

The Smithfield Board of Zoning Appeals held its regular meeting on Tuesday, February 18th, 2014. The meeting was called to order at 6:30 p.m. Members present were Ms. Faye Seeley, Chair, Mr. Clem Batten, Vice Chairman; Mr. Christopher Gwaltney, and Ms. Catherine Bowden. Staff members present were Mr. Joseph Reish, Planning Technician and Mr. William H. Riddick III, Town Attorney. There were two (2) citizens present.

Chair Seeley – I will call the February 18th, 2014 meeting of the Board of Zoning Appeals to order. I think we are supposed to have an election of officers.

Town Attorney – You have already done it.

Planning Technician – Mr. Saunders said that we have to do it at the beginning of each year. In October we elected Ms. Seeley as Chair and Mr. Batten as Vice Chairman.

Town Attorney – It will not hurt anything to do it again. The reason that we did it in October was because we had a vacancy. We will open the floor for nominations for Chairman of the Board of Zoning Appeals.

Chair Seeley – I nominate Mr. Batten.

Town Attorney – Are there any other nominations?

Mr. Batten – I nominate Ms. Seeley.

Town Attorney – Are there any other nominations? Hearing none, nominations are closed. All those in favor of Ms. Seeley as Chairman say aye, opposed say nay.

On call for the vote, four members were present. Chair Seeley abstained, Vice Chairman Batten voted aye, Mr. Gwaltney voted aye, and Ms. Bowden voted aye. There were no votes against the motion. There was one abstention. The motion passed.

Town Attorney – Ms. Seeley you have been elected Chairman. The floor is open for nominations for Vice Chairman.

Mr. Gwaltney – I nominate Mr. Batten.

Town Attorney – Are there any other nominations? Hearing none, nominations are closed. All in favor of Mr. Batten as Vice Chairman say aye, opposed say nay.

On call for the vote, four members were present. Chair Seeley voted aye, Vice Chairman Batten abstained, Mr. Gwaltney voted aye, and Ms. Bowden voted aye. There were no votes against the motion. There was one abstention. The motion passed.

Town Attorney – Mr. Batten is Vice Chairman.

Chair Seeley – Next we have an Application for Special Yard Exception under Article 12 Section D of the Town of Smithfield Zoning Ordinance – 1206 Wilson Road – Russell Hill, applicant; Denise Hundley, property owner. Could we have a staff report please?

Planning Technician – Thank you, Madam Chair. Mr. Russell Hill visited our office to discuss adding a room addition and a covered front porch to the primary structure at 1206 Wilson Road. Before the permit could be issued we discovered that the house is a non-conforming structure due to the front yard setback being 33.3 feet. In the Neighborhood Residential District the front yard setback needs to be 35 feet. The house was built in 1960 so it is no fault of the current owner. However we could not issue a zoning permit for this enlargement due to the non-conforming status.

Chair Seeley – Is there anyone who would like to speak on this? Please state your name and address for the record.

Mr. Russell Hill – My name is Russell Hill. I am the owner of Hill's Enhancements, Inc. I live at 103 Quillens Point Lane in Smithfield. The house belongs to Ms. Denise Hundley. I discussed this with Mr. William Saunders three to four weeks prior to doing anything and neither of us caught this 33 foot setback. We have stripped the bricks from the side of the house to see if we could salvage them because I did not want the front of the house to look any different from the way it presently looks. The front porch is only six feet out with the steps. The porch and steps are about nine feet closer to the road. We will exit the porch to the left of the property toward the driveway. We are adding the curb appeal back by removing the sidewalk. The house next to it has a fifteen foot porch on it. It may have been prior to the zoning regulations. I do not think it will take away from the curb appeal or hinder the neighbors seeing the road.

Vice Chairman Batten – Does the property need more living space?

Mr. Hill – It only has one bathroom in the house. It would look silly to only put a small addition on just to get a bathroom. She wants to put a master bedroom, bathroom, and closet combination on the end. It will be a big open floor plan on the inside. The kitchen and den will all be open. I have done a ton of work in town. When I finish it will definitely not be an eyesore to the street.

Vice Chairman Batten – A front porch is just a luxury.

Mr. Hill – It is nice to go in the front door and not get rained on. The back porch is a big open porch.

Planning Technician – I forgot to mention that the 26.8' x 17' addition will not encroach any further than the house already does. The addition will maintain the 33.3 foot setback. However, the front porch addition will encroach approximately nine feet. The trade off is that the uncovered existing porch encroaches further. He is asking to remove the steps from the uncovered porch so it will actually encroach less than it does now.

Chair Seeley – I will entertain a motion.

Mr. Gwaltney – I will make a motion to approve the special yard exception.

Vice Chairman Batten – Second.

Chair Seeley – A motion has been made and properly seconded. All in favor signify by saying aye, opposed say nay.

On call for the vote, four members were present. Chair Seeley voted aye, Vice Chairman Batten voted aye, Mr. Gwaltney voted aye, and Ms. Bowden voted aye. There were no votes against the motion. The motion passed.

Chair Seeley – The next item is Approval of the October 15th, 2013 Minutes.

Town Attorney – I have reviewed the minutes and would recommend that the minutes be approved as presented.

Ms. Bowden – I will make a motion to approve the minutes.

Vice Chairman Batten – Second.

Chair Seeley – A motion has been made and properly seconded. All in favor signify by saying aye, opposed say nay.

On call for the vote, four members were present. Chair Seeley voted aye, Vice Chairman Batten voted aye, Mr. Gwaltney voted aye, and Ms. Bowden voted aye. There were no votes against the motion. The motion passed.

Chair Seeley – Seeing no further business, the meeting is adjourned.

The meeting adjourned at 6:40 p.m.

Faye M. Seeley
Chair

Joseph Reish
Planning Technician

