

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

September 14, 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 the September 21, 2010 Board Meeting

P10-38: INITIAL ZONING OF .44+/- ACRES TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 2254 AND 2258 N BRAGG BOULEVARD AND EAST OF N BRAGG BOULEVARD NORTH OF MARANATHA CIRCLE; OWNED BY QUALITY OIL COMPANY, LLC. (SPRING LAKE)

The County Planning Staff recommends approval of the initial zoning to the C(P) Planned Commercial district of the subject property as shown on the attached sketch map, based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for "urban" at this location, as well as meeting the location criteria for "heavy commercial" development as listed in the Land Use Policies Plan;
2. The Planned Commercial district is consistent with the zoning for adjacent property under the same ownership in the town; and
3. The request was submitted by the Town of Spring Lake.

The effective date of annexation is July 27, 2010. There are no other suitable districts to be considered for this request.

Attachments:

- 1- Site Profile
- 2- Sketch Map

P10-38
SITE PROFILE

P10-38: INITIAL ZONING OF .44+/- ACRES TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 2254 AND 2258 N BRAGG BOULEVARD AND EAST OF N BRAGG BOULEVARD NORTH OF MARANATHA CIRCLE; OWNED BY QUALITY OIL COMPANY, LLC. (SPRING LAKE)

Site Information:

Frontage: 172.00'+/- on North Bragg Boulevard (NC HWY 87)

Depth: 210.00'+/-

Jurisdiction: Town of Spring Lake (annexation effective July 27, 2010)

Adjacent Property: Yes, south of subject property

Current Use: Mixed Use building under construction (approved by County BOC on 02/16/10 and Spring Lake BOA on 01/25/10)

Initial Zoning: RR – January 7, 1977 (Area 11); portion rezoned to C1 on November 15, 2004; rezoned to C(P) on February 16, 2010

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C1(P), RR & R6A; South: C(P) (Spring Lake), C1 (Spring Lake), R10 (Spring Lake), R6 (Spring Lake), & R5 (Spring Lake); East: RR, R10 (Spring Lake) & R6 (Spring Lake); West:

Surrounding Land Use: Residential, Fort Bragg Military Reservation & woodlands

Spring Lake Area Detailed Land Use Plan: Low density residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Spring Lake/Spring Lake

Soil Limitations: None

School Capacity/Enrolled: Manchester Elementary: 340/346; Spring Lake Middle: 700/412; Pine Forest High: 1,750/1,528

Subdivision/Site Plan: All conditions of Cases P10-05-C & P10-05-SL are applicable

Average Daily Traffic Count (2008): 26,000 on North Bragg Boulevard (NC HWY 87)

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

Note:

Minimum Yard Setback Regulations:

C(P)

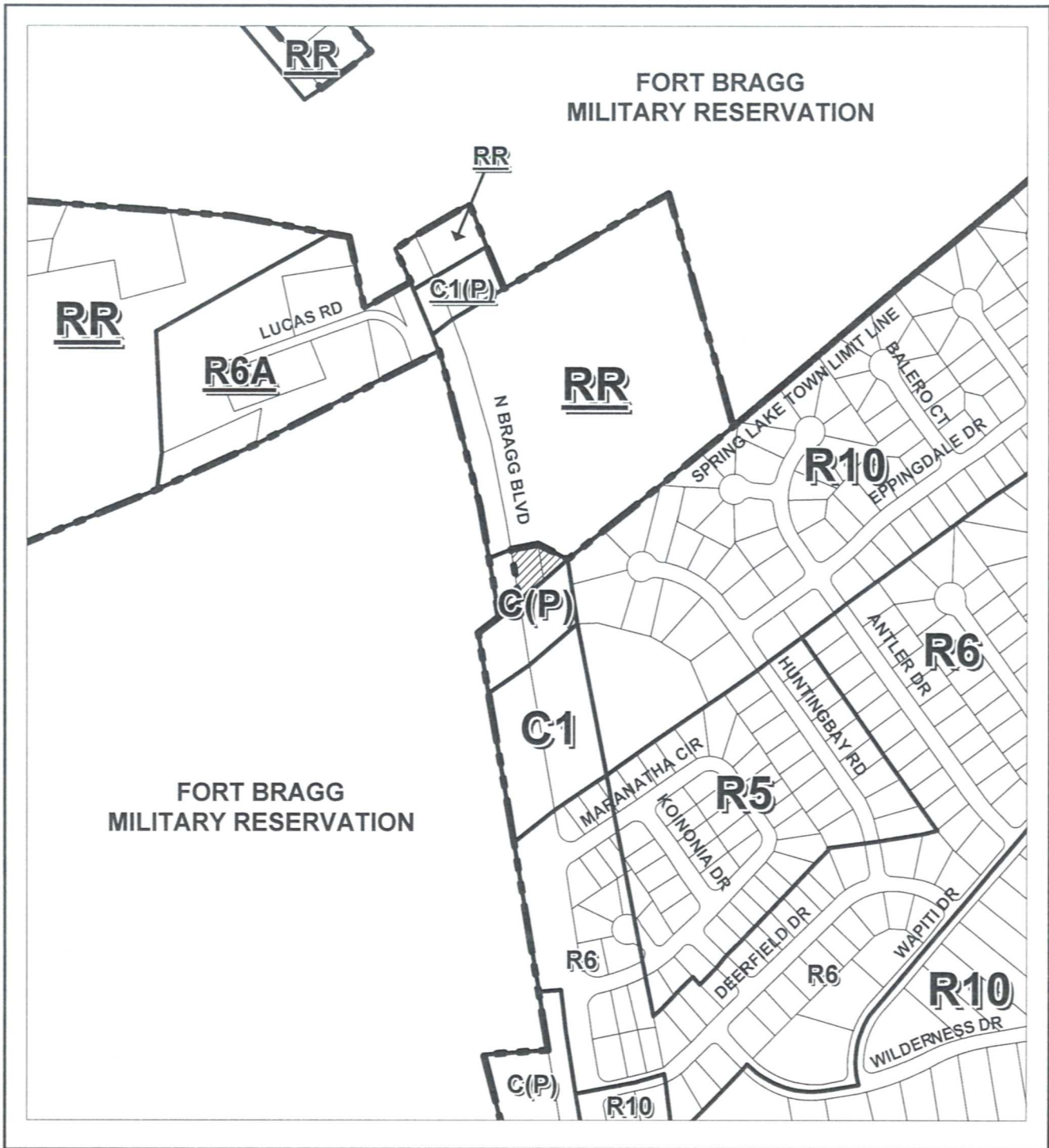
Front yard: 50'

Side yard: 30'

Rear yard: 30'

First Class and Record Owners' Mailed Notice Certification

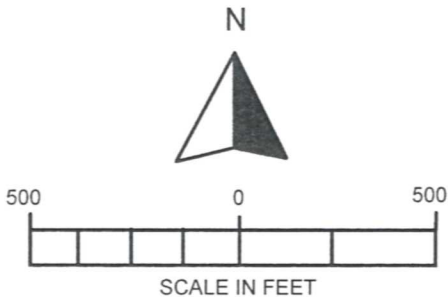
A certified copy of the tax record owner(s) of the subject and adjacent properties and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith. The record owners' acknowledgement of notice is also included in the case file.



FORT BRAGG
MILITARY RESERVATION

FORT BRAGG
MILITARY RESERVATION

INITIAL ZONING TO C(P)



PIN: 0502-29-8528, 0502-29-9600

ACREAGE: 0.44 AC.+/-	HEARING NO: P10-38	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for September 21, 2010 Board Meeting

P10-39: REZONING OF 2.07+/- ACRES FROM R40 RESIDENTIAL AND A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5998 AND 5960 PERCY STRICKLAND ROAD, SUBMITTED BY BONNIE B. MILLER (OWNER).

The Planning & Inspections Staff recommends approval of the R40A Residential district for this request 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 in the recently adopted Northeastern Cumberland Plan; 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

P10-39
SITE PROFILE

P10-39: REZONING OF 2.07+/- ACRES FROM R40 RESIDENTIAL AND A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5998 AND 5960 PERCY STRICKLAND ROAD, SUBMITTED BY BONNIE B. MILLER (OWNER).

