

TOWN OF SMITHFIELD BOARD OF ADJUSTMENT AGENDA PACKET



Chairman: Sarah Edwards
Vice-Chairman: Jeremy Pearce

Monique Austin
Thomas Bell
Greg Evans
Jason Evans

Stephen Wensman, AICP, RLA, Planning Director
Micah Woodard, CZO Planner I
Julie Edmonds, Administrative Assistant

Meeting Date: Thursday, June 12, 2025

Meeting Time: 6:00 p.m.

Meeting Place: Council Chambers, Smithfield Town Hall

**AGENDA
BOARD OF ADJUSTMENT
REGULAR MEETING
JUNE 12TH, 2025
MEETING TIME: 6:00 PM
TOWN HALL**

Call to Order.

Approval of the minutes for April 24th, 2025.

New Business.

- Swear in new Board members Greg Evans, and Jason Evans

Public Hearing.

- **BA-25-03:** Requesting a variance to construct a home that encroaches 5 feet over the side setback line. Unified Development Ordinance (UDO) Section 8.3.1. sets the dimensional requirements for the R-8 zoning district. The property considered for variance is located at 417 S. Second Street, further identified by Johnston County Tax ID 15029033.

Old Business.

- None

Adjournment.

**Draft
Town of Smithfield
Board of Adjustment Minutes
Thursday, April 24th, 2025
6:00 P.M. Town Hall,
Council Chambers**

Members Present:

Sarah Edwards, Chairman
Jeremy Pearce, Vice Chairman
Thomas Bell
Monique Austin

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 March 27th, 2025

Jeremy Pearce 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-25-02: Marilyn Mazingo of 57 Strickland Drive is requesting a variance to increase the allowable square footage for an Accessory Dwelling Unit (ADU) by 28% and for the ADU to have its own separate utility metering. Unified Development Ordinance (UDO) Section 7.3.3. regulates ADU's. The property considered for a variance is further identified by Johnston County Tax ID 17J07024E.

Micah Woodard stated Mrs. Mazingo is looking to have an accessory dwelling unit (ADU) built to meet her husband's specific healthcare needs. She applied for and received a grant from the Veteran's Administration to modify her current residence but later found that they could not modify her existing residence because it is a manufactured home. Her plan shifted to see if she could build an ADU to adequately meet her husband's needs. The ADU should be at least 1,200 sq. ft. however the UDO Section 7.3.3.1. restricts ADUs to 75% of the principal structure which is 936 sq. ft creating the need for the variance.

Close Public Hearing

Jeremy Pearce made a motion to close BA-25-02; seconded by Monique Austin. Unanimously approved.

Sarah Edwards 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 the ADU to an adequate size to fit their needs; an increase of around 300 sq. ft. Staff finds this a reasonable variance in sq. ft. given the situation. 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 existing manufactured home is not handicap accessible and will not meet the needs of the residents. Without the variance residents would likely have to move away from the property. 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 applicant meets the main primary requirements to permit ADU's. By deviating slightly on the previously stated two specific sections the variance still adheres to the general intent of the ordinance and it is consistent with the overall spirit, and purpose. All BOA members agreed.**

Old Business.

None

Adjournment.

Jeremy Pearce made a motion to adjourn; seconded by Monique Austin. Unanimously approved.

Julie Edmonds



Administrative Support Specialist
Town of Smithfield Planning Department



Request for Board of Adjustment Action

**Agenda
Item:** BA-25-03
Date: 6/12/25

Subject: S. Second St. Setback Variance
Department: Planning
Presented by: Micah Woodard, CZO, Planner I
Presentation: Public Hearing

Issue Statement

To review a variance from the Unified Development Ordinance, Section 8.3.1. to construct a home that encroaches 5 feet over the side setback line.

Financial Impact

None.

Action Needed

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

Recommendation

Planning Staff recommends approval of the variance, Case no. BA-25-03, based on the finding of fact.

Approved: ☐ Town Manager ☐ Town Attorney

Attachments:

- Staff Report
- Finding of Fact
- Application
- Site Plan



Staff Report

Agenda Item: BA-25-03

REQUEST:

To review a variance to construct a home that encroaches 5 feet over the side setback line. Unified Development Ordinance (UDO) Section 8.3.1. sets the dimensional requirements for the R-8 zoning district. The property considered for variance is located at 417 S. Second Street, further identified by Johnston County Tax ID 15029033.

