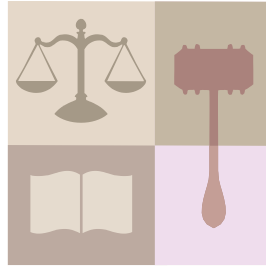


TOWN OF SMITHFIELD BOARD OF ADJUSTMENT AGENDA PACKET



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: Thursday, July 28, 2022

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

AGENDA
BOARD OF ADJUSTMENT
REGULAR MEETING
JULY 28, 2022
MEETING TIME: 6:00 PM
TOWN HALL

Call to Order.

Approval of the minutes for April 28, 2022

Public Hearing.

BA-22-03 DNB Ventures, LLC: The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 8, Section 8.9, B-3 Highway Entrance Business District to allow for a 2.5-foot reduction to the required 15-foot side yard width for the construction of a free standing building to be located within a B-3 (Business) zoning district. The property considered for a variance is located on the southwest side of the intersection on Dail Street and North Brightleaf Boulevard and further identified as Johnston County Tax ID# 15007006.

Old Business.

New Business.

Adjournment.

**Draft
Smithfield
Board of Adjustment Minutes
Thursday, April 28, 2022
6:00 P.M.,
Town Hall, Conference Room**

Members Present:

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

Members Absent:

Monique Austin

Staff Present:

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

Staff Absent:

CALL TO ORDER

Approval of minutes from February 24, 2022

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

Open Public Hearing

Sarah Edwards made a motion, seconded by Mark Lane to open the public hearing.

BA-22-02 Bonnie Godwin: The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 8, Section 8.8 to allow for a decrease in minimum lot area, minimum lot frontage, corner side building setbacks, side building setbacks and rear building setbacks on property located within a B-2 (Business) zoning district. The property considered for a variance is located on the west side of the intersection of East Market Street and South Ninth Street and further identified as Johnston County Tax ID# 15027026.

Mark Helmer stated that Bonnie Godwin is requesting the following variances from the Unified Development Ordinance (UDO) to facilitate a subdivision of the property identified with the Johnston County Tax ID# 15027026 into two lots:

B-2 Zoning District	810 Market Street	812 Market Street
Minimum Lot Area	+/-8,956 sq. ft	+/-1970 sq. ft.
Minimum Lot Frontage	+/-90 ft.	+/-9.62
Corner Side Yard Setback	N/A	10.9 ft.
Side Yard Setback	+/- 3 ft & 0 ft.	4.8 ft
Rear Yard Setback	N/A	+/- 10 ft.

The subject property is a non-conforming lot in the B-2 Zoning District, lacking required minimum lot area and street frontage. There are two structures on the property, a single-family residential house and a mixed-use building with office/commercial on the ground floor and residential above. The property and structures were created prior to current zoning and neither meet current setback requirements. The applicant intends to split the lot and create an access and parking easement on the mixed-use lot to provide the required parking for the single-family lot.

STAFF FINDING OF FACT:

In order to approve a variance, the Board of Adjustments shall find all of the following provisions can be met (Staff's finding 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. W without the variance, the property cannot be subdivided.

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 and structures existed prior to current zoning w which has created the hardship.

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 and structures existed prior to current zoning which has created the 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. The variance is consistent with the spirit, purpose, and intent of the Ordinance. The mixed-use building and single-family home are uses that are land uses are typically separated under the UDO.

Sarah Edwards asked if there would be two parking spaces behind the mixed-use building, two for the blue section and more for the mixed-use building behind that.

Mark Helmer said it does appear that two of the spaces would be for on-site parking, the next few would be for off-site parking then the rest would be for overflow parking for the commercial property.

Mark Lane asked why the applicant is having to give an easement for the parking?

Mark Helmer said there is no off-site parking for this house, therefore staff is making the recommendation that a formal easement be placed on it so when the house sells it will have appropriate parking.

Keith Dimsdale asked if the easement and the two parking spaces would be maintained forever.

Mark Helmer said when the house is put up for sale a deed search would be done and they would find the easement. It would go with the land for any future owners.

Mark Lane asked where the easement would be?

Mark Helmer pointed out on the map where the easement would be.

Sarah Edwards asked if there was a buffer requirement between the uses?

Mark Helmer said no.

Bonnie Godwin of 778 Napoleon Rd, Selma came forward. She is the property owner requesting the proposed variance. She stated how much extensive work she had done to this property. She has spent a lot of money trying to improve the appearance of this block.

