



ZONING HARDSHIP VARIANCE APPLICATION

WAKE COUNTY
MAY 29 2015
PLANNING, DEVELOPMENT AND INSPECTIONS

File # BAV-2811-15
Fee \$ 300
Amt Paid \$ 300
Check #
Rec'd Date 5/29/15
Rec'd By BF C

Submit required documentation to:
Wake County Planning, Development and Inspections
PO Box 550 Raleigh, NC 27602-0550
Wake County Office Building
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):

SECTION 5-11-1 ; SEE ATTACHMENT #1

Property

Parcel Identification Number: 0880635394

Address: 3413 FIRST PLACE, RALEIGH, NC 27613

Location: NORTH side of FIRST PLACE, at/between
(north, east, south, west) (street)

OLD CREEDMOOR ROAD and APPALOSA RUN WEST
(street) (street)

Total site area in square feet and acres: 44,220 square feet 1.01 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): RESIDENTIAL

How is this proposed use a public necessity?

What is impact on surrounding neighborhood and adjacent properties?

Property Owner

Name: ALAN B. & DEBRAH M. SEGAL

Address: 3413 FIRST PLACE

City: RALEIGH State: NC Zip Code: 27613-7007

E-mail Address: asegal@nc.rr.com Fax: _____

Telephone Number: 919-846-7249

Applicant (person to whom all correspondence will be sent)

Name: ALAN B. SEGAL

Address: 3413 FIRST PLACE

City: RALEIGH State: NC Zip Code: 27613-7007

E-mail Address: alan.b.segal@ampf.com Fax: _____

Telephone Number: 919-227-3168 Relationship to Owner: SAME

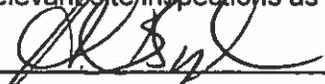
Extent of Proposed Variance (Describe the extent to which the regulation is proposed to be varied.)

THE EXISTING STRUCTURE, BUILT AS PART OF THE ORIGINAL HOUSE IN 1984, ENCRACHES BY 8.8' AT THE POINT CLOSEST TO OUR REAR LOT LINE. THE TOTAL SQUARE FOOTAGE OF THE CURRENT ENCRACHMENT IS 119.45 SQUARE FEET.

THE STRUCTURE WE WISH TO BUILD WILL ENCRACH BY AN ADDITIONAL 1.2', FOR A TOTAL OF 10.0' AT THE CLOSEST POINT TO OUR LOT LINE. THE TOTAL SQUARE FOOTAGE OF THE ENCRACHMENT BY THE PROPOSED STRUCTURE WILL BE 182.73 SQUARE FEET.

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).

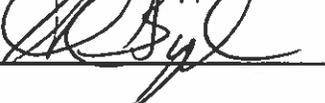
The undersigned property owner(s) hereby authorize the filing of this application (and any subsequent revisions thereto). The filing of this application authorizes the Wake County staff to enter upon the site to conduct relevant site inspections as deemed necessary to process the application.

Signature:  Date: 5-28-2015

Signature:  Date: 5/28/2015

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: 5-28-2015

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.

Attachment #1

Segal Variance Application

PIN 0880635394

Section 5-11-1 requires a 30' setback from the front and rear property lines.

Currently, the existing structure encroaches by 8.8' at the point closest to our rear lot line, by 5.3' at one corner of the screened porch, and by 1.7' at the corner of the open deck. The total square footage of the current encroachment totals 119.45 square feet.

The screened porch structure we wish to build will maintain the same footprint as the current screened porch/open deck, but will encroach by 10.0' at the point closest to our lot line due to the relocation of the stairs. The total square footage of the encroachment by the proposed structure will be 182.73 square feet.

Attachment #2

Statement of Justification

Segal Variance Application

PIN 0880635394

1. In order to comply with the current 30' set-back ordinance, we would have to reduce the width of the proposed screened porch from 12' to only 6.7', which would render it narrow and awkward to the point that it would not be functional. Strict application of the ordinance would cause a hardship as it would prevent us from re-building an existing structure that is becoming unsound and unsafe. All of our adjoining neighbor's homes are 60' to 100' (or more) from our back lot line.
2. When we contracted to have our house built in 1984, the final location of the house was dictated by the topography of the lot. The land is highest at the southeast section, slopes steeply downwards towards the north, and more gradually off to the west. To build on top of the hill, and use the west section of the lot for the septic tank and required drainage field, the house was placed as far back on the lot as the zoning regulations would allow.
3. As part of the original building permit in 1984, attached to the back of the house is a screened porch/open deck structure measuring approximately 28' wide by 12' deep. The most recent survey (March 8, 2015) indicates that the stairs exiting the current deck are only 21.2' from the back lot line. The structure is now 31 years old and showing its age. Most concerning is that several of the posts supporting the deck are no longer perpendicular (plumb). We wish to remove this structure, re-build upon the same basic footprint, and move the stairs from which to safely exit the new screened porch to a point that will be 20' from our lot line, which is only 1.2' closer than the existing stairs.
4. The current screened porch/open deck is now 31 years old and showing its age. Most concerning is that several of the posts supporting the deck are no longer perpendicular (plumb). The proposed screened porch structure we wish to build will maintain the same footprint as the current screened porch/open deck, with the only change being to relocate the stairs to a point straight across from the rear door exiting the house. This will provide the fastest, most direct route to exit the house in the case of an emergency. The variance will allow us to replace a deteriorating structure that is becoming unsafe for us and our guests to use, and allow us to properly maintain our property.

LEGEND:
 (C) IRON PIPE FOUND
 (O) IRON PIPE SET
 CATV, CABLE TV PEDestal
 ET, ELECTRIC TRANSFORMER
 PHONE TELEPHONE PEDestal
 CO, SEWER CLEAN OUT
 [XXXX] PARCEL ADDRESS
 -GAS- GAS LINE

REFERENCES
 80M 2013, PG 293
 DB 14950, P 182

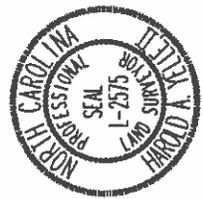
**SHELBY DEAN & HELGA M.
 BROCK**
 PIN 0850033277
 DB 6004 P 801
 LOT 65 OF SECTION 1 OF
 BM 1973 P 413

ALAN B. & DEBORAH M. SEGAL
 PIN 0860635394
 DB 6081 P 734
 LOT 64 OF SECTION 1 OF BM
 ADDRESS: 3413 1ST PLACE
 ZONING: R-10W
 NET AREA
 44,220 SF.
 1.01 AC.

**ALLISON & TIMOTHY
 VENZARIELLO**
 PIN 0860635394
 DB 15016 P 2405
 LOT 66 OF SECTION 1 OF
 BM 1973 P 413

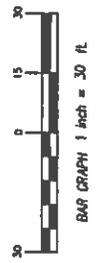
I, Harold A. Yelle II, PLS, L-2575, certify that this map was drawn from an actual field survey performed under my direction and supervision, that the ratio 1"=30.00'; that lines not surveyed are shown as dashed lines and drawn from information found in Book of Maps 1973 PG 413.
 Witness my original signature and seal this 9th day of March, 2015.

Harold A. Yelle II



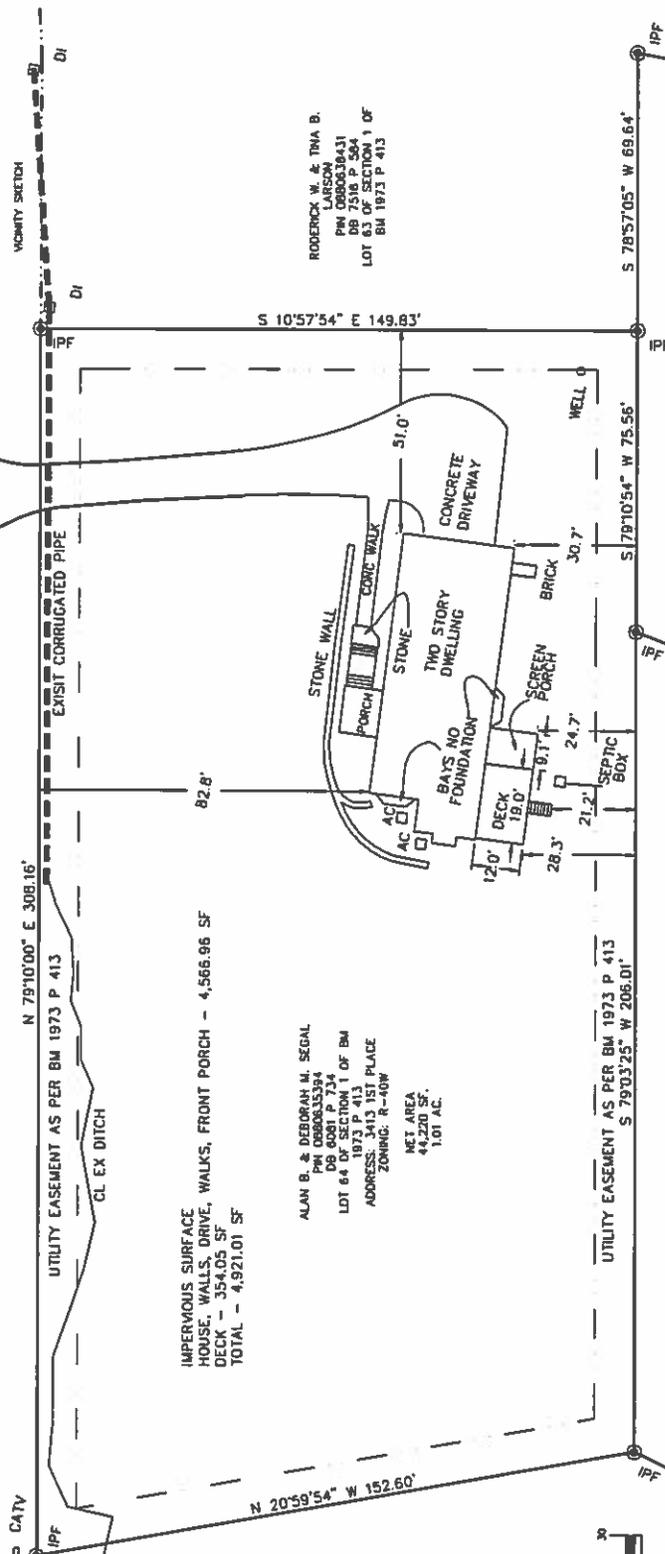
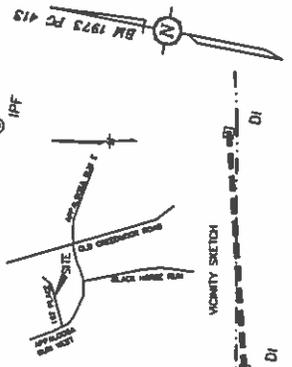
Aiken & Yelle Associates, PA
 Professional Engineers & Land Surveyors
 Corporate License Number C-1024

3765 Benson Drive
 Raleigh, North Carolina 27609
 919-877-9992 phone 919-877-9979 fax
 ayes@raleigh.twcnc.com



1ST PLACE

60' PUBLIC R/W



ZONING VARIANCE SITE PLAN
 ALAN B. & DEBORAH M. SEGAL
 LOT 64, SECT 1, BM 1973, PG 413
 BLACK NORSE RUN
 SUBDIVISION

**JAMES F. & MARGARET H.
 O'CONNOR**
 PIN 0860637135
 DB 15016 P 2405
 LOT 67 OF SECTION 1 OF
 BM 1973 P 413

**RODERICK W. & TRINA D.
 WARD**
 PIN 0860638431
 DB 7518 P 594
 LOT 63 OF SECTION 1 OF
 BM 1973 P 413

RALEIGH, WAKE CO., NC
 MAY 22, 2015 SCALE 1"= 30'

