

Walter Clark,  
Chair  
Cumberland County

Patricia Hall,  
Vice-Chair  
Town of Hope Mills

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



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Vikki Andrews,  
Diane Wheatley,  
Carl Manning,  
Cumberland County

Benny Pearce,  
Town of Eastover

Donovan McLaurin,  
Wade, Falcon & Godwin

**TENTATIVE AGENDA**

October 15, 2013

7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL/WITHDRAWAL
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF OCTOBER 1, 2013
- VII. JOINT PLANNING BOARD DEADLINE/MEETING SCHEDULE
- VIII. PUBLIC HEARING CONSENT ITEMS

**REZONING CASE**

- A. **P13-44. REZONING OF 2.56+/- ACRES FROM C(P)/CU PLANNED COMMERCIAL/ CONDITIONAL USE OVERLAY TO ALLOW A MANUFACTURED HOME PARK TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 104 THROUGH 116 TENNESSEE DRIVE, SUBMITTED BY JOSEPH T. STRICKLAND (OWNER). (COUNTY)**

**IX. PUBLIC HEARING ITEM**

- B. **SOUTHWEST CUMBERLAND DETAILED LAND USE PLAN**

THIS DRAFT PLAN PROVIDES THE LOCATION OF FUTURE LAND USES IN THE AREA AND WILL SERVE AS A GUIDE BY THE PLANNING BOARD, THE BOARD OF COUNTY COMMISSIONERS, AND THE HOPE MILLS TOWN BOARD FOR MAKING FUTURE LAND USE DECISIONS. THE PLAN COVERS AN AREA BOUNDED ON THE SOUTH BY ROBESON COUNTY, ON THE WEST BY HOKE COUNTY AND THE CITY OF FAYETTEVILLE, ON THE NORTH BY THE CITY OF FAYETTEVILLE AND ROCKFISH CREEK, ON THE EAST BY U.S. 301 SOUTH AND INTERSTATE 95, AND INCLUDES THE TOWN OF HOPE MILLS.

**X. PUBLIC HEARING CONTESTED ITEMS**

CONDITIONAL ZONING DISTRICT

- C. **P13-34.** REZONING OF 4.93+/- ACRES FROM C3 HEAVY COMMERCIAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2333 (CORPORATION DRIVE), NORTHEAST OF SR 2252 (CHICKEN FOOT ROAD); SUBMITTED BY CAROLYN R. GRANT (OWNER) AND JOSH STURTZ. (COUNTY)

XI. DISCUSSION

DIRECTOR'S UPDATE

XII. ADJOURNMENT

Walter Clark,  
Chair  
Cumberland County

Patricia Hall,  
Vice-Chair  
Town of Hope Mills

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



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

**2014**

**JOINT PLANNING BOARD**

**DEADLINE/MEETING SCHEDULE**

**Application Deadline**

**Meeting Date (Tuesdays)**

Wednesday, December 11, 2013

January 21, 2014 & February 4, 2014

Tuesday, January 14, 2014

February 18, 2014 & March 4, 2014

Wednesday, February 12, 2014

March 18, 2014 & April 1, 2014

Wednesday, March 12, 2014

April 15, 2014 & May 6, 2014

Tuesday, April 15, 2014

May 20, 2014 & June 3, 2014

Tuesday, May 13, 2014

June 17, 2014 & July 1, 2014

Tuesday, June 10, 2014

July 15, 2014 & August 5, 2014

Wednesday, July 16, 2014

August 19, 2014 & September 2, 2014

Tuesday, August 12, 2014

September 16, 2014 & October 7, 2014

Wednesday, September 17, 2014

October 21, 2014 & November 4, 2014

Tuesday, October 14, 2014

November 18, 2014 & December 2, 2014

Friday, November 7, 2014

December 16, 2014 & January 6, 2015

Thursday, December 11, 2014

January 20, 2015 & February 3, 2015

**NOTE: Deadlines are set 24 working days prior to the Board meeting date.**

Revised Oct 2013

Walter Clark,  
Chair  
Cumberland County

Patricia Hall,  
Vice-Chair  
Town of Hope Mills

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



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

October 8, 2013

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Vikki Andrews,  
Diane Wheatley,  
Carl Manning,  
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 October 15, 2013 Board Meeting

**P13-44.** REZONING OF 2.56+/- ACRES FROM C(P)/CU PLANNED COMMERCIAL/ CONDITIONAL USE OVERLAY TO ALLOW A MANUFACTURED HOME PARK TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 104 THROUGH 116 TENNESSEE DRIVE, SUBMITTED BY JOSEPH T. STRICKLAND (OWNER).

