

NORTH CAROLINA

WAYNE COUNTY

The Wayne County Board of Adjustment met on Tuesday, April 6, 2021 in the Commissioners Meeting Room in the Wayne County Courthouse Annex, 224 E. Walnut Street, Goldsboro, North Carolina, after due notice thereof had been given.

Members present: George Wayne Aycock, Jr., Chairman; Freeman Hardison, Jr., Vice-Chairman; Barbara Aycock; Joe Daughtery; Bevan Foster; Chris Gurley; Antonio Williams.

Members absent: None

Convened Wayne County Board of Adjustment Meeting

At 9:35 a.m., Chairman George Wayne Aycock, Jr. convened the meeting of the Wayne County Board of Adjustment.

Clerk to the Board Carol Bowden administered the Oath of Office to the members of the Board of Adjustment, attached hereto as Attachment A. Mrs. Bowden administered the oath to Planning Director Berry Gray and witness Daryl Anderson.

9:35 A.M. Public Hearing to Receive Public Comments on a Variance Request by Jordan Anderson from Section 70-103(c) of the Wayne County Subdivision Ordinance in order to place a residence 48' from the front property line, as opposed to 60', as required.

Planning Director Berry Gray presented the variance request by Jordan Anderson from Section 70-103(c) of the Wayne County Subdivision Ordinance in order to place a residence 48' from the front property line, as opposed to 60', as required. The property is owned by Jo Ann Summerlin and is located in Saulston Township at 240 Race Track Road, La Grange, North Carolina and is listed in the Wayne County Tax Office as Parcel #3548674565, attached hereto as Attachment B.

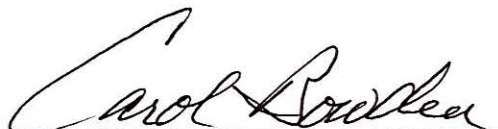
Commissioner Joe Daughtery asked if there was an end date for the variance and Mr. Gray stated there was not, but it could be added to the motion. No one presented themselves for public comment.

The Chairman closed the public hearing.

Upon motion of Commissioner Antonio Williams, the Board of Commissioners unanimously approved the Variance Request by Jordan Anderson from Section 70-103(c) of the Wayne County Subdivision Ordinance in order to place a residence 48' from the front property line, as opposed to 60', as required. The property is owned by Jo Ann Summerlin and is located in Saulston Township at 240 Race Track Road, La Grange, North Carolina and is listed in the Wayne County Tax Office as Parcel #3548674565, with a ten (10) year, end date.

Adjourn the Board of Adjustment Meeting

There being no further business, Chairman George Wayne Aycock, Jr. adjourned the meeting of the Wayne County Board of Adjustment at 9:43 a.m.



Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners

WAYNE COUNTY
BOARD OF COMMISSIONERS



WAYNECOUNTY
NORTH CAROLINA
Phone: (919) 731-1435
Fax (919) 731-1446

OATH

I, Barbara Aycock, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Adjustment for the County of Wayne, so help me, God.

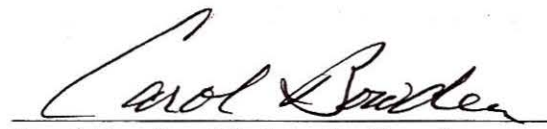
I, Barbara Aycock, do swear that I will well and truly execute the duties of the office as a member of the Board of Adjustment for the County of Wayne according to the best of my skills and ability, according to the law; so help me God.


Barbara Aycock

STATE OF NORTH CAROLINA

COUNTY OF WAYNE

This is to certify that Barbara Aycock personally appeared before me on this 6th day of April 2021, and acknowledged the due execution of the foregoing Oath and that I administered the Oath to him.


Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners

THE GOOD LIFE. GROWN HERE.

PO BOX 227
GOLDSBORO, NC 27533

WAYNE COUNTY
BOARD OF COMMISSIONERS

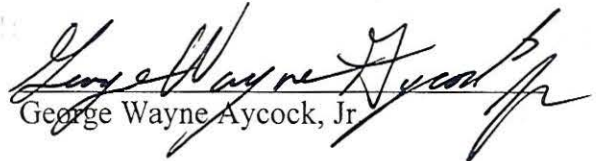


WAYNECOUNTY
NORTH CAROLINA
Phone: (919) 731-1435
Fax (919) 731-1446

OATH

I, George Wayne Aycock, Jr., do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Adjustment for the County of Wayne, so help me, God.

I, George Wayne Aycock, Jr., do swear that I will well and truly execute the duties of the office as a member of the Board of Adjustment for the County of Wayne according to the best of my skills and ability, according to the law; so help me God.


George Wayne Aycock, Jr.