PROJECT LOCATION:

The property considered for variance is located at 417 South Second Street.

CASE DATA:

Applicant/Owner: Charlie Greene on behalf of Brightleaf #2004-II,
LLC and Warehouse Properties, LLC
Tax ID#: 15029033
Town/ETJ: Town
Acreage: 0.29 acres
Present Zoning: R-8
Existing Use: Detached single-family home
Water Service: Town of Smithfield
Sewer Service: Town of Smithfield
Electrical Service: Town of Smithfield

ADJACENT ZONING AND LAND USE:

	Zoning	Existing Use
North	R-8	Detached Single-Family
South:	R-8	Detached Single-Family
West:	R-8	Detached Single-Family
East:	R-8	Detached Single-Family

ANALYSIS:

Owners Brightleaf #2004-II, LLC and Warehouse Properties, LLC had initially planned to remodel the old house that was formerly located on the property. The initial inspection of the home did not indicate the homes foundation issues. It was later decided that it would be more cost effective to demo the former house and construct a new house on the property. After the former house was demolished and a survey was done on the site it was determined that the former house was also encroaching on our current R-8 building setbacks. This is common for older homes that were built before our current code was established. When staking out the area for the new house the owners realized that if the new house is to adhere to the current setback standards the house would appear to be on a subtle slant and or crooked in comparison to the neighboring houses. This is due in-part to the slanted shape of the lot and the fact that the lot tapers in size from front to back, going from *roughly 63 feet to 55 feet. To construct the house to appear straight and square with the rest of the neighborhood they would need to encroach the side setback line by 5 feet on the left-hand side.

STAFF FINDING OF FACT FOR VARIANCE:

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. ***By adhering to the ordinance, the argument could be made that the homes curb appeal and value would be hindered.***
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 existing lots orientation with the street and the fact of the lots taper in size make conforming to current standards difficult and would result in the home appearing slanted/crooked.***
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. ***Unfortunately, the initial inspection of the home did not indicate that the homes foundation was in disrepair. While the initial efforts of the owners was to salvage the former home; when that was no longer a feasible option building new and thereby conforming to currents standards became the only option. The hardship is not self-created.***

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. ***This variance request is relatively insignificant; considering that the former home sat in roughly the same proposed footprint building a new house over the UDO required setback line by only 5 feet this project still adheres to the general intent of the ordinance and it is consistent with the overall spirit, and purpose.***

RECOMMENDATION:

Planning Staff recommends that the Board of Adjustment approve the variance from the Unified Development Ordinance to allow construction of a home that encroaches 5 feet into the side setback, based on the findings of fact for variances: based on the 4 finding of fact (comment/vote on each):

1. Unnecessary hardship would result from the strict application of the Ordinance.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography.
3. The hardship did not result from actions taken by the applicant or the property owner.
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.

RECOMMENDED MOTION:

"Planning Staff recommends that the Board of Adjustment approve the variance from the Unified Development Ordinance to allow construction of a home that encroaches 5 feet into the side setback, based on the findings of fact for variances."

(Vote on each finding)

BA-25-03 S. 2nd Street Variance

File Number:
BA-25-03

Project Name:
S. 2nd Street Variance

Location:
417 S 2nd St, Smithfield,
NC 27577

Tax ID#:
15029033

Existing Zoning:
R-8

Property Owner:
Brightleaf #2004-II, LLC
and Warehouse
Properties, LLC

Applicant:
Charlie Greene



Map Scale
1" = 30'

SURVEYOR'S DISCLAIMER:

THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED; HOWEVER, A NORTH CAROLINA LICENSED ATTORNEY SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH, AND LOCATIONS OF ANY EASEMENTS, RIGHTS OF WAY, CEMETERIES OR FAMILY BURIAL GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THIS SURVEYOR BY THE RECENT OWNER(S) AT THE TIME OF THIS SURVEY AND OTHER QUESTIONS THAT MAY BE REVEALED BY THE TITLE EXAMINATION INCLUDING ANY RESTRICTIVE COVENANTS. ALSO, THIS SURVEYOR HAS NO KNOWLEDGE OF THE OWNERSHIP OR MAINTENANCE RESPONSIBILITIES OF ANY FENCES ON OR NEAR THE BOUNDARY LINES. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN, SUCH AS CEMETERIES, FAMILY BURIAL GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIALS/SITES, WETLANDS, FLOOD HAZARD AREAS/SOILS, OR ANY UNDERGROUND UTILITIES, EXISTING OR PROPOSED EASEMENTS OR RIGHT-OF-WAYS, ETC. NOT SHOWN HEREON. ANY UTILITIES OR FEATURES AND ANY EASEMENTS RIGHT-OF-WAYS OR BUFFERS ASSOCIATED WITH SAID UTILITIES OR FEATURES SHOWN HEREON ARE SHOWN ACCORDING ONLY TO WHAT WAS KNOWN OR VISIBLE AT THE TIME OF THIS SURVEY BY THIS SURVEYOR. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS OR RIGHT-OF-WAYS UNKNOWN TO THE SURVEYOR AT THIS TIME THAT A COMPLETE TITLE EXAMINATION MAY REVEAL. THIS SURVEYOR IS NOT AN ATTORNEY AT LAW AND IT IS ADVISED THAT THE OWNER OF THIS PROPERTY CONSULT WITH A LICENSED ATTORNEY AT LAW TO PERFORM A COMPLETE TITLE EXAMINATION TO CONFIRM ALL KNOWN ENCUMBRANCES AND REVEAL ANY POTENTIAL ENCUMBRANCES OR TITLE ISSUES ASSOCIATED WITH THIS PROPERTY OR ANYTHING ELSE THAT MAY BE IN THE RESTRICTIVE COVENANTS. ALSO AS USED IN THE SURVEYOR'S CERTIFICATION HEREON, THE WORD "CERTIFY" MEANS TO STATE OR DECLARE A PROFESSIONAL OPINION OF CONDITIONS REGARDING THOSE FACTS OR FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED. THE MAP OR PLAT SHOWN HEREON SHALL NOT BE USED WITH AN AFFIDAVIT OR LETTER OF ANY KIND FOR REUSE INCLUDING, BUT NOT LIMITED TO FUTURE LOAN CLOSINGS, PLOT PLANS, CONSTRUCTION, LANDSCAPING, PERMITTING, ETC. IT IS A VIOLATION OF THE FEDERAL COPYRIGHT ACT TO COPY OR MODIFY AND REUSE THIS SURVEY BEYOND THE DATE AND SCOPE NOTED ON THE MAP. JIMMY BARBOUR SURVEYING, PA, ITS ASSOCIATES, AND/OR AGENTS SHALL NOT BE LIABLE FOR USE OF THIS SURVEY BY ANY OTHER ENTITIES OR PERSONS FOR ANY PURPOSE BEYOND THE DATE AND SCOPE AS NOTED ON THIS MAP OR PLAT.

PROPERTY IS ZONED R-B

DIMENSIONAL STANDARDS FOR R-8 ZONING FROM TOWN OF SMITHFIELD'S UDO (ARTICLE 8, SECTION 8.3)

MINIMUM LOT AREA
SINGLE FAMILY-8,000 SF
TWO FAMILY-10,000 SF
MULTI FAMILY-9,000 SF
OTHER-10,000 SF

MINIMUM LOT FRONTAGE-70'
FRONT YARD SETBACK-30'
SIDE YARD SETBACK-10'
REAR YARD SETBACK-25'

DETACHED ACCESSORY BUILDING-10' FROM ANY PROPERTY LINE. MUST BE LOCATED BEHIND PRINCIPAL STRUCTURE.

