

~~record property~~ Required Attachments/ Submittals for:

- 1. Typed metes and bounds description of the property (or portion of property). A recorded deed is sufficient, if the deed describes only the subject property.
- 2. Cabarrus County Land Records print out of names and addresses of all immediately adjacent landowners, including any directly across the street.
- 3. If applicable: 6 copies of a plan drawn to scale (conditional district plan) for the initial submittal to be reviewed by internal City Staff. 16 folded copies, with all plan review comments address, are required to be submitted for Planning and Zoning Commission meetings. (Check with staff for final submittal dates)
- 4. Money Received by _____ Date: _____
Check # _____ Amount: \$ 500.00 Cash: _____

The application fee is nonrefundable.

***** If any of the above requirements are not presented at the time of submittal of application, the application will not be accepted due to incompleteness. *****

(Please type or print)

Note: A variance is not a right. It may be granted to an applicant, only if the applicant establishes compliance with the hardship criteria established in NCGS § 160A-388(d).

Applicant Name, Address, Telephone number: Glenn & Iris Wise
5900 Irish Potato Rd Kannapolis NC 28083
704-791-3429

Owner Name, Address, Telephone number: Same as above

Project Location/Address:
154 Crowell Dr SW Concord NC 28025

P.I.N.: 56208409030000

Area of Subject Property (acres or square feet):
0.072

Lot Width: _____ Lot Depth: 83.26'

Current Zoning Classification: RC

Existing Land Use: Residential

Description of Use Requested:
Residential

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.

Approving a variance for 154 Crowell Dr to be set on its own parcel will further allow the lot across the street to be utilized to provide high-density residential homes. A strict application of the variance will limit any further improvement to the parcel in its entirety. It will also allow the single family home to be further in line with the current standards as the other buildings on the lot are not attached meeting the lot standards.

The Board of Adjustment is not empowered to grant a variance without an affirmative finding of fact on all four (4) criteria above. Each finding of fact shall be supported by substantial evidence in the record of proceedings before the Board.

Under the State Enabling Act, the Board is required to take the evidence presented by the applicant and reach three (3) conclusions before it issues a variance. Below, indicate facts supporting these conclusions:

1. That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Ordinance:

Article 7.6.2. states that RC zoning requires 0.5 ration with a minimum front back of 24', side of side of 7' and back 5'. 154 Crowell is set back 11.8' from Crowell Dr SW. The side of the home is on a corner but the closet point to Kluttz Ct for side set back is 5' and 5'7" to the adjacent lot line. This limits the ability to subdivide the lot in accordance with the current zoning standards. Further improvements on the current parcel would require the structures to be attached however the public road prohibits the ability to utilize the remainder of the land.

2. That the variance is in harmony with the general purposes and intent of the Ordinance and preserves its spirit:

The intent of the ordinance is to create transition from low to high density is still maintained as there is not a plan to modify or construct anything further on 154 Crowell Dr SW Concord, NC. Furthermore approving the variance will allow the other buildings and property across the street further meet the ordinance standards.

3. That in granting the variance, the public safety and welfare have been assured and substantial justice has been done:

The variance of allowing 154 Crowell Dr to on its own individual lot will not affect public safety as no further construction or modification to the building is proposed.

The building has been existing for 90+ years and has not demonstrated a public safety issue.

The Board may also impose reasonable conditions upon the granting of any variance to insure that the public health, safety, and general welfare shall be protected and substantial justice has been done. ~~The property will continue to be utilized as a residential home.~~

**Calls or conversations with Board members prior to the meeting cannot be considered in the final decision and may result in the Board Member's recusal due to a conflict of interest. If adjacent property owners are to testify on behalf of the applicant, they must be present. Petitions and written consent may be accepted by the Board, but they cannot be used as a basis for the decision.

Certification

I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Planning & Neighborhood Development Department.

Date: 04-12-2021

Applicant Signature: Jos L Wise

