

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



Alternates:
Robert E Davis
Stacy Michael Long
Linda Amos
Quinsentina James

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

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

TENTATIVE AGENDA
SEPTEMBER 17, 2020
6:00 PM

A meeting of the Cumberland County Board of Adjustment is to be held on Thursday, September 17, 2020 at 6:00 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 AUGUST 20, 2020 MINUTES
6. APPROVAL 2021 DEADLINE MEETING SCHEDULE
7. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)
8. PUBLIC HEARING DEFERRALS/WITHDRAWALS
9. POLICY STATEMENT REGARDING APPEAL PROCESS
10. PUBLIC HEARING(S):

P20-02-C: CONSIDERATION OF AN APPEAL FROM THE CODE ENFORCEMENT OFFICER'S DECISION REGARDING THE OPERATION OF AN OUTDOOR FIRING RANGE IN A RR RURAL RESIDENTIAL & CD CONSERVANCY DISTRICT ON 13.46+/- ACRES, LOCATED AT 1654 & 1675 VETERANS DRIVE, SUBMITTED BY DEREK ORENT ON BEHALF OF AMERICAN LEGION POST #230 (OWNER).

11. DISCUSSION/UPDATE(S)
12. ADJOURNMENT

Members:

George Turner, Chair
Alfonso Ferguson Sr., Vice-Chair
Winton McHenry
Gregory Parks
Marva Lucas-Moore



Alternates:

Robert E Davis
Stacy Michael Long
Linda Amos
Quinsentina James

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

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

MINUTES
August 20, 2020
7:00 PM

Members Present

George Turner
Alfonso Ferguson
Gregory Parks
Marva Lucas-Moore
Robert E. Davis

Absent Members

Winton McHenry

Staff/Others Present

Betty Lynd
Dena Barner
Rick Moorefield
(County Attorney)
David Moon

Chair Turner called the meeting to order at 7:02 p.m. in Public Hearing Room #3 of the Historic Courthouse.

Chair Turner 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.

1. INVOCATION

Alfonso Ferguson

PLEDGE OF ALLEGIANCE

Recited by all.

2. ROLL CALL

Mrs. Lynd called the roll. For the audience, Mrs. Lynd stated a quorum was present. Mrs. Lynd also introduced Mr. Moorefield, county attorney for the board.

3. SWEAR IN STAFF

Chairman Turner swore in staff.

4. ADJUSTMENTS TO THE AGENDA

Added the Oath of Office for Ms. Linda Amos

5. OATH OF OFFICE

Mrs. Lynd delivered the Oath of Office to new Alternate Board of Adjustment member Ms. Linda Amos.

6. APPROVAL OF THE NOVEMBER 21, 2019 MINUTES

Mr. Parks made a motion to approve the minutes from the November 21, 2019 meeting with any necessary corrections, seconded by Mr. Ferguson. The motion passed unanimously.

IN FAVOR	
TURNER	YES
FERGUSON	YES
PARKS	YES
LUCAS-MOORE	YES
DAVIS	YES

7. APPROVAL OF REVISED RULES OF PROCEDURE – All Board of Adjustment meetings will begin at 6 PM starting with the September 17, 2020 meeting and all meetings going forward.

Ms. Lucas-Moore made a motion to approve the change of meeting start time from 7PM to 6PM, seconded by Mr. Parks. The motion passed unanimously.

IN FAVOR	
TURNER	YES
FERGUSON	YES
PARKS	YES
LUCAS-MOORE	YES
DAVIS	YES

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

There were none.

9. PUBLIC HEARING DEFERRALS/WITHDRAWALS

P20-02-C: CONSIDERATION OF AN APPEAL FROM THE CODE ENFORCEMENT OFFICER’S DECISION REGARDING THE OPERATION OF AN OUTDOOR FIRING RANGE IN A RR RURAL RESIDENTIAL & CD CONSERVANCY DISTRICT ON 13.46+/- ACRES, LOCATED AT 1654 & 1675 VETERANS DRIVE, SUBMITTED BY DEREK ORENT ON BEHALF OF AMERICAN LEGION POST #230 (OWNER). **DEFERRED TO SEPTEMBER 17, 2020**

Ms. Lucas-Moore made a motion to defer P20-02-C to September 17, 2020, seconded by Mr. Ferguson. The motion passed unanimously.

IN FAVOR	
TURNER	YES
FERGUSON	YES
PARKS	YES
LUCAS-MOORE	YES
DAVIS	YES

10. POLICY STATEMENT REGARDING APPEAL PROCESS

Mrs. Lynd read the policy statement.

11. PUBLIC HEARING(S)

P20-01-C: CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A BILLBOARD IN A C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING FOR ALL C(P) USES DISTRICT ON 2.07+/-

ACRES, LOCATED AT 2960 CUMBERLAND ROAD, SUBMITTED BY ROY L. & SHEILA J. BULLOCK (OWNERS).

Chairman Turner read the case heading for Case No. P20-01-C.

Mrs. Lynd asked the board to accept the portion of the boards packet pertaining to this case be accepted into the record.

Mr. Ferguson made a motion to accept the packet of P20-01-C into the record, seconded by Ms. Lucas-Moore seconded. The motion passed unanimously.

	IN FAVOR
TURNER	YES
FERGUSON	YES
PARKS	YES
LUCAS-MOORE	YES
DAVIS	YES

Mrs. Lynd reviewed the zoning, sketch map, and land use of the area surrounding subject property. She briefly reviewed board packet material. Mrs. Lynd stated findings of facts is being requested by staff and is included in the back of your packet.

MS. LUCAS-MOORE: Will it be the same size as the billboard that's there now or is it the 40 foot? Is that the same size at what you're replacing it with?

MRS. LYND: The applicant may be able to answer that but right now it is a single-sided billboard the proposed is a double-sided A-frame billboard.

CHAIR TURNER: But it's 40 feet high?

MRS. LYND: No, It's 40 feet wide. A billboard cannot be higher than 35 feet.

CHAIR TURNER: Of course, you know what a guy like me thinks. I'm sitting here trying to figure out how the city doesn't realize that they haven't Annexed that yet, it's right in the thick of things they don't let things like that pass by. Let me open the public hearing, we have one speaker signed up that's Mr. Roy Bullock. Would you like to come forward sir? Do you swear or affirm the testimony you'll give the board will be the truth, the whole truth and nothing but the truth so help you God?

MR. BULLOCK: I do. Yes sir.

CHAIR TURNER: Please state your name and address for the record.

MR. BULLOCK: Roy Bullock, 1426 Berkshire Rd, Fayetteville, NC 28304. The sign that's there is a 40 foot sign. The proposed sign should be a 10 x 36 foot sign. That's a correction that needs to be made.

MS. LUCAS-MOORE: So that's a 10 x 36?

MR. BULLOCK: 10 x 36 excuse me 12 x 36.

MS. LUCAS-MOORE: Okay. Double-sided?

MR. BULLOCK: Double-sided, yes ma'am.

MR. MOOREFIELD: Mr. Chairman, to correct the record, the applicant indicated that a correction needs to be made in your site packet. What is that correction that needs to be made sir?

MRS. LYND: The site plan shows it at 40 foot so if we make the correction to 36 two-sided

MS. LUCAS-MOORE: So at the first page up under explanation of request its where it's located?

CHAIR TURNER: The explanation on the request says the sign will be 10 foot x 36 foot, digital sign.

MR. BULLOCK: It should read 12 x 36, the 40 is the old sign.

MR. MOOREFIELD: Just so we have the correct record, your site plan for the Board of Adjustment special use permit shows the proposed sign is supposed to be 40 feet?

MR. BULLOCK: No sir, that should be 36.

CHAIR TURNER: What do you see Rick, that I don't see?

MR. MOOREFIELD: Site plan. The two feet measurements on the site plan. The rezoning shows 40 feet.

MR. BULLOCK: I think they got confused with the size of the old sign.

MR. PARKS: Can you correct that right now without any problem?

MRS. LYND: The application and the staff report and the packet you've accepted into the record states 10 x 36. The site plan submitted shows a length of 40 which is where the discrepancy is but if you'll just accept the correction, if it's 40 foot wide and ends up being 36 he's still covered set back wise but as Mr. Moorefield ask to make a correction to accept the correct size into the record.

CHAIR TURNER: Do we need to correct that, Rick?

MR. MOOREFIELD: Yes sir and what you're correcting is on the first page, it's a two sided 12 foot by 36 foot digital sign, am I correct sir?

MR. BULLOCK: Yes sir.

MR. MOOREFIELD: And on the site plan, the length shown or I guess the width shown of the facing of the billboard is 36 feet instead of 40 feet.

CHAIR TURNER: Okay. Anybody have any questions on that?

MR. FERGUSON: On page three, correct that.

MR. PARKS: Page three on the plot plan you see on the top right there it's got the V, its got a 40 foot mark, that's 36 now.

MR. FERGUSON: Right

CHAIR TURNER: Well it does say ten by 36 on page three of his application. In the handwritten application is states proposed two sided ten by 36.

MR. DAVIS: It has to be 12 by 36 on page three.

CHAIR TURNER: Should be 12 by 36. Yes sir.

MR. MOOREFIELD: Yes sir Mr. Chairman, all I'm trying to do is make sure that the record is the accurate record.

CHAIR TURNER: Well we want to be sure we do to because if he puts up the wrong sign and then

MR. BULLOCK: Yeah, I apologize for that too. I didn't catch it either. I did not catch it.

MR. MOOREFIELD: Are those the only two changes Mr. Bullock?

MR. BULLOCK: That's all I see. Yes sir for the proper size.