REFERENCES:
DEED BOOK 6573, PAGE 502
PLAT BOOK 2, PAGE 286

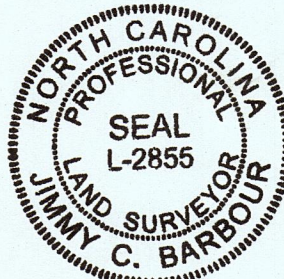
PARCEL ID NO. 15029033
BEING ALL OF LOT 10 OF
THE HUDSON PROPERTY AS
RECORDED IN PLAT BOOK 2,
PAGE 286

PROPERTY ADDRESS:
417 S. SECOND STREET
SMITHFIELD, NC 27577

I, JIMMY C. BARBOUR, PLS, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 6573, PAGE 502, ETC.); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PLAT BOOK 2, PAGE 286; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE GLOBAL POSITIONING ACCURACY (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS, A CENTIMETER ACCURACY CLASSIFICATION (98% CONFIDENCE) USING RTK NETWORK; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 30th DAY OF SEPTEMBER A.D. 2024.

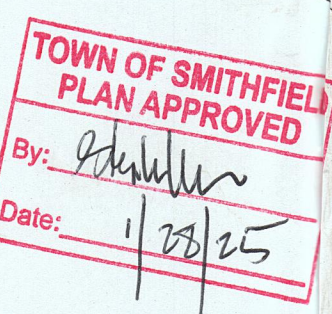
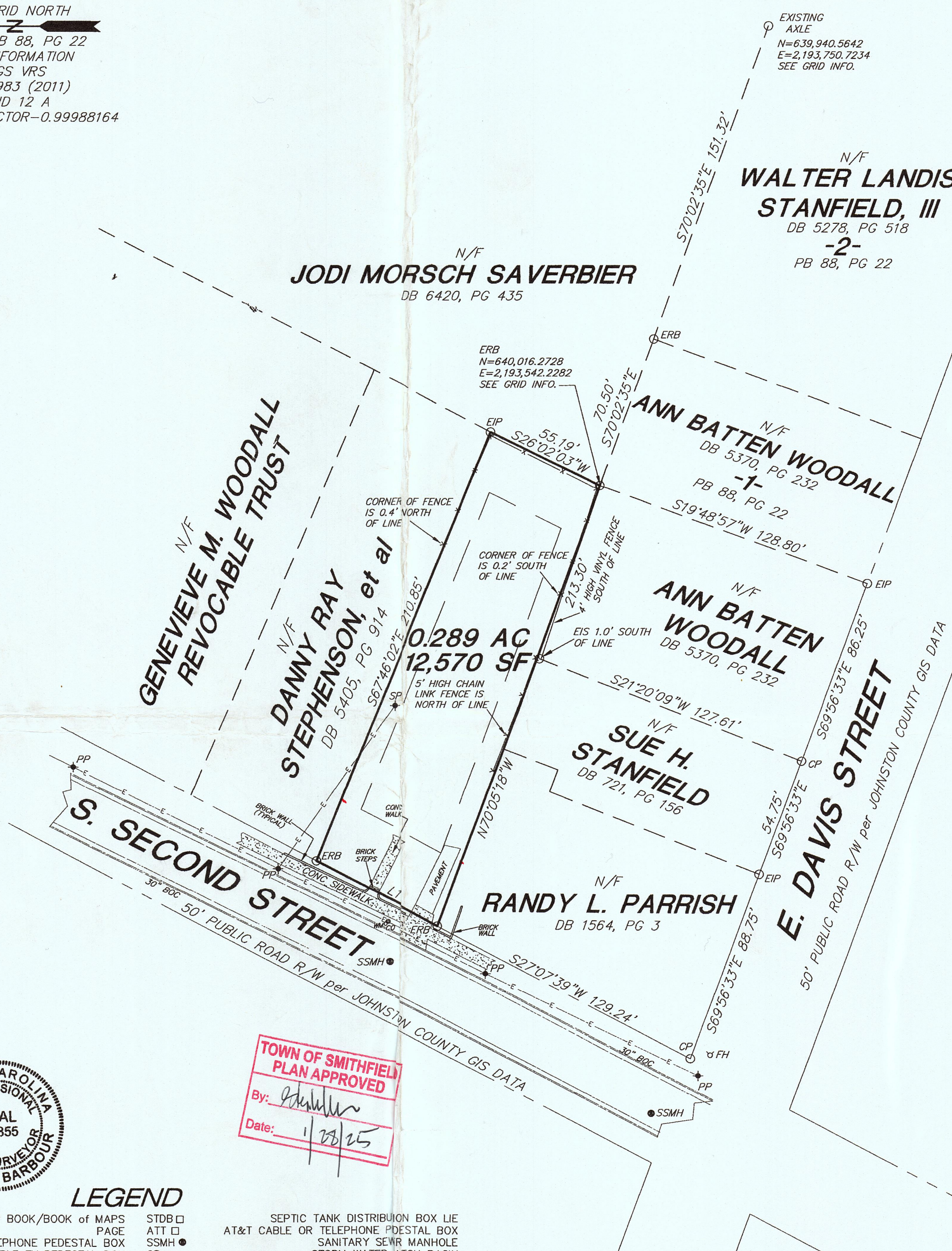
JIMMY C. BARBOUR, PROFESSIONAL LAND SURVEYOR, NC NO. 2855
I, JIMMY C. BARBOUR, PROFESSIONAL LAND SURVEYOR NO. L-2855, CERTIFY THAT THIS PLAT IS OF A SURVEY OF AN EXISTING PARCEL OR PARCELS AND DOES NOT CREATE A NEW STREET OR CHANGE IN EXISTING STREET IN ACCORDANCE WITH G.S. 47-30(c)(1).



