

**CITY OF WILMINGTON  
STATE OF NORTH CAROLINA**

**APPLICATION FOR A VARIANCE**

**PURPOSE OF VARIANCE** – A Variance is the official allowance of a variation from the dimensional requirements of the City Land Development Code or other development regulations. An applicant for a variance must demonstrate valid reasons which create a need for a Variance. These reasons cannot be strictly economic in nature but must generally involve some physical problem with the subject property which will not allow it to be developed in a reasonable manner if City development regulations are followed literally, such as a lot which is substandard in area or width.

**BOARD OF ADJUSTMENT** - The Board of Adjustment, or BOA, is the official City Board that considers requests for variances. The BOA receives sworn testimony at its quasi-judicial hearings and issues decisions on variance requests based on this testimony. It is the responsibility of each applicant for a Variance to attend the BOA meeting and present sworn testimony in support of the request.

**REASON FOR VARIANCE REQUEST** – Explain in your own words why you are requesting a Variance. Be sure to clearly indicate the problem(s) you will experience in complying with the City development regulations. (Attach additional sheets if needed.)

---

Applicant requests relief from the obligation to construct an unnecessary  
public street. See attached.

---

The BOARD OF ADJUSTMENT is required to make the following four (4) findings before granting a Variance. Write a thorough response to each of these items.

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;
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance;
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;
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.

Application No. \_\_\_\_\_

ATTACH PLOT PLAN DESCRIBING VARIANCE REQUEST

**PROPERTY LOCATION INFORMATION**

Street address of subject property 650 Wellington Ave.

Tax Parcel Number of subject property R06018-004-006-000 and R06018-004-010-000

ATTACH TAX PARCEL & OWNERSHIP INFORMATION FOR ADJACENT PROPERTIES  
(Include stamped, self-addressed envelopes)

**APPLICANT INFORMATION**  
Name/Address/Telephone/Email

Name: Darryl J. Keels  
611 Wellington Ave.  
Address: Wilmington, NC 28401  
  
Phone #: 910-443-5406  
  
Email: dkeels@econotransmission.com

**OWNER INFORMATION**  
Name/Address/Telephone/Email

Darryl J. Keels  
611 Wellington Ave.  
Wilmington, NC 28401  
  
910-443-5406  
  
dkeels@econotransmission.com

**ATTACH AGENT FORM IF THE APPLICANT IS NOT THE OWNER**

DATE

8/1/25

APPLICANT'S SIGNATURE

Darryl J. Keels

## Keels Warehouse – Variance Request

A variance request is being made for the installation of right-of-way improvements along Buckingham Avenue as required by the City of Wilmington Land Development Code Section 18-495 (B). The Code requires the developer of a project abutting an existing public street to be responsible for the installation and improvement of the portion of the right-of-way adjacent to the development. The existing Buckingham Avenue right-of-way adjacent to the Keels Warehouse project is an unimproved street with no proposed driveway access. The partial road improvements would connect to no other paved section or sidewalk. The attached plan demonstrates the area of required improvements in relation to the proposed project.

## Keels Warehouse – Variance Narrative Response

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.

Application of the ordinance requires the developer to be responsible for the installation of one half a City street. Improvement of the portion of Buckingham Avenue right-of-way adjacent to the development would include public sidewalks, paving and curb & gutter along roadway frontage. The partial road would be ineffective as the development frontage does not connect to existing pavement. There is no existing sidewalk on the paved section to connect to. In addition, no driveway connection is necessary for the proposed project. Future construction of public infrastructure including water, sewer, stormwater, etc. would require removal and replacement of the proposed improvements within the one-half right-of-way.

2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from conditions that are common to the neighborhood or the general public may not be the basis for granting a variance.

The hardship results from maps of the City of Wilmington being recorded with unpaved roads. According to the City of Wilmington website, Buckingham Avenue is a City Maintained Street. The applicant does not propose to make use of the street. It is acceptable for the City to continue to maintain it as an unpaved street.

