



Town of Franklinton

Board of Commissioners
Town Hall 101 N. Main St.
May 16, 2023, 7:00 PM

MINUTES

Those in Attendance: Mayor Pro Tem John Allers, Commissioners Judy McArn, Alvin Holden, and Latasha Wilder, Town Manager Zach Steffey, Town Attorney Brian Pridgen, and Town Clerk Lauren Chandler

Others in Attendance: Chief of Police James Davis Jr., Public Works Director Brad Kearney, Carey Johnson with The Franklin Times, and citizens

Mayor Pro Tem Allers called the Board of Commissioners meeting to order at 7:01 PM. The Pledge of Allegiance was led by Mayor Pro Tem Allers.

Approval of Agenda

One item has been added to the agenda (item 6f). This item will be the presentation of the Recommended Fiscal Year 2023-2024 Budget.

Commissioner Wilder made a motion to approve the agenda with the addition. Commissioner McArn seconded the motion. The motion was approved by a vote of 3-0.

Approval of Minutes

Commissioner Holden made a motion to approve the minutes for the following dates: April 18, 2023 Regular Meeting, April 18, 2023 Adjustment Meeting, and April 18, 2023 Closed Session. Commissioner McArn seconded the motion. The motion was approved by a vote of 3-0.

Public Comments (Three-minute time limit)

Mrs. Dobie, 201 Winston Street, spoke on the speeding and conditions of the roads surrounding her home. She summarized her surrounding roads as being too narrow, needing patching and pothole refills, and more road safety with children in the area. She further explained that the stop signs were being run through by vehicles and large trucks making the area unsafe. She commented that the sink hole made to repair sewer lines was still not repaired, the street sign was in need of replacement, and the stop sign was shorter than legal requirements and blocked by tree limbs. Mrs. Dobie was concerned that taking away the US-1A status of Main Street would move truck traffic to adjacent roads. She asked that the Town would allow "no truck" signs to be put back up on Winston Street and that speed humps would be placed at Winston and Church Streets to slow down speeding.

Agenda Items

- a. Consideration of a Rezoning Petition for 467 South Chavis Street (Parcel ID 010462) from the Residential Single Family Medium Zoning District (RSM) to the Residential Single Family High Zoning District (RSH).

Commissioner McArn made a motion to adopt the Resolution to support the removal of the US-1A designation from Main Street to address cut-through truck traffic and safety concerns. Commissioner Wilder seconded the motion. The motion was approved by a vote of 3-0.

d. Consideration of an ordinance approving an annexation agreement between the Town of Franklinton and the Town of Youngsville

i. Presentation of Ordinance

Zachary Steffey

The Town of Franklinton has been in discussions for the past several months with the Town of Youngsville about establishing an Annexation Line of Agreement between the two Town's. Annexation Agreements are legally binding documents that are effective for a period of time up to twenty years. The Annexation Agreement and associated Line of Agreement will establish a boundary for how far south the Town of Franklinton can annex properties and/or extend its ETJ and how far north the Town of Youngsville can annex properties and/or extend its ETJ. This agreement represents an important strategic planning document for both Town's and allows each Town to effectively plan for future growth and development.

The Board of Commissioners are asked to consider approving the proposed Annexation Agreement and Line of Agreement Map and to authorize the Mayor in consultation with the Town Manager and the Town Attorney to enter into the agreement with the Town of Youngsville.

The proposed boundary line runs through the area around US1 near the Bert Winston intersection, into the vicinity of the Hidden Lake neighborhood, and then comes up around Peach Orchard Road. This is the Line of Agreement that both towns were able to agree upon in their discussions over the last several months and will define some of our planning and development goals for the future. This agreement will help clarify when property should be annexed into the Town of Youngsville or the Town of Franklinton.

ii. Vote to Open Public Hearing

Board of Commissioners

Commissioner Holden made a motion to open the Public Hearing. Commissioner Wilder seconded the motion. The motion was approved by a vote of 3-0.

Dustin Coleman, 828 Cooke Street, Louisburg, asked whether addresses would change for properties located close to the Line of Agreement and where the previous existing Line of Agreement is located. Mr. Steffey responded that the addresses would remain the same as they are determined by the postal service and that there was not a previous Line of Agreement in place.

