

Members:

George Lott, Chairman
George Turner, Vice-Chair
Alfonso Ferguson Sr.
Winton McHenry
Gregory Parks



Alternates:

Robert E Davis
Nathan Galbreath
Stacy Michael Long
Marva Lucas-Moore
Quinsentina James

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

130 Gillespie Street
Fayetteville North Carolina 28301
(910) 678-7602

TENTATIVE AGENDA
DECEMBER 20, 2018
7:00 PM

A meeting of the Cumberland County Board of Adjustment is to be held on Thursday, December 20, 2018, at 7:00 p.m. in Hearing Room #3 of the Historic Courthouse at 130 Gillespie Street, Fayetteville, North Carolina. The agenda is as follows:

1. INVOCATION & PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. SWEAR IN STAFF
4. ADJUSTMENTS TO THE AGENDA
5. APPROVAL OF THE OCTOBER 18, 2018 MINUTES
6. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)
7. PUBLIC HEARING DEFERRALS/WITHDRAWALS
8. POLICY STATEMENT REGARDING APPEAL PROCESS
9. PUBLIC HEARING(S):
 - **P18-05-C:** CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A RECREATION VEHICLE PARK AND/OR CAMPGROUND IN AN A1 AGRICULTURAL DISTRICT ON 3.62+/- ACRES, LOCATED AT 7288 LANE ROAD, SUBMITTED BY KERRY AND AUDRA POPE (OWNERS).
10. DISCUSSION/UPDATE(S)
11. ADJOURNMENT

Members:
George Lott, Chair
George Turner, Vice-Chair
Alfonso Ferguson Sr.
Winton McHenry
Gregory Parks



Alternates:
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CUMBERLAND COUNTY BOARD OF ADJUSTMENT

130 Gillespie Street
Fayetteville North Carolina 28301
(910) 678-7602

MINUTES
October 18, 2018
7:00 PM

Members Present

George Lott
Alfonso Ferguson Sr.
Winton McHenry
Marva Lucas-Moore

Absent Members

George Turner
Gregory Parks

Staff/Others Present

Hope Ward Page
Dena Smith
Robert Hasty, Jr. (Assistant
County Attorney)

Chairman Lott called the meeting to order at 7:00 p.m. in Public Hearing Room #3 of the Historic Courthouse.

1. INVOCATION

Chairman Lott

PLEDGE OF ALLEGIANCE

Recited by all.

Chairman Lott stated the procedural matters are to turn off all cell phones and other electronic devices, other than the camera, are fine and if asked to speak at the podium to please speak clearly into the microphone as the meeting is being recorded. Although there are no set time limits for any speaker addressing the board, the board asks speakers to not repeat what has been previously stated. If there is no new evidence to offer please make the board aware of your agreement with the previous speakers. If any board member wishes to speak or ask any questions please ask to be recognized by the Chairman before speaking.

CHAIR LOTT: You may now begin with the roll call or you want to put that off?

MR. HASTY: I guess we can go ahead and do the swearing in at this point.

CHAIR LOTT: Okay

2. OATH OF OFFICE

Mrs. Page delivered the Oath of Office to new Alternate Board of Adjustment member Ms. Marva Lucas-Moore.

3. ROLL CALL

Mrs. Page called the roll and stated a quorum was present. For the audience Mrs. Page introduced Mr. Robert Hasty, Assistant County Attorney.

4. SWEAR IN STAFF

Chair Lott swore in staff.

5. ADJUSTMENTS TO THE AGENDA

There were none from staff.

6. APPROVAL OF THE SEPTEMBER 20, 2018 MINUTES

CHAIR LOTT: The motion has been made, motion of a second has been made, all those in favor of approval?

Mr. Ferguson made a motion to approve the minutes from the September 20, 2018 meeting with any necessary corrections, seconded by Mr. McHenry. The motion passed unanimously.

IN FAVOR	
LOTT	YES
FERGUSON	YES
MCHENRY	YES
LUCAS-MOORE	YES

7. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)

There were none.

8. PUBLIC HEARING DEFERRALS/WITHDRAWALS

There were none.

9. POLICY STATEMENT REGARDING APPEAL PROCESS

Mrs. Page read the policy statement.

