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**Hampstead Landing Lots 92 & 93  
Variance Application Narrative**

**Sept. 7, 2013**

**Overview:**

Hampstead Landing proposes to add two lots on Washington Acres Road for new homesites on useable upland soils. These two lots are adjacent existing platted lots to either side. Long Range Planning, MPO, has classified Washington Acres Road to be a collector. As such, Pender County Ordinance will not allow driveway access to Washington Acres Road to serve new properties. New properties should provide a single driveway and a road for the new lots to access. These two proposed properties have difficulty providing any access other than to Washington Acres Road. The following is an address to the required findings of fact to support the proposed variance aimed at allowing individual driveway access off this collector classified road.

- 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; **Driveway access to these properties from the internal road network of the Hampstead Landing Subdivision would require crossing a regulated wetland. The impacts associated with the construction of a road or driveway across the wetland is unconsidered unnecessary hardship given the existing state road frontage. This hardship would be the burden of the subdivider as well as the environment.**
- 2) The hardship results from conditions that are peculiar to the property, such as location, size, 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; **This hardship is a result of the topography being challenging as a proposed driveway would descend into and through the wetlands. The subdivider has complied where possible to access other lots fronting Washington Acres Road from the subdivision road network. The required fording off the wetland in this location to accomplish the same access would be both a regulatory, as well as a cost, hardship.**
- 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 granting of a variance shall not be regarded as a self-created hardship; **The prohibition of driveways along collector roads was not known at the time the property was purchased or planned out.**
- 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. **Granting of this requested variance would result in development no different than that already existing up and down Washington Acres Road. The lots created by the allowance of this request will be otherwise consistent with Pender County ordinances.**