Vynette Duncan of 104 S. Ninth St came forward. She bought the house beside the property in question. She is not against the variance but did want to see how it would impact her.

Greta Duncan of 104 S. Ninth St also spoke. She is the daughter of Vynette Duncan. She mentioned there was a fence that was inside of the property line and she didn't want the variance to interfere in the event her mom wanted to extend the fence.

Mark Lane asked if there was a way to prevent to people from parking up on the grass in the front yard of the white house?

Mark Helmer said currently the UDO doesn't state that you can't park on the grass but we may could enforce anyone parking on the curb. He said he would look into it and report back to the Board of Adjustments.

Keith Dimsdale asked both Vynette and Greta Duncan if they were okay with adding the access area for the two parking spaces. They both were in agreement that it was ok as long as it didn't interfere with her property line.

Sarah Edwards made a motion to close BA-22-02, seconded by Jeremy Pearce. Unanimously approved.

Keith Dimsdale made a motion to approve BA-22-02 based on the finding of fact found in the staff report with one condition:

- That an easement for access and parking be provided on 810 East Market Street (mixed use building) to accommodate 2 parking spaces for 812 East Market Street (Single-family residential building). Seconded by Sarah Edwards, unanimously approved.

Old Business

None

New Business

Vynette Duncan stated across the street from her house is property owned by CSX. She says the condition of the property is unsightly. They have yellow porta potties all around and the lot needs to be cleaned up. She requested some help rectifying this issue.

Mark Helmer stated that he would look into it.

Sarah Edwards made a motion to adjourn, seconded by Keith Dimsdale. Unanimously Approved

Julie Edmonds

A handwritten signature in black ink that reads "Julie Edmonds". The script is cursive and fluid.

Administrative Support Specialist
Town of Smithfield Planning Department



Request for Board of Adjustment Action

Agenda BA-22-
Item: 03
Date: 7/28/22

Subject: 928 N Brightleaf Blvd Variance
Department: Planning
Presented by: Mark Helmer
Presentation: Yes

Issue Statement

DNB Ventures, LLC, is requesting a 2.5' variance from the side yard building setback on the property located at 928 N. Brightleaf Boulevard to redevelop the property with a new commercial building.

Financial Impact

None.

Action Needed

To hold an evidentiary hearing and to review the variance request and to decide whether to approve, approve with conditions or deny.

Recommendation

Planning Staff recommends approval of variance BA-22-03 based on finding of fact.

Approved: Town Manager Town Attorney

Attachments:

- Staff Report
- Application
- Site Plan/Survey



Staff Report

Agenda Item: BA-22-03
Date: 7/28/22

REQUEST:

DNB Ventures, LLC, is requesting a 2.5' variance from the side yard building setback on the property located at 928 N. Brightleaf Boulevard to redevelop the property with a new commercial building.

PROJECT LOCATION:

The property considered for a variance is located at the southwest corner of Dail Street and North Brightleaf Boulevard.

CASE DATA:

Applicant: DNB Ventures, LLC
Property Owner: John Booker
Tax ID#: 15007006
Town/ETJ: Town
Acreage: 1.0 acres
Present Zoning: B-3
Existing Use: Vacant
Water Service: Town of Smithfield
Sewer Service: Town of Smithfield
Electrical Service: Town of Smithfield

ADJACENT ZONING AND LAND USE:

	Zoning	Existing Use
North	B-3 Business	Commercial
South:	R-10 Residential	Residential
West:	B-3/R-10	Commercial
East:	B-3	Commercial

STAFF ANALYSIS:

The applicant is requesting a 2.5-foot reduction to the required 15-foot side building setback for the construction of a 2,950 square foot medical building on property located within a B-3 (Business) zoning district. The existing lot has approximately 100 feet of frontage on North Brightleaf Boulevard and is considered non-conforming since the standard minimum lot width of newly created lots within the B-3 (Business) is 125 feet.

The UDO allows for a 50% reduction to the 35-foot corner side yard when existing lots are nonconforming due to substandard lot widths. This reduction has been applied to the proposed project. This reduction will create a 17.5-foot building setback along Dail Street. The site plan, with the exception of the western side yard setback, shows all other development standards can and will be met to include parking, landscaping, curb, gutters and sidewalks.

The proposed structure will be located approximately 12.5 feet from the western most property line. The adjacent property has an existing building, that at its closest point, is 10 feet from the property line. In total there will be a minimum of 22.5 feet between buildings. Granting a 2.5-foot variance to the required side yard building setback will not be a detriment to the health, welfare and safety of adjacent properties nor the public at large.

The proposed building will be within 12.5 feet of a side property line and therefor will require a 2.5-foot variance to the Town of Smithfield Unified Development Ordinance, Article 8, Section 8.9 B-3 Highway Entrance Business, 8.9.1 Dimensional Requirements, (D) Side Yard Setback of 15 feet.

STAFF FINDING OF FACT:

In order to approve a variance, the Board of Adjustments shall find all of the following provisions can be met (Staff's finding 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 site cannot be redeveloped with a functional modern building with required parking.*

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 corner property was created prior to current zoning and the corner side-yard setback requirement. The corner side-yard setback severely impacts the redevelopment potential of this narrow lot. Reduction to the western side yard setback must be considered since no further reduction to the corner side yard is recommended due to the proposed buildings already close proximity to the public right-of-way of Dail Street.*

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 and structures existed prior to current zoning which has created the 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. *The variance is consistent with the spirit, purpose, and intent of the Ordinance and is the least amount of variance needed for a viable site plan.*

RECOMMENDATION:

Planning Staff recommends the Board of Adjustment approve the variance, BA-22-03, based on the finding of fact.

RECOMMENDED MOTION:

Planning Staff recommends approval of 2.5-foot variance to the Town of Smithfield Unified Development Ordinance, Article 8, Section 8.9 B-3 Highway Entrance Business, 8.9.1 Dimensional Requirements, (D) Side Yard Setback of 15 feet with the following recommended motion:

“Move to approve variance BA-22-03 based on the finding of fact for variances.



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: Wake Med Acreage of property: 1.000
 Parcel ID Number: 260413-13-5325 Tax ID: 15007006
 Deed Book: 01679 Deed Page(s): 0406
 Address: _____
 Location: Southwest corner of the intersection of Dail St and N Brightleaf Blvd

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

Variance Request (List Unified Development Code sections and paragraph numbers)
4.10.2.2.1 & 4.10.2.2.2

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Amount Paid: _____

OWNER INFORMATION:

Name: John M. Booker
Mailing Address: 307 N. Second Street, Smithfield, NC 27577
Phone Number: 919-631-1718 **Fax:**
Email Address: johnshirbooker@gmail.com

APPLICANT INFORMATION:

Applicant: DNB Ventures LLC
Mailing Address: 120 Wind Chime Court, Raleigh, NC 27615
Phone Number: 919-610-2583 **Fax:**
Contact Person: Michael Kaney
Email Address: michaelk@mikamgmtsolns.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.

The existing property at 928 N. Brightleaf Boulevard is a 0.60-acre parcel and developed with an existing 2,595 sf commercial building. The existing building is located approximately 10' (slightly less than 10') from the eastern property boundary adjoining Dail Street and the building ranges 14.5' to 20' to the northern property boundary adjoining Brightleaf Boulevard, with parking access directly from Dail Street with vehicles backing into Dail Street when backing out of the parking spaces. The applicant is proposing to redevelop the property and raze the existing, older structure and construct a new 4,000 sf commercial building with off-street parking within the property. The property zoning of B-3, with fronting on Brightleaf Blvd and Dail Street results in a 50' front setback, 35' side setback on Dail Street, 15' side setback on the west side and 25' rear setbacks. These large setbacks on this small parcel result in undue hardship and the inability to redevelop the property. The applicant is requesting a variance to reduce the side setback on Dail to 15' from 35', which is still greater than the existing structure. In addition, the applicant is proposing to comply with the required front, rear and west side setback requirements of the ordinance (which the existing structure does not comply with the current front setback requirement). In addition, the proposed site plan will provide for off-street parking within the property, an improvement to the existing condition of cars backing into Dail Street, in addition to a new building that will be more aesthetically pleasing than the existing structure.

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 property is 0.60 acres, and 100' wide. The required setbacks of 50' front, 35' east side fronting Dail, 15' west side set back and 25' rear setback, with the limited property size and limited width make it difficult to develop the property with a functional building and be able to provide the code required parking. The existing use is not in compliance with the UDO and existing zoning requirements and even with the variance allowing for the east side setback to be reduced to 15', the remainder of the re-development will be in compliance, where the existing development is not.

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 is 0.60 acres, and 100' wide. The required setbacks of 50' front, 35' east side fronting Dail, 15' west side set back and 25' rear setback, with the limited property size and limited width make it difficult to develop the property with a functional building and be able to provide the code required parking. The existing use is not in compliance with the UDO and existing zoning requirements and even with the variance allowing for the east side setback to be reduced to 15', the remainder of the re-development will be in compliance, where the existing development is not.

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 is currently developed with a non-compliant use. The proposed redevelopment would be compliant with the existing UDO and code requirement, where the existing structure is not, except for requiring the variance to reduce the Dail Street side setback to 15' from 35', which is still a greater setback than the existing, non-compliant use.

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.

As previously noted, the proposed re-development will allow for off-street parking to be within the property and vehicles will no longer be required to back up into Dail Street, creating a far safer condition. In addition, the new building will comply with the required front setback, which is larger than the existing building is from Brighleaf Blvd, and with the variance request approved to reduce the Dail Street side setback to 15' from 35', this is still larger than the existing condition, and again creating a safer situation than the existing condition.

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.

Baker Bell
Print Name


Signature of Applicant

6-3-22
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: Wake Med

Submittal Date: _____

OWNERS AUTHORIZATION

I hereby give CONSENT to DNB Ventures 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.

John M. Booker
 Signature of Owner

JOHN M. BOOKER
 Print Name

June 1, 2022
 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.

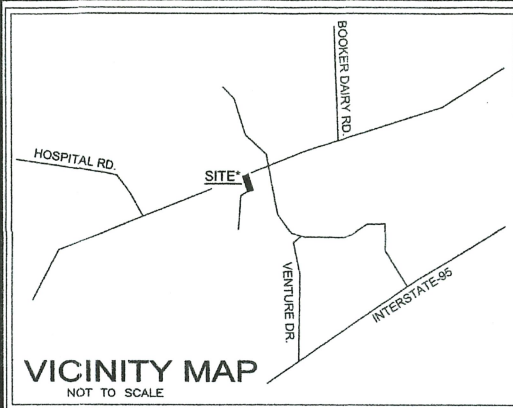
Baker Bell
 Signature of Owner/Applicant

Baker Bell
 Print Name

6-3-2022
 Date

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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NC GRID NORTH
(MAD 83/2011)

LEGEND and NOMENCLATURE

SYMBOLS		LINETYPES	
○	Ex. iron pipe/rod or nail	— X —	Fence
□	Ex. concrete monument	— OU —	Overhead utility
●	New iron pipe	— W —	Waterline (blue paint)
○	Calculated point	— SS —	Sanitary sewer
⊞	Cable pedestal	— SD —	Storm drainage
⊞	Telephone pedestal	— E —	UG electric (red paint)
⊞	Electric meter	— G —	Gasline (yellow paint)
⊞	Fiber-optic marker		
⊞	Traffic signal box	ABBREVIATIONS	
⊞	Gas meter	DB	Deed Book
⊞	Hotbox (water)	PB or BM	Plat Book / Book of Maps
⊞	Water meter	PL	Now or formerly
⊞	Fire hydrant	PG	Page
⊞	Valve (water or gas)	S.F.	Square feet
⊞	Sanitary sewer manhole	AC.	Acres
⊞	Sanitary sewer cleanout	R/W	Right-of-way
⊞	Storm curb inlet	FFE	Finished-floor elevation
⊞	Drainage inlet (w/ grate)	EX	Existing
⊞	Storm drain manhole	PVC	Polyvinyl-chloride pipe
⊞	Utility pole	CLF	Chainlink fence
⊞	Lamp post	RCP	Reinforced concrete pipe
⊞	Signal pole	AG	Above ground
⊞	Guy wire	BG	Below ground
⊞	Sign post	EOP	Edge of pavement

SURVEY NOTES:

- All distances are horizontal ground distances in u.s. survey feet unless otherwise noted. Area(s) computed by coordinate geometry.
 - This survey does not include nor depict any environmental evaluations.
 - Field survey(s) performed January 24 & 25, 2022.
 - Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose and may not be shown hereon.
 - The locations of underground utilities as shown hereon (if any) are based on aboveground structures, aboveground visual evidence and existing paint markings by others at the time of survey. Locations of underground utilities/structures may vary from location shown hereon. Additional buried utilities/structures may be encountered. No excavations were made during the progress of this survey to locate buried utilities/structures.
 - Subject property is not located within a special flood hazard zone per FEMA Flood Insurance Rate Map (FIRM) #3720260400K, effective date June 20, 2018.
 - The State Plane Coordinates for this project were produced with RTK GPS observations and processed using the North Carolina VRS network. The network positional accuracy of the derived positional information is ±0.07'.
- Horizontal Datum = NAD 83/2011
Vertical Datum = NAVD 88

THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

I, Justin L. Luther, certify that this plat was drawn under my supervision from an actual survey made under my supervision from references as noted on said plat; that the boundaries not surveyed are clearly indicated as drawn from information as indicated under references; that the ratio of precision or positional accuracy as calculated is greater than 1:10,000; that this plat was prepared in accordance with NCGS 47-30 as amended.

Witness my original signature, license number and seal this 2nd day of February, 2022.

Justin L. Luther
Professional Land Surveyor (L-5107)



REFERENCES:

DEED BOOK 1679, PAGE 406
PLAT BOOK 6, PAGE 123
PLAT BOOK 72, PAGE 435
*OTHERS SHOWN HEREON

LU LONG MEDLIN
DB 1354, PG 930
PIN: 260413-13-4320

LOT 11
26,146 S.F.
0.60 AC.
(NET OF R/W)
PIN: 260413-13-5325
936 N. BRIGHTLEAF BLVD.

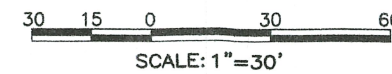
CONTROL CORNER
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E: 2,201,604.08
1" IRON PIPE
0.30' BG

LINE TABLE		
LINE	LENGTH	BEARING
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L2	48.58	N 85°49'16" E
L3	28.90	N 87°38'51" E
L4	100.00	S 65°32'9" W

BOUNDARY & TOPOGRAPHIC SURVEY

PROPERTY OF JOHN M. BOOKER

SMITHFIELD TOWNSHIP JOHNSTON COUNTY NORTH CAROLINA



JOB NO.: 2228843
FILE NAME: B/T
PLOT DATE: 2/2/22

900 Block of North Brightleaf Boulevard

File Number:
BA-22-03

Project Name:
Wake Med

Request:
2.5' Variance to
Side Yard
Building Setback

Existing Zoning:
B-3 (Business)

Existing Land Use:
Commercial

Tax ID#
15007006

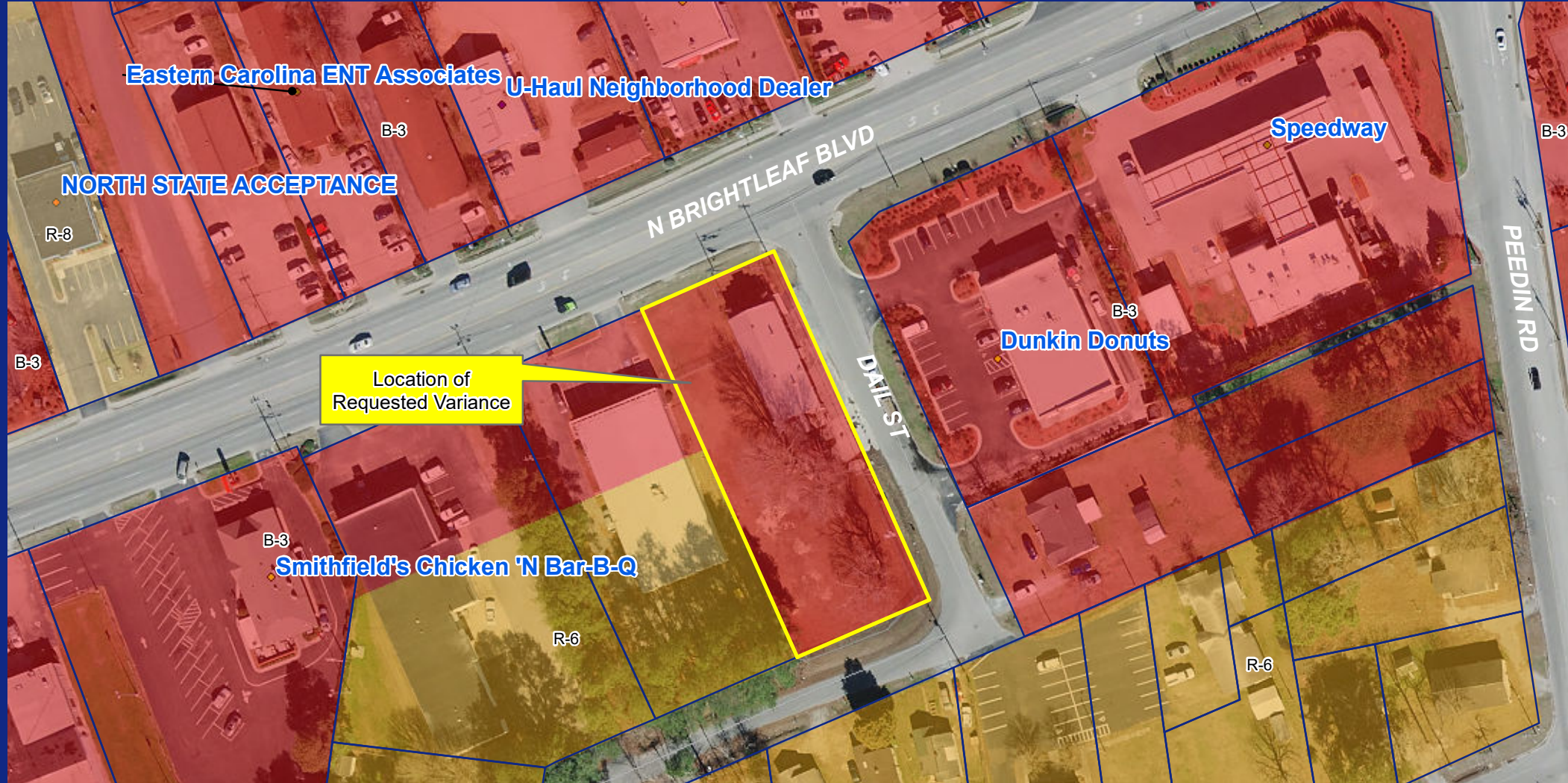
Owner:
John M. Booker

Applicant:
DNB Ventures, LLC



1 in = 100 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 6/22/2022

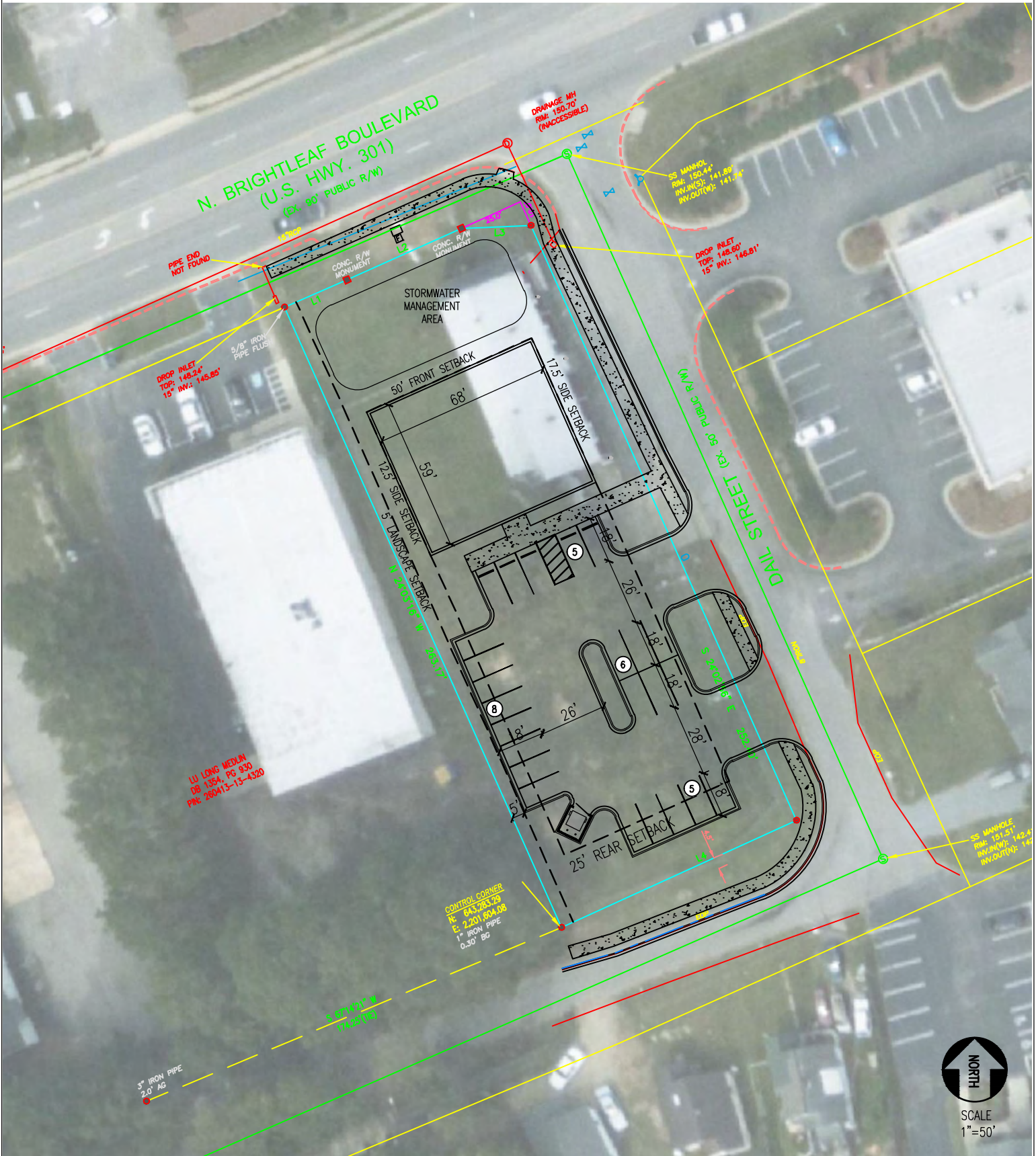


PRELIMINARY SITE PLAN - D

CITY, STATE - STREET: Smithfield, NC - 938 N Brightleaf Blvd
Johnston County

PROPERTY IDENTIFICATION NUMBER(S):

PROTOTYPE:	DEVELOPER:	DESIGNER:	DATE:	260413-13-5325
BLDG/SALES SF:	COMPANY:	COMPANY: Bowman North Carolina Ltd.	6/15/2022	
ACREAGE: 0.60 AC±	NAME:	NAME: Matt Lowder		
PARKING SPACES: 24 SPACES	PHONE #:	PHONE #: 919-553-6570		

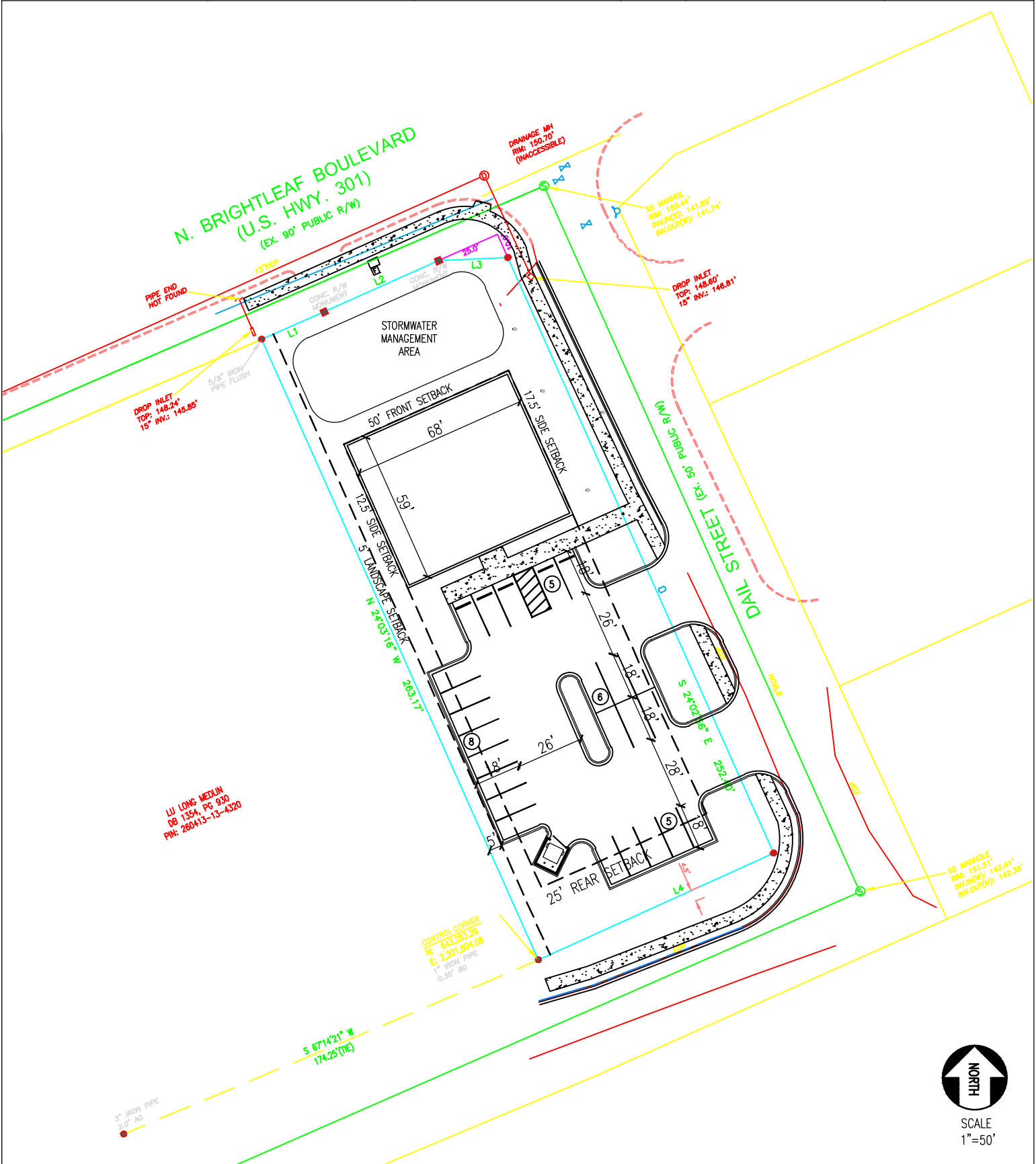


PRELIMINARY SITE PLAN - D

CITY, STATE - STREET: Smithfield, NC - 938 N Brightleaf Blvd
Johnston County

PROPERTY IDENTIFICATION NUMBER(S):

PROTOTYPE:	DEVELOPER:	DESIGNER:	DATE:	260413-13-5325
BLDG/SALES SF:	COMPANY:	COMPANY: Bowman North Carolina Ltd.	6/15/2022	
ACREAGE: 0.60 AC±	NAME:	NAME: Matt Lowder		
PARKING SPACES: 24 SPACES	PHONE #:	PHONE #: 919-553-6570		



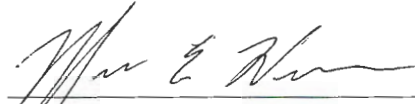


PLANNING DEPARTMENT

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-22-03, were notified by First Class Mail on 7-15-22.




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

15th day of July, 2022



Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on January 15, 2023
(Seal)



Adjacent Property Owners of
BA-22-03

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15007023	260413-13-7552	VOLGA PROPERTIES LLC	305 LEGAULT DR	CARY	NC	27513-1779
15007002	260413-13-4639	DUFF, ALEXANDER	4 ROOSEVELT AVE	CLAYTON	NC	27520-6522
15007018	260413-13-5172	MASSENGILL, W C	PO BOX 208	FOUR OAKS	NC	27524-0208
15007001	260413-13-3627	SESSOMS, MORRIS TIMOTHY	8120 HARRELL STORE RD	KENLY	NC	27542-8938
15007019	260413-13-6190	FIRST BAPTIST CHURCH OF SMITHFIELD	PO BOX 209	SMITHFIELD	NC	27577-0000
15007006	260413-13-5325	BOOKER, JOHN M	P O BOX 58	SMITHFIELD	NC	27577-1540
15007003A	260413-13-5753	AUTO DEALERS INVESTMENTS, INC.	6100 CRESCENT KNOLL DR	RALEIGH	NC	27614-8954
15007005	260413-13-4320	MEDLIN, LU LONG	912 SHEPARD ST	MOREHEAD CITY	NC	28557-4151
		DNB Ventures LLC	120 Wind Chime Court	Raleigh	NC	27615



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 Thursday, July 28, 2022 at 6:00 p.m. in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

BA-22-03 DNB Ventures, LLC: The applicant is requesting a variance to the Town of Smithfield Unified Development Ordinance, Article 8, Section 8.9, B-3 Highway Entrance Business District to allow for a 2.5-foot reduction to the required 15 foot side yard width for the construction of a free standing building to be located within a B-3 (Business) zoning district. The property considered for a variance is located on the southwest side of the intersection on Dail Street and North Brightleaf Boulevard and further identified as Johnston County Tax ID# 15007006.

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.