

**STATEMENT OF JUSTIFICATION**

*Explain how the request meets each of the following requirements. Attach a separate page if necessary.*

**Street Address:** \_\_\_\_\_

**Property Owner(s):** \_\_\_\_\_

**Description of Request:** \_\_\_\_\_

Section 3.19.3 of the Town of Cary Land Development Ordinance (LDO) allows the Planning Director to administratively approve encroachments of a principal building or accessory structure into any required setback up to fifteen percent (15%) of the applicable required setback provided that:

**A. The request involves encroachment into two or fewer required setbacks per lot.**

Explain: \_\_\_\_\_  
\_\_\_\_\_

**B. The encroachment is a result of a construction error by the property owner or a person acting on his or her behalf whether discovered during the construction process or afterwards; or special circumstances or conditions exist (e.g., narrowness, exceptional topographic conditions, or the shape of the property) that are not common to other areas or buildings that are similarly situated.**

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. The encroachment, if approved, will not pose substantial danger to public health and safety.**

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In addition, the Director may grant additional encroachments for structures that were constructed prior to May 13, 1999 (Implementation date of required foundation surveys) which do not meet the setback and other requirements of this ordinance provided that item (B) above is met and building permits were obtained and approved for the structure.

Explain: \_\_\_\_\_  
\_\_\_\_\_