

Revised

DPM Appendix #A.16  
Supplement #12  
March 2015

# TOWN OF HOLLY SPRINGS VARIANCE OF DEVELOPMENT STANDARDS PETITION



The current Filing Fees can be found on-line in the Town of Holly Springs Fee Schedule:  
<http://www.hollyspringsnc.us/planning>

## Variance Request (please be specific)

UDO Section No.: Section 3.02.B.3.a(2) (a)  
Section Title: LB Local Business District  
Specific Variance Request: Greater than double-loaded parking  
between Irving Pkwy and future  
Thomas Mill Rd. frontage and building.

For DPZ Use only  
Project # 116 - VAR TC-08  
Fees Paid: \$ \_\_\_\_\_  
Date Received: Received  
JAN 04 2017  
 Complete  Incomplete  
Planning & Zoning

## Project Information

Project Name Duke Health Medical Office  
*If this project is part of a previously approved plan, please specify:*  
PUD/Master Plan/Subdivision N/A Shopping Center/Lot # N/A  
Project Location SW corner of New Hill Rd. and NC55 Bypass  
*Use street address. If none, use the closest intersection*  
 Within Corporate Limits  Within Holly Springs ETJ  Pending Annexation  
PIN 0649-44-8136, et al. Real Estate ID 0001186, et al.  
Project Acreage 8.37 Acres Current Zoning LB, LB-CU  
Scoping Meeting Date: 7/12/2016 Concept Meeting Date: 9/13/2016

## Petition Contact Information (complete each contact in its entirety- please print or type)

### Project Applicant/Contact

(check one)  Owner  Owner's Agent  Design Professional  Developer  Other: \_\_\_\_\_  
Name Jay Matey, P.E. Company The John R. McAdams Company, Inc.  
Mailing Address 2905 Meridian Parkway  
City Durham State NC Zip 27713  
Telephone # (919) 287-0873 Alternate Telephone # ( )  
Fax # ( ) E-Mail Matey@McAdamsco.com  
How would you like to receive staff review comments?  Fax  E-Mail  US Mail  
How would you like to receive Official Action Notices?  Fax  E-Mail  US Mail- Certified

### Developer

Name Kevin Gainey Company Duke Health  
Mailing Address 2200 W. Main Street, Suite 650  
City Durham State NC Zip 27705  
Telephone # (919) 286-8314 Alternate Telephone # ( )  
Fax # ( ) E-Mail kevin.gainey@duke.edu  
How would you like to receive staff review comments?  Fax  E-Mail  US Mail  
How would you like to receive Official Action Notices?  Fax  E-Mail  US Mail- Certified

### Property Owner

Name Samir Patel Company New Hill Group/KSP Properties LLC  
Mailing Address 2601 Sherbourne Place  
City Raleigh State NC Zip 27612  
Telephone # (252) 315-0007 Alternate Telephone # ( )  
Fax # ( ) E-Mail samir1030@gmail.com  
How would you like to receive staff review comments?  Fax  E-Mail  US Mail  
How would you like to receive Official Action Notices?  Fax  E-Mail  US Mail- Certified

# VARIANCE OF DEVELOPMENT STANDARDS FINDINGS OF FACT



You must respond to all findings; please type or print legibly in blue or black ink.

## Project Information

Project Name: Duke Health Medical Office

## Findings of Fact

A petition for Variance of Development Standards may only be approved upon the presentation of sufficient evidence. Please include as much detailed information or unique conditions that would enable the Board to make a written determination that:

For DPZ Use only
Project # _____ - VAR - _____
Date Received: _____

(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. The subject property is presently bounded by three (3) public streets and will ultimately be bounded by public streets on all sides. Thus, complying with this section of the UDO is injurious to development as parking would be limited to double-loaded on all sides of the proposed building.

(2) The hardship results from conditions that are peculiar to the property, such as location, size, or 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. The orientation of the property with respect to existing public streets as well as the size and shape of the property present factors for which this variance is necessary.

(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 the granting of a variance shall not be regarded as a self-created hardship. The circumstances creating this hardship did not result from actions taken by the applicant or the property owner.

(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. The requested variance is consistent with the UDO. The project has been designed such that the UDO Section referenced will be adhered to on the north and the west sides of the development. In addition, buffers on the non-compliant sides will provide screening of the parking areas, mitigating the requested additional parking area.

## Certificate of Completion

I certify that all information presented in this petition is accurate to the best of my knowledge and belief. Further, I grant permission for members of the Board of Adjustment and Town Staff to visit the site in question for informational, advertisement, and inspection needs.

Signature of Applicant: [Signature]

Signature of Owner: [Signature]

Date: 12/16/16

Date: 03 Jan 2017