



**TOWN OF WEDDINGTON
SPECIAL MEETING
BOARD OF ADJUSTMENT
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
MONDAY MARCH 23, 2026 6:00 P.M.
AGENDA**

1. Open the Meeting
2. Determination of a Quorum
3. Approval Board of Adjustment Minutes
 - a. June 23, 2025
4. Consideration of Zoning Variance Application requesting a variance from Section D-703E, minimum rear yard setback for the property located at 0 Valley Run Drive (parcel id #06177103).
5. Adjournment



**TOWN OF WEDDINGTON
SPECIAL MEETING
BOARD OF ADJUSTMENT
WEDDINGTON TOWN HALL
MONDAY JUNE 23, 2025 6:00 P.M.
MINUTES**

1. Open the Meeting

Chairman Bill Deter called the meeting to order at 6:00 p.m.

2. Determination of a Quorum

Quorum was determined with Chairman Bill Deter, Vice Chairman Chris Faulk, Board members Nancy Anderson, and Amanda Jarrell present. Alternates Steve Fellmeth and Scott Buzzard were present.

Staff present: Town Planner Greg Gordos, Town Administrator/Clerk Karen Dewey, Town Board of Adjustment Attorney Frank Corigliano

Applicant: Mr. Richard Spencer

3. Approval Board of Adjustment Minutes

a. February 26, 2024

Motion: Board member Faulk made a motion to approve the February 26, 2024 Board of Adjustment Meeting minutes

Second: Board member Jarrell

Vote: The motion passed with a unanimous vote.

b. March 25, 2024

Motion: Board member Faulk made a motion to approve the March 25, 2024 Board of Adjustment Meeting minutes

Second: Board member Buzzard

Vote: The motion passed with a unanimous vote.

4. Consideration of Application for Variance requesting a variance from Section D-917D.M.1(b)(4) Accessory Uses and Structures shall not be located closer to any adjacent right-of-way or street than the principal use/structure for the property located at 4222 Antioch Church Road (parcel id #06093008).

Mr. Corigliano administered the oath to Mr. Gordos and Mr. Richard Spencer, residing at 4222 Antioch Church Road, Matthews 28104

Board member Faulk interjected before the application review began, suggesting that the hearing be postponed to allow the applicant to submit a complete and corrected application in accordance with the UDO. He cited several issues with the current application:

1. No statement of the UDO section for which a variance was being requested
2. An inaccurate site plan that did not reflect the actual property
3. Lack of stated hardships
4. No illustration of septic system location to prove hardship
5. Absence of dimensions to express the extent of encroachment

Mr. Faulk expressed concern that proceeding with the current application might result in a denial, which would prevent the applicant from reapplying for a year. He suggested deferring the hearing to give the applicant time to improve the application. Mr. Corigliano, the attorney, asked for clarification on who the applicant was. Mr. Spencer identified himself as the applicant and stated he did not fill out the application himself. He expressed appreciation for Board member Faulk's guidance and admitted his unfamiliarity with the process. He explained his desire to build a pool house in his backyard, 15 feet away from the septic system and next to the pool.

Board member Faulk and Mr. Corigliano advised Mr. Spencer to consult with the town planner for assistance with the application. They also suggested considering hiring an attorney and a surveyor to help present the case effectively.

Mr. Spencer agreed to a postponement to revise and improve his submittal.

- Motion:*** Board member Faulk made a motion to table the variance application until the next planning board meeting on July 28, 2025 at 6:00 p.m.
- Second:*** Board member Jarrell
- Vote:*** The motion passed with a unanimous vote.

5. Adjournment

- Motion:*** Board member Faulk made a motion to adjourn the June 23, 2025 Special Board of Adjustment at 6:16 p.m.
- Second:*** Board member Jarrell
- Vote:*** The motion passed with a unanimous vote.

Approved: _____

Chairman

Karen Dewey, Town Administrator/Clerk



TO: Board of Adjustment
FROM: Gregory Gordos, AICP, CZO, Town Planner
DATE: March 18, 2026
SUBJECT: Application by Arcadia Homes Inc., property owners Jebran Karam and Tamara Arab, 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 Valley Run Dr. / Lot #9 Walden at Providence Parcel ID (#06177103)

APPLICATION INFORMATION:

SUBMITTAL DATE: February 19, 2026
APPLICANT: Arcadia Homes Inc.
PROPERTY LOCATION: 0 Valley Run Dr. / 528 Valley Run Dr. / Lot #9 Walden
PARCEL ID#: 06177103
LAND USE: Traditional Residential
ZONING: R-60 Single-Family District

BACKGROUND:

The subject parcel is approximately 1.57 acres and is at the end of a cul-de-sac off Valley Run Dr within the Walden at Providence subdivision (Lot #9). The parcel is zoned R-60 and is currently vacant. On February 19, 2026, Arcadia Homes, Inc. 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. The original neighborhood setbacks were 100' front and 40' rear when platted.

Hardship was claimed by the applicant from the property's shallow depth and cul-de-sac location and having to comply with original neighborhood 100' front setback and the UDO rear yard setback of 60'.

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'	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.
-

Attachments:

- Zoning Variance Application
- Zoning Map of Subject Parcel

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R-CD (Conventional)	40,000	120	50	15	40	35	0.2
R-CD (Conservation)	18,000	80	40	12	30	35	
RE	20,000	100	40	12	40	35	
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B-1 (CZ)							
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 - 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.
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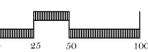
Attachments:

- Zoning Variance Application
- Zoning Application Submittal including plat
- Zoning Map of Subject Parcel



MAP REFERENCES:
 1. "TOPOGRAPHICAL SURVEY OF LOT 9 OF WALDEN AT PROVIDENCE, PH 999, TOWNS OF WEDDINGTON, UNION COUNTY, NORTH CAROLINA, HEHRAN KARAM & TAMARA ARAB," PREPARED BY CAROLINA SURVEYORS, INC. AND DATED JULY 9, 2025.
 2. KARAM - ARAB RESIDENCE, LOT 9 - VALLEY RUN DRIVE, WEDDINGTON, NORTH CAROLINA," PREPARED BY BUILDING GRAPHICS ARCHITECTURE AND DATED 07/10/2025.

SCHEMATIC SITE PLAN



SCALE: 1" = 40'

WARNING:
 IF THIS DRAWING DOES NOT CONTAIN A RAISED SEAL, IMPRESSION AND AN ORIGINAL SIGNATURE BY THE PROFESSIONAL, IT IS NOT AN ORIGINAL DOCUMENT. IT MAY HAVE BEEN ALTERED, AND SHOULD NOT BE USED FOR CONSTRUCTION.

SOURCE INFORMATION PROVIDED BY CLIENT. ALL EXISTING INFORMATION SHALL BE CONSIDERED APPROXIMATE UNLESS SURVEYED BY A PROFESSIONAL SURVEYOR.

KARAM RESIDENCE
 VALLEY RUN DRIVE
 TOWN OF WEDDINGTON, UNION COUNTY, NC
 LOT 9 OF WALDEN AT PROVIDENCE, PH III

LEGEND	
	PROPERTY LINE
	SETBACK LINE
	FENCE LINE
	OVERHEAD UTILITY LINE
	PROPOSED POOL CODE FENCE
	PROPOSED # HEIGHT AND DEPTH OF STAIR RISERS AND TREADS
	RISER
	PROPOSED PIPE
	PROPOSED SLEEVE
	PROPOSED RAILING
	PROPOSED TEMPORARY SILT FENCE / TREE PROTECTION
	PROPOSED LIMIT OF DISTURBANCE
	TREE PROTECTION FENCING

PREPARED BY:



NICHOLAS ANTHONY TROPEANO
 NORTH CAROLINA REGISTERED
 LANDSCAPE ARCHITECT #16059
 LA CORPORATE LICENSE #C-383
 DATE: FEBRUARY 16, 2026

2-16-2026



NICK@TROPEANODESIGNS.COM
 TROPEANOANDDESIGNS.COM
 (704) 910-9220
 531 BIRCHWOOD ROAD, PMB 106
 DEXTER, NORTH CAROLINA
 27834
 P. O. BOX 2138
 MORRISTON, NORTH CAROLINA
 27560

CONTEXT PLAN

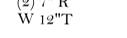
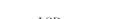
REVISIONS:

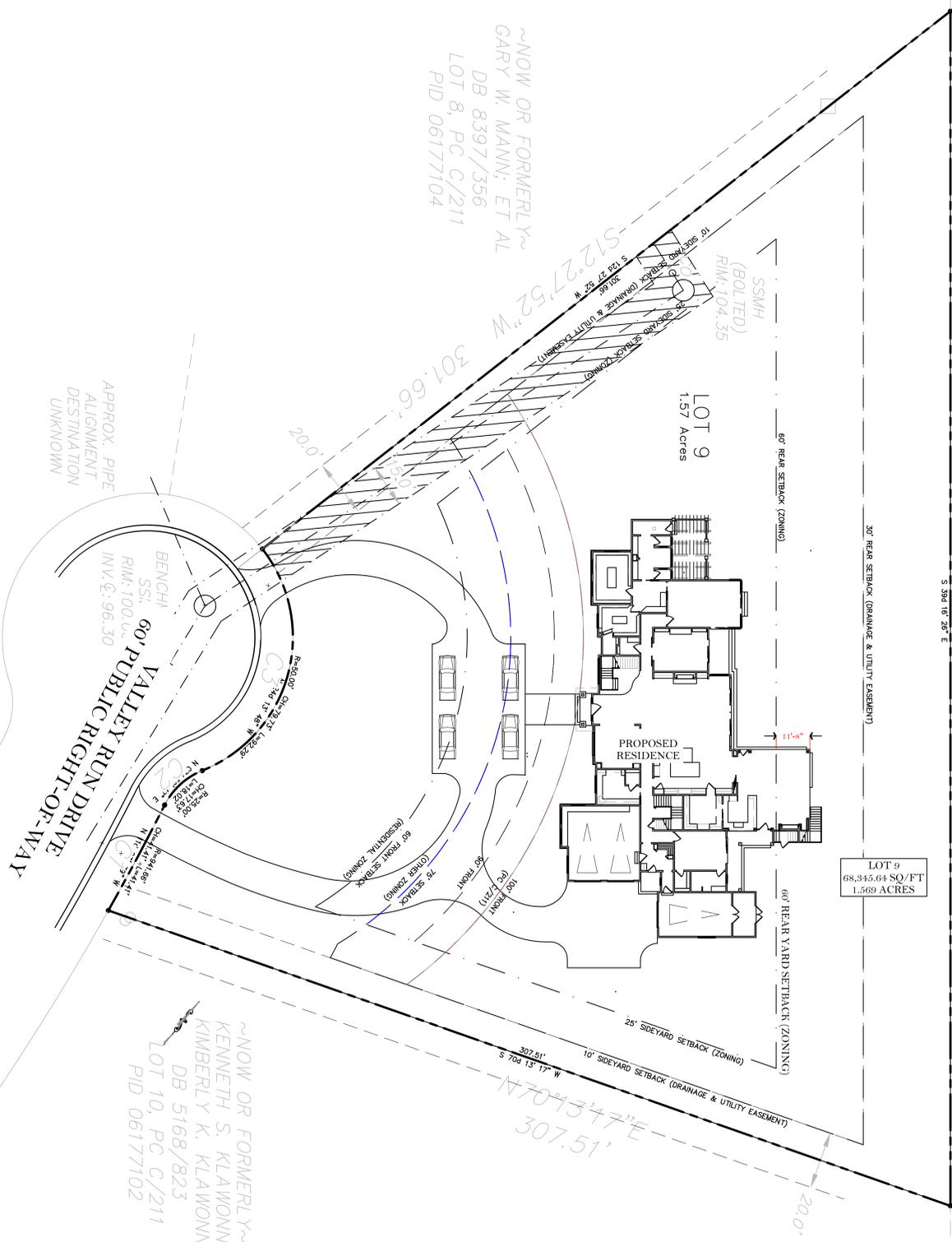


SHEET
 L 1

SCALE: 1" = 40'

