

**Town of Smithfield
Board of Adjustment Minutes
Thursday, March 27th, 2025
6:00 P.M. Town Hall,
Conference Room**

Members Present:

Jeremy Pearce, Vice Chairman
Thomas Bell
Monique Austin

Members Absent:

Sarah Edwards, Chairman

Staff Present:

Micah Woodard, Planner I
Julie Edmonds, Admin Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

CALL TO ORDER

Approval of minutes from January 30th, 2025

Tom Bell made a motion, seconded by Monique Austin to approve the minutes as written. Unanimously approved

Open Public Hearing

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

Oath was administered to all individuals wishing to speak.

BA-25-01: The property owner, Lynda Carroll, residing at 833 Country Club Road, further identified by the Johnston County Tax ID 15J11023P, is requesting variance from the Unified Development Ordinance Section 7.3 to allow a swimming pool in the side & front yard and associated masonry fence/wall in the front yard to be greater than 4' tall.

Planner Micah Woodard explained to the board the applicant was requesting a variance allowing a swimming pool in the side and front yard and masonry fence in the front yard that would exceed 4' in height.

The applicant Lynda Carroll briefly spoke. She stated the swimming pool and masonry fence would be constructed correctly and look very nice. She and her husband want this pool for their grandchildren.

Close Public Hearing

Tom Bell made a motion to close BA-25-01; seconded by Monique Austin. Unanimously approved.

Jeremy Pearce read the four Finding of Fact.

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. **In absence of this variance, the applicant will not be able to construct a pool and the associated masonry wall, which are reasonable accessory uses/ structures on a residential property. All BOA members agreed.**
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 back yard is heavily impacted by environmental features and regulations which prohibit the use of the back yard for the swimming pool. The impacts are not the result of personal circumstances. All BOA members agreed**

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. **This site was developed decades ago and legal restrictions were imposed on the property afterwards. The hardship is not self-created. All BOA members agreed**

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 in that the applicant will be screening the pool with an architecturally pleasing masonry wall that will blend into the architecture of the home. All BOA members agreed.**

Old Business.

None

Adjournment.

Jeremy Pearce made a motion to adjourn; seconded by Tom Bell. 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