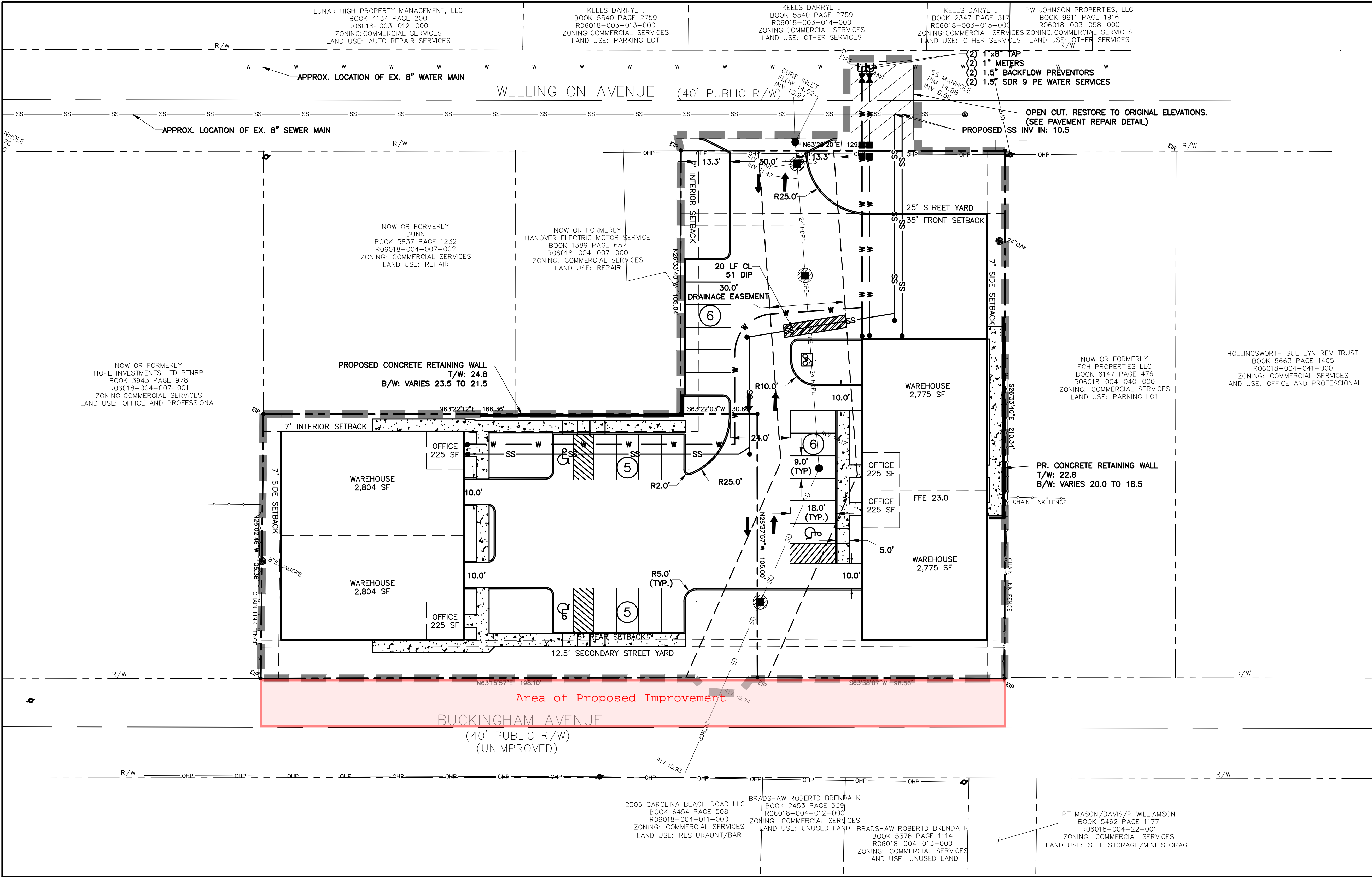
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

The hardship is not a result from actions taken by the applicant. The properties were purchased in 2005, with knowledge that Buckingham Ave. was not a paved street. Applicant never intended to use Buckingham Ave. as an access point to the property.

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 requested variance is consistent with the spirit, purpose, and intent of the ordinance as the paving of the street does not enhance public safety or connectivity and is unnecessary with the existing needs and characteristics of the area. Furthermore, the creation of additional impervious surface in the City is not beneficial to City stormwater collection. There is no existing stormwater treatment system along the property frontage to support the runoff from the proposed roadway improvements.





NOTES:

ZONING

- TOPOGRAPHY AND TREE SURVEY COMPLETED BY MICHAEL UNDERWOOD AND ASSOC.
- PERMITTING OF BUSINESS IDENTIFICATION SIGNAGE IS A SEPARATE PROCESS. CITY OF WILMINGTON WILL NOT ALLOW OBSTRUCTIONS WITHIN THE RIGHT-OF-WAY.
- CONTRACTOR SHALL FIELD VERIFY SIZE, MATERIAL, INVERTS AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO INSTALLATION OF PROPOSED CONNECTIONS.
- EXISTING EASEMENTS AS SHOWN
- UNDERGROUND FIRE LINE(S) MUST BE PERMITTED AND INSPECTED BY THE WILMINGTON FIRE DEPARTMENT FROM THE PUBLIC RIGHT-OF-WAY TO THE BUILDING. CONTACT THE WILMINGTON FIRE DEPARTMENT DIVISION OF FIRE AND LIFE SAFETY AT 910-341-0696.

SOLID WASTE

- SITE TO USE ON-SITE DUMPSTER.

TRAFFIC

- ALL PAVEMENT MARKINGS IN PUBLIC RIGHTS-OF-WAY AND FOR DRIVEWAYS ARE TO BE THERMOPLASTIC AND MEET CITY AND/OR NCDOT STANDARDS.

