

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



COUNTY of CUMBERLAND

Planning & Inspections Department

April 12, 2011

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for April 19, 2011 Board Meeting

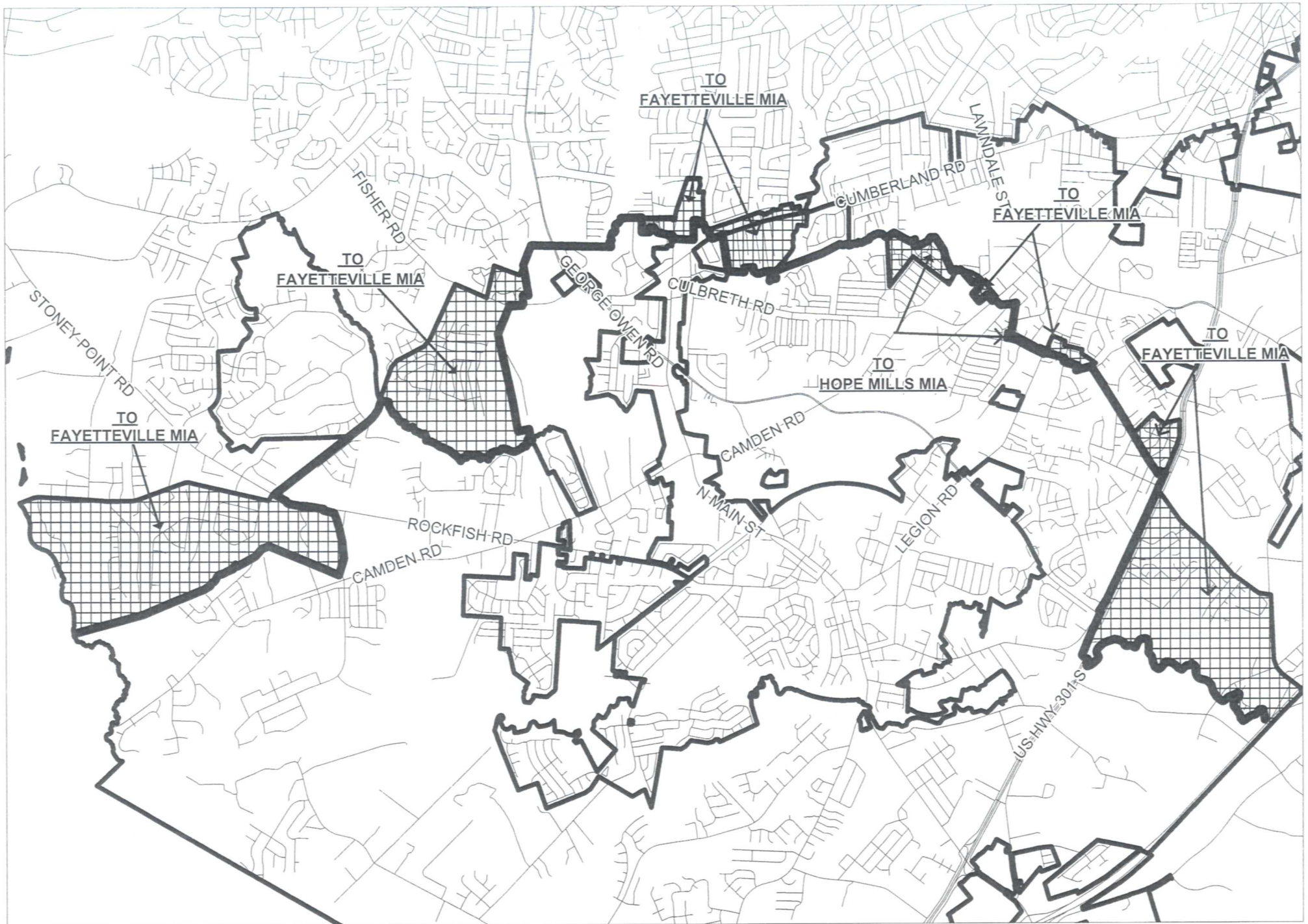
P11-19. AMENDMENT TO THE CUMBERLAND COUNTY SUBDIVISION ORDINANCE, MODIFYING PORTIONS OF THE TOWN OF HOPE MILLS AND THE CITY OF FAYETTEVILLE'S MUNICIPAL INFLUENCE AREA (MIA) BOUNDARIES AS ADOPTED ON MAY 19, 2008 AND INCLUDED AS A MAP REFERENCED AS EXHIBIT 4 TO SECTION 2302.A OF THE ORDINANCE.

The Planning & Inspections Staff recommends approval of the MIA map amendment based on the following:

1. If approved, the MIA map amendment will ensure consistency of development standards applied to properties for the adjacent jurisdictions; and
2. The amendment was requested by the Town of Hope Mills and City of Fayetteville.

Attachment:

- Sketch map
- Requests for amendment dated February 8, 2011 (Fayetteville) and March 9, 2011 (Hope Mills)



**MODIFICATION OF
HOPE MILLS - FAYETTEVILLE MIA
CASE: P11-19 SCALE: NTS**





TOWN OF HOPE MILLS

5770 ROCKFISH ROAD • HOPE MILLS, NORTH CAROLINA 28348-1848
TELEPHONE (910) 424-4555 • FAX (910) 424-4902

3-14-11

March 9, 2011

*Rec'd
3-14-11*

*To: Tom Lloyd
Please review and
process per request
below.*

*Thd.
James M.*

cc: File

James Martin, County Manager
P.O. Drawer 1829
Fayetteville, NC 28302

RE: Adjustment of the MIA Boundary

Mr. Martin,

On October 4, 2010, the Hope Mills Commissioners approved a new Annexation Agreement with the City of Fayetteville. As a result of this new agreement, the boundary of the agreement does not correspond with the existing MIA—Municipal Influence Area. This is causing confusion in the development process.

On behalf of the Hope Mills Board of Commissioners I would like to request that the Joint Planning Board consider amending the existing MIA—Municipal Influence Area to coincide with the Hope Mills/Fayetteville Annexation Agreement. The Board would then forward its recommendations to the County Board of Commissioners for their approval.

Should you have any questions feel free to contact me at 901-426-4116.

Sincerely,

Randy Beeman
Town Manager

Cc: Mayor Dees
Town of Hope Mills Board of Commissioners
Tom Lloyd, County Planning



February 8, 2011

James Martin, County Manager
P.O. Drawer 1829
Fayetteville, NC 28302

RE: Adjustment of the MIA Boundary

Mr. Martin,

On August 23, 2010, the Fayetteville City Council approved a new Annexation Agreement with the Town of Hope Mills. Subsequently the Town of Hope Mills approved the Agreement. Mr. Tom Lloyd and other county staff were part of the discussions culminating in the new Agreement and are aware that the boundary described by this Annexation Agreement does not match the existing MIA – Municipal Influence Area. The conflicts between the MIA boundary and the Annexation Agreement are causing confusion in the development process for businesses seeking to expand or open in the County.

To eliminate that confusion, on behalf of the City of Fayetteville I am requesting that the Joint Planning Board favorably consider an amendment to the boundary of the existing MIA – Municipal Influence Area to reflect the new Annexation Agreement between Fayetteville and Hope Mills, and that the Board subsequently forward its recommendations to the County Commissioners for action by that body.

Should you have questions about the Annexation Agreement, please contact Mr. Kristoff Bauer, Assistant City Manager (433-1979). For information about the boundary and associated GIS files, please contact Mr. David Nash, Fayetteville Planning Division (433-1995), or Mr. Richard Tuinstra, Information Technology (433-1721).

Respectfully,

A handwritten signature in black ink, appearing to read "Dale Iman", with a long, sweeping underline.

Dale Iman
City Manager

cc: Mayor Chavonne
Fayetteville City Council
Tom Lloyd, County Planning
Karen Hilton, City Planning

433 HAY STREET
FAYETTEVILLE, NC 28301-5537
(910) 433-1990

An Equal Opportunity, Affirmative Action Employer

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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for April 19, 2011 Board Meeting

P11-11: REZONING OF 1.94 +/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3530 MURPHY ROAD, SUBMITTED BY EDNA H. AND DONALD L. MURPHY (OWNERS). (EASTOVER)

The Planning & Inspections Staff recommends approval of the R40 Residential district for this request based on the following:

1. The district requested is consistent with the 2030 Comprehensive Plan, which calls for "rural" and "community growth areas" at this location, as well as meeting the location criteria for rural density residential development as listed in the Land Use Policies Plan; and
2. The request will ensure comparable lot sizes with the one acre lots currently recommended for this area in the Eastover Land Use Policies Plan and the pending Northeastern Cumberland Study.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P11-11
SITE PROFILE

P11-11: REZONING OF 1.94 +/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3530 MURPHY ROAD, SUBMITTED BY EDNA H. AND DONALD L. MURPHY (OWNERS). (EASTOVER)

Site Information:

Frontage & Location: 460.00'+/- on SR 1832 (Murphy Road)

Depth: 223.66'+/-

Jurisdiction: Eastover

Adjacent Property: Yes, south of subject property

Current Use: Residential

Initial Zoning: A1 – August 26, 1979 (Area 8); Initially zoned A1 – December 4, 2007 (Town of Eastover incorporated October 1, 2007)

