



# ZONING HARDSHIP VARIANCE APPLICATION

WAKE COUNTY  
JUN 14 2016  
PLANNING, DEVELOPMENT & INSPECTIONS

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):

- REQUESTING A VARIANCE OF 0.7' INTO THE BUILDING SETBACK LINE OF 30'
- AN ADDITION WAS DONE WHICH ENCLOSES BY 0.7'
- SETBACK TO THE ADDITION IS 29.3'; REQUIRED IS 30'

### Property

Parcel Identification Number: 0771529061

Address: 2704 GLASSMAN LANE

Location: \_\_\_\_\_ side of \_\_\_\_\_ at/between  
(north, east, south, west) (street)  
\_\_\_\_\_ and \_\_\_\_\_  
(street) (street)

Total site area in square feet and acres: 119,113 square feet 2.73 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R-40N

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

Present land use(s): RESIDENTIAL

How is this proposed use a public necessity? IT IS NOT

What is impact on surrounding neighborhood and adjacent properties? NONE

### Property Owner

Name: DOUGLAS + MICHELE HARDY

Address: 2704 GLASSMAN LANE

City: RALEIGH State: N.C. Zip Code: 27606

E-mail Address: dhardy@nc.rr.com Fax: \_\_\_\_\_

Telephone Number: 919-233-7370

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

Name: UPRIGHT BUILDERS, INC / WES CARROLLE

Address: 590 NEW WAVERLY PLACE, STE 1A0

City: CARY State: NC Zip Code: 27518

E-mail Address: wcarrolle@uprightbuilders.com Fax: 919-859-8345

Telephone Number: 919-858-8383 Relationship to Owner: GEN'L CONTRACTOR

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

REQUEST A SETBACK VARIANCE OF 0.7' TO ALLOW PREVIOUS  
ADDITION TO HOME TO BE IN COMPLIANCE  
SETBACK REQUIREMENT IS 30'  
SETBACK ACTUAL IS 29.3'

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: Dylan B. Hardy Date: 6/24/15

Signature: Michelle M Hardy Date: 6/24/15

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: S. L. [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).

Zoning Hardship Variance – Statement of Justification

Applicant: Douglas B. and Michele M. Hardy

Request: Variance encroachment of 0.7 feet into required 30' setback to bring the existing structure into compliance.

Background: We previously had an addition done to our existing home. The contractor did the addition without verifying setbacks and we are now trying to correct this mistake.

Statement of Justification – Carrying out the strict letter of zoning/unified development ordinance would create unnecessary hardships:

1. Unnecessary hardship would result from the strict application of the ordinance – Since correction of the error of the previous General Contractor would involve removal of a portion of our home the strict application of the ordinance would create an unnecessary hardship.
2. The hardship results from conditions that are peculiar to the property – Topographical conditions of the lot required that our home be sited at an angle to the property line and this dictated the location of the addition to our home.
3. The hardship did not result from actions taken by the applicant or the property owner – Owner, in good faith, hired a Contractor to perform the addition to their existing home and were unaware until submitting for additional permits that the addition did not meet the required 30' setback.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved – The 0.7' requested variance represents a very small encroachment. One of the adjacent properties has an existing home which is 287' from the property line. The other property is currently vacant but assuming a similar setback the requested encroachment would have no impact on either the privacy or enjoyment of property by either owner. We feel that for this reason the 29.3' setback will still be consistent with the spirit, purpose and intent of the ordinance.

Douglas B. Hardy

Douglas Hardy

Date

6/24/15

Michele M. Hardy

Michele M Hardy

Date

6/24/15

**FLOOD CERTIFICATION**  
 THIS WILL CERTIFY THAT THE SUBJECT PROPERTY ( ) IS OR ( X ) IS NOT located in a SPECIAL FLOOD HAZARD AREA as determined by the Department of Housing and Urban Development, or as shown on the FLOOD INSURANCE RATE MAP.

370368 0771 J  
 COMMUNITY # PANEL SUFFIX  
 PROFESSIONAL LAND SURVEYOR

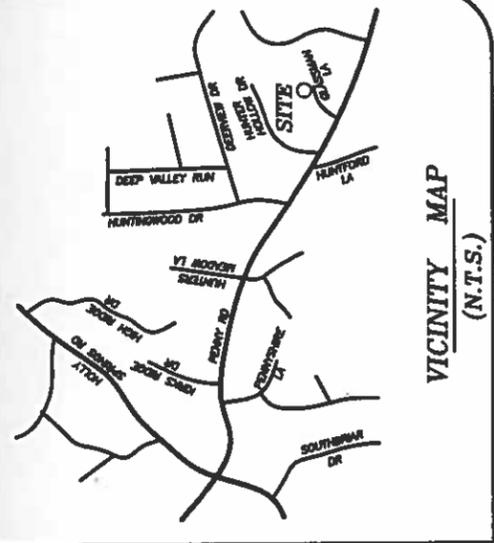
LINE TABLE		
LINE	LENGTH	BEARING
L1	28.19'	N40°17'04"W

I, Jeffrey H. Davis, PLS, certify this map was drawn under my supervision from an actual survey made under my supervision; and that the error of closure as calculated by latitudes and departures is 1/10,000+; that the boundaries not surveyed are shown as broken lines plotted from information found in Book -; Page -; that this map was prepared in accordance with G.S. 47-30 amended.