LEGEND

-  PROPERTY LINE
-  SETBACK LINE
-  FENCE LINE
-  OVERHEAD UTILITY LINE
-  PROPOSED POOL CODE FENCE
-  PROPOSED # HEIGHT AND DEPTH OF STAIR RISERS AND TREADS
-  RISER
-  PROPOSED PIPE
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-  PROPOSED RAILING
-  PROPOSED TEMPORARY SILT FENCE / TREE PROTECTION
-  PROPOSED LIMIT OF DISTURBANCE
-  TREE PROTECTION FENCING



~NOW OR FORMERLY~
 GARY W. MANN, ET AL
 DB 8397/356
 LOT 8, PC C/211
 PID 06177104

S39°16'26"E 415.00'
 ALSO:
 S 39° 16' 26" E

~NOW OR FORMERLY~
 LV FARM LLC
 DB 7185/836
 PC L/426
 PID 06174133

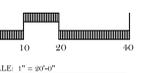
~NOW OR FORMERLY~
 KENNETH S. KLAWONN
 KIMBERLY K. KLAWONN
 DB 5168/823
 LOT 10, PC C/211
 PID 06177102

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SCHEMATIC DESIGN PLAN

CONCEPT DESIGN ONLY - NOT FOR CONSTRUCTION

SCALE: 1" = 20'-0"



SCALE: 1" = 20'-0"
 WARNING: IF THIS DRAWING DOES NOT CONTAIN A RAISED SEAL IMPRESSION AND AN ORIGINAL SIGNATURE BY THE PROFESSIONAL DOCUMENT, IT MAY HAVE BEEN ALTERED, AND SHOULD NOT BE USED FOR CONSTRUCTION.

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

KARAM RESIDENCE
 VALLEY RUN DRIVE
 TOWN OF WEDDINGTON, UNION COUNTY, NC
 LOT 9 OF WALDEN AT PROVIDENCE, PH III

PREPARED BY:



NICHOLAS ANTHONY TROPEANO
 NORTH CAROLINA REGISTERED
 LANDSCAPE ARCHITECT #1659
 LA CORPORATE LICENSE #C-383
 DATE: FEBRUARY 16, 2025



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 P.O. BOX 2134
 MORGANTON, NORTH CAROLINA
 28659

SCHEMATIC DESIGN PLAN
 REVISIONS:



SHEET
 L 2

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (TITLE REFERENCES AS SHOWN ON PLAT); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM TITLE REFERENCES AS SHOWN ON PLAT; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY MEETS OR EXCEEDS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1600).

