

**Charles C. Morris**  
Chair  
Town of Linden

**Donovan McLaurin**  
Vice-Chair  
Wade, Falcon & Godwin  
Garland C. Hostetter,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman



# COUNTY of CUMBERLAND

## *Planning and Inspections Department*

**Thomas J. Lloyd,**  
Director

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

### MINUTES APRIL 4, 2006

#### Members Present

Mr. Charles Morris, Chair  
Mr. Donovan McLaurin, Vice-Chair  
Mr. Harvey Cain, Jr.  
Mrs. Lori Epler  
Mr. Garland Hostetter  
Mr. Roy Turner  
Mr. Clifton McNeill, Jr.  
Mrs. Sara Piland  
Mrs. Diane Wheatley

#### Others Present

Mr. Tom Lloyd, Director  
Ms. Annie Faircloth  
Mr. Grainger Barrett,  
County Attorney

- I. INVOCATION AND PLEDGE OF ALLEGIANCE – Mrs. Wheatley delivered the invocation and led those present in the Pledge of Allegiance.
- II. ADJUSTMENTS TO AGENDA – No adjustments to the agenda.
- III. ABSTENTIONS BY BOARD MEMBERS – No abstentions.
- IV. CONSENT ITEMS
  - A. APPROVAL OF THE MINUTES OF MARCH 21, 2006

The name of Tim Fisher will be corrected to Tim Evans under "Discussion". **A motion was made by Mr. McNeill, seconded by Mrs. Epler, to approve the minutes as amended. Unanimous.**

- V. PLAT & PLAN

- A. CASE 06-039: CONSIDERATION OF CLEO COGDELL ESTATE DIVISION, SUBDIVISION REVIEW, REQUEST FOR A WAIVER FROM SECTION 3.20 "LOT STANDARDS", CUMBERLAND COUNTY SUBDIVISION ORDINANCE, LOCATED ON THE NORTH SIDE OF SR 1734 (HATCHER LANE), WEST OF SR 1838 (DUNN ROAD).

Mr. Lloyd reviewed the case and stated that the petitioners wanted to subdivide a landlocked parcel into 3 lots, using the existing easement for access. He stated that Staff recommends denial of the waiver based on the facts that because of the nature of the adjoining area, non-compliance of the Ordinance will only set the stage for future access issues within the immediate area; the subject property does not have direct access to a public street or an approved private street as required by the Ordinance; and approval of the waiver will intensify traffic across the property owner's land and create new lots without adequate road frontage. The property owners are not being denied use of the land, as the property is currently served by an ingress/egress easement which provides access to the existing dwellings on the property.

Ms. Jones, applicant and property owner, advised the Board that the request to subdivide is

being made to divide the property among the family members to comply with their mother's wishes as stated in her will. Her cousin, Mrs. Owens, has given permission for family members to continue using the easement across her property, as access to the new lots, if the waiver is granted. She further stated that family members wanted to be able to obtain a deed for the individual properties to allow repair/replacement of the existing dwellings.

Mr. Lloyd stated that one of the Staff conditions is that the easement be converted to a Class "B" private street. Discussion followed on Class "B" and "C" streets and easement access.

Mr. Morris advised the applicants of the Board's concerns in granting the waiver and stated that if the applicants would legally grant easements to the back lots and upgrade the existing dirt road to DOT standards as a Class "B" private street, the concerns would be alleviated and compliance with the Ordinance would be met.

**Mr. Morris made a motion, seconded by Mrs. Epler, to defer the case for 60 days to allow the applicant time to work with Staff on a solution to bring the property into compliance with the Ordinance. Unanimous.**

#### VI. DISCUSSION

Mr. Morris updated the Board on the Sewer Extension Planning Meeting in March.

#### VII. FOR YOUR INFORMATION

##### B. DIRECTOR'S UPDATE

#### VIII. ADJOURNMENT

A motion to adjourn was unanimously approved at 8:33 p.m.