

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

January 21, 2014

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 DECEMBER 17, 2013
- VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASE

- A. **P14-01.** REZONING OF 2.29+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3235 JOHN MCMILLAN ROAD, SUBMITTED BY JAMES R. SEALS (OWNER) AND TIMOTHY EVANS. (COUNTY)
- B. **P14-02:** REZONING OF 27.97+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON BOTH SIDES OF SR 1835 (ROCK HILL ROAD), SOUTHWEST OF SR 1889 (REEDY BRANCH ROAD); SUBMITTED BY BARBARA ALLEN HOLMES (OWNER). (EASTOVER)

VIII. PUBLIC HEARING CONTESTED ITEMS

CONDITIONAL ZONING DISTRICT

- C. **P13-50.** REZONING OF 1.37+/- ACRES FROM R20 RESIDENTIAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 725 AND 729 SNOW HILL ROAD, SUBMITTED BY HUXLEY A. AND AHUILDA J. JONES (OWNERS). (COUNTY)

- IX. PUBLIC HEARING WAIVER REQUEST
- X. DISCUSSION

DIRECTOR'S UPDATE

- XI. ADJOURNMENT

Walter Clark,
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Planning & Inspections Department

January 14, 2014

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Carl Manning,
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Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning and Inspections Staff

SUBJECT: Staff Recommendation for the January 21, 2014 Board Meeting

P14-01. REZONING OF 2.29+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3235 JOHN MCMILLAN ROAD, SUBMITTED BY JAMES R. SEALS (OWNER) AND TIMOTHY EVANS.

The Planning and Inspections Staff recommends approval of the R40 Residential district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for “rural” 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 location and character of the district requested is reasonable and will be in harmony with the surrounding area.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P14-01
SITE PROFILE

P14-01. REZONING OF 2.29+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3235 JOHN MCMILLAN ROAD, SUBMITTED BY JAMES R. SEALS (OWNER) AND TIMOTHY EVANS.

Site Information:

Frontage & Location: 323.17'+/- on SR 2245 (Thrower Road) & 285.11'+/- on SR 2244 (John McMillan Road)

Depth: 336.20'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 manufactured dwelling

Initial Zoning: A1 – June 25, 1980 (Area 13)

Nonconformities: If approved, manufactured dwelling will become nonconforming

Zoning Violation(s): None

Surrounding Zoning: North: RR & A1; South: R40 & A1; East: R40, RR & A1; West: R40, R40A & A1

Surrounding Land Use: Residential (including manufactured dwellings), farmland & woodlands

2030 Growth Strategy Map: Rural

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: None

School Capacity/Enrolled: Alderman Road Elementary: 750/644; Gray's Creek Middle: 1,100/1,067; Gray's Creek High: 1,270/1,271

Subdivision/Site Plan: If approved, new development may require review and approval

Average Daily Traffic Count (2010): 290 on SR 2245 (Thrower Road) & 1,200 on SR 2244 (John McMillan Road)

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:

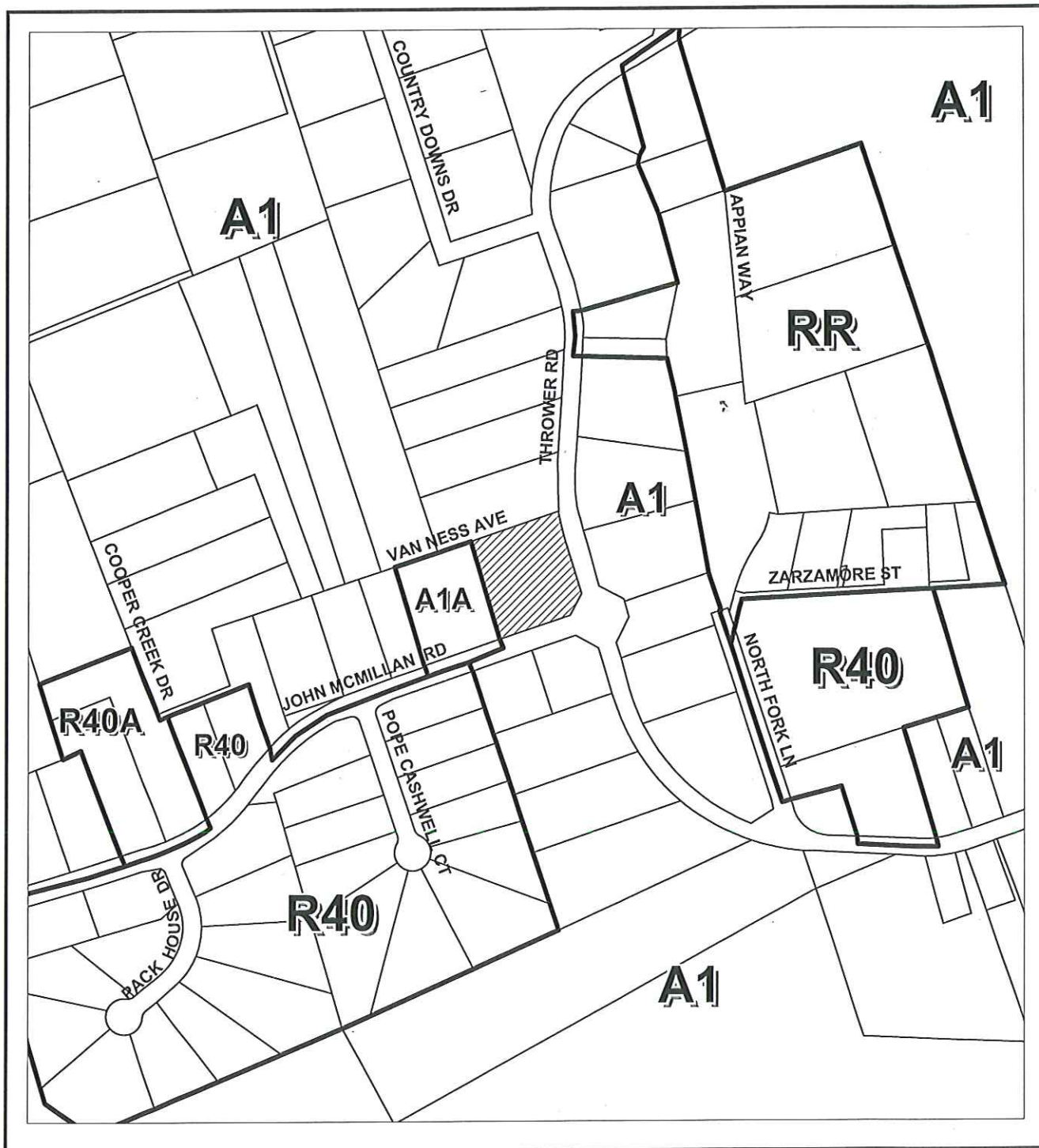
1. Density:
A1 – 1 lot/unit
R40 – 2 lots/units

2. Minimum Yard Setback Regulations:

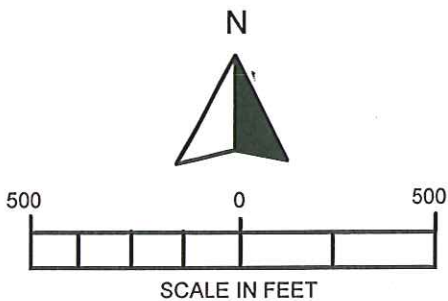
<u>A1</u>	<u>R40</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

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.