Site Information:

Frontage & Location: 20.00'+/- on SR 1813 (Percy Strickland Road)

Depth: 480.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 dwelling (stick-built)

Initial Zoning: A1 – November 25, 1980 (Area 14); rezoned to R40 on August 24, 1993

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North, South, East and West: A1

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

Northeast Cumberland Plan (Falcon-Godwin Area): Farmland

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: None

School Capacity/Enrolled: District 7 Elementary: 300/270; Mac Williams Middle: 1,270/1,202; Cape Fear High: 1,425/1,557

Average Daily Traffic Count (2008): 120 on SR 1813 (Percy Strickland 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:
R40 – 2 lots/units
R40A – 2 lots/units

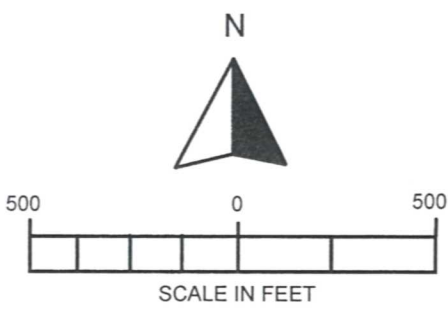
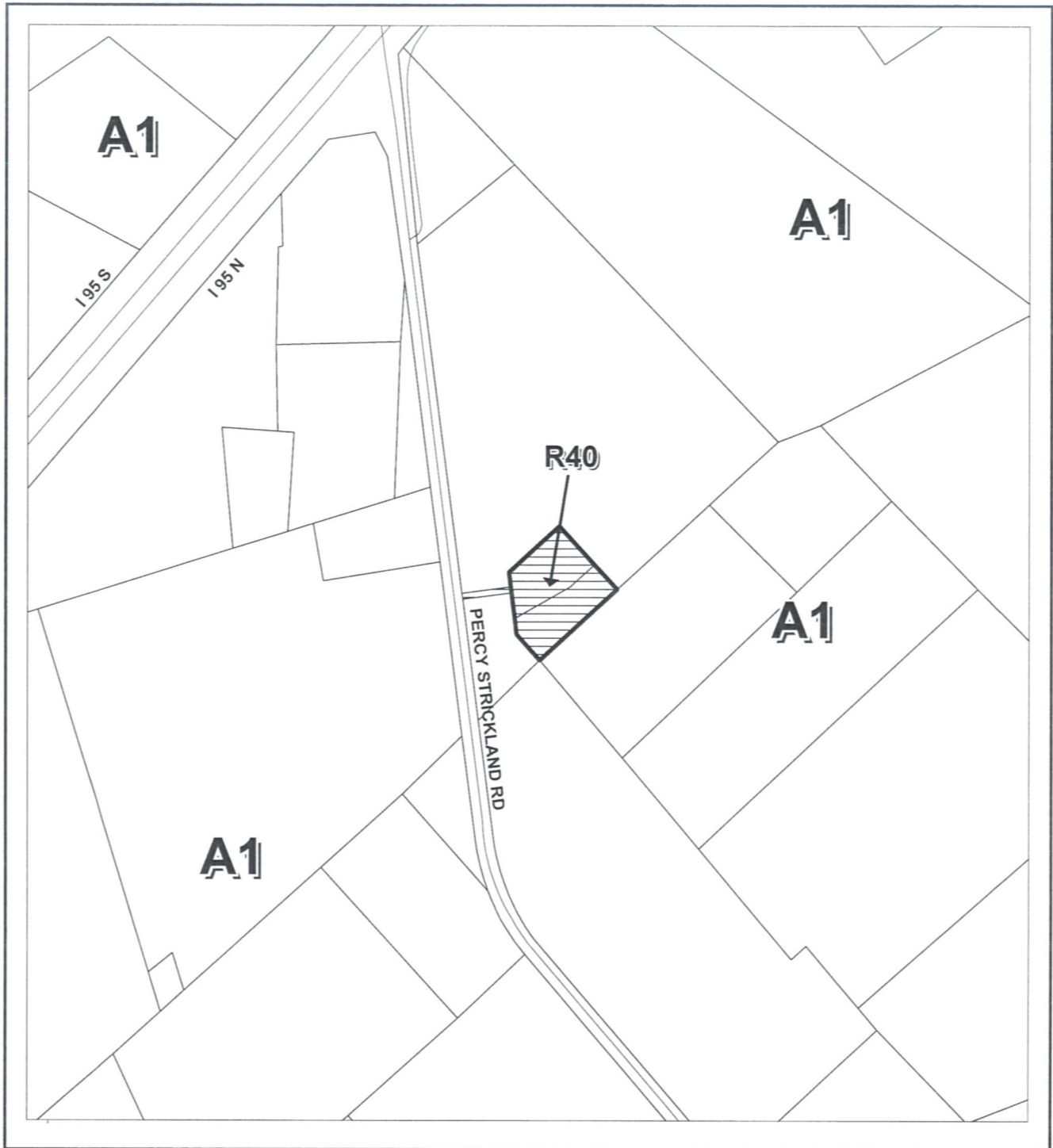
2. Minimum Yard Setback Regulations:

<u>R40</u>	<u>R40A</u>
Front yard: 30'	Front yard: 30'
Side yard: 15'	Side yard: 15'
Rear yard: 35'	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 & R40 TO R40A

ACREAGE: 2.07 AC.+/-	HEARING NO: P10-39	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0591-07-8593
 PIN: 0591-07-9460

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September 14, 2010

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Land Use Codes Committee Recommendation

P10-41. CONSIDERATION OF A TEXT AMENDMENT TO THE COUNTY ZONING ORDINANCE, BY AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203 DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY CREATING A DEFINITION FOR "SCHOOL, PRIVATE" AND INSERTING THE DEFINITION IN ALPHABETICAL ORDER; ARTICLE III ZONING DISTRICTS, SECTION 307. PLANNED INDUSTRIAL DISTRICTS, SUB-SECTION B. M(P) PLANNED INDUSTRIAL DISTRICT; ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX, MODIFYING "SCHOOLS, PUBLIC, PRIVATE, ELEMENTARY OR SECONDARY (SEC. 916)" AND ALLOWING SCHOOLS: PUBLIC, PRIVATE AS PERMITTED USES IN THE M1(P) AND M(P) ZONING DISTRICTS; ARTICLE IX INDIVIDUAL USES, SECTION 901. DEVELOPMENT STANDARDS FOR INDIVIDUAL USES, CREATING A NEW SUB-SECTION "G", RE-LETTERING PREVIOUS SUB-SECTION "G" TO "H"; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

The Land Use Codes Committee is scheduled to meet on the above reference case at 6:00 pm on September 21, 2010. The committee recommendation will be verbally presented to you at your board meeting later that evening.

Attached you will find the request for the text amendment and the original draft.

Attachment:

- 1 – Freedom Christian Academy Letter, dated August 31, 2010
- 2 – P10-41 Draft Text Amendment, dated September 14, 2010



FREEDOM CHRISTIAN ACADEMY

2567 Owen Drive ~ Fayetteville, NC 28306 ~ (910) 485-7777 Office ~ (910) 485-7757 Fax
www.freedomchristianacademync.org

August 31, 2010

Tom Lloyd
Director
Cumberland County Planning Department
130 Gillespie Street
Fayetteville, North Carolina 28301

RE: Freedom Christian Academy text amendment request

Dear Mr. Lloyd:

Freedom Christian Academy is interested in locating its private school and sports facility in the building formerly occupied by Technimark, LLC at 3130 Gillespie Street.

In order to comply with proper zoning, we are formally requesting a text amendment for the zoning ordinance that would allow schools in this MP zoning district.

Because time is of the essence due to contract restraints and Freedom's desire to occupy the building next school year, please let us know if the staff is willing to proceed in our favor.

Thank you for your consideration.

