

# TOWN OF SMITHFIELD BOARD OF ADJUSTMENT AGENDA PACKET



Chairman: Stephen Upton  
Vice-Chairman:

Sarah Edwards  
Mark Lane  
David Johnson

Stephen Wensman, AICP, RLA, Planning Director  
Mark Helmer AICP, CZO, Senior Planner  
Julie Edmonds, Administrative Assistant

**Meeting Date: Wednesday, October 30, 2019**

**Meeting Time: 6:00 p.m.**

**Meeting Place: Council Chambers, Smithfield Town Hall**

**AGENDA  
BOARD OF ADJUSTMENT  
REGULAR MEETING  
OCTOBER 30, 2019  
MEETING TIME: 6:00 PM  
TOWN HALL**

**Call to Order.**

**Approval of the minutes for September 26, 2019**

**Swearing in of new member**

**Voting of new Chairperson**

**Public Hearing**

**BA-19-02 Johnston County Board of Education:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.2 to allow for an increase in the maximum sign height and one additional ground mounted sign on properties located within an OI (Office-Institutional) zoning district. The properties considered for a variance are located on the southeast side of the intersection of Booker Dairy Road and Kellie Drive and further identified as Johnston County Tax ID#14075033 and 14075021A.

**Old Business.**

**New Business.**

**Adjournment.**

**Draft**  
**Smithfield Board of Adjustment**  
**Minutes**  
**Thursday, September 26, 2019**  
**6:00 P.M., Town Hall, Council Chambers**

**Members Present:**

Stephen Upton, Vice Chairman  
Sarah Edwards  
Mark Lane  
Doris Wallace

**Members Absent:**

David Johnson

**Staff Present:**

Stephen Wensman, Planning Director  
Mark Helmer, Senior Planner  
Julie Edmonds, Administrative Support Specialist

**Staff Absent:**

**CALL TO ORDER**

**APPROVAL OF MINUTES FROM January 31, 2019**

Doris Wallace made a motion, seconded by Mark Lane to approve the minutes as written.  
Unanimous

**CHANGE IN AGENDA**

Mark Lane made a motion to remove swearing in of new member, seconded by Doris Wallace.  
Unanimously approved

**VOTING IN OF NEW CHAIRMAN**

Mark Lane nominated Stephen Upton as chair of the Board of Adjustment seconded by Sarah Edwards. Doris Wallace made a motion to close the nomination seconded by Mark Lane.  
Unanimously approved

**VOTING IN OF VICE-CHAIRMAN**

Sarah Edwards nominated Doris Wallace as vice-chairman. Unanimously approved

**OPEN PUBLIC HEARING**

Sarah Edwards made a motion, seconded by Doris Wallace to open the public hearing.  
Unanimously approved

All witnesses were sworn in.

Mr. Helmer pointed out in order for a decision to pass it would require four-fifths of the board and there is a missing member tonight. You would need a unanimous vote by this board tonight to approve the request in front of you. If there is an issue that can't be approved tonight, the board can table the request for 30 days.

**BA-19-02 Johnston County Board of Education:** Smithfield – Selma High School is requesting a 2 foot variance form the 6 foot maximum height for the construction of a sign located within an OI (Office-Institutional) zoning district. The property considered for a variance

is located on the southeast side of the intersection of Booker Dairy Road and Kellie Drive and further identified as Johnston County Tax ID#14075033.

Mr. Helmer stated that the Planning staff issued a sign permit to Advance Signs & Service, Inc. on May 23, 2019 for the construction a six foot tall monument sign to be located at Smithfield-Selma High School. The approved sign was partially constructed when it was noticed that the visibility of the sign will be limited due to the increase in elevation of the newly constructed Booker Dairy Road. The new roadway is approximately two feet above the ground elevation near the subject sign. Therefore, the applicant is requesting to add an additional two feet in height of the base of the sign which will raise the text of the message above 12 inches which is the maximum allowed. That in itself is a variance using the 12 inch rule. No additional sign area is requested at this time. The existing monument sign is to be removed as a condition of approval of the original sign permit.

Ms. Edwards asked Mr. Helmer to clarify what the 12 inch rule was.

Mr. Helmer said with monument signs, the portion with the text can be no higher than 12 inches above the ground.

