

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

June 8, 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 June 15, 2010 Board Meeting

P10-21: REZONING OF 100.62+/- ACRES FROM R10 RESIDENTIAL AND CD CONSERVANCY TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON BOTH SIDES OF NC HWY 210 (LILLINGTON HWY) AND NORTH OF SR 1601 (CHAPEL HILL ROAD); SUBMITTED BY THOMAS L. BROOKS FOR MCCORMICK FARMS (OWNER).

The Planning & Inspections Staff recommends approval of the R7.5 Residential district for that portion of the subject property located outside the *Special Flood Hazard Area* (SFHA) and outside a 100 foot buffer area along the western property line, with the land area inside the SFHA and the 100 foot buffer area being zoned CD Conservancy, based on the following:

1. The request is consistent with the location criteria for low density residential as adopted in the Land Use Policies Plan of the 2030 Growth Vision Plan and the Spring Lake Area Detailed Land Use Plan, with the exception of the land area within the SFHA and adjacent to the Lower Little River;
2. The recommendation for the CD Conservancy for that portion of the subject property within the SFHA and within a 100 foot buffer area along the western property line ensures this environmentally sensitive area will be protected and preserved;
3. Public utilities are available to the subject property; and
4. The Town of Spring Lake supports this request.

There are no other districts suitable regarding this request.

The property owner/applicant has verbally agreed with this staff recommendation.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map
- 3 – Flood Sketch

P10-21
SITE PROFILE

P10-21: REZONING OF 100.62+/- ACRES FROM R10 RESIDENTIAL AND CD CONSERVANCY TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON BOTH SIDES OF NC HWY 210 (LILLINGTON HWY) AND NORTH OF SR 1601 (CHAPEL HILL ROAD); SUBMITTED BY THOMAS L. BROOKS FOR MCCORMICK FARMS (OWNER).

Site Information:

Frontage: 590.00'+/- on NC HWY 210 (Lillington Hwy)

Depth: 3690.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: CD & R10 – January 7, 1977 (Area 11)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: M2 (Spring Lake), M1 (Spring Lake), R5A (Spring Lake), R10 (Spring Lake) & R10 (Spring Lake); South: R10/CU (to allow manufactured home), RR/CU (to allow 2 manufactured homes), M(P), C3, R6A, R6, R5A, R10, RR & CD; East: M1 (Spring Lake), C(P) (Spring Lake), R5A (Spring Lake) & R10; West: Fort Bragg Military Reservation

Surrounding Land Use: Residential (including manufactured dwellings & multi-family), public utility works, garden supply, second hand market, motor vehicle repair, religious worship (2), manufactured home park, military base & woodlands

Spring Lake Area Detailed Land Use Plan: Low density residential, open space & light industrial

Special Flood Hazard Area (SFHA): Yes; varies from 143.9 to 156.6 msl (NAVD)

Water/Sewer Availability: Spring Lake/Spring Lake

Soil Limitations: Yes, hydric – CH Chewacla loam

School Capacity/Enrolled: Manchester Elementary: 340/325; Spring Lake Middle: 700/438; Pine Forest High: 1,750/1,494

Subdivision/Site Plan: Review required prior to development

Municipal Influence Area: Town of Spring Lake

Average Daily Traffic Count (2008): 16,000 on NC HWY 210 (Lillington Hwy)

Recreation Area: Spring Lake Community Center located 2.6 miles away

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

RLUAC: No objection to rezoning; however, encourages developer to retain a 300' buffer along the Little River

Highway Plan: This portion of NC HWY 210 is identified as an existing Highway that needs improvements; It is part of the NC Strategic Highway Corridors network and is not included in the Transportation Improvement Program

Note:

Density

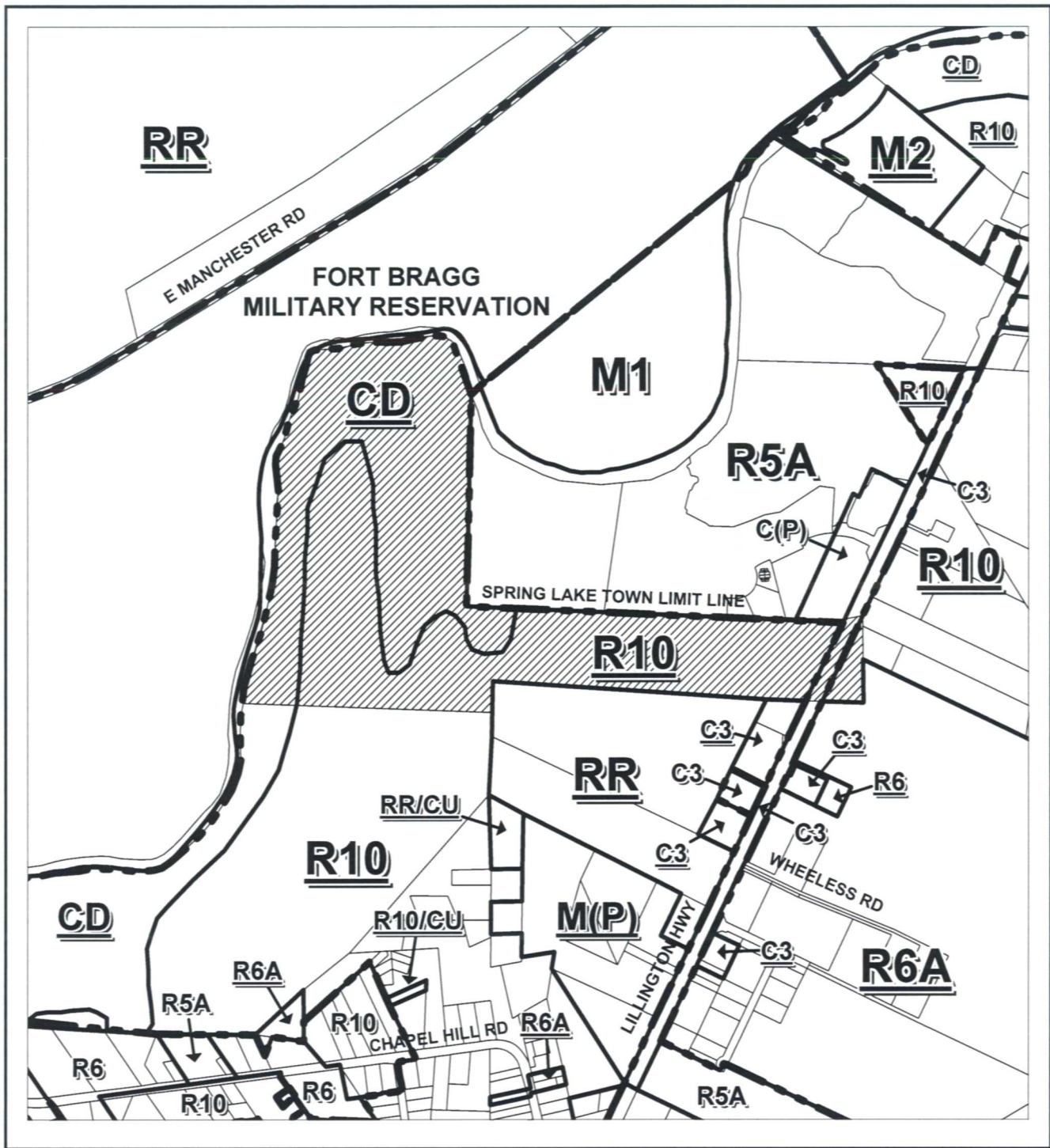
R7.5 – 584 units

Density minus 15% for R/W

R7.5 – 497 units

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.



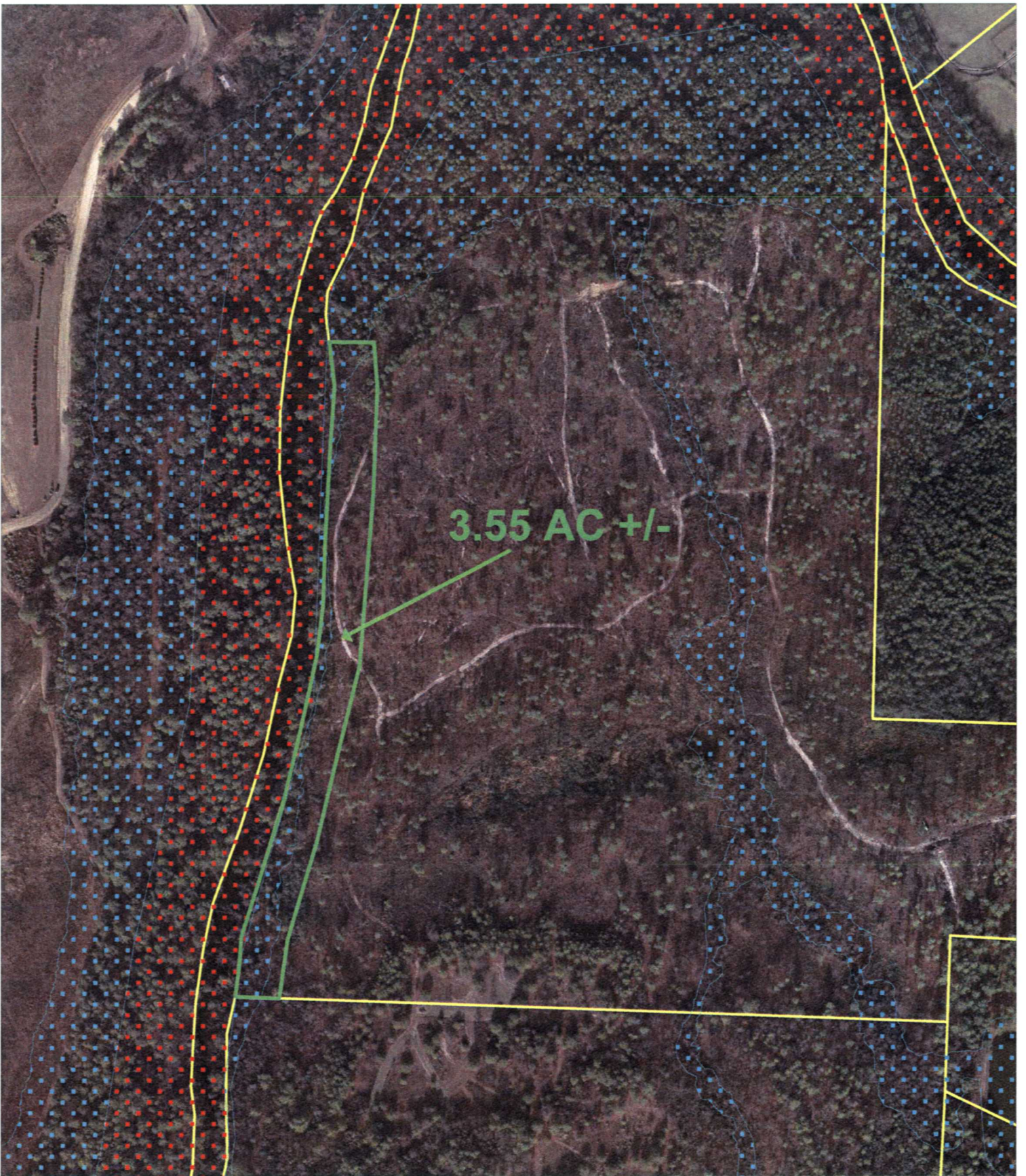
REQUESTED REZONING R10 & CD TO R7.5



ACREAGE: 100.62 AC.+/-		HEARING NO: P10-21	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0502-95-6119

WL
6/9/2010



AE (100 YR)



AE FLOORWAY (100 YR)



A (100 YR)

P10-21



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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 15, 2010 Board Meeting

P10-22: REZONING OF 39.40+/- ACRES FROM R40 RESIDENTIAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF SR 2036 (BROADWATER BRIDGE ROAD) AND WEST OF NC HWY 272; SUBMITTED BY WILLIAM E. AND BELINDA B. BAREFOOT (OWNERS).

The Planning & Inspections Staff recommends approval of the R40A Residential district for that portion of the subject property located outside the *Special Flood Hazard Area* (SFHA), with the land area inside the SFHA being zoned CD Conservancy 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 are no other districts considered suitable for this request.

The applicant has verbally agreed to this recommendation.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P10-22
SITE PROFILE

P10-22: REZONING OF 39.40+/- ACRES FROM R40 RESIDENTIAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF SR 2036 (BROADWATER BRIDGE ROAD) AND WEST OF NC HWY 272; SUBMITTED BY WILLIAM E. AND BELINDA B. BAREFOOT (OWNERS).

Site Information:

Frontage & Location: 440.47'+/- on SR 2036 (Broadwater Bridge Road)

Depth: 2193.97'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: R40 – September 2, 1996 (Area 23)

Nonconformities: None

Zoning Violation(s): None

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

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

2030 Land Use Plan: Rural

Special Flood Hazard Area (SFHA): Yes; 81.5 to 80.5 msl (NAVD)

Army Corp: Wetlands may be present and if so, Sec 404 permit required

Water/Sewer Availability: Well/Septic

Soil Limitations: Yes, hydric – JT Johnston loam, WO Woodington loamy sand and TR Torhunta and Lynn Haven soils

School Capacity/Enrolled: Beaver Dam Elementary: 105/132; Mac Williams Middle: 1,270/1,228; Cape Fear High: 1,425/1,525

Subdivision/Site Plan: Future development will require a review

Average Daily Traffic Count (2008): 360 on SR 2036 (Broadwater Bridge Rd)

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: Density minus 15% for R/W:
 R40 & R40A – 43 lots R40 & R40A – 37 lots

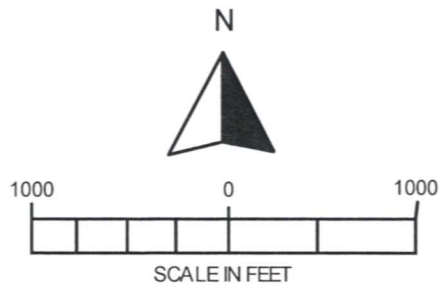
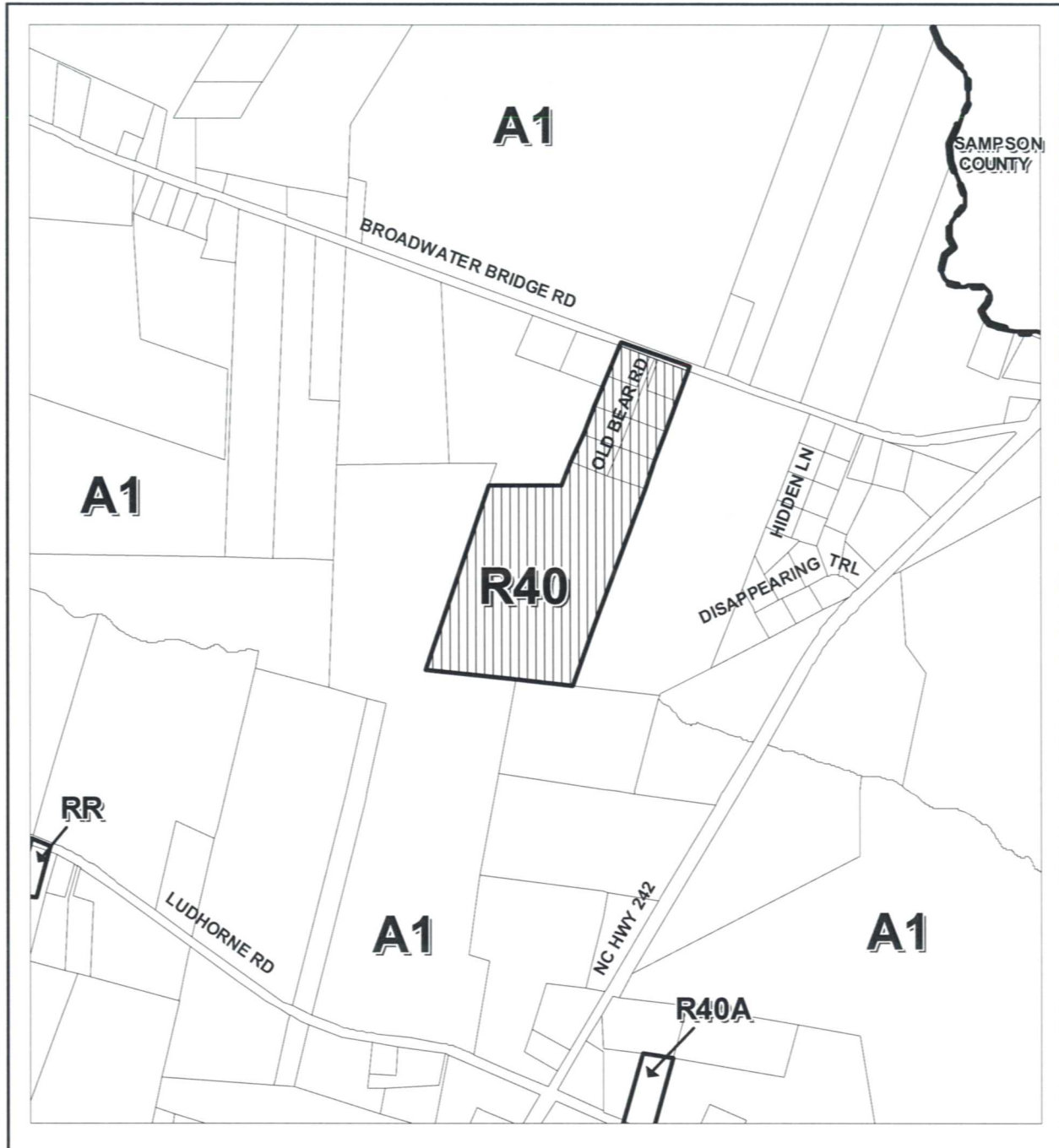
2. Minimum Yard Setback Regulations:

 R40 & R40A
 Front yard: 30'
 Side yard: 15'
 Rear yard: 35'

3. Subdivision plat approved; recorded in Plat Book 91, page 42 on March 13, 1996

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 R40 TO R40A

ACREAGE: 39.40 AC.+/-	HEARING NO: P10-22	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 1441-02-1777, 4628, 1539,
3532, 2360, 0338, 1191
PIN: 1431-92-9250
PIN: 1431-91-7635

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
Cumberland County

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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 15, 2010 Board Meeting

P10-23: REZONING OF 1.97+/- ACRES FROM A1 AGRICULTURAL TO A1A AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3211 JOHN MCMILLAN ROAD; SUBMITTED BY JOHN L. AND ARTRICIA HAYNES (OWNERS).

The Planning & Inspections Staff recommends approval of the A1A Agricultural 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 are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P10-23
SITE PROFILE

P10-23: REZONING OF 1.97+/- ACRES FROM A1 AGRICULTURAL TO A1A AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3211 JOHN MCMILLAN ROAD; SUBMITTED BY JOHN L. AND ARTRICIA HAYNES (OWNERS).

Site Information:

Frontage & Location: 257.14'+/- on SR 2244 (John McMillan Road)

Depth: 335.68'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Residential (Class A double-wide mh)

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

Nonconformities: None

Zoning Violation(s): None

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

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

2030 Land Use Plan: Rural

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: None

School Capacity/Enrolled: Gray's Creek Elementary: 495/377; Gray's Creek Middle: 1,000/861; Gray's Creek High: 1,270/1,219

Subdivision/Site Plan: If approved, any future development will require a review

Average Daily Traffic Count (2008): 920 on SR 2244 (John McMillan Road)

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

Notes:

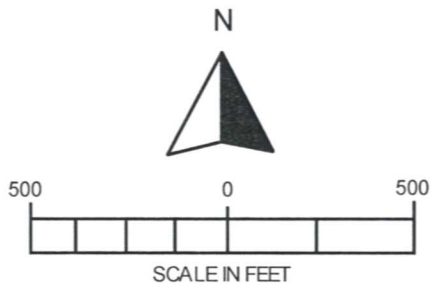
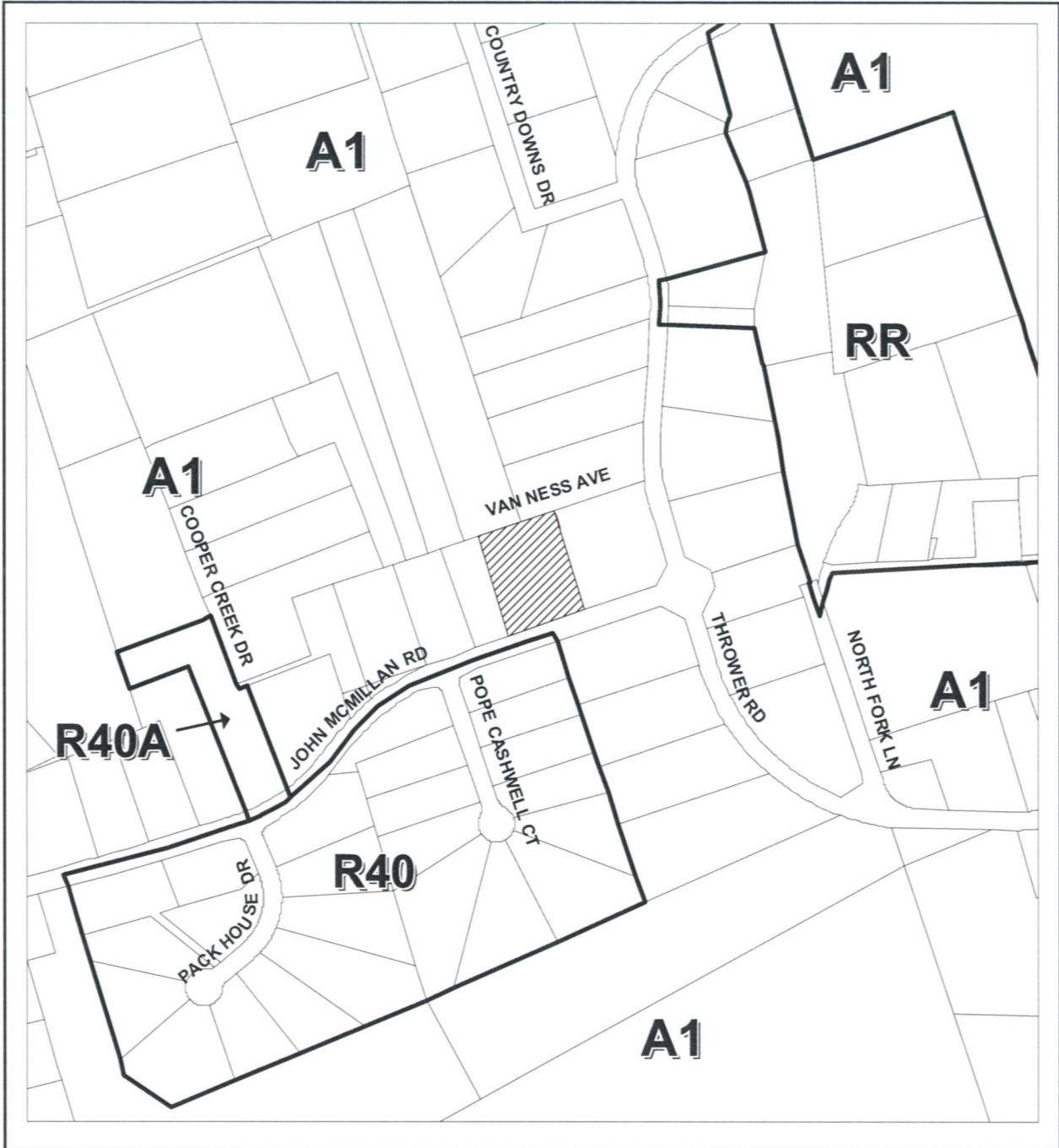
1. Density:
A1 – 1 unit A1A – 2 units

