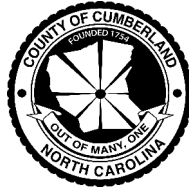


Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olison
Roy Turner,
Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.
Town of Stedman

TENTATIVE AGENDA April 19, 2005

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. CONSENT ITEMS
 - A. APPROVAL OF THE MINUTES OF APRIL 5, 2005

REZONING CASES

- A. P05-09: REZONING OF 63.81+/- ACRES FROM CD AND R10 TO R10, R5A AND C3 OR A MORE RESTRICTIVE ZONING DISTRICT, WEST OF LILLINGTON HIGHWAY, NORTH OF CHAPEL HILL ROAD, SUBMITTED BY JAMES M. KIZER, OWNED BY ALBERT ALABASTER, SR., DONALD B. OUTLAW AND HARVEY E. OUTLAW.
- B. P05-16: REZONING OF 1.02 ACRES FROM R6A TO M2, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 3926 CHURCH STREET, SUBMITTED BY DONOVAN MCLAURIN, OWNED BY WADE COMMUNITY FIRE DEPARTMENT. (WADE)
- C. P05-19: REZONING OF 4.27 ACRES FROM R6 AND R6A TO C(P), OR A MORE RESTRICTIVE ZONING DISTRICT, AT 123 NAUTIQUE DRIVE, SUBMITTED BY AMAR PATEL, OWNED BY MANJULA PATEL, ET AL. (SPRING LAKE)
- D. P05-24: REZONING OF TWO PARCELS TOTALING 1.44 ACRES FROM A1 TO RR, OR A MORE RESTRICTIVE ZONING DISTRICT, SOUTH OF JOHN HALL ROAD, BETWEEN MYRTLE LANE AND NEY COURT, OWNED BY CHARLES A. JORDAN AND WIFE.
- E. P05-25: REZONING OF 12.45 ACRES FROM A1 TO R20, OR A MORE RESTRICTIVE ZONING DISTRICT, NORTH OF RAMSEY STREET, SOUTHWEST OF WEST REEVES BRIDGE ROAD, SUBMITTED BY 4D SITE SOLUTIONS, OWNED BY SOUTHEAST DEVELOPMENT OF CUMBERLAND, LLC.

PLATS AND PLANS

- A. 95-186: McDONALD'S C(P) SITE PLAN REVISION REVIEW AT THE NORTHEAST QUADRANT OF BLACK & DECKER AND LEGION ROADS FOR ALTERNATE YARD REQUIREMENTS (44-FOOT FRONT YARD WHERE 50 FEET ARE REQUIRED), ALLOWED UNDER SECTION 12.45, "PLANNED COMMERCIAL AND INDUSTRIAL DISTRICTS," CUMBERLAND COUNTY ZONING ORDINANCE.
- B. 05-042: TEAKWOOD FOREST ZERO LOT LINE SUBDIVISION/GROUP DEVELOPMENT REVIEW AT THE EAST END OF PALMERLAND DRIVE, SOUTH OF BLACK & DECKER ROAD, FOR VARIANCES FROM SECTION 3.2, "RELATION OF PROPOSED STREETS TO ADJOINING STREET SYSTEM," AND SECTION 3.17.C, "STREET DESIGN, CUL-DE-SAC," CUMBERLAND COUNT SUBDIVISION ORDINANCE.
- C. 05-050: WINDSOR PARK SUBDIVISION REVIEW ON THE NORTH SIDE OF RAMSEY STREET, SOUTHWEST OF WEST REEVES BRIDGE ROAD, FOR A VARIANCE FROM SECTION 3.17.C, "CUL-DE-SAC," CUMBERLAND SUBDIVISION ORDINANCE.
- D. 05-057: WILLIAM GREENE SUBDIVISION REVIEW ON THE SOUTH SIDE OF BLOSSOM ROAD, WEST OF BUTLER NURSERY ROAD, FOR A VARIANCE FROM SECTION 4.2.C(C), "PRIVATE STREET," CUMBERLAND COUNTY SUBDIVISION ORDINANCE.

VII. PUBLIC HEARING ITEMS

- A. P04-76: REZONING OF 1.43 ACRES FROM M2 TO R6A, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 4001 LOFTON STREET, OWNED BY GERALD E. CREECH. (WADE)
- B. P05-20: REZONING OF 100.79 ACRES FROM RR AND R15 TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, NORTH OF SUNNYSIDE SCHOOL ROAD, WEST OF I-95, SUBMITTED BY DIANE A. YOUNTS, OWNED BY MILDRED C. ALLEN.
- C. P05-23: REZONING OF 11.83 ACRES FROM A1 TO RR, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 7043 GOLDSBORO ROAD, OWNED BY YOLANDA BAREFOOT, ET. AL.

VIII. DISCUSSION

IX. FOR YOUR INFORMATION

- A. DIRECTOR'S UPDATE

X. ADJOURNMENT

Clifton McNeill, Jr.
Chair
Cumberland County

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Town of Linden
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MINUTES April 5, 2005

Members Present

Mr. Clifton McNeill, Chair
Mr. Charles Morris, Vice-Chair
Mr. David Averette
Mr. Harvey Cain, Jr.
Dr. Marion Gillis-Olion
Mr. Donovan McLaurin
Mr. Joe W. Mullinax
Mr. Roy Turner

Others Present

Ms. Nancy Roy, Director
Mr. Tom Lloyd, Deputy Director
Ms. Donna McFayden
Ms. Patti Speicher
Ms. Barbara Swilley
Mr. Grainger Barrett, Co. Attorney
Ms. Diane Wheatley, Co.
Commissioner

Chair McNeill welcomed Diane Wheatley, County Commissioner liaison.

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice-Chair Morris delivered the invocation, and Chair McNeill led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

A motion was made by Vice-Chair Morris and seconded by Mr. Averette to approve the Agenda as presented. The motion passed unanimously.

III. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Lloyd explained that speakers would be allowed to speak for the time needed to make their points, and no time limits would be imposed.

IV. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF MARCH 15, 2005

A motion was made by Mr. Mullinax and seconded by Mr. Averette to approve the Minutes of March 15, 2005 as written. The motion passed unanimously.

V. PUBLIC HEARING ITEM

A. PROPOSED CUMBERLAND COUNTY ZONING ORDINANCE

Chair McNeill explained that this was the second public hearing held on the proposed County Zoning Ordinance and asked that the speakers be called.

Mr. Howard Dean appeared before the Board and said that he appreciated the work that has gone into the formulation of the Ordinance. He said that Section 820 (Recreational Vehicle Parks) had some areas that he wanted to discuss. He said that he anticipated opening an RV Park, and the required size of the sites (1,800 square feet) creates a 20-foot by 90-foot site, and that would be large for many RVs. Secondly, he said that the structures being required to be 100 feet from any public street seemed excessive. The last item Mr. Dean addressed was the matrix of uses where RV Parks are allowed as special uses, requiring Board of Adjustment approval. He said after Health Department, Transportation Department and other permits are obtained, it would be logical to allow the parks as permitted uses in the districts. He said that it was obvious that a lot of thought went into the document, and it should now be moved on.

Chair McNeill asked about the special versus permitted use in the districts. Mr. Dean said that if the parks meet all qualifications for permits, they should be allowed. Mr. Lloyd said that the use is currently allowed only in the HS(P), A1 and CD Districts. He said that the requests going before the Board of Adjustment would be similar to the site plan review process and added that the use would now be allowed in many more districts.

Mr. Lloyd asked if Mr. Dean had suggestions for a required lot size. Mr. Dean said that 1,800 square feet is reasonable in camping areas, but tents and smaller vehicles require much less space. Vice-Chair Morris asked what the current space requirement is. Mr. Lloyd said that the original proposal didn't make it out of Committee, so there isn't a space requirement in the current Ordinance. He said that the Board of Adjustment would be provided with boilerplate conditions so that all requests would be treated the same.

Chair McNeill said that only two districts were added to those currently allowing the RV Parks. He asked why the use wouldn't be permitted in the C(P) District since a site plan is required. Mr. Lloyd said that the staff would look at this.

Mr. Dean said that the only other concern he had was that internal drives were required to be 18 feet wide. He said many parks contain roads that are for one-way traffic, and the width requirement could be reduced on these one-way streets. He said that one-way streets make the parks safer.

Mr. Morgan Johnson appeared before the Board and said that he had experienced many RV Parks, and 1,200 to 1,800 square feet would be a reasonable site size. Mr. Johnson said that he is the Chair of the Eastover Sanitary District, and the Eastover community is concerned about two or three main issues in the proposal. The first is allowing two units per acre in the A1 District. He said that this would rezone most of the County that would typically require public hearings and notification of surrounding landowners. He said that the A1 should be changed to R87 to keep the two-acre requirement. He said that the Eastover community does not support rezoning their area to allow one unit per acre.

Mr. Johnson's second concern was the Density Development requiring 40 percent to be open space and all of the 40 percent consisting of undevelopable land. He said that this would allow density at R10 rather than R40. He said that Eastover is not suitable for the Density Development because they have so much land that is wet and not developable. He said that the proposal might be good for some areas of the County, but not Eastover.

Another concern expressed by Mr. Johnson was the 20-foot buffer requirement in the Density Development proposal. He said that 50 feet would be a better figure with varying sizes of vegetation.

Mr. Johnson said that the purpose of a Zoning Ordinance is to guide and control development of the County and protect the public. He asked if the job of zoning is to allow developers to make as much money as they can or to protect the public and give them their wishes.

Chair McNeill asked if the Eastover community was opposed to utilizing undevelopable areas as part of the green space in the Density Development proposal because of the concept or because it rewards developers. He asked if the community would support the concept if the 40 percent were limited to a certain percentage of undevelopable land. Mr. Johnson said the concern was not the developers, but there is so much undevelopable land in Eastover that it would have an adverse impact on the environment if the rest of the land was developed at the allowed density. He said that the 40 percent should consist of useable land.

Chair McNeill said that there seemed to be a misconception that the Density Development will automatically create small lots. Mr. Johnson said that a 100-acre tract would allow 100 houses, and with the Density Development, the homes would be allowed on 60 percent of the land, so the lots would be smaller and meet the R10, R15 and R20 density requirements. Chair McNeill said that the use of Zero Lot Line allows individuals to get credit for the number of lots allowed on a tract and place them closer together and leave large undeveloped areas also. Chair McNeill said the Board decided that all of the open space could be undevelopable land, and it may be that only a percentage of the designated open space should be undevelopable land. He asked Mr. Johnson if the Eastover community would be more agreeable to this. Mr. Johnson said there was bound to be a compromise and agreement. Chair McNeill said he wasn't sure what percentage would be best, it would probably depend on individual tracts. Mr. Johnson said that Eastover has an impact on the environment of the entire County. He said that Zero Lot Line is also a serious concern. He said when it was created in the 1970s, it was said that Zero Lot Line "may be allowed" – not that it would always be approved. He said that the Eastover community also opposes Zero Lot Line.

Mr. McLaurin said that he agreed with Mr. Johnson on the buffer. He asked the median income of the Eastover group Mr. Johnson said that a grant received in the 1990s indicated that the average income was between \$32,000 and \$34,000 per household. Mr. McLaurin said he was talking about the group that Mr. Johnson works with on planning issues. Mr. Johnson said that they earn between \$15,000 and \$100,000 per year. Mr. McLaurin said if the requirements are two- and three-acre lots, many of the low-wealth people could not afford to buy homes.