#### **FINDINGS OF VARIANCE APPROVAL:**

In order to approval a variance, the Board of Adjustments shall find all of the following provisions must be met (Staff's findings are in ***bold/italic***):

***4.10.2.2.1.*** 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. ***Unnecessary hardship will occur, because without the variance, the subject signs will not be viewable from the public right-of-way of Booker Dairy Road.***

***4.10.2.2.2.*** 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. ***Recent changes to the elevation of Booker Dairy Road is creating a unique situation were the subject property is below the adjacent grade of the right-of-way.***

***4.10.2.2.3.*** 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 created by NCDOT roadway improvements to Booker Dairy Road and not the result of actions taken by the applicant.***

***4.10.2.2.4.*** 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 variance is in keeping with the spirit, purpose, and intent of the Ordinance. The variance will serve to protect and preserve the fabric and history of the district in which the dwellings are located.***

Planning Staff recommends the Board of Adjustment approve variance BA-19-02 to allow for a 2' variance from the 6' maximum sign height with the condition that the existing monument sign is removed before energizing the new sign.



Mr. Upton wanted to point out to Junior Creech; the representative for Smithfield-Selma High School that he could opt to continue this hearing for a later date if needed.

Mr. Helmer said if this board has issues with the sign and conveys it to the applicant; the applicant could request the case be tabled due to the absence on the board tonight. It could be heard the following month.

Mr. Lane said he had a problem with the old sign being removed. That sign was a gift from the first graduating class of Smithfield-Selma High School. He feels that the sign is a piece of history and should remain there.

Ms. Edwards asked Mr. Helmer if the current sign could be retained on the property as a landmark in a difference location.

Mr. Helmer said it's possible the sign could be relocated elsewhere on the site. It just couldn't function as a sign. The applicant didn't request a variance to allow for two signs and it was also a condition of a previously issued permit. Technically the applicant should make application for a variance for two signs.

Mr. Lane said he doesn't have a problem with the new sign, but he wants the current sign to remain.

Mr. Helmer said the locations of the two signs are close together and coming eastbound you wouldn't be able to see the old sign, only the new one.

Mr. Upton said with Mr. Lane's statement and opinion about the old sign, we're not going to be able to approve the variance tonight. He offered for the applicant to return at a later date with answers to any questions they may have.

Ms. Edwards said she didn't think it was the Board of Adjustments job to mandate the old sign to stay on the property. She understands where Mr. Lane is coming from though. Ultimately the applicant has come before this board tonight to approve the new sign. She doesn't know that the old sign bares any weight in the decision this board is being asked to make tonight.

Mr. Helmer said he agrees with Sarah Edwards. The existing sign does not have any bearing on the variance for increased sign height and is not factually relevant. The State Legislator has not given the Board of Adjustment the authority to legislate or place conditions on a variance when that condition has no nexus with the request.

JR Creech of 27 Brookwood Drive came on behalf of Smithfield-Selma High School. He stated that Mr. Allen mentioned removing the old sign at some point. Having heard that himself he also had concerns as Mr. Lane did. Mr. Creech told Mr. Allen that he would likely get a lot of negative feedback if the old sign was removed.

Mr. Upton said he understands this is a variance for the height of a sign but it's also brings up an imbalance with the older sign.

Mr. Upton asked Mr. Helmer if Mr. Creech and Mr. Allen could communicate among themselves about this issue with the older sign.

Mr. Helmer stated you can't receive testimony via telephone.

Mr. Upton said he meant at a later date not tonight.

Mr. Helmer yes absolutely, and he recommends we honor the current application as it is currently written and staff will work with the school to make other arrangements for the old sign within the confines of what the code allows for. If we can't do that it's their right to request a variance for the second sign.

Ms. Edwards asked if the second sign could be considered public art with reduced regulations.

Mr. Helmer said we could look at different possibilities.

Ms. Edwards asked if there were some flexibility that Town Staff could administratively handle that wouldn't require the applicant to come back before this board.

Mr. Helmer said we will look at it in every possible angle and see what can be done.

Mr. Lane said he would like to see this case tabled until we find out what's happening to both signs. It's hard for Mr. Lane to support the new sign going up not knowing what will happen to the old sign.

Mr. Upton said with that being said there is no way we will pass this variance with the feelings of Mr. Lane.

Mr. Creech asked Mr. Lane if we were to move the old sign somewhere out front where it would be seen, would you still have objections.

Mr. Lane said saying you're going to do it and actually doing it are two different things.