The Planning and Inspections Staff recommends approval of the C(P) Planned Commercial district for this request based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "urban fringe" at this location, as well as meeting all but one of the location criteria for "heavy commercial" development as listed in the Land Use Policies Plan – no public sewer available. However, this segment of Gillespie Street (I-95 Business/ US HWY 301) is designated as a Primary Business Street in the Land Use Policies Plan. (note: This parcel is located within the Fayetteville MIA thus sewer availability is forthcoming);
2. The C(P) Planned Commercial district is consistent with the zoning for adjacent property and the request will remove the conditional use overlay district allowing for a manufactured home park that is in the latter stages of shutting down;
3. The location and character of the district is reasonable and will be in harmony with the immediate surrounding area; and
4. Public water is available to the subject property.

The C1(P) and C2(P) districts could also be considered suitable for this request.

**Attachments:**

- 1- Site Profile
- 2- Sketch Map

**P13-44**  
**SITE PROFILE**

**P13-44.** REZONING OF 2.56+/- ACRES FROM C(P)/CU PLANNED COMMERCIAL/ CONDITIONAL USE OVERLAY TO ALLOW A MANUFACTURED HOME PARK TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 104 THROUGH 116 TENNESSEE DRIVE, SUBMITTED BY JOSEPH T. STRICKLAND (OWNER).

**Site Information:**

**Frontage & Location:** 341.21'+/- on SR 2273 (Gillespie Street)

**Depth:** 287.50'+/-

**Jurisdiction:** Cumberland County

**Adjacent Property:** Yes, northwest of subject property

**Current Use:** 4 manufactured dwellings & open storage

**Initial Zoning:** C(P) – March 15, 1979 (Area 6); rezoned to C(P)/CU for a manufactured home park on March 26, 1991

**Nonconformities:** Yes, the subject property's approved conditional use overlay district did not permit open storage

**Zoning Violation(s):** None

**Surrounding Zoning:** North: C(P), R10 & R6A; South: C(P), C1(P), RR, R20, R15, R10, PND & R5A; East: R6A; West: R10

**Surrounding Land Use:** Residential (including manufactured dwellings), tower, equestrian facilities, motor vehicle sales, truck terminal activities, retailing & woodlands

**2030 Land Use Plan:** Urban fringe

**Special Flood Hazard Area (SFHA):** None

**Water/Sewer Availability:** PWC/Septic

**Soil Limitations:** None

**School Capacity/Enrolled:** Alderman Road Elementary: 750/644; South View Middle: 900/713; South View High: 1,800/1,813

**Subdivision/Site Plan:** If approved, any new development will require review and approval

**Municipal Influence Area:** City of Fayetteville

**Average Daily Traffic Count (2010):** 19,000 on I-95 Business

**Highway Plan:** US 301/Bus 95 (Gillespie Street) is identified in the Highway Plan as a Major Thoroughfare. The plan calls for widening to a multi-lane facility

