VARIANCE REQUEST

OWNER: Alton Pierce

OWNER ADDRESS: PO Box 345
Leland, NC 28451

PROPERTY TAX PIN: #2276-17-6035-0000

PROPERTY ADDRESS: On Bell Williams Road

PROPERTY DESCRIPTION: Tract 2 Garner Survey – Map Book 46 at Page 102

AREA: 5.0 Acres

VARIENCE REQUESTED

Alton Pierce Applicant & Owner, is requesting to allow the subdivision of a previously recorded pursuant to 6.8.1 A&B of the Pender County Unified Development Ordinance (UDO).

DESCRIPTION OF VARIANCE

Applicant (Alton Pierce) wishes to create 1 parcel & a remnant on a 45 foot access easement.

The original survey was performed May 2004 for Mr. L. Thomas Garner.

Mr. Garner created the 5 acre parcel (Tract 2) in 2007 by using the 3 Lot N.C.D.O.T. Division limitations; he then revised the plat in February 2008 to increase the off-site septic field area. Mr. Pierce purchased the tract in March 2008. Due to the creation of Tract 2 in 2007 the applicant is not eligible to use the 3 Lot Division on a Access Easement limitation as described in the current Pender County UDO (section 6.8). Neither the seller Mr. Garner nor the buyer Mr. Pierce was aware of the 2004 ruling. The applicant acquired a special use permit not knowing or being advised of the 2004 ruling for storage of equipment and to construct a 45' wide gravel road with drainage to access the property. The applicant wishes to create tract 2 as shown for the purpose of meeting & acquiring a construction loan to build a dwelling, the applicant's financial institution requires 2 acre or less lot size. This requested variance is in the spirit, purpose, and intent of the ordinance and the safety and welfare of the public is not at risk. This requested variance will add value & aesthetics to the subject and surrounding properties.

Tract 2 was created 2007, therefore created after the March 29, 2004 date. The applicant (Alton Pierce) is requesting a variance to offer relief from the prescribed date.