CHAIR TURNER: So at this point what will need is a motion to accept these changes for the sign to be 12 foot by 36 foot and correct page three and the site plan, particularly the site plan. Is everybody good with that?

Mr. Parks made a motion to accept the changes to the packet of P20-01-C into the record, seconded by Mr. Ferguson. The motion passed unanimously.

IN FAVOR	
TURNER	YES
FERGUSON	YES
PARKS	YES
LUCAS-MOORE	YES
DAVIS	YES

MR. BULLOCK: Here in the finding of facts, I wanted to share with you, it ask the question will it endanger the public health or safety in accordance with plans submitted and recommended? I would answer that by saying no, it will not. It will have the ability to post amber alerts, weather alerts, silver alerts and public service announcements. It gives it the ability that it does not have now. The sign that was there has been there since 1963. We just want to upgrade it. Number three - asks will it maintain or enhance the value of the property? It will, we're making approximately a quarter of a million dollar investment, to modernize the sign that's there. Something that weather will not hinder as much as it does a pole sign as it is now. Any other questions?

CHAIR TURNER: Okay. We have to make these four findings of fact and you've addressed one and three what about two and four?

MR. BULLOCK: Okay, the use meets all required conditions and specifications that I was giving, yes it does. And four, 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 the Cumberland County most recent comprehensive Land Use Plans? Yes. If there's any, I've been asked about trees, plantings, but according to what I've been told there's no requirements for me to do that. Although the property does have alot of trees on it, we did improve the property by cleaning it up. I shared with the previous meeting, we actually had to haul eleven tractor-trailer loads of trash where they had been dumping, everybody had been dumping on it. We hauled it off and of course that was on us. We tried other avenues to get some help but it was not available but it was all there when we bought it. That's the improvements we've made to it. As you could see the property was clean and we have a constant effort to maintain it, to keep it presentable.

CHAIR TURNER: Okay, anything else? Stay with us for just a minute. Stand by. There's no one else to speak for or against, so I'm going to close the public hearing. Anyone have any questions of Mr. Bullock?

MR. FERGUSON: On this landsite, what is it, that's just his empty lot?

MR. BULLOCK: Yes sir excluding now, that there is a house on that. Other than that, it was a wooded lot. There had been houses there in the past and they were torn down and it was just left to grow up and basically a dirt road dumpsite it was it became until we bought it.

MR. PARKS: How long ago did you buy the property?

MR. BULLOCK: It's been approximately five or six years. Yes sir and we have since, the centerpiece that you see cut out, in the middle of it there, we have since acquired that, in this year.

CHAIR TURNER: I think we noticed you own both of them. You have the whole corner pretty much there. Any other questions? No, okay, we may call you back. Rick could I ask you a question about something that sticks in my head? Wasn't there an issue, it may not matter here, wasn't there an issue years ago with a digital billboard on Ramsey Street that ended in a lawsuit?

MR. MOOREFIELD: That was a city code issue. Because this is a digital board and I see that this is in that special airport overlay district, I would inquire whether staff has made sure that there are no conflicts with that overlay district with the digital billboard.

MRS. LYND: Correct, we do send anything within the airport overlay to the airport and if a comment is not indicated on the staff report, it means we received no comment from the airport itself.

MR. MOOREFIELD: Are there any things in the airport, that special district, that address digital lighting or anything?

MRS. LYND: Right, not currently the airport overlay district only addresses height due to the FAA regulations currently.

CHAIR TURNER: I would have never thought the airport district came that far.

MRS. LYND: It does and actually well a little further down there's also the coliseum tourism overlay district which definitely would have had a bearing on billboards as there is additional spacing requirements and stuff but in the general airport overlay district it deals mostly with height.

CHAIR TURNER: Well your coliseum's board district doesn't go there?

MR. PARKS: They've got a digital board out at the coliseum.

MRS. LYND: Right, those were all grand fathered in.

MR. PARKS: Interesting, they say they interferes with some bandwidth or something or are they saying a pilots going mistake a digital sign for

MR. MOOREFIELD: I don't know, I was just making sure that wasn't an issue. I just brought it up because it is in an overlay district.

CHAIR TURNER: I was on the coliseum board when we did the coliseum overlay district and I never got a full understanding of what there problem was with billboards and that to begin with other than the fact they didn't want anymore billboards, and I don't know why. It is part of that but its not part of this. And I wouldn't of thought of the airport district. Okay, anybody have anything else? Is there a motion?

MR. PARKS: I make a motion that we make the findings of facts Chairman Turner.

MR. MOOREFIELD: You really do need to state those findings of facts for the record.

MR. PARKS: I make a motion that we accept the findings that we have agreed on here. Is that how you want me to do it? How do you want me to do it Rick?

CHAIR TURNER: Based on information provided by the applicant?

MR. MOOREFIELD: They have the finding of fact stated items one thru four on page two you incorporate those into your hearing as the findings of fact.

MR. PARKS: In my motion I agree with the findings of statue one thru four and accept those as listed.

CHAIR TURNER: Based on the testimony from the applicant we don't have any other issues with it? I thought there was a safety issue from the digital billboards.

MR. MOOREFIELD: There is not a county issue. I think it is a city issue. The argument is that changing data on the billboard attracts the drivers attention and diverts them from driving and that sort of stuff.

CHAIR TURNER: But that's not an issue for us tonight?

MR. MOOREFIELD: It's not addressed in our billboard ordinances.

Mr. Parks made a motion to approve Case P20-01-C Special Use permit to allow a billboard in a C(P) Planned commercial/CZ Conditional Zoning for all C(P) uses district on 2.07+/- acres located at 2960 Cumberland Road, Mr. Ferguson seconded. The motion passed unanimously.

	IN FAVOR
TURNER	YES
FERGUSON	YES
PARKS	YES
LUCAS-MOORE	YES
DAVIS	YES

12. DISCUSSION/UPDATES

MRS. LYND: Yes chair, I would like to give Mr. David Moon a moment to introduce himself as the new deputy director to the Board.

CHAIR TURNER: We're glad you're here because we need all the direction we can get.

MR. MOON: There's a lot to learn, I can tell you that. I'm David Moon. I'm the Deputy Director of Planning and Inspections. It's wonderful to be here. I'm glad to be able to serve Cumberland County. I have thirty-four years of experience as a professional planner. Most of my experience has been in the state of Florida. I'm originally from the northeast New England, educated in the Midwest at Ohio State and a small school called Baborse University. The Fayetteville area is wonderful and I'm already enjoying the restaurants and the downtown. I've already had the opportunity to drive thru all of the eight municipalities/towns and thru the farmlands and country area as well. It's a pleasure to be here and I hope to be of service to the county. Thank you.

MR. PARKS: Glad you're here. You're also handling inspections? Planning and Inspections?

MR. MOON: I've been directed to lead building inspections and code enforcement as well as central permitting.

MR. PARKS: Oh really.

MR. MOON: I'll also be handling special projects and assignments that are handed to me.

CHAIR TURNER: You got your hands full. We're glad you're here.

MRS. LYND: Thank you chair. Mr. Moon will probably also be in contact with you guys a lot because he'll be taking point on things like training and stuff for you all so you should be getting some contact from him as well as myself. I don't plan on abandoning you. The second item is due to bringing on Ms. Lucas-Moore as a regular member we have an additional vacancy for an alternate so be looking out in your emails for an email from Dena giving you applicants that could be nominated to the Board of Commissioners as a new alternate member. Also we have a regular member who has missed three meetings in a row and the current rules of procedure. We're definitely going to try and make contact with him one more time. We may be asking you all to appoint an additional regular member as well. That is all the updates from staff.

MR. MOOREFIELD: Mr. Hasty out with family medical situation, please keep him in your prayers.

CHAIR TURNER: Anything else?

MRS. LYND: No sir. We will have a meeting September 17th, 2020 at 6:00 pm

13. ADJOURNMENT

Mr. Davis made a motion to adjourn, seconded by Mr. Parks. The motion passed unanimously. Meeting adjourned at 7:38pm.

	IN FAVOR
TURNER	YES
FERGUSON	YES
PARKS	YES
LUCAS-MOORE	YES
DAVIS	YES

Dena L Barner, Clerk to the Board

George Turner, Chairman

Members:
George Turner, Chair
Alfonso Ferguson Sr., Vice Chair
Gregory Parks
Marva Lucas-Moore



Alternates:
Robert E Davis
Stacy Michael Long
Linda Amos
Vacant

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

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

2021 TENTATIVE

COUNTY BOARD OF ADJUSTMENT

DEADLINE/MEETING SCHEDULE

Application Deadline

Monday, December 11, 2020
Thursday, January 14, 2021
Thursday, February 11, 2021
Thursday, March 11, 2021
Friday, April 16, 2021
Thursday, May 13, 2021
Thursday, June 10, 2021
Friday, July 16, 2021
Thursday, August 12, 2021
Friday, September 17, 2021
Thursday, October 14, 2021
Monday, November 8, 2021
Friday, December 10, 2021

Meeting Date

Thursday, January 21, 2021
Thursday, February 18, 2021
Thursday, March 18, 2021
Thursday, April 15, 2021
Thursday, May 20, 2021
Thursday, June 17, 2021
Thursday, July 15, 2021
Thursday, August 19, 2021
Thursday, September 16, 2021
Thursday, October 21, 2021
Thursday, November 18, 2021
Thursday, December 16, 2021
Thursday, January 20, 2022

NOTE: Generally, deadlines are set 24 working days prior to the Board meeting date.

PLANNING STAFF REPORT
BOA CASE # P20-02-C

Board of Adjustment Hearing: September 17, 2020 (deferred from August 20, 2020)

EXPLANATION OF THE REQUEST

This is a request for consideration of an appeal from the Code Enforcement Officer's decision to file a notice of violation for the operation of an unapproved outdoor firing range on the property. The notice of violation was issued on May 14, 2020.

OWNER/APPLICANT

OWNER/APPLICANT: Derek Orent on behalf of American Legion Post #230 (owners)

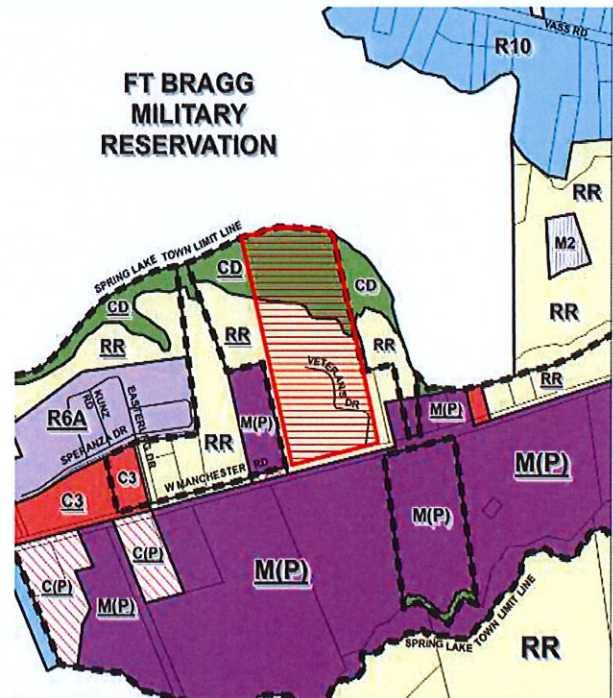
PROPERTY INFORMATION

ADDRESS/LOCATION: 1654 & 1675 Veterans Drive; more specifically REID 0502041673000

SIZE: This request includes one parcel totaling approximately 13.46 acres. The property has approximately 494' of street frontage along W Manchester Road and is 1207'+/- in depth.

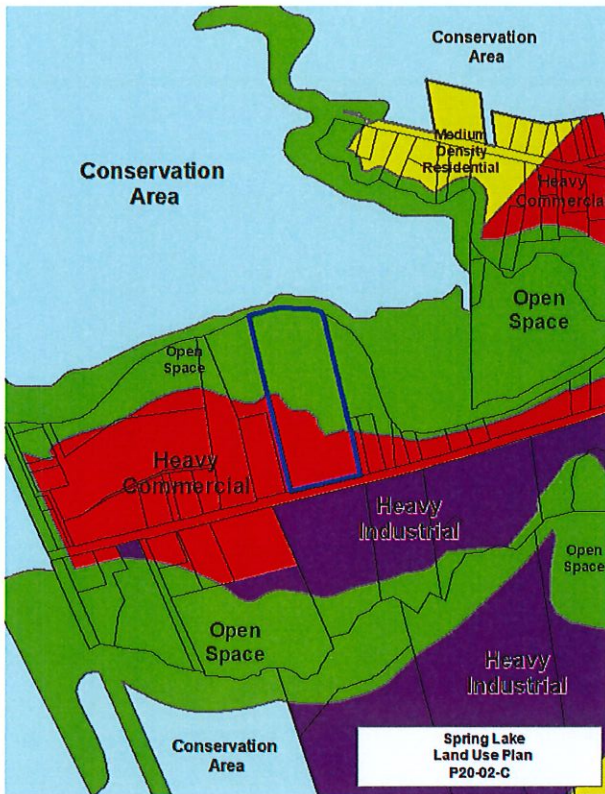
EXISTING LAND USE: The subject property is currently developed as a club/lodge for the American Legion. There is also a manufactured home on the property.

OTHER SITE CHARACTERISTICS: The property is not within the watershed but is within Special Flood Hazard Area. There are hydric inclusion (WmB-Wickham fine sandy loam) soils on the property. The property is not within the Airport Overlay District.



SURROUNDING LAND USE: Residential uses and a defense contractor are developed on adjacent parcels.

MUNICIPAL INFLUENCE AREA: This property is in Spring Lake's MIA. Staff received no comment from the Town of Spring Lake.



ZONING HISTORY: This property was initially zoned RR & CD as part of the Area 11 initial zoning on January 7, 1977.

UTILITIES: This property is currently served by Spring Lake water and private septic. Spring Lake sewer is available to the property.

COMPREHENSIVE PLANS: The 2030 Growth Vision Plan designates this parcel for "Urban" and "Conservation Area". The Spring Lake Land Use Plan (2002) designates this parcel for "**Heavy Commercial and Open Space**". Commercial areas along major thoroughfares are indicated to provide for existing commercial development and to provide expanded depth so that when areas are redeveloped into commercial uses there would be sufficient land area to provide proper access, landscaping, parking, etc. "Open Space" is indicated along the 100-year Flood area.

IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

TRAFFIC: The subject property sits on Manchester and Veterans Drive, both of which are identified as local roads in the 2045 Metropolitan Transportation Plan. There are no constructions/improvements planned and the subject property will have no impact on the Transportation Improvement Plan.

SCHOOLS CAP/ENROLL: Manchester Elementary: 340/370; Spring Lake Middle: 700/479; Pine Forest High: 1750/1577

EMERGENCY SERVICES: This request has been reviewed by the Cumberland County Fire Marshal's Office. The County Fire Marshal stated the owner should ensure all fire department access requirements are met.

US FISH & WILDLIFE: Due to the proximity of known active red-cockaded woodpecker clusters, staff would encourage the petitioner to have this property surveyed by personnel experienced in management and monitoring of the species prior to the removal of mature pine trees. The results of any survey should be sent to the USFWS office located in Southern Pines, NC for review.

RLUAC: The request has been reviewed by the Regional Land Use Advisory Commission. RLUAC stated that the northern section of the parcel is identified as "Important to Conserve" on the Joint Land Use Study maps due to its location within the Pope Army Airfield 60-65db noise area and the property's High Endangered/Threatened Species-Biodiversity and Wildlife Habitat Rating. The property is also located within the military Airfield Imaginary area. RLUAC encourages the County to consider the potential adverse impact to Fort Bragg during its proceedings. Further, RLUAC encourages the developer to refrain from making any future requests for telecom towers, due to their navigation hazards.

Attachments:

- Appeal Letter submitted by Property Owner
- Code Enforcement Case File (including Notice of Violation)
- Section 203. Definitions & Section 907.1 Firing Range, Outdoor (County Zoning Ordinance)
- Notification Mailing List



THE AMERICAN LEGION
Department of North Carolina
James LeBlanc Post #230
1654 Veterans Dr, Spring Lake, NC 28310

20 May 2020

Scott Walters, Code Enforcement Mngr.
Cumberland County Inspection & Planning Dept.
130 Gillespie Street
Fayetteville, NC 28301

Mr. Walters,

We, American Legion Post #230, have received a Notice of Violation, Case # ZN-380-2020, the cease and desist order concerning an outdoor shooting range.

We will exercise our right to appeal this decision in accordance with Article XVII., Section 17.03E, Appeal, Zoning Ordinance and request an appointment with the next Board of Appeals to present our argument.

The American Legion is the largest wartime veterans service organization with nearly 2 million members and more than 12,000 posts in communities throughout America. Today, the organization is active throughout the United States, supporting current military personnel and veterans, sponsoring American Legion Baseball, Boys State, Oratorical Contests, and other community service activities.

Sincerely,

Derek Orent
Commander, Post #230

Rawls Howard
Director

Vacant
Deputy Director

Scott Walters
Code Enforcement
Manager

Carol M. Post
Office Processing Assistant



**CUMBERLAND
COUNTY**
NORTH CAROLINA

Planning & Inspections Department

Joey Lewis
Inspector

Gilbert Sanchez
Inspector

Andy Roberts
Inspector

Kim Cannizzaro
Inspector

Jamie Bahneman
Inspector

NOTICE OF VIOLATIONS

05/14/2020

American Legion Post 230 & Parties of Interest
1654 Veterans Dr
Spring Lake, NC 28390

CASE # ZN-3808-2020

You are hereby issued a Notice of Violation of the Cumberland County Code, Appendix A, Zoning.

1. Nature of Violation(s): You are in violation of your site plan case number 98-005. You are operating or allowing the operation of a shooting range on your property. A shooting range is not permitted per the approved site plan.
2. Code Reference: Cumberland County Zoning Ordinance, Cumberland County, North Carolina, Article I, Administrative Provisions, Section 107, Zoning Permit, Article II, Interpretations, Calculations, and Definitions, Section 203 Definitions of Specific Terms and Words, Article IV, Permitted, Conditional, and Special Uses, Section 403 Use Matrix, Article IX, Individual Uses, Section 907 Firing Range, Outdoor, Article XIV, Planned Districts, Section 1403 Site Plan Review, Article XVII, Legal Provisions, Section 1704, Penalties.
3. Action to Correct Violations(s): Cease operation and remove the shooting range or seek to add it to an approved site plan.
4. Property Location: On or about 1654 Veterans Dr, Spring Lake, NC. Being that property as listed under Cumberland County, NC Tax Parcel Number 0502-04-1673
5. Property Owner: American Legion Post 230 Inspection Date: 05/13/2020

You are hereby advised that the above listed violation is a Class 3 Misdemeanor, under the provisions of North Carolina General Statute 14-4, and must be corrected within thirty (30) days of receipt of this notification. Failure to correct this violation will subject you to a civil penalty of \$500 dollars per day (each day being a separate violation) and prosecution for a misdemeanor violation in Environmental Court. Also be advised of your right to appeal this decision in accordance with Article XVII., Section 17.03(E), Appeal, Zoning Ordinance, Cumberland County, North Carolina.