**Note:**

**Minimum Yard Setback Regulations:**

**C(P)**

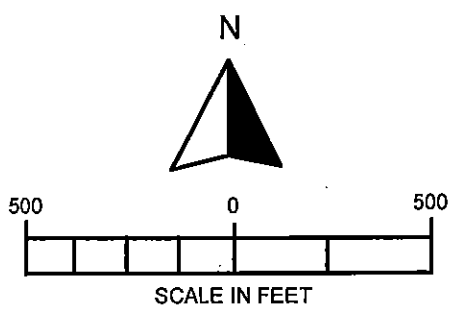
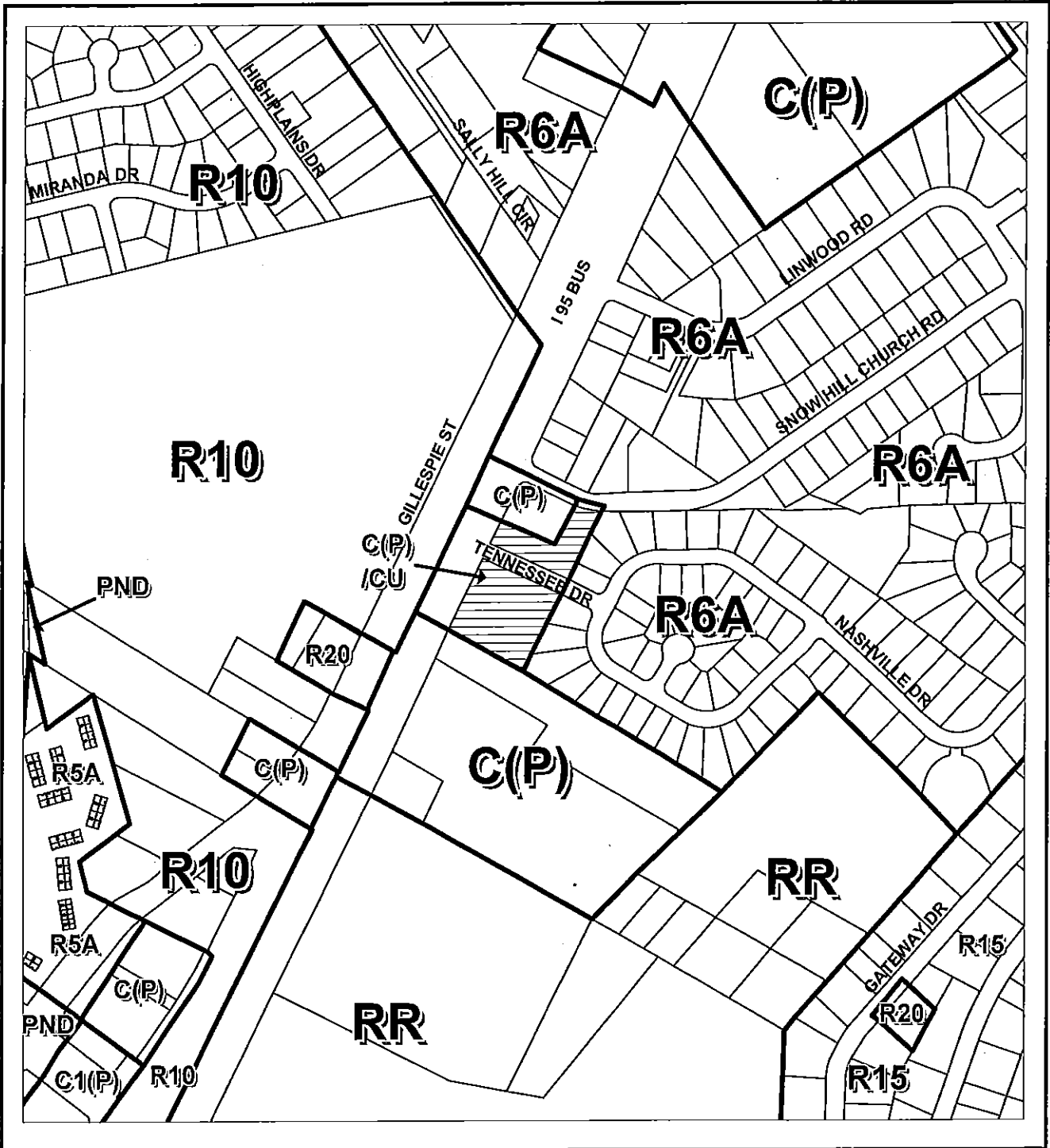
Front yard: 50'

Side yard: 30'

Rear yard: 30'

**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.*



## REQUESTED REZONING C(P)/CU TO C(P)

<b>ACREAGE: 2.56 AC. +/-</b>	<b>HEARING NO: P13-44</b>	
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>STAFF RECOMMENDATION</b>		
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

Walter Clark,  
Chair  
Cumberland County

Patricia Hall,  
Vice-Chair  
Town of Hope Mills

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



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

October 8, 2013

Thomas J. Lloyd,  
Director

Cecil P. Combs,  
Deputy Director

Vikki Andrews,  
Diane Wheatley,  
Carl Manning,  
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 the October 15, 2013 Board Meeting

**P13-34.** REZONING OF 4.93+/- ACRES FROM C3 HEAVY COMMERCIAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2333 (CORPORATION DRIVE), NORTHEAST OF SR 2252 (CHICKEN FOOT ROAD); SUBMITTED BY CAROLYN R. GRANT (OWNER) AND JOSH STURTZ.

On September 11, 2013 the property owner/applicant amended the original application and is now requesting your consideration of a favorable recommendation for a M(P) Planned Industrial/CZ Conditional Zoning district [M(P)/CZ] for an asphalt plant. The Planning & Inspections Staff recommends denial of the requested rezoning to M(P) Planned Industrial/CZ Conditional Zoning district for an asphalt plant based on the following:

1. Although the request is generally consistent with the 2030 Growth Vision Plan and location criteria of the Land Use Policies Plan, it is not consistent with the proposed Southwest Detailed Land Use Plan that is currently scheduled for the final public hearing process – the Southwest Area Plan calls for commercial at this location;
2. As evidenced by the request to vary the minimum zoning ordinance standards, specifically the required setbacks, the subject property is not suitable to accommodate the proposed use; and
3. The request for an asphalt plant specifically, and M(P) generally, is not reasonable considering the current endeavor by the Town of Hope Mills, Hope Mills Chamber and the area property owners, all of which are working in concert to ensure the properties in this immediate area are commercially developed in a coordinated manner to best serve the community as well as attracting interstate traffic.

There are no other zoning districts suitable as related to this request.

**Attachments:**

- 1 – Site Profile
- 2 – Rezoning Sketch Map
- 3 – Site Plan
- 4 – Draft Ordinance Related Conditions (only used if Board considers approval/property owner verbally agreed to all listed conditions)
- 5 – Application

**P13-34**  
**SITE PROFILE**

**P13-34.** REZONING OF 4.93+/- ACRES FROM C3 HEAVY COMMERCIAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 2333 (CORPORATION DRIVE), NORTHEAST OF SR 2252 (CHICKEN FOOT ROAD); SUBMITTED BY CAROLYN R. GRANT (OWNER) AND JOSH STURTZ.

**Site Information:**

**Frontage & Location:** 527.80'+/- on SR 2333 (Corporation Drive)

**Depth:** 412.11'+/-

**Jurisdiction:** Cumberland County

**Adjacent Property:** Yes, east of subject property

**Current Use:** Vacant woodlands

**Initial Zoning:** A1 – June 25, 1980 (Area 13); rezoned to C3 August 27, 1984

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North: C3, C(P) & RR; South: C(P), RR (Hope Mills) & A1; East: C3; West: C(P)

**Surrounding Land Use:** Residential (including manufactured dwellings), truck terminal activities, farmland & woodlands

**2030 Land Use Plan:** Urban

**Proposed Southwest Land Use Plan:** Heavy Commercial

**Special Flood Hazard Area (SFHA):** None

**Water/Sewer Availability:** PWC/ PWC

**Soil Limitations:** None

**School Capacity/Enrolled:** Gallberry Farm Elementary: 900/886; Gray's Creek Middle: 1,100/1,067; Gray's Creek High: 1,270/1,271

**Subdivision/Site Plan:** If approved, "Ordinance Related Conditions" apply

**Municipal Influence Area:** Town of Hope Mills

**Average Daily Traffic Count (2010):** 2,300 on SR 2333 (Corporation Drive)

**Highway Plan:** There are no road improvements/constructions specified for this area. This case has no impact on the current Highway Plan or Transportation Improvement Program

**Notes:**

1. **Minimum Yard Setback Regulations:**

<b><u>C(P) (C3)</u></b>	<b><u>M(P)</u></b>
Front yard: 50'	Front yard: 100'
Side yard: 30'	Side yard: 50'
Rear yard: 30'	Rear yard: 50'

