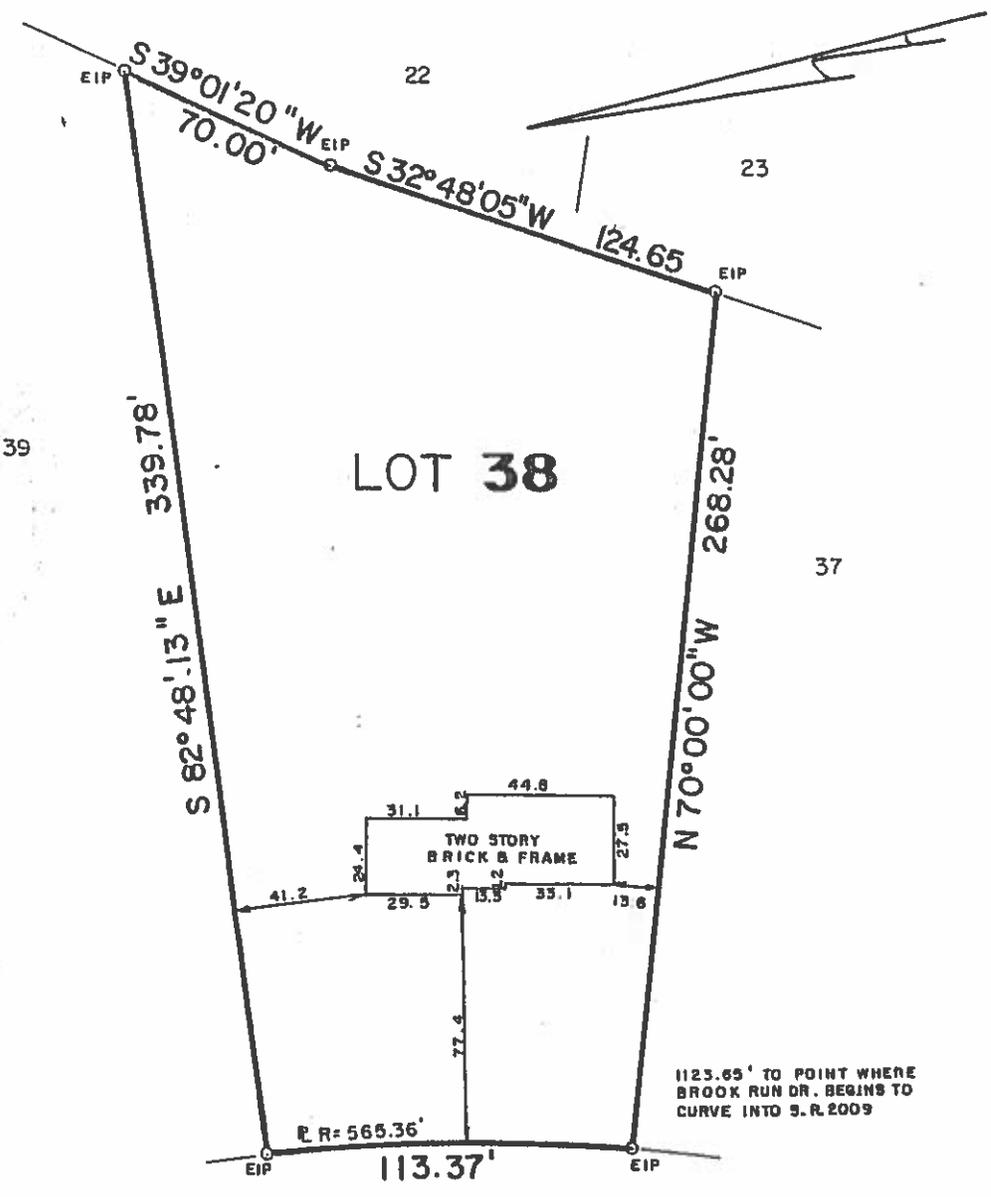
Notes: All documents and maps submitted as required become the property of Wake County. The Wake County Unified Development Ordinance is on the web at www.wakegov.com.

Variance Hardship

1628 Brook Run Drive, Raleigh, NC 27614

- 1. Unnecessary Hardship will result from the strict application of this ordinance to the current owners. The existing garage that encroaches by 1.5 feet into the setback has been constructed and complete for many years and through multiple ownership changes. To enforce the ordinance strictly now would be punitive to the current owners and would prevent them from selling their home.**
- 2. The hardship results from conditions that are peculiar to this property because the garage has been built and constructed for many years prior to the current owners acquiring the property. To remove the garage would dramatically affect the aesthetic and value of the property.**
- 3. The hardship did NOT result from actions of the current property owner; it was constructed by a prior owner.**
- 4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, in that justice and fairness would be served upon the current, innocent, property owners by granting the variance.**

Handwritten notes at top right corner.

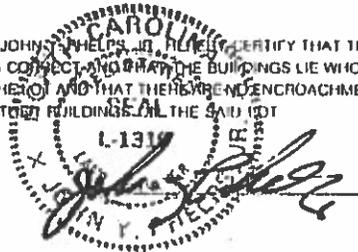


60' R/W
BROOK RUN DR.

THE REVISION OF
RAVENWOOD

LOT 38 BLOCK _____ SECT. 2
 RECORDED IN BOOK OF MAPS, 1975 VOL. 2 PAGE 246 WAKE COUNTY, N.C.

I, JOHN Y. PHELPS, JR., REGISTERED SURVEYOR, CERTIFY THAT THIS MAP IS CORRECT AND THAT THE BUILDINGS LIE WHOLLY ON THE LOT AND THAT THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS ON THE SAID LOT.



PROPERTY OF
**VERNON GENE KOOI & WIFE
 CAROL ANN KOOI**
 1628 BROOK RUN DR.
 BARTONS CREEK TWSP., WAKE COUNTY, N.C.

1" SCALE
 = 50'
 DATE
 04/30/85
 382-B

JOHN Y. PHELPS, JR.
 REGISTERED SURVEYOR
 RALEIGH, N. C.