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ZONING HARDSHIP VARIANCE APPLICATION

WAKE COUNTY
NORTH CAROLINA

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

File #
Fee
Amt Paid
Check #
Rec'd Date
Rec'd By

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):

40' Buffer yards required adjacent to Residential Lots. 0' Buffer yards proposed adjacent to Residential Lots.

Property

Parcel Identification Number: 1820-73-5291

Address: 6324 Wakefalls Drive, Wake Forest, NC 27587

Location: West (north, east, south, west) side of Old Falls of Neuse Rd (street), at/between Wakefalls Drive (street) and Mountain High Road (street)

Total site area in square feet and acres: _____ square feet 11.11 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R-40-W & R-80-W

List Conditions of any Conditional Use Zoning Districts: _____

Present land use(s): Outdoor Recreation - Equestrian facility

How is this proposed use a public necessity?

What is impact on surrounding neighborhood and adjacent properties?

Property Owner

Name: The Wakefield Barn, LLC

Address: 6324 Wakefalls Dr

City: Wake Forest State: NC Zip Code: 27587

E-mail Address: _____ Fax: _____

Telephone Number: _____

Applicant (person to whom all correspondence will be sent)

Name: Tae Park

Address: 421 Chapanoke Rd, Ste 113

City: Raleigh State: NC Zip Code: 27603

E-mail Address: tparkif@hotmail.com Fax:

Telephone Number: 919 868-5667 Relationship to Owner: Future Owner

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

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: Mary E. Schilling Date: 12/4/16

Signature: Date: 12/4/16

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: Date: 12/4/16

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 Addendum

The Wakefield Barn, LLC
6324 Wakefalls Drive
PIN 1820-73-5291

Applicant requests variances from two Wake County UDO provisions:

- UDO § 16-10-2 (Buffer Yards). Applicant understands that a 40' Type C buffer yard and screening is required along the subject parcels north and west boundaries (i.e. shared property lines with single family residential properties). Applicant requests that no buffer be required.

- UDO Article 11 (Environmental Standards). Applicant understands that the maximum amount of impervious surface allowed is 6% of the subject site. Applicant requests a variance to maintain the current amount of impervious on site.

In support of these request, Applicant submits the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

The subject site is a Wake County Historic Landmark. Applicant seeks to maintain and preserve the existing landscape and structures on the site.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