Sincerely,

Hall Powers

Hall Powers
Finance Director
Freedom Christian Academy

CC: Patti Speicher, Land Use Codes

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P10-41 TEXT AMENDMENT

CONSIDERATION OF A TEXT AMENDMENT TO THE COUNTY ZONING ORDINANCE, BY AMENDING ARTICLE II INTERPRETATIONS, CALCULATIONS, AND DEFINITIONS, SECTION 203 DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY CREATING A DEFINITION FOR “SCHOOL, PRIVATE” AND INSERTING THE DEFINITION IN ALPHABETICAL ORDER; ARTICLE III ZONING DISTRICTS, SECTION 307. PLANNED INDUSTRIAL DISTRICTS, SUB-SECTION B. M(P) PLANNED INDUSTRIAL DISTRICT; ARTICLE IV PERMITTED, CONDITIONAL, AND SPECIAL USES, SECTION 403 USE MATRIX, MODIFYING “SCHOOLS, PUBLIC, PRIVATE, ELEMENTARY OR SECONDARY (SEC. 916)” AND ALLOWING SCHOOLS: PUBLIC, PRIVATE AS PERMITTED USES IN THE M1(P) AND M(P) ZONING DISTRICTS; ARTICLE IX INDIVIDUAL USES, SECTION 901. DEVELOPMENT STANDARDS FOR INDIVIDUAL USES, CREATING A NEW SUB-SECTION “G”, RE-LETTERING PREVIOUS SUB-SECTION “G” TO “H”; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE.

AMEND the County Zoning Ordinance, Article II Interpretations, Calculations, and Definitions, Section 203 Definitions of Specific Terms and Words by CREATING the following definition for “School, Private” and INSERTING the definition in alphabetical order:

School, Private: [A school founded, conducted, and maintained by a private group rather than by the government, usually charging tuition and often following a particular philosophy, viewpoint, etc.](#)

AMEND the County Zoning Ordinance, Article III Zoning Districts, Section 307. Planned Industrial Districts, sub-section B. M(P) Planned Industrial District, as indicated:

B. M(P) Planned Industrial District. This district is designed primarily for basic manufacturing and processing industries, all of which normally create a high degree of nuisance and are not generally compatible with surrounding or abutting residential or commercial areas, [and also for certain general public assembly and recreational uses.](#) The general intent of this district is to permit uses confined to service, wholesaling, manufacturing, fabrication and processing activities that can be carried on in an unobtrusive manner characterized by low concentration and limited external effects with suitable open spaces, landscaping, parking and service areas. This district is customarily located on larger tracts of land with

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good highway and rail access buffered from residential districts by other more compatible uses. Generally, ~~C~~commercial activities are not permitted except those having only limited contact with the general public and typically those not involving the sale of merchandise at retail except for items produced on the premises or for the purpose of serving employees, guests and other persons who are within the district with an industrial activity. To promote the essential design features with the M(P) district, site plan approval is a requirement.

AMEND the County Zoning Ordinance, Article IV Permitted, Conditional, and Special Uses, Section 403 Use Matrix by AMENDING the row entitled: *Schools, public, private, elementary or secondary (Sec. 916)* by DELETING the terms “elementary or secondary” and INSERTING a “P” to indicate *Schools: public, private* as a “Permitted Use” in the M1(P) and M(P) columns, as indicated on the next page:

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(continued from previous page)

SECTION 403 USE MATRIX

CUMBERLAND COUNTY ZONING ORDINANCE
P = PERMITTED USE
S = SPECIAL USE (Sec. 1606 Board of Adjustment approval required)
X = CONDITIONAL USE (Article V, County Commissioners approval required)

LAND USES	ZONING CLASSIFICATIONS																						
	CD	A1	A1A	R40	R40A	R30	R30A	RR	R20	R20A	R15	R7.5	R6	R6A	R5	R5A	O&I(P)	C1(P)	C2(P)	C(P)	M1(P)	M(P)	
Schools; public, private, elementary or secondary (Sec. 916)		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P					P	P

AMEND the County Zoning Ordinance, Article IX Individual Uses, Section 901. Development Standards for Individual Uses, by CREATING a new sub-section G to read as indicated below and renumbering the current sub-section "G" to sub-section "H":

SECTION 901. DEVELOPMENT STANDARDS FOR INDIVIDUAL USES.

The development standards of this article are additional to other requirements in this ordinance. If there is a conflict with another section of this ordinance or any other Federal, State or local regulation, the most restrictive requirement shall apply. These development standards are use-specific and apply as minimum development standards for the use regardless of the type of approval or permit otherwise required by this ordinance. All non-residential uses listed within this article require site plan review and approval in accordance with Article XIV unless this article specifically requires approval of a Special Use Permit or Conditional Use Permit. Those uses requiring approval as a Special Use Permit (Section 1606) or a Conditional Use Permit (Article V) shall also be subject to these standards and any additional standards or conditions required by the Permit.

(Amd. 11-20-06)

In addition to the specific criteria listed for each use, the following are to be considered as minimum criteria for every non-residential use:

A. All parking and loading areas shall comply with the minimum provisions established in Article XII, Off-Street Parking and Loading;

B. All lighting shall be directed internally and shall comply with Section 1102.M;

C. Noise generated by any use shall not substantially or detrimentally affect the ability of surrounding property owners to reasonably enjoy the use of their properties and shall not contradict those standards of Chapter 9.5, Cumberland County Code, Article II, entitled: " Noise" (Noise Ordinance);

D. When any non-residential use is adjacent to property zoned for residential uses, a buffer shall be provided in accordance with Section 1102.G of this ordinance;

(Amd. 01-19-10)

E. Unless otherwise specified within these individual sections, all signage shall be in compliance with Article XIII, Sign Regulations, for the specific district in which the subject property is located;

F. All new non-residential development shall comply with the landscaping provisions of Section 1102.N; **and**

(Amd. 02-19-08)

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G. The property intended for the non-residential use shall be of sufficient size to provide land area for the structure(s), yard setbacks, utilities, off-street parking, landscaping, buffering and all other specific requirements of this ordinance and the County Subdivision Ordinance; and

H. Compliance with all Federal, State, and local regulations, including the County Subdivision Ordinance, is mandatory.

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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for September 21, 2010 Board Meeting

P10-32: REZONING OF 20.87+/- ACRES FROM RR RURAL RESIDENTIAL, R10 RESIDENTIAL AND R6A RESIDENTIAL TO RR RURAL RESIDENTIAL/CUD CONDITIONAL USE DISTRICT FOR A RV PARK/CAMPGROUND AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1003 (CAMDEN ROAD), SOUTHWEST OF NC HWY 162 (ELK ROAD); SUBMITTED BY ROY L. AND CHOM CHU DEAN (OWNERS).

On August 17, 2010 at the Planning Board's request, the applicant voluntarily agreed to defer this case to the board's September 21st meeting in order to give the property owner the opportunity to alter the site plan ensuring that it accurately reflected the existing turnarounds at the end of the drives. The revised site plan has been submitted along with an amended application.

In the amended application the property owner is specifying that the manufactured home park would be phased out by December 31, 2011 and the owner agrees to all land within the *Special Flood Hazard Area* (SFHA) to be zoned CD Conservancy. The revised site plan reflects compliance with setbacks and turnarounds, for which the owner had previously requested relief; however, the property owner is now requesting waivers/variances from the following ordinance requirements:

1. Recordation of a recombination plat;
2. Fire hydrant at the entrance to the site;
3. Installation of a sidewalk along SR 1003 (Camden Road); and
4. On-site buffer except as shown on site plan along northern portion of the property (previous request).

The Planning & Inspections Staff recommends denial of the requested rezoning to RR Rural Residential/Conditional Use District (RR/CUD) for a RV park/campground based on the following:

1. Although the area in which the subject property is located could be deemed consistent with the Land Use Policies Plan location criteria for "suburban density residential", the specific requested use -

RV park/campground temporarily commingled with an existing manufactured home park– is not consistent with “urban development” in which this area has been designated on the Growth Strategy Map of the 2030 Growth Vision Plan - Staff is against the combining of transient uses with the stable/community characteristics offered with an established neighborhood; and

2. The degree of difference in uses allowed on the immediate existing surrounding properties and the district and use requested currently qualify this request as being unreasonable since, with one exception, the immediate surrounding zoning allows for single family residential uses.

The staff suggests the board consider the requested district (RR) and the use as a RV park/ campground as being more appropriate when the manufactured home park is completely abandoned with all manufactured homes removed from site, provided that the property owner agrees to meeting or exceeding all ordinance standards relating to the Permit.

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

Note: In the event the Planning Board considers granting this application a favorable recommendation, the staff requests the board’s consideration of CD Conservancy zoning for all land within the Special Flood Hazard Area (SFHA). The owner has agreed to this stipulation.

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

1. The use could materially endanger the public safety if located according to the plan submitted considering that a large portion of this site is located within a *Special Flood Hazard Area* (SFHA), has flooded in the past and is likely to flood in the future;
2. The use does not meet all required specifications qualifying this request as arbitrary – the property owner is requesting numerous deviations from the ordinance standards, to include relief from the requirement to commission a recombination plat, install a fire hydrant at the entrance to the site, construct a sidewalk along SR 1003 (Camden Road) and to provide the requisite on-site buffer, utilizing the off-site vegetation to satisfy the on-site buffer requirements – the staff supports the use of the off-site buffer only for that portion along the southwestern boundary of the track due to the creek providing a natural buffer;
3. This development could likely diminish the value of adjoining or abutting properties with the creation of a nonconforming manufactured home park that is commingled with transient temporary housing; non-compliance with all adopted ordinance standards, intended to protect adjacent properties from the effect of development on a particular property; and
4. The location and character of the use if developed according to the plan as submitted will not be in harmony with the area in which it is to be located and will not be in conformity with the 2030 Growth Vision Plan and adopted planning policies as addressed above.

Attachments:

- 1 – Site Profile
- 2 – Rezoning Sketch Map
- 3 – Site Plan (Proposed RV Park)
- 4 – Existing MHP Site Plan
- 5 – Draft Ordinance Related Conditions (only use if considered for approval)
- 6– Application w/ Amended Request dated August 26, 2010

P10-32
SITE PROFILE

P10-32: REZONING OF 20.87+/- ACRES FROM RR RURAL RESIDENTIAL, R10 RESIDENTIAL AND R6A RESIDENTIAL TO RR RURAL RESIDENTIAL/CUD CONDITIONAL USE DISTRICT FOR A RV PARK/CAMPGROUND AND THE PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH EAST SIDE OF SR 1003 (CAMDEN ROAD) AND SOUTH WEST OF NC HWY 162 (ELK ROAD), SUBMITTED BY ROY L. AND CHOM CHU DEAN (OWNERS).

Site Information:

Frontage & Location: 680.00'+/- on SR 1003 (Camden Road)

Depth: 1,400.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Manufactured Home Park

Initial Zoning: R10 – November 17, 1975 (Area 4); portion rezoned to R6 on June 25, 1985; portion rezoned to RR and CD on March 20, 2006

Nonconformities: If approved, existing manufactured home park will become nonconforming

Zoning Violation(s): None

Surrounding Zoning: North: C(P), RR, R10 & R5A; South: RR & R10; East: RR, R10 & CD; West: R10

Surrounding Land Use: Residential (including manufactured homes), manufactured home park, woodlands

2030 Land Use Plan: Urban & Conservation

Special Flood Hazard Area (SFHA): Yes; varies from 110.2 to 114.6 msl (NAVD)

Water/Sewer Availability: PWC/PWC

Soil Limitations: Yes, hydric – JT Johnston loam

School Capacity/Enrolled: C. Wayne Collier Elementary: 600/557; South View Middle: 900/725; South View High: 1,800/1,838

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

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2008): 13,000 on SR 1003 (Camden Road)

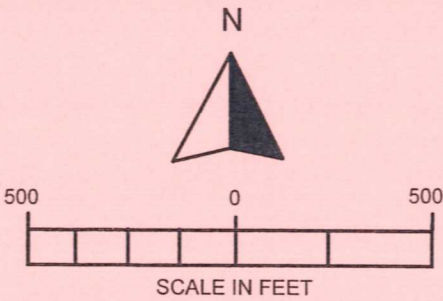
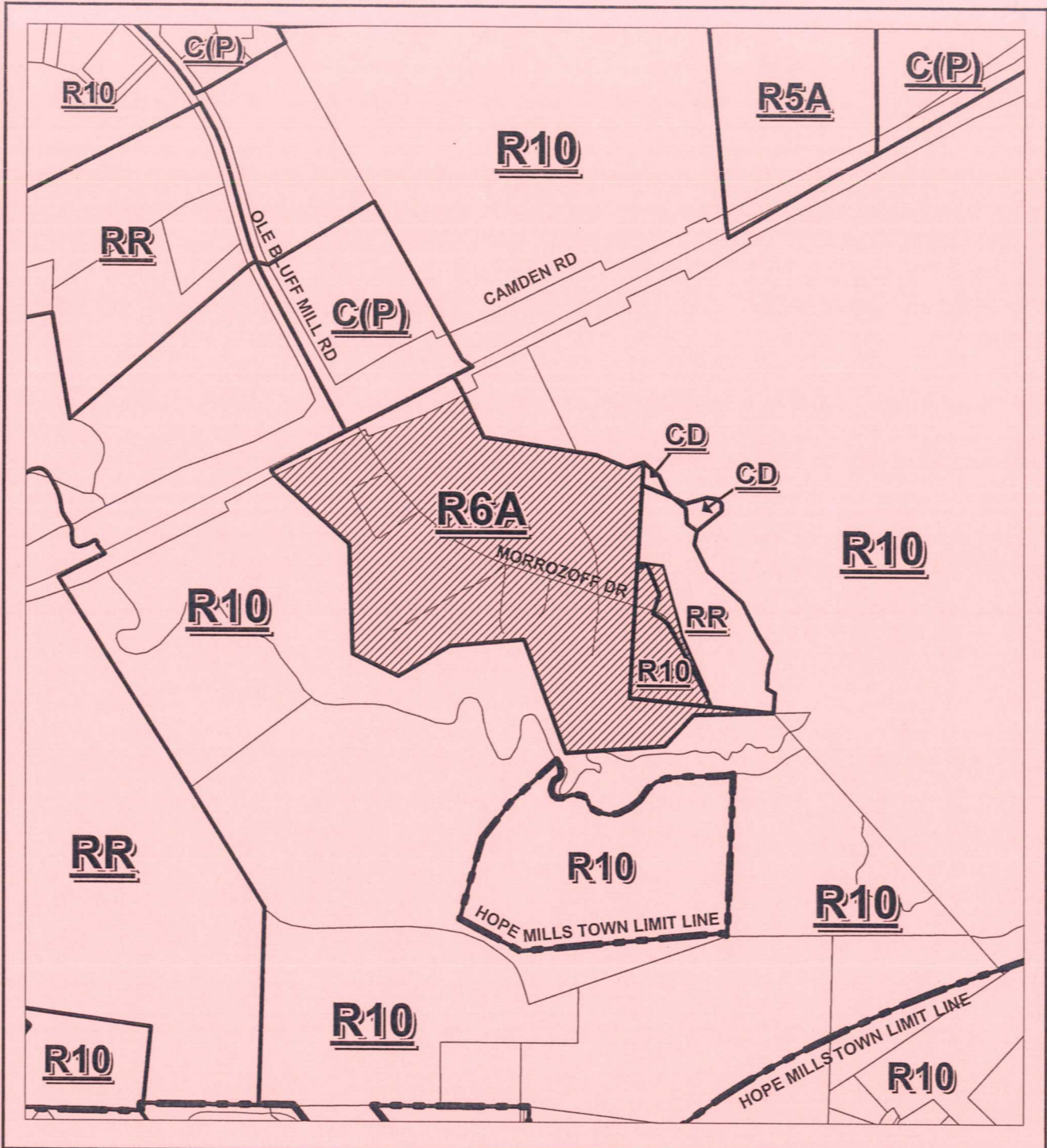
Highway Plan: Camden Road is identified in the highway plan as a major thoroughfare. This proposal calls for a multi-lane facility (U-2810) with a right-of-way of 110 feet. Road improvements are included in the 2009-2015 MTIP.

Notes:

1. Existing manufactured dwellings (once removed) are only to be replaced with RVs or Campers (90 Spaces).
2. In the *Special Flood Hazard Area*, Recreational Vehicles must adhere to North Carolina Floodplain Management standards as listed by the North Carolina Department of Crime Control and Public Safety.
3. Case number P06-06-C to allow RV Park/Campground (33 sites) on 4.02+/- acres approved on applicant's adjacent property on 05-18-06.
4. Existing Manufactured Home Park to be phased out by December 31, 2011
5. Applicant has requested four waivers/ variances to the RV Park/Campground Standards;
 - Request that recordation of a recombination plat not be required
 - Request that on-site buffer not be required except as shown on portion of northern boundry
 - Request that a fire hydrant at the entrance not be required; and
 - Request that installation of sidewalks not be required

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.

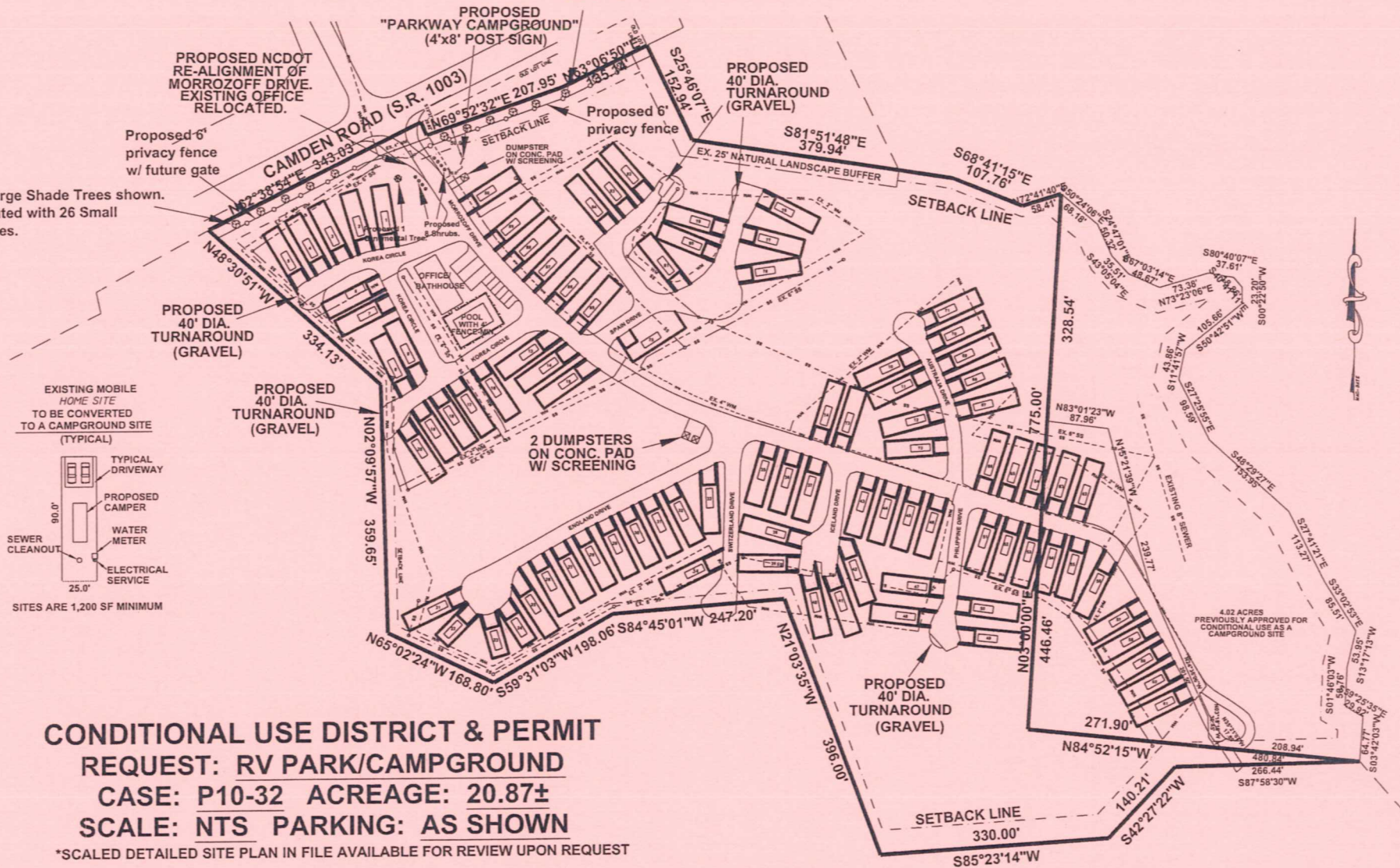


REQUESTED REZONING RR, R10 & R6A TO RR/CUD

ACREAGE: 20.87 AC.+/-	HEARING NO: P10-32	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0414-39-2895
 PORT. OF: 0414-39-8791

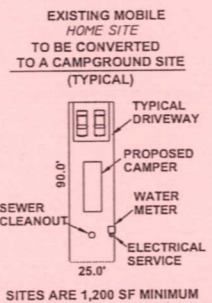
Proposed 13 Large Shade Trees shown. May be substituted with 26 Small Ornamental Trees.



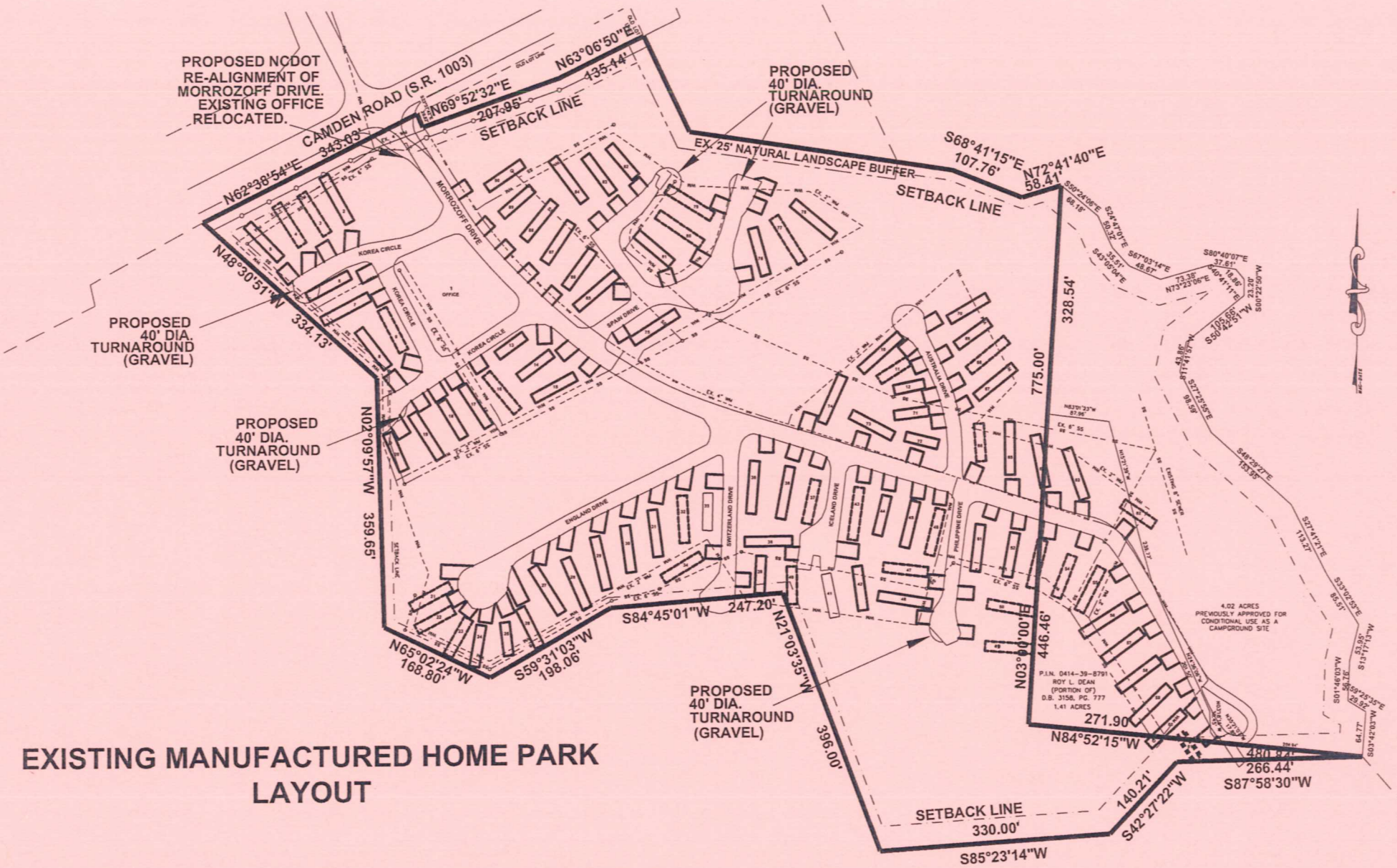
PROPOSED NCDOT RE-ALIGNMENT OF MORROZZOFF DRIVE. EXISTING OFFICE RELOCATED.

