



# ZONING HARDSHIP VARIANCE APPLICATION

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

Zoning 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:

ARTICLE 11-30, ENVIRONMENTAL STANDARDS - SWIFT CREEK WATER SUPPLY WATERSHED. REQUIRES MUNICIPAL SEWER WHEN RESIDENTIAL DEVELOPMENT LOCATED IN NON-CRITICAL NEW SUBURBAN AREA AREA OF SWIFT CREEK EXCEEDS 12% IMPERVIOUS UP TO 30% IMPERVIOUS. STORMWATER MANAGEMENT IS REQUIRED FOR IMPERVIOUS GREATER THAN 12%

### Property

Parcel Identification Number: 0761-74-3422

Address: 740 LOCH HIGHLANDS DRIVE

Location: END side of LOCH HIGHLANDS DR., at/between  
(north, east, south, west) (street)

\_\_\_\_\_ and \_\_\_\_\_  
(street) (street)

Total site area in square feet and acres: \_\_\_\_\_ square feet 1.36 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?

STORAGE AND SECURITY OF PROPERTY ARE A NECESSITY

What is impact on surrounding neighborhood and adjacent properties?

NO IMPACTS ANTICIPATED

### Property Owner

Name: JOHN E. BROWN

Address: 740 LOCH HIGHLANDS DRIVE

City: RALEIGH State: NC Zip Code: 27606

E-mail Address: \_\_\_\_\_ Fax: \_\_\_\_\_

Telephone Number: 919 362 4122

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

Name: MIKE STEWART

Address: 319 CHAPANOKE RD. SUITE 106

City: RKLEIGH State: NC Zip Code: 27603

E-mail Address: STEWARTPE@AOL.COM Fax: 919 779-1661

Telephone Number: 919 779 1855 Relationship to Owner: ENGINEER

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

THE VARIANCE WILL ALLOW ADDITIONAL IMPERVIOUS AREA ON THIS PARCEL WITHOUT HAVING A SANITARY SEWER LINE.

THE ADDITIONAL IMPERVIOUS BRINGS THE TOTAL TO 14.5% OF THE PARCEL'S LAND AREA.

ALL IMPERVIOUS OVER THE LIMIT ALLOWED SHALL BE CAPTURED AND TREATED IN AN ONSITE STORMWATER BMP DEVICE.

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: John E Brown Date: 11/7/13

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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: [Signature] Date: 11/7/13

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**

1. Practical difficulties or unnecessary hardships would result from carrying out the strict letter of the regulation. "There are special circumstances or conditions applying to the land building or use referred to in the application which exists through no fault of the property owner."