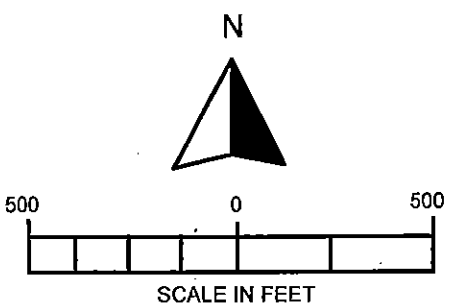
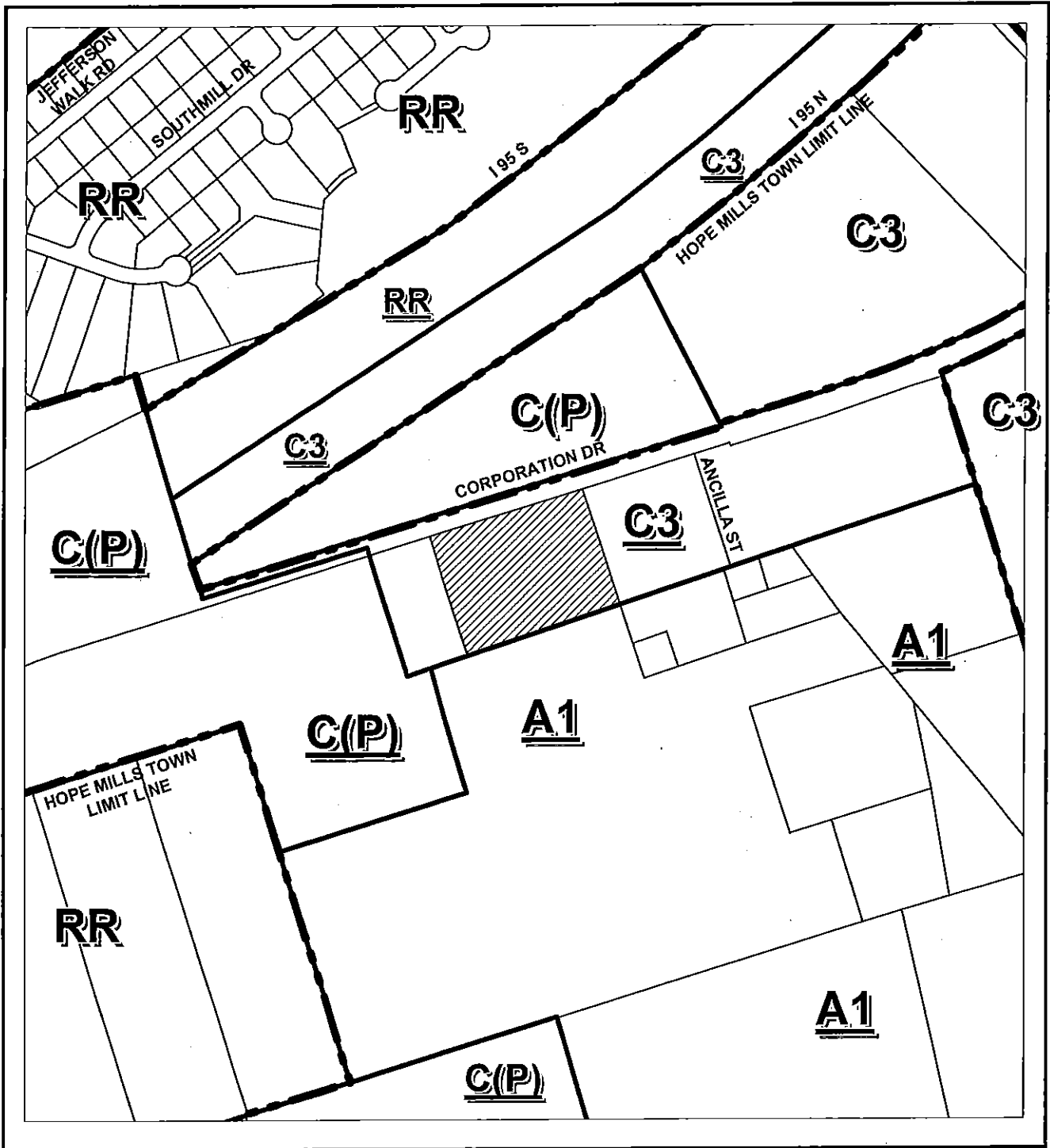
2. The proposed asphalt plant has a structure approximately 65 feet in height; Section 1101 of the County Zoning Ordinance states that for each one foot of height greater than 35 feet, the side and rear yard setbacks shall be increased by one foot.

