

Diane Wheatley,
Chair,
Cumberland County

Carl Manning,
Vice-Chair
Cumberland County

Jami McLaughlin,
Town of Spring Lake
Jordan Stewart.,
Town of Stedman

Vacant
Wade, Falcon & Godwin

Thomas Lloyd,
Town of Linden



Planning & Inspections Department

Joel Strickland,
Acting Director

Vacant,
Deputy Director

Vikki Andrews,
Lori Epler,
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

MINUTES
September 17, 2019

Members Present

Mrs. Diane Wheatley – Chairman
Mr. Carl Manning – Vice-Chair
Mr. Jordan Stewart
Dr. Vikki Andrews
Mr. Thomas Lloyd
Mrs. Jamie McLaughlin
Mrs. Lori Epler
Ms. Patricia Hall

Members Absent

Mr. Stan Crumpler

Others Present

Mr. Joel Strickland
Ms. Annie Melvin
Mr. Edward Byrne
Mrs. Laverne Howard
Mr. Rick Moorefield,
County Attorney
Ms. Amy Cannon,
County Manager
Mr. Tracy Jackson,
Asst. County Manager

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Dr. Andrews delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

There were none.

Ms. Hall made a motion seconded by Mrs. Epler to approve the agenda as submitted. Unanimous approval.

III. PUBLIC HEARING WITHDRAWAL / DEFERRAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Strickland read the policy statement.

VI. APPROVAL OF THE MINUTES OF AUGUST 20, 2019

Mr. Stewart made a motion, seconded by Mr. Manning to approve the minutes as submitted.

VII. PUBLIC HEARING CONSENT ITEMS

There were none.

VIII. PUBLIC HEARING CONSENT ITEMS

REZONING CASE

- A. **P19-38.** REZONING OF 1.38+/- ACRES FROM R20 RESIDENTIAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 8589 & 8591 CLINTON ROAD, SUBMITTED BY WENDELL C. SMITH (OWNER).

Mr. Byrne presented the case information and photos.

In Case P19-38, the Planning and Inspections Staff recommends denial of the rezoning from R20 Residential to R15 Residential and find the request is not consistent with the adopted 2030 Growth Vision Plan (2009) which calls for "rural areas" at this location, the "rural areas" designation recommends a density no higher than 2 units per acre; and further find that denial of the request is reasonable and in the public interest because the subject property lacks access to public sewer, which is recommended in the Land Use Policies Plan (2009) for "low density residential".

There were people present to speak in favor.

Mr. Wendell C. Smith spoke in favor. Mr. Smith presented some bullet points, photos, and a petition (exhibit 1) to the Board. Mr. Smith gave some background on the subject property and stated that he was requesting to build another duplex with four apartments. He wants to have four apartments like he did before the Department of Transportation (DOT) road widening project. Mr. Smith said his water would be provided by Autryville and has septic tank approval, and there is no opposition.

Mrs. Epler asked how many of the people who signed his petition who were not opposed to the rezoning were in the vicinity.

Mr. Smith said about five or six.

Ms. Hall asked if he was going to build a building just like the picture presented.

Mr. Smith said yes.

Ms. Hall asked about the zoning when DOT took the property.

Mr. Byrne said there were no zoning requirements, so they were legal non-conforming.

Mr. Lloyd asked if a Conditional Use was discussed with the applicant.

Mr. Byrne said not in this case.

Mr. Lloyd feels that if approved it should be somewhere on the record the reason why the Board went against policy.

Chair Wheatley asked Mr. Smith if he would be willing to go back and work with staff for a Conditional Use.

Mr. Smith said that he would and asked what a Conditional Use was.

Mr. Byrne explained it to Mr. Smith.

Mr. George Scott Smith spoke in approval. Mr. Smith said that he owned the property adjacent to the subject property and said that he approves of what the applicant, his brother is trying to do. Mr. Smith reiterated the statement that Mr. Smith made about trying to replace what was there before the DOT road widening project.

Public hearing closed.

Mr. Moorefield advised the Board that if they didn't follow the staff recommendation and approve the request the action will have to be in the form of a motion that's now used because they are changing the plan and they have to state the change of circumstances that have caused them to change the plan in the motion.

In Case P19-38, Mr. Stewart made a motion, seconded by Dr. Andrews to approve the rezoning from R20 to R15; and find: a. The approval is an amendment to the adopted 2030 LUP and 2009 Area Plan; and the Board of Commissioners shall not require any additional request or application for amendment to the comprehensive plan; b. The following change in conditions was considered in amending the zoning ordinance to meet the development needs of the community: the change in condition was the DOT widening project of North Carolina Hwy 24 in addition the applicant has purchased additional land to be more conforming to the Land Use Plans involved, the area that was considered was approved, they do have water provided by Autryville and a septic permit was obtained by the applicant; additionally this being considered by this board the petition submitted by the applicant signed by the surrounding land owners; slides that were shown showing commercial buildings in the area; c. And, this rezoning approval is reasonable and in the public interest because it does not disrupt current land use. Unanimous approval.

IX. DISCUSSION

- Mr. Strickland reminded the board of the Quasi - Judicial training and passed out parking passes.
- Mr. Strickland passed out a list of work program items and said some had been started and would add anything else they thought should be addressed.
- Mr. Strickland stated that we would work on setting up committee meetings.

X. CLOSED SESSION

PERSONNEL MATTER(S) PURSUANT TO NCGS 143.318.11(a)(6)

Chair Wheatley made a motion to go into closed session, seconded by Mrs. Epler. Unanimous approval.

Chair Wheatley made a motion to reconvene in open session, seconded by Mrs. Epler. Unanimous approval.

XI. ADJOURNMENT

There being no further business, the meeting adjourned at 8:08 pm.