

Charles Morris,  
Chair  
Town of Linden

Diane Wheatley,  
Vice-Chair  
Cumberland County

Jami McLaughlin,  
Town of Spring Lake  
Harvey Cain, Jr.,  
Town of Stedman

Donovan McLaurin,  
Wade, Falcon & Godwin



*Planning & Inspections Department*

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Vikki Andrews,  
Carl Manning,  
Lori Epler,  
Cumberland County

Benny Pearce,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

**MINUTES**

April 18, 2017

**Members Present**

Mrs. Diane Wheatley, Acting Chair  
Mrs. Lori Epler  
Mr. Benny Pearce  
Ms. Patricia Hall  
Mr. Harvey Cain, Jr.  
Mr. Donovan McLaurin  
Dr. Vikki Andrews

**Members Absent**

Mr. Charles Morris  
Mr. Carl Manning  
Mrs. Jami McLaughlin

**Others Present**

Mr. Thomas Lloyd  
Ms. Patricia Speicher  
Mr. Mark Blackwell  
Mrs. Laverne Howard  
Mr. Rob Hasty  
Assistant County Attorney  
Mr. Alfonso Ferguson, Sr.  
Mr. Aaron Barnes  
Ms. Annie Melvin

I. INVOCATION AND PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF / ADJUSTMENTS TO AGENDA.

Ms. Speicher advised the Board that Cases P17-15, P17-17, and P17-07 would be moved to Contested Items.

**Dr. Andrews made a motion to accept the agenda with adjustments, seconded by Mr. McLaurin. Unanimous approval.**

III. PUBLIC HEARING DEFERRALS

**P17-12. REZONING OF 8.03+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF THROWER ROAD, WEST OF NC HWY 87 S; SUBMITTED BY VANCE TYSON (OWNER) AND TIM EVANS (AGENT). DEFERRED UNTIL MAY 16, 2017**

**Mrs. Epler made a motion, seconded by Dr. Andrews to approve the deferral. Unanimous approval.**

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Ms. Speicher read the policy statement.

VI. APPROVAL OF THE MINUTES OF MARCH 21, 2017

**Ms. Hall made a motion to accept the minutes as submitted, seconded by Mr. McLaurin. Unanimous approval.**

VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASE

- A. **P17-16.** REZONING OF 3.90+/- ACRES FROM A1 AGRICULTURAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7045 MAXWELL ROAD, SUBMITTED BY JOSEPH & VIOLET DOWD (OWNERS) AND MICHAEL J. ADAMS (AGENT).

**1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends the board find that while approval of the request is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for “rural” development at this location, public water is available and connection would be required for any new development.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *septic system allowed based on soil type, lot size, and distance from public sewer, public sewer is not available; must have direct access to a public street, Maxwell Road is a minor collector street & Wade Stedman Road is a major collector street; must not be located in any defined critical area as defined by the Fort Bragg Small Area Study.*

**2<sup>nd</sup> MOTION**

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P17-16 for R30 Residential based on the following:

- The district requested will allow for land uses and lot sizes that exist in the general area.

The R40 Residential district could also be considered suitable at this location.

**Mr. McLaurin made both motions referenced above, seconded by Mrs. Epler, to follow the staff recommendations and approve the rezoning request. The motions passed unanimously.**

VIII. PUBLIC HEARING CONTESTED ITEMS

TEXT AMENDMENTS

- B. **P17-07.** REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY SUBDIVISION ORDINANCE AMENDING ARTICLE XXIII, IMPROVEMENT AND DESIGN STANDARDS, SECTION 2302. AREA-SPECIFIC STANDARDS, A. MUNICIPAL INFLUENCE AREAS; AND APPENDIXES EXHIBIT 4, OFFICIAL MUNICIPAL INFLUENCE AREA AND SEWER SERVICE AREA MAP, AND EXHIBIT 5 MUNICIPAL INFLUENCE AREA DEVELOPMENT STANDARDS, HOPE MILLS COLUMN, ROW ENTITLED *SIDEWALKS* (PAGE E5-E).

Ms. Speicher presented the case information and photos.

