

HARNETT COUNTY
BOARD OF ADJUSTMENTS
March 10, 2025

Staff Contact: Randy Baker, Assistant Manager of Planning Services
(910) 893-7525 or rbaker@harnett.org

CASE NUMBER: BOA2408-0007
APPLICANT: Alfredo Leon Chavez & Liliana Castro Martinez
OWNER: Alfredo Leon Chavez & Liliana Castro Martinez
LOCATION: 186 Rosebud Street
ZONING: RA-20M
ACREAGE: .30 **PIN#** 0514-00-5823.000
LAND USE CLASSIFICATION: Medium Density Residential

REQUEST: Seeking a variance from side and rear property lines: 21' 11" rear/8' 6" right side/1' left side

AERIAL:



Directions from Lillington: Travel NC 210 South – Turn right onto Ray Road – Turn right onto Rolling Springs Drive – Property is located at the intersection of Rose Bud Street & Rolling Springs Drive.

PHYSICAL CHARACTERISTICS

- A. **Site:** Currently contains a single-family structure utilized as the primary residence of the property owner.
- B. **Surrounding Land Uses:** Consist of single-family residential home sites and various commercial facilities.
- C. **Utilities:** Water – Public Sewer – Public

BACKGROUND:

- This application is brought before the Board due to a complaint that was submitted to the Planning Department. The inspection verified a violation of the required setbacks as they relate to the accessory structures located in the side and rear yard.
- A record search of the property does not reference any permits being obtained for the accessory structure.
- The property contains an 800 square foot accessory structure located in the rear yard.
- The exact location of the accessory structure is referenced in the submitted foundation survey.
- The property also contains a small portable shed that is located within the required side setback as well.
- The current ownership of this property is reflected in a recorded deed dated September 7, 2022.
- A Google aerial photo dated April 20, 2022 illustrates a concrete pad on the property in the location of the current accessory structure.

UNIFIED DEVELOPMENT ORDINANCE REGULATIONS

ARTICLE IV. ZONING & OVERLAY DISTRICTS

SECTION 14.0 DIMENSIONAL REQUIREMENTS

14.2 Residential Zoning Minimum Dimensional Requirements



ZONING DISTRICT	RA-40	RA-30	RA-20M	RA-20R
Minimum Lot Area (square feet)	40,000	30,000	20,000	20,000
Connection to public water and/or sewer including any NCDOT right-of-way (square feet)	35,000	25,000	15,000	15,000
Minimum Lot Width	150 ft	100 ft	80 ft	80 ft
Minimum Front Yard Setback	35 ft	35 ft	35 ft	35 ft
Minimum Rear Yard Setback	25 ft	25 ft	25 ft	25 ft
Minimum Side Yard Setback	10 ft	10 ft	10 ft	10 ft
Maximum Building Height, Required	35 ft	35 ft	35 ft	35 ft
Minimum Side Yard Setback, Corner Lot	20 ft	20 ft	20 ft	20 ft
Minimum Side Yard Setback, Corner Lot on Major Thoroughfare	35 ft	35 ft	35 ft	35 ft

ARTICLE VI. GENERAL DEVELOPMENT STANDARDS

SECTION 3.0 ACCESSORY STRUCTURES

The following regulations shall apply to accessory buildings and/or structures.

A. All accessory buildings shall be located in the rear or side yard and meet the setbacks of the underlying zoning district. An accessory building may be located within the front yard if all of the following requirements are met.

1. The lot is two (2) acres or greater, or five (5) acres or greater if located within a named, major subdivision.
2. The accessory building must be setback at least a minimum of double the front setback requirement and adhere to the minimum side & rear setback for the zoning district.

3. Accessory building square footage shall not be greater than fifty percent (50%) of that of the principal building, unless located on a lot that is equal to or greater than 10 acres.
4. A maximum of one (1) accessory building may be located in the front yard.
5. The accessory building shall be oriented as to not obscure view of principal building from public right-of-way or private access easement.
6. The accessory structure shall be exempt from the above requirements if located on a Bona Fide farm.

B. Accessory buildings not exceeding 600 square feet may be permitted in the required side and rear yards provided such accessory buildings are at least five (5) feet from any property line and do not encroach into any required easements.

C. Accessory buildings not exceeding 50 square feet and used exclusively to house well and pump equipment may be permitted in the required front, side, and rear yards, provided such accessory buildings are at least five (5) feet from any property lines and do not encroach into any required easements or sight angles.

D. An accessory building may be located on another contiguous or non-contiguous lot from the principal use with which it is associated, only to the extent that the principal use itself would also be permitted on such lot.

E. In no case shall a manufactured home, or cargo or trailer portion of a motor vehicle be used as an accessory structure for storage.

F. Portable Storage Units for Residential Purposes

1. Temporary portable storage units may be located within the required front yard for no more than 60 days.
2. Portable storage units shall be permitted in rear or side yards only. Additional portable storage units shall be permitted in the rear or side yard(s) only and shall not be visible from the public right(s)-ofway.
3. No more than two (2) accessory structures shall be located on lots of 10,000 square feet or less, and the total square footage of accessory structure(s) shall not exceed the total square footage of the principle structure.

SITE PHOTOS



02-25-2025 02:45:16 PM GPS X= 35.235917 Y= -78.964671



02-25-2025 02:42:47 PM GPS X= 35.236021 Y= -78.964622



02-25-2025 02:43:19 PM GPS X= 35.236178 Y= -78.964665



02-25-2025 02:42:52 PM GPS X= 35.236019 Y= -78.96466



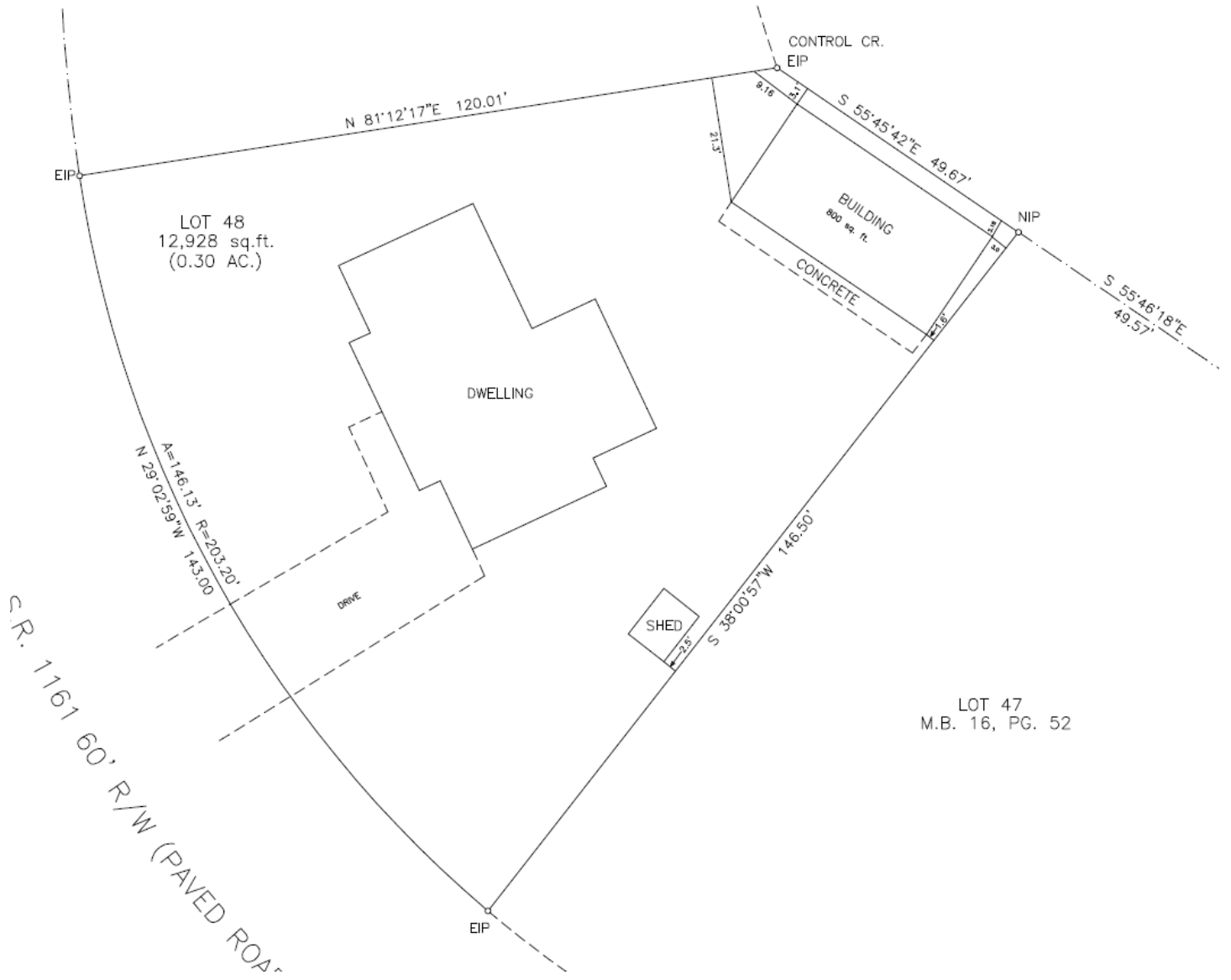
02-25-2025 02:43:33 PM GPS X= 35.236214 Y= -78.96466



02-25-2025 02:44:14 PM GPS X= 35.236116 Y= -78.964627



SUBMITTED SITE PLAN



HISTORICAL IMAGERY