10. PUBLIC HEARING(S)

P97-14-C: MODIFICATION OF A SPECIAL USE PERMIT FOR A TELECOMMUNICATIONS TOWER IN A R10 RESIDENTIAL DISTRICT ON 0.10 +/- ACRES TO ALLOW A 50KW AC GENERATOR WITH A 211 GALLON DIESEL TANK ON A 4 FOOT BY 8 FOOT CONCRETE PAD, LOCATED AT 6341 CICADA STREET, SUBMITTED BY SRW BUILDERS INC (OWNER) AND DENISE L VILET ON BEHALF OF TOWER ENGINEERING PROFESSIONALS INC AND JEFFREY BELL ON BEHALF OF CROWN CASTLE (AGENTS). DEFERRED FROM SEPTEMBER 20, 2018

Chair Lott read the case heading for Case No. P97-14-C.

Mrs. Page reviewed the zoning, sketch map, and land use of the area surrounding subject property. She briefly reviewed board packet material. Mrs. Page asked if the section of the zoning ordinance Section 927 Towers which are referencing on pages 106 - 109. The application submitted by the owner is complete and the owner has agreed to all the ordinance related conditions that were included in your packet. Staff asked when making a motion if you could make the motion subject to the findings of facts located behind the special use tab in your binders.

CHAIR LOTT: Do we want to hear the speakers now?

MRS. PAGE: Yes we have speakers.

CHAIR LOTT: Mr. Hill, please come forward and state your name and your address and be sworn in. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. HILL: I do.

CHAIR LOTT: State your name and address please.

MR. HILL: My name is Robert Hill, my address is 1300 Mill Wrench Drive, Mt Pleasant, South Carolina. I'm here before you tonight representing, I work for Tower Engineering Professionals, I'm representing T Mobile. T Mobile has what they are calling a hardening project nationally. They are adding generators over a period of two years to all their sites for backup power. The subject here tonight is adding the 50KW Generator which you spoke of earlier, I won't repeat that but that's why I'm here. I'm more or less here to answer questions it's a pretty straight forward application.

CHAIR LOTT: Ok – thank you. Board members have any questions?

MR.FERGUSON: I do. One of my questions I had, cause we didn't have anybody from your company here last time, was as you were going to set out the generators on site, do we have any containment for the diesel tank or are you just going to sit the tanks on the concrete pad?

MR. HILL: The tank sits under the generator directly bolted to the concrete pad, as far as containment, there is no containment it's just sitting on a pad. The tank is a UL 115-7 double walled tank that helps protect it from some arbitrary problem or whatever, there inside of a fenced area so it's not like it's going to get hit but you know they're double walled tank which limits the exposure to leaking, I'm not aware of one leaking but I'm sure it could happen.

MR.FERGUSON: My concern was when it's filling, when you could have diesel fuel leak into the soil and with that hydro there, so my concern was would you consider or are you going to put any kind of containment to protect the soil around these tank sites?

MR. HILL: Not that I'm aware of. They may do it in other jurisdictions across the country but not, we've done one hundred and eighty-seven, I don't think we've done any containments.

CHAIR LOTT: Hope, has these plans all been reviewed and approved by the various County departments?

MRS. PAGE: Yes Chair, everything that came in was reviewed by staff, it met the application and the conditions that were placed were agreed to by the owner prior to the meeting, and it's an existing site.

CHAIR LOTT: Okay. Right. This is just a modification to an existing site. Any other questions? I believe you said that T Mobile is in the process of doing all their sites so I'm sure that this will be coming up before us in the future, same thing?

MR. HILL: Yes sir, Typically they don't come before zoning, I think this one was because it was a special use originally.

CHAIR LOTT: Anything else Board?

MR. HILL: Okay, I drove a long way, let's go. (laughter)

CHAIR LOTT: Alright, thank you. Discussion.

MRS. PAGE: Do you want to close your public hearing and discuss?

CHAIR LOTT: Oh I'm sorry. Yes. Are you here to speak sir?

MR. BOOTH: I'm the County Fire Marshall. I'm just here if you have questions as far as code violations or how the process for approval was obtained.