Ms. Liz Reeser appeared before the Board and said that she is the Vice-Chair of the Eastover Sanitary District. She said when the Eastover Land Use Plan was created; it was based on the A1 District allowing only one unit on two acres. She said that she owns 2.3 acres on a street with 11 other landowners, and they all use septic tanks. She said that she feared adding more residences to the swampy area. Ms. Reeser also expressed concern about protection of the agricultural community and watershed issues. In addition, she said that she didn't want her property rezoned without her permission. She said that the Density Development option is worthwhile in some

areas, but she had concerns about its use in Eastover. She asked that the A1 requirements not be changed to one acre and added that housing needs are being met in the County.

Dr. Olion asked if Ms. Reeser would rezone her property to R87 if the A1 proposal were adopted. Ms. Reeser said that she would be forced to rezone it to R87. Mr. McLaurin asked if Ms. Reeser's area would soon have water and sewer. Ms. Reeser said that it would not have sewer for a long time. Mr. McLaurin asked if she thought that another septic tank would be allowed, and Ms. Reeser said that she doubted that the Health Department would approve another septic tank on her property.

Mr. Tom Grubb appeared before the Board and said that when he serves on boards or committees, he tries to get all the data possible before making decisions. He said data is missing from Eastover, and changing the A1 District to one acre needs information. He said that canals were dug throughout the area to alleviate water drainage. He said that the canals now flood and back up, and the water doesn't leave the area. He said that rezoning to require only one acre in the A1 will increase the density without knowing if the water will drain. He said if the Board is going to make a broad sweeping change, they should consider the special situations that exist. He suggested that engineers be hired to see if runoff will be possible with added development.

Mr. Turner asked who is responsible for keeping the canals clean. Mr. Grubb said that the Commissioners said they were created through a federal document. Mr. Barrett said that the canals were set up as drainage districts that are now defunct. He said that the City and County Stormwater Utility is limited in what they can afford to do. Mr. Turner said health hazards could result if the lots back up and ditches are not cleaned up. Mr. Grubb said the situation deserves a study, and adding to the problem will not allow correction. Mr. Barrett said that the City on behalf of the City and County administers the Stormwater Utility. Mr. Turner said that the County needs more attention. Chair McNeill said that the Stormwater Utility was set up for water quality purposes—not flood control. He said that the Flea Hill functioned well when it was created, and it should be cleaned out. He added if someone builds a home in a hole, it's going to get wet.

Mr. Richard Walker appeared before the Board and said that his address is in Wade, but he lives in the Eastover Fire District. He said that he was in favor of the A1 being one-acre lots because he knew of several instances where parents or grandparents were forced to deed off two-acre lots to their children and grandchildren when one acre would have been better for the parents/grandparents. He asked for whom farmland is being preserved. He said that the family farm is a dying entity with a 40 percent reduction in farmland and 48 percent reduction in farms over the past few years. He said farmers are being penalized when they have to sell two-acre lots. He said that the drainage canals were cleaned out in the early 70s, and each family was assessed drainage taxes. After they were cleaned, the Committee in charge asked the Commissioners to assess the property owners to cover future cleanup, and the Commissioners didn't do it. He said that a lot of land in the Eastover community cannot be developed, so there shouldn't be a problem with one-acre lots.

Mr. McLaurin said that farmers who are no longer able to farm could sell the one-acre lots for as much as they receive for two acres. He said that this would tend to raise property values for the farmers and the surrounding landowners, and this would in turn increase the tax value for the County. Mr. Walker agreed.

Mr. Franklin Johnson appeared before the Board and said that he supported the new document. He said that he was in favor of the one-acre lots in A1 because the two-acre requirement is now a waste for the farmers. He said that he spoke with a number of landowners who agree with the A1 District allowing one unit per acre.

Commissioner Wheatley asked Mr. Johnson's opinion on the density issue. He said with Zero Lot Line, not much changes. He added that property owners are being hurt because they lose density due to wetlands. Chair McNeill asked how the development community felt about limiting the percentage of the required open space that could consist of wetlands. Mr. Johnson said that it shouldn't affect people because they will still be allowed to use Zero Lot Line. He said it would be a rare piece of property that would have 40 percent undevelopable land. Chair McNeill asked about the large acreage that Mr. Johnson rezoned from A1 to R40 last year, and Mr. Johnson said that it would have been a perfect tract for the A1/CUD concept.

Mr. Johnson said when he grew up, everyone owned 100 plus acres, and now they own only a few. He said that he favors the A1 at one acre. Mr. McLaurin asked him if he would use the Density Development under certain criteria, and Mr. Johnson said he definitely favored the Density Development, and there are certain properties that are perfect for it.

Mr. John Gillis appeared before the Board and thanked the staff and Board for their hard work on the Ordinance. He said that the focus has been on a couple of issues that are key changes, and the meat of the Ordinance has been overlooked. He said that land use and zoning are tools of government under the control of elected officials and appointed boards, and the objective of governance must be kept in the forefront with the focus not being on minutia. He said to focus on the Land Use Plan objectives. He added that governing can be through carrots or sticks, and carrots have a much better chance to improve a community and the environment now and over the next 100 years.

Mr. Gillis said that density has decreased in the core around the City of Fayetteville, and the City is trying to recover the growth. He said that the County has the same dilemma, and one opportunity that the County has is to make land use plans and zoning fit with long-term objectives. He said that the number of people requiring housing continues to increase because this area is appealing for many reasons. He said that there is a struggle in the State with sprawl, which causes the cost of government to go up. Land use and zoning are used to create an environment that meets the needs of the individuals and allows the government to continue to operate effectively and efficiently. As density increases, cost of government generally decreases.

Mr. Gillis said that he likes the ideas behind the Density Development; however, some practical issues need to be addressed. He said that it needs to be determined who owns and maintains the 40 percent open space. He noted that the City and County merged their recreation departments. He said that his experience with homeowners' associations has been that left to their own devices, they tend to deteriorate over time in as far as property maintenance is concerned. He said that he would support a mechanism for a County Open Space Plan that creates larger tracts to be used by the Recreation Department for parks, walking trails, etc. He said that they would be used and enjoyed and not a patch work of every property owner and developer in each little development.

Mr. Gillis said another good planning tool is to encourage density where it can support it, and develop open spaces for the enjoyment of the County.

Mr. Gillis said in Section 703.F, open space can be used by the farmer for up to 10 years. He said that the time may not be enough. Mr. Barrett said that the purpose was to allow farmers to recognize revenue from the sale of the land and transition from farming. He said that the figure can be changed.

Mr. Gillis said that the last issue was property owners versus developers. He said that property owners usually inherit and live on the land. A family farm is no longer an economically viable means of income, and income is necessary, so farmers enter into the unique situation of selling land. They don't want to limit their income potential through too many regulations. He said that the Density Development has a good overall basic objective, but the Board and staff should look deeper and not use just the Density Development to create open space.

Commissioner Wheatley said that she agreed with the park suggestion because home-owners' associations tend to fade out, and the green space isn't maintained. She said if the City or County government maintained parks, it would require more taxes. Mr. Gillis agreed and said it is a dilemma because so many people are already having a difficult time with taxes, and that's why they are fighting annexation. He said that there is currently an income tool in place that charges a fee when property is developed in lieu of dedicating land for open space. He said that developers would probably support an increased fee if a plan was in place for a park project or some type of open space project. He added that in this market, not all costs get passed on to buyers.

Mr. Barrett said that he was aware of a number of counties who included an open space plan as part of the land use plan, and there are sectors of the public in favor of greenways and others who resist if it's in their backyard. He said it can be a complex issue. He said in the Density Development proposal, cost is allocated to a homeowners' association unless the developer finds a nature conservancy or some such organization that is willing to maintain it.

Chair McNeill asked if the Density Development would have an impact on annexation. Mr. Gillis said that it wouldn't make a difference to the City's philosophy on annexation.

Mr. McLaurin said he preferred the Density Development over cookie cutter developments with parks and recreation fees where children must be driven to parks. He asked if there was a way that the Density Development could require open space to promote on-site play areas in neighborhoods. Mr. Gillis said it may not be realistic to believe the set aside space will create an environment like Mr. McLaurin grew up in because there are safety issues and a greater number of people involved.

Vice-Chair Morris asked Mr. Gillis if he was representing the Homebuilders' Association or himself. Mr. Gillis said he was speaking for himself. Vice-Chair Morris said that the public hearing was continued in order to give surveyors, engineers and developers an opportunity to give their input, but none had attended the meeting.

Mr. Lloyd said from both meetings, there appeared to be two main issues—Density Development and one acre for the A1 District. He cautioned the Board not to lose track of the reason that the Density Development was created: 1) too many A1 to

R40 rezoning cases; 2) to get a better handle on sprawl; and 3) to promote preservation. He said that the A1 to R40 density also addresses sprawl. He concluded that an Open Space Plan would take a lot of time to write, and he'd hate for it to hinder approval of the Zoning Ordinance.

Mr. Barrett said that homeowners' associations are pervasive across the State, and a common requirement of land use plans and ordinances. He told the Board to remember, "The perfect is the enemy of good."

Mr. Averette said that Mr. Jeff Reitzel said that he didn't attend the meeting because he felt that the proper way to formulate the Ordinance was through workshops where each item could be addressed. Mr. Averette said that the public hearings haven't really covered much of the Ordinance, just the Density Development and A1 density, and his concern was whether everything else in the Ordinance is okay. He said another concern is that the public needs to understand that one unit per acre does not involve the size of a lot, but density. He said it only becomes a lot size issue when it is cut out of a larger tract. He added that infrastructure has to support the additional unit.

Mr. Lloyd said if only one or two issues were covered, it would be possible to meet with specialists from the individual industries, but when writing an entire Ordinance, it becomes too expansive to cover item by item. He reminded the Board that the Committee met with representatives from the Homebuilders' Association, engineers, surveyors, developers and the general public and addressed all concerns that were expressed. He said that the staff is comfortable with the document.

Mr. McLaurin said that homeowners' associations shouldn't be branded because they can work. He said that the Density Development proposal encourages community living by creating common areas for the children in the open space.

Vice-Chair Morris said that the Board realizes that things change, and things may come up that weren't anticipated; however, the review process is in place to correct these things. He said the staff will observe how the Ordinance works for a year or two and then make needed changes when it is reviewed. He said out of 119 pages, the concerns address only about three pages. He said that the staff has done an excellent job, and it's time to move on.

Mr. Morgan Johnson said that the Planning staff did a commendable job, and his group has only one or two issues. He said that the Ordinance is a good document, and the concern expressed doesn't require workshops to address each item. He said not many people attended the public hearings because they don't recognize the importance of the document. He agreed that it is time to move on.

Mr. Johnson invited everyone to Eastover Heritage Day on May 14. He said it will be an enlightening event with bands, paratroopers, a bake sale and dinner.

Ms. Roy said when she came on board in January of 2003, revising the Ordinance was the Board's priority. She said that staff began in the summer of 2003. She said that they could have hired someone to rewrite the Ordinance, but they elected to have the staff do the job because: 1) They knew the administrative difficulties with the current Ordinance and had knowledge of the problems; 2) the Ordinance was written in the early 70s, and staff knew what needed to be updated and reorganized; and 3) new techniques were available that required staff to research and learn. She said

that this is a great document, and staff will monitor it daily and keep track of problems for the review process. Ms. Roy said that she believed in the end they would all be happy that the rewrite was done in this way.

Chair McNeill commended staff and thanked them for their hard work.

The public hearing was closed.

Chair McNeill said that the Board had several options because he didn't want the document to go to the Commissioners until the Board approves a final version. He said that a few items came up in the public hearings, and Board members expressed a few concerns. He then asked each Board member to state his specific concerns so that a list could be formulated for the staff to work on.

