

Charles Morris,  
Chair  
Town of Linden

Diane Wheatley,  
Vice-Chair  
Cumberland County

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

Vacant  
Wade, Falcon & Godwin



Joel Strickland,  
Acting Director

Vacant,  
Deputy Director

Vikki Andrews,  
Carl Manning,  
Lori Epler,  
Cumberland County

Stan Crumpler,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

*Planning & Inspections Department*

**MINUTES**  
June 18, 2019

**Members Present**

Mr. Charles Morris – Chairman  
Mrs. Diane Wheatley – Vice Chairman  
Mr. Harvey Cain Jr.  
Mr. Carl Manning  
Mr. Stan Crumpler  
Mrs. Jamie McLaughlin  
Mrs. Lori Epler  
Ms. Patricia Hall  
Dr. Vikki Andrews

**Members Absent**

**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

Ms. Hall delivered the invocation, and Mr. Manning led those present in the Pledge of Allegiance.

II. PRESENTATION OF PLAQUES TO OUTGOING BOARD MEMBERS

Chair Morris presented a plaque of appreciation to Mr. Cain.

Vice-Chair Wheatley presented a plaque of appreciation to Chair Morris.

III. APPROVAL OF / ADJUSTMENTS TO AGENDA

There were none.

**Mr. Manning made a motion seconded by Dr. Andrews to approve the agenda. Unanimous approval.**

IV. PUBLIC HEARING WITHDRAWAL / DEFERRAL

There were none.

V. ABSTENTIONS BY BOARD MEMBERS

There were none.

VI. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Strickland read the policy statement.

VII. APPROVAL OF THE MINUTES OF MAY 21, 2019

**Mrs. Epler made a motion, seconded by Mr. Manning to approve the minutes as submitted.**

VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P19-31.** REZONING OF 4.83+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 9114 & 9120 DURANT NIXON ROAD, SUBMITTED BY PAIGE FAIRCLOTH & LONEL BASS (OWNERS) & TYLER BASS (AGENT).

In Case P19-31, the Planning and Inspections Staff recommends approval of the rezoning from A1 Agricultural to R40A Residential and find the request consistent with the North Central Land Use Plan (2011) which calls for "farmland" at this location, the "farmland" designation allows for density of one unit per acre and applicable zoning districts include R40A Residential; and further find that approval of the request is reasonable and in the public interest because the request is in harmony with surrounding existing land uses.

**In Case P19-31, Mrs. Wheatley made a motion, seconded by Mr. Crumpler to approve the rezoning from A1 Agricultural to R40A Residential and find the request consistent with the North Central Land Use Plan (2011) which calls for "farmland" at this location, the "farmland" designation allows for density of one unit per acre and applicable zoning districts include R40A Residential; and further find that approval of the request is reasonable and in the public interest because the request is in harmony with surrounding existing land uses. Unanimous approval.**

VIII. PUBLIC HEARING CONTESTED ITEMS

- B. **P19-29.** REZONING OF 1.60+/- ACRES FROM RR RURAL RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5894 US HWY 301 SOUTH, SUBMITTED BY JAMES G. CHANDLER (OWNER).

Mr. Byrne presented the case information and photos.

In Case P19-29, the Planning and Inspections Staff recommends denial of the rezoning from RR Rural Residential to C(P) Planned Commercial and find the request is not consistent with the adopted Southwest Cumberland Land Use Plan (2013) which calls for "suburban residential" at this location; and further find that denial of the request is reasonable and in the public interest because the subject property lacks access to public utilities to serve heavy commercial development and denial would prevent further encroachment of heavy commercial zoning in an established residential area.

Mr. Morris asked if there were power line easements across the subject property.

Mr. Byrne said he wasn't sure.

Mrs. Epler said they were in the right of way.

The applicant was present to speak in favor

Mr. James Chandler spoke in favor. Mr. Chandler stated that he was going to try and convince the board that the subject property is truly commercial property. He started making signs in the little shop beside his house and had no idea that it would grow the way it had. There have been no problems with neighbors or anyone complaining about this business. There is some commercial south of me, that had a sign up saying commercial property for sale. Mr. Chandler feels that his property is just as commercial as the trucking company beside him, it's just not zoned that way.

Mrs. Epler asked Mr. Chandler if he lived at the address of the subject property.

Mr. Chandler said he did.

Mrs. Epler stated that the building he uses for his sign shop was an accessory use to where he already lives.

Mrs. Hall asked the applicant how many years he had been in business.

Mr. Chandler responded thirteen years.

Mrs. Epler asked Mr. Chandler what precipitated his coming before the board now, after being in business for thirteen years.

Mr. Chandler said it was getting busy, he wants to do some upgrades, and borrow some money to upgrade his equipment.

Mrs. Epler said that he wanted to do some improvements that would require a permit and that's what brought him here.

Mr. Chandler said he wants to put a sign up and he can't put the sign up unless he's zoned commercial.

Public hearing closed.

Mr. Crumpler asked if he would require more water or sewer than what the currently has.

Mr. Chandler responded that was not an issue.

Chair Morris reminded the board that this was a straight C(P) rezoning.

Mrs. Epler asked Mr. Chandler if staff discussed a conditional zoning with him.

Mr. Chandler said no one discussed that with him, but he would like to stick with the straight rezoning.

Chair Morris explained to Mr. Chandler the ramifications of having his property rezoned.

Mr. Chandler stated that he understood all of that.

Mrs. Epler explained the conditional zoning process to Mr. Chandler and asked him again if he wanted to stick with the straight rezoning.

Mr. Chandler stated that he was sure and wanted the C(P) zoning.

**Mrs. Epler made a motion, seconded by Mr. Crumpler to follow the staff recommendation and deny the rezoning request from RR Rural Residential to C(P) Planned Commercial and find the request is not consistent with the adopted Southwest Cumberland Land Use Plan (2013) which calls for "suburban residential" at this location; and further find that denial of the request is reasonable and in the public interest because the subject property lacks access to public utilities to serve heavy commercial development and denial would prevent further encroachment of heavy commercial zoning in an established residential area. The motion passed with Chair Morris and Dr. Andrews voting in opposition.**

## IX. DISCUSSION

- Tracy Jackson, Assistant County Manager introduced Mr. Jim Bourey from McGill & Associates to talk about the schedule and approach for the recruitment of a new Planning Director and to give the board a summary of the Planning Department study.
- Mr. Crumpler presented the Nominations Committee's recommendations for Chairman and Vice Chairman.

**Mr. Crumpler made a motion, seconded by Mrs. Epler to nominate Mrs. Diane Wheatley as Chairman and Mr. Carl Manning as Vice Chairman. The motion passed with unanimous approval.**

## X. ADJOURNMENT

There being no further business, the meeting adjourned at 7:53 pm.