



Franklin County Communique to the Board of Adjustment

REQUEST FOR VARIANCE 16-VAR-02 1968 NC 58 HWY

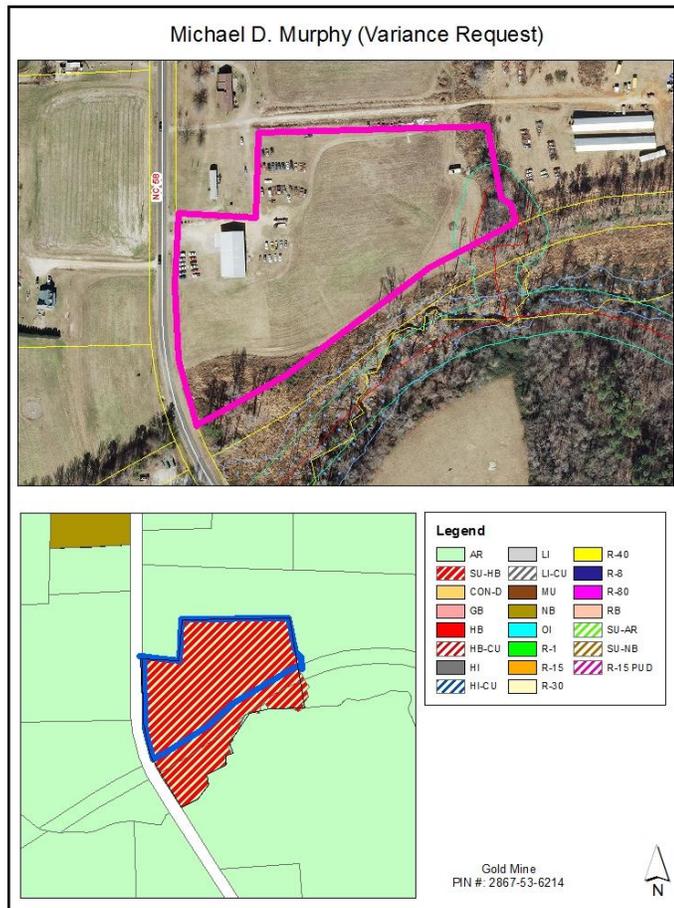
PETITIONER(S):

Name of Petitioner: Michael D. Murphy
Address: 1976 NC HWY 58
CityStateZip: Castalia, NC 27816

OWNER(S):

Name of Owner: Same
Address:
CityStateZip:

LOCATION:



ATTACHMENTS:

Variance of Application
Picture of proposed signage

PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Michael D. Murphy	2867-53-6261	SU-HB	7.386
TOTAL			7.386 Acres

ADJACENT PROPERTY SITE DATA

	ZONING	LAND USE
Subject Property	SU-HB	Automotive Repair
North	AR	Residential
South	AR	Residential/Agricultural
East	AR	Agricultural
West	AR	Residential/Agricultural

VARIANCE REQUEST

Variance 16-VAR-02 requested by Michael D. Murphy to allow for a Variance from the Unified Development Ordinance Table 17-1 Standards for Permanent Signage in HB and GB zoning districts to allow signage to exceed the maximum 50 square feet in size. The applicant would like to add a sign three (3) feet tall by eight (8) feet wide to an existing five (5) feet by eight (8) feet tall on the property located at 1968 NC HWY 58 Franklin County PIN: 2867-53-6261.

UDO Requirements:

Table 17-1
Standards for Permanent Signage in **HB and GB Zoning Districts**

Sign Type	Number Allowed	Max. Sign Area	Max. Height	Sign Location
<u>Ground Signs*</u> Individual Business	1 per frontage per Section 17-1(D)	50 square feet	12 ft.	Outside of street right-of-way and site triangle

BACKGROUND INFORMATION

The applicant is petitioning the board for a variance from the size requirement for permanent signage within the HB (Highway Business) zoning district. The attached sketch indicates the dimensions of the existing sign and the proposed dimensions of the sign addition. The sign will be required to be located outside of NCDOT right-of-way and outside of the sight triangle. The applicant has indicated within the petition that the larger sign is needed to gain coverage from the NAPA Auto Group. The applicant further states within the application that would provide national promotion of his company and help to gain new customers from other areas of the County.

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

(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

(2) 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

- (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

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 1968 NC 58 HWY, Franklin County PIN: 2867-53-6261.

Suggested Motion #2:

Based upon the Board's Findings of Fact, I move to approve/deny Variance requested by Michael D. Murphy to allow signage to exceed the maximum square feet of 50 square feet to 64 square size for the property located at 1968 NC 58 HWY Franklin County PIN: 2867-53-6261.

- 1. The applicant must secure all state and local approvals including but not limited to zoning and building permits from Planning & Inspections office.**