Mr. Averette—Section 820, Recreational Vehicle Parks/Campgrounds, the matrix on page 35 (change from special to permitted uses) and Section 102 M, Lighting, the concerns expressed by Mr. Reitzel.

Dr. Olion—Mr. Barrett's rewrite on open space in Density Developments, Section 703 F. She questioned the definition of "zoning" where "police power" is mentioned. Mr. Barrett explained that this is the power of the government to provide for public health, safety and welfare.

Mr. Mullinax—Mr. Barrett's amendment.

Mr. McLaurin—Mr. Barrett's amendment, allowing only a percentage of designated open space in the Density Development to be undevelopable land; Page 49 F.

Mr. Cain—No concerns expressed.

Mr. Turner—Same as Mr. Averette and also the 20-foot buffer in the Density Development.

Vice-Chair Morris—Density in A1 from two acres to one.

Chair McNeill—Density Development and R87 District.

Chair McNeill then asked staff if they had additional comments. Ms. Speicher said that Mr. Johnson had mentioned changing permit allowance from six months to one year in the earlier public hearing.

Section 820 (page 62). Mr. Lloyd said that 1,200 square feet was suggested, and this would allow 36 sites per acre. Vice-Chair Morris suggested limiting the number of sites to 20 per acre. He said that it should read "a minimum of 1,200 square feet per site with a maximum of 20 sites per acre." Mr. Averette said that he didn't think that the restriction is needed. Mr. Lloyd said that minimum standards should be included to maintain consistency and assist the inspectors.

A motion was made by Vice-Chair Morris and seconded by Mr. McLaurin to change the Ordinance to read "a minimum of 1,200 square feet per site with a maximum of 20 sites per acre."

Dr. Olion asked if it was necessary to state that tents and recreational vehicles should be kept a certain distance apart for safety reasons. Vice-Chair Morris said it wouldn't be necessary, and park owners should be given enough flexibility for what they need. Mr. Lloyd added that the regulations are to keep parks from being unsightly.

Mr. Mullinax asked about the "permanent address" mentioned in the Section. Mr. Lloyd said that staff would make it more specific.

Upon a vote on the motion, it passed seven to one with Mr. Averette voting in opposition.

Mr. Lloyd suggested that recreational vehicle parks be allowed as a permitted use in the C(P) District.

Regarding the term "permanent address," Mr. Lloyd said that a specific amount of time should be stated as the maximum a person would be allowed to stay at a campsite.

A motion was made by Mr. McLaurin and seconded by Mr. Mullinax to state that permanent occupancy is defined as one year or less provided the time limit doesn't conflict with State guidelines.

Ms. Roy said that she would check with the building inspectors to make sure that the state allows one year.

Commissioner Wheatley expressed concern that people could live in a campground for a year, educate their children and not pay any taxes.

Upon a vote on the motion, it passed seven to one with Mr. Turner voting in opposition.

The members then addressed the required 100-foot distance for structures from the road. Mr. Averette said that the RR District allows structures to be 30 feet from the roadway.

A motion was made by Mr. Averette and seconded by Chair McNeill that structures be allowed to be no closer than the number of feet the individual zoning districts allow.

Mr. Lloyd said that some uses should be farther from the road, e.g. public showers, storage, etc. He said where they're allowed, they are required to be farther back.

Upon a vote on the motion, it failed one to seven with Mr. Averette voting in favor.

The requirement that roads inside the parks be 18 feet wide was then discussed. Mr. Lloyd said that 18 feet is too wide for one-way streets.

A motion was made by Vice-Chair Morris and seconded by Mr. McLaurin to require an 18-foot width on two-way streets and 12 feet on one-way streets. The motion passed seven to one with Mr. Averette voting in opposition.

Mr. Averette expressed concern about the requirements of Section H being too rigid.

The members then discussed allowing the use as a permitted or special use.

A motion was made by Mr. McLaurin and seconded by Vice-Chair Morris to allow recreational vehicle parks and/or campgrounds as permitted uses in the CP) District.

Mr. Roy said that leaving the use as a special use in the other districts, requiring Board of Adjustment approval, protects the neighborhoods and allows public input from residents when a recreational vehicle park is planned for their community.

Upon a vote on the motion, it passed seven to one with Mr. Averette voting in opposition.

Regarding outdoor lighting, Ms. Speicher said that she worked with Mr. Reitzel on the specifics of the Section. She said that he wanted specific measurements on the lighting that would have required the inspectors to work at night and the purchase of light meters. She said that she was able to include some of the particulars that Mr. Reitzel requested. She reviewed the changes with the Board members.

Mr. Averette said that Ms. Speicher had addressed most of the concerns that Mr. Reitzel had discussed with him.

The members agreed by consensus with the recommendations presented by Ms. Speicher.

Chair McNeill said due to the lateness of the hour, the rest of the concerns would be addressed at the next Planning Board meeting or the following meeting if the schedule doesn't permit the discussion at the next meeting (April 19 or May 2, 2005).

VI. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE—2030 PLAN UPDATE

Ms. Roy handed out a data sheet on the progress of the 2030 Executive Committee. The Committee has met seven times and received information from various community factions—PWC, schools, municipalities, etc.

Ms. Roy also presented the Growth Vision Plan for the 2030 Land Use Plan that was written by Mr. Glenn Harbeck, the consultant who is working on the project.

She said that the next step in the process is public input, and a group of administrative staff has met and reviewed the consultant's recommendations on how to effectively conduct public meetings. The group will receive a detailed presentation on April 12. The cost will be approximately \$173,500 for the 17-month process.

Ms. Roy said that the consultant recommends a five-step process for creation of the 2030 Land Use Plan:

- Build a Consensus for Planning
- Create the Vision
- Identify Policies, Actions, Growth Strategies

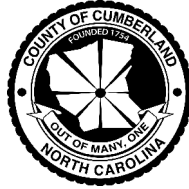
- Evaluate the Plan Positively
- Reach a Consensus for Adoption

VII. ADJOURNMENT

There being no further business, the meeting adjourned at 10:45 p.m.

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olion
Roy Turner,
Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.
Town of Stedman

April 14, 2005

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

**SUBJECT: STAFF RECOMMENDATION
FOR APRIL 19, 2005 MEETING**

P05-09: REZONING OF 63.81+/- ACRES FROM CD AND R10 TO R10, R5A AND C3 OR A MORE RESTRICTIVE ZONING DISTRICT, WEST OF LILLINGTON HIGHWAY, NORTH OF CHAPEL HILL ROAD, SUBMITTED BY JAMES M. KIZER, OWNED BY ALBERT ALABASTER, SR., DONALD B. OUTLAW AND HARVEY E. OUTLAW.

The Planning staff recommends approval of the R10 and R5A Districts and denial of the C3 District and approval of the C(P) District based on the following:

1. Site plan review is desirable at this location;
2. The uses allowed in the R10 and R5A Districts are compatible with the land uses in the area.

SITE PROFILE

P05-09

REZONING OF 63.81 +/- ACRES FROM CD AND R10 TO R10, R5A AND C3 OR TO A MORE RESTRICTIVE ZONING DISTRICT, WEST OF LILLINGTON HIGHWAY, N OF CHAPEL HILL ROAD, SUBMITTED BY JAMES M. KIZER, OWNED BY ALBERT ALABASTER, SR., DONALD B. OUTLAW, AND HARVEY E. OUTLAW.

Site Information:

Applicant/Owner: JAMES M. KIZER / ALBERT ALABASTER, SR., DONALD B. OUTLAW, AND HARVEY E. OUTLAW

Area: 63.81 acres

Frontage & Location: 1200 feet on Lillington Highway

Depth: 2,650

Jurisdiction: County

Current Use: Residential and woodland

Initial Zoning: January 7, 1977 (Area 11)

Zoning Violation(s): None

Surrounding Zoning: North-CD, Spring Lake city limit, Ft. Bragg Reservation, East-city limit, R10, R6A, South-RR, RR/CU, R10, R10/CU, R6A, C3, M(P), and West-CD, R10

Surrounding Land Use: Waste/Water Resource Dept, apartments, church, two manufactured home parks, hardware store, and single family residential

2010 Land Use Plan: Medium Density Residential, Open Space and Light Industrial

Spring Lake Land Use Plan: Medium Density Residential, Open Space and Light Industrial

Designated 100-Year Floodplain or Floodway: Yes – 146ft MSL

Municipal Influence Area: Spring Lake

Within Area Considered for Annexation: No

Street Designation: None

Urban Services Area: Yes

Water/Sewer Availability: Spring Lake utilities proposed

School Capacity/Enrolled: Lillian Black Elementary 302/279, Spring Lake Middle 644/610, Pine Forest High 1705/1674

Military Impact Area: Yes

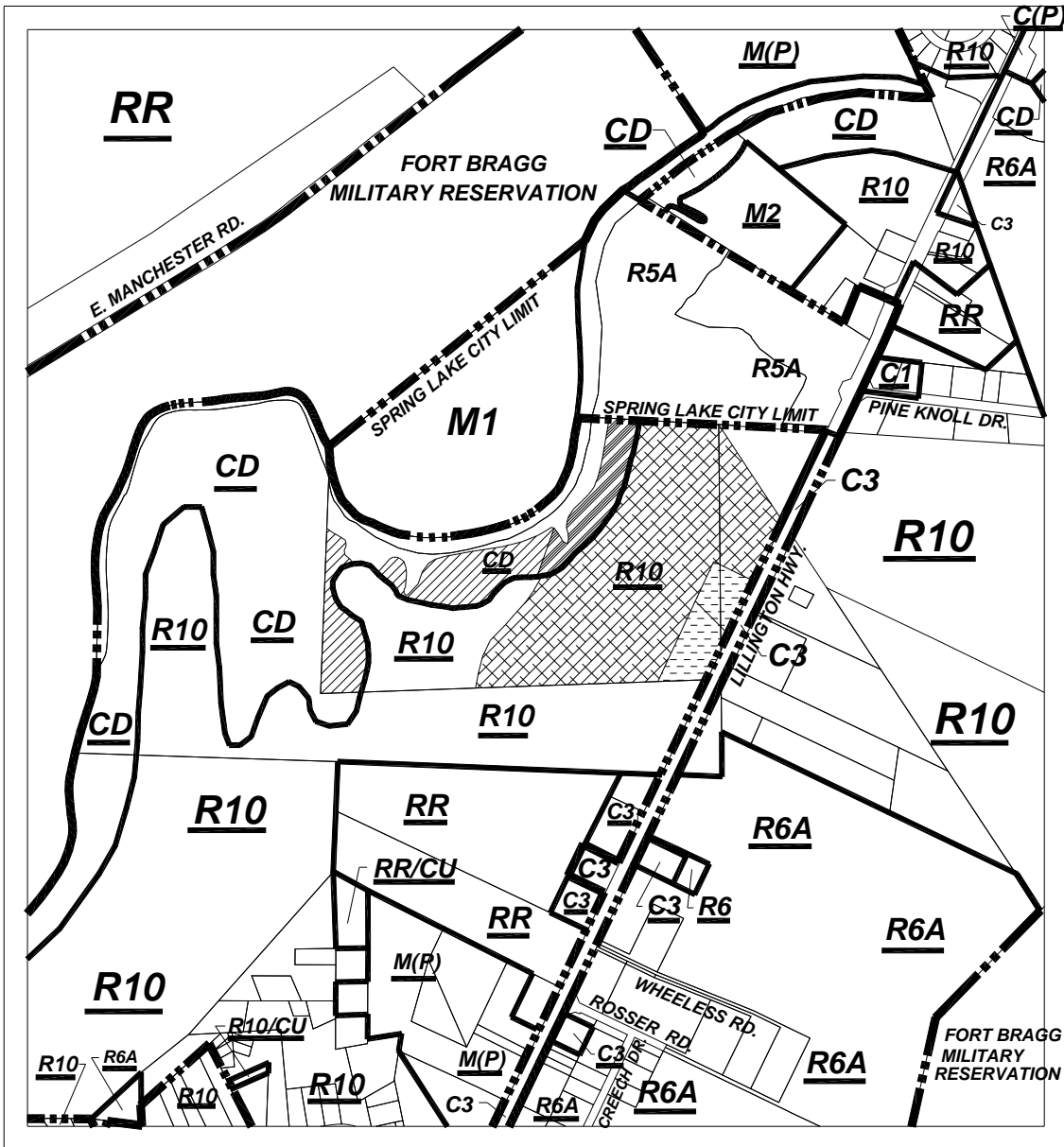
Highway Plan: No road improvements or new construction specified for this area.

