

**Town of Smithfield  
Board of Adjustment  
Thursday, July 31st, 2025  
6:00 P.M. Town Hall,  
Council Chambers**

Members Present:

Sarah Edwards, Chairman  
Jeremy Pearce, Vice Chairman  
Thomas Bell  
Monique Austin  
Jason Evans  
Greg Evans

Members Absent:

Staff Present:

Micah Woodard, Planner I  
Julie Edmonds, Admin Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

**CALL TO ORDER**

**Approval of minutes from June 12th, 2025**

Jeremy Pearce made a motion, seconded by Greg Evans to approve the minutes as written. Unanimously approved

Planner Micah Woodard informed the board there was a clerical error. He stated the Board of Adjustment should be comprised of five in-town members and two alternate members. Greg Evans and Jason Evans joined at the same time and Jason Evans should have been appointed as a full-time in-town member. Greg Evans should have been an alternate member. Alternate members only vote when there's an absence. Micah told Greg Evans he couldn't vote on the case at hand at tonight's meeting because all members are present.

**New Business**

**Open Public Hearing**

Jason Evans made a motion to open the public hearing; seconded by Monique Austin. Unanimously approved.

Oath was administered by Sarah Edwards to all individuals wishing to speak. Michael Wolfe of MSW Rollout Services was sworn in over the phone due to living out of state.

**BA-25-04 Chicken Salad Chick:** To review a variance to re-use a nonconforming pylon sign pole for a new sign. Unified Development Ordinance (UDO) Section 9.9. outlines the restrictions for nonconforming signs, and Section 10.24.2. sets the parameters for new signs. The property considered for variance is located at 924 N. Brightleaf Blvd, further identified by Johnston County Tax ID 15005033.

Micah Woodard stated 924 N Brightleaf Boulevard has been renovated for a new restaurant. The former restaurant closed and with it, the sign and sign cabinet were removed from the pole sign leaving the pole behind. The pole sign was a legal nonconforming sign and when the sign and sign cabinet were removed, the nonconforming status became null and void and regulations require only a conforming sign to be installed in its place. The new tenant, Chicken Salad Chick, applied for a sign permit intending to use the existing pole by installing a new sign cabinet and sign on it but were informed that the existing pole sign was non-conforming and could not be used.

The new tenant, Chicken Salad Chick, inherited a site and building that was designed long before current zoning code. The site was designed long ago when pole signs were allowed and when there were no sign setbacks. There is inadequate space between the building and the right-of-way for a 6' ground mounted sign with a 10' setback as required by the current code. Consequently, the applicant has a need for the reuse of the pole for a new sign to provide for needed commercial sign.

**FINDING OF FACT FOR VARIANCE (STAFF FINDINGS):**

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) (the applicant's finding are in the report packet):

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. **Brand awareness from Brightleaf Blvd. would be hindered and may affect sales and traffic into the business if the pole sign were not allowed. This is based upon the fact of the current setback requirement and existing vehicle travel lane in front of the building will not allow a ground mounted sign of size that would be appropriate or effective.**
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 hardship was created years ago by the original site development by others. The site limitations appear to be somewhat unique and will not create a precedent for granting similar requests without warrant.**
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. **Property is leased and not owned by Chicken Salad Chick. The prior tenant also had a pylon sign for which the sign was removed, but not the pole. The applicant did not have any prior understanding of the limitations of the sign ordinance related to the reuse of the pole and its nonconforming status.**
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. **All signage will meet current sq. ft. standards apart from this sign being a pole sign rather than a ground mounted sign. The sign will be installed by a professional sign installation company with all necessary permits.**

Greg Evans stated he didn't know his role considering he's an alternate. He said after the meeting ended, he would be resigning because he wasn't told he would only be voting in another members absence.

Greg Evans asked if the current pole in question was required to be boxed in?

Micah Woodard said it's not a matter of the pole being enclosed it's the fact that it's a pole period. Signs of that nature aren't allowed anymore according to the Town's Sign Ordinance. The only option would be a ground mounted or monument sign.

Jeremy Pearce asked if a monument sign wouldn't block the traffic view.

Micah Woodard said yes and if the sign sat on the ground, it would still encroach on the setback.

The board as a whole requested the applicant box in or wrap the pole to give a better appearance but keeping it small enough not to cause visibility issues with oncoming traffic.

Jason Evans made a motion to close BA-25-04; seconded by Jeremy Pearce. Unanimously approved.

Sarah Edwards read all four finding of facts and all board members agreed with the staff findings. Unanimously approved.

Tom Bell moved to approve variance BA-25-04 granting a variance from UDO Section 9.9. to reuse a nonconforming pylon sign pole for a new sign, based on the four finding of fact; seconded by Monique Austin. Unanimously approved.

Planner Micah Woodard briefly held a training session for the board members. He presented a slideshow explaining the rules, roles and expectations of their position as a board member as well as the quasi-judicial procedure.

**Old Business.**

**None**

**Adjournment.**

Jason Evans made a motion to adjourn; seconded by Monique Austin. Unanimously approved.

Julie Edmonds

A handwritten signature in black ink that reads "Julie Edmonds". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Administrative Support Specialist  
Town of Smithfield  
Planning Department