**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.*



NOTE: IN AOD AREA



## REQUESTED REZONING C3 TO M(P)/CZ

<b>ACREAGE: 4.93 AC.+/-</b>	<b>HEARING NO: P13-34</b>	
<b>ORDINANCE: COUNTY</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>STAFF RECOMMENDATION</b>		
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

PIN: 0423-63-1007

9/12/13  
AM

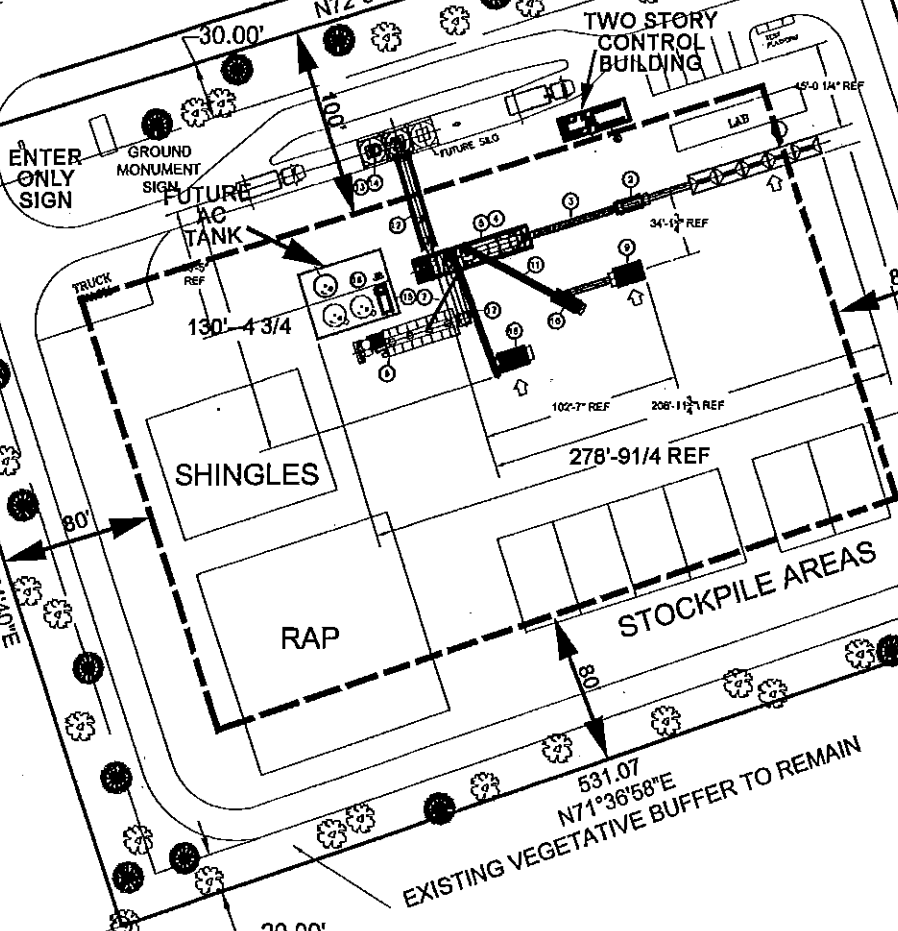


CORPORATION DRIVE (SR 2333)  
60' PUBLIC RIGHT OF WAY

EXISTING VEGETATIVE  
BUFFER TO REMAIN

SIDE AND REAR SETBACK  
1-1 ABOVE 35' IN HEIGHT

EXISTING VEGETATIVE  
BUFFER TO REMAIN



# CONDITIONAL ZONING

REQUEST: TO ALLOW AN ASPHALT PLANT

CASE: P13-34 ACREAGE: 4.93 AC +/-

SCALE: 1" = 100'

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

10/8/2013

**M(P) PLANNED INDUSTRIAL/CZ CONDITIONAL ZONING DISTRICT**  
**(Manufacturing and Recycling of Asphalt)**

DRAFT  
Ordinance Related Conditions

**Pre-Permit-Related**

1. Prior to application for any permits, three copies of a revised site plan must be submitted for staff review and approval and must address the following:
  - a. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
    - (1) Eleven large shade trees or 22 small ornamental trees within the front yard setback area along SR 2333 (Corporation Drive); and
    - (2) Five ornamental trees and 53 shrubs are required in the building yard area.

In addition:

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

Note: There is a \$25.00 review fee for revisions.

- b. The site plan must reflect compliance with all applicable yard setbacks as required by the County Zoning Ordinance. This requirement also applies to the stockpile/storage areas.

**Permit-Related:**

2. 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.
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 Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems, County Subdivision and Development Ordinance)

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

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. Prior to issuance of building permits and if lighting is required by the FAA, the applicant/developer/owner shall submit documentation from the FAA that the proposed lighting meets or exceeds the minimum lighting required by the FAA.
8. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.
9. Because the subject property is located within the Airport Overlay District and in the event that any proposed structure is greater than 200 feet in height from sea level, the developer will be required to provide a FCC Form 7460-1 to Code Enforcement at the time of permit application. This form must be acknowledged by the FCC that the structure is not a hazard or obstruction to air traffic.

**Site-Related:**

10. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the a1 zoning district must be complied with, as applicable. The contents of the application, supplemental material to the application and the site plan are considered a part of this conditional approval.
11. This conditional approval is not approval of the permit for the freestanding signs. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County 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.)
12. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
13. In the event a stormwater utility structure is required by the NC Department of Environment and Natural Resources (NCDENR), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
14. 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.
15. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
16. As written in the application and shown on the site plan, a solid buffer must be provided and maintained along the front, southwest side and the rear property lines where this tract/site abuts in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
17. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
18. All required off-street parking spaces shall be a minimum of 9' x 20'; a minimum of six off-street parking spaces are required for this development.

19. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
20. Noise generated by the use cannot substantially or detrimentally affect the ability of surrounding property owners to reasonably enjoy the use of their properties and shall not contradict those standards of Chapter 9.5, Article II, Cumberland County Code, entitled: Noise.

**Other Related Conditions:**

21. The applicant is advised to consult an expert on wetlands before proceeding with any development.
22. The subject property is located within the Town of Hope Mills Municipal Influence Area (MIA) and the town has tree preservation standards in their ordinances. The developer is encouraged to retain as many of the existing trees as possibly on this site.
23. 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.
24. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.
25. Because the subject property is located within the Airport Overlay District, the developer is strongly encouraged to discuss their development plans with Land Use Codes Section and/or the Fayetteville Regional Airport Director early in the planning stage to ensure that the proposed height of any proposed structure can be found to be no obstruction or hazard to air navigation.

*Thank you for choosing Cumberland County!*

**If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605 with the Land Use Codes Section; 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
Code Enforcement (Permits):	Ken Sykes	321-6654
County Building Inspections:	Gary Faulkner	321-6648
Fire Marshal – Emergency Services	Rodney Ward	321-6625
PWC:	Heidi Maly	223-4737
Town of Hope Mills:		424-4555*
Town Clerk:	Melissa P. Adams	
Chief Building Inspector:	Mike Bailey	
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
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

cc: Mike Bailey, Town of Hope Mills

**TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:**

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

1. Applicant/Agent JOHNSON BROTHERS UTILITY AND PAVING CO, INC.
2. Address: 1924 N. MAIN ST. LILLINGTON, NC Zip Code 27546
3. Telephone: (Home) \_\_\_\_\_ (Work) 910.893.8378
4. Location of Property: SOUTH SIDE OF CORPORATION DRIVE, EAST OF I-95
  
5. Parcel Identification Number (PIN #) of subject property: 0423-63-1007-  
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 4.93 ACRES Frontage: 527.42 Depth: 399.74
7. Water Provider: PWC
8. Septage Provider: PWC
9. Deed Book 5472, Page(s) 0506, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: VACANT
11. Proposed use(s) of the property: ASPHALT PLANT

**NOTE: Be specific and list all intended uses.**

12. It is requested that the foregoing property be rezoned FROM: C3

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of M.(P) *PI*  
(Article IV)
- Mixed Use District/Conditional Zoning District (Article VI)
- Planned Neighborhood District/Conditional Zoning District (Article VII)
- Density Development/Conditional Zoning District, at the \_\_\_\_\_ Density  
(Article VIII)

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

APPLICATION FOR  
CONDITIONAL ZONING

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Zoning. (Use of the underlying district will be restricted only to the use(s) specified in this application.)  
THE MANUFACTURING OF ASHALT (PAVING MATERIAL) AND THE RE-CYCLING OF SAME.
- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed, and the square footage of the non-residential units.  
THE ENTIRE ACREAGE (4.93)ACRES WILL BE USED FOR SAID USE.  
INCORPORATED INTO THAT PARCEL ARE OPEN SPACES AND RESERVED VEGETATION.