2. Minimum Yard Setback Regulations:
A1 & A1A
Front yard: 50'
Side yard: 20'
Rear yard: 50'

3. Class "A" manufactured home criteria was explained to property owner

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 A1A

ACREAGE: 1.97 AC.+/-		HEARING NO: P10-23	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Lori Epler,
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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for June 15, 2010 Board Meeting

P10-24: REZONING OF 7.91+/- ACRES FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF SR 1003 (CAMDEN ROAD) AND WEST OF SR 3039 (WIPPERWILL DRIVE); SUBMITTED BY MARCH F. RIDDLE (OWNER).

The Planning & Inspections Staff recommends denial of the request for C(P) Planned Commercial but approval of C2(P) Planned Service & Retail district based on the following:

1. The request for C(P) Planned Commercial is not consistent with the location criteria for "heavy commercial" as listed in the Land Use Policies Plan of the 2030 Growth Vision Plan because "heavy commercial" should not be located in a predominantly residential area; the recommendation of C2(P) Planned Service and Retail does meet the location criteria for the Policies Plan;
2. The request is reasonable due to the immediate area transitioning to primarily low density residential uses at this location and if approved will allow for uses providing convenient goods and services to the immediate surrounding neighborhoods; and
3. Public utilities are available to the subject property.

There are no other districts considered suitable for this request.

The applicant has verbally agreed to this recommendation.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P10-24
SITE PROFILE

P10-24: REZONING OF 7.91+/- ACRES FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF SR 1003 (CAMDEN ROAD) AND WEST OF SR 3039 (WIPPERWILL DRIVE); SUBMITTED BY MARCH F. RIDDLE (OWNER).

Site Information:

Frontage & Location: 1080.00'+/- on SR 1003 (Camden Road)

Depth: 400.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, south of subject property

Current Use: Vacant

Initial Zoning: RR – February 6, 1976 (Area 5); rezoned to R10 on October 16, 2006

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: MXD/CUD, R10/CU (to allow manufactured home), C2(P), R6A, R10, R20 & RR; South: R10/CU (to allow manufactured home), R6A, R10 & RR; East and West: RR

Surrounding Land Use: Residential, school, religious worship, farmland & woodlands

2030 Land Use Plan: Urban

Special Flood Hazard Area (SFHA): No

Army Corp: Wetlands may be present and if so, Sec 404 permit required

Water/Sewer Availability: PWC/ PWC

Soil Limitations: Yes, hydric – WO Woodington loamy sand

School Capacity/Enrolled: Stoney Point Elementary: 900/967; John Griffin Middle: 1,340/1,302; Jack Britt High: 1,870/1,868

Subdivision/Site Plan: If approved, any future development will require a review

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2008): 5,100 on SR 1003 (Camden Road)

Highway Plan: Camden Road is identified in the highway plan as a major thoroughfare. This proposal calls for a multi-lane facility (U-2810) with a right-of-way of 110 feet. Road improvements are included in the 2009-2015 MTIP.

Notes:

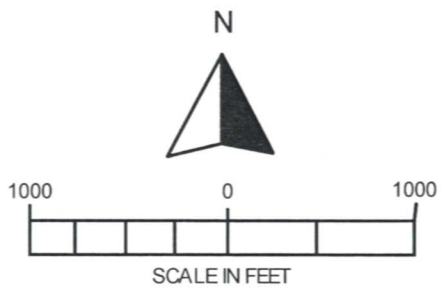
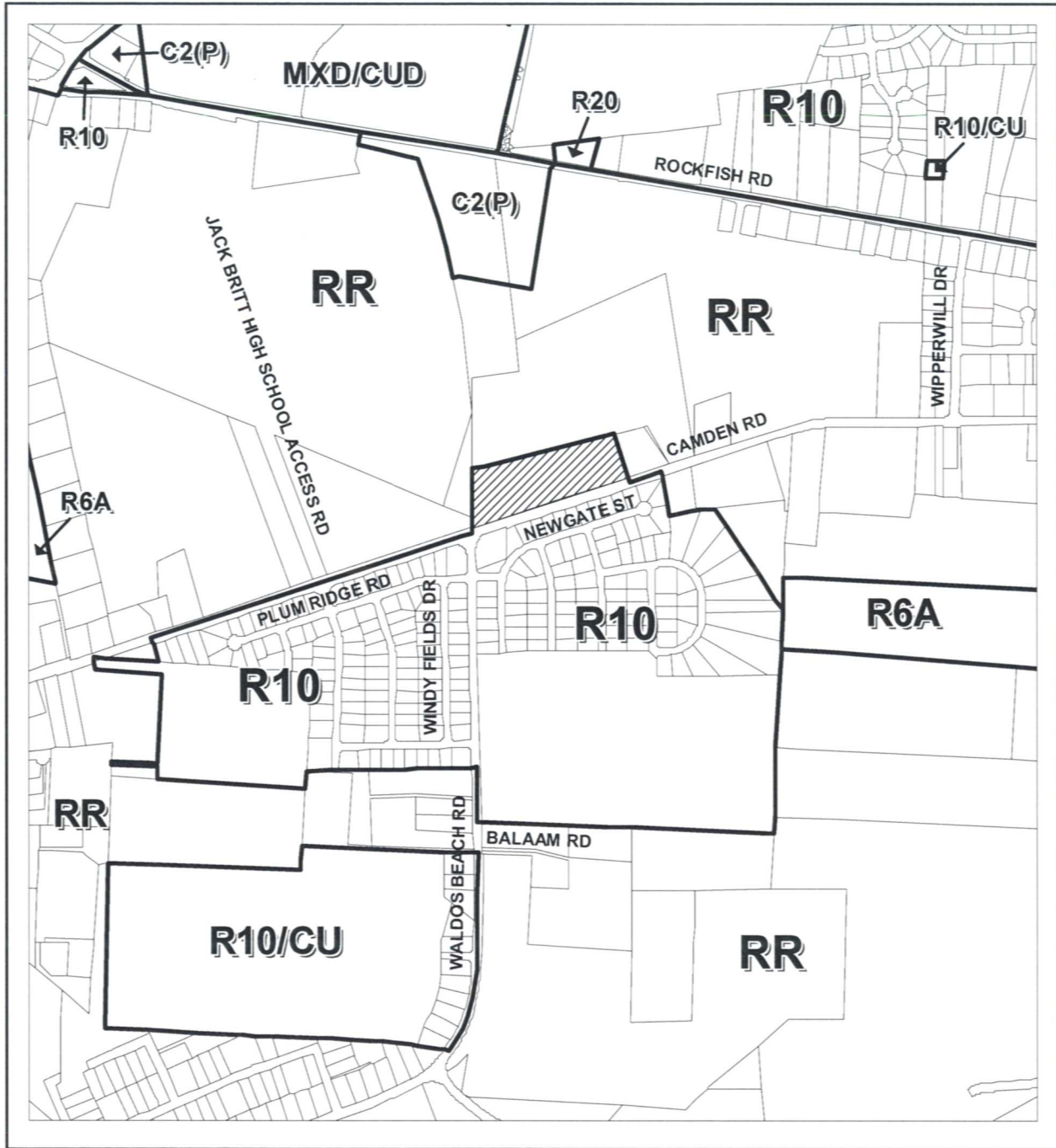
1.

<u>Density:</u>	<u>Density minus 15% for R/W:</u>
R10 – 46 lots/units	R10 – 39 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 R10 TO C(P)

ACREAGE: 7.91 AC.+/-	HEARING NO: P10-24	
ORDINANCE COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 9494-85-1612

WL

Lori Epler,
Chair
Cumberland County

Roy Turner,
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Cumberland County

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MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for June 15, 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.

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. Density (3.14 acres): Density (1.42 acres):
A1 – 2 units R40 – 2 units

2. Minimum Yard Setback Regulations:

A1

Front yard: 50'

Side yard: 20'

Rear yard: 50'

C2(P)

Front yard: 50'

Side yard: 30'

Rear yard: 30'