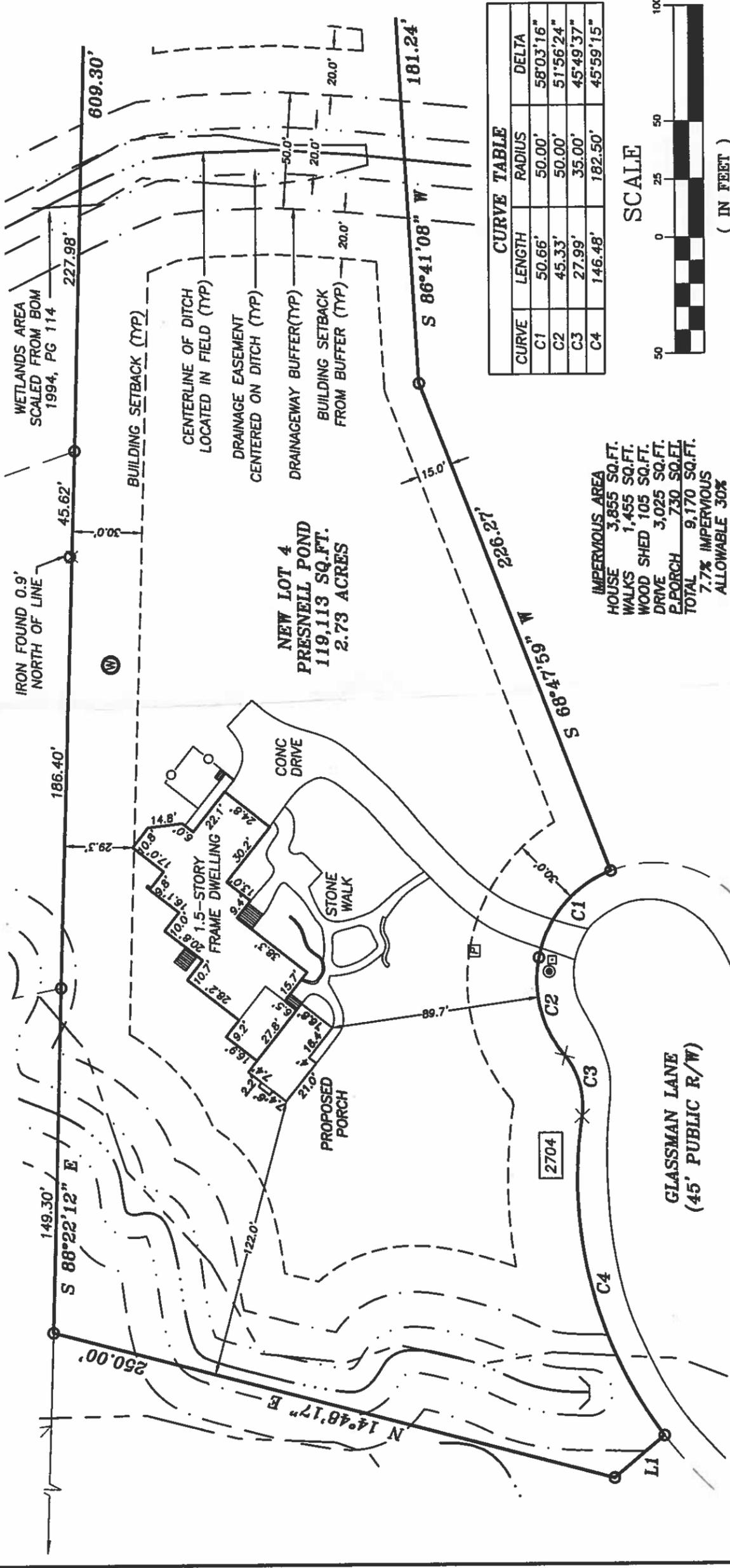
Witness my original signature, registration number and seal this 9TH day of FEBRUARY, 2015.  
 Signed \_\_\_\_\_ Seal \_\_\_\_\_

**LEGEND**  
 ○ EXISTING IRON PIPE  
 ● NEW IRON PIPE  
 X COMPUTED CORNER  
 NOTE:  
 THIS PROPERTY DOES NOT LIE WITHIN 2000' OF A N.C.G.S. MONUMENT.  
 THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.  
 UTILITIES SHOWN ARE FOR REPRESENTATION ONLY AND NOT TO BE USED FOR PROPERTY LINE LOCATION  
 ALL CREEKS, EASEMENTS, BUFFERS, FLOOD LIMITS & SETBACKS TAKEN FROM BOM 2015, PG 284

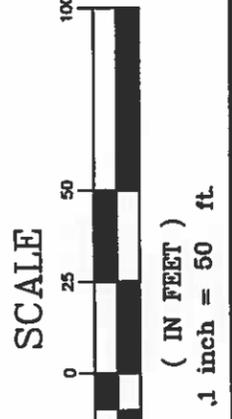
PRELIMINARY PLAT, NOT FOR RECORDATION, CONVEYANCES, OR SALES  
 THIS PLAN MUST BE APPROVED BY ALL STATE AND LOCAL REVIEWING AUTHORITIES FOR CONCURRENCE WITH SITE ZONING AND CODE OF ORDINANCES



ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CITY OF RALEIGH AND NCDOT STANDARDS AND SPECIFICATIONS



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	50.66'	50.00'	58°03'16"
C2	45.33'	50.00'	51°56'24"
C3	27.99'	35.00'	45°49'37"
C4	146.48'	182.50'	45°59'15"



**IMPERVIOUS AREA**

HOUSE	3,855 SQ.FT.
WALKS	1,455 SQ.FT.
WOOD SHED	105 SQ.FT.
DRIVE	3,025 SQ.FT.
P.PORCH	730 SQ.FT.
<b>TOTAL</b>	<b>9,170 SQ.FT.</b>
7.7% IMPERVIOUS ALLOWABLE 30%	