

# NEW HANOVER COUNTY

## DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110  
 Wilmington, North Carolina 28403  
 Telephone (910) 798-7165  
 FAX (910) 798-7053  
 planningdevelopment.nhcgov.com



### ZONING & SUBDIVISION VARIANCE APPLICATION

This application form must be completed as part of a request for a zoning and/or subdivision variance. The application submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications for a variance are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.11 of the Unified Development Ordinance.



#### 1. Applicant and Property Owner Information

<b>Applicant/Agent Name</b> Jeffrey SERENS	<b>Owner Name (if different from Applicant/Agent)</b> Ted MEDIAN
<b>Company</b> J. Serens Construction	<b>Company/Owner Name 2</b>
<b>Address</b> PO Box 12526	<b>Address</b> 1140 Lt. Congleton rd
<b>City, State, Zip</b> Wilm NC 28405	<b>City, State, Zip</b> Wilm, NC. 28409
<b>Phone</b> 910-443-0299	<b>Phone</b> 910-465-7247
<b>Email</b> jserensconstruction@gmail.com	<b>Email</b> tgmeehan@gmail.com

#### 2. Subject Property Information

<b>Address/Location</b> 1140 Lt. Congleton rd	<b>Parcel Identification Number(s)</b> R07900-003-473-000 (KV)
<b>Total Parcel(s) Acreage</b> 0.22 (KV)	<b>Existing Zoning and Use(s)</b> R-15; Residential (KV)

### 3. Proposed Variance Narrative

Subject Zoning Regulation, Chapter and Section

3-1-3-D(1)(a)

In the space below, please provide a narrative of the application (attach additional pages if necessary).

#### CRITERIA REQUIRED FOR APPROVAL OF A VARIANCE

The Board of Adjustment may grant a variance if it finds that strict application of the ordinance results in an unnecessary hardship for the applicant, and if the variance is consistent with the spirit, purpose, and intent of the ordinance. The applicant must explain, with reference to attached plans (where applicable), how the proposed use meets these required findings (attach additional pages if necessary).

1. **Unnecessary hardship would result from 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.

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

**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.

**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.**

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Applications determined to be incomplete must be corrected in order to be processed for further review.

**Application Checklist**

**Applicant Initial**

- This application form, completed and signed
- Application fee: \$400 per application
- Site plan or sketch illustrating the requested variance
- One (1) hard copy of ALL documents
- One (1) PDF copy of ALL documents

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Acknowledgement and Signatures**

By my signature below, I understand and accept all of the conditions, limitations, and obligations of the variance application for which I am applying. I understand that I have the burden of proving why this application meets the required findings necessary for granting a variance. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and comments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

*Debra G. Meehan*

*Theodore Meehan*

Signature of Property Owner(s)

Print Name(s)

*Jeffrey R. Serrens*

*Jeffrey R. Serrens*

Signature of Applicant/Agent

Print Name

Note: This form must be signed by the owner(s) of record. If there are multiple property owners, a signature is required for each owner of record.

- The land owner or their attorney must be present for the case at the public hearing

3.

Mr. and Mrs. Meehan are requesting a zoning variance for their property 1140 Lt. Congleton rd. Wilmington 28409.

Their intention is to build a 504 sq. ft. bedroom, bath and kitchenette addition to accommodate Mr. Meehan's aging mother.

We were made aware of a 20' periphery easement that is not noted on the survey provided to them by ECLS dated 1-26-16

1.

The Meehan's purchased the home with the intent of adding on this space for Mr. Meehan's aging and now ailing mother. The Meehan's are more concerned with moving their mother to a safe and more private living space with the presence of Covid 19.

With a stamped survey and the fence constructed on the survey property line, it is reasonable to trust they could build to those same specifications.

Please see attached exhibit A, B and C.

2.

The lot abuts a separate sub-division. In between is a natural creek and the new sub-division's lots are rear lots along this property. Those lots should have 20' rear setbacks. This will maintain a natural buffer and a substantial distance between homes that will not be built on in the future.

3

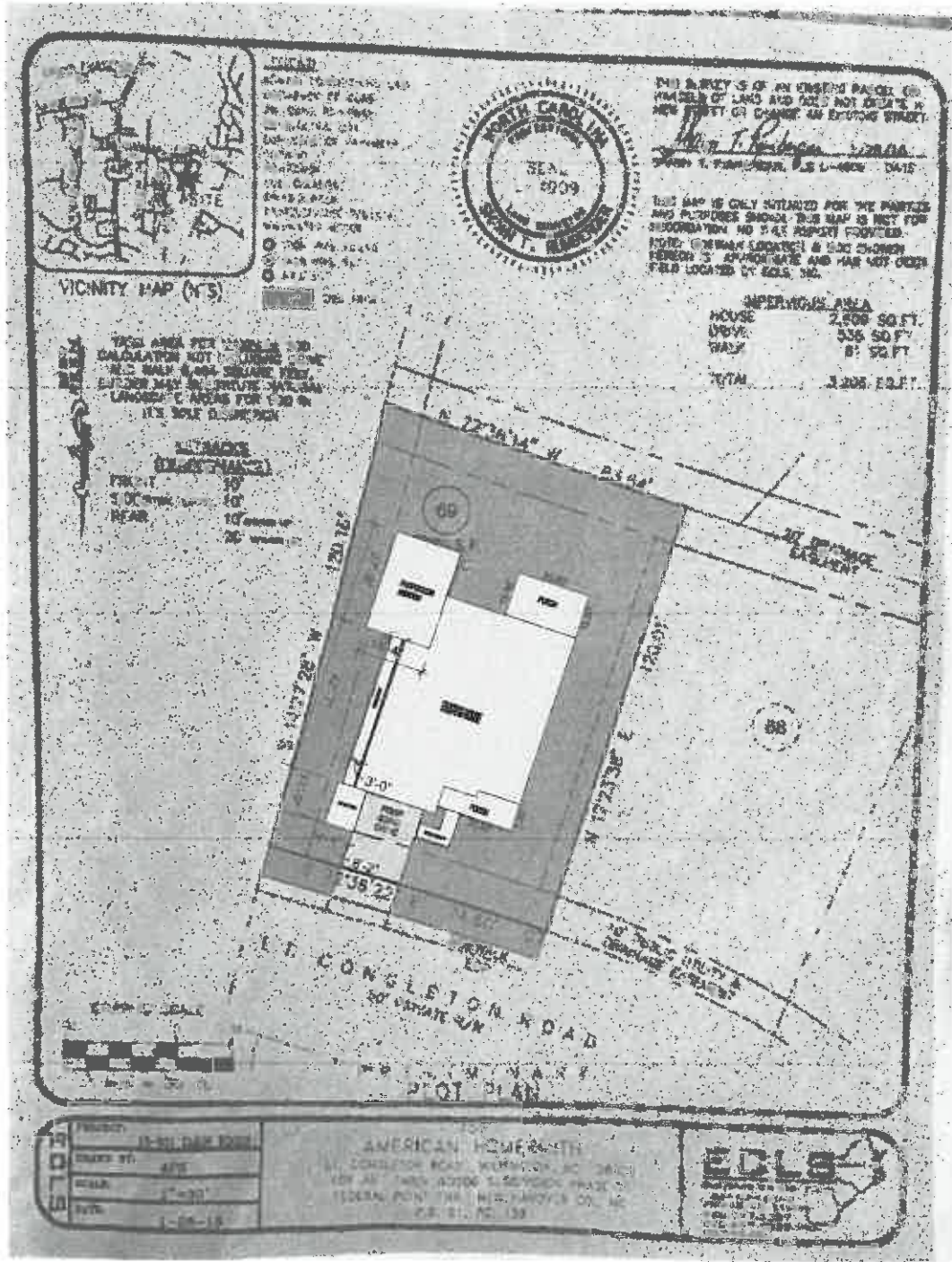
The hardship is not the result of the property owners' actions.

The Meehan's purchased the property with the intent to pursue the addition for their mother.

The home was built without the proper setbacks on the east side. The stamped survey by ECLS dated 1-26-16 shows a 10' setback, it also states the 10' setback in the survey text. The Homeowner's would have no reason to challenge the stamped document.

4.

The safety of each community and their residents is achieved with the existing west side and rear setback. The east side has a natural creek buffer and the new sub-division homes being all 20' rear setbacks. The safety, drainage and privacy will be well maintained.



A-4

PROJECT  
Project Name  
  
PROJECT NO.  
245.170

CLIENT  
Client Name  
1140 LT. CONGLETON  
WILMINGTON N.C.

**John Langone**

Consulting & Design

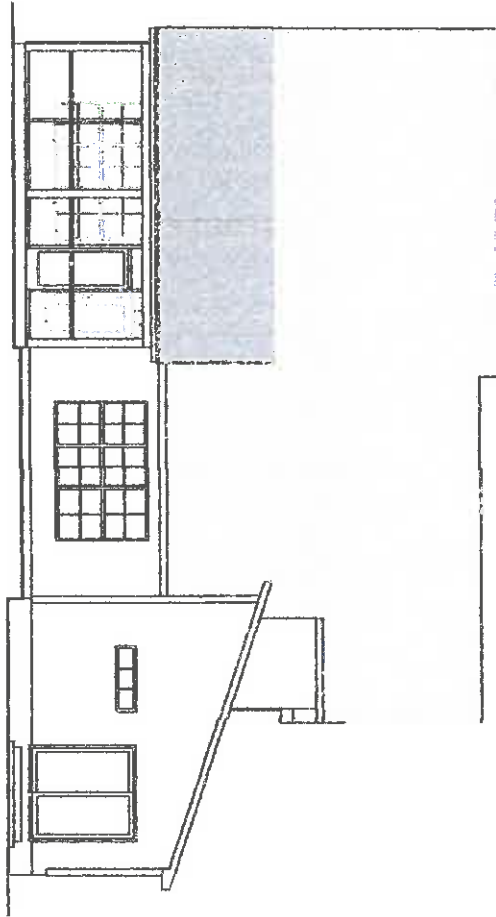
221 Rosemont Avenue | Wilmington, NC 28403  
Phone: (910) 540-5538  
j.litch@gmail.com



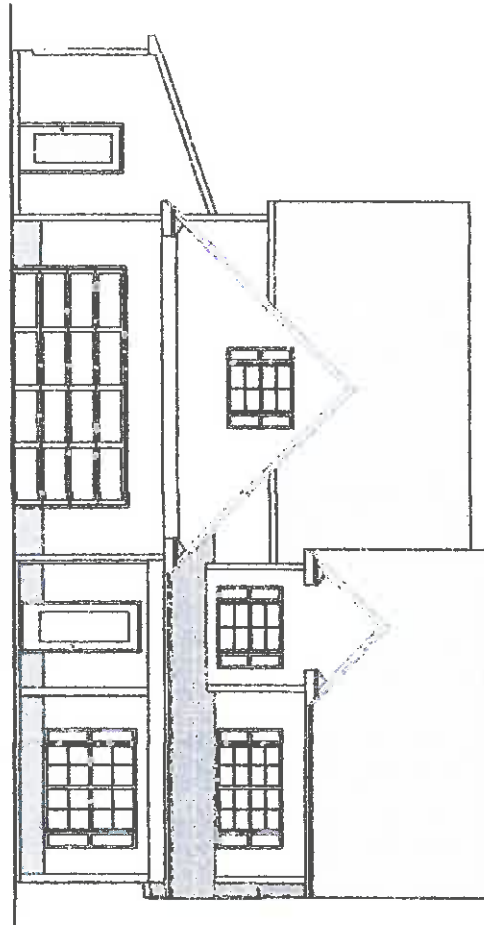
B.1

A.

SOUTH ELEVATION



NORTH ELEVATION



PROJECT  
EFFICIENCY ADDITION

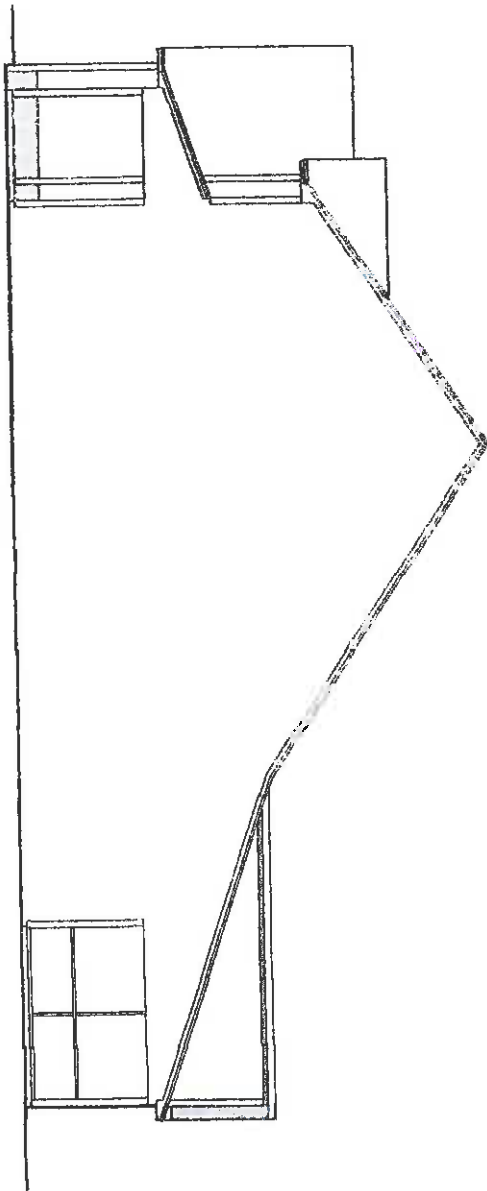
CLIENT  
JEFF SERENS  
1140 LT. CONGELTON  
WILMINGTON N.C.

**John Langone**

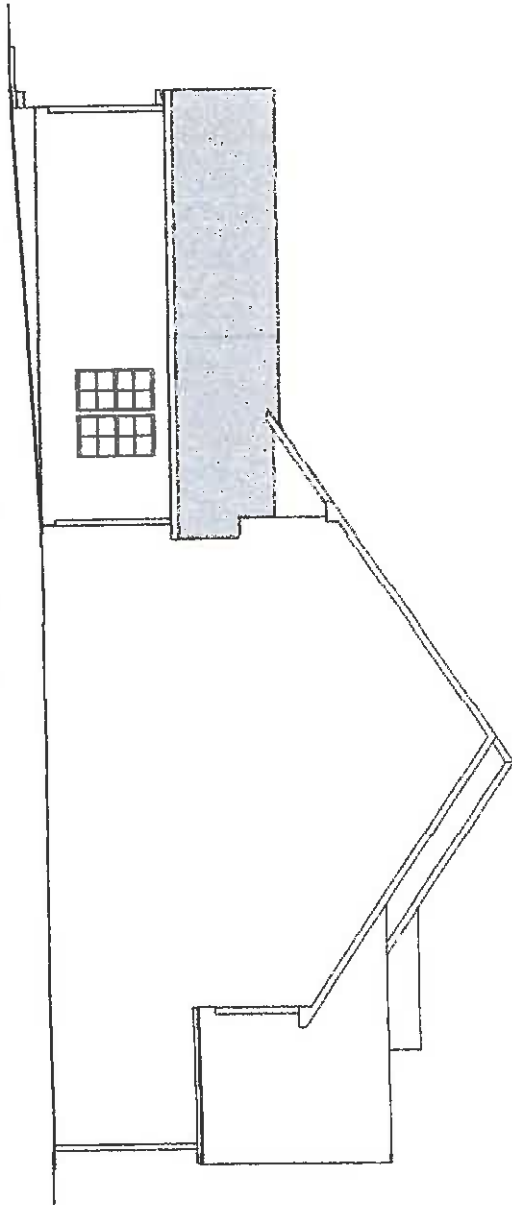
Architectural & Construction Documents

WILMINGTON, NC 28403  
 774 Rosewood Avenue | Wilmington, NC 28403  
 910.344.4000 | jlangone@jlangone.com

WEST ELEVATION



EAST ELEVATION



A.1

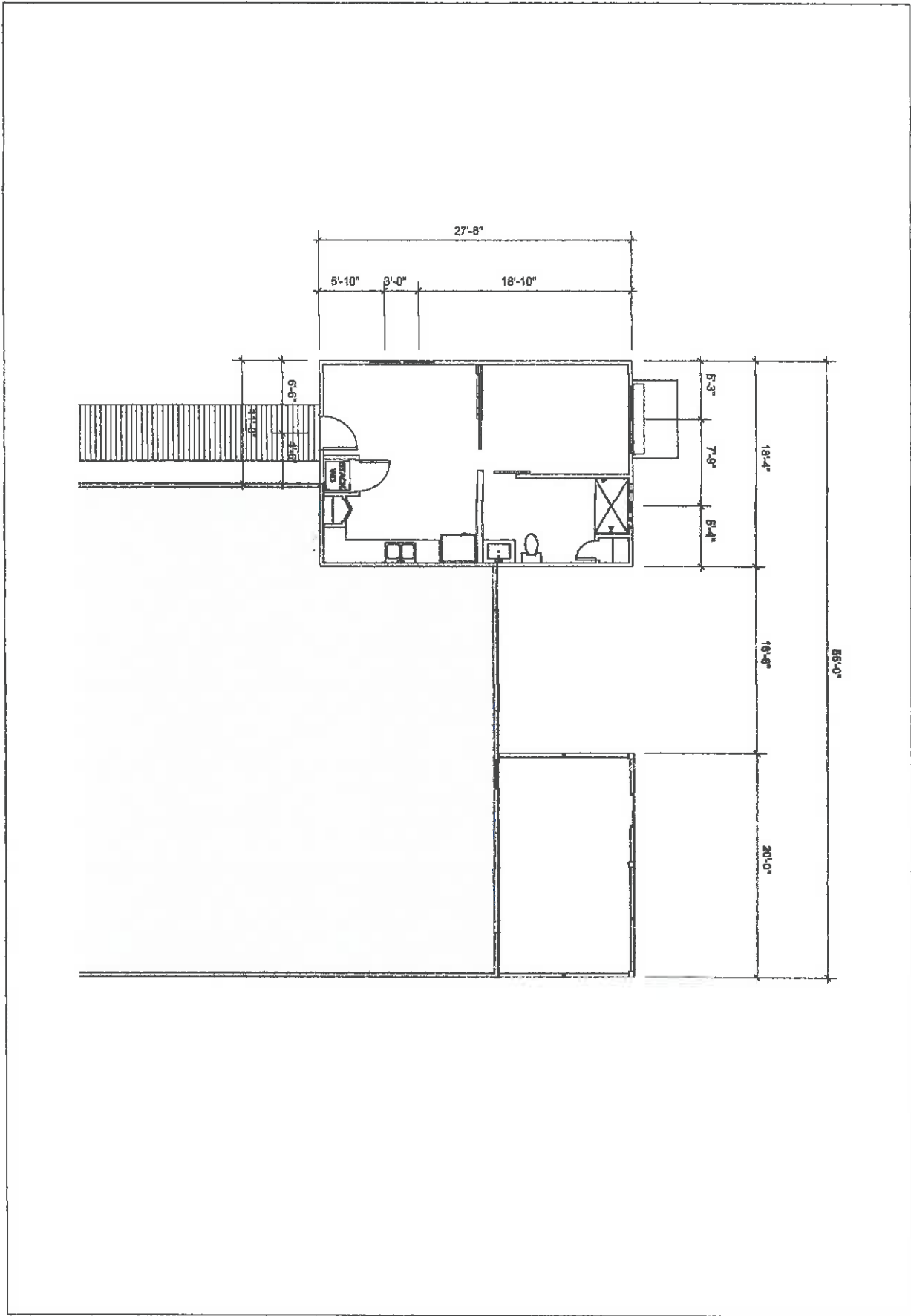
PROJECT  
EFFICIENTCY ADDITION

CLIENT  
JEFF SERENS  
1140 LT. CONGELTON  
WILMINGTON N.C.

**John Langone**  
 ARCHITECTS  
 271 Rosemont Avenue | Wilmington, NC 28403  
 Phone: (910) 540-5438  
 jpl@jlangone.com

B.2





B.3

A.2

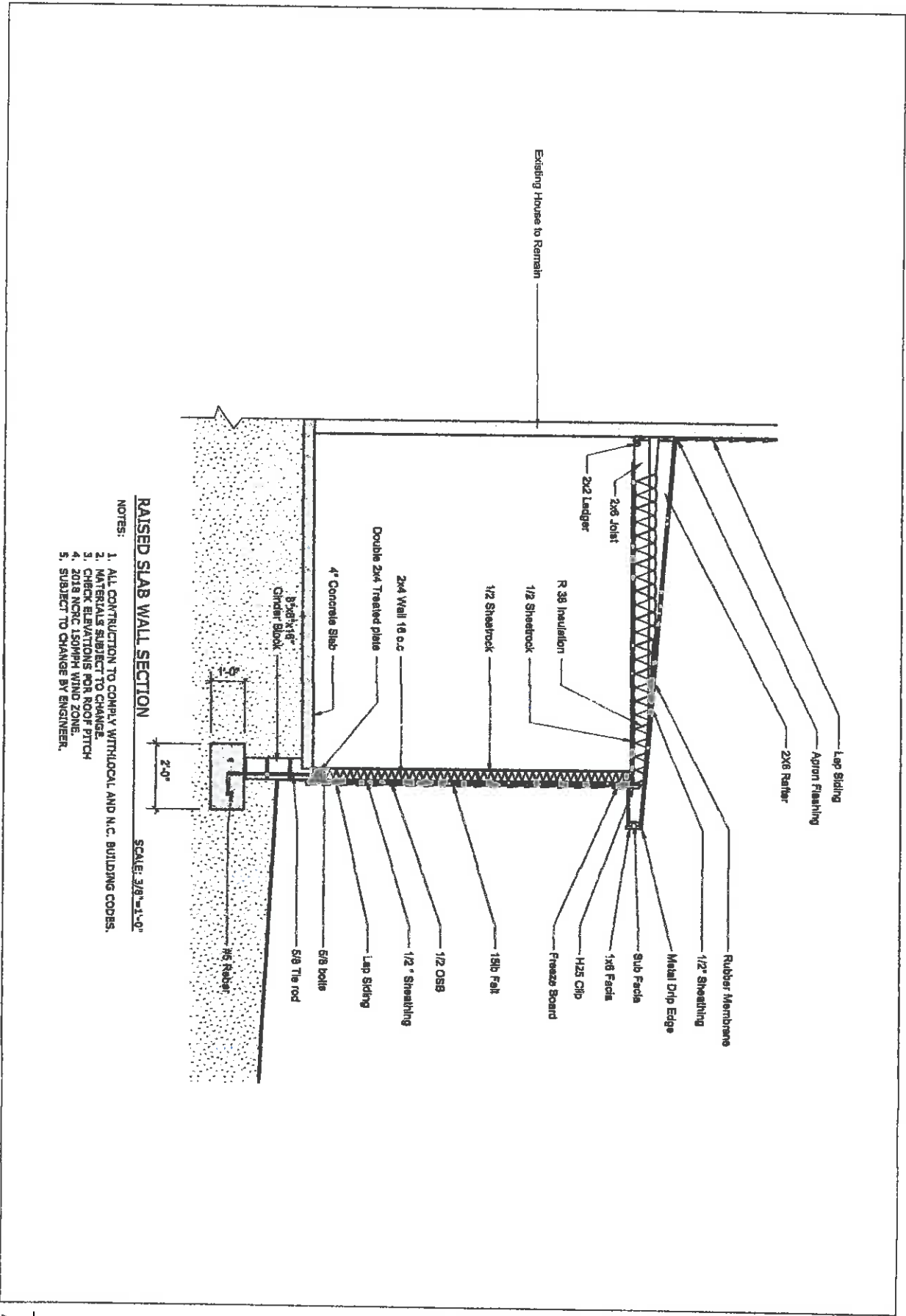
FLOOR PLAN

PROJECT  
EFFICIENTCY  
ADDITION

CLIENT  
JEFF SERENS  
1140 CONBELTON ROAD  
WILMINGTON N.C.

**John Langone**

Phone: (310) 540 5838  
271 Rushmore Avenue | Wilmington, NC 28403  
jcl@johnlangone.com



**RAISED SLAB WALL SECTION**

SCALE: 3/8"=1'-0"

- NOTES:
1. ALL CONSTRUCTION TO COMPLY WITH LOCAL AND N.C. BUILDING CODES.
  2. MATERIALS SUBJECT TO CHANGE.
  3. CHECK ELEVATIONS FOR ROOF PITCH.
  4. 2018 NCR 150MPH WIND ZONE.
  5. SUBJECT TO CHANGE BY ENGINEER.

B.4

A.3

**PROJECT**  
Project Name  
PROJECT NO.  
245.170

**CLIENT**  
Client Name  
1140 LT. CONGLETON  
WILMINGTON N.C.

**John Langone**  
 721 Rosemont Avenue | Wilmington, NC 28403  
 Phone: 910 540-5938  
 john.langone@jll.com







