



Board of Adjustment
6:30 PM **Monday, August 3, 2026**

Regular Meeting
Holly Springs Town Hall Council Chambers
128 S. Main Street, 2nd Floor

Agenda

Call to Order

Roll Call

Pledge of Allegiance

Invocation

Agenda Adjustment

Approval of Minutes

1. April 6, 2026 Regular Meeting Minutes

Variances

2. Variance 26-VAR-01 4400 Norak Dr - Quasi-Judicial Public Hearing

Other Business

Adjournment

In accordance with ADA regulations please contact the Town Clerk's office at least 48 hours before the meeting to request an auxiliary aid or service needed to participate in this meeting:

linda.mckinney@hollyspringsnc.us 919-557-3900

Town of Holly Springs
BOARD OF ADJUSTMENT MEETING MINUTES
Monday, April 6, 2026 – 6:30 p.m.

Agenda Item #1, 2, 3 & 4:

The Board of Adjustment of the Town of Holly Springs met for their regularly scheduled meeting on April 6, 2026 in the Council Chambers, 128 South Main Street. At 6:30p after determining a quorum was present, Chair Ben Copeland called the meeting to order.

Staff Members Present:

Cheryl Caines, Senior Planner
Conor Ryan, Planner III
Jay Osborne, Asst Town Attorney
Angele Sharrett Board of Adjustment Clerk

The Board completed roll call.

Members Present:

Chair Ben Copeland, Chair
Thomas Rushing, Vice Chair
Kimberly Day (ETJ)
David Williams
Nora Leet

Alternate Members Present: (Non-Voting)

Cecilia Webb

Members Absent:

The Board recited the pledge of Allegiance and held a moment of silence, or the meeting opened with an invocation by Chair Ben Copeland.

Agenda Item #5: Agenda Adjustment

There was no agenda adjustment.

Agenda Item #6: Minutes

a. March 9, 2026 Minutes

Motion:

Motion to approve the March 9, 2026 Minutes.

Motion by: Thomas Rushing

Second by: Nora Leet

Action: The Board of Adjustment voted in favor of the Motion. (5-0)

Chair Ben Copeland opened the Public Hearing.

Agenda Item #7: 25-SUP01

Sam's Xpress Car Wash
975 Avent Ferry Rd.

Mr. Conor Ryan reviewed the staff report with the Board.

- The Special Use Permit and Development Plan are consistent with the Comprehensive Plan.
- The Special Use Permit and Development Plan are consistent with the UDO and the 975 Avent Ferry Major Subdivision Plan.
 - Meets all requirements of the NMX District and the additional use standards for Drive-In/Drive-Through Uses defined in UDO Section 3.3.5.E.
 - Utilizes the parking study option provided by UDO Section 6.4.1.C, increasing the maximum vehicle parking ratio from 4/1,000 sq ft to 4.28/1,000 sq ft.
 - Meets all requirements of the 975 Avent Ferry Major Subdivision Plan, including enhanced southern perimeter buffering, specific allowable building materials, and increased Urban Civic Space area.

Motion:

Motion to approve the testimony of Conor Ryan

Motion by: Thomas Rushing

Second by: David Williams

Action: The Board of Adjustment voted in favor of the Motion. (5-0)

Testimony:

Attorney Ashley Honeycutt Terraza presented evidence for Special Use Permit approval for Sam's Xpress Car Wash.

She stated:

1. The proposed use will not be injurious to public health, safety, comfort, convenience, or general welfare.
2. The proposed use will not injure or adversely affect the adjacent area.
3. The proposed use will be consistent with the character of the district, authorized land uses, and the Comprehensive Plan.
4. The proposed use will conform to all development standards of the applicable district (unless a Variance or Administrative Adjustment is issued).
5. Roadways, access drives, and driveways will be sufficient in size and properly located to ensure safety and traffic flow, and to provide access for emergency services.
6. The site layout, screening, buffering, landscaping, and pedestrian accessways will harmonize with adjoining properties and minimize adverse impacts.
7. The type, size, and intensity of the proposed use will not have significant adverse impacts on adjoining properties or the neighborhood.
8. 4,673 sq ft drive-through car wash.
9. 20 parking spaces, consistent with parking study evaluation.
10. Vehicular access via shared driveway with Goodwill; two stacking lanes before pay station, accommodating 16 vehicles.
11. Pedestrian access from Avent Ferry Road and internal sidewalk network from adjacent commercial uses.
12. Fire access and circulation are accommodated through paved areas.

13. Stormwater collected at SCM and drained to existing channel on southern portion of site.
14. Utility connections from existing sewer stub and water lines.
15. Ultimate frontage improvements have already been installed on Avent Ferry Road.
16. Thoroughfare Landscape Buffer provided along Avent Ferry Road.
17. 5-foot perimeter buffer installed on both sides of property line with Lot 2 and along access drive.
18. Foundation plantings and landscape island plantings provided.
19. Open space designated and installed at subdivision.
20. Wide tree protection area to buffer the use.
21. Urban civic space features at intersection.

Ashley Honeycutt Terraza additionally stated that Sam's Xpress Car Wash is a high-end express car wash, open from 7:30 AM to 9:00 PM. Lighting at property lines will comply with UDO standards, and parking area lighting will turn off at 9:00 PM. A sound study from a similar site showed noise levels will not exceed the Noise Ordinance.

An environmental sound study was entered into evidence at 7:09 PM; paper copies were provided to the Board.

An appraiser's report was entered into evidence at 7:17 PM.

Chair Ben Copeland invited any supporters of the request:
None came forward.

He invited any opponents of the request:
None came forward.

Ashley Honeycutt Terraza returned to recap her testimony.

Any initial questions for staff:
Nora Leet asked about parking requirements.

Conor Ryan explained that Holly Springs has a parking standard that the project complies with.

Kimberly Day asked about Special Use Permit timelines.

Conor Ryan stated they are valid for one year and must commence the next steps within that timeframe. If they continue through the process, the permit remains valid.

Chair Ben Copeland asked whether the permit transfers if Sam's Xpress Car Wash is sold to someone else.

Conor Ryan confirmed that it does transfer.

Chair Ben Copeland asked whether the Town considers differences between car washes with or without vacuum systems.

Conor Ryan stated that distinction does not factor into the UDO criteria.

Chair Ben Copeland questioned Attorney Ashley Honeycutt Terraza about why they did not hire a sound expert.

Ashley Honeycutt Terraza replied that her expert witness is familiar with the equipment, and they did not feel an audiologist was needed.

Chair Ben Copeland asked what the Town Noise Ordinance states.

Conor Ryan distributed copies and entered the ordinance into evidence at 7:35 PM.

Nora Leet asked how noise standards apply when one side of the property is residential and the other commercial.

Conor Ryan explained that standards apply based on the party generating the noise.

Chair Ben Copeland called forward traffic expert Kevin Dean.

Chair Ben Copeland asked if he read the Noise Ordinance line by line.

Kevin Dean confirmed he had.

Chair Ben Copeland asked whether a demand study was conducted for traffic.

Kevin Dean stated that no such study was performed.

Chair Ben Copeland asked about buffer area trees.

Ashley Honeycutt Terraza stated they will keep non-disturbed trees in place and will not add new trees to that buffer area.

Chair Ben Copeland closed the Public Hearing.

Board Deliberation:

1. The application for a Special Use Permit was filed by all the owners of the land affected by the Special Use Permit.
2. The property is described as follows:
 - Site Address: 975 Avent Ferry Road
 - PIN: 0648679608
 - Lot Number: 1
 - Subdivision: 975 Avent Ferry Road Major Subdivision (Carroll Crossing)
 - Total Lot Size: 2.35 Current Zoning District: NMX Neighborhood Mixed-Use
1. The property is currently vacant.
2. The requested Special Use Permit is to allow for a Drive In/Drive Through Use.
3. A Development Plan (25-DP-06) depicting the Special Use Permit has been submitted by the Applicant and is part of the record.
4. The Special Use Permit and Development Plan application and other records pertaining to the Special Use Permit request are part of the record.
5. Notice of the Quasi-Judicial Hearing has been provided as required by NCGS and the Town of Holly Springs Unified Development Ordinance.

Findings of Fact:

A *variance* may be granted by the Board if competent and substantial evidence is presented by the applicant which persuades the Board to either reach each of the following conclusions independently or be reasonably able to meet these conclusions upon implementation of conditions by the Board:

- Criterion 1: The proposed Use will not be injurious to the public health, safety, comfort, convenience, or general welfare;
- Criterion 2: The proposed Use will not injure or adversely affect the adjacent area;

- Criterion 3: The proposed Use will be consistent with the character of the district, land Uses authorized therein, and the Comprehensive Plan;
- Criterion 4: The proposed Use shall conform to all Development Standards of the applicable District (unless a Variance or Administrative Adjustment is issued for said standard);
- Criterion 5: Roadways, Access Drives, and/ or Driveways are or will be sufficient in size and properly located to: ensure automotive, bicyclist, and pedestrian safety and convenience, traffic flow as set forth in this UDO and, control and Access in case of fire or other emergency;
- Criterion 6: The location and arrangement of the Use on the site, screening, buffering, landscaping, and pedestrian accessways harmonize with adjoining properties and the general area and minimize adverse impacts; and,
- Criterion 7: The type, size, and intensity of the proposed Use (including but not limited to such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the Use) will not have significant adverse impacts on adjoining properties or the neighborhood.

Motion (Findings of Fact)

Motion to accept and adopt the findings of fact for Variance Petition # 25-SUP01 as determined based upon competent, material, and substantial evidence presented and entered into the record and reduced to writing.

Motion by: Thomas Rushing

Second by: Kimberly Day

Action: The Board of Adjustment voted in favor of the Motion. (5-0)

Having obtained a 5-0 vote in favor of approving the special use permit, 25-SUP01 is approved.

Agenda Item #8: Other Business

The Board did not have any other business to discuss.

Agenda Item #9: Adjournment

Motion:

Motion to adjourn.

Motion by: Kimberly Day

Second by: Chair Ben Copeland

Action: The Board of Adjustment voted in favor of the Motion. (5-0)

Time: 9:14 PM

Angele Sharrett

Board of Adjustment Clerk



Holly Springs Board of Adjustment

Board of Adjustment Agenda Cover Sheet

Agenda Item#: 2.

Public Hearings

Title: Variance 26-VAR-01 4400 Norak Dr - Quasi-Judicial Public Hearing

Strategic Priority Area: Growth Management & Economic Vitality

Staff Resource: Conor Ryan, Development Services

Action(s):

- Conduct Quasi-Judicial Public Hearing.
- Make and Accept the Findings of Fact for consideration or and approve/deny Variance request.

Explanation:

- The Town has received a request for a variance of UDO Section 3.4.2.B.3 for the property located at 4400 Norak Dr. which does not allow accessory structures to be located in front yards.
- The variance would allow for a detached accessory structure to be located in the front yard and closer to Sunset Lake Rd. than the primary structure, a single-family home.
- The site was approved for a variance for the same UDO standard on 3/3/2025, which included five conditions of approval, including one condition of approval that limits tree removal to the limits of disturbance shown on the site plan accompanying the variance.
- Civil construction drawings were approved for the project in October 2025, which shifted the location of the accessory structure approximately 200' further away from Sunset Lake Road and modified the limits of disturbance. The modification was deemed in compliance with the variance.
- After the civil construction drawings were approved and construction began, tree removal occurred outside the approved limits of disturbance and a stop-work order was placed on the site. It was discovered that additional tree removal on the site, greater than what could be approved administratively, would be necessary to accommodate the new structure location and the septic system for the property.
- The current variance request is to allow for the construction of the accessory structure in accordance with the updated site plan which shows the new structure location and the area of tree removal associated with the accessory structure. The area of tree removal in the new location is greater than the previous location.
- Approval of this variance would override the existing variance on the site. Denial of this variance would leave the existing variance in place.

Background:

- The subject property is located along Sunset Lake Rd and is zoned RR - Rural Residential.
- UDO Section 3.4.2.B.3 states "Detached Accessory Buildings shall not be located in the

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Front Yard."

Funding Source(s):

N/A

Attachment(s):

1. 26VAR01_4400Norak_StaffReport
2. 26VAR01_4400Norak_Application
3. 26VAR01_4400Norak_SitePlan_Proposed
4. 26VAR01_4400Norak_Evidence
5. 24VAR08_0NorakDr_ActionNotice
6. 24VAR08_0NorakDr_SitePlan_Approved



Development Services

Staff Report

Request for Variance of Development Standards 4400 Norak Dr. 26-VAR-01

Petitioner/Owners:

Petitioner:

Rami Hafsa

877 E Gannon Ave, Ste 101

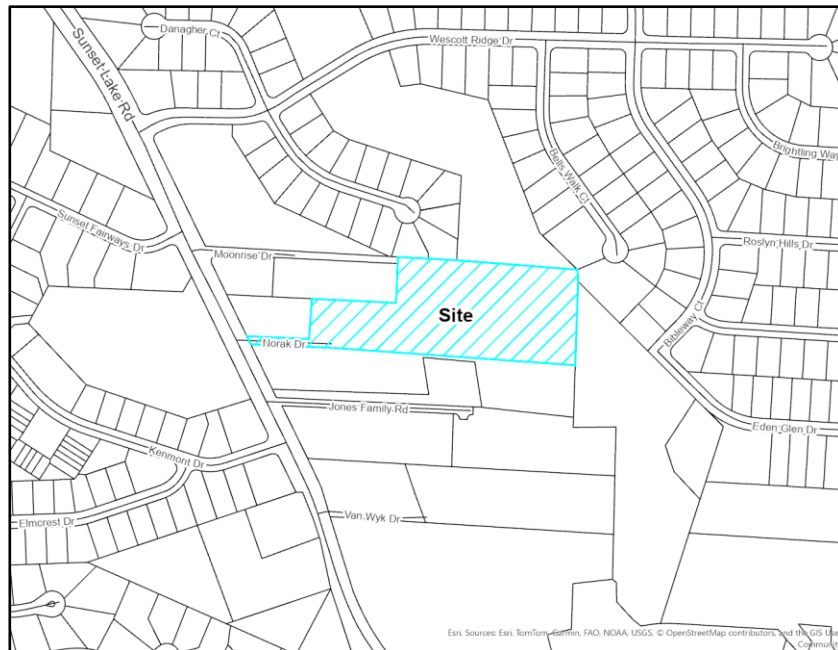
Zebulon, NC 27597

Owner:

Mohamed & Shatha Alzuraiki

3928 Colinwood Ln

Raleigh, NC 27606



Location:

☐ Within Corporate Limits of Holly Springs ☒ Within Holly Springs ETJ ☐ Annexation Pending

Staff Contacts: Conor Ryan, Planner III

Attachments: Variance of Development Standards Petition, Variance of Development Standards Findings of Fact responses by petitioner



Parcel Information			
Owner	Parcel #	Zoning	Area
Mohamed Alzuraiki Shatha Alzuraiki	0669341239	RR – Rural Residential	7.42
Total			7.42 Acres

Adjacent Property Site Data		
	Zoning	Existing Land Use
Subject Property	RR – Rural Residential	Vacant
North	RR – Rural Residential SR – Suburban Residential	Single-Family Residential
South	RR – Rural Residential	Single-Family Residential
East	RR – Rural Residential SR – Suburban Residential	Vacant Single-Family Residential
West	PUD – Planned Unit Development RR – Rural Residential	Single-Family Residential

Property History

Rezoning History

Rezoning Number: 22-REZ-01 (Zoning Reassignment)
Original Zoning: R-30 Residential
Current Zoning: RR – Rural Residential
Approved by Town Council on: 3/1/22

Variance Request

Variance 26-VAR-01 requested by Rami Hafsa to allow for a Variance from the Unified Development Ordinance Section 3.4.2.B.3 Accessory Building Limitations - Locations to allow for the placement of an Accessory Structure in the Front Yard for the property located at 4400 Norak Dr, Wake County PIN 0669341239.

UDO Requirements:

3.4.2.B - Accessory Building Limitations.

3. Location. Detached Accessory Buildings shall not be located in the Front Yard.

Definition:

Yard, Front. An Open Space, unobstructed to the sky, extending fully across the Lot while situated between the Front Lot Line and the established Front Building Line.

Property Owner Notification

All property owner notifications have been made in accordance with North Carolina General Statutes.

- 1) A notice of the public hearing was mailed to all property owners within 500 feet of the subject property.
- 2) A notice of public hearing sign was posted on the subject property.

Background Information

Existing Conditions

- The subject property is currently vacant.
- The subject lot is nonconforming to UDO standards due to a lack of lot width at the setback line along Sunset Lake Rd (100' required, 35' existing).
- The image below depicts the subject property (outlined in blue) as of June 4th, 2026.



Points of Consideration:

- The subject property is located at 4400 Norak Dr and has the Residential Neighborhood Future Land Use designation per the Town's Comprehensive Plan.
- The Residential Neighborhood designation specifies that "Residential building types are limited to single family detached residential, including accessory dwelling units, in a variety of sizes."
- The subject property is zoned RR – Rural Residential.
- The UDO stipulates "Detached Accessory Buildings shall not be located in the front yard."
- The Front Yard is defined as "An Open Space, unobstructed to the sky, extending fully across the Lot while situated between the Front Lot Line and the established Front Building Line."
- The Front Lot Line is defined as "The Lot Line separating a Lot from any abutting Street. In the case of a Corner Lot, the Administrator shall determine the Front Lot Line based on the highest abutting Street classification. If both Streets are the same classification, then the Front Lot Line is the shortest of the 2 Lot Lines."
- The Front Building Line is defined as "A line parallel to any Front Lot Line which passes through the nearest point of any Building or Structure and terminates at the point of contact with any Side Lot Line."
- The Variance request would allow for the construction of a 3,950 sq. ft. detached accessory structure to be placed closer to Sunset Lake Rd than the primary building.
- If no accessory structure was proposed, and the only structure being constructed on the site was the primary dwelling, the applicant would have been able to clear and grade the entire site by-right in conjunction with the building permit for the house, save the area designated as wetlands and the area within the 50' riparian buffer.
- A variance to allow for an accessory structure to be placed in the front yard was approved for this property on 3/3/2025. Civil construction drawings were approved for the project in October 2025, which shifted the location of the accessory structure approximately 200' further away from Sunset Lake Road and modified the limits of disturbance. The modification was deemed in compliance with the variance. After the

civil construction drawings were approved and construction began, tree removal occurred outside the approved limits of disturbance and a stop-work order was placed on the site. It was discovered that additional tree removal on the site, greater than what could be approved administratively, would be necessary to accommodate the new structure location and the septic system for the property. The current variance request is to allow for the construction of the accessory structure in accordance with the updated site plan.

- Conditions were imposed on the previously approved variance including prohibiting the use of the accessory structure as an Accessory Dwelling Unit. While variances may not be used to permit uses where they are not otherwise allowed, conditions of approval for variances may limit the uses of a site, so long as the conditions are reasonably related to the proposed use, do not conflict with the ordinance, and further a legitimate objective of the ordinance.
- Elements common to Accessory Dwelling Units, including a kitchenette and a bathroom, are present on the accessory structure building plans; therefore, it is recommended that the use of the structure is part of the Board discussion.

Board of Adjustment Findings

NOTE: Board of Adjustment Members should use the following area to make notes on evidence presented related to each of the required Findings as it is presented during the public hearing.

A variance may be granted by the Board if competent and substantial evidence is presented by the applicant which persuades the Board to either reach each of the following conclusions independently or be reasonably able to meet these conclusions upon implementation of conditions by the Board:

- 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.**

Applicant Response:

We are requesting approval to place an accessory building in the front yard of our 7.42-acre property, due to unique topographical challenges and a 180-foot easement that restricts feasible building locations. The front yard location is better suited for this structure as it allows us to use the rear, which is the most level area, for our family home and provides a safe, usable yard. The accessory building would be positioned approximately 650 feet away from Sunset Lake Road, with minimal tree clearing for the driveway to maintain privacy and integrity. We believe this placement respects the town's ordinances and integrity.

- 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.**

Applicant Response:

The only Semi-level area suitable for the primary residence is in the rear corner of the lot, making it the safest and most feasible location for family use.

Easement Impact: A substantial 180-foot easement severely limits building placement options, restricting the better half of the elevations to the rear of the property.

Safety and Usability: Positioning the building in the designated rear area would compromise the property's safety and usability for family activities. (Placing accessory building in rear yard would mean placing primary structure at front portion of lot where

terrain is very rigid resulting in unsafe family area) Attachment will show Terrain elevations at both building sites.

- 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.**

Applicant Response:

The property was purchased years ago as an investment. Since then, circumstances have changed, leading to a decision to build a family home on the site that emphasizes privacy. This change in use was not anticipated at the time of purchase.

- 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.**

Applicant Response:

The proposed location for the accessory building in the front yard, approx. 650 feet from Sunset Lake Road, ensures it remains hidden from view, aligning with community aesthetic standards.

In granting a variance, the Board shall have the authority to impose such conditions as deemed necessary by the Board to protect the interests of the surrounding area, preserve the spirit and intent of the UDO, and to promote the health, safety, morals, comfort convenience and welfare of person residing or working in or adjacent to the property. Such conditions can be the following non exclusive list of examples:

- 1. Limit the variance for specific duration.***
- 2. Require the provision of additional landscaping, screening, fencing or other methods to allow the varied property to harmonize with adjacent properties.***
- 3. Require the applicant to takes steps towards the elimination or reduction of noise, light, dust, vibration or other possible nuisance problems.***
- 4. Require more stringent signage limitations than provided under the UDO.***
- 5. Limit the hours of operation of a non-residential site.***

Board of Adjustment Motion

Based upon the Board's Findings of Fact, I move to approve/deny Variance 26-VAR-01 requested by Rami Hafsa to allow for a Variance from the Unified Development Ordinance Section 3.4.2.B.3 Accessory Building Limitations - Locations to allow for the placement of an Accessory Structure in the Front Yard for the property located at 4400 Norak Dr, Wake County PIN 0669341239.

In addition, the following conditions must be satisfied (state conditions).

Agenda Item Completeness Checklist		
Staff Member	Approved for Distribution	
	Yes	Initials
Conor Ryan	X	CR
Development Review Engineer		
Parks Planner		
Planning Manager / Division Manager / Director		



Holly Springs Board of Adjustment Findings of Fact

1. The application for a variance was filed by all the owners of the land affected by the Variance.
2. The property is described as follows:

Site Address: 4400 Norak Dr

PIN: 0669341239

Total Lot Size: 7.42 ac.

Current Zoning District: RR – Rural Residential
3. The property is vacant.
4. A Plot Plan/Survey depicting the Variance has been submitted by the Applicant.
5. The Front Yard is defined by the Unified Development Ordinance as “An Open Space, unobstructed to the sky, extending fully across the Lot while situated between the Front Lot Line and the established Front Building Line.”
6. The Front Lot Line is defined by the Unified Development Ordinance as “as the Lot Line separating a Lot from any abutting Street.”
7. The Front Building Line is defined by the Unified Development Ordinance as “as A line parallel to any Front Lot Line which passes through the nearest point of any Building or Structure and terminates at the point of contact with any Side Lot Line.”
8. The Front Lot Line of 4400 Norak Dr. is located at the line adjoining the parcel to Sunset Lake Rd.
9. The proposed location of the accessory structure per the plot plan is located in the area defined by the UDO as the Front Yard.
10. The UDO does not allow Accessory Structures to be placed in Front Yards in Residential Use Districts.

11. An Administrative Adjustment was unable to address the requested Variance, as Administrative Adjustments cannot be used to modify the placement of a structure, only its setbacks.
12. There are no specific zoning conditions or conditions of approval that are part of a Special Use Permit, Planned Unit Development, or Conditional Zoning District that will be varied by this request.
13. The Variance application and other records pertaining to the Variance request are part of the record.
14. Notice of the Quasi-Judicial Hearing has been provided as required by NCGS and the Town of Holly Springs Unified Development Ordinance.
15. A variance (24-VAR-08) allowing for the placement of an accessory structure in the front yard was approved for this site on 3/3/2025, including five conditions of approval.

Additional Findings of the Board of Adjustment

16.

17.

18.

BOARD OF ADJUSTMENT HEARING WORKSHEET

Date of
Hearing: _____
Case Number: _____

BOA Member: _____

Finding of Fact	Fact	In Petitioner's Application	From Staff Report	Testimony at Hearing	Proven by Competent & Material Evidence?
Ex.	<i>The property is located at 123 Main Street</i>	X	X	X	X
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					

VARIANCE REMINDERS

- The board can take issue with the facts that are presented by the applicant and find that the facts are NOT “competent,” “material,” or “substantial” and determine that the applicant has failed to establish a prima facie case (ie, the application fails)
 - **Material Evidence**- is recognized to mean “evidence having some logical connection with the facts of consequence or issues.”
 - **Substantial Evidence**- means such “relevant evidence as a reasonable mind might accept as adequate to support a conclusion.”—“It must do more than create the suspicion of the existence of the fact to be established... It must be enough to justify, if the trial were to a jury, a refusal to direct a verdict when the conclusion sought to be drawn from it is one of fact for the jury. Substantial evidence depends on the burden of proof. In a criminal trial, the evidence has to be so substantial as to overcome “reasonable doubt.” However, in civil matters (such as variances), it only needs to overcome a “preponderance of the evidence” standard. It only has to tip the scale of justice a little bit- not all the way as in a criminal matter.
 - **Competent evidence** is evidence that the fact finder determines has a sufficient indicia of reliability (ie, not hearsay or general nonsense) but evidence that as a tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.
 - Additionally, evidence that is deemed to be not competent and which should not be considered by the Board includes lay opinion testimony of: (1) how the proposed variance would affect the value of surrounding properties; (2) that the proposed variance would pose a danger to public safety as a result of increased traffic; and (3) matters only an expert would generally be qualified to testify about. (from 160A-393(k)(3)).
- Use of Expert Testimony: An expert is generally someone smarter than the fact-finder on a given subject (typically licensed in their field). In a judicial proceeding, they are the only ones where their “opinion” is competent, material, and substantial evidence. An example would be a licensed real estate appraiser offering evidence of an opinion of an increase or decrease in property value, or a land planner stating that they are familiar with the “spirit and intent” of the UDO and in their professional opinion, the project is in keeping with the spirit and intent. Expert witness testimony may be challenged, however unless some fault is determined (like they based their opinion on bad data or hearsay), typically you need another expert to offer an expert opinion to contradict what the first expert said. (Exception- the courts have consistently held that a property owner may give their opinion as to the value of their own property, even if they are not a licensed appraiser, however they are often trying to testify as to what the *future* value of their land would be if a project went through, and they are not likely competent to give evidence as to their properties future value.
- Board members sitting in a quasi-judicial capacity must base their decision to grant or deny a variance on objective factors, which are based upon the evidence presented, and not upon their subjective preferences or ideas.

- Board members should not accept outside evidence (conversations outside of sworn testimony, site visits, emails, unsworn documents) and should only rely on facts offered at the hearing, under oath.
- The board may not deny a permit in their unguided discretion or because, in their view, it would adversely affect the public interest.—“The denial of the conditional use permit may not be based on conclusions which are speculative, sentimental, personal, vague or merely an excuse to prohibit the requested use.”
- The Board sitting in a quasi-judicial capacity are performing as judges and must be neutral, impartial, and base their decisions solely upon the evidence submitted.—“Neutrality and the appearance of neutrality are equally critical in maintaining the integrity of our judicial and quasi-judicial processes”
- “Speculative assertions or mere expression of opinion about the possible effects of granting a permit are insufficient to support the findings of a quasi-judicial body”
- In quasi-judicial proceedings, no board or council member should appear to be an advocate for not adopt an adversarial position to a party, bring in extraneous or incompetent evidence, or rely upon ex parte communications (out of hearing) when making their decision.

General Information

The full review procedures for a Variance of Development Standards can be found in the Town of Holly Springs [Unified Development Ordinance \(UDO\)](#), section 11.13.

The Variance of Development Standards will follow the Board of Adjustment review schedule. Submittal does not guarantee placement on a particular meeting agenda.

During a quasi-judicial hearing, the Board of Adjustment must hold an evidentiary hearing and make its decision based on the written and oral evidence presented. A quasi-judicial decision must be made on facts and evidence cannot be based on opinions or hearsay. Anyone who speaks during the public hearing must be sworn in under oath. Anything presented to the Board of Adjustment will be collected by the Clerk for permanent records. Please be advised that petitions are not acceptable evidence and cannot be considered.

Visit <https://www.hollyspringsnc.us/335/Forms-Review-Schedules-Fee-Sheet> for a current fee schedule and review calendars.

Submittal Requirements

All items listed are required for a complete submittal. Incomplete submittals will be rejected and delay the process.

Submit the following items via the [Portal](#) . All applications submitted by NOON on Friday will be routed the following week for review:

- Application
- Detailed Findings of Fact for Variance of Development Standards, consistent with the UDO
- Site plan, photos, studies, appraisals, property surveys or other documentation to provide evidence regarding the justification for the Variance request in PDF format.

Once your submittal is deemed complete and accepted, staff will send you a confirmation and advise that submittal fees (if applicable) are available for payment in the [Portal](#).

For questions about your submittal, please reach out to dsintake@hollyspringsnc.gov

VARIANCE OF DEVELOPMENT STANDARDS APPLICATION

DPM Appendix #A.16 Supplement 20 February 2023

PETITION CONTACT INFORMATION <i>(Attach additional sheets if needed)</i>	
Applicant and Financially Responsible Party will need to register for an account on the Portal	
Project Applicant Check One: ☐ Owner ☒ Owner's Agent ☐ Design Professional ☐ Developer ☐ Other	
Name: Rami Hafsa	Company: Hafsa Building Group CO
Mailing Address: 877 E Gannon Ave ste 101	
City, State, Zip: Zebulon, NC, 27597	
Telephone: 919-903-2399	E-Mail: Rami@Hafsabuildinggroup.com
REQUIRED: Property Owner(s) if different from Applicant/Contact <i>(Attach additional sheets if needed)</i>	
Name: Mohamed Alzuraiki	Company:
Mailing Address: 3928 Colinwood Ln	
City, State, Zip: Raleigh, NC, 27606	
Telephone: 919-710-9400	E-Mail: Alzuraiki@Gmail.com

PROJECT INFORMATION	
Project Name	4400 Norak Dr.
Project Number	26-VAR01
Project Location <i>Use street address. If none, use closest intersection</i>	4400 Norak Dr ☐ Within Corporate Limits ☒ Within Holly Springs ETJ ☐ Pending Annexation
Shopping Center/Lot #	
PUD/Development	
PIN(s)	0669341239
Project Acreage	7.42 Acres
Current Zoning	RR
Sketch Plan Held:	Yes, Attached

VARIANCE REQUEST (please be specific)	
UDO Section No: 3.4.2.B.3	Section Title: Accessory Building Limitations, Location
Specific Vested Rights Request <i>(Attach additional sheets if needed)</i> :	
We request a variance from UDO Section 3.4.2.B.3 to allow the placement of an accessory structure in the front yard of our property at 4400 Norak Dr. The placement adheres to zoning district setbacks and involves minimal tree clearing. Topographical constraints and an existing easement limit feasible building locations, necessitating this variance.	

VARIANCE OF DEVELOPMENT STANDARDS APPLICATION

DPM Appendix #A.16 Supplement 20 February 2023

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 of Adjustment to make a written determination. Use additional sheets if necessary.

We are requesting approval to place an accessory building in the front yard of our 7.42-acre property, due to unique topographical challenges and an 180-foot easement that restricts feasible building locations. The front yard location is better suited for this structure as it allows us to use the rear, which is the most level area, for our family home and provides a safe, usable yard. The accessory building would be positioned approximately 650 feet away from Sunset Lake Road, with minimal tree clearing for the driveway to maintain privacy and integrity. We believe this placement respects the town's ordinances and integrity.

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 only Semi-level area suitable for the primary residence is in the rear corner of the lot, making it the safest and most feasible location for family use. Easement Impact: A substantial 180-foot easement severely limits building placement options, restricting the better half of the elevations to the rear of the property.

Safety and Usability: Positioning the building in the designated rear area would compromise the property's safety and usability for family activities. (Placing accessory building in rear would mean placing primary structure at front portion of lot where terrain is very rigid resulting in unsafe family area) Attachment will show Terrain elevations at both building sites.

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 property was purchased years ago as an investment.

Since then, circumstances have changed, leading to a decision to build a family home on the site that emphasizes privacy. This change in use was not anticipated at the time of purchase.

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 proposed front yard location for the accessory building, approx 650' feet from Sunset Lake Road, ensures it remains hidden from view, aligning with community aesthetic standards.

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 Town Council and Town Staff to visit the site in question for informational, advertisement and inspection needs.

Signature of Applicant:

Rami Hafsa

Date: 07/21/2026

Signature of Owner:

[Signature]

Date: 07/21/2026



LEE R. HINES, JR., PE

Civil Engineering
Land Planning & Development
Project Management

630 Aiken Parkway
Fuquay-Varina, NC 27526

Phone 919-422 8011
Email richiehines1998@gmail.com

July 21, 2026

Town of Holly Springs
Development Services Department
Post Office Box 8
Town of Holly Springs, NC 27540

Subject: **4400 Norak Drive**
PLVAR202400250/24VAR08

This is a letter of opinion in support of the variance request by the Applicant, Mr. Rami Hafsa for the subject development, particularly as it relates to building placement.

Generally, the property has moderate slopes of ten to twelve percent (10 - 12%) that will present grading challenges during construction. There is an existing drainage feature with wetlands that runs from southwest to northeast across the site. In addition to the drainage feature, there is also a 180-foot wide power line easement that renders a large swath of the site unsuitable for a building.

The accessory building is proposed on the west of the site, approximately 450 feet east of Sunset Lake Road. It would be placed near the head of the drainage feature at the convergence of what appears to be two draws. Though this is not an ideal building site, the accessory building would require less area to be cleared and graded than the proposed home. A smaller building footprint would preserve more of the natural area of the property. If the home were built in this area instead, there would be more disturbance and more difficulty in providing a safe, level outdoor living space for the family to enjoy because of the grading that would have to occur to do so. The area where the house is proposed is not without drawbacks, but it does appear to be flatter and is located in an area that will allow a larger building and more outdoor living area.

I trust that you find this satisfactory, but please do not hesitate to contact me at (919) 422-8011 or at richiehines1998@gmail.com if you have any questions or need additional information. Thank you for your consideration.



Sincerely,

Signed by:

Lee R. Hines, Jr.

A34868B0A9C54F8...

Lee R. Hines, Jr., PE







GENERAL NOTES:

- IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY THAT ALL DIMENSIONS, ROOF PITCHES, AND SQUARE FOOTAGE ARE CORRECT PRIOR TO CONSTRUCTION. K&A HOME DESIGNS, INC. IS NOT RESPONSIBLE FOR ANY DIMENSIONING, ROOF PITCH, OR SQUARE FOOTAGE ERRORS ONCE CONSTRUCTION BEGINS.
- ALL WALLS SHOWN ON THE FLOOR PLANS ARE DRAWN AT 4" UNLESS NOTED OTHERWISE.
- ALL ANGLED WALL SHOWN ON THE PLANS ARE 45 DEGREES UNLESS NOTED OTHERWISE.
- STUD WALL DESIGN SHALL CONFORM TO ALL NORTH CAROLINA STATE BUILDING CODE REQUIREMENTS.
- DO NOT SCALE PLANS. DRAWING SCALE MAY BE DISTORTED DUE TO COPIER IMPERFECTIONS.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH NORTH CAROLINA RESIDENTIAL STATE BUILDING CODE, 2018 EDITION.

SQUARE FOOTAGE

HEATED SQUARE FOOTAGE		UNHEATED SQUARE FOOTAGE	
FIRST FLOOR=	1100	GARAGE=	2850
SECOND FLOOR=	N/A	FRONT PORCH=	N/A
THIRD FLOOR=	N/A	SCREEN PORCH=	N/A
BASEMENT=	N/A	DECK=	N/A
		STORAGE=	N/A

TOTAL HEATED= 1100 TOTAL UNHEATED= 2850

CRAWL SPACE VENTILATION CALCULATIONS

-VENT LOCATIONS MAY VARY FROM THOSE SHOWN ON THE PLAN BUT SHOULD BE PLACED TO PROVIDE ADEQUATE VENTILATION AT ALL POINTS TO PREVENT DEAD AIR POCKETS.

-100% VAPOR BARRIER MUST BE PROVIDED WITH 12" MIN. LAP JOINTS.

-THE TOTAL AREA OF VENTILATION OPENINGS MAY BE REDUCED TO 1/1500 AS LONG AS REQUIRED OPENINGS ARE PLACED SO AS TO PROVIDE CROSS-VENTILATION OF THE SPACE. THE INSTALLATION OF OPERABLE LOUVERS SHALL NOT BE PROHIBITED. (COMPLY WITH NC CODE MIN. WITH REGARD TO VENT PLACEMENT FROM CORNERS)

N/A SQ. FT. OF CRAWL SPACE/1500

N/A SQ. FT. OF REQUIRED VENTILATION

PROVIDED BY: N/A VENTS AT 0.45 SQ. FT. NET FREE

VENTILATION EACH= N/A SQ. FT. OF VENTILATION

**FOUNDATION DRAINAGE- WATERPROOFING PER SECTIONS 405 & 406.

ATTIC VENTILATION CALCULATIONS

- CALCULATIONS SHOWN BELOW ARE BASED ON VENTILATORS USED AT LEAST 3 FT. ABOVE THE CORNICE VENTS WITH THE BALANCE OF VENTIALTION PROVIDED BE EAVE VENTS.

- CATHEDRAL CEILINGS SHALL HAVE A MIN. 1" CLEARANCE BETWEEN THE BOTTOM OF THE ROOF DECK AND THE INSULATION.

3950 SQ. FT. OF ATTIC/300= 13.17

EACH OF INLET AND OUTLET REQUIRED.

*WALL AND ROOF CLADDING DESIGN VALUES

- WALL CLADDING IS DESIGNED FOR A 24.1 SQ. FT. OR GREATER POSITIVE AND NEGATIVE PRESSURE.

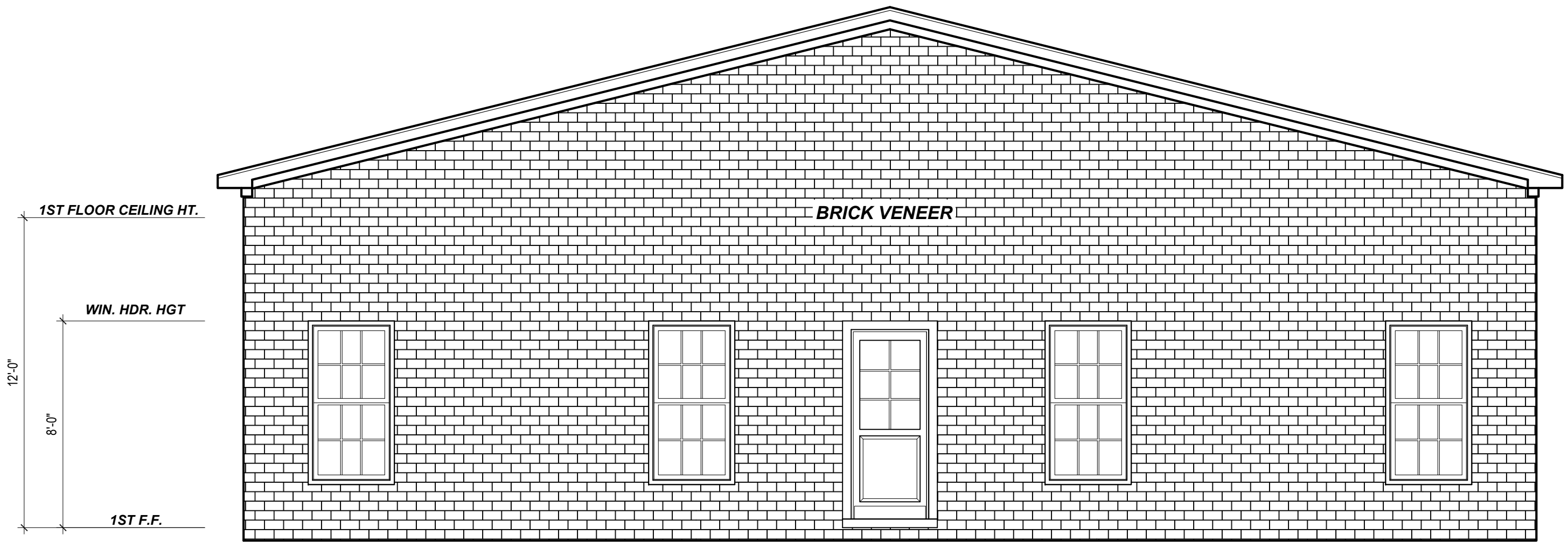
- ROOF VALUES BOTH POSITVE AND NEGATIVE SHALL BE AS FOLLOWS:

45.5 LBS. PER SQ. FT. FOR ROOF PITCHES OF 0/12 TO 2.25/12

34.8 LBS. PER SQ. FT. FOR ROOF PITCHES OF 2.25/12 TO 7/12

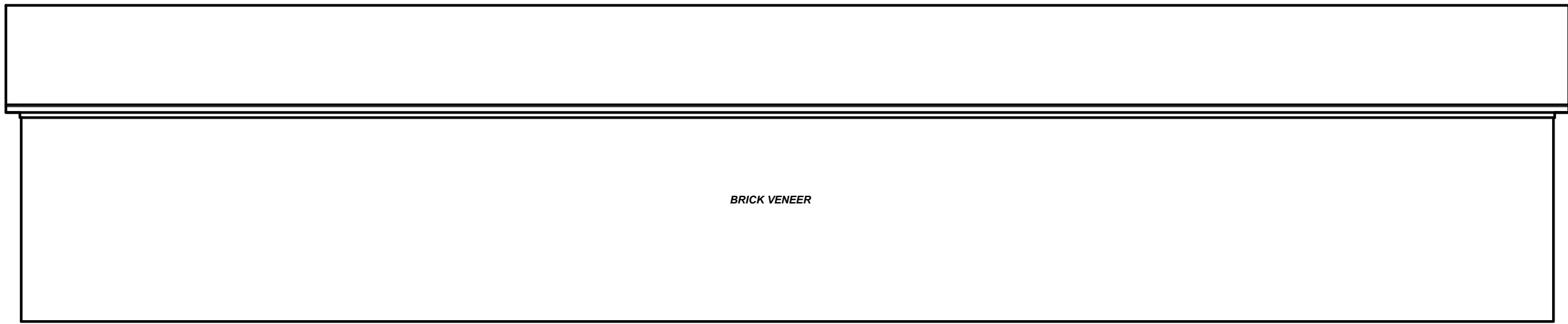
21 LBS. PER SQ. FT. FOR ROOF PITCHES OF 7/12 TO 12/12

** MEAN ROOF HEIGHT 30' OR LESS



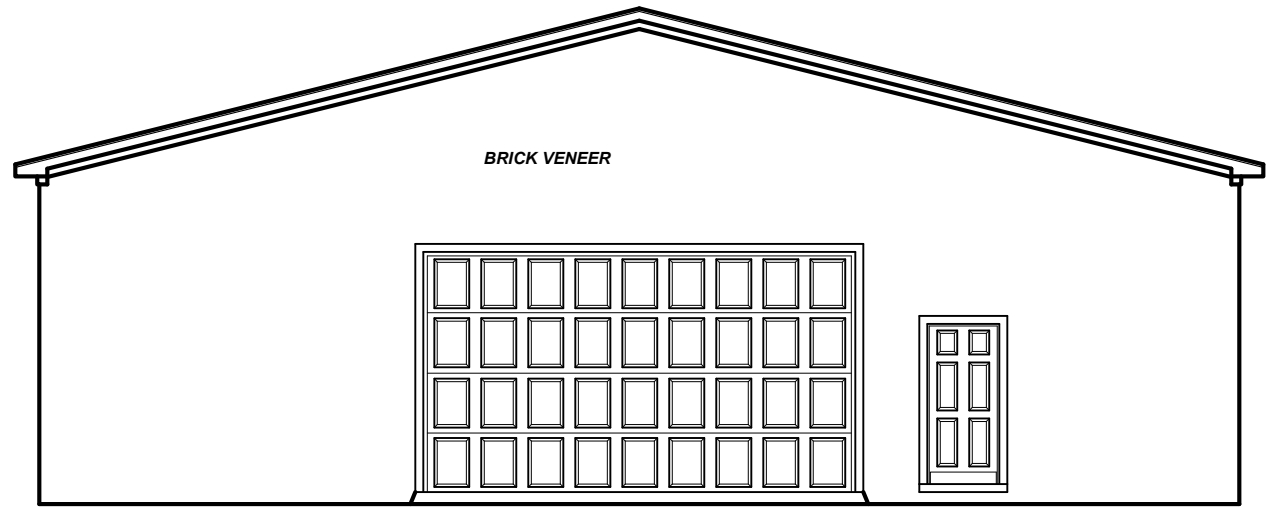
FRONT ELEVATION

1/4" = 1'-0"



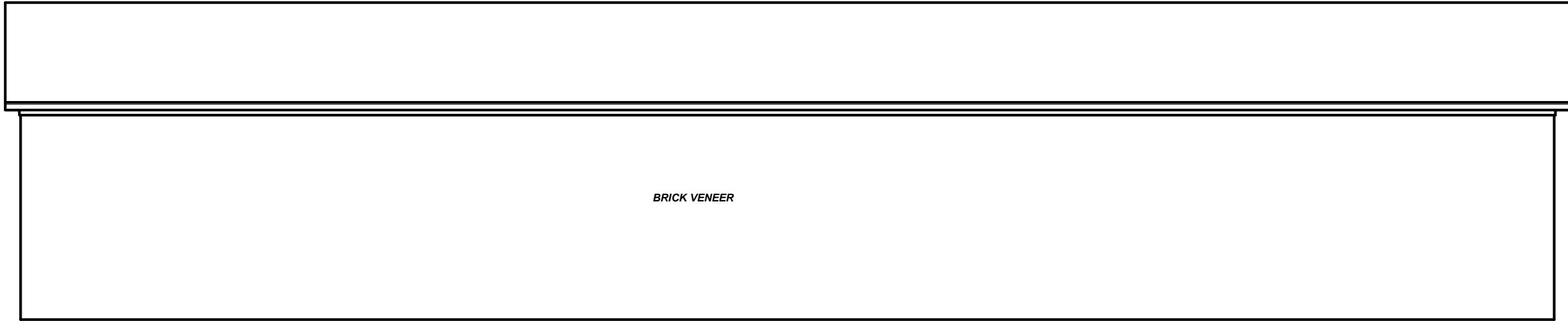
LEFT ELEVATION

1/8" = 1'-0"



REAR ELEVATION

1/8" = 1'-0"



RIGHT ELEVATION

1/8" = 1'-0"

Project #:	24-415
Date:	11-22-24
Drawn/Design By:	KBB
Scale:	REFER TO ELEV.

REVISIONS		
No.	Date:	Remarks
1		
2		
3		
4		

9101 Ten-Ten Rd.
Raleigh, NC 27603
Office: (919) 302-0693



Zara
Accessory
Building

Hafsa Bulding Group Co
877 E. Gannon Ave. Ste. 101
Zebulon, NC 27597

ELEVATIONS

Sheet Number

1

of 2

Website: www.KandAHomeDesigns.com

Email: Kent@KandAHomeDesigns.com

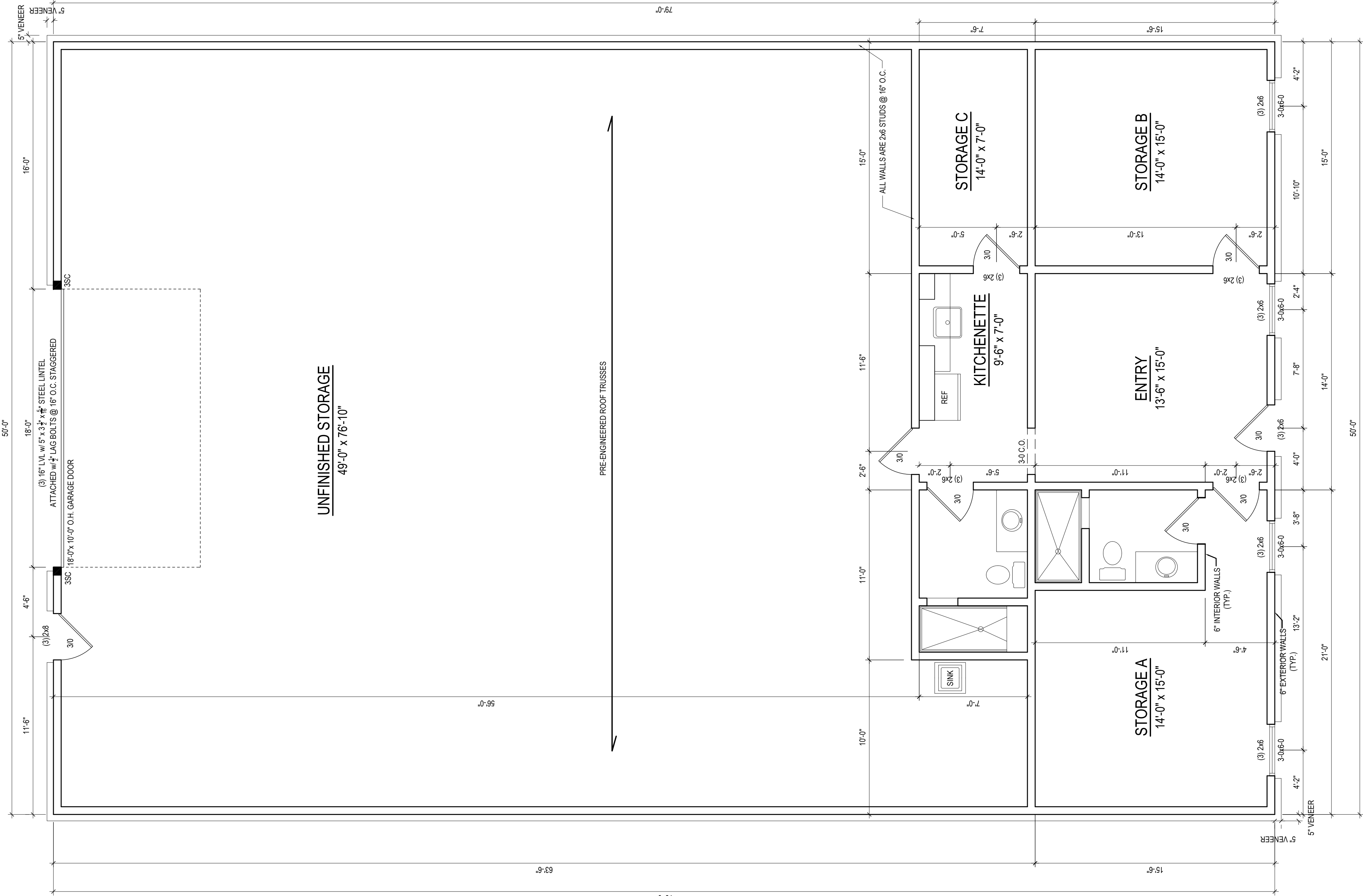
ALLOWABLE SPANS FOR LINTELS
SUPPORTING MASONRY VENEER

Size of Angle	(1,3) Maximum Span	(2,4) Maximum Span
3-1/2" x 3-1/2" x 1/4"	6'-0"	8'-0"
5" x 3-1/2" x 5/16"	10'-0"	12'-0"

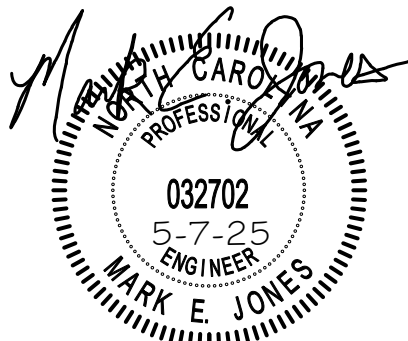
1. Low leg of the angle shall be placed in a vertical position.
2. Splice rods if used to provide wall ties.
3. Steel members indicated are adequate typical examples other steel members including bolt choice steel meeting structural design requirements may be used.
4. Spans over 12'-0" shall be designed in accordance with approved standard.

BRICK LINTEL SCHEDULE

BRICK VENEER
FLASHING
ROOF FLASHING
ROOF
ROOF SHEATHING
DOUBLE RAFTER
MIN. 3"x3"x1/4" PLATE
AT 24" O.C. WELD TO ANGLE
ANGLE PLATE WITH ROOF
SLOPE EXCEEDS 4:12
HOLES IN ANGLE AT 12" O.C.
NAILS SHALL PENETRATE
DOUBLE RAFTERS
1/4"X3/12"X1/4" (LLH)
HOLES FOR 16d NAILS AT 12" O.C.
1" NOMINAL AIR SPACE
WALL SHEATHING
STUD
L4"X3/12"X1/4" (LONG LEG
HORIZ.) ATTACHED TO ROOF
W/ 16d NAILS IN 24" DIA.



FIRST FLOOR PLAN
1/4" = 1'-0" CEILING HT. = 12'-0"



Project No.	24-415
Date	11-22-24
Drawn/Design By	KBB
Scale	1/4"=1'-0"

REVISIONS		
No.	Date	Remarks
1		
2		
3		
4		

9101 Ten-Ten Rd.
Raleigh, NC 27603
Office: (919) 302-0693



Zara
Accessory
Building

Hafsa Building Group Co
877 E. Gannon Ave. Ste. 101
Zebulon, NC 27597

FLOOR PLAN

Sheet Number
2
of 2

* Engineers seal does not include construction means, methods, techniques, sequences, procedures or safety precautions.
* Any deviations or discrepancies on plans are to be brought to the immediate attention of Mark E. Jones, PE.
Failure to do so will void Mark E. Jones, PE liability.
* Please review these documents carefully. Mark E. Jones, PE will interpret that all dimensions, recommendations, etc. presented in these documents were deemed acceptable once construction begins.



Mark E. Jones, PE
6425 Glen Dean Court
Raleigh, NC 27603
(919) 395-5618

Zara
Accessory Building

Hafsa Building Group Co
877 E. Gannon Ave. Ste. 101
Zebulon, NC 27597

Project #: 25-044
Date: 4/8/25
Drawn/Design By: MEJ
DWG. Checked By: MEJ
Scale: 1/4"=1'-0"

REVISIONS		
No.	Date	Remarks
1		
2		
3		
4		

FOUNDATION

Sheet Number
S1
of 2

STRUCTURAL NOTES

1) ALL CONSTRUCTION SHALL CONFORM TO THE LATEST REQUIREMENTS OF NORTH CAROLINA STATE 2018 RESIDENTIAL BUILDING CODE, IN ADDITION TO ALL LOCAL CODES AND REGULATIONS.

2) DESIGN LOADS:

	LIVE LOAD (PSF)	DEAD LOAD (PSF)	DEFLECTION (IN. ALL)
ALL FLOORS	40	10	L/360
ATTIC (SHEATHING)	20	10	L/240
ATTIC (NO SHEATH)	10	5	L/240
EXTERNAL BALCONY	60	10	L/360
ROOF	20	10	L/180
ROOF TRUSS	20	20	L/240
WIND LOAD	(BASED ON 115 MPH (2-second gust))		

3) MINIMUM ALLOWABLE SOIL BEARING PRESSURE = 2000 PSF

4) CONCRETE SHALL HAVE A MINIMUM 28 DAY STRENGTH OF 3000 PSI AND A MAXIMUM SLUMP OF FIVE INCHES UNLESS NOTED OTHERWISE (L&O).

5) MAXIMUM DEPTH OF UNBALANCED FILL AGAINST FOUNDATION WALLS TO BE LESS THAN 4'-0" WITHOUT USING SUFFICIENT WALL BRACING. REFER TO SECTION 1004 OF 2018 NC BUILDING CODE FOR BACKFILL LIMITATIONS BASED ON WALL HEIGHT, WALL THICKNESS, SOIL TYPE, AND UNBALANCED BACKFILL HEIGHT.

6) ALL FRAMING LUMBER SHALL BE SYP #2 (F_b = 800 PSI) UNDO.

7) ALL FRAMING LUMBER EXPOSED TO THE ELEMENTS SHALL BE TREATED MATERIAL.

8) ALL LOAD BEARING HEADERS SHALL BE (2X10) (L&O). ALL WINDOW AND DOOR HEADERS SHALL BE SUPPORTED BY (1) JACK STUD AND (1) KING STUD AT EACH END UNLESS NOTED. ALL OTHER BEAMS SHALL BE SUPPORTED BY 2 STUDS ON THE AMOUNT OF STUDS REQUIRED FOR FULL BEARING AT EACH END UNLESS NOTED. POINT LOADS (STIFF KNEES, ETC.) SHALL CONSIST OF 2 STUDS UNLESS NOTED. ALL SUPPORTS OF 2 STUDS OR MORE SHALL BE TRANSFERRED THROUGH EACH FLOOR TO THE FOUNDATION.

9) ALL EXTERIOR WALLS TO BE SHEATHED WITH MIN. 7/16" WOOD STRUCTURAL PANELS FASTENED WITH 8D NAILS IF O.C. AT EDGES AND 12" O.C. AT INT. SUPPORTS. BLOOMING SHALL BE INSTALLED IF LESS THAN 80% FRONT OF THE WALL LENGTH IS SHEATHED. WHERE BLOOMING IS REQ'D, ALL PANELS SHALL BE FASTENED AT 7" O.C. AT EDGES AND IF O.C. AT INT. SUPPORTS.

10) ALL STRUCTURAL STEEL SHALL ASTM A-36. STEEL BEAMS SHALL BE SUPPORTED AT EACH END WITH A MINIMUM BEARING LENGTH OF 3'-0" INCHES AND FULL FLANGE WIDTH. PROVIDE SOLID BEARING FROM BEAM SUPPORT TO FOUNDATION. BEAMS SHALL BE ATTACHED TO EACH SUPPORT WITH TWO LAG SCREWS (2" DIAMETER AND 4" LONG). LATERAL SUPPORT IS CONSIDERED ADEQUATE PROVIDING THE JOISTS ARE 100% NAILED TO THE SOLE PLATES, AND THE SOLE PLATES ARE NAILED OR BOLTED TO THE BEAM FLANGES @ 48" O.C.

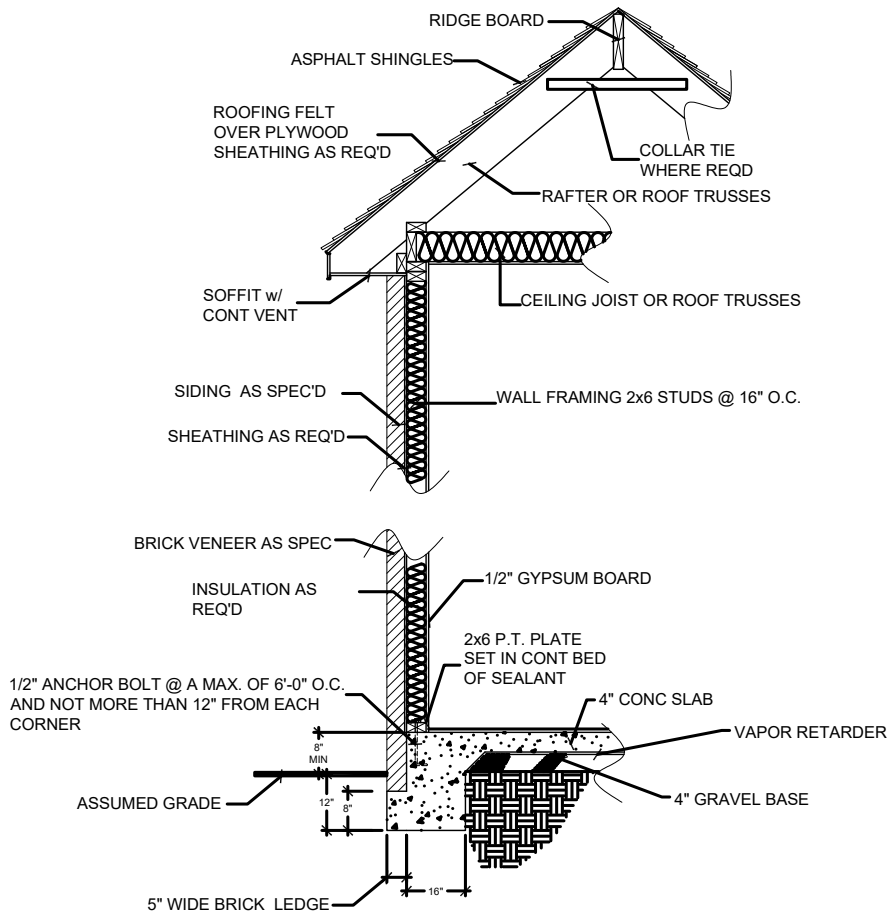
11) ANCHOR BOLT PLACEMENT PER SECTION 1003.1.6. 1/2" DIAMETER ANCHOR BOLTS SPACED AT 6'-0" O.C. AND PLACED 12" FROM THE END OF EACH PLATE SECTION.

12) FOUNDATION DRAINAGE: GAMP PROOFING OR WATERPROOFING PER SECTION 405 AND 406 OF 2018 NC BUILDING CODE

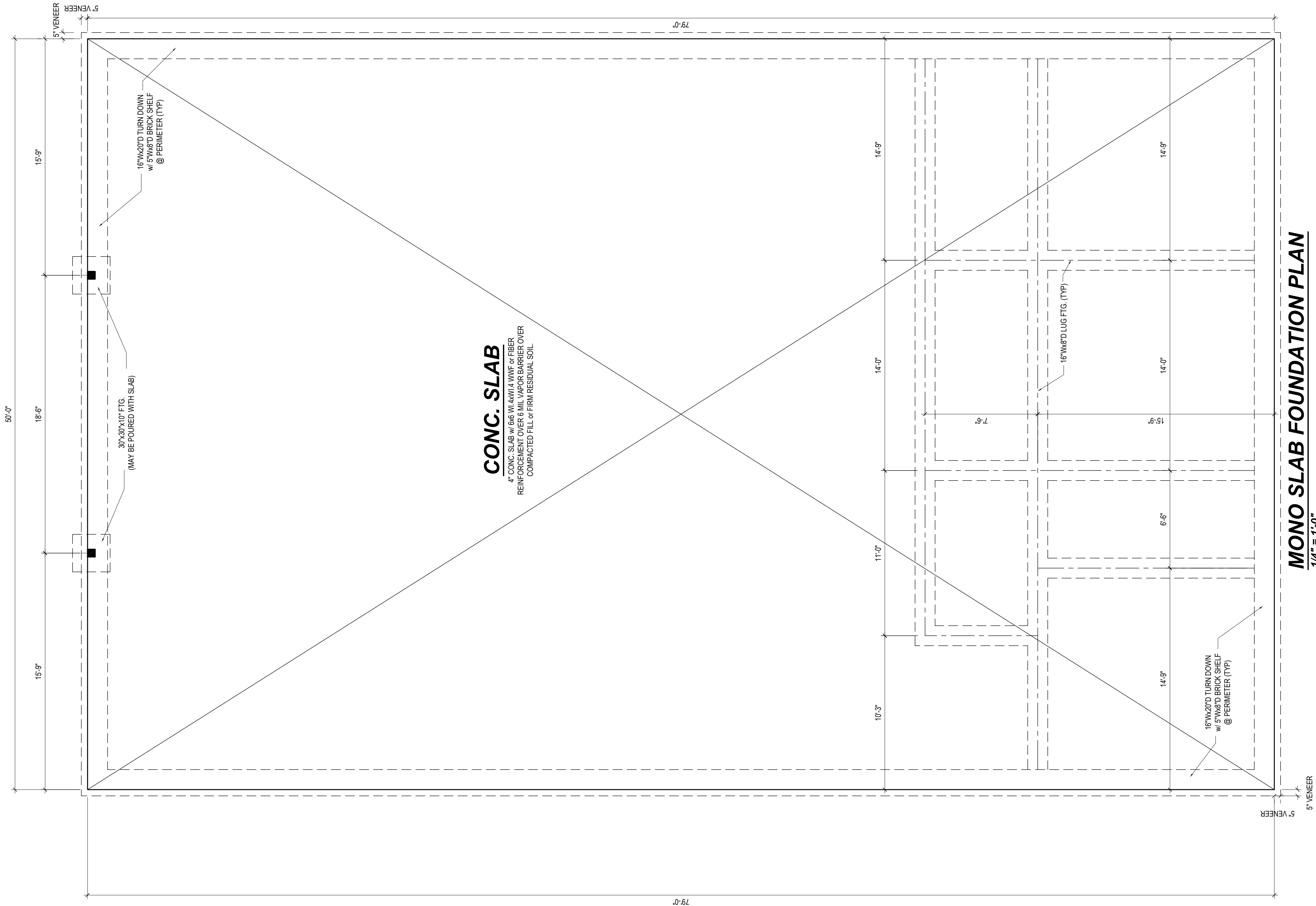
13) WALL AND ROOF CLADDING VALUES:
WALL CLADDING SHALL BE DESIGNED FOR A 34.1 SQ. FT. OR GREATER POSITIVE AND NEGATIVE PRESSURE. ROOF VALUES BOTH POSITIVE AND NEGATIVE SHALL BE AS FOLLOWS:
40.5 LBS/SQ. FT. FOR ROOF PITCHES OF 1/12 TO 2.0/12
34.1 LBS/SQ. FT. FOR ROOF PITCHES OF 2.0/12 TO 11/12
21.0 LBS/SQ. FT. FOR ROOF PITCHES OF 11/12 TO 12/12
= MEAN ROOF RISE: 1" IN 12"

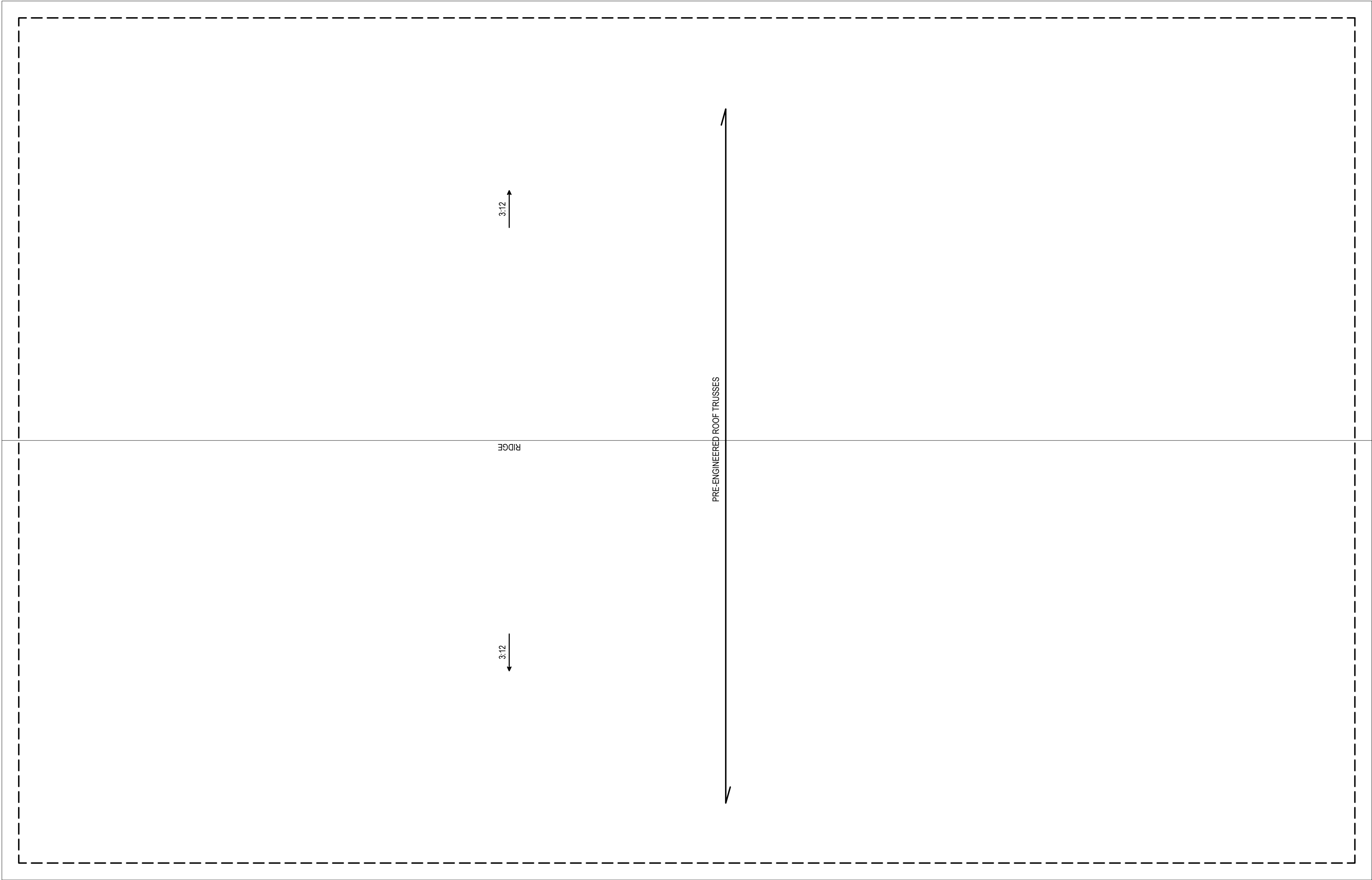
14) FOR ROOF SLOPES FROM 2:11 THROUGH 4:12, BUILDER TO INSTALL 2 LAYERS OF 15# FELT PAPER

15) IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL DIMENSIONS AND SQ. FT. ARE CORRECT PRIOR TO CONSTRUCTION. DESIGNER IS NOT RESPONSIBLE FOR DIMENSIONING OR SQ. FT. ERRORS ONCE CONSTRUCTION BEGINS.



TYPICAL WALL DETAIL
MONO SLAB





ROOF PLAN
1/4" = 1'-0"

* Engineers seal does not include construction means, methods, techniques, sequences, procedures or safety precautions.
* Any deviations or discrepancies on plans are to be brought to the immediate attention of Mark E. Jones, PE.
Failure to do so will void Mark E. Jones, PE liability.
* Please review these documents carefully. Mark E. Jones, PE will interpret that all dimensions, recommendations, etc. presented in these documents were deemed acceptable once construction begins.

Professional Engineer
Mark E. Jones, PE
032702
5-7-25
ENGINEER
NORTH CAROLINA

Mark E. Jones, PE
6425 Glen Dean Court
Raleigh, NC 27603
(919) 395-5618

Project Name:
**Zara
Accessory
Building**

Client Name:
Hafsa Bulding Group Co
877 E. Gannon Ave. Ste. 101
Zebulon, NC 27597

Project #:
25-044
Date:
4/8/25
Drawn/Design By:
MEJ
DWG. Checked By:
MEJ
Scale:
1/4"=1'-0"

REVISIONS		
No.	Date:	Remarks
1		
2		
3		
4		

ROOF

Sheet Number
S2
of 2



Notice of Action

Project Name	0 Norak Dr.
Project Number	24-VAR-08 / PLVAR202400250
Resolution Number	N/A
Project Address	0 Norak Dr.
Wake County PIN	0669341239
Project Master Plan	N/A
Total Project Area (acreage)	7.42
Building floor area (sq. ft.)	N/A
Total Number of Lots/Units	1

Determination of Official Action:

Public Hearing Date: Board of Adjustment Regular Meeting – 3/3/2025

Action Date: Board of Adjustment Quasi-Judicial Action – 3/3/2025

Action: Approve with Conditions (see below for details)

The Board of Adjustment received the sworn testimony of the applicant and staff during its regular meeting on 3/3/25. Based on the motion by Chair Ben Copeland with a second by Kimberly Day, the Board of Adjustment accepted and adopted the Findings of Fact as written:

1. The application for a variance was filed by all the owners of the land affected by the Variance.
2. The property is described as follows:
Site Address: 0 Norak Dr
PIN: 0669341239
Total Lot Size: 7.42 ac.
Current Zoning District: RR – Rural Residential
3. The property is vacant.
4. A Plot Plan/Survey depicting the Variance has been submitted by the Applicant.
5. The Front Yard is defined by the Unified Development Ordinance as “An Open Space, unobstructed to the sky, extending fully across the Lot while situated between the Front Lot Line and the established Front Building Line.”
6. The Front Lot Line is defined by the Unified Development Ordinance as “as the Lot Line separating a Lot from any abutting Street.”
7. The Front Building Line is defined by the Unified Development Ordinance as “as A line parallel to any Front Lot Line which passes through the nearest point of any Building or Structure and terminates at the point of contact with any Side Lot Line.”
8. The Front Lot Line of 0 Norak Dr. is located at the line adjoining the parcel to Sunset Lake Rd.

Holly Springs Development Services

P.O. Box 8 • 128 S. Main Street • Holly Springs, NC 27540 • www.hollyspringsnc.gov
919.557.3908 • developmentservices@hollyspringsnc.gov



Notice of Action

9. The proposed location of the accessory structure per the plot plan is located in the area defined by the UDO as the Front Yard.
10. The UDO does not allow Accessory Structures to be placed in Front Yards in Residential Use Districts.
11. An Administrative Adjustment was unable to address the requested Variance, as Administrative Adjustments cannot be used to modify the placement of a structure, only its setbacks.
12. There are no specific zoning conditions or conditions of approval that are part of a Special Use Permit, Planned Unit Development, or Conditional Zoning District that will be varied by this request.
13. The Variance application and other records pertaining to the Variance request are part of the record.
14. Notice of the Quasi-Judicial Hearing has been provided as required by NCGS and the Town of Holly Springs Unified Development Ordinance.
15. The lot exists as a nonconforming lot of record due to failure to meet UDO dimensional standards.
16. The lot is impacted by a 180' wide powerline easement and a gas easement.
17. The lot is impacted by wetlands that cross the easement as shown on the site plan.
18. There is noticeable variation in topography that exists on the lot as observed on the included aerial topography map.
19. No photographs of the site were provided as evidence by the applicant.
20. The petitioner has stated that no trees will be cleared outside of the limits of disturbance line shown on the site plan.
21. The accessory structure is proposed at 4,000 sq. ft. and is shown meeting UDO standards for size and setbacks.
22. The Town stormwater reviewer reviewed the proposed site plan without comment at this stage of the review process.
23. Due to lot configuration and site features, more buildable area is located in the rear of the lot than the front.
24. The site is undisturbed and the applicant has not taken action to alter or contribute to the grade or topography of the site.
25. An undisturbed buffer is proposed to remain between the accessory structure and Sunset Lake Rd, which maintains the spirit and intent of the ordinance and does not introduce public safety concerns.

Conclusion of Law:

Based upon the Board's Findings of Fact, and a motion by Kimberly Day and a second by Thomas Rushing, the Board of Adjustment approved Variance 24-VAR-08 a request to allow for a Variance from the Unified Development Ordinance Section 3.4.2.B.3 Accessory Building Limitations - Locations to allow for the placement of an Accessory Structure in the Front Yard for the property located at 0 Norak Dr, Wake County PIN 0669341239 with the following conditions:

1. Only one accessory building shall be permitted to be placed in the front yard.
2. The accessory building shall not be used as an accessory dwelling unit.
3. The location of the accessory building shall be limited to the area shown on the site plan.
4. The maximum size of the accessory building shall be 4,000 sq. ft. as shown on the site plan or in conformance with UDO standards, whichever is less.

Holly Springs Development Services

P.O. Box 8 • 128 S. Main Street • Holly Springs, NC 27540 • www.hollyspringsnc.gov
919.557.3908 • developmentsservices@hollyspringsnc.gov



Notice of Action

5. Tree clearing on the site shall be restricted to the limits of disturbance shown on the Site Plan.

The Board of Adjustment voted in favor of the Motion (5-0)

Every decision of the Board of Adjustment shall be subject to review by the Superior Court of the 10th Judicial District. Any appeal to the superior court shall be taken within thirty (30) days after the decision of the Board of Adjustment is to be filed in the office of Development Services, or a written copy thereof is delivered to the petition by personal service, registered mail or certified mail, return requested, whichever is later.

Attested to this, the 20th day of March, 2025:

Signed by:

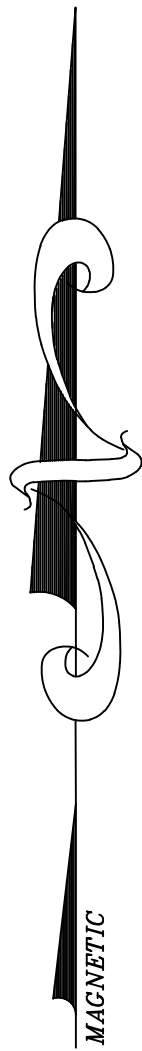
 430E593EBDDB403...

Ben Copeland, Chairperson

DocuSigned by:

 6857E4A2ED51487...

Mackenzie Fretz, Clerk

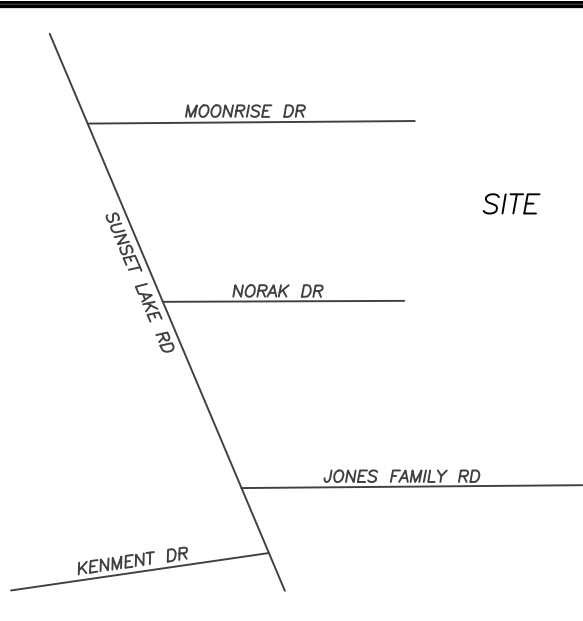


GENERAL SITE NOTES

1. EXISTING SITE SURVEY INFORMATION WAS PROVIDED BY JACK R. THOMASON, PLS AND TOPOGRAPHIC INFORMATION WAS TAKEN FROM WAKE COUNTY IMAPS. WETLANDS AND RIPARIAN BUFFER LOCATIONS TAKEN FROM MAP PREPARED BY GALLOWAY GEOSPATIAL, PLLC. THESE PLANS DO NOT ASSUME ANY LIABILITY FOR ANY EXISTING INFORMATION, SHOWN OR NOT SHOWN, ON THE SURVEY AND ANY CHANGES TO THE EXISTING CONDITIONS THAT MAY HAVE OCCURRED AFTER THE SURVEY WAS ISSUED. CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION.
2. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE TYPE, SIZE, DEPTH, MATERIAL, AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION. NOTIFY THE OWNER IMMEDIATELY IF UNKNOWN ELEMENTS ARE DISCOVERED THAT WOULD NECESSITATE MODIFICATION TO DESIGN.
3. ALL WASTE MATERIAL GENERATED FROM DEMOLITION ACTIVITIES SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL APPLICABLE RULES.
4. THE CONTRACTOR SHALL PROTECT THE FACILITIES OF ALL ADJACENT PROPERTIES, THE GENERAL PUBLIC, AND THE OWNER. THE CONTRACTOR SHALL IMMEDIATELY REPAIR ANY DAMAGES AS DIRECTED.
5. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.

SITE DATA

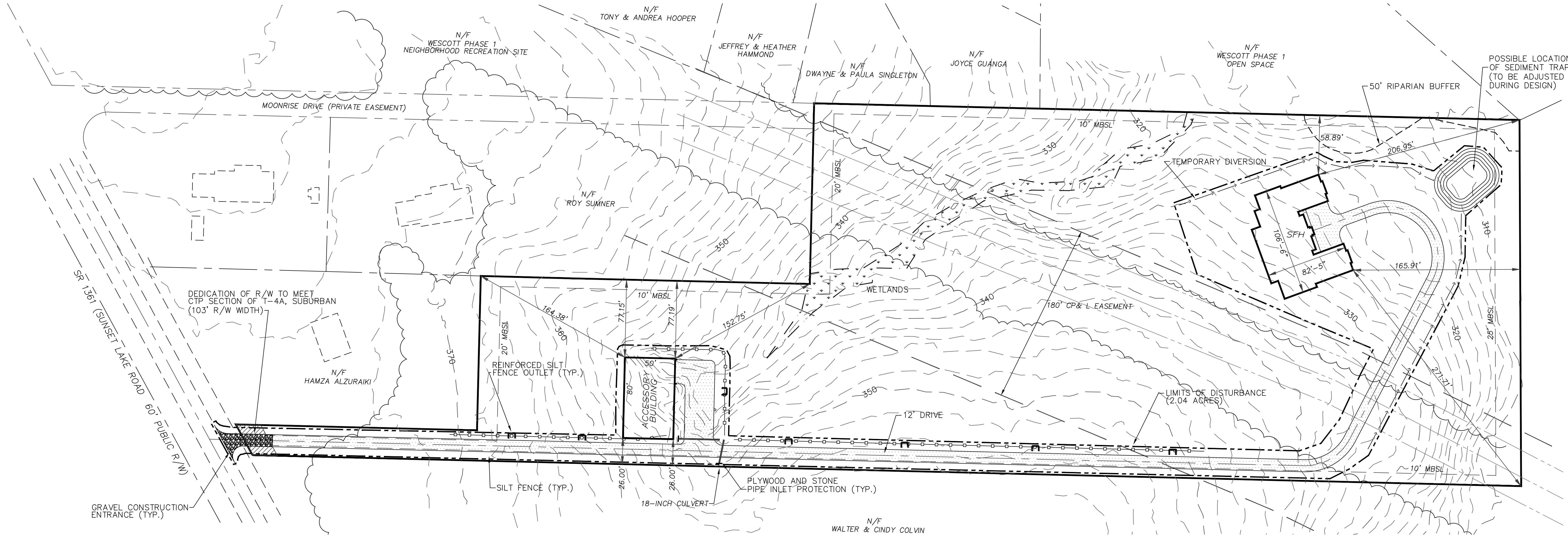
TRACT PIN: 0669341239 & 0669340499
SITE AREA: 7.42 ACRES
SITE ZONING: RR (RURAL RESIDENTIAL)
PRIMARY BLDG SETBACKS: FRONT 20', REAR 25', SIDE 10'
ACCESSORY BLDG SETBACKS: 10'



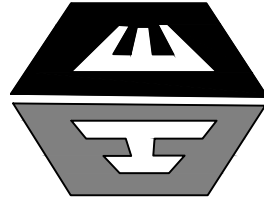
VICINITY MAP
(NOT TO SCALE)

SCALE: 1" = 50'

NOTE: EROSION MEASURES ARE PRELIMINARY AND ARE SHOWN FOR REFERENCE.
TYPE AND LOCATION ARE SUBJECT TO CHANGE DURING ACTUAL DESIGN.



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SEALS

PRELIMINARY
FOR REVIEW ONLY

REVISIONS

DATE	COMMENTS
01-09-25	REVISED PER TOWN OF HOLLY SPRINGS REVIEW #1
01-22-25	REVISED PER TOWN OF HOLLY SPRINGS REVIEW #2

0 NORAK DRIVE
CONCEPTUAL LAYOUT AND
PRELIMINARY EROSION CONTROL PLAN
TOWN OF HOLLY SPRINGS, WAKE COUNTY, NC

REVIEWED BY:	LRH
DESIGNED BY:	LRH
DRAWN BY:	LRH
DATE:	DEC 2024
PROJECT NUMBER:	24 07

CONCEPTUAL LAYOUT
PLAN

O - 1

DEC 2024