

PIN: 0466-79-0743

REQUESTED REZONING RR TO R7.5

ACREAGE: 16.71 AC.+/- **HEARING NO: P10-27**

ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Lori Epler,
Chair
Cumberland County

Roy Turner,
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



COUNTY of CUMBERLAND

Planning & Inspections Department

July 13, 2010

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for July 20, 2010 Board Meeting

P10-29: REZONING OF 2.00+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3200 CULBRETH ROAD, SUBMITTED BY ZOLTAN AND MARILYN W. NEMETH (OWNERS) AND SHARON K. TILLEY.

The Planning & Inspections Staff recommends approval of the R40A Residential district based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "rural area" at this location, as well as meeting the location criteria for rural density residential development as listed in the Land Use Policies Plan;
2. The request will ensure comparable lot sizes with the one acre lots currently recommended for this area; and
3. The request is consistent with the surrounding land use.

There A1A Agricultural district could also be considered suitable for this location.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P10-29
SITE PROFILE

P10-29: REZONING OF 2.00+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3200 CULBRETH ROAD, SUBMITTED BY ZOLTAN AND MARILYN W. NEMETH (OWNERS) AND SHARON K. TILLEY.

Site Information:

Frontage & Location: 130.00'+/- on SR 2016 (Culbreth Road)

Depth: 720.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, north of subject property

Current Use: Residential w/ Tanning Salon (Home Occupation)

Initial Zoning: A1 – September 3, 1996 (Area 20)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North, East and West: A1; South: A1/CU (to allow two manufactured homes), R40, R40A, A1 & A1A

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

2030 Land Use Plan: Rural

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: Yes, hydric – LE Leon sand

School Capacity/Enrolled: Seabrook Elementary: 310/311; Mac Williams Middle: 1,270/1,228; Cape Fear High: 1,425/1,525

Subdivision/Site Plan: Review required prior to additional development

Average Daily Traffic Count (2008): 520 on SR 2016 (Culbreth Road)

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

Notes:

1. Density:
A1 – 1 lot/unit
A1 – 2 lots/units
R40A – 2 lots/units

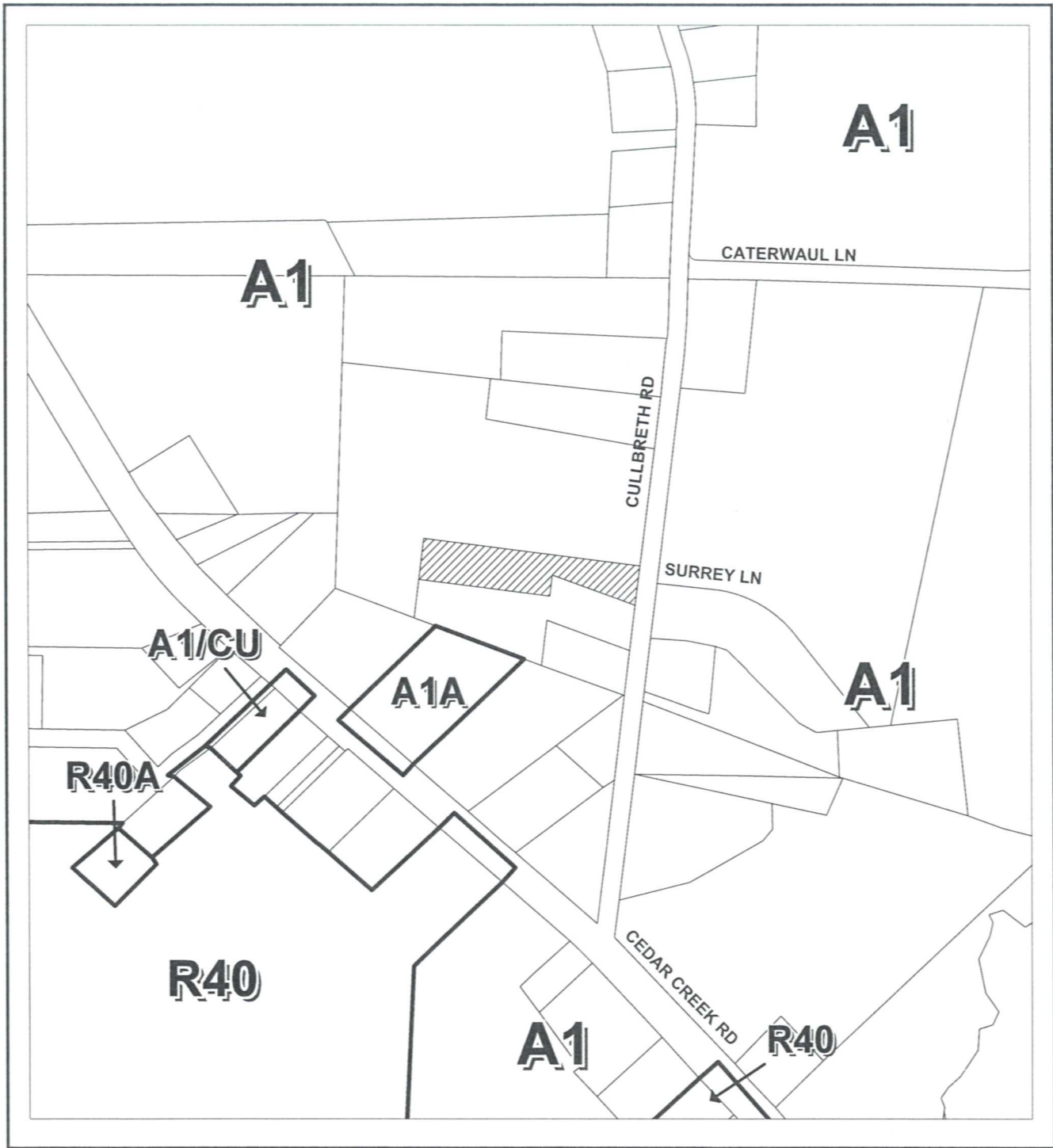
2. Minimum Yard Setback Regulations:

<u>A1</u>	<u>A1A</u>	<u>R40A</u>
Front yard: 50'	Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 50'	Rear yard: 35'

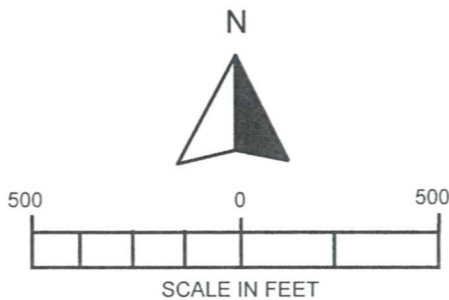
3. Applicant has stated that if approved, proposed home will not be a Class "A" manufactured home

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' acknowledgement of notice is also included in the case file.



REQUESTED REZONING A1 TO R40A



ACREAGE: 2.00 AC.+/-

HEARING NO: P10-29

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for July 20, 2010 Board Meeting

P10-31: REZONING OF 1.46+/- ACRES FROM C3 HEAVY COMMERCIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF SR 2215 (FIELDS ROAD) AND EAST OF I-95 N; SUBMITTED BY ALLEN B. AND SHERYLENE M. COSAND (OWNERS).

The Planning & Inspections Staff recommends approval of the A1 Agricultural district for this request based on the following:

1. The district requested is consistent with the 2030 Comprehensive Plan, which calls for "urban area" at this location, as well as meeting the location criteria for agricultural land use as listed in the Land Use Policies Plan;
2. The request will ensure comparable lot sizes with the two acre lots currently recommended for this area; and
3. The request is consistent with the surrounding land use.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P10-31
SITE PROFILE

P10-31: REZONING OF 1.46+/- ACRES FROM C3 HEAVY COMMERCIAL TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF SR 2215 (FIELDS ROAD) AND EAST OF I-95 N; SUBMITTED BY ALLEN B. AND SHERYLENE M. COSAND (OWNERS).