Mr. Lane asked Mr. Helmer if this variance is turned down tonight, the only appeal the applicant has is to the court system.

Mr. Helmer said no actually the Board of Adjustment appeals go to Town Council.

Mr. Helmer said I encourage each of you to look at the Findings of Fact because that's what you're supposed to be basing your decision on. Tonight their request is for a 2 foot variance. If you're looking at information that's not factual to the request then it exposes you.

Mr. Helmer said each member has to vote on each one of these findings and any objection is a denial to the application.

Mr. Creech sent a text to Mr. Allen asking about moving the old sign. He suggested relocating it to an area of grass over by the tennis courts.

Mr. Lane said telling me it's going to happen and doing it are two different things. It sounds like the perfect place but will it actually happen.

Mr. Creech said yes we will make it happen if we can get this variance approved.

Mr. Upton said approval won't happen with this board tonight on a condition that the old sign may or may not be moved to the location just mentioned. We would have had to have it in the variance request.

Mr. Helmer said staff is showing willingness to work with the school. If we can work it out we will issue a permit if we can't we will come back to the Board of Adjustments for another variance. That's the proper way to do it.

Ms. Edwards asked if this particular request could be amended if we table their request instead of having to make a second variance application for the second sign it's all tied into one.

Mr. Upton answered no, it will have to come back before this board and go through all the proper channels.

Ms. Edwards said she thought if we tabled the variance tonight, we could bring it back and hear both requests for the new and old sign next time.

Mr. Upton said he apologized, he didn't realize that was her question.

Mr. Helmer said the board can table the meeting.

Mr. Lane said I don't think the variance will be approved tonight if it's not tabled.

Ms. Edwards said the variance isn't likely to be approved tonight due to questions about the current sign and its ability to stay on the school grounds. The reason she suggested combining both variances into one, was to prevent the school system from having to pay more fees.

Mark Lane made a motion to continue BA-19-02 until the October meeting, seconded by Doris Wallace. Unanimously approved

#### **Old Business**

None

#### **New Business**

None

Sarah Edwards made a motion to adjourn, seconded by Mark Lane. Unanimously approved

The next Board of Adjustment meeting will be held on Wednesday, October 30<sup>th</sup> at 6:00 pm in the Town Council Chambers.



Julie Edmonds  
Administrative Support Specialist  
Town of Smithfield Planning Department



# Request for Board of Adjustment Action

Agenda  
Item: BA-19-02  
Date: 10/30/19

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**Subject:** Variance  
**Department:** Planning  
**Presented by:** Mark Helmer  
**Presentation:** Yes

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## Issue Statement

Smithfield – Selma High School is requesting a 2 foot variance from the 6 foot maximum height for the construction of a sign located within an OI (Office-Institutional) zoning district. Variance to allow for one additional monument sign.

## Financial Impact

None

## Action Needed

To hold a public hearing, and review the variance application to approve or deny.

## Recommendation

Planning Staff recommends approval of variance BA-19-02.

Approved:  Town Manager  Town Attorney

## Attachments:

- Staff Report BA-19-02
- Application
- Map
- Photos
- Abutting property owner's list



# Staff Report

**Agenda Item:** BA-19-02  
**Date:** 10/30/19

**Application Number:** BA-19-02  
**Applicant/Owner:** Smithfield-Selma High School  
**Agents:** none  
**TAX ID number:** 15013053  
**Town Limits/ETJ:** City

**PROJECT LOCATION:** 700 Booker Dairy Road

## REQUEST:

The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section, 10.23.2 to allow for a 2 foot increase to the maximum 6 foot sign height and to allow for two ground mounted signs on property located within an OI (Office-Institutional) zoning district. The property considered for a variance is located on the southeast side of the intersection of Booker Dairy Road and Kellie Drive and further identified as Johnston County Tax ID#14075033.