Nonconformities: Yes, subject property does not meet minimum A1 lot size requirements

Zoning Violation(s): None

Surrounding Zoning: North: C(P) & A1; South & West: C(P), RR & A1; East: A1

Surrounding Land Use: Residential (including manufactured dwellings), retailing, religious worship & woodlands

Eastover Area Detailed Land Use Plan: One acre residential lots

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well (ESD water available in 3 to 6 months)/Septic

Soil Limitations: Yes, hydric – TR Torhunta and Lynn Haven soils

School Capacity/Enrolled: Armstrong Elementary: 450/432; Mac Williams Middle: 1,270/1,208; Cape Fear High: 1,425/1,555

Subdivision/Site Plan: Plat recorded in Plat Book 81, Page 14

Average Daily Traffic Count (2008): 3,300 on SR 1832 (Murphy Road)

Highway Plan: Murphy Road is identified in the Highway Plan as a Major Thoroughfare. The plan calls for widening to a multi-lane facility (4 lanes) with a right-of-way of 110 feet. This is a priority #3 in the Highway Portion of the LRTP

Notes:

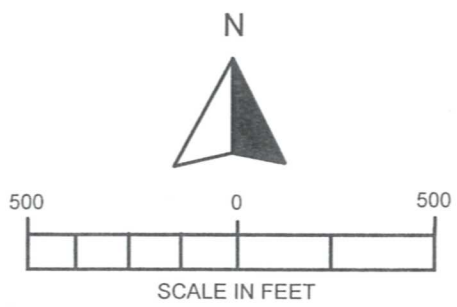
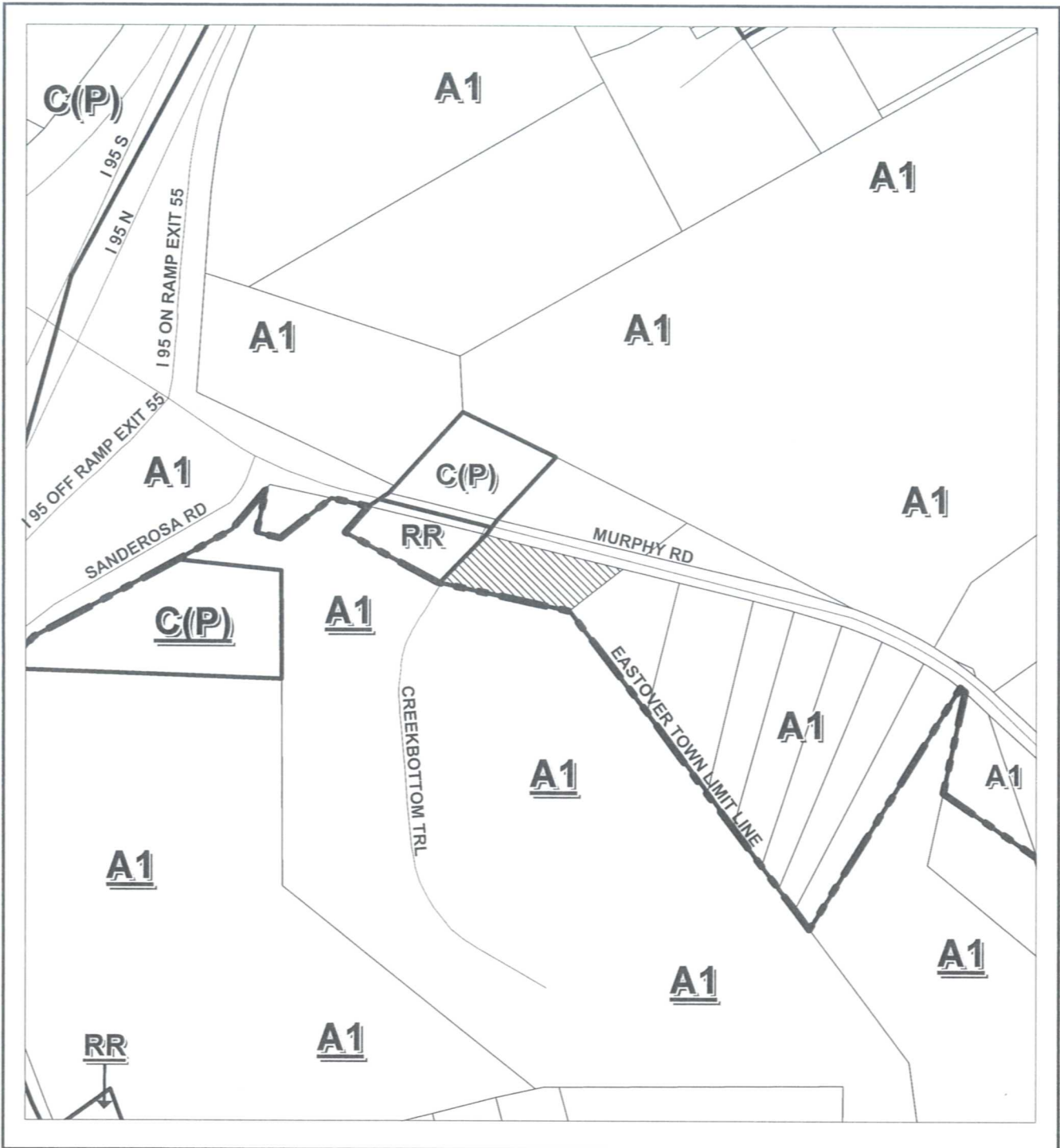
1. Density:
A1 – 1 lot/unit
R40 – 2 lots/units

2. Minimum Yard Setback Regulations:

<u>A1</u>	<u>R40</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' certified receipt of notice is also included.



REQUESTED REZONING A1 TO R40

ACREAGE: 1.94 AC.+/-		HEARING NO: P11-11	
ORDINANCE: EASTOVER	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0468-54-3373

WL

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning and Inspections Staff

SUBJECT: Staff Recommendation for the April 19, 2011 Board Meeting

P11-12: REZONING OF .34+/- ACRES FROM R10 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3701 BOONE TRAIL, SUBMITTED BY DEBRA J. UNDERWOOD (BY POA) FOR BETTY J. UNDERWOOD ON BEHALF OF RUBY L. COTTLE HEIRS (OWNERS).

The Planning and Inspections Staff recommends approval of the request for the C1(P) Planned Local Business district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "urban" at this location, as well as meeting the location criteria for "light commercial" development as listed in the Land Use Policies Plan;
2. Boone Trail is designated as a "limited business street" in the Land Use Policies Plan, which recognizes that the uses along this street are in transition from residential to non-residential and that light commercial is appropriate along this segment of the road; and
3. The C1(P) Planned Local Business district is in character with current zoning of adjacent properties.

The O&I(P) zoning district could be considered suitable at this location.

Note: Recently, it was noted at a Fayetteville City Council meeting that development being annexed by the City is not constructed according to the newly adopted Unified Development Ordinance (UDO) standards. The concern was specifically addressing a two year old apartment complex off Black and Decker Road that was being annexed.

When the Municipal Influence Area (MIA) boundary was drawn, the City agreed that areas developed to urban densities or for commercial land usage and those demanding urban services should be annexed. In light of these issues coupled with 19 rezoning requests along Boone Trail in the last ten years, the Planning Staff believes the time is right for the City of Fayetteville to annex the properties along Boone Trail, north of Cumberland Road. This entire area clearly meets the City's arguments for annexation.

Attachments:

- 1 - Site Profile
- 2 - Sketch Map

P11-12
SITE PROFILE

P11-12: REZONING OF .34+/- ACRES FROM R10 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3701 BOONE TRAIL, SUBMITTED BY DEBRA J. UNDERWOOD (BY POA) FOR BETTY J. UNDERWOOD ON BEHALF OF RUBY L. COTTLE HEIRS (OWNERS).

Site Information:

Frontage & Location: 100.00'+/- on SR 1148 (Boone Trail)

Depth: 150.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Residential

Initial Zoning: R10 – August 1, 1975 (Area 3)

Nonconformities: If approved, residential use & structure will become nonconforming

Zoning Violation(s): None

Surrounding Zoning: North: C1(P)/CU (2) {(to allow car wash) (to allow construction office)}, C1A (Fay), C1(P), C1 (Fay), R10, R6A & R6 (Fay); South: C(P)/CU (to allow motor vehicle repair), R6A/CU (to allow sewing business), C3, C(P), C2(P), C1(P), R10 & R6A; East: M2 (Fay), C(P), R10 & R6A; West: C1(P) & R10

Surrounding Land Use: Residential (including manufactured dwellings & multi-family), vacant commercial, office (3), motor vehicle washing, hairdressing, trade contractor (2), grocery store, religious worship & manufactured home parks (2)

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/ PWC

Soil Limitations: None

School Capacity/Enrolled: Mary McArthur Elementary: 400/505; Ireland Drive Middle (6): 340/362; Douglas Byrd Middle (7-8): 600/709; Douglas Byrd High: 1,280/1,282

Subdivision/Site Plan: If approved, site plan required for any change-in-use or new construction

Municipal Influence Area: City of Fayetteville

Average Daily Traffic Count (2008): 8,500 on SR 1148 (Boone Trail)

Highway Plan: Boone Trail is identified in the Highway Plan as a major thoroughfare. This proposal calls for a multi-lane facility (U-4761) with a right-of-way of 90 feet. Road Improvements are not included in the 2009-2015 MTIP

Notes:

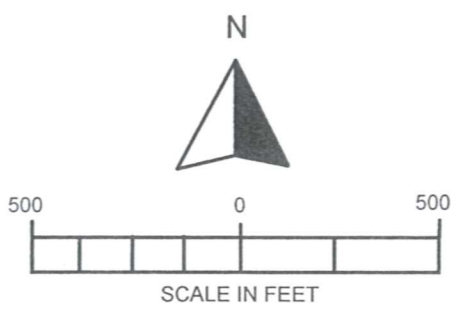
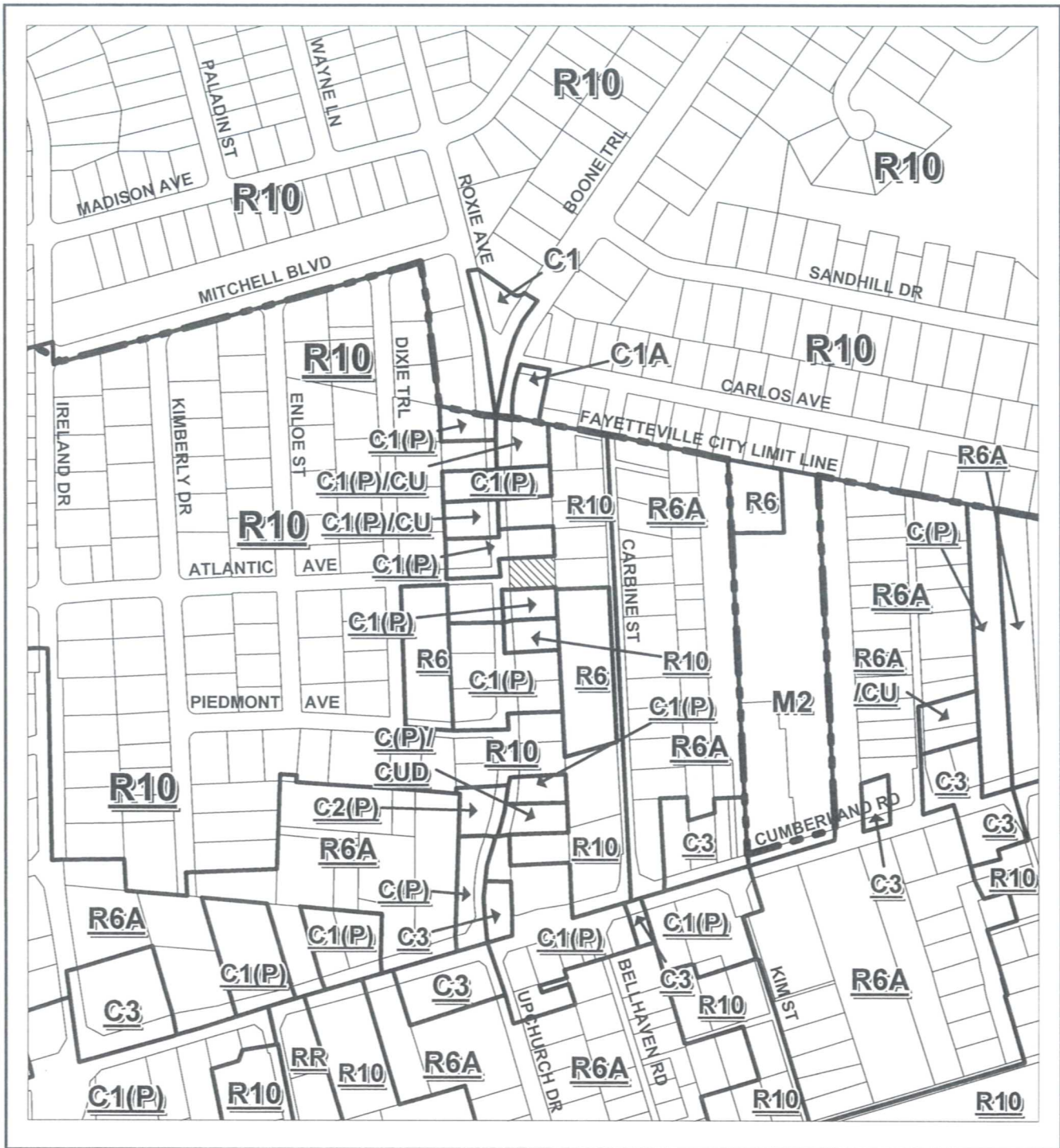
1. Density:
R7.5 – 2 lots/units

2. Minimum Yard Setback Regulations:

<u>R7.5</u>	<u>C1(P)</u>
Front yard: 30'	Front yard: 45'
Side yard: 10'	Side yard: 15'
Rear yard: 35'	Rear yard: 20'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' acknowledgement of notice is also included in the case file.



REQUESTED REZONING R10 TO C1(P)

ACREAGE: 0.34 AC.+/-	HEARING NO: P11-12	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0416-91-5312

Lori Epler,
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MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for April 19, 2011 Board Meeting

P11-16: REZONING OF 10.08+/- ACRES FROM R10 RESIDENTIAL TO R7.5 RESIDENTIAL/CUD CONDITIONAL USE DISTRICT FOR A "NON-PROFIT" RECREATION/AMUSEMENT FACILITY, INDOOR AND OUTDOOR AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1115 (BLACK BRIDGE ROAD), WEST OF SHADY PINE COURT; SUBMITTED BY THURSTON AND CHARLOTTE ROBINSON (OWNERS) AND WILLIAM A. BIDDIX. (COUNTY & HOPE MILLS)

The Planning & Inspections Staff recommends approval of the requested rezoning to R7.5 Residential/CUD Conditional Use District [R7.5/CUD] for a non-profit indoor and outdoor recreation/amusement facility, based on the following:

1. The request is consistent with the 2030 Growth Vision Plan which calls for "urban" development in this area and is consistent with the location criteria of the Land Use Policies Plan;
2. The request is reasonable in that, if approved, the use will provide a valuable alternative source of organized recreation for the citizens in the community; and
3. The requested district and use is compatible with the immediate adjacent use.

The Planning & Inspections Staff also recommends approval of the Conditional Use Permit, based on the following:

1. The use will not materially endanger the public health or safety if located according to the plan as submitted, the proposal, subject to the attached "Ordinance Related Conditions," meets or exceeds the minimum standards of the development ordinances;

2. The use will meet all required conditions and specifications if developed according to the site plan, application and the attached “Ordinance Related Conditions”;
3. The use will maintain or enhance the value of adjoining or abutting properties in that the property is currently vacant and if constructed as proposed and conditioned, will provide a valuable resource for the community; and
4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general will be developed in conformance with the development ordinances and adopted planning policies.

There are no other suitable zoning districts to be considered for this request.

The property owner has voluntarily agreed to this staff recommendation and all attached “Ordinance Related Conditions.”

Attachments:

- 1 – Site Profile
- 2 – Rezoning Sketch Map
- 3 – Site Plan
- 4 – Ordinance Related Conditions
- 5 - Application

P11-16
SITE PROFILE

P11-16: REZONING OF 10.08+/- ACRES FROM R10 RESIDENTIAL TO R7.5 RESIDENTIAL/CUD CONDITIONAL USE DISTRICT FOR A “NON-PROFIT” RECREATION/AMUSEMENT FACILITY, INDOOR AND OUTDOOR AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1115 (BLACK BRIDGE ROAD), WEST OF SHADY PINE COURT; SUBMITTED BY THURSTON AND CHARLOTTE ROBINSON (OWNERS) AND WILLIAM A. BIDDIX. (COUNTY, HOPE MILLS)

Site Information:

Frontage: 625.63’+/- on SR 1115 (Black Bridge Road)

Depth: 1457.04’+/-

Jurisdiction: Cumberland County & Town of Hope Mills

Adjacent Property: No

Current Use: Vacant

Initial Zoning: R10 – November 17, 1975 (Area 4); Northwest portion annexed by Hope Mills 03/01/99 – initially zoned to R10 May 17, 1999

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR, R10, R6 & R5A; South, East & West: RR & R10

Surrounding Land Use: Residential (including manufactured dwellings and multi-family), religious worship, & woodlands

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: Yes, hydric – JT Johnston loam

School Capacity/Enrolled: Rockfish Elementary: 725/790; Hope Mills Middle: 740/734; South View High: 1,800/1,848

Subdivision/Site Plan: If approved, “Ordinance Related Conditions” apply

Municipal Influence Area: Town of Hope Mills (County Portion)

Average Daily Traffic Count (2008): 8,800 on SR 1115 (Black Bridge Road)

Highway Plan: Black Bridge Road is identified in the Highway Plan as a major thoroughfare. The Plan calls for widening to a multi-lane facility (4 lanes). This is a priority # 1 in the highway portion of the LRTP

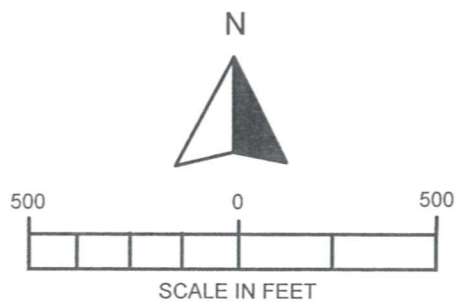
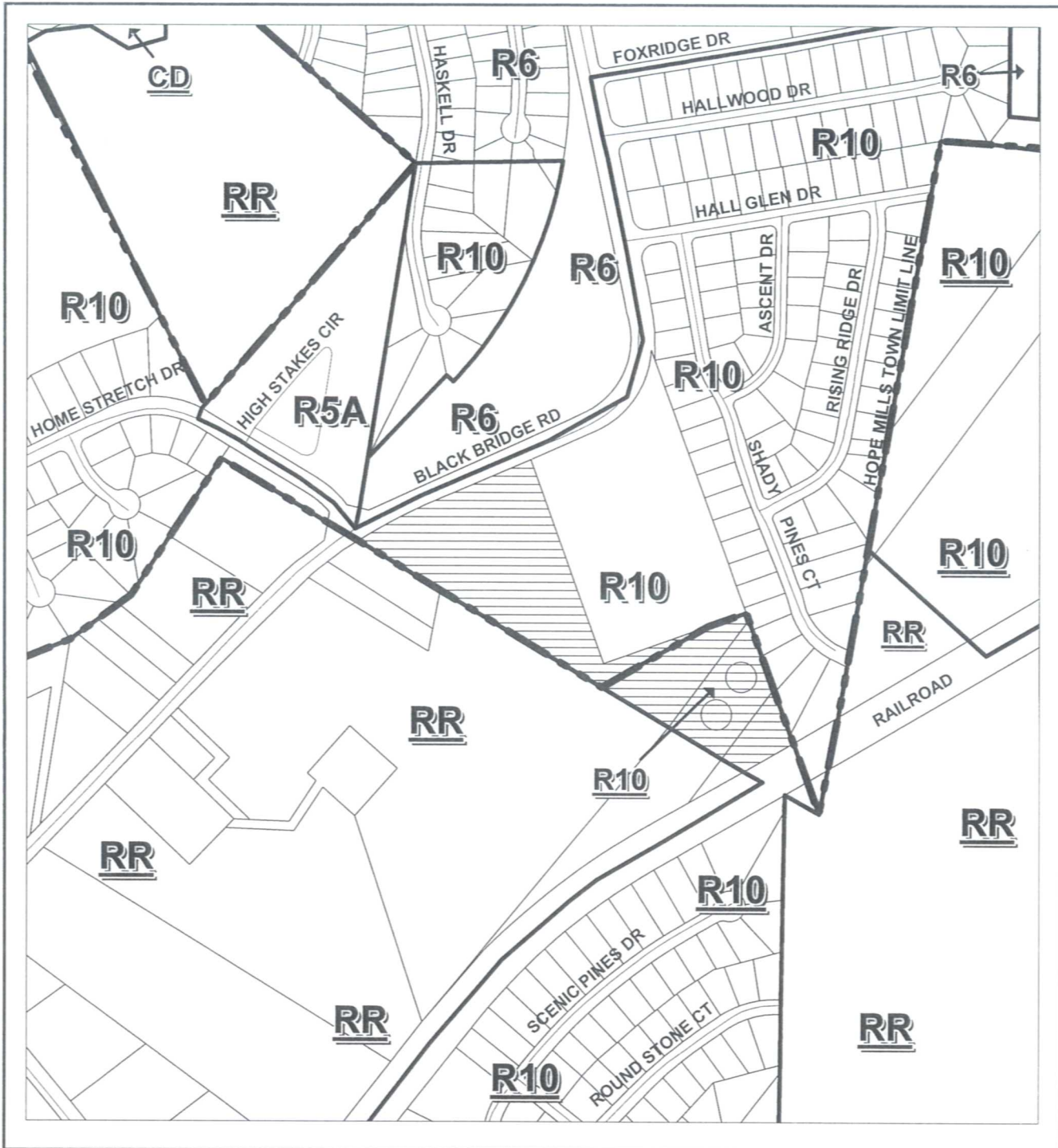
Notes:

1. Density: Density minus 15% for R/W:
R7.5 – 59 lots/units R7.5 – 50 lots/units

2. Minimum Yard Setback Regulations:
R7.5
Front yard: 30’
Side yard: 10’
Rear yard: 35’

First Class and Record Owners’ Mailed Notice Certification

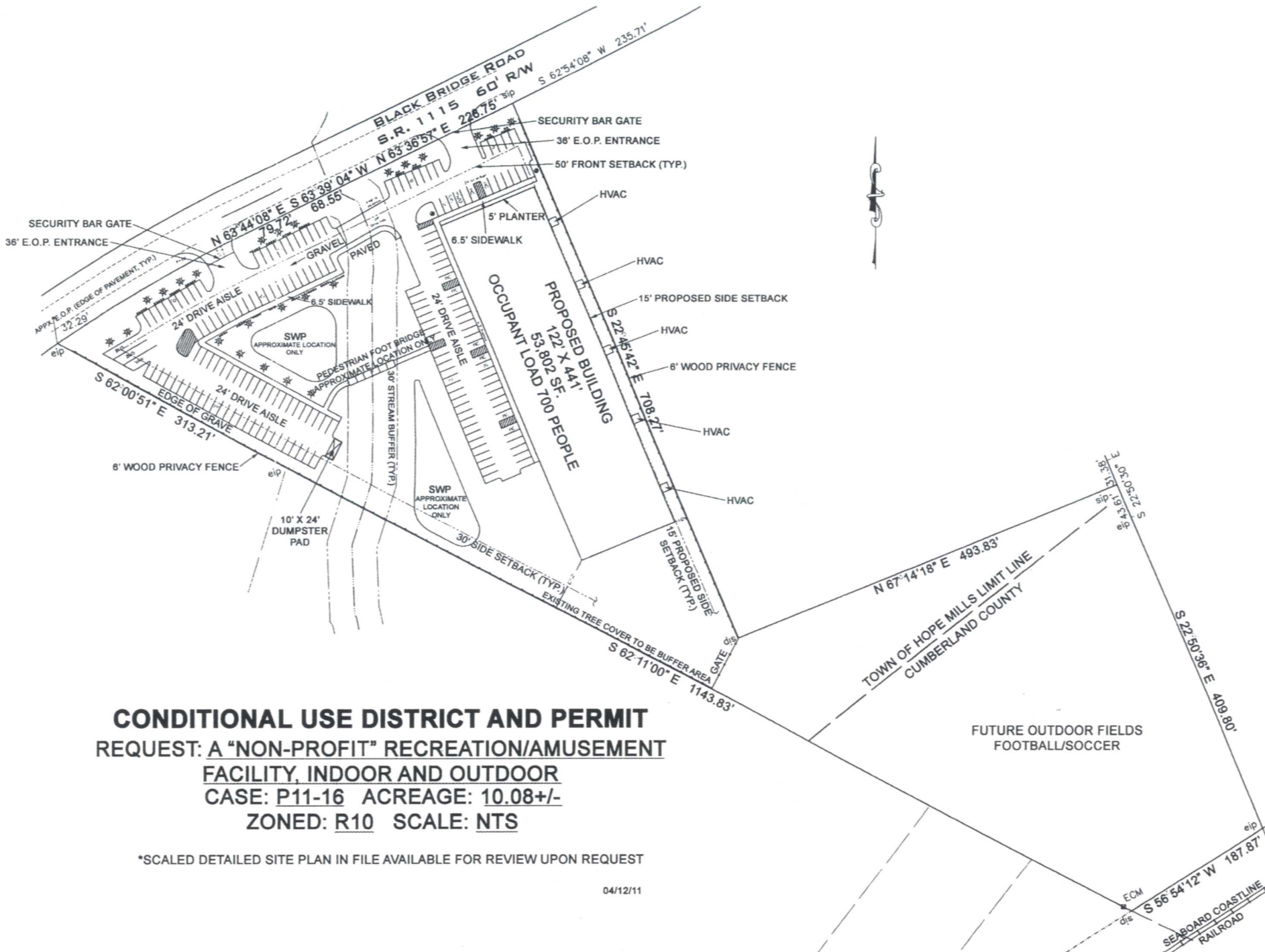
A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners’ acknowledgement of notice is also included in the case file.



PIN: 0403-87-0613, 5332

REQUESTED REZONING R10 TO R7.5/CUD

ACREAGE: 10.08 AC.+/-	HEARING NO: P11-16	
ORDINANCE: COUNTY & HOPE MILLS	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		



**CONDITIONAL USE DISTRICT AND PERMIT
 REQUEST: A "NON-PROFIT" RECREATION/AMUSEMENT
 FACILITY, INDOOR AND OUTDOOR
 CASE: P11-16 ACREAGE: 10.08+/-
 ZONED: R10 SCALE: NTS**

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

04/12/11

Conditional Use Permit Conditions

(Hope Mills and County Jurisdictions)

DRAFT

Ordinance Related Conditions

Pre- Permit Related:

1. The Town of Hope Mills has tree preservation provisions in their ordinance; the developer must contact Mike Bailey, Hope Mills Chief Building Inspector concerning the removal of trees from this site prior to obtaining a tree removal permit.

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Hope Mills Zoning Ordinance and permits required to place any structure within this development from the Hope Mills Inspections Department, in Town Hall at 5770 Rockfish Road. For additional information, the developer should contact a Town Inspector.
3. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to the Hope Mills Inspections Department at the time of application for building/zoning permits. (Section 86A-406 (1), Public Water and Sewer Systems Hope Mills Subdivision Ordinance)

Note: Due to an existing agreement between the PWC and the Town of Hope Mills, an annexation petition most likely will be required for the portion of the tract located in the County's jurisdiction prior to the PWC's review of any utility plans.

4. New development that will disturb one acre or more of land or is part of a larger common plan of development that will disturb one acre or more of land is subject to the Post-Construction Stormwater Management Permitting Program administered by the Hope Mills Stormwater Department. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site a copy of the Town's Stormwater Management Permit must be provided to the Town's Inspections Department.
5. For any new development, the developer must/may have to provide the Hope Mills Inspections Department with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
7. Landscaping must be provided in accordance with Section 102A-1202(n), Landscaping, Hope Mills Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - a. Thirteen large shade trees or 38 small ornamental trees within the front yard setback area;
 - b. Two small ornamental trees and 24 shrubs are required in the building yard area; and
 - c. Twelve large shade trees or 70 small ornamental trees are required within the parking area.

(Note: By retaining large existing trees, the developer can reduce the number of trees required for landscaping purposes.)

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
- b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.

8. An encroachment agreement from the Public Works Commission (PWC) must be provided to the Building Inspector at the time of permit application due to the apparent off-street parking area being located within a probable PWC utility easement.
9. A *Certificate of Occupancy* will not be issued until the Hope Mills Stormwater Department inspects the site and certifies that it has been developed in accordance with the approved drainage plans.
10. A *Certificate of Occupancy* will not be issued until a Hope Mills Zoning Inspector inspects the site and certifies that the site is developed in accordance with the approved plans.
11. A review of the data available to the Army Corp of Engineers indicates that jurisdictional waters are likely to be present on this property and therefore are likely to be impacted by the proposed project. However, without an official Jurisdictional Determination at the property, these findings cannot be confirmed.

A permit will be required for this project if construction will involve the temporary and/or permanent placement of fill in waters of the United States including wetlands. If a permit is required, the applicant will be required to avoid and minimize impacts to wetland/waters of the United States and may need to provide compensatory mitigation for unavoidable impacts.

Site-Related:

12. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision Ordinance and Zoning Ordinance for the R7.5 zoning district must be complied with, as applicable.
13. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan for staff review and approval is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIV of the Hope Mills Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.)
14. The small stream standards set forth in Section 86A-403(e)(2), Hope Mills Subdivision Ordinance, shall be complied with during construction and upon completion of development within this subdivision as enforced by the Hope Mills Inspections Department.
15. Reservation of 15 feet of right-of way along SR 1115 (Black Bridge Road) is required and the metes and bounds for the reservation must be reflected on any future site plans. The location of all improvements, required or otherwise, and all building setback lines are to be measured from the ultimate right-of-way line.
16. A concrete, or other approved surface material, sidewalks are required to be constructed along SR 1115 (Black Bridge Road). (Section 86A-405, Sidewalks, Hope Mills Subdivision Ordinance)
17. A drainage permit from the Town of Hope Mills Stormwater Department is required for any development or redevelopment that will construct, alter, repair, relocate, or demolish any storm sewer natural watercourse, or other drainage facility. The standards used for the design and construction of all stormwater drainage structures and/or stormwater BMP facilities shall be in accordance with the "Town of Hope Mills Stormwater Design Standards", the Design Manual, and shall be subject to the requirements of Chapter 67 Article III.
18. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 86A-406(c), Underground utilities required, Hope Mills Subdivision Ordinance)
19. The owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
20. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Town Inspections Department at the time of application for building/zoning permits.

The developer is encouraged to consider re-locating the western driveway so that it is more closely aligned with the intersection of Home Stretch Drive to facilitate the possibility of a future stop light at that intersection.

21. Turn lanes may be required by the NC Department of Transportation (NCDOT).
22. The security gates at the entrance must be set back from the right-of-way enough distance so that no motor vehicle is stopped on SR 1115 (Black Bridge Road) while awaiting the opening of the gates.
23. All lighting is required to be directed internally within this development and comply with the provisions of Section 102A-1202(m), Outdoor Lighting, Hope Mills Zoning Ordinance.
24. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts residentially zoned properties in accordance with the provisions of Section 102A-1202(g), Buffer Requirements, Hope Mills Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
25. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
26. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. A minimum of 175 off-street parking spaces are required for this development. (Section 102A-1302, Off-street parking, Hope Mills Zoning Ordinance.)
27. Lateral access to the religious worship facility property must be provided. The developer is required to extend the parking drive area on the northeast side so that it is flush with the property line, thus allowing for possible future connectivity between the two tracts.

Other Related Conditions:

28. The applicant is advised to consult an expert on wetlands before proceeding with any development.
29. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
PWC:	Heidi Maly	223-4737
Town of Hope Mills:		424-4555*
Town Clerk:	Melissa Adams	
Chief Building Inspector:	Mike Bailey	
Stormwater Administrator:	Melanie Clerkley	
Zoning Inspector:	Jeff Wade	
Corp of Engineers (wetlands):	Crystal C. Amschler	(910) 251-4170
NCDENR (E&S):	Sally Castle	433-3300
Location Services, Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
Transportation Planning:	Bobby McCormick	678 7632

*This is the main telephone number for the Town of Hope Mills; once connected, the caller will be directed to the various departments.

TO THE BOARD OF ADJUSTMENT, HOPE MILLS, NORTH CAROLINA:

I (We), the undersigned, hereby submit this application, and petition the Hope Mills Board of Adjustment to consider a request for a Special Use Permit. In support of this petition, the following facts are submitted:

1. Address/location of property to be rezoned: S. Black Bridge Rd, W Shady Pine Ct. J.H.
2. Parcel Identification Number (PIN) of property: 0403-87-0613
(also known as Tax ID Number or Property Tax ID)
3. Acreage: 10.08 Frontage (feet): 625.63 Depth (feet): 767'
4. Water Provider: Well _____ PWC Other (name) _____
5. Sewer Provider: Septic Tank _____ PWC Other (name) _____
6. Deed Book 0115, page 0197, Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
7. Existing use(s) of property: N/A
8. Proposed use(s) of the property: Non-profit basketball/volleyball recreation facility
9. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No
If yes, where? _____
10. Has a violation been issued on this property? Yes _____ No
11. It is proposed that the property will be put to the following use: (Describe proposed use/activity in detail including hours of operation, number of employees, signage, parking, landscaping, etc.) T.J. Robinson Life Center
Indoor basketball & volleyball courts for AAU teams. Host events monthly
with multiple out of town teams
Hours of operation: 6:00 am - 11:00 pm - Monday-Friday; 9:00 am - 10:00 pm - Saturday;
Closed on Sunday. Number of employees: 12 employees are projected during initial start up
Parking and landscaping as required

The County Planning Staff is available for advice on completing this application; however, they are not available for completion of the application.

TO THE ZONING BOARD AND THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS, HOPE MILLS, NORTH CAROLINA:

I (We), the undersigned, hereby submit this application, and petition the Hope Mills Board of Commissioners to amend and to change the zoning map of the Town of Hope Mills as provided for under the provisions of the Hope Mills Zoning Ordinance. In support of this petition, the following facts are submitted:

1. Request rezoning from R10 CR/Tr.
TO: (select one)
 Conditional Use District, with a companion zoning district of R10^{CR/} (Art. V) Tr.
 Mixed Use/Conditional Use District (Art. VI)
 Planned Neighborhood District/Conditional Use District (Art. VII)
 Density Development/Conditional Use District at the _____ density (Art. VIII)

If the area is a portion of an existing parcel, a written metes and bounds description of only that portion to be considered for rezoning, including the exact acreage, must accompany this application along with a copy of the recorded deed and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

2. Address/location of property to be rezoned: _____
3. Parcel Identification Number (PIN) of property: 0403-87-0613, 0403-87-5332
(also known as Tax ID Number or Property Tax ID)
4. Acreage: _____ Frontage (feet): _____ Depth (feet): _____
5. Water Provider: Well _____ PWC _____ Other (name) _____
6. Sewer Provider: Septic Tank _____ PWC _____ Other (name) _____
7. Deed Book _____, page _____, Cumberland County Register of Deeds. (Attach copy of deed of subject property as it appears in Registry).
8. Existing use(s) of property: _____
9. Proposed use(s) of the property (be specific): _____

10. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No _____
If yes, where? _____
11. Has a violation been issued on this property? Yes _____ No _____

The County Planning Staff is available for advice on completing this application; however, they are not available for completion of the application.

7. Acknowledgement:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rests with the petitioner. It is the responsibility of the petitioner (personally or by agent) to submit to the County Planning Department a valid request, not incompatible with existing neighborhood zoning patterns.

In order for the Hope Mills Zoning Board to offer a favorable recommendation, and for the Board of Commissioners to approve, any Conditional Use District and Permit, each board must find from the evidence presented at their respective hearing that:

- A. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;
- B. The use meets all required conditions and specifications;
- C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
- D. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Town's most recent Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all conditions proposed for the Conditional Use Permit.

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Charlotte Robinson / Thurston Robinson
Property owner(s)' name (print or type)

599 East Hc Rising Rd Fayetteville N.C. 28314
Complete mailing address of property owner(s)

910-860-8810
Telephone number

910-257-6539
Alternative telephone number

fancee599@yahoo.com
Email address

910-860-9820
FAX number

Charlotte Robinson
Owner's signature

Thurston Robinson
Owner's signature



William A Bidder

Agent, attorney, or applicant (other than property owner) (print or type)

PO Box 40 Hope Mills NC 28348

Complete mailing address of agent, attorney, or applicant

910 425 9444

Telephone number

910 850 1052

Alternative telephone number

Keystone wb1 cad.com

Email address

910 423 7987

FAX number

William A Bidder

Agent, attorney, or applicant's signature (other than property owner)

- * **ALL record property owners must sign this petition.**
- * **Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.**

**HOPE MILLS ZONING ORDINANCE
CONDITIONAL USE DISTRICT AND PERMIT
FEE SCHEDULE**

REQUESTED ZONING DISTRICTS ¹	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100+ ACRES
CONDITIONAL USE DISTRICTS ² RESIDENTIAL DD/CUD	\$400	\$500	\$600	\$800
CONDITIONAL USE DISTRICTS ² NON-RESIDENTIAL PND/CUD MXD/CUD	\$600	<u>\$700</u>	\$800	\$1,000

1 If more than one zoning district is requested in the same application, the highest fee for the district requested will apply.
 2 If a general rezoning is requested and based on recommendations of the Zoning Board or Hope Mills Commissioners, the applicant desires to submit a Conditional Use District and Permit application; the original application fee will be credited towards the Conditional Use District and Permit application fee.

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



COUNTY of CUMBERLAND

Planning & Inspections Department

April 12, 2011

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning and Inspections Staff

SUBJECT: Staff Recommendation for the April 19, 2011 Board Meeting

P11-17: REZONING OF .74+/- ACRES FROM R20 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7162 ROCKFISH ROAD, SUBMITTED BY ANDREW F. AND RANDAYLE C. MCMILLAN (OWNERS).

The Planning and Inspections Staff recommends denial of the C1(P) Planned Local Business district for this request based on the following:

1. The request for C1(P) Planned Local Business is not consistent with the location criteria for "light commercial", as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan specifically due to the immediate surrounding properties being predominately residential; and
2. The request is not reasonable because approval of the request will promote strip commercial development along Rockfish Road, encroaching into an area that is primarily residential.

There are no other zoning districts to be considered suitable for this request.

Attachments:

- 1 - Site Profile
- 2 - Sketch Map

P11-17
SITE PROFILE

P11-17: REZONING OF .74+/- ACRES FROM R20 RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 7162 ROCKFISH ROAD, SUBMITTED BY ANDREW F. AND RANDAYLE C. MCMILLAN (OWNERS).

Site Information:

Frontage & Location: 250.00'+/- on SR 1112 (Rockfish Road)

Depth: 186.48'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 dwelling

Initial Zoning: R10 – February 6, 1976 (Area 5); rezoned to R20 on July 16, 2001

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North & East: R10; South: C2(P) & RR; West: MXD/CUD & R20

Surrounding Land Use: Residential (including manufactured dwellings), school, shopping center, religious worship, farmland & woodlands

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/ PWC

Soil Limitations: Yes, hydric – TR Torhunta and Lynn Haven soils

School Capacity/Enrolled: Stoney Point Elementary: 900/684; John Griffin Middle: 1,340/1,256; Jack Britt High: 1,870/1,834

Subdivision/Site Plan: If approved, site plan review and approval required

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2008): 11,000 on SR 1112 (Rockfish Road)

Highway Plan: Rockfish Road is identified in the highway plan as a major thoroughfare. This proposal calls for a multi-lane facility with a right-of-way of 90 feet. Road improvements are included in the 2009-2015 MTIP

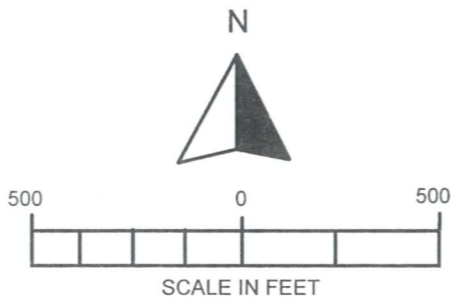
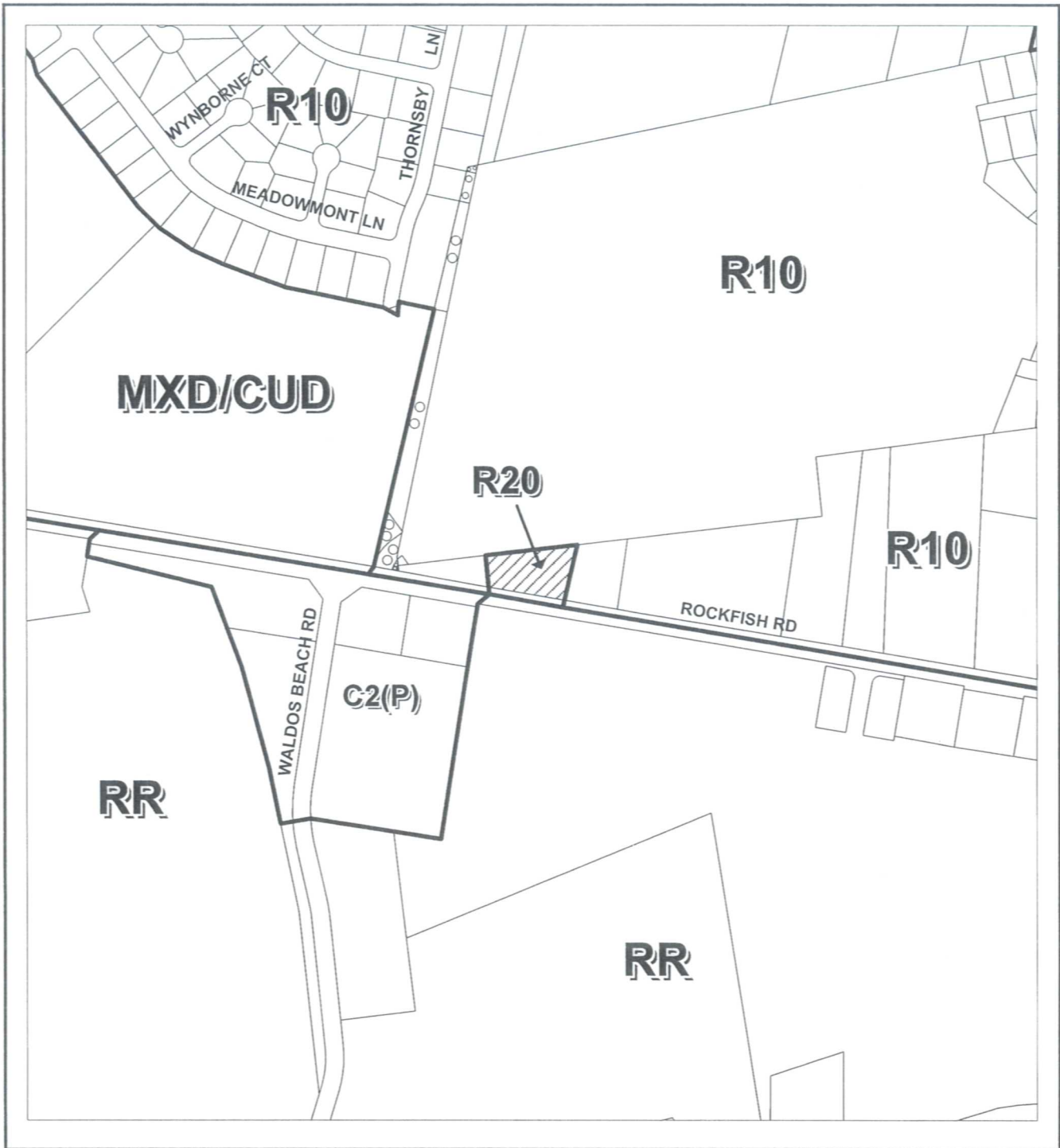
Notes:

1. Density:
R20 – 2 lots/units

2. Minimum Yard Setback Regulations:
C1(P)
Front yard: 45'
Side yard: 15'
Rear yard: 20'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' acknowledgement of notice is also included in the case file.



REQUESTED REZONING R20 TO C1(P)

ACREAGE: 0.74 AC.+/-		HEARING NO: P11-17	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 9494-87-2795

10-068
SITE PROFILE

CASE NO. 10-068. CONSIDERATION OF THE LOUIS A. & DEANNA H. FULCHER IV PROPERTY; REQUEST FOR A WAIVER FROM MANDATORY REQUIREMENT FOR CONNECTION TO PUBLIC WATER, COUNTY SUBDIVISION ORDINANCE, SECTION 2306 A.1.B UTILITIES; ZONED: A1; TOTAL ACREAGE: 2.28+/-; LOCATED AT 11319 DUNN ROAD; SUBMITTED BY LOUIS A & DEANNA H FULCHER IV (OWNERS).