LEGEND

STDB	PLAT BOOK/MAP BOOK/BOOK OF MAPS	STDB	SEPTIC TANK DISTRIBUTION BOX LIE
ATT	PAGE	ATT	AT&T CABLE OR TELEPHONE PIEDestal BOX
SSMH	TELEPHONE PIEDestal BOX	SSMH	SANITARY SEWER MANHOLE
CB	CABLE TV PIEDestal BOX	CB	STORM WATER ATCH BASIN
EOP	ELECTRICAL TRANSFORMER BOX	EOP	EDGE OF ASPHALT ROAD PAVEMENT
MNS	FIRE HYDRANT	MNS	MAGNETIC NAIL SET
ERB	WATER METER / WATER VALVE	ERB	EXISTING IRON REBAR
MSS	EXISTING IRON PIPE FOUND	MSS	MAGNETIC SPIKE SET
N/F	EXISTING IRON STAKE FOUND	N/F	NOW OR FORMERLY
PP/SP/AL	DECK	PP/SP/AL	POWER POLE/SERVICE POLE/AREA LIGHT
OHPL	OVERHEAD POWER LINE	OHPL	COMPUTED POINT FROM REFERENCED SOURCES
CP	EXISTING PARKER-KALON NAIL FOUND	CP	SEPTIC TANK LID/SEPTIC TANK PUMP LID
ST/STP	EXISTING RAILROAD SPIKE FOUND	ST/STP	RIGHT OF WAY
R/W	SURVEYED LINES	R/W	IRRIGATION CONTROL VALVE
ICV	#5 IRON REBAR w/RED PLASTIC CAP SET FLUSH w/GRADE	ICV	SANITARY SEWER CLEANOUT
CO	EXISTING COTTON SPINDLE FOUND	CO	30" BACK OF CURB NO GUTTER
BOC	EXISTING MAGNETIC NAIL FOUND	BOC	PORCH/SCREEN IN PORCH
P/SP		P/SP	

NC GRID NORTH
FROM PB 88, PG 22
GRID INFORMATION
NCGS VRS
NAD 1983 (2011)
GEOID 12 A
COMBINED FACTOR-0.99988164



COPY

ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
AREA BY COORDINATE METHOD.

GRAPHIC SCALE 1"=40'

SURVEY FOR

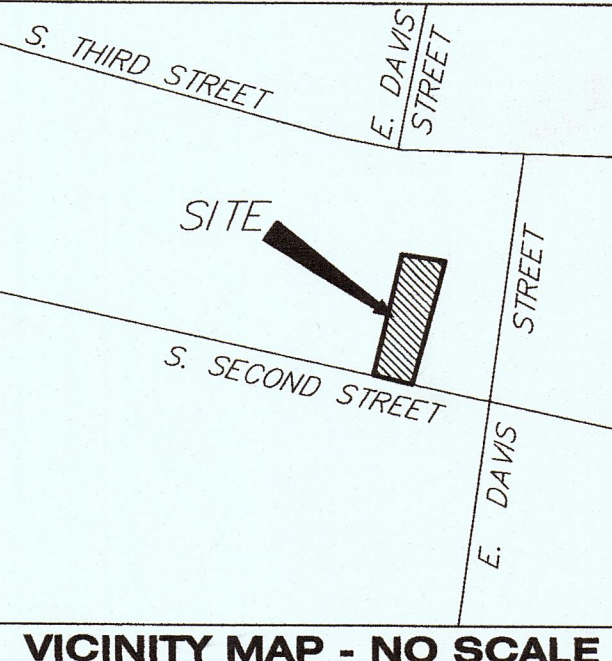
**BRIGHTLEAF #2004-II, LLC
WAREHOUSE PROPERTIES, LLC**

LOT 10 HUDSON PROPERTY
AS RECORDED IN PLAT BOOK 2, PAGE 286

TOWNSHIP	SMITHFIELD	COUNTY	JOHNSTON	STATE	NC
SURVEYED BY	EA THOMPSON	DRAWN BY	CINDA S LASSITER		
DATE SURVEYED	8-29-2024	SCALE	1"=40'	DRAWING NO.	24-338

JIMMY BARBOUR SURVEYING, PA
JIMMY C. BARBOUR, PLS, GSI

C-3109
213 S. SECOND STREET
P. O. BOX 28
SMITHFIELD, N.C. 27577
919 989-6642 919-989-3013
Email: jimmy@jbsurveying.com



VICINITY MAP - NO SCALE

LINE	BEARING	DISTANCE
LT	N27°33'27"E	63.99'

N/F
GENEVIEVE M. WOODALL
REVOCABLE TRUST

N/F
DANNY RAY
STEPHENSON, et al
DB 5405, PG 914

N/F
ANN BATTEN W
DB 5370, PG 22
-1-
PB 88, PG 22
S19°48'57"W 128.80'

N/F
ANN BATTEN
WOODALL
DB 5370, PG 232

N/F
SUE H.
STANFIELD
DB 721, PG 156

N/F
RANDY L. PARRISH
DB 1564, PG 3

COND STREET

50' PUBLIC ROAD R/W per JOHNSTON COUNTY GIS DATA

CORNER OF FENCE
IS 0.4' NORTH
OF LINE

CORNER OF FENCE
IS 0.2' SOUTH
OF LINE

0.289 AC
12,570 SF

5' HIGH CHAIN
LINK FENCE IS
NORTH OF LINE

213.30'
4' HIGH VINYL FENCE
SOUTH OF LINE

EIS 1.0' SOUTH
OF LINE

Property is
58' wide
Total at
Back of House

Drive Vay
N70°05'18"W

BRICK WALL
(TYPICAL)

CONC SIDEWALK
L1
BRICK STEPS

SSMH

BRICK WALL

S27°07'39"W 129.24'

CP & FH

SSMH

L1 = 63.99'

VD

STDB □
ATT □
SSMH ●
CB ●
EOP
VNS
ERB
VSS
N/F
PP/SP/AL ♦
OHPL

SEPTIC TANK DISTRIBUTION BOX LIE
AT&T CABLE OR TELEPHONE PEDESTAL BOX
SANITARY SEWER MANHOLE
STORM WATER CATCH BASIN
EDGE OF ASPHALT ROAD PAVEMENT
MAGNETIC NAIL SET
EXISTING IRON REBAR
MAGNETIC SPIKE SET
NOW OR FORMERLY
POWER POLE/SERVICE POLE/AREA LIGHT
OVERHEAD POWER LINE

JIMMY BARBOUR SURVEY
JIMMY C. BARBOUR, PLS.



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 a complete PDF application, 1 PDF of required plans, an Owner's Consent Form (attached) and the application fee.

SITE INFORMATION:

Name of Project: Harris House Acreage of property: 0.29
Parcel ID Number: 15-0-29-033- Tax ID: _____
Deed Book: 06573 Deed Page(s): 05002
Address: 417 South Second St Smithfield NC 27577
Location: Downtown Smithfield

Existing Use: Residential Proposed Use: Residential
Existing Zoning District: Residential
Requested Zoning District Residential

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

Variance Request (List Unified Development Code sections and paragraph numbers)
Building closer to property line

FOR OFFICE USE ONLY

File Number: BA-25-03 Date Received: _____ Amount Paid: _____

OWNER INFORMATION:

Name: Perry Harris
Mailing Address: 496 Skinner Rd Four Oaks NC 27524
Phone Number: 919-795-4596 **Fax:**
Email Address: 51perryharris@gmail.com

APPLICANT INFORMATION:

Applicant: Charlie Greene
Mailing Address: 990 Old Rock Quarry Rd Princeton NC 27569
Phone Number: 919/369/4302 **Fax:**
Contact Person: Charlie Greene
Email Address: Gcrew08@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.