If you have any questions, please contact the undersigned at (910) 321-6643.



Jamie Bahneman

Code Enforcement Officer

Jamie Bahneman

From: Kim Cannizzaro
Sent: Monday, May 11, 2020 8:06 AM
To: Jamie Bahneman
Subject: FW: Gun Range Permit (Manchester Rd)
Attachments: Property Summary_0502-04-1673.pdf; Old PIN 0502-04-1673.pdf; IMG_0235.JPG; Google Earth.pdf

Kim Cannizzaro

Code Enforcement Officer
Cumberland County Planning & Inspections
130 Gillespie Street
Phone: (910) 321-6655
Fax: (910) 321-6637



From: Stephen Blakeney <stblakeney@gmail.com>
Sent: Tuesday, May 5, 2020 5:33 PM
To: Kim Cannizzaro <kcannizzaro@co.cumberland.nc.us>
Subject: Gun Range Permit (Manchester Rd)

Here is the information you requested earlier today. Let me know if there is anything else I need to provide. My phone number is (910)-574-6047.



Property Summary

Tax Year: 2020

REID	0502041673000	PIN	0502-04-1673	Property Owner	AMERICAN LEGION POST 230
Location Address	1654 VETERANS DR	Property Description	AMERICAN LEGION JAMES LEBLANC POST #230 SE01 PL0040-0011	Owner's Mailing Address	1654 VETERANS DR SPRING LAKE NC 28390

Administrative Data		Transfer Information		Property Value	
Old Map #		Deed Date	7/1/1984	Total Appraised Land Value	\$58,841
Market Area	4075	Deed Book	000781	Total Appraised Building Value	\$102,070
Township	NONE	Deed Page	00306	Total Appraised Misc Improvements Value	\$14,360
Planning Jurisdiction	COUNTY	Revenue Stamps		Total Cost Value	\$175,271
City		Package Sale Date		Total Appraised Value - Valued By Cost	\$175,271
Fire District	0111-MANCHESTER	Package Sale Price		Other Exemptions	\$175,271
Spec District	PS0005-SPECIAL FIRE,RECREATION	Land Sale Date	7/1/1984	Exemption Desc	BX-BENEVOL/LODGES-EX
Land Class	E105-EXEMPT	Land Sale Price		Use Value Deferred	
History REID 1		Improvement Summary		Historic Value Deferred	
History REID 2		Total Buildings	1	Total Deferred Value	
Acreage	13.46	Total Units	0	Total Taxable Value	
Permit Date		Total Living Area	0		
Permit #		Total Gross Leasable Area	2,318		

Building Summary

Card 1 1654 VETERANS DR

Building Details		Building Total & Improvement Details	
Bldg Name		Total Adjusted Replacement Cost New	\$200,136
Primary Occupancy Type	COMMERCIAL	Physical Depreciation (% Bad)	AVERAGE 40
Primary Occupancy	CLB-CLUB	Depreciated Value	\$120,081
Primary Class	C-CONCRT/MASONRY-WLS	Economic Depreciation (% Bad)	0
Primary Quality	D	Functional Depreciation (% Bad)	0
Year Built	1960	Total Depreciated Value	\$120,081
Effective Year	1989	Market Area Factor	1
Physical Depreciation (Rating)	AVERAGE	Building Value	\$102,070
Physical Depreciation (% Bad)	40	Misc Improvements Value	\$14,360
Economic Depreciation (% Bad)	0	Total Improvement Value	\$116,430
Functional Depreciation (% Bad)	0	Assessed Land Value	\$58,841
Gross Leasable Area (SQFT)	2,318	Assessed Total Value	\$175,271
Remodeled Year	2017		

Total Stories

1

Section 1 Details

Occupancy Type COMMERCIAL

2-FIX-BATHS 2

Air Conditioning Y

Class C-CONCRT/MASONRY-WLS

Depreciation 40%

Depreciation AVERAGE

Exterior Walls 07-CONCRETE-BLOCK

Interior Finish CLB-CLUB

Kitchens 1

Occupancy CLB-CLUB

Quality D

Sprinkler N

Addition Summary

Story	Type	Code	Area
1.00	CNPY COMM AVG	CCC	66

Building Sketch

Photograph

No Sketch Found

No Photo Found

Misc Improvements Summary

Card #	Unit Quantity	Measure	Type	Base Price	Eff Year	Phys Depr (% Bad)	Econ Depr (% Bad)	Funct Depr (% Bad)	Common Interest (% Good)	Value
1	16x12	DIMENSIONS	UTILITY FRAME	\$16.15	1995	65	0	0		\$1,085
1	12x8	DIMENSIONS	UTILITY FRAME	\$16.15	1990	65	0	0		\$271

Total Misc Improvements Value Assessed: \$14,360

Card #	Unit Quantity	Measure	Type	Base Price	Eff Year	Phys Depr (% Bad)	Econ Depr (% Bad)	Funct Depr (% Bad)	Common Interest (% Good)	Value
1	14x6	DIMENSIONS	SIDEWALK	\$4.04	1960	65	0	0		\$59
1	18x20	DIMENSIONS	CANOPY	\$20.47	2004	50	0	0		\$1,561
1	18x20	DIMENSIONS	CANOPY	\$20.47	2004	50	0	0		\$2,874
1	12x18	DIMENSIONS	CANOPY	\$20.47	2004	50	0	0		\$937
1	8x9	DIMENSIONS	UTILITY FRAME	\$16.15	2004	40	0	0		\$544
1	580	SIZE	CL FENCE	\$8.61	2009	29	0	0		\$4,529
1	1	UNITS	MOBILE HOME SP		2009	0	0	0		\$2,500

Total Misc Improvements Value Assessed: \$14,360

Land Summary

Land Class: E105-EXEMPT		Deeded Acres: 0		Calculated Acres: 13.46		
Zoning	Soil Class	Description	Size	Rate	Land Adjustment	Land Value
RR		0400-RURAL-HOME	1.00 BY THE UNIT PRICE	\$12,500		\$12,500
RR		2096-RURAL-ACREAGE	4.79 BY THE ACRE PRICE	\$10,500		\$29,172
CD		2250-CD-ZONED-ACREAG	4.92 BY THE ACRE PRICE	\$700		\$3,444
RR		F750-LAKE/POND	1.75 BY THE ACRE PRICE	\$700		\$1,225
RR		0450-SECONDARY-R-LOT	1.00 BY THE UNIT PRICE	\$12,500		\$12,500

Total Land Value Assessed: \$58,841

Ownership History

	Owner Name	Deed Type	% Ownership	Stamps	Sale Price	Book	Page	Deed Date
Current	AMERICAN LEGION POST 230	WD-WARRANTY DEED	100	0		000781	00306	7/1/1984

Notes Summary

Building Card	Date	Line	Notes
No Data			

COMPLAINT

Complaint ID: 5191 PIN: 0502-04-1673 PIN Map: 0502
Address: 1654 Veterans Dr
City: Spring Lake Zip: 28390
Subdivision: AMERICAN LEGION JAMES LEB Zoning: RR

Received: 05/11/2020 12:00 AM - Jamie Bahneman
Assigned: 05/11/2020 - Jamie Bahneman
Inspected: _____
Disposition: _____

Owner: AMERICAN LEGION POST 230 | _____ | _____
1654 VETERANS DR, SPRING LAKE NC 28390

Occupant: _____ | () - | () -

Complainant: Stephen Blakeney | (910) 574-6047 | () -

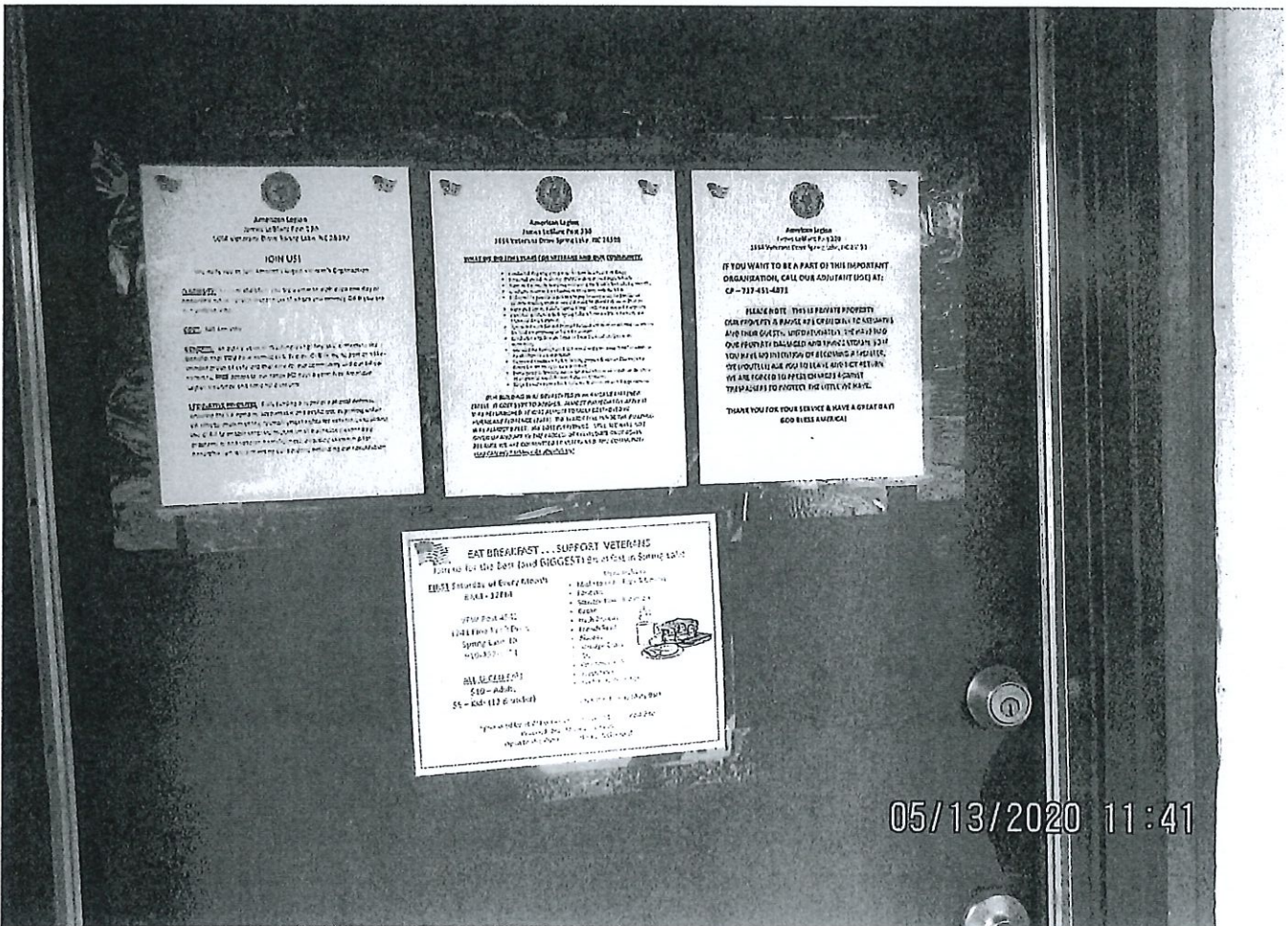
Legal Description: 13.46 ACS AMERICAN LEGION JAMES LEBLANC POST 230 (13.46 ACS)