Proposed 6' privacy fence w/ future gate

Proposed 13 Large Shade Trees shown. May be substituted with 26 Small Ornamental Trees.



CONDITIONAL USE DISTRICT & PERMIT REQUEST: RV PARK/CAMPGROUND
CASE: P10-32 ACREAGE: 20.87±
SCALE: NTS PARKING: AS SHOWN
 *SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST



EXISTING MANUFACTURED HOME PARK LAYOUT

Conditional Use District & Permit

DRAFT

Ordinance Related Conditions

Pre- Permit Related:

1. A recombination plat (also known as a "No Approval Required" or "NAR") must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to conversion of any space within the existing manufactured home park to a RV space or any permit application for any structure. **AMENDED APPLICATION REQUEST THAT THIS CONDITION BE WAIVED – SEE COMMENT 1 ON SECOND PAGE OF LETTER DATED AUGUST 26, 2010**

Permit-Related:

2. 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.
3. As the existing manufactured homes are removed from this site, only recreational vehicles can be located on the vacated individual space. The approval of the Conditional Use District for a RV Park/Campground and the Permit will make the existing Manufactured Home Park nonconforming and any manufactured home destroyed or removed from this development cannot be replaced.
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: 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.

5. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources (NCDENR). 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.
6. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must 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.
7. The *Special Flood Hazard Area* (SFHA) exists on this tract; any development within SFHA must have first flood elevations, including all mechanical and electrical equipment above base flood elevation (BFE) plus two feet of freeboard. Proper flood plain development permits are required, issued by the County Engineer, prior to any building/permit application. A copy of the approved flood plain permit must be provided to Code Enforcement at the time of building/zoning permit applications.

In the SFHA, RVs must be licensed and titled as an RV or park model (not a permanent residence), be built on a single chassis, have inflated wheels and be self-propelled or towable by light truck, have no attached deck, porch or shed, be used for temporary recreational, camping, travel or seasonal use, and have quick-disconnect sewage, water and electrical connectors. **Any RV that**

does not meet these conditions must be installed and elevated like a manufactured homes, including permanent foundations and tie-downs.

8. Landscaping must be provided as shown on the revised site plan and must be in place prior to conversion of any manufactured home space to a RV space. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance - the following are the minimum standards for the required landscaping of this site:
 - a. Thirteen large shade trees or 26 small ornamental trees within the front yard setback area;
 - b. One ornamental tree and eight shrubs are required in the building yard area;

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 - b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
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.
10. A review of the data available to the Army Corp of Engineers indicates that jurisdictional waters are likely to be present on this property and therefore are likely to be impacted by the proposed project. However, without an official Jurisdictional Determination at the property, these findings cannot be confirmed.

A permit will be required for this project if construction will involve the temporary and/or permanent placement of fill in waters of the United States including wetlands. If a permit is required, the applicant will be required to avoid and minimize impacts to wetland/waters of the United States and may need to provide compensatory mitigation for unavoidable impacts.

Site-Related:

11. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the RR/CUD zoning district and the conditions of the Permit must be complied with, as applicable. This application is for the conversion of this site from a manufactured home park to a RV Park/Campground – upon the removal of any manufactured home, regardless of reason, no manufactured home can be used as a replacement structure and all RV sites must be located as shown on the revised plan.
12. All turnarounds must be constructed with a minimum depth of six inch gravel base, with proper ditching, drainage, and seeding of slopes prior to use as a RV park.
13. This conditional approval is not approval of the permit for the freestanding sign. 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.)
14. “Camden Road” must be labeled as “SR 1003 (Camden Road)” on all future plans.
15. The pool area must be fenced with a minimum of a four foot high fence which can be securely fastened and meet all specifications of Section 1002.C, Swimming Pools, County Zoning Ordinance.
16. Each individual space is required to provide a stabilized vehicular pad of packed gravel, paving or other suitable material prior to use as a RV space.
17. The RV park cannot allow for permanent occupancy on the same site by the same occupant for any continuous period of time exceeding 90 days.
18. This conditional approval is not approval of any tent spaces within this RV park.

19. 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)
20. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
21. In the event a stormwater utility structure is required by the NC Department of Environment and Natural Resources (NCDENR), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
22. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
23. 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.
24. Turn lanes may be required by the NC Department of Transportation (NCDOT).
25. All spaces within this park are required to be served internally by the private drive; no direct access to SR 1003 (Camden Road) can be permitted.
26. 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.
27. A solid buffer must be provided and maintained onsite along the entire boundary of this property where this tract abuts residentially zoned properties and the buffer must be installed 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.)
VARIANCE REQUEST WITHIN APPLICATION
28. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
29. All required off-street parking spaces shall be a minimum of 9' x 20'. All off-street parking spaces shall be maintained as reflected on the site plan.
30. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
31. All notes and calculations as shown on the site plan are to be considered as a part of this conditional approval.
32. All Federal, State and other local regulations are to be complied with.

Plat-Related (WAIVER REQUEST REGARDING RECOMBINATION PLAT WITHIN AMENDED APPLICATION):

33. Prior to submission of the recombination plat for approval for recording, one fire hydrant must be installed along SR 1003 (Camden Road) at the entrance to the park. (Section 2306 B, Fire hydrants, County Subdivision Ordinance) **WAIVER REQUEST WITHIN AMENDED APPLICATION**
34. Prior to submission of the recombination plat for approval for recording, a concrete sidewalk must be constructed along SR 1003 (Camden Road) and the sidewalk must meet the specifications of the Hope Mills Street Department. [Co. Subdivision Ord., Sec. 2302, Area Specific Standards, A. Municipal Influence Area & Hope Mills Subdivision Ord., Sec. 86A-405 Sidewalks].
WAIVER REQUEST WITHIN AMENDED APPLICATION
35. The recombined tract must be drawn with solid property lines, with the bearings and distances, acreage and lot identifier reflected on the recombination plat.

36. The proposed development is located in a Special Flood Hazard Area (SFHA). The final plat must show the limits of the SFHA; information may be obtained from the County Engineer's office or the Federal Emergency Management Agency's (FEMA) website at www.ncfloodmaps.com. Any development within the SFHA is subject to the requirements of the County Flood Damage Prevention Ordinance administered by the County Engineering Department.
37. "Camden Road" be labeled as "SR 1003 (Camden Road)" on the recombination plat.
38. Dedication of 15 feet of right-of-way and reservation of 5 feet of right-of way along SR 1003 (Camden Road) is required and the metes and bounds for both dedication and reservation is required to be shown on the final plat and/or reflected on any future site plans. The location of all improvements, required or otherwise, and all building setback lines are to be measured from the ultimate right-of-way line. (Section 2302 F, Planned Public Right-of-Way, County Subdivision Ordinance)
39. Any/All easements must be reflected on the final 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.
40. The NC Department of Transportation (NCDOT) stamp must be affixed to the recombination plat prior to submission for approval for recording.
41. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision Ordinance)
42. The developer is reminded that the improvements must be in place or that approval for recording of the recombination plat will only be granted in accordance with Section 2502 B, C, or D, Final Plat – Guarantees of Improvements, Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.)
43. The recombination plat must be submitted to Land Use Codes 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 conversion of any manufactured home space to a RV space.

Plat-Required Statements:

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

"Nonconforming structures have not been created by this subdivision."

Other Relevant Conditions:

45. 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.
46. 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.
47. The property owner is strongly encouraged to retain as many existing trees as possible. The Town of Hope Mills has tree preservation provisions in their ordinance.

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 Engineer's Office:	Wayne Dudley	678-7636
County Health Department:	Daniel Ortiz	433-3680
PWC:	Heidi Maly	223-4737
Town of Hope Mills:		424-4555*
Asst. Town Manager/Town Clerk:	Connie Spell	
Chief Building Inspector:	Mike Bailey	
Corp of Engineers (wetlands):	Crystal C. Amschler	(910) 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
Transportation Planning:	Bobby McCormick	678 7632
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.

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: Roy Dearm
2. ADDRESS: 6846 Harvest Ct.
Fayetteville, NC ZIP CODE: 28306
3. TELEPHONE: (Home) 424-3442 (Work) 818-2618
4. Location of Property: Morrozoff Drive + Camden Rd
5. Parcel Identification Number (PIN #) of subject property: 0414-39-2895
(also known as Tax ID Number or Property Tax ID) 0414-39-8791
6. Acreage: 20.87 total* Frontage: 686' Depth: 1270'
7. Water Provider: PWC
8. Septage Provider: PWC
9. Deed Book 3124
3158, Page(s) 611
777*, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: Mobile Home Park
11. Proposed use(s) of the property: Campground

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: R6A + R10 to RR

TO: (select one)

- Conditional Use District, with an underlying zoning district of RR
(Article V)
 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)

* 4.02 Acres of Deed Bk 3158, Pg. 777 has been previously approved as a campground site (conditional use)

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.) *Campground*

• In 2007, FEMA updated their maps resulting in a portion of this property falling into the 100 year Flood Zone. Therefore, if a mobile home is removed, the new mobile home brought in to replace it will have to be 1-foot above the flood

- 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.

20.87 Acres total of campground + open space to include streets, driveways + natural buffers

2. DIMENSIONAL REQUIREMENTS:

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

~~*The office front setback is 72'. Request it be allowed.*~~ *Prop. New office 15' setback > 100' CDA*
Also, request existing setbacks for existing mobile homes be allowed for proposed campground sites. *07/09/10*

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

All Campground sites are provided with 2 parking spaces. ~ See typical Home Site.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Sec. 1306. ~ See Site Plan

The sign was removed when Camden Rd. was widened. A new Campground Sign will be installed following the requirements of the Zoning Ordinance, Section 1306-A-2.

elevation requiring the new mobile home to be 4-feet above ex. ground. The new tenants do not want to do this and take their mobile home to an alternate location.

- Also, single wide mobile homes are not as widely used in Mobile Home Parks, so there is a decreased demand for mobile home spaces.*

- As a result, the number of people seeking mobile home spaces has declined to almost nothing.*

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.

Landscape Buffer adjacent to residential lot on Camden Rd. All areas are to be buffered as its natural buffer of creeks + low lands.

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

Landscape - See Plan

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.

Lighting to be directed internally.

Request D/W to include turnarounds be approved as they exist.

Pool & office w/ Bathing Facilities as shown cpa 07/09/10

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.

↓ Roy Dean Chom Chu DEAN
NAME OF OWNERS (PRINT OR TYPE)

6846 Harvest Ct. Fayetteville, NC 28306
ADDRESS OF OWNER(S)

424-3442 HOME TELEPHONE # 818-2618-main # WORK TELEPHONE #

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE #

WORK TELEPHONE #

↓ Roy Lee Dean
SIGNATURE OF OWNER(S)

SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

↓ Che Cha D
SIGNATURE OF OWNER(S)

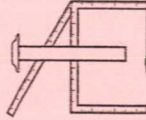
* **ALL** record property owners must sign this petition.

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

Averette Engineering Co., P. A.

CIVIL ENGINEERING • LAND SURVEYING • PLANNING

Address:
712 E. Lake Ridge Road
Raeford, NC 28376



Phone: (910) 488-5656
Fax: (910) 488-0181
Web: www.averette-eng.com
License: C-0146

August 26, 2010

Ms. Patti Speicher
Cumberland County Planning Department
130 Gillespie Street
Fayetteville, North Carolina 28301

Subject: Parkway Campground
Morozoff Drive, Cumberland County, NC
Case: P10-32

Dear Patti,

As you are aware, we propose to convert subject project from an existing mobile home park into an RV park/campground. Our reason for requesting this is listed in Item 1A in our Application for Conditional Use District and Permit. The staff's recommendation was to deny this request and no other zoning district was recommended. This indicates to me that there is no other use of this land other than what we have proposed, which is an RV park/campground.

In regards to our request to have the subject property rezoned from a R6A and R10 zoning to an RR zoning, we have the following comments:

1. The area in which the subject property is located is consistent with the Land Use Policies Plan location criteria. (The 4.02 acre tract to the rear of this property was rezoned by Cumberland County in 2006).
2. The RV park/campground as proposed is appropriate for this area because there are recreational activities. (A swimming pool will be constructed, fishing is available and nature trails are provided for people and domestic animals).
3. The existing mobile home park will be phased out by December 31, 2011 to allow ample time for the existing tenants to be relocated and the improvements to be made.
4. RV parks/campgrounds are market-driven and the applicant has another RV park in Cumberland County. He is satisfied that this project is economically viable, which the mobile home park is not.
5. The applicant agrees that all lands within the special flood hazard area (SFHA) shall be zoned to CD (conservancy district).

In regards to our request to have the subject property given a conditional use permit, we have the following comments:

1. The RV's will be located as shown on the site plan. Those RV's that are in the SFHA-100 year flood zone AE, mostly around the perimeter of the property are allowed since they are temporary, mobile residences. The RV's can be removed in an emergency situation, if needed. It is also noted that this area has never flooded in the time it was a mobile home park.

2. The proper turnarounds at the end of the streets will be installed. We are not requesting any variances for setbacks as all the proposed campsites are in compliance. We are requesting that vegetation surrounding this project, whether it is on this property or adjacent property is sufficient to meet the requirements of the landscape ordinance. Please note that we are screening adjacent residential property from our residential property, which means we are screening residential zoning to residential zoning.
3. This development will not devalue surrounding properties because the only existing property adjacent to it is on the opposite side of an existing creek. The remainder of the surrounding property with the exception of Camden Road is creeks, low-lands and wet lands and cannot be developed. The non-conforming manufactured homes will be phased out and will be a total RV park/campground by December 31, 2011. The location and character of the use has developed in accordance with the plan will be in harmony and will be an asset to the community.

In regards to the draft condition sheet, we have the following comments:

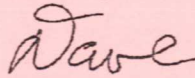
1. We request that a recombination plat not be required. The primary purpose of a plat would be to remove the property line between PIN 0414-39-2895 and PIN 0414-39-8791. Since there will be no permanent structures across any property line, a recombination of the properties is not needed. Also, to record a plat in North Carolina, we are required to comply with GS47.30 and survey the entire 2 tracts, which would be expensive.
2. We have added landscaping as required.
3. We have added 40' diameter turnarounds as needed.
4. The owner will obtain permits before placing any new structures on site.
5. When mobile homes are removed from the site, only RV's will be put in its place.
6. Water and Sewer through PWC is already available to this site.
7. This is an existing development, no new development will be done on site, so a Stormwater Management Permit will not be required.
8. This is an existing development, no new development will be done on site, so an NCDENR will not be required.
9. Prior to any building permits, the owner will obtain proper flood plain development permits.
10. The owner understands that the Code Enforcement Officer must inspect the site before a building final inspection is issued.
11. An ACOE permit will not be required as no fill will be placed in any wetlands.
12. The RR and CUD zoning has been complied with.
13. The required permits for the sign will be obtained.
14. Camden Road has been labelled as SR 1003
15. The pool is shown with a 4' fence.
16. Each RV space will have a stabilized vehicular pad of packed gravel, paving or other suitable material prior to use as an RV space.
17. The RV park will not allow permanent occupancy on the same site by the same occupant for any continuous period of time exceeding 90 days.
18. The RV park will not have any tent spaces.

19. The is an existing development.
20. This is an existing development.
21. No stormwater structures will be required.
22. These roads will remain private, no NCDOT approval will be needed.
23. This is an existing development and NCDOT will reconstruct the entrance while the improvements are being made to Camden Road.
24. This is an existing development and no new RV spaces will be added. NCDOT is presently making improvements to Camden Road.
25. All RV spaces will be served internally and there will be no direct access to Camden Road from any RV space.
26. All lighting will be directed internally.
27. A solid, natural buffer will be located where the adjacent property is residential. We are requesting that vegetation surrounding this project, whether it is on this property or adjacent property is sufficient to meet the requirements of the landscape ordinance. Please note that we are screening adjacent residential propety from our residential property, which means we are screening residential zoning to residential zoning.
28. The dumpsters are shown on the plan.
29. All off-street parking is a minimum of 9' x 20'.
30. The owner will keep the site aesthetically and environmentally pleasing.
31. All notes on the plans are part of the conditional approval.
32. All Federal, State and Local regulations will be complied with.
33. No additional fire hydrants are to be placed on this site as the water and sanitary sewer lines are private and fire hydrants for public use cannot be added.
34. NCDOT is installing sidewalk on Camden Road on the right hand side from Hope Mills Road to Buckhead Creek (Hope Mills Town Limits). They are also installing sidewalk on the left hand side from Hope Mills Road to the first shopping center, which is short of the town limits as there is no need for sidewalk in that area. There will not be any sidewalk from Hope Mills Town Limits to the Hope Mills Bypass. The cost to install sidewalk would be approximately \$15,000.00 and permission would have to be received from NCDOT to install this sidewalk. Since the road widening is currently under construction, we would have to get the NCDOT contractor to do the sidewalk and that would cost even more. Unlike the sidewalk constructed within the Hope Mills Town Limits, which would be maintained by NCDOT or Hope Mills, this property would not be maintained by NCDOT, nor would they assume any liability for it. We are therefore requesting that we not be required to install sidewalk on this property as it would be of no value to the applicant.
35. We are requesting that we not have to do a recombination plat.
36. We are requesting that we not have to do a recombination plat.
37. Camden Road has been labelled SR 1003.
38. NCDOT is currently widening Camden Road and all required future and reserved right-of-way has been obtained and is reflected on this site plan.
39. All known easements, if any are shown on the plan.
40. We are requesting that we not have to do a recombination plat.
41. We are requesting that we not have to do a recombination plat.
42. We are requesting that we not have to do a recombination plat.

43. We are requesting that we not have to do a recombination plat.
44. We are requesting that we not have to do a recombination plat.
45. An ACOE permit will not be required as no fill will be placed in any wetlands.
46. All known easements, if any are shown on the plan.
47. All trees will remain

Thank you for your time and please let us know if you have any questions or need additional information.

Sincerely,



Charles D. Averette, P.E., F.NSPE, P.L.S.
Consultant to the President

CDA/kaj

cc: Roy Dean

10-089
SITE PROFILE

CASE NO. 10-089. CONSIDERATION OF THE ROXY PARHAM PROPERTY, REQUEST FOR A WAIVER FROM THE REQUIREMENT TO HAVE DIRECT VEHICULAR ACCESS TO A PUBLIC STREET OR APPROVED PRIVATE STREET, COUNTY SUBDIVISION ORDINANCE, SECTION 2401 GROUP DEVELOPMENTS, D. STREET ACCESS; ZONING: A1; TOTAL ACREAGE: 28.18+/-; LOCATED AT 8927 AVERY ROAD; SUBMITTED BY ROXY PARHAM (OWNER).

Summary of Request

Developer is requesting permission to place a second dwelling unit on a tract of land, greater than 10 acres, using an existing and recorded 30 foot wide ingress/egress easement for access purposes. The 28 acre tract is exempt from the definition of "subdivision"; however, this exemption does not apply to the group development (more than one unit on a tract of land) provisions of the ordinance. The street name, Avery Road, was extended to include the 30 foot easement from the existing State Road 2046 for E-911 addressing purposes.

Note: An adjacent property to the southeast was approved for a similar request on February 17, 2009, Case No. 09-011.

Site Information:

Frontage & Location: 0.00'+/- at 8927 Avery Road (30' recorded access easement)

Depth: 1,500.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Nonconformities: No

Water & Sewer: Private Well & Septic

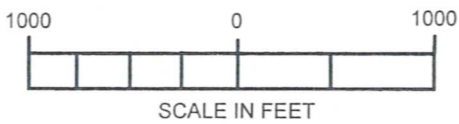
Special Flood Hazard Area (SFHA): No

Applicable County Subdivision Ordinance Provision

Section 2401 Group Developments, D, Street access. The property to be developed must have a boundary line or lines contiguous with and giving direct vehicular access to and from one or more public streets, or private streets with public access approved in accordance with Section 2304. Group developments in the form of apartment complex or unit ownership (i.e. condominium or townhouse) developments with owners' associations legally obligated to maintain vehicular access and circulation drives shall not be subject to the private street standards specified in Section 2304.

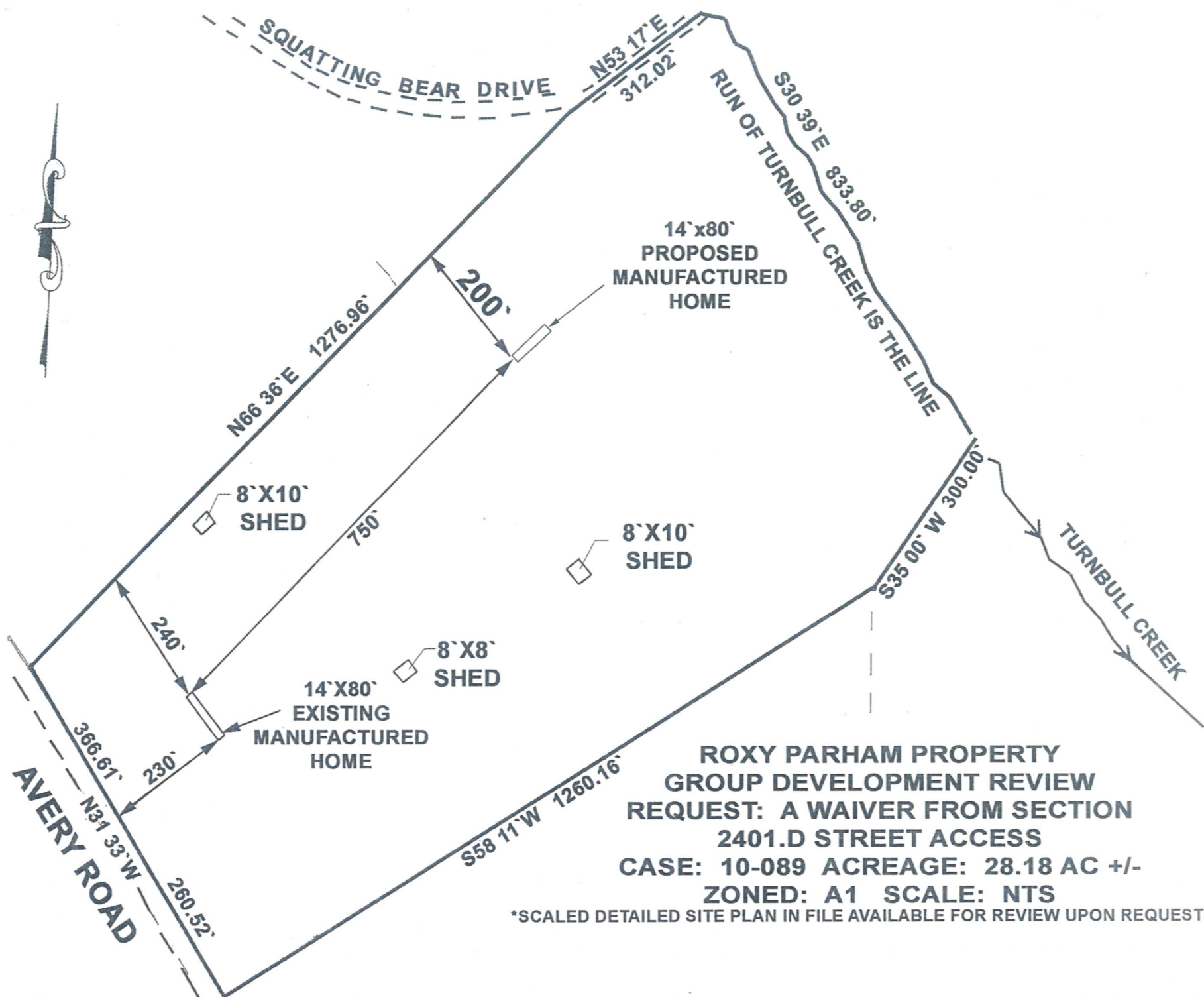
Attachments

- 1 - Sketch Map
- 2 - Site Plan
- 3 - Aerial Photo
- 4 - Application for Waiver w/ deeds including recorded easements
- 5 - Condition of Approval