Asking to build closer to the property line, lot is on a slant and the front of the house will be on a angle and the curb appeal will be lost and house will look out of place and not be in line with existing houses. We need to be around 5ft max from line to line up existing houses on the street.

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 way the property is shaped from the road the house that is proposed to build will be slanted and not in line with the other houses on the road.

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.

If the house is built the way the lot is it will look out of place and have bad curb appeal

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 existing home was rotten and was too far gone that it had to be taken down and replaced with a new home

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.

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.

Charlie Greene

Print Name

Charlie Greene

Signature of Applicant

4/16/2025

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: Harris House

Submittal Date: 4/16/2025

OWNERS AUTHORIZATION

I hereby give CONSENT to Charlie Greene (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.

Perry Harris
Signature of Owner

Perry Harris
Print Name

4/16/2025
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.

Perry Harris Charlie Greene
Signature of Owner/Applicant

Perry Harris/Charlie Greene
Print Name

4/16/2025
Date

FOR OFFICE USE ONLY

File Number:

Date Received:

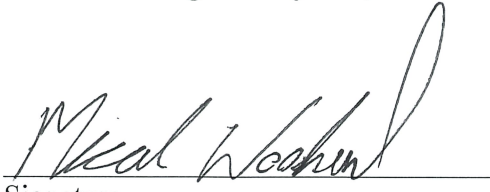
Parcel ID Number:



PLANNING DEPARTMENT
Stephen Wensman, Planning Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, BA-25-03, were notified by First Class Mail on 5/16/25 of the Public Hearing on May 29th, 2025.