REQUESTED REZONING A1 TO R40



ACREAGE: 2.29 AC.+/-		HEARING NO: P14-01	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

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NORTH CAROLINA

Planning & Inspections Department

January 14, 2014

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Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the January 21, 2014 Board Meeting

P14-02: REZONING OF 27.97+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON BOTH SIDES OF SR 1835 (ROCK HILL ROAD), SOUTHWEST OF SR 1889 (REEDY BRANCH ROAD); SUBMITTED BY BARBARA ALLEN HOLMES (OWNER). (EASTOVER)

The Planning and Inspections Staff recommends approval of the R40 Residential district based on the following:

1. The district requested is consistent with the Eastover Area Detailed Land Use Plan, which calls for “one acre residential lots”; also consistent with the 2030 Growth Vision Plan, which calls for “community growth area” at this location, as well as meeting the location criteria for “rural density residential” development as listed in the Land Use Policies Plan;
2. The location and character of the district requested is reasonable and will be in harmony with the surrounding area; and
3. Public water (ESD) is available to the subject property.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P14-02
SITE PROFILE

P14-02: REZONING OF 27.97+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON BOTH SIDES OF SR 1835 (ROCK HILL ROAD), SOUTHWEST OF SR 1889 (REEDY BRANCH ROAD); SUBMITTED BY BARBARA ALLEN HOLMES (OWNER). (EASTOVER)

Site Information:

Frontage & Location: 950.00'+/- on SR 1835 (Rock Hill Road) & 360.00'+/- on SR 1889 (Reedy Branch Road)

Depth: 840.00'+/-

Jurisdiction: Town of Eastover

Adjacent Property: No

Current Use: One residential structure & cemetery

Initial Zoning: A1 – April 26, 1979 (Area 8)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C(P), RR, R6A & A1; South: R40 & A1; East: RR & A1; West: A1 (all referenced districts are in Eastover)

Surrounding Land Use: Residential (including manufactured dwellings), farmland & woodlands

2030 Growth Strategy Map: Community Growth Area

Eastover Detailed Land Use Plan: One acre residential lots

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: ESD/Septic

Soil Limitations: Yes, hydric – DE Deloss loam

School Capacity/Enrolled: Armstrong Elementary: 450/419; Mac Williams Middle: 1,270/1,163; Cape Fear High: 1,425/1,570

Subdivision/Site Plan: If approved, new development may require review and approval

Average Daily Traffic Count (2010): 1,100 on SR 1835 (Rock Hill Road)

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:

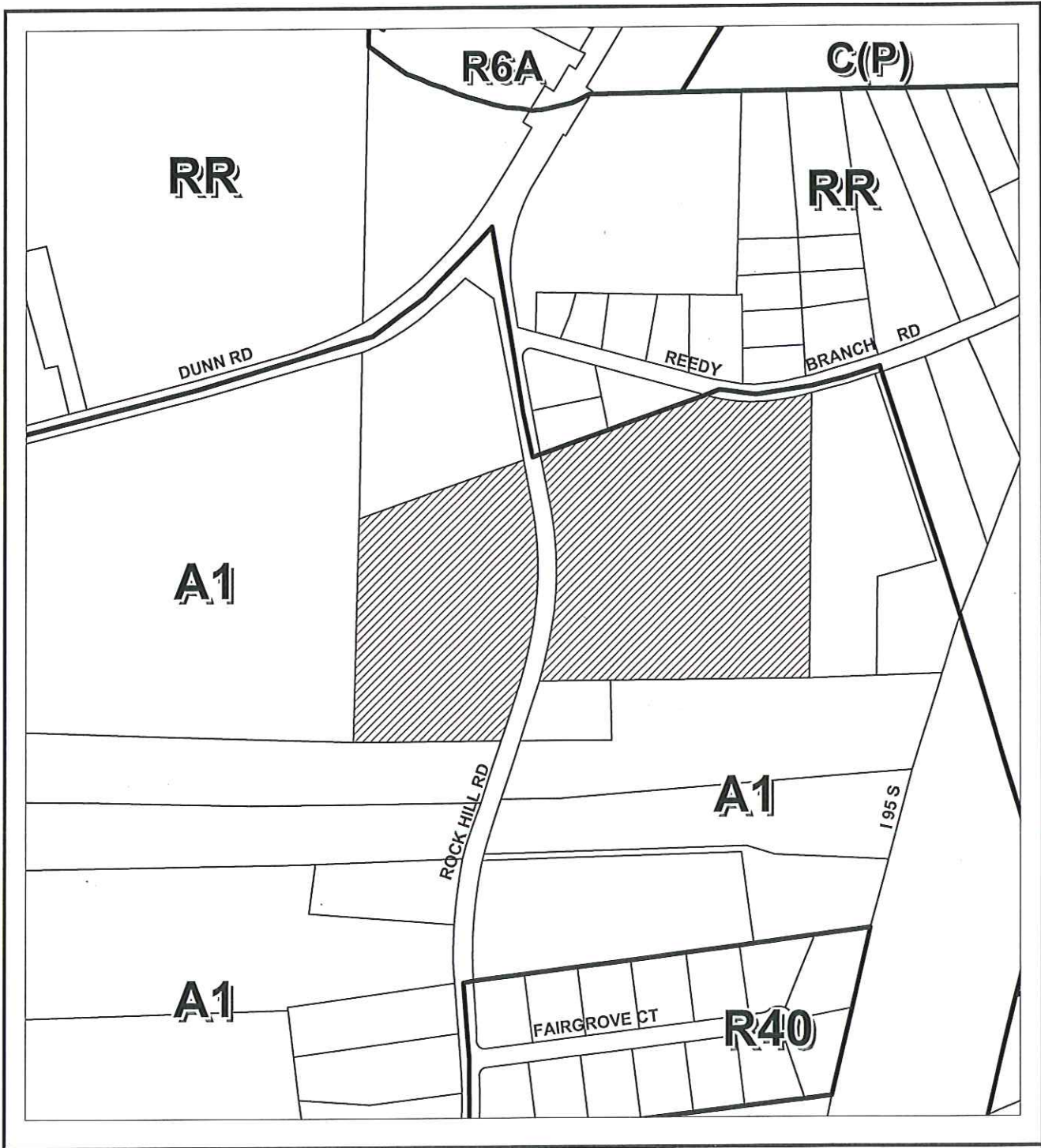
1. Density (minus 15% ROW):
A1 – 14 lots/units (12 lots/units)
R40 – 30 lots/units (26 lots/units)

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.



REQUESTED REZONING A1 TO R40

ACREAGE: 27.97 AC.+/-

HEARING NO: P14-02

ORDINANCE: EASTOVER

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD



SCALE IN FEET

PIN: 0468-12-5829

AM

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Cumberland County

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January 14, 2014

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for the January 21, 2014 Board Meeting

P13-50. REZONING OF 1.37+/- ACRES FROM R20 RESIDENTIAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 725 AND 729 SNOW HILL ROAD, SUBMITTED BY HUXLEY A. AND AHUILDA J. JONES (OWNERS).

On December 20, 2013 the property owner/applicant requested to amend 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 ammunition remanufacturing, assembly and distribution. The Planning & Inspections Staff recommends denial of the requested rezoning to M(P) Planned Industrial/CZ Conditional Zoning district for ammunition remanufacturing, assembly and distribution based on the following:

1. The district requested is inconsistent with the location criteria for "heavy industrial" as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan primarily due to the tract not being of sufficient size to accommodate the M(P) setbacks and does not provide adequate area for buffering, screening, and landscaping in addition to any proposed buildings;
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 uses; and
3. The proposed uses of ammunition remanufacturing, assembly and distribution are not logical given the subject property's close proximity (4,972 feet) to Fayetteville Regional Airport's primary instrument runway (on approach).

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

Attachments:

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

P13-50
SITE PROFILE

P13-50. REZONING OF 1.37+/- ACRES FROM R20 RESIDENTIAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 725 AND 729 SNOW HILL ROAD, SUBMITTED BY HUXLEY A. AND AHUILDA J. JONES (OWNERS).