STATE OF NORTH CAROLINA

COUNTY OF WAYNE

This is to certify that George Wayne Aycock, Jr. personally appeared before me on this 6th day of April 2021, and acknowledged the due execution of the foregoing Oath and that I administered the Oath to him.


Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners

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PO BOX 227
GOLDSBORO, NC 27533

WAYNE COUNTY
BOARD OF COMMISSIONERS



OATH

I, Joe Daughtery, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Adjustment for the County of Wayne, so help me, God.

I, Joe Daughtery, do swear that I will well and truly execute the duties of the office as a member of the Board of Adjustment for the County of Wayne according to the best of my skills and ability, according to the law; so help me God.


Joe Daughtery

STATE OF NORTH CAROLINA

COUNTY OF WAYNE

This is to certify that Joe Daughtery personally appeared before me on this 6th day of April 2021, and acknowledged the due execution of the foregoing Oath and that I administered the Oath to him.


Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners

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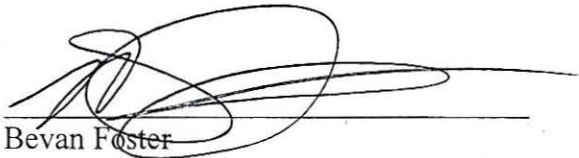
PO BOX 227
GOLDSBORO NC 27533



OATH

I, Bevan Foster, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Adjustment for the County of Wayne, so help me, God.

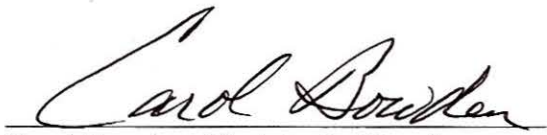
I, Bevan Foster, do swear that I will well and truly execute the duties of the office as a member of the Board of Adjustment for the County of Wayne according to the best of my skills and ability, according to the law; so help me God.


Bevan Foster

STATE OF NORTH CAROLINA

COUNTY OF WAYNE

This is to certify that Bevan Foster, personally appeared before me on this 6th day of April 2021, and acknowledged the due execution of the foregoing Oath and that I administered the Oath to him.


Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners

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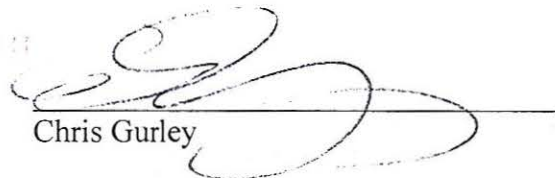
WAYNE COUNTY FINANCE OFFICE
PO BOX 227
GOLDSBORO NC 27533-0227



OATH

I, Chris Gurley, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Adjustment for the County of Wayne, so help me, God.

I, Chris Gurley, do swear that I will well and truly execute the duties of the office as a member of the Board of Adjustment for the County of Wayne according to the best of my skills and ability, according to the law; so help me God.


Chris Gurley

STATE OF NORTH CAROLINA

COUNTY OF WAYNE

This is to certify that Chris Gurley personally appeared before me on this 6th day of April 2021, and acknowledged the due execution of the foregoing Oath and that I administered the Oath to him.


Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners

THE GOOD LIFE. GROWN HERE.

WAYNE COUNTY FINANCE OFFICE
PO BOX 227
GOLDSBORO, NC 27533-0227

WAYNE COUNTY
BOARD OF COMMISSIONERS



WAYNECOUNTY
NORTH CAROLINA

Phone: (919) 731-1435
Fax (919) 731-1446

OATH

I, Freeman Hardison, Jr., do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Adjustment for the County of Wayne, so help me, God.

I, Freeman Hardison, Jr., do swear that I will well and truly execute the duties of the office as a member of the Board of Adjustment for the County of Wayne according to the best of my skills and ability, according to the law; so help me God.

Freeman Hardison, Jr.

STATE OF NORTH CAROLINA

COUNTY OF WAYNE

This is to certify that Freeman Hardison, Jr. personally appeared before me on this 6th day of April 2021, and acknowledged the due execution of the foregoing Oath and that I administered the Oath to him.

Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners

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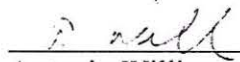
PO BOX 227
GOLDSBORO NC 27533



OATH

I, Antonio Williams, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as a member of the Board of Adjustment for the County of Wayne, so help me, God.

I, Antonio Williams, do swear that I will well and truly execute the duties of the office as a member of the Board of Adjustment for the County of Wayne according to the best of my skills and ability, according to the law; so help me God.