Signature

Johnston County, North Carolina

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

16th day of May, 2025

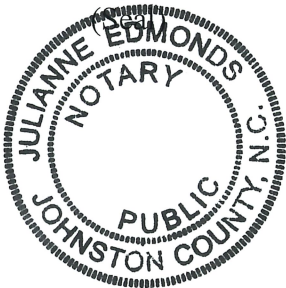


Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on 1-15-2028



Name1	Name2	Address1	Address2	CityStateZip
BRIGHTLEAF #2004-II, LLC	WAREHOUSE PROPERTIES, LLC		PO BOX 1266	SMITHFIELD, NC 27577-1266
ERICKSON, TERRI S		506 S 3RD ST		SMITHFIELD, NC 27577-4462
JOHNSTON COUNTY BOARD OF ED	SMITHFIELD GRADE SCHOOL			
JACKSON, WILLIAM EDWARD		503 S 3RD STREET		SMITHFIELD, NC 27577-0000
HOLLAND, WALTER A JR			BOX 1833	SMITHFIELD, NC 27577-0000
BRITT, ALAN B	BRITT, RACHEL J	422 S 2ND ST		SMITHFIELD, NC 27577-4412
BURGESS, STEVEN PAUL	BURGESS, MARY	106 E RIVERSIDE DR		SMITHFIELD, NC 27577-4404
NARRON, PAULA		415 S 4TH ST		SMITHFIELD, NC 27577-4451
K RENTAL PROPERTIES, LLC			PO BOX 1297	SMITHFIELD, NC 27577-1297
PARRISH, RANDY L		203 EAST DAVIS STREET		SMITHFIELD, NC 27577-0000
HUNTERBELL PROPERTIES, LLC			PO BOX 9750	CHAPEL HILL, NC 27515-9750
FERGUSON, MELINDA D.		1001 CHESTNUT DR		SMITHFIELD, NC 27577-3707
GRIFFIN, JUSTIN W.		408 S 2ND ST		SMITHFIELD, NC 27577-4412
PARNELL, WILLIAM N	PARNELL, DEBORAH	202 E DAVIS ST		SMITHFIELD, NC 27577-4420
BRITT, ALAN B	BRITT, RACHEL M	303 FLOWERS RD		FOUR OAKS, NC 27524-8192
BROADWELL, SIDNEY WAYNE		1203 S WALNUT DR		SMITHFIELD, NC 27577-3621
BRITT, WILLIAM AVERY		116 EAST DAVIS STREET		SMITHFIELD, NC 27577-0000
BRITT, WILLIAM AVERY		116 E DAVIS ST		SMITHFIELD, NC 27577-0000
BRITT, ALAN B	BRITT, RACHEL J	422 S 2ND ST		SMITHFIELD, NC 27577-4412
BOWMAN, JERRY B	BOWMAN, JEANENE C	110 E RIVERSIDE DR		SMITHFIELD, NC 27577-0000
WHITLEY, H HARPER	STEVENS, LINDA	414 S 2ND ST		SMITHFIELD, NC 27577-4412
WILSON, JESSE WALTER		1001 CHESTNUT DR		SMITHFIELD, NC 27577-3707
BRITT, WILLIAM AVERY		116 E DAVIS ST		SMITHFIELD, NC 27577-4402
BRITT, WILLIAM A		116 E DAVIS ST		SMITHFIELD, NC 27577-4402
HARRELL-SHIPLEY, HOLDEN SCOTT		208 E DAVIS ST		SMITHFIELD, NC 27577-4420
RAMOS, WILFIDO B.	JIMENEZ, CLAUDIA A.	817 S BRIGHTLEAF BLVD STE A		SMITHFIELD, NC 27577-4390
STEPHENSON, DANNY RAY	STEPHENSON, CAROLYN PENNY	415 S 2ND ST		SMITHFIELD, NC 27577-4411
ROBERTSON, EDITH KATHRYN WILKINS		411 S 3RD ST		SMITHFIELD, NC 27577-4417
STEVENS, HAROLD L. JR.		407 S 3RD ST		SMITHFIELD, NC 27577-4417
WOODALL, ANN BATTEN LIFE ESTATE	WOODALL, CHARLES RAYMOND JR. LIFE ESTATE	207 E DAVIS ST		SMITHFIELD, NC 27577-4419
Y&C REALTY, LLC		296 BAYHILL DR		SMITHFIELD, NC 27577-9408
STANFIELD, WALTER LANDIS III		6565 4TH ST		VERO BEACH, FL 32968-9574
WOODALL, ANN BATTEN LIFE ESTATE	WOODALL, CHARLES RAYMOND JR. LIFE ESTATE	207 E DAVIS ST		SMITHFIELD, NC 27577-4419
JEAN G. WILLIAMS REVOCABLE TRUST	WILLIAMS, JEAN G. CO TRUSTEE	412 S 3RD ST		SMITHFIELD, NC 27577-4418
JONES, MINDA H		415 S 3RD ST		SMITHFIELD, NC 27577-4417
STANFIELD, SUE H		205 E DAVIS ST		SMITHFIELD, NC 27577-4419
SAUERBIER, JODI MORSCH		414 S 3RD ST		SMITHFIELD, NC 27577-4418
GARRIS, GREGORY W	GARRIS, KELLEY S	410 S THIRD ST		SMITHFIELD, NC 27577-4418
BENNETT, REBECCA ELISE		401 S 2ND ST		SMITHFIELD, NC 27577-4411
BURNETTE, FREIDA JOYCE		406 S 2ND ST		SMITHFIELD, NC 27577-4412
WARD ENTERPRISES, LLC		1012 OLD OLIVE RD		SMITHFIELD, NC 27577-7855
GASKINS, JONATHAN D	GASKINS, JENNIFER W	404 SOUTH THIRD ST		SMITHFIELD, NC 27577-0000
BALLANTNI, JOSEPH R.	BALLANTINI, CINZIA	407 S 2ND ST		SMITHFIELD, NC 27577-4411
DURAN, LUZ MARIA PACHECO	ARREOLA, JUAN FRANCISCO CARDIEL	406 S 3RD ST		SMITHFIELD, NC 27577-4418
GENEVIEVE M WOODALL REVOCABLE TRUST	BROWN, KAREN BERGE TRUSTEE	504 WOODMAN DR		FUQUAY VARINA, NC 27526-9572