Complaint: Operating an outdoor firing range, which is not allowed with their type of zoning or per their site plan.

Findings:

The property is operating a range for it's members and family. There is a sign at the front of the road with advertisement for the range along with numerous signs for the range rules for the members and their guest. The range is small and has a carport with targets and other things underneath it. There are casings laying all over the ground and in buckets by the carport area. I attempted contact with a Joe (717)451-4071 whose phone number was provided on one of the notices as their adjutant.

05/14/2020 8:20 AM





American Legion
 James LeBlanc Post 230
 1654 Veterans Drive Spring Lake, NC 28390

1654

JOIN US!

WHAT WE DID (T

We invite you to join America's largest Veteran's Organization.

ELIGIBILITY: You are eligible if you are a veteran with even one day of honorable active service (regardless of where you served), OR if you are currently serving.

COST: \$40 Annually

BENEFITS: An active voice in Washington fighting and protecting the benefits that **YOU** have earned (VA, Tricare, GI Bill); being part of a like-minded group of veterans that care for our community and our fellow veterans; **FREE** access to our range 365 days a year; free American Legion insurance and national discounts

LEGISLATIVE PRIORITIES: Fully funding a superior national defense; ensuring the VA remains accountable and proficient; repealing unfair VA offsets; implementing reemployment rights for veterans; expanding the GI Bill to enable veterans to start small businesses; expanding programs to end veteran homelessness; awarding citizenship for honorable service; protecting our borders; defending our constitution

*OUR BUI
 (2016). IT COS
 WAS REFURBI
 HURRICANE FL
 WAS ALMOST
 GIVEN UP AND
 BECAUSE WE
 YOU CAN HEL*

05/13/2020 11:41



American Legion
 James LeBlanc Post 230
 1654 Veterans Drive Spring Lake, NC 28390

Ar
 James
 1654 Veterans

WHAT WE DID (THIS YEAR) FOR VETERANS AND OUR COMMUNITY:

- Conducted flag etiquette classes for Girl Scouts at Fort Bragg
- Presented awards to the top JROTC cadets at local High Schools
- Supported formerly homeless veterans at the Yadkin Villas in Fayetteville.
- Conducts monthly joint fundraiser breakfasts with the VFW.
- Collected 51 pounds of pull tabs to pay housing costs for families of children needing medical care at Ronald McDonald House in Durham
- Supported Spring Lake's "Spring Fling" with donations and manpower
- Provided speakers at both Spring Lake's Veterans Day Ceremony and Memorial Day Ceremony
- Sponsored a job fair and Project Management Institute information session for Soldiers preparing to leave the military
- Conducted a Halloween Trunk or Treat for local children in the community
- Attended the Spring Lake Fall Festival and gave away "tons" of candy to the children of our community
- Supported Operation Turkey helping prepare & deliver Thanksgiving dinner for the needy in our community
- Participated in Wreaths Across America's laying of wreaths at the graves of veterans at Sandhills State Veterans Cemetery
- Helped local veterans file VA claims & drove vets to VA appointments

**IF YOU WANT TO BE
 ORGANIZATION CAL
 CP - 717-451-4071**

**PLEASE NOTE - I
 OUR PROPERTY & RAN
 AND THEIR GUESTS. U
 OUR PROPERTY DAMA
 YOU HAVE NO INTENT
 WE (POLITELY) ASK YO
 WE ARE FORCED TO PI
 TRESPASSERS TO PRO**

OUR BUILDING WAS DEVASTATED IN HURRICANE MATTHEW (2016). IT COST \$50K TO REBUILD. ALMOST IMMEDIATELY AFTER IT WAS REFURBISHED, IT WAS ALMOST TOTALLY DESTROYED IN HURRICANE FLORENCE (2018). THE WATER LINE INSIDE THE BUILDING WAS ALMOST 9 FEET. WE LOST EVERYTHING. STILL, WE HAVE NOT GIVEN UP AND ARE IN THE PROCESS OF REBUILDING ONCE AGAIN BECAUSE WE ARE COMMITTED TO VETERANS & THIS COMMUNITY. YOU CAN HELP SIMPLY BY JOINING US!

THANK YOU FOR YOU

05/13/2020 11:41



American Legion
 James LeBlanc Post 230
 1654 Veterans Drive Spring Lake, NC 28390

8390

COMMUNITY:

on Bragg
 High Schools
 Villas in Fayetteville
 VFW.
 for families of
 close in Durham
 and many other
 Ceremonies and
 information session
 from the
 "items" of candy to
 Thanksgiving
 events at the graves
 VA appointments
 MATTHEW
 ELY AFTER IT
 TO IN
 THE BUILDING
 HAVE NOT
 CE AGAIN
 COMMUNITY.

IF YOU WANT TO BE A PART OF THIS IMPORTANT ORGANIZATION, CALL OUR ADJUTANT (JOE) AT: CP - 717-451-4071

PLEASE NOTE - THIS IS PRIVATE PROPERTY.

OUR PROPERTY & RANGE ARE OPEN ONLY TO MEMBERS AND THEIR GUESTS. UNFORTUNATELY, WE HAVE HAD OUR PROPERTY DAMAGED AND THINGS STOLEN; SO IF YOU HAVE NO INTENTION OF BECOMING A MEMBER, WE (POLITELY) ASK YOU TO LEAVE AND NOT RETURN. WE ARE FORCED TO PRESS CHARGES AGAINST TRESPASSERS TO PROTECT THE LITTLE WE HAVE.

**THANK YOU FOR YOUR SERVICE & HAVE A GREAT DAY!
 GOD BLESS AMERICA!**

05/13/2020 11:41



EAT BREAKFAST... SUPPORT VETERANS

Join us for the Best (and BIGGEST) Breakfast in Spring Lake

**FIRST Saturday of Every Month
 8AM - 12PM**

VFW Post 4542
 1241 Pine Knoll Drive
 Spring Lake, NC
 910-497-5751

ALL-U-CAN-EAT!
 \$10 - Adults
 \$5 - Kids (12 & under)

Menu Includes:

- Made to order Eggs & Omelets
- Pancakes
- Sausage (links & patties)
- Bacon
- Hash Browns
- French Toast
- Biscuits
- Sausage Gravy
- Grits
- Cinnamon Rolls
- Fresh Fruit
- Coffee, Juice, & Milk



