



# Franklin County Communique to the Board of Adjustment

## REQUEST FOR CONDITIONAL USE PERMIT 17-CUP-01 Hicks Rd/Cedar Creek Rd

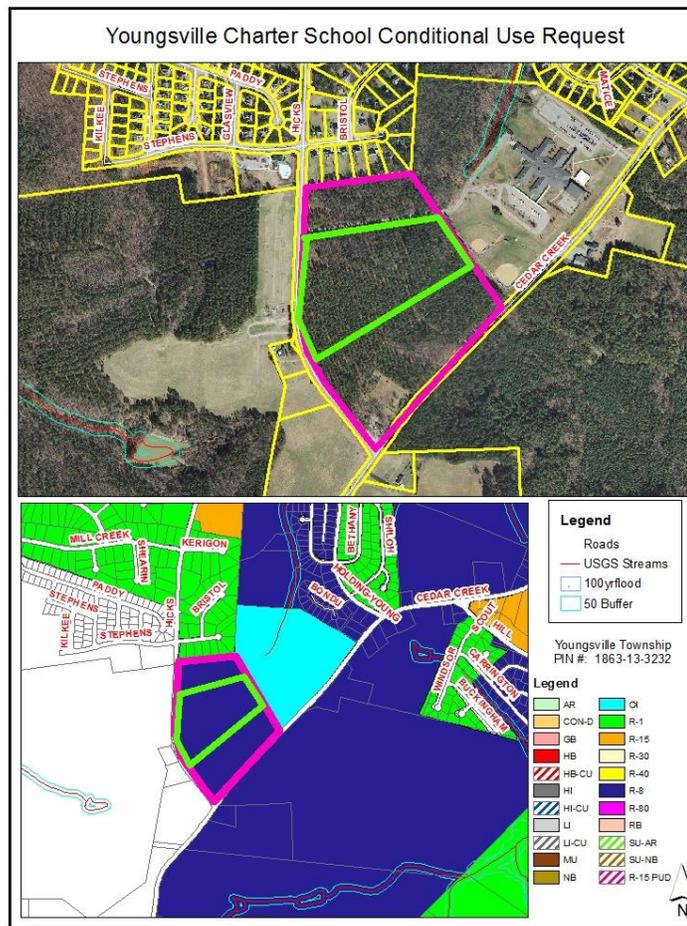
**PETITIONER(S):**

Name of Petitioner: Youngsville Academy Charter School  
 Address: 249 Holden Rd  
 CityStateZip: Youngsville, NC 27596

**OWNER(S):**

Name of Owner: Marshall W. Wiggins and Russell E. Wiggins  
 Address: 420 Clubhouse Dr  
 CityStateZip: Youngsville, NC 27596

**LOCATION:**



**ATTACHMENTS:**

- Conditional Use Application
- Site Plan
- MB 2017 PG 174
- Affidavit of Publication (The Franklin Weekly)

**PARCEL INFORMATION**

<b>OWNER</b>	<b>PARCEL #</b>	<b>ZONING</b>	<b>AREA</b>
Marshall W Wiggins and Russell E Wiggins	1863-13-3232	R-8	20.91
<b>TOTAL</b>			<b>20.91 Acres</b>

**ADJACENT PROPERTY SITE DATA**

	<b>ZONING</b>	<b>LAND USE</b>
<b>Subject Property</b>	R-8	Open
<b>North</b>	OI	School (Cedar Creek Middle School)
<b>South</b>	R-8	Cedar Pointe Subdivision
<b>East</b>	Youngsville ETJ	Agricultural/Open
<b>West</b>	R-8	Wooded/Vacant

**Conditional Use Request**

**Conditional Use Permit Requested by Youngsville Academy Charter School for a School Public/Private on approximately 20.91 acres located at Hicks Rd and Cedar Creek Rd. in Youngsville Township, Franklin County PIN 1863-13-3232.**

**UDO Requirements:**

**Section 7-3:**

***Use – School, Public and Private***

Conditional Use Permit: R-8 and R-15

Requirements:

- (A) *Parking.* Shall conform to Article 16, Off-Street Parking and Loading Requirements.
- (B) *Screening.* Shall conform to Article 14, Landscape Requirements.
- (C) *Lighting.* Lighting shall be such that it is not directed on to any adjacent residential lot.
- (D) All buildings and swimming pools must be set back a minimum of fifty (50) feet from all exterior property lines.

