

FRANKLIN COUNTY BOARD OF ADJUSTMENT

July 22, 2013

The Franklin County Board of Adjustment held its regular monthly meeting on Tuesday, July 22, 2013 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

Present: Shane Brantley, Scott Lerew, Robert Carlson, Jim Roberson and Stuart May

Absent: Armenta Eaton and Cynthia Hayes

Staff: Tammy Davis, Jason Rogers and Scott Hammerbacher

Chairman Scott Lerew called the meeting to order at 7:00 P.M.; and welcomed everyone in attendance. Stuart May made a motion, seconded by Shane Brantley to adopt the agenda as presented. The motion passed unanimously. Stuart May made a motion, seconded by Shane Brantley to approve the minutes from the May 28, 2013 meeting as presented. The motion passed unanimously.

- #1. Request for a Conditional Use Permit by American Towers LLC for Telecommunication Tower, 42 Acres, Pilot Riley Road, Dunn Township, R-40 (Residential) Zoning District.

Jason Rogers stated the applicant is proposing the construction of a 250' lattice-type telecommunications tower. He explained that the conditional use petition states that the proposed tower would increase cell operations in Franklin and Wake County. He stated the applicant would be required to meet all UDO requirements listed in Article 15a1-5 and any other requirements of State or Federal Agency's including the FAA and FCC.

Tom Johnson (Attorney for American Tower) was sworn in and stated the proposed tower is one of several sites coming to Franklin County within the next year. He stated in North Carolina, 33% of homes are wireless only and don't operate using dedicated landlines. He stated the proposed area has no coverage in the area. He stated the tower would be hidden by woods with an access driveway from Pilot Riley Road. He stated a balloon test was done as required by the UDO and he submitted the impact statement for the Boards review.

Donna Lensen (2599 Pilot Riley Road) was sworn in and questioned the location of the driveway. She expressed concern with the possibility of her driveway being used for the site. Mr. Johnson stated a new driveway would be put in and would not cross Ms. Lensen property.

Chairman Lerew closed the public hearing and the Board proceeded to go through the Findings of Fact worksheet. Chairman Lerew expressed concern with OSHA fall safety devices being installed. Scott Hammerbacher explained the Board could make it a condition of approval.

Shane Brantley made a motion, seconded by Stuart May to affirm that the Findings of Fact had been satisfied for the Conditional Use requested. The motion passed unanimously. Chairman Lerew made a motion, seconded by Shane Brantley to approve the Conditional Use Permit requested by American Tower LLC to allow for a 250' Lattice-type Telecommunication Tower at 2599 Pilot Riley Road subject to required improvements located in Section 15A1-5 of the UDO being met and the following conditions:

- Submission of final tower and foundation design drawings;
- Registration with the FCC and securing a FCC ASR number;
- Submission of a Phase I NEPA Assessment;
- Submit a response from NCSHPO;
- Adherence to all other UDO and NC Building Code requirements;
- Franklin County Emergency services be allowed to collocate on tower if needed;
- OSHA fall safety devices to be installed for climber safety.

The motion passed unanimously.

#2. Request for a Conditional Use Permit by Franklin Market Place for Off-Premise Directional Sign for the following locations:

- 1931 US Hwy 401 S, 8.42 Acres, Louisburg Township, Highway Business (HB) Zoning District.
- 7 Wrenn Way, 0.24 Acre, Harris Township, R-30 (Residential) Zoning District.
- Wheless Road, 172 Acres, Louisburg Township, Agricultural Residential (AR) Zoning District.
- NC Hwy 39 N, 25 Acres, Hayesville Township, Agricultural Residential (AR) Zoning District.
- Hwy 56 E & May Road, 212 Acres, Franklinton Township, Light Industrial (LI) Zoning District.

Jason Rogers stated the applicant is petitioning for off-premise directional signs for her business which is located at 101 Industrial Drive, Louisburg. He stated the proposed signs would be required to be located outside of DOT right-of-way in order to prevent obstruction of view of oncoming traffic and not present any traffic hazards.

Bobbie Wrenn was sworn in and stated she owns Franklin Market Place and Frame Shop. She stated she has so many people that don't where their business is located. She stated the signs would advertise as well as help people locate their business.

Chairman Lerew questioned if the signs have been made. Mrs. Wrenn stated not yet because she was waiting for an approval. Chairman Lerew suggested the address be printed and Mrs. Wrenn stated it wouldn't be a problem.

Chairman Lerew closed the public hearing and the Board proceeded to go through the Findings of Fact worksheet. Stuart May stated he would be abstaining from the vote on this item since he's a property owner for one of the proposed sites.

Shane Brantley made a motion, seconded by Chairman Lerew to affirm that the Findings of Fact located has been satisfied. The motion passed by majority vote. Robert Carlson made a motion, seconded by Shane Brantley to approve the Conditional Use Permit to allow for directional signage subject to the requirements located in Section 17-5 (Off Premise Directional Advertisement Signs) with the following conditions:

- Provide Planning Staff with a copy of proposed signs indicating dimensions and content;
- Secure all state permits and approvals from NCDOT;
- Signs cannot be altered without approval from Planning Staff;

- Secure zoning permit prior to installation of signs;
- Signs are not to exceed six feet in height when measuring from the ground to top of sign;
- Signs are to be removed if The Franklin Market/The Frame Shop stops operation or relocates;
- Signs must be located outside of sight triangle.

The motion passed by majority vote.

With there being no further business before the Board of Adjustment, Chairman Lerew adjourned the meeting at 7:30 P.M.

Scott Lerew – Chairman
Franklin County Board of Adjustment

Tammy Davis – Clerk
Franklin County Board of Adjustment