

TOWN OF SMITHFIELD PLANNING BOARD AGENDA PACKET



Chairman: Eddie Foy

Vice-Chairman: Stephen Upton

Members:

Mark Lane	Gerald Joyner (Alt.)
Jack Matthews	Daniel Sanders
Ashley Spain	Teresa Daughtry

Paul Embler, Planning Director
Mark Helmer, Senior Planner
Veronica Hardaway, Administrative Assistant

Meeting Date: *Thursday, February 4th, 2016*
Meeting Time: *6:00 p.m.*
Meeting Place: *Council Chambers, Smithfield Town Hall*

**AGENDA
PLANNING BOARD
REGULAR MEETING
FEBRUARY 4, 2016
MEETING TIME: 6:00 PM
TOWN HALL**

Call to Order.

Identify voting members

Approval of the minutes for January 7, 2016

Public Hearings

RZ-16-01 Royal Property: The applicant is requesting to rezone approximately a .18 acre tract of land from the R-8 (Residential) zoning district to the B-3 (Highway Entrance Business) zoning district. The property considered for rezoning is located on the east side of Waddel Drive approximately 120 feet north of its intersection with North Brightleaf Boulevard. The property is further identified as Johnston County Tax ID# 15005031.

CUP-16-01 Extra Mile Motors: The applicant is requesting a conditional use permit to operate an automotive sales lot designed to accommodate 10 vehicles and located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located on the north side of West Market Street approximately 500 feet east of its intersection with NC Hwy 210. The property is further identified as Johnston County Tax ID# 15080019.

CUP-16-02 Run Right Auto: The applicant is requesting a conditional use permit to allow an outdoor storage yard of automobiles designed to accommodate 16 vehicles and located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located on the south side of Whitley Farm Road approximately 5200 feet southwest of its intersection with Brogden Road. The property is further identified as Johnston County Tax ID# 15K11026H.

Old Business

Approval of the 2016 meeting schedule

New Business

Legislative Updates

Adjournment

DRAFT
Smithfield Planning Board Minutes
Thursday, January 7, 2016
6:00 P.M., Town Hall, Council Room

Members Present:

Chairman Eddie Foy
Vice-Chairman Stephen Upton
Daniel Sanders
Gerald Joyner
Jack Matthews
Ashley Spain

Members Absent:

Teresa Daughtry
Mark Lane

Staff Present:

Mark Helmer, Senior Planner
Veronica Hardaway, Administrative Support Specialist

Staff Absent:

CALL TO ORDER

APPROVAL OF MINUTES FROM DECEMBER 3, 2015.

Stephen Upton made a motion, seconded by Daniel Sanders to approve the minutes as written. Unanimous.

Public Hearings:

After all persons giving testimony were duly sworn, Mr. Foy opened the public hearing.

CUP-15-06 Caliber Development, Inc.:

Mr. Helmer stated the applicant is requesting a conditional use permit to allow for the construction of an 80 foot high pole with a radio antenna on property located within a B-3 (Business) zoning district. The property considered for approval is located on the southeast side of the intersection of Powell Street and Computer Drive and further identified as Johnston County Tax ID# 15J08067.

Mr. Helmer stated the applicant is seeking a conditional use permit to allow for an 80 foot high utility pole with an antenna on property located within a B-3 (Business) zoning district. The 80 foot high utility pole with a radio antenna will be located within the interior of the site. The pole does not appear to be located within the boundaries of any designated wetlands or flood plains. Radio stations and studios are permitted uses by right within the B-3 (Business) zoning district with a valid zoning permit issued by planning staff. However, any structure that is over forty feet in height shall be permitted as a conditional use within the B-3 (Business) zoning district. WTSB Radio is requesting a conditional use permit for the construction of an 80 foot tall utility pole with a radio antenna. The utility pole with antenna will be located on the north side of the existing office building and will be situated in such a manner that if a collapse was to occur, damage would be contained within the boundaries of the subject property.

Mr. Helmer stated the proposed radio station with an 80 foot utility pole and antenna is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for office and institutional uses at the southeast side of the intersection of Computer Drive and Powell Street. The Town of Smithfield Unified Development Ordinance allows for structure over 40 feet with a valid conditional use permit. The proposed structure will be required to meet all applicable building and electrical codes as well as FCC regulations concerning radio station transmissions. A radio station antenna at this location should not pose a compatibility issue with surrounding land uses providing that adequate fall zones for the utility pole is provided for the safety of adjacent properties and the public in general. The subject use can be permitted one additional ground sign on the Powell Street side of the subject property.

Mr. Helmer stated the Town of Smithfield will provide water and sewer services. Duke Energy Progress will provide electric.

Mr. Helmer stated the Planning Department recommends approval of a conditional use permit request to allow for the construction of an 80 foot utility pole with an antenna on property located within a B-3 (Business) zoning district.

The Planning Board is requested to review the petition and make recommendation in accordance with the finding of fact for a conditional use permit to allow for an 80 foot high antenna on property located within the B-3 (Business) zoning district.

Mr. Foy asked if anyone wanted to speak for or against the proposal.

Daniel Sanders asked what the average height for a pole like this is.

Mr. Helmer stated the applicant can answer that best.

Mickey Lamm, 2191 Benson Road Clayton, is the applicant who represents Caliber Development and WTSB. He explained this is a receiving antenna and is not a transmitting antenna. He stated the radio station is located on Powhatan Road in Clayton. He explained height is needed on the antenna to be able to receive remote broadcasts. For example WTSB has a business in Smithfield that has a transmitter the size of a very small suitcase that sends a signal back to the radio station. Also, First Baptist Church located on South Fourth Street goes live every Sunday for their 12:00 Worship Service. Mr. Lamm stated there are no RF transmissions and the engineer working on this project thinks they can get by with the pole being 72 feet. However, they are asking for 80 feet in case they might need more length they will not be in violation.

Daniel Sanders asked if this proposed project would require a fence.

Mr. Helmer stated from a development regulation standard it would not require a fence.

Mr. Lamm stated the FCC would require a transmission antenna to have a perimeter fence however; there are no regulations on a receiving antenna. He stated WTSB has similar situations at their present locations with a large telephone pole with a 20ft receiving antenna on top of that.

Mr. Upton asked if the antenna Mr. Lamm was speaking of the same as their present location.

Mr. Lamm stated it is identical.

Mr. Helmer asked if there will be any other electronic equipment.

Mr. Lamm stated there will be no electronic equipment but there will be a black cable that will run down the pole into a conduit so it is secure.

Michael McLamb, Four Oaks, stated he was neither for nor against the proposed project. He stated the proposal is located in a manufacturing district and wasn't sure if this could cause hardship on him or Mr. Lamm.

Mr. McLamb read off a list of manufacturing jobs that have been going on around the proposed property.

Jack Matthews asked what this would have anything to do with the antenna.

Mr. McLamb stated he is not sure that it will have anything to do with the antenna or that it won't.

Joseph Hobbs stated his only concern is if the antenna was a transmission antenna. He stated he bought a house with an alarm that was getting set off by a key fob that wasn't his. He just wanted the Town to be aware.

Daniel Sanders asked if there was any opposition.

Mr. Helmer stated anyone that wanted to speak was here tonight.

Mr. Foy closed the public meeting for CUP-15-06.

Stephen Upton made a motion, seconded by Jack Matthews, to move to the Finding of Fact.

Article 13 Section 13-17 of the Town of Smithfield Unified Development Ordinance requires all applications for a zoning map amendment to address the following eight findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application.

The governing body has the responsibility to determine if the zoning map amendment is warranted. The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this rezoning application by motion and vote on each of the following eight findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

1. That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved:

The proposed request for conditional use will not endanger the public health, safety, or general welfare for the reason that the installation of a utility pole with antenna attached is on property currently zoned B-3 whose permitted use is for radio station broadcasting business. The utility pole with antenna attached is standard equipment for a radio station. The height and location of the utility pole poses no imminent danger to any other structure if it were to fall.

All members stated true.

2. That the use meets all required conditions and specifications:

The proposed use will meet all required conditions and specifications in accordance with the current Unified Development Ordinance plus state and federal regulations. An engineer contracted to locate the utility pole and connect the antenna to the radio broadcasting equipment. A contractor will be hired to place the pole on the property.

All members stated true.

3. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and:

The proposed use will not adversely affect the use or any physical attribute of adjoining or abutting property. The utility pole will be in context with existing above ground utility poles in the area. The proposed use will also be in context with existing properties in the area, which includes a warehouse, auto repair shop, cleaning business and a car dealership. No structure changes are required. There are no historical or architectural properties of interest on adjoining properties.

All members stated true.

4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by GS 160A-382(b):

Property is currently zoned as a B-3 use and this is a continuance of that permitted land use and in harmony with existing businesses such as an auto repair business, a

warehouse, a car dealership and a cleaning business. Closest residential structure has existing tree cover and there is approximately 400 feet between the properties.

All members stated true.

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Stephen Upton made a motion, seconded by Jack Matthews to recommend approval requesting a conditional use permit to allow for the construction of an 80 foot high pole with a radio antenna on property located within a B-3 (Business) zoning district.

Old Business:

No report.

New Business:

Mr. Helmer stated a 2016 meeting calendar will be sent out to all members.

Mr. Helmer handed out the 2015 NC Legislative updates and will go over at the next meeting.

Stephen Upton made a motion to adjourn, seconded by Daniel Sanders. Unanimous.

Submitted this 7th day of January, 2016.

Veronica Hardaway
Administrative Support Specialist
Planning Department



Town of Smithfield
Planning Department
350 East Market Street
P.O. Box 761
Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

STAFF REPORT

Application Number: RZ-16-01
Project Name: Royal Property
TAX ID number: 15005031
Town Limits / ETJ: Within Smithfield Corporate Limits
Applicant: Michael L. McLamb
Owners: John D. Royal
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: East side of Waddel Drive approximately 120 feet north of its intersection with North Brightleaf Boulevard.

REQUEST: Rezone approximately .18 acre tract of land from the R-8 (Residential) zoning district to the B-3 (Highway Entrance Business) zoning district

SITE DATA:

Acreage: .18 acres
Present Zoning: R-8 (Residential)
Proposed Zoning: B-3 (Highway Entrance Business)
Existing Use: Residential
Proposed Use: N/A

DEVELOPMENT DATA:

Proposed Use: N/A - All uses permitted with in the B-3 (Highway Entrance Business) zoning district may be considered for future site plan approval.

ENVIRONMENTAL: The property considered for a rezoning does not appear to contain environmentally sensitive areas such as regulated streams or designated wetlands.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	R-8 (Residential)
	Existing Use:	Single Family Dwelling
South:	Zoning:	B-3 (Business Entrance Business)
	Existing Use:	Sun Auto Wash
East:	Zoning:	B-3 (Business Entrance Business)
	Existing Use:	Sun Auto Wash
West:	Zoning:	R-8 (Residential)
	Existing Use:	Single Family Dwelling

STAFF ANALYSIS AND COMMENTARY:

The property considered for rezoning is currently being used for residential purposes. The property contains one single family dwelling and one accessory structure. The property is served with city water and sewer located within the right-of-way of Waddel Drive.

Consistency with the Strategic Growth Plan

The proposed rezoning to B-3 (Highway Entrance Business) zoning district is not consistent with the Strategic Growth Plan which recommends the property be utilized for high density residential development and office and Institutional land uses. However the property is adjacent to an existing B-3 (Highway Entrance Business) zoning district and the proposed rezoning is a logical extension of this district.

○ Consistency with the Unified Development Code

The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance provided that all proposed future land uses and developments are constructed in accordance with minimum development standards.

○ Compatibility with Surrounding Land Uses

The property considered for a rezoning is fronting on a residential street but is immediately adjacent to property fronting on Brightleaf Boulevard which is zoned B-3 (Highway Entrance Business). Rezoning this property from a residential zoning district to a commercial zoning district will not create compatibility issues with the adjacent residential uses to the north provided that adequate buffers are installed as part of any future site development plan to include landscaping, fencing, earthen berm or any combination thereof.

OTHER:

FIRE PROTECTION: The Town of Smithfield will provide fire protection.

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: Approximately 65 feet or road frontage along Waddel Drive.

WATER/SEWER PROVIDER: Town water and sewer services are available within the right-of-way of Waddel Drive.

ELECTRIC PROVIDER: Town of Smithfield

FINDINGS:

In connection with a legislative decision for a rezoning request, the Town council may consider certain approval criteria. Please refer to attached "Approval Criteria". Planning Staff generally accepts these findings as fact as part of a complete application submitted by the petitioner.

Planning Department Recommendations: The Planning Department recommends approval of the request to rezone approximately .18 acres of land from the R-8 (Residential) zoning district to B-3 (Highway Entrance Business) zoning district.

Planning Board Action Requested: The Planning Board is requested to review the rezoning proposal and make a recommendation to Town Council in accordance with the approval criteria for a rezoning request.



Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

REZONING APPLICATION

Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00 for a rezoning to a Standard District.

Name of Project: Royal Property Acreage of Property: 0.18 Acres
Parcel ID Number: 15005031 Tax ID: 4233934
Deed Book: 4381 Deed Page(s): 885
Address: 41 Waddell Drive
Location: North Side Waddell Drive., Joining Sun Auto Wash

Existing Use: Residential Proposed Use: Commercial
Existing Zoning District: R-8
Requested Zoning District: B-3
Is project within a Planned Development: Yes No
Planned Development District (if applicable): _____
Is project within an Overlay District: Yes No
Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: R2-16-02 Date Received: 1/4/16 Amount Paid: \$300.00

OWNER INFORMATION:

Name: John D. Royal

Mailing Address: 5809 Pointer Dr., Apt "C", Raleigh NC 27609

Phone Number: 919-981-5680 Fax: _____

Email Address: _____

APPLICANT INFORMATION:

Applicant: Michael L. McLamb

Mailing Address: 100 Mariah Dr., Four Oaks, NC 27524

Phone Number: 919-801-4629 Fax: 919-989-6876

Contact Person: Mike McLamb

Email Address: m/mclamb@msn.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

- A map with metes and bounds description of the property proposed for reclassification.
- A list of adjacent property owners.
- A statement of justification.
- Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

Property joins Sun Auto Wash which is zoned B-3. The highest and best use for this property is commercial.

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for zoning map amendment to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

- 1. *The zoning petition is in compliance with all applicable plans and policies of the Town of Smithfield:*

The rezoning of this property to B-3 will be an expansion of the adjoining B-3 zoned area.

- 2. *The zoning petition is compatible with established neighborhood patterns of the surrounding area:*

The property North and East is currently zoned B-3. The area along North Brightleaf Blvd. is developed as commercial.

- 3. *The rezoning petition is compatible with the changing neighborhood conditions that might warrant a rezoning:*

The existing property along the Brightleaf Blvd. corridor have been consistently rezoned to commercial.

- 4. *The rezoning request is in the community interest:*

This rezoning allows for the growth of the town's tax base.

- 5. *The request does not constitute "Spot Zoning":*

The rezoning is an extension of the joining property's existing B-3 zoning.

6. *Present regulations deny or restrict the economic use of the property:*

The present regulations do not allow the property to be developed to it's highest and best use.

7. *The availability of public services allows consideration of this rezoning request:*

The property is located within the town's city limits and all public services are available.

8. *Physical characteristics of the site prohibit development under present regulations:*

The size and location of the property does not allow for adequate development under current regulations.

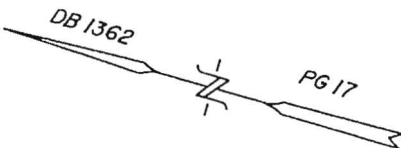
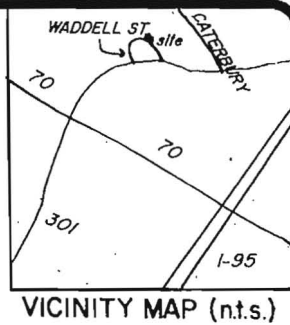
APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject zoning map amendment. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Michael L McLamb
Print Name

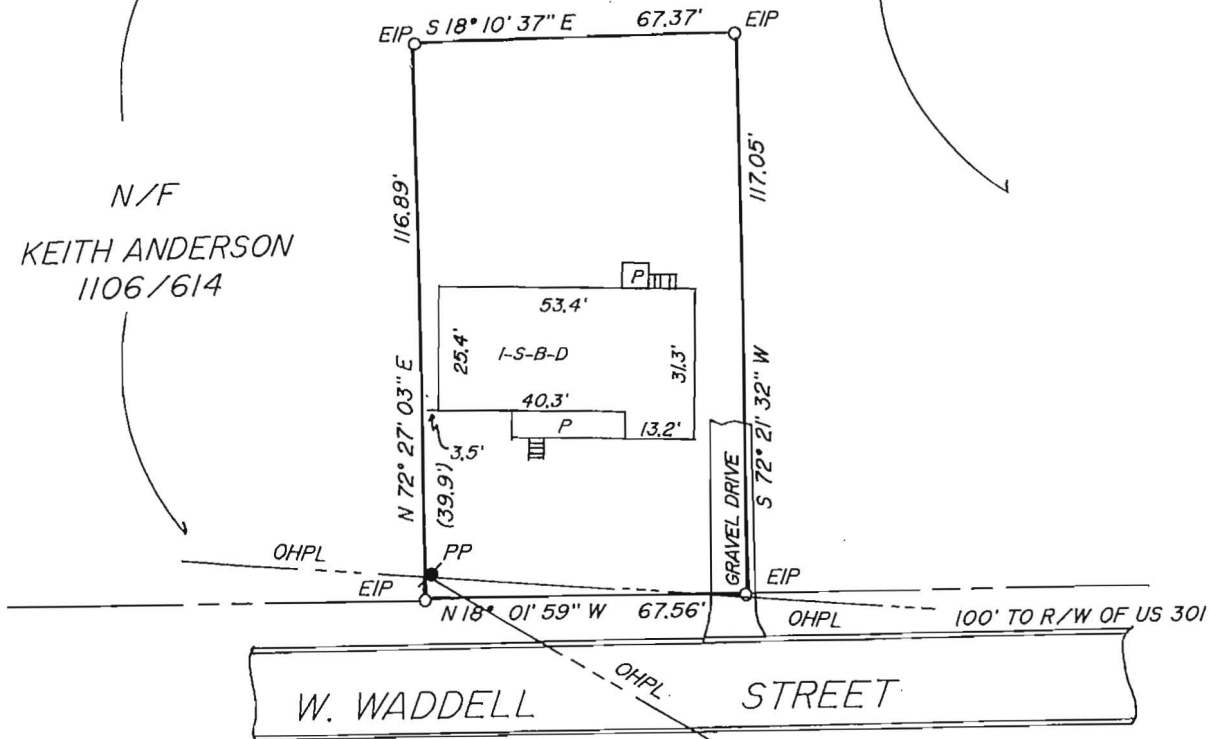

Signature of Applicant

2/6/13
Date



N/F
BOBBY D. CHANDLER
922/92

N/F
KEITH ANDERSON
1106/614



7,891 S.F.
0.181 ACRES



41 W. WADDELL DRIVE, SMITHFIELD

SURVEY FOR: R2-16-01

ALL AREAS BY COORDINATE METHOD

ZONING	RECORDED REFERENCE DB 1362, PG 17	DATE 8/30/94	JOHN KING, JR. GERALDINE A. KING
AVG. GRD. ELEV.	F.I.R.M. ZONE	FILE NO. 94-593	
FB/PG 36	PIN NO.	CADD FILE	SCALE 1"=40'

I, JIMMY C. BARBOUR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS LESS THAN THAT THE BOUNDARIES AND CORNER LINES PLOTTED FROM INFORMATION FOUND IN EXISTING RECORDS AS NOTED.



WITNESS MY HAND AND SEAL
30th DAY OF AUGUST 1994
Jimmy C Barbour
R.L.S. L-2855

DRAWN KMG	AS RECORDED IN: DEED BOOK 1362, PAGE 17			
CHECKED JCB				
SMITHFIELD	TOWNSHIP	JOHNSTON	COUNTY	NORTH CAROLINA

BARBOUR LAND SURVEYING



JIMMY C. BARBOUR, R.L.S.
213 S. 2ND ST. P.O. BOX 28
SMITHFIELD, N.C. 27577
(919) 989-6642



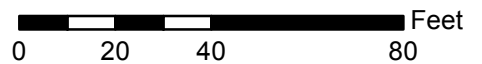
Vicinity Map for:
RZ-16-01
Applicant:
Royal Property



Map Created by The
Town of Smithfield
Geographic Information Services



1 inch = 40 feet



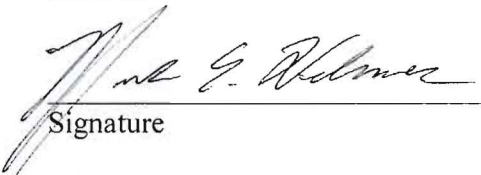


PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

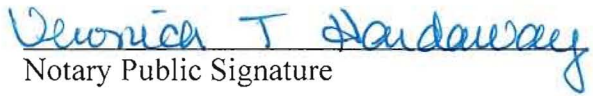
I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **RZ-16-01**, were notified by First Class Mail on **1-20-16**.



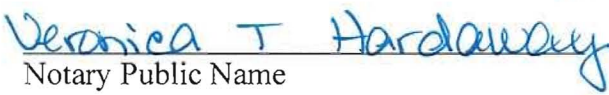
Signature
Johnston County, North Carolina

I, Veronica Hardaway, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

20th day of January, 2016

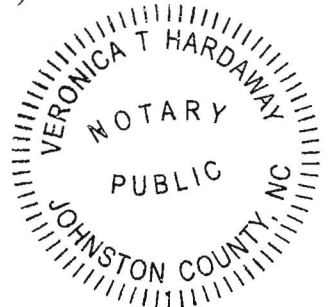


Notary Public Signature



Notary Public Name

My Commission expires on 11-4-18
(Seal)



Adjacent Property Owners of
RZ-16-01

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15005041	260413-03-5247	MOHAMED & SONS INC	PO BOX 1236	SMITHFIELD	NC	27577
15005029	260413-03-7539	ANDERSON, KEITH	P O BOX 274	SMITHFIELD	NC	27577-0274
15005030	260413-03-8503	ANDERSON, KEITH	P O BOX 274	SMITHFIELD	NC	27577-0274
15005042	260413-03-5482	SELLERS, EULA LEE	40 WEST WADDELL DRIVE	SMITHFIELD	NC	27577
15005042	260413-03-5482	SELLERS, EULA LEE	40 WEST WADDELL DRIVE	SMITHFIELD	NC	27577
15005043	260413-03-6542	L M R RENTAL	201 S BRIGHTLEAF BLVD SUITE 5	SMITHFIELD	NC	27577
15005054	260413-03-8730	ANDERSON, KEITH	P O BOX 274	SMITHFIELD	NC	27577-0274
15005031A	260413-03-9422	SUN AUTO WASH LLC	PO BOX 447	SMITHFIELD	NC	27577
15005031	260413-03-8418	ROYAL, JOHN D	901 BLOUNT ST	SMITHFIELD	NC	27577



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Planning Department
350 East Market Street
P.O. Box 761
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Phone: 919-934-2116
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STAFF REPORT

Application Number: CUP-16-01
Project Name: Extra Mile Motors
TAX ID number: 15080019
Town Limits/ETJ: Town Limits
Applicant: Seamus Ian Costello
Owners: Roy Willard Whitley
Agents: N/A

PROJECT LOCATION: West Market Street approximately 500 feet east of its intersection with NC Hwy 210.

REQUEST: The applicant is requesting a conditional use permit to operate an automotive sales lot designed to accommodate 10 vehicles and located within a B-3 (Highway Entrance Business) zoning district.

SITE DATA:

Acreage: A portion of a .76 acre parcel
Present Zoning: B-3 (Highway Entrance Business)
Proposed Zoning: N/A
Existing Use / Previous: PTI Transportation / Retail sales and service

DEVELOPMENT DATA:

Proposed Use: Automobile Sales Lot

ENVIRONMENTAL: There does not appear to be any environmentally sensitive areas on the property considered for a Conditional Use Permit to include flood plains or designated wetlands.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	R-20A (Residential-Agricultural)
	Existing Use:	Cox Auto Repair with nonconforming automobile storage lot
South:	Zoning:	B-3 (Highway Entrance Business)
	Existing Use:	Plan B Private Nightclub
East:	Zoning:	B-3 (Highway Entrance Business)
	Existing Use:	Whitley's Grocery and Supply
West:	Zoning:	B-3 (Highway Entrance Business)
	Existing Use:	Cox Auto Repair with nonconforming automobile storage lot

STAFF ANALYSIS AND COMMENTARY: The proposed automobile sales lot is a permitted use within the B-3 (Business) zoning district with a Town Council approved conditional use permit. The applicant has provided a sketch plan of the .76 acre site showing improvements to the property to include a paved parking area for 9 automobiles and 8 required parking spaces. The site plan also indicates that an unpaved area in the rear of the existing building will be used for parking of automobiles. The only landscape improvements shown on the site plan are those provided by the proposed NCDOT corridor improvement plan.

- **Consistency with the Strategic Growth Plan**

The proposed automobile sales lot is inconsistent with the recommendations of the Comprehensive Growth Management Plan which calls for Conservation / Open Space land uses in areas where there is the potential for flooding (100-year floodplain) or the need for buffering. Buffering is used to separate areas that may have the potential to become conflicting land uses. The future land use map indicates areas having the potential existence of wetlands. Any development in these areas should be at low density and closely coordinated with regulations governing wetlands development.

- **Consistency with the Unified Development Code**

An automobile sales lot is a permitted use within the B-3 (Highway Entrance Business) zoning district with a valid conditional use permit. The applicant will be responsible for submitting a preliminary site plan that shows all applicable minimum development standards can and will be met prior to site plan approval and issuance of a valid zoning permit to include paved parking and paved vehicular storage with screening.

- **Compatibility with Surrounding Land Uses**

An automobile sales lot at this location will pose a compatibility issue with surrounding land uses and may contribute to the urban blight found throughout this portion of the entrance corridor.

- **Signs**

Signs shall be permitted in accordance with the Town of Smithfield Unified Development

Ordinance which will allow for a maximum height of 6 feet and 75 square feet in area for all ground signs located within the B-3 (Highway Entrance Business) zoning district.

OTHER:

FIRE PROTECTION: Town of Smithfield

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: West Market Street

WATER/SEWER PROVIDER: Town of Smithfield

ELECTRIC PROVIDER: Town of Smithfield

Planning Department Recommendations:

The Planning Department recommends approval of the proposed automobile sales lot providing that all parking spaces are paved and screening of the storage yard is installed in accordance with the minimum developments standards of the Town of Smithfield Unified Development Ordinance.

Planning Board Recommendations:

The Planning Board is requested to review the petition for an automobile sales lot on property located within the B-3 (Highway Entrance Business) corridor and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Article 13, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Conditional Use. Conditional Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Conditional Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.

SITE INFORMATION:

Name of Project: Extra Mile Motors Acreage of Property: 1.04 acres
 Parcel ID Number: 15080019/15080055 Tax ID: N/A
 Deed Book: 1813 Deed Page(s): 359
 Address: 528-A West Market Street, Smithfield, NC 27577
 Location: Less than 1 mile west of Neuse River bridge on Hwy 70 Business.

Existing Use: PTI Transport, Inc. (trucking) Proposed Use: Additional Internet Auto Sales
 Existing Zoning District: B-3
 Requested Zoning District: N/A
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): Highway overlay district

FOR OFFICE USE ONLY

File Number: CUP-16-01 Date Received: 1/4/16 Amount Paid: \$300.⁰⁰

OWNER INFORMATION:

Name: Roy Willard Whitley
Mailing Address: P.O. Box 777, Hatteras, NC 27943
Phone Number: 252-996-0199 **Fax:** 252-986-4000
Email Address: wwhitley@embarqmail.com

APPLICANT INFORMATION:

Applicant: Seamus Ian Costello
Mailing Address: 59 Holiday Island Drive, Garner, NC 27529
Phone Number: 919-675-9100 **Fax:** 214-543-4867
Contact Person: Seamus Costello
Email Address: seamus_200@msn.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

- All required plans *(please see the plan requirements checklist).*
- A signed and sealed traffic impact analysis.
- Verification of wastewater allocation *(granted or requested).*
- Driveway permits *(Town of Smithfield or NCDOT encroachment with associated documentation).*
- Other applicable documentation: Site Plan

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

I am seeking approval to add an internet auto sales business to my premises at 528 West Market Street. The property is 1.04 acres and has an office/warehouse space of 7,560 square feet. the current tenant, PTI Transport, Inc., operates a trucking business out of a portion of the building basically performing maintenance and providing storage for his trucks and equipment when not in use. The additional tenant, Extra Mile Motors, would require office space and parking for a maximum of ten vehicles. We have a lease agreement in place for 2016 granting the auto sales business 1600 square feet of office space and ten exterior vehicle parking spaces in two separate areas of the property.

This property was originally a Studebaker dealership owned and operated by my father, James W. Whitley. It consists of a glass enclosed showroom with office/storage/bathroom (1600 sq. ft.), a large service area with bathroom (3200 sq. ft.), a smaller two bay service area (870 sq. ft.), a prep bay and paint booth (1350 sq. ft.) and an office/storage space with bathroom (540 sq. ft.). Uses over the years since have been mostly automotive related with few exceptions. We have plans to make improvements to building and parking areas to coincide with the upcoming NCDOT improvement project.

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for a Conditional Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

1. That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

Ingress and egress to and from property would be unchanged and conform to NCDOT criteria. No planned changes would have any adverse effect on visibility or general traffic safety.

2. That the use meets all required conditions and specifications;

The use will be subject to Conditional Use Permit criteria and approval by the associated processes.

3. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and

Property use will not change in any appreciable or noticeable way. Improvement and rearrangement of parking scheme would only redistribute and relocate vehicles for safety and efficiency. No additions or objectionable changes are planned for the exterior of the property. Type and placement of signage would be subject to approval of the appropriate entities.

4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by GS 160A-382(b).

This property was originally designed for express use as an auto sales and service dealer and has existed amicably through the years with adjacent businesses.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Conditional Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Roy Willard Whitley

Print Name



Signature of Applicant

01/04/2016

Date



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: Extra Mile Motors Submittal Date: January 4th, 2016

OWNERS AUTHORIZATION

I hereby give CONSENT to Seamus Ian Costello (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Roy Willard Whitley Roy Willard Whitley 01/04/2016
Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

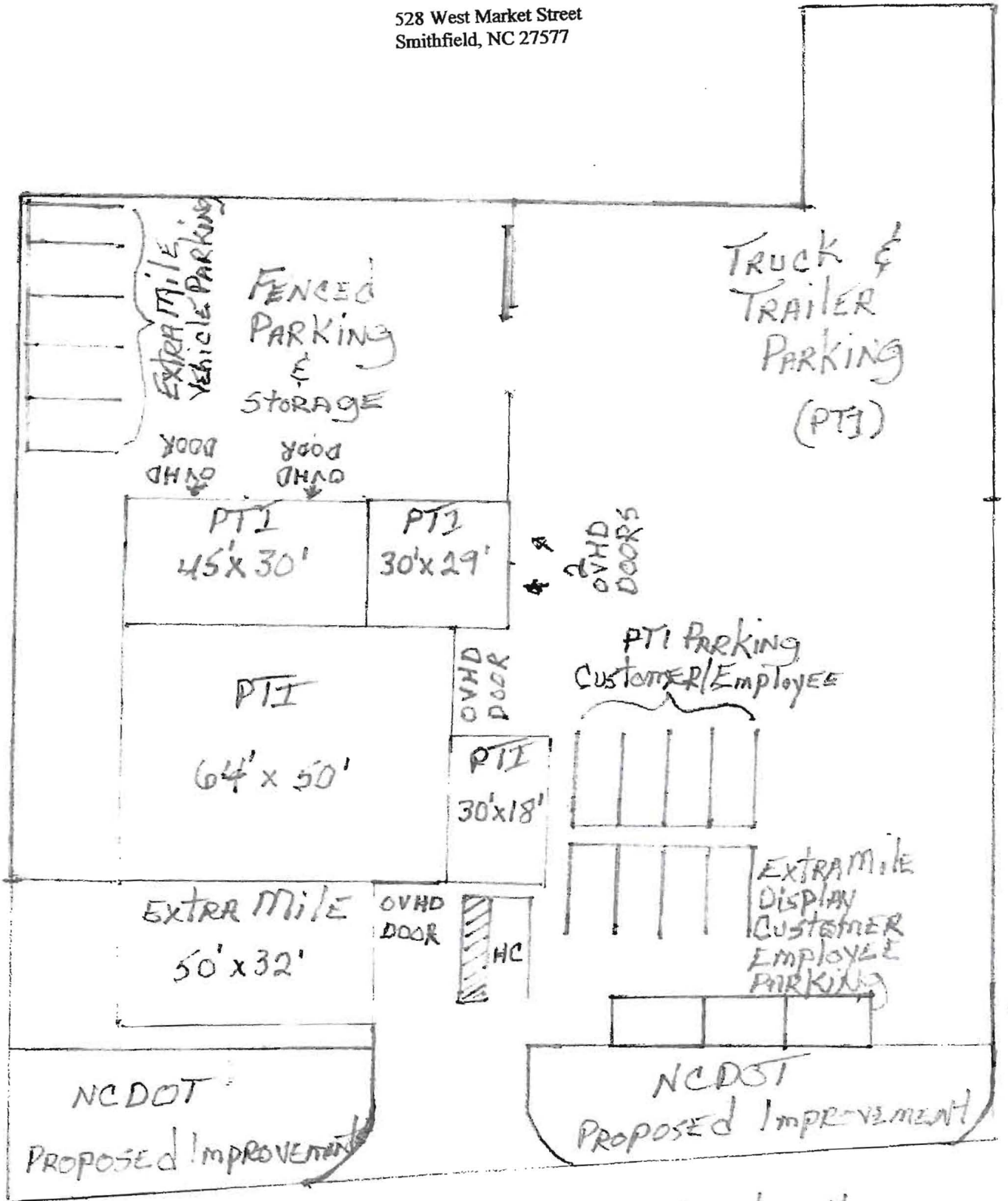
Roy Willard Whitley Roy Willard Whitley 01/04/2016
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: CUP-16-01 Date Received: 1/4/16 Parcel ID Number: 15080019/15080055

Site Plan

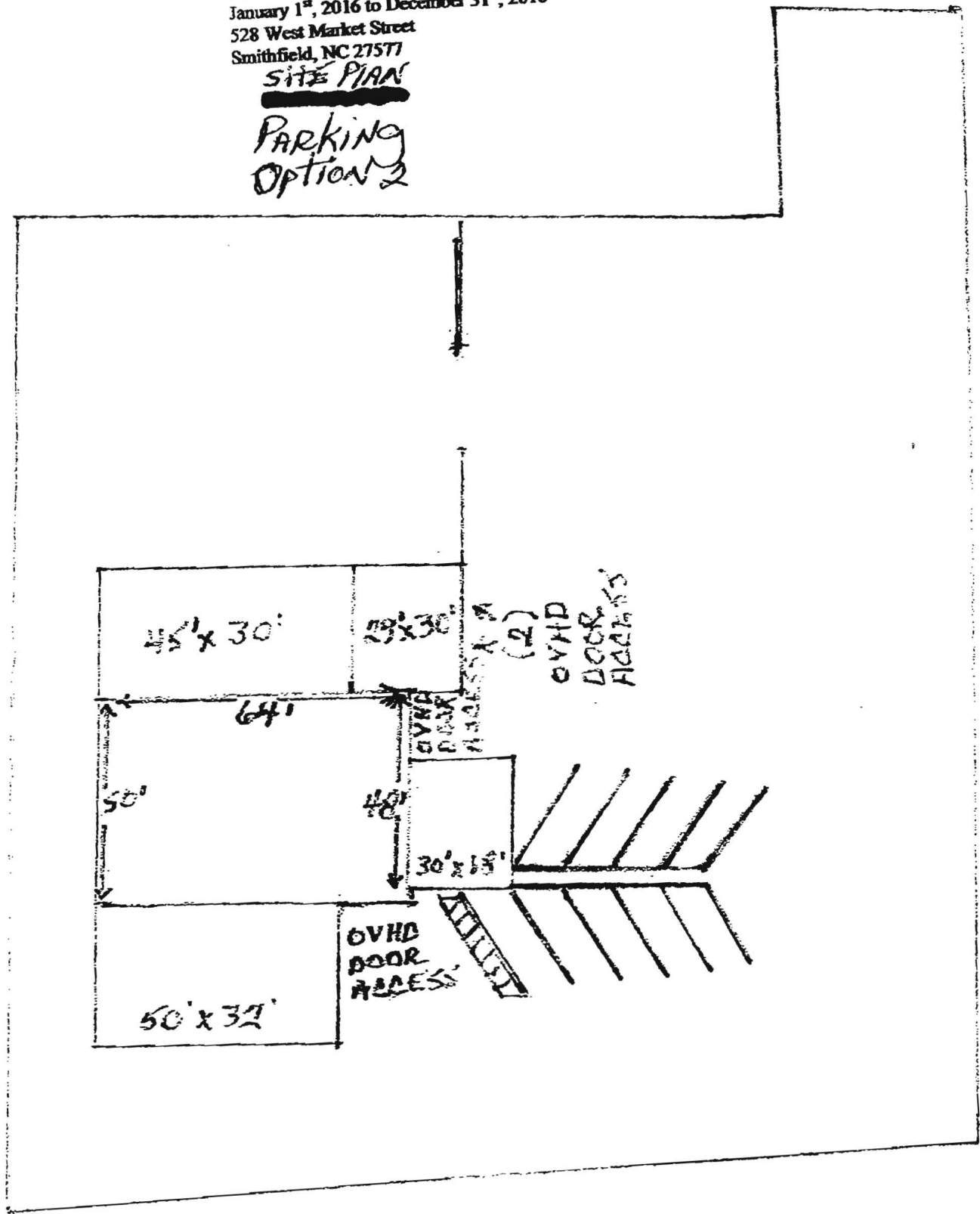
528 West Market Street
Smithfield, NC 27577

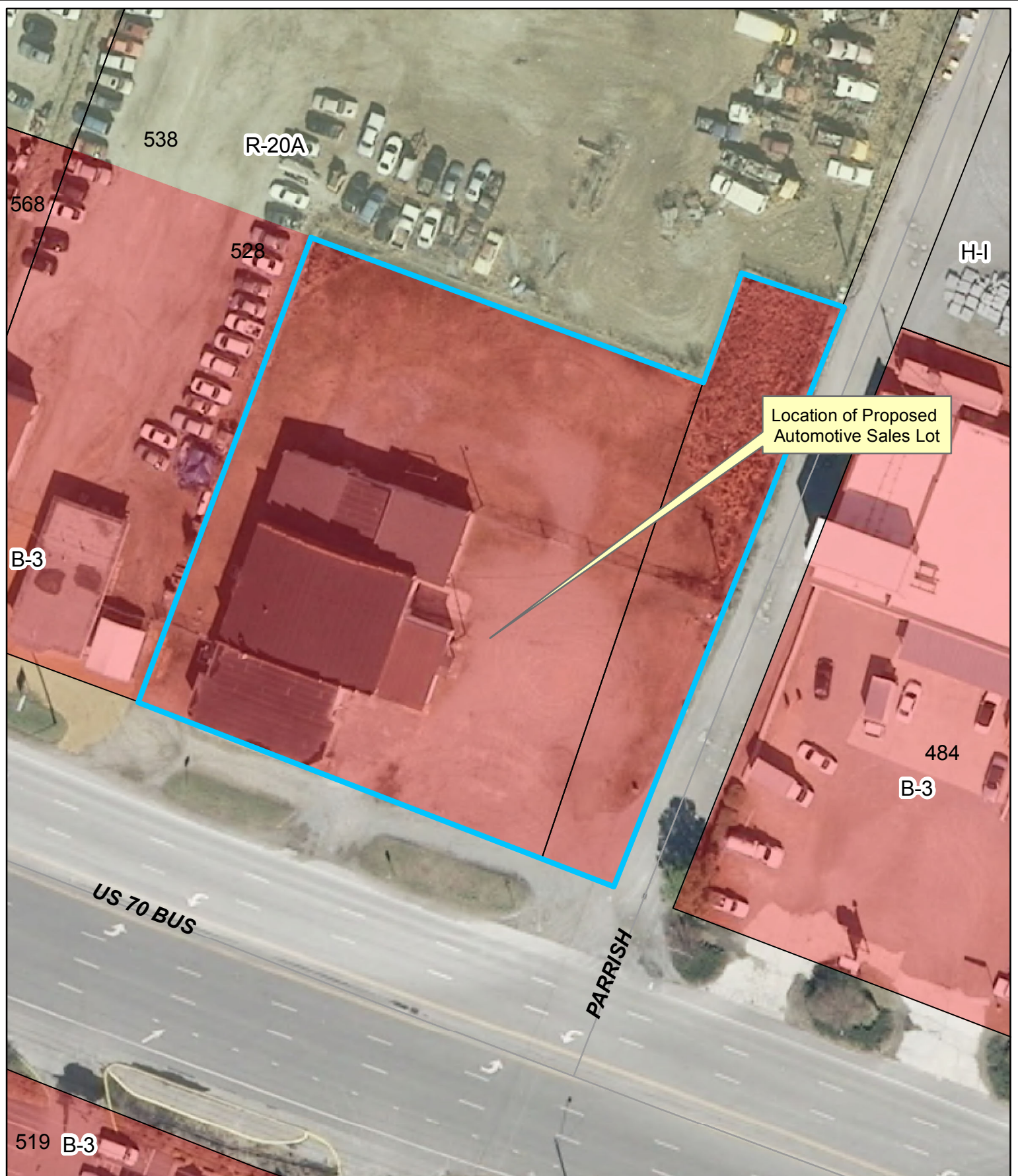


Hwy 70 - West Market Street

Commercial Lease Agreement
 January 1st, 2016 to December 31st, 2016
 528 West Market Street
 Smithfield, NC 27577

SITE PLAN
 PARKING
 OPTION 2





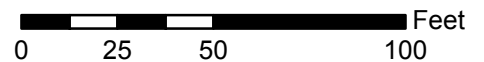
Vicinity Map for:
CUP-16-01
Applicant:
Extra Mile Motors



Map Created by The
Town of Smithfield
Geographic Information Services



1 inch = 50 feet

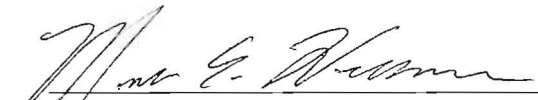




PLANNING DEPARTMENT
Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

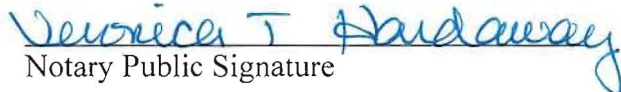
I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, CUP-16-01, were notified by First Class Mail on **1-20-16**.



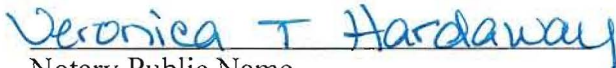
Signature
Johnston County, North Carolina

I, Veronica Hardaway, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

20th day of January, 2016

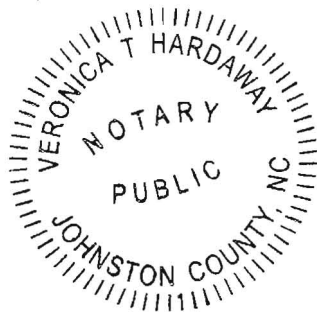


Notary Public Signature



Notary Public Name

My Commission expires on 1-14-18
(Seal)



Adjacent Property Owners of
CUP-16-01

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15080019	169413-13-5475	WHITLEY, ROY WILLARD	P O BOX 777	HATTERAS	NC	27943-0000
15080016	169413-13-8670	MITCHELL, JAMES NELSON	P O BOX 585	SMITHFIELD	NC	27577-0000
15080017	169413-13-7490	JOHNSON, JAMES RANDY	1671 GALILEE RD	SMITHFIELD	NC	27577-7713
15080019A	169413-13-6606	COX REPAIR SERVICE	568 W MARKET STREET	SMITHFIELD	NC	27577-0000
15080020	169413-13-3553	COX, LLOYD J	568 W MARKET ST	SMITHFIELD	NC	27577-0000
15080012B	169413-13-4742	COX, LLOYD J & ALVIN E COX	568 WEST MARKET STREET	SMITHFIELD	NC	27577-0000
15080062	169413-12-6816	TWIN STATES FARMING INC	P O BOX 1352	SMITHFIELD	NC	27577-1352
15080055	169413-13-6484	WHITLEY, ROY WILLARD	P O BOX 777	HATTERAS	NC	27943-0000
15080062A	169413-13-2025	GODWIN LLP	PO BOX 607	SELMA	NC	27576-0000
15080065	169413-13-4136	GODWIN LLP A LIMITED LIABILITY	PO BOX 607	SELMA	NC	27576-0000



Town of Smithfield
Planning Department
350 East Market Street
P.O. Box 761
Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

STAFF REPORT

Application Number: CUP-16-02
Project Name: Run Right Auto
TAX ID number: 15K11026H
Town Limits/ETJ: ETJ
Applicant: Mohammad Purmul
Owners: Mohammad Purmul
Agents: N/A

PROJECT LOCATION: The south side of Whitley Farm Road approximately 5200 feet southwest of its intersection with Brogden Road.

REQUEST: The applicant is requesting a conditional use permit to allow an outdoor storage yard of automobiles designed to accommodate 16 vehicles and located within a B-3 (Highway Entrance Business) zoning district.

SITE DATA:

Acreage: 1.9 acres
Present Zoning: B-3 (Highway Entrance Business)
Proposed Zoning: N/A
Existing Use / Previous: Automotive repair shop / undeveloped.

DEVELOPMENT DATA:

Proposed Use: Automobile storage lot

ENVIRONMENTAL: The southwest property is the centerline of a regulated stream with an existing 50 foot undisturbed riparian buffer.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	LI (Light Industrial)
	Existing Use:	Flanders Filter
South:	Zoning:	R-20A (Residential-Agricultural)
	Existing Use:	Residential-Agricultural
East:	Zoning:	R-20A (Residential-Agricultural)
	Existing Use:	Residential-Agricultural
West:	Zoning:	R-20A (Residential-Agricultural)
	Existing Use:	Residential-Agricultural

STAFF ANALYSIS AND COMMENTARY: Run Right Auto received administrative site plan approval on February 21, 2014 with the condition that no outdoor storage was permitted. The applicant is now requesting a conditional use permit to allow for outdoor storage. The applicant has submitted a revised site plan showing a paved and screened parking lot designed to accommodate 16 automobiles.

- **Consistency with the Strategic Growth Plan**

Outdoor storage is consistent with the Comprehensive Land Use Plan and permitted at most locations providing screening requirements are met.

- **Consistency with the Unified Development Code**

Outdoor storage is a permitted use within the B-3 (Highway Entrance Business) zoning district with a valid conditional use permit. The applicant has submitted a preliminary site plan that shows all applicable screening requirements being met.

- **Compatibility with Surrounding Land Uses**

Outdoor storage at this location will not pose a compatibility issue with surrounding land uses due to the screening requirements of the Unified Development Ordinance being met.

- **Signs**

Signs permits have been issued for this site and no additional signs are requested or permitted

OTHER:

FIRE PROTECTION: Town of Smithfield

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: Whitley Farm Road

WATER/SEWER PROVIDER: Johnston County / Town of Smithfield allocation

ELECTRIC PROVIDER: Duke Progress Energy

Planning Department Recommendations:

The Planning Department recommends approval of the proposed storage yard of automobiles providing that all parking spaces are paved and screening of the storage yard is installed in accordance with the minimum developments standards of the Town of Smithfield Unified Development Ordinance.

Planning Board Recommendations:

The Planning Board is requested to review the petition for an automobile storage yard on property located within the B-3 (Highway Entrance Business) corridor and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Article 13, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Conditional Use. Conditional Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Conditional Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.

SITE INFORMATION:

Name of Project: Run Right Auto Acreage of Property: 1.89
 Parcel ID Number: 169317-00-2895 Tax ID: 4283850
 Deed Book: 3132 Deed Page(s): 694
 Address: 801 Whitley Farms Rd, Smithfield, NC 27577
 Location: On the south side of Whitley Farms Rd, +/-1.0mi from Brogden Rd

Existing Use: Auto Repair Shop Proposed Use: Same
 Existing Zoning District: B-3
 Requested Zoning District Same

Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____

Is project within an Overlay District: Yes No
 Overlay District (if applicable): Highway Overlay District

FOR OFFICE USE ONLY

File Number: <u>CVP-16-02</u>	Date Received: <u>1/7/16</u>	Amount Paid: <u>\$300⁰⁰</u>
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OWNER INFORMATION:

Name: Mohammad Purmul

Mailing Address: 106 Muirfield Ln, Clayton, NC 27527

Phone Number: 919-879-7655

Fax: _____

Email Address: spurmul@gmail.com

APPLICANT INFORMATION:

Applicant: Mohammad Purmul

Mailing Address: 106 Muirfield Ln, Clayton, NC 27527

Phone Number: 919-879-7655

Fax: _____

Contact Person: Mohammad Purmul - (Rod)

Email Address: spurmul@gmail.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

- All required plans (*please see the plan requirements checklist*).
- A signed and sealed traffic impact analysis.
- Verification of wastewater allocation (*granted or requested*).
- Driveway permits (*Town of Smithfield or NCDOT encroachment with associated documentation*).
- Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

This request is to be allowed to park a maximum of 16 vehicles at the rear of the existing business, Run Right Auto.

The parked vehicles will be awaiting repair, none of the vehicles will be "salvage cars", or for sale.

There is a great need for this type of work in this area. The additional vehicle parking will allow for this business to continue operation while waiting for the repaired vehicles to be picked up by their owners. Which allows for the creation of jobs.

The additional parked vehicles will be buffered by fencing and landscaping as approved by the Town of Smithfield.

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for a Conditional Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

- 1. That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

The requested additional parking is at the rear of the existing building and will be buffered by fencing and landscaping.

- 2. That the use meets all required conditions and specifications;

This planned development will meet all requirements of the Town of Smithfield's specifications

- 3. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and

This site is fenced and landscaped to the Town of Smithfield's Ordinance, Although additional fencing is proposed to add additional buffering. The number of vehicles stored at the rear of the building is proposed to be a maximum of 16. All will be awaiting repair, none will be salvage vehicles. The applicant is the owner of the entire tract. There is a continuing need for this type of business.

- 4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by GS 160A-382(b).

Business is located in a low residential growth area.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Conditional Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Mohammed Purmul

Print Name


Signature of Applicant

1-4-16
Date



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: Run Right Auto Submittal Date: _____

OWNERS AUTHORIZATION

I hereby give CONSENT to Andrew Hodge (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Mohammed Purmul Mohammed Purmul 1-4-16
 Signature of Owner Print Name Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Mohammed Purmul Mohammed Purmul 1-4-16
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number: CVP-16-02 Date Received: 1/4/14 Parcel ID Number: 169317-00-2895



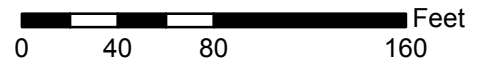
Vicinity Map for:
CUP-16-02
Applicant:
Run Right Auto

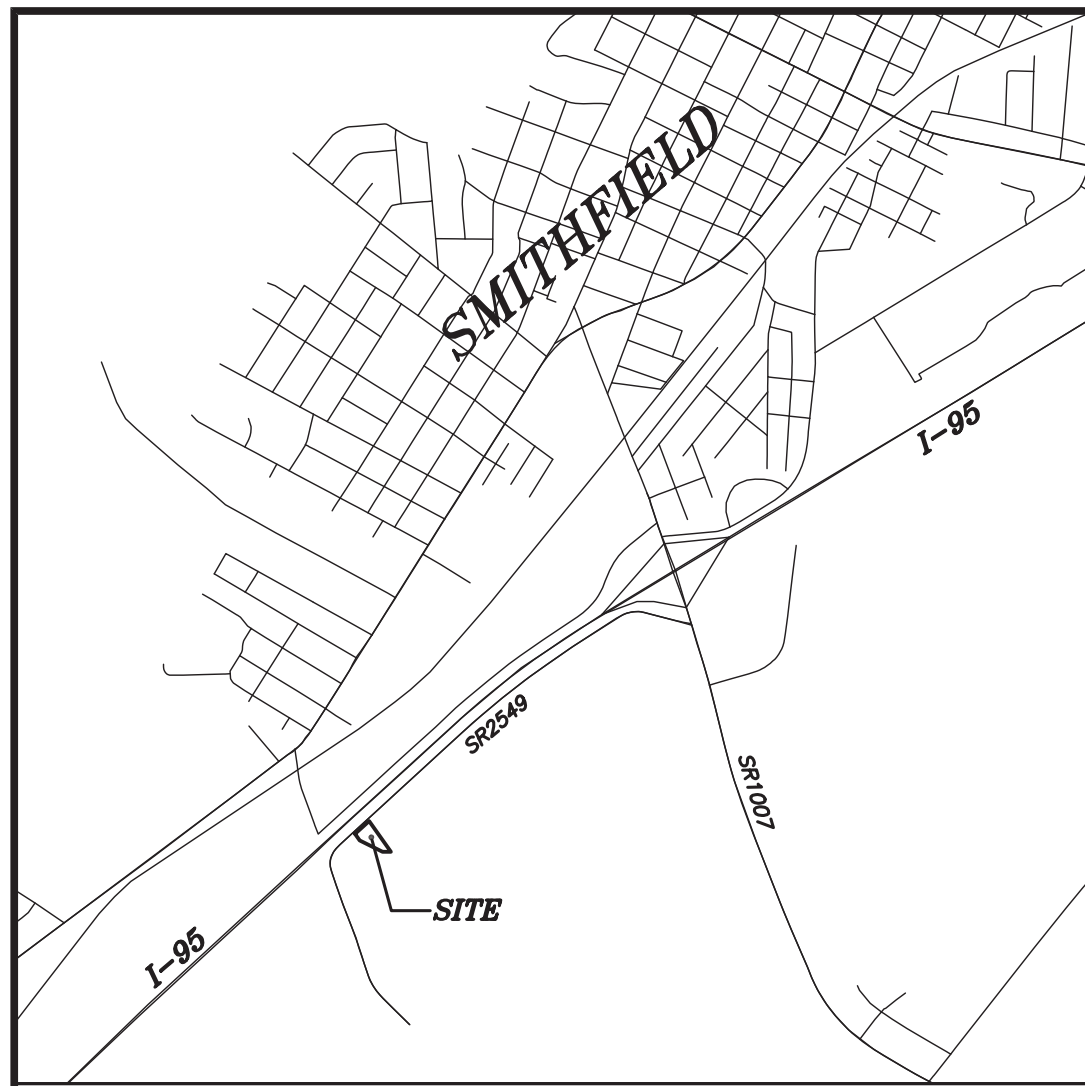


Map Created by The
Town of Smithfield
Geographic Information Services



1 inch = 80 feet





VICINITY MAP
NO SCALE

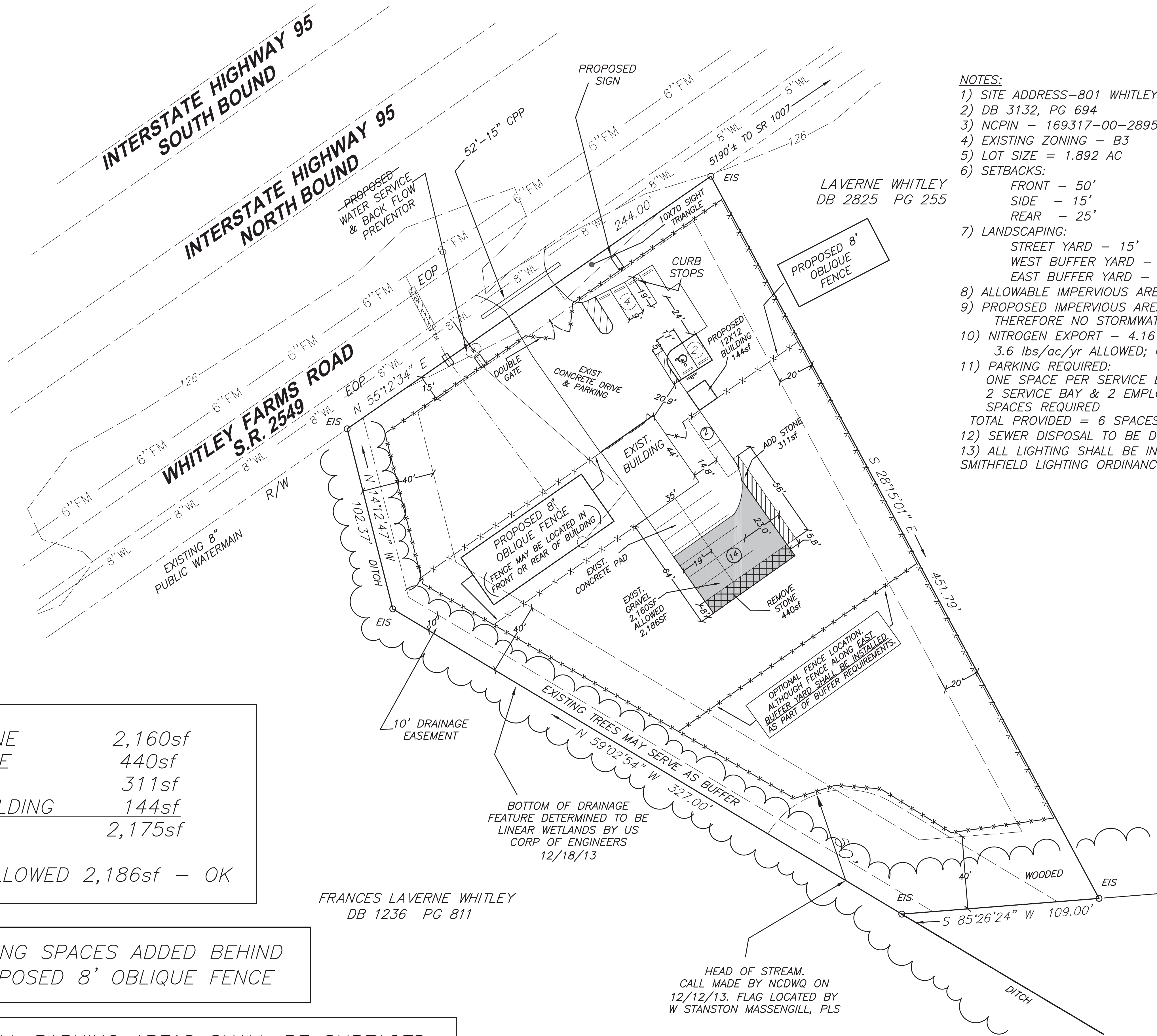
LEGEND

	SILT FENCE
	PIPE INLET PROTECTION
	PIPE OUTLET PROTECTION
	TEMPORARY CONSTRUCTION ENTRANCE
	CHECK DAM
	WATER METERBOX
	EXISTING CONTOUR LINE
	PROPOSED CONTOUR LINE

EXISTING STONE	2,160sf
REMOVE STONE	440sf
ADD STONE	311sf
ADD NEW BUILDING	144sf
TOTAL =	2,175sf
LESS THAN ALLOWED 2,186sf - OK	

16 PARKING SPACES ADDED BEHIND THE PROPOSED 8' OBLIQUE FENCE

ALL PARKING AREAS SHALL BE SURFACED WITH BLACKTOP, CONCRETE OR OTHER SUCH SURFACING MATERIAL TO ENSURE A DUSTLESS SURFACE CONDITION



- NOTES:**
- 1) SITE ADDRESS-801 WHITLEY FARMS RD, SMITHFIELD, NC 27577
 - 2) DB 3132, PG 694
 - 3) NCPIN - 169317-00-2895
 - 4) EXISTING ZONING - B3
 - 5) LOT SIZE = 1.892 AC
 - 6) SETBACKS:
FRONT - 50'
SIDE - 15'
REAR - 25'
 - 7) LANDSCAPING:
STREET YARD - 15'
WEST BUFFER YARD - 40'
EAST BUFFER YARD - 20' (reduced)
 - 8) ALLOWABLE IMPERVIOUS AREA = 15% OF 1.892 AC OR 12,362 SF
THEREFORE NO STORMWATER BMP IS REQUIRED
 - 9) PROPOSED IMPERVIOUS AREA = 12,362 SF
 - 10) NITROGEN EXPORT - 4.16 lbs/ac/yr (SEE CALCULATIONS)
3.6 lbs/ac/yr ALLOWED; OWNER TO BUY DOWN 0.56 lbs/ac/yr
 - 11) PARKING REQUIRED:
ONE SPACE PER SERVICE BAY & ONE FOR EACH EMPLOYEE
2 SERVICE BAY & 2 EMPLOYEE; THEREFORE 4 PARKING SPACES REQUIRED
TOTAL PROVIDED = 6 SPACES INCLUDING 1 HANDICAP
 - 12) SEWER DISPOSAL TO BE DESIGNED BY OTHERS
 - 13) ALL LIGHTING SHALL BE IN ACCORDANCE WITH THE TOWN OF SMITHFIELD LIGHTING ORDINANCE, SEE UDO ARTICLE 20.



REVISED
8:24 am, Jan 12, 2016

NOTES:
- BOUNDARY SURVEY AND TOPO PROVIDED BY W STANSTON MASSENGILL, PLS
- FINISH GRADE ON HANDICAP SPACE AND ACCES ISLE SHALL BE NO GREATER THAN 2%

CALL 48 HOURS BEFORE YOU DIG
1-800-632-4949
NORTH CAROLINA ONE-CALL CENTER

REV. NO.	REVISION DESCRIPTION	DATE	ENGINEER	DRAWN BY:	CLIENT:	PROJECT:
1	REVISED AS PER TOWN COMMENTS	01/28/14		AWH	MOHAMMED PURMUL	RUN RIGHT AUTO REPAIR GARAGE
2	REVISED AS PER TOWN OF SMITHFIELD COMMENTS	02/17/14				
3	REVISED TO ACCOUNT FOR ASBUILT CONDITIONS/REMOVE DUMPSTER PAD	11/11/14				
4	REVISED AS PER TOWN COMMENTS	11/14/14				
5	REDUCED EAST BUFFER YARD/RELOCATE FENCE/REVISE LANDSCAPING	02/12/15				
6	ADDED PARKING IN THE REAR	12/31/15				
				ENGINEER:	SHEET TITLE:	HORIZONTAL SCALE:
				DATE:	SITE PLAN / UTILITY	VERTICAL SCALE:
				ANDREW W HODGE, PE A W HODGE ENGINEERING ENGINEERING • LAND DEVELOPMENT CONSULTING PO BOX 1401, SMITHFIELD, NC 27577 PHONE: 919-934-3490 FIRM # C-3998		DATE:
						DWG #:
						SHEET:
						1 OF 4

ZONING PERMIT

PERMIT NUMBER: **Z- 4273**
 PERMIT ISSUED FOR: **AUTOMOTIVE REPAIR**
 PROPOSED LAND USE:
 PERMIT ISSUE DATE: **2/21/2014**



24 HOUR ADVANCED NOTICE REQUIRED
 FOR ALL UTILITY CONNECTIONS

Applicant and Site Information

BUSINESS NAME OR TYPE OF PROJECT		PROJECT ADDRESS			BUSINESS PHONE #	
RUN RIGHT AUTO REPAIR		801 WHITLEY FARM ROAD				
PROPERTY OWNER NAME		PROPERTY OWNER ADDRESS			OWNER PHONE #	
MOHAMMED PURMUL		106 MUIRFIELD LANE CLAYTON NC 27577			919-879-7655	
APPLICANT NAME		APPLICANT ADDRESS			APPLICANT PHONE #	
MOHAMMED PURMUL		106 MUIRFIELD LANE CLAYTON NC 27577			919-894-2584	
SUBDIVISION	LOT #	VALUE OF CONSTRUCTION	AREA IN SQ FT	BUILDING HEIGHT	# OF PARKING SPACE	
GENERAL CONTRACTOR		PLUMBING LICENSE #	MECHANICAL LICENSE #		ELECTRICAL LICENSE #	
MAUNUFACTURED HOME ?	CLASS	YEAR	MAKE	SERIAL#	UL HUD#	DIMENSIONS
No						

Zoning Information

ZONING	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	CORNER SIDE
B-3	50	15	25	n/a
TAX ID #	WITHIN 100 YEAR FLOODPLAIN?	STORMWATER DETENTION REQUIRED?	SITE PLAN REQUIRED?	CITY OR ETJ
15k11026H	No	No	Yes	ETJ
FIRE DEPARTMENT COMMENTS: PROJECT MUST COMPLY WITH ALL APPLICABLE FIRE CODES				
PROPOSED USE	CHANGE IN USE?	SUP OR CUP	SUP OR CUP FILE NUMBER	SUP OR CUP APPROVAL DATE
	No	No		

COMMENTS AND CONDITIONS OF APPROVAL: 1. ZONING PERMIT ONLY. BUILDING PERMITS TO BE ISSUED BY JOHNSTON COUNTY BUILDING INSPECTIONS. 2. PROJECT SHALL BE BUILT IN ACCORDANCE WITH ATTACHED SITE PLAN AND/OR SIGN DRAWINGS. 3. PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL TOWN OF SMITHFIELD REGULATIONS AND STANDARD DETAILS AND SPECIFICATIONS.

PROJECT MUST BE CONSTRCTUCED IN ACCORDANCE WITH SITE PLAN STAMPED APPROVED ON 2/21/20014. NO OUTDOOR STORAGE, DISPLAY OR SALES PERMITTED. SEPARATE SIGN PERMITS REQUIRED. CONTACT JOHNSTON COUNTY BUILDING INSPECTONS FOR ALL REQUIRED BUILDING PERMMITS.

SITE LIGHTING SHALL BE INSTALLED IN ACCORDANCE WITH ARTICLE 20 OF THE SMITHFIELD UDO. FRONT BUILDING FAÇADE SHALL BE MASONARY BRICK. ALL IMPROVEMENTS TO INCLUDE LANDSACPAING SHALL BE INSTALLED PRIOR TO ISSUANCE OF CERTIFICATE OCCUPANCY.

Signature Block

THE APPLICANT AGREES TO COMPLY WITH ALL BUILDING AND ZONING REGULATIONS AND OTHER LAWS APPLICABLE TO THE USE OF THIS STRUCTURE AND FACILITIES REFERENCED TO HEREIN. THE PERMIT INSURED FOR WORK SHALL EXPIRE BY LIMITATION SIX MONTHS AFTER THE DATE OF ISSUANCE IF THE WORK AUTHORIZED HAS NOT BEEN COMMENCED. IF AFTER COMMENCEMENT THE WORK IS DISCONTINUED FOR A PERIOD OF 12 MONTHS, THE PERMIT THEREFORE SHALL IMMEDIATELY EXPIRE. NO WORK AUTHORIZED BY ANY PERMIT THAT HAS EXPIRED SHALL THEREAFTER BE PERFORMED UNTIL A NEW PERMIT HAS BEEN SECURED. I UNDERSTAND AND ACCEPT THE TERMS OF THIS PERMIT.

<i>Mohammed Purmul</i>	106 muirfield Ln clayton NC 27577	919-879-7655
Signature	Address	Phone Number
<i>Mark E. Nelson</i>	2/21/14	\$100.00
Approved By	Date	Zoning Permit Fee




PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

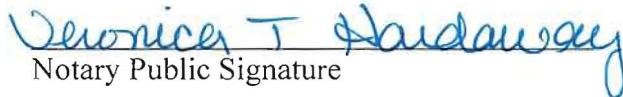
I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, CUP-16-02, were notified by First Class Mail on 1-20-16.

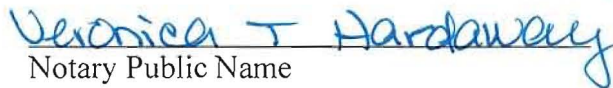

Signature

Johnston County, North Carolina

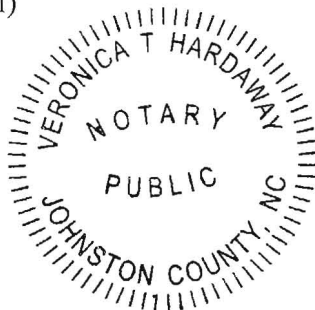
I, Veronica Hardaway, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

20th day of January, 2016


Notary Public Signature


Notary Public Name

My Commission expires on 1-14-18
(Seal)



Adjacent Property Owners of
CUP-16-02

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15K11026A	169317-00-0665	AUTRY, MILTON G	953 WHITLEY FARM RD	SMITHFIELD	NC	27577-0000
15K11026H	169317-00-2895	PURMUL, MOHAMMED	111 SWORDGATE DRIVE	CARY	NC	27513
15K11026L	169317-10-1205	WHITLEY, FRANCES LAVERNE	771 WHITLEY FARMS RD	SMITHFIELD	NC	27577-0000
15K11026	169317-00-5956	WHITLEY, LAVERNE	771 WHITLEY FARMS RD	SMITHFIELD	NC	27577-0000
15A61051	169317-02-4066	FLAN 4 (MULTI) LLC	C/O WP CAREY & CO LLC	WASHINGTON	NC	27889



PLANNING DEPARTMENT

Paul C. Emblar, Jr., Director

Notice Of Public Hearings

Notice is hereby given that public hearings will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, February 4, 2016 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

RZ-16-01 Royal Property: The applicant is requesting to rezone approximately a .18 acre tract of land from the R-8 (Residential) zoning district to the B-3 (Highway Entrance Business) zoning district. The property considered for rezoning is located on the east side of Waddel Drive approximately 120 feet north of its intersection with North Brightleaf Boulevard. The property is further identified as Johnston County Tax ID# 15005031.

CUP-16-01 Extra Mile Motors: The applicant is requesting a conditional use permit to operate an automotive sales lot designed to accommodate 10 vehicles and located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located on the north side of West Market Street approximately 500 feet east of its intersection with NC Hwy 210. The property is further identified as Johnston County Tax ID# 15080019.

CUP-16-02 Run Right Auto: The applicant is requesting a conditional use permit to allow an outdoor storage yard of automobiles designed to accommodate 16 vehicles and located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located on the south side of Whitley Farm Road approximately 5200 feet southwest of its intersection with Brogden Road. The property is further identified as Johnston County Tax ID# 15K11026H.

You have been identified as a property owner in the area specified above and are being advised of this meeting as you may have interest in this matter. You are welcome to attend; however, you are not required to in order for the Board to act on this request. Additional information may be obtained by contacting the Town of Smithfield Planning Department at 919-934-2116.



PLANNING DEPARTMENT

Paul C. Emblar, Jr., Director

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All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run "Legal Ad" in the Smithfield Herald on 1/20/16 and 1/27/16