



**TOWN OF WEDDINGTON
SPECIAL MEETING
BOARD OF ADJUSTMENT
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
MONDAY MARCH 27, 2023 6:00 P.M.
AGENDA**

1. Open the Meeting
2. Determination of a Quorum
3. Approval of the February 27, 2023 Board of Adjustment Minutes
4. Consideration of Application for Variance from Vivek Kashyap, requesting a variance from Section D-703E, Lot and Building Standards Table, of the Town of Weddington Unified Development Ordinance for Parcel # 06177064 located on Landsbury Drive in Weddington NC.
5. Adjournment



**TOWN OF WEDDINGTON
SPECIAL MEETING
BOARD OF ADJUSTMENT
WEDDINGTON TOWN HALL
MONDAY FEBRUARY 27, 2023 5:30 P.M.
MINUTES
PAGE 1 OF 6**

1. Open the Meeting

Chairman Howard called the meeting to order at 5:30 p.m.

2. Determination of a Quorum

Quorum was determined with all Board members present: Chairman Gordon Howard, Vice Chair Ed Goscicki, Board members Travis Manning, Manish Mittal, Chris Faulk. Alternates present: Jen Conway and Jim Vivian

Staff present: Town Planner Robert Tefft, Town Administrator/Clerk Karen Dewey, Board of Adjustment Attorneys Terry Sholar and Frank Corigliano

Applicant: Hendrick Ellis (via phone)

Visitors: Fred Heyward (for applicant), Layton Croft, Jen Croft

3. Approval of the October 24, 2022 Board of Adjustment Minutes

Motion: Board member Manning made a motion to approve the October 24, 2022 Board of Adjustment minutes.

Second: Vice Chair Goscicki

Vote: The motion passed with a unanimous vote.

4. Consideration of Request for Variance by Hendrick H. and Diane M. Ellis from the Conditional Use Permit for Planned Residential Development for Stratford on Providence as approved by Town Council on December 11, 2000, for the property located at 5040 Oxfordshire Road, Waxhaw, NC 28173

Chairman Howard opened the evidentiary hearing for the request for variance by Hendrick H. and Diane M. Ellis from the Conditional Use Permit for Planned Residential Development for

Stratford on Providence as approved by Town Council on December 11, 2000, for the property located at 5040 Oxfordshire Road, Waxhaw NC 28173

A vote of 4/5 majority of the Board is required to grant a variance.

Mr. Sholar affirmed the applicant, Hendrick Ellis, over the phone and administered the oath to the applicant's representative, Fred Heyward, and the Town Planner, Robert Tefft. Chairman Howard polled each board member to disclose any potential partiality or conflict of interest to the case. No board member had a conflict of interest.

Mr. Tefft presented the staff report: On December 11, 2000, the Town Council approved a Conditional Use Permit for a Planned Residential Development to be known as Stratford on Providence. The land involved was 89.79-acre parcel zoned R-40 District, and its subdivision resulted in the creation of 87 single-family residential lots. While most of the lots within the subdivision were approved with a rear yard setback of 40 feet, four lots within Phase One (32 – 35), and nine lots within Phase Two (43 and 45 – 52) were approved with a rear yard setback of 50 feet. However, the lots within Phase Two all abutted a proposed future road, while the lots within Phase One abutted a vacant lot outside of the project area. Additionally, there are four lots within Phases Two and Three (80 – 83) that abut the same vacant lot outside of the project area; however, these lots all have a rear yard setback of 40 feet.

The approval granted by Council consisted of 14 conditions, including the following:

There shall be no changes in the size, location, and design of the proposed improvements, lighting, parking, setbacks, provision of water and sewerage, or in the proposed use of the subject property, except as amended by Council.

With the adoption of the Unified Development Ordinance (UDO) on April 21, 2021, the Conditional Use Permit development type was eliminated, and the UDO no longer contains any provisions related to the amendment or modification of previously approved Conditional Use Permits. Given this, it is the opinion of Town staff that the Board of Adjustment, based upon the duties assigned pursuant to UDO Section D-302(B), would provide the function of amending (by way of variance) the rear yard setback that is specific to this subdivision by way of the Conditional Use Permit.

The subject parcel is approximately 1.022 acres (44,518 SF) and is located at the south side of Oxfordshire Road within the Stratford on Providence subdivision (Lot 35). The parcel is zoned R-40 and consists of a two-story 6,033 square foot single-family dwelling constructed in 2003. On January 11, 2023, Mr. and Mrs. Ellis applied for a Zoning Variance to reduce the minimum required rear yard setback to construct an addition to their existing single-family dwelling from 50 feet to 45 feet.

Board member Vivian asked if the addition was one or two stories.

Mr. Tefft responded that it is one story.

Board member Mittal asked if the pool patio will meet the setback.

Mr. Tefft replied that isn't covered in the code, it would not have to meet the 50-foot setback.

Vice Chair Goscicki asked when this was approved and if the larger setback was at the request of the Council at the time.

Mr. Tefft responded that he looked through the records and minutes and couldn't find anything explaining why this lot has a 50-foot rear yard setback.

Chairman Howard asked if the parcels don't have a 50-foot set back, are they at 40 feet?

Mr. Tefft replied they are.

Chairman Howard asked if the game room is built?

Mr. Tefft replied it is not. The applicant needs the variance to get the permit to build the addition.

Chairman Howard asked if there is a requirement for pervious vs. impervious surface.

Mr. Tefft replied there is not.

Mr. Ellis asked if the reason the 50-foot setback exists was for a road?

Mr. Tefft responded that it would not have been for that behind the Ellis property.

Mr. Ellis stated: when the property was purchased, they didn't know the setback was different. He is not asking to go beyond a 40 ft set back, just that they are allowed a setback consistent with majority of people in neighborhood. With the addition to the house, they are only going a few feet into the 50 foot setback and not into the 40 foot setback.

Board member Vivian asked when the house was purchased.

Mr. Ellis responded in 2007.

Board member Manning asked how many feet into the 50-foot setback. The backyard is diagonal shaped, he's not sure how far from the drawing.

Mr. Ellis responded the variance application is for 5 feet into the 50-foot setback.

Board member Faulk asked if the majority of the property owners are the same as when the Council made the conditions for those setbacks?

Mr. Tefft responded that he believes they are.

Board member Faulk asked if the council made a condition that changes should be amended by the Council.

Mr. Tefft responded that the council used standard language and that at the time of this approval, the Town had Conditional Use Permit approvals and ways to modify them. With the current UDO, there is no longer conditional use permitting or a way to amend previously approved conditional uses. This will fall to the Board of Adjustment as the designated entity by default.

Board member Faulk asked if the Lochaven neighboring landowners were notified.

Mr. Tefft responded that they were as a part of the process.

Board member Faulk stated that this set back may have been created for the adjoining landowner and they didn't show up.

Mr. Sholar stated that typically, this situation would require an applicant to have to come back and get a conditional amendment.

Board member Faulk asked what the requested variance is and where is it in the application.

Vice Chair Goscicki stated that the board can put it in the motion.

Mr. Tefft responded that Mr. Ellis was requesting a 5-foot variance from the 50-foot rear setback.

Board member Mittal asked if any thought was given to reducing the size of the game room. Mr. Ellis responded that while it is an option, it is not optimal.

Mr. Sholar asked if the pool on the plans currently exists. Mr. Ellis responded that it doesn't.

Chairman Howard stated that Board will review and deliberate findings of fact: Mr. Sholar stated that the Board should look at these conclusions and find what facts support the conclusion.

- a. The hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.*

Vice Chair Goscicki stated that the hardship exists because the property owner cannot build a game room of specific dimensions without the variance.

Board member Faulk stated that because of the angle of the house and the dimensions the house isn't square on the lot. The position of the house causes a hardship. Trying not to get hung up on this being a luxury. No matter what, it's still a constraint. This is a typical characteristic of that neighborhood.

Board member Vivian stated that it is still within the 40 foot.

Mr. Sholar stated that it is actually the additional setback that is causing the hardship.

Board member Goscicki stated the scale of the game room is 20x16 or 20x18. Board member Faulk stated that nothing the applicant is doing is out of character for this neighborhood. It fits.

Chairman Howard stated that with the facts and evidence presented, does the board feel there is a hardship?

Motion: Board member Faulk made a motion that there is a hardship from the strict application of the regulation based on the size, shape,

dimensions, of the lot including the large front yard setback and the extra ten feet added to the typical 40 foot rear setback for the subdivision

Second: Board member Manning

Vote: The motion passed with 4 in favor, Chairman Howard, Board members Faulk, Manning, and Goscicki, and 1 opposed, Board member Mittal.

- b. *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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.*

Chairman Howard stated that the lot dimensions have been noted. Are there any other observations?

Vice Chair Goscicki noted that the house is set back significantly from the road. The developer laid out the property and it doesn't appear that any allowance was made for the larger rear setback. The hardship results because of the layout of the property.

Board member Faulk agreed.

Motion: Board member Faulk made a motion that the hardship was created by the additional rear yard setback of 50 feet rather than 40 feet typical for the subdivision along with the large front yard setback and location of the home on the lot were peculiar to the lot which reduced the amount of rear yard.

Second: Board member Manning

Vote: The motion passed with a unanimous vote.

- c. *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.*

Board member Faulk stated that the property owner did not take any actions to cause this hardship.

Motion: Board member Faulk made a motion that the hardship was due to the lot dimensions and additional rear yard setback and not due to any actions taken by the applicant.

Second: Board member Manning

Vote: The motion passed with a unanimous vote.

d. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured, and substantial justice is achieved.

Chairman Howard stated that the requested variance causes no risk to public security or safety and a variance will give justice to the property owners.

Board member Faulk stated that the requested variance is in conjunction with the Weddington ordinances.

Motion: Board member Faulk made a motion that reducing the rear yard setback to the typical 40 foot setback to accommodate construction of the addition to the home would not affect public safety and it would align with most of the other rear yard setbacks and be consistent with the spirit, purpose, and intent of the regulation.

Second: Board member Mittal

Vote: The motion passed with a unanimous vote

Motion: Board member Faulk made a motion to approve the application for a 10-foot variance of the 50 foot setback solely for the purpose of constructing the game room addition to the residence as requested in the application.

Second: Vice Chair Goscicki

Vote: The motion passed with a unanimous vote.

Chairman Howard expressed his gratitude to Mr. Sholar for his leadership and guidance and wished him a happy retirement.

Mr. Sholar introduced Mr. Corigliano who will be taking over as Board of Adjustment Attorney.

5. Adjournment

Motion: Vice Chair Goscicki made a motion to adjourn the February 27, 2023 Special Board of Adjustment meeting at 6:06 p.m.

Second: Board member Manning

Vote: The motion passed with a unanimous vote.

Approved: _____

Gordon Howard, Chairman

Karen Dewey Town Administrator/Clerk



TO: Board of Adjustment
FROM: Robert G. Tefft, Town Planner
DATE: March 27, 2023
SUBJECT: Application by Vivek Kashyap, requesting a variance from Section D-703(E), Lot and Building Standards Table, of the Town of Weddington Unified Development Ordinance for parcel located at 0 Landsbury Drive (TM #06177064).

APPLICATION INFORMATION:

SUBMITTAL DATE: February 23, 2023
APPLICANT: Vivek Kashyap
PROPERTY LOCATION: 0 Landsbury Drive
PARCEL ID#: 06177064
LAND USE: Traditional Residential
ZONING: R-60 Single-Family District

BACKGROUND:

The subject parcel is approximately 2.30 acres (100,188 SF) and is located at the northeast terminus of Landsbury Drive within the Walden at Providence subdivision (Lot 66). The parcel is zoned R-60 and is currently vacant. On February 23, 2023, Mr. Kashyap applied for a Zoning Variance to reduce the minimum required rear yard setback from 60 feet to 40 feet for the construction of a single-family detached dwelling. It is noted that the front yard setback for the property is 100 feet (as appears to be the requirement for all lots in the subdivision) rather than the 60 feet currently established in the UDO.

RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:

UDO Table 2, Lot and Buildings Standards

| TABLE 2, LOT AND BUILDING STANDARDS | | | | | | | |
|-------------------------------------|----------------------------|-------------------------|-------------------------|-------------------|------|----------------------|--------------------------|
| Zoning District | Minimum Lot Size (sq. ft.) | Minimum Lot Width (ft.) | Minimum Setbacks (ft.) | | | Maximum Height (ft.) | Maximum Floor Area Ratio |
| | | | Front | Side | Rear | | |
| R-80 | 80,000 | 150 | 65 (res.) 75 (other) | 25 45 (corner) | 60 | 35 | N/A |
| R-60 | 60,000 | 125 | 60 (res.) 75 (other) | 25 45 (corner) | 60 | 35 | |
| R-40 | 40,000 | 120 | 50 (res.) 75 (other) | 15 25 (corner) | 40 | 35 | |
| R-40(D) | 40,000 | 100 | 40 | 12 | 40 | 35 | |
| R-CD (Conventional) | 40,000 | 120 | 50 | 15 | 40 | 35 | |
| R-CD (Conservation) | 12,000 | 80 | 20 | 5 ¹ | 30 | 35 | |
| RE | 20,000 | 100 | 40 | 12 | 40 | 35 | |
| ED | N/A | N/A | 25 | 25 | 25 | 40 | 0.2 |
| B-1 (CZ) | | | | | | | |
| B-2 (CZ) | | | | | | | |
| MX (CZ) | | | | | | | |

UDO Section D-705(D), Variances.

1. When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the Board of Adjustment shall vary any of the provisions of the zoning regulation upon a showing of all of the following:
 - a. The hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - b. 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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
 - c. 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.

- d. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured, and substantial justice is achieved.
 2. No change in permitted uses may be authorized by variance.
 3. Additionally, no variances shall be granted by the Board of Adjustment for the following:
 - a. Setbacks for signs and areas and/or height of signs.
 - b. Setbacks for essential services, class III.
 4. No variance for setbacks shall be granted which allows the applicant to reduce the applicable setback by more than 50 percent.
 5. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.
 6. Any order of the Board of Adjustment in granting a variance shall expire if a zoning permit, or certificate of occupancy for such use if a zoning permit is not required, has not been obtained within one year from the date of the decision.
 7. The Board of Adjustment shall hold a hearing on all complete applications no later than 40 days after the application has been filed with the zoning administrator unless consented to by the applicant.
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Attachments:

- Zoning Variance Application
- Zoning Map of Subject Parcel

TOWN OF WEDDINGTON

Zoning Variance Application

This application is required for all variance applications. Completed applications along with all associated submittal requirements, must be submitted via the Town's Self-Service Permitting Portal.

No application shall be considered complete unless accompanied by the application fee in the amount of \$715.00. An additional fee to cover necessary public notification costs shall also be required prior to the application being heard before the Board of Adjustment. In addition to these fees and application, the following items shall also be required:

- A scaled survey drawn by, and certified as correct, a surveyor or engineer registered in the State of North Carolina, which shows property dimensions, boundaries, and existing and proposed building/additions; and illustrates the variance requested.
- A map clearly showing the subject property and all contiguous property on either side and all property across the street or public right-of-way from the subject property.

It is the responsibility of the applicant to submit complete and correct information. Incomplete or incorrect information may invalidate your application. The applicant, by filing this application, agrees to comply with all applicable requirements of the Unified Development Ordinance.

APPLICANT INFORMATION

Name: Vivek Kashyap
Mailing Address: 12001 Pine Valley Club Drive
Phone Number: 704-340-6997 Email: vkash77@yahoo.com

PROPERTY OWNER INFORMATION *(if different from applicant)*

Name: SAME
Mailing Address: _____
Phone Number: _____ Email: _____

SUBJECT PROPERTY INFORMATION

Location: 66 Landsbury Dr, Waxhaw, NC 28173
Parcel Number: 061-770-64
Existing Zoning: R-60
Use of Property: Residential lot

VARIANCE INFORMATION

1. What Section(s) of the UDO would that variance be from?
Seeking a variance in the Rear Set back from the 60ft to 40ft

2. What is the reason for the variance?
Unnecessary Hardship

3. If the variance is granted, how is it proposed that the property will be used?
Primary personal residence

4. What improvements have been (will be) constructed on the property?
Construction of personal home

5. Per UDO Section D-705D(1), when unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the Board of Adjustment shall vary any of the provisions of the zoning regulation upon a showing of all the following:
 - a. The hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
Following the strict application of the UDO and the community regulations, would greatly restrict how our home can be
sited and constructed. Further, since our subsection of the neighborhood does not have public utilities, allowance
must be made for septic and well locations and no-build radius that further limit our building envelope.

- b. 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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.

The hardship is specific to our lot due to its shape, topography and is further compounded by the strict 100ft front setback that is measured from the ROW arc of the cul-de-sac. This is uncommon for the neighborhood and makes it very restrictive. Also, the map attached to our deed and the community CCRs specify a 40ft, rather than 60ft, rear setback.

- c. 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 hardship did not result from any of our actions as property owners. We designed our home based on the information and guidance our HOA and the documentation we were provided.**

- d. The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured, and substantial justice is achieved. The variance will require us to abide by a 40ft setback, which will be consistent with several other homes in the neighborhood and maintain the spirit and intention of the regulation. Public safety will not be affected and it will just in allowing us to proceed in building our home in which we have invested significant resources.

6. Per UDO Section D-705D(2), no change in permitted uses may be authorized by variance.
7. Per UDO Section D-705D(3), no variances shall be granted by the Board of Adjustment for the following:
- a. Setbacks for signs and areas and/or height of signs.
 - b. Setbacks for Essential Services, Class III.
8. Per UDO Section D-705D(4), no variance for setbacks shall be granted which allows the applicant to reduce the applicable setback by more than 50 percent.
9. Per UDO Section D-705D(5), appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.
10. Per UDO Section D-705D(6), any order of the Board of Adjustment in granting a variance shall expire if a zoning permit, or certificate of occupancy for such use if a zoning permit is not required, has not been obtained within one year from the date of the decision.

11. Per UDO Section D-705D(7), the Board of Adjustment shall hold a hearing on all complete applications no later than 40 days after the application has been filed with the zoning administrator unless consented to by the applicant.

CERTIFICATION

I HEREBY CERTIFY that all the information provided for this application and all attachments is true and correct to the best of my knowledge. I further certify that I am familiar with all applicable requirements of the Weddington Unified Development Ordinance concerning this proposal, and I acknowledge that any violation of such will be grounds for revoking any approvals or permits granted or issued by the Town of Weddington.

[Signature] _____ *2/24/23* _____
Applicant Date

[Signature] _____ *2/27/23* _____
Property Owner(s) Date



To whom it may concern,

We are requesting this variance because strict application of the 60 feet rear setback would create an unnecessary hardship with regard to the design and construction of our home. Our lot is oddly shaped due to being on a cul-de-sac, and it also has difficult topography, which greatly restricts how our home can be sited and constructed. Since our neighborhood does not have public utilities, allowance must also be made for a septic field as well as a no-build radius from the drinking water well. Further, even though the town's front setback requirement is only 60 feet, the recorded restrictions for our neighborhood require a larger setback from the front of 100 feet. The required 100 foot setback required by our recorded restrictive covenants combined with the town's 60 feet rear setback, along with the limitations due to the well and septic locations, make it almost impossible for our house to fit on the lot; therefore, we are asking that the town grant a variance to provide for a 40 foot rear setback rather than the currently required 60 feet – only a 20 foot change. Forty feet was the original requirement which was noted in the zoning map attached to our deed and in the community CCRs. It appears that the setbacks in this zoning classification were changed by the town sometime since these were written.

This hardship is peculiar to the shape and topography of our lot, and is not something that is common to the neighborhood, and it was not created by us. It is our understanding that the neighbor behind our property is not opposed to the variance request, and it should be noted that there are currently a wooded area on much of the rear of our property such that the 20 foot variance we are requesting should not affect them in any way. Our homeowners association also has no objection to this variance request. We have already requested consideration from HOA for a front setback variance which has been denied.



Granting this request, which will still require us to abide by a 40 feet setback, will be consistent with several other houses in the neighborhood and be in the spirit, purpose and intent of the setback regulations, will not effect public safety in any way, and will be just in this instance in allowing us to proceed with the construction of our home which we have been planning for over two years now.

Thank you for your consideration.

Vivek Kashyap

ADJACENT PROPERTY OWNERS

Union County Property Tax Inquiry 06177062 : 2023

 Shopping Cart  Ne

☰ Related Names

OWNER PORTER, JENNIFER
Mailing Address 469 VALLEY RUN DR
WAXHAW, NC 28173
Comments SPOUSE

OWNER PORTER, CHADRICK
Mailing Address 469 VALLEY RUN DR
WAXHAW, NC 28173
Comments SPOUSE

Union County Property Tax Inquiry 06177063 : 2023



 Shopping Cart  Ne

☰ Related Names

OWNER BOARDMAN, MICHELLE
Mailing Address 459 VALLEY RUN DR
WAXHAW, NC 28173
Comments SPOUSE

OWNER BOARDMAN, TIMOTHY
Mailing Address 459 VALLEY RUN DR
WAXHAW, NC 28173
Comments SPOUSE

Union County Property Tax Inquiry 06177065 : 2023

 Shopping Cart  Ne

☰ Related Names

OWNER BECK, BRYON R
Mailing Address 595 LANDBURY DR
WEDDINGTON, NC 28173

OWNER BECK, MARIANNE L
Mailing Address 595 LANDBURY DR
WEDDINGTON, NC 28173

Layers

Google

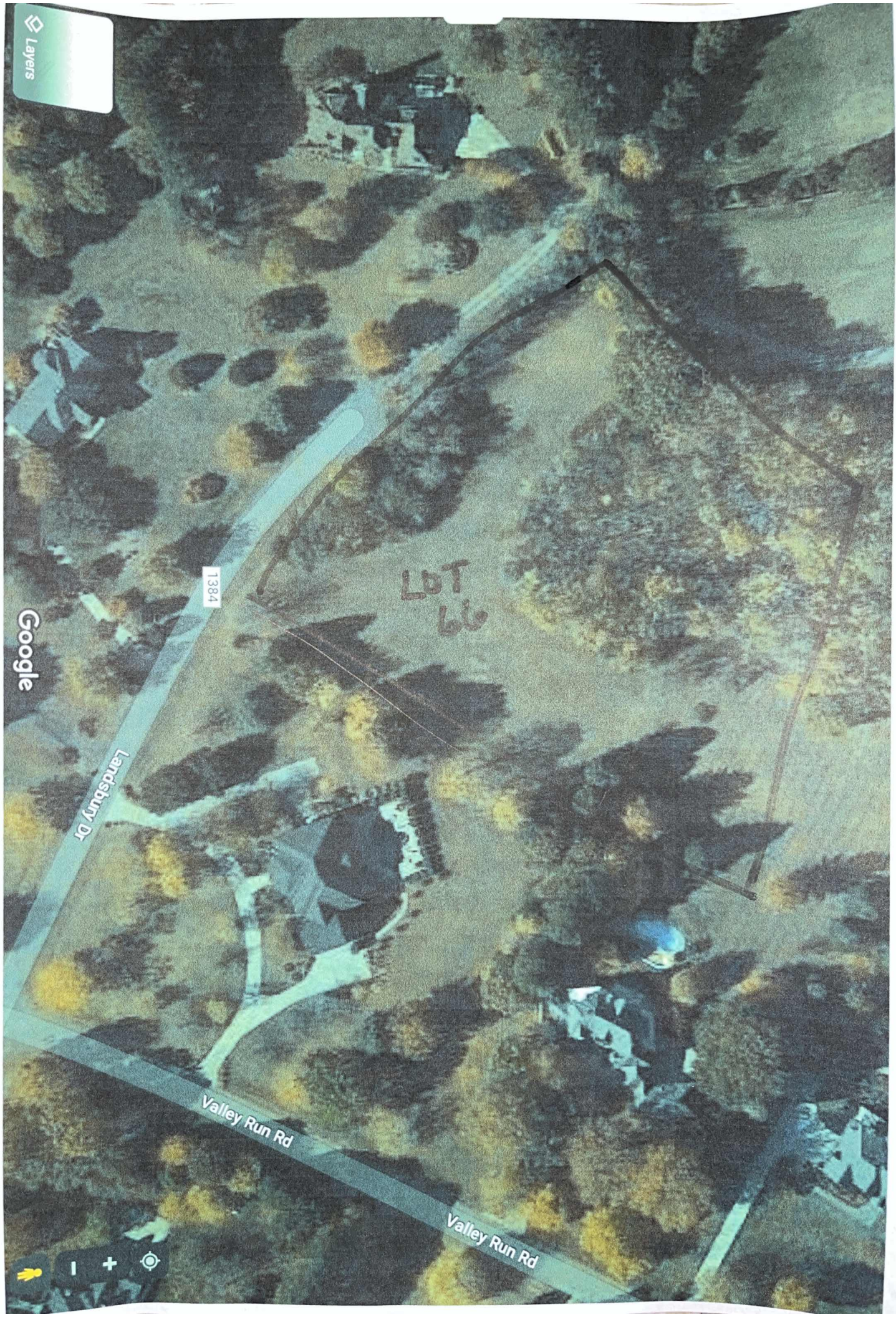
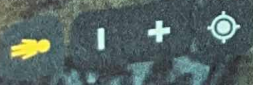
1384

LOT
66

Landsbury Dr

Valley Run Rd

Valley Run Rd



PROPERTY SHOWN ON THIS PLAN, ANY, ARE AS SHOWN HEREON.

SIGNED _____ REGISTERED SURVEYOR

#4 Rebar (found)

(990.55' Tie)
(30.42' Tie)

Tax Parcel No. 061-741-3B
Longview Holdings III LLC
(Now or Formerly)
Deed: 1873-884

LONGVIEW

Golf Fairway #13~

Tax Parcel No. 061-980-03A
Pawg Land Associates
(Now or Formerly)
Deed: 1644-733

NORTH PER PLAT C 242

#5 Rebar (found)

#5 Rebar (found)

25.00

N 70°34'37" E 217.68
S 67°23'51" W 219.91

#5 Rebar (found)

Tax Parcel No. 061-741-40
LV Holdings, LLC
(Now or Formerly)

LOT 65
Plat J-604

Area in Strip:
0.09 Ac. (3,927 Sq. Ft.)

S 37°04'47" E TOTAL 220.36
60' R/W per Plat C, File 242

100' Minimum Building Setback Line

Tax Parcel No. 061-770-64
Janice Y. Beck
Deed: 1292-398

LOT 66
Plat B/346-A
Plat C/242

(144.76' Tie)

S 1/2" Iron Pipe w/ Tack

S 58°37'01" E TOTAL 305.13

LOT 68
Plat B/346-A

LANDSBURY DRIVE
EXISTING 60' PUBLIC R/W

S 38°25'53" W 309.54

#5 Rebar (found)

LOT 67
Plat B/346-A

#5 Rebar (found)

BOUNDARY SURVEY
OF

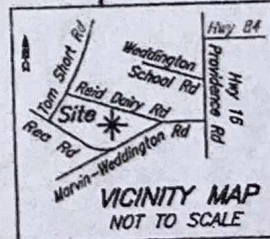
THIS PROPERTY DOES NOT LIE WITHIN
ANY FLOOD-PRONE HAZARD AREA.

0.09 ACRE PORTION OF
LOT 66, WALDEN AT PROVIDENCE PHASE II

SCALE 1" = 60'

SANDY RIDGE TOWNSHIP, UNION COUNTY, NORTH CAROLINA

CAROLINA SURVEYORS, INC
P.O. BOX 287
PINEVILLE, N.C. 28134



SURVEYED FOR _____
MAP RECORDED IN BOOK B AT PAGE 346A DEED RECORDED BOOK _____ PAGE _____
DRAWN BY KCW FIELD WORK ED FIELD BOOK # _____
ACAD 2002\012 DATA 2002-L

Cab C File 242

STATE OF NORTH CAROLINA, Meck COUNTY
Samuel P. Malone Jr. CERTIFY THAT THIS
 MAP WAS DRAWN UNDER MY SUPERVISION FROM AN
 ACTUAL SURVEY MADE UNDER MY SUPERVISION,
 DEED DESCRIPTION RECORDED IN BOOK N/A PAGE
N/A; THAT THE RATIO OF PRECISION AS
 CALCULATED BY LATITUDES AND DEPARTURE IS
 1:10,000; THAT THE BOUNDARIES NOT SUR-
 VEYED ARE SHOWN AS BROKEN LINES PLOTTED
 FROM INFORMATION FOUND IN BOOK N/A, PAGE
N/A; THAT THIS MAP WAS PREPARED IN AC-
 CORDANCE WITH G.S. 47-30, AS AMENDED.
 WITNESS MY HAND AND SEAL THIS 1st DAY OF
SEPT, AD 1988.
S.P. Malone Jr.
 REGISTERED LAND SURVEYOR

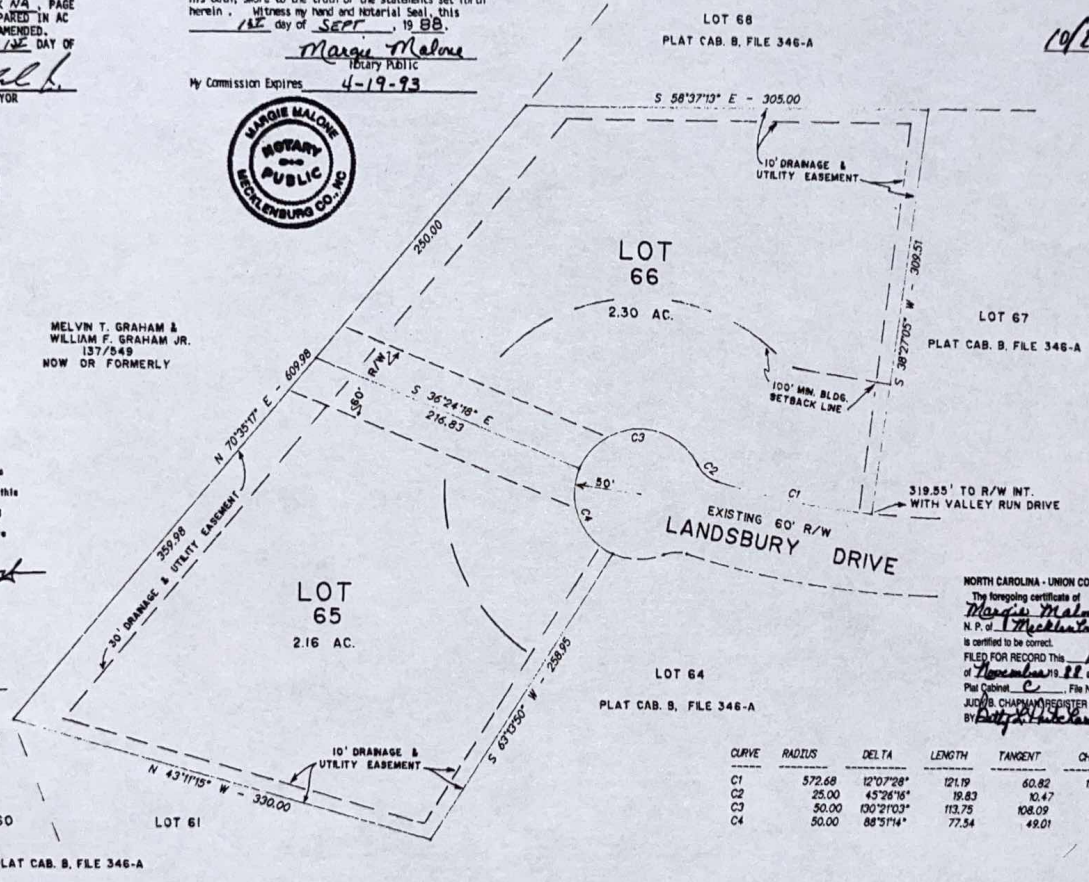
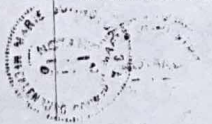


State of North Carolina
 County of Mecklenburg
 I, MARGIE MALONE, a Notary Public
 in and for the County of Mecklenburg and the State of
 North Carolina, do hereby certify that:
SAMUEL P. MALONE JR., Registered Land Surveyor
 personally appeared before me this day and acknowledged
 the due execution of the foregoing certificate and upon
 his oath, swore to the truth of the statements set forth
 herein. Witness my hand and Notarial Seal, this
1st day of SEPT, 1988.
Margie Malone
 Notary Public
 My Commission Expires 4-19-93

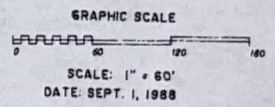


MELVIN T. GRAHAM &
 WILLIAM F. GRAHAM JR.
 1377849
 NOW OR FORMERLY

Certificate of Ownership and Dedication
 I hereby certify that I am the owner of the
 property shown and described hereon, which is
 located in the subdivision jurisdiction of the
 Town of Weddington and that I hereby adopt this
 plan of subdivision with my free consent,
 establish minimum building setback lines and
 dedicate all streets, alleys, walks, parks, and
 other sites and easements to public or private
 use as noted.
Margie Malone
 DATE: 10/21/88 SIGNATURE OF OWNER
 Witness my hand and notarial seal, this
14th day of November, 1988
Margie Malone
 Notary Public
 My Commission Expires 4/1/93



Certificate of Approval for Recording
 I hereby certify that the subdivision plat shown
 hereon has been found to comply with the Subdivision
 Regulations of the Town of Weddington, North Carolina
 and that this plat has been approved by the subdivision
 administrator for recording in the Office of the Register
 of Deeds of Union County.
10/21/88
 Date
South Henth
 Chairman of the Planning Board
 Town of Weddington, North Carolina



NORTH CAROLINA - UNION COUNTY
 The foregoing certificate of
Margie Malone
 N. P. of Mecklenburg County, N.C.
 is certified to be correct.
 FILED FOR RECORD THIS 15th day
 of November, 1988 at 2:15 PM
 Plat Book C File No. 242
 JUDITH, CHAIRMAN, REGISTER OF DEEDS
 BY Patricia H. Henth

| CURVE | RADIUS | DELTA | LENGTH | TANGENT | CHORD | CHORD/BRG |
|-------|--------|------------|--------|---------|--------|---------------|
| C1 | 572.68 | 120°07'28" | 121.19 | 60.82 | 120.96 | N 47°31'14" W |
| C2 | 25.00 | 45°26'16" | 19.83 | 10.47 | 19.31 | N 88°44'22" W |
| C3 | 50.00 | 100°21'03" | 113.75 | 108.09 | 90.76 | N 61°13'46" W |
| C4 | 50.00 | 88°51'14" | 77.54 | 49.01 | 70.00 | S 09°10'05" W |

NOTE:
 THESE LOTS WERE PREVIOUSLY
 RECORDED IN PLAT CAB. B AT
 FILE 346-A.

THE RECORDING OF THIS REVISION
 MAP SUPERCEDES & REPLACES ALL
 PREVIOUSLY RECORDED MAPS FOR
 THESE LOTS.

ZONING: R - 40
 IRON PINS AT ALL LOT CORNERS
 THE REASON FOR THIS REVISION MAP
 IS TO SHOW A 60' R/W RUNNING DOWN
 THE COMMON LINE BETWEEN LOTS 65 & 66

A REVISED MAP SHOWING
LOTS 65 AND 66
 WALDEN AT PROVIDENCE PHASE II
 TOWN OF WEDDINGTON
 SANDY RIDGE TWSP., UNION CO., N.C.
 THE PROPERTY OF
 WEDDINGTON PROPERTIES NUMBER TWO, INC.

PREPARED BY:
SAM MALONE & ASSOCIATES
 116 WEST JOHN STREET
 MATTHEWS, N.C. 28105
 P.O. BOX 1139 - 28106
 PH. (704) 847-9026

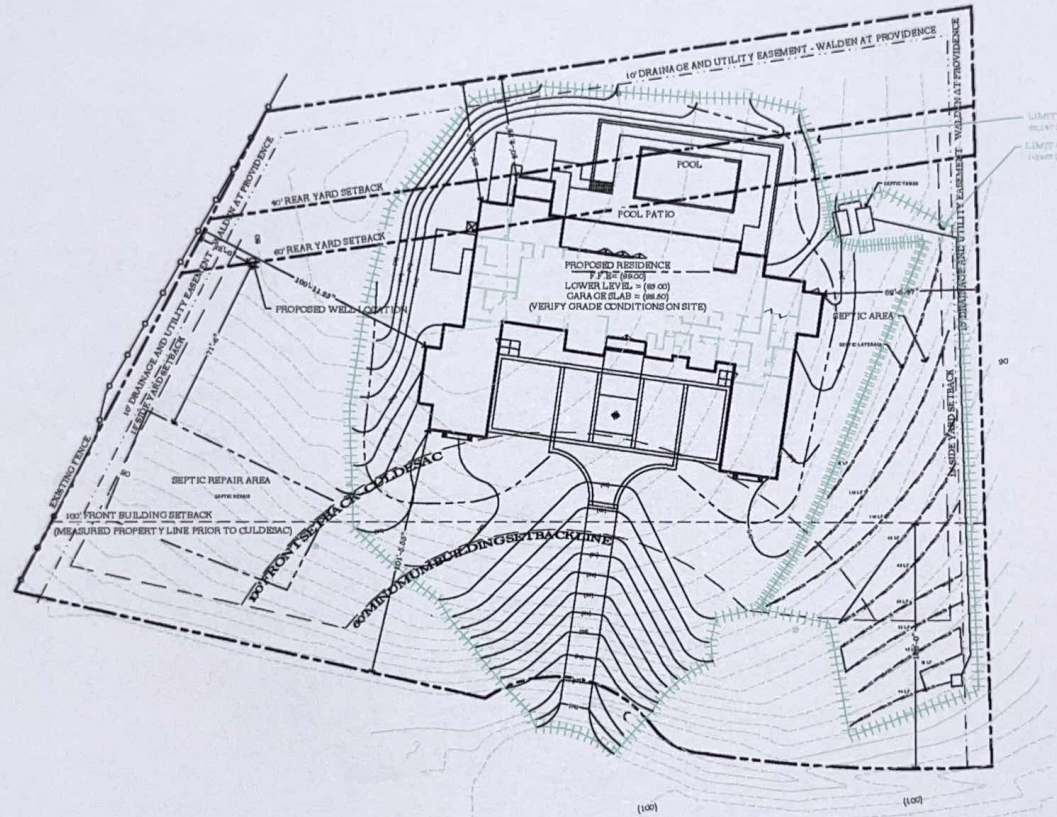
I hereby certify that all streets and other required improvements have been
 installed in an acceptable manner and according to N.C. Department of
 Transportation and/or Town of Weddington specifications and standards in the
 Subdivision or that guarantees the installation of the required
 improvements in an amount and manner satisfactory to the Town of Weddington
 have been given and received.
11/14/88
 Date
John D. Graham
 Mayor of the Town of Weddington,
 North Carolina



SCALE 1" = 10'-0"

NOTES:
 IF AN UNLAWFUL VIOLATION OF ANY FEDERAL, STATE OR LOCAL LAW, ORDINANCE, RULE, REGULATION OR ANY OTHER APPLICABLE REQUIREMENT IS IDENTIFIED, IT MAY CAUSE THE DESIGN TO BE UNLAWFUL OR IN VIOLATION OF ANY APPLICABLE REQUIREMENT.

REUSE INFORMATION INCLUDING SURVEY DATA PROVIDED BY CLIENT. ALL SURVEY INFORMATION SHALL BE CONSIDERED APPROPRIATE TO THE DESIGN PROVIDED BY A PROFESSIONAL SURVEYOR.



LIMIT OF DISTURBANCE
 45'± TO FT. WITH CITY SEPTIC

LIMIT OF DISTURBANCE
 15'± TO FT. SEPTIC AREA

KASHYAP RESIDENCE
 LANDSBURY DRIVE
 WAXHAW, NORTH CAROLINA
 LOT 66

OVERALL SCHEMATIC SITE PLAN FOR HOUSE LOCATION, SEPTIC AND WELL LOCATIONS.

CONCEPT DESIGN ONLY - NOT FOR CONSTRUCTION

SCALE 1" = 10'-0"

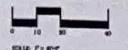


PREPARED BY:
 NICHOLAS TROPEANO, PLLC
 1000 W. HARRIS STREET, SUITE 100
 WAXHAW, NORTH CAROLINA 28090
 PHONE: 704.841.1111
 FAX: 704.841.1112
 WWW.NTPLLC.COM

Nicholas Tropeano
 NICHOLAS TROPEANO, PLS
 REGISTERED PROFESSIONAL SURVEYOR
 NO. 10000
 STATE OF NORTH CAROLINA
 EXPIRES 12/31/2024

OVERALL SCHEMATIC
 SITE PLAN
 REVISION:
 1.00 - SHEET COMMENTS

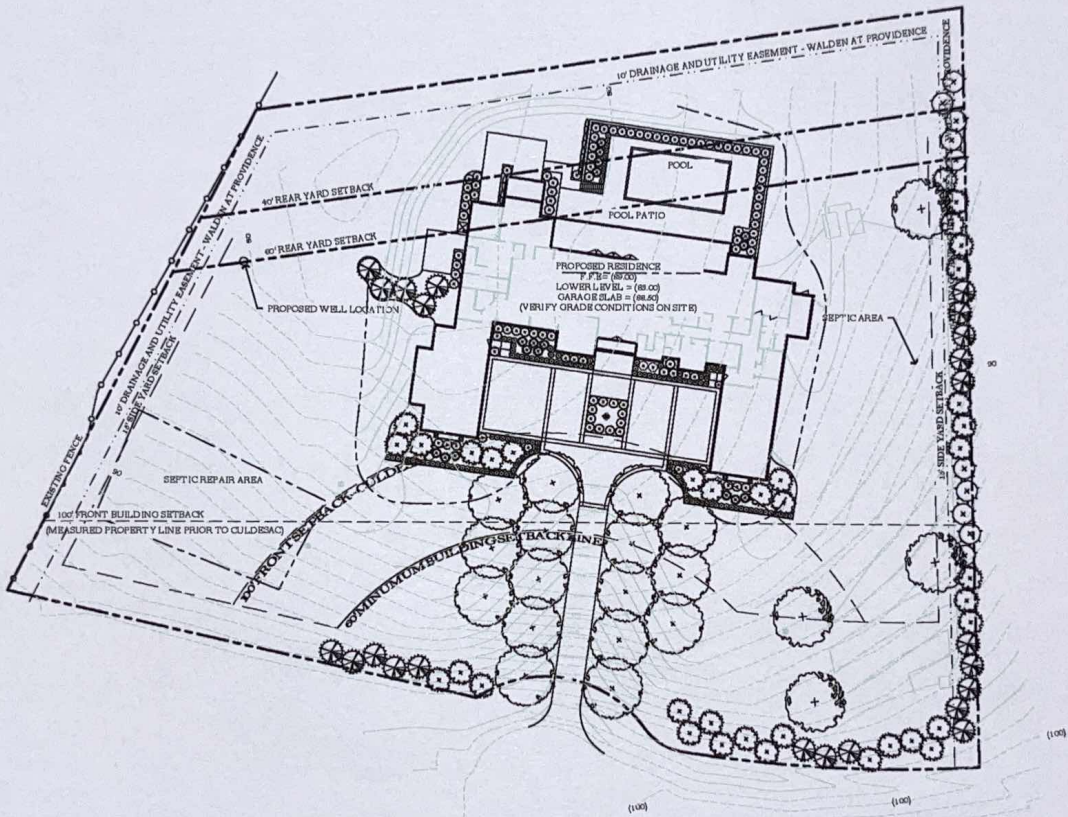
SHEET
 1 OF 5



SCALE: 1" = 20'

WARNING: THIS IS A PRELIMINARY PLAN AND SHOULD NOT BE USED FOR CONSTRUCTION. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE PROFESSIONAL SURVEYOR.

SOURCE INFORMATION: INCLUDING SURVEY PLAT PROVIDED BY CLIENT. ALL EXISTING INFORMATION SHALL BE CONSIDERED APPROXIMATE UNLESS INDICATED BY A PROFESSIONAL SURVEYOR.



KASHYAP RESIDENCE
 LANDSBURY DRIVE
 WAXHAW, NORTH CAROLINA
 LOT 66

PREPARED BY:

REGULAR ARCHITECT FIRM AND
 LANDSCAPE ARCHITECT FIRM
 AS COMBINED UNDER NC-04
 DATE: DECEMBER 14, 2024

Wahid Khan
 WASHINGTON STATE LANDSCAPE ARCHITECT
 NO. 10000
 10100 10TH AVE SW
 SEASIDE, WASH. 98148

SCHEMATIC
 LANDSCAPE PLAN
 SHEET
 8 OF 5

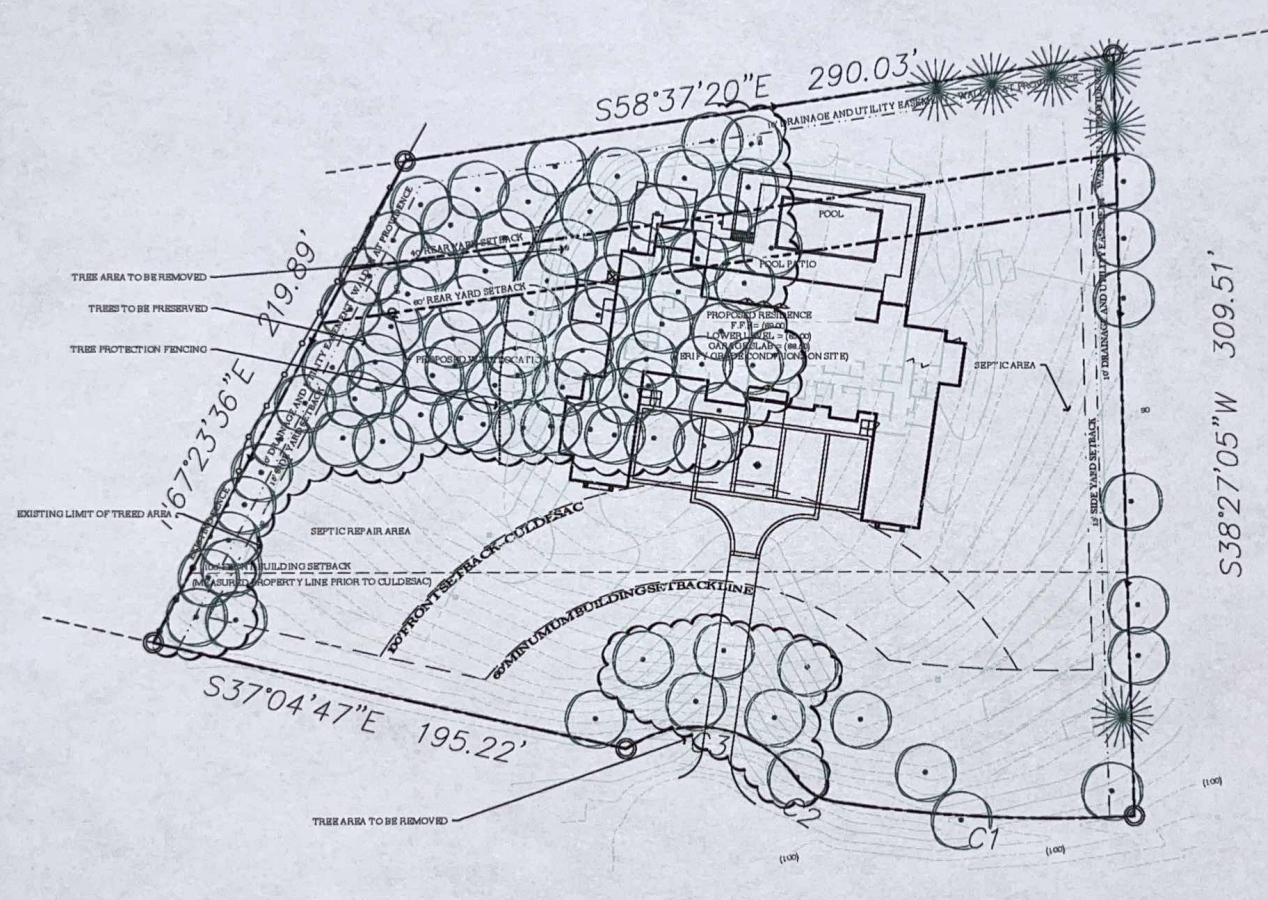
OVERALL SCHEMATIC LANDSCAPE PLAN

CONCEPT DESIGN ONLY - NOT FOR CONSTRUCTION

SCALE: 1" = 20'



SCALE: 1" = 20'
 NOTES:
 1. THIS DRAWING IS A CONCEPTUAL DESIGN ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
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 7. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
 8. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
 9. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
 10. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.



KASHYAP RESIDENCE
 LANDSBURY DRIVE
 WAXHAW, NORTH CAROLINA
 LOT 66



PREPARED BY:
 NICHOLAS TROPEANO, PLLC
 1000 W. WILSON ROAD, SUITE 100
 WAXHAW, NORTH CAROLINA 28090
 PHONE: 704.841.1111
 FAX: 704.841.1112
 WWW.NTROP.COM

Nicholas Tropeano
 NICHOLAS TROPEANO, PLLC
 REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
 LICENSE NO. 10000
 STATE OF NORTH CAROLINA
 EXPIRES: 12/31/2024

TREE PRESERVATION / REMOVAL PLAN
 SHEET 3 OF 6



TREE PRESERVATION / REMOVAL PLAN

CONCEPT DESIGN ONLY - NOT FOR CONSTRUCTION

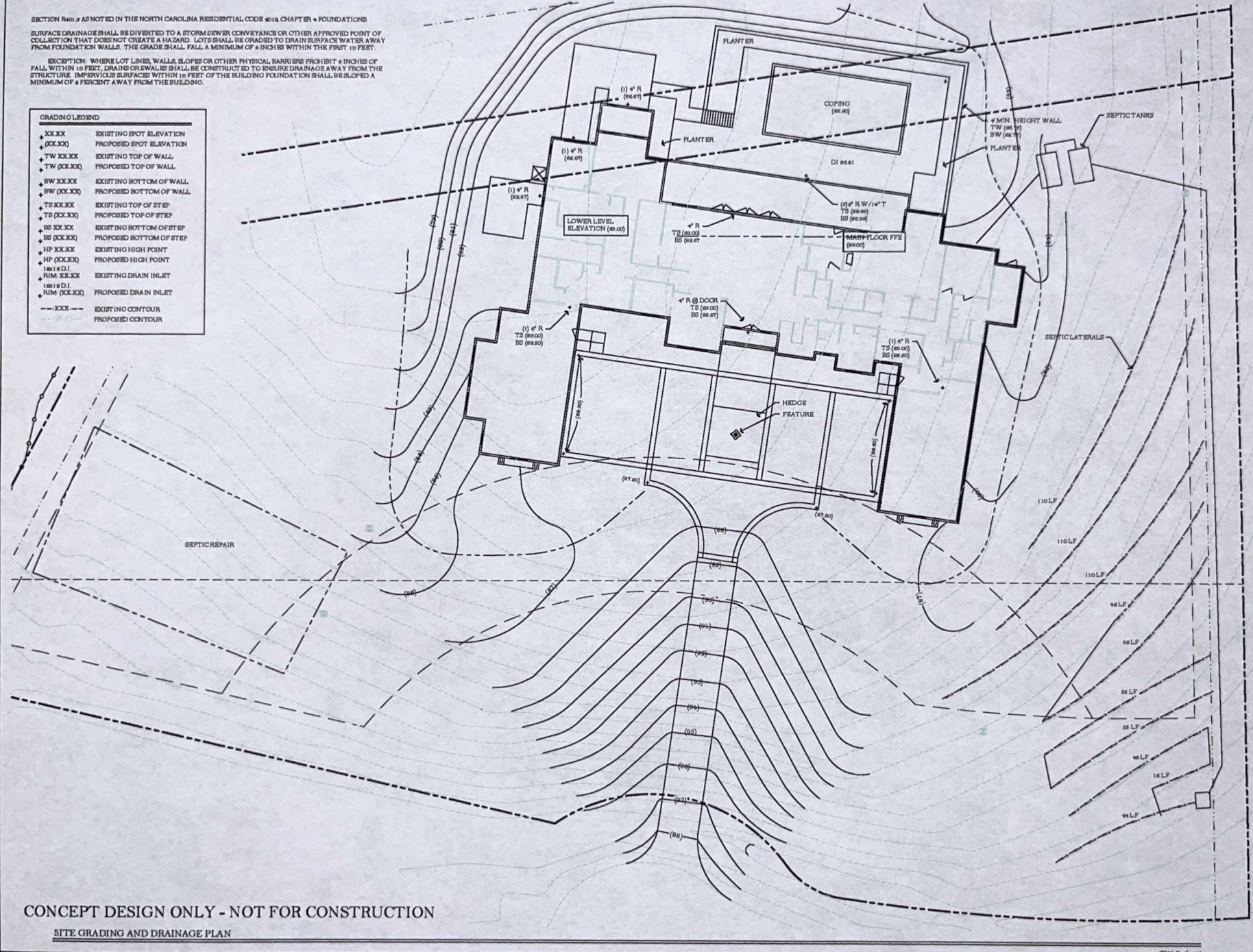
SCALE: 1" = 20'

SECTION 901.3 AS NOTED IN THE NORTH CAROLINA RESIDENTIAL CODE 2018 CHAPTER 18 FOUNDATIONS

SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE OR OTHER APPROVED POINT OF COLLECTION THAT DOES NOT CREATE A HAZARD. LOTS SHALL BE GRADED TO DRAIN SURFACE WATER AWAY FROM FOUNDATION WALLS. THE GRADE SHALL FALL A MINIMUM OF 4 INCHES WITHIN THE FIRST 10 FEET.

EXCEPTION: WHERE LOT LINES, WALLS, SLOPES OR OTHER PHYSICAL BARRIERS PROHIBIT 4 INCHES OF FALL WITHIN 10 FEET, DRAINS OR SWALES SHALL BE CONSTRUCTED TO ENSURE DRAINAGE AWAY FROM THE STRUCTURE. IMPERVIOUS SURFACES WITHIN 10 FEET OF THE BUILDING FOUNDATION SHALL BE SLOPED A MINIMUM OF 2 PERCENT AWAY FROM THE BUILDING.

| GRADING LEGEND | |
|----------------|-------------------------|
| XXX.XX | EXISTING SPOT ELEVATION |
| ○(XX.XX) | PROPOSED SPOT ELEVATION |
| TW XXX.XX | EXISTING TOP OF WALL |
| △TW (XX.XX) | PROPOSED TOP OF WALL |
| BW XXX.XX | EXISTING BOTTOM OF WALL |
| △BW (XX.XX) | PROPOSED BOTTOM OF WALL |
| TS XXX.XX | EXISTING TOP OF STEP |
| △TS (XX.XX) | PROPOSED TOP OF STEP |
| BS XXX.XX | EXISTING BOTTOM OF STEP |
| △BS (XX.XX) | PROPOSED BOTTOM OF STEP |
| HP XXX.XX | EXISTING HIGH POINT |
| △HP (XX.XX) | PROPOSED HIGH POINT |
| IN (E.D.) | EXISTING DRAIN INLET |
| △IN (E.D.) | PROPOSED DRAIN INLET |
| ---XXX--- | EXISTING CONTOUR |
| - - - - - | PROPOSED CONTOUR |



REVISIONS
 1. 01/15/2024: REVISIONS TO THE PLAN TO ACCOMMODATE THE PROPOSED SEPTIC SYSTEM AND TO CORRECT THE GRADE ELEVATIONS AT THE SEPTIC TANKS. IT SHALL BE THE USER'S RESPONSIBILITY TO VERIFY ALL INFORMATION IS CORRECT FOR CONSTRUCTION.

FOR MORE INFORMATION
 INCLUDING SHEET PLAT
 PROVIDED BY CLIENT. ALL
 SETTING INFORMATION
 SHALL BE CONSIDERED
 APPROXIMATE UNLESS
 INDICATED BY A
 PROFESSIONAL SURVEYOR.

KASHYAP RESIDENCE
 LANDSBURY DRIVE
 WAXHAW, NORTH CAROLINA
 LOT 66



NICHOLAS TROPEANO, P.L.L.C.
 1000 S. W. 10TH AVENUE, SUITE 100
 MIAMI, FL 33135
 DATE: DECEMBER 06, 2023

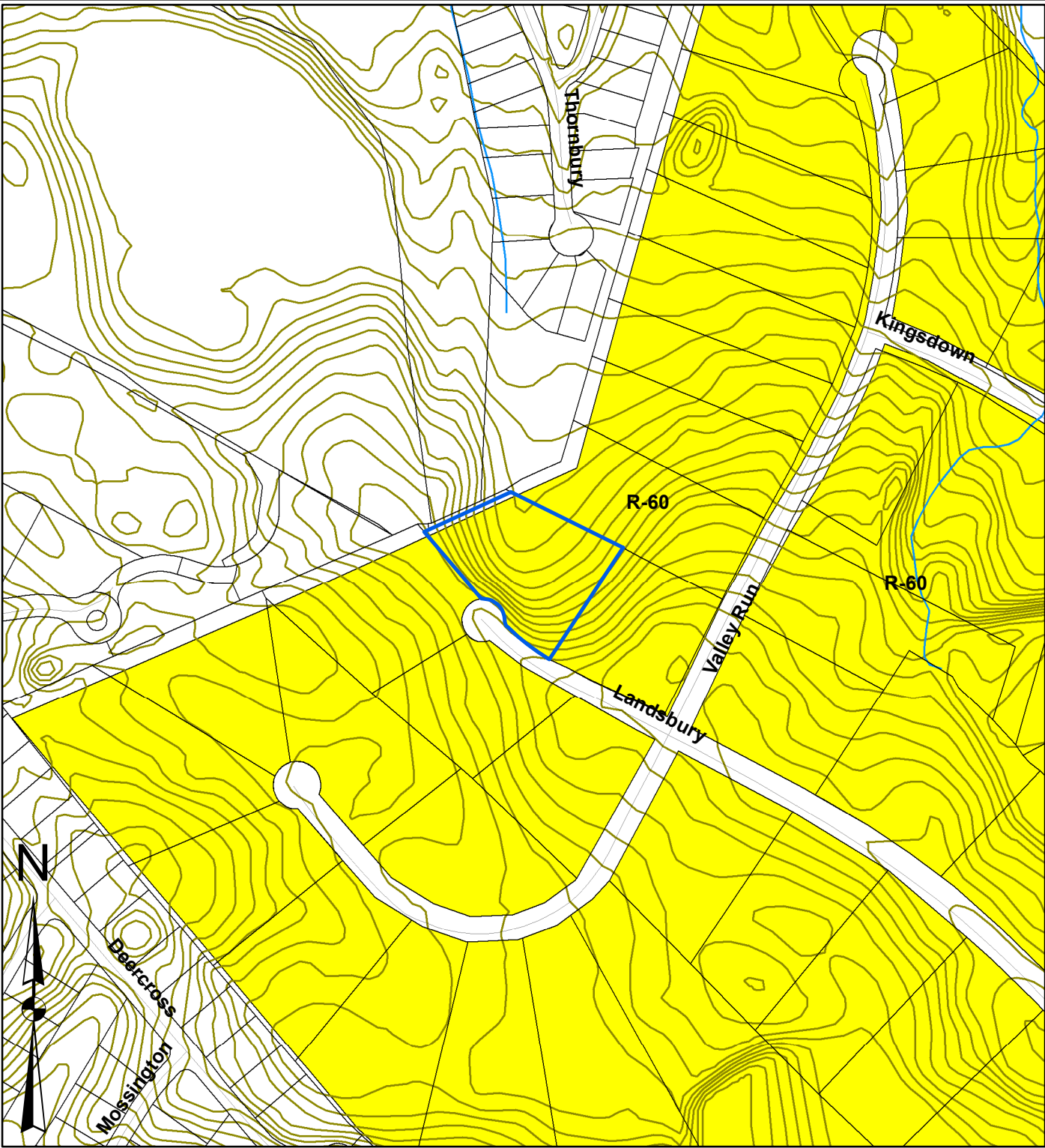
SUBMITTED
 12/06/2023
 4:30 PM

SHEET
 4 OF 5





CONCEPT DESIGN ONLY - NOT FOR CONSTRUCTION
 SITE GRADING AND DRAINAGE PLAN

Zoning Map: 66 Landsbury Drive

Map Prepared 2023 03-03



Legend

-  0.2% Annual Chance
-  AE
-  AE-FW
-  Streams
-  B1 (CD)
-  B2 (CD)
-  ED
-  MX
-  R-40
-  R-40D
-  R-60
-  R-80
-  R-CD
-  RE

This Map was produced by the Town of Weddington Planning Department. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

