

### VARIANCE REQUEST APPLICATION

- (1) Landowner Information:
- (2) Applicant Information:

Name Joyce A. Remick, Trustee  
 Address 121 Baldwin Farm Rd  
Pittsboro, NC 27312  
 E-Mail joyce@remick.com  
 Phone No. (H) 919-968-0900  
 (W) \_\_\_\_\_  
 Cell (M) 919-423-7520

Name Joyce & Vance Remick  
 Address 121 Baldwin Farm Rd  
Pittsboro, NC 27312  
 E-Mail joyce@remick.com  
 Phone No. (H) 919-968-0900  
 (W) \_\_\_\_\_  
 Cell (M) 919-423-7520

- (3) Property Identification:

911 address 121 Baldwin Farm Rd  
 SR Name Andrews Stone Road  
 SR Number 1528  
 Township 2 Baldwin  
 Acreage 2.53  
 Flood Map # 3716 9775 005  
 Flood Zone X Map Date \_\_\_\_\_

Parcel # 0070513  
 P.I.N. # 9775-03-10-5314  
 Deed Book 1801 Page 0634 Yr 2015  
 Plat Book 96 Page 124  
 Zoning District R-1  
 Watershed District WSIV - PA  
JBLBA

- (4) Directions to Property: see attached

- (5) Text of Ordinance to be varied:

Name of Ordinance: subdivision Regulation  
 Section 7.4 lot Page 52-59  
 Language see attached

- (6) Reasons for the requested variance: In the space below and on additional paper if needed, describe the reasons for the request and why you think it is justified. For a zoning variance address Section 16.3 (B) of the Zoning Ordinance. For a subdivision variance, address Section 1.13A of the Subdivision Ordinance.

see attached

- (7) Attach the following:

- Written description of property from deed or survey
- Map of property at a scale of not less than 1 inch equals 400 feet
- List of names and addresses of current adjoining property owners

I hereby certify that I am making application for the landowner or myself and that the information provided is complete and the statements given are true to the best of my knowledge.

Joyce A Remick  
 Signature

2-10-17  
 Date

Owner/Authorized Agent

The following must be signed by the owner if person other than the owner is making this application.

I hereby certify that \_\_\_\_\_ is an authorized agent for said property and is permitted by me to file this application.

\_\_\_\_\_  
 Owner's Signature

\_\_\_\_\_  
 Date

## SUBDIVISION VARIANCES

**That there are special circumstances or conditions affecting said property such that the strict application of the provisions of the Subdivision Regulations would deprive the applicant of the reasonable use of his/her land.**

Our property is one of five properties that comprise a 12-acre subdivision that had been a farm years ago. Our property is at the rear of this larger 12-acre tract. Our original farmhouse sits toward the front of our 2.53 acres. Much of the rest of our property is lawn and woods. We believe that subdividing the land so that our daughter can build a small home is the only way for our family to live next to each other while retaining the integrity of the land and abiding by the spirit of the county ordinances. The proposed driveway for this new home would be at the front of our property and be a short continuance of the existing private easement. You would only go past the first house on the easement before turning into our property onto the road we have prepared. It would not add congestion or confusion to the already very simple traffic pattern.

Moreover, we believe that subdividing the land as we propose would maintain the orderly layout of the entire 12-acre subdivision, another house would not crowd other houses, nor even our own. The house that our daughter proposed will be less than 1000 square feet. Neighbors will not even be able to see it due to trees and sightlines. Right now she does not own a car, therefore it would not add congestion to the already very simple traffic pattern. If she purchases one later, it would only be one vehicle.

Also, we are under the impression that, typically, six homes can be built in a subdivision like this one if two the properties extend along the right-of-ways on each side of the road. This is the case here: our property flags along one side of the road; our neighbor's land flags along the other side of the road. Yet, there are only five houses currently in this subdivision. In essence, we'd like our daughter to build the sixth home, a very modest house to the back of the entire 12-acre tract. When the property was originally created, the easement that was put in was to the highest standard, even more than required. It has been maintained beautifully and is very functional.

**That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.**

We have been told that we could build a 1,000 sq. ft house on our property without subdividing our land, but we feel this not as reasonable as building a house that sits on its own lot. By building a house without subdividing, our daughter would essentially be renting from us; this would put an undue burden on her and, frankly, us. It is quite an advantage for us to have her nearby as we go into retirement. We would like her be able to live in her own home on her own land. Our daughter is the youngest of our five children, is not married, and has a limited income. The other 4 children have married and all have their own property. We are worried that because we still have a loan on our farmhouse, if something



happens to us, she would not be able to qualify to purchase it. Therefore, by subdividing the property and building a small home for her would give her a safe place to be in the case that the farmhouse would have to be sold. She would also be paying us back for the house in monthly payments which would help our income in our retirement years.

In 2008 we had petitioned the Planning Department to subdivide the property and were told at that time 5 houses were allowed and we could petition for a sixth. However, the financial market did not allow us to sell our property in Black Mountain until recently. Now that we have sold our other property we are financially able to build the house and move forward. We have a separate septic already installed for a two bedroom home on the site and county water is available to be brought down from Andrews Store Road. We had also had the property perked and had a Flood check performed by Chatham County Health Department.

**That the circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of the County.**

Most of the homes in our area sit on an acre or less. We have 2.53 acres and our house sits on the very front of the property so that the land is in the back, most of it in the woods. So building a house on the very back portion of our lot would not encroach either on the farmhouse nor our neighbors. And because it would be less than 1000 square feet, there would not be much of a footprint.