**BACKGROUND INFORMATION**

The applicant is petitioning the Board for a conditional use permit for a School Public/Private on approximately 20 acres at Hicks Rd and Cedar Creek Rd in Youngsville Township. The site plan shows elementary and junior high school class room buildings, gymnasium, athletic fields, and parking spaces. The site plan also shows a future high school, and associated buildings and parking with an additional area labeled future parking (90 spaces). The design shows entrances off Hicks Rd and Twigs Rd for ingress and egress. According to the Comprehensive Land Use Plan, the subject parcel and surrounding parcels are designated as Office Institutional. If the Board grants approval of this request, the applicant will be required to meet all other applicable local and state requirements.

**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 7-2 Procedure for Conditional Use Permit Granted by the County Board of Adjustment**

Conditional use permits may be issued by the Administrator, after approval by the Board of Adjustment, for the uses as designated in the table of regulations for conditional uses. The petition for a conditional use permit and the accompanying plans shall be submitted to the Administrator at least three (3) weeks prior to the regular monthly Board of Adjustment meeting at which it is to be heard. Such application shall include all of the requirements pertaining to it as specified in Article 7. On receiving the application, the County Board of Adjustment shall give notice of a public hearing at least five (5) days prior to the date of the public hearing. At the public hearing, all interested persons shall be permitted to testify. The County Board of Adjustment shall consider the application and may approve or deny the requested conditional use permit.

The conditional use permit, if approved, shall include approval of plans as may be required. In approving the permit, the County Board of Adjustment shall find as a specific finding of fact and reflect in their minutes that the permit will comply with the following four facts:

- (1) That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (2) That the use meets all required conditions and specifications;

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (3) That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and  
Yes\_\_\_\_\_ No\_\_\_\_\_

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- (4) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Franklin County Land Use Plan.  
Yes\_\_\_\_\_ No\_\_\_\_\_

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***In granting any conditional use permit, 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 conditional use permit 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 majority vote is required for approval of all motions.***

**Suggested Motion #1:**

**I move to affirm that the Findings of Fact located within Section 7-2 of the UDO, have/have not been satisfied for the conditional use requested for the property located at Hicks Rd. and Cedar Creek Rd., Franklin County PIN 1863-13-3232.**

**Suggested Motion #2:**

**Based upon the Board's Findings of Fact, I move to approve/deny Conditional Use requested by Youngsville Academy Charter School to allow for a School Public/Private on 20.91 acres at Hicks Rd. and Cedar Creek Rd., Franklin County PIN 1863-13-3232 subject to requirements located in Section 7-3 (School Public/Private) with the following conditions:**

- 1. Lighting must not spill over onto adjacent properties or right of ways.**
- 2. Must obtain North Carolina Department of Transportation (NCDOT) Driveway Permit**
- 3. Must secure all other local and state approvals.**
- 4. Final Tar-Pamlico stormwater approval.**
- 5. As-built drawings for all stormwater devices prior to Certificate of Occupancy (C.O.)**
- 6. Must provide detailed site plan prior to issuance of zoning and building permits.**
- 7. All recommendations as identified in Traffic Impact Analysis (TIA) prepared by Ramey Kemp & Associates shall be installed prior to Certificate of Occupancy (C.O.)**
- 8. All facilities must meet all North Carolina State Building and Technical Codes.**
- 9. Future drive is subject to North Carolina Department of Transportation (NCDOT) approval.**
- 10. Additional detail may be needed to ensure adequate parking.**
- 11. Must secure allocation of water and sewer before the expiration of Conditional Use Permit.**