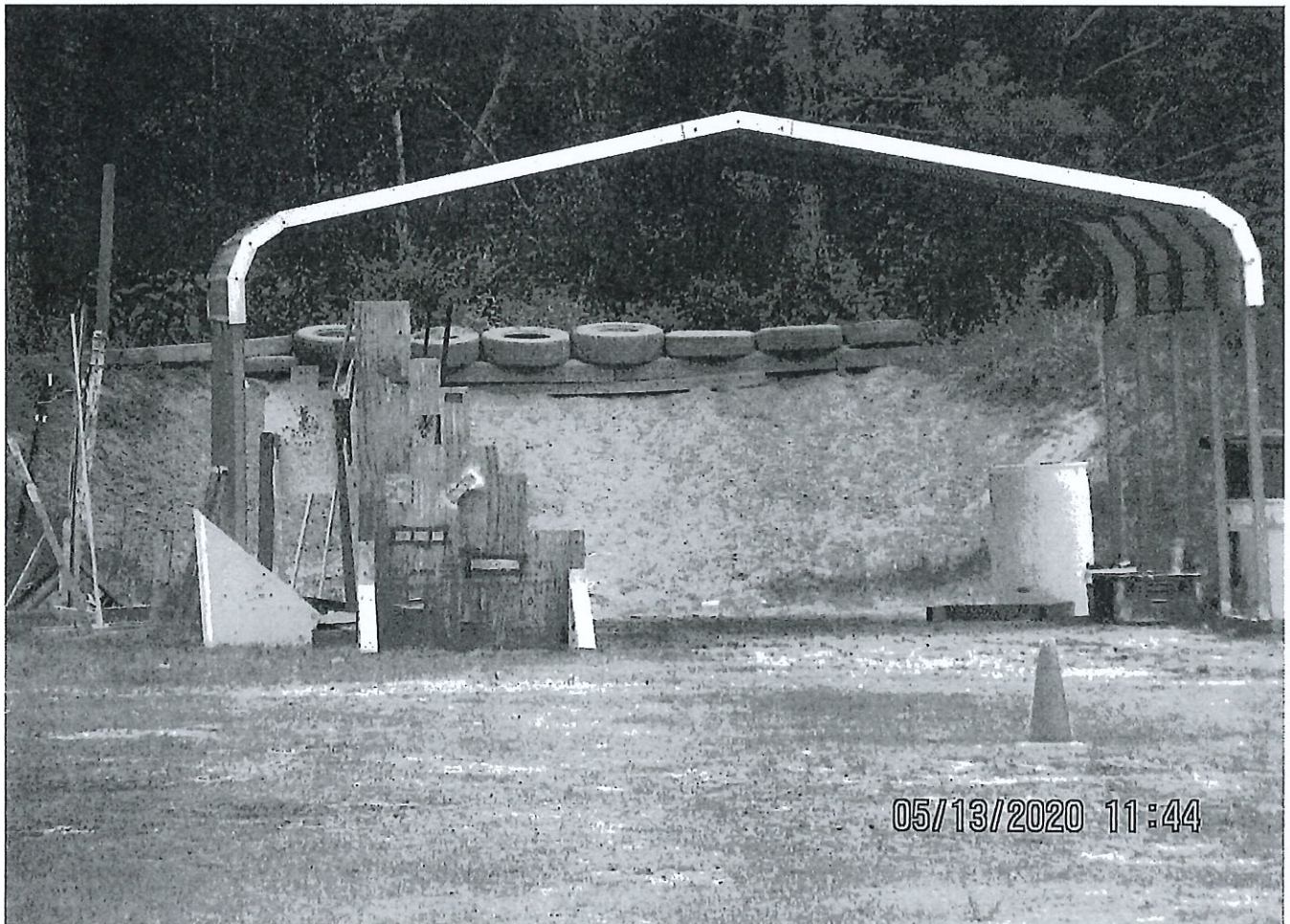
Cash Bar & Bloody Mary Bar!

Sponsored by VFW Post 4542 & American Legion Post 230
 Proceeds benefit local Veterans
 Open to the Public ... All Are Welcome!

05/13/2020 11:41



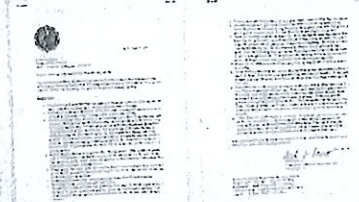
05/13/2020 11:44



05/13/2020 11:44



AMERICAN LEGION POST 230 RANGE RULES



05/13/2020 11:45

RANGE RULES



*as of August 8, 2019

American Legion
James LeBlanc Post 230
1654 Veterans Dr Spring Lake, NC 28390

Subject: American Legion Post 230 Weapon Range Rules

This document supersedes all previous versions and is meant to clarify procedures associated with using the American Legion Post 230 Weapon Range located at 1654 Veterans Drive, Spring Lake, NC 28390. The following rules apply to all personnel utilizing the range:

Range Rules

1. Only current, paid members (and their guests) of American Legion Post 230 may use the range. Members can bring up to two (2) guests with them to the range.
2. Members of American Legion Post 230 do NOT need to obtain permission prior to using the range as long as the range is being used for routine weapon firing.
3. Members using the range should have their American Legion Post 230 membership card with them. Membership card should be current, amounting either a 2019, 2020 or a Paid Up For Life membership. It is appropriate for our members to respectfully and politely challenge others as to their membership. This is not a sign of disrespect, but one of checks and balances. We want to support our Legionnaires while taking care of our property. We have had numerous and recent instances of trespassers and non-members using our range and damaging or stealing our property. It is everyone's responsibility to help avert this. If you experience any issues with this or have any concerns, report it to post leadership.
4. Normal range operating hours are Monday - Saturday 9AM - 7PM. Sunday hours are 1PM - 7PM in order to respect the religious services and activities in the area. We ask that any times outside of this window are approved by post leadership (Commander, Vice Commander, Adjutant or Range Officer).
5. If large groups have been approved to use the range (i.e. weapon classes, Scouts), we will do our best to annotate our social media pages so that all are aware and that we avert any inconvenience to our members.
6. Members can fire revolvers, semiautomatic pistols and rifles of standard caliber. Individuals can fire no caliber larger than 7.62mm.
7. Do not shoot outside of the left and right limits of the range. Do not set targets on top of the bins, all targets must have a backstop. Do not use glass bottles or mirrors. This creates a safety concern and an additional debris burden for members using the range after you.

8. Police up trails and help maintain the range after range. It is not to be used for anything other than target shooting.
9. Members should avoid parking vehicles behind the bins (on the side opposite to the bins). Members should avoid driving through the property especially if the ground is wet in order to avoid leaving up the yard. Treat the property like it is your own.
10. If Law Enforcement is present, be respectful. Show respect for the range rules and let them know that you will speak to the post leadership to try and correct the issue. Our goal is on private property with all appropriate distance limits considered. We follow all county ordinances for private use. We have appeared in court without incident for many years. If you are following these rules and are respectful in law enforcement, we should be able to avert any situation. If the problem is not resolved, follow all law enforcement orders, get a name, phone number and report the incident to post leadership.
11. If there are any changes to any policy or procedure, we will get the personnel and postees, as possible.
12. Always follow posted signs and rules on the property as we state post leadership for all use at the range. Take a look at the door when you enter the post property. We may post a change to a range procedure or notify you of a sign item by posting something outside front door.
13. If members want to use the range for weapon classes, have a large group (more than 20), need it for an extended period (more than 2 hours), have more than two guests, need to fire outside of the designated time window, or have any other unique situation, obtain permission from post leadership at least 48 hours in advance. Permission must be granted from either the Post Commander, Post Vice Commander, Post Adjutant or Post Range Officer. If members are found in violation of these rules without post leadership permission, they are subject to having their range privileges suspended, suspended, or revoked.
14. Finally, you are a veteran worthy of our respect. We extend our service to our nation and for a war membership in the nation's largest veterans service organization, the American Legion. Our post is fortunate to have this range. If we see the principles taught in the military, correct safety procedures, and our common sense, we will be assured of a safe and fun activity and have access to this range for many years.

Questions about the range procedures or regulations for revision should be sent to the post leadership at spring lake post 230@gmail.com

David J. Dumas
Post Commander, American Legion Post 230
Spring Lake, NC

Points of contact:
Range Officer - Mike Williams
Commander - Doreen Williams
Vice Commander - Zach Williams (774-421-9449)
Adjutant - Joe Pugh - (774-421-4071)

05/13/2020 11:45

Subject: American Legion Post 230 Weapon Range Rules

This document supersedes all previous versions and is meant to clarify procedures associated with using the American Legion Post 230 Weapon Range located at 1654 Veterans Drive, Spring Lake, NC 28390. The following rules apply to all personnel utilizing the range:

Range Rules

1. Only current, paid members (and their guests) of American Legion Post 230 may use the range. Members can bring up to two (2) guests with them to the range.
2. Members of American Legion Post 230 do NOT need to obtain permission prior to using the range as long as the range is being used for routine weapon firing.
3. Members using the range should have their American Legion Post 230 membership card with them. Membership card should be current, annotating either a 2019, 2020 or a Paid Up For Life membership. It is appropriate for our members to respectfully and politely challenge others as to their membership. This is not a sign of disrespect, but one of checks and balances. We want to support our Legionnaires while taking care of our property. We have had numerous and recent instances of trespassers and non-members using our range and damaging or stealing our property. It is everyone's responsibility to help avert this. If you experience any issues with this or have any concerns, report it to post leadership.
4. Normal range operating hours are Monday – Saturday 9AM – 7PM. Sunday hours are 1PM – 7PM in order to respect the religious services and activities in the area. We ask that any times outside of this window are approved by post leadership (Commander, Vice Commander, Adjutant or Range Officer).
5. If large groups have been approved to use the range (i.e. weapon classes, Scouts), we will do our best to annotate our social media pages so that all are aware and that we avert any inconvenience to our members.
6. Members can fire revolvers, semiautomatic pistols and rifles of standard caliber. Individuals can fire no caliber higher than 7.62mm.
7. Do not shoot outside of the left and right limits of the range. Do not set targets on top of the berm; all targets must have a backstop. Do not use glass bottles or masonry. This creates a safety concern and an additional debris burden for members using the range after you.