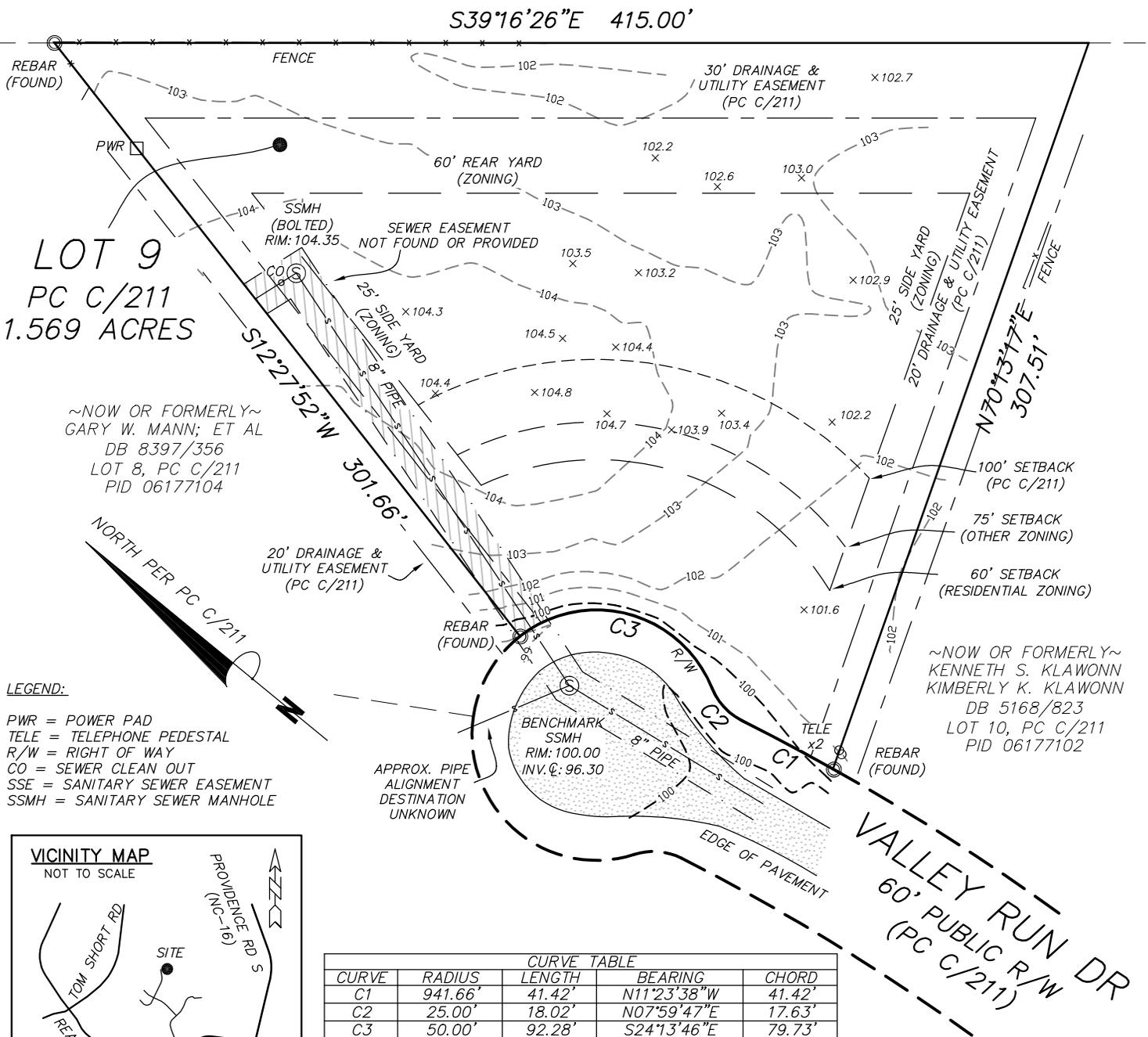
THIS 9th DAY OF JULY, 2025.

PROFESSIONAL LAND SURVEYOR

NOTES:

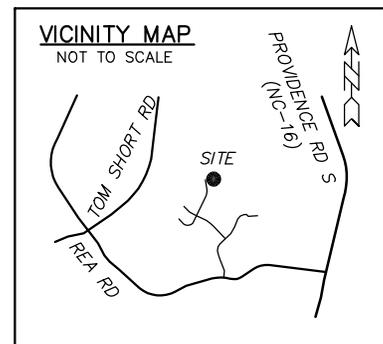
- PID 06177103
- THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL RECORDED OR UNRECORDED EASEMENTS, SETBACKS AND BUFFERS INCLUDING THOSE WITHIN THE APPLICABLE UNIFIED DEVELOPMENT ORDINANCE (UDO), RIGHTS-OF-WAY, IMPERVIOUS AREAS & BUILT UPON AREA (BUA) RESTRICTIONS, AND/OR RESTRICTIVE COVENANTS, OTHER THAN SHOWN.
- THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 3710446600L, WITH A DATE OF IDENTIFICATION OF 02/19/2014.
ZONE X DEFINITION: "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."
- SURVEY MADE WITHOUT THE BENEFIT OF A TITLE EXAMINATION.
- PROPERTY ZONED: R-60
SETBACKS SHOWN ARE PER CURRENT ZONING CLASSIFICATION AND RECORDED PLAT AND ARE SUBJECT TO INTERPRETATION BY THE PROPER ZONING ADMINISTRATION.
- UNDERGROUND UTILITIES ARE NOT SHOWN. ALL UNDERGROUND UTILITIES ARE TO BE ACCURATELY MARKED BY OTHERS PRIOR TO CONSTRUCTION OR EXCAVATION. PIPES LABELED AS "DESTINATION UNKNOWN" (DU) ARE SHOWN BASED ON BEST OBSERVED EVIDENCE AT THE TIME OF SURVEY. IT IS RECOMMENDED ALL CRITICAL UTILITY CONNECTIONS AND CROSSINGS BE VERIFIED PRIOR TO FINAL DESIGN AND/OR CONSTRUCTION. CONTRACTORS ARE RESPONSIBLE TO HAVE ALL UTILITIES ACCURATELY MARKED PRIOR TO CONSTRUCTION.
- INES SHOWN REPRESENTING FENCES AND WALLS ARE MEASURED FROM THE APPROXIMATE CENTERLINE AND DO NOT ACCOUNT FOR THE THICKNESS, PLUMBNESS OR MEANDER OF THE FENCE UNLESS OTHERWISE STATED.

~NOW OR FORMERLY~
LV FARM LLC
DB 7185/836
PC L/426
PID 06174133



LEGEND:

- PWR = POWER PAD
- TELE = TELEPHONE PEDESTAL
- R/W = RIGHT OF WAY
- CO = SEWER CLEAN OUT
- SSE = SANITARY SEWER EASEMENT
- SSMH = SANITARY SEWER MANHOLE



CURVE TABLE				
CURVE	RADIUS	LENGTH	BEARING	CHORD
C1	941.66'	41.42'	N11°23'38"W	41.42'
C2	25.00'	18.02'	N07°59'47"E	17.63'
C3	50.00'	92.28'	S24°13'46"E	79.73'

TOPOGRAPHICAL SURVEY
OF

LOT 9 of WALDEN AT PROVIDENCE, PH III
TOWN OF WEDDINGTON, UNION COUNTY, NORTH CAROLINA

JEBRAN KARAM & TAMARA ARAB

SURVEYED FOR _____

MAP BOOK C PAGE 211 DEED BOOK _____ PAGE _____

DRAWN BY RD FIELD WORK SH FIELD BOOK # _____

CAROLINA SURVEYORS, INC
P.O. BOX 267
PINEVILLE, N.C. 28134
(704) 889-7601
FAX: (704) 889-7614
CERTIFICATE OF AUTHORIZATION
NC: C-1242 SC: 886

2025\HC\Valley Run Dr ~ Walden Lot 9
2025\V\Valley Run Dr ~ Walden Lot 9
PROJECT: 25-0250



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: Arcadia Homes, Inc.

Mailing Address: 2701 Coltsgate Rd., Suite 210, Charlotte, NC 28211

Phone Number: 704-297-9282 Email: jschumacher@aracadia homesinc.com

PROPERTY OWNER INFORMATION *(if different from applicant)*

Name: Jebran Karam / Tamara Arab

Mailing Address: 1621 Outlook Cir., Waxhaw, NC 28173

Phone Number: 304-237-5305 Email: jkarammd@gmail.com

SUBJECT PROPERTY INFORMATION

Location: 0 Valley Run Dr. / Lot #9 Walden at Providence

Parcel Number: 06177103

Existing Zoning: R-60

Use of Property: Residential

VARIANCE INFORMATION

1. What Section(s) of the UDO would that variance be from?
D-703 E, R-60 minimum rear yard setback
2. What is the reason for the variance?
The original neighborhood setbacks were 100' front and 40' rear when platted. The UDO setback has since been changed to 60' in the rear and the resulting limitation to the depth is prohibitive because of the property's unique shape and dimensions
3. If the variance is granted, how is it proposed that the property will be used?
Proposed residence will be positioned to comply with the originally platted 100' front and 40' rear yard setback
4. What improvements have been (will be) constructed on the property?
Vacant lot will be improved with new single family residence, landscaped yard and pool
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.
The hardship results from having to comply with original neighborhood front setback with the UDO rear yard setback of 60'. The combination creates a prohibitive site relative to other properties in the neighborhood because of its location in the culdesac as well as it's relative shallow depth

- 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 shallow depth of Lot 9, relative to its neighbors, is compounded by the cul de sac as well as the UDO rear setback of 60', even though it was 40' when the neighborhood was platted.

Most properties have no issue complying, but this property is unique in it's shallow dimensions and culdesac location.

- 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 required setbacks prohibit the construction of a home of similar caliber and visual character to other homes in the neighborhood. The HOA has requested the home be designed and positioned to maintain the visual character of the street.

- 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.

Variance to rear setback of lot 9 is supported by the subdivision HOA.

