

MINUTES FOR THE FRANKLIN COUNTY BOARD OF ADJUSTMENT

May 3, 2007

The Franklin County Board of Adjustment held a special called meeting on Thursday, May 03, 2007 in the Franklin County Administration Building, 113 Market Street, Louisburg, North Carolina.

PRESENT: Shane Brantley, Robert Carlson, Chuck Griffin, Stuart May and Cynthia Hayes.

ABSENT: Scott Lerew and Tammy Ray.

STAFF: Bryan Batton, Tammy Davis, Scott Hammerbacher and Jason Rogers.

Chairman Shane Brantley called the meeting to order at 7:00 P.M., and welcomed everyone in attendance.

[6:58:38 PM](#)

Stuart May made a motion, seconded by Chuck Griffin to approve the agenda as presented. The motion passed unanimously.

Stuart May made a motion, seconded by Chuck Griffin to approve the minutes from the March 26, 2007 meeting. The motion passed unanimously.

- #1. Request for a Variance by C. Grant LLC located at 775 Darius Pearce Road (Lot 8 Williamston Ridge Subdivision) on 2.719 acres in the R-40 District in the Harris Township.

Scott Hammerbacher stated the petitioner is requesting the variance to allow a reduction of the front setback requirement. He stated the setback encroachment was discovered when trying to obtain title insurance. He stated the applicant was issued a certificate of occupancy by the Franklin County Inspections office on December 12, 2006. He stated the applicant feels that the location of the pond and septic system layout as justifications for a variance.

Charles Grant sworn in and stated he built the home. He stated environmental health found unsuitable soils. He stated he had to move the house to be able to put in a septic system. Stuart May questioned if the house is complete. Mr. Grant stated the house was completed in December 2006 and during the process of selling this home, he discovered the home is noncompliance. Chuck Griffin questioned if the setbacks were rechecked when the health department told him to move the house location. Mr. Grant stated he didn't or he would have discovered before now that the house was in violation. Robert Carlson questioned why he didn't go back to the planning department when he had to move the house. Mr. Grant stated he didn't because he wasn't aware that he was moving the house location into the setback. Mr. Carlson stated the original site plan shows a 40x40 house and he willfully built a larger home than what he originally planned. Mr. Grant stated he takes full responsibility for this problem and he is asking for the variance. Cynthia Hayes asked if anyone has ever lived in the home. Mr. Grant stated no one has ever lived in the home. Ms. Hayes questioned if he received the Certificate of Occupancy for the home. Mr. Grant stated yes he received the certificate of occupancy from the inspections department. Chuck Griffin questioned if it was possible to have moved the home back some. Mr. Grant stated he couldn't move the house back even if he wanted to due to the pond and septic system locations.

Charles Grant Sr. was sworn in and stated he feels it was a combination of things that created this problem. He stated he has been a homebuilder for 40 years and has never had this problem before. He stated he feels this is a nice home and adds value to the county's tax base.

Chairman Brantley closed the public hearing and the board proceeded to go through the variance worksheet.

Stuart May made a motion, seconded by Cynthia Hayes to affirm that the Findings of Fact located within Section 24-2 (B) of the UDO have been satisfied for the variance requested.

AYES: Shane Brantley, Robert Carlson, Chuck Griffin, Stuart May and Cynthia Hayes

NAYES: None

ABSENT: Scott Lerew and Tammy Ray

The motion passed unanimously.

Stuart May made a motion, seconded by Chuck Griffin to approve the variance requested to allow for a reduction of the front yard setback requirement.

AYES: Shane Brantley, Robert Carlson, Chuck Griffin, Stuart May and Cynthia Hayes

NAYES: None

ABSENT: Scott Lerew and Tammy Ray

The motion passed unanimously.

- #2. Other Business Reports/Discussion
 - A.) Departmental Report
 - B.) Other Business/Reports/Discussion

With there being no further business before the Board, Chairman Brantley adjourned the meeting at 7:50 P.M.

Shane Brantley, Chairman
Franklin County Board of Adjustment

Tammy Davis, Clerk
Franklin County Board of Adjustment