

# MINUTES FOR THE FRANKLIN COUNTY BOARD OF ADJUSTMENT

SEPTEMBER 25, 2006

The Franklin County Board of Adjustment held its regular monthly meeting on Monday, September 25, 2006 in the Franklin County Administration Building, 113 Market Street, Louisburg, North Carolina.

**Members Present:** Robert Carlson, Chuck Griffin, Johnnie Sledge and Stuart May.

**Members Absent:** Shane Brantley, Scott Lerew and Lemon Long.

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

Vice Chairman Chuck Griffin called the meeting to order at 7:20 P.M., and welcomed everyone in attendance.

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

Stuart May made a motion, seconded by Robert Carlson to approve the minutes from the August 28, 2006 meeting. The motion passed unanimously.

## Agenda Items:

- #1. Request for a Variance (from the front yard setback, accessory structure location in the front yard and the accessory structure location from other structures) for Dennis Godwin located at 100 Stag Cove (Lot C574 Lake Royale) in the AR District in Cypress Creek Township.

Vice Chairman Griffin explained to the petitioner that the Board of Adjustment consists of five members and it takes four-fifths vote to approve a variance. He stated the request can be heard with only four members but if one member votes against the request, the decision is final. Tom Donnelly (property owner) and Dennis Godwin (petitioner and contractor) stated they wished to go ahead with the meeting since Mr. Donnelly had traveled from northern Virginia to attend the meeting.

Scott Hammerbacher stated the property owner and the applicant were notified by the Lake Royale Property Owner's Association that previously installed and recently installed accessory structures located on the site doesn't meet the Unified Development Ordinance (UDO) requirements for accessory structures. He stated the UDO requires that accessory structures be located a minimum of ten feet from all primary structures in addition to meeting all other applicable setback regulations from applicable property lines. He stated a second variance is required for the carport and shed to be located within the front yard since the

property in question is located on a corner lot. He stated the applicant stated they are unable to move the structures based on lot configurations.

Tom Donnelly was sworn in and stated he is the property owner for the lot. He stated the Lake Royale POA had already approved the shed three years ago and he was told he needs a variance from the County. He stated the carport has been located on the property for approximately ten years.

Dennis Godwin was sworn in and stated Lake Royale discovered in 2005 that the Franklin County UDO requires accessory structures must be 10 feet from property lines and any additional structures. Vice Chairman Griffin questioned if the inspector questioned the distance from the carport to the camper when they came out to inspect the roof over the camper. Mr. Donnelly stated he never knew of any problems until the POA contacted him. During the review of materials, it was discovered the site plan provided by the applicant is showing incorrect information on the size of the carport.

Vice Chairman closed the public hearing and the Board proceeded to go through the Variance worksheet.

Robert Carlson made a motion, seconded by Johnnie Sledge to affirm that the Findings of Fact located within Section 24-2, (B) of the UDO, have been satisfied for the variance requested for the property located at 100 Stag Cove, Franklin County PIN 2831-46-2744.

Vote on Motion:

Ayes: Carlson, Griffin, Sledge and May.

Noes: None

Robert Carlson made a motion, seconded by Stuart May that based upon the Board's Findings of Fact to approve the variance requested by Dennis Godwin to allow for a Variance from the Unified Development Ordinance Section 6-2, Note 4., (F) & (G), Accessory Uses, Buildings and Structures to allow for the existing accessory building(s) to be located two feet from the primary structure and within the front yard for the property located at 100 Stag Cove, Franklin County PIN 2831-46-2744.

Vote on Motion:

Ayes: Carlson, Griffin, Sledge and May

Noes: None

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

With there being no further business before the Board, Vice Chairman Griffin adjourned the meeting at 8:45 P.M.

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Chuck Griffin, Vice-Chairman  
Franklin County Board of Adjustment

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Tammy Davis, Clerk  
Franklin County Board of Adjustment