All other setbacks and easements are otherwise met and this would not impact any other neighbors.

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:
- Setbacks for signs and areas and/or height of signs.
 - 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.

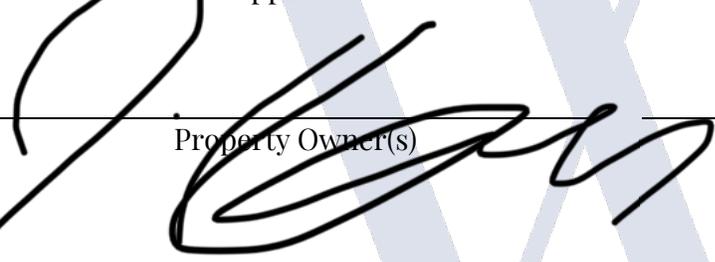
- 11. Per UDO Section D-705D(7), the Board of Adjustment shall hold a hearing on all complete applications no later than 40 days after the application has been filed with the zoning administrator unless consented to by the applicant.

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.



Applicant



Property Owner(s)

Date

2/18/25

Date



Walden at Providence Homeowners Association
Board of Directors

February 3, 2026

Town of Weddington
Board of Adjustment
1924 Weddington Road
Weddington, NC 28104

RE: Letter of Support for Rear Setback Variance Request
Property: Lot 9, Valley Run Drive, Walden at Providence Subdivision
Applicant: Mr. Karam

Dear Members of the Board of Adjustment:

The Board of Directors of Walden at Providence Homeowners Association writes in support of Mr. Karam's application for a rear setback variance on Lot 9, Valley Run Drive. We respectfully request that the Board of Adjustment grant this variance to allow the proposed residence to be constructed in compliance with all applicable setback requirements.

Background

Mr. Karam is planning to construct a new single-family residence on Lot 9, a 1.569-acre parcel within the Walden at Providence community. During our Architectural Review Committee's evaluation of the proposed site plan, we identified that the current building footprint encroaches into the 100-foot front setback required by our community's Declaration of Covenants, Conditions, and Restrictions (DCCRs).

The lot's unique configuration presents a challenging building envelope. The Town of Weddington zoning requires a 60-foot rear setback, while the Walden at Providence DCCRs require only a 40-foot rear setback. This 20-foot difference between municipal and HOA requirements creates an opportunity to resolve the front setback compliance issue through a variance.

Rationale for Support

The Board of Directors supports this variance request for the following reasons:

- 1. Setback Compliance:** If the rear setback variance is granted, the residence can be repositioned to fully comply with the HOA's 100-foot front setback requirement and 40-foot rear setback requirement. The variance would allow the building footprint to shift backward on the lot without violating any community setback covenants.

2. Minimal Impact on Adjacent Properties: The rear of Lot 9 abuts the Providence Country Club golf course. The repositioned structure would remain well within the 30-foot rear drainage and utility easement and would not adversely affect any residential neighbors. We understand that a letter of non-objection from the golf course owner may also be provided in support of this request.

3. Preservation of Community Character: Walden at Providence maintains a 100-foot front setback requirement to preserve the visual character of our streetscape. Granting this variance will enable the residence to be repositioned to comply with this requirement, maintaining consistency with the established building lines along Valley Run Drive.

4. Hardship Due to Lot Configuration: The depth and configuration of Lot 9, combined with the 100-foot front setback requirement in our governing documents, creates a practical hardship for constructing a residence that meets both municipal and HOA setback requirements. The variance provides a reasonable solution that balances regulatory compliance with the property owner's ability to use the lot.

Conclusion

The Walden at Providence Board of Directors believes that granting the requested rear setback variance is in the best interest of both the homeowner and the community. The variance will enable the building footprint to be repositioned into compliance with our community's front setback requirements while maintaining appropriate separation from all property boundaries.

We appreciate the Board of Adjustment's consideration of this request and are available to provide any additional information that may be helpful in your deliberations.

Respectfully submitted,

Jacki Ehrlich

President, Walden at Providence Homeowners Association

On behalf of the Board of Directors and ARC

Dave Alder

Peter Dollander

Monica Duncan

Steve Honeycutt

Karen LaFever

Matt Potter

Rebecca Taylor