The Town of Hope Mills has requested a County Subdivision Ordinance text amendment so that the town’s recently adopted sidewalk standards will apply to development of properties within the town’s Municipal Influence Area (MIA). The Codes Committee has met on two occasions concerning the above referenced subdivision ordinance text amendments. For detailed dates and explanation of pertinent events related to this recommendation, please see attached *P17-07: Timeline and Background Information* with attachments.

**1<sup>st</sup> MOTION**

The Codes Committee recommends the board find that the request from the Town of Hope Mills could only be consistent with the 2030 Growth Vision Plan, most particularly Policy Area 2: Well-

Managed Growth and Development which specifies that “not all land is equally suited for development” and “Development that is convenient to existing public facilities maximizes taxpayer investments and minimizes local government service costs” if the staff recommended Hope Mills MIA boundary is approved. In addition, Policy Area 2 establishes the need for clearly defined urban and rural areas for development purposes and that different development standards should apply, “e.g. no curb and gutter, no streetlights, etc.” where rural development densities are designated. The request is also not consistent with the Southwest Land Use Plan that clearly defines ideal development densities, patterns and standards for urban, suburban and farmland areas.

The committee recommends the board further find that approval of the requested text amendment would be reasonable and in the public interest **only if** the town’s MIA boundary is modified as recommended by staff with the text to Section 2302.A also being amended to address future modification of the MIA boundaries upon annexation.

**2<sup>nd</sup> MOTION**

The committee’s recommendation to approve the request provided that the boundary of the MIA is modified is based on the above information and the following:

1. The attached timeline establishes the discrepancies between the fairly recently adopted land use plans and the previously stated MIA purpose and intent;
2. The current MIA boundaries were generally created primarily as an attempt to stop the City of Fayetteville from annexing properties completely surrounding the smaller municipalities, which is no longer an issue due to the change in the annexation laws coupled with the change to the Public Works Commission’s Charter; and
3. To include developed parcels within any MIA is fruitless and inequitable to the individual lot owners considering the current annexations laws.

Ms. Hall stated that she didn’t have any objections with the sidewalk ordinance. But she did have a problem with the second part of the motion which addresses the new MIA map. There is a resolution from the Town of Hope Mills and there have been several meetings with the Hope Mills staff and all of that had been relayed to the Hope Mills Board and the Board made a resolution requesting a compromise on the map. Hope Mills agreed to give up the developed areas in the north but asked to retain the developed areas to the south. Ms. Hall stated that she felt it was frustrating when the municipalities lose a voice in the decision making. Ms. Hall said that she could not in good conscience vote for something that the town is not for.

Ms. Epler stated that part of the discussion in the Codes Committee meeting was the fact that Hope Mill’s MIA is so vast and that they reasonably will not annex that property in a short amount of time. Because it is farmland, because you have a lot of area that is zoned agricultural, and in agricultural you have two acre lots and you can do zero lot line and do smaller lots. But as an average those lots are two acres. If developers are required to put sidewalks on both sides of the streets on these lots that pretty much eliminates affordable housing in those areas, sidewalks are expensive to put in. Given the change in general statute and the change in the charter with PWC that was the discussion that the MIA needed to be pulled back to a reasonable amount.

Ms. Hall stated that the reason that the MIA is so vast is because that is where the growth is happening in this County. Hope Mills is one of only two areas where the value of the property has gone up and not down in the recent revaluation. These areas probably will be developed, and who can say if and when Hope Mills will consider annexing. It’s only when it is developed and that developer asks to come in. We can’t say what they are going to do in the future, we do not know that. But that is where the growth in this County is. The voice of the Board of Commissioners of Hope Mills should be considered.

**Mr. McLaurin made a motion to defer for thirty days to give the Town of Hope Mills Board of Commissioner's time for a workshop with County staff to work on the MIA map, seconded by Ms. Hall. The motion passed with Mrs. Epler and Chair Wheatley voting in opposition.**

- C. **P17-17. REVISION AND AMENDMENT TO THE CUMBERLAND COUNTY ZONING ORDINANCE, ARTICLE XVI, BOARD OF ADJUSTMENT; AND REQUESTING PERMISSION TO REPRINT THE ZONING ORDINANCE INSERTING ALL TEXT AMENDMENTS APPROVED SINCE JUNE 20, 2005 AS LISTED.**

Ms. Speicher presented the case information photos.

**1<sup>st</sup> MOTION**

The Codes Committee recommends the board find that the attached text amendment is consistent with the 2030 Growth Vision Plan and all other applicable detailed area plans throughout the County since this amendment, if approved, will ensure the County Zoning Ordinance provisions related to Board of Adjustment matters are consistent with the 2013 State Legislature amendments to the statutes regulating local Boards of Adjustment.

The committee recommends the board further find that approval of the text amendment is reasonable and in the public interest which has been established by the General Assembly's ratification of the amended regulations coupled with the fact that certain standards within the statute have been relaxed particularly those related to variances.

**2<sup>nd</sup> MOTION**

In addition to the above information, the Codes Committee recommends approval of the text amendment and that the Commissioners direct the staff to re-publish the County Zoning Ordinance as a technical ordinance in its entirety with all amendments consolidated within the text based on the following:

1. The proposed amendment will afford property owners a lower threshold to meet when a variance is necessary for justifiable use of their property; and
2. Reprinting with merging previously approved amendments into the County Zoning Ordinance will ensure ease of use for citizens, development professionals, and County staff.

Mr. McLaurin pointed out his concerns and stated that he feels like this is a rewrite not a revision. Mr. McLaurin asked that this be deferred for thirty days so that he could have his town council look at it and explain it to him.

Ms. Speicher clarified that no text amendment to the County Zoning Ordinance effects any MIA. The MIA's are Subdivision Ordinance standards only. The Boards of Adjustment are regulated under the County Zoning standards. It would have no effect on the individual towns unless, when and if we get the same text amendment to each individual town.

Mr. McLaurin stated that he was concerned about the areas that are out of the town limits and regulated by this rewrite and the County Commissioner's.

**Mr. McLaurin made a motion to defer for thirty days for review, seconded by Ms. Hall. The motion passed. Unanimous approval.**

## REZONING CASES

- D. **P17-15.** REZONING OF 6.12+/- ACRES FROM A1 AGRICULTURAL TO R40 & R40A RESIDENTIAL, LOCATED AT 2157 SCHOOL ROAD, SUBMITTED BY DANORA J. POWELL (OWNER) AND MICHAEL J. ADAMS (AGENT).

Ms. Speicher presented the case information and photos.

### **1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends the board find that approval of the request is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "rural" development at this location, because the district requested will allow for single family dwelling units on relatively large lots in a rural area. Although the request is not entirely consistent with the South Central Land Use Plan which calls for "farmland," the requested district would restrict development to approximately one acre lots where soil conditions are suitable for septic systems.

The staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan, in that: *individual well and septic systems are allowed; could be located in any defined critical area as defined by the Fort Bragg Small Study Area; desirable to be limited to one unit per acre in areas with hydric soils and severe septic tank limitations; desirable to not be located in an area that is a prime industrial site and may be outside the Sewer Service Area.*

### **2<sup>nd</sup> MOTION**

In addition to the above information, the Planning and Inspections Staff recommends the board approve Case No. P17-15 for R40 and R40A Residential based on the following:

- The district requested will allow for land uses and lot sizes that exist in the general area.

There are no other districts that could be considered suitable at this location.

There were people present to speak in favor and in opposition.

Mr. Mike Adams spoke in favor. Mr. Adams stated that he was the surveyor for the project and submitted the zoning application. He stated that they were building a six-lot subdivision that is contingent on the rezoning and will be leaving the mobile home on the lot which is why they had to do the split zoning. They are going to add five lots single family homes.

Mr. Trace McLean spoke in favor. Mr. McLean stated that he was a residential home builder in Cumberland County for about ten years and acquired the subject property to build five \$200,000 quality homes. Mr. McLean addressed some of the issues that he thought the opposition would have. He stated that it was a limited amount of land and no spot zoning. Property values would be increased and traffic would only increase by three households.

Mr. Chris Morall spoke in opposition. Mr. Morall stated that he had no problems with them building homes, but he had a problem with the choices of location and feels they should be two acre lots.

Mr. Jesse Turner spoke in opposition. Mr. Turner stated that he bought his property just in front of the subject property over thirty years ago at two acres per lot. Mr. Turner presented a petition of people against anything less than two acres per lot.

Mr. Richard Basilici spoke in opposition. Mr. Basilici stated that his concern was the increase in population and feels it is too much for one spot.

Public Hearing closed.

**Mrs. Epler made both motions above, seconded by Mr. McLaurin to follow the staff recommendations and approve the rezoning request. The motion passed with Chair Wheatley and Dr. Andrews voting in opposition.**

#### CONDITIONAL ZONING CASES

- E. **P16-28.** REZONING OF 2.13+/- ACRES FROM C3 HEAVY COMMERCIAL & R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING FOR MOTOR VEHICLE REPAIR AND BODY WORK OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2541 BALLPARK ROAD, SUBMITTED BY MICHAEL ANDREW LONGHANY (OWNER). (EASTOVER)

Ms. Speicher presented the case information and photos.

#### **1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends the board deny the request to rezone the property to C(P)/CZ for motor vehicle repair and body work on all but the portion already zoned C3 Commercial and to approve R6 Residential on the portions zoned R6A Residential based on the following:

1. The expansion of the commercial operation will not be in harmony with the general area as it is predominately residential; and
2. All uses allowed within the R6A district would not be appropriate in this area.

#### **2<sup>nd</sup> MOTION**

The Planning and Inspections Staff recommends the board find that the request is inconsistent with the 2030 Joint Growth Vision Plan (April 2009), specifically Policy Areas 2, *Well-Managed Growth and Development* and 10, *Community Appearance and Image*. Expansion of the current commercial operation in a residential area served by a community road could lead to further deterioration of the character of the neighborhood. The site could potentially become overwhelmed with vehicles awaiting repair which would make it an eyesore for neighbors and those frequenting the Eastover Ball Park. If expansion is needed for the business to thrive, it would be better for the property owner to relocate along a main road on a property better suited for commercial development. The original request is also inconsistent with the Eastover Detailed Land Use Plan, which calls for "medium density residential" at this location.

The staff recommends the board further find that approval of this request is not reasonable or in the public interest because the district requested for the subject property does not meet several of the location criteria of the adopted Land Use Policies Plan, in that: *should have minimum direct access to a collector street*, Ballpark Road is not a collector street; and *should not be in a predominantly residential, office & institutional, or light commercial area*, the surrounding area is predominantly residential.

There are no other districts considered suitable for this request at this location.

There were people present to speak in favor.

Mr. Mike Longhany spoke in favor. Mr. Longhany stated that he purchased the property eleven years ago and has made a wonderful business that is growing. Mr. Longhany feels that expanding his business will not degrade the town. He wouldn't do anything to degrade the town. He was born and raised in Eastover and is now raising his own family, and is one hundred percent supportive of the town. They have completely outgrown the current facility and is willing to do whatever it takes to be able to expand. This is needed, they are the only repair shop in Eastover and employs six people and needs six more.

Public Hearing closed.

Mr. Pearce stated that he was familiar with the subject property. The problem is that the ballpark is going to be a showplace and there are residences all around him so it's in the wrong place, he wishes it was out on Dunn Road, and for that reason he can't vote for it.

Mrs. Epler said that stiffer landscape and buffering requirements could be put on the applicant along the exterior boundary of the property. Would Eastover be more inclined.....

Mr. Pearce said the town has made a significant investment in the ballpark property itself, it is envisioned that that will be a showplace for North Carolina. Having a place with a lot of cars visible to the people who will visit will not fit in with the town's long term goals of making it a showplace for North Carolina. If it were approved the conditions would have to be a part of it.

**Mrs. Epler made both motions referenced above, seconded by Mr. Pearce to follow the staff recommendations and deny the rezoning request. The motion passed with Ms. Hall and Mr. McLaurin voting in opposition.**

- F. **P17-13.** REZONING OF 3.08+/- ACRES FROM RR RURAL RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR CONVENIENCE RETAIL WITH GASOLINE SALES & RESTAURANT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 6020 US HWY 301 S; SUBMITTED BY A. MAURICE ELLIOT & HELEN ELLIOT SMITH ON BEHALF OF MADIE ELLIOT HEIRS, DANIEL & DEBORA MCPHAUL (OWNERS), DAVID L. PAIT (APPLICANT) AND WILLIAM R. DAVIS, ATTORNEY (AGENT).

Ms. Speicher presented the case information and photos.

#### **1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends the board find this request inconsistent with the 2030 Joint Growth Vision Plan (April 2009), specifically Policy Areas 2, *Well-Managed Growth and Development* and 3, *Infrastructure That Keeps Pace*. At this location, US Highway 301 South is a two-lane highway with no turn lanes. Even if the North Carolina Department of Transportation requires the installation of turn lanes, the opportunity for traffic congestion and accidents exists. The subject property is proposed to be served by an individual well and septic system, which is not ideal for a restaurant. The request is also not consistent with the Southwest Cumberland Land Use Plan which calls for "suburban residential" at this location.

The staff recommends the board further find that approval of this rezoning is not reasonable or in the public interest because the district requested for the subject property does not meet the following location criteria of the adopted Land Use Policies Plan, in that: *public water and sewer required*, public water and sewer are not available; *should serve as a transition between heavy commercial, office & institutional or residential development*, this area is not transitional; *may be located along a street that is in transition from residential to non-residential through redevelopment and physical improvements*, per comments received from the Fayetteville Area Metropolitan Planning Organization, this section of US HWY 301 S is not scheduled for any improvements.

#### **2<sup>nd</sup> MOTION**

In addition to the above information, the Planning and Inspections Staff recommends the board deny Case No. P17-13 for C1(P)/CZ for convenience retail with gasoline sales & restaurant based on the following:

- There are already several vacant commercially zoned properties in the area that could potentially be suitable for the applicant's requested land use.

If the property owner voluntarily agrees to eliminate the use as a restaurant, this request at this location could be considered suitable for the A1 Agricultural district. In the event the board is inclined to recommend approval of this request, please make the recommendation subject to the conditions of approval.

There were people present to speak in favor and in opposition.

Public Hearing opened.

Mr. John Wayne Davis spoke in favor. Mr. Davis stated that he and a friend of his wanted to open a restaurant. He thought it would be a help for the neighborhood.

Ms. Wanda Davis spoke in favor. Ms. Davis stated that there was nothing wrong with opening a restaurant and couldn't understand why other people were opposed to it.

Attorney William Davis spoke in favor. Attorney Davis said that he was here on behalf of the applicant. Mr. Pait has been dreaming for a very long time, to build a convenience store and a restaurant, and a place that has fueling capacity a facility for tractor trailers. This is not a truck stop, it will not have any of the facilities that a truck stop would have, it will not be an eyesore and will not attract crime. It will be a benefit to the community, it will be open twenty-four hours a day seven days a week and will employ up to ten people. It will be a benefit to the County as far as the tax base goes. The applicant plans to widen the road at his own expense to put in turn lanes. Attorney Davis passed out a petition from people in the area who approve and some letters from area businesses.

Mrs. Epler asked Mr. Pait if he had spoken with DOT and shown them his site plan.

Mr. Pait stated that he had and he was told that he would be able to widen the road.

Mr. Roy Morrison spoke in opposition. Mr. Morrison stated that members of the community are opposed to the request. The community is full of retired senior citizens who value their quiet neighborhood. Mr. Morrison stated that they were opposed because this area is a low crime, quiet, and rural location. The traffic is already congested on Highway 301 this request will create hazardous conditions because of the increased traffic. Mr. Morrison stated that there were already gas stations and a restaurant in the area so there was no need for another one in their neighborhood. The quality of life will be changed if the request is approved.

Mr. Awad Alsaïdi spoke in opposition. Mr. Alsaïdi stated that his family owns the store about a half mile from the subject property and presented a petition with signatures in opposition. Mr. Alsaïdi stated that his family owned the vacant lot and purchased it to avoid the problem of any more businesses being built in the area that could bring problems like crime and disturb the quality of life.

Ms. Deanna Braggs spoke in opposition. Ms. Braggs resides on land that has been passed down in her family. Ms. Braggs restated what previous speakers said about the area being a quiet and safe community. Traffic has increased and is non-stop and congested. This request would increase traffic and crime.

Mr. Joseph Williams spoke in opposition. Mr. Williams stated that he was speaking for the congregation of Mars Hill Presbyterian Church and property owners. Mr. Williams said that this request would be a disaster. Mr. Williams presented a petition signed by members of the community in opposition.

Mr. Davis spoke in rebuttal. Mr. Davis stated again that the request is not a truck stop. There will be no facilities for truckers to stay overnight. There will be a drainage system and retention pond. Mr. Davis said that he felt the oppositions concerns were misguided.

Public Hearing closed.

**Dr. Andrews made the motions referenced above, seconded by Mr. McLaurin to follow the staff recommendations and deny the request for rezoning. Unanimous approval.**



- G. **P17-14.** REZONING OF .70+/- ACRES FROM C3 HEAVY COMMERCIAL TO M(P) PLANNED INDUSTRIAL/CZ CONDITIONAL ZONING FOR OPEN STORAGE AND WAREHOUSING OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 5417 TRADE STREET; SUBMITTED BY LOUISE M. AUTRY AND JAMES A. MCLEAN ON BEHALF OF AUTRY & MCLEAN, LLC (OWNER) AND TERRY C. FAIRCLOTH, PLS (AGENT). (HOPE MILLS)

Ms. Speicher presented the case information and photos.

**1<sup>st</sup> MOTION**

The Planning and Inspections Staff recommends the board deny Case No. P17-14 for M(P)/CZ for open storage and warehousing based on the following:

- The proposed use could become an environmental hazard and an eyesore for those in the community and would defeat the town's efforts in restoring and stabling a vibrant local business area.

**2<sup>nd</sup> MOTION**

The Planning and Inspections Staff recommends the board find this request inconsistent with the 2030 Joint Growth Vision Plan (April 2009), specifically Policy Areas 2, *Well-Managed Growth and Development* and 10, *Attractive Community Appearance & Image*. The open storage of lawn mowers and other related equipment can lend itself to the leakage of fluids and contamination of ground water. The request is also not consistent with the Southwest Cumberland Land Use Plan which specifically mentions "Trade Street Enhancement" as a plan action. This property is located in the heart of Downtown Hope Mills and borders the Historic District, which the Town has worked hard to create and preserve. The intention of the request would not further the goal of making downtown "the hub of cultural and governmental activities for the Town's residents and other adjacent residential areas."

The staff recommends the board further find that approval of this rezoning is not reasonable or in the public interest because the district requested for the subject property does not meet the following location criteria of the adopted Land Use Policies Plan, in that: *should have minimum direct access to an arterial street*, Trade Street is not an arterial street; *& must be located on large tracts that provide adequate area for buffering, screening, and landscaping unless located in an existing proposed heavy industrial/manufacturing area*, the subject property is only .70+/- acres and is not in an existing proposed heavy industrial/manufacturing area.

No other district could be considered suitable for this request at this location.

There were people present to speak in favor and in opposition.

Mr. Terry Faircloth spoke in favor. Mr. Faircloth stated that they are surrounded by commercial already, the storage is for new mowers, so there will be no leakage. We have agreed to put up a privacy fence on sides that will be six feet, and we have agreed to double the vegetation. No one has complained about them being an eyesore and no one is present in opposition.

Louise Autry spoke in favor. Ms. Autry stated that the whole reason for the purchase of the property was for taxes. They purchased the subject property to store equipment. Ms. Autry asked the Board to approve the request.

Mr. Al McLean spoke in favor. Mr. McLean stated that they would not have a repair shop on that building it will simply be for storage of equipment.

Ms. Hall asked Mr. McLean if they would be willing to compromise and move the chain link fence to the rear of the building.

Mr. McLean said that for security reasons he didn't think he could do that.

Public Hearing closed.

**Ms. Hall made the motions referenced above, seconded by Dr. Andrews to follow the staff recommendations and deny the request for rezoning. Unanimous approval.**

IX. DISCUSSION

DIRECTOR'S UPDATE

Mr. Lloyd advised the Board that he would not be at the next meeting.

Mr. Lloyd also gave an update on what happened at the Board of Commissioner's meeting.

XI. ADJOURNMENT

There being no further business, the meeting adjourned at 9:40 pm.