

# TOWN OF SMITHFIELD BOARD OF ADJUSTMENT AGENDA PACKET



Chairman: Stephen Upton  
Vice-Chairman: Mark Lane

Sarah Edwards  
Keith Dimsdale  
Jeremy Pearce  
Richard Upton

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

**Meeting Date: Thursday, April 29, 2021**

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

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

**AGENDA**  
**BOARD OF ADJUSTMENT**  
**REGULAR MEETING**  
**APRIL 29, 2021**  
**MEETING TIME: 6:00 PM**  
**TOWN HALL**

**Call to Order.**

Approval of the minutes for December 17, 2020

**Public Hearings.**

**BA-21-01 Tina Hobbs:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Part I, Sections 10.2.1 and 10.3, to allow for a reduction of required off-street parking and to allow for the construction of off-street parking within a required landscape yard. The property considered for a variance is located on the north side of Stancil Street approximately 200 feet northeast of its intersection with Fareway Drive and further identified as Johnston County Tax ID# 15089017.

**BA-21-02 Aaron's:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.2 to allow for a 31 square foot increase over the maximum permitted sign area. The sign considered for a variance will be located at 1267-A North Brightleaf Boulevard and within the Centre Pointe Plaza shopping center. The property is further identified as Johnston County Tax ID# 14074002.

**Old Business.**

**New Business.**

**Adjournment.**

**Draft  
Smithfield  
Board of Adjustment  
Minutes  
Thursday, December 17, 2020  
6:00 P.M.,  
Town Hall, Council Chambers**

**Members Present:**

Stephen Upton, Chairman  
Keith Dimsdale  
Richard Upton  
Jeremy Pearce

**Members Absent:**

Sarah Edwards  
Mark Lane, Vice Chairman

**Staff Present:**

Mark Helmer, Senior Planner  
Julie Edmonds, Administrative Support Specialist

**Staff Absent:**

Stephen Wensman, Planning Director

**CALL TO ORDER**

Chairman Stephen Upton made a change to the agenda. He moved the swearing in of both new board members before the approval of the minutes for November 18, 2020.

Keith Dimsdale made a motion to change the agenda, seconded by Stephen Upton. Unanimously approved

Swearing in of new board member Richard Upton

Swearing in of new board member Jeremy Pearce

**Approval of minutes from November 18, 2020**

Keith Dimsdale made a motion, seconded by Jeremy Pearce to approve the minutes as written. Unanimously Approved

**Open Public Hearing**

None

**Old Business**

**BA-20-07: Johnston County Sidewalk Variance:** The applicant has requested the petition for a variance be tabled until some undetermined future date.

**New Business**

Town of Smithfield Social Media Policy for Appointed and Elected Board/Committee Members.

Mark Helmer stated at last month's Town Council meeting, a policy was adopted for Appointed and Elected Board/Committee Members in regards to social media. All board members were asked to review the policy and at a later date will be requested to sign it.

Mark Helmer stated that the general statute requires all board members to have annual training, specifically in Ethics. He said in everyone's packet there is critical information that may be difficult to understand. It's the difference between the decisions each board makes. There are two primary types would be legislative and quasi-judicial. The Board of Adjustments usually only makes quasi-judicial decisions. You're acting as a court of law, weighing out facts and basing your decisions on the facts presented at the hearing. The statutory requirements for quasi-judicial type decisions are a super majority, four-fifths of the vote of the board. You can receive opinion but you must know the difference between opinion and fact. Facts are usually presented by an expert witness. In order to testify in a case such as this, you must have standing. You can't be a random citizen coming in wanting to be heard. They would have to show they have some connection to the case to be considered to testify.

Mr. Helmer began training by showing "Background Material for Board of Adjustment Workshop" by David Owen.

Jeremy Pearce made a motion to approve the 2021 meeting schedule, seconded by Keith Dimsdale. Unanimously approved.

Keith Dimsdale made a motion to adjourn, seconded by Jeremy Pearce. Unanimously Approved

Julie Edmonds



Administrative Support Specialist  
Town of Smithfield Planning Department



# Request for Board of Adjustment Action

Agenda BA-21-  
Item: 01  
Date: 4/29/21

---

**Subject:** 318 Stancil St. Variance  
**Department:** Planning  
**Presented by:** Mark Helmer  
**Presentation:** Yes

---

## Issue Statement

McGill Associates is requesting a variance from the off-street parking requirements and prohibition to parking within a streetyard Unified Development Ordinance (UDO), Part I, Sections 10.2.1 and 10.3, to construct a parking lot for the commercial property located at 318 Stancil Street.

## Financial Impact

None.

## Action Needed

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

## Recommendation

Planning Staff recommends approval of variance BA-21-01 with the following conditions based on finding of fact:

1. Outdoor storage shall only be allowed in accordance with the UDO requirements.
2. Off-street parking shall be limited to the paved parking lot.

Approved:  Town Manager  Town Attorney

## Attachments:

- Staff Report BA-21-01
- Application
- Site Plan



# Staff Report

**Agenda Item:** BA-21-01  
**Date:** 4/29/21

**APPLICATION NUMBER:** BA-21-01  
**APPLICANT/OWNER:** McGill Associates/Tina Hobbs  
**AGENTS:** Dan Simmons, Project Manager, McGill Associates, P.A.  
**TAX ID NUMBER:** 15089017  
**TOWN LIMITS/ETJ:** Town Limits

**PROJECT LOCATION:** 318 Stancil Street

**REQUEST:**

McGill Associates is requesting a variance from the off-street parking requirements and prohibition to parking within a streetyard, Unified Development Ordinance (UDO), Part I, Sections 10.2.1 and 10.3, to construct a parking lot for the commercial property located at 318 Stancil Street.

**SITE DATA:**

**Acreage:** 0.35 acres  
**Present Zoning:** B-3  
**Existing Use:** Auto Service Garage  
**Water Service:** Town of Smithfield  
**Sewer Service:** Town of Smithfield  
**Electrical Service:** Duke

**ADJACENT ZONING AND LAND USE:**

	<b>Zoning</b>	<b>Existing Use</b>
<b>North</b>	B-3 Commercial	Commercial
<b>South:</b>	R-10 Single-Family Residential	Residential
<b>West:</b>	B-3 Commercial	Commercial
<b>East:</b>	B-3 Commercial	Single-Family Duplex

**PETITION DESCRIPTION:**

McGill and Associates is representing the owner in requesting the variance to construct a parking lot with 4-parking spaces that is 2.5 feet from the public right-of-way.

---

**EXISTING CONDITIONS:**

The structure on the property is a 3600 sq. ft. metal sided garage that was likely made non-conforming when the area was annexed into the Town with Town zoning regulations. The Structure is legal nonconforming as it does not meet the front yard setback requirements of the UDO. Furthermore, there is no parking facility associated with the property and no landscaping.

---

**STAFF ANALYSIS:**

The applicant is requesting the variance to construct a required parking for a new zoning permit. The property had been vacant for an extended period of time and an application for a zoning permit has been requested for permission to operate an auto repair garage.

**Minimum Parking.** The UDO Section 10.3 has no specific parking requirement for auto repair garages or similar auto uses. The UDO requires the Board of Adjustment to determine required parking when the off-street parking requirement is unspecified for a particular use. The applicant for the zoning application began operating the business without a valid zoning permit and often had 2-4 cars parked on site behind the building. The minimum parking requirement for the use based on the demonstrated need is at least 4-spaces.

**Streetyard.** To construct a parking lot with four parking spaces on this property, the parking facility will encroach into the streetyard area (no streetyard landscaping is required at this time). The UDO Section 10.2 specifically states, “No required off-street parking shall be located on any public right-of-way or encroach by more than 50% on any required setback, or into any required streetyard. The Streetyard width is 15’, so 50% is 7.5’. The proposed parking will be 2.5’ from the public right-of-way, will encroach 12.5 feet into the streetyard and 5 feet beyond the maximum streetyard encroachment.

**Outdoor Storage.** It is typical for auto repair businesses and similar uses to utilize outdoor storage. The applicant for the zoning permit has already utilized the open space behind the building for the parking of cars from time to time. Outdoor storage is regulated in the Town of Smithfield and must comply with UDO Sections 7.41 and 7.44. No outdoor

storage of material or vehicles has been proposed; therefore, no outdoor storage is allowed unless in accordance with Sections 7.41 and 7.44 and no parking is allowed unless in paved parking spaces.

---

#### **RECOMMENDATION:**

Planning Staff recommends the Board of Adjustment approve the variance, BA-21-01, with the following conditions based on the finding of fact:

1. Outdoor storage shall only be allowed in accordance with the UDO requirements.
  2. Off-street parking shall be limited to the paved parking lot.
- 

#### **STAFF FINDINGS OF FACT:**

In order to deny a variance, the Board of Adjustments shall find all of the following provisions cannot 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. ***Without the variance, a parking facility cannot be constructed which is a requirement to obtain a zoning permit.***

***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. ***The property was developed prior to current zoning and it contains a building that does not meet current setbacks. The building is too close to the road to construct a parking facility that meets all UDO regulations.***

***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 exists because the property was developed prior to current zoning and the lot and its existing development does not accommodate standard parking meeting UDO requirements.***

***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 consistent with the spirit, purpose, and intent of the Ordinance. The applicant is constructing the parking facility in response to zoning requirements, although unable to meet all of them. The proposed parking will be an improvement***

***to the site and the neighborhood, ensuring public safety and providing justice to the applicant and the Town.***

---

**RECOMMENDED MOTION:**

Planning Staff recommends approval with the following motion:

***“Move to approve variance BA-21-01, with the following conditions based on the finding of fact found in the staff report:***

- 1. Outdoor storage shall only be allowed in accordance with the UDO requirements.***
- 2. Off-street parking shall be limited to the paved parking lot.”***





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: Hobbs Site      Acreage of property: 0.35  
 Parcel ID Number: 15089017      Tax ID: 15089017  
 Deed Book: 4024      Deed Page(s): 149  
 Address: 318 Stancil Street  
 Location: 318 Stancil Street

Existing Use: Commercial      Proposed Use: Commercial

Existing Zoning District: B3

Requested Zoning District: B3

Is project within a Planned Development:      Yes      No

Planned Development District (if applicable):

Variance Request (List Unified Development Code sections and paragraph numbers)

PARKING & STREET YARD REQ.

### FOR OFFICE USE ONLY

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

### OWNER INFORMATION:

Name: Tina Hobbs  
Mailing Address: 616 Hancock Street Smithfield  
Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**APPLICANT INFORMATION:**

Applicant: McGill Associates  
Mailing Address: 211 Tyler Drive Smithfield, NC 27577  
Phone Number: 919-209-9955 Fax: \_\_\_\_\_  
Contact Person: Dan Simmons  
Email Address: dan.simmons@mcgillassociates.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.*  
This is an existing developed parcel that does not have sufficient area to meet the required parking. This parcel was the West Smithfield Sanitary District office and shop prior to being annexed by the Town of Smithfield.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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.

The owner cannot utilize this property without the variance being granted.

---

---

---

---

**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.

The property was developed in it's existing configuration prior to being under the Town of Smithfield UDO and complied with the regulations that existed at that time.

---

---

---

---

**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 property was developed in it's existing configuration prior to being under the Town of Smithfield UDO and complied with the regulations that existed at that time.

---

---

---

---

**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 granting of this variance will not endanger the public in any way.

---

---

---

---

**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.*

DAN SIMMONS  
Print Name

  
Signature of Applicant

3-17-21  
Date

PLAN

NC GRID  
NAD 83 (2011)



SITE NOTES

1. BOUNDARY FROM A PLAT PREPARED BY JIMMY BARBOUR SURVEYING, PA, 213 S. SECOND STREET, SMITHFIELD, NC 27577, TITLED "SURVEY FOR DOUGLAS W. SHIRLEY" RECORDED IN PLAT BOOK 84, PAGE 436 ON MAY 5, 2017.
2. EXISTING SITE CONDITIONS FROM AN AERIAL PHOTOGRAPH DOWNLOADED FROM JOHNSTON COUNTY'S GIS. EXISTING CONDITIONS (INCLUDING BUILDING LOCATION RELATIVE TO PROPERTY BOUNDARY) ARE NOT SURVEY GRADE.
3. THIS PRELIMINARY SITE LAYOUT IS INTENDED FOR THE PURPOSE OF ASSISTING WITH A VARIANCE FROM THE TOWN OF SMITHFIELD AND SHALL NOT BE USED FOR CONSTRUCTION OF THE SITE IMPROVEMENTS DRAWN ON THIS SHEET.
4. MCGILL ASSOCIATES MAKES NO ATTESTATION TO THE CONTRACTIBILITY OF THESE IMPROVEMENTS.

PRELIMINARY SKETCH DRAWING  
- FOR REVIEW PURPOSES ONLY -  
DO NOT USE FOR  
CONSTRUCTION

P:\2021\2101910\HEWETT\AVG-HOBBS PROPERTY VARIANCE\DRAWINGS\CONSTRUCT\21\_01910 BASE.DWG PLOT DATE: 3/15/2021 10:12 AM SPENCER.MEEDINS

5400 Trinity Road  
Suite 107  
Raleigh, NC 27607  
919.378.9111  
NC Firm License # C-0459  
mcgillassociates.com

PRELIMINARY



NO.	DATE	BY	DESCRIPTION

PARCEL ID 15089017  
SMITHFIELD, NORTH CAROLINA

GRAPHIC SCALE DIVISION VALUE = 20 FEET

OFFICE MANAGER B. ROARK	DESIGNER S. MEEKINS
PROJECT MANAGER D. SIMMONS	REVIEWER C. SIMMONS

PRELIMINARY SITE LAYOUT		
DATE MARCH 2021	PROJECT # 21.01910	FUNDING # N/A

SHEET  
C-100

2020000 - CITY OF MCGILLTON - PROJECT TITLE - PROJECT TITLE 2

# 300 Block of Stancil Street

**Project Name:**  
Hobbs Site

**Request:**  
Variance from  
Parking & Landscape  
Requirements

**Location:**  
318 Stancil Street

**File Number:**  
BA-21-01

**Existing Zoning:**  
B-3 (Highway Entrance  
Business)

**Property Owner:**  
Tina Hobbs

**Tax ID# 15089017**



1 in = 100 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 4/20/2021





**PLANNING DEPARTMENT**  
Mark E. Helmer, AICP, Senior Planner

**ADJOINING PROPERTY OWNERS CERTIFICATION**

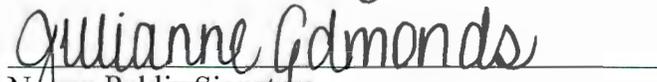
I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, BA-21-01, were notified by First Class Mail on 4-13-21.

  
Signature

Johnston County, North Carolina

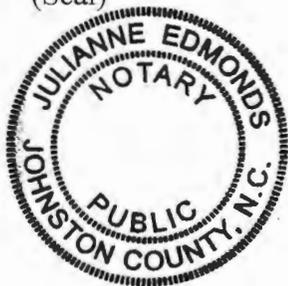
I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

13th day of April, 2021

  
Notary Public Signature

Julianne Edmonds  
Notary Public Name

My Commission expires on January 15, 2023  
(Seal)



Adjacent Property Owners of  
BA-21-01

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15089017	168408-88-8455	HOBBS, TINA SHIRLEY	616 HANCOCK STREET	SMITHFIELD	NC	27577
15089013	168408-88-8292	NORRIS, LARRY	319 STANCIL STREET	SMITHFIELD	NC	27577
15089015	168408-98-0363	JONES, ROBERT D	315 STANCIL STREET	SMITHFIELD	NC	27577
15089018	168408-88-7348	RIGVED LLC	320 STANCIL STREET	SMITHFIELD	NC	27577
15089014	168408-88-9277	STEVENS, MARVIN S	317 STANCIL ST	SMITHFIELD	NC	27577-3127
15099006I	168408-88-8527	CLASSIC TOUCH LLC	4179 SWIFT CREEK RD	SMITHFIELD	NC	27577-8233
15089019B	168408-98-0528	HOBBERCHALK, MAGGI Y.	PO BOX 122	LUCAMA	NC	27851-0122
		McGill Associates	211 Tyler Dr	Smithfield	NC	27577



**Request for Board of  
Adjustment Action**

**Agenda  
Item: BA-21-02  
Date: 4/29/21**

---

**Subject:** 1627-A North Brightleaf Boulevard  
**Department:** Planning  
**Presented by:** Mark Helmer  
**Presentation:** Yes

---

**Issue Statement**

The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.2 to allow for 31 square foot increase over the maximum permitted sign area.

**Financial Impact**

None.

**Action Needed**

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

**Recommendation**

Planning Staff recommends denial of variance BA-21-02.

Approved:  Town Manager  Town Attorney

Attachments:

- Staff Report BA-21-02
- Application
- Proposed sign package



**Staff Report**

**Agenda**  
**Item:** BA-21-02  
**Date:** 4/29/21

---

**APPLICATION NUMBER:** BA-21-02  
**APPLICANT/OWNER:** Provest Center Pointe Plaza LLC / Aaron's  
**AGENTS:** Sign Consulting and Permitting / Melissa Venable  
**TAX ID NUMBER:** 14074002  
**TOWN LIMITS/ETJ:** Town Limits

---

**PROJECT LOCATION:** 1627-A North Brightleaf Boulevard

---

**REQUEST:**

The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.4 to allow for an additional 31 square feet increase over the maximum permitted sign area. The sign considered for a variance will be located at 1627-A North Brightleaf Boulevard and within the Centre Pointe Plaza shopping center.

---

**SITE DATA:**

**Acreage:** 12.36 acres  
**Present Zoning:** B-3  
**Existing Use:** Retail Shopping Center  
**Water Service:** Town of Smithfield  
**Sewer Service:** Town of Smithfield  
**Electrical Service:** Town of Smithfield

---

**ADJACENT ZONING AND LAND USE:**

	<b>Zoning</b>	<b>Existing Use</b>
<b>North</b>	R-10 Single-Family Residential	Residential
<b>South:</b>	B-3 Commercial	Shopping Center
<b>West:</b>	B-3 Commercial	Shopping Center
<b>East:</b>	B-3 Commercial	Shopping Center

---

**PETITION DESCRIPTION:**

Sign Consulting and Permitting is representing Aaron’s in requesting a variance to allow for a 92.53 square foot sign on a portion of a wall that is 1249.33 square feet in area.

**EXISTING CONDITIONS:**

Aaron’s is a long-term tenant within the Centre Point Plaza. Aaron’s occupies approximately 48 linear feet of the shopping centers store front. Aaron’s has an existing wall mounted sign estimated to be approximately 168 square feet in area. Between the years of 1988 and 2008, the Town of Smithfield limited wall signs to one sign per store front with a maximum wall mounted sign size of 1.25 square feet per linear foot of store front. It is unclear how the existing sign was permitted and no records of any previous issued variances have been found.

The front façade of the shopping center is setback approximately 830 feet from the right-of-way of North Brightleaf Boulevard with two landscaped outparcels between the right-of-way of North Brightleaf Boulevard and the proposed wall sign. Any expectation of visibility of the proposed wall sign from North Brightleaf Boulevard is unreasonable. Aaron’s has an existing advertisement on one of the two existing shopping center pylon signs located on North Brightleaf Boulevard.

---

**STAFF ANALYSIS:**

The Town of Smithfield Unified Development Ordinance, Article 10, Performance Standards, Part III Regulations for Signs, 10.23.4 Commercial Site Plan Developments (O/I, B-1, B-2, and B-3) provides standards which include the maximum sign area for wall mounted signs on all qualifying walls within a multi-tenant Development.

Permitted Sign Type(s)	Specific Applicability	Maximum Area <sup>1</sup>	Maximum Height	Maximum Number
<b>BUILDING MOUNTED</b>				
Wall <sup>2</sup>	Front facades	1 sq ft for each linear foot of wall frontage <u>or</u> 5% of wall whichever is greater	N/A	N/A
Wall <sup>2</sup>	Secondary to primary signage	½ sq ft for each linear foot of building facing side street and/or interior area of a planned building group	N/A	N/A
Window	Businesses	25% of first floor total building front facade window and/or door area	N/A	N/A
Projecting <sup>3,4</sup>	Businesses (excluding home occupations)	12 sq ft (total of 24 sq ft)	8 ft	1
Canopy or Awning <sup>3,4</sup>	Businesses (excluding home occupations)	Copy area of the sign is limited to the drip flap. Logos may be placed on the awning itself.	---	1

The applicant has submitted a rendered sign drawing showing the proposed 92.53 square foot all-new wall mounted sign. Since the wall is greater than 20 feet high, 5% of the wall area is used to calculate the maximum permitted sign area. The dimensions of the proposal are as follows;

Wall dimension	25.85 x 48.33 =	1249.33 sq ft
Max sign area permitted	1249.33 x .05 =	62.46 sq ft
Wall sign requested		92.53 sq ft
<b>Requested Variance</b>		<b>30.1 sq ft</b>

Staff generally agrees with these sign computations as submitted. Since the proposed wall sign exceeds the maximum permitted by Section 10.23.4, the proposed sign will require a 30.1 square foot variance. The existing shopping center pylon sign located adjacent to North Brightleaf Boulevard can be refaced as submitted with a staff approved zoning permit.

**RECOMMENDATION:**

Planning Staff recommends the Board of Adjustment deny the variance, BA-21-02, since no hardship exists and the requested variance is not consistent with the spirit, purpose, and intent of the Ordinance.

**STAFF FINDINGS OF FACT:**

In order to deny a variance, the Board of Adjustments shall find all of the following provisions cannot 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. ***The maximum sign area permitted by the Town of Smithfield Regulations for Signs does not create a hardship. Thus, no grounds for a variance exists.***

***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. ***There is nothing peculiar about the Aaron’s façade that is different from any other store front located within the Centre Pointe Plaza shopping center. Aaron’s store front is very typical in size***

***and any sign meeting the Town of Smithfield Regulations for Signs will be seen from within the shopping center parking lot.***

***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. ***There is no hardship requiring the need for addition sign area above what is allowed by the Town of Smithfield Regulations for Signs.***

***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 not consistent with the spirit, purpose, and intent of the ordinance. Granting the variance will afford Aaron's with privileges that are not available to other business requesting new signs.***

---

**RECOMMENDED MOTION:**

Planning Staff recommends denial with the following motion:

***“Move to deny variance BA-21-02 for failing to meeting all the required finding of fact for a variance to the maximum permitted sign area.***



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: Aaron's                      Acreage of property: \_\_\_\_\_  
Parcel ID Number: 14074002                      Tax ID: 260410-45-5318  
Deed Book: 04914                      Deed Page(s): 0757  
Address: 1267 N Brightleaf Blvd Smithfield NC 27577  
Location: \_\_\_\_\_

Existing Use: Aaron's                      Proposed Use: Aaron's  
Existing Zoning District: B-3  
Requested Zoning District: N/A

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

**Variance Request (List Unified Development Code sections and paragraph numbers)**  
10.23.2. Business District Signs When Site Plan is Not Required (O/I, B-1, B-2, and B-3)  
Wall Sign Allowance: 1 sq ft for each linear foot of wall frontage or 5% of wall whichever is greater

### FOR OFFICE USE ONLY

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

### OWNER INFORMATION:

**Name:** Provost Center Pointe Plaza LLC-Mark Salomon  
**Mailing Address:** PO Box 515 Hudson NY 12534  
**Phone Number:** 518-719-0100 **Fax:** N/A  
**Email Address:** ms@provestinvest.com

**APPLICANT INFORMATION:**

**Applicant:** Sign Code Consulting and Permitting  
**Mailing Address:** 5603 W Friendly Ave Suite B #245 Greensboro NC 27410  
**Phone Number:** 828-335-2101 **Fax:** N/A  
**Contact Person:** Melissa Venable  
**Email Address:** signcodeinfo@gmail.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.*  
Aaron's is seeking relief from section 10.23.2. Business District Signs When Site Plan is Not Required (O/I, B-1, B-2, and B-3 of the sign ordinance. Specifically wall sign allowance of 1 sq ft for each linear foot of wall frontage or 5% of wall whichever is greater. This calculation would allow 62.4sf. Aaron's is requesting relief of 30.13sf to allow for wall sign sqft of 92.53 to fit with their corporate brand identity.

Statement from Aaron's: Our current signage is 95.96sf in size. We would like to continue to have the same brand presentation with regard to the size of the new "brand current" sign that we intend to install. If we were to comply with the existing signage criteria for the City of Smithfield, we will be forced to reduce the size of the sign by 67% which would not allow for the visibility that our current sign provides. We want to continue to be as visible to our existing customers as we always were and would also like to put our best brand foot forward to our new customers as well.

**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.

This shopping center has little visibility from the road. Decreasing the sign sqft by 67% will make it even more difficult to be seen from N Brightleaf Blvd.

Sign sqft will need to remain close to what is there to provide adequate advertising for the storefront.

---

---

---

**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.

210'  
Tree cover close to N Brightleaf blocks the view of the location. The storefront is setback 210' from the entrance to the shopping center and the storefront visibility is limited once you enter the shopping center.

Decreasing the sign size by 30.13sf does not allow Aaron's to adequately advertise their brand and bring customer to the location easily.

---

---

---

**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.

11/5/2002  
Aaron's has been in this location for 25 years with the sqft of the wall sign being 95.96sf. They will need to continue with a similar sqft to allowance for the wall signs to properly advertise their brand.

---

---

---

**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.

Public safety is not an issue. The sign will be properly installed by experienced sign installers and will be 3.43sf smaller than the existing sign. The intent of the ordinance is to "allow legitimate identification of residential, commercial, industrial and other activities" The proposed sign sqft of 92.53sf is in line with the spirit of allowing adequate identification for their brand.

---

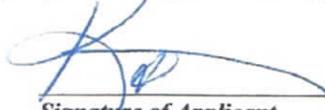
---

---

**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.*

Owner- Karla J. Sherrill  
Print Name

  
Signature of Applicant

2/5/21  
Date

Applicant Melissa Venable

Melissa Venable 3/24/21



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: Aaron's Submittal Date: \_\_\_\_\_

**OWNERS AUTHORIZATION**

I hereby give CONSENT to Melissa Woehlke Venable (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] Karla Sherrill, Dir. Store Design 2/8/21  
 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.

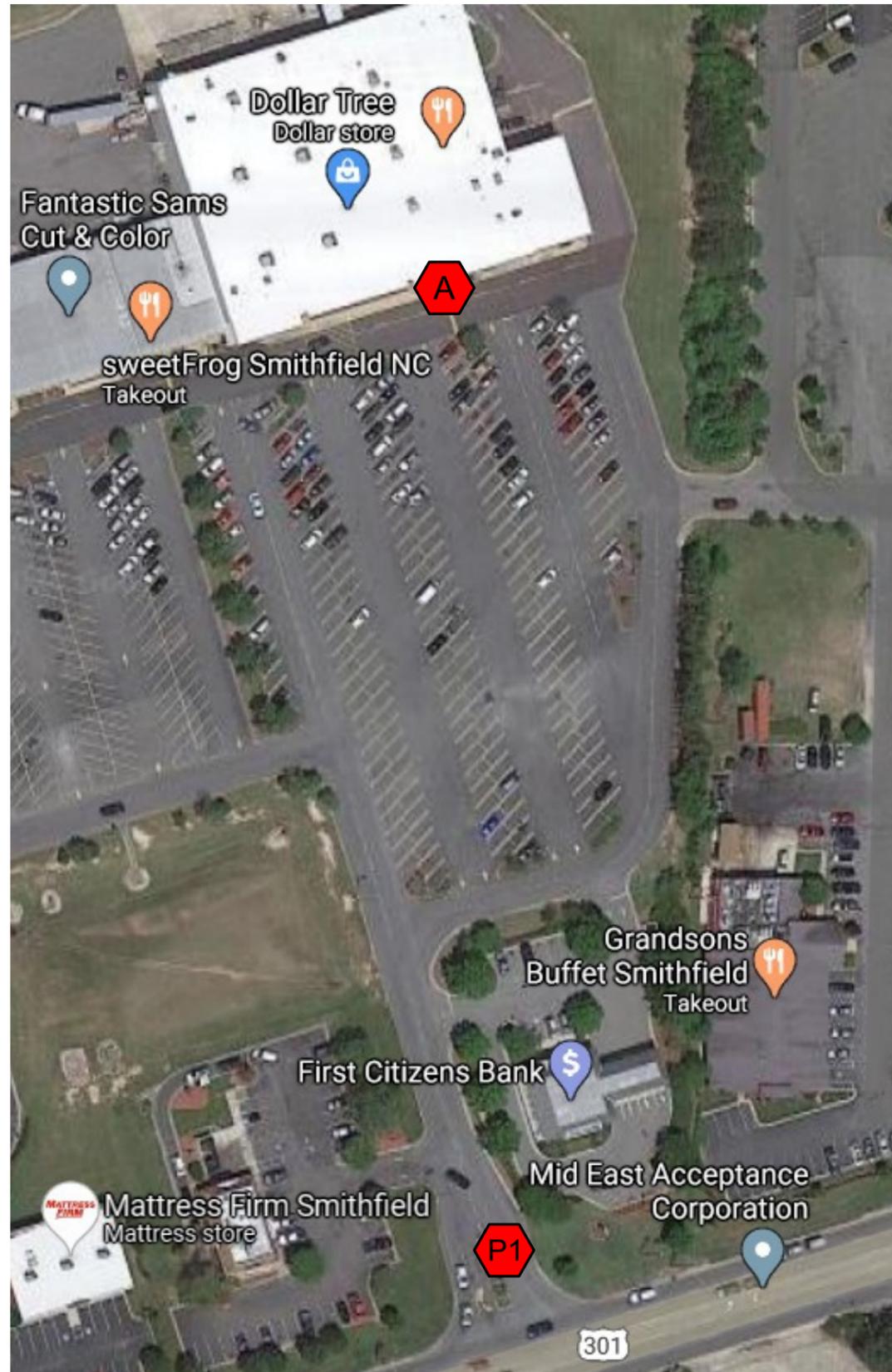
owner- [Signature] Karla Sherrill, Dir. Store Design 2/8/21  
 Applicant Melissa Venable Melissa Venable 3/24/21  
 Signature of Owner/Applicant Print Name Date

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Received: \_\_\_\_\_ Parcel ID Number: \_\_\_\_\_

# **Aaron's**

**Aaron's**  
**C1310**  
**Smithfield, NC**  
**December 11, 2020**



**SITE PLAN LEGEND**

- WALL SIGN - 3'-6" CHANNEL LETTERS
- PYLON - FACE REPLACEMENT

**Client Review Status**

Allen Industries, Inc. requires that an "  Approved" drawing be obtained from the client prior to any production release or production release revision.

Approved    Approved as Noted    Revise & Resubmit

Name \_\_\_\_\_  
Title \_\_\_\_\_ Date \_\_\_\_\_

**Declaration**

**Copyright © 2020 Allen Industries, Inc.**  
This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

**Date / Description**

Date	Description	Initial	Date	Description	Initial
07/20/20	Issue Date				
11/16/20	Removed Pages	SR	12/07/20	Remove B.E.	SR
11/16/20	Corrected page numbers	PN	12/08/20	C.L. Spec / LED Layout	SR
11/24/20	Changed Verbiage/Var. Rev.	SR			
11/25/20	Changed Verbiage/Var. Rev.	SR			

**Project Information**

Client **Aaron's C1310**  
**1267 N Brightleaf Blvd.**  
**Smithfield, NC 27577**

File **AARON.015 Smithfield, NC 203**

Sales **House** Design **SR** PM **MF**





Existing Elevation



Proposed Elevation

**Client Review Status**

Allen Industries, Inc. requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision.

Approved  Approved as Noted  Revise & Resubmit

Name \_\_\_\_\_  
Title \_\_\_\_\_ Date \_\_\_\_\_

**Declaration**

Copyright © 2020 Allen Industries, Inc.

This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

**Date / Description**

Date	Description	Initial	Initial
07/20/20	Issue Date		
11/16/20	Removed Pages	SR	
11/16/20	Corrected page numbers	PN	
11/24/20	Changed Verbiage/Var. Rev.	SR	
11/25/20	Changed Verbiage/Var. Rev.	SR	
12/07/20	Remove B.E.		SR
12/08/20	C.L. Spec / LED Layout		SR

**Project Information**

Client	Aaron's C1310
	1267 N Brightleaf Blvd.
	Smithfield, NC 27577
File	AARON.015 Smithfield, NC 203
Sales	House Design SR PM MF

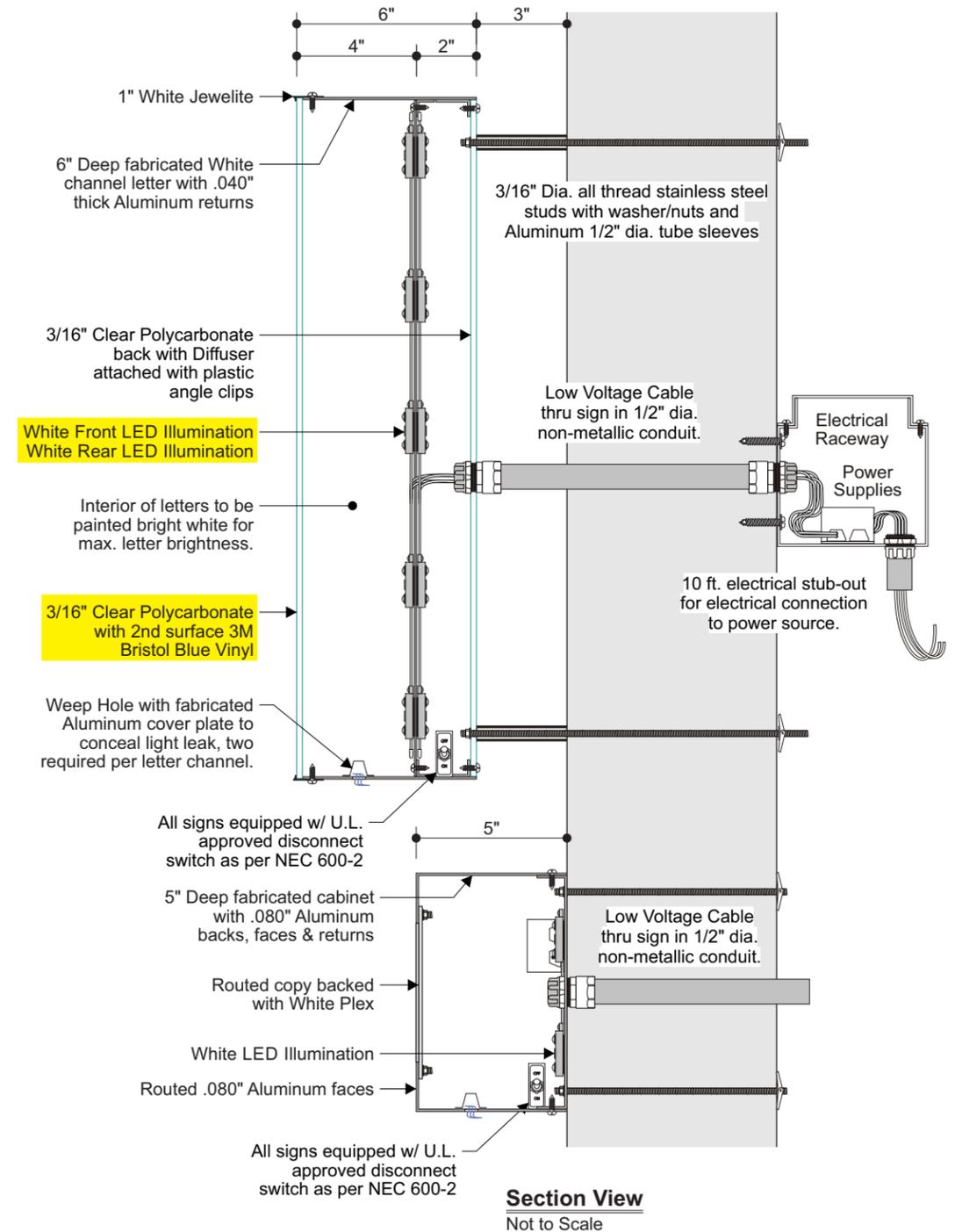


**General Specifications**

Front lit and back lit illuminated channel letters with front lit flush mounted wall cabinet.

**Color Specifications**

- Akzo Nobel Aaron's Blue
- Translucent White Acrylic
- 3M 3630-97 Bristol Blue



**Allen Industries** MET E212503  
 Listed Electric Sign Complies with UL48 CSA C22.2 No.207 A11 017510  
 THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.  
 GROUNDED ELECTRICAL CONNECTIONS

**Client Review Status**

Allen Industries, Inc. requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision.

Approved  Approved as Noted  Revise & Resubmit

Name \_\_\_\_\_  
 Title \_\_\_\_\_ Date \_\_\_\_\_

**Declaration**

Copyright © 2020 Allen Industries, Inc.  
 This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

**Date / Description**

Date	Description	Initial	Date	Description	Initial
07/20/20	Issue Date				
11/16/20	Removed Pages	SR	12/07/20	Remove B.E.	SR
11/16/20	Corrected page numbers	PN	12/08/20	C.L. Spec / LED Layout	SR
11/24/20	Changed Verbiage/Var. Rev.	SR			
11/25/20	Changed Verbiage/Var. Rev.	SR			

**Project Information**

Client **Aaron's C1310**  
**1267 N Brightleaf Blvd.**  
**Smithfield, NC 27577**

File **AARON.015 Smithfield, NC 203**

Sales **House** Design **SR** PM **MF**

**Allen Industries**  
 YOUR BRAND AT ITS BEST™  
**1-800-967-2553**  
 www.allenindustries.com

# LED Layout Pending

**Client Review Status**

Allen Industries, Inc. requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision.

Approved  Approved as Noted  Revise & Resubmit

Name \_\_\_\_\_  
 Title \_\_\_\_\_ Date \_\_\_\_\_

**Declaration**

**Copyright © 2020 Allen Industries, Inc.**

This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

**Date / Description**

Date	Description	Initial	Date	Description	Initial
07/20/20	Issue Date				
11/16/20	Removed Pages	SR	12/07/20	Remove B.E.	SR
11/16/20	Corrected page numbers	PN	12/08/20	C.L. Spec / LED Layout	SR
11/24/20	Changed Verbiage/Var. Rev.	SR			
11/25/20	Changed Verbiage/Var. Rev.	SR			

**Project Information**

Client	<b>Aaron's C1310</b>		
	<b>1267 N Brightleaf Blvd.</b>		
	<b>Smithfield, NC 27577</b>		
File	<b>AARON.015 Smithfield, NC 203</b>		
Sales	House	Design	SR PM MF





**Front View**  
Scale: 1/2"=1'-0"

**Qty: 2 Faces Req'd**

**Color Specifications**

- 3M 3630-97 Bristol Blue
- PMS White

3/16" Clear Polycarbonate Faces, 2" Deep Pan Formed Faces - 2-1/2" Flange - with 2nd Surface Blue Vinyl Background, Weeded out copy, back sprayed White

40.5 Sq. Ft.



Existing



Proposed

**Client Review Status**

Allen Industries, Inc. requires that an "Approved" drawing be obtained from the client prior to any production release or production release revision.

Approved  Approved as Noted  Revise & Resubmit

Name \_\_\_\_\_  
Title \_\_\_\_\_ Date \_\_\_\_\_

**Declaration**

**Copyright © 2020 Allen Industries, Inc.**

This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

**Date / Description**

Date	Description	Initial	Date	Description	Initial
07/20/20	Issue Date				
11/16/20	Removed Pages	SR	12/07/20	Remove B.E.	SR
11/16/20	Corrected page numbers	PN	12/08/20	C.L. Spec / LED Layout	SR
11/24/20	Changed Verbiage/Var. Rev.	SR			
11/25/20	Changed Verbiage/Var. Rev.	SR			

**Project Information**

Client **Aaron's C1310**  
**1267 N Brightleaf Blvd.**  
**Smithfield, NC 27577**  
 File **AARON.015 Smithfield, NC 203**  
 Sales **House** Design **SR** PM **MF**

# 1200 Block of North Brightleaf Boulevard

**Project Name:**  
Aaron's

**Request:**  
Variance From  
Maximum Sign Area

**Location:**  
Centre Pointe Plaza  
1267 N Brightleaf Blvd

**File Number:**  
BA-21-02

**Existing Zoning:**  
B-3 (Highway Entrance  
Business)

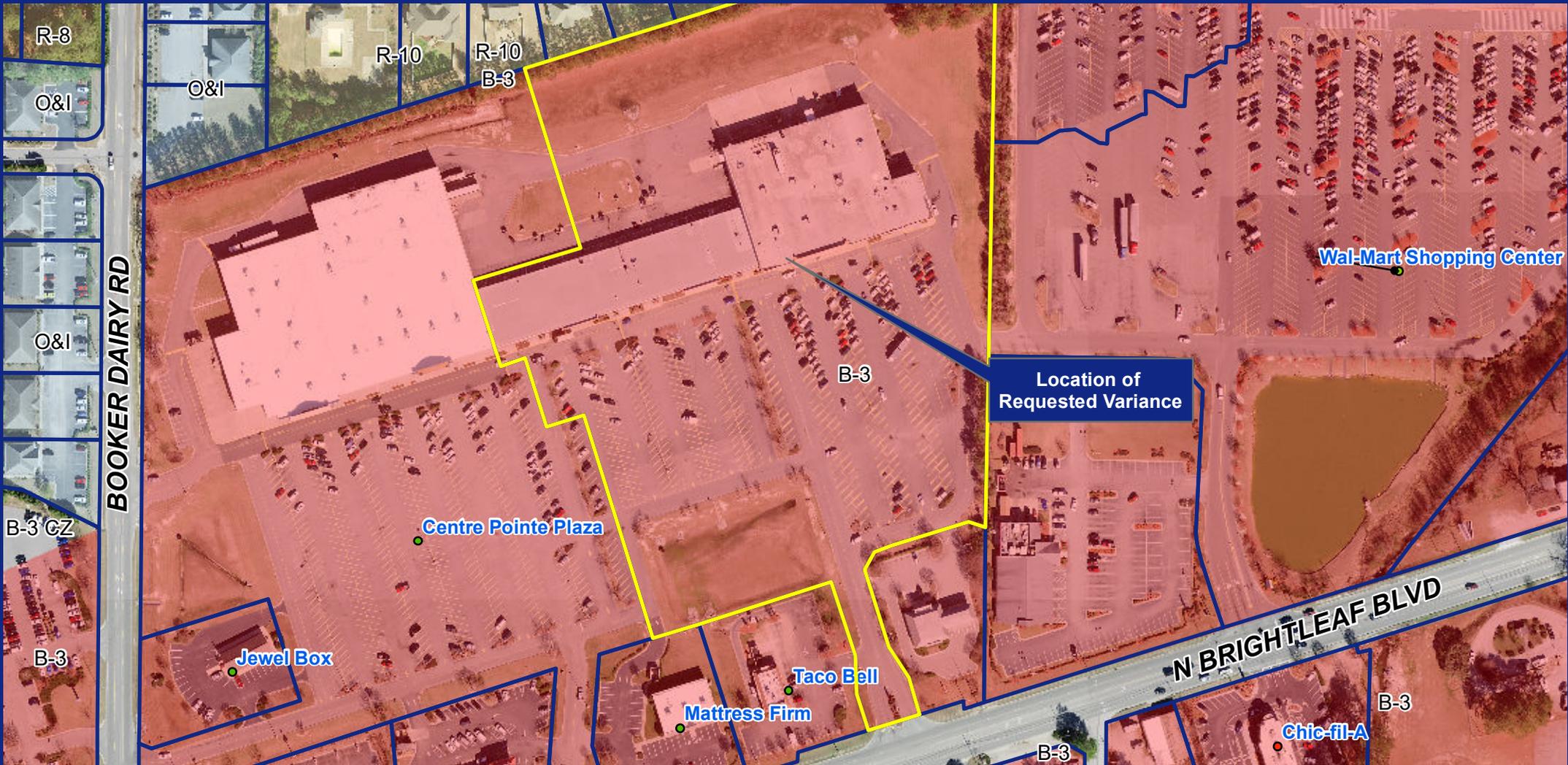
**Property Owner:**  
Provest Center  
Pointe Plaza LLC

**Tax ID# 14074002**



1 in = 200 ft

Map created by the Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 4/20/2021



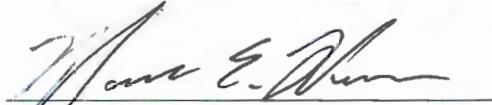


**PLANNING DEPARTMENT**  
Mark E. Helmer, AICP, Senior Planner

---

**ADJOINING PROPERTY OWNERS CERTIFICATION**

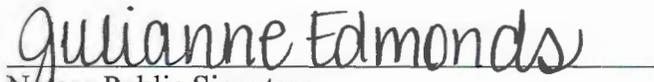
I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, BA-21-02, were notified by First Class Mail on 4-13-21.

  
\_\_\_\_\_  
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

13th day of April, 2021

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

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

My Commission expires on January 15, 2023  
(Seal)



Adjacent Property Owners of  
BA-21-02

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
14074002	260410-45-5318	PROVEST CENTRE POINTE PLAZA LLC	158 UNION TPKE	HUDSON	NY	12534-1513
14074002B	260410-35-8222	PROVEST CENTRE POINTE PLAZA LLC	158 UNION TPKE	HUDSON	NY	12534-1513
14074001D	260414-44-5709	LUIHN FOUR REAL PROPERTY, LLC	111 COMMONWEALTH CT STE 106	CARY	NC	27511-4447
14074001V	260410-45-5994	CHEN, KE LIANG	296 BAYHILL DRIVE	SMITHFIELD	NC	27577-0000
14074001T	260410-45-4836	STRICKLAND, LLOYD L	260 BAYHILL DRIVE	SMITHFIELD	NC	27577-0000
14074001P	260410-45-0785	PARR, CYRIL H III	196 BAYHILL DR	SMITHFIELD	NC	27577-8936
14074001X	260410-45-7934	BOOKER DAIRY HOMEOWNERS ASSOC	154 BAYHILL DR	SMITHFIELD	NC	27577-8936
14074001S	260410-45-3843	HILL, ROSE P. LIFE ESTATE	244 BAYHILL DR	SMITHFIELD	NC	27577-9408
14074001Q	260410-45-1778	LUPTON, CARDELLO RAY	210 BAYHILL DR	SMITHFIELD	NC	27577-9408
14074001R	260410-45-2861	BOONE, HARVEY A. JR.	228 BAYHILL DR	SMITHFIELD	NC	27577-9408
14074001U	260410-45-5819	YUEN, CHISAN	278 BAYHILL DR	SMITHFIELD	NC	27577-9408
14074004	260414-44-7901	FIRST CITIZENS BANK & TRUST IN	PO BOX 27131	RALEIGH	NC	27611-7131
14057012F	260410-45-8798	SMITHFIELD WMB LLC	8816 SIX FORKS RD SUITE 201	RALEIGH	NC	27615-0000
14074001B	260414-44-3712	C4 ELION LLC	121 W TRADE ST STE 2550	CHARLOTTE	NC	28202-2898
14057012D	260411-55-4820	WALMART REAL ESTATE TRUST	PO BOX 8050M MS 0555	BENTONVILLE	AR	72712-8050
14057012E	260410-45-8191	NEWMAN, JOEL S	26515 WEISS FELS COURT	BRAUNFELS	TX	78132-0000
		Sign Code Consulting and Permitting	5603 W Friendly Ave Ste B #245	Greensboro	NC	27410



**PLANNING DEPARTMENT**

Mark E. Helmer, AICP, Senior Planner

---

**Notice of Public Hearings**

Notice is hereby given that public hearings will be held before the Board of Adjustment of the Town of Smithfield, N.C., on Thursday, April 29, 2021 at 6:00 p.m. in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

**BA-21-01 Tina Hobbs:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Part I, Sections 10.2.1 and 10.3, to allow for a reduction of required off-street parking and to allow for the construction of off-street parking within a required landscape yard. The property considered for a variance is located on the north side of Stencil Street approximately 200 feet northeast of its intersection with Fareway Drive and further identified as Johnston County Tax ID# 15089017.

**BA-21-02 Aaron's:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.4 to allow for a 31 square foot increase over the maximum permitted sign area. The sign considered for a variance will be located at 1267A North Brightleaf Boulevard and within the Centre Pointe Plaza shopping center. The property is further identified as Johnston County Tax ID# 14074002.

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**

Mark E. Helmer, AICP, Senior Planner

---

**Notice of Public Hearings**

Notice is hereby given that public hearings will be held before the Board of Adjustment of the Town of Smithfield, N.C., on Thursday, April 29, 2021 at 6:00 p.m. in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

**BA-21-01 Tina Hobbs:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Part I, Sections 10.2.1 and 10.3, to allow for a reduction of required off-street parking and to allow for the construction of off-street parking within a required landscape yard. The property considered for a variance is located on the north side of Stencil Street approximately 200 feet northeast of its intersection with Fareway Drive and further identified as Johnston County Tax ID# 15089017.

**BA-21-02 Aaron's:** The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.4 to allow for a 31 square foot increase over the maximum permitted sign area. The sign considered for a variance will be located at 1267A North Brightleaf Boulevard and within the Centre Pointe Plaza shopping center. The property is further identified as Johnston County Tax ID# 14074002.

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).