

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

MINUTES

February 15, 2005

Members Present

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

Members Absent

Mr. Charles Morris, Vice-Chair

Others Present

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

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

Mr. Lloyd said that Case P05-01 was withdrawn by the applicant in order for the case to be heard by the Board of Adjustment. **A motion was made by Mr. Averette and seconded by Mr. Mullinax to approve the Agenda with the correction. The motion passed unanimously.**

III. ABSTENTIONS BY BOARD MEMBERS

Mr. Averette said that he would abstain from discussion and voting on Case 98-351. He asked that the Board vote on the case separately from the other Consent items. **A motion was made by Dr. Olion and seconded by Mr. McLaurin for Mr. Averette to abstain from discussion and voting on Case 98-351. The motion passed unanimously.**

IV. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF FEBRUARY 1, 2005

A motion was made by Mr. Averette and seconded by Mr. Mullinax to approve the Minutes of February 1, 2005 as printed. The motion passed unanimously.

REZONING CASES

- A. P05-07: REZONING OF .86 ACRES FROM R6 AND R6A TO C3 OR A MORE RESTRICTIVE ZONING DISTRICT WEST OF THIRD STREET, SOUTH OF LAKE AVENUE, SUBMITTED BY KEITH TINLING FOR RUBY TUESDAY, INC., OWNED BY BBC ENTERPRISES. (SPRING LAKE)

The Planning staff recommended approval of the C3 Heavy Commercial District based on the following:

1. The Spring Lake Land Use Plan calls for heavy commercial use at this location; and

1. The subject property is adjacent to existing C3 zoning on two sides.

No one appeared in favor of or in opposition to the request.

A motion was made by Mr. Averette and seconded by Dr. Olion to follow the staff recommendation and approve the C3 Heavy Commercial District. The motion passed unanimously.

- B. P05-08: REZONING OF .27 ACRES +/- FROM R10 TO O&I OR A MORE RESTRICTIVE ZONING DISTRICT AT 882 SOUTH REILLY ROAD, SUBMITTED BY OUMOU SAMOURA, OWNED BY RICHARD AND KATHRYN MCPHAFFER.

The Planning staff recommended approval of the O&I Office and Institutional District based on the following:

1. The 2010 Land Use Plan calls for office and institutional use at this location; and
2. The subject property is adjacent to existing O&I zoning on the north side.

No one appeared in favor of or in opposition to the request.

A motion was made by Mr. Averette and seconded by Dr. Olion to follow the staff recommendation and approve the O&I Office and Institutional District. The motion passed unanimously.

PLATS AND PLANS

- A. 05-012: STONE CREEK ZERO LOT LINE SUBDIVISION REVIEW AT THE SOUTHEAST INTERSECTION OF BAYWOOD AND MURPHY ROADS FOR A VARIANCE FROM SECTION 4.3.D(2), "OTHER REQUIREMENTS," CUMBERLAND COUNTY SUBDIVISION ORDINANCE.

A motion was made by Mr. Averette and seconded by Dr. Olion to follow the staff recommendation and approve the variance. The motion passed unanimously.

- B. 98-351: TAYLORS CREEK MOBILE HOME PARK REVIEW ON THE WEST SIDE OF US HIGHWAY 301, SOUTH OF BLACK AND DECKER ROAD FOR A VARIANCE FROM SECTION 3.25.C, "REQUIREMENTS FOR MOBILE HOME PARKS," CUMBERLAND COUNTY SUBDIVISION ORDINANCE.

A motion was made by Dr. Olion and seconded by Mr. McLaurin to follow the staff recommendation and approve the variance. The motion passed unanimously with Mr. Averette abstaining from the vote.

V. PUBLIC HEARING ITEM

- A. P05-01: REZONING FROM RR/CU TO C3/CU OR A MORE RESTRICTIVE ZONING DISTRICT, AND A CONDITIONAL USE DISTRICT AND PERMIT TO ALLOW A BILLBOARD ON 70 SQUARE FEET ON THE SOUTHWEST QUADRANT OF CLINTON AND OLD VANDER ROADS, OWNED BY TROY B. CARTER.

This case was withdrawn by the applicant in order to be heard by the County Board of Adjustment.

VI. DISCUSSION

Chair McNeill introduced and welcomed Ms. Diane Wheatley to the Board. She will serve as the County Commissioner liaison for this year.

Chair McNeill asked if the Board should begin swearing in speakers for the Conditional Use cases. Mr. Barrett said that it would not be necessary to do so until after the new Zoning Ordinance is adopted.

VII. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

Ms. Roy said that she and Mr. Barrett would be out of the country for the March 1 meeting at which the public hearing is scheduled to be held for the proposed County Zoning Ordinance. She said that she would not be available for March 8; however, Mr. Barrett would.

After discussion, a motion was made by Mr. Averette and seconded by Dr. Olion to reschedule the first meeting in March from March 1 until March 8, 2005 to hold the public hearing on the County Zoning Ordinance. The motion passed unanimously.

Mr. Barrett reminded staff to inform the Sunshine List (media) of the change in meeting dates.

Ms. Roy said that a draft will be available with all strikeovers removed so that the text will be easier to understand. She said that the Sign Section will also be added. Mr. Lloyd explained the changes made to the Sign Section.

Ms. Roy said that final copies will be sent to homebuilders, engineers and others who have expressed interest in the document. She added that a good summary of changes will be included.

Chair McNeill asked how the Ordinance would be presented. Ms. Roy said that a Power Point demonstration to illustrate the new concepts (Mixed-Use and Density Development) would be given with summaries of the major changes.

Mr. Lloyd said in discussions with the developers, it has been recognized that the new document is 99 percent less restrictive than the current Ordinance. He said that money is a concern, and those issues will actually be more relevant when the Subdivision Ordinance is revised.

VIII. ADJOURNMENT

There being no further business, the meeting adjourned at 7:25 p.m.