

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

COUNTY of CUMBERLAND

Planning and Inspections Department

MINUTES
February 17, 2009

Members Present

Mr. Donovan McLaurin, Chair
Mrs. Lori Epler, Vice-Chair
Mr. Walter Clark
Mr. Benny Pearce
Ms. Patricia Hall
Mr. Garland Hostetter
Mr. Charles Morris
Mr. Roy Turner

Others Present

Mr. Tom Lloyd, Director
Ms. Patricia Speicher
Mrs. Laverne Howard

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Clark delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

Ms. Speicher advised the Board that items four and eight would be removed from the agenda, case P08-51 would be added to the agenda as item 3.1

Mr. Morris made a motion to approve the agenda with the adjustments, seconded by Vice-Chair Epler. Unanimous approval

III. ABSTENTIONS BY BOARD MEMBERS

There were none.

III.I PUBLIC HEARING WITHDRAWAL – APPLICANT REQUESTED

P08-51: REZONING OF 47.70+/- ACRES FROM RR RURAL RESIDENTIAL & CD CONSERVANCY DISTRICT TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF CAMDEN ROAD AND THE EAST SIDE OF THE HOKE COUNTY LINE, SUBMITTED BY BILLY E. DEES, OWNED BY JOHN D. BEASLEY AND BILLY E. DEES.

Mr. Morris made a motion to accept the withdrawal, seconded by Ms. Hall. Unanimous approval

IV. APPROVAL OF THE MINUTES OF FEBRUARY 3, 2009

Ms. Hall made a motion to approve the minutes as submitted, seconded by Mr. Clark. Unanimous approval

V. PUBLIC HEARING CONSENT ITEMS

- A. **P09-04:** INITIAL ZONING OF 5.94+/- ACRES TO R40 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH END OF WILLOWBRAE DRIVE AND NORTHEAST OF FURLONG PLACE, SUBMITTED BY THE TOWN OF EASTOVER, OWNED BY ESTATE BUILDERS, LLC. (EASTOVER)

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

1. The request is consistent with the Eastover Area Detailed Land Use Plan, which calls for one acre residential lots at this location; and
2. This request was initiated by the Town of Eastover.

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

A motion was made by Vice-Chair Epler, seconded by Mr. Pearce, to follow the staff recommendation and approve case P09-04 as submitted. Unanimous approval

- B. **P09-05:** AMENDMENT TO THE COUNTY ZONING ORDINANCE, CREATING STANDARDS FOR COUNTY-OPERATED CONVENIENCE CONTAINER AND RECYCLING FACILITIES BY AMENDING 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, CREATING SECTION 905.1, ENTITLED: CONVENIENCE CONTAINER AND RECYCLING FACILITY; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

A motion was made by Vice-Chair Epler, seconded by Mr. Pearce, to recommend approval of the amendment to the Cumberland County Zoning Ordinance, in the current form and forward it to the Cumberland County Board of Commissioners. Unanimous approval

VI. CONSENT PLATS & PLANS

CASE NO. 09-011: CONSIDERATION OF THE BRENDA R. GAROFONE PROPERTY, GROUP DEVELOPMENT REVIEW; REQUEST FOR WAIVER FROM SECTION 2303.C, COUNTY SUBDIVISION ORDINANCE, REGARDING 20 FEET OF ROAD FRONTAGE ALONG A PUBLIC OR PRIVATE STREET; ZONING: A1; ACREAGE: 16.27 +/-; LOCATED OFF OF THE NORTH OF THE END OF SR 2046 (AVERY ROAD), WEST OF SR 1002 (TURNBULL ROAD).

The developer is requesting a waiver from the requirement for actual road frontage for a second dwelling unit on an existing 16.27 acre tract, which uses a 30 foot ingress/egress easement for access. The 30 foot deeded easement is recorded in Deed Book 3587, pg. 133 and is known as Avery Road. This portion of Avery Road is not part of the State-maintained portion of the road SR 2046 (Avery Road) in which the easement ties into. The proposed dwelling is a double-wide manufactured home. The existing deeded lot is an exempt lot from the definition of subdivision and would not typically be subject to the requirement for road frontage under the terms of Subdivision Ordinance; however, the second dwelling unit proposed qualifies the request as a group development and the standards for actual road frontage for the lot is required.