Antonio Williams

STATE OF NORTH CAROLINA

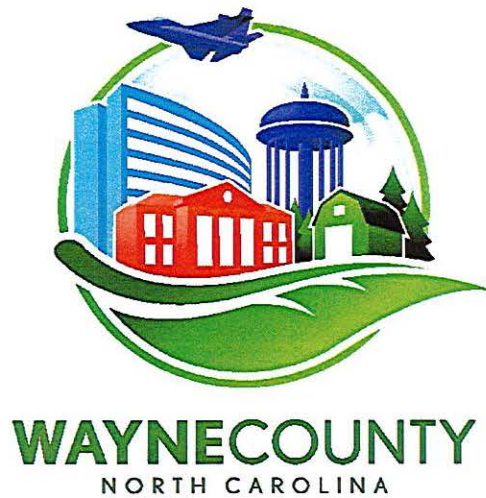
COUNTY OF WAYNE

This is to certify that Antonio Williams, personally appeared before me on this 6th day of April 2021, and acknowledged the due execution of the foregoing Oath and that I administered the Oath to him.


Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners

THE GOOD LIFE. GROWN HERE.

WAYNE COUNTY FINANCE OFFICE
PO BOX 227
GOLDSBORO, NC 27533-0227



Wayne County Citizens
Public Hearing Notice

The Wayne County Board of Adjustment will conduct a public hearing Tuesday, April 6, 2021 to consider a Variance Request. The hearing will be held at 9:30 am in the Wayne County Commissioners Meeting Room, Wayne County Courthouse Annex, 224 East Walnut Street, Goldsboro, NC. The item to be discussed:

V-21-01 – A request by Jordan Anderson for a variance from Section 70-103(c) of the Wayne County Subdivision Ordinance in order to place a residence 48' from the front property line as opposed to 60' as required. The property is owned by Jo Ann Summerlin and is located in Saulston Township at 240 Race Track Road, La Grange, NC and is listed in the Wayne County Tax Office as Parcel Number 3548674565.

Citizens are invited to attend and speak at this hearing and/or submit any comments. Written comments before the meeting may be submitted to the Wayne County Planning Department, PO Box 227, Goldsboro, NC 27533 or berry.gray@waynegov.com. Questions may be directed to the Planning Department by calling 919-731-1650.

Carol Bowden
Clerk to the Board

MEMORANDUM

To: Wayne County Board of Adjustment

From: Berry Gray, Planning Director

Date: February 19, 2021

Re: Variance Request V-21-01

Item: Dimensional Variance
Parcel ID# 3548674565
Property Owner: Jo Ann Summerlin
Applicant: Jordan Anderson
Saulston Township, 240 Race Track Road

Variance Request: Jordan Anderson has requested a variance from Section 70-103(c) of the Wayne County Subdivision Ordinance in order to place a mobile home within the required 60' setback. The structure is proposed to be 48' from the front property line so a 12' variance is requested by the applicant. The applicant has stated that there are plans to construct a house behind the subject mobile home which limits how far back the mobile home can be placed.

Property Information: The property is owned by Jo Ann Summerlin and is located in Saulston Township at 240 Race Track Road, La Grange, NC and is listed in the Wayne County Tax Office as Parcel Number 3548674565. A mobile home is currently placed on the property waiting for final inspections if this variance is approved.

The property is within the following service areas:

Zoning – RA 30 (Residential Agriculture-30)
Fire – New Hope
EMS – Station 5
Water Supply Watershed – No
Voluntary Agriculture District – Within ½ Mile
Wetlands – No
Board of Commissioners District – 5

Ordinance/Statute Information: Section 70-37 of the Wayne County Subdivision Ordinance requires that a Public Hearing be held by the Board of Adjustment prior to taking action on a variance to the dimensional requirements of the Ordinance.

NC General Statute 160D-406 states that a quasi-judicial hearing is required for variance requests and that “the concurring vote of four-fifths of the board shall be necessary to grant a variance.”

The Statute also states that prior to granting a variance, the Board of Adjustment must determine that an undue hardship may result from strict compliance.

- (1) Unnecessary hardship would result from the strict application of the regulation. It is not necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance is not a self-created hardship.
- (4) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.

Supporting documents attached:

Site Plan

Area Map

Variance Application

Wayne County, North Carolina

Petition for Zoning Variance

Date 2/19/21

Applicant Name: Jordan Anderson Telephone 919-252-4446
Address: 125 Race Track Rd LaGrange, NC 28551

Property Owner Name: JoAnn Summerlin Telephone: 919-920-2654
Address: 220 Race Track Rd LaGrange, NC 28551

1. Property address or location: 240 Race Track Rd LaGrange, NC 28551
Wayne County, North Carolina

2. Current zoning classification: RA-30

3. Requested variance: to leave mobile home in current position

4. Property legal description (metes and bounds, or if subdivided, lot, block, subdivision plat book and page number): 1443 page 840

5. Owner's intended use of the property in question if variance is approved: leave mobile home in current position to build behind it later

6. Explain in detail why you think this petition should be approved: To save money and time for future build and to not have to move the septic tank currently in place on the property.

