

Town of Elon

Board of Adjustment Agenda

Special Called Meeting

Dec. 20, 2022

5:30 PM In Person

**Elon Town Hall, Town Council Chambers
104. S. Williamson Ave., Elon, NC**

Board of Adjustment Agenda Items

A. Call to Order

B. New Business

- 1) Approval of Minutes from the October 18, 2022, and October 27, 2022, Board of Adjustment Meetings.
- 2) Petition VA-2022-02- A request by Elizabeth Gardner for a 9.4-foot variance to reduce the rear yard setback requirement contained in Section 3.3 of the Town of Elon Land Development Ordinance. This will allow for an existing home and screened-in porch to encroach 9.4 feet into the required rear yard setback of 25 feet on .14 acres located at 1270 Stone Gables Drive (Parcel ID # 173505) in the Neighborhood Residential (NR) Planning district with a Traditional Neighborhood Design (TND) overlay.

C. Items from Board Members

D. Items from Planning Director

E. Other Business

F. Adjournment

VA-2022-02
1270 Stone Gables Drive
Rear Yard Variance

Explanation of the Request

Petition VA-2022-02 is a variance request by Elizabeth J Gardner, for a 9.4-foot variance to reduce the rear yard setback requirement contained in Section 3.3.4 of the Town of Elon Land Development Ordinance. This will allow for an existing home and screened-in porch to encroach 9.4 feet into the rear yard setback of 25 feet on 0.14 acres located at 1270 Stone Gables Drive (Parcel ID# 173505) in the NR (Neighborhood Residential) Zoning District with a Traditional Neighborhood Development (TND) overlay.

Location & Current Land Use

Currently, the subject property contains a single-family dwelling. The property is zoned Neighborhood Residential (NR) with a Traditional Neighborhood Development (TND) overlay.

- Condition and land use of the surrounding properties are:
 - To the North- A single family dwelling zoned Neighborhood Residential (NR) with a TND overlay.
 - To the West- Common open space owned by the Cable Square HOA with a Neighborhood Residential (NR) with a TND overlay.
 - To the South- A single family dwelling zoned Neighborhood Residential (NR) with a TND overlay.
 - To the East- A single family dwelling zoned Neighborhood Residential (NR) with a TND overlay.

Property History

The property was vacant until the parcel was sold to Hillcrest Partners LLC in 2018. In 2018, Windsor Investments LLC applied for a certificate of zoning compliance and building permit. The permit was submitted with a site plan that indicated a patio and screened in porch that encroached into the Neighborhood Residential rear-yard setback of 25 feet. The permit (#18-035) was approved on November 5th, 2018 with remarks indicating that the screened-in rear porch was allowed to encroach into the rear setback a maximum of 10 feet (see enclosures). The home was constructed in 2019 as seen on the site plan, without the screened-in porch.

The property and built home were then sold to Elizabeth Jean Gardner in 2020. Later in 2020, Jimmys Home Improvement applied on behalf of the homeowner for a zoning compliance permit to build a screened-in porch on the rear side of the built home (see enclosures). The permit was approved on June 18th, 2020 with an attached site plan that allowed the screened-in porch to encroach into the rear yard setback. The porch was constructed as described and permitted.

In section 3.3.5.D of Elon's LDO, it states that "Balconies, stoops, stairs, chimneys, open porches, bay windows, and raised doorways are permitted to encroach into the building setbacks a maximum of 10 ft. Open decks and patios are permitted to encroach into the rear and side setbacks". An interpretation of this language could have led to the screened-in porch being allowed to encroach into the 25-foot rear yard setback when the original home and porch zoning applications were approved in 2019 and 2020.

On December 1st, 2022, an application for a variance was submitted by Elizabeth J Gardner, owner of the home at 1270 Stone Gables Drive (parcel ID #173505). The application requests a 9.4 foot variance from the rear-yard setback of 25feet to bring the home into compliance.

Land Use Analysis

- The property is zoned NR (Neighborhood Residential) with a Traditional Neighborhood Design (TND) overlay and the applicant is requesting a 9.4-foot variance to reduce the rear yard setback and bring the existing home into compliance with the Town of Elon Land Development Code requirements. The rear yard setback for the house in the Cable Square subdivision is 25 feet. The current home on the property is located approximately 15.6 feet off the rear property line.
- This property is not located within a FEMA regulated floodplain and is located within the Jordan Lake watershed.

Comprehensive Plan

The Town of Elon Land Development Ordinance identifies the current property as Neighborhood Residential with a TND overlay.

The intent of the Neighborhood Residential district is defined as:

“The Neighborhood Residential Planning District accommodates existing medium-density single-family residential neighborhoods and provides opportunities for future single-family residential development primarily within the Town’s northwest growth area. This district provides for some higher-density residential development within walking distance of designated Neighborhood and Village Center Districts, as identified on the Land Development Ordinance Map (and as provided for in Sub-Section 3.3.2 below). Streets in the Neighborhood Residential District must be interconnected, as required in Section 5.7 – Street and Greenway Design Regulations. Urban Open Space must be provided according to Section 5.5 – Open space Preservation and Design Regulations. A range of housing types is encouraged. Low-intensity business activity is permitted in mixed-use buildings at a residential scale, in and around designated Town, Neighborhood and Village Center Districts. The intensity to which permitted uses may be built is regulated by the building type corresponding with the intended use and permitted within the planning district.”

The intent of the Traditional Neighborhood Residential district is defined as:

“The traditional neighborhood development overlay (TND-O) district provides an alternative to conventional large-lot, single-use subdivisions. The TND Overlay encourages development of neighborhoods with small blocks, interconnected, pedestrian-oriented streets and sidewalks, and a mixture of buildings, uses, and public spaces. The intent of this overlay district is to minimize traffic congestion, suburban sprawl, infrastructure costs, and environmental degradation. The TND Overlay District calls for neighborhoods with a recognizable center and clearly defined edges. The optimum size is a quarter mile from center to edge – about a fifteen minute walk. TNDs contain a mixture of uses and housing types in close proximity to one another and have a variety of civic buildings and public spaces which are prominently sited, to provide a strong sense of community. The TND Overlay District may be applied in all general planning districts through map adoption for TNDs with completed designs and overlay district approval.”

Planning Staff Analysis

In 2018, Hillcrest Partners LLC received an approved zoning compliance permit to construct a single-family home on parcel #173505. The approved permit allowed, on the site plan, for a screened-in porch and patio to encroach into the 25 rear-yard setback. The house was built without the screened-in porch in 2019. In 2020, the home and property were sold to Elizabeth Jean Gardner, who then applied for another zoning compliance permit in 2020. The permit was to build a screened-in porch that was shown on the site plan to encroach into the rear-yard setback of 25-feet in the rear-yard. The porch was constructed and described as permitted.

The screened-in porch was built to be and is currently non-conforming to LDO standards. If the Elon Board of Adjustment approves the 9.4-foot variance, the house will become conforming to the Town of Elon LDO Standards.

Section 8.5.3 of the Town of Elon Land Development Ordinance establishes the findings listed below that the Board of Adjustment must make in granting any variance.

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

*****Please refer to the 4 Findings of Fact listed above when making a decision*****

Suggested Motions

The Board may consider attaching conditions that they may deem appropriate to any approval decision of the request. Please note that all of the motions must result in a vote favorable to the Variance request in order for the Board to issue approval of the request.

The following motion format is recommended:

Motion 1: Unnecessary hardship (*would/would not*) result from the strict application of the ordinance as it relates to the requested Variance.

Motion 2: The hardship(s) related to the requested Variance (*does/does not*) result from conditions that are peculiar to the property, such as location, size, or topography.

Motion 3: The hardship(s) related to the requested Variance (*does/does not*) result from actions taken by the applicant or property owner.

Motion 4: The requested Variance (*is/is not*) consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is received.

Motion 5: The Town of Elon Board of Adjustment (select one option from the following):

- a. Approves the Variance request in whole, with or without conditions as stated for the record.
- b. Approves the Variance request in part, with or without conditions as stated for the record.
- c. Denies the Variance request.

Submitted by: Mary Kathryn Harward, Planner

Enclosures: Application for Variance (including survey plats and building permit site plans)

Site Plan Setback Maps

Aerial Imagery

Zoning Map



VARIANCE APPLICATION
Town of Elon Planning Department
104 S. Williamson Avenue
Elon, NC 27244
(336) 584-3601

\$300.00

Fee

12/1/2022 mkt

Date Received

V-2022-02

Application Number

APPLICANT INFORMATION

Name: ELIZABETH J GARDNER Telephone: 252-578-7257
Mailing Address: 1270 Stone Gables DR
City: ELON State: NC Zip: 27244
Email: bethgardner1225@gmail.com

PROPERTY OWNER INFORMATION

Name: ELIZABETH J Gardner Telephone: 252-578-7257
Mailing Address: 1270 Stone Gables DR
City: ELON State: NC Zip: 27244
Email: bethgardner1225@gmail.com

PROPERTY INFORMATION

Address: 1270 Stone Gables DR City: ELON State: NC Zip: 27244
PIN (Parcel Identification Number): 173505 Total Acreage: 0.139
Zoning District: NR+TND overlay Watershed: Haw River Floodplain: ☐ Yes ☒ No
Utilities (check all that apply): ☒ Public Sewer ☒ Public Water ☐ Septic ☐ Well

VARIANCE REQUEST

Variance Sought: screened porch 15 ft from back property line

Related Section(s) of Land Development Ordinance: _____

A SURVEY MAP OR PLOT PLAN DRAWN TO SCALE DEPICTING THE EXISTING/PROPOSED STRUCTURES SHALL BE ATTACHED TO THIS APPLICATION AND IT SHALL CLEARLY DEPICT THE REQUESTED VARIANCE.

FINDINGS OF FACT CHECKLIST

Variance procedures are outlined in Section 8.5.3 of the Elon Land Development Ordinance. The Board of Adjustment may only grant a variance following a public hearing on the matter and having made the following findings of fact.

Please state how your request will meet each of the Findings of Fact listed below - please attach additional sheets if necessary.

- (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: _____

See attached - The permit for the screened porch was issued in error by previous staff. Now I have a screened in porch that doesn't meet the rear setback.

(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: I own a

small lot in Cable Square subdivision. I
did not realize that the permit for the
screen in porch should not have been
issued.