Summary of Request

The developer is requesting a waiver from the requirement to connect to the existing public water system – see Condition No. 3 of the attached Conditions of Approval. The existing water line is located within the right-of-way of US HWY 301 (Dunn Road) and is owned by the Town of Falcon. The subject property was part of a two lot subdivision approved on July 1, 2010 and is a flag lot which has the minimum of 20 feet of road frontage along US HWY 301 (Dunn Road). The combined total acreage is 34.17 +/-.

Site Information:

Frontage & Location: 20.00'+/- along US HWY 301 (Dunn Road)

Depth: Average 860.00'+/- (average)

Jurisdiction: Cumberland County

Municipal Influence Area (MIA): N/A

Adjacent Property: Yes the land that surrounds subject property

Nonconformities: None

Water & Sewer: Town of Falcon / Septic

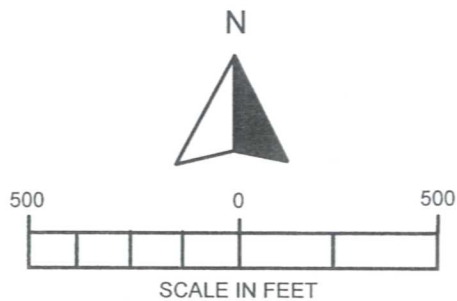
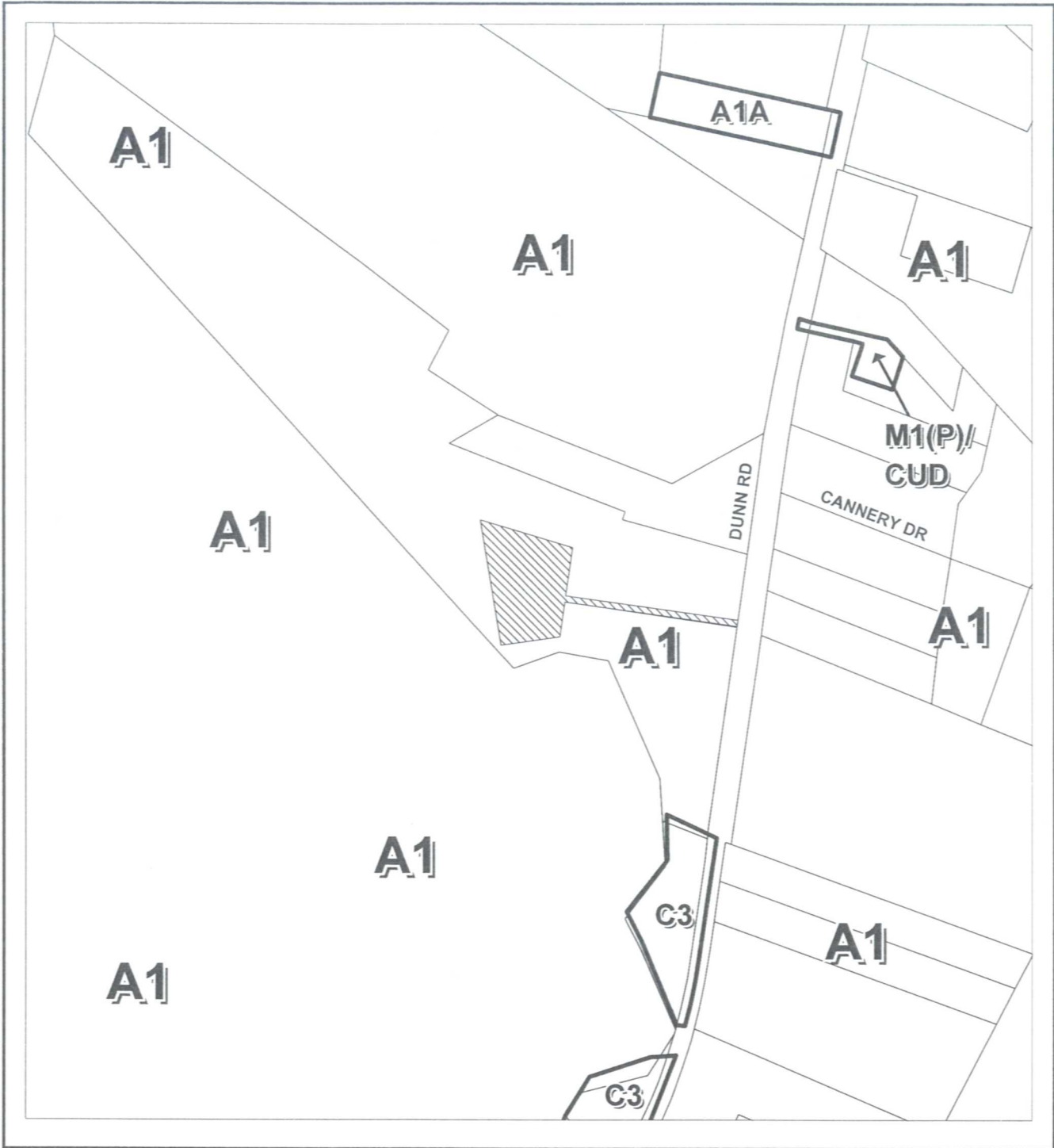
Special Flood Hazard Area (SFHA): No

Applicable County Subdivision Ordinance Provisions

Section 2302 UTILITIES, A.1.b, Connection to public water and sanitary sewer required. Where any portion of a subdivision or other development submitted for approval under the terms of this ordinance or the County Zoning Ordinance proposes two to ten lots or units is within 300 feet of public water or sewer, the public utilities shall be extended. Where any portion of ten to twenty lots or units is within 500 feet of public water or sewer, the public utilities shall be extended. For more than twenty lots or units proposed within the Sewer Service Area and/or and where density is greater than two lots or units per acre, the extension of public water and sewer services is required. Sanitary sewer service outside of the Sewer Service Area requires approval in accordance with the terms of any interlocal agreement officially adopted by the Board of Commissioners.

Attachments

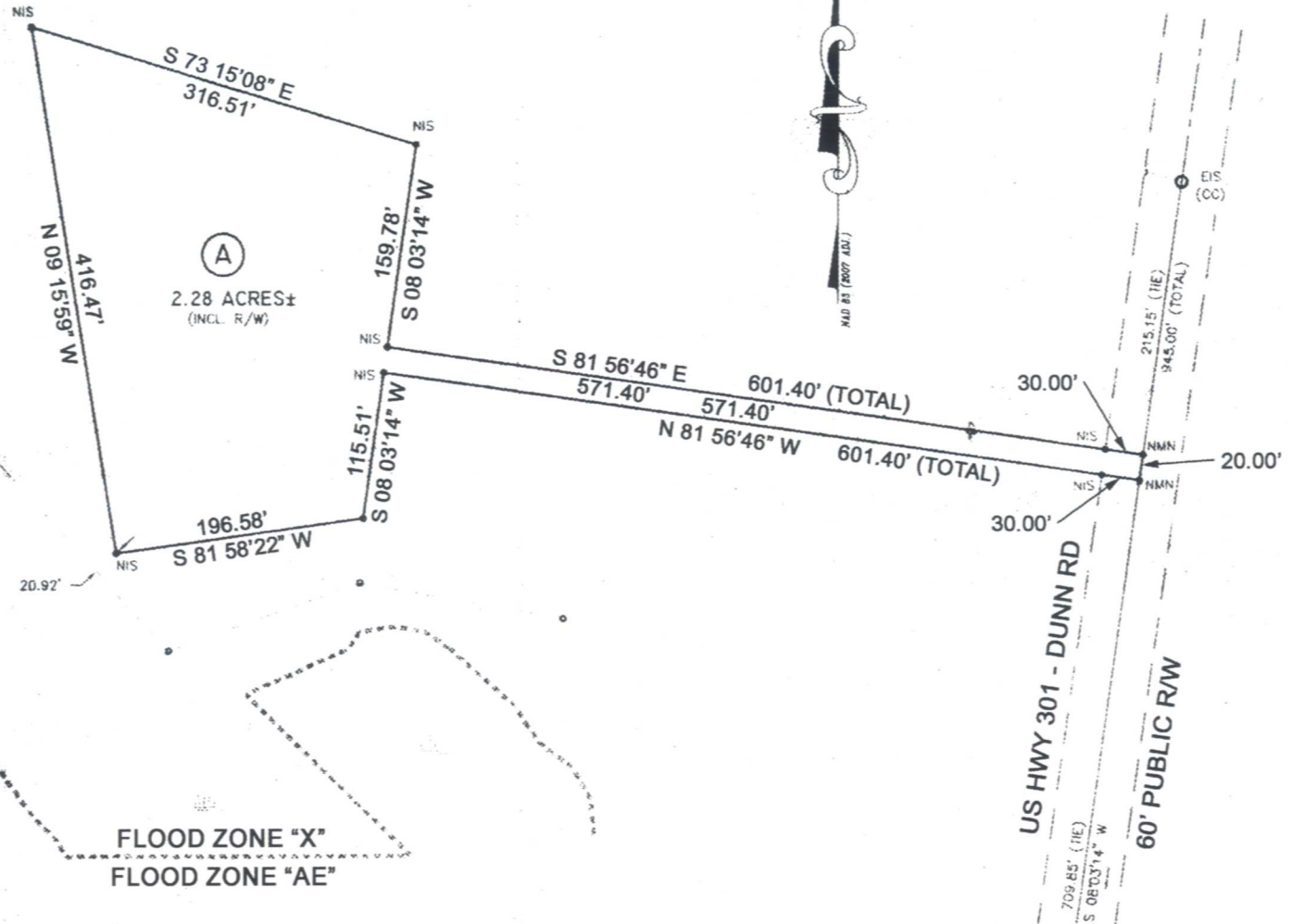
- 1 - Sketch Map
- 2 - Subdivision Sketch
- 3 - Aerial Photo with water lines
- 4 - Application for Waiver
- 5 - Conditions of Approval



COUNTY SUBDIVISION ORDINANCE WAIVER

ACREAGE: 2.28 AC.+/-	HEARING NO: 10-068	
ORDINANCE: COUNTY	HEARING DATE	ACTION
GOVERNING BOARD		

RHODES POND



LOUIS A. & DEANNE H. FULCHER IV SUBDIVISION REVIEW

REQUEST: A WAIVER FROM CONNECTION TO PUBLIC WATER

CASE: 10-068 ACREAGE: 2.28+/-

ZONED: A1 SCALE: NTS

*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST



**AERIAL PHOTO
CASE NO: 10-068**



**TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD,
FAYETTEVILLE, NORTH CAROLINA:**

I (We), the undersigned, hereby submit this application, and petition the Cumberland County Joint Planning Board to waive [vary] certain adopted provisions of the County's Subdivision Ordinance as specified below and provided for under the terms of the Subdivision Ordinance. In support of this petition, the following facts are submitted:

LOCATION OF PROPERTY: West side of US HWY 301 (Dunn Rd)

OWNER: Louis and Deanna Fulcher

ADDRESS: 1319 Dunn Rd., Godwin, N.C. ZIP CODE: 28344

TELEPHONE: HOME (910) 980-0887 WORK (910) 818-2252

AGENT: _____

ADDRESS: _____

TELEPHONE: HOME _____ WORK _____

**APPLICATION FOR A WAIVER [VARIANCE]
As required by the Subdivision Ordinance**

A. Parcel Identification Number (PIN #) of subject property: 1504-50-4124-
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 2.28 Frontage: 20' Depth: 917.51'

C. Water Provider: Town of Falcon

D. Septage Provider: Conventional / Septic

E. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing and/or proposed use of property: _____

G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:

2306B Not to connect to existing Town of Falcon Water System

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

Home is being built 720' from Town of Falcon Water Source

Owner is installing Geo Thermal Heating and Air System which will use an estimated million gallons of water per year

Owner concerned about water pressure

Estimated cost to install conduit from house to road and install water meter \$9,500.00

STATEMENT OF ACKNOWLEDGEMENT

Regarding appearance before the Joint Planning Board, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
• The board will hear any and all arguments for and against this matter before them and such relevant facts will be given under sworn testimony;
• At the public hearing the board has the authority to issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
• If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case.
• If the board's action is to deny the matter before them, the course of appeal to the decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from date of proper notification in which to serve notice of appeal).

Signed acknowledgement that the County Planning & Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above and that the application is complete and accurate.

[Handwritten signature of Louis A. Fulcher, IV]

[Handwritten signature of Deanna H. Fulcher]

Property owner(s)' signature(s)

Louis A. Fulcher, IV

Deanna H. Fulcher

Property owner(s)' name (print or type)

P.O. Box 85, Godwin, N.C. 28344

Complete mailing address of property owner(s)

(910) 818-2252

(910) 483-7772

Telephone number

Alternative telephone number

louis@fulcherelectric.com

(910) 483-5651

Email address

FAX number

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



COUNTY of CUMBERLAND
Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

STAFF REVIEW: 07-01-10 PLANNING BOARD DECISION: N/A

CASE NO: 10-068 NAME OF DEVELOPMENT: LOUIS FULCHER PROPERTY

MIA: N/A SUBDIVISION REVIEW

LOCATION: WEST SIDE OF US HWY 301 (DUNN ROAD), ZONING: A1

SOUTH OF THE HARNETT COUNTY LINE PIN: 1504-40-7761-

OWNERS / DEVELOPER: LOUIS FULCHER ENGINEER OR DESIGNER: GEOGRAPHIC SOLUTIONS

PLANNING & INSPECTIONS DEPARTMENT ACTION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

PLANNING BOARD DECISION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

The development plat/plan you submitted to this office is conditionally approved. Your approval is subject to the following conditions:

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. The County Health Department must approve sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Section 2306 A, Water and Sewer, County Subdivision Ordinance)
3. Connection to public water is required, the Town of Falcon must approve water plans prior to application for any permits. A copy of the Town of Falcon's approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems County Subdivision Ordinance)
4. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
5. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by

the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.

6. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
7. The *Special Flood Hazard Area* (SFHA) exists on the parent tract; any development within SFHA must have first flood elevations, including all mechanical and electrical equipment above base flood elevation (BFE) plus two feet of freeboard. Proper flood plain development permits are required, issued by the County Engineer, prior to any building/permit application. A copy of the approved flood plain permit must be provided to Code Enforcement at the time of building/zoning permit applications for the parent tract.

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the A1 zoning district must be complied with, as applicable.
9. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
10. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
11. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
12. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.

Plat-Related:

13. Prior to submission for final plat approval, a fire hydrant must be installed along US HWY 301 (Dunn Road); hydrants must be located no further than 1,000 feet apart and at a maximum of 500 feet from any lot. (Section 2306 B, Fire hydrants, County Subdivision Ordinance) (Note: The developer is required to install a fire hydrant within 500 feet of Lot 3B and must call Jeff Barnhill for a visual inspection prior to submission for final plat approval.)
14. The parent tract of the proposed development is located in a Special Flood Hazard Area (SFHA). If the parent tract is to be reflected on the final plat, the final plat must show the limits of the SFHA; information may be obtained from the County Engineer's office or the Federal Emergency Management Agency's (FEMA) website at www.ncfloodmaps.com. Any development within the SFHA is subject to the requirements of the County Flood Damage Prevention Ordinance administered by the County Engineering Department.
15. Prior to final plat approval of any portion of this development, the developer is required to submit a check or cash in the amount of \$37.09 (one lot) payable to "Cumberland County". This condition is in accordance with Section 2308, Parks, Recreation and Open Space, County Subdivision Ordinance, which requires every residential dwelling unit to provide a portion of land, in certain instances, or pay a fee in lieu of dedication, for the purposes of providing park, recreation and open space areas. (Park District # 1)

16. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
17. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
18. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision Ordinance)
19. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2502 B, C, or D, Final Plat – Guarantees of Improvements, Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.)
20. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statements:

21. Since this development does not have public sewer, the following disclosure statement is required to be provided on the final plat (Section 2504 C, On-Site Water and/or Sewer Discloser, County Subdivision Ordinance):

“The individual lots in this development do not have public sewer services available, and no lots have been approved by the Health Department for on-site sewer services at the date of this recording.”

22. All structures shall be shown on the final plat or the final plat shall reflect the following statement (Section 2504 D, County Subdivision Ordinance):

“Nonconforming structures have not been created by this subdivision.”

Advisories:

23. The applicant is advised to consult an expert on wetlands before proceeding with any development. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands and the permit must be obtained prior to any construction on this site.
24. An internal street system most likely will be required by the NC Department of Transportation (NCDOT) to serve any future divisions of the parent tract.
25. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.

Other Relevant Conditions:

26. The owner/developer be aware that every deed created for a lot being served by an on-site sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public sewer services are not available as of the date of the recording of this deed. On-site sewer disposal systems must be approved by the County Health Department.”

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Improvements Inspection:	Jeff Barnhill	678-7765
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Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Engineer's Office:	Wayne Dudley	678-7636
County Health Department:	Daniel Ortiz	433-3680
Ground Water Issues:	Matt Rooney	678-7625
Town of Falcon:	Belinda White (Town Clerk)	980-1355
County Public Utilities/NORCRESS:	Tom Cooney	678-7682
Corp of Engineers (wetlands):	Crystal C. Amschler	251-4170
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

cc: Belinda White, Town of Falcon

OFFICIAL PRELIMINARY STAMP
 CUMBERLAND COUNTY
 CASE NO: **10-068**

THIS PLAN APPROVED BY THE CUMBERLAND COUNTY PLANNING &
 INSPECTION DEPARTMENT ON: **07-01-10**

COMMENTS: SUBJECT TO CONDITIONS

I CERTIFY THAT THIS PLAN HAS BEEN APPROVED BY THE CUMBERLAND
 COUNTY PLANNING & INSPECTIONS DEPARTMENT AS DRAWN HEREON
 AND MAY BE USED FOR ANY OFFICIAL PURPOSE AS PERMITTED BY LAW.
 THIS APPROVAL IS VALID UNTIL: **07-01-12**

Patricia S. Spicher **GB**
 SUPERVISOR, LAND USE CODES