05/13/2020 11:45

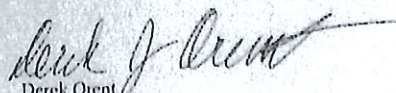
year
be a
side
11. If th
su p
12. Alw
see i
u ch
from
13. If m
need
fire i
perm
rang
perm
revol
14. Final
and J
Arme
taught
assur

Question
Leadership

Points of
Range Of
Command
Vice Com
Adjutant

8. Pick up trash and help maintain the range after usage. Leave it better than you found it!
9. Members should never park vehicles beyond the berm (or on the side parallel to the berm). Members should avoid driving throughout the property especially if the ground is wet in order to avoid tearing up the yard. Treat the property like it is your own!
10. If Law Enforcement is present, be respectful. Show him/her the range rules and let them know that you will speak to the post leadership to try and correct any issue. Our post is on private property with all appropriate distance limits considered. We follow all county ordinances for private use. We have operated it virtually without incident for many years. If you are following these rules and are respectful to law enforcement, we should be able to avert any situation. If the problem is not resolved, follow all law enforcement orders, get a name, phone number, and report the incident to post leadership.
11. If there are any changes to any policy or procedure, we will get the revision out as soon as possible.
12. Always follow posted signs and rules on the property as we may post something for all to see at the range. Take a look at the door when you enter the post property. We may post a change to a range procedure or notify you of a range event by posting something on the front door.
13. If members want to use the range for weapon classes, have a large group (more than 5), need it for an extended period (more than 2 hours), have more than two guests, need to fire outside of the designated time window, or have any other unique situation, obtain permission from post leadership at least 48 hours in advance. Permission must be granted from either the Post Commander, Post Vice Commander, Post Adjutant or Post Range Officer. If members are found in violation of these rules without post leadership permission, they are subject to having their range privileges curtailed, suspended, or revoked.
14. Finally, you are a veteran worthy of our respect. We applaud your service to our nation and for your membership in the nation's largest veterans service organization, the American Legion. Our post is fortunate to have this range. If we use the principles taught in the military, ensure safety procedures, and use common sense, we will be assured of a safe and fun activity and have access to this range for many years.

Questions about the range procedures or suggestions for revision should be sent to the post leadership at spring.lake.post.230@gmail.com.

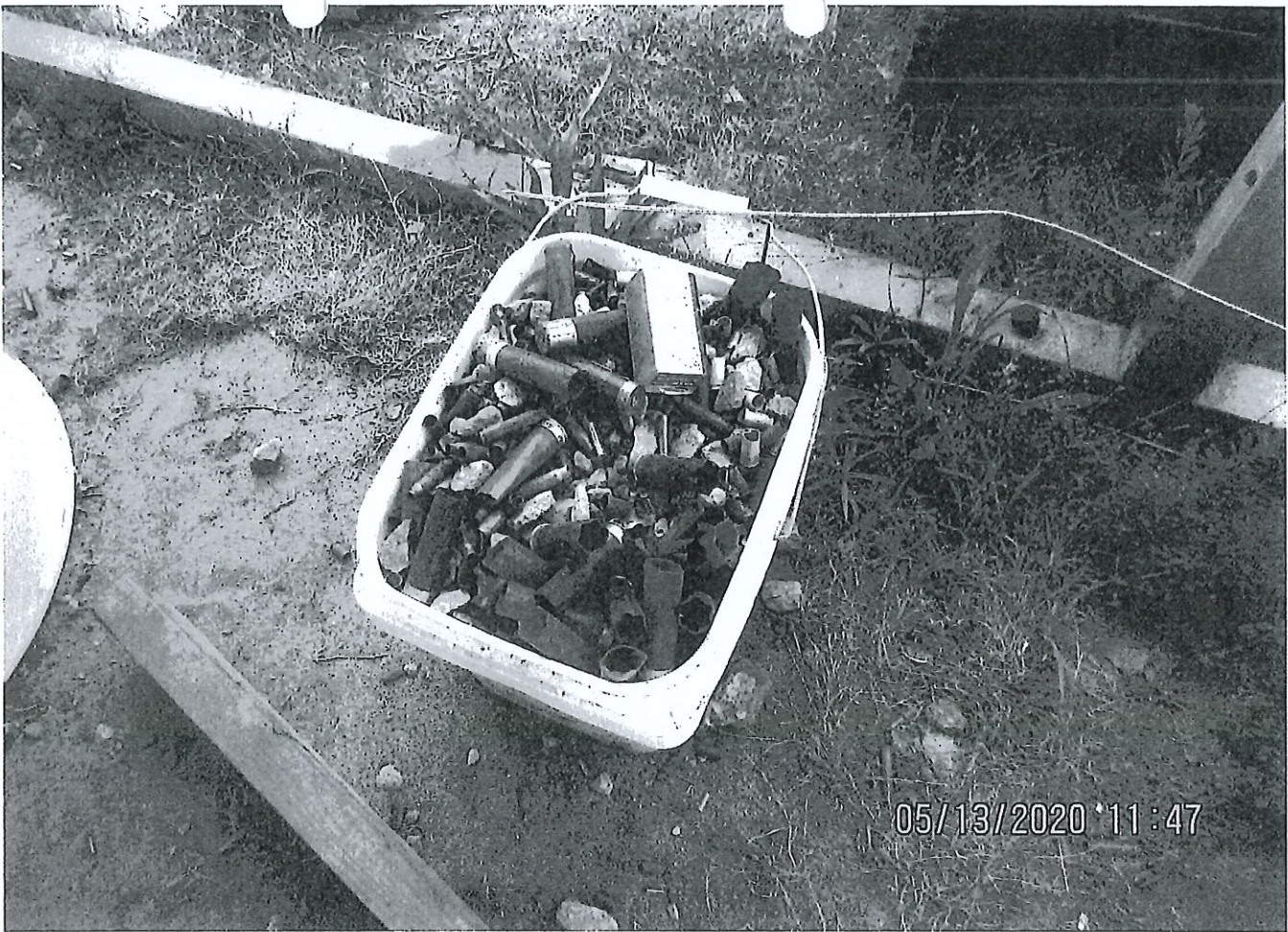

Derek Orent
Commander, American Legion Post 230
Spring Lake, NC

05/13/2020 11:45









*as of August 8, 2019

230
Spring Lake, NC 28390

Legion Post 230 Weapon Range Rules

supersedes all previous versions and is meant to clarify procedures associated with the American Legion Post 230 Weapon Range located at 1654 Veterans Drive, Spring Lake, NC 28390.

The following rules apply to all personnel utilizing the range:

1. Only current, paid members (and their guests) of American Legion Post 230 may use the range. Members can bring up to two (2) guests with them to the range. Members of American Legion Post 230 do NOT need to obtain permission prior to using the range as long as the range is being used for routine weapon firing. A current membership card is required for all members using the range.

05/13/2020 11:48

with using the American Legion Post 230 Weapon Range located at 1654 Veterans Drive, Spring Lake, NC 28390. The following rules apply to all personnel utilizing the range:

Range Rules

1. Only current, paid members (and their guests) of American Legion Post 230 may use the range. Members can bring up to two (2) guests with them to the range.
2. Members of American Legion Post 230 do NOT need to obtain permission prior to using the range as long as the range is being used for routine weapon firing.
3. Members using the range should have their American Legion Post 230 membership card with them. Membership card should be current, annotating either a 2019, 2020 or a Paid Up For Life membership. It is appropriate for our members to respectfully and politely challenge others as to their membership. This is not a sign of disrespect, but one of checks and balances. We want to support our Legionnaires while taking care of our property. We have had numerous and recent instances of trespassers and non-members using our range and damaging or stealing our property. It is everyone's responsibility to help avert this. If you experience any issues with this or have any concerns, report it to post leadership.
4. Normal range operating hours are Monday – Saturday 9AM – 7PM. Sunday hours are 1PM – 7PM in order to respect the religious services and activities in the area. We ask that any times outside of this window are approved by post leadership (Commander, Vice Commander, Adjutant or Range Officer).
5. If large groups have been approved to use the range (i.e. weapon classes, Scouts), we will do our best to annotate our social media pages so that all are aware and that we avert any inconvenience to our members.
6. Members can fire revolvers, semiautomatic pistols and rifles of standard caliber. Individuals can fire no caliber higher than 7.62mm.
7. Do not shoot outside of the left and right limits of the range. Do not set targets on top of the berm; all targets must have a backstop. Do not use glass bottles or cans. This creates a safety concern and an additional debris burden for members to clean up after you.

05/13/2020 11:48



as of August 3, 2019

American Legion
James LeBlanc Post 230
1654 Veterans Dr. Spring Lake, NC 28390

Subject: American Legion Post 230 Weapon Range Rules

This document supersedes all previous versions and is meant to clarify procedures associated with using the American Legion Post 230 Weapon Range located at 1654 Veterans Drive, Spring Lake, NC 28390. The following rules apply to all personnel utilizing the range:

Range Rules

1. Only current, paid members (and their guests) of American Legion Post 230 may use the range. Members can bring up to two (2) guests with them to the range.
2. Members of American Legion Post 230 do NOT need to obtain permission prior to using the range as long as the range is being used for routine weapon firing.
3. Members using the range should have their American Legion Post 230 membership card with them. Membership card should be current, annotating either a 2019, 2020 or a Paid Up For Life membership. It is appropriate for our members to respectfully and politely challenge others as to their membership. This is not a sign of disrespect, but one of checks and balances. We want to support our Legionnaires while taking care of our property. We have had numerous and recent instances of trespassers and non-members using our range and damaging or stealing our property. It is every one's responsibility to help avert this. If you experience any issues with this or have any concerns, please contact post leadership.
4. Normal range operating hours are Monday - Saturday 9AM - 7PM. Sunday hours are 1PM - 7PM in order to respect the religious services and activities in the area. Events that any times outside of this window are approved by post leadership (Commander, Adjutant or Range Officer).
5. If large groups have been approved to use the range (i.e. weapon classes, Social, etc.) do our best to annotate our social media pages so that all are aware and that we do not create an inconvenience to our members.
6. Members can fire revolvers, semiautomatic pistols and rifles of standard caliber. Individuals can fire no caliber higher than 7.62mm.
7. Do not shoot outside of the left and right limits of the range. Do not get too close to the target. Do not use glass targets or targets that are not designed for this purpose. This creates a safety concern and an additional duty burden for ourselves and our range officer.

05/13/2020 11:48



as of August 3, 2019

American Legion
James LeBlanc Post 230
1654 Veterans Dr. Spring Lake, NC 28390

Subject: American Legion Post 230 Weapon Range Rules

This document supersedes all previous versions and is meant to clarify procedures associated with using the American Legion Post 230 Weapon Range located at 1654 Veterans Drive, Spring Lake, NC 28390. The following rules apply to all personnel utilizing the range:

Range Rules

1. Only current, paid members (and their guests) of American Legion Post 230 may use the range. Members can bring up to two (2) guests with them to the range.
2. Members of American Legion Post 230 do NOT need to obtain permission prior to using the range as long as the range is being used for routine weapon firing.
3. Members using the range should have their American Legion Post 230 membership card with them. Membership card should be current, annotating either a 2019, 2020 or a Paid Up For Life membership. It is appropriate for our members to respectfully and politely challenge others as to their membership. This is not a sign of disrespect, but one of checks and balances. We want to support our Legionnaires while taking care of our property. We have had numerous and recent instances of trespassers and non-members using our range and damaging or stealing our property. It is every one's responsibility to help avert this. If you experience any issues with this or have any concerns, please contact post leadership.

05/13/2020 11:48

Easement: A right given or reserved by the owner of land for specific limited use of that land.

Equestrian Facilities: Commercial stand alone facilities or as an integral part of and in conjunction with residential developments, including: horse ranches, boarding stables, riding schools and academies, trails, and horse exhibition facilities. Barns, stables, corrals, paddocks and the like are considered accessory and incidental to the foregoing uses.

(Amd. 11-20-06)

Facade: The exterior walls of a building which is adjacent to or fronting on a public right-of-way or other public area; typically the front of a building, but also includes any side or rear of a building facing a public right-of-way or other public area.

(Amd. 01-19-10)

Family: One or more persons occupying a single housekeeping unit and using common cooking facilities, provided that, unless all members are related by blood, marriage or adoption, no such family shall contain over five persons. The presence of household employees or children in foster care shall not disqualify any premises otherwise satisfying the above rules.

Fences or Walls: A tangible barrier constructed of any allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for decorative purposes (such as ornamental gate or ornamental gates), or to screen from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it. (Section 1102 C)

(Amd. 02-19-08)

Fences or Walls, Solid: A solid fence or wall is defined as one in which the openings through which clear vision and the free passage of air from one side to the other does not exceed 25 percent of the fence or wall. All others are open fences or walls. (Section 1102 C)

(Amd. 04-11-18)

Firing Range, Outdoor: A facility, including its component shooting ranges, safety fans or shotfall zones, parking areas, all structures for classrooms, administrative offices, ammunition storage areas and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms or the practice of archery. For purposes of this ordinance, outdoor firing ranges are a principal use of property and therefore, shall not be considered incidental or accessory. This ordinance is exclusive of occasional target practice by individuals on property owned or leased by the individuals, sighting of weapons for purposes of hunting, or temporary turkey shoots conducted on a property no more than 12 days in any calendar year. (Sec. 907.1)

(Amd. 06-17-13)

Flea Market: Sales area (indoors or outdoors) in which space is set aside or rented, and which is intended for use by one or more individuals to sell a variety of articles. (Section 923)

C. Adequate off-street parking and loading space shall be provided on site. Any public street, sidewalk or right-of way or any other private grounds not a part of the detention facility parking area may not be used for the parking, loading, or maneuvering of vehicles.
(Amd. 02-19-08)

SECTION 907.1. FIRING RANGE, OUTDOOR.

A. A detailed site plan complying with the provisions of Article XIV shall be submitted for review and if approved, all applicable permits must be obtained prior to commencement of range activity. The detailed site plan shall be sealed by a North Carolina registered engineer attesting that the proposed plan incorporates the specific safety and design standards for outdoor firing range provisions and live fire shoot house provisions, if applicable, as set out in Section 4, Outdoor Range Design; Section 6, Live Fire Shoot House; and Attachments 1-2 through 1-20, of the *Range Design Criteria* (June 2012) as published by the US Department of Energy's Office of Health, Safety and Security for the type of range proposed; except that Section 4.b(10), the words "or administrative" in the first sentence of Section 4.c(7), the second sentence of Section 4.c(7) and Section 6.a(1) shall not be considered for the reason that these sections are specific to the needs of the DOE.

[Editor's note: A hardcopy of the Range Design Criteria is available for public viewing in the office of the Land Use Codes section of the Planning & Inspections Department and a hyperlink is provided in this same section in the ordinance on the department's website.]

B. The site on which the outdoor firing range is proposed shall contain a minimum of 200 acres within a tract or contiguous tracts owned or leased under a recorded lease to the owner/operator of the outdoor firing range. The detailed site plan shall show the boundary of the subject property in its entirety and shall further disclose all existing uses, if discernible, and structures within a distance of 300 feet from the boundary.

C. Surface danger zones shall be located entirely on the subject property and shall be designed to contain all projectiles and debris caused by the type of ammunition, targets and activities to be used or to occur on the property. The layout of the proposed range(s) with the accompanying safety fans shall be delineated on the required site plan for each/all range(s) to be constructed on the property. All firing stations shall be setback a minimum of 180 feet from the boundary of the of the subject property.

D. A 60 foot wide buffer, undisturbed except for fence installation and vegetative planting, shall be provided around the entire perimeter of the subject property and shall also be delineated on the detailed site plan.

E. A firing range facility must have access to an approved private street or a public street.

F. Unauthorized access to the firing range facility shall be controlled while firearms are being discharged.

G. The developer/operator of the firing range facility shall provide to Code Enforcement at the time of application for the building final inspection, a certification prepared by a North Carolina registered engineer that the firing range facility has an environmental stewardship plan, which may include semi-annual soil and water sampling, regular liming of the soil to prevent lead migration, reclamation and recycling of the lead and is compliant with the Best Management Practices, specifically relating to lead management, as specified by the Environmental Protection Agency's (EPA's) most current edition of *Best Management Practices for Lead at Outdoor Shooting Ranges*.

H. If any firing range facility, or the use thereof, is intended to be expanded to include types of ranges, operations, munitions or activities not covered by the most current conditional approval or pre-existing status, re-submittal/submittal of the site plan for the entire firing range facility for review and approval of the change or expansion shall be required prior to commencement of the change or expansion. This provision applies regardless whether or not the firing range facility was in existence prior to the adoption of this section.

I. All outdoor firing range facilities shall maintain general liability insurance coverage in an amount of not less than Three Million Dollars through an insurance company licensed to do business in North Carolina. The policy shall not exclude coverage for property damage or personal injury caused by the discharge of firearms.

J. All other applicable Federal, State and local regulations, to include the County's Noise Ordinance, shall be strictly adhered to.

K. This sub-section K shall specifically apply to all non-permitted existing uses which are outdoor firing ranges within the definition of this ordinance, except those as may be permitted in accordance with this sub-section. A permit shall be issued for any non-permitted outdoor firing range in operation on June 20, 2005, upon the submission of an application that shall include:

1. The date upon which the applicant commenced outdoor firing range operations on the site;
2. An aerial map which shows the boundaries of the site and the improvements located thereon;
3. A statement of the hours of operation;
4. A statement of the largest caliber ammunition discharged on the site; and

5. A narrative description of the measures employed (a) to control unauthorized access to the facility when weapons are being discharged, (b) to prevent projectiles from leaving the site, (c) to mitigate noise and (d) to mitigate potential lead contamination of the groundwater.

The permit issued under this sub-section K shall establish the benchmark for the determination of an expansion under sub-section H. Any facility permitted under this sub-section K shall remain subject to all other applicable state laws and local ordinances.

SECTION 908. GOLF COURSES.

A. The following setbacks include any permanent or temporary structure such as, but not limited to, clubhouse, equipment storage, green house, swimming pool, tennis courts and restaurant:

1. Front yard setback from any public street: 100 feet;
2. Rear yard setback: 200 feet;
3. Side yard setback: 200 feet; and
4. Corner lot setback from side street lot lines: 200 feet.

B. Minimum off-street parking spaces: four per hole, plus one per 200 square feet of restaurant and/or retail space, and one space per employee.

C. Incidental uses to a golf course may include pro shop, eating establishment, drinking establishment when in conjunction with an eating establishment (not including those operating under Section 924 of this ordinance), tennis courts, swimming pools, and practice area. Permitted incidental uses may continue only as long as the golf course is in operation and open.

D. Signs as permitted in the C1(P) Planned Local Business District are allowed.

SECTION 909. GROUP HOMES.

No group home may be located within a one-half mile radius of an approved or existing group home or approved or existing residential habilitation support facility, regardless of the jurisdiction of the approved or existing home or facility. A group home for not more than six resident handicapped persons, any one of whom may be dangerous to others as defined in N.C. GEN. STAT. §122C-3(11)(b) is not a permitted use in any residential district.
(Amd. 02-19-08)

OWNER_NAME	ADDRESS	CITYSTATEZIP
RAPTOR TATICAL LLC	80 BLUE BAY LN	CAMERON, NC 28326
AMERICAN LEGION POST 230	1654 VETERANS DR	SPRING LAKE, NC 28390
HOLMES LAND & DEV CO LLC	125 SAND CLAY RD	SPRING LAKE, NC 28390
HOLMES LAND & DEVELOPMENT LLC	125 SAND CLAY RD	SPRING LAKE, NC 28390
BOYD, HERSHEL L;BOYD, ELEANOR F	198 MORRIS DR	SPRING LAKE, NC 28390
BOYD, HERSHEL;BOYD, W ELENOR	198 MORRIS DR	SPRING LAKE, NC 28390
CAUDLE, MARY ODOM	440 W MANCHESTER RD	SPRING LAKE, NC 28390
JC345PA LLC	345 DEER RUN RD	HOLLIDAYSBURG, PA 16648