

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

August 10, 2020 at 6:00 PM

FINDINGS OF THE BOARD OF ADJUSTMENT

Having heard the evidence in the following case at their regular meeting on August 10, 2020 the Harnett County Board of Adjustment makes the following findings of fact:

Variance BOA2007-0001	Christopher Lee Thomas. Applicant is requesting a variance of 17.5 feet from the rear setback requirement of 25 feet. Specifically, the Harnett County Unified Development Ordinance, Article IV, Section 14.2, Setbacks; RA-30 Zoning District; PIN# 0663-70-8404.000; Black River Township; Off SR # 1440 (James Norris Road on Wallace Street).	
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:	<u>The property has extraordinary conditions due to its size and shape. It is located on a cul-de-sac at the end of a neighborhood.</u>	Motion By: <u>Sharlow</u> Second By: <u>Pope</u> Vote: For <u>4</u> / Against <u>0</u>
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:	<u>The property is irregular in shape and size which limits the location of development thus making the site eligible for a variance.</u>	Motion By: <u>Sharlow</u> Second By: <u>Massey</u> Vote: For <u>4</u> / Against <u>0</u>
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:	<u>The property owner did not receive proper representation from the company he purchased the structure from. The property owner is seeking minimal setbacks to allow for the existing construction.</u>	Motion By: <u>Massey</u> Second By: <u>Pope</u> Vote: For <u>4</u> / Against <u>0</u>
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:	<u>Testimony has verified that the existing neighbors would like the property lines protected with fencing and vegetation to address storm water run off and guard against future encroachments.</u>	Motion By: <u>Shaw</u> Second By: <u>Massey</u> Vote: For <u>4</u> / Against <u>0</u>
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:	<u>The property owner hired a company to provide all steps of construction.</u>	Motion By: <u>Massey</u> Second By: <u>Pope</u> Vote: For <u>4</u> / Against <u>0</u>
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>Structure is existing and minimum setbacks are being requested.</u>	Motion By: <u>Massey</u> Second By: <u>Sharlow</u> Vote: For <u>4</u> / Against <u>0</u>
I move that Variance application BOA2007-0001 has met all of the finding of facts in the affirmative and the variance be approved.		Motion By: <u>Massey</u> Second By: <u>Pope</u> Vote: For <u>4</u> / Against <u>0</u>

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