Site Information:

Frontage & Location: 176.31'+/- on SR 2341 (Claude Lee Road) & 344.83'+/- on SR 2219 (Snow Hill Road)

Depth: 425.84'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 residential structure (permit issued August 23, 2013)

Initial Zoning: M(P) – March 15, 1979 (Area 6); rezoned to R20 on December 17, 2012

Nonconformities: If approved, residential structure and use will be made nonconforming

Zoning Violation(s): None

Surrounding Zoning: North: M(P), RR, R15 & M/A (Fay); South: M(P), RR, R10 & R6A; East: M(P) & HS(P); West: M(P), RR, R15 & R10

Surrounding Land Use: Residential (including manufactured homes), truck terminal activities, quarry & woodlands

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC (residential structure served by well & 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, "Ordinance Related Conditions" apply

Fayetteville Regional Airport: Subject property is located in the APZ approximately 5,000 feet from pavement (on approach) to main runway (4). Concerned about explosion potential in the event of a crash

Municipal Influence Area: City of Fayetteville

Average Daily Traffic Count (2010): 3,100 on SR 2341 (Claude Lee Road) & 1,400 on SR 2219 (Snow Hill Road)

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:

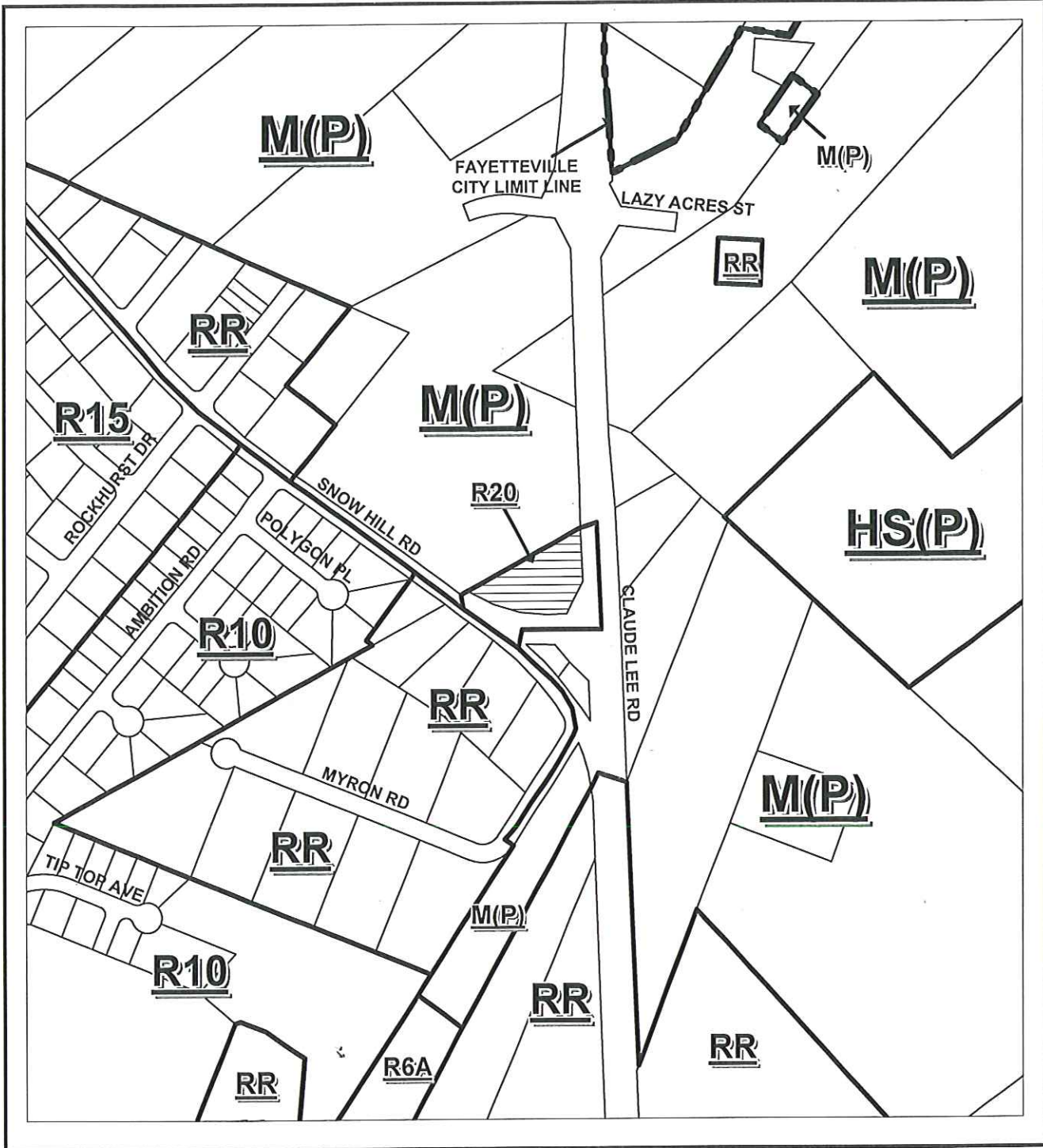
1. Density:
R20 – 2 lots/3 units

2. Minimum Yard Setback Regulations:

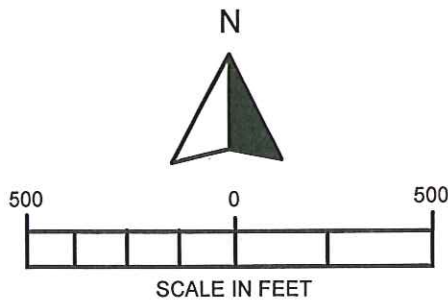
<u>R20</u>	<u>M(P)</u>
Front yard: 30'	Front yard: 100'
Side yard: 15'	Side yard: 50'
Rear yard: 35'	Rear yard: 50'

First Class and Record Owners' Mailed Notice Certification

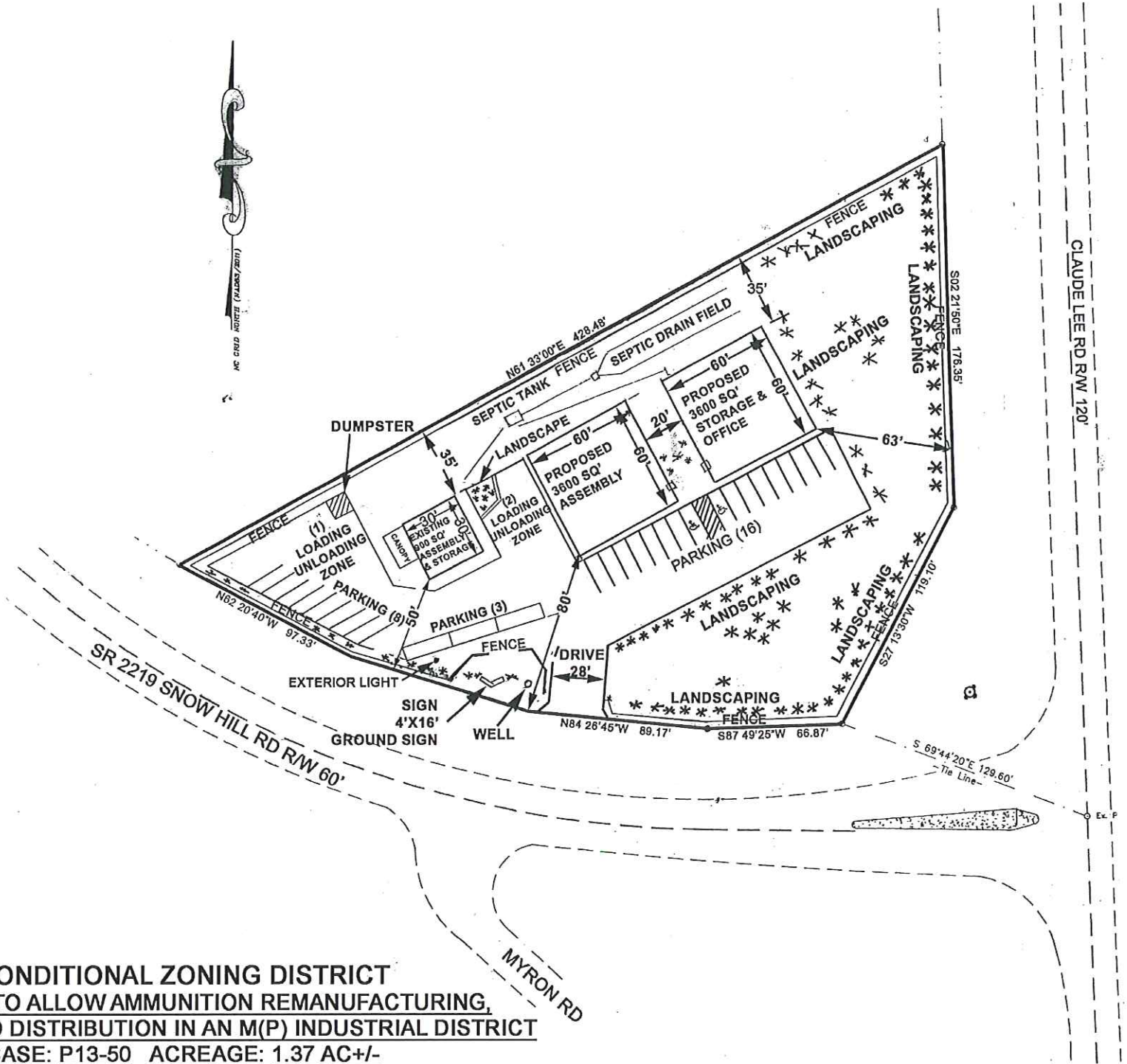
A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