R40

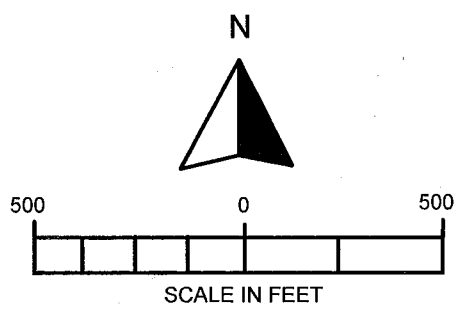
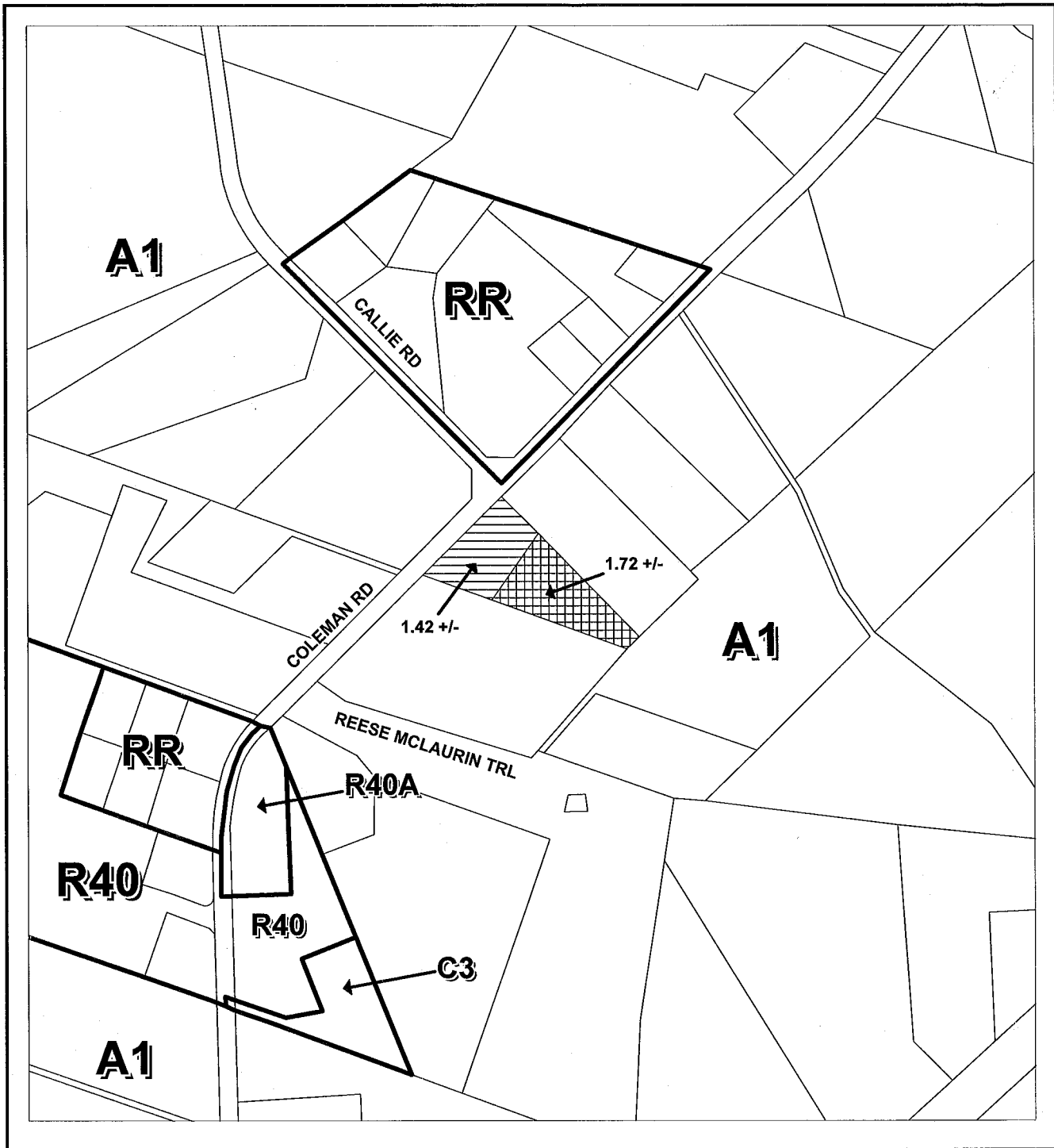
Front yard: 30'

Side yard: 15'

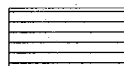
Rear yard: 35'


First Class and Record Owners' Mailed Notice Certification

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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
STAFF RECOMMENDATION
PLANNING BOARD
GOVERNING BOARD

HEARING DATE

ACTION

PIN: 0560-00-8837

WL

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. McGowan 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: Storage 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.

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

Method of Payment: Cash _____ Check _____ Mastercard _____ Visa _____ FEES: Building \$ 322.00
Zoning \$ 30.00
Acct #/Ck# _____ Exp. Date _____ HOLF \$ _____
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: PS 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: R40 (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 R40
(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 #

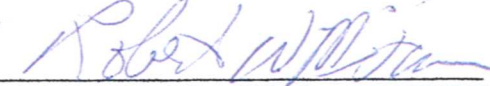
ROBERT W. MCLAURIN
NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)

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

484-7447
HOME TELEPHONE #

483-1691
WORK TELEPHONE #

✓ 
SIGNATURE OF OWNER(S)


SIGNATURE OF AGENT, ATTORNEY
OR APPLICANT

SIGNATURE OF OWNER(S)

- * ALL record property owners must sign this petition.
- * The contents of this application, upon submission, becomes "public record."

- Mrs. Helen G. McLaurin is deceased.