

Statement of Justification 03/04/2024

A variance is requested to the minimum rear (abutting residential) landscape buffer to allow for a reduction in the width of the rear landscape buffer. The landscape buffer reduction is requested along the property line shared with Andelia Watkins, PIN: 1759806216. The property address is 306 South Main St, Rolesville, NC 27571. Town of Rolesville Development Project Number SDP-23-09.

1. LDO section 6.2.2.1 Perimeter Buffers, sub-section G, Table 6.2.2.2 states a Type 3 landscape buffer will be required for properties zoned Commercial abutting properties zoned Residential. LDO section 6.2.2.1 Perimeter Buffers, sub-section E, Table 6.2.2.1 states the requirement that Type 3 landscape buffers should have a minimum width of 25 feet. Unnecessary hardship will result from the strict enforcement of these sections of the LDO. The existing grade of the site slopes towards the section of the property which abuts the residential property. The Sonic storm water outfall also drains across this portion of the property. The only reasonable location to place the stormwater control measure (SCM) and maintain the current drainage pattern is at the back of the property within 25 feet of the rear property line.
2. The topography of the site limits the location of a stormwater SCM. An SCM similar to that of the adjacent Commercially zoned property, Sonic, is proposed for this site. Property 1759807165, Sonic, has similar topography as that of the proposed Scooters. The SCM of the Sonic is located within 25 feet of the rear property boundary abutting the same residential property.
3. The hardship is a result of the site topography and storm water outfall that was installed by the adjacent Sonic development. The only reasonable location of the SCM is at the rear of the property and the storm water outfall from Sonic must be maintained in conjunction with the SCM.
4. The requested variance asks to reduce the required 25' perimeter buffer width only enough to ensure the proposed SCM can be implemented to effectively treat and detain the stormwater runoff from the proposed development. The proposed buffer reduction is requested only for the portion of the rear property line adjacent to the proposed SCM. The requested variance asks to reduce the buffer width along a 49' length of the property line by 17' in width, from the required 25' width to a proposed 8' width. The requested variance also proposes to reduce the buffer along a 40' length of the rear property line by 20' in width, from the required 25' width to a proposed 5' width. The 49' and 40' length portions of the property line with proposed buffer reductions total 89' length of the property line. The perimeter buffer for the remaining 46' length of the total 135' length

rear property line is not requested to be reduced as part of this variance request. The proposed perimeter buffer in total will meet the requirements of the Type 3 Perimeter Buffer per the Town of Rolesville LDO Sec 6.2.2.1, less the width requirement. The proposed SCM will be placed in a similar location as that of the adjacent property, Sonic, abutting the same residential property. The variance is only for the portion of the landscape buffer where the proposed SCM is located. The plantings required for a Type 3 landscape buffer will be planted as stated in section 6.2.2.1, sub-section E, Table 6.2.2.1 of the LDO. A fence will also be provided as required for the Type 3 buffer.