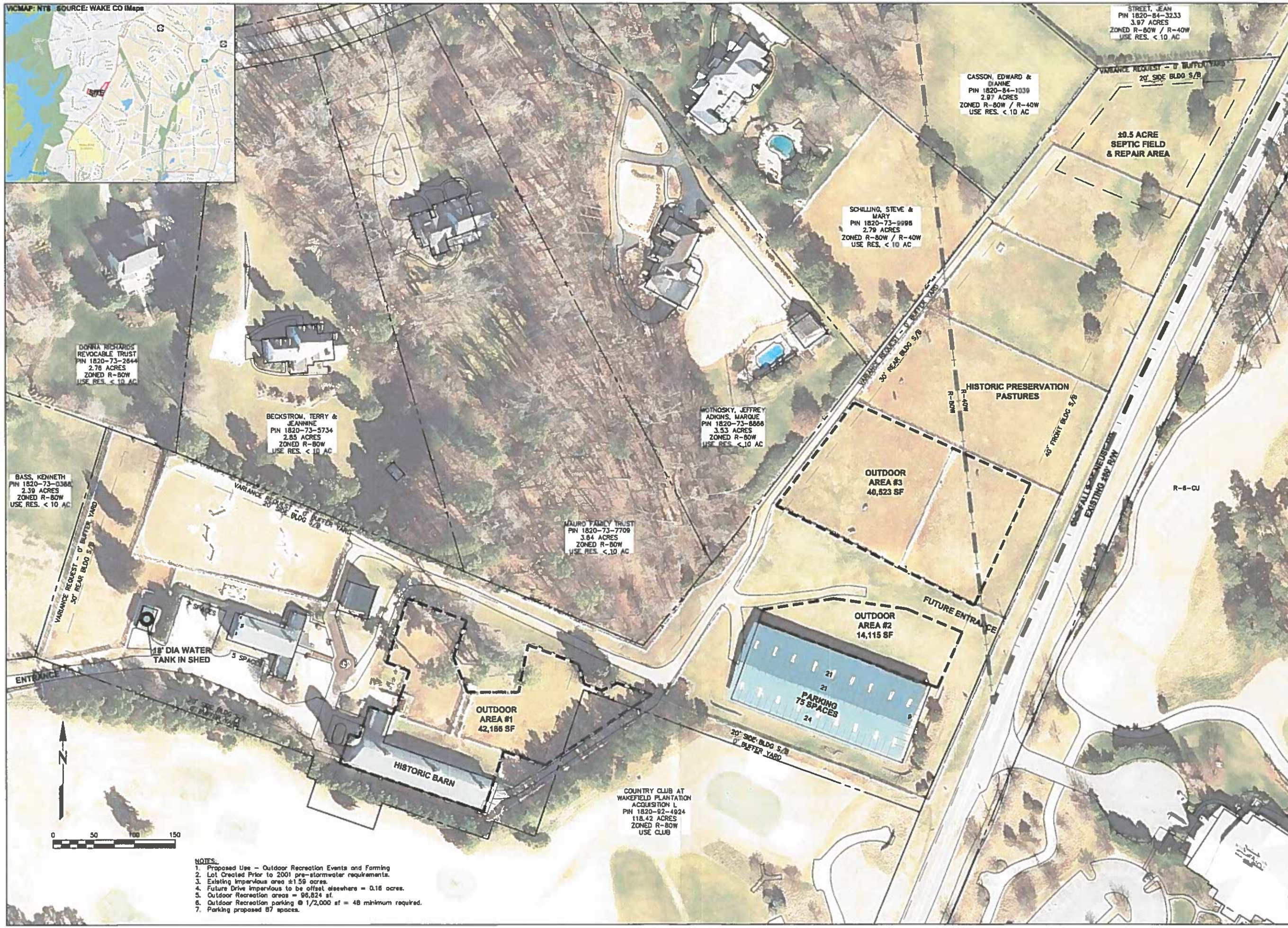
As noted above, the hardships of complying with the UDO provision cited are directly attributable to the unique character of the property, primarily its designation as a Wake County Historic Landmark. In addition, the unusual shape of the parcel with a very narrow corner section of its "L" layout makes compliance with the buffer extremely challenging.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

The hardships identified are not the result of any actions taken by the Applicant.

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 requested variances help preserve a historic and cultural asset for Wake County. The health, safety, and general welfare of the area will not be adversely impacted and, therefore, granting these variances achieves substantial justice.



NOTES:
1. Proposed Use – Outdoor Recreation Events and Farming
2. Lot Created Prior to 2001 pre-stormwater requirements.
3. Existing Impervious area ±1.59 acres.
4. Future Drive impervious to be offset elsewhere = 0.16 acres.
5. Outdoor Recreation areas = 96,824 sf.
6. Outdoor Recreation parking @ 1/2,000 sf = 48 minimum required.
7. Parking proposed 87 spaces.

T&K PLANNING CONSTRUCTION
421 CHAPANOKE RD, STE 113
RALEIGH, NC 27603
919 868-5667

REVISIONS:

WAKEFIELD BARN

6224 WAKEFALLS DRIVE, WAKE FOREST, NC 27587

WAKE COUNTY, NORTH CAROLINA

ZONING VARIANCE SITE PLAN

CCE
CAPITAL CIVIL ENGINEERING
1011 PEMBERTON HILL RD, STE 203, APEX, NC 27502
PH 919 249-8587 FX 919 580-1587
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SEAL
RICHARD E. MELLIMINAS
PRELIMINARY
NOT FOR CONSTRUCTION
NORTH CAROLINA
PROFESSIONAL ENGINEER

DATE
DECEMBER 6, 2016

ISSUED FOR
VARIANCE REQUEST

SHEET NO
VR02