



SUBDIVISION HARDSHIP VARIANCE APPLICATION

Subdivision 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 8-32-5 Private Roads; Section D
Requires 45' road for a minor subdivision. We are asking to
allow (2) lots on 5.57 Acres. that has only a 30' wide access
from Middleton Road (SR2729) into the property.
Request variance for access road 30' wide and 400' long.

Property

Parcel Identification Number (PIN): 16190⁰³49885
Address: Middleton Rd., Garner
Total site area in square feet and acres: 242,629 square feet 5.57 acres
Zoning District(s) and Overlay Districts (if any) and land area within each: R-80W
List Conditions of any Conditional Use Zoning Districts: N/A

Current land use(s): none

Property Owner (list all property owners - use back or additional sheet if needed) (see attached)

Name: Steven B. Middleton
Address: 8212 Middleton Rd.
City: Garner State: NC Zip Code: 27529
E-mail Address: _____ Fax: _____
Property Owner's Telephone Number: 919-235-8729

Consultant (surveyor, engineer, etc. person to whom all correspondence will be sent)

Name: Steve Middleton
Address: 8212 Middleton Rd.
City: Garner State: NC Zip Code: 27529
E-mail Address: _____ Fax: _____
Applicant's Telephone Number: 719-235-8729 Relationship to Owner: self

(2)

Property Co-owner

James I. Middleton, Jr.
100 Glenhigh Ct.
Cary, NC 27511

Statement of Justification Explain how any existing conditions proposed development features, or other relevant facts would allow the Planning Board to reach the required conclusions. (see attached)

In 1972, the property belonging to my grandfather, William Ransom Middleton, was divided among his four children. My father, James I. Middleton, received 5.30 acres without any road frontage. In 1986, he bought a strip of land 30 feet wide from my cousin, Jerry Hobby, to give him access to his 5.30 acres from Middleton Road. In 2006, the property was deeded to my brother, James I. Middleton, Jr., and me, Steven B. Middleton. We would like to divide this property into two lots. We have no intention of selling this property. One of my daughters and her husband, Andy and Trina Middleton Barham, would like to build their home on this land immediately. I have another daughter who also wants to build a house in the near future. We think it is unreasonable not to be able to get two lots because we do not have the required 45 foot access to our property and are not able to obtain any additional footage.

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 petition (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: Steven B. Middleton Date: 5/11/2010

Signature: James I. Middleton Jr. Date: 5/11/2010

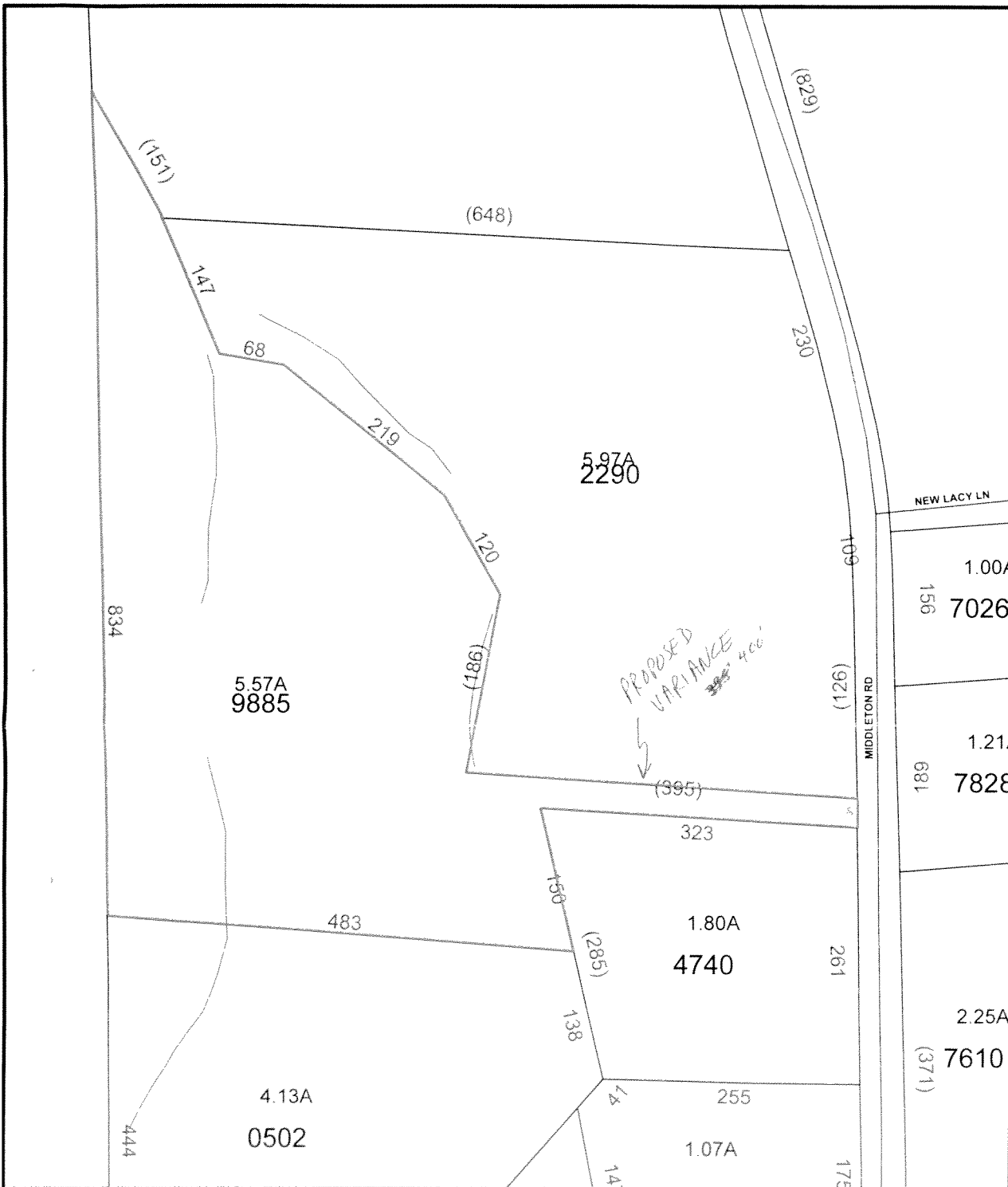
Signature: _____ Date: _____

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: Steven B. Middleton Date: 5/11/2010

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.

5



SUBDIVISION VARIANCE SITE PLAN

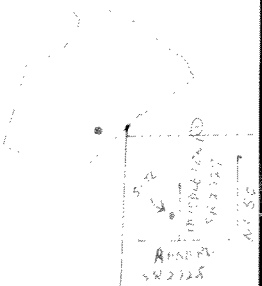
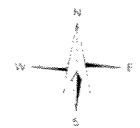
1 inch = 100 feet

Wake County
Geographic Information Services
(919) 856-6370
<http://www.wakegov.com>

This document is a graphic representation only
created from the best available sources.
Wake County assumes no responsibility for any errors
or misuse of this document.

PROJECT OWNERS:
STEVEN R MIDDLETON
JAMES J. MIDDLETON, JR.
8212 MIDDLETON RD
GARLAND, NC 27529
PHONE: 1619649835

5/10/2010 11:49 AM



5