



# Franklin County Communique to the Board of Adjustment

## REQUEST FOR VARIANCE 19-VAR-01 US 1 Hwy

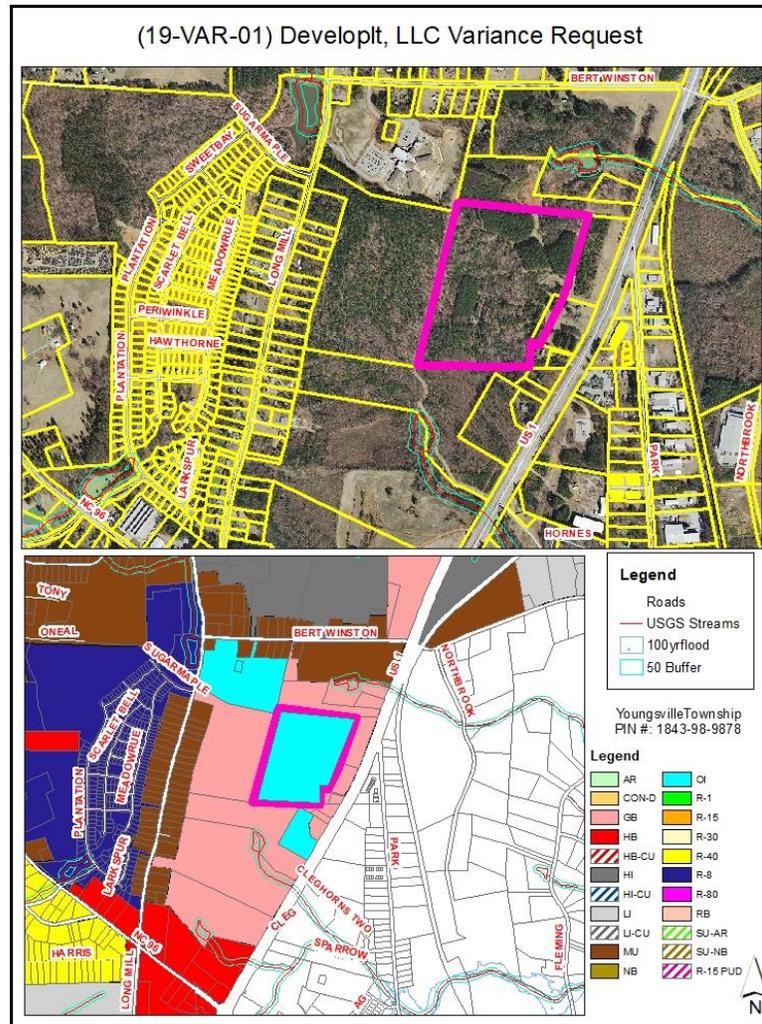
**PETITIONER(S):**

Name of Petitioner: Developlt, LLC  
Address: 933 Old Knight Rd  
CityStateZip: Knightdale, NC 27545

**OWNER(S):**

Name of Owner: Peconic Properties LLC  
Address: PO Box 1184  
CityStateZip: Youngsville, NC 27596

**LOCATION:**



**ATTACHMENTS:**

Variance Application  
Site Plan (19-CUP-02/19-CUP-03 Packets)

**PARCEL INFORMATION**

OWNER	PARCEL #	ZONING	AREA
Peconic Properties LLC	1843-98-9878	OI	47.02
<b>TOTAL</b>			<b>47.02 Acres</b>

**ADJACENT PROPERTY SITE DATA**

	ZONING	LAND USE
<b>Subject Property</b>	OI	Vacant/Wooded
<b>North</b>	GB	Vacant/Wooded
<b>South</b>	GB	Vacant/Wooded
<b>East</b>	Youngsville ETJ	Office Institutional
<b>West</b>	GB	Vacant/Wooded

**VARIANCE REQUEST**

**Variance 19-VAR-01 requested by Developlt, LLC to allow for a Variance from Article 8. Table of Area, Height, and Yard Requirements (Multifamily Dwellings/Townhomes) minimum lot size of 8,000 square feet to 2,000 square feet for the first two dwelling units for the property located at 1637/1639 US Hwy 1, PIN: 1843-98-9878.**

**UDO Requirements:**

**Article 8. Table of Area, Height, and Yard Requirements**

District	Minimum Lot Size	Minimum Yard Regulations			
		Area in Sq. Ft.	Frontage In Feet	Front	Side
Multifamily Dwellings/Townhomes	8,000 square feet for the first two dwelling units and 2,000 for each additional dwelling unit	75'	25'	6'	25'

**BACKGROUND INFORMATION**

The applicant is requesting a variance from Article 8. Table of Area, Height, and Yard Requirements (Multifamily Dwellings/Townhomes) to allow for a reduction of the 8,000 square feet minimum lot size to 2,000 square feet for the first two dwelling units. The attached preliminary plans indicate that all lots will meet the 2,000 square feet minimum required by the Unified Development Ordinance. The variance petition states that the property contains wetlands and challenging topography. In addition, the US 1-corridor plan requires road improvements that limit the density and developable area.

**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.

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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) (Variances) of the UDO, have/have not been satisfied for the variance(s) requested for the property located at US 1 Hwy, Franklin County PIN 1843-98-9878.**

**Suggested Motion #2:**

**Based upon the Board's Findings of Fact, I move to approve/deny the Variance requested by Developlt, LLC, to allow for a Variance from the Unified Development Ordinance, Article 8. Table of Area, Height, and Yard Requirements, (Multifamily Dwellings/Townhomes) minimum lot size of 8,000 square feet to 2,000 square feet for the first two dwelling units for the property at US 1 Hwy, Franklin County PIN 1843-98-9878.**