The Planning and Inspections Staff recommends approval of the waiver request based on the following:

- a. Because of the size of the existing lot of record, 16.27 +/- acres, it would be inequitable not to allow a second unit on such a large tract, and strict compliance with the provisions of the ordinances would cause a special and unnecessary hardship if the developer were required to upgrade the ingress/egress easement to "street" status given that the majority of the land area in which the easement crosses is not under the current property owners' control;
- b. The purposes of the County's Subdivision and Zoning Ordinances are being served to an equal or greater degree, in that there is an existing deeded 30 foot ingress/egress easement, assigned a street name for emergency services purposes that assures access to this lot and adjacent lots within the area;
- c. The property owner is not being afforded a special privilege denied to others since the Planning Board has approved similar requests when there has been comparable facts and circumstances.

Mr. Clark made a motion, seconded by Mr. Hostetter to follow the staff recommendation and approve the waiver request. Unanimous approval

VII. DISCUSSION

1. BLADEN BLUFFS MEETING AT GRAY'S CREEK

Ms. Speicher updated the Board on the citizens' drop-in informational meeting for the Bladen Bluffs project. Ms. Speicher told the Board that approximately 30 citizens attended not including staff, Mr. Betts, Donovan McLaurin, Walter Clark, and Sara Piland and for the most part the meeting went well and the citizens appeared to be more comfortable after this meeting.

2. PLANNING BOARD BYLAWS

Mr. Pearce stated that the Committee was done with the Bylaws and voted to have them brought before the Board for consideration of adoption.

Chair McLaurin wanted to make a correction in the minutes to Mr. Morris's motion to have the Nominating Committee make recommendations to the Board of Commissioners' for at large County vacancies. It was a non-unanimous vote and wanted

to have the votes listed separately. The minutes will be corrected to show how each committee member voted.

Mr. Lloyd advised the Board that he had spoken with Mrs. Piland about her suggested changes and Mrs. Piland's suggestions were in respect to the work program, so that resources could be allocated based on the work program.

Mr. Pearce made a motion to adopt the Cumberland County Joint Planning Board Bylaws as submitted excluding Mrs. Piland's suggested changes, seconded by Mr. Morris. Unanimous approval

Chair McLaurin stated that he was under the impression that the Board was ready to start the 2030 Plan Public Hearings around the first of March. Chair McLaurin set the first Public Hearing for the first Planning Board meeting in March. Chair McLaurin appointed the Comprehensive Planning Committee to the task of reviewing the 2030 Plan and also appointed Mr. Clark, Mr. Hostetter, and Ms. Hall to the committee.

Chair McLaurin asked Mr. Lloyd what he felt the mission of the committee should be.

Mr. Lloyd stated that the committee should work through any changes that come through. Mr. Lloyd also stated that the staff will come forward with some suggested wording changes if that's what it amounts to and make whatever changes the committee suggests and make a recommendation to pass it on to the Board.

Chair McLaurin stated that the 2030 Plan should be in line with the Land Use Policies Plan.

Mr. Lloyd asked the Board if they wanted to send the Land Use Policies Plan along with the 2030 Plan.

Chair McLaurin stated that they should be sent together and they should be compatible. Chair McLaurin stated that he wants to make sure that the 2030 Plan is in line with the Land Use Policies Plan that has already been passed.

Mr. Lloyd stated that the task force will make the recommendation and the Planning Board will take all the comments from the municipalities and make the changes that will be reviewed by the County.

Ms. Speicher asked Chair McLaurin to clarify, because he stated that the first public hearing would be at the first meeting in March.

Chair McLaurin stated that that was what he thought, but the public hearing won't be heard at the first meeting in March.

Mr. Lloyd stated that it would be up to the Comprehensive Planning Committee whenever they are ready to make their recommendations to move the 2030 Plan to the Planning Board.

VIII. FOR YOUR INFORMATION

DIRECTOR'S UPDATE

IX. ADJOURNMENT

There being no further business, the meeting adjourned at 7:45 p.m.