7. Name and addresses of owners whose property abuts the property in question:

I certify that I, the applicant, have the consent of the owner and act on his behalf in applying for the variance to in the Wayne County Zoning Ordinance.

Date: 2/19/21 Signature: Jordan Anderson
Applicant

Report of the Zoning Enforcement Officer on the property in question:
Dimensional Variance; front setback; 12' variance needed

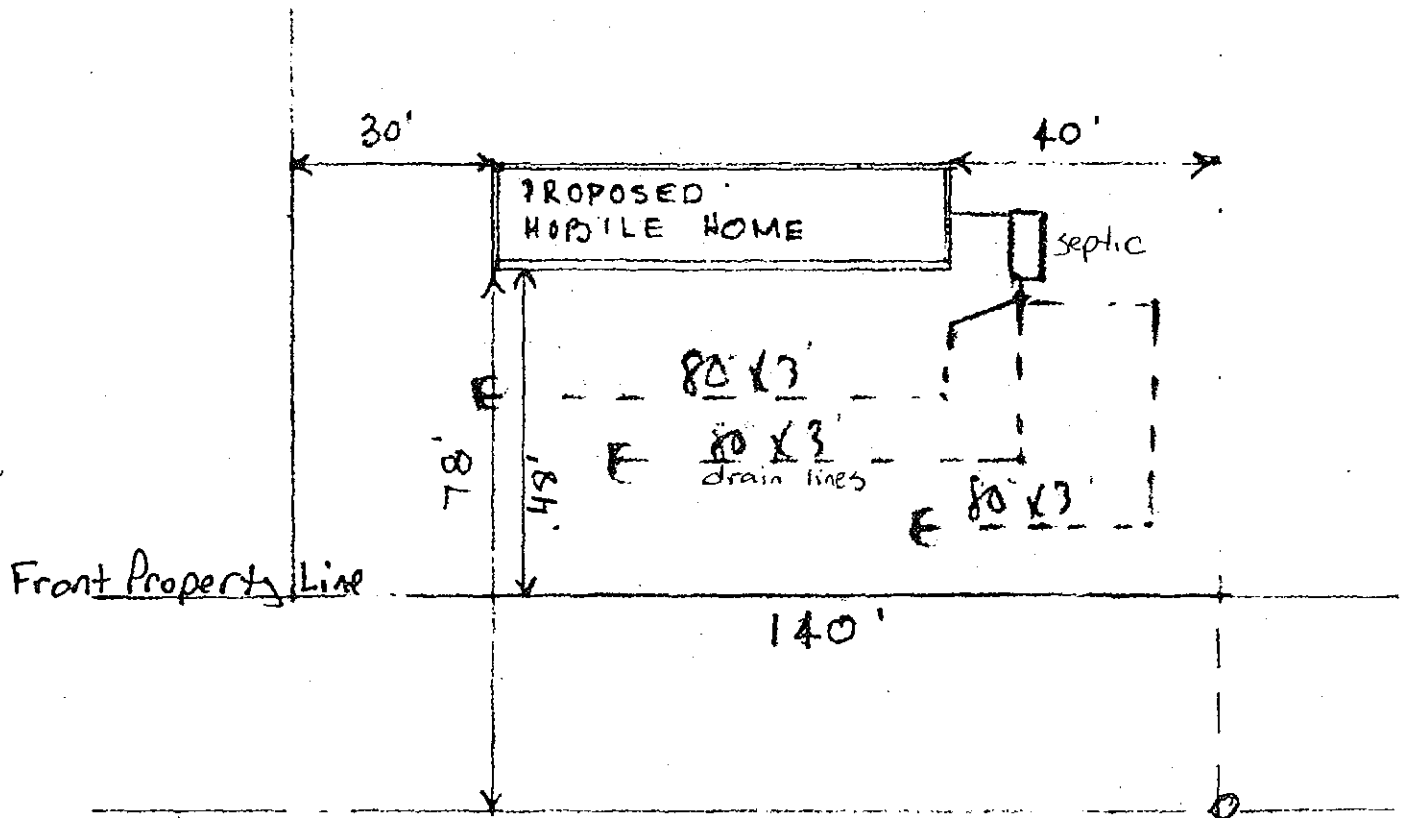
Fee Paid \$ 200 Date 2/19/21

Date Public Hearing Scheduled Time

Dates Public Hearing Advertised

Petition: Approved Denied Petition No. V-21-01

60' required setback
48' proposed setback
12' variance request



N. C. S. R. No. 1717

Variance Request V-21-01