Average Daily Traffic Count (2000): 13,000 on Lillington Highway

Notes:

Density minus 20% for roads:

CD to R10: A1 – 4 lots	CD to R5A: A1 – 2 lots	R10 to R5A: R10 – 139 lots
11.9 ac	6.13 ac	40.05 ac
R20 – 20 lots	R20 – 10 lots	R6 – 232 lots
R10 – 41 lots	R5A – 42 lots	R5A – 279 lots



REQUESTED REZONING:

- CD TO R10 (11.9±)
- R10 TO R5A(40.05±)
- CD TO R5A (6.13±)
- R10 TO C3(5.73±)

ACREAGE: 63.81 AC. ±

HEARING NO: P05-09

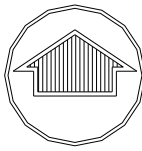
ORDINANCE: COUNTY

HEARING DATE

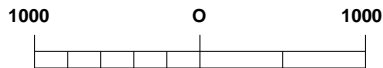
ACTION

PLANNING BOARD

GOVERNING BOARD



NORTH



SCALE IN FEET

PORT. OF PIN: 0512-15-2510

PIN: 0512-25-4400

PIN: 0512-25-5904

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olson
Roy Turner,
Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.
Town of Stedman

April 14, 2005

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

SUBJECT: STAFF RECOMMENDATION
FOR APRIL 19, 2005 MEETING

P05-16: REZONING OF 1.02 ACRES FROM R6A TO M2, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 3926 CHURCH STREET, SUBMITTED BY DONOVAN MCLAURIN, OWNED BY WADE COMMUNITY FIRE DEPARTMENT. (WADE)

The Planning staff recommends approval of the M2 Industrial District based on the finding that the site is adjacent to existing M2 zoning.

SITE PROFILE

P05-16

REZONING OF 1.02 ACRES FROM R6A TO M2 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 3926 CHURCH STREET, SUBMITTED BY DONOVAN MCLAURIN, OWNED BY WADE COMMUNITY FIRE DEPARTMENT. (WADE)

Site Information:

Applicant/Owner: DONOVAN MCLAURIN / WADE COMMUNITY FIRE DEPARTMENT

Area: 1.02 acres

Frontage & Location: 280 feet on Church Street

Depth: 315 feet

Jurisdiction: Wade

Adjacent Property: No

Current Use: Fire Station

Initial Zoning: November 25, 1980 (Area 14)

Previous Zoning Action(s): None

Surrounding Zoning: North-A1, RR, R6A, M2, East-RR, R6A, O&I, C3, M2, South-RR, R15, and West-RR, R6A, M(P), M2

Surrounding Land Use: Temporary open storage of water line construction and no name business

Wade Detailed Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: Yes

Within Area Considered for Annexation: No

Street Designation: None

Proposed Interchange or Activity Node: No

Urban Services Area: Yes

Water/Sewer Availability: Town of Wade / Norcrest proposed

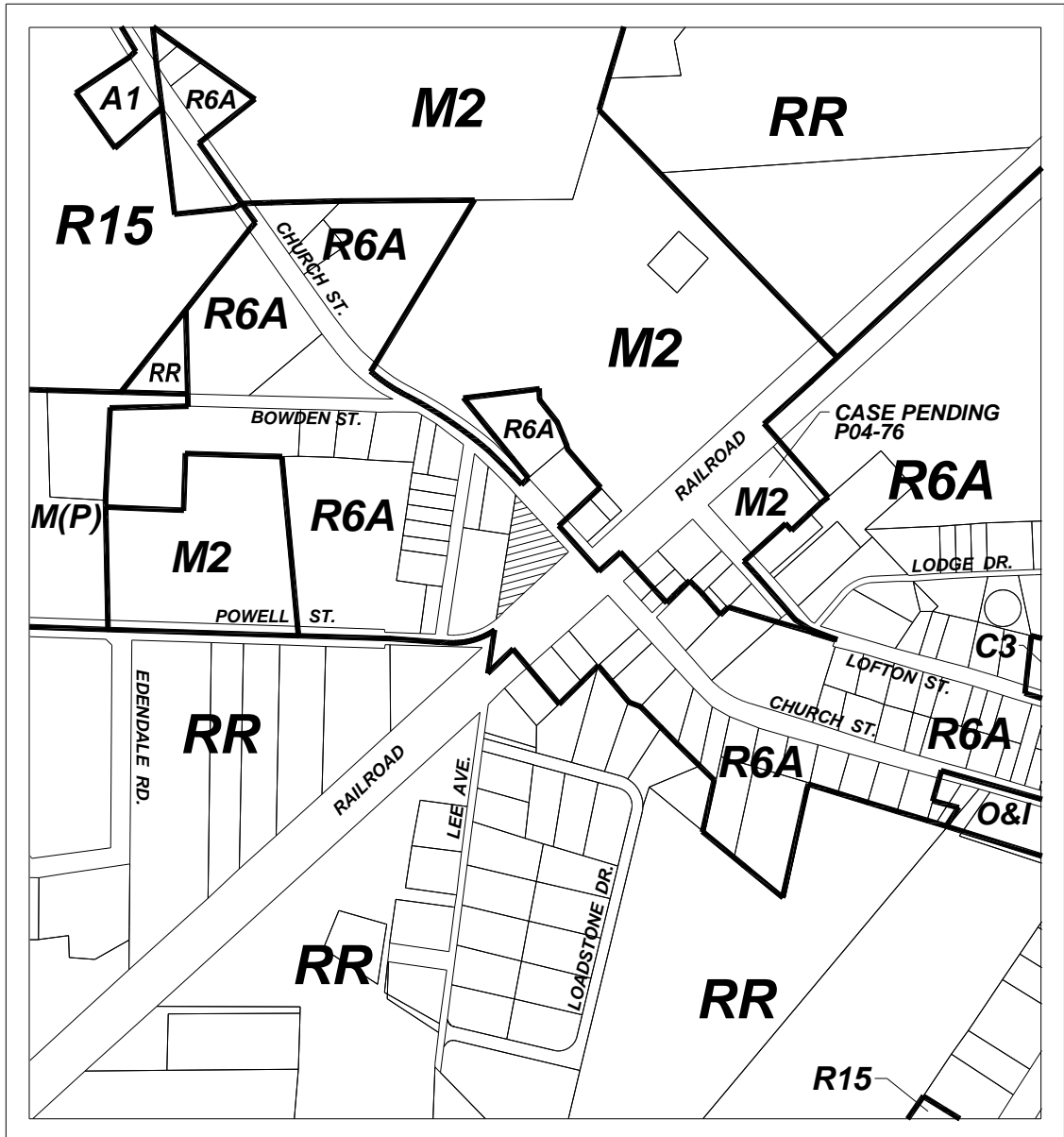
School Capacity/Enrolled: District 7 Elementary 267/250, Mac Williams Middle 1218/1154, Cape Fear High 1415/1517

Subdivisions: NAR 1-9-95

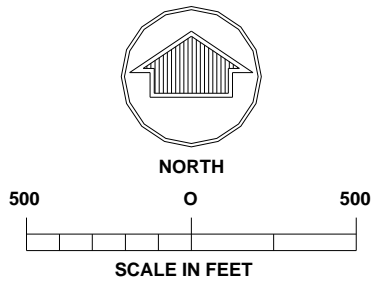
Highway Plan: No road improvements or new constructions specified for this area.

Average Daily Traffic Count (2000): 70 on Powell Street

Notes:



**REQUESTED REZONING:
R6A TO M2**



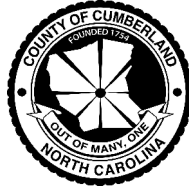
ACREAGE: 1.02 AC. ±		HEARING NO: P05-16	
ORDINANCE: WADE		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0571-84-6450

AF

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olson
Roy Turner,
Cumberland County



COUNTY of CUMBERLAND

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Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.
Town of Stedman

April 14, 2005

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

**SUBJECT: STAFF RECOMMENDATION
FOR APRIL 19, 2005 MEETING**

P05-19: REZONING OF 4.27 ACRES FROM R6 AND R6A TO C(P), OR A MORE RESTRICTIVE ZONING DISTRICT, AT 123 NAUTIQUE DRIVE, SUBMITTED BY AMAR PATEL, OWNED BY MANJULA PATEL, ET AL. (SPRING LAKE)

The Planning staff recommends approval of the C(P) District based on the following:

1. The Spring Lake Land Use Plan calls for heavy commercial use at this location; and
2. Site plan review is desirable in this area.

SITE PROFILE

P05-19

REZONING OF 4.27 ACRES FROM R6 AND R6A TO C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 123 NAUTIQUE DRIVE, SUBMITTED BY AMAR PATEL, OWNED BY MANJULA PATEL, ET AL. (SPRING LAKE)

Site Information:

Applicant/Owner: AMAR PATEL / MANJULA PATEL, ET AL.

Area: 4.27 acres

Frontage & Location: 153 feet on North Bragg Boulevard

Depth: 649 feet

Jurisdiction: Spring Lake

Adjacent Property: None

Current Use: Vacant Mobile (Manufactured) Home Park

Zoning Violation(s): None

Surrounding Zoning: North-R6, C3, county limits, East-R6 and county limits, South-PND, R6, R6/MHO, R5A, C(P), C3, and West-R10, PND, R6, C(P)

Surrounding Land Use: Rental building, two auto stores, three fast food restaurants, two commercial businesses, manufactured home park, insurance company, two strip malls, two hotels, and video store

Spring Lake Land Use Plan: Heavy Commercial and Open Space

Designated 100-Year Floodplain or Floodway: No Flood

Municipal Influence Area: Spring Lake

Urban Services Area: Yes

Water/Sewer Availability: Spring Lake utilities

School Capacity/Enrolled: Mae Rudd Williams Elementary 115/78, Manchester Elementary 442/417, Spring Lake Middle 644/610, Pine Forest High 1705/1674