**That the granting of the variance will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated.**

The homes in this 12-acre subdivision are spread apart quite well. There is much open space. None of the neighbors would be affected if we subdivide our land because the subdivision is to the back of our property, half of it in the woods. All property owners share and maintain Baldwin Farm Road, pay for its upkeep, and enjoy doing so. Subdividing our 2.7 acre lot would not harm the integrity of the 12-acre subdivision, nor would it harm the road. Also, our daughter has guaranteed us that she will not develop or build any other structures on the land other than her small house. If anything, subdividing the land would lessen the financial burden on the five other homeowners who now pay to maintain the road.

Lastly, please let us say that adding a driveway to the existing easement for this new subdivision and house would be far better for the surrounding environment than any alternative (the driveway would be extended through our property). Building a long second private road from Andrews Store Road to the proposed house, through one or two other properties, would harm the surrounding environment in far worse ways that simply extending the driveway.

We hope that by presenting our story you will understand our reasons for pursuing this request and allow us to have our daughter on our property. Thank you, Joyce & Vance Remick

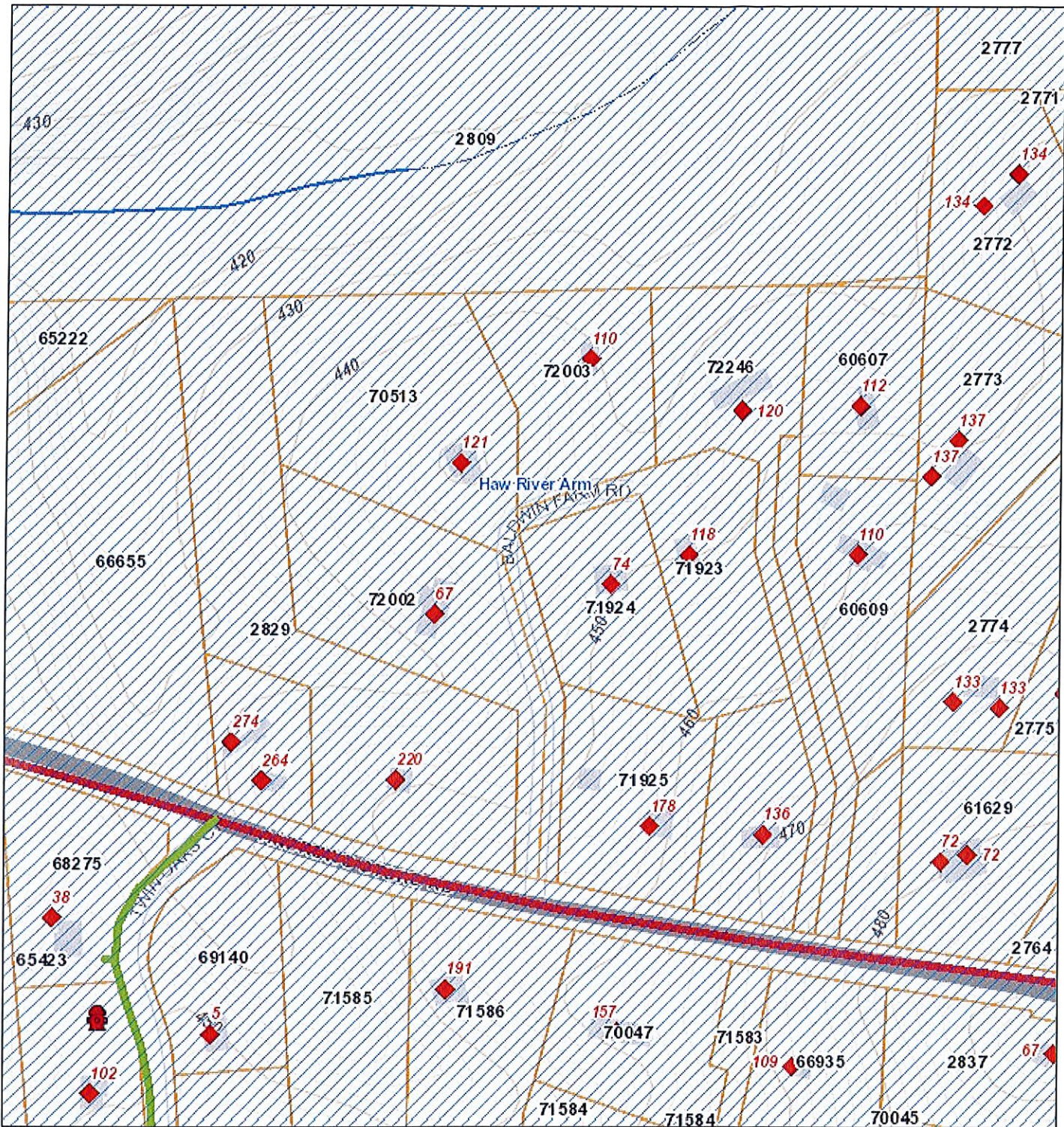
## DESCRIPTION OF PROPERTY

Being all of Lot 2, Baldwin Farm Subdivision, as shown on the plat and survey thereof recorded in Plat Slide 96, Page 124, Chatham County Registry, to which reference is hereby made for a more particular description of same.

Together with a non-exclusive perpetual easement for egress, regress and installation between said Lot and S.R. 1528 (Andrews Store Road) over and across the private driveway easement varying in width from 60 feet to 30 feet as shown on the above referenced plat.

There is reserved from this conveyance for the benefit of Lot 3 a private drive easement, 30 feet in width, running along the eastern line of Lot 2 for a distance of 140.27 feet. This easement shall be considered an extension of the 30 foot private drive easement described in Article III of that Declaration of Conditions and Restrictions of Easement recorded in Book 694, Page 244, Chatham County Registry, and shall be subject to and governed by the provisions of said Declaration.





Service L  
Chatham

Date: 2/1  
Time: 9:1