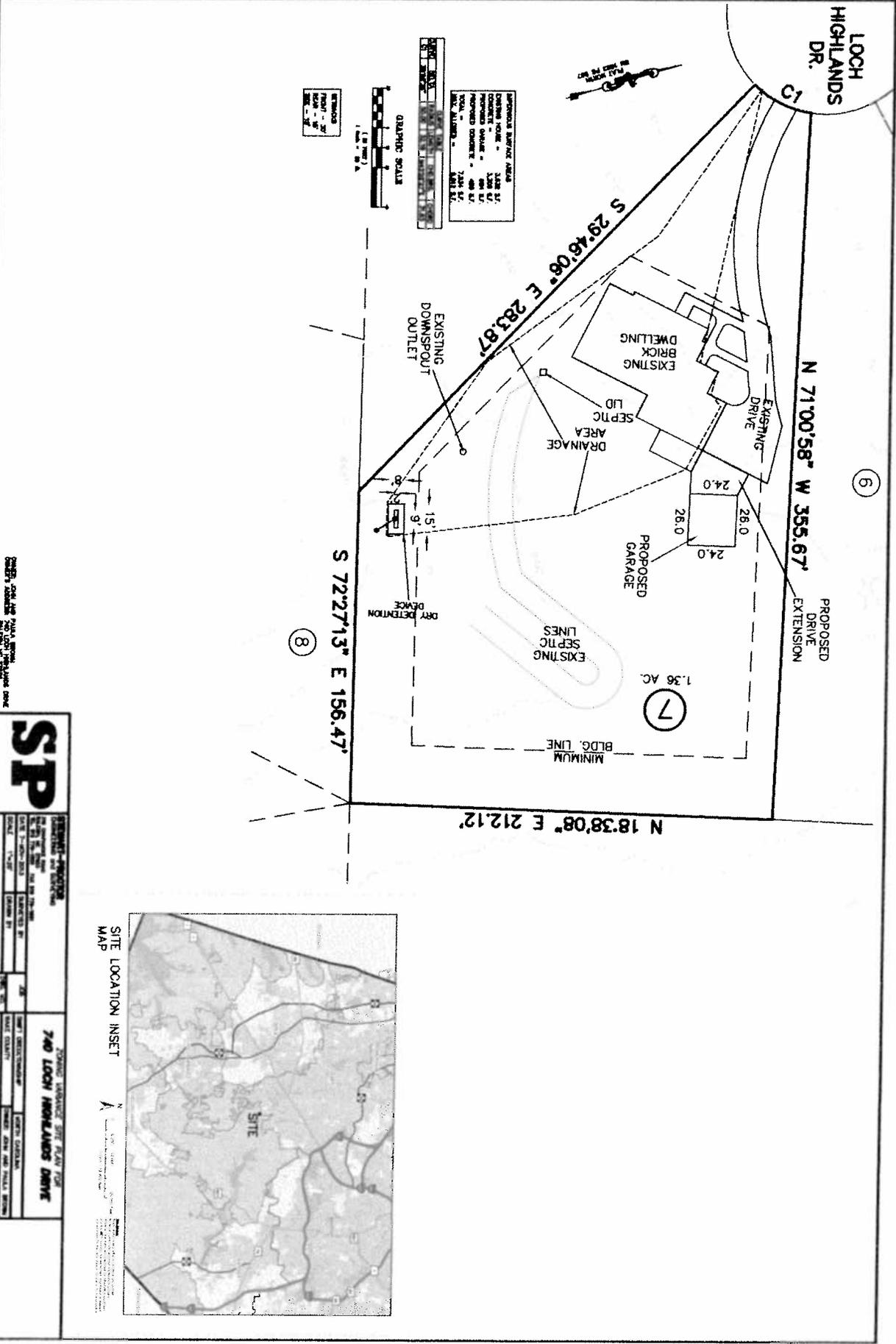
The Swift Creek Water Supply Watershed rules require public sanitary sewer be connected to this property in order to increase impervious coverage above 12%. With a connection, impervious is allowed to increase to 30% with stormwater devices. Public sewer is not available to this area and no plans are in the making to extend sewer to this area. This is beyond the owner's ability to control and is therefore no fault of the owner.

2. In the granting of the variance, the public safety and welfare would be assured and substantial justice done, both for the landowner and the public at large.

Granting the variance, would not allow anything beyond what would be allowed if sewer were available. The additional runoff from the variance is controlled in a stormwater device and therefore is not detrimental. Additional building would still have to meet all the requirements for setbacks as per the zoning. This would be in line with other variances granted in this area for the same reasons.

3. The denial of the variance would cause practical difficulties or unnecessary hardships to the landowner.

Denial of the variance would cause the landowner to lose substantial enjoyment of his landowner property rights. He would have to go offsite to secure and enjoy his properties he plans to keep in the garage.



<b>SP</b>	
<b>PROJECT INFORMATION</b>	<b>740 LOCH HIGHLANDS DRIVE</b>
DATE	DATE
SCALE	SCALE
BY	BY
CHECKED BY	CHECKED BY
DATE	DATE
PROJECT NO.	PROJECT NO.