Commissioner McArn wanted to ensure that Franklinton High School would be included on the Franklinton side of the Line of Agreement. Mr. Steffey showed on the map that the High School would be on the Franklinton side of the line of agreement. It was asked whether there were any previous or current agreements with the Town of Louisburg. Mr. Steffey answered that there are not any agreements yet, but it is something that should be discussed in the future.

iii. Vote to Close Public Hearing

Board of Commissioners

Commissioner Wilder made a motion to close the Public Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 3-0.

iv. Vote on Ordinance

Board of Commissioners

Commissioner McArn made a motion to approve the ordinance approving an annexation agreement between the Town of Franklinton and the Town of Youngsville. Commissioner Holden seconded the motion. The motion was approved by a vote of 3-0.

contract and will explore this in the next year), matching costs for the Police Department and Public Works department for vehicles acquired through the Enterprise program to pay for any upfitting.

Mr. Steffey thanked the staff and Board of Commissioners for their hard work in this budget process. We will be setting a public hearing for the approval of the budget at our next Board of Commissioners meeting on June 20, 2023.

Reports

- a. Town Manager Report, Staff Reports (included in packet)
 - ii. The Town Celebrated Arbor Day with a Tree Planting and Litter Sweep event. The Town thanks Novozymes for the trees they donated to be planted. These trees were planted in the gaps in the tree canopy along North Main Street and will enhance our Town's tree canopy as they mature.
 - iii. The Town had the opportunity to visit the General Assembly. We thank Commissioner McArn and Mayor Wright who were able to participate in this visit. We had the opportunity to talk with Representative Winslow and Representative Sossamon and we would like to thank them for giving us a tour of the General Assembly and talking with us about our legislative interests and priorities.
 - iv. We have put up our new banners for the spring and summer seasons. We are excited to get those up. We also already have our Fall banners ready for when that season comes.
 - v. We have started our Military banners program. We are still waiting for more details on that process from the design company, but this will be a nice addition to our town.
 - vi. The Town was able to make some additional improvements to the Texaco Station Park. We have added a sign and planted some flowers. Thank you to Roxanne Hudson for partnering with the Town. The community is enjoying the area. There may be a mural on the inside area of the station coming in the future.
 - vii. We had a huge turnout for our Cinco de Mayo Fridays in Franklinton event. Thank you, Chris George, for your participation and Toros for sponsoring this event. Toros gave us 100 free taco coupons that were handed out or claimed via the pinatas. Toros also paid for the Mariachi Band that did a wonderful job. Thank you, Destiny Russell, for handling our events for the Town.
 - viii. Public Works have been doing street repairs and have been patching and filling potholes. There is a lot that needs to be done in town, and we are trying to get a patching and pothole request form on our website that would allow requests to be submitted and for residents to see what work is in progress.
 - ix. The Town is looking to rebuild our website. Our current website does not allow for certain updates, including pictures and important information, and we would like to see this improved.
 - x. The Town's Movie Night went well. We had somewhere between 100-120 people turn out for this event. Thank you to Destiny Russell for organizing this event and staying to serve popcorn with her family.
 - xi. The Town would like to recognize our Police Department for National Police Week. Thank you to the Franklinton Women's Club for the gift basket and goodies they made for the Police Department.
- b. Advisory Board Reports (included in packet)

Upcoming Meetings and Events

- a. May 29, 2023 – Town Hall Closed in observance of Memorial Day.
- b. June 2, 2023 – Fridays in Franklinton 5:00 PM – 8:00 PM
- c. June 12, 2023 – Planning Board Meeting at Town Hall at 6:00 PM
- d. June 17, 2023 – Juneteenth Celebration at Porte Noire Gardens, 200 Korea St., Franklinton



Town of Franklinton

Board of Adjustment
Town Hall 101 N. Main St.
May 16, 2023, 7:00 PM

MINUTES

Those in Attendance: Mayor Pro Tem John Allers, Commissioners Judy McArn, Alvin Holden, and Latasha Wilder, Town Manager Zach Steffey, Town Attorney Brian Pridgen, and Town Clerk Lauren Chandler

Others in Attendance: Chief of Police James Davis Jr., Public Works Director Brad Kearney, Carey Johnson with The Franklin Times, and citizens

Mayor Pro Tem Allers called the Board of Adjustment meeting to order.

Approval of the Board of Adjustment Agenda

Board of Adjustment

Commissioner McArn made a motion to approve the Board of Adjustment Agenda. Commissioner Wilder seconded the motion. The motion was approved by a vote of 3-0.

Agenda Items

Mr. Pridgen asked the Board of Adjustment if there was any conflict of interest or prior knowledge of the agenda item. The Board of Adjustment responded that there was no conflict of interest or prior knowledge.

- a. Consideration of a Variance request for 442 S. Hillsborough Street, Parcel ID 007006 pursuant to Article 156.3 Section 3.2 of the Franklinton Unified Development Ordinance.

- i. Presentation of Variance Request

Zachary Steffey

The Town of Franklinton has received a variance request for 442 South Hillsborough Street (Parcel 007006). The request for a variance was submitted by Colebrooke Custom Homes, LLC who is also the owner of the subject property. The property is located in the RSM Residential Single Family Medium Zoning District. The property is bordered to the north, west, and south by property zoned RSM and to the east by property zoned RSH. According to the applicant the property is .10 acres or 4,356 sq ft. According to the Franklin County GIS records the property is .0999 or 4,351.64 sq ft. The minimum lot size requirement of the RSM Zoning District is 10,000 square feet. The required minimum lot width in the RSM Zoning District is 80 feet, the subject property is approximately 50 feet wide. The minimum lot depth according to the UDO is 100 feet, the subject property is approximately 89 feet deep. Therefore, the subject property does not meet the minimum lot size and lot dimensional requirements of the RSM Zoning District. The following sections of the Town's Unified Development Ordinance are applicable to this circumstance:

7.4.2 VARIANCE REQUIRED FOR SINGLE-FAMILY CONSTRUCTION ON SOME LOTS

. In cases where the lot area and lot width of a nonconforming lot of record are less than 75 percent of the minimum specified for the district where located, the Board of Adjustment may approve a variance allowing the lot to be used as a building site for a single-family residence, provided:

(3) The hardship did not result from actions taken by the applicant or the landowner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of the variance shall not be regarded as a self-created hardship.

(4) The requested variance is consistent with the spirit, purpose, and intent of this Ordinance, such that public safety is secured, and substantial justice is achieved.

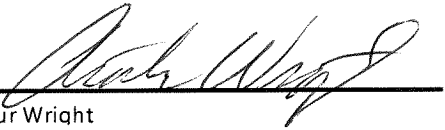
(5) When requested as part of the subdivision of land, the variance approval is the minimum necessary to make possible the reasonable use of the land, building, or structure.

Commissioner Holden seconded the motion. The motion was approved by a vote of 3-0.

Adjournment

Commissioner Wilder made a motion to adjourn the Board of Adjustment meeting. Commissioner Holden seconded the motion. The motion was approved by a vote of 3-0.

X



Arthur Wright
Mayor

X



Lauren Chandler
Town Clerk



Town of Franklinton

Board of Adjustment
Town Hall 101 N. Main St.
May 16, 2023, 7:00 PM

MINUTES

Those in Attendance: Mayor Pro Tem John Allers, Commissioners Judy McArn, Alvin Holden, and Latasha Wilder, Town Manager Zach Steffey, Town Attorney Brian Pridgen, and Town Clerk Lauren Chandler

Others in Attendance: Chief of Police James Davis Jr., Public Works Director Brad Kearney, Carey Johnson with The Franklin Times, and citizens

Mayor Pro Tem Allers called the Board of Adjustment meeting to order.

Approval of the Board of Adjustment Agenda

Board of Adjustment

Commissioner McArn made a motion to approve the Board of Adjustment Agenda. Commissioner Wilder seconded the motion. The motion was approved by a vote of 3-0.

Agenda Items

Mr. Pridgen asked the Board of Adjustment if there was any conflict of interest or prior knowledge of the agenda item. The Board of Adjustment responded that there was no conflict of interest or prior knowledge.

Consideration of a Variance request for 442 S. Hillsborough Street, Parcel ID 007006 pursuant to Article 156.3 Section 3.2 of the Franklinton Unified Development Ordinance.