CHAIR LOTT: Would you please come up then, please? Place your hand on the Bible and raise your left hand. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. BOOTH: I do.

CHAIR LOTT: Your name?

MR. BOOTH: Gene Booth.

CHAIR LOTT: And you're the Fire Marshall for that area?

MR. BOOTH: Yes

CHAIR LOTT: Ok, I think you heard the concern from one of our Board members, how does that factor in to your position or the county's position

MR. BOOTH: The process kind of extends beyond this initial site plan, when he goes to install his generator, he'll have to submit plans to the inspections department, also obtain a tank installation permit from the Fire Marshall's office as well, We'll go out and insure that it is UL Listed, that it is a double walled tank, that is the secondary containment, and that it also has the adequate emergency vents, ventilation space between the two tanks as well, also containment for the spillage during filling. It will go through an initial inspection process as well.

CHAIR LOTT: Okay, thank you. Thank you very much. I think that answers our question as far as safety's concerned. Okay factors relevant to the issuance of a special use permit. The use will not materially endanger the public health or safety of located according to the plan submitted and recommended. I think that's been stated. Case facts. #2 The use meets all required conditions and specifications. I think that's been clarified by the permit process.

MR. FERGUSON: Yes

CHAIR LOTT: The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity. Well I think as far as the public necessity's concerned, in the event of a hurricane, tornado or whatever that the emergency generator will be very useful because we've all gotten used to our cell phones working. 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 is in general conformity with Cumberland County's most recent Land Use Plan. Which I believe by the permit, it has met. So having heard all the evidence and the arguments presented at the hearing the Board finds that the application is complete and the application complies with all the applicable requirements of the Cumberland County zoning ordinance for the development proposed in that therefore the application to make use of the property described within the case for the purpose indicated is hereby approved so to allow applicable provisions and ordinances of the following conditions: the application shall complete the development strictly in accordance with the application and site plans submitted to and approved by the Board, a copy which is filed with the Cumberland County planning and inspections office, the applicant/property owner is responsible party for the information contained within the site plan including but not limited to the property boundaries easement locations and ride-away boundaries. The applicant/property owner is the responsible party to insure compliance with all other related federal, state and local regulations included but not limited to North Carolina building code. The applicant/property owner responsible for ending all ordinance related conditions set forth by the planning staff. Any other conditions you want to bring up?

MR. HASTY: Since it's an existing Special Use Permit, it's just a modification you may just want to incorporate the findings from the original granted special use permit. All you would have to say is that would be included in this application.

CHAIR LOTT: That would be included in this application.

MR. MCHENRY: The only thing I would have to say is that there are occasion people go around and shoot at things, with this be applicable here in this case. People take a high power rifle and shoot at this tank?

MR. FERGUSON: The tanks are built good. They are double walled tanks. I've experienced them when I was in the military, they're very sturdy tanks. They're totally different with double-walled sides with compartments for spills, and that won't apply, we put them in the war zone, that didn't bother them.

MR. MCHENRY: Okay. We don't want the war zone.

MR. FERGUSON: We put them in the war zone and we kept fuel over there.

MR. MCHENRY: I have nothing else.

Mr. Lott made a motion to approve Case P97-14-C modification of a special use permit to allow a 50KW generator with a 211 gallon diesel tank of a 4 foot by 8 foot concrete pad, subject to the finding of facts and ordinance related conditions, Ms. Lucas-Moore seconded. The motion passed unanimously.

IN FAVOR

LOTT	YES
FERGUSON	YES
MCHENRY	YES
LUCAS-MOORE	YES

11. DISCUSSION/UPDATES

CHAIR LOTT: Any other business?

MRS. PAGE: Yes on the agenda for discussion/updates, staff has put together a document on making quasi-judicial decisions for the board. Everyone should have got a copy next to their notebook. This is your copy and it basically just some helpful information on the Board of Adjustments, making decisions, the voting, the hearing, this is for you to keep and read at your leisure.

CHAIR LOTT: Okay.

MRS. PAGE: Also the Board did not receive any applications by the October deadline so we will not have a Board of Adjustment meeting in November. Mr. Hasty do you have anything?

MR. HASTY: I do not really have anything.

12. ADJOURNMENT

Mr. Ferguson made a motion to adjourn, seconded by Mr. McHenry. The motion passed unanimously. Meeting adjourned at 7:22pm.

IN FAVOR

LOTT	YES
FERGUSON	YES
MCHENRY	YES
LUCAS-MOORE	YES

Dena L Smith, Clerk to the Board

George Lott, Chairman

DRAFT

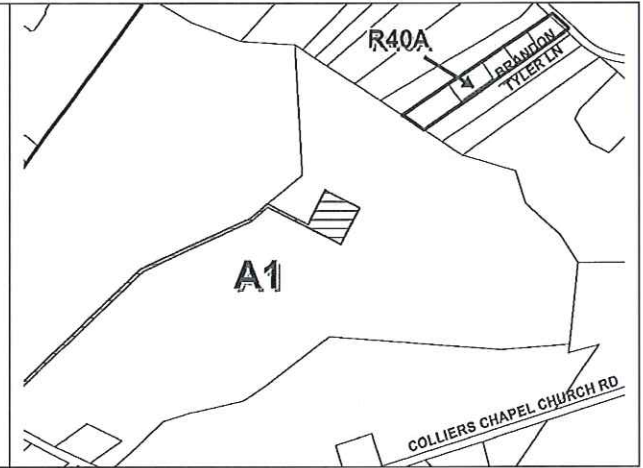
SITE PROFILE: P18-05-C

P18-05-C: CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A RECREATION VEHICLE PARK AND/OR CAMPGROUND IN AN A1 AGRICULTURAL DISTRICT ON 3.62+/- ACRES, LOCATED AT 7288 LANE ROAD, SUBMITTED BY KERRY AND AUDRA POPE (OWNERS).

Cumberland County Zoning Ordinance Reference: Section 921 Recreation Vehicle Park and/or Campground (Pgs. 101-103)

Notes:

1. The applicant is requesting a special use permit to operate a recreation vehicle park and/or campground operation with 10 proposed RV sites.
2. The owner has agreed to the attached ordinance related conditions.



<p>INITIAL ZONING A1 – December 17, 2001 (Area 16)</p> <p>JURISDICTION County</p> <p>MUNICIPAL INFLUENCE AREA None</p>	<p>ADJACENT PROPERTY Yes</p> <p>CURRENT USE Vacant</p>	<p>NONCONFORMITIES None</p> <p>ZONING VIOLATIONS None</p>	<p>WATER/SEWER AVAILABILITY Well/Septic</p> <p>SOIL LIMITATIONS Yes Hydric Inclusion Soil: WmB – Wickham Fine Sandy Loam</p> <p>WATERSHED Yes</p> <p>SPECIAL FLOOD HAZARD AREA No</p>	<p>SIZE OF PROPERTY</p> <p>Frontage & Location: 21' +/- Lane Rd (SR1609)</p> <p>Depth: 323' +/-</p>
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<p>SURROUNDING ZONING North: A1, A1/CZ (CZ for a quarry) West: A1, RR East: A1, R40A South: A1, CD</p> <p>*All surrounding zoning is in the County, unless otherwise noted*</p>	<p>SURROUNDING LAND USE: Subject Property: Vacant Lot</p> <ol style="list-style-type: none"> 1. Farmland 2. Woodlands
<p>COMPREHENSIVE PLANNING: North Central Land Use Plan: Farmland 2030 Growth Strategy: Rural Areas</p>	<p>TRANSPORTATION PLANNING: The subject property lies on Lane Road. Lane Road is identified as a local road in the 2040 Metropolitan Transportation Plan with no planned constructions/improvements. The subject property will have no impact on the Transportation Improvement Plan.</p>

OTHER PROPERTY INFO:

School Capacity/Enrolled: Comment requested, none received
Subdivision/Site Plan: See Ordinance Related Conditions
Watershed: See Ordinance Related Conditions
Average Daily Traffic Count SR 1609, W OF SR 1710 (2016): 160 **Average Daily Traffic Count: (2017)** 0
US Fish & Wildlife: No comments related to red-cockaded woodpecker recovery efforts

Attached: Sketch Map, Site Plan, Application, Conditions

BOARD OF ADJUSTMENT

LOCATION OF PROPERTY: 7288 Lane Road Linden, NC 28356

OWNER: Kerry D. Pope & Audra S. Pope

ADDRESS: 2740 Chimney Point Rd ZIP CODE: 28356

TELEPHONE: HOME _____ WORK 910-308-9526

AGENT: _____

ADDRESS: _____

TELEPHONE: HOME _____ WORK _____

E-MAIL: pope.linden@ad.com

APPLICATION FOR A SPECIAL USE PERMIT

As required by the Zoning Ordinance

A. Parcel Identification Number (PIN #) of subject property: 05 72-17-0476
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 3.57 Frontage: 300' Depth: 300'

C. Water Provider: well

D. Septage Provider: septic

E. Deed Book 64, Page(s) 93, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing use of property: VACANT LOT

G. 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.)

This lot is currently a vacant lot where our private home was located. We would like to convert the lot to a RV site. The purpose is to help with property tax payments. We plan to incorporate the existing landscape into a peaceful RV park that provides a safe and tranquil environment.

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.

Kerry D. Pope and Audra S. Pope
NAME OF OWNER(S) (PRINT OR TYPE)

2740 Chimney Point Rd Linden, NC 28356
ADDRESS OF OWNER(S)

popelinden@aol.com
E-MAIL

HOME TELEPHONE # _____ WORK TELEPHONE # 910 308-9526

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

popelinden@aol.com
E-MAIL

HOME TELEPHONE # _____ WORK TELEPHONE # _____

Kerry D. Pope
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Audra S. Pope
SIGNATURE OF OWNER(S)

The contents of this application, upon submission, become "public record."

STATEMENT OF ACKNOWLEDGMENT

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

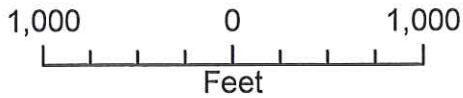
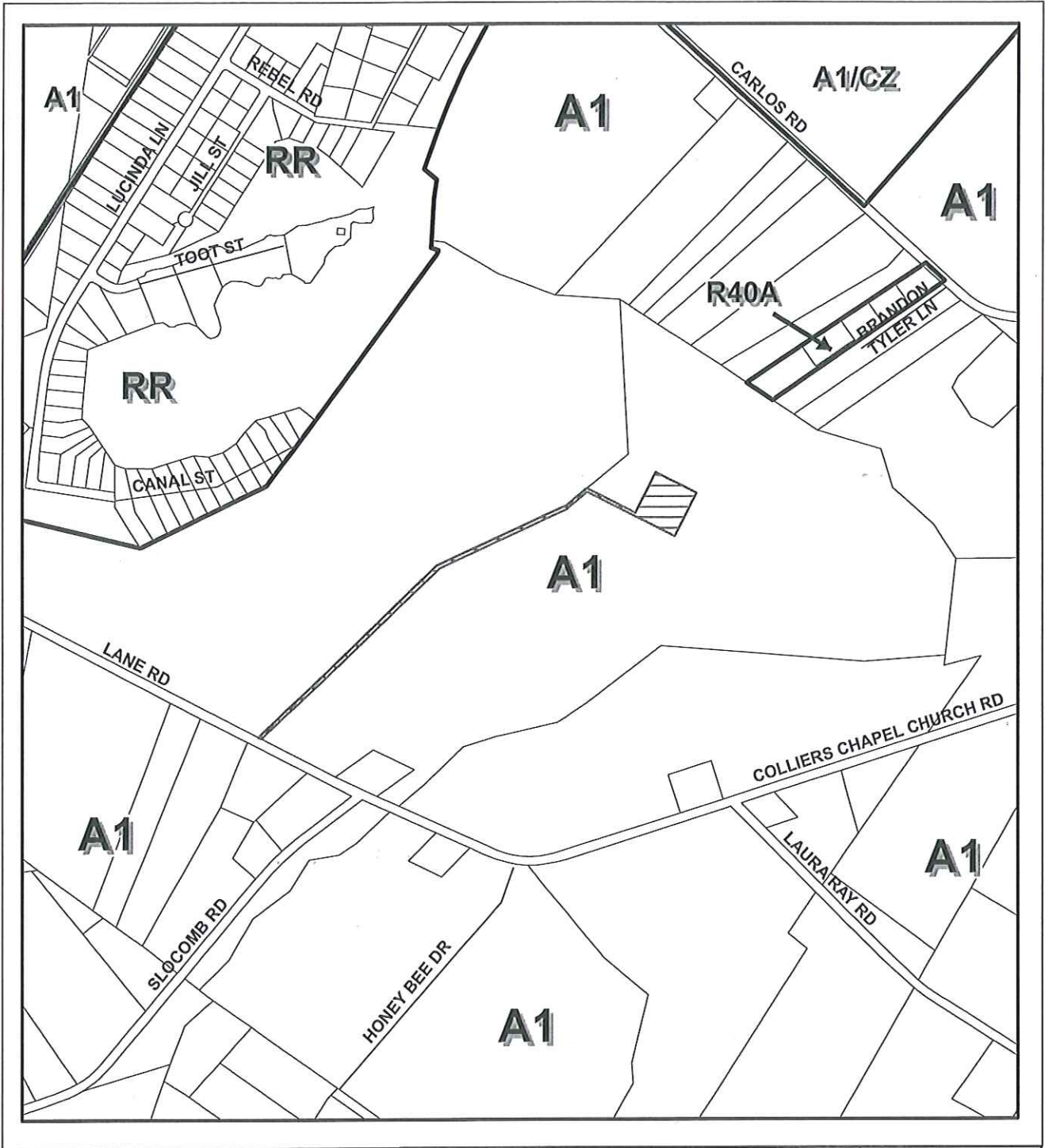
- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all argument for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to approve, deny, or defer the request for additional information to be provided;
- If the petitioner or their representative for this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case.
- If the board's decision is to deny the matter before them, the aggrieved party shall file a **"Notice to Intent to Appeal" with the Planning & Inspections Staff on the next business day following the meeting in which the board's decision was made final, or the next business day following receipt of the written copy thereof.**
- Any petition for review by Superior Court shall be file with the Clerk of Superior Court within 30 days after the decision of the board is made final.

Signed acknowledgment that the Planning and Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above.

SIGNATURE OF OWNER(S) Kerry D. Pope Audra J. Pope

PRINTED NAME OF OWNER(S) Kerry D. Pope & Audra S. Pope

DATE 11-9-2018

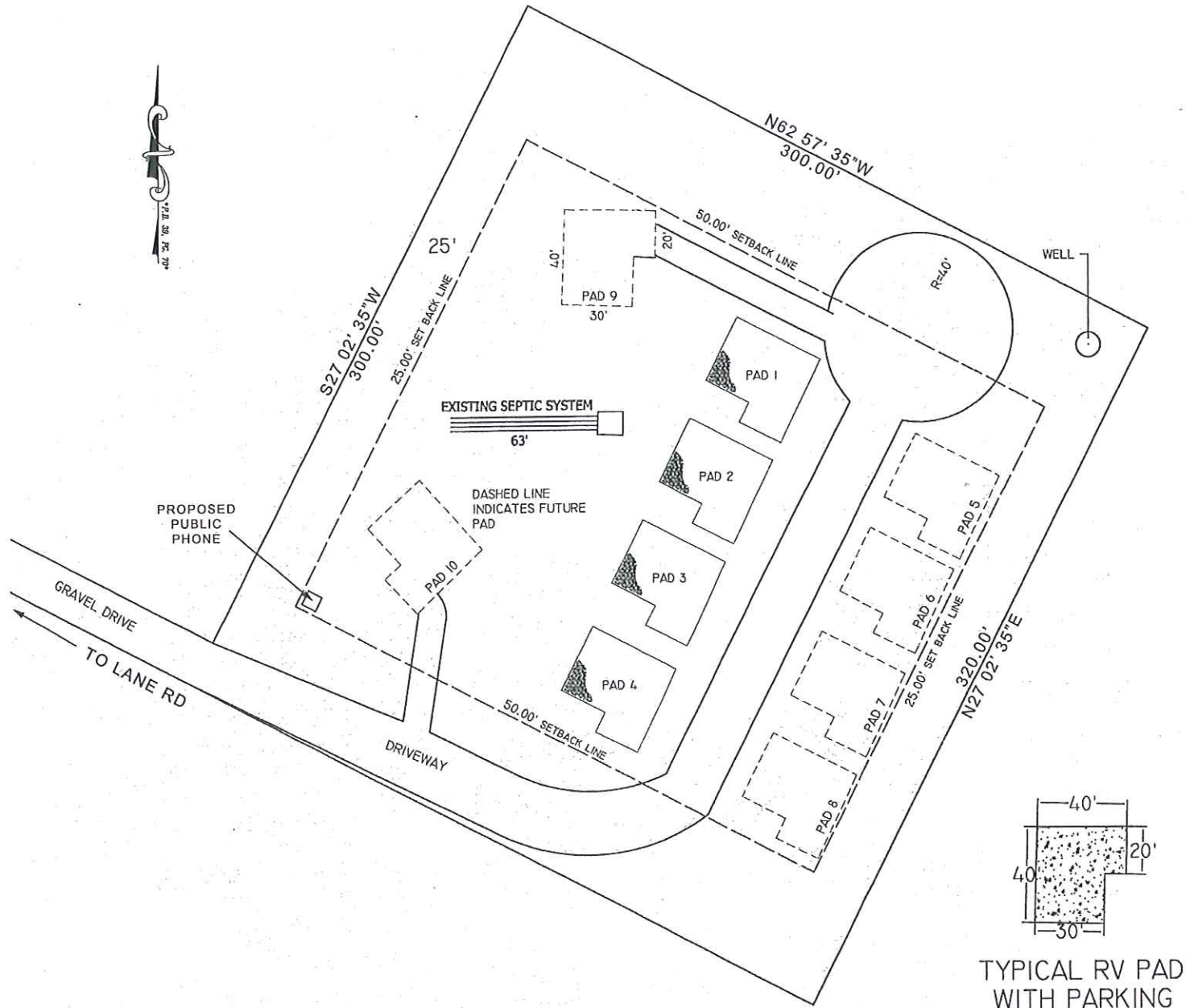


BOARD OF ADJUSTMENT SPECIAL USE PERMIT

ACREAGE: 3.62 AC. +/-	HEARING NO: P18-05-C
ORDINANCE: COUNTY	
GOVERNING BOARD	

PIN: 0572-17-0476

MB
11-29-2018



**BOARD OF ADJUSTMENT
SPECIAL USE PERMIT**

REQUEST: ALLOW A RECREATIONAL VEHICLE PARK AND/OR CAMPGROUND
CASE: P18-05-C ACREAGE: 3.62 AC+/-
ZONED: A1 SCALE: NTS

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

Special Use Permit – Board of Adjustment

DRAFT

Ordinance Related Conditions

Recreation Vehicle Park and/or Campground

Pre- Permit Related:

1. Prior to permit application, a copy of the recorded plat, Plat Bk. 141, Pg 185, must be submitted to the Code Enforcement Office. [Sec. 4-8(b)(7), County Code]
2. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.

[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

3. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

Pre-Permit – Watershed-Related:

4. An application for a Watershed "No Approval Required" development must be submitted to the Watershed Review Officer (WRO) and plans must be found to be sufficient to qualify as a "No Approval Required" by the WRO prior to application for any building/zoning permits. A copy of the WRO's Watershed Regulations Not Applicable of the plan must be submitted to Code Enforcement at the time of application for any permits. [Sec. 31A-3 & Sec. 31A-21(B), County Watershed Ord.]

Permit-Related:

5. A septic permit will be required. For questions related to this comment, please contact County Health Department.
6. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
7. Ensure fire department turn around will accommodate largest piece of fire equipment needed to respond to this area. For questions related to this comment, please contact the Fire Marshal at Emergency Services.
8. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
9. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property

usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

[§ 136-18(29), NCGS]

10. 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 Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
11. The County Health Department must approve water plans. Lots not served by public water system is required to be large enough and of such physical character to comply with the Health Department's minimum standards. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)
12. Prior to application for the Certificate of Occupancy, the developer must provide to Code Enforcement approval from the entity that owns and/or regulates the type sewer serving the proposed development. (Section 2306 A, County Subdivision Ord.; & Secs. 2306.A & 1403.I, County Zoning Ord.)
13. Prior to application for the Certificate of Occupancy for the building or site, a Watershed Occupancy Permit must be issued for each lot/tract within this development. (Section 31A-29, County Watershed Ord.)
14. 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. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

15. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the A1 zoning district must be complied with, as applicable.
16. The recreational vehicle park must provide at least one telephone for public use. (Sec. 921, County Zoning Ord.)
17. The recreational vehicle park/campground cannot allow for permanent occupancy of any RV or campsite within this development; the same RV cannot remain on the same site for a continuous period of time exceeding 90 days. (Sec. 921, County Zoning Ord.)
18. No individual recreation vehicle/camping site can be permitted for individual on-site septic systems. (Sec. 921, County Zoning Ord.)
19. Each recreational vehicle must be equipped with a holding tank and each park/campground must have an approved dumping station or pump-out facilities on the premises. (Sec. 921, County Zoning Ord.)
20. Recreation vehicle parks/campgrounds can only be used for travel trailers, pickup, coaches, motor homes, camping trailers, other vehicular accommodations and tents suitable for temporary habitation and used for travel, vacation and recreation purposes. (Sec. 921, County Zoning Ord.)

21. The internal drives serving the recreation vehicle park are to be constructed with a minimum 18 feet in width if providing two way streets and 12 feet in width for one way drives and contain a minimum depth of six inches of stone gravel base with proper ditching, drainage, and seeding of slopes. (Sec. 921, County Zoning Ord.)
22. Recreational vehicle parks and campgrounds shall be enclosed by a fence, wall, landscape screening, earthen mounds or by other measures from all contiguous residential areas in a manner that complements the landscape and assures compatibility with the adjacent environment, and complies with the buffering requirements for non-residential uses adjacent to residential districts. (Sec. 921, County Zoning Ord.)
23. The structures housing such facilities shall not be located closer than 100 feet to any public street and shall not be directly accessible from any public street but shall be accessible only from an internal drive within the park/campground.
24. Such structures containing toilets, bathhouses and other plumbing fixtures shall comply with the requirements of the North Carolina Building Code.
25. Each park shall be limited to a maximum of one manager's/ caretaker's residence.
26. Adequate off-street parking and maneuvering space shall be provided on site. No public street, sidewalk or right-of-way or any other private grounds not a part of the recreational vehicle parking area shall be used to park or maneuver vehicles.
27. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan (and \$25 revision fee) 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 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.) (Art. XIII, County Zoning Ord.)
28. 7288 Lane Road must be labeled as SR 1609 (Lane Road) on all future plans. (Sec. 2203, County Subdivision Ord.)
29. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2307.A, County Subdivision Ord.)
30. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
31. 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.
32. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
33. 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. (Sec. 1403, County Zoning Ord.)

Advisories:

34. The applicant is advised to consult an expert on wetlands before proceeding with any development.
35. The subject property lies on Lane Road. Lane Road is identified as a local road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. For questions related to this comment, please contact Transportation Planning.
36. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
37. An internal street system most likely will be required to serve any future divisions of the parent tract.

38. 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.
39. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.
40. 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.
41. 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.

Other Relevant Conditions:

42. 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 Jeff Barnhill at 910-678-7765 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):

Watershed Review Officer:	Jeff Barnhill	678-7765	jbarnhill@co.cumberland.nc.us
Land Use Codes Manager:	Patti Speicher	678-7605	pspeicher@co.cumberland.nc.us
Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnaylor@co.cumberland.nc.us
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
County Engineer's Office:	Wayne Dudley	678-7636	wdudley@co.cumberland.nc.us
County Health Department:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
Food & Lodging Env. Health:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
Ground Water Issues:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
County Public Utilities:	Amy Hall	678-7637	ahall@co.cumberland.nc.us
US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	wphipps@co.cumberland.nc.us
Street Naming/Signs:	Diane Shelton	678-7665	nameit2@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
NCDOT (subdivision roads):	Earl C. Locklear	364-0601	elocklear@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov