



Town of Youngsville
Board of Adjustment
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**BOARD OF ADJUSTMENT
TOWN OF YOUNGVILLE
AGENDA**

**MAY 6, 2021
7:00 PM**

**YOUNGVILLE COMMUNITY HOUSE
115 E MAIN STREET**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF THE MINUTES – FEBRUARY 6, 2020**
ACTION REQUESTED: APPROVE AS SUBMITTED
- 4. OLD BUSINESS - NONE**
- 5. NEW BUSINESS**
 - A. APPEAL OF STAFF DECISION – 321 N NASSAU STREET –
PROJECT #SPR-201012**
- 6. REPORTS AND OTHER BUSINESS**
- 7. ADJOURN**

This is a public meeting and is subject to North Carolina open meetings and public records law. To preserve the public record and increase transparency, video and audio recordings are performed at all public meetings. Please note these recordings, the clerk's detailed minutes of all meetings, and any documents reviewed during meetings are public domain and may be disclosed to third parties.



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**MINUTES
BOARD OF ADJUSTMENT**

**FEBRUARY 6, 2020
7:00PM**

YOUNGSVILLE COMMUNITY HOUSE

Chairman Fonzie Flowers called the meeting of the Town of Youngsville Board of Adjustment to order at 7:00 pm. Chairman Flowers initiated a roll call. In attendance were Chairman Fonzie Flowers, Members Terry Hedlund, Larry Wiggins, Scott Brame, and Catherine Redd, Town Administrator Phillip Cordeiro, Town Attorney Edward Bartholomew, Planning / Zoning Administrators Bob Clark and Erin Klinger and Town Clerk Emily Hurd. Member Joseph Johnson was not in attendance. A representative of the Franklin Times was also present.

The first item on the agenda was to approve the minutes from the May 2, 2019 Board of Adjustment Meeting.

MOTION: TO APPROVE THE MINUTES FROM THE MAY 2, 2019 BOARD OF ADJUSTMENT MEETING

The motion was made by Member Hedlund and was seconded by Member Redd. The motion passed unanimously.

The next item on the Agenda was Old Business. There was no Old Business.

The next item on the Agenda was New Business. The first item under New Business was a Special Use Application for Washington Manor on S College Street.

Chairman Flowers asked Attorney Bartholomew to give an outline of hearing conduct. Attorney Bartholomew explained the Board sits as a quasi-judicial unit, meaning they sit as judges, to determine if the Conditional Use Permit is something that can be done under the current ordinances. Anyone wishing to testify will need to have standing in the case, such as adjacent property or be directly affected by this decision. People with no standing will not be allowed to testify. Once all the information has been presented, the Board will discuss the case before moving on to the vote. Approval or denial of the Conditional Use Permit will be based on the answers to questions in the Findings of Fact. Attorney Bartholomew noted Chairman Flowers will not have a vote, as he facilitates the hearing.

Town Clerk Hurd swore in those wishing to testify; Bob Clark, Erin Klinger, and Michael J Hurt.

Klinger gave a preliminary statement to describe the case before the Board. She stated the Board was here to consider a Special Use Permit application for property located on S College Street for a request to construct a 144-unit multi-family apartment complex on two tracts that total approximately 11 acres.

Klinger read Staff Findings into the record.

Item: Consider an application #191119 filed by Hurt and Coggins, LLC, to request a Special Use Permit for property on South College Street (Tax Parcel Numbers 005293 and 044911) to construct a 144-unit multi-family apartment complex.



The preceding aerial view (2017) shows the subject of the Special Use Permit request, two parcels that combine for a total of approximately 11 acres (around 479,000 square feet) east of South College Street and west of the CSX railroad.

Request:

The applicant Hurt and Coggins, LLC, is requesting a Special Use Permit to build a 144-unit multi-family apartment complex on two tracts that total approximate 11 acres.

See Exhibit A: Application date 11/19/2019 with Site Plan.

Pre-application Conferences:

The applicant conferred with the Town of Youngsville Planning Department prior to submission of the application. Comments from Planning Staff are provided below for your information. The applicant presented several designs to Planning Staff over the course of review. The most recent version of the site plan was revised to accommodate suggestions by staff and the Technical Review Committee.

Surrounding Land Uses and Zoning:

The site is surrounded by single-family zoning of varying densities, with the northern boundary of the site bordered by Town-owned property.

North – Vacant, Civic

South – Vacant, Single-Family Residential-3

East – Vacant, Single-Family Residential-3

West – frontage on South College Street – Single-Family Residential-2

Technical Review Committee Comments:

Comments from NCDOT:

An eastbound left turn lane with 50 feet of full storage and appropriate tapers as well as an eastbound right turn lane with 100 feet of full storage with appropriate tapers will be required on Holden Road at College Street. **THIS WILL BE INCORPORATED INTO THE CONSTRUCTION DESIGN PLANS ONCE THE SPECIAL USE PERMIT HAS BEEN APPROVED.**

Comments from Franklin County Public Utilities:

Water and sewer are not available currently for the proposed Washington Manor Apartments. Plans and Engineer's water system analysis will have to be submitted to FCPU for review in order to provide water and sewer to the proposed site. A water allocation application will need to be submitted as well. **THE ENGINEER HAS INDICATED THAT ONCE THE SPECIAL USE PERMIT HAS BEEN APPROVED, THEY WILL MEET WITH FCPU IN ORDER TO DETERMINE THE BEST SOLUTION FOR PROVIDING WATER AND SEWER TO THIS PROJECT.**

Comments from Youngsville Fire Department:

K-Flex USA is within 3000 feet of the proposed project which is of concern and should be considered as a potential hazard, should their chemical inventories have off-site consequences if released. The facility is required by federal law to maintain risk management plans to effectively manage off-site consequences and exercise those plans; however, residential encroachment on industrial properties is never advisable by YFD. Additionally, we would like to see a fire hydrant installed in each parking lot proposed for a total of 2 fire hydrants. We would also respectfully ask the developer to consider installation of sprinkler systems in the apartment homes to include a common attic space. **AN AMENDED PLAN WITH A FIRE HYDRANT IN THE NORTHERN PARKING LOT HAS BEEN RESUBMITTED TO ADDRESS THIS COMMENT.**

Comments from Planning Staff:

The Technical Review Committee made comments on the preliminary plan and those comments have been addressed. If the Special Use Permit is approved, then the applicant will prepare a full set of detailed construction plans for review.

Planning Board Action:

The Planning Board met January 14, 2020 in consideration of the Special Use Permit application. The board passed the following motion: **TO MAKE A FAVORABLE RECOMMENDATION TO THE BOARD OF ADJUSTMENT TO APPROVE A SPECIAL USE PERMIT APPLICATION (SUP-191119) MADE BY HURT AND COGGINS, LLC TO CONSTRUCT A MULTI-FAMILY APARTMENT COMPLEX ON SOUTH COLLEGE STREET, YOUNGSVILLE, NC, PROVIDED THAT ADJUSTMENTS RECOMMENDED BY NCDOT AND FRANKLIN COUNTY PUBLIC UTILITIES ARE MET.**

The motion was made by Member Scott Anderson, seconded by Member Janice Pearce, and unanimously approved.

Chairman Flowers polled the Board as to any conflicts of interest or bias. The Board answered no, unanimously, to not having a fixed opinion prior to hearing the matter that is not susceptible to change. Chairman Flowers asked the Board if there had been any undisclosed ex parte communications and the Board answered no, unanimously. The Board answered no, unanimously, to having a close familial, business, or other associational relationship with an affected person or entity; or a financial interest in the outcome of the matter.

The Special Use Permit Application and Staff Findings were entered into evidence as Washington Manor 1 (WM-1). *Note: later in the hearing it was decided to separate the two items as the Special Use Permit Application as Washington Manor 1 (WM-1) and the Staff Findings as Washington Manor 2 (WM-2).

Chairman Flowers opened the floor for the applicant to present evidence for his application. Michael J Hurt of Danco Builders, and representing Hurt and Coggins LLC, explained they have been working on this project for two years. He felt this project would be a valuable asset to the community and its citizens. Mr. Hurt stated he was excited to make a positive contribution to Youngsville and looked forward to getting started.

Chairman Flowers opened the floor to ask questions of the applicant. He asked that anyone speaking identify themselves and their relationship to the property.

Member Redd asked how the project would be a valuable addition to the community. Mr. Hurt stated the complex would be a permanent revenue stream through taxation, thus allowing the Town to make more capital improvements such as sidewalks, streetlights, and landscaping.

Mr. Hurt stated it would also open affordable housing for the citizens of Youngsville as the target rent was approximately \$800 - \$1,000. He stated that not everyone could afford the new homes in Youngsville as most of the newer homes started around \$300,000. Mr. Hurt stated they

had a good track record in Youngsville as well as other communities. He noted their duplexes in Hampton Downs were renting fast and explained they do background checks on tenants. Mr. Hurt stated this complex will also benefit local businesses like the restaurants and pubs.

Member Redd expressed concerns about traffic, as it was already overwhelming. Adding 144 more cars at the 5-Points intersection does not seem like a good idea. Mr. Hurt explained NC DOT was requiring them to add two turn lanes, right and left, to the 5-Points intersection where Holden Road merges to NC Highway 96. Having them install the turn lanes expedites the improvements that NC DOT wants to make to that intersection. Mr. Hurt stated they may have to bear the brunt of the costs though they were hoping NC DOT would help fund the project. Member Redd noted the 5-Points intersection was difficult to enter with the existing traffic problems. She stated she had real concerns about adding this much extra traffic. Mr. Hurt explained NC DOT will leave the right yield at W Main Street. He stated the proposed roundabout would be the ideal solution. He stated NC DOT did a traffic study which is why they were requesting the two turn lanes to keep traffic from stacking up.

Member Redd asked about connectivity to the downtown area, such as sidewalks and lighting. She worried that not everyone would have access to a vehicle, or they may just want to walk around town. Mr. Hurt stated there would be sidewalks in the community and an existing walking trail that will not be disturbed. He noted this may be a good opportunity for the Town to connect walking paths for a greenway. Mr. Hurt felt it would be wonderful to figure out a way to run sidewalks from this community and tie it into downtown.

When asked, Mr. Hurt explained where the property was located. He explained it backed to the railroad and noted that sewer goes up the back of the property. Mr. Hurt explained the property was originally zoned as Mixed Use before the rezoning changed it into residential. Member Redd asked about building apartments close to a manufacturing company like K-Flex and Mr. Hurt stated there were already residential properties in the area. As safety is a factor, they did add additional fire hydrants as requested. Member Hedlund inquired about sprinklers and Mr. Hurt stated they already planned on installing sprinklers per state regulations. Mr. Hurt explained they were looking to increase the water supply, possibly looping around, and connecting to S Cross Street. He noted this may help the community as well with water quality and an increase to pressure. Chairman Flowers asked if they would require a pump station and Mr. Hurt stated they would use one to tie into the Franklin County pump station behind the property.

Chairman Flowers noted that Franklin County has a limited water supply and asked what they would do if they were denied water allocation. Mr. Hurt stated they were vested in this project and would probably re-apply if originally denied. He was confident they will get allocation passed with their original application. Based on his previous experience, Mr. Hurt felt they met the guidelines. He stated this complex would be a plus for Youngsville based on increased tax base and the extended water and sewer lines. Mr. Hurt explained this complex was classified as commercial, so it will not affect residential allocations. Cordeiro clarified the complex would be drawing from a different allocation pool as it was considered a commercial enterprise and will not compete with subdivisions.

Member Hedlund asked for clarification about emergency vehicle access and Mr. Hurt showed the locations on the map, which was included in the application. Mr. Hurt explained how emergency vehicles would enter and move around the complex. He stated they would leave as many of the natural trees as they can and showed the existing walking path on the map.

Member Redd noted the cemetery was across the street and Mr. Hurt explained the complex would have buffering. Member Redd felt Mr. Hurt would do a good job based on their other properties in Youngsville. She stated that 144 apartments just felt like a lot.

Chairman Flowers loved the idea of keeping the walking path and inquired about the buffer. Mr. Hurt stated the buffer would be natural. He explained there was a portion of the property that was undevelopable due to a stream.

Chairman Flowers also expressed concerns about traffic. He inquired about traffic entering onto US 1A and ways to alleviate the stress on town streets. Mr. Hurt stated they had mentioned expanding the road outward and possibly connecting to S Cross Street, as it could possibly act as a bypass. He stated NC DOT seemed to feel comfortable with the amount of traffic on the road and the design of the road as is. Member Wiggins stated he understood they would be adding turn lanes but inquired about morning traffic with people trying to get to Highway #1. He expressed concerns about the traffic coming from the existing subdivisions and the narrowness of the roadways. Member Redd agreed, especially when you included traffic from Youngsville Elementary School. She stated that it was a good place to develop, and the tax revenue would be very helpful, but the traffic was a real issue. The turn lanes would help traffic on Holden Road but the morning traffic from all other directions would still be a problem. Cordeiro stated a potential future option the Board can consider as other parcels in the area are developed would be to extend S College Street to S Cross Street and/or Highway 96. He felt this would be great for the community. Cordeiro stated they could eventually use future development to help improve the roads. There was a brief discussion regarding the proposed truck route in the Comprehensive Development Plan. Clark noted NC DOT had noted there were only two ways out and felt most traffic would be on S College Street. Because of this, NC DOT did not feel there was a need for another turn lane since there was already one on US 1A. The traffic pattern will stay the same. Clark explained NC DOT did not require a traffic study for traffic heading towards Wake Forest on the east side of town. NC DOT also did not require an impact study, nor did our Ordinance require one to be done. Mr. Hurt stated they did their own report and NC DOT engineers have review it. The decision for two turn lanes was based on this report. Clark stated NC DOT did look at Oak Street and they told him the amount of traffic and future projections did not warrant a light or turn lane at this time.

Member Redd asked if all the buildings would be built at the same time and Mr. Hurt answered yes. He explained the building process would take approximately twelve months from beginning to the end. Mr. Hurt stated they yielded to NC DOT's recommendations. He stated they will provide what is necessary to proceed. Chairman Flowers asked who would install the turn lanes and Mr. Hurt explained their organization had the capability to do that in-house and would entertain handling that phase of the work. Mr. Hurt stated they will investigate the most cost-effective way to install the turn lanes. Member Brame inquired about the layout of the turn lanes and Mr. Hurt stated he would have to find out as he has not seen the final report. He stated the

final draft from NC DOT noted it need to have left and right turn lanes. Mr. Hurt stated he would investigate the layout and report back to the Board. Member Brame asked when the twelve-month time frame would start. Mr. Hurt explained it started on the day they broke ground, noting the whole process would take approximately one and half to two years from now, depending on the permitting process.

Chairman Flowers opened the floor to any persons in support of the application that would like to present evidence. There were no comments.

Chairman Flowers noted Klinger had presented the Staff Findings during her preliminary statement and asked if there was any further information. After a brief discussion, it was decided to break the Application and Staff Findings into two separate pieces of evidence. The application was considered as Washington Manor 1 (WM-1) and the Staff Findings was now considered Washington Manor 2 (WM-2). Applicant Testimony would be entered as Washington Manor 3 (WM-3).

Clark explained the Special Use Application was filed before the Youngsville Development Ordinance (YDO) was adopted. The developer was given the option of following the prior ordinance or the YDO and the applicant chose to proceed under the prior ordinance. Clark stated the application is correct and complies with the prior ordinance, the plans have been reviewed, and all existing standards of the prior ordinance for apartments applies. He stated Mr. Hurt was in full compliance with the prior ordinance. Clark explained the parking requirements and noted the applicant was proposing 218 parking spaces at 1.5 spaces per unit. The starting point in the prior ordinance was 2.5 spaces per unit but the prior ordinance did provide flexibility. The proposed units are two bedrooms and, based on other projects in town, Staff recommends the reduction of parking. This will reduce the impervious area and run off. That one standard was the only change from the basic standards provided in the prior ordinance. The complex will include open space, trees, sidewalks, lighting, and a mail kiosk, among other things. Staff and the Planning Board did approve the plan as presented. The State permits for erosion control for the stormwater requirements all come under the State rules.

Clark noted S College Street was a Town street. He explained the Town had a study done by Summit Engineering which shows the current condition of S College Street. Clark recommended requiring a study of the street conditions so the applicant can return the street to its current condition. The study would cost approximately \$800 to \$1,000 and Mr. Hurt stated he did not have a problem funding the study. Chairman Flowers asked if this should be a condition and Clark stated yes. Mr. Hurt inquired if the study would include before and after conditions and Clark explained the process. Mr. Hurt wanted to clarify they would only have to bring the street back to the condition it was before construction and Clark stated that was correct. Member Redd asked what happened if there was damage and Cordeiro explained the developer would be financially responsible for repairs. Hurd asked if the repairs would be included in their bond, and Clark stated no. As this was not a "street construction" it would not be a bond issue.

Chairman Flowers asked if there were any other conditions, noting Mr. Hurt has accepted all proposed conditions at this time. Clark clarified the hydrants were a standard condition and Chairman Flowers clarified there was no need to add an additional condition as the fire hydrants

were included in the design of the complex. Clark explained it would be good to include it as a condition as it was referred to. He noted it would be standard and not an additional requirement.

Clark noted the sidewalk in front of the property will be installed by the developer as a segment for the Town's sidewalk. He noted the sidewalk will ultimately become the Town's responsibility.

Clark's testimony was added into evidence as Washington Manor 4 (WM-4).

Chairman Flowers opened the floor to any persons opposed to granting the application that would like to present any evidence.

Chairman Flowers opened the floor for rebuttals to opposing testimony. There were no rebuttals.

When asked, Hurd noted Washington Manor 1 (WM-1) was the application, Washington Manor 2 (WM-2) was Staff Findings, Washington Manor 3 (WM-3) was Michael Hurt's testimony and Washington Manor 4 (WM-4) was Bob Clark's testimony. Cordeiro noted Washington Manor 2, the Staff Findings, will need to be amended to place financial responsibility on the developer for a pavement condition analysis before and after the project and responsibility for any additional damage done to the pavement during the construction as indicated by the study.

Chairman Flowers asked if there were any other conditions the Board would like to include. Clark also wanted to include authorization for reducing the parking spaces from 2.5 spaces to 1.5 spaces per unit. When asked for clarification, Clark stated it could be added to Staff Findings instead of becoming a separate condition.

Attorney Bartholomew and Hurd went through the evidence; Washington Manor 1 (WM-1) was the application, Washington Manor 2 (WM-2) was amended Staff Findings, Washington Manor 3 (WM-3) was Michael Hurt's testimony and Washington Manor 4 (WM-4) was Bob Clark's testimony. Amendments to Staff Findings included the pavement condition analysis before and after construction, with any damage to be repaired, at the developer's expense, and the authorization of reducing parking from 2.5 spaces to 1.5 spaces per unit.

MOTION: TO ACCEPT FOUR ITEMS OF EVIDENCE: WASHINGTON MANOR 1 WAS THE APPLICATION, WASHINGTON MANOR 2 WAS AMENDED STAFF FINDINGS, WASHINGTON MANOR 3 WAS MICHAEL HURT'S TESTIMONY AND WASHINGTON MANOR 4 WAS BOB CLARK'S TESTIMONY

The motion was made by Member Redd and was seconded by Member Brame. The motion passed unanimously.

Chairman Flowers noted both conditions were added as amendments to Staff Findings and inquired if there were additional conditions. There were no other conditions.

Chairman Flowers asked if there was any more discussion or questions.

MOTION: TO CLOSE THE COLLECTION OF EVIDENCE PORTION OF THE HEARING.

The motion was made by Member Wiggins and was seconded by Member Hedlund. The motion passed unanimously.

Chairman Flowers opened the deliberation section of the Hearing for the Board. Attorney Bartholomew asked if there were any other conditions to be deliberated and there were none.

Member Redd inquired about the increase to the tax base and Mr. Hurt stated the development would be valued at approximately \$20,000,000. Cordeiro noted that would translate to approximately \$109,000 of annual tax revenue. Hurd noted revenue based on population would also increase.

Chairman Flowers noted previous conditions had been added to Staff Findings and adopted into evidence as Washington Manor 2 (WM-2).

Conditions:

There were no additional conditions other than the amendments to Staff Findings, Washington Manor 2 (WM-2).

Attorney Bartholomew read the Findings of Facts.

1. 710.1.1 The proposed use will comply with all of the dimensional and other standards which this ordinance applies to all users? 4 ayes / 0 nays
2. 710.1.2 Access roads or entrance and exit drives are or will be suitable in size and properly located to ensure automotive and pedestrian friendly safety and convenience, traffic flow, and control and access in case of fire or other emergency. 4 ayes / 0 nays
3. 710.1.3 Off-street parking, loading, refuse, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic glare, odor, and other impacts on adjoining properties in the general neighborhood. 4 ayes / 0 nays
4. 710.1.4 Utilities, schools, fire, police and other public and private facilities and service will be adequate to handle the proposed use. 4 ayes / 0 nays
5. 710.1.5 The location and arrangement of the use of the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts. 4 ayes / 0 nays

6. 710.1.6 The type, size and intensity of the proposed use, including such consideration as hours of operation and number of people who are likely to utilize or be attracted to use, will not have significant adverse impact on adjoining properties or the neighborhood. 4 ayes / 0 nays

Attorney Bartholomew stated the Special Use Permit for Washington Manor has been approved.

The Board of Adjustment took a small break before hearing the next case.

The second item under New Business was a Special Use Application for Hampton Village on NC Highway 96.

Town Clerk Hurd swore in those wishing to testify; Bob Clark, Erin Klinger, and Michael J Hurt.

Klinger gave a preliminary statement to describe the case before the Board. She explained the Board was here to consider a Special Use Permit for property on NC Highway 96 to construct a 48-unit addition to an existing multi-family apartment complex.

Klinger read Staff Findings into the record.

Item: Consider an application #191119-2 filed by Hurt and Coggins, LLC, to request a Special Use Permit for property on Highway 96 (Tax Parcel Numbers 034130 and 028165) to construct a 48-unit addition to an existing multi-family apartment complex.



The preceding aerial view (2017) shows the subject of the Special Use Permit request, two parcels that combine for a total of approximately 3 acres (around 131,000 square feet) northeast of Highway 96 and adjacent to the existing Hampton Village apartment complex.

Request:

The applicant, Hurt and Coggins, LLC, is requesting a Special Use Permit to build a 48-unit addition to an existing multi-family apartment complex on two tracts that total approximately 3 acres.

See Exhibit A: Application dated 11/19/2019 with Site Plan.

Pre-application Conferences:

The applicant conferred with the Town of Youngsville Planning Department prior to submission of the application. Comments from Planning Staff are provided below for your information. The applicant presented several designs to Planning Staff over the course of review. The most recent version of the site plan was revised to accommodate suggestions by staff and the Technical Review Committee.

Surrounding Land Uses and Zoning:

The site is bordered by the existing Hampton Village apartment complex and Youngsville Fire Department to the north and commercial development across Wolfpack Lane. The lot to the east is vacant. The Sirchie campus is to the south across Highway 96.

North – Vacant, Civic

South – frontage along Highway 96 – Mixed-Use-2

East – frontage along Wheaton Avenue – Mixed-Use-2

West – frontage along Wolfpack Lane – Mixed-Use-2

Technical Review Committee Comments:

Comments from NCDOT:

An eastbound left turn lane with 100 feet of full storage and appropriate tapers on NC 96 at Wolfpack Lane is required. **THIS WILL BE INCORPORATED INTO THE CONSTRUCTION DESIGN PLANS ONCE THE SPECIAL USE PERMIT HAS BEEN APPROVED.**

Comments from Franklin County Public Utilities:

Water and sewer are available for the proposed Hampton Village Apartments. No water allocation has been approved by Franklin County for this project. **THE ENGINEER HAS NOTED THAT THE DEVELOPER IS CURRENTLY WORKING ON THEIR ALLOCATION APPLICATION.**

Comments from Youngsville Fire Department:

Like the Meadow Park Villas project (Sirchie land) in early 2018, we would advise against adding any further residential occupancies along the industry on Jeffrey Way, specifically Southern Lithoplate, due to the hazards associated with the chemicals used on site. Additionally, we would like to see a fire hydrant installed on the proposed water main between the two building on the north side of the property. We would also respectfully ask the developer to consider installation of sprinkler systems in the apartment homes to include a common attic space. **AN AMENDED PLAN WITH A FIRE HYDRANT ADDED WHERE THE FIRE DEPARTMENT REQUESTED HAS BEEN RESUBMITTED TO ADDRESS THIS COMMENT.**

Comments from Planning Staff:

The Technical Review Committee made comments on the preliminary plan and those comments have been addressed. If the Special Use Permit is approved, then the applicant will prepare a full set of detailed construction plans for review.

Planning Board Action:

The Planning Board met January 14, 2020 in consideration of the Special Use Permit application. The board passed the following motion: **TO MAKE A FAVORABLE RECOMMENDATION TO THE BOARD OF ADJUSTMENT TO APPROVE A SPECIAL USE PERMIT APPLICATION (SUP-191119-2) MADE BY HURT AND COGGINS, LLC FOR THE EXPANSION OF THE EXISTING HAMPTON VILLAGE APARTMENT COMPLEX ON THE CORNER OF HIGHWAY 96 AND WOLFPACK LANE.**

The motion was made by Member Janice Pearce, seconded by Member Hank Lindwall, and unanimously approved.

Chairman Flowers polled the Board as to any conflicts of interest or bias. The Board answered no, unanimously, to not having a fixed opinion prior to hearing the matter that is not susceptible to change. Chairman Flowers asked the Board if there had been any undisclosed ex parte communications and the Board answered no, unanimously. The Board answered no, unanimously, to having a close familial, business, or other associational relationship with an affected person or entity; or a financial interest in the outcome of the matter.

The application was assigned Hampton Village 1 (HV-1) and Staff Findings, as read by Klinger, was assigned Hampton Village 2 (HV-2).

Chairman Flowers opened the floor for the applicant to present evidence for his application. Michael J Hurt, representing Hurt and Coggins LLC, explained the proposed development was a continuation of Hampton Village Apartments and will only contain two buildings. He noted they will have to add a turn lane on NC Highway 96 and there will also be an entrance on Wheaton Avenue. Mr. Hurt stated there was a need for apartments in the community as evidenced by the rental rate of both Hampton Downs Duplexes and Hampton Village Apartments. He stated they were trying to continue to grow the Hampton Village community, improve the quality of life in the area, and provide economic growth for the community.

Chairman Flowers opened the floor to ask questions of the applicant. He asked that anyone speaking identify themselves and their relationship to the property.

Chairman Flowers noted the buildings would not be stacked and will have road frontage and Mr. Hurt stated that was correct. Chairman Flowers also clarified there was an entrance from Wheaton Avenue and Mr. Hurt stated yes.

Member Wiggins inquired about public sidewalks on NC Highway 96. Both Mr. Hurt and Clark stated there would be sidewalks and Chairman Flowers noted where they were in the design. Mr. Hurt showed the location of the sidewalks on the plans and noted they took parking spaces into account. He explained these plans follow the zoning ordinance and allow for access all the way around the facility. Chairman Flowers stated full access around the complex is something the Youngsville Fire Department had previously requested for complexes.

Chairman Flowers opened the floor to any persons in support of the application that would like to present evidence. There were no comments.

Chairman Flowers noted Klinger had presented the Staff Findings during her preliminary statement and asked if there was any further information. Clark explained there was a slight reduction in parking spaces per unit, from 2.5 spaces per unit to 2.06, noting there was underutilized parking at Hampton Village. He noted Wolfpack Lane already had issues with "alligator" cracking. Clark recommended a study of the street conditions prior to construction and after construction has been completed, with the developer bringing the road back to the condition it was before construction began.

Clark explained the application was received under the prior ordinance, noting the stormwater, as shown on the plans, is towards the back of the property and there were no changes needed. He also noted the site did not include garbage collection as there was a compactor at Hampton Village that serves the existing apartments. Clark stated the developer meets all the standards and it was recommended by both the Planning Board and Staff, accepting the State standards are also met.

Mr. Hurt inquired if they could do both pavement analysis studies at the same time and Clark stated that it would be easier and less expensive. Chairman Flowers asked Cordeiro to move forward with the study.

When asked, Hurd listed the evidence. The application was assigned Hampton Village 1 (HV-1) and Staff Findings, amended to include the pavement condition analysis before and after construction, with any damage to be repaired, at the developer's expense, and the authorization of reducing parking from 2.5 spaces to 2.06 spaces per unit, was assigned Hampton Village 2 (HV-2). Mr. Hurt's testimony was assigned Hampton Village 3 (HV-3) and Mr. Clark's testimony was assigned Hampton Village 4 (HV-4).

Clark explained the original Special Use Permit was issued around 2002 and noted this application was a technical amendment of the previous Special Use Permit. He noted all

standards have been met. Attorney Bartholomew requested the original Special Use Permit and approval be included in the record as part of this Special Use Permit.

Chairman Flowers opened the floor to any persons opposed to granting the application that would like to present any evidence.

Chairman Flowers opened the floor for rebuttals to opposing testimony. There were no rebuttals.

Chairman Flowers asked for a motion to enter all evidence into the record.

MOTION: TO ACCEPT FOUR ITEMS OF EVIDENCE: HAMPTON VILLAGE 1 WAS THE APPLICATION, HAMPTON VILLAGE 2 WAS AMENDED STAFF FINDINGS, HAMPTON VILLAGE 3 WAS MICHAEL HURT'S TESTIMONY AND HAMPTON VILLAGE 4 WAS BOB CLARK'S TESTIMONY

The motion was made by Member Redd and was seconded by Member Brame. The motion passed unanimously.

Chairman Flowers asked if there was any more discussion or questions.

MOTION: TO CLOSE THE COLLECTION OF EVIDENCE PORTION OF THE HEARING.

The motion was made by Member Redd and was seconded by Member Wiggins. The motion passed unanimously.

Chairman Flowers opened the deliberation section of the Hearing for the Board. As there was no additional discussion, Chairman Flowers moved onto the Findings of Fact.

Conditions:

There were no additional conditions requested.

Attorney Bartholomew read the Findings of Facts.

1. 710.1.1 The proposed use will comply with all of the dimensional and other standards which this ordinance applies to all users? 4 ayes / 0 nays
2. 710.1.2 Access roads or entrance and exit drives are or will be suitable in size and properly located to ensure automotive and pedestrian friendly safety and convenience, traffic flow, and control and access in case of fire or other emergency. 4 ayes / 0 nays
3. 710.1.3 Off-street parking, loading, refuse, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic glare,

odor, and other impacts on adjoining properties in the general neighborhood. 4 ayes / 0 nays

4. 710.1.4 Utilities, schools, fire, police and other public and private facilities and service will be adequate to handle the proposed use. 4 ayes / 0 nays
5. 710.1.5 The location and arrangement of the use of the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts. 4 ayes / 0 nays
6. 710.1.6 The type, size and intensity of the proposed use, including such consideration as hours of operation and number of people who are likely to utilize or be attracted to use, will not have significant adverse impact on adjoining properties or the neighborhood. 4 ayes / 0 nays

Attorney Bartholomew stated the Conditional Use Permit for Hampton Village has been approved.

The next item on the agenda was Reports and Other Business. Hurd noted the next quarterly meeting of the Board of Adjustment was on the same day as the Board of Commissioners' meeting. She noted the date may need to be changed if they had a case come in.

Attorney Bartholomew noted he would modify the paperwork and Findings of Fact based on the new YDO.

The meeting adjourned at 8:40 pm.



Town of Youngsville

Memorandum

To: Board of Adjustment
From: Erin Klinger, Planning and Zoning Administrator
Date: April 28, 2021
Re: 321 N Nassau St: Appeal of Staff Decision
(PIN 1853-50-8010, Project #SPR-201012)

APPEAL SUMMARY

Jay and Julie Dove, John Walter and Pamela Cortese, Danielle Cyrus, Ted and Helen Alexander, and Stephen and Sally Huegel, represented by Bernard "Rick" Richards of Pendergrass Law Firm, PLLC, are appealing a Town Staff decision on November 24, 2020 to approve a permit of the expansion of the business located at 321 N. Nassau Street and owned by Tyrell Properties, LLC.

The appellants' argument is that the Town would not have approved the expansion as presented in November of 2020 if the area of the alleged boundary line overlap between their properties and the subject property had been clearly depicted on the approved site plan. They also contend that the Town should not have approved the site plan because it failed to show the following as required by Section 7.7-1(D)(1) of the Youngsville Development Ordinance:

- a. Property boundaries with dimensions;
- d. Dimensional footprint and setbacks of the existing and proposed structures with gross floor area indicated;
- g. Location and size of buffer and landscape areas; and
- j. Location of adjoining properties and both the existing zoning designation and use of these properties.

EXISTING CONDITIONS

The 8.00 acre subject property is located at 321 N. Nassau Street. The property is located in the Industrial (IND) zoning district and contains NC Turf Care, a landscaping business.

BACKGROUND

October 2020	Matt Lowder of Triangle Site Design, PLLC submitted an application for Tyrell Properties Office Suites, an expansion of the existing business located at 321 N. Nassau Street.
November 2020	Revised plans for the aforementioned project were submitted.

November 24, 2020	The revised site plan for the Tyrell Properties Office Suites project was approved.
March 29, 2021	The appellants informed the Town that they believed the land disturbing activities at 321 N. Nassau Street were encroaching onto their properties.
April 16, 2021	Appellants submitted an application appealing the Town Staff's decision.

DISCUSSION

Attached materials include two resolutions: Resolution A would grant the appeal and overrule the Town Staff's decision and Resolution B would deny the appeal and uphold the Town Staff's decision.

Additionally, the Board's options are not limited by these draft resolutions. Based on the record of the Town Staff's decision and the Board's own hearing, the Board could consider taking some other action.

ATTACHMENTS

1. Resolution A (overruling the Town Staff's decision)
2. Resolution B (upholding the Town Staff's decision)
3. Appeal Application Materials
4. Record of Town Staff Decision, to include Site Plans dated October 8, 2020 and November 24, 2020.
5. Youngsville Development Ordinance Section 7.7-1(D).
6. Confirmation of Mailed Notice.
7. Area Map of the Subject Property

ATTACHMENT 1

**RESOLUTION A
(OVERRULING THE TOWN STAFF'S DECISION)**

**RESOLUTION OVERRULING THE TOWN STAFF'S DECISION TO APPROVE
PROJECT #SPR-201012 FOR THE PROPERTY LOCATED AT 321 N. NASSAU ST (PIN
1853-50-8010).**

WHEREAS, having reviewed the appellants' argument, the Town Staff presentation, various documents, and other evidence submitted at the hearing on this matter, and having heard public comment on the application, the Board of Adjustment finds as facts those facts summarized by the Chair at the conclusion of the Board's hearing of this matter and hereby incorporates them by reference as Board Findings of Fact; and finds that such facts are supported by competent, material, and substantial evidence presented to the Board; and

WHEREAS, in particular the Board finds that the appellants' argument to overrule the November 24, 2020 decision by the Town of Youngsville Staff, to approve the permit for the expansion of the existing business located at this property, does have merit.

THE BOARD FURTHER concludes that the evidence before the Board of Adjustment does not support the determination of the Town Staff that the site plan submitted by Matt Lowder of Triangle Site Design, PLLC meets the requirements of Section 7.7-1(D)(1) of the Youngsville Development Ordinance, and does not adopt the decision and reasons of the Town Staff as the determination and reasons of the Board.

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT HEREBY OVERRULES the Town Staff's November 24, 2020 decision to approve the permit for the expansion of the business located at 321 N. Nassau St., and further identified as Franklin County Parcel Identification Number 1853-50-8010.

BE IT FURTHER RESOLVED that the applicants' appeal is hereby approved.

Signed – Board of Adjustment Chair, Mayor Fonzie Flowers

This the ____ day of _____, 2021.

ATTACHMENT 2

**RESOLUTION B
(UPHOLDING THE TOWN STAFF'S DECISION)**

**RESOLUTION UPHOLDING THE TOWN STAFF'S DECISION TO APPROVE
PROJECT #SPR-201012 FOR THE PROPERTY LOCATED AT 321 N. NASSAU ST. (PIN
1853-50-8010).**

WHEREAS, having reviewed the appellants' argument, the Town Staff presentation, various documents, and other evidence submitted at the hearing on this matter, and having heard public comment on the application, the Board of Adjustment finds as facts those facts summarized by the Chair at the conclusion of the Board's hearing of this matter and hereby incorporates them by reference as Board Findings of Fact; and finds that such facts are not supported by competent, material, and substantial evidence presented to the Board; and

WHEREAS, in particular the Board finds that the appellants' argument to overrule the November 24, 2020 decision by the Town of Youngsville Staff, to approve the permit for the expansion of the existing business located at this property, does not have merit.

THE BOARD FURTHER concludes that the evidence before the Board of Adjustment does support the determination of the Town Staff that the site plan submitted by Matt Lowder of Triangle Site Design, PLLC does meet the requirements of Section 7.7-1(D)(1) of the Youngsville Development Ordinance, and adopts the decision and reasons of the Town Staff as the determination and reasons of the Board.

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT HEREBY UPHOLDS the Town Staff's November 24, 2020 decision to approve the permit for the expansion of the business located at 321 N. Nassau St., and further identified as Franklin County Parcel Identification Number 1853-50-8010.

BE IT FURTHER RESOLVED that the applicants' appeal is hereby denied.

Signed – Board of Adjustment Chair, Mayor Fonzie Flowers

This the ____ day of _____, 2021.

PENDERGRASS LAW FIRM, PLLC
Attorneys at Law
1511 Sunday Drive, Suite 220
Raleigh, NC 27607

Mailing Address:

PO Drawer 33809
Raleigh, NC 27636

Bernard "Rick" Richards, Jr.

NC State Bar Certified Specialist
Real Estate – Residential, Business,
Commercial & Industrial Transactions

Telephone: 919-510-9559
Facsimile: 919-510-0190
Mobile: 919-291-9143

rrichards@pendergrasslawfirm.com

www.pendergrasslaw-firm.com

April 16, 2021

Via Hand Delivery

Erin Klinger
Planning and Zoning Administrator
Town of Youngsville
134 US 1A South
Youngsville, NC 27596

Re: APPEALS of an ADMINISTRATIVE DECISION and/or INTERPRETATION of the ZONING ORDINANCE APPLICATION for property located at 321 N. Nassau Street, Youngsville, NC 27596 bearing Franklin County PIN # 1853-50-8010

Dear Ms. Klinger:

With respect to the above-referenced matter, enclosed herewith you will find one (1) original of an APPEAL of an ADMINISTRATIVE DECISION and/or INTERPRETATION of the ZONING ORDINANCE APPLICATION for property located at 321 N. Nassau Street, Youngsville, NC 27596 bearing Franklin County PIN # 1853-50-8010 (the "Property") which we are filing with your office on behalf of each of the following property owners whose parcels adjoin the northern boundary of the Property:


1. Jay Dove and wife, Julie Dove;
2. Danielle Cyrus;
3. John Walter Cortese and wife, Pamela Cortese;
4. Ted Alexander and wife, Helen Jane Alexander; and
5. Stephen Huegel and wife, Sally Huegel.

Also enclosed herewith are five (5) separate, personal checks from the above-named property owners, each in the amount of \$350.00 representing payment of the Town's fees for the filing of each Appeal.

Should you have any questions regarding the foregoing, please do not hesitate to contact us.

With kindest regards, I am

Sincerely,
PENDERGRASS LAW FIRM, PLLC

By: 
Bernard "Rick" Richards, Jr.

Encl.

cc: Katie Barber-Jones



TOWN of
YOUNGSVILLE

Planning and Zoning Department
Youngsville Town Hall
134 US 1A South
Youngsville, NC 27596
t 919-925-3401
f 919-925-3402

APPEAL of an ADMINISTRATIVE DECISION and/or
INTERPRETATION of the ZONING ORDINANCE APPLICATION

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PROCESS INFORMATION and FILING INSTRUCTIONS

1. To qualify as an applicant for an appeal of an administrative decision and/or interpretation of the zoning ordinance, the applicant must constitute an aggrieved party to such adverse decision and/or interpretation.
2. The applicant must complete this application in full. This application will not be processed unless all information requested is provided.
3. In order to be considered by the Board of Adjustment, applications must be filed with the Town of Youngsville Planning and Zoning Department within thirty days of the order, requirement, decision, or other determination of the officer from whom the appeal is taken. The appeal hearing will be scheduled for the first Board meeting available.

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5. For additional information or assistance, call the Planning Department at 919-925-3401.

For Department Use Only:

BOA Case #: _____
Submittal Date: _____
Receipt Number: _____

Disposition Date: _____

Authorized Signature: _____



TOWN of
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Planning and Zoning Department
Youngville Town Hall
134 US 1A South
Youngville, NC 27596
t 919-925-3401
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GENERAL INFORMATION

Applicant Name: Jay Dove and wife, Julie Dove

Mailing Address: 103 Anderson Park Drive, Youngville, NC 27596

Phone Number: (919) 671-6818

(919) 424-0219

Email: juliedoverealtor@gmail.com

j2vember@gmail.com

PROPERTY INFORMATION

Property Address/Location: 321 N. Nassau Street

Youngville, NC 27596

Tax Parcel #(s):

1853-50-8010

APPEAL INFORMATION

I/we hereby appeal to the Board of Adjustment from the following decision/interpretation of the administrative officer:

Approval of Site Plan and Zoning Compliance Permit for Tyrell Properties Office Suites

This decision/interpretation was made with respect to the property located at:

321 N. Nassau Street, Youngville, NC 27596

I/we hereby request an interpretation of:

☐

the Official Zoning map;

☒

the following section(s) of the Youngville Development Ordinance:

Section 7.7 of the Youngville Development Ordinance (the "YDO")

Insofar as the map and/or the ordinance relate to the use of the property described above.



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STATEMENT OF APPELLANT

In the space provided below, or on a separate sheet of paper, present your Interpretation of the ordinance provisions in question and state what reasons you have for believing that your interpretation is the correct one.

See Exhibit "A" attached hereto and incorporated herein by reference.

SIGNATURES

I/we the undersigned do hereby certify that all information presented in this application is accurate to the best of my/our knowledge, information, and belief.

Jay and Julie Dove

(Applicant Print Name)

(Applicant Signature)

4-15-2021

4-15-2021
(Date)

EXHIBIT "A"
To APPEAL of an ADMINISTRATIVE DECISION
and/or INTERPRETATION of the ZONING ORDINANCE APPLICATION

On or about November 24, 2019, the Planning, Zoning, and Subdivision Administration for the Town of Youngsville (the "Town") approved a Site Plan (the "Site Plan") which had been submitted by Tyrell Properties, LLC (the "Owner") with respect to that certain real property bearing Franklin County PIN # 1853-50-8010 (the "Property") and contemporaneously issued a Zoning Compliance Permit therefore. The undersigned applicant (the "Applicant") did not become aware of the Town's approval of the Site Plan until sometime in March of 2021 when the Owner began land disturbing activities on or near the Applicant's southern property line which adjoins the northern boundary of the Property.

Thereafter, the Applicant (as well as several other individuals whose properties adjoin the northern boundary of the Property who by separate application are similarly appealing the approval of the Site Plan and the issuance of the Zoning Compliance Permit) informed the Town that they believed that the Owner's land disturbing activities were encroaching onto their properties. On or about March 29, 2021, and in response to the Town's inquiry to the Owner about the Applicant's concerns, the Owner provided the Town with a survey dated August 19, 2020 (the "Survey") by Jason A. Mizzelle, PLS with Timmons Group, which survey was referred to as the source for the boundary information contained in the Site Plan. While the Survey clearly depicts a "Property Overlap" in dashed lines onto the Applicant's land (as well as onto several others), the Site Plan does not clearly depict such an overlap. Moreover, the Survey depicts an additional property line (bold and unbroken) referred to thereon as the "PROPERTY BOUNDARY" which line more closely tracks the common boundary as claimed by the Applicant (as well as several others).

The Applicant contends that the Town would never have approved the Site Plan as presented in November of 2019 if the extensive area of the alleged overlap (a total of 14,992 square feet according to the Survey) had been clearly depicted thereon. Furthermore, the Applicant contends that the Town should not have approved of the Site Plan as presented in November of 2019 because same failed to show the following as required by Section 7.7-1(D)(1) of the Youngsville Development Ordinance (the "YDO"):

- (a) Property boundaries with dimensions;
- (d) Dimensional footprint and setbacks of the existing and proposed structures with gross floor area indicated;
- (g) location and size of buffer and landscape areas; and
- (j) location of adjoining properties and both the existing zoning designation and use of these properties.

In support of its Appeal, the Applicant further notes the Owner's failure to comply with the following requirements set forth in the "General Notes" on the Site Plan:

2. The Contractor shall protect all monuments, iron pins, and property corners during construction; and
3. Approval of these Plans is not an authorization to grade adjacent properties. When field conditions warrant off-site grading, permission must be obtained from the affected property owners.

The Applicant further notes that the Town a) has already issued a Stop Work Order due to the fact that the Owner proceeded to commence grading activities despite its failure to obtain the required permit from the North Carolina Department of Environmental Quality (the "NCDEQ") and its failure to erect the silt fencing which any such permit obtained from NCDEQ would require and b) has also investigated reports that the Owner has been in violation of a previously issued Conditional Use Permit.

The Applicant is aware that the Town cannot resolve the obvious boundary dispute which the Owner, the Applicant, and several others adjoining the northern boundary of the Property have with each other. Notwithstanding this fact, the Applicant appeals the Town's approval of the Site Plan and contemporaneous issuance of a Zoning Compliance Permit based on the fact that the alleged "Property Overlap" was not clearly depicted on the Site Plan as well as the hereinabove referenced deficiencies in the Site Plan which should have been included as required by Section 7.7-1 of the YDO all of which significantly impacts the property of the Applicant as well as several others similarly situated.



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GENERAL INFORMATION

Applicant Name: John Walter Cortese and wife, Pamela Cortese

Mailing Address: 339 N. Nassau Street

Phone Number: (919) 418-2264

(919) 239-0105

Email: jwaltercortese77@yahoo.com
jwaltercortese@yahoo.com
uncangelin@yahoo.com

PROPERTY INFORMATION

Property Address/Location: 321 N. Nassau Street

Youngville, NC 27596

Tax Parcel #(s): 1853-50-8010

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I/we hereby appeal to the Board of Adjustment from the following decision/interpretation of the administrative officer:

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☐

the Official Zoning map;

☒

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GENERAL INFORMATION

Applicant Name: Danielle Cyrus

Mailing Address: 105 Anderson Park Drive, Youngville, NC 27596

Phone Number: (919) 604-3082

Email: danielle.ncy@gmail.com

danille.ncy@
gmail.com

PROPERTY INFORMATION

Property Address/Location: 321 N. Nassau Street

Youngville, NC 27596

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Youngville, NC 27596
t 919-925-3401
f 919-925-3402

APPEAL of an ADMINISTRATIVE DECISION and/or
INTERPRETATION of the ZONING ORDINANCE APPLICATION

Boards of Adjustment in North Carolina function as a quasi-judicial body. Therefore, ex parte contact between applicants, other interested persons, or their respective representatives and members of the Board is inappropriate and not permitted.

PROCESS INFORMATION and FILING INSTRUCTIONS

1. To qualify as an applicant for an appeal of an administrative decision and/or interpretation of the zoning ordinance, the applicant must constitute an aggrieved party to such adverse decision and/or interpretation.
2. The applicant must complete this application in full. This application will not be processed unless all information requested is provided.
3. In order to be considered by the Board of Adjustment, applications must be filed with the Town of Youngville Planning and Zoning Department within thirty days of the order, requirement, decision, or other determination of the officer from whom the appeal is taken. The appeal hearing will be scheduled for the first Board meeting available.

The Youngville Board of Adjustment meets in the Youngville Community House, located at 115 E. Main Street. The meetings are held quarterly (February, May, August, and November) the first Thursday of the month, unless the Board should deem it necessary to meet otherwise.

4. Please see the adopted fee schedule for the current filing fee. The Board, in its discretion, may waive any and all appeal fees for prevailing parties.
5. For additional information or assistance, call the Planning Department at 919-925-3401.

For Department Use Only:

BOA Case #: _____

Disposition Date: _____

Submittal Date: _____

Receipt Number: _____

Authorized Signature: _____



TOWN of
YOUNGVILLE

Planning and Zoning Department
Youngville Town Hall
134 US 1A South
Youngville, NC 27596
t 919-925-3401
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GENERAL INFORMATION

Applicant Name: Ted Alexander and wife, Helen Jane Alexander

Mailing Address: 107 Anderson Park Drive, Youngville, NC 27596

Phone Number: (828) 244-7611

Email: tedalexander@charter.net

PROPERTY INFORMATION

Property Address/Location: 321 N. Nassau Street

Youngville, NC 27596

Tax Parcel #(s): 1853-50-8010

APPEAL INFORMATION

I/we hereby appeal to the Board of Adjustment from the following decision/interpretation of the administrative officer:

Approval of Site Plan and Zoning Compliance Permit for Tyrell Properties Office Suites

This decision/interpretation was made with respect to the property located at:

321 N. Nassau Street, Youngville, NC 27596

I/we hereby request an interpretation of:

☐ the Official Zoning map;

☒ the following section(s) of the Youngville Development Ordinance:

Section 7.7 of the Youngville Development Ordinance (the "YDO")

Insofar as the map and/or the ordinance relate to the use of the property described above.

EXHIBIT "A"
To APPEAL of an ADMINISTRATIVE DECISION
and/or INTERPRETATION of the ZONING ORDINANCE APPLICATION

On or about November 24, 2019, the Planning, Zoning, and Subdivision Administration for the Town of Youngsville (the "Town") approved a Site Plan (the "Site Plan") which had been submitted by Tyrell Properties, LLC (the "Owner") with respect to that certain real property bearing Franklin County PIN # 1853-50-8010 (the "Property") and contemporaneously issued a Zoning Compliance Permit therefore. The undersigned applicant (the "Applicant") did not become aware of the Town's approval of the Site Plan until sometime in March of 2021 when the Owner began land disturbing activities on or near the Applicant's southern property line which adjoins the northern boundary of the Property.

Thereafter, the Applicant (as well as several other individuals whose properties adjoin the northern boundary of the Property who by separate application are similarly appealing the approval of the Site Plan and the issuance of the Zoning Compliance Permit) informed the Town that they believed that the Owner's land disturbing activities were encroaching onto their properties. On or about March 29, 2021, and in response to the Town's inquiry to the Owner about the Applicant's concerns, the Owner provided the Town with a survey dated August 19, 2020 (the "Survey") by Jason A. Mizzelle, PLS with Timmons Group, which survey was referred to as the source for the boundary information contained in the Site Plan. While the Survey clearly depicts a "Property Overlap" in dashed lines onto the Applicant's land (as well as onto several others), the Site Plan does not clearly depict such an overlap. Moreover, the Survey depicts an additional property line (bold and unbroken) referred to thereon as the "PROPERTY BOUNDARY" which line more closely tracks the common boundary as claimed by the Applicant (as well as several others).

The Applicant contends that the Town would never have approved the Site Plan as presented in November of 2019 if the extensive area of the alleged overlap (a total of 14,992 square feet according to the Survey) had been clearly depicted thereon. Furthermore, the Applicant contends that the Town should not have approved of the Site Plan as presented in November of 2019 because same failed to show the following as required by Section 7.7-1(D)(1) of the Youngsville Development Ordinance (the "YDO"):

- (a) Property boundaries with dimensions;
- (d) Dimensional footprint and setbacks of the existing and proposed structures with gross floor area indicated;
- (g) location and size of buffer and landscape areas; and
- (j) location of adjoining properties and both the existing zoning designation and use of these properties.

In support of its Appeal, the Applicant further notes the Owner's failure to comply with the following requirements set forth in the "General Notes" on the Site Plan:

2. The Contractor shall protect all monuments, iron pins, and property corners during construction; and
3. Approval of these Plans is not an authorization to grade adjacent properties. When field conditions warrant off-site grading, permission must be obtained from the affected property owners.

The Applicant further notes that the Town a) has already issued a Stop Work Order due to the fact that the Owner proceeded to commence grading activities despite its failure to obtain the required permit from the North Carolina Department of Environmental Quality (the "NCDEQ") and its failure to erect the silt fencing which any such permit obtained from NCDEQ would require and b) has also investigated reports that the Owner has been in violation of a previously issued Conditional Use Permit.

The Applicant is aware that the Town cannot resolve the obvious boundary dispute which the Owner, the Applicant, and several others adjoining the northern boundary of the Property have with each other. Notwithstanding this fact, the Applicant appeals the Town's approval of the Site Plan and contemporaneous issuance of a Zoning Compliance Permit based on the fact that the alleged "Property Overlap" was not clearly depicted on the Site Plan as well as the hereinabove referenced deficiencies in the Site Plan which should have been included as required by Section 7.7-1 of the YDO all of which significantly impacts the property of the Applicant as well as several others similarly situated.



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134 US 1A South
Youngville, NC 27596
t 919-925-3401
f 919-925-3402

GENERAL INFORMATION

Applicant Name: Stephen Huegel and wife, Sally Huegel

Mailing Address: 109 Anderson Park Drive, Youngville, NC 27596

Phone Number: (919) 418-7241

Email: huegelstephen@gmail.com

PROPERTY INFORMATION

Property Address/Location: 321 N. Nassau Street

Youngville, NC 27596



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STATEMENT OF APPELLANT

In the space provided below, or on a separate sheet of paper, present your interpretation of the ordinance provisions in question and state what reasons you have for believing that your interpretation is the correct one.

See Exhibit "A" attached hereto and incorporated herein by reference.

SIGNATURES

I/we the undersigned do hereby certify that all information presented in this application is accurate to the best of my/our knowledge, information, and belief.

Stephen and Sally Huegel
(Applicant Print Name)

Stephen Huegel
Sally P. Huegel
(Applicant Signature)

4/15/2021
(Date)

EXHIBIT "A"
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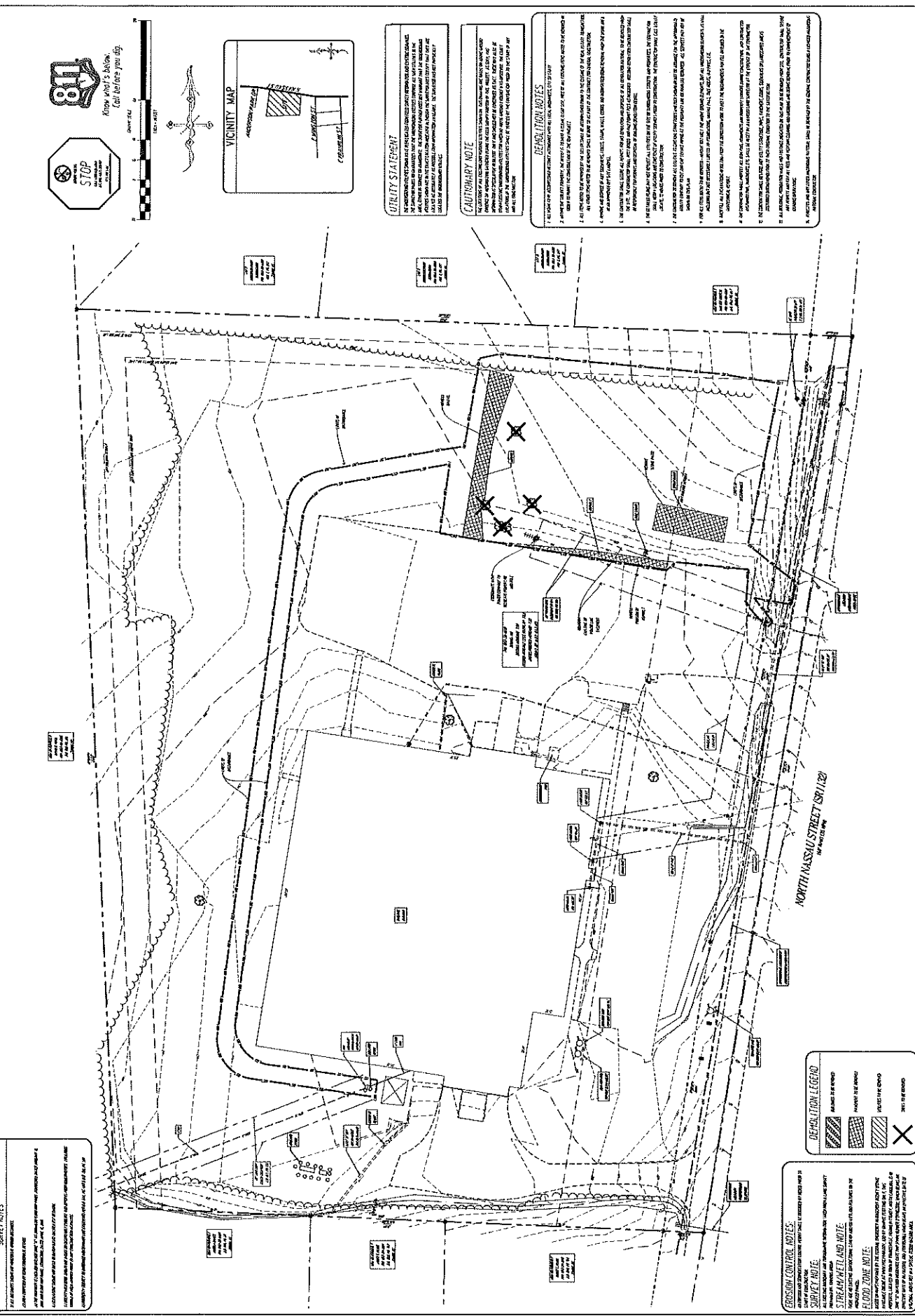
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Know what's below.
Call before you dig.

0 5 10 FEET

N

VICINITY MAP

UTILITY STATEMENT

THE INFORMATION CONTAINED HEREIN IS BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE INFORMATION CONTAINED HEREIN IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

CAUTIONARY NOTE

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- DEMOLITION NOTES**
1. ALL EXISTING STRUCTURES TO BE DEMOLISHED SHALL BE DEMOLISHED IN ACCORDANCE WITH THE FOLLOWING NOTES.
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DEMOLITION PLAN

NO.	DESCRIPTION	DATE	BY	CHECKED
1	DEMOLITION PLAN	10/1/2010	TRM	TRM

DEMOLITION LEGEND

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EROSION CONTROL NOTES:

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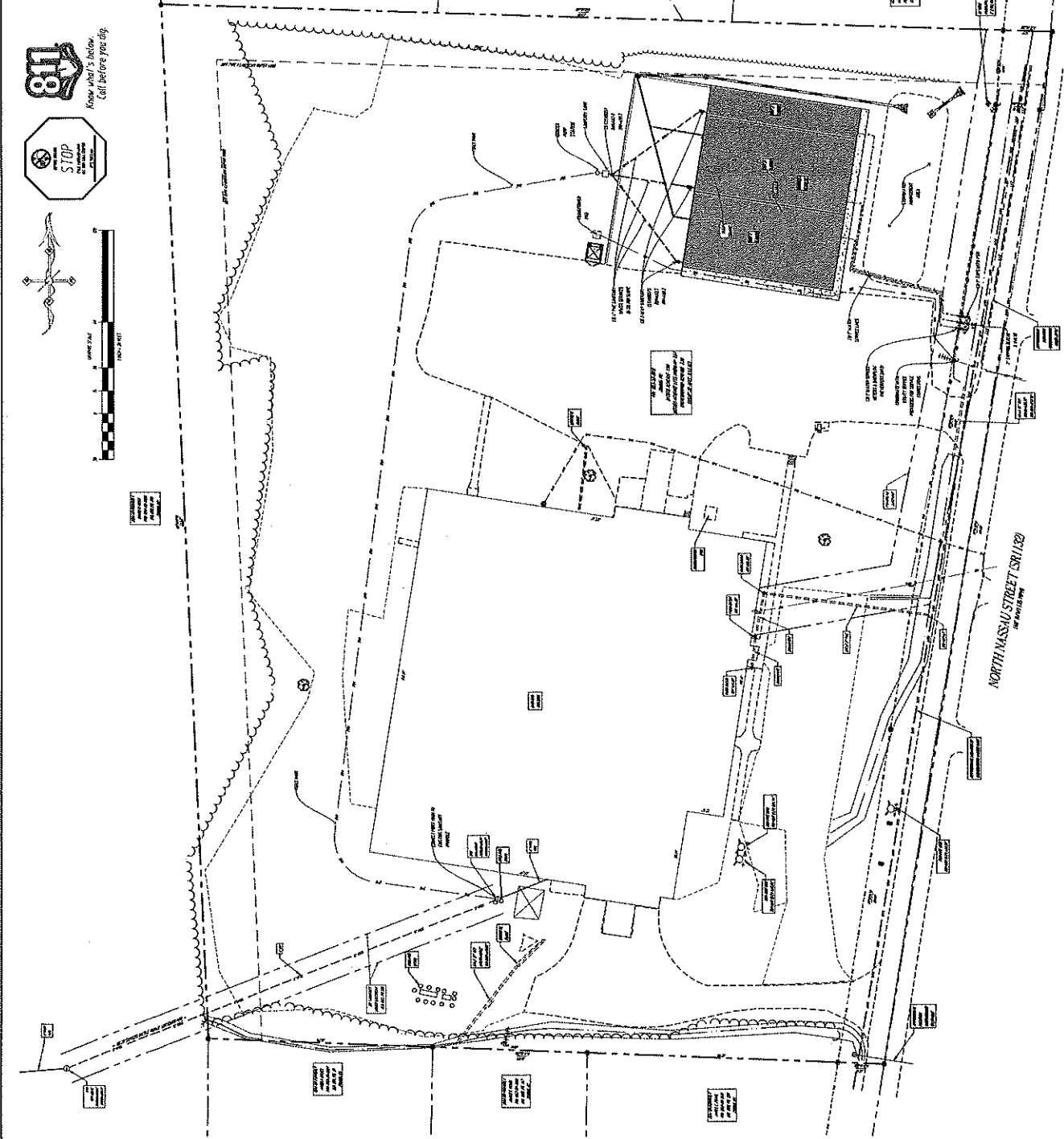
NOTES

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Figure 1: Schematic diagram of the experimental setup for the study of the effect of the type of the material of the base on the properties of the composite. The diagram shows a cross-section of a composite structure. A central core is labeled 'Core' and is surrounded by a 'Matrix'. The core is made of 'Carbon Fiber' and the matrix is made of 'Epoxy Resin'. The core is embedded in a 'Base' which is made of 'Concrete'. The base is supported by a 'Foundation'. The diagram is labeled 'Figure 1' and 'Schematic diagram of the experimental setup for the study of the effect of the type of the material of the base on the properties of the composite'.





CONTRACT
TRANGLE SITE DESIGN FILE
4400 UNIVERSITY BLVD. SUITE 200
DURHAM, NC 27705
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Robert J. Smith
Professional Engineer
License No. 10000
State of North Carolina
Exp. 12/31/2010
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ALX OFFICE
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10000

NO.	DATE	DESCRIPTION
1	10/1/09	Initial Design
2	10/1/09	Final Design
3	10/1/09	Final Design
4	10/1/09	Final Design
5	10/1/09	Final Design
6	10/1/09	Final Design
7	10/1/09	Final Design
8	10/1/09	Final Design
9	10/1/09	Final Design
10	10/1/09	Final Design

Project No. 0200
Sheet No. 2 of 2
STORMWATER
MANAGEMENT
DETAIL

STORMWATER MANAGEMENT
1. The purpose of this detail is to provide a standard design for stormwater management structures. It is intended to be used in conjunction with the Stormwater Management Manual for North Carolina, 4th Edition, published by the North Carolina Department of Transportation. 2. This detail is intended to be used for stormwater management structures that are subject to the following conditions: a. The structure is located in an urban or suburban area. b. The structure is subject to a design storm of 2.0 inches per hour. c. The structure is subject to a design flow of 1.0 cfs per acre. 3. The structure shall be designed to meet the following requirements: a. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. b. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. c. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 4. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 5. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 6. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 7. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 8. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 9. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 10. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition.

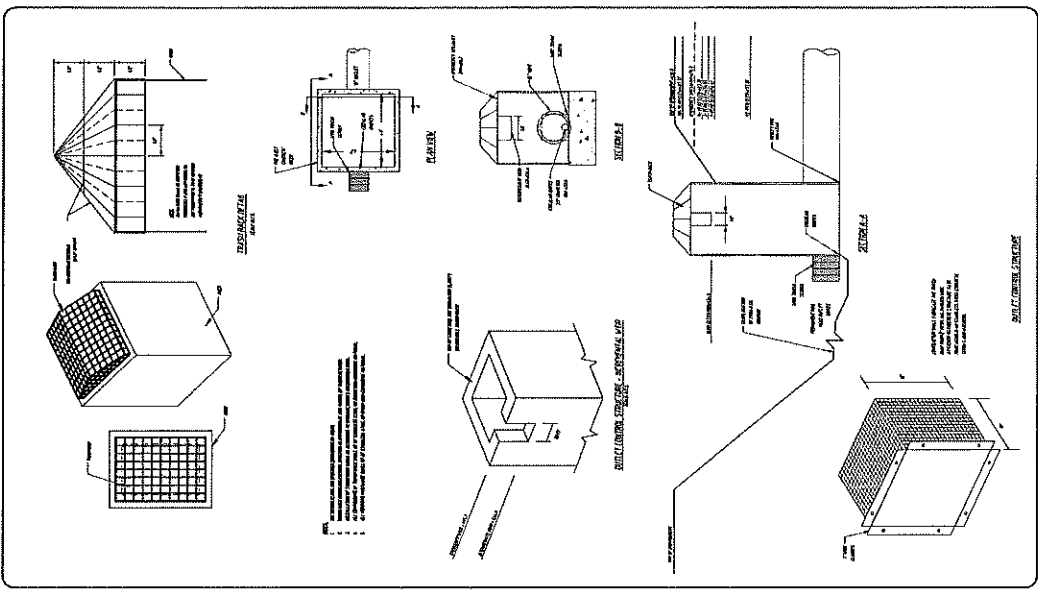
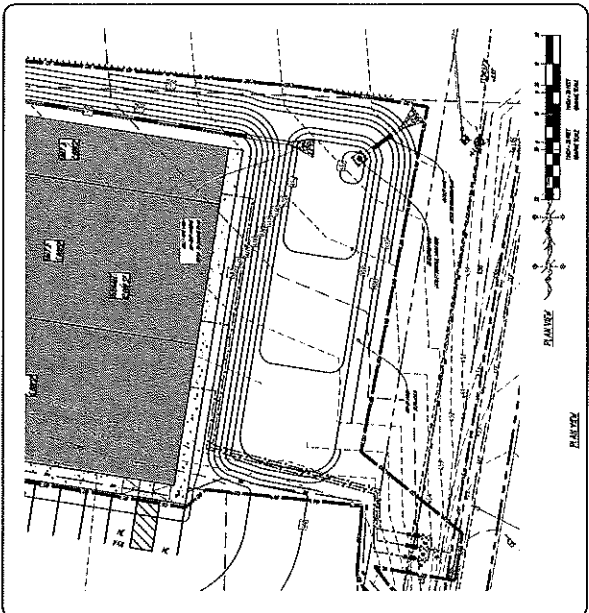
OPERATION AND MAINTENANCE
1. The purpose of this detail is to provide a standard design for stormwater management structures. It is intended to be used in conjunction with the Stormwater Management Manual for North Carolina, 4th Edition, published by the North Carolina Department of Transportation. 2. This detail is intended to be used for stormwater management structures that are subject to the following conditions: a. The structure is located in an urban or suburban area. b. The structure is subject to a design storm of 2.0 inches per hour. c. The structure is subject to a design flow of 1.0 cfs per acre. 3. The structure shall be designed to meet the following requirements: a. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. b. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. c. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 4. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 5. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 6. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 7. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 8. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 9. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition. 10. The structure shall be designed to meet the minimum design standards set forth in the Stormwater Management Manual for North Carolina, 4th Edition.

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10	10/1/09	Final Design





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FAYETTEVILLE, NC 28404
704.336.1234
www.triangledesign.com

FLEX OFFICE
Fayetteville, North Carolina
Hess Street

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NO.	REVISION	DATE
1	Initial Design	10/1/2010
2	Final Design	10/1/2010

NC CONSTRUCTION
GENERAL PERMIT
(NC001) NOTES

C16A

NC001 GROUND STABILIZATION AND MATERIALS HANDLING

SECTION 1: GENERAL NOTES

1. This section includes all work necessary to stabilize the ground and handle materials during the construction of the project.
2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
3. The contractor shall be responsible for the design and construction of the ground stabilization and materials handling system.
4. The contractor shall be responsible for the design and construction of the ground stabilization and materials handling system.
5. The contractor shall be responsible for the design and construction of the ground stabilization and materials handling system.

SECTION 2: MATERIALS HANDLING

1. The contractor shall be responsible for the design and construction of the materials handling system.
2. The contractor shall be responsible for the design and construction of the materials handling system.
3. The contractor shall be responsible for the design and construction of the materials handling system.
4. The contractor shall be responsible for the design and construction of the materials handling system.
5. The contractor shall be responsible for the design and construction of the materials handling system.

SECTION 3: GROUND STABILIZATION

1. The contractor shall be responsible for the design and construction of the ground stabilization system.
2. The contractor shall be responsible for the design and construction of the ground stabilization system.
3. The contractor shall be responsible for the design and construction of the ground stabilization system.
4. The contractor shall be responsible for the design and construction of the ground stabilization system.
5. The contractor shall be responsible for the design and construction of the ground stabilization system.

NC001 SELF-INSPECTION, RECORDKEEPING AND REPORTING

SECTION 1: GENERAL NOTES

1. This section includes all work necessary to self-inspect, recordkeep, and report on the construction of the project.
2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
3. The contractor shall be responsible for the design and construction of the self-inspection, recordkeeping, and reporting system.
4. The contractor shall be responsible for the design and construction of the self-inspection, recordkeeping, and reporting system.
5. The contractor shall be responsible for the design and construction of the self-inspection, recordkeeping, and reporting system.

SECTION 2: SELF-INSPECTION

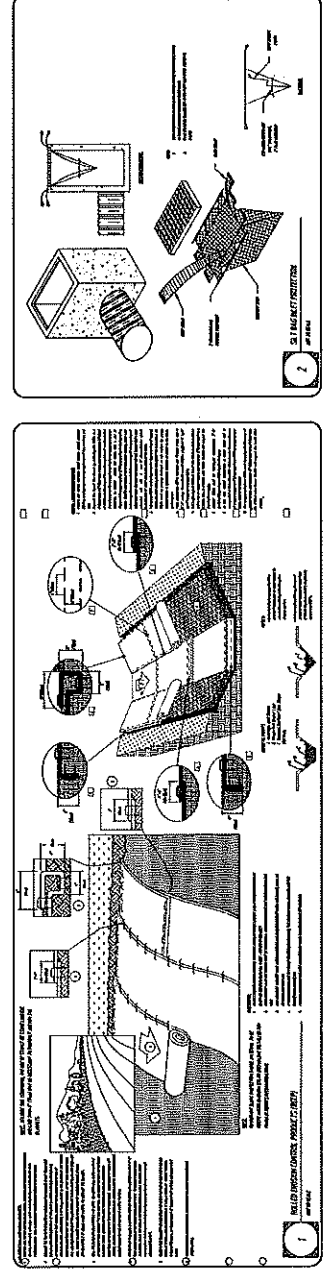
1. The contractor shall be responsible for the design and construction of the self-inspection system.
2. The contractor shall be responsible for the design and construction of the self-inspection system.
3. The contractor shall be responsible for the design and construction of the self-inspection system.
4. The contractor shall be responsible for the design and construction of the self-inspection system.
5. The contractor shall be responsible for the design and construction of the self-inspection system.

SECTION 3: RECORDKEEPING

1. The contractor shall be responsible for the design and construction of the recordkeeping system.
2. The contractor shall be responsible for the design and construction of the recordkeeping system.
3. The contractor shall be responsible for the design and construction of the recordkeeping system.
4. The contractor shall be responsible for the design and construction of the recordkeeping system.
5. The contractor shall be responsible for the design and construction of the recordkeeping system.

SECTION 4: REPORTING

1. The contractor shall be responsible for the design and construction of the reporting system.
2. The contractor shall be responsible for the design and construction of the reporting system.
3. The contractor shall be responsible for the design and construction of the reporting system.
4. The contractor shall be responsible for the design and construction of the reporting system.
5. The contractor shall be responsible for the design and construction of the reporting system.



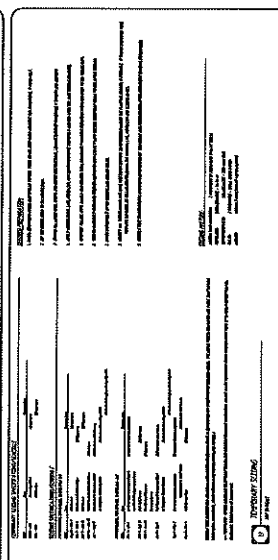
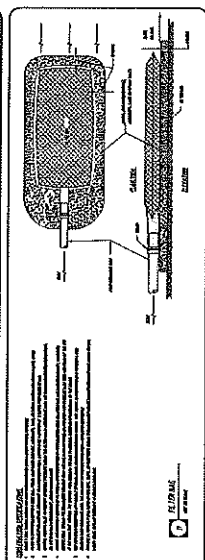
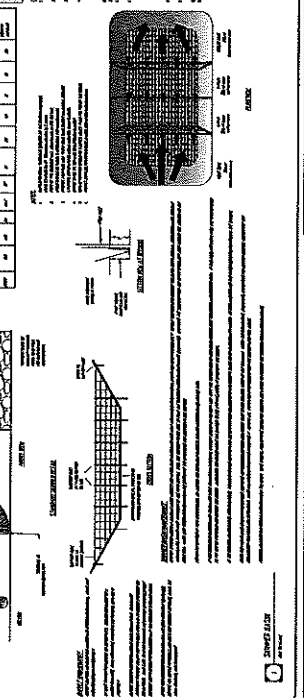
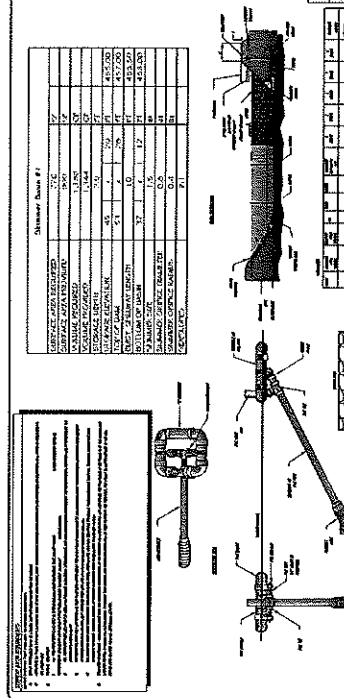
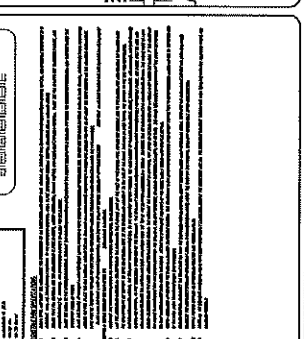
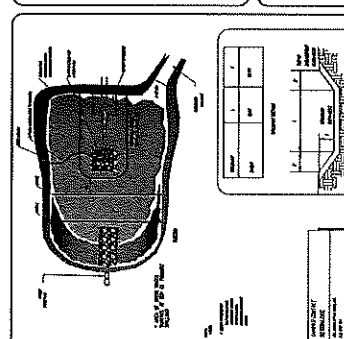
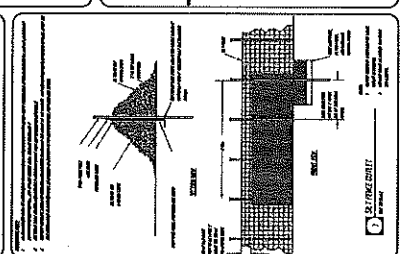
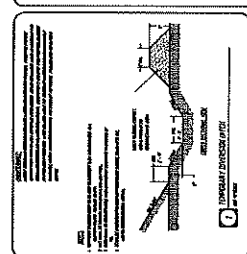
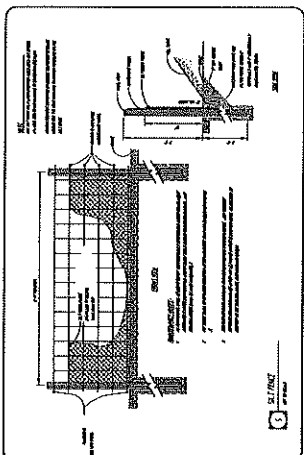
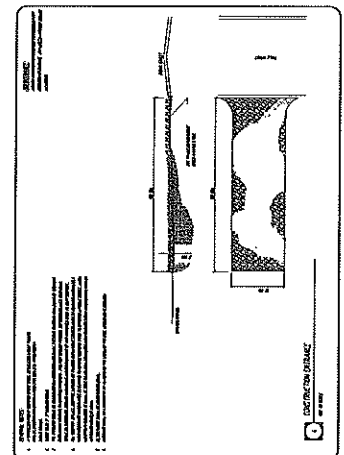
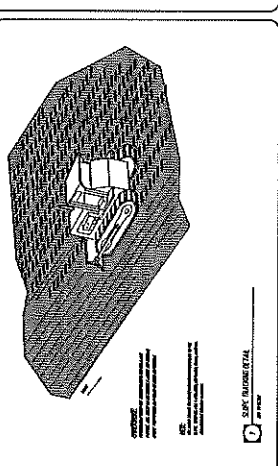
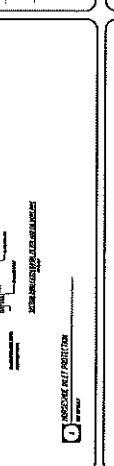
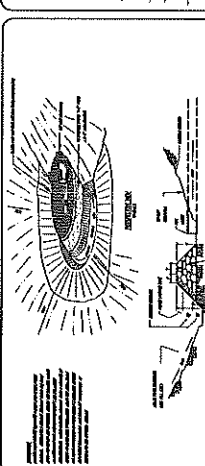
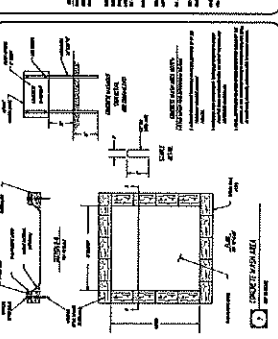
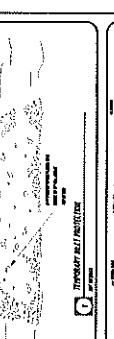
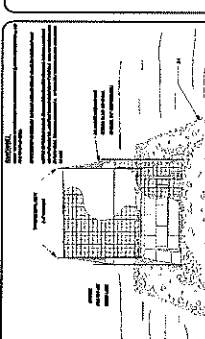
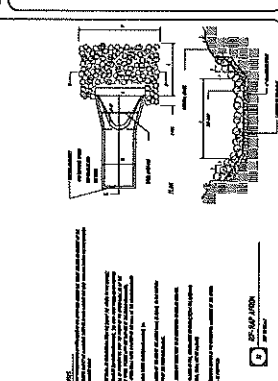


Table 1: Erosion Control Details

Item	Quantity	Unit
Grass	100	Sq. Yd.
Ditch	100	Lf.
Road	100	Lf.

Table 2: Erosion Control Details

Item	Quantity	Unit
Grass	100	Sq. Yd.
Ditch	100	Lf.
Road	100	Lf.





100-443886-100



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<p> </p> <p> ASPE American Society of Professional Engineers </p>	<p> ASPE American Society of Professional Engineers </p>
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Service Order Approved	Project No. 67708 Order 2, 2020
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PLAN

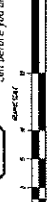
LANDSCAPING NOTES:
1. CONSIDER THE USE OF REDWOOD FOR COMPLETING ALL EXPOSED JOINTS UNDER THE DRIVE TYPE, TO REDUCE THE RISK OF WATER INTRUSION.
2. LIMIT THE EXPOSED JOINTS UNDER THE DRIVE TYPE TO MINIMUM. EXPOSED JOINTS SHOULD BE INSTALLED AT 10' MAXIMUM.

1. **THE COMPANY**
 2. **THE PRODUCT**
 3. **THE MARKET**
 4. **THE COMPETITION**
 5. **THE DISTRIBUTION CHANNEL**
 6. **THE PROMOTION MIX**
 7. **THE FINANCIAL PROJECTIONS**
 8. **THE RISK FACTORS**
 9. **THE CONCLUSION**

GENERAL LANDSCAPE NOTES

THE CONFERENCE CHAIRMAN, DR. FRANKLIN D. MCKAY, ANNOUNCED THAT HE HAD BEEN ELECTED TO THE POST OF CHAIRMAN OF THE AMERICAN SOCIETY OF CLIMATE CHANGE, A POSITION HE WILL HOLD FOR THE NEXT TWO YEARS.

Figure 1



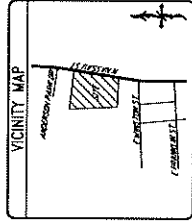
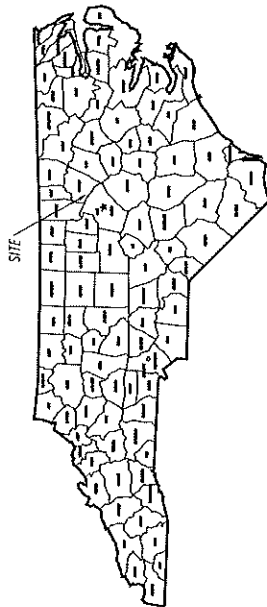
And finally...

Tyrell Properties Office Suites

N Nassau St

Youngsville, North Carolina

Franklin County



DEVELOPER
 Tyrell Properties LLC
 Attn: Ryan Tyrell
 425 Bert Winston Rd
 Youngsville, NC 27596
 (919) 554-9645
 rtyan@ncurfcare.com

CURRENT PROPERTY OWNER
 TYRELL PROPERTIES LLC
 425 BERT WINSTON RD
 YOUNGSVILLE, NC 27596

CIVIL ENGINEER
 Triangle Site Design, PLLC
 Attn: Matt Lowder, PE
 4004 Barrett Drive
 Suite 101
 Raleigh, NC 27609
 1919553-6570
 mlowder@trianglesitedesign.com
 NC LICENSE #P-869



INDEX OF DRAWINGS

C0.0	COVER SHEET
D1.0	DEMOLITION PLAN
C1.0	SITE PLAN
C1.1	GRADING & DRAINAGE PLAN
C1.2A	UTILITY PLAN
C1.2B	UTILITY DETAILS
C1.3	STORMWATER MANAGEMENT DETAILS
C1.4	CONSTRUCTION DETAILS
C1.6	EROSION CONTROL PLAN
C1.6A	NC CONSTRUCTION GENERAL PERMIT INCORP NOTES
C1.7A	EROSION CONTROL DETAILS
C1.8	LANDSCAPE PLAN

HYDROLOGIC AREA SUMMARY			
AREA	AREA (AC)	PERCENT	PERCENT
UPPER	10.0	10.0	10.0
MIDDLE	10.0	10.0	10.0
LOWER	10.0	10.0	10.0
TOTAL	30.0	30.0	30.0

DEVELOPMENT DATA

PERMIT TYPE	GENERAL DEVELOPMENT
PERMIT NUMBER	1919553-6570
PERMIT DATE	10/10/2019
PERMIT EXPIRATION DATE	10/10/2024
PERMIT STATUS	ACTIVE
PERMIT TYPE	GENERAL DEVELOPMENT
PERMIT NUMBER	1919553-6570
PERMIT DATE	10/10/2019
PERMIT EXPIRATION DATE	10/10/2024
PERMIT STATUS	ACTIVE
PERMIT TYPE	GENERAL DEVELOPMENT
PERMIT NUMBER	1919553-6570
PERMIT DATE	10/10/2019
PERMIT EXPIRATION DATE	10/10/2024
PERMIT STATUS	ACTIVE

C0.0

COVER SHEET

Project No. 1919553-6570
 Date: 10/10/2019
 Scale: AS SHOWN

Project No.	1919553-6570
Date	10/10/2019
Scale	AS SHOWN

This drawing is prepared and issued by the engineer for the purpose of providing information to the owner and the public. It is not to be used for any other purpose without the written consent of the engineer.

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ENTIRE
 Tyrell Properties, LLC
 425 Bert Winston Rd
 Youngsville, NC 27596
 (919) 554-9645
 rtyan@ncurfcare.com



[illegible]

603.5796 4.96 -666
 603.5798 -9.25 -646
 603.62 28 -949-65004
 603.62099 4.04 529
 337 749-604 604 604
 403.6734 604

FLEX OFFICE

 H. Masson St
 Youngsville, North Carolina
 Franklin County

the new design, which will be the first of its kind, will be the first of its kind.

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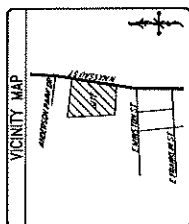
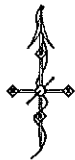
Approved	APR 2009
Project no.	October 2, 2009
Date	
File	

DEMOLITION
PLAN

D1.0



Know what's below.
Call before you dig.



QUALITY STATEMENT

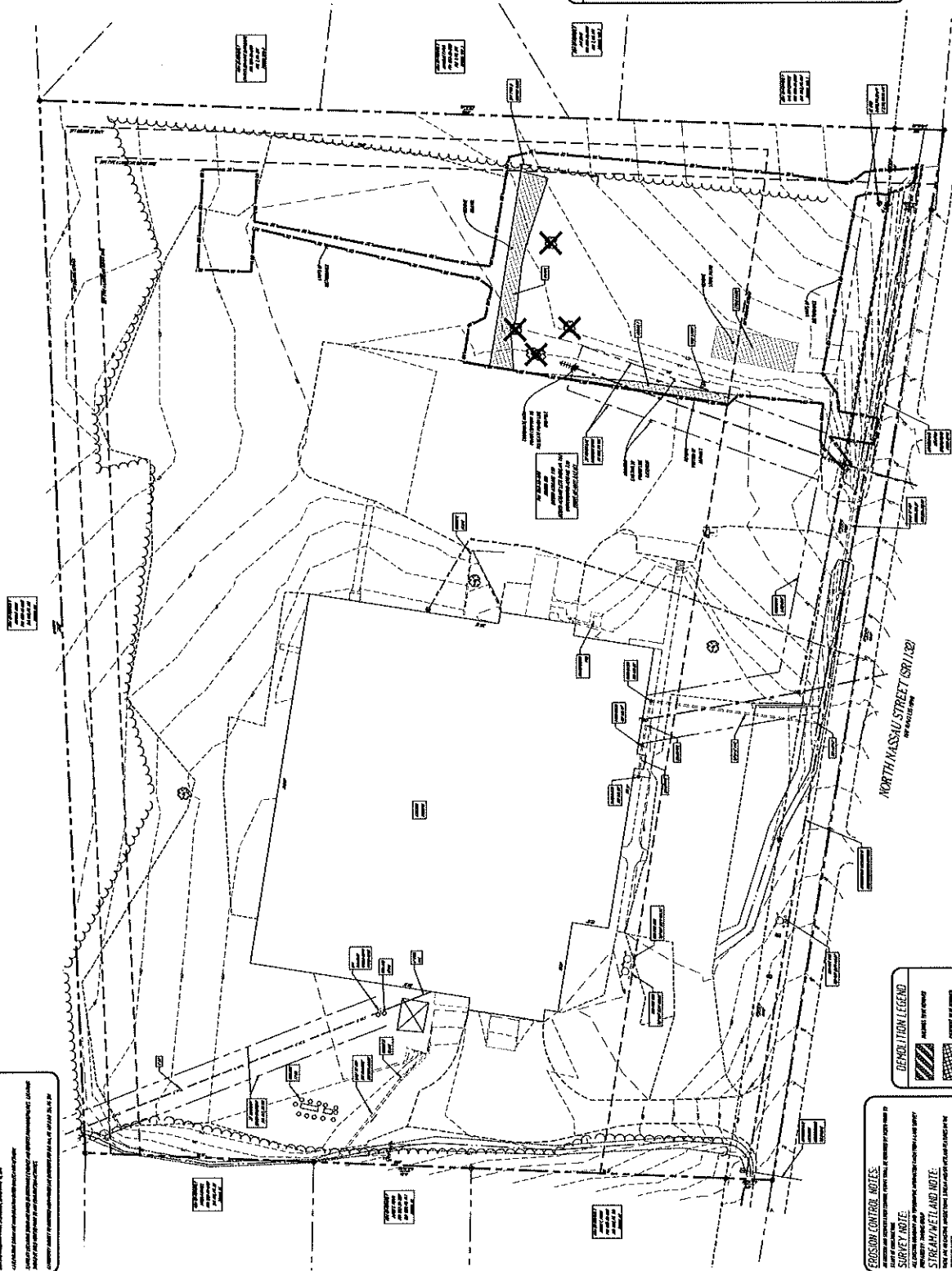
1. **THESE ARE THE TERMS AND CONDITIONS OF THE CONTEST:**
 a. The contest will be open to all legal residents of the United States who are at least 18 years old at the time of registration.
 b. The contest will run from 12:00 a.m. Eastern Standard Time (EST) on November 1, 2013, to 11:59 p.m. EST on November 30, 2013.
 c. The contest is open to all legal residents of the United States who are at least 18 years old at the time of registration.
 d. The contest is open to all legal residents of the United States who are at least 18 years old at the time of registration.
 e. The contest is open to all legal residents of the United States who are at least 18 years old at the time of registration.

AUTHORITY NOTE

and the court has to ensure that the parties are treated fairly and that the court's decision is based on the facts of the case. The court has to ensure that the parties are treated fairly and that the court's decision is based on the facts of the case.

DEMONSTRATION NOTES

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DEMOLITION / LEGEND



EROSION CONTROL NOTES:

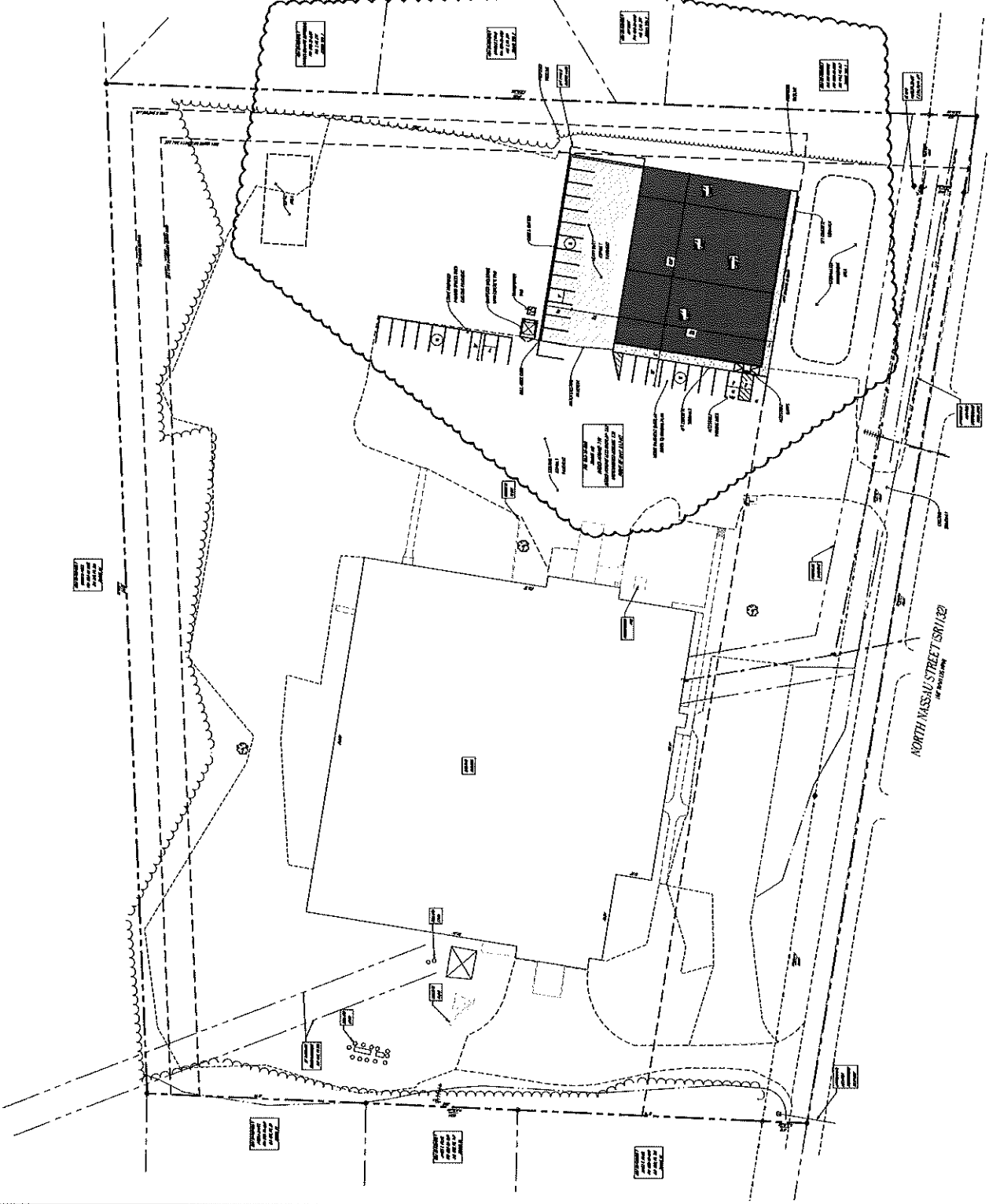
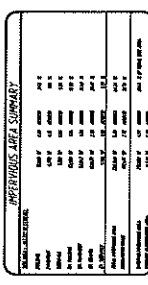
SURVEY NOTE: The data reported in this article are based on a survey of 1,000 U.S. adults conducted by the Pew Research Center for the American People, May 10-14, 2011. For more information, see the full report at www.pewresearch.org.

SURVEY NOTES:

STREAM/WETLAND NOTE:

STREAM/WETLAND NOTE:

FLOOD ZONE NOTE:
SOUTH BAY: 100 YEARS 1% OF 1% FLOODING, 500 YEARS 0.2% OF 1% FLOODING, 1000 YEARS 0.1% OF 1% FLOODING.
NORTH BAY: 100 YEARS 1% OF 1% FLOODING, 500 YEARS 0.2% OF 1% FLOODING, 1000 YEARS 0.1% OF 1% FLOODING.





CONTRACT NO. 100-100-100-100
SHEET NO. 100-100-100-100
DATE: 10/10/10



Michael J. Smith
Professional Engineer
State of North Carolina
License No. 10010

PREPARED BY
David Thompson, LLC
10010 Main Street
Raleigh, NC 27601
PH: 919-123-4567
WWW.DTLLC.COM

FLEX OFFICE
10010 Main Street
Raleigh, NC 27601
PH: 919-123-4567
WWW.FLEXOFFICE.COM

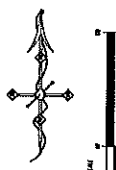
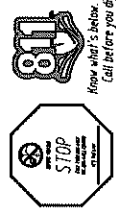
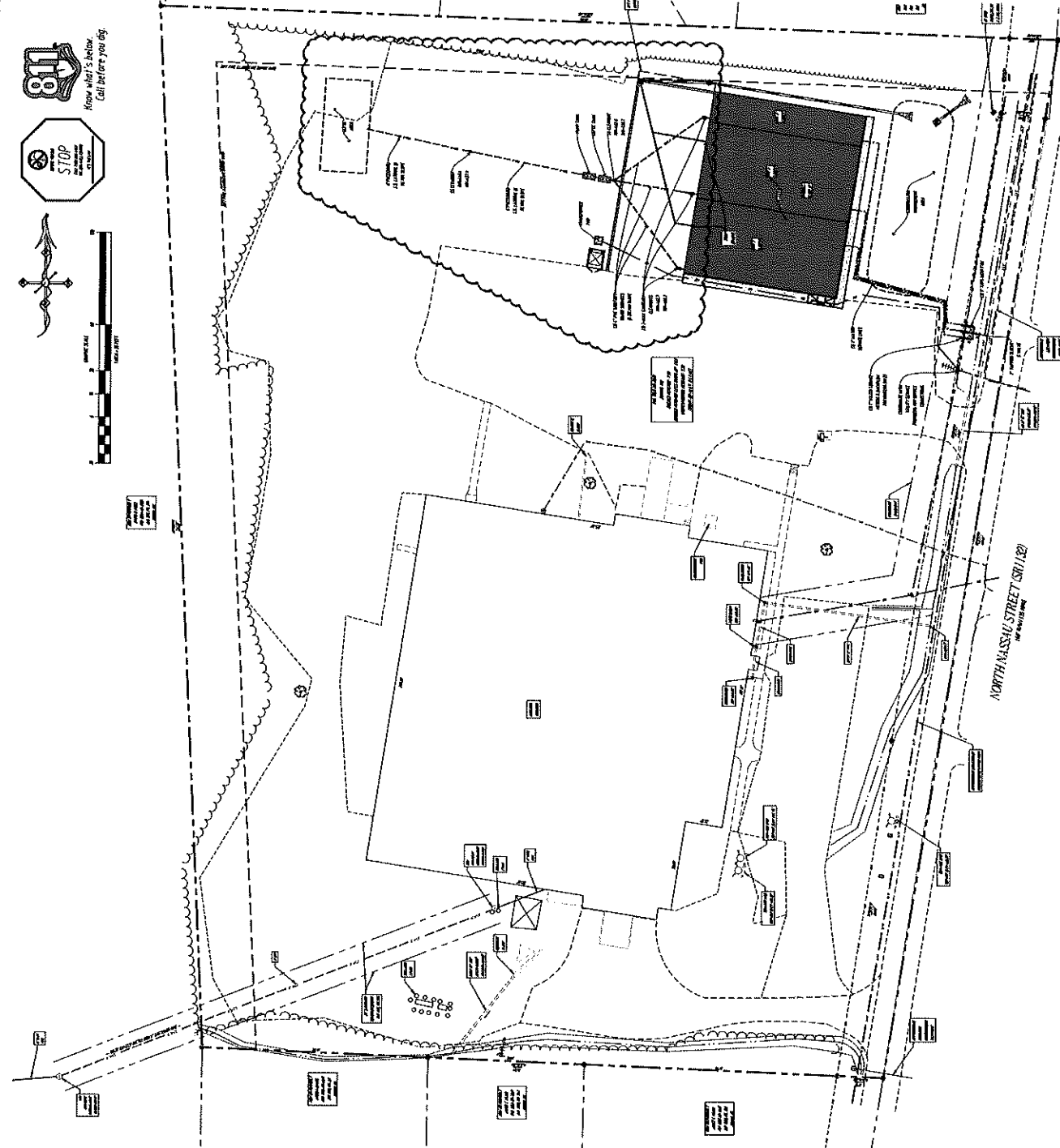
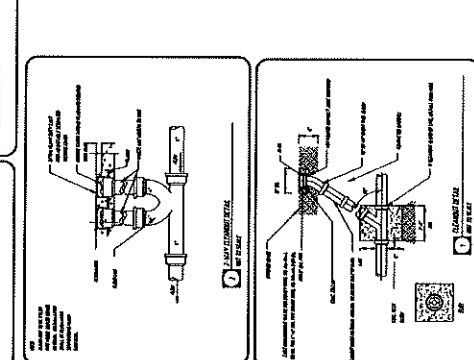
NOTES:
1. This drawing is to be used in conjunction with the other drawings in this set.
2. All dimensions are in feet and inches, unless otherwise noted.
3. All materials and construction methods shall conform to the latest editions of the applicable codes and standards.
4. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
5. The contractor shall maintain access to all existing utilities and structures throughout the construction process.

NO.	DATE	DESCRIPTION
1	10/10/10	Initial Design
2	10/10/10	Revised Design
3	10/10/10	Final Design

UTILITY
PLAN

- UTILITY NOTES**
1. ALL UTILITIES SHOWN ON THIS DRAWING ARE BASED ON THE LATEST AVAILABLE RECORD DRAWINGS AND FIELD SURVEY DATA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. ALL UTILITIES SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS. ANY DAMAGE TO UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
 3. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48 INCHES BELOW FINISHED GRADE, UNLESS OTHERWISE NOTED.
 4. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE APPLICABLE CODES AND STANDARDS.
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- UTILITY SERVICE NOTES**
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THESE TAPES
WILL BE SENT TO ALL
THE MEMBERS OF THE
COMMITTEE ON THE
FUTURE OF THE
NATION



22073418
 2100th Professional LLC
 625 West 42nd Street
 7th Floor, Suite 707
 New York, NY 10018
 212-693-8643
 212-693-8643

FLEX OFFICE
N. Massou St
Youngsville, North Carolina
Franklin County

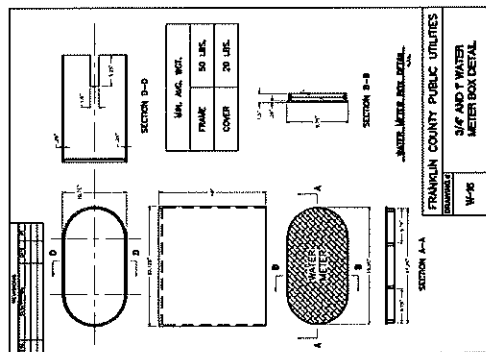
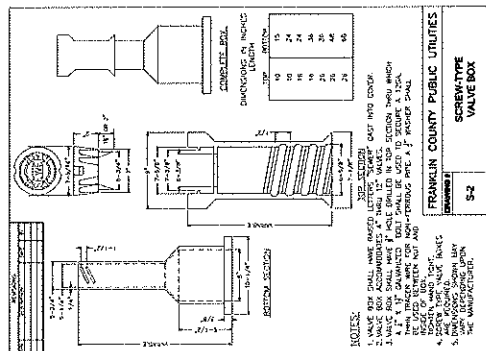
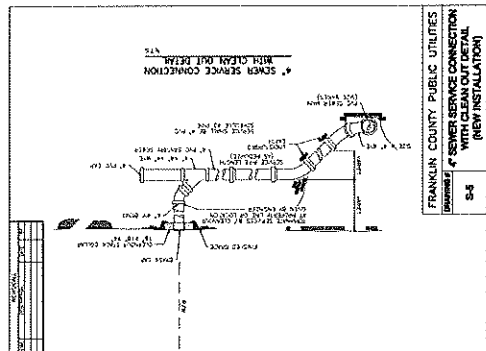
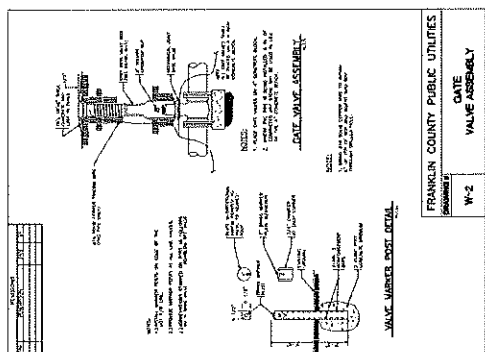
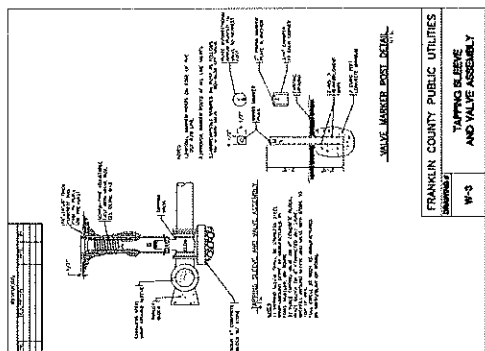
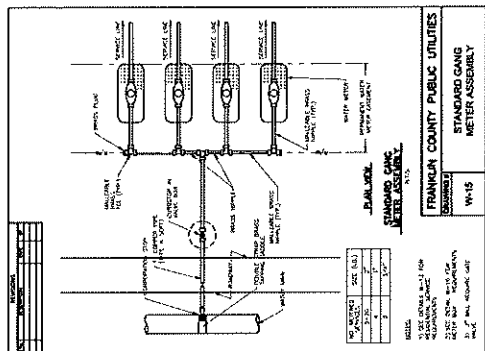
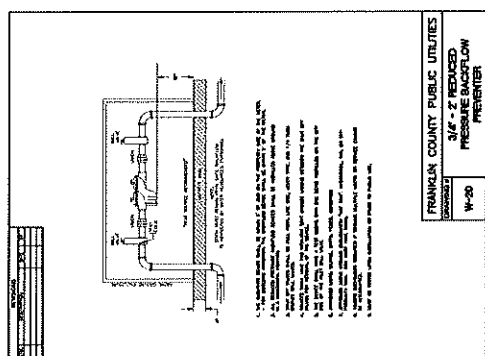
the district, together with the weights and designs presented herein, is an instrument of service, a document only for the specific purpose of identifying the cases in which it was prepared. It is not intended to be a source of information or of legal reliance on the part of untrained officials.

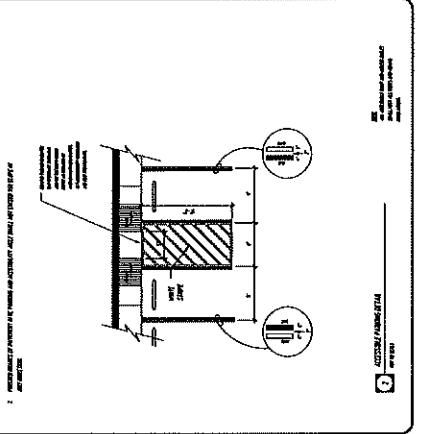
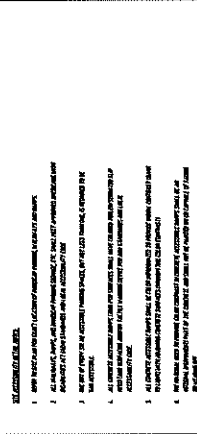
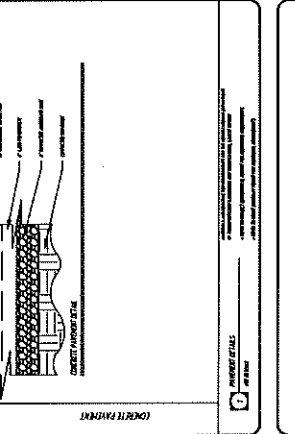
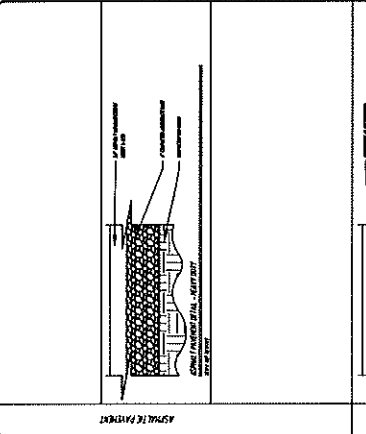
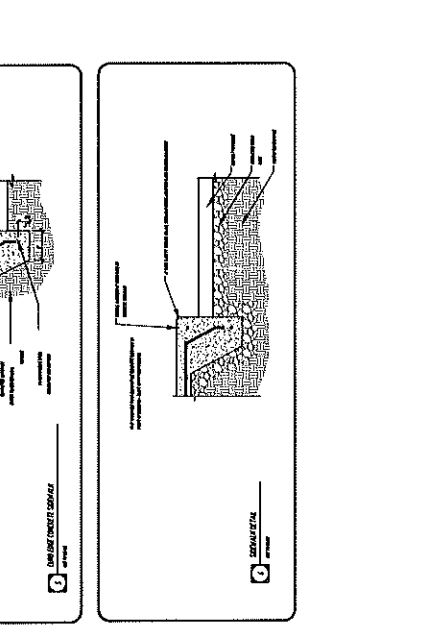
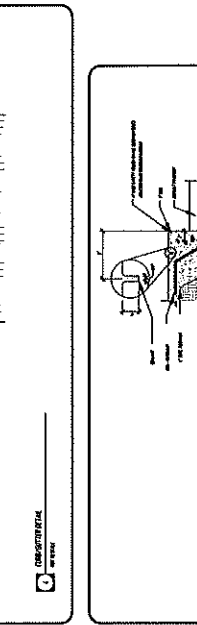
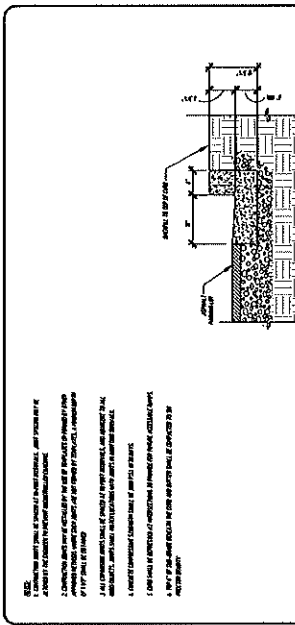
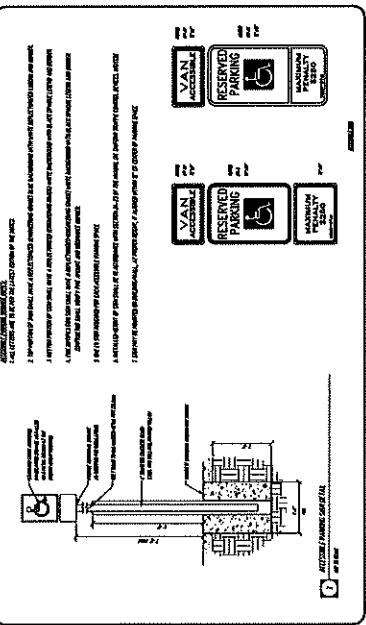
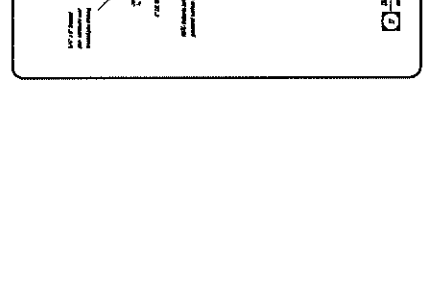
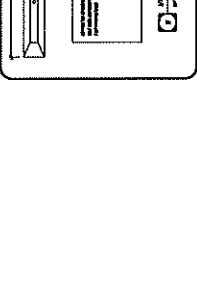
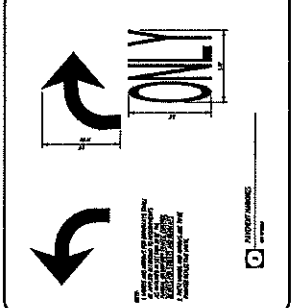
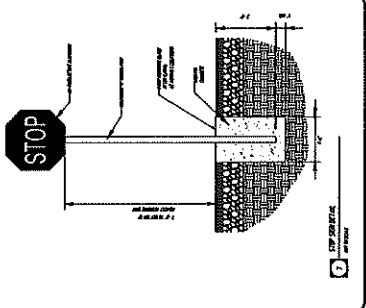
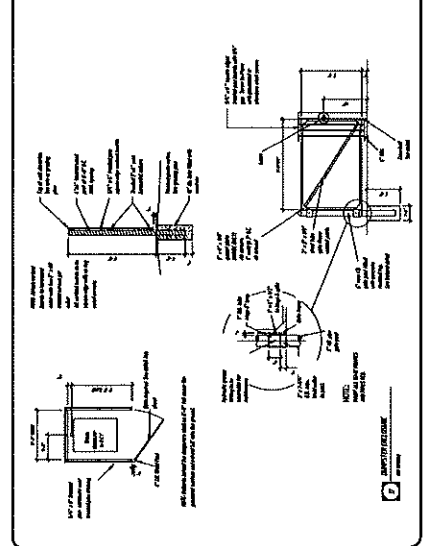
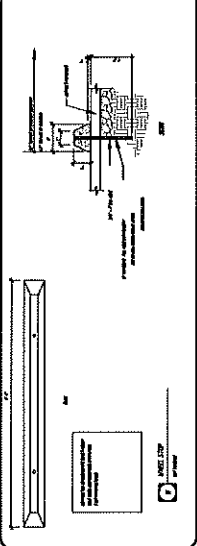
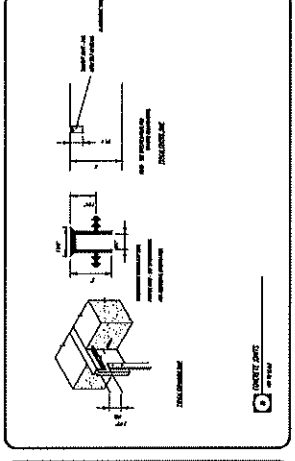
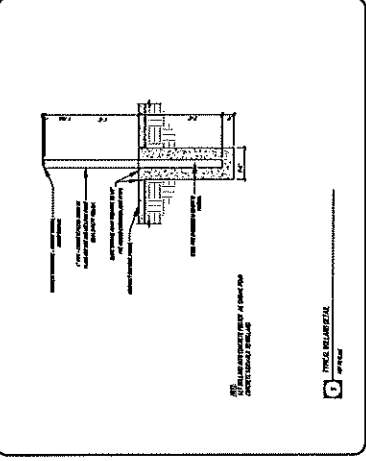
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Project No.	67388
Date	October 2, 1967
Year	

UTILITY
DETAILS

C1.2B



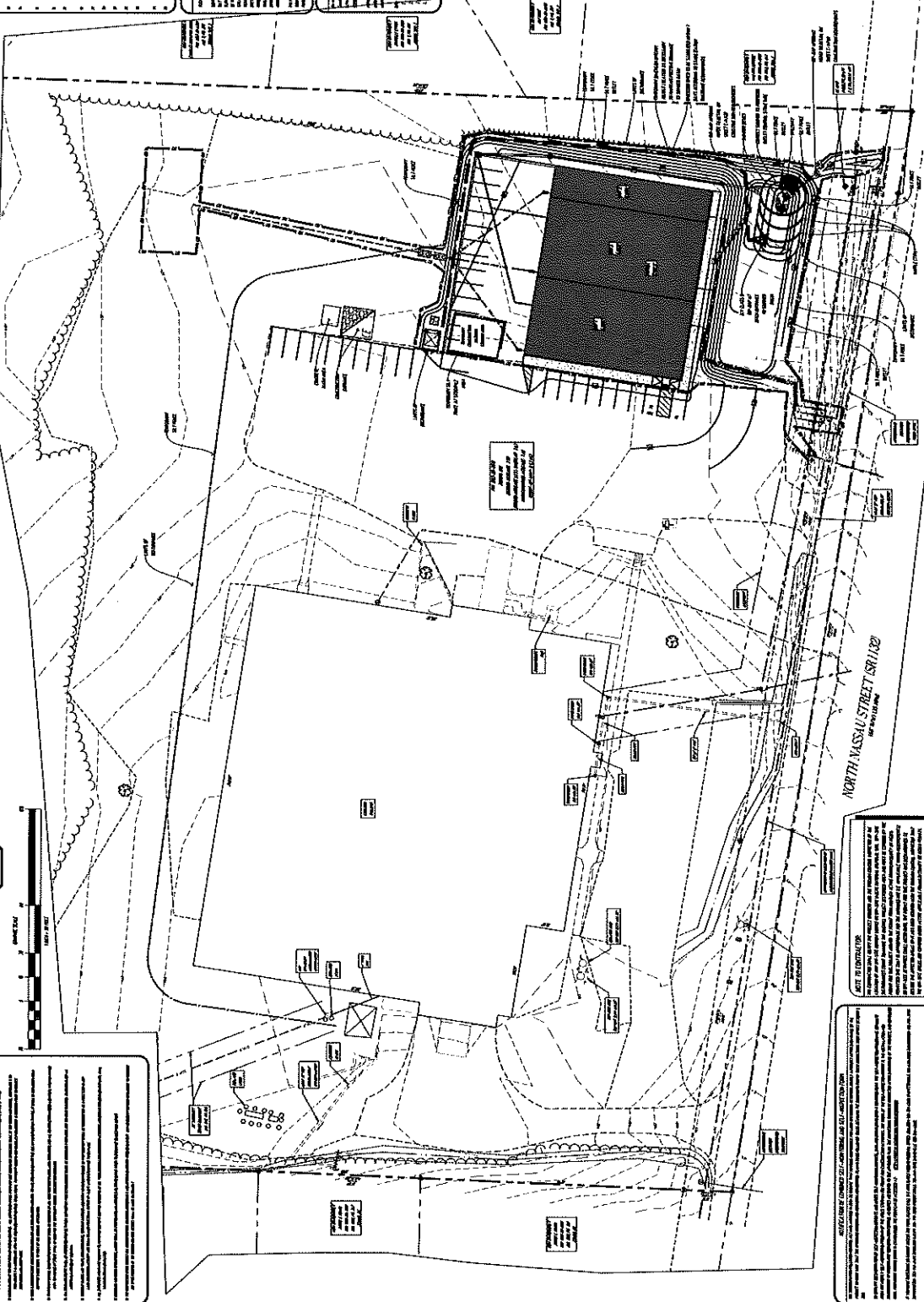


MEMBERSHIP IN THE ASSOCIATION OF THE UNIVERSITY OF THE SOUTH PACIFIC IS OPEN TO ALL CITIZENS OF THE FOLLOWING COUNTRIES:

Solomon Islands

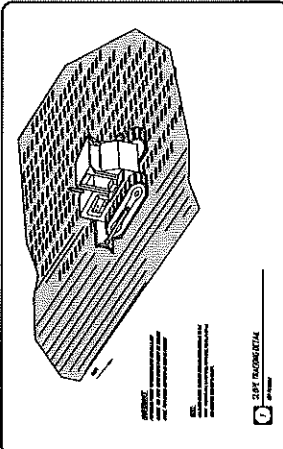
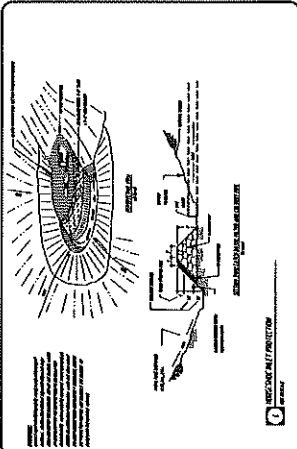
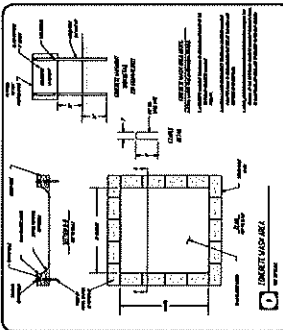
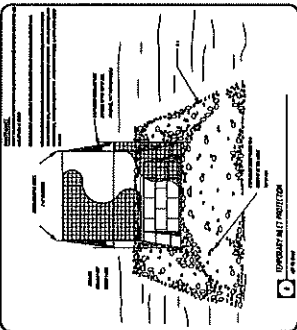
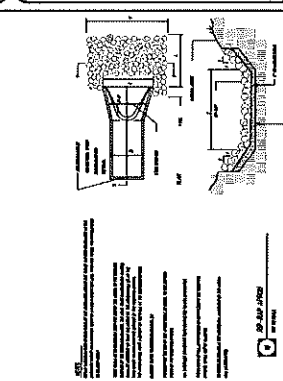
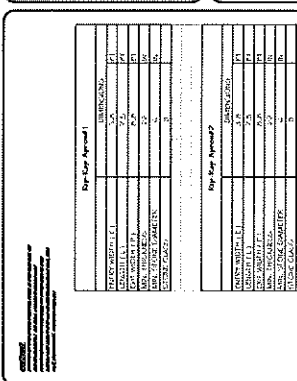
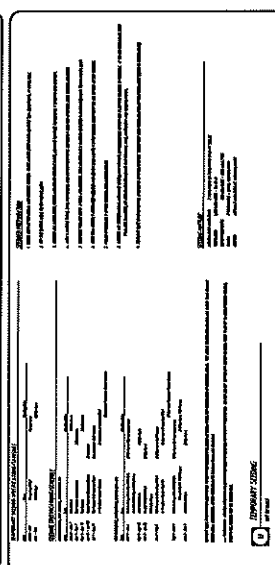
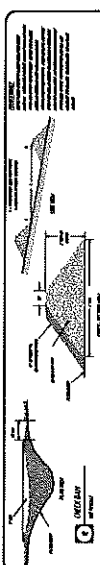
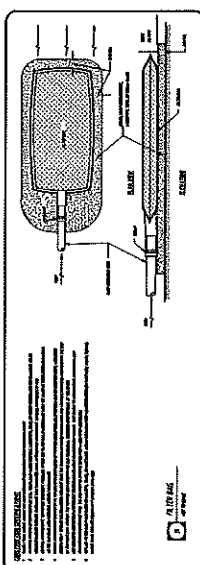
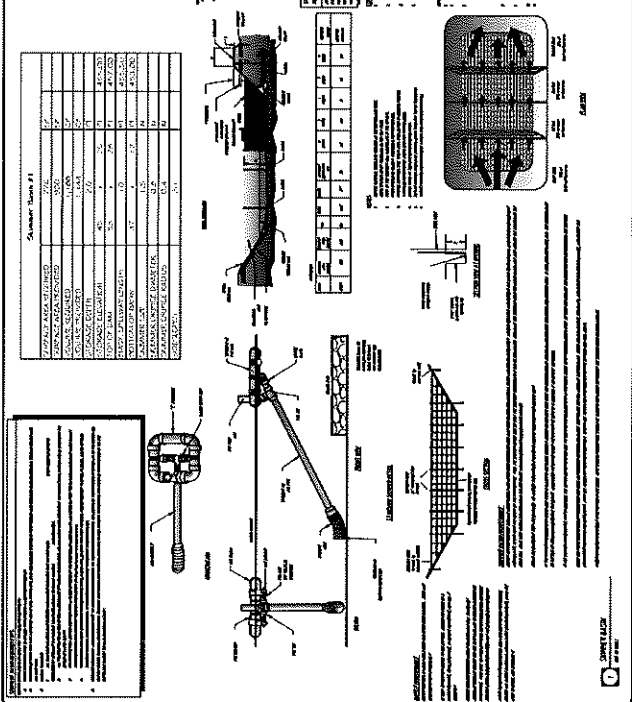
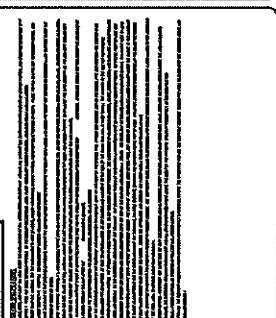
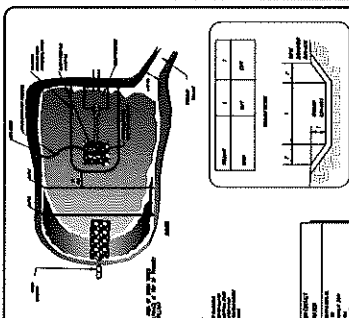
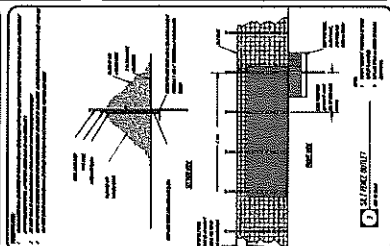
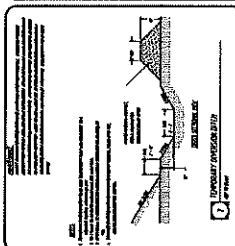
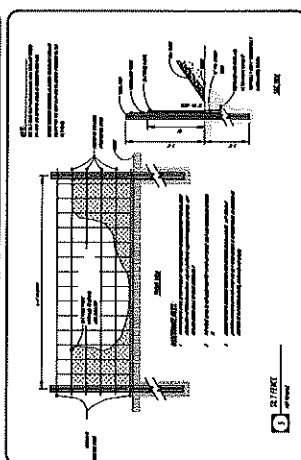
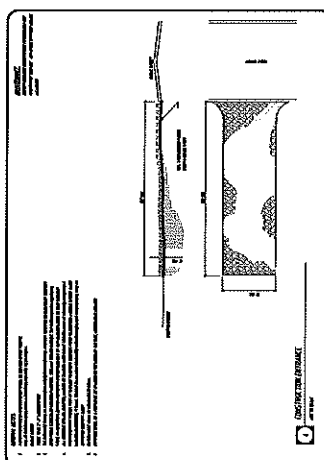
and to persons and firms who are citizens of the above named countries and who are engaged in business or industry in the above named countries and who are interested in the development of the country and who are interested in the development of the country and who are interested in the development of the country.

POLYMER LETTERS



NOTE TO CONTRACTOR

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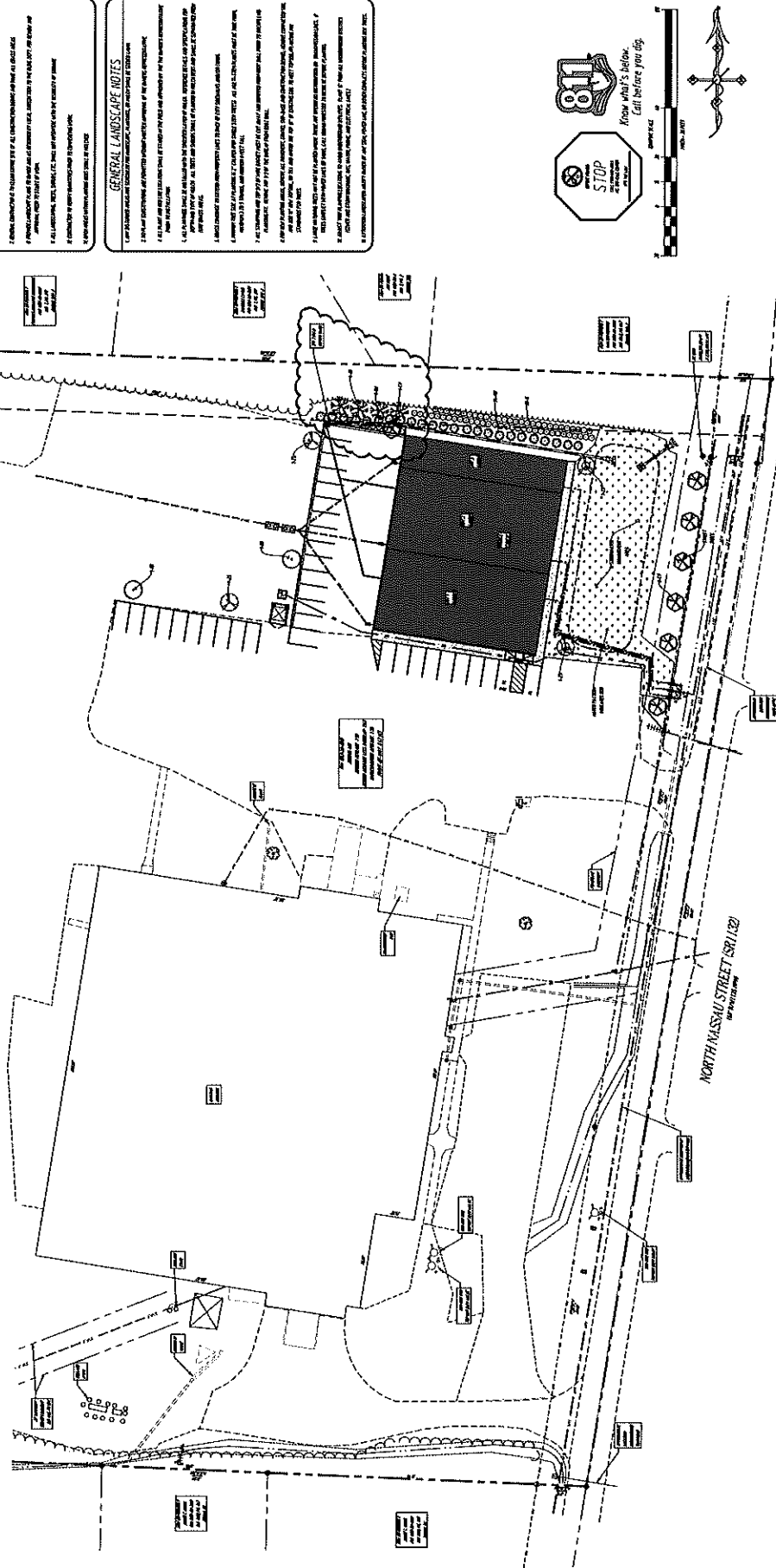
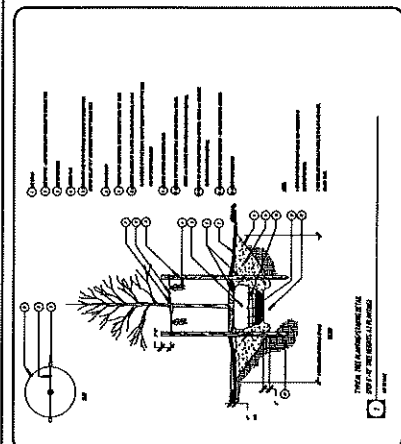
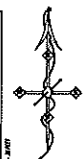
LANDSCAPING NOTES:

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RESEARCH DESIGN AND METHODS

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Know what's below.





Town of Youngville

Post Office Box 190, Youngville, North Carolina 27596

Phone: 919.925.3401 | Fax: 919.925.3402

Tyrell Properties LLC
425 Bert Winston Road
Youngville, NC 2759

November 24, 2020

Dear Mr. Tyrell:

The Tyrell Properties Office Suites expansion project has gone through the site plan review process for the Town of Youngville and has been reviewed and approved by Planning staff, the Youngville Fire Department, and Franklin County Public Utilities with the following conditions:

1. Applicant will obtain a septic permit from the Franklin County Department of Environmental Health.

Please contact me using the information listed below if you have any questions pertaining to this matter. Thank you for your cooperation, and support of the Town of Youngville community.

Sincerely,

Erin Klinger
Planning and Zoning Administrator
Office: 919.925.3395
eklinger@townofyoungville.org

Copy to:
Bob Clark, Planning and Zoning Officer

- (1.) New construction and changes of use.
 - (a.) Commercial buildings, structures, or developments with a gross floor area of more than 1,000 square feet;
 - (b.) Office or institutional buildings, structures, or developments with a gross floor area of more than 2,400 square feet;
 - (c.) Any residential development containing more than 4 individual units; and/or
 - (d.) Any development where public streets are extended.
 - (2.) Additions to existing buildings increasing gross floor area by fifty (50) percent or more of the above threshold for new construction for that land use, or additions with a gross floor area of 25 percent of the above threshold for new construction for that land use if the resulting total gross floor area, when combined with the existing floor area, would result in a gross floor area meeting or exceeding the above threshold for new construction for that land use if the structure did not previously meet the above threshold.
 - (3.) In the case of residential development, additions of four (4) or more dwelling units on one parcel of land.
 - (4.) Properties located within 1,500 feet of each other, under the same ownership and/or developed by the same developer over a period of three years or less shall be considered to be one development and reviewed as such.
- (B.) Exemptions. Projects within the Town of Youngsville involving new construction, additions, renovations, and changes of use which do not meet the minimum size requirements of the *Major Site Development Plan* review processes as set forth in subsection 7.7-1(A) above shall be reviewed as *Minor Site Development Plans* in accordance with the provisions of Sub-section 7.7-2 of this Article.
- (C.) Pre-application procedure. All applicants for major Site Development Plan review are required to schedule a predevelopment conference with the *Planning, Zoning & Subdivision Administrator* prior to the preparation of development plans. This conference allows the applicant and *Planning, Zoning & Subdivision Administrator* an opportunity to discuss the review process, the requirements for completing the review schedule, contact persons for services and permits, and information regarding *Site Development Plans* and development requirements.
- (D.) Site Development Plan submittal.
- (1.) Application required. An application shall be required for all major Site Development Plan review requests. This application shall contain pertinent information regarding the proposed project and shall be accompanied by a *Site Development Plan*. The *Site Development Plan* shall contain the following:
 - (a.) Property boundaries with dimensions
 - (b.) PIN for property

- (c.) Location of adjacent streets, right of ways, and utility easements
 - (d.) Dimensioned footprint and setbacks of the existing and proposed structures with gross floor area indicated
 - (e.) Dimensions of existing and proposed impervious surfaces
 - (f.) Location and number of parking spaces
 - (g.) Location and size of buffer and landscape areas
 - (h.) Location of existing and proposed driveways and/or streets
 - (i.) Location of all flood zones
 - (j.) Location of adjoining properties and both the existing zoning designation and use of these properties
 - (k.) Names and addresses of adjoining property owners
 - (l.) Number of stories and overall height of all existing and proposed structures
 - (m.) Location of proposed stormwater facilities
 - (n.) Location of existing and proposed dumpster and recycling containers
 - (o.) Generalized depiction or description of natural features on and immediately adjoining the site, including streams and other water bodies, steep slopes, areas covered by tree canopy, etc., and
 - (p.) Other information determined by the *Planning, Zoning & Subdivision Administrator* as necessary to evaluate the request.
- (2.) Preparation by professional. *Site Development Plans* for developments requiring major Site Development Plan review shall be prepared by a registered architect, engineer, landscape architect, or land surveyor licensed in the State of North Carolina for the work in which they are trained and licensed to perform.

(E.) Staff review.

(1.) *Planning Department staff review.*

Plans for development requiring major Site Development Plan review shall be reviewed by the *Planning, Zoning & Subdivision Administrator* for compliance with the requirements of this Article and standards and specifications of this Ordinance and the Technical Standards & Specifications Manual.

(2.) Submittal of plans to *Planning, Zoning & Subdivision Administrator*.

The *Planning, Zoning & Subdivision Administrator* review the *Site Development Plans* for compliance with the applicable requirements of this Ordinance and other applicable Ordinances and laws, to which their respective jurisdiction applies. This review shall be made by the *Planning, Zoning & Subdivision Administrator* and by any other agencies or officials as requested by the *Planning, Zoning & Subdivision Administrator*.