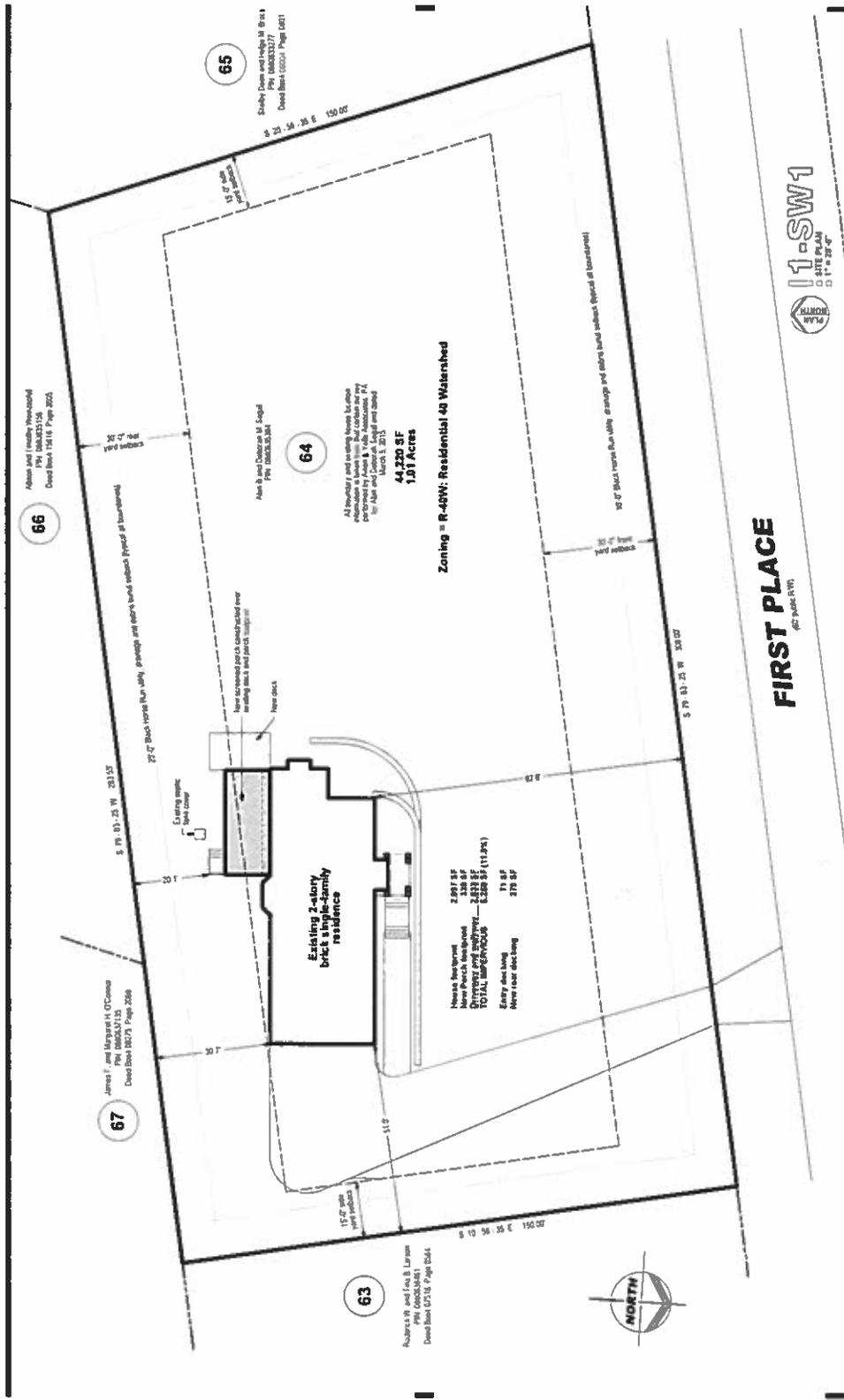
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Date: 05.26.2015

Revisions:

Job: 2014-013
Segal Residence Outdoor Room
 3413 First Place
 Raleigh, NC 27613



Sheet title: Site Plan
Cover Sheet
Sheet number: SW1
of: 1



Area Tabulations

Existing Screened Porch Area	110 SF	SW1	Site Plan and Cover Sheet
Existing Deck Area	230 SF	D1	Existing Conditions and Demolition Plans
New Screened Porch Area	338 SF	A1	Foundation Plan (future)
Total Impervious Surface Area	5,268 SF	A2	Floor Plan and Exterior Elevations
		E1	Electrical Layout

Sheet Index

Sheet title: Site Plan and Cover Sheet