- TRAFFIC CONTROL DEVICES (INCLUDING SIGNS AND PAVEMENT MARKINGS) IN AREAS OPEN TO PUBLIC TRAFFIC ARE TO MEET MUTCD (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES) STANDARDS.
- CONTACT TRAFFIC ENGINEERING AT 341-7888 TO ENSURE THAT ALL TRAFFIC SIGNALS FACILITIES AND EQUIPMENT ARE SHOWN ON THE PLAN.
- CONTACT 811 PRIOR TO CONTACTING CITY OF WILMINGTON, TRAFFIC ENGINEERING REGARDING UTILITIES IN THE RIGHT-OF-WAY
- ANY BROKEN OR MISSING SIDEWALK PANELS, DRIVEWAY PANELS AND CURBING WILL BE REPLACED.
- CONTACT TRAFFIC ENGINEERING AT 741-7888 TO DISCUSS STREET LIGHTING OPTIONS.
- ALL TRAFFIC CONTROL SIGNS AND MARKINGS OFF THE RIGHT-OF-WAY ARE TO BE MAINTAINED BY THE PROPERTY OWNER IN ACCORDANCE WITH MUTCD STANDARDS.
- NO ROWS TO BE CLOSED.
- NO STREETS PROPOSED.
- NO OFF SITE PARKING PROPOSED.
- DRIVEWAY IS EXISTING TO BE IMPROVED TO CITY STANDARDS.
- STOP SIGNS AND STREET SIGNS TO REMAIN IN PLACE DURING CONSTRUCTION.
- ALL PROPOSED VEGETATION WITHIN THE SIGHT TRIANGLES SHALL NOT INTERFERE WITH CLEAR VISUAL LINE FROM 30' TO 10'.

CITY OF WILMINGTON

- CONTRACTOR SHALL MAINTAIN AN ALL WEATHER ACCESS FOR EMERGENCY VEHICLES AT ALL TIMES DURING CONSTRUCTION
- LANDSCAPING OR PARKING CANNOT BLOCK OR IMPEDE THE FDC OR FIRE HYDRANTS. A 3 FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF THE HYDRANT AND FDC
- ADDITIONAL FIRE PROTECTION AND ACCESSIBILITY REQUIREMENTS MAY BE REQUIRED DUE TO ANY SPECIAL CIRCUMSTANCES CONCERNING THE PROJECT.
- CONTRACTOR SHALL SUBMIT A RADIO SIGNAL STRENGTH STUDY FOR ALL COMMERCIAL BUILDINGS THAT DEMONSTRATES THAT EXISTING EMERGENCY RESPONDER RADIO SIGNAL LEVELS MEET SECTION 510 REQUIREMENTS OF THE 2018 NC FIRE CODE.
- NEW HYDRANTS MUST BE BROUGHT INTO SERVICE PRIOR TO COMBUSTIBLE MATERIALS DELIVERED TO THE JOB SITE.
- PRIOR TO ANY CLEARING, GRADING, OR CONSTRUCTION ACTIVITY, TREE PROTECTION FENCING WILL BE INSTALLED AROUND PROTECTED TREES OR GROVES OF TREES. NO CONSTRUCTION WORKERS, TOOLS, MATERIALS, OR VEHICLES ARE PERMITTED WITHIN THE TREE PROTECTION FENCING.

SITE LIGHTING

- NO SITE LIGHTING IS PROPOSED.

TRIP GENERATION					
ZONING	LAND USE (ITE CODE)	INTENSITY	AM. PEAK HOUR TRIPS	PM. PEAK HOUR TRIPS	AVG. WEEKDAY TRIPS (ADT)
PROFESSIONAL OFFICE, PROPOSED	710	12,058 SF	18	17	131

\*\*NOTE:

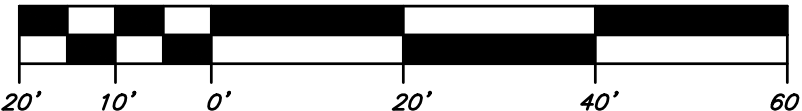
- CONTRACTOR SHALL FIELD VERIFY SIZE, MATERIAL, INVERTS AND LOCATION OF ALL EXISTING UTILITIES PRIOR TO INSTALLATION OF PROPOSED CONNECTIONS.
- CONTRACTOR SHALL PROVIDE WATER/SEWER SEPARATION PER PLUMBING CODE.

LEGEND

- EXISTING SPOT ELEVATION
- PROPOSED SEWER
- PROPOSED WATER
- STORM WATER
- LIMITS OF DISTURBANCE
- TEMPORARY SILT FENCE
- TREE PROTECTION

SITE PLAN

BAR SCALE 1"=20'



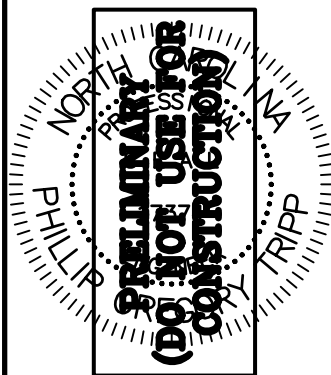
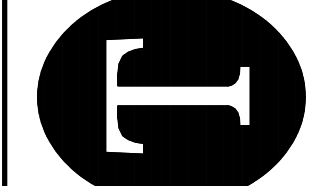
REVISIONS		
No./Date	Description	By

LOCATION MAP

NTS

SITE AND UTILITY PLAN

TRIPP ENGINEERING, P.C.



DATE 06-23-25  
DESIGN PGT  
DRAWN EJW/LAM

C2

20014