Site Information:

Frontage & Location: 20.68'+/- on SR 2215 (Fields Road)

Depth: 456.66'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, north & east of subject property

Current Use: Residential

Initial Zoning: A1 – September 14, 1979 (Area 9); portion rezoned to C3 on February 23, 1998

Nonconformities: Existing residential structure appears to encroach upon adjacent property

Zoning Violation(s): None

Surrounding Zoning: North: RR & A1; South and East: A1; West: RR

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

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: None

School Capacity/Enrolled: Seabrook Elementary: 310/311; Mac Williams Middle: 1,270/1,228; Cape Fear High: 1,425/1,525

Subdivision/Site Plan: Recombination required and any additional development would require review

Municipal Influence Area: City of Fayetteville

Average Daily Traffic Count (2008): 140 on SR 2215 (Fields Road)

Highway Plan: I95- South is identified in the Highway Plan as a major thoroughfare. The plan calls for widening to a multi-lane facility (8 Ln-div). This a priority #2 in the Highway Portion of the LRTP

Notes:

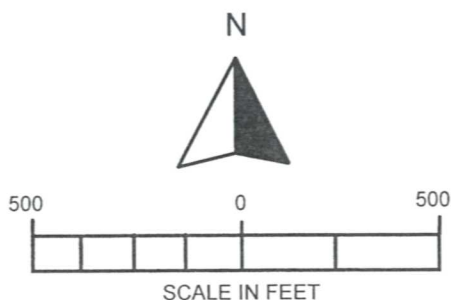
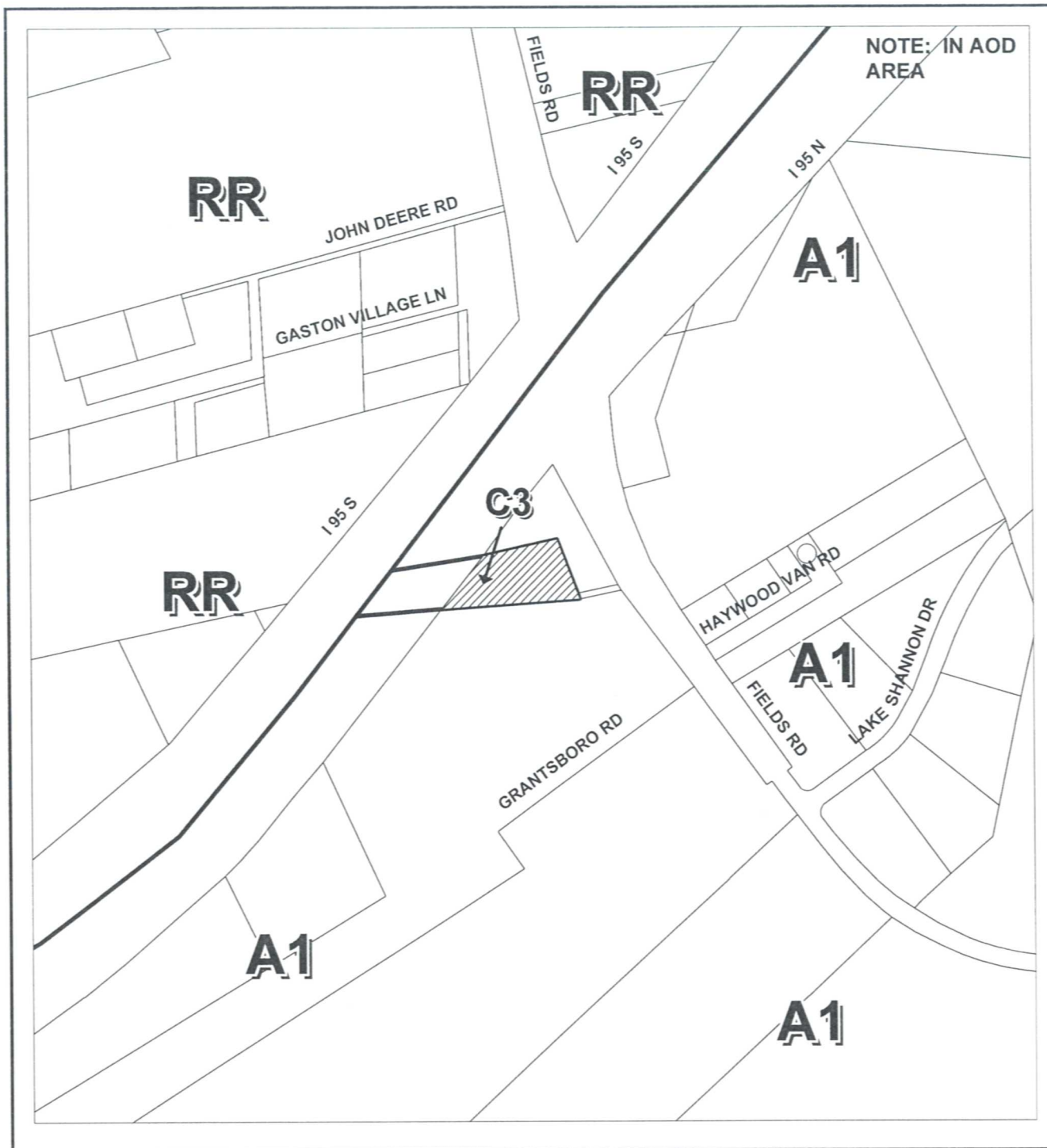
1. Density (when recombined with northern tract):
A1 – 2 units

2. Minimum Yard Setback Regulations:

<u>C3 [C(P)]</u>	<u>A1</u>
Front yard: 50'	Front yard: 50'
Side yard: 30'	Side yard: 20'
Rear yard: 30'	Rear yard: 50'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' acknowledgement of notice is also included in the case file.



PORT. OF PIN: 0445-80-3483

REQUESTED REZONING C3 TO A1

ACREAGE: 1.46 AC.+/-	HEARING NO: P10-31	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
Cumberland County

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COUNTY of CUMBERLAND

Planning & Inspections Department

July 13, 2010

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for July 20, 2010 Board Meeting

P10-18: REZONING OF 3.14+/- ACRES FROM A1 AGRICULTURAL TO C2(P) PLANNED SERVICE AND RETAIL/CUD CONDITIONAL USE DISTRICT FOR A TRADE CONTRACTOR AND THE PERMIT AND R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3370 COLEMAN ROAD, SUBMITTED BY ROBERT W. MCLAURIN (OWNER) AND DARYL W. MCLAURIN.

This case was on your June 15, 2010 agenda and at that meeting the applicant requested a deferral to the July 20, 2010 meeting. The Planning & inspections Staff recommendation remains the same, in that:

The Planning & Inspections Staff recommends denial of the requested rezoning to C2(P) Planned Service and Retail/Conditional Use District [C2(P)/CUD] for a trade contractor and the R40 Residential based on the following:

1. The area in which the requested commercial portion of the subject property is located is not consistent with the location criteria for light commercial uses as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan – SR 1721 (Coleman Road) is not a major thoroughfare and public sewer is not available to this site;
2. The portion of the requested residential portion of the subject property does comply with rural density residential location criteria as listed in the Land Use Policies Plan; however, the entire request is not consistent with the Eastover Area Detailed Land Use Plan which calls for “farmland” at this location;
3. Consideration of the C2(P) district for this area is arbitrary and would not serve a viable public purpose; and
4. The degree of difference in uses allowed on the existing surrounding properties and the uses allowed in the requested districts qualify this request as being unreasonable.

The Planning & Inspections Staff also recommends denial of the Conditional Use Permit based on the following:

1. The location and character of the use, if developed according to the plan as submitted and recommended, will not be in harmony with the area in which it is to be located and will not be developed in conformance with the development ordinances – the property owner is requesting an alternate yard setback of two feet on the south side of the subject property and to provide a gravel drive and off-street parking in lieu of a permanent surface area;

2. The request for the subject property is not in accordance with the adopted Land Use Policies location criteria for light commercial, specifically: public sewer is not available, not serving as a transition residential and heavy commercial zoning, does not have other light commercial uses in the area, is not providing convenient goods and services to the immediate surrounding neighborhood, is not located in an area that is in transition to commercial and is not at the intersection of two collector streets;
3. This development most likely would endanger the public safety if located according to plan submitted since the structure was built under the guise of a residential accessory building and permitted as such without the proper inspections to ensure compliance with the NC Building Code for commercial structures, and SR 1721 (Coleman Road) is not a major or minor thoroughfare and is not suitable nor intended to serve commercial operations;
4. The use is not in harmony with the area in which it is located, the subject property is completely surrounded by agricultural and residential zoning and uses; and
5. The degree of difference in this specific use and the site layout requested as related to the existing surrounding uses makes this request unreasonable.

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

Attachments:

- 1 – Site Profile
- 2 – Rezoning Sketch Map
- 3 – Site Plan
- 4 – Permit application, dated 05-24-04
- 5 – Draft Ordinance Related Conditions (only use if considered for approval)
- 6 – Application

P10-18
SITE PROFILE

P10-18: REZONING OF 3.14+/- ACRES FROM A1 AGRICULTURAL TO C2(P) PLANNED SERVICE AND RETAIL/CUD CONDITIONAL USE DISTRICT FOR A TRADE CONTRACTOR AND THE PERMIT AND R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3370 COLEMAN ROAD, SUBMITTED BY ROBERT W. MCLAURIN (OWNER) AND DARYL W. MCLAURIN.