## SITE DATA:

**Acreage:** 35.88 acres  
**Present Zoning:** OI (Office-Institutional)  
**Proposed Zoning:** N/A  
**Existing Use:** N/A  
**Water Service:** Town of Smithfield  
**Sewer Service:** Town of Smithfield  
**Electrical Service:** Town of Smithfield

## ADJACENT ZONING AND LAND USES:

	<b>Zoning</b>	<b>Existing Use</b>
<b>North</b>	OI (Office-Institutional)	Medical Office /Institutional
<b>South:</b>	R-10 Residential	Residential / Woodlands
<b>West:</b>	OI (Office-Institutional)	Smithfield Community Park
<b>East:</b>	R-10 Residential	Residential

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## PETITION DESCRIPTION:

Planning staff issued a sign permit to Advance Signs & Service, Inc. on May 23, 2019 for the construction a six foot tall monument sign to be located at Smithfield-Selma High School. The approved sign was partially constructed when it was noticed that the visibility of the sign will be limited due to the increase in elevation of the newly constructed Booker Dairy Road. The new roadway is approximately two feet above the ground elevation near the subject sign. Therefore, the applicant is requesting to add an additional two feet in height of the base of the sign. No additional sign area is requested at this time. The existing monument sign is to be removed as a condition of approval of the original sign permit. The applicant is now requesting a variance to allow for a second ground mounted sign.

FREESTANDING				
Permitted Sign Type(s)	Specific Applicability	Maximum Area <sup>1</sup>	Maximum Height	Maximum Number
Monument or Ground Mounted <sup>5</sup>	Nonresidential	Primary street: 75 sq ft Secondary street: 40 sq ft	6 ft	1
Pole <sup>5</sup>	Refer to Section 10.23.8	9 sq ft (B-1 district)	8 ft (B-1 district)	
Temporary <sup>6</sup>		8 sq ft	6 ft	1

***10.23.2. Business District Signs When Site Plan is Not Required (O/I, B-1, B-2, and B-3).***

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## FINDINGS OF VARIANCE APPROVAL:

In order to approval a variance, the Board of Adjustments shall find all of the following provisions must be met (Staff's findings are in ***bold/italic***):

***4.10.2.2.1.*** 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. ***Unnecessary hardship will occur, because without the variance, the subject signs will not be viewable from the public right-of-way of Booker Dairy Road.***

***4.10.2.2.2.*** 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. ***Recent changes to the elevation of Booker Dairy Road is creating a unique situation were the subject property is below the adjacent grade of the right-of-way.***

**4.10.2.2.3.** 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 created by NCDOT roadway improvements to Booker Dairy Road and not the result of actions taken by the applicant.***

**4.10.2.2.4.** 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 variance is in keeping with the spirit, purpose, and intent of the Ordinance. The variance will serve to protect and preserve the fabric and history of the district in which the dwellings are located.***

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#### **RECOMMENDATION:**

- Planning Staff recommends the Board of Adjustment approve variance BA-19-02 to allow for a 2' variance from the 6' maximum sign height and to allow for a second ground mounted sign.

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#### **RECOMMENDED MOTION:**

Planning Staff recommends the Planning Board approve the variance with the following motion:

***“Move to approve variance BA-19-02 based on the finding of fact found in the staff report to allow for a two foot variance to the maximum sign height and to allow for 2 ground mounted signs.”***



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

## VARIANCE APPLICATION

*Pursuant to Article 4, 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 Board of Adjustment for relief from a requirement of the Unified Development Ordinance and to permit construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in unnecessary hardship.*

*In granting variances, the Board of Adjustment may impose such reasonable conditions as will insure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties.*

*Variance applications must be accompanied by nine (9) sets of the complete application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee.*

### SITE INFORMATION:

Name of Project: Smithfield Belmont HS Acreage of property: 35.88  
 Parcel ID Number: 260405-08-9280 Tax ID: 14075033  
 Deed Book: 05002 Deed Page(s): 0189  
 Address: 700 E Booker Dairy Rd.  
 Location: front of school

Existing Use: school Proposed Use: same

Existing Zoning District: O & I

Requested Zoning District \_\_\_\_\_

Is project within a Planned Development: Yes  No

Planned Development District (if applicable): \_\_\_\_\_

Variance Request (List Unified Development Code sections and paragraph numbers)  
Article 10 - 10.23.2 Monument Sign - 6' maximum height  
allow second ground sign on property

### FOR OFFICE USE ONLY

File Number: BA1902 Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

### OWNER INFORMATION:



Name: Johnston County BOE / Smithfield Selma HS  
Mailing Address: PO Box 1336, Smithfield, NC  
Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**APPLICANT INFORMATION:**

Applicant: Advance Signs & Service, Inc  
Mailing Address: PO Box 1090, Angier, NC 27501  
Phone Number: 919-639-4466 Fax: 919-639-0794  
Contact Person: Michael Atkins  
Email Address: michael.atkins@advance-signservice.com