(3) That 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 granting a variance shall not be regarded as a self-created hardship: no Again I did not realize the

permit should not have been issued.

(4) The requested variance is consistent with the spirit, purpose, and intent of the Ordinance, such that public safety is secured, and substantial justice achieved: Looking at my house from the

road you would not know that it doesn't
meet the rear setback. My neighbors are
all fine with the variance being granted.
Again this need for the variance was
caused by a previous staff error.

Section 8.5.3 of the Town of Elon Land Development Ordinance: The Board of Adjustment, in granting a variance, may prescribe appropriate conditions and safeguards in conformity with this ordinance, provided that the conditions are reasonably related to the variance. Violation of such conditions and safeguards, when made a part of the terms under which a variance is granted, will be deemed a violation of this ordinance and will be punishable as prescribed in this section.

****An affirmative 4/5 majority of members present vote is required for a variance. ****

SIGNATURES AND ACKNOWLEDGEMENT

The undersigned hereby certify that the forgoing application is complete and accurate. Furthermore, the undersigned hereby authorizes the Town of Elon Planning Director or designated representative to enter upon the above referenced property for the purpose of inspecting and verifying compliance with the Town of Elon's Land Development Ordinance.

Elizabeth J. Gardner
Signature of Applicant

12/1/22
Date

Elizabeth J. Gardner
Signature of Property Owner

12/1/22
Date

OFFICE USE ONLY

Completed Application Submitted On: 12/1/2022 Received By: Mary K. Harward

Date of Board of Adjustment Hearing: Dec. 20, 2022 Receipt Number: 131362

Action of Board of Adjustment: _____

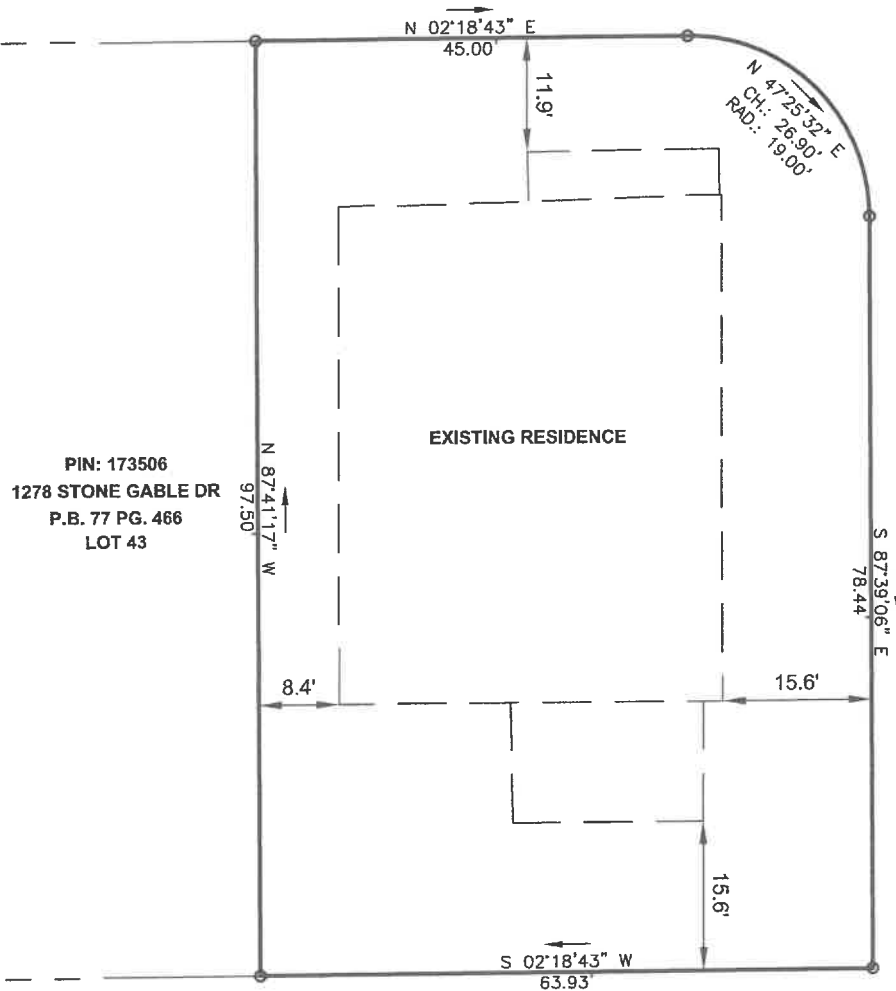
Public Hearing Notice Filed: _____
Name of Newspaper

Date Notice Published: _____

Date Property was Posted: _____

Date Adjoining Property Owner Letters were Mailed: _____

NC GRID (NAD84)

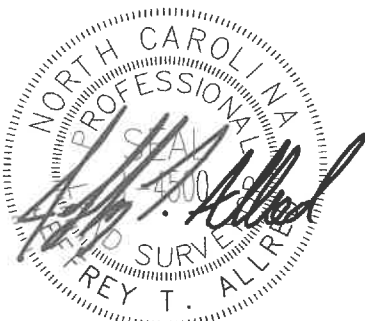


STONE GABLES DRIVE
52' R/W

LEGEND

- = FOUND IRON PIPE
- = SET IRON PIN
- = COMPUTED POINT

PIN: 173506
4030 RALSTON DR
P.B. 77 PG. 467
LOT 41



PIN: 173505
1270 STONE GABLES DRIVE
P.B. 77 PG. 466
LOT 43
0.14 ACRES

DRAWN BY: JTA
CHECKED BY: JTA
DATE: 20221130
PROJECT NO.: 2022-217
REF. NO.: APPLE MILL
SCALE: 1"=20'

AS-BUILT SURVEY
1270 STONE GABLE DRIVE

PROJECT LOCATION:
STATE: NORTH CAROLINA
COUNTY: ALAMANCE
TOWNSHIP: BINGHAM

OWNER/CONTRACTOR INFORMATION:
ELIZABETH GARDNER
1270 STONE GABLE DRIVE
ELON, NC 27244

ALLRED LAND SURVEYING, PLLC

JEFF ALLRED, PLS ~ L-4500
8065 COBLE MILL ROAD
SNOW CAMP, NC 27349
PHONE: 336-684-8202



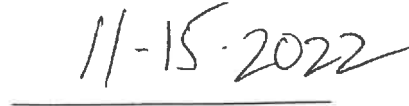


I have explained the issue with the rear setback encroachment that occurred when my screened porch was built to my adjacent neighbors. They have agreed to sign this paper indicating that they do not have a problem with the existing porch.

Clifford Iacovelli PIN 173506, 1278 Stone Gables Drive

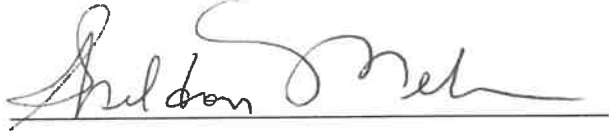


Signature



Date

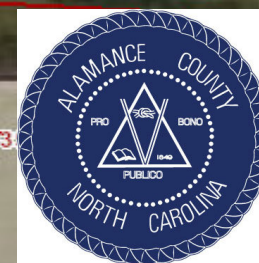
Sheldon Mebane PIN 173535, 4030 Ralston Drive



Signature



Date



Owner Name: GARDNER ELIZABETH JEAN

December 1, 2022 0 0.003 0.006 mi

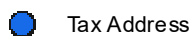
1270 STONE GABLES DRIVE
ELON, NC 27244

GPIN: 8846810408
PID: 3-38-579

Address Points



Address



Tax Address



Preliminary Address

Heavy Industrial Development Applicants



APPLIED FOR PERMIT



PERMIT APPROVED



PERMIT RENEWED



UNDER CONSTRUCTION

Alamance County GIS
Alamance County Tax Department

DISCLAIMER:
The datasets and maps available are not survey grade or a legal document. They are a best approximation of what is on the ground, but do contain errors. The data comes from various sources nationally, the state of North Carolina, and here in Alamance County. Alamance County will not be held responsible for the misuse, misrepresentation, or misinterpretation of the data or maps. These maps and data are a service provided for the benefit for Alamance County citizens. We constantly strive to improve the quality and expand the amount of data and maps available.

ALAMANCE COUNTY shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused; or any decision made or act on taken or not taken by user in reliance upon any information or data furnished hereunder. The user knowingly waives any and all claims for damages against any and all of the entities comprising the Alamance County GIS System that may arise from the mapping data. Date: 12/1/2022



Owner Name: GARDNER ELIZABETH JEAN

December 1, 2022 0 0.01 0.02 mi

1270 STONE GABLES DRIVE
ELON, NC 27244
GPIN: 8846810408
PID: 3-38-579

Address Points

- Address
- Tax Address
- Preliminary Address
- Heavy Industrial Development Applicants
- APPLIED FOR PERMIT

PERMIT APPROVED

UNDER CONSTRUCTION

PERMIT RENEWED

Alamance County GIS
Alamance County Tax Department



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ALAMANCE COUNTY shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused; or any decision made or act on taken or not taken by user in reliance upon any information or data furnished hereunder. The user knowingly waives any and all claims for damages against any and all of the entities comprising the Alamance County GIS System that may arise from the mapping data. Date: 12/1/2022

Town of Elon Planning District Information



ReGIS Partnership

Legend

Planning Districts

RR	RR-CPD
SR	SR-CPD
NR	NR-CPD
UR	UR-CPD
NC	NC-CPD
VC	VC-CPD
TC	TC-CPD
TC-1	TC-1-CPD
C	C-CPD
IND	IND-CPD
O&I	O&I-CPD
PI	PI-CPD

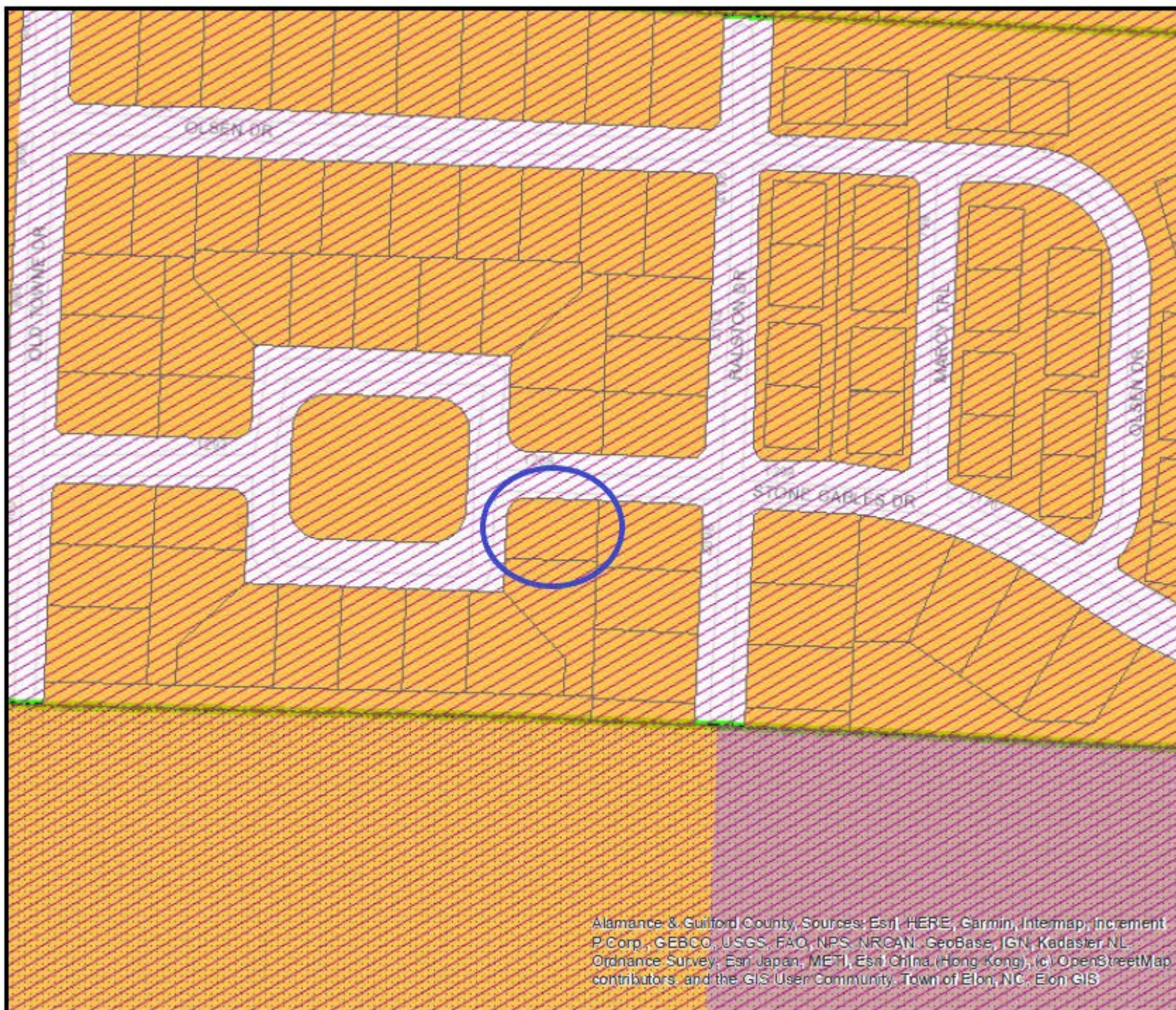
Overlays

TND
MH
SP



1 inch = 188 feet

Print Date: 12/8/2022



Alamance & Guilford County, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Town of Elon, NC, Elon GIS

Disclaimer:

This map was compiled from the GIS resources of the Burlington Regional GIS Partnership for public planning and agency support purposes. These resources include public information sources of different scale, time, origin, definition and accuracy, which aspects produce inconsistencies among features represented together on this map. Neither the Town of Elon nor the Partnership shall be held liable for any errors in this map or supporting data. Primary public information sources from which this map was compiled, in conjunction with field surveys where required, must be consulted for the verification of the information contained within this map.

Approved Zoning Compliance Permit for
construction of single family home at 1270
Stone Gables Drive.



Permit # 18-035

TOWN OF ELON
104 S. Williamson Avenue
Planning & Zoning
336-584-2859 336-584-5334 (fax)

CERTIFICATE OF ZONING COMPLIANCE

Site Plan May Be Required (tbd by Planning Director)

Subject Property Street Address: 1270 Stone Gables Drive

Use Requested: ☐ Starting or Relocating a Business ☒ Constructing a New Building or Structure
☐ Expanding an Existing Building or Structure ☐ Verification of Zoning District or Permitted Uses
☐ Other (describe) _____

Applicant (name/company name): Windsor Investments LLC

Contact person: George Cook

Mailing Address: PO Box 9147 City: Greensboro State: NC Zip: 27409

Email Address: gcook@windsorinvestments.com

Phone # 336-282-3535 Cell # 336-362-3306

Property Owner: Hillcrest Partners LLC

Mailing Address: PO Box 9147 City: Greensboro State: NC Zip: 27409

Email Address: wpayne@windsorinvestments.com

Phone # 336-282-3535 ^{X234} Cell # —

I further certify that I, the undersigned, am the owner of the subject property or I am making application with the full authority of the owner(s) and the statements herein are true and correct to the best of my knowledge. I also certify that I have or will comply with all applicable Town of Elon, Alamance County, or State of North Carolina Statutes, Codes, Ordinances or Regulations.

Applicant [Signature] Date 10/31/18

Owner (if different from Applicant) _____ Date _____

To Be Completed by Zoning Official:

Jurisdiction: ☒ Town Limits ☐ ETJ Planning District/Overlay: NR

Request is: ☒ Approved ☐ Denied Date: 11/5/18 Zoning Official: P. Graham

Remarks: Grade & shale as needed to prevent negative stormwater impacts to adjacent properties. Screened rear porch may encroach into rear setback a maximum of 10 feet.

Alamance County Residential Permit Application

Property Information

Property Address: 1270 Stone Gables Drive
 City, State, Zip: Con NC 27614
 Property Owner: Hillcrest Partners LLC Phone: 336 282 3335
 Name Utilities In: Hillcrest Partners LLC Phone: 336 282 3335
 Subdivision: Cable Square Lot #: 40
 Tax Map No.: 17 - 35 - 05 GPIN #: 3340810408
 Census Tract: _____ Township: _____

Jurisdiction: _____ Zoning: _____
 Watershed: ☐ Y ☒ N Flood Zone: ☐ Y ☒ N Flood Cert.: ☐ Y ☒ N
 Farm District: ☐ Y ☒ N Corner Lot: ☐ Y ☒ N
 Setbacks Front: 12 Back: 10.1 Left: 11.2 Right: 8.5

Water Type ☒ City Water ☐ New Well ☐ Existing Well ☐ Community Well
 Sewage Type ☒ City Sewer ☐ New Septic ☐ Existing Septic

Contractor Information

County Control #: ☒ Owner Owner Occupied: ☐ Y ☒ N
 Contractor: Windsor Investments LLC
 Address: PO Box 9117
 City, State, Zip: Greensboro NC 27409
 N.C. License #: 48592 Contact Phone: 336 282 3335

Must Be Completed by Zoning Official Only

Jurisdiction: Elon Zoning: NR
 Setbacks Front: 10-25' Back: 25' Left: 10' Right: 8'
☒ City Sewer ☐ City Water ☐ Septic ☐ Well
 Zoning Official: Heather Graham Date: 11/5/14
 Print Name: Pamela Graham

Building Information

Work Description: Single Family New Construction
 Type of Building ☒ New ☐ Existing
 Type Construction ☐ Wood Frame ☐ Metal
☐ Masonry ☒ Other: 4 Sides Brick
 Construction Class ☐ Type I ☐ Type II ☐ Type III ☐ Duplex
☐ Type IV ☐ Type V
 Occupancy Type ☒ Single Family ☐ Addition
 Type of Alteration ☐ Remodel ☐ Addition
 Construction Cost: \$157,000.00 Total Sq Ft: 2501 Height: 20'
 Length: 57.37 Width: 39.75 # of Bedrooms: 2 # of Baths: 2

of Stories: 2 # of Rooms: 8 Bonus Room ☐ Unfinished ☐ Finished
 Basement ☐ Unfinished ☐ Finished ☐ Partial Finish ☐ Unfinished ☐ Finished
 Heated Sq. Ft. 1305 1st: 250 2nd: 250 3rd: _____ Total Sq Ft: 1815
 Basement: _____

of Prefab Fireplaces / Wood Stoves: 1 Remodel Cost: Green
 Accessory Structure 1 ☐ Deck ☐ Garage ☐ Workshop ☐ Storage Bldg ☒ Porch ☐ Other
 # of Stories: 1 Length: 12 Width: 12 Total Sq Ft: 144
 Electricity ☐ Y ☒ N Heated ☐ Y ☒ N Plumbing ☐ Y ☒ N

Accessory Structure 2 ☐ Deck ☐ Garage ☐ Workshop ☐ Storage Bldg ☐ Porch ☐ Other
 # of Stories: _____ Length: _____ Width: _____ Total Sq Ft: _____
 Electricity ☐ Y ☒ N Heated ☐ Y ☒ N Plumbing ☐ Y ☒ N
 Utility Company ☒ Duke Power ☐ Randolph Elec. ☐ Piedmont Elec. ☐ C P & L ☐ Other
 Gas Company ☒ Piedmont Natural Gas ☐ Public Service Gas ☐ L P Gas ☐ Other

Saw Service ☒ Y ☐ N Grading > 1 Acre ☐ Y ☒ N State Soil Erosion Cert. ☐ Y ☒ N

I hereby certify that all information in this application is correct and all work will comply with the N.C. State Building Code and all other applicable state, local laws, ordinances, and regulations. The Inspection Department will be notified of any changes in the approved plans and specifications for the project permitted herein.

Applicant Printed Name: Wendy Payne Date: 10/31/18
 Applicant Signature: [Signature] Phone: 336 282 3335
 A photo ID is required to accompany all applicant signatures. X240

Approved Zoning Compliance Permit for construction of single family home at 1270 Stone Gables Drive.

Original Approved Screened-In Porch Application



Permit # 2020-40

TOWN OF ELON
104 S. Williamson Avenue
Planning & Zoning
336-584-2859 336-584-5334 (fax)

CERTIFICATE OF PLANNING COMPLIANCE

Site Plan May Be Required (tbd by Planning Director)

Subject Property Street Address: 1270 Stone Gables Drive Elon
Use Requested: ☐ Starting or Relocating a Business ☐ Constructing a New Building or Structure
☐ Expanding an Existing Building or Structure ☐ Verification of Zoning District or Permitted Uses
☒ Other (describe) Screened in porch on existing porch
Applicant (name/company name): Jimmys Home Improvement
Contact person: Jimmy Aiken
Mailing Address: 3733 Fleming Graham Rd City: Burlington State: NC Zip: 27217
Email Address: jimmyshomeimprovement2018@gmail.com
Phone # 336-380-0423 Cell # 336-380-0423
Property Owner: Beth Gardner
Mailing Address: 1270 Stone Gables Dr. City: Elon State: NC Zip:
Email Address:
Phone # Cell # 252-578-7257

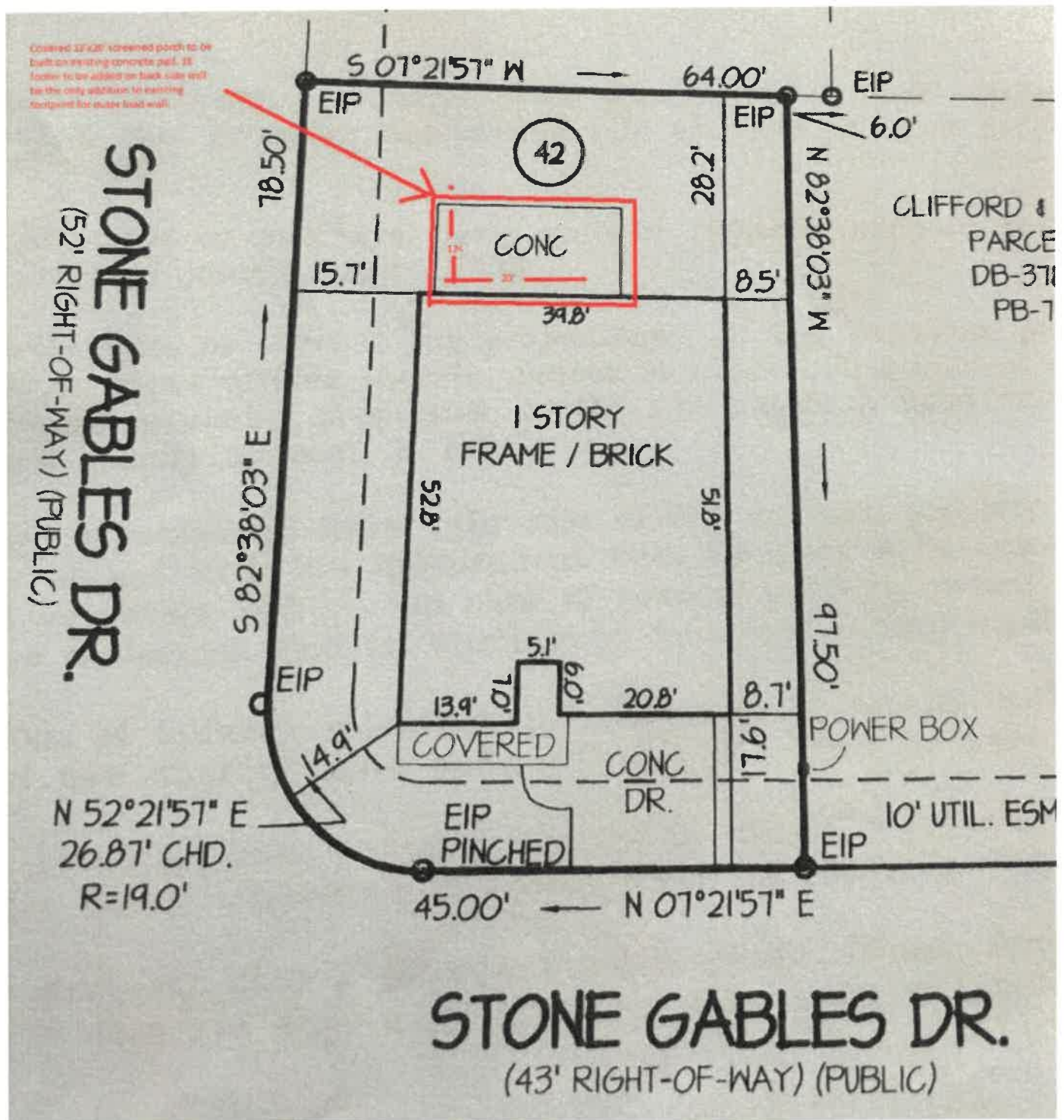
I further certify that I, the undersigned, am the owner of the subject property or I am making application with the full authority of the owner(s) and the statements herein are true and correct to the best of my knowledge. I also certify that I have or will comply with all applicable Town of Elon, Alamance County, or State of North Carolina Statutes, Codes, Ordinances or Regulations.

Applicant James E. Aiken Jr. Date 5-28-2020
Owner (if different from Applicant) Date

To Be Completed by Zoning Official:

Jurisdiction: ☒ Town Limits ☐ ETJ Planning District/Overlay: NR
Request is: ☒ Approved ☐ Denied Date: 6/18/2020 Zoning Official: P. DeSoto
Remarks: Approved per attached site plan.

Original Approved Screened-In Porch Application



Original Approved Screened-In Porch Application

ALAMANCE COUNTY RESIDENTIAL BUILDING PERMIT APPLICATION

PROPERTY INFORMATION

Property Address 1270 Stave Gables Drive City, State, Zip Code Flora, NC
Property Owner Name Beth Gardner Property Owner Phone 252-578-7257
Utility Owner Name _____ Utility Owner Phone _____
Subdivision Name Stave Gable Subdivision Lot Number _____
Geographic Parcel Identification Number _____ Tax Map Number _____
Census Tract _____ Township _____
Jurisdiction _____ Zoning _____
☐ Watershed ☐ Flood Zone ☐ Flood Certification ☐ Farm District ☐ Corner Lot
Water Type: ☒ City Water ☐ New Well ☐ Existing Well ☐ Community Well
Sewage Type: ☒ City Sewer ☐ New Septic ☐ Existing Septic

CONTRACTOR INFORMATION

Contractor Name James E. Arkey, Jr. Contractor Phone 336 380 0423
Contractor Street Address 3733 Fleming Graham Rd City, State, Zip Code Burlington, NC 27217
County Control Number _____ North Carolina License Number _____
☐ Owner is Contractor ☒ Owner Occupied

Note: Permit trade Contractor Form is required to accompany this application.

BUILDING INFORMATION

Work Description Screened Porch Construction Cost 12,500
Total Square Feet Under Roof 240 Length 20 Width 12 Height 9
Number of Stories _____ Number of Rooms _____ Number of Bedrooms _____ Number of Bathrooms _____
Building Type: ☐ New ☐ Existing
Construction Type: ☐ Wood Frame ☐ Brick Veneer ☐ Metal ☐ Masonry Other _____
Heated Square Feet: Basement _____ First Floor _____ Second Floor _____ Third Floor _____
Total Heated Square Feet _____
Number of Fireplaces _____ ☐ Gas ☐ Wood ☐ Prefabricated ☐ Masonry
Basement Status: ☐ Unfinished ☐ Finished ☐ Partial Finish
Deck: Length _____ Width _____ Total Square Feet _____ ☐ Poured Footings
Utility Company: ☒ Duke Energy ☐ Randolph Electric ☐ Piedmont Electric Other _____
Gas Company: ☒ Piedmont Natural Gas ☐ Public Service Gas ☐ LP Gas Other _____

A photo ID is required to accompany all applicant signatures

Original Approved Screened-In Porch Application

ALAMANCE COUNTY RESIDENTIAL BUILDING PERMIT APPLICATION

- ☐ Requires the use of a saw service
☐ Land disturbance will be more than one acre
☐ State soil erosion certificate has been obtained (if needed)

DETACHED STRUCTURE

Number of Stories Length Width Total Square Feet

Structure Type: ☐ Garage ☐ Workshop ☐ Storage Building Other

Structure Utilities: ☐ Electricity ☐ Heat ☐ Plumbing

I hereby certify that all information in this application is correct and all work will comply with the N.C. State Building Code and all other applicable state, local laws, ordinances, and regulations. The Inspection Department will be notified of any changes in the approved plans and specifications for the project permitted herein.

Applicant Printed Name James E. Aiken, Jr Applicant Phone 336 380 0423

Applicant Signature [Signature] Date 5/28/2020

TO BE COMPLETED BY PLAN REVIEWER

Plan Review Number Square feet

Approved By Date Approved

MUST BE COMPLETED BY ZONING OFFICIAL ONLY

Jurisdiction Elon Zoning NK
Setbacks: Front 10' Back 25' Left 10' Right 8'

Water Type: ☒ City Water ☐ Well

Sewage Type: ☒ City Sewer ☐ Septic

Zoning Official Printed Name Pamela DeSoto

Zoning Official Signature P. DeSoto Date 6/18/20

A photo ID is required to accompany all applicant signatures

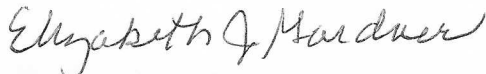
Request for rear property setback variation.

I made an application for a building permit to have a screened porch erected on the existing patio at the rear of my home which was approved by the Town of Elon and Alamance County in 2020. There was a note on the approval by P Graham that this porch may be encroaching on the rear property setback. Because of the approval, and my lack of knowledge, I did not realize that I needed to request a variance to this setback prior to having the porch built. So, the porch got built and I have enjoyed its use ever since.

During the past year my health has taken a slight turn to the worse and my daughter and her husband are currently living with me and helped me through my recoupment. The house is too small for the three of us along with their college age daughters, so we decided to relocate to a home better suited for us going forward. It was during the process of selling my home that the title insurance company representing the buyer discovered the issue and I was informed. In order to provide the buyer with clear title, I need to be granted a variance to the setback or, I suppose tear the porch down. I would have to say that the removal of the porch would definitely be an extreme hardship on me emotionally and financially.

I am enclosing a statement from my adjacent homeowners stating that they don't have an issue with the porch. I am also attaching the as-built plat showing the location of the porch as well as pictures of it.

I hope that you will consider approving my request for a variance to the rear property setback.

A handwritten signature in cursive script, reading "Elizabeth J. Gardner".

Elizabeth J Gardner