Site Information:

Frontage & Location: 366.40'+/- on SR 1721 (Coleman Road)

Depth: 713.94'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Trade contractor business

Initial Zoning: A1 – October 24, 1990 (Area 18)

Nonconformities: Existing structure being used for trade contractor activities w/ no permits & side yard setback cannot be met if approved C2(P)

Zoning Violation(s): Yes, not issued

Surrounding Zoning: North: RR & A1; South: C3, R40, R40A, RR & A1; East and West: A1

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

Eastover Land Use Plan: Farmland

Special Flood Hazard Area (SFHA): None

Watershed: Yes, WS-IV approval required

Water/Sewer Availability: ESD/Septic

Soil Limitations: Yes, hydric – RO Roanoke and Wahee loams

School Capacity/Enrolled: Eastover Central Elementary: 540/477; Mac Williams Middle 1,270/1,228; Cape Fear High 1,425/1,525

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

Municipal Influence Area: Town of Eastover

Average Daily Traffic Count (2008): 430 on SR 1721 (Coleman Road)

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

Notes:

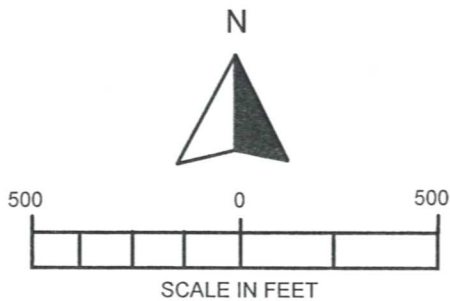
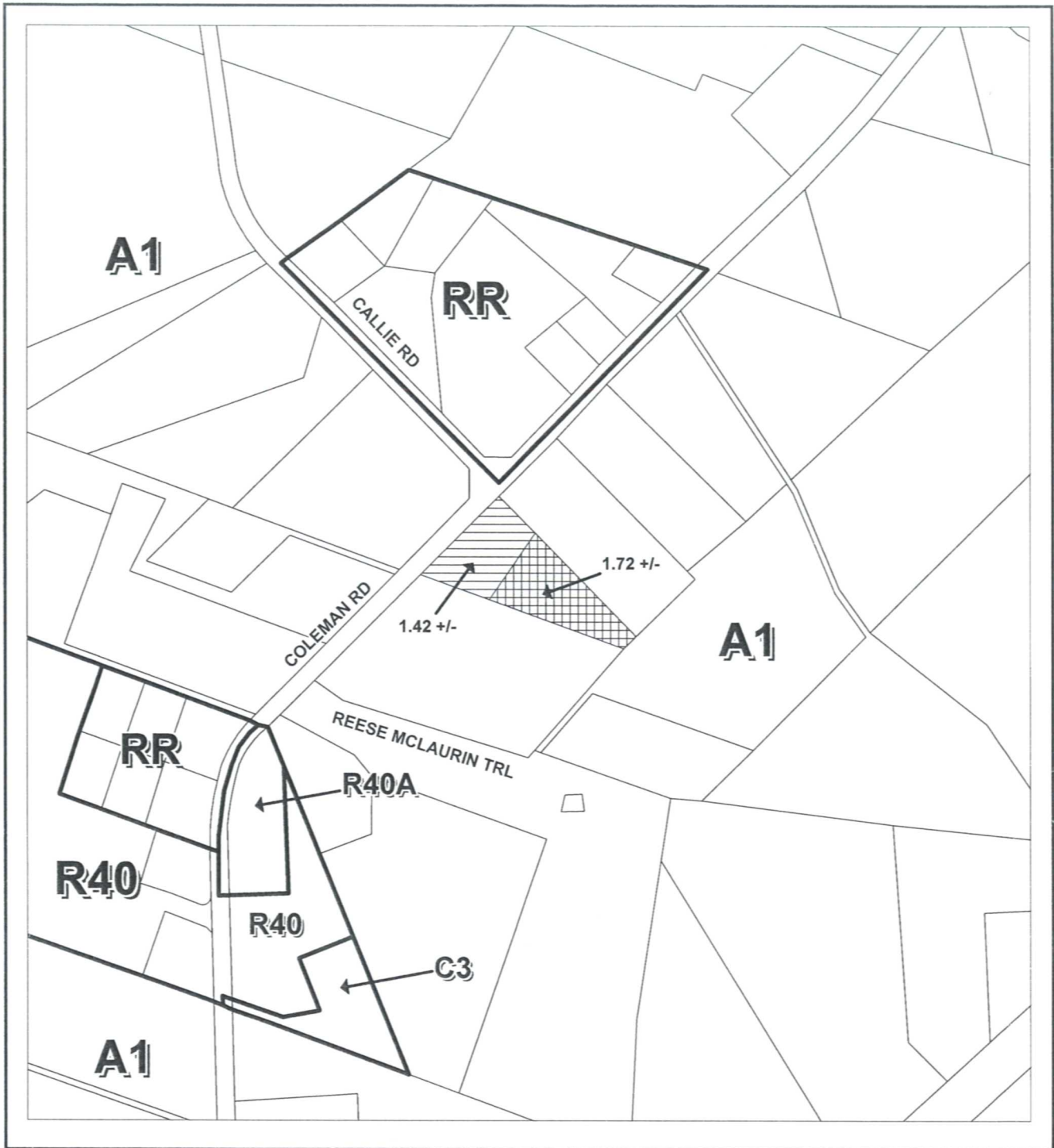
- | | | |
|----|------------------------------|------------------------------|
| 1. | <u>Density (3.14 acres):</u> | <u>Density (1.42 acres):</u> |
| | A1 – 2 units | R40 – 2 units |

2. Minimum Yard Setback Regulations:

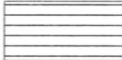
<u>A1</u>	<u>C2(P)</u>	<u>R40</u>
Front yard: 50'	Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 30'	Side yard: 15'
Rear yard: 50'	Rear yard: 30'	Rear yard: 35'

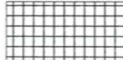
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REQUESTED REZONING

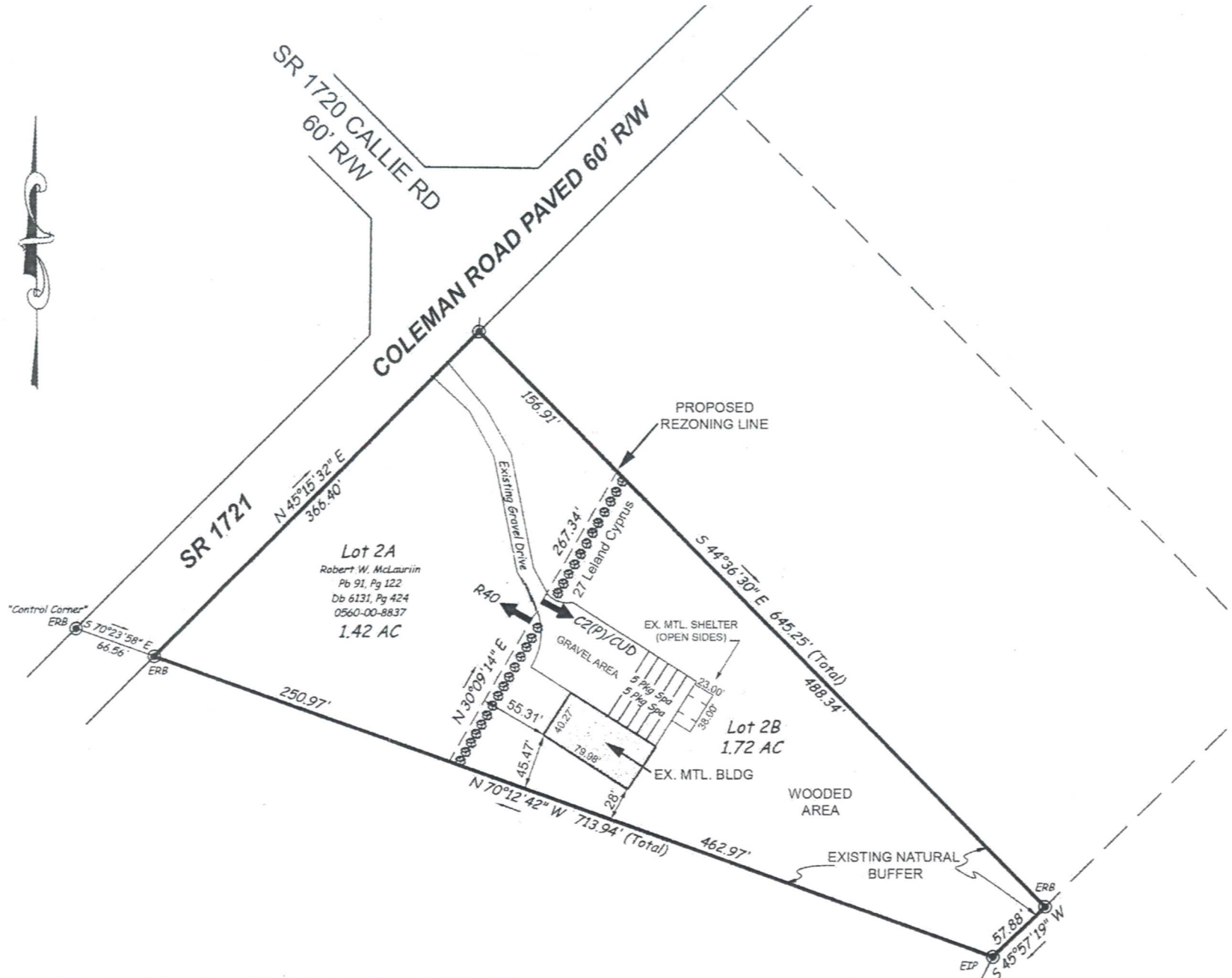
 A1 TO R40
1.42 +/-

 A1 TO C2(P)/CUD
1.72 +/-

ACREAGE: 3.14 AC.+/-		HEARING NO: P10-18	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0560-00-8837

WL



CONDITIONAL USE DISTRICT & PERMIT
 REQUEST: TRADE CONTRACTOR
 CASE: P10-18 ACREAGE: 3.14 +/-
 SCALE: NTS PARKING: 10 SPACES

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

4/21/10
 5/11/10
 6/14/10

Py @ Permit

CUMBERLAND PLANNING & INSPECTION
PO DRAWER 1829, FAYETTEVILLE, NC 28302-1829
(910)321-6636 FAX (910)321-6637

APPLICATION FOR PERMIT
BUILDING/ZONING

NOTE: Incomplete applications will not be processed 3/04

Parcel # 0560-00-8837 OFFICE USE: Bldg Zoning Zoned A-1 Corner Lot _____

PROJECT ADDRESS: 3370 Coleman Rd. City Fg Zip 28312

Subdivision/Development _____ Lot _____ Bldg _____ Unit _____

Directions: _____

PROPERTY OWNER: Robert W. McQueen Phone # 483-1691

Prop. Owner's Address 3003 Coleman Rd City Fg State NC Zip 28312

STRUCTURE IS: Residential Commercial Multi-Family Signs

IMPROVEMENT IS: New Structure Addition to Existing Structure Renovation/Alteration/Upfit Insulation

DESCRIBE WORK: Storge Bldg

PRIMARY BUILDING OCCUPANCY/USE (per NC State Building Code):

Condo/Townhouse Apt/Duplex Single-Family Utility Assembly Institutional
 Business Mercantile Educational Storage Factory/Ind. Hazardous

The entire project cannot be permitted at this time. This application is for: Foundation Only Shell Only

CONTRACTOR Nichols Building Phone # 323-1944 # _____

Contractor Address 1010 Cedar Creek Rd City Fg State NC Zip 28312

St. License # & Classification _____ Contact: _____ Phone: _____

CONSTRUCTION TYPE: IA _____, IB _____, IIA _____, IIB _____, IIIA _____, IIIB _____, IV _____, VA _____, VB _____

Number of STORIES: _____ Heated Area: _____ Unheated Area: 3200 TOTAL AREA: 3200

Area per Floor: 1st _____ 2nd _____ 3rd _____ TOTAL CONSTRUCTION COST: \$ 92,800

WATER: Public Provider: _____ Well Permit #: _____ SEWER: Public Provider: _____ Septic Permit # 2004-996

I hereby certify that all information in this application is correct and all work will comply with the North Carolina State Building Code and all other applicable State and local laws, ordinances and regulations. The Planning and Inspection Department will be notified of any changes in the approved plans and specifications for the project permitted herein.

Nyman Nichols Owner/Agent Signature Nyman Nichols Printed Name 5/24/04 Date

Method of Payment: Cash _____ Check _____ Mastercard _____ Visa _____ FEES: Building \$ 322.00
Zoning \$ 30.00
Acct #/Ck# _____ Exp. Date _____ HORF \$ _____
Other: \$ _____

Billing Address-St # _____ Zip _____ TOTAL FEES: 352.00

(PURSUANT TO NCGS 25-3-506, A \$25 PROCESSING FEE SHALL BE CHARGED FOR ALL RETURNED CHECKS)

FOR OFFICE USE ONLY SETBACKS: Front: _____ Rear: _____ Left Side: _____ Rt. Side: _____

COMMENTS: not for Commercial Use

To be sited in accordance with approved site plan _____ & all Conditions of Approval Case # _____
 Fire Damaged area must be inspected after damaged material is removed. Disposal must be in accordance w/all laws & reg.

Zoning Approval: [Signature] Date: 5/24/04 Bldg. Approval: [Signature] Date: [Signature]

Conditional Use District & Permit

DRAFT

Ordinance Related Conditions
[C2(P) Portion Only]

Watershed-Related:

1. An application for a Watershed "No Approval Required" development must be submitted to the Watershed Review Officer (WRO) and plans must be approved by the WRO prior to final plat approval and/or prior to application for any building/zoning permits, site plan approval is required. A copy of the WRO's approval of this plat/plan must be submitted to Code Enforcement at the time of application for any permits.

Per-Permit-Related:

2. The developer must submit to the Planning & Inspections Department three copies of a revised site plan showing the following changes:
 - a. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. Three copies of a revised site plan depicting the landscaping must be submitted to Land Use Codes. The following are the minimum standards for the required landscaping of this site:
 1. Seven large shade trees or 15 small ornamental trees within the front yard setback area;
 2. One large shade trees and eight shrubs are required in the building yard area;

In addition:

1. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 2. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
- b. The location of any existing or proposed signs must be reflected on the site plan.

Permit-Related:

3. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
4. The County Health Department must approve sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Section 2306 A, Water and Sewer, County Subdivision Ordinance)
5. Connection to public water is required, the Public Works Commission (PWC) must approve water plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems County Subdivision Ordinance)
6. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land

is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement.

7. For any new development, the developer must/may have to provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
8. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
9. 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.

Site-Related:

10. All uses, dimensions, setbacks, conditions and other related provisions of the County Subdivision and Zoning Ordinances for the C2(P)/CUD zoning district and the Permit must be complied with, as applicable.
11. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan 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.)
12. All applicable provisions of Section 2401, "Group Developments", County Subdivision Ordinance, must be complied with.
13. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
14. A fire hydrant must be installed along SR 1721 (Coleman Road) within 500 feet of this development; hydrants must be located no further than 1,000 feet apart and at a maximum of 500 feet from any lot.
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
16. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
17. Turn lanes may be required by the NC Department of Transportation (NCDOT).
18. All lighting is required to be directed internally within this development and comply with the provisions of Section 1102 M, Outdoor Lighting, County Zoning Ordinance.
19. A solid buffer must be provided and maintained along the residential zoning line in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.) In addition, the developer is encouraged to protect and preserve as many existing trees as possible on this site.
20. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
21. All required off-street parking spaces shall be a minimum of 9' x 20'; a minimum of one space for each vehicle used directly in the conduct of the use, plus two additional spaces for each three employees on the largest shift of off-street parking spaces are required for trades contracting business.

22. All notes and calculations as shown on the site plan and contained within the application are to be considered as a part of this conditional approval.
23. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.

Other Relevant Conditions:

24. Prior to permit application for the residential portion of this tract, plans must be submitted for either a group development or subdivision review and the plans must be properly approved. The proper permits must be obtained prior to commencement of construction of any structures on the subject property.
25. The applicant is advised to consult an expert on wetlands before proceeding with any development. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands and the permit must be obtained prior to any construction on this site.
26. 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.
27. The owner/developer be aware that every deed created for a lot being served by an on-site sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public 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.”

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Watershed Officer/Improvements:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Engineer's Office:	Wayne Dudley	678-7636
County Health Department:	Daniel Ortiz	433-3680
Ground Water Issues:	Matt Rooney	678-7625
Eastover Sanitary District:	Morgan Johnson	323-3973
Town of Eastover:	Matt Rooney (Staff Rep)	678-7625
Town of Eastover	Jane Faircloth (Town Clerk)	323-0707
County Public Utilities/NORCRESS:	Tom Cooney	678-7682
Corp of Engineers (wetlands):	Crystal C. Amschler	251-4170
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

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

1. APPLICANT/AGENT: ROBERT W. MCLAURIN
2. ADDRESS: 3003 COLEMAN RD., EASTOVER, NC ZIP CODE: 28301
3. TELEPHONE: (Home) 484-7447 (Work) 483-1691
4. Location of Property: 3370 COLEMAN RD., EASTOVER, NC 28301
SW OF INTERSECTION OF SR1720 & SR1721
5. Parcel Identification Number (PIN #) of subject property: 0560-00-8837
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 3.14 Frontage: 366.40 Depth: 488.34
7. Water Provider: PWC
8. Septage Provider: SEPTIC TANK
9. Deed Book 6131, Page(s) 424, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: RESIDENTIAL - A1
11. Proposed use(s) of the property: RAO (RESIDENTIAL)
C2(P)/CUD (RESTAURANT EQUIPMENT
REFRIGERANT MAINTENANCE & RECOVERY)

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: A1

TO: (select one)

- Conditional Use District, with an underlying zoning district of C2(P) remainder to be RAO
(Article V) (1.72 ACS) (1.42)
- Mixed Use/Conditional Use District (Article VI)
- Planned Neighborhood District/Conditional Use District (Article VII)
- Density Development/Conditional Use District, at the _____ Density
(Article VIII)

APPLICATION FOR
CONDITIONAL USE DISTRICT AND PERMIT

1. PROPOSED USE(S):

- A. List the use(s) proposed for the Conditional Use District and Permit. (Use of the underlying district will be restricted only to the use(s) specified in this application.)

REFRIGERANT MAINTENANCE & RECOVERY
AND RESTAURANT EQUIPMENT

- B. Density: List the amount of acreage that will be residential, commercial, and/or open space, and the number of lots and/or dwelling units proposed.

* SEE SITE PLAN

2. DIMENSIONAL REQUIREMENTS:

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

R40 - FRONT 30' SIDE - 15' REAR - 35'
C2(P) - FRONT (FROM R/W) 50' (FROM ST C/L) 80'
SIDE - 30' REAR - 30'

* NON-CONFORMING SET BACK FOR EXISTING BUILDING ON ONE SIDE.

