

Register of Deeds

Tammy L. Brunner  
Wake County, NC

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TOWN OF WENDELL



ORDER GRANTING V24-02

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TOWN OF WENDELL

PLANNING DEPARTMENT

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WENDELL, NC 27591



## **Town of Wendell Order Granting a Variance**

### **V24-02:**

### **Variance Request on Lot Size and Dimensional Standards at 115 Mattox Street and 307 Chaplin Street**

The Board of Adjustment for the Town of Wendell, having held an evidentiary hearing on Thursday, June 20, 2024 at the Wendell Town Hall to consider application number V24-02, submitted by Jonathan Olson, on behalf of Carolina Residential Solutions LLC, a request for a variance to the Town of Wendell Unified Development Ordinance (UDO) Section 2.7 – Residential Districts (RR, R2, R3, R4, R7) as it relates to minimum lot sizes and Section 5.9 – Building Type: House, as it relates to minimum lot width and accessory structure side setback for properties located at 115 Mattox Street and 307 Chaplin Street and identified by PINs 1784715320 and 1784715349, to allow the property at 307 Chaplin Street to have a 7,497 square foot lot with a width of 59.51 feet and 115 Mattox Street to have a rear setback of 18.24 feet and an accessory structure side setback of 0.6 feet in the R2 zoning district, due to a proposed lot line change to allow the shop building, currently part of the 307 Chaplin Street property, to be part of its original dwelling at 115 Mattox Street and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:


1. It is the Board's CONCLUSION that there are real, substantial, and unnecessary hardships in the way of carrying out the strict letter of the Ordinance. This conclusion is based on the following FINDINGS OF FACT: All members agree that this is an existing non-conformity, and the request is not increasing the non-conformity.
2. It is the Board's CONCLUSION that, if the variance is granted, the public safety and welfare have been assured and substantial justice has been done. This conclusion is based on the following FINDINGS OF FACT: Since the shop was originally part of the 115 Mattox Street property, and the residents of both properties are in agreement, it would be just to grant the petition.


3. It is the Board's CONCLUSION that, if granted, the variance will be in harmony with the general purpose and intent of the ordinance and will preserve its spirit. This conclusion is based on the following FINDINGS OF FACT: All members agree that it will be harmonious.

The granting of a variance requires an affirmative response to be applied in the underlined text in 1, 2, and 3. General Statutes require a concurring vote of four-fifths of all active members of the board in order to approve a variance request. In the case of V24-02, the request received a 6-0 vote to approve the request.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE be APPROVED.

Ordered this 20th day of June, 2024

 7/8/2024  
Chairman, Board of Adjustment

 7/8/2024  
Town Staff Representative

NOTE: If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of Wake County within thirty (30) days after the date this order is mailed.

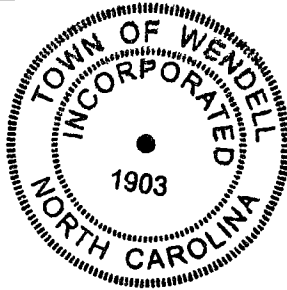
STATE OF NORTH CAROLINA  
COUNTY OF WAKE

**CLERK'S CERTIFICATION**

I, **MARY BETH TEW**, Town Clerk of the Town of Wendell, North Carolina, do hereby certify that the attached is the original Order to Grant Variance #**V24-02** as approved by the Wendell Board of Adjustment on the 20<sup>th</sup> day of June 2024 for property owned by **Carolina Residential Solutions LLC**, and is approved for recording in the Wake County Register of Deeds

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Wendell, North Carolina this 28 day of April, 2025.

[TOWN SEAL]



Mary Beth Tew  
Mary Beth Tew, Town Clerk