**REQUIRED PLANS AND SUPPLEMENTAL INFORMATION**

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

- All required plans (please see the plan requirements checklist).
- Owner Consent form
- A Statement of Justification.
- Required Finding of Fact.
- Other Applicable Documentation: \_\_\_\_\_

**STATEMENT OF JUSTIFICATION**

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

See word document & Exhibits A, B & C  
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**REQUIRED FINDINGS OF FACT**

*Article 4, Section 4.10.2.2 of the Town of Smithfield Unified Development Ordinance requires applications for a variance 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.*

**4.10.2.2.1** 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.

see word document

**4.10.2.2.2.** 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.

o "

**4.10.2.2.3.** 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.

" "

**4.10.2.2.4.** 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.

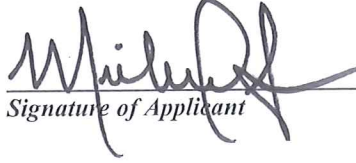
" "

**APPLICANT AFFIDAVIT**

*I/We, the undersigned, do hereby make application and petition to the Board of Adjustment of the Town of Smithfield to approve the subject Variance request. 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 Akins

Print Name



Signature of Applicant

10/4/19

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: Smithfield Selma High School Submittal Date: \_\_\_\_\_

**OWNERS AUTHORIZATION**

I hereby give CONSENT to Advance Signs & Service, Inc (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.

[Signature] (Agent)  
 Signature of Owner

Michael Akins (Agent)  
 Print Name

10/4/19  
 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.

[Signature]  
 Signature of Owner/Applicant

Michael Akins  
 Print Name

10/4/19  
 Date

**FOR OFFICE USE ONLY**

File Number: BA-19-02	Date Received:	Parcel ID Number:
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## Statement of Justification

As a result of the recent construction on Booker Dairy Rd. the frontage of the property sits approximately 2' below street grade from the center of the road. Per Smithfield UDO and the zoning of the property, the maximum height allowed is 6'. In this particular case by adhering to the 6' maximum height allowance, the lower half of the sign will be difficult to read for passing motorists as it will be below street grade. We are requesting the 6' overall height allowance be considered from street grade at the center of the road.

Prior to recent construction on Booker Dairy Rd. – the front of the property was nearly level with street grade.

In efforts to preserve the historical value of the existing monument sign – it will be relocated to a drive internal to the property. We are asking for the property to be allowed a second ground sign under this notion.

## Required Findings of Facts

### **4.10.2.2.1**

The school is investing in excess of \$20,000 in the new sign to keep the student body and community informed on current events. Having the location of the sign below street grade will negatively impact visibility and be a detriment to the effectiveness of the message.

### **4.10.2.2.2**

The hardship is a direct result of the topography of the property. The frontage of the parcel sits approximately 2' below street grade from the center of the road as a result of recent road work.

### **4.10.2.2.3**

The hardship was not caused by the applicant or property owner. The hardship is a result of recent road improvements. Prior to the road improvements the front of the property was nearly level with street grade.

### **4.10.2.2.4**

The requested variance is asking for the 6' maximum sign height allowance to be considered from the point of street grade at the center of the road instead of natural grade at the sign location.

In efforts to preserve the historical value of the existing monument sign – it will be relocated to a drive internal to the property. We are asking for the property to be allowed a second ground sign under this notion.

### Statement of Justification

As a result of the recent construction on Booker Dairy Rd. the frontage of the property sits approximately 2' below street grade from the center of the road. Per Smithfield UDO and the zoning of the property, the maximum sign height allowed is 6'. In this particular case by adhering to the 6' maximum height allowance, the lower half of the sign will be difficult to read for passing motorists as it will be street below grade. We are requesting the 6' overall height allowance be considered from street grade at the center of the road.

Prior to recent construction on Booker Dairy Rd – the front of the property was nearly level with street grade.

### Required Findings of Facts

#### **4.10.2.2.1**

The school is investing in excess of \$20,000 in the new sign to keep the student body and community informed on current events. Having the location of the sign below street grade will negatively impact visibility and be a detriment to the effectiveness message.

#### **4.10.2.2.2**

The hardship is a direct result of the topography of the property. The frontage of the parcel sits approximately 2' below street grade from the center of the road as a result of recent road work.

#### **4.10.2.2.3**

The hardship was not caused by the applicant or property owner. The hardship is a result of recent road improvements. Prior to these road improvements the front of the property was nearly level with street grade.

#### **4.10.2.2.4**

The requested variance is asking for the 6' maximum sign height allowance to be considered from the point of street grade at the center of the road instead of natural grade at the sign location.



# Exhibit A Street grade after road construction





## Exhibit B

Street grade prior to road construction



# Exhibit C

Relocate Existing Monument to Side Entry Drive





**A** - LED internally illuminated sign cabinet with Lexan face and 3M first surface vinyl graphics - logo to be digital print with UV Laminate

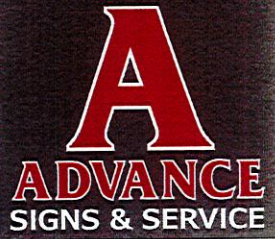
**B** - Watchfire W16mm Full Color Electronic Message Center  
 3' x 7' Active LED Area  
 5 Year Watchfire Warranty  
 Lifetime Cellular Communications

Sign Area: 6'-0" x 10'-0" = 60 SQ FT Proposed (72 Sq. Ft Allowed)  
 Electronic Sign Active Area: 3'-0" x 7'-0" = 21 SQ FT (30 Sq. Ft Allowed)  
 Sign to be setback 10' from property line

**Existing Monument Sign To Be Removed**



**TOWN OF SMITHFIELD  
 PLAN APPROVED**  
 By *Julie Gdmonds*  
 Date: *5-23-19*



596 Church St.  
 Angier, NC 27501  
 919.639.4666

[www.advancesignservice.com](http://www.advancesignservice.com)

All ideas, drawings and plans submitted for consideration by this drawing are the property of Advance Signs & Service, Inc. and shall not be used or developed for use in connection with any other project. They are not to be reproduced or copied in whole or in part and shall be returned upon request. None of such letters, designs or plans shall be used by or disclosed to any person, not an employee of the recipient, without the written consent of Advance Signs & Service, Inc. Written consent on these drawings shall have the same force and effect as the original. Consents shall specify and be appended to all dimensions and quantities shown by these drawings and must carry Advance Signs & Service, Inc. of any discrepancies. Shop drawings must be submitted to Advance Signs & Service, Inc. for approval prior to proceeding with fabrication and installation. Copyright © 2018 Advance Signs & Service, Inc.

**CLIENT**

Smithfield Selma High School

**PROJECT**

Smithfield Selma High School

**PROJECT LOCATION**

Smithfield, NC

**DESIGNED BY**

MICHAEL AKINS  
[michael@runds.com](mailto:michael@runds.com)

**COLORS / FINISHES / MATERIAL**

Aluminum Fabricated Freestanding Sign. LED internally illuminated top cabinet and Watchfire 16mm RGB EMC  
 Brick Base and Columns

**DATE DESCRIPTION**

DATE	DESCRIPTION
2/26	Concept Drawing
2/26	Brick Work Added

**CLIENT APPROVAL DATE**









# A ADVANCE SIGNS & SERVICE

596 Church St.  
Angier, NC 27501  
919.639.4666

[www.advancesignservice.com](http://www.advancesignservice.com)

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### CLIENT

Smithfield Selma High School

### PROJECT

Smithfield Selma High School

### PROJECT LOCATION

Smithfield, NC

### DESIGNED BY

MICHAEL AKINS  
michael@advancesignservice.com

### COLORS / FINISHES / MATERIAL

DATE	DESCRIPTION

### CLIENT APPROVAL DATE



# 700 Block of Booker Dairy Road



Project Name:  
Smithfield-Selma  
Highschool  
Sign Variance

File Number:  
BA-19-02

Property Owner:  
Johnston County  
Board of Education

Applicant:  
Smithfield-Selma  
Highschool

Location:  
700 Booker  
Dairy Road

Tax ID#  
14075033

Zoning District:  
OI (Office-Institution)

Map created by the  
Mark E. Helmer, AICP  
Senior Planner,  
GIS Specialist  
on 9/16/2019



1 inch = 50 feet

Adjacent Property Owners of  
BOA-19-02

TAG	PIN	NAME1	ADDRESS1	CITY	STATE
14075033	260405-08-9280	JOHNSTON COUNTY BOARD OF	PO BOX 1336	SMITHFIELD	NC
14075033B	260405-08-1690	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC
14075033A	260405-08-0652	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC
14057154N	260409-17-3433	BEGEAL, JEFFREY PAUL	62 WHITE OAK DR	SMITHFIELD	NC
14075030E	169408-98-6035	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC
14075021A	260405-18-9122	JOHNSTON COUNTY BOARD OF	P O BOX 1336	SMITHFIELD	NC
14057154M	260409-17-4413	HAGINS, HARRIETT DIANE	P O BOX 1533	SMITHFIELD	NC
14A03005	260412-06-3801	MARKET STREET #235 LIMITED PARTNERSHIP	235 E MARKET ST	SMITHFIELD	NC
14057154K	260409-17-5399	SHEEHAN, BARBARA F.	54 WHITE OAK DR	SMITHFIELD	NC
14057154L	260409-17-4399	SNEAD, LEVI	58 WHITE OAK DR	SMITHFIELD	NC

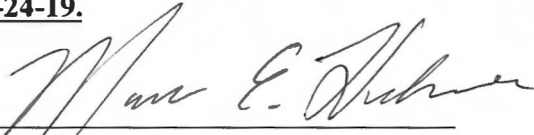


PLANNING DEPARTMENT  
Mark E. Helmer, AICP, Senior Planner

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**ADJOINING PROPERTY OWNERS CERTIFICATION**

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **BA-19-02**, were notified by First Class Mail on **10-24-19**.

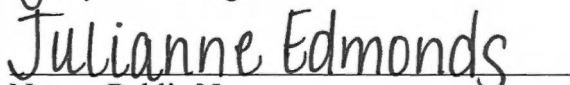
  
\_\_\_\_\_  
Signature

Johnston County, North Carolina

I, Julianne Edmonds, 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

24<sup>th</sup> day of October, 2019

  
\_\_\_\_\_  
Notary Public Signature

  
\_\_\_\_\_  
Notary Public Name

My Commission expires on Jan. 15, 2023  
(Seal)







## PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

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### **Notice Of Public Hearing**

Notice is hereby given that a public hearing will be held before the Board of Adjustment of the Town of Smithfield, N.C., on Wednesday, October 30, 2019 at 6:00 p.m. in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

**BA-19-02 Johnston County Board of Education:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.2 to allow for an increase in the maximum sign height and one additional ground mounted sign on properties located within an OI (Office-Institutional) zoning district. The properties considered for a variance are located on the southeast side of the intersection of Booker Dairy Road and Kellie Drive and further identified as Johnston County Tax ID#14075033 and 14075021A.

All interested persons will be given an opportunity to be heard on this request. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiry regarding this matter may be directed to the Smithfield Planning Department at 919-934-2116 or online at [www.smithfield-nc.com](http://www.smithfield-nc.com).

**Run Legal ad in the Johnstonian News on October 16, 2019 and October 23, 2019.**





**PLANNING DEPARTMENT**

Mark E. Helmer, AICP, Senior Planner

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**ADJOINING PROPERTY OWNERS CERTIFICATION**

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, BOA-19-02, were notified by First Class Mail on 9-11-19.

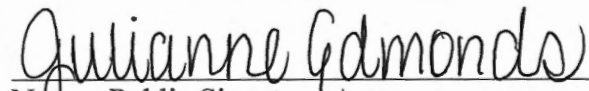


Signature

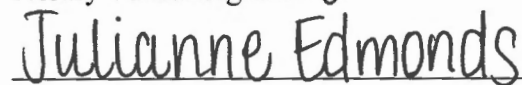
Johnston County, North Carolina

I, Julianne Edmonds, 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

11th day of September 2019



Notary Public Signature



Notary Public Name

My Commission expires on January 15, 2023  
(Seal)





## PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

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### **Notice Of Public Hearing**

Notice is hereby given that a public hearing will be held before the Board of Adjustment of the Town of Smithfield, N.C., on Thursday, September 26, 2019 at 6:00 p.m. in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

**BA-19-02 Johnston County Board of Education:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.2 to allow for an increase in the maximum sign height on property located within an OI (Office-Institutional) zoning district. The property considered for a variance is located on the southeast side of the intersection of Booker Dairy Road and Kellie Drive and further identified as Johnston County Tax ID#14075033.

All interested persons will be given an opportunity to be heard on this request. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiry regarding this matter may be directed to the Smithfield Planning Department at 919-934-2116 or online at [www.smithfield-nc.com](http://www.smithfield-nc.com).

**Run Legal ad in the Johnstonian News on September 11, 2019 and September 18, 2019.**