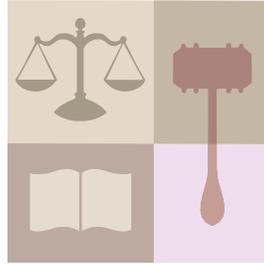


TOWN OF SMITHFIELD BOARD OF ADJUSTMENT AGENDA PACKET



Chairman: Stephen Upton
Vice-Chairman: Mark Lane

Sarah Edwards
Keith Dimsdale
Jeremy Pearce
Richard Upton
Monique Austin

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

Meeting Date: Tuesday, November 30, 2021

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

**AGENDA
BOARD OF ADJUSTMENT
REGULAR MEETING
NOVEMBER 30, 2021
MEETING TIME: 6:00 PM
TOWN HALL**

Call to Order.

Approval of the minutes for July 29, 2021

Swearing in of new member Monique Austin

Public Hearings.

BA-21-04 ALA Johnson Sewer Easement: Johnston CD, LLC is requesting a 10-foot reduction to the minimum required 30-foot sewer easement width for the construction of utility services required to server the American Leadership Academy. The property considered for the variance is located on the north side of Cloverdale Drive approximately 360 feet east of its intersection with Juniper Drive. The property is further identified as Johnston County tax ID# 15J08090A.

Old Business.

New Business.

Adjournment.

**Draft
Smithfield
Board of Adjustment Minutes
Thursday, July 29, 2021
6:00 P.M.,
Town Hall, Council Chambers**

Members Present:

Stephen Upton, Chairman
Mark Lane, Vice Chairman
Sarah Edwards
Richard Upton
Jeremy Pearce

Members Absent:

Keith Dimsdale

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

CALL TO ORDER

Approval of minutes from June 24th, 2021

Jeremy Pearce made a motion, seconded by Mark Lane to approve the minutes as written.

Unanimously Approved

Open Public Hearing

Keith Dimsdale made a motion, seconded by Mark Lane to open the public hearing.

Mark Helmer reminded the board that this case came before them on June 24th 2021. At that time the applicant requested a variance of 82.8 sq. ft of additional signage over what the current sign ordinance allows. The Board of Adjustments requested additional time to consider the proposal. That hearing was closed and a decision was postponed for 30 days. The applicant has submitted a revised application, the Planning Department readvertised for tonight's hearing. Essentially, it's a fresh application.

Mark Lane wanted to make the board aware that Mr. Kevin Dougherty is married to his second cousin. He doesn't see the need in recusing himself from the meeting. The board was asked their thoughts on this and everyone stated it was fine for Mr. Lane to stay.

BA-21-03 Scooter's Coffee Drive-Thru: The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Part III, Sign Regulations, Sections 10.23.4 to allow for an additional 18 square feet of wall sign area to be located on a freestanding building within an existing shopping center and located within a B-3 (Business) zoning district.

Mark Helmer stated that the original application included (2) channel letter signs on the east and west façade to include 3 additional advertising signs to be located on that wall. It was determined at that time each of the signs would require a variance. He reduced the material to just the wall

that's requiring the variance. It would be on the wall facing the interior of the shopping center. Planning staff is of the belief that the existing sign code dose not scale well to very small walls, particularly when addressing free standing buildings. The sign code makes every attempt to match the scale of the sign with the size of the wall it is to be mounted on. However, when very small walls are involved, and in the absence of a ground mounted sign, it can be argued that opportunities for affective advertising is limited. There are no provisions in the UDO for the transfer of unused ground mounted sign area to a qualifying wall sign.

Planning Staff recommends the Board of Adjustment approve the variance, BA-21-03, since granting the variance will be 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 creates a hardship when very small freestanding walls are involved.**

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 peculiar size of the wall creates an unusual situation that merits a variance.**

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 applicant has not created the hardship. The hardship is the result of a sign ordinance not specially tailored to accommodate very small walls.**

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. Granting the variance will afford Scooter's Coffee with the visibility needed to be successful at the proposed location.**

Mark Lane asked what the difference in the variance was from the last BOA meeting and the one tonight?

Mark Helmer said the last application showed (3) walls with (3) posters that advertised items for sale from the menu. Those signs have been removed by the applicant.

Jeremy Pearce asked if the hospital side of the building had the same sign.

Mark Helmer said yes and that side meets the dimensional code. They are allowed 1 sq. foot per linear foot of wall.

Kevin Dougherty of 3534 Stevens Chapel Road came forward to speak. He is the landlord of the property in question. He supports the request here tonight on behalf of Scooter's.

Jeremy Pearce made a motion to approve BA-21-03 for meeting all required finding of fact for a variance to Town of Smithfield Unified Development Ordinance, Article 10, Section 10.23.4, Commercial Major Site Plans and Developments (OI, B-1, B-2 and B-3) to allow for an additional 18 square feet increase over the maximum permitted sign area for the secondary wall sign located on the eastern interior façade; seconded by Keith Dimsdale. Unanimously approved.

Old Business

None

New Business

None

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

Julie Edmonds

A handwritten signature in cursive script that reads "Julie Edmonds".

Administrative Support Specialist
Town of Smithfield Planning Department



Request for Board of Adjustment Action

Agenda BA-21-
Item: 04
Date: 11/30/21

Subject: ALA Johnston Easement Variance
Department: Planning
Presented by: Mark Helmer
Presentation: Yes

Issue Statement

Johnston CD, LLC is requesting a 10' variance from the 30' wide utility easement standard found in the Unified Development Ordinance, Section 10.110.1.5.1.

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-21-04 based on finding of fact.

Approved: Town Manager Town Attorney

Attachments:

- Staff Report
- Application
- Site Plan



Staff Report

Agenda Item: BA-21-04
Date: 4/29/21

APPLICATION NUMBER: BA-21-04
APPLICANT/OWNER: Johnston CD, LLC / C.A. Byrd, III and Helyn F. Byrd
AGENTS: None
TAX ID NUMBER: 15J08090A
TOWN LIMITS/ETJ: ETJ

PROJECT LOCATION: 320 Cloverdale Dr, Clayton, NC 27520

REQUEST:

Johnston CD, LLC is requesting the 10' variance from the 30' wide easement requirement in the Unified Development Ordinance, Section 10.110.1.5.1.

SITE DATA:

Acreage: 0.10 acres
Present Zoning: R-20A
Existing Use: Single Family
Water Service: Johnston County *
Sewer Service: Johnston County *
Electrical Service: Duke

** The Charter School will have Town water and sewer utilities with annexation.*

ADJACENT ZONING AND LAND USE:

	Zoning	Existing Use
North	O/I CZ	School
South:	R-20A Single-Family Residential	Residential
West:	R-20A Single-Family Residential	Residential
East:	R-20A Single-Family Residential	Residential

STAFF ANALYSIS:

The property to the north of the subject property is being developed as a charter school, American Leadership Academy and the easement is needed to connect the school to the sewer line located in the Cloverdale Drive right-of-way. The sewer line location is being dictated by the location of existing sewer in the Cloverdale Subdivision and the ability to gravity flow the sewer. The space between the existing homes limits the ability to provide a standard 30-foot-wide sewer easement. The 30-foot-wide easement is the standard to ensure the Town has the ability maintain its sewer lines without having to evaluate each proposed sewer line. Public Utilities has evaluated the depth of this sewer line and has determine a 20-foot-wide easement is sufficient.

STAFF FINDINGS OF FACT:

In order to approve a variance, the Board of Adjustments shall find all of the following provisions can 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, the charter school project would not have public sewer available.*

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 need to gravity flow the sewer to an existing sewer line is the hardship necessitating an easement in that location and the need for a reduced easement due to the existing residential structures.*

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 applicant had no control over the location of the single-family homes.*

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 Public Utilities Director has evaluated the easement and had determined the 20-foot-wide easement to be sufficient.*

RECOMMENDATION:

Planning Staff recommends the Board of Adjustment approve the variance, BA-21-04, based on the finding of fact.

RECOMMENDED MOTION:

Planning Staff recommends approval with the following motion:

“Move to approve variance BA-21-04, based on the finding of fact found in the staff report.”



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: Sewer Easement for ALA Johnson **Acreeage of property:** 0.10 acres
Parcel ID Number: 15J08090A **Tax ID:** N/A
Deed Book: 1770 **Deed Page(s):** 673
Address: 320 Cloverdale Dr, Clayton, NC 27520
Location: N 35° 33' 37.83370103" W 78° 23' 07.39591402"

Lot No. 16 - Whitley Heights Subdivision

Existing Use: Residential **Proposed Use:** Sewer Easement
Existing Zoning District: R-20A
Requested Zoning District: R-20A

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

Variance Request (List Unified Development Code sections and paragraph numbers)
10.110.1.5.1

FOR OFFICE USE ONLY

File Number: BA-21-04 Date Received: NOV 02 2021 Amount Paid: \$ 400⁰⁰

OWNER INFORMATION:

TOWN OF SMITHFIELD
PLANNING DEPT.

Name: C.A. Byrd, III and Helyn F. Byrd
Mailing Address: 3777 US 70 BUS HWY W, Clayton, NC 27520
Phone Number: 919-912-9443 **Fax:** N/A
Email Address: gopack87@yahoo.com

APPLICANT INFORMATION:

Applicant: Johnston CD, LLC
Mailing Address: 3115 East Lion Lane, Suite 300, Salt Lake City, UT 84121
Phone Number: 702-528-1514 **Fax:** N/A
Contact Person: Scott Brand
Email Address: scott@schooldev.us

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: Attachments: Exhibit A and Exhibit B

STATEMENT OF JUSTIFICATION

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

The American Leadership Academy Johnston (ALA) project (Parcel 17J08004) is served by proposed 8" gravity sewer mains that flow to an existing 8" gravity sewer system south of the project site which is within an adjacent residential development along Cloverfield Drive. This existing 8" gravity sewer system, Whitley Heights (WQ0017822), is owned and maintained by Johnston County and currently has capacity to accommodate projected flows from the ALA project. The maximum permissible downstream capacity for the project as allowed by Johnston County is 13,000 GPD. Drainage from the Whitley Heights system ultimately flows to Central Johnston County Regional WWTF (NC0030716) where it is treated.

The Whitley Heights system is the only feasible sanitary sewer point of connection for ALA. In order to connect to the Whitley Heights system, ALA's sewer system must traverse Parcel 15J08090A via a 20-foot wide easement located within the adjacent residential development. Please refer to the attached "Exhibit A: Sanitary Sewer Easement and Sewer Use Easement Agreement" which has been executed as of 10/14/2021. Please refer to the attached "Exhibit B: Sanitary Sewer Easement Map" dated 9/22/2021 for the 20-foot wide easement location.

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.

An unnecessary hardship exists due to geometric site constraints imposed by strict application of the 30-foot easement requirement identified in the Ordinance. Therefore, a 20-foot wide easement is the only feasible alternative for the proposed sewer connection. Please refer to the attached "Exhibit B: Sanitary Sewer Easement Map".

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.

A hardship exists due to geospatial limitations of the existing residential development. Therefore, a 20-foot wide easement is the only feasible alternative for the proposed sewer connection. Please refer to the attached "Exhibit B: Sanitary Sewer Easement Map".

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 Town of Smithfield Planning Department and Public Works Department is fully aware of the proposed 20-foot wide sanitary sewer easement. The Town of Smithfield believes that the proposed 20-foot wide sanitary sewer easement is sufficient to serve the proposed project. Furthermore, an agreement has been executed by the applicant and adjacent property owner. Please refer to the attached "Exhibit A: Sanitary Sewer Easement and Sewer Use Easement Agreement".

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 Town of Smithfield Planning Department and Public Works Department is fully aware of the proposed 20-foot wide sanitary sewer easement. The Town of Smithfield believes that the proposed 20-foot wide sanitary sewer easement is sufficient to serve the proposed project. Furthermore, an agreement has been executed by the applicant and adjacent property owner. Please refer to the attached "Exhibit A: Sanitary Sewer Easement and Sewer Use Easement Agreement". Therefore, it is believed that 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.

Scott Brand, Manager
Print Name Johnston CDLLC


Signature of Applicant

11/27/1
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: American Leadership Academy Johnston Submittal Date: 11/02/2021

OWNERS AUTHORIZATION

I hereby give CONSENT to Johnston CD, LLC (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.

Helyn F. Byrd C. F. Byrd III 11/2/21
 Signature of Owner Print Name Date

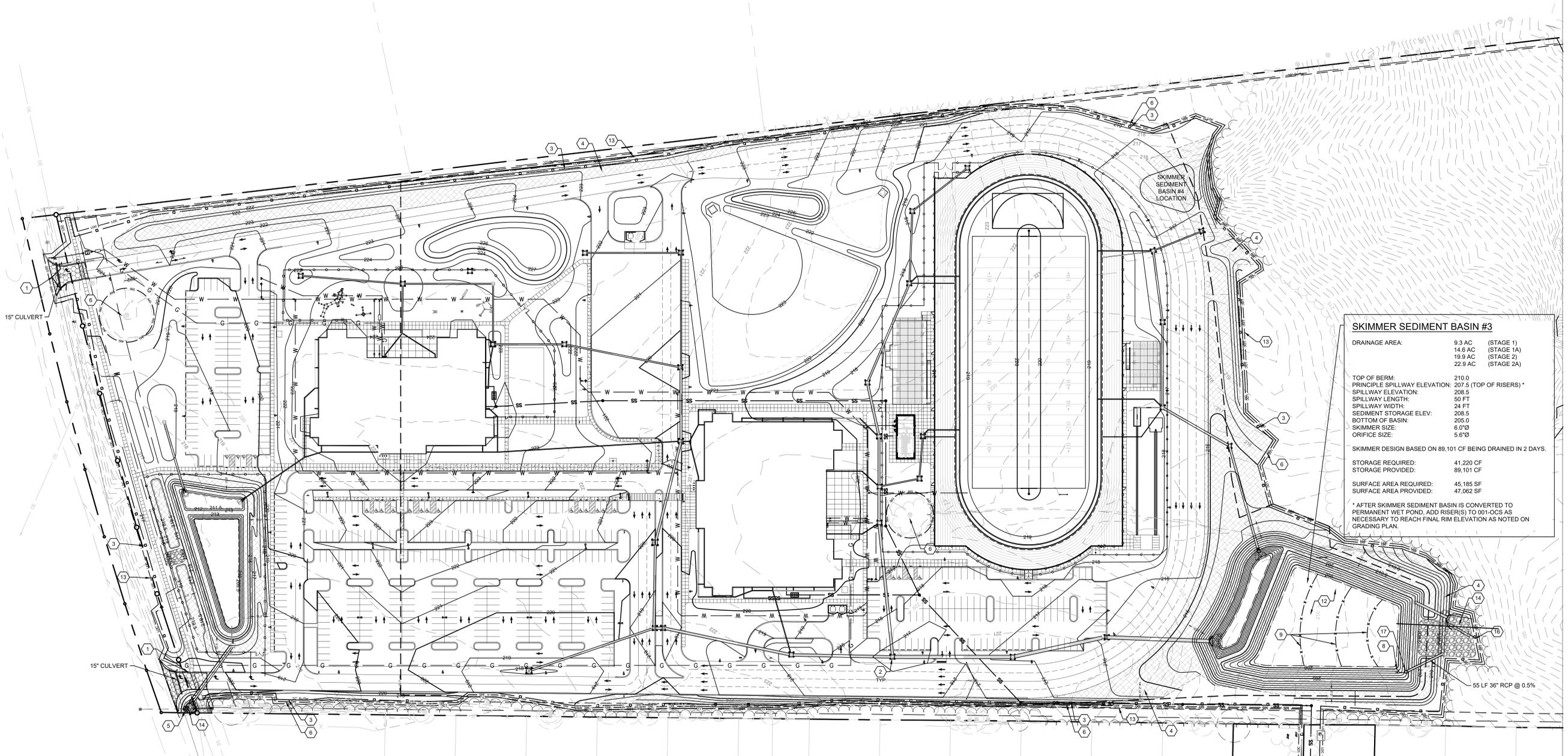
CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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.

Scott Brand Scott Brand, Manager 11/2/21
 Signature of Owner/Applicant Print Name Johnston CD LLC Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____



SKIMMER SEDIMENT BASIN #3

DRAINAGE AREA:	9.3 AC (STAGE 1)
	14.6 AC (STAGE 1A)
	19.9 AC (STAGE 2)
	22.9 AC (STAGE 2A)
TOP OF BERM:	210.0
PRINCIPLE SPILLWAY ELEVATION:	207.5 (TOP OF RISERS) *
SPILLWAY ELEVATION:	208.5
SPILLWAY LENGTH:	50 FT
SPILLWAY WIDTH:	24 FT
SEDIMENT STORAGE ELEV:	208.5
BOTTOM OF BASIN:	205.0
SKIMMER SIZE:	6.0'Ø
ORIFICE SIZE:	5.6'Ø

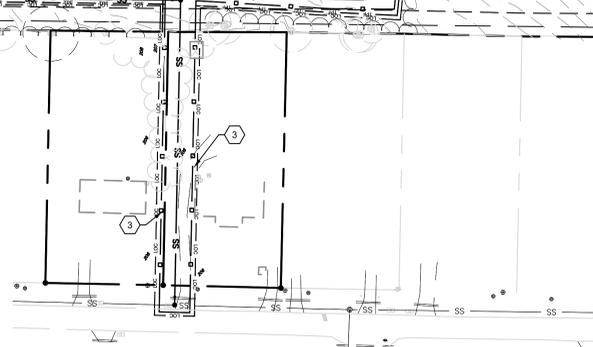
SKIMMER DESIGN BASED ON 89,101 CF BEING DRAINED IN 2 DAYS.

STORAGE REQUIRED:	41,220 CF
STORAGE PROVIDED:	89,101 CF
SURFACE AREA REQUIRED:	45,185 SF
SURFACE AREA PROVIDED:	47,062 SF

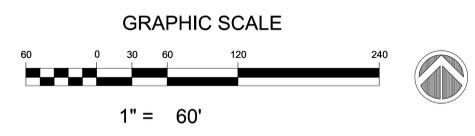
* AFTER SKIMMER SEDIMENT BASIN IS CONVERTED TO PERMANENT WET POND, ADD RISER(S) TO 001-OCS AS NECESSARY TO REACH FINAL RIM ELEVATION AS NOTED ON GRADING PLAN.

- CONSTRUCTION SEQUENCE - STAGE 2A**
- EROSION CONTROL MEASURES (BASINS, SEDIMENT FENCES, DIVERSION DITCHES, ETC.) DIRECTLY AFFECTED SHALL BE MAINTAINED/REMOVED AS STATED ON PLANS. DEVICES SHALL BE MAINTAINED TO MAX. 50% CAPACITY UNTIL THE AREAS THEY SERVE ARE FULLY STABILIZED.
 - ROUGH GRADE PORTION OF SITE LOCATED WITHIN LIMITS OF STAGE 2. STOCKPILE SOIL, AND RELOCATE/INSTALL ADDITIONAL SILT FENCE AS REQUIRED BY PLANS. MAINTAIN FILL SLOPES DAILY AS SLOPES ARE GRADED.
 - PREPARE BUILDING PAD AND CONSTRUCT SPORTS FIELD BUILDING.
 - CONSTRUCT ALL SPORTS FIELDS AND TRACK.
 - CONSTRUCT PARKING LOT ADJACENT TO TRACK AND SPORTS FIELD.
 - INSTALL ALL UNDERGROUND UTILITIES WITHIN LIMITS OF STAGE 2. INSTALL REMAINING PORTION OF UNDERGROUND STORMWATER SYSTEM AS SHOWN, IMMEDIATELY PROVIDING INLET PROTECTION DEVICES.
 - INSTALL ALL CURBING AND PAVED SURFACES AS SHOWN FOR THIS STAGE, WITH THE EXCEPTION OF THE PORTION OF THE LOOP ROADWAY THAT INTERFERES WITH SKIMMER SEDIMENT BASIN #4.
 - ONCE THE AREA DRAINING TO SKIMMER SEDIMENT BASIN #4 IS STABILIZED, CONTACT NCDEQ FOR PERMISSION TO REMOVE THIS EROSION CONTROL DEVICE.
 - "TROUGHEN" SURFACE OF SLOPES WITH EQUIPMENT AS SLOPES ARE PREPARED TO FINISHED GRADE. STABILIZE WITH SEEDING IMMEDIATELY.
 - INSTALL ALL SIDEWALKS.
 - INSTALL ALL LANDSCAPING.
 - COMPLETE ALL CONSTRUCTION WITHIN THE PROJECT LIMITS.
 - PROVIDE PERMANENT GRASSING FOR ALL DISTURBED AREAS NOT COVERED BY BUILDINGS, PAVING, OR OTHER LANDSCAPED AREAS.
 - CONTACT NCDEQ FOR PERMISSION TO REMOVE EROSION CONTROL DEVICES.
 - REMOVE ALL EROSION CONTROL DEVICES INCLUDING ACCUMULATED SEDIMENT. CONVERT SKIMMERS SEDIMENT BASIN #3 TO A PERMANENT WET POND; REMOVE TEMPORARY CMP RISER AND CUT RCP PIPE BACK TO EDGE OF EMBANKMENT. FILL PIPE WITH FLOWABLE FILL. DO NOT DISTURB EMBANKMENT.
 - ALL EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH THE N.C. EROSION AND SEDIMENT CONTROL PLANNING AND DESIGN MANUAL AND U.S. DEPARTMENT OF AGRICULTURE.
 - DILIGENTLY AND CONTINUOUSLY MAINTAIN ALL EROSION CONTROL DEVICES AND STRUCTURES TO MINIMIZE EROSION. MAINTAIN CLOSE CONTACT WITH THE NCDEQ SO THAT PERIODIC INSPECTIONS CAN BE CONDUCTED AT APPROPRIATE STAGES OF CONSTRUCTION.
 - ESTIMATED TIME BEFORE FINAL STABILIZATION ---- 10 MONTHS.

- EROSION CONTROL LEGEND**
- CONSTRUCTION ENTRANCE - SEE DETAIL 1/C504.
 - INLET PROTECTION (HARDWARE CLOTH & GRAVEL) - SEE DETAIL 2/C504.
 - SILT FENCE - SEE DETAIL 8/C504.
 - SLOPE MATTING - SEE DETAIL 6/C504.
 - INLET PROTECTION (ROCK PIPE) - SEE DETAIL 2/C506.
 - TREE PROTECTION FENCE - SEE DETAIL 3/C504.
 - SKIMMER SEDIMENT BASIN - SEE DETAIL 1/C505.
 - SEDIMENT BASIN SKIMMER - SEE DETAIL 1/C505.
 - SEDIMENT BASIN BAFFLES - SEE DETAIL 6/C505.
 - TEMPORARY DIVERSION DITCH - SEE DETAIL 5/C505.
 - SLOPE DRAIN - SEE DETAIL 3/C505.
 - SKIMMER SEDIMENT BASIN WITH RISER - SEE DETAIL 1/C506.
 - LIMITS OF CONSTRUCTION.
 - RIPRAP APRON - SEE DETAIL 7/C504.
 - DIVERSION DIKE - SEE DETAIL 2/C505.
 - SILT FENCE OUTLET - SEE DETAIL 4/C505.
 - TEMPORARY 4' Ø CMP RISER WITH OPEN TOP, TRASH RACK, AND 5' x 5' x 2' DEEP CONCRETE FOOTING. SKIMMER SHALL BE CONNECTED TO RISER AT BOTTOM OF SKIMMER SEDIMENT BASIN.



CAUTION!!!
 THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESS OR IMPLIED AS TO THE COMPLETENESS OF ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



100% CONSTRUCTION DOCUMENTS

NO.	REASON	DATE

Issue Date: 10/19/2021
 Job Number: 101.163.5100
 Drawn By: CC, SD, EF, MVS, AW, EJ
 Checked By: DP

EROSION CONTROL PLAN
 STAGE 2A
C503

300 Block of Cloverdale Drive

File Number:
BA-21-04

Project Name:
ALA Johnson
Sewer Easment

Request:
10' Reduction To
30' Sewer Easment

Existing Zoning:
R-20A (Residential)

Existing Land Use:
Single Family Residential

Tax ID#:
15J08090A

Owner:
Byrd, C A III

Applicant:
Cloudbreak
Johnson CD, LLC



1 in = 200 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 11/22/2021

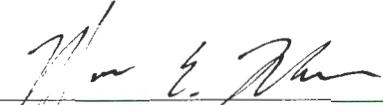




PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **BA-21-04**, were notified by First Class Mail on **11-19-21**.

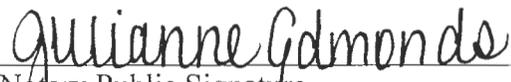


Signature

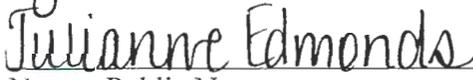
Johnston County, North Carolina

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

19th day of November, 2021



Notary Public Signature



Notary Public Name

My Commission expires on January 15, 2023
(Seal)



Adjacent Property Owners of
BA-21-04

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIPCODE
15095069	168506-29-6159	PRICE, MYRNA JEAN	1219 SHINCLIFFE CT	CARY	NC	27511-4815
15095068	168506-29-7270	BRASWELL, ANTHONY	315 CLOVERDALE DR	CLAYTON	NC	27520-0000
15095014	168506-29-5445	GADDIS, SHEENA	312 CLOVERDALE DR	CLAYTON	NC	27520-6803
15J08090A	168506-29-7444	BYRD, C A III	3777 US 70 BUS HWY W	CLAYTON	NC	27520-6826
15095070	168506-29-5149	DDP INVESTMENT PROPERTIES LLC	7116 KASEY DEE CIRCLE	GARNER	NC	27529-0000
15095015	168506-29-6444	CEPEDA, JAVIER	8008 BREWINGTON CT	RALEIGH	NC	27615-2901
17J08004	168505-19-8748	GOWER, STEVEN HOWARD	1707 WINDSOR RD	KINSTON	NC	28504-0000
15095017	168506-29-8454	FORD, RONALD E SR	8709 CAPITOL VIEW DR	AUSTIN	TX	78747-5402



PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

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 Tuesday, November 30, 2021 at 6:00 p.m. in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

BA-21-04 ALA Johnson Sewer Easement: Johnston CD, LLC is requesting a 10-foot reduction to the minimum required 30-foot sewer easement width for the construction of utility services required to server the American Leadership Academy. The property considered for the variance is located on the north side of Cloverdale Drive approximately 360 feet east of its intersection with Juniper Drive. The property is further identified as Johnston County tax ID# 15J08090A.

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.