

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris
Town of Linden



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Clifton McNeill, Jr.,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce
Town of Eastover

COUNTY of CUMBERLAND

Planning and Inspections Department

MINUTES

April 15, 2008

Members Present

Mrs. Lori Epler, Vice-Chair
Mr. Clifton McNeill
Mr. Roy Turner
Mrs. Patricia Hall
Mr. Benny Pearce
Mr. Garland Hostetter

Others Present

Mr. Tom Lloyd, Director
Mrs. Laverne Howard
Commissioner Diane Wheatley

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. McNeill delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

**Mrs. Hall made a motion to accept the agenda, seconded by Mr. Pearce.
Unanimous approval.**

III. PUBLIC HEARING DEFERRAL – STAFF INITIATED

Mr. Lloyd stated that Case P08-16 would be deferred until the May 20, 2008 Planning Board meeting.

**Mr. McNeill made a motion to approve deferral, seconded by Mr. Turner.
Unanimous approval.**

IV. ABSTENTIONS BY BOARD MEMBERS

There were no abstentions.

V. APPROVAL OF THE MINUTES OF APRIL 1, 2008

Mr. Turner made a motion to approve the minutes as submitted, seconded by Mr. Hostetter. Unanimous approval.

VI. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P08-15:** REZONING OF 1.77+/- ACRES FROM A1 AGRICULTURAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF NC HWY 87 SOUTH, NORTH OF PUMMILL ROAD, SUBMITTED BY HENRIETTE S. PUMMILL, OWNED BY PUMMILL FAMILY TRUST.

The Planning & Inspections Staff recommends approval of the request for C2(P) Planned Service and Retail district based on the following:

1. Even though the request is not consistent with the 2010 Land Use Plan, since the time the Plan was adopted, the right-of-way for NC HWY South has been widened and public utilities have been made available in this area;
2. The request is reasonable due to the immediate area transitioning to primarily non-residential uses and is consistent with the uses within the surrounding area; and
3. Upon development, connection to public utilities will be required.

The O&I(P) Planned Office and Institutional and the C1(P) Local Business zoning districts could also be found suitable at this location.

By consensus, the staff agreed that it would be appropriate to limit any future consideration of requests for non-residential zoning districts in this general area to the properties south of SR 2237 (Smith Road).

Mr. McNeill stated that he made the motion to follow the staff recommendation but did not completely agree with the consensus of the staff.

A motion was made by Mr. McNeill, seconded by Mr. Pearce to follow the staff recommendation and approve case P08-15 as submitted. Unanimous approval.

VII. CONSENT PLATS & PLANS

- A. **CASE NO. 08-070:** CONSIDERATION OF A WAIVER FOR THE WILLIE RILES PROPERTY; GROUP DEVELOPMENT REVIEW; SECTION 3.20.D, LOT STANDARDS, COUNTY SUBDIVISION ORDINANCE; REQUEST FOR AN ACCESS WAIVER; ZONING: R6A; TOTAL ACREAGE: 2.18 +/-; LOCATED ON THE NORTH SIDE OF PALM SPRINGS DRIVE, NORTH OF SR 1613 (HONEYCUTT ROAD), WEST OF SR 1600 (MCARTHUR ROAD).

The developer is requesting approval for a second dwelling unit on property that cannot comply with the minimum 20-foot lot frontage standard of the ordinances. The subject property's access is protected by a recorded ingress/egress easement. The recorded access to the subject property is through the existing manufactured home park which surrounds the site along the northern and eastern property lines. The request is supported by the fact that the subject property was an existing legal lot prior to the enforcement of the County Subdivision Ordinance.

The Planning and Inspections Staff recommends approval of the waiver request based on the following:

1. Because of the nature of the subject property – existing today the same as it existed prior to the enforcement of the County Subdivision Ordinance – compliance with the group development provisions of the ordinance would cause a special and unnecessary hardship to the property owner and be inequitable;
2. The purposes of the Subdivision and Zoning Ordinances are being served to an equal or greater degree, in that the access to the subject property is protected by means of a 20-foot recorded ingress/egress easement; and
3. The property owner is not being afforded a special privilege denied to others since the Board's past practice has been to grant such waivers in cases with a similar set of facts and circumstances.

Mr. McNeill made a motion, seconded by Mr. Hostetter to follow the staff recommendation and approve the waiver request for a second dwelling unit on the subject property. Unanimous approval.

VIII. DISCUSSION

A. PUBLIC WELL REGULATIONS

Mr. Lloyd presented a copy of the State's Public Well Regulations to each Board member and asked them to review it so that some guidelines can be developed in regards to approval or disapproval of zoning cases.

Mr. Lloyd also presented copies of the Land Use Policies Plan for the Board to review for modification at a later date.

IX. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

There was no director's update.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 7:45 p.m.