Presentation of Variance Request

Zachary Steffey

The Town of Franklinton has received a variance request for 442 South Hillsborough Street (Parcel 007006). The request for a variance was submitted by Colebrooke Custom Homes, LLC who is also the owner of the subject property. The property is located in the RSM Residential Single Family Medium Zoning District. The property is bordered to the north, west, and south by property zoned RSM and to the east by property zoned RSH. According to the applicant the property is .10 acres or 4,356 sq ft. According to the Franklin County GIS records the property is .0999 or 4,351.64 sq ft. The minimum lot size requirement of the RSM Zoning District is 10,000 square feet. The required minimum lot width in the RSM Zoning District is 80 feet, the subject property is approximately 50 feet wide. The minimum lot depth according to the UDO is 100 feet, the subject property is approximately 89 feet deep. Therefore, the subject property does not meet the minimum lot size and lot dimensional requirements of the RSM Zoning District. The following sections of the Town's Unified Development Ordinance are applicable to this circumstance:

7.4.2 VARIANCE REQUIRED FOR SINGLE-FAMILY CONSTRUCTION ON SOME LOTS

A. In cases where the lot area and lot width of a nonconforming lot of record are less than 75 percent of the minimum specified for the district where located, the Board of Adjustment may approve a variance allowing the lot to be used as a building site for a single-family residence, provided:

1. Residential uses are permitted in the district where the nonconforming lot is located;
2. The dimensions of the variance conform as closely as possible to the required dimensions of the district;
3. The Franklin County Health Department approves any on-site water or wastewater facilities.

B. If the pre-existing nonconforming lot is not in a district where single-family dwellings or manufactured homes are permitted, the Board of Adjustment may issue a variance to allow a permitted use.

The Board of Adjustment is asked to consider granting a variance for 442 South Hillsborough Street (Parcel 007006) to allow for the construction of a new single-family dwelling pursuant to Section 7.4.2 of the UDO.

Applicant Presentation and Comments

Mr. Dustin Moore

Town Clerk, Mrs. Chandler, swore in Dustin and Lauren Colebrooke.

Mrs. Colebrooke commented that Colebrooke Custom Homes, LLC has built 7 homes in Franklinton in the last two years. They have grown up here and have an invested interest in the Town. They are a husband-and-wife team and are on the sites daily. They are seeking a square footage variance and setback variance with this new home. They are building a single-family dwelling on this property. This building will increase tax revenue for the town to around \$2,000 per year. The original dwelling was not salvageable and was removed. The new dwelling will be a 2-story home around 1,400 square feet.

Commissioner Wilder inquired what the distance from the road would be. The distance from the road would still meet the requirements of the UDO for this property.

Adrian Ellis, 440 S Hillsborough St, was sworn in by Town Clerk, Lauren Chandler. Ms. Ellis asked how the setbacks would affect her property as well as the property fencing. Mr. Colebrooke explained that the variance would be 11 inches difference. The structure would be 11 inches closer to the property line. The old construction was actually closer to the property line than this new build. The new construction will be further away than the last structure on the property. The temporary fencing is up to define property lines and to protect neighboring properties during construction.

Vote to Open Evidentiary Hearing

Board of Adjustment

Commissioner McArn made a motion to open the Evidentiary Hearing. Commissioner Wilder seconded the motion. The motion was approved by a vote of 3-0.

Vote to Close Evidentiary Hearing

Board of Adjustment

Commissioner Wilder made a motion to close the Evidentiary Hearing. Commissioner McArn seconded the motion. The motion was approved by a vote of 3-0.

Vote on Variance Request

Board of Adjustment

Commissioner McArn made a motion to approve the Variance request for 442 S. Hillsborough Street, Parcel ID 007006 pursuant to Article 156.3 Section 3.2 of the Franklinton Unified Development Ordinance, to include the presentations and reports of the Town and Mr. and Mrs. Colebrook as evidence, and the following requirements have been met:

- (1) Unnecessary hardship would result from the strict application of the Ordinance. It shall not be 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.

(3) The hardship did not result from actions taken by the applicant or the landowner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of the variance shall not be regarded as a self-created hardship.

(4) The requested variance is consistent with the spirit, purpose, and intent of this Ordinance, such that public safety is secured, and substantial justice is achieved.

(5) When requested as part of the subdivision of land, the variance approval is the minimum necessary to make possible the reasonable use of the land, building, or structure.

Commissioner Holden seconded the motion. The motion was approved by a vote of 3-0.

Adjournment

Commissioner Wilder made a motion to adjourn the Board of Adjustment meeting. Commissioner Holden seconded the motion. The motion was approved by a vote of 3-0.