



Katyna Bunn <katyna@nclegacy.com>

RE: Variance Question

1 message

Thomas Rayle <Thomas.Rayle@apexnc.org>
To: Katyna Bunn - Legacy Partners Realty <katyna@nclegacy.com>

Tue, Mar 3, 2026 at 4:58 PM

No ma'am.

The map I marked up for you shows the footprint of where a home can be built with the current RR zoning setbacks...

They can build a house there that fits within those dimensions.

If they want different setbacks associated with a different zoning district, they will need to apply for rezoning. I think if you can explain to potential buyers that the lot IS buildable, but just a little "different," then they may be more at ease.

Does that help?

Thanks,

Thomas Rayle

From: Katyna Bunn - Legacy Partners Realty <katyna@nclegacy.com>
Sent: Tuesday, March 3, 2026 4:53 PM
To: Thomas Rayle <Thomas.Rayle@apexnc.org>
Subject: Re: Variance Question

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Thank you for replying. Just for clarification, will a buyer be required to apply for rezoning to build one home?

**KATYNA BUNN****LEGACY PARTNERS TEAM***Full-time Broker since 2022*

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On Tue, Mar 3, 2026 at 4:47 PM Thomas Rayle <Thomas.Rayle@apexnc.org> wrote:

Katyna,

Thanks for your patience. Hope you're having a great Tuesday so far...

I took a further look at your email here and wanted to respond. The property being zoned RR likely dates to the 2007 Apex ETJ Expansion when Ms. Judd's zoning designation transferred from Wake County zoning to Town of Apex (albeit ETJ) zoning. Typically, RR properties average 1-acre in size for single-family homes, however the vast majority of ETJ properties in 2007 were given that designation as it was closest to Wake County zoning for most properties.

Ms. Judd's lot is certainly a unique shape, but even with the RR setbacks in place, it should be buildable. I have marked up the below image with a 40-foot front setback, a 25-foot rear setback, and 15-foot side setbacks. The resulting buildable area is approximately 86-feet deep at its widest point, and has a healthy 45-feet of depth more than halfway down the lot. Although it may not be ideal, it should provide for a buildable area for a large single-family home on a nice size lot.



While a variance would not apply in your case, because there is no particular hardship to the property, a rezoning is always an option.

The MR zoning may be more appropriate for this property. If Ms. Judd wants to initiate the rezoning process, she is welcome to, and we can provide more information about that process to you both. You can also sell the property as-is and inform potential buyers that they can take on a rezoning process if they choose to do so.

Please let me know if you have further questions and we will be happy to discuss further.

Thanks again,



Thomas Rayle, CZO

Planner II

Town of Apex, NC

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From: Katyna Bunn - Legacy Partners Realty <katyna@nclegacy.com>
Sent: Monday, March 2, 2026 1:01 PM
To: Thomas Rayle <Thomas.Rayle@apexnc.org>
Subject: Variance Question

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Hi Mr. Rayle,

I have been hired by Mildred Judd to sell a .66-acre lot zoned RR at 2801 Evans Road. The current zoning is an obstacle to selling the lot. She was unaware that the zoning had changed. Is there a less in-depth process than the variance application process for someone who owns less than one acre and whose land the zoning deems unusable?



KATYNA BUNN

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