REQUESTED REZONING R20 TO M(P)/CZ



ACREAGE: 1.37 AC.+/-	HEARING NO: P13-50	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		



CONDITIONAL ZONING DISTRICT
REQUEST: TO ALLOW AMMUNITION REMANUFACTURING,
ASSEMBLY, AND DISTRIBUTION IN AN M(P) INDUSTRIAL DISTRICT
CASE: P13-50 ACREAGE: 1.37 AC+/-
ZONED: R20 SCALE: NTS

M(P) PLANNED INDUSTRIAL/CZ CONDITIONAL ZONING DISTRICT
(Ammunition Remanufacturing, Assembly and Distribution – aka: Industrial Use Not Otherwise Prohibited)

DRAFT
Ordinance Related 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. At the time of application for permits, the developer must provide to Code Enforcement approval from the entity that owns and/or regulates the type water and sewer serving the proposed development. Note: In the event utilities are required from the Public Works Commission (PWC), an annexation petition to the City of Fayetteville will be required.
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
4. 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.
5. 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.
6. 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:
 - a. Thirteen large shade trees or 26 small ornamental trees within the front yard setback area along SR 2219 (Snow Hill Road); & SR 2341 (Claude Lee Road); and
 - b. Three ornamental trees and 30 shrubs are required in the building yard area.

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.
7. 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.
8. Because the subject property is located within the Airport Overlay District and in the event any of the proposed structures are greater than 200 feet in height, 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:

9. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the M(P) zoning district, to include the contents of the application and site plan must be complied with, as applicable. Retail sales are not a permitted use at this location.
10. All corner lots and lots fronting more than one street must provide front yard setbacks from each street unless specifically varied by the County Board of Commissioners.
11. This conditional approval is not approval of the permit for the freestanding sign. 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. "Claude Lee Road" must be labeled as "SR 2341" and "Snow Hill Road" must be labeled as "SR 2219" on all future plans.
13. 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 and Development Ordinance)
14. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
15. 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.
16. 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.
17. Turn lanes may be required by the NC Department of Transportation (NCDOT).
18. 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.
19. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
20. All required off-street parking spaces shall be a minimum of 9' x 20'; a minimum of one space for each vehicle used in the conduct of the use, plus two additional spaces for each three employees on the largest shift.
21. 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.