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

10 PARKING SPA.'S

GRAVEL DRIVE & PARKING AREA

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Sec. 1306.

proposed 32 sq. ft. sign

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number of shrubs (Sec. 1102N).

NOTE: All required landscaping must be included on the site plan.

* SEE SITE PLAN

- B. Indicate the type of buffering and approximate location.

EXISTING NATURAL BUFFER

5. MISCELLANEOUS:

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

DAYS OF OPERATION - M-F
HOURS OF OPERATION 7:30 AM - 4:00 PM
NO. EMPLOYEES - 9

6. SITE PLAN REQUIREMENTS:

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

7. ACKNOWLEDGEMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (change) rests with the petitioner.

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

The undersigned hereby acknowledge the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

✓ ROBERT W. MCLAURIN & WIFE HELEN G. MCLAURIN
NAME OF OWNERS (PRINT OR TYPE)

3003 COLEMAN RD., EASTOVER, NC 28301
ADDRESS OF OWNER(S)

484-7447
HOME TELEPHONE #

483-1691
WORK TELEPHONE #

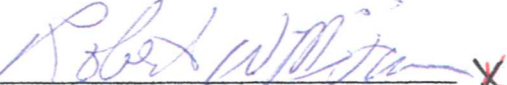
ROBERT W. MCLAURIN
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

3003 COLEMAN RD., EASTOVER, NC 28301
ADDRESS OF AGENT, ATTORNEY, APPLICANT

484-7447
HOME TELEPHONE #

483-1691
WORK TELEPHONE #

✓ 
SIGNATURE OF OWNER(S) X


SIGNATURE OF AGENT, ATTORNEY OR APPLICANT X

SIGNATURE OF OWNER(S) X

* **ALL** record property owners must sign this petition.

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

- Mrs. Helen G. Mc Laurin is deceased.

Lori Epler,
Chair
Cumberland County

Roy Turner,
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



COUNTY of CUMBERLAND

Planning & Inspections Department

July 13, 2010

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: County Planning Staff

SUBJECT: Staff Recommendation for July 20, 2010 Board Meeting

P10-28: REZONING OF 1.05+/- ACRES FROM R6 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 612 MONT DRIVE; SUBMITTED BY CHARLES W. AND GWENDOLYN B. WORTHY (OWNERS). (SPRING LAKE)

The County Planning Staff recommends denial of the request for C(P) Planned Commercial district based on the following:

1. The district requested is inconsistent with the location criteria for “heavy commercial” as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan because there is no direct access to a collector street — neither Mont Drive nor Hickory Street are designated as business streets;
2. The district requested is unreasonable since it is not consistent with the Spring Lake Area Detailed Land Use Plan, which calls for medium density residential at this location;
3. The request, if approved, will initiate the encroachment of “heavy commercial” in a residential area; and
4. The request is not in character with immediate surrounding land uses.

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

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P10-28
SITE PROFILE

P10-28: REZONING OF 1.05+/- ACRES FROM R6 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 612 MONT DRIVE; SUBMITTED BY CHARLES W. AND GWENDOLYN B. WORTHY (OWNERS). (SPRING LAKE)

Site Information:

Frontage: 135.55'+/- on Mont Drive and 198.92' on Hickory Street

Depth: 292.00'+/-

Jurisdiction: Town of Spring Lake

Adjacent Property: Yes, south of subject property

Current Use: Vacant

Initial Zoning: R6 – January 10, 1972 (Spring Lake)

Nonconformities: Accessory structure on subject property with no primary residence

Zoning Violation(s): None

Surrounding Zoning: North: PND, C3, C(P), R10, R6, R6A, R5 & R5A; South: PND, M2, C3, C(P), C1, O&I, R10, R6 & R6A; East: R6 & R6A; West: PND, C3 & C(P)

Surrounding Land Use: Residential (including manufactured homes and multi-family), convenience retail w/ gasoline sales, motor vehicle sales, dry cleaning, motor vehicle washing, retailing (2), bank, pawn shop, second-hand shop, mini-warehousing, vacant commercial, day care, manufactured home park & woodlands

Spring Lake Area Detailed Land Use Plan: Medium density residential

Special Flood Hazard Area (SFHA): No

Water/Sewer Availability: Spring Lake/Spring Lake

Soil Limitations: None

School Capacity/Enrolled: Lillian Black Elementary: 265/177; Spring Lake Middle: 700/438; Pine Forest High: 1,750/1,494

Subdivision/Site Plan: Review required prior to new development

Average Daily Traffic Count (2008): 35,000 on NC 87 (N Bragg Boulevard) – No data available for Mont Drive or Hickory Street

POPE AFB: No objection, property not located within an Accident Potential Zone (APZ) or critical noise area.

Highway Plan: This portion of Bragg Blvd. is identified as an existing Expressway that needs improvements. It is part of the NC Strategic Highway Corridors network. The corridor is not included in the Transportation Improvement Program

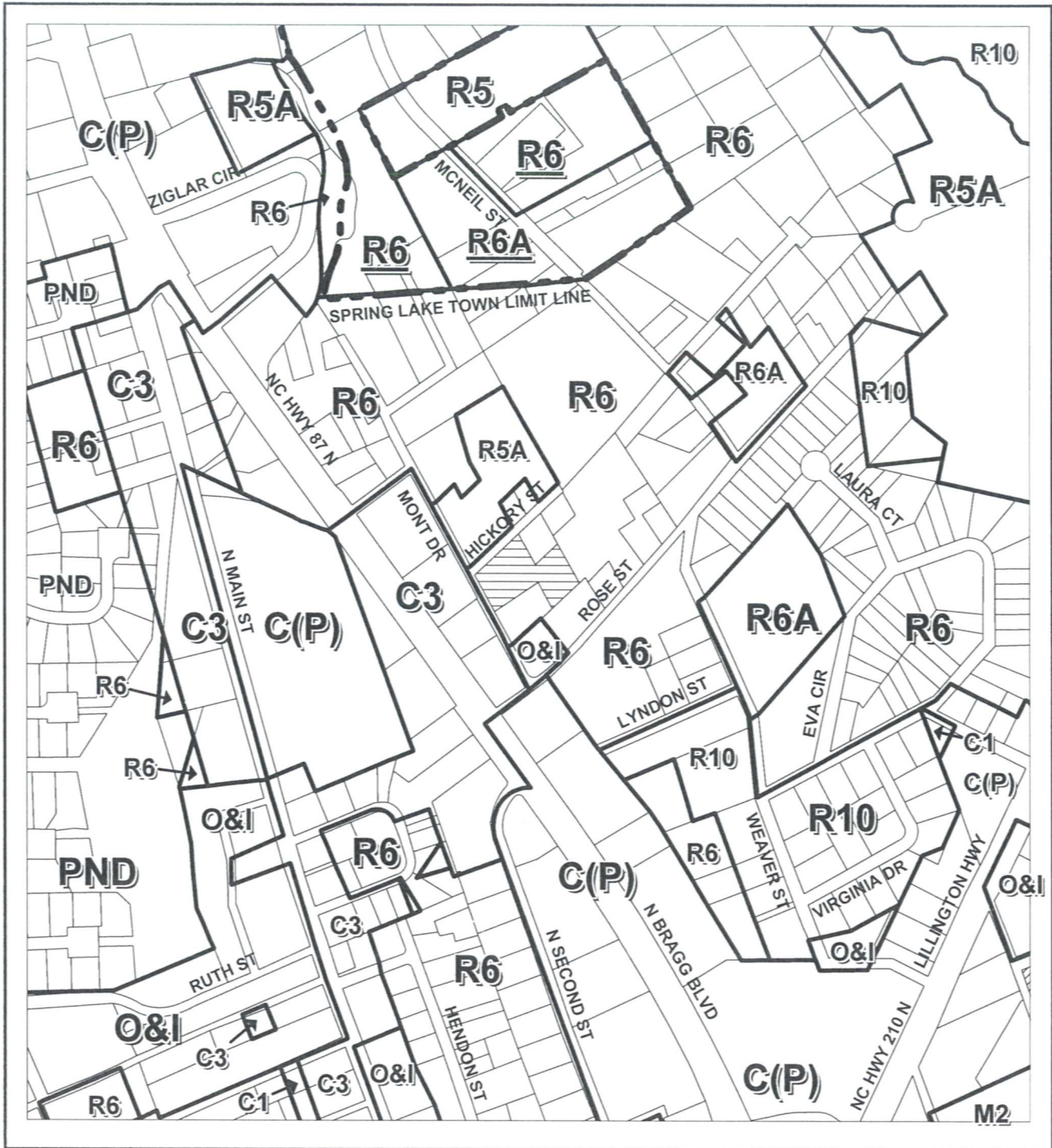
Notes:

1. Density: Density minus 15% for R/W:
 R6 – 10 lots/units R6 – 9 lots/units

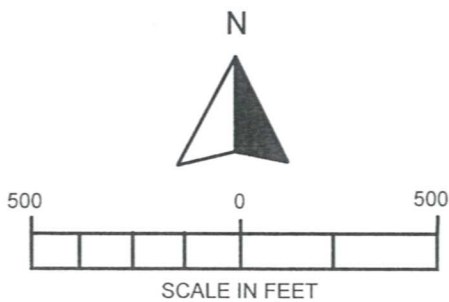
2. C(P) Minimum Yard Setback Regulations:
 - Front yard: 50'
 - Side yard: 30'
 - Rear yard: 30'

First Class and Record Owners' Mailed Notice Certification

A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' acknowledgement of notice is also included in the case file.



REQUESTED REZONING R6 TO C(P)



PIN: 0501-78-1475

ACREAGE: 1.05 AC.+/-		HEARING NO: P10-28	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

09-122 & 10-050
SITE PROFILE

CASE NO. 09-122 & 10-050. CONSIDERATION OF THE ROBERT MORRIS PROPERTY, REQUEST FOR A WAIVER FROM THE REQUIREMENT TO CONNECT TO PUBLIC WATER AND SEWER (COUNTY SUBDIVISION ORDINANCE, SECTION 2306.B, CONNECTION TO PUBLIC WATER AND SANITARY SEWER REQUIRED); ZONING: R6A; TOTAL ACREAGE: 0.91 +/-; LOCATED AT 3411, 3412, 3415 & 3416 SEAWELL STREET; SUBMITTED BY ROBERT & EUNICE MORRIS (OWNERS). (COUNTY JURISDICTION/HOPE MILLS MIA)

Summary of Request

Developer is requesting to use septic system and a private well located off-site instead of extending the existing PWC water and sewer lines. The developer was conditionally approved for the group development for case 09-122 on November 17, 2009 with the condition that water and sewer be extended to the site. Case: 10-050 is pending conditional approval. A copy of the developers request is attached along with a letter from the Public Works Commission (PWC).

Site Information:

Frontage & Location: 160.00'+/- at 3411 & 3415 Seawell Street (Case: 09-122)

Frontage & Location: 200.29'+/- at 3412 & 3416 Seawell Street (Case: 10-050)

Depth: 150.00'+/- both Case: 09-122 & 10-050

Jurisdiction: Cumberland County

Adjacent Property: Yes – South side of case 10-050 and South down Seawell Street for a total of 5 additional tracts. (See owner's property map attached)

Nonconformities: Yes – Both manufactured homes placed on property for Case: 09-122 without extending and hooking up to the public utilities. The developer was required to recombine the previously platted lots into one tract.

Water & Sewer: PWC lines exist approximately 190 feet from Case: 09-122 and 140 feet from Case: 10-050 to the north of subject properties.

Health Department: Recommends water and sewer to be provided the Public Works Commission.

Special Flood Hazard Area (SFHA): No

Municipal Influence Area: Town of Hope Mills

Applicable County Subdivision Ordinance Provision

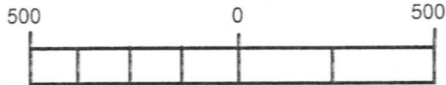
Section 2306.B, *Connection to public water and sanitary sewer required.* Where any portion of a subdivision or other development submitted for approval under the terms of this ordinance or the County Zoning Ordinance proposes two to ten lots or units is within 300 feet of public water or sewer, the public utilities shall be extended. Where any portion of ten to twenty lots or units is within 500 feet of public water or sewer, the public utilities shall be extended. For more than twenty lots or units proposed within the Sewer Service Area and/or and where density is greater than two lots or units per acre, the extension of public water and sewer is required. Sanitary sewer service outside of the Sewer Service Area requires approval in accordance with the terms of any interlocal agreement officially adopted by the Board of Commissioners.

Note:

Subject property is located w/in Hope Mills' MIA; due to scheduling conflicts, the Hope Mills Board of Commissioners will consider a recommendation for this case at their July 19, 2010 Board meeting – that recommendation will be verbally presented to the Planning Board.

Attachments

- | | |
|---|---|
| 1 - Sketch Map Location | 5 - Application for Waiver and PWC letter |
| 2 - Site Plan Sketch Map | 6 - Condition of approval 09-122 & 10-050 |
| 3 - Aerial Photo and Water & Sewer Location Map | 7 - Health Department Comments |
| 4 - Developer's Property Location Map | |



SCALE IN FEET

COUNTY SUBDIVISION ORDINANCE WAIVER

ACREAGE: 0.91 AC. +/-	HEARING NO: 09-122, 10-050	
ORDINANCE: COUNTY	HEARING DATE	ACTION
GOVERNING BOARD		

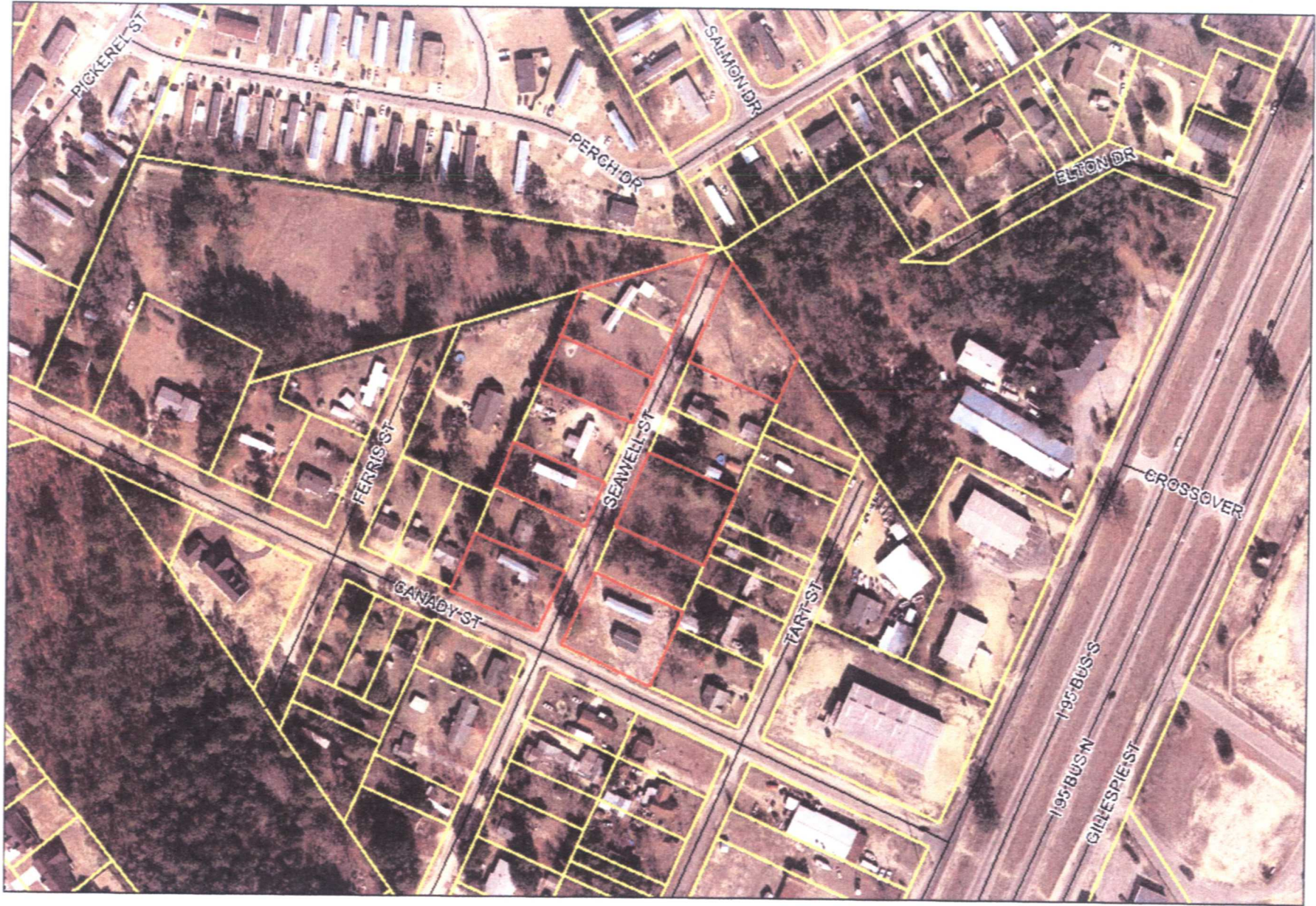
PIN: 0424-79-4348, 0424-79-3391,
0424-79-5380



— WATER
- - - SEWER

**AERIAL PHOTO & WATER AND SEWER
CASE NO: 10-050, 09-122**





**CASE NO: 09-122, 10-050
PROPERTIES OWNED BY ROBERT MORRIS
ON THIS SEGMENT OF SEAWELL STREET**



**TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD,
FAYETTEVILLE, NORTH CAROLINA:**

I (We), the undersigned, hereby submit this application, and petition the Cumberland County Joint Planning Board to waive [vary] certain adopted provisions of the County's Subdivision Ordinance as specified below and provided for under the terms of the Subdivision Ordinance. In support of this petition, the following facts are submitted:

LOCATION OF PROPERTY: 3412 + 3416 Seawell St. Fay. NC 28306
OWNER: Robert L. + Eunice B. Morris
ADDRESS: 3137 Bolivia St. Fay. N. C. ZIP CODE: 28306
TELEPHONE: HOME 425-9459 WORK Cal - 850-8995
AGENT: _____
ADDRESS: _____
TELEPHONE: HOME _____ WORK _____

**APPLICATION FOR A WAIVER [VARIANCE]
As required by the Subdivision Ordinance**

- A. Parcel Identification Number (PIN #) of subject property: 0424-79-4348
(also known as Tax ID Number or Property Tax ID) 0424-79-3391
~~0424-79-3391~~
- B. Acreage: .91 Frontage: 205' Depth: 150'
- C. Water Provider: Well
- D. Septage Provider: Septic Tank
- E. Deed Book PLAT 114 ^{RECORDED} 4619, Page(s) PAGE 22 ^{PLAT} 622 ^{RECORDED}, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
- F. Existing and/or proposed use of property: Mobile Homes
- G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested:
SECTION 2306 B

H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary:

Seawell St. is a dead end St. with no city water or sewage access. We had already made arrangements for water and sewage, this change will cause a lot of hardship on our development.

STATEMENT OF ACKNOWLEDGEMENT

Regarding appearance before the Joint Planning Board, 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 arguments 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 issue a final approval or denial decision on this request, or defer the request for additional information to be provided;
- If the petitioner or the representative of this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case and defer, approve, or deny the case.
- If the board's action is to deny the matter before them, the course of appeal to the decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from date of proper notification in which to serve notice of appeal).

Signed acknowledgement that the County Planning & Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above and that the application is complete and accurate.

Robert L. Morris + Eunice B. Morris
Property owner(s)' signature(s)

ROBERT L. MORRIS + EUNICE B. MORRIS
Property owner(s)' name (print or type)

3137 BOLIVIA ST. FAYETTEVILLE, N.C. 28306
Complete mailing address of property owner(s)

425-9459 Col- 850-8995
Telephone number Alternative telephone number

Email address FAX number

Cumberland County Department of Public Health
130 Gillespie Street
Fayetteville NC 28301-5417
(910) 433-3668

Improvement Permit

This permit is subject to revocation if the site plan or plat, whichever is applicable, or the intended use changes.

Date: 4/5/2010

NEW SYSTEM/SOIL EVAL

Permit #: 2010 - 405

Private well to be installed prior to wastewater system installation

Pin Number: 042479-443

Date purchased: 9/24/2010

Expiration date: 3/31/2015

Zoning Permit Number 0

Applicant Name: Morris, Robert L.

Site Address: 2416 Sizemore Street Lot 186-17
Fayetteville NC 27504

Subdivision: Campbell Park

Township:

Directions:

Type of Establishment: Mobile Home Design Flow: 750 gpd Site Classification: Suitable

Repairs: 25% Reduction System
4-3 x 4-3

WASTEWATER SYSTEM: The attached plat plan cannot be changed

Tank Capacity: 1500 gallons Pump tank reserve capacity: gallons

NITRIFICATION FIELD: Type: Innovative Other: 25% Reduction System Tie Pediments: 3

On Lines: 3 Length of Each Line: 50' Width of Each Line: 3' Maximum Trench Bottom Depth: 43"

Conditions: Control with attached conditions

Plat Provided - When a PLAT is provided, the Improvement Permit is valid without expiration.

Site Plan Provided - When a SITE PLAN is provided, the Improvement Permit is valid for five (5) years.

Improvement Permit Expiration Date: 3/31/2015

Improvement Permit Approved By: Ajmal Hasham AAH

*MCD-1500
STB-38
11-19-09
Polytech FILTER
P-Box
Date: 3/31/2010
C. W. W. Trench Bottom*

AUTHORIZATION FOR WASTEWATER SYSTEM CONSTRUCTION (ATC)

An Authorization for Wastewater System Construction is required before any utility shall commence or assist in the installation, construction or repair of a wastewater system and before any other onsite electrical plumbing, heating, air conditioning or other construction can be started.

AUTHORIZATION FOR WASTEWATER SYSTEM CONSTRUCTION IS VALID FOR FIVE (5) YEARS.

ATC Expiration Date: 3/31/2015

ATC Approved By: Ajmal Hasham AAH

Date: 4/5/2010

OPERATIONS PERMIT

Contractor: Harold Carter Pump Information: _____

This septic tank and the nitrification field have been inspected and meet the requirements as set forth by Article 11 of Chapter 130A of the General Statutes of North Carolina, "Wastewater Systems" Laws and Rules for Sewage Treatment and Disposal Systems" Title 10 NCAC, Subchapter 10A, Section 1000 and "Regulations Governing Sanitary Sewage Collection, Treatment and Disposal in Cumberland County, NC", however, the signing of this form in no way guarantees the life of the system or that it will function under any or all conditions.

Operations Permit Approved By: Ajmal Hasham

Date: 4/29/10

Inspection of sewer line between house and septic tank connection thereto is the responsibility of Cumberland County Inspection Dept. (910) 921-6626

*MCD-1500
STB-38*

CUMBERLAND COUNTY PLANNING & INSPECTION DEPT.
130 Gillespie/PO Drawer 1829
Fayetteville, NC 28302-1829
(910)321-6636 Fax(910)321-6637

Manufactured Home PERMIT
T-10-138874 PAGE 1 of 1
Issued by: TOR Prt by: TORTIZ

Permission is hereby granted for the construction or installation as identified herein. All work must comply with the North Carolina State Building Code and all other applicable State and Local Laws, Ordinances, and Regulations.

Date Issued: 04/27/2010 Ptn: 0424-79-3391-

Location: 3416 SEAWELL ST Subdivision: CAMPBELL PARK

Lot: 169

Owner: MORRIS, ROBERT L. Phone: 850-8995
Address: 3137 BOLVIA ST.
FAYETTEVILLE, NC 28306

Mfg. H Owner: MORRIS, ROBERT L. Phone:
Address: 3137 BOLVIA ST. Phone: 850-8995
FAYETTEVILLE, NC 28306

Mfg. H Dealer: Phone:

VIN: HONC28014CK3224631 HUD#: Serial#: Multi-Section: N
Year: 1992 Make: Size: 14X80
Previous Cumberland County Address:
Landing or decks: 000 Water: Sewer: SEPTIC OK(AJMAL)
Zoned as: R6A Set Backs: Front: * Rear: * Left: * Right: *

Set Up Contr: C1 MOBILE HOME MOVERS License: 3537 SETUP
Address: 3547 GAINEY RD Phone: 910-273-8047
FAYETTEVILLE, NC 28306-3378 Phone: 910-829-9594

Comments:
ELEC Contr: ALL AMERICAN HEATING & AIR CON License: 14546 EL-L
Address: 639C GILLESPIE ST Phone: 910-484-7600
FAYETTEVILLE, NC 28306-1543 Phone:

Comments:
PLUM Contr: BOBBY'S PLUMBING License: 22007 P1
Address: 533 MONROE RD Phone: 910-734-3771
ST PAULS, NC 28384 Phone:

Comments:
Contr: License:
Address: Phone:
Phone:

Comments:
Contr: License:
Address: Phone:
Phone:

Comments:

Fees: MOBILE HOME INSTALLATION \$155.00

MFG HOME Total Fees: \$155.00 Work Value:

TO BE SITED AS PER PLOT PLAN

All work will comply with the NC State Bldg. Code & all other applicable state & local laws, ordinances & regulations. The Inspection Dept. shall be notified of any changes in the approved plans or work as submitted. It is the permit holders responsibility to request all required inspections & ensure approval prior to continuing work.

Without further notice from this Dept., this permit will become void if work is not started within 6 mths. from issuance or if the work is discontinued for one year as determined by no inspection activity. These time periods are superseded by time limitations set by County ordinance and/or Code Enforcement Actions.

Call before you dig - 1-800-632-4949. A \$25 processing fee shall be charged for all returned checks. (NCGS25-3-506)



WILSON A. LACY, COMMISSIONER
TERRI UNION, COMMISSIONER
LUIS J. OLIVERA, COMMISSIONER
MICHAEL G. LALLIER, COMMISSIONER
STEVEN K. BLANCHARD, CEO/GENERAL MANAGER

PUBLIC WORKS COMMISSION

OF THE CITY OF FAYETTEVILLE

ELECTRIC & WATER UTILITIES

955 OLD WILMINGTON RD
P.O. BOX 1089
FAYETTEVILLE, NORTH CAROLINA 28302-1089
TELEPHONE (AREA CODE 910) 483-1401
FAX (AREA CODE 910) 829-0207

May 13, 2010

Mr. Robert Morris
3137 Bolivia Street
Fayetteville, NC 28306

Subject: Water and Sewer Availability for PIN's 0424-79-3391, 0424-79-4348, and 0424-79-5380

Dear Mr. Morris:

This letter is in response to your inquiry about the availability of PWC water and sewer service to PIN's 0424-79-3391, 0424-79-4348, and 0424-79-5380 that are on Scawell Street in Cumberland County. There is an existing 8-inch water main and an existing 8-inch sewer main located on Perch Drive adjacent to the subject properties. Both of these lines are less than 250' from the parcels in question. These utilities are maintained by PWC and currently have the capacity to serve the development you are proposing.

The existing sewer and water mains could both be extended to the properties in question by means of an easement. Both utilities would have to be extended, at your expense, to the far side of the properties in accordance with PWC policy. This would result in a water extension and sewer extension of roughly 400 feet apiece. A rough, estimated cost of such an extension could be \$60,000 for the sewer extension and \$20,000 for the water extension, not including engineering and easements.

Should you have any questions, please do not hesitate to contact me at 910-223-4734.

Sincerely,
PUBLIC WORKS COMMISSION

Joseph E. Glass, P.E.
Engineer Manager
Water Resources Engineering

cc: Bill Berry
Joe Callis
Ed Byrne, Cumberland County
Pattie Speicher, Cumberland County
Project File

Lori Epler,
Chair
Cumberland County

Roy Turner,
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



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

STAFF REVIEW: 11-17-09 PLANNING BOARD DECISION: N/A

CASE NO: 09-122 NAME OF DEVELOPMENT: ROBERT L. MORRIS PROPERTY

MIA: HOPE MILLS GROUP DEVELOPMENT REVIEW

LOCATION: EAST SIDE OF SR 3369 (SEAWELL STREET), ZONING: R6A

WEST OF US HWY 301 SOUTH/SR 1242 (GILLESPIE STREET) PIN: 0424-79-5380-

OWNERS / DEVELOPER: ROBERT L. MORRIS ENGINEER OR DESIGNER: N/A

PLANNING & INSPECTIONS DEPARTMENT ACTION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

PLANNING BOARD DECISION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

The development plat/plan you submitted to this office is conditionally approved. Your approval is subject to the following conditions:

Per-Permit Related:

1. The developer needs to contact the Public Works Commission for information on process for extension of the existing public water and sewer located in Perch Drive in order to connect to these services. (Note: A well and septic tank cannot be permitted to serve any new dwellings units on this property.)
2. A recombination plat (also known as a "No Approval Required" or "NAR") must be submitted to Land Use Codes and then the Town Manager for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Permit-Related:

3. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
4. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems County Subdivision Ordinance) (Note: This property is located within the minimum requirement to extend water and sewer services. A well and septic tank is not permitted to serve any new dwelling units at this location.)

5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. 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.

Site-Related:

7. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the R6A zoning district must be complied with, as applicable.
8. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
9. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
10. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.

Plat-Related:

11. The lot must be drawn with solid property lines with the bearings and distances, lot number and acreage reflected on the recombination plat.
12. Any/All easements must be reflected on the recombination plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
13. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the NAR recombination plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision Ordinance)

Plat-Required Statements:

14. Since this development is located within the *Airport Overlay District* as shown on the official zoning map, the following disclosure statement is required to be provided on the NAR recombination plat (Section 8.101.E, Notice and Disclosure of Noise Impact Discloser, County Zoning Ordinance):

“Property shown on this plan/plat is within the Cumberland County Airport Overlay District and all or a portion of the property described hereon is within an area that is subject to an average noise level near to or exceeding 65 dnl.”

15. All structures shall be shown on the final plat or the recombination plat shall reflect the following statement (Section 2504 D, County Subdivision Ordinance):

“Nonconforming structures have not been created by this subdivision.”

Advisories:

16. The applicant is advised to consult an expert on wetlands before proceeding with any development.
17. 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.

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
PWC:	Heidi Maly	223-4773
Town of Hope Mills:		424-4555*
Corp of Engineers (wetlands):	Crystal C. Amschler	251-4170
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

cc: Mike Bailey, Town of Hope Mills

OFFICIAL PRELIMINARY STAMP
CUMBERLAND COUNTY
CASE NO: **09-126**

THIS PLAN APPROVED BY THE CUMBERLAND COUNTY PLANNING &
INSPECTION DEPARTMENT ON: **11-17-09**

COMMENTS: SUBJECT TO CONDITIONS

I CERTIFY THAT THIS PLAN HAS BEEN APPROVED BY THE CUMBERLAND
COUNTY PLANNING & INSPECTIONS DEPARTMENT AS DRAWN HEREON
AND MAY BE USED FOR ANY OFFICIAL PURPOSE AS PERMITTED BY LAW.
THIS APPROVAL IS VALID UNTIL: **12-31-12**

Patricia S. Spucher **GB**
SUPERVISOR, LAND USE CODES

Lori Epler,
Chair
Cumberland County

Roy Turner,
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



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

STAFF REVIEW: 05-13-10 PLANNING BOARD DECISION: 7-20-10
CASE NO: 10-050 NAME OF DEVELOPMENT: ROBERT L. MORRIS PROPERTY
MIA: HOPE MILLS GROUP DEVELOPMENT REVIEW
LOCATION: WEST SIDE OF SR 3369 (SEAWELL STREET), ZONING: R6A
NORTH OF SR 1392 (CANADY STREET) PIN: 0424-79-4348- & 0424-79-3391-
OWNERS / DEVELOPER: ROBERT L. MORRIS ENGINEER OR DESIGNER: N/A

PLANNING & INSPECTIONS DEPARTMENT ACTION:

- PRELIMINARY
 EXTENSION REVISION
 APPROVED CONDITIONALLY
 DENIED

PLANNING BOARD DECISION:

- PRELIMINARY
 EXTENSION REVISION
 APPROVED CONDITIONALLY
 DENIED

The development plat/plan you submitted to this office is conditionally approved. Your approval is subject to the following conditions:

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems County Subdivision Ordinance)
Note: Due to an existing agreement between the PWC and the Town of Hope Mills, an annexation petition most likely will be required prior to the PWC's review of any utility plans.
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
Note: The developer must contact Tax Mapping, requesting the recombination plat, approved for recordation by Land Use Codes on June 17, 2010, be activated with a new parcel number assigned.
4. A fire hydrant must be installed along SR 3369 (Seawell Street) and must be located a maximum of 500 feet from the subject property. The hydrant must be in place prior to the building final inspection.

- 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.

Site-Related:

- All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the R6A zoning district must be complied with, as applicable.
- For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
- For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
- The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.

Other Relevant Conditions:

- The applicant is advised to consult an expert on wetlands before proceeding with any development.
- 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.
- Under current standards, additional manufactured homes cannot be permitted on this site.
- The developer has submitted a request for a waiver from Section 2306.B, connection to public water and sewer, County Subdivision Ordinance. This case will be heard by the Hope Mills Board of Commissioners for a recommendation on July 19, 2010 and by the Cumberland County Joint Planning Board for the final decision on July 20, 2010.

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

Contact Information (Area Code is 910 unless otherwise stated):

Improvements Inspections:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Daniel Ortiz	433-3680
Ground Water Issues:	Matt Rooney	678-7625
PWC:	Heidi Maly	223-4737
Town of Hope Mills:		424-4555*
Asst. Town Manager/Town Clerk:	Connie Spell	
Chief Building Inspector:	Mike Bailey	
County Public Utilities:	Tom Cooney	678-7682
Corp of Engineers (wetlands):	Crystal C. Amschler	251-4170
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

Lori Epler,
Chair
Cumberland County

Roy Turner,
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



COUNTY of CUMBERLAND

Planning and Inspections Department

June 9, 2010

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Bonny Pearce,
Town of Eastover

Donovan McLaurin
Wade, Falcon, & Godwin

TRANSMITTAL MEMORANDUM – REQUEST FOR RECOMMENDATION/COMMENTS

TO: COUNTY CODE ENFORCEMENT PUBLIC WORKS COMMISSION
HOPE MILLS MIA – Connie Spell COUNTY ENVIRONMENTAL HEALTH DEPT
COUNTY PUBLIC UTILITIES --Tom Cooney

kimberly.rodriquez@faypwc.com; bob.parham@faypwc.com; bill.berry@faypwc.com
if 5 lots or more e-mail to jeffrey.r.parker@usps.com

FROM: LAND USE CODES, PLANNING & INSPECTIONS DEPARTMENT

SUBJECT: CASE NO: 09-122 & 10-050
ROBERT MORRIS PROPERTY
WAIVER REQUEST – WATER AND SEWER CONNECTION

Summary of Request

Developer has requested a waiver from the requirement to connect to water and sewer as conditioned for both cases 09-122 and 10-050. The developer has requested to use well and septic tanks to serve both developments for water and septic needs.

PROPERTY LOCATION: 3369 & 3416 SEAWELL STREET

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED:

PIN: 0424-79-3391-; 4348-; 5380-
ZONING: R6A
NO. OF LOTS/UNITS: 2 / 4
WATER: PWC
SEWER: PWC
MIA: HOPE MILLS
PARKS, OPEN SPACE, RECREATION AREA (Dedication/Fee): n/a

Date: 6/11/10
Recommend approval as long as water and sewer are provided by PWC
Signed: [Signature]

Please review and make necessary comments IN WRITING to our office no later than 9:00 A.M., MONDAY, JUNE 28, 2010. For assistance call Ed Byrne at 678-7609 (fax 678-7669) or email ebyrne@co.cumberland.nc.us. Thank you.