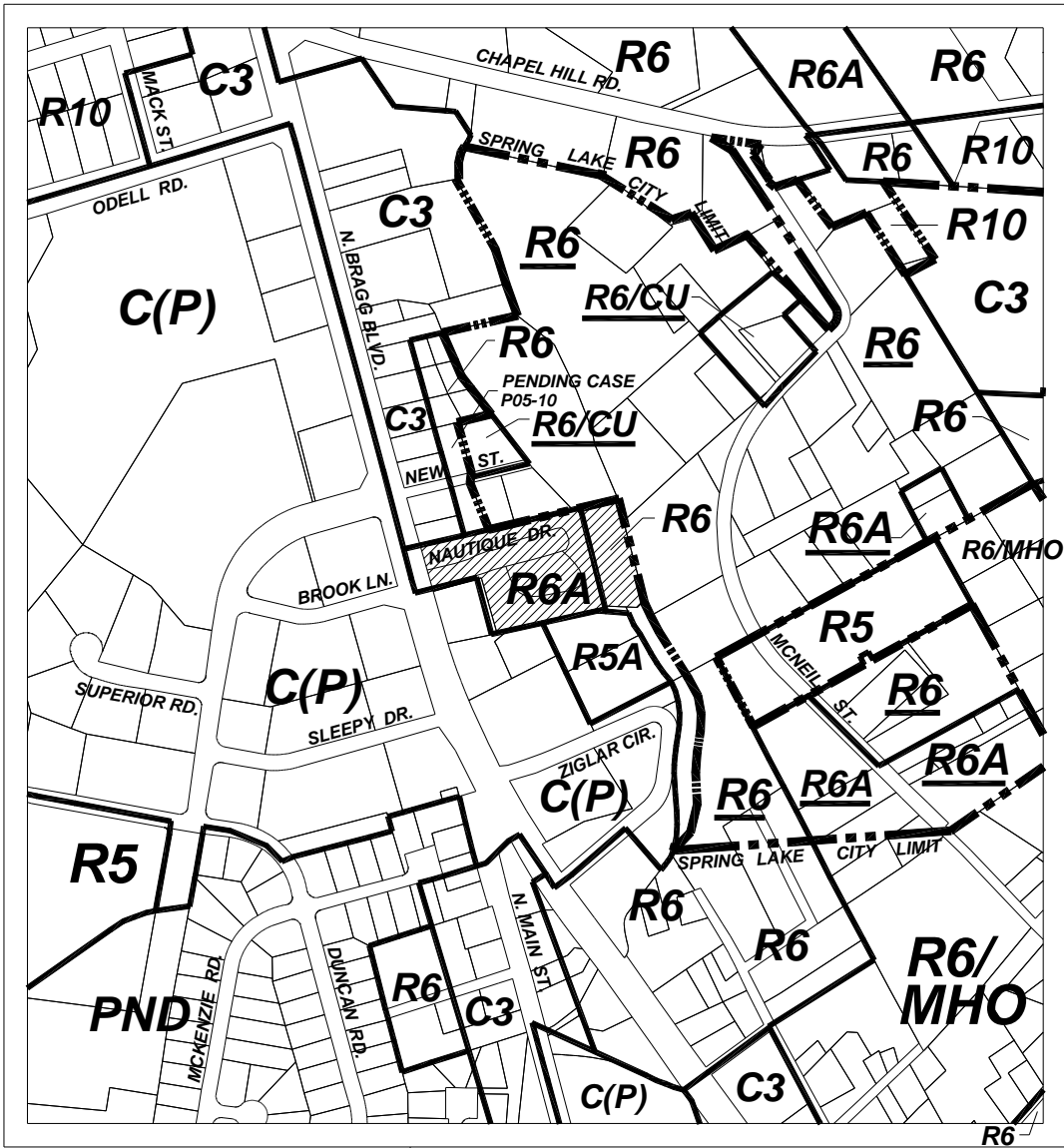
Subdivisions: NAR completed in 2000 and 2005.

Military Impact Area: Yes

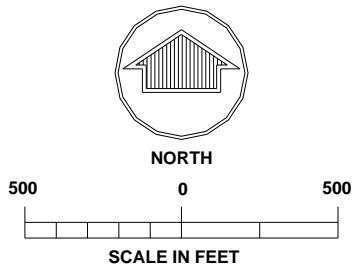
Highway Plan: No road improvements or new construction specified for this area.

Average Daily Traffic Count (2000): 36,000 on North Bragg Boulevard

Notes:



**REQUESTED REZONING:
R6 & R6A TO C(P)**



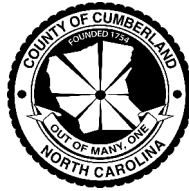
ACREAGE: 4.27 AC.±		HEARING NO: P05-19	
ORDINANCE: SPRING LAKE		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0502-60-0276

AF

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olson
Roy Turner,
Cumberland County



COUNTY of CUMBERLAND

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Deputy Director

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Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.
Town of Stedman

April 14, 2005

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

SUBJECT: STAFF RECOMMENDATION
FOR APRIL 19, 2005 MEETING

P05-24: REZONING OF TWO PARCELS TOTALING 1.44 ACRES FROM A1 TO RR,
OR A MORE RESTRICTIVE ZONING DISTRICT, SOUTH OF JOHN HALL ROAD,
BETWEEN MYRTLE LANE AND NEY COURT, OWNED BY CHARLES A. JORDAN
AND WIFE.

The Planning staff recommends approval of the RR Residential District based on the finding that the uses allowed in the RR District are consistent with those in the surrounding neighborhood.

SITE PROFILE

P05-24

REZONING OF TWO PARCELS TOTALING 1.44 ACRES FROM A1 TO RR OR TO A MORE RESTRICTIVE ZONING DISTRICT, SOUTH OF JOHN HALL ROAD, BETWEEN MYRTLE LANE AND NEY COURT, OWNED BY CHARLES A. JORDAN AND WIFE.

Site Information:

Applicant/Owner: CHARLES A. JORDAN AND WIFE

Area: 1.44 acres

Frontage & Location: 100 feet on Ney Court

Depth: 420 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Residential

Initial Zoning: September 3, 1996 (Area 20)

Zoning Violation(s): None

Surrounding Zoning: Primarily A1, R40A and RR

Surrounding Land Use: Apartment complex, horse ranch and single family residential

2010 Land Use Plan: Farmland

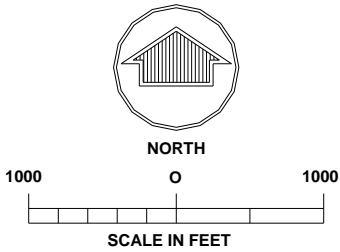
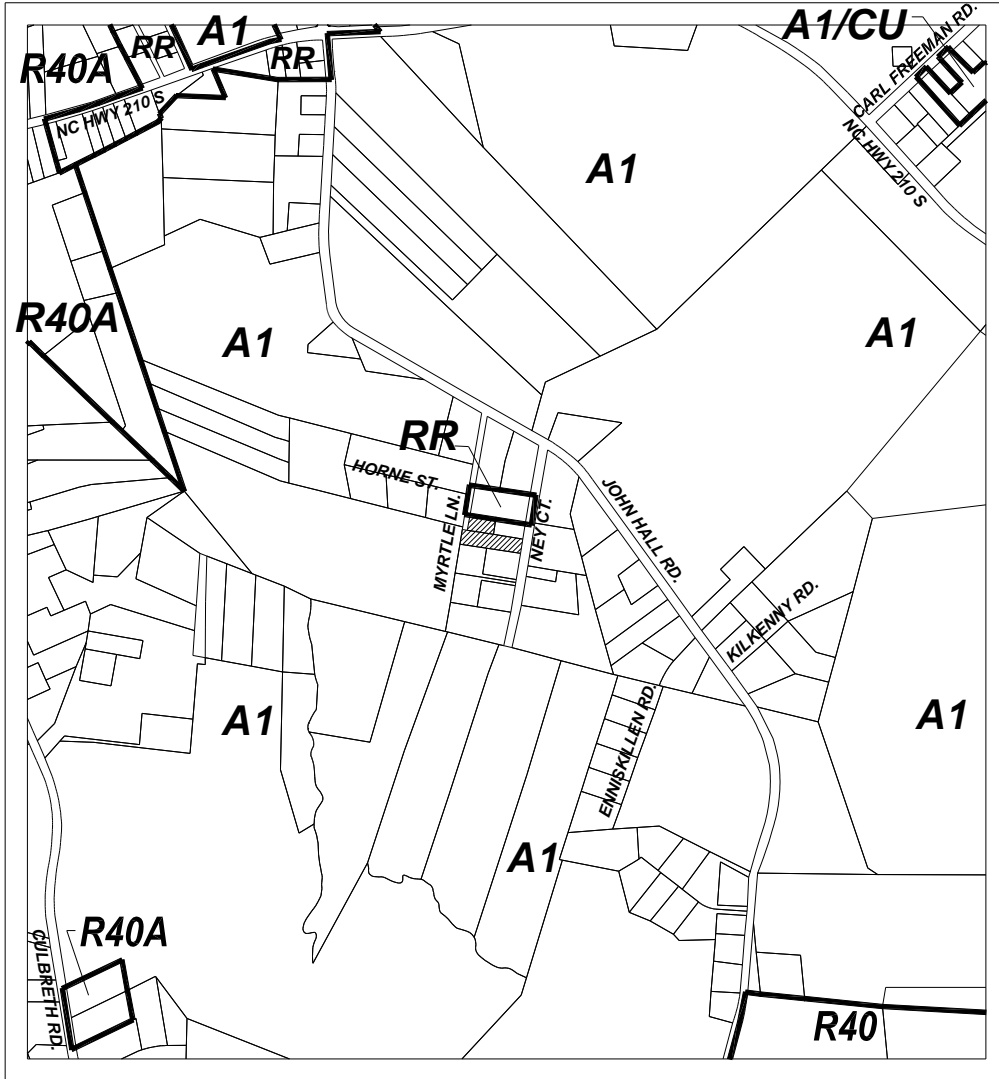
Water/Sewer Availability: Well / Septic

School Capacity/Enrolled: Seabrook Elementary 349/376, Mac Williams Middle 1218/1154, Cape Fear High 1415/1517

Highway Plan: No road improvements or new construction specified for this area.

Average Daily Traffic Count (2000):

Notes:

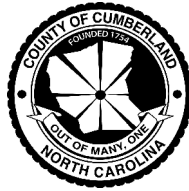


**REQUESTED REZONING:
A1 TO RR**

ACREAGE: 1.44 AC. ±	HEARING NO: P05-24	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Dr. Marion Gillis-Olison
Roy Turner,
Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.
Town of Stedman

April 14, 2005

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

**SUBJECT: STAFF RECOMMENDATION
FOR APRIL 19, 2005 MEETING**

P05-25: REZONING OF 12.45 ACRES FROM A1 TO R20, OR A MORE RESTRICTIVE ZONING DISTRICT, NORTH OF RAMSEY STREET, SOUTHWEST OF WEST REEVES BRIDGE ROAD, SUBMITTED BY 4D SITE SOLUTIONS, OWNED BY SOUTHEAST DEVELOPMENT OF CUMBERLAND, LLC.

The Planning staff recommends approval of the R20 District based on the finding that the uses allowed in the R20 District are compatible with the existing uses in the area.

The Planning staff finds that the subject property is also suitable for the R40 and R40A Districts.

SITE PROFILE

P05-25

REZONING OF 12.45 ACRES FROM A1 TO R20 OR TO A MORE RESTRICTIVE ZONING DISTRICT, NORTH OF RAMSEY STREET, SOUTHWEST OF WEST REEVES BRIDGE ROAD, SUBMITTED BY 4D SITE SOLUTIONS, OWNED BY SOUTHEAST DEVELOPMENT OF CUMBERLAND, LLC.

Site Information:

Applicant/Owner: 4D SITE SOLUTIONS / SOUTHEAST DEVELOPMENT OF CUMBERLAND, LLC.

Area: 12.45 acres

Frontage & Location: 400 feet on Ramsey Street

Depth: 1,260 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Woodland

Initial Zoning: December 17, 2001 (Area 15)

Zoning Violation(s): None

Surrounding Zoning: North-A1, R40A, East-A1, R40A, R20, South-A1, and West-A1, R40, R40A, PND/CU

Surrounding Land Use: Single family residential and wooded lots

2010 Land Use Plan: Farmland

Urban Services Area: No

Water/Sewer Availability: Town of Linden / Septic tank

School Capacity/Enrolled: Raleigh Road Elementary 182/257, Long Hill Elementary 404/489, Pine Forest Middle 872/775, Pine Forest High 1705/1674

Subdivisions: 05-50

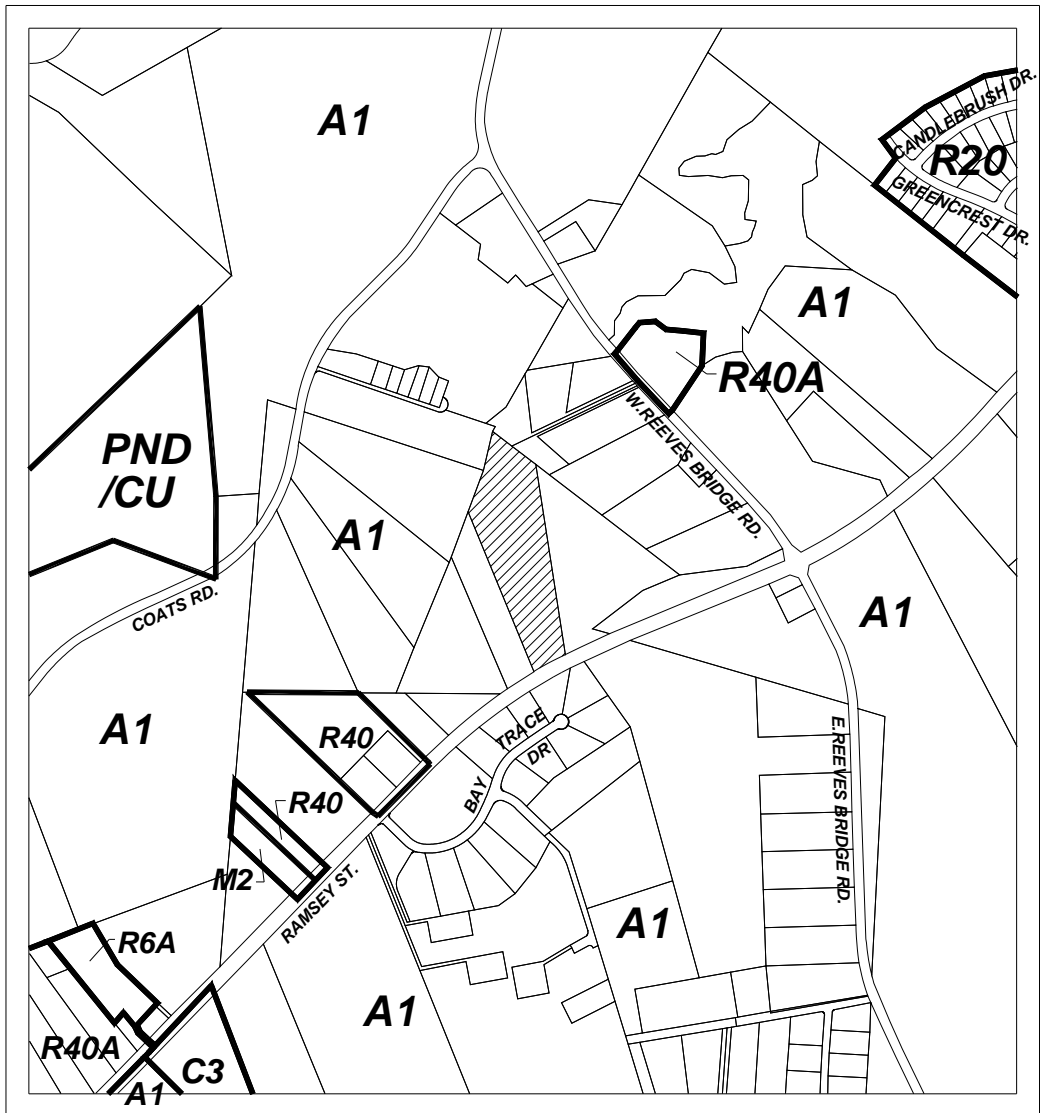
Highway Plan: Ramsey Street is identified as a Major Thoroughfare with a current 250-foot right-of-way. Road improvements are included in the 2004-2010 MTIP. ROW

Acquisition: Post year, Construction: Post year

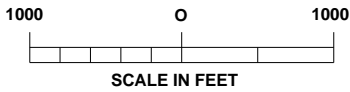
Average Daily Traffic Count (2000): 8,600 on Ramsey Street

Notes:

Density minus 20% for roads:	A1 – 4 lots
	R40 – 10 lots
	R30 – 14 lots
	R20 – 21 lots



NORTH

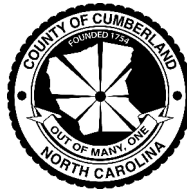


REQUESTED REZONING: A1 TO R20

ACREAGE: 12.45 AC. ±	HEARING NO: P05-25	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
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David Averette,
Roy Turner,
Dr. Marion Gillis-Olison
Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

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Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.,
Town of Stedman

March 31, 2005

MEMORANDUM

TO: Planning Board

FROM: Edward M. Byrne, Planner I

SUBJECT: Case No. 95-186
McDonald's
(C(P) Site Plan Review)

The developer submitted a request for alternate yard requirements under Section 12.45, Cumberland County Zoning Ordinance, to be allowed to expand an existing McDonald's Restaurant into the front yards of two streets. The developer has proposed a 10-foot addition on the Black & Decker Road and the Legion Road side of the existing restaurant. The proposed addition will extend 6 feet into the required front yard on the Black & Decker Road side and 3 feet into the required front yard of the Legion Road side.

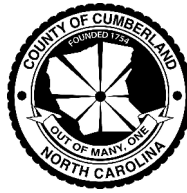
In accordance with Section 12.45, Planned Commercial and Industrial Districts, of the Cumberland County Zoning Ordinance, the Planning Board may approve alternate yard requirements if such approval will provide a more logically planned development

The Planning Staff recommends **approval** of the requested variance based on the following:

- The unusual right-of-way notch at the intersection creates an irregular setback which normally would not exist, and was created by NCDOT right-of-way acquisition; and
- The addition on the Legion Road side will not impact the current right-of-way layout to a significant degree or create any safety issues for the surrounding areas.

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Roy Turner,
Dr. Marion Gillis-Olison
Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.,
Town of Stedman

April 4, 2005

MEMORANDUM

TO: Planning Board

FROM: Edward M. Byrne, Planner I

SUBJECT: Case No. 05-042 Teakwood
(Zero Lot Line Subdivision & Group Development Review)

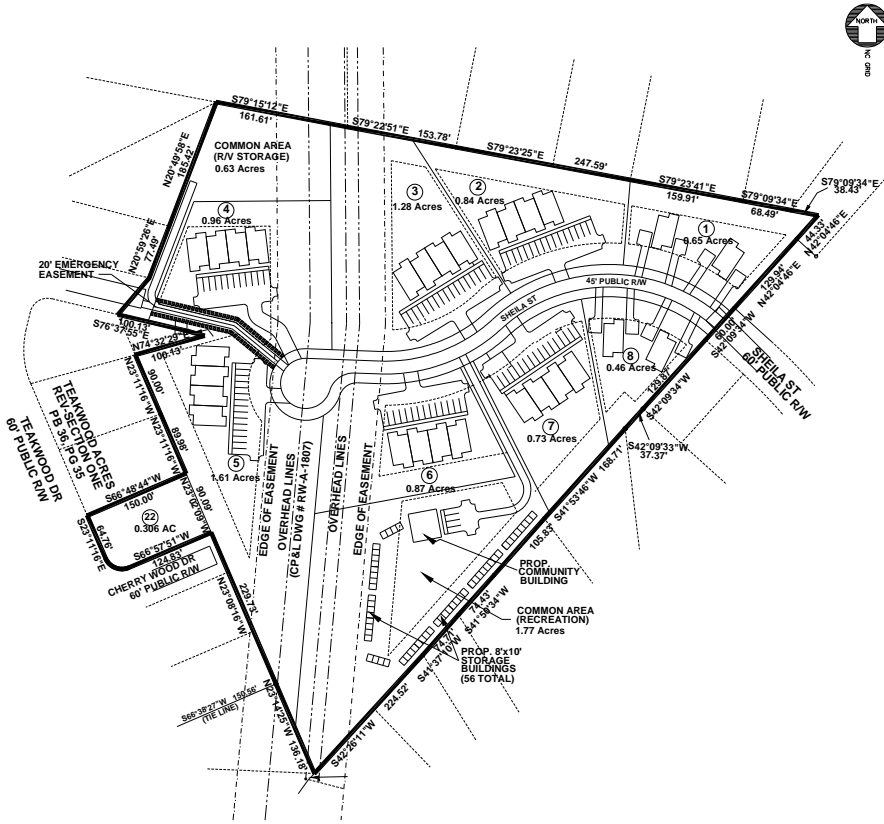
The developer submitted a request for variances from Section 3.17.c, "Street Design" and Section 3.2 "Relation of Proposed Streets to Adjoining Street System", Cumberland County Subdivision Ordinance. The developer has requested a proposed cul-de-sac with a length of 975 feet and to be allowed to not connect to existing street stubs. The developer has proposed a development with 8 lots and a total number of 56 units located on these lots. The property contains 10.60 ac. +/- and is zoned R10 Residential District.

The surveyor for this project has stated that Progress Energy Company has regulations for how a road can cross their easement and this would prevent the connection to either Cherry Wood Drive or Palmerland Drive. The Planning Staff has reviewed the regulation for Progress Energy and agrees with the surveyor on the design criteria. The surveyor has proposed an emergency access easement at the end of Sheila Street, which will connect to Palmerland Drive to offset the length of Sheila Street.

In accordance with Section 6.1, Variances, of the Cumberland County Subdivision Ordinance, the Planning Board may vary the requirements of this Ordinance, where because of the size of the tract to be subdivided, its topography, the condition or nature of the adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this Ordinance would cause an unusual and unnecessary hardship on the subdivider.

The Planning Staff recommends **approval** of the requested variances based on the following:

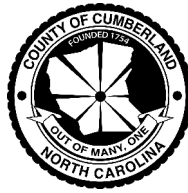
- The regulations for Progress Energy limit the design of the road and prohibit connection to either of the existing road stubs,
- The proposed emergency access easement to Palmerland Drive would provide emergency vehicles an additional access to and from this development and in a since connect the two roads.



TEAKWOOD FOREST
ZERO LOT LINE SUBDIVISION &
GROUP DEVELOPMENT REVIEW
 REQUEST: A VARIANCE FROM SECTIONS 3.2 & 3.17(C)
 CASE: 05-042 ACREAGE: 10.60±
 ZONED: R10 SCALE: NTS

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
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Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

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Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.,
Town of Stedman

April 12, 2005

MEMORANDUM

TO: Planning Board

FROM: Edward M. Byrne, Planner I

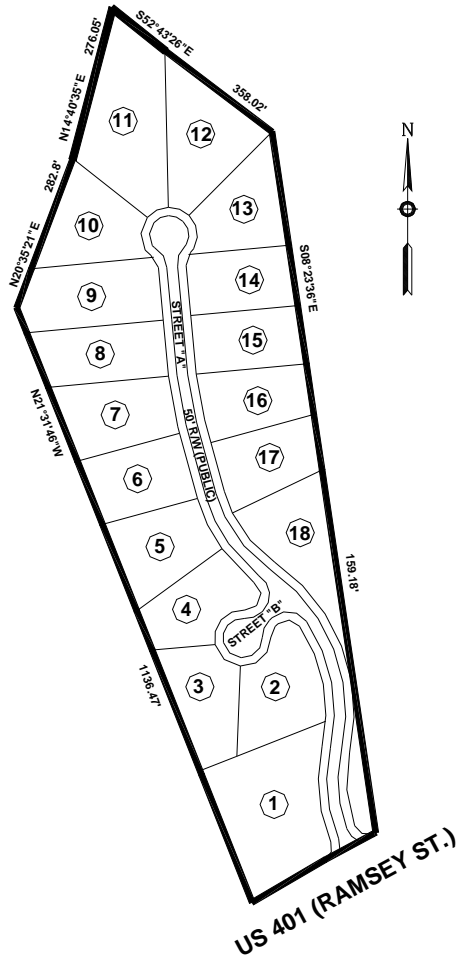
SUBJECT: Case No. 05-050
Windsor Park
(Subdivision Review)

The developer submitted a request for variance from Section 3.17.c, "Street Design", Cumberland County Subdivision Ordinance. The developer has requested a proposed cul-de-sac with a length of 1,228.12 feet. The developer is proposing a development with 18 lots. The property contains 12.47 ac. +/- and is zoned A1 Agricultural – pending R20 Residential District. The property shape is long and narrow, which does not lend itself for a street design other than a lengthy cul-de-sac.

In accordance with Section 6.1, Variances, of the Cumberland County Subdivision Ordinance, the Planning Board may vary the requirements of this Ordinance, where because of the size of the tract to be subdivided, its topography, the condition or nature of the adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this Ordinance would cause an unusual and unnecessary hardship on the subdivider.

The Planning Staff recommends **approval** of the requested variances based on the following:

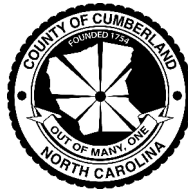
- The strict compliance with provisions of this ordinance would cause an unusual and unnecessary hardship on the developer, because of the size and shape of the property.



WINDSOR PARK SUBDIVISION REVIEW
REQUEST: A VARIANCE FROM SECTION 3.17.C
CASE: 05-050 ACREAGE: 12.47±
ZONED: A1-PENDING R20 SCALE: NTS

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
Town of Linden
David Averette,
Roy Turner,
Dr. Marion Gillis-Olson
Cumberland County



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Joe W. Mullinax,
Town of Spring Lake
Donovan McLaurin,
Wade, Falcon & Godwin
Harvey Cain, Jr.,
Town of Stedman

April 12, 2005

MEMORANDUM

TO: Planning Board

FROM: Edward M. Byrne, Planner I

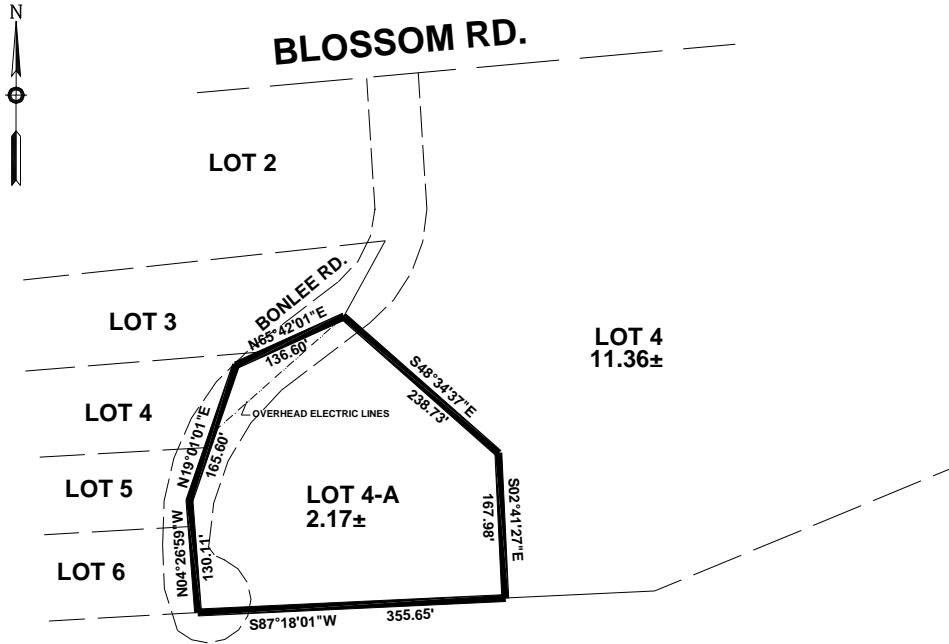
SUBJECT: Case No. 05-057
William Greene Property
(Subdivision Review)

The developer submitted a request for variance from Section 4.2.c(c), "Private Streets", Cumberland County Subdivision Ordinance. The developer has requested a to subdivide a fifth lot off of an existing Class "C" private street. The Class "C" private street was created in 1996 when 7 lots were allowed. The current standards allow for only 4 lots to be served off of a Class "C" private street. The ordinance would require that this existing Class "C" private street be up graded to a Class "B" private street. This private street was created to serve the lots on the adjacent property, but half of the road crosses the subject property. This would have allowed the developer access to this road for future lots. The developer now wishes to create a lot for their child with out having to upgrade the road to a Class "B" private street. The property contains 13.53 ac. +/- and is zoned A1 Agricultural District.

In accordance with Section 6.1, Variances, of the Cumberland County Subdivision Ordinance, the Planning Board may vary the requirements of this Ordinance, where because of the size of the tract to be subdivided, its topography, the condition or nature of the adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this Ordinance would cause an unusual and unnecessary hardship on the subdivider.

The Planning Staff recommends **approval** of the requested variances based on the following:

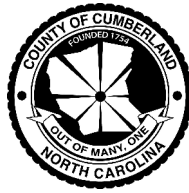
- That the developer allowed the creation of the Class "C" private across his property in 1996 for future lots and this fifth lot would not exceed the standards for when this road was originally created.



WILLIAM & STEPHANIE GREENE PROPERTY
SUBDIVISION REVIEW
REQUEST: A VARIANCE FROM SECTION 4.2.C(C)
CASE: 05-57 ACREAGE: 13.53±
ZONED: A1 SCALE: NTS

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
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Town of Stedman

April 14, 2005

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

SUBJECT: STAFF RECOMMENDATION
FOR APRIL 19, 2005 MEETING

P04-76: REZONING OF 1.43 ACRES FROM M2 TO R6A, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 4001 LOFTON STREET, OWNED BY GERALD E. CREECH. (WADE)

The Planning staff recommends denial of the R6A District and approval of the R6 District based on the following:

1. The 2010 Land use Plan calls for medium-density residential use at this location;
and
2. The uses allowed in the R6 District are compatible with the surrounding neighborhood.

SITE PROFILE

P04-76

REZONING OF 1.43 ACRES FROM M2 TO R6A OR A MORE RESTRICTIVE ZONING DISTRICT AT 4001 LOFTON STREET, OWNED BY GERALD E. CREECH. (WADE)

Site Information:

Applicant/Owner: GERALD E. CREECH

Area: 1.43 acres

Frontage & Location: 215 feet on Lofton Street

Depth: 275 feet

Jurisdiction: County

Adjacent Property: None

Current Use: Residential

Initial Zoning: November 25, 1980 (Area 14)

Zoning Violation(s): Violation – two letters of violation and demolition permits sent.

Surrounding Zoning: North-RR, R6A, M2, East-R6A, O&I, C3, South-RR, R6A, O&I and West-RR, R6A, M2

Surrounding Land Use: No name business, wood company, church, fire department and temporary open storage of waterline construction equipment.

Wade 2010 Land Use Plan: Medium Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: Yes – Protected Area

Street Designation: None

Proposed Interchange or Activity Node: No

Urban Services Area: No

Water/Sewer Availability: Wade Water / Septic Tank

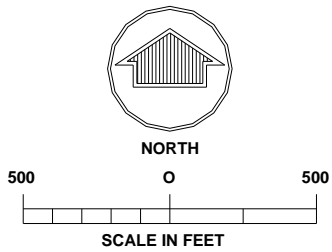
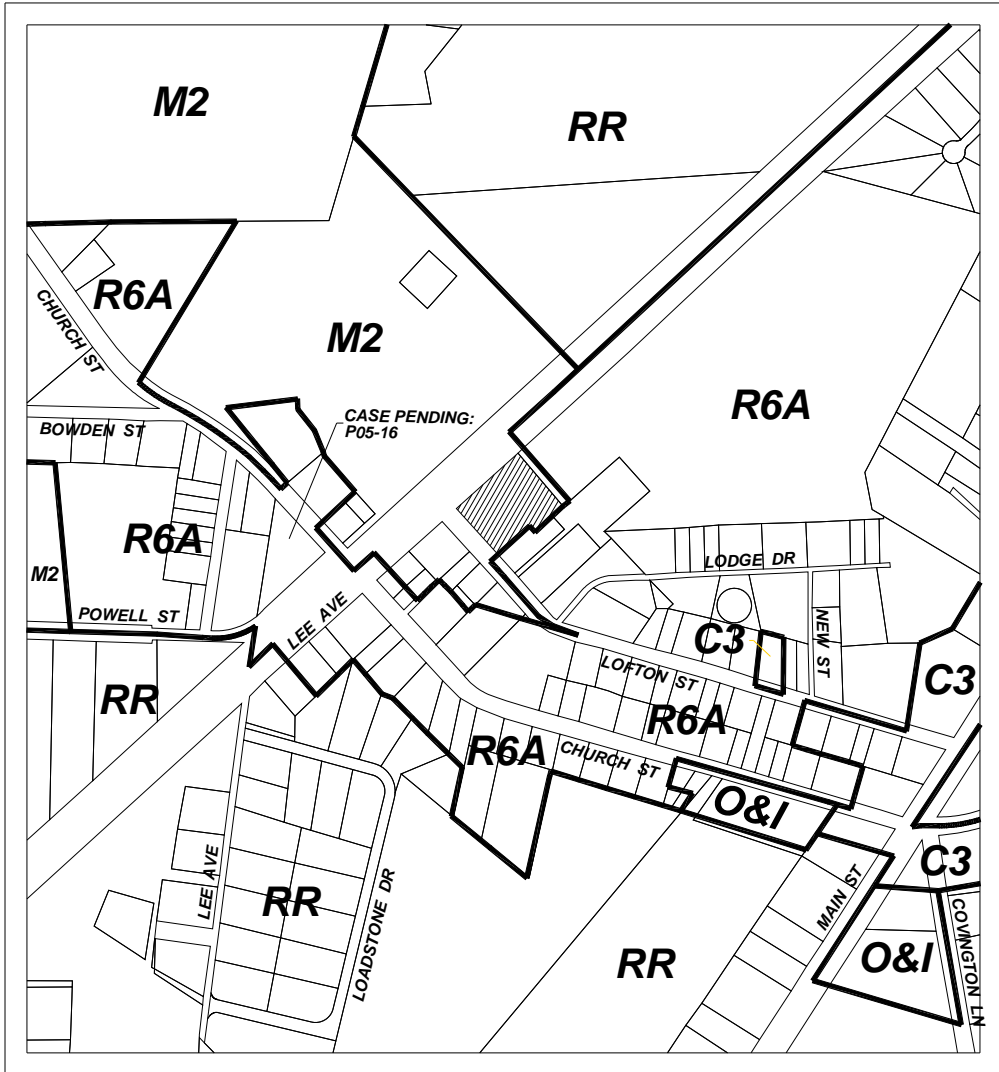
School Capacity/Enrolled: District 7 Elementary 267/250, Mac Williams Middle 1218/1154, Cape Fear High 1415/1526

Subdivisions: NAR completed May 1, 1997

Highway Plan: No road improvements or new constructions specified for this area.

Notes:

Density: R6A – 14 units



**REQUESTED REZONING:
M2 TO R6A**

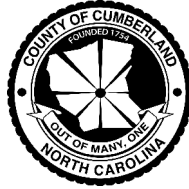
ACREAGE: 1.43 AC. ±		HEARING NO: P04-76	
ORDINANCE: WADE	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN:0571-94-4517

SP

Clifton McNeill, Jr.
Chair
Cumberland County

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Town of Stedman

April 14, 2005

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

**SUBJECT: STAFF RECOMMENDATION
FOR APRIL 19, 2005 MEETING**

P05-20: REZONING OF 100.79 ACRES FROM RR AND R15 TO R10, OR A MORE RESTRICTIVE ZONING DISTRICT, NORTH OF SUNNYSIDE SCHOOL ROAD, WEST OF I-95, SUBMITTED BY DIANE A. YOUNTS, OWNED BY MILDRED C. ALLEN.

The Planning staff recommends denial of the R10 District and approval of the R15 District for the entire tract based on the following:

1. The 2010 Land Use Plan calls for low-density residential development at this location;
2. Water and sewer are available to the site; and
3. There is other R15 zoning in the area.

SITE PROFILE

P05-20

REZONING OF 100.79 ACRES FROM RR AND R15 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF SUNNYSIDE SCHOOL ROAD, WEST OF I-95, SUBMITTED BY DIANE A. YOUNTS, OWNED BY MILDRED C. ALLEN.

Site Information:

Applicant/Owner: DIANE A. YOUNTS / MILDRED C. ALLEN

Area: 100.79 acres

Frontage & Location: 625 feet on Sunnyside School Road

Depth: 3000 feet

Jurisdiction: County

Current Use: Agriculture

Initial Zoning: September 14, 1979 (Area 9)

Zoning Violation(s): None

Surrounding Zoning: North-RR, C3, M(P), East-RR, R15, R15/CU, R6A, South-A1, RR, PND, R15, and West - RR

Surrounding Land Use: Church, ranch, farms and single family residential

2010 Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC

School Capacity/Enrolled: Sunnyside Elementary 308/291, Mac Williams Middle 1218/1154, Cape Fear High 1415/1517

Subdivisions: 92-142 and 97-94

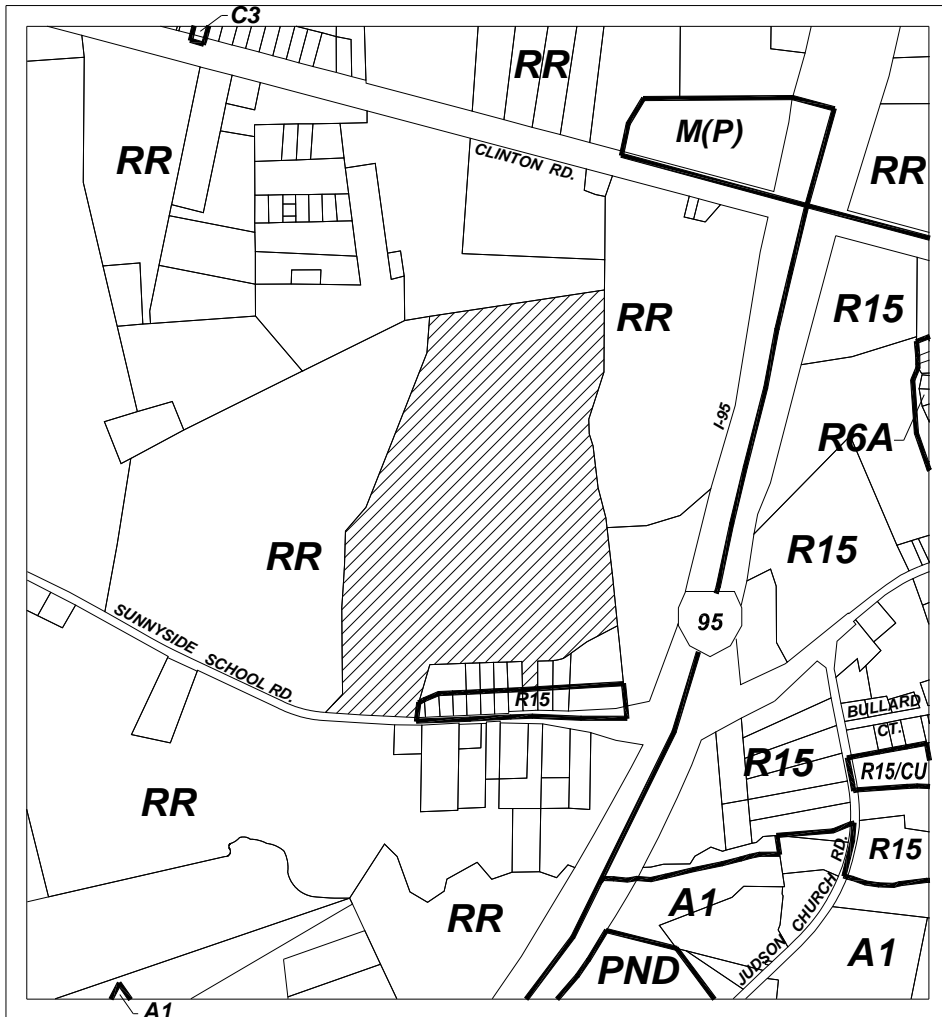
Highway Plan: No road improvements or new construction specified for this area.

Average Daily Traffic Count (2000): 1600 on Sapona Road

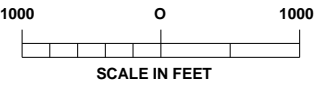
Notes:

Density minus 20% for roads:

RR	– 175 lots
R15	– 234 lots
R10	– 351 lots



NORTH



**REQUESTED REZONING:
RR & R15 TO R10**

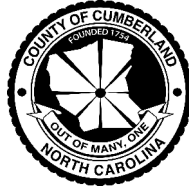
ACREAGE: 100.79 AC. ±		HEARING NO: P05-20	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0456-55-7435

AF

Clifton McNeill, Jr.
Chair
Cumberland County

Charles C. Morris, Vice-Chair
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COUNTY of CUMBERLAND

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April 14, 2005

MEMO TO: PLANNING BOARD

FROM: PLANNING STAFF

**SUBJECT: STAFF RECOMMENDATION
FOR APRIL 19, 2005 MEETING**

P05-23: REZONING OF 11.83 ACRES FROM A1 TO RR, OR A MORE RESTRICTIVE ZONING DISTRICT, AT 7043 GOLDSBORO ROAD, OWNED BY YOLANDA BAREFOOT, ET. AL.

The Planning staff recommends denial of the RR District and approval of the R40A District based on the finding that the density allowed in the R40A District is more consistent with the lot sizes in the surrounding area.

SITE PROFILE

P05-23

REZONING OF 11.83 ACRES FROM A1 TO RR OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 7043 GOLDSBORO ROAD, OWNED BY YOLANDA BAREFOOT, ET. AL.

Site Information:

Applicant/Owner: YOLANDA BAREFOOT, ET. AL.

Area: 11.83 acres

Frontage & Location: 450 feet on Goldsboro Road and 100 feet on Eason Road

Depth: 900 feet

Jurisdiction: County

Adjacent Property: Yes

Current Use: Farmland

Initial Zoning: August 23, 1994 (Area 19)

Zoning Violation(s): None

Surrounding Zoning: North-A1, R40, RR, South-A1, A1/CU, C3

Surrounding Land Use: Store, church, greenhouse, auto sales and single family residential

2010 Land Use Plan: Farmland

Designated 100-Year Floodplain or Floodway: No Flood

Water/Sewer Availability: Well / Septic

School Capacity/Enrolled: District 7 Elementary 267/250, Mac Williams Middle 1218/1154, Cape Fear High 1415/1517

Subdivisions: Subdivision Review 02-125

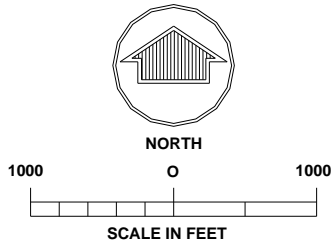
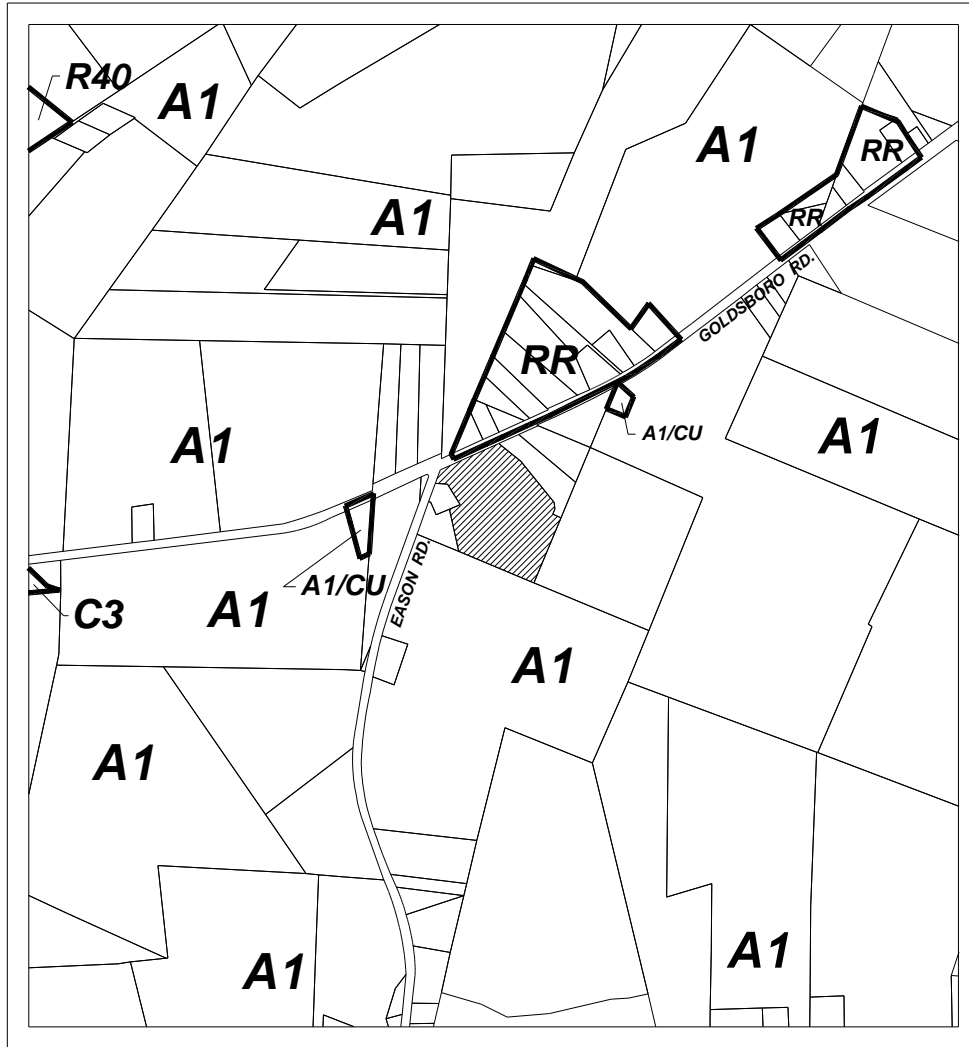
Highway Plan: No road improvements or new construction specified for this area.

Average Daily Traffic Count (2000): 4,500 on Goldsboro Road

Notes:

Density minus 20% for roads:

- A1 – 4 lots
- R40 – 10 lots
- RR – 20 lots



**REQUESTED REZONING:
A1 TO RR**

ACREAGE: 11.83 AC. ±		HEARING NO: P05-23	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN: 1500-18-1382

AF