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks. *Deviation from dimensional requirements requested.*  
PROPOSED SETBACKS:
- |                       |        |
|-----------------------|--------|
| FRONT                 | 63.11  |
| SIDE                  | 60.27  |
| REAR (FROM EQUIPMENT) | 206.26 |
- B. Off-street parking and loading, Sec.1202: List the number of spaces, type of surfacing material and any other pertinent information.  
SIX SPACES PROVIDED TO BE EITHER ASPHALT OR CRUSH AND RUN

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.  
SIGNAGE WILL BE IN COMPLIANCE WITH THE SIGN ORDINANCE.  
THIS CONDITIONAL APPROVAL WILL NOT INCLUDE A VARIANCE FOR SIGNAGE.

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

THE RESERVED LANDSCAPE BUFFER AREAS COMPLY WITH THE LANDSCAPING ORDINANCE. ANY ADDITIONAL PLANTINGS REQUIRED ON-SITE (SHRUBS AND YARD TREES) WILL BE ACCOMPLISHED BY RETAINING EXISTING VEGETATION.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines.  
SEE MAP ATTACHED. BUFFERS ARE SHOWN ON THREE SIDES. THE CURRENT OWNERS (SELLERS) IN THIS CASE, ARE THE ONLY OTHER ADJOINER AND DO NOT WISH TO REQUIRE A BUFFER ON THE COMMON LINE BETWEEN THOSE PROPERTIES.

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

HOURS OF OPERATION ARE SUMMER : 6 AM - 6 PM, WINTER: 8 AM - 4:30 PM, MONDAY TO FRIDAY UNLESS A CONTRACT REQUIRES IT:

SEE NOISE AND SOUND CHARTS ATTACHED, ODOR IS MINIMAL AND DISSIPATES 20'-30' FROM TANK. LATEST TECHNOLOGY MEETS ALL EPA REQUIREMENTS.

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan shall be of sufficient detail to allow the Planning and Inspections Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.



7. STATEMENT OF ACKNOWLEDGMENT:

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) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request, not incompatible with existing neighborhood zoning patterns.

In order for the Planning Board to offer a favorable recommendation, and for the Board of Commissioners to approve, any Conditional Zoning District, they 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 Cumberland County's most recent Comprehensive Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all ordinance related prior to the first hearing on the case. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

CAROLYN R. GRANT

NAME OF OWNER(S) (PRINT OR TYPE)

8634 E. REEVES BRIDGE RD. LINDEN, NC 28356

ADDRESS OF OWNER(S)

E-MAIL

910.822.4708

HOME TELEPHONE

WORK TELEPHONE

SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

✓ JOHNSON BROTHERS UTILITY AND PAVING CO., INC. (APPLICANT)  
 NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

1924 N. MAIN ST. LILLINGTON, NC 28356  
 ADDRESS OF AGENT, ATTORNEY, APPLICANT

910.893.8378  
 HOME TELEPHONE WORK TELEPHONE

E-MAIL ADDRESS FAX NUMBER

✓ *David Johnson*  
 SIGNATURE OF AGENT, ATTORNEY,  
 OR APPLICANT

- \* ALL record property owners must sign this petition.
- \* The contents of this application, upon submission, becomes "public record."

**CUMBERLAND COUNTY ZONING ORDINANCE  
 FEE SCHEDULE**

REQUESTED ZONING DISTRICTS <sup>1</sup>	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100+ ACRES
CONDITIONAL ZONING DISTRICTS <sup>2</sup> RESIDENTIAL DD/CZ	\$500	\$500	\$500	\$500
CONDITIONAL ZONING DISTRICTS <sup>2</sup> NONRESIDENTIAL PND/CZ MXD/CZ	\$700	\$800	\$800	\$800

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 Planning Board or County Commissioners, the applicant desires to submit a Conditional Zoning District application; the original application fee will be credited towards the Conditional Zoning application fee.