

**HARNETT COUNTY BOARD OF ADJUSTMENT**  
Harnett County Commons Area  
309 W. Cornelius Harnett Boulevard, Lillington, NC 27546

**September 14, 2020 at 6:00 PM**

**FINDINGS OF THE BOARD OF ADJUSTMENT**

Having heard the evidence in the following case at their regular meeting on September 14, 2020 the Harnett County Board of Adjustment makes the following findings of fact:

<p style="text-align: center;"><b>Variance</b></p> <p>BOA2007-0006</p>	<p>H and H Constructors; John &amp; Sherena Brown; Thomas &amp; Monica Thorakos; Christopher McKay; Corinne O'Neal; JaQuayle &amp; Lidia Robinson; Jonathon Bienvenue / Harnett County Development Services. Applicant is requesting a variance of 19 feet from the front setback requirement of 35 feet. Specifically, the Harnett County Unified Development Ordinance, Article IV, Section 14.2, Residential Zoning Minimum Dimensional Requirements; Minimum Front Yard Setback; RA-20M Zoning District; PIN #'s 0514-26-7046, 0514-26-8000, 0514-25-8933, 0514-25-8856, <del>0514-25-8768</del>, 0514-25-8659, 0514-25-8640, 0514-25-8530, 0514-26-9078, 0514-35-0938, 0514-35-0970, 0514-35-1800; Anderson Creek Township; SR # 1197 (Old Salem Drive).</p>	
<p>There <input checked="" type="checkbox"/> are / <input type="checkbox"/> are not extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district for the following reasons:</p>	<p><u>There were errors in verifying setbacks by the Contractor and the County. Setbacks noted prior to zoning guidelines being established were utilized rather than current standards.</u></p>	<p>Motion By: <u>Ruhland</u>  Second By: <u>Sharlow</u></p> <p>Vote:  For <u>5</u> / Against <u>0</u></p>
<p>Granting the variance requested <input type="checkbox"/> will / <input checked="" type="checkbox"/> will not confer upon the applicant any special privileges that are denied to other residents of the district in which the property is located for the following reasons:</p>	<p><u>No opposition was expressed during the hearing. Guidelines established prior to zoning were utilized to determine specified setbacks.</u></p>	<p>Motion By: <u>Ruhland</u>  Second By: <u>Sharlow</u></p> <p>Vote:  For <u>5</u> / Against <u>0</u></p>
<p>A literal interpretation of the provisions of this Ordinance <input checked="" type="checkbox"/> would / <input type="checkbox"/> would not deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located for the following reasons:</p>	<p><u>The granting of a variance is not going to affect other residential required setbacks located in the existing subdivision.</u></p>	<p>Motion By: <u>Ruhland</u>  Second By: <u>Sharlow</u></p> <p>Vote:  For <u>5</u> / Against <u>0</u></p>
<p>The requested variance <input checked="" type="checkbox"/> will / <input type="checkbox"/> will not be in harmony with the purpose and intent of this Ordinance and <input type="checkbox"/> will / <input type="checkbox"/> will not be injurious to the neighborhood or to the general welfare for the following reasons:</p>	<p><u>The subject properties are located in an existing subdivision that was approved in different phases. Lots are existing and future development will adhere to developmental guidelines.</u></p>	<p>Motion By: <u>Cruickshank</u>  Second By: <u>Ruhland</u></p> <p>Vote:  For <u>5</u> / Against <u>0</u></p>
<p>The special circumstances <input type="checkbox"/> are / <input checked="" type="checkbox"/> are not the result of the actions of the applicant for the following reasons:</p>	<p><u>The properties were subjected to previous regulations that date back prior to zoning being established in this area.</u></p>	<p>Motion By: <u>Ruhland</u>  Second By: <u>Cruickshank</u></p> <p>Vote:  For <u>5</u> / Against <u>0</u></p>

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The variance requested <input checked="" type="checkbox"/> is / <input type="checkbox"/> is not the minimum variance that will make possible the legal use of the land, building or structure for the following reasons:	<u>The variance requested is allowed  per variance code and structures  were placed on parcels in  accordance with regulations that  predate zoning guidelines..</u>	Motion By: <u>Ruhland</u> Second By: <u>Cruickshank</u>  Vote: For <u>5</u> / Against <u>0</u>
I move that Variance application BOA2007-0006 has met all of the finding of facts in the affirmative and the variance be approved.		Motion By: <u>Sharlow</u> Second By: <u>Ruhland</u> Vote: For <u>5</u> / Against <u>0</u>

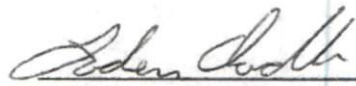
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<p align="center"><b><u>Variance</u></b></p> <p>BOA2007-0006</p>	<p>H and H Constructors; John &amp; Sherena Brown; Thomas &amp; Monica Thorakos; Christopher McKay; Corinne O'Neal; JaQuayle &amp; Lidia Robinson; Jonathon Bienvenue / Harnett County Development Services. Applicant is requesting a variance of 19 feet from the front setback requirement of 35 feet. Specifically, the Harnett County Unified Development Ordinance, Article IV, Section 14.2, Residential Zoning Minimum Dimensional Requirements; Minimum Front Yard Setback; RA-20M Zoning District; PIN #'s 0514-26-7046, 0514-26-8000, 0514-25-8933, 0514-25-8856, 0514-25-8768, 0514-25-8659, 0514-25-8640, 0514-25-8530, 0514-26-9078, 0514-35-0938, 0514-35-0970, 0514-35-1800; Anderson Creek Township; SR # 1197 (Old Salem Drive).</p>	<p><b>VARIANCE</b></p> <p><input checked="" type="checkbox"/> Granted</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Tabled</p> <p><input type="checkbox"/> Withdrawn</p> <p><input type="checkbox"/> Dismissed Without Prejudice</p>
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Kenneth Shaw, Chairman


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Landon Chandler, Senior Planner

09/14/2020  
Date