



# Franklin County Communique to the Board of Adjustment

## REQUEST FOR VARIANCE 20-VAR-01 101 SAGAMORE Dr.

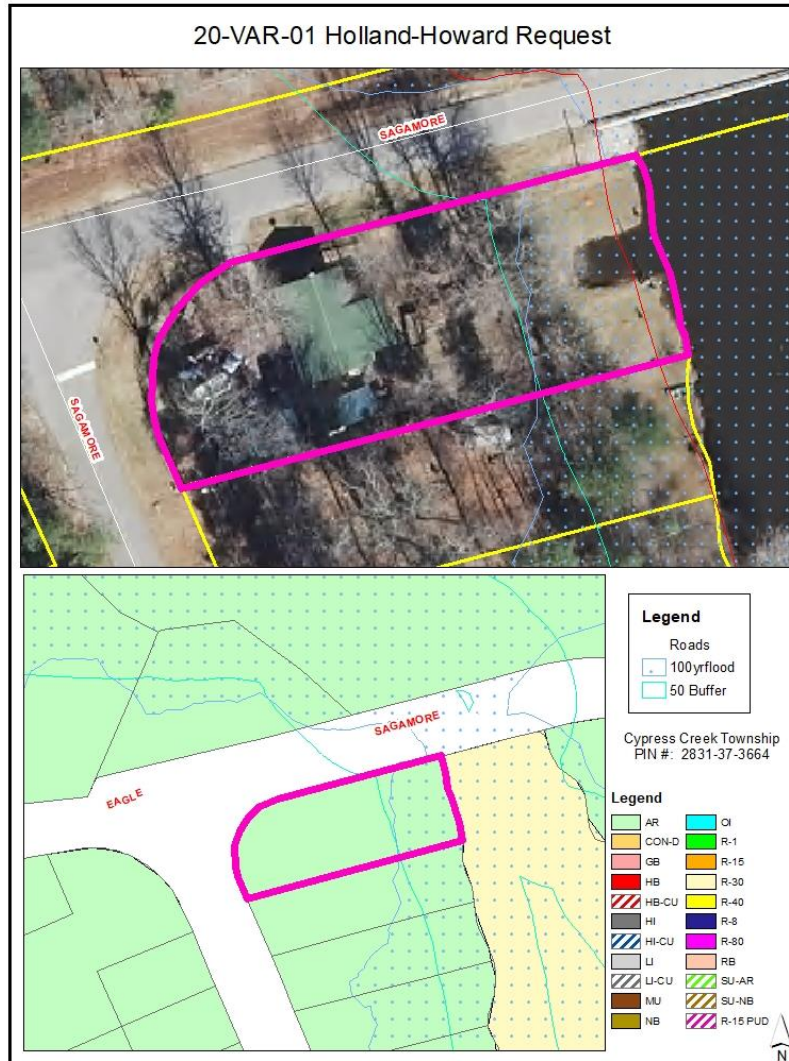
### PETITIONER(S):

Name of Petitioner: Laurice Holland-Howard  
Address: 400 Chatham Ln  
CityStateZip: Raleigh, NC 27610

### OWNER(S):

Name of Owner: Same  
Address:  
CityStateZip:

### LOCATION:



### ATTACHMENTS:

Variance Application with Letter  
Existing Conditions Site Map

**PARCEL INFORMATION**

OWNER	PARCEL #	ZONING	AREA
Laurice Holland-Howard	2831-37-3664	AR	0.2447
<b>TOTAL</b>			<b>0.2447 Acres</b>

**ADJACENT PROPERTY SITE DATA**

	ZONING	LAND USE
<b>Subject Property</b>	AR	Camper Lot
<b>North</b>	AR	Camper Lot
<b>South</b>	AR	Camper Lot
<b>East</b>	AR	Camper Lot
<b>West</b>	AR	Camper Lot

**VARIANCE REQUEST**

Variance 20-VAR-01 requested by Laurice Holland-Howard to allow for a Variance from the Unified Development Ordinance Article 8, Table of Area, Yard and Height Requirements, for a reduction of the secondary frontage setback requirement from 20 feet to 12 feet for the property located at 101 Sagamore Dr. Franklin County PIN 2831-37-3664.

**UDO Requirements:**

**ARTICLE 8. TABLE OF AREA, YARD, AND HEIGHT REQUIREMENTS (See Notes 1 through 8)**

DISTRICT	MINIMUM LOT SIZE			MINIMUM YARD REGULATIONS <sup>1</sup>		
	Area in Sq.Ft.	Sq.Ft. per Dwelling Unit	Frontage In Feet	Front Yard Setback in Feet	Side Yard Width in Feet	Rear Yard Depth in Feet
Existing Camp Lots at Lake Royale				30	5	5

**BACKGROUND INFORMATION**

The applicant is petitioning the board for a variance from the secondary front setback requirements. According to the UDO, the setbacks for existing camp lots at Lake Royale are 30' Front, 5' Side, and 5' Rear. The secondary front setback line is reduced by 1/3 which would require the site to meet a 20' secondary frontage. As indicated on the attached site plan, the applicant would require a front setback reduction of eight (8) feet from the secondary front setback. The applicant has stated within the petition that all structures have been in place for several years and cannot be shifted due to the encroachment of a well on the other side. The setback violation was discovered during the sale when the POA was made aware that the exterior walls of the camper inside the build over was torn out. This violates the rules at Lake Royale which required obtaining a cottage permit from the County. Without a variance the property would have to be removed or torn down.

**BOARD OF ADJUSTMENT FINDINGS**

NOTE: Board of Adjustment Members should use the following area to make notes on evidence presented related to each of the required Findings as it is presented during the public hearing.

**Section 24-2, (B)** A variance may be granted by the board of adjustment if it concludes that strict enforcement of the Ordinance would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of the Ordinance will be observed, public safety and welfare secured, and substantial justice done. It may reach these conclusions if it finds that:

- (1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of a variance, no reasonable use be made of the property.

FINDING \_\_\_ Yes \_\_\_ No

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- (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.

FINDING \_\_\_ Yes \_\_\_ No

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- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that the circumstances exist that may justify granting or a variance shall not be regarded as self-created hardship

FINDING \_\_\_ Yes \_\_\_ No

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- (4) The requested variance is consistent with the spirit, purposes, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

FINDING \_\_\_ Yes \_\_\_ No

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*In granting any variance, the Board of Adjustment may impose reasonable conditions concerning the use or development of the subject property to:*

- a. Insure that the criteria for the granting of such approval will be complied with; and*
- b. Reduce or minimize any potentially injurious effect of the variance of development standards on adjoining properties, the character of the neighborhood, or the health, safety, morals, or general welfare of the community.*

**BOARD OF ADJUSTMENT MOTION**

*Please note that 4/5 vote is required for approval of all motions.*

**Suggested Motion #1:**

I move to affirm that the Findings of Fact located within Section 24-2, (B) of the UDO, have/have not been satisfied for the variance(s) requested for the property located at 101 Sagamore Dr., Franklin County PIN 2831-37-3664.

**Suggested Motion #2:**

Based upon the Board's Findings of Fact, I move to approve/deny Variance requested by Laurice Holland-Howard to allow for a Variance from the Unified Development Ordinance Article 8, Table of Area, Yard and Height Requirements, for a reduction of the secondary frontage setback requirement from 20 feet to 12 feet for the property located at 101 Sagamore Dr. Franklin County PIN 2831-37-3664.