

Johnny Fortin <johnny@wimberlybuilders.com>

Fwd: 638 Pendergraft Rd - As built Plot Plan

1 message

TONY WIMBERLY <trwimberly@gmail.com>
To: johnny@wimberlybuilders.com

Mon, Feb 21, 2022 at 9:53 AM

----- Forwarded message -----

From: **TONY WIMBERLY** <trwimberly@gmail.com>
Date: Fri, Feb 18, 2022 at 3:04 PM
Subject: Re: 638 Pendergraft Rd - As built Plot Plan
To: Landon Chandler <lchandler@harnett.org>

Thank you!

On Fri, Feb 18, 2022 at 3:01 PM **Landon Chandler** <lchandler@harnett.org> wrote:

Given this particular situation and the guidance within the UDO, my call is that as long as the addition is constructed as drawn, it does not increase the already realized structural non-conformity. Take due care that the addition does not extend past the 23.0' plane. Should that happen, a variance will have to be acquired. Permitting will likely have questions so feel free to direct them to me if necessary. As-built surveys will need to be performed to ensure compliance with the surveyed plot plan. Let me know if you have any questions.

- D. Physical alteration of structures or the placement of new structures on open land are unlawful if they result in:
1. An increase in the total amount of space devoted to a nonconforming use; and/or
 2. Greater nonconformity with respect to dimensional restrictions such as yard requirements, height limitations, or density requirements.

SECTION 4.0 NONCONFORMING STRUCTURES

Any structure used for single family residential purposes and maintained as a nonconforming use or structure may be enlarged or replaced with a similar structure of a larger size, so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to yard size and setback requirements. In particular, a manufactured home may be replaced with a larger manufactured home, and a "single-wide" manufactured home may be replaced with a "double-wide" multi-section manufactured home. This paragraph is subject to the limitations stated in Section "Continuation of Nonconforming Situations" of this Article. A structure that is nonconforming in any respect or a structure that is used in a nonconforming manner may be reconstructed or replaced if partially or totally destroyed, subject to the following restrictions:

4.1 Residential Structure Nonconformities

A residential structure that is nonconforming in any respect and is partially or totally destroyed may be reconstructed or replaced, subject to the following restrictions:

- A. The replacement residential structure is similar in construction and design to the former structure. Provided however, that a stick built, single family residence may only be replaced with another stick built, single family residence and a manufactured home may be replaced with another manufactured home or a stick built, single family residence.
- B. A letter granting approval for the replacement or reconstruction of a damaged residential structure with a similar residential structure is obtained from the Administrator within 12 months from the time the damage or destruction took place.
- C. Notwithstanding Section "General", Item (D) (above), a larger, single family residential structure may be constructed in place of a smaller one and larger manufactured home intended for residential use may replace a smaller one. The reconstructed building may not be more nonconforming with respect to dimensional restrictions such as yard requirements, height limitations, or density requirements, and such dimensional nonconformities shall be eliminated if that can reasonably be accomplished without unduly burdening the reconstruction process or limiting the right to continue the nonconforming use of such building.

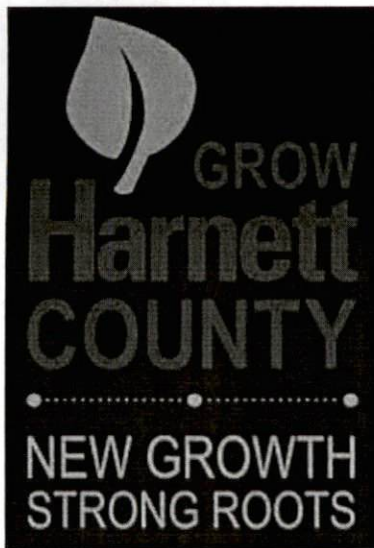
Thanks,

Landon Chandler

Senior Planner

Harnett County

910-893-7525 opt. 2



From: Robert Godwin, PLS <surveyor3790@embarqmail.com>
Sent: Friday, February 18, 2022 2:49 PM
To: 'TONY WIMBERLY' <trwimberly@gmail.com>
Cc: Landon Chandler <lchandler@harnett.org>
Subject: RE: 638 Pendergraft Rd - As built Plot Plan

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Tony,

Attached is the revised plot plan showing the 10' proposed addition.

In the past it has been allowed to an addition to an existing structure as long as the setback violation is not made any worse. So as long as this addition is in the same line with the existing house and does not get any closer than 23-feet to the road Right-of-Way it may be allowed.

I have shown the houses on the adjoining lots on the plot plan to demonstrate that all the houses along this stretch were built on the same line.

We actually found some old property corner monuments (iron pipes) in front of the lot to the north [address: 620] which imply that the original road margins may have been less than the now recognized 60' wide R/W (30' from centerline). Using this old road margin - all the houses are setback \pm 30-feet.

You will likely have to apply for a variance but I think there is a possibility it can be done.

I have copied this to Landon Chandler at the planning dept. for his input and guidance.

Robert E. Godwin, Jr., PLS

Streamline Land Surveying, Inc.

870 NC 55 W - Coats, NC

Phone: 910-897-7715

From: TONY WIMBERLY [mailto:twimberly@gmail.com]

Sent: Friday, February 18, 2022 7:40 AM

To: Robert Godwin, PLS

Subject: Re: 638 Pendergraft Rd - As built Plot Plan

The addition is 10ft out. Is there anything we can do since it's not meeting the setback ?

On Thu, Feb 17, 2022 at 11:01 PM Robert Godwin, PLS <surveyor3790@embarqmail.com> wrote:

Tony,

Good Evening.

Attached for your review is the "As-Built Plot Plan" for the Kevin Graves lot located at 368 Pendergraft Rd., Bunnlevel.

Let me know if you need anything else at this time.

Thanks,

Michelle

Robert E. Godwin, Jr., PLS

Streamline Land Surveying, Inc.

870 NC 55 W - Coats, NC

Phone: 910-897-7715

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Thanks,

Tony Wimberly

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Thanks,
Tony Wimberly

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