Other Relevant Conditions:

22. The applicant is advised to consult an expert on wetlands before proceeding with any development.
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. The developer's subsequent application for permits upon receipt of these conditions of approval constitutes the developer's understanding and acceptance of the conditions of approval for this development.
25. 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.

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

“Public water and/or 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.”

Thank you for choosing Cumberland County for your business location!

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
County Engineer’s Office:	Wayne Dudley	678-7636
County Health Department:	Daniel Ortiz	433-3680
Ground Water Issues:	Matt Rooney	678-7625
PWC:	Heidi Maly	223-4737
Fayetteville Planning:	Marsha Bryant	433-1416
County Public Utilities:	Amy Hall	678-7637
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
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

cc: Marsha Bryant, City of Fayetteville

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 _____
2. Address: _____ Zip Code _____
3. Telephone: (Home) _____ (Work) _____
4. Location of Property: _____

5. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)
6. Acreage: _____ Frontage: _____ Depth: _____
7. Water Provider: _____
8. Septage Provider: _____
9. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: _____
11. Proposed use(s) of the property: _____

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: R20

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of ng(p)
(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.

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, the following facts are submitted:

1. Requested Rezoning from R20 Residential to M(P) Industrial
2. Address of Property to be Rezoned: 729 Snow Hill Rd
3. Location of Property: Claude Lee & Snow Hill

4. Parcel Identification Number (PIN #) of subject property: 0434-14-7752
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 1.37 Frontage: 176 Depth: 428
6. Water Provider: Well: PWC: _____ Other (name): _____
7. Septage Provider: Septic Tank PWC _____
8. Deed Book 09254, Page(s) 0491, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: under construction
10. Proposed use(s) of the property: manufacturing

11. Do you own any property adjacent to or across the street from this property?
Yes _____ No If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No

single family dwellings permit D-13-155417

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds 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.

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.)

AMMUNITION REMANUFACTURING, & ASSEMBLY, DISTRIBUTION.

- 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.

1.37 ACRES COMMERCIAL,
ALL UNITS ARE NON-RESIDENTIAL

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 1104 or list the proposed setbacks.

M(P) REQUIRES 100 FT. PROPOSED SETBACK: ~~5~~ NO LESS THAN 50 FT.
DUE TO LOT SIZE & SHAPE.

- B. Off-street parking and loading, Sec.1202: List the number of spaces, type of surfacing material and any other pertinent information.

28 SPACES, DIRT DRIVEWAY & LOT.
LOADING AREA - 40x60

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

GROUND SIGN - 10 FT SETBACK FROM RIGHT OF WAY LINE.

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.**

THERE IS AN EXISTING BUFFER BETWEEN STREET & PARKING AREA. ADDITIONAL LANDSCAPING WILL BE ADDED, SEE SITE PLAN.

- B. Indicate the type of buffering and approximate location, width and setback from the property lines.

BUFFERING IS EXISTING FOLIAGE AROUND PERIMETER OF THE PROPERTY. ~~ADDITIONAL~~ EVERGREENS WILL BE ADDED ALONG FENCE LINE, 5 FT FROM PROPERTY LINE.

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.

OPERATION - 6 DAYS PER WEEK, MON-SAT. 10 HOURS PER DAY.
& MAXIMUM OF 20 EMPLOYEES.

THERE WILL BE EXTERIOR LIGHTING, THOUGH CURRENT & PLANNED FOLIAGE WILL MAKE IT MINIMALLY VISABLE FROM THE STREET.

THERE WILL BE NO ODOR, SMOKE EMISSIONS ON PREMISES.

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 within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. 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.

Huxley Jones and Ahuilda Jones
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Huxley Jones
SIGNATURE OF OWNER(S)

Ahuilda Jones
SIGNATURE OF OWNER(S)

NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

WORK TELEPHONE

E-MAIL ADDRESS

FAX NUMBER

SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT