



Board of Adjustment
6:30 PM **Monday, March 2, 2026**

Regular Meeting
Holly Springs Town Hall Council Chambers
128 S. Main Street, 2nd Floor

Agenda

Call to Order

Roll Call

Pledge of Allegiance

Invocation

Agenda Adjustment

Organization Meeting

1. Chairperson and Vice Chairperson

Approval of Minutes

2. October 6, 2025 Regular Meeting Minutes

Training

Other Business

Adjournment

In accordance with ADA regulations please contact the Town Clerk's office at least 48 hours before the meeting to request an auxiliary aid or service needed to participate in this meeting:

linda.mckinney@hollyspringsnc.us 919-557-3900



Holly Springs Board of Adjustment

Board of Adjustment Agenda Cover Sheet

Agenda Item#: 1.

New Business

Title: Chairperson and Vice Chairperson

Strategic Priority Area: Growth Management & Economic Vitality

Staff Resource: Cheryl Caines, Development Services

Action(s):

- Appoint Board of Adjustment Chairperson.
- Appoint Board of Adjustment Vice Chairperson.

Explanation:

- Unified Development Ordinance Section 11.3.4.D.3. Board of Adjustment requires the Board of Adjustment to elect a Chairperson and Vice Chairperson in March of every year to conduct meetings.
- The terms for both individuals shall be 1 year or until successors have been elected and installed, with eligibility for reelection.

Background:

- The current Chairperson is Ben Copeland.
- The current Vice Chairperson is Thomas Rushing.

Funding Source(s):

Attachment(s):

None



Holly Springs Board of Adjustment

Board of Adjustment Agenda Cover Sheet

Agenda Item#: 2.

New Business

Title: October 6, 2025 Regular Meeting Minutes

Strategic Priority Area: Growth Management & Economic Vitality

Staff Resource: Mackenzie Fretz, Development Services

Action(s):

- Approve October 6, 2025 minutes.

Explanation:

Background:

Funding Source(s):

Attachment(s):

1. October_2025_Minutes

Town of Holly Springs
BOARD OF ADJUSTMENT MEETING MINUTES
Monday, October 6, 2025 – 6:30 p.m.

Agenda Item #1, 2, 3 & 4:

The Board of Adjustment of the Town of Holly Springs met for their regularly scheduled meeting on October 6, 2025 in the Council Chambers, 128 South Main Street. At 6:30p after determining a quorum was present, Chair Copeland called the meeting to order.

Staff Members Present: Cheryl Caines, Senior Planner
Brett Gosney, Planner I
Jay Osborne, Asst Town Attorney
Angele Sharrett Board of Adjustment Clerk

The Board completed roll call.

Members Present: Ben Copeland, Chair
Thomas Rushing, Vice Chair
Kimberly Day (ETJ)
David Williams

Alternate Members Present: (Non-Voting)
David Britt

Members Absent: Afua Tetteh
Alternate, Herman Goldstein (ETJ) – non-voting
Alternate, Yan Higgins – non-voting

The Board recited the pledge of Allegiance and held a moment of silence, or the meeting opened with an invocation by Ben Copeland.

Agenda Item #5: Agenda Adjustment

There was no agenda adjustment.

Agenda Item #6: Minutes

a. August 4, 2025 Minutes

Motion:
Motion to approve the August 4, 2025 Minutes.

Motion by: Thomas Rushing

Second by: David Williams

Action: The Board of Adjustment voted in favor of the Motion. (5-0)

Agenda Item #7: Variance

Mr. Gosney reviewed the staff report with the Board.

- a. 25-VAR-01 & 25-VAR-02 7434 Ironrod Way

Swearing-In

Brett Gosney, Planner II

Chair Copeland opened the Public Hearing.

Planner Brett Gosney presented staff report to the Board of Adjustment.

Kristi, the applicant, testified that the purpose of the subdivision was to allow for additional structures and to reduce liability associated with future business opportunities and the existing primary residence. She confirmed that the easement is paved and that the property has no direct access to a public right-of-way.

The applicant Kristi Melby, approached the Board of Adjustment and provided testimony:

The applicant began by thanking the Board, Brett, and Town staff for their time, assistance, and consideration. She explained that she wished to provide context regarding the annexation of her property into the Holly Springs ETJ and to highlight several unique challenges specific to her property.

She referenced maps provided by staff showing her existing 15-acre parcel, which lacks public road frontage and is accessed via a recorded 30-foot easement connecting to New Hill Holleman Road. Duke Energy owns the strip of land between her property and the road, resulting in approximately 800 feet of shared boundary. Her request proposes creating two additional lots for a total of three, each approximately five acres.

The applicant presented historical background from the Wake County Board of Commissioners' January 2016 meeting, when her property was annexed into the Holly Springs ETJ. At that time, Holly Springs sought annexation of roughly 10,485 acres, later reduced by 4,360 acres – all Duke Energy-owned land. Her property, left surrounded by the removed Duke land, became an isolated "donut hole" within the ETJ. She noted that Holly Springs has historically avoided approving projects that create such inconsistencies in jurisdiction, yet her parcel remains a small island regulated by the Town but surrounded by Wake County jurisdiction.

She reviewed the seven criteria Wake County used to evaluate ETJ expansions in 2016, emphasizing the fourth – provision of municipal water and sewer services. The expansion was justified at the time because Duke Energy planned to extend Holly Springs utilities approximately five miles from the Trinity Creek area to its training facility on New Hill Holleman Road, with completion expected within five years. Since then, Duke canceled those plans, and utilities have not advanced closer to her property nearly ten years later. Existing utility lines remain about five miles away, and physical constraints such as wetlands, lake crossings, and the need for Duke Energy right-of-way make future extension highly unlikely.

She noted that the Town’s current utility service area maps show her property within a “long-range” planning area with no timeframe or budget for service extension. As a result, the required infrastructure to support urban development is not feasible for her parcel.

The applicant emphasized that, although her property is governed by Town zoning and development ordinances, she receives no municipal services and has no vote in Town representation. When she contacts Wake County—her supposed representative for ETJ matters—she is referred back to Holly Springs. She described this as a systemic gap leaving ETJ residents without effective representation.

She further explained that under Wake County’s regulations (had the property remained in its jurisdiction), her request for a three-lot minor subdivision accessed by a 25-foot easement would be permitted. Her property was involuntarily annexed into the ETJ and is now subject to additional restrictions without receiving the benefits that were part of the original justification for annexation.

The applicant provided an example of a nearby property that sold for \$580,000 after being appraised at \$870,000 due to similar restrictions, demonstrating the financial impact of the ETJ limitations. She noted that her request—to subdivide her 15-acre parcel into three five-acre lots—is modest and consistent with surrounding land use and the Town’s comprehensive plan. By contrast, a nearby approved project allows five homes per acre.

She stated that her goal is to separate the lots to support her bona fide farm and expand her agrotourism operations by constructing additional farm-related structures. She concluded by referencing the North Carolina Constitution’s guarantee of the right to enjoy the fruits of one’s labor, asserting that the requested variance would allow her to use and develop her property in a productive, family-oriented, and constitutionally supported manner.

Chair Ben Copeland closed the Public Hearing.

Planner Brett Gosney asked if the staff report be entered in to record.

Variances 25-VAR-01 & 25-VAR-02 requested by Kristi Melby to allow for a variance from the

The Board Chair, Ben Copeland outlined the standard variance review process, noting that findings of fact must demonstrate the request meets the four statutory criteria:

1. Unnecessary hardship would result from strict application of the ordinance.
2. The hardship results from conditions peculiar to the property.
3. The hardship does not result from actions of the applicant.
4. The variance is consistent with the spirit, purpose, and intent of the ordinance and secures public safety and substantial justice.

Members acknowledged that while the applicant provided extensive historical context regarding the ETJ and annexation process, the Board’s purview is limited to evaluating the variance request under the current ordinance and not to revisit prior annexation or jurisdiction decisions.

The Board reviewed the ten staff findings of fact, discussed necessary revisions, and confirmed that two separate variances were being considered for the same property. Members verified that the existing 30-foot recorded access easement is paved and provides access to multiple properties, including the subject parcel. It was noted that the property lacks public road frontage and public utilities, making utility extension difficult due to distance and natural site constraints.

Additional findings discussed included:

- The existing parcel contains a single dwelling; the applicant seeks to subdivide into three lots under a minor subdivision (below the four-lot threshold).
- The hardship is not self-created, as the property's lack of frontage and ETJ status predate current ownership.
- The variance would add at most two new lots accessed by the private easement.
- The proposed use is consistent with the applicant's testimony of supporting an existing farm and agrotourism use.
- While future sale or transfer of the lots is possible, any further subdivision would require new variance approval.
- Current zoning limits accessory structures to 3,000 square feet or the size of the existing dwelling per lot.
- The location and surrounding Duke Energy property make the extension of utilities infeasible.

Members discussed the meaning of "unnecessary hardship" and the intent of the ordinance. They acknowledged that while the property's configuration is unusual and not caused by the applicant, concerns about road access and potential future traffic were also noted.

Mr. Gosney reviews the findings of fact with the Board, as noted:

1. The application for a variance was filed by all the owners of the land affected by the Variance.
2. The property is described as follows:
Site Address: 7434 Ironrod Way
PIN: 0628368160
Total Lot Size: 15.07 ac.
Current Zoning District: RR – Rural Residential
3. The property is improved with a detached dwelling unit.
4. The zoning district requires a minimum lot frontage of 50'.
5. The requested variance is to reduce the required minimum lot frontage from 50' to 0'.
6. An Administrative Adjustment was unable to address the requested Variance.
7. There are no specific zoning conditions or conditions of approval that are part of a Special Use Permit, Planned Unit Development, or Conditional Zoning District that will be varied by this request.
8. A Plot Plan/Survey depicting the Variance has been submitted by the Applicant.
9. The Variance application and other records pertaining to the Variance request are part of the record.
10. Notice of the Quasi-Judicial Hearing has been provided as required by NCGS and the Town of Holly Springs Unified Development Ordinance.

Motion (Findings of Fact)

Motion to accept and adopt the findings of fact for Variance Petition # 25-VAR-01

Motion to accept and adopt the findings of fact for Variance petition # 25-VAR-02 as determined based upon competent material, and substantial evidence presented and entered into the record and reduced to writing.

Motion by: Ben Copeland

Second by: Thomas Rushing

Action: The Board of Adjustment voted in favor of the Motion. (5-0)

Motion (Conclusion of Law on Variance Petition)

Based upon the Board's Findings of Fact, I move to make and accept Findings of Fact for and to approve Variance 25-VAR-01 & 25-VAR-02 to allow for a Variance of Unified Development Ordinance Table 2.2.1-A Development Standards for Residential Use Districts – Minimum Lot Frontage, to allow for a reduction in the minimum lot frontage requirement for RR Rural Residential District from 50' to 0' to allow for 2 new residential lots by minor subdivision for the property located at 7434 Ironrod Way, Wake County PIN 0628368160.

Motion by: David Williams

Second by: Kimberly Day

Action: The Board of Adjustment voted in favor of the Motion. (4-1)

Agenda Item #8: Other Business

The Board did not have any other business to discuss.

Agenda Item #9: Adjournment

Motion:

Motion to adjourn.

Motion by: David Williams

Second by: Thomas Rushing

Action: The Board of Adjustment voted in favor of the Motion. (5-0)

Time: 7:45PM

Angele Sharrett

Board of Adjustment Clerk