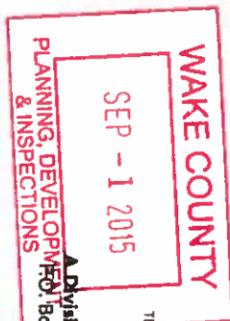




Planning, Development & Inspections

SUBDIVISION HARDSHIP VARIANCE APPLICATION



Division of Community Services
PLANNING, DEVELOPMENT & INSPECTIONS, Box 550 • Raleigh, NC 27602
www.wakegov.com

TEL (PLANNING) 919 856 6310
TEL (INSPECTIONS) 919 856 6222

5422-15

Subdivision 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:

THIS VARIANCE IS REQUESTED TO ELIMINATE A
LEFT TURN LANE AS REQUIRED PER WAKE COUNTY
TRANSPORTATION PLAN.

Property

Parcel Identification Number (PIN): 0890-43-9116

Address: 0 CREEDMOORE ROAD.

Total site area in square feet and acres: 86,471 square feet 19.89 acres

Zoning District(s) and Overlay Districts (if any) and land area within each: R-806/

List Conditions of any Conditional Use Zoning Districts: NONE

Current land use(s): WOODED

Property Owner (list all property owners - use back or additional sheet if needed)

Name: AMELIA MILLER WATKINS

Address: P.O. Box 460

City: EASTVILLE State: VA Zip Code: 23347

E-mail Address: Fax:

Property Owner's Telephone Number: 919-417-5617

Consultant (surveyor, engineer, etc. person to whom all correspondence will be sent)

Name: STEWART-PECTOR MIKE STEWART

Address: 319 CHAPPAHOKE ROAD

City: RALEIGH State: N.C. Zip Code: 27603

E-mail Address: STEWARTPE@aol.com Fax: 919/779-1661

Applicant's Telephone Number: 919/779-1855 Relationship to Owner: EVIDENCE

Statement of Justification Explain how any existing conditions, proposed development features, or other relevant facts would allow the Planning Board to reach the required conclusions. (see attached) Attach additional sheets as necessary.

THE SIZE OF THE PROPERTY DOES NOT ALLOW FOR
BURDENS OF EXCESSIVE OFFSITE DEVELOPMENTS.

NC DOT HAS SAID THE PROPERTY DOES NOT MEET
THE THRESHOLD FOR JUSTIFYING A TOLLWAY
FOR THIS PROPERTY

TO ELIMINATE THE NEED FOR A DRIVEWAY, THE
DEVELOPMENT WOULD HAVE TO CROSS A RIFTERED
STREAM IN THE ENVIRONMENTALLY SENSITIVE WATERSHED.

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 petition (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: Stephen Taylor, Asst. County Agent Date: 9-1-15
Date: _____

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: 9/1/15

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.

SUBDIVISION HARDSHIP VARIANCE

STATEMENT OF JUSTIFICATION

1. Unnecessary hardship would result from the strict application of the ordinance.

NCDOT has determined that a left turn lane is not warranted along this roadway and the addition of 6 additional lots would not bring the ADT close to requiring the improvement. NCDOT threshold is typically 4000 trips per day and the latest count has only 1700 trips at this time.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography.

The size and zoning of the property does not allow for a larger or more dense development that would make offsite improvements necessary.

3. The hardship did not result from actions taken by the applicant or the property owner.

The property is being purchased as a whole and has not been divided to create the hardship.

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.

Allowing this property to proceed, will not substantially vary the existing conditions. The low density of the development and the avoidance of crossing the Watershed Buffered stream is in the spirit of the overall purpose of the UDO. The development would be orderly and consistent with the surrounding properties. NCDOT has stated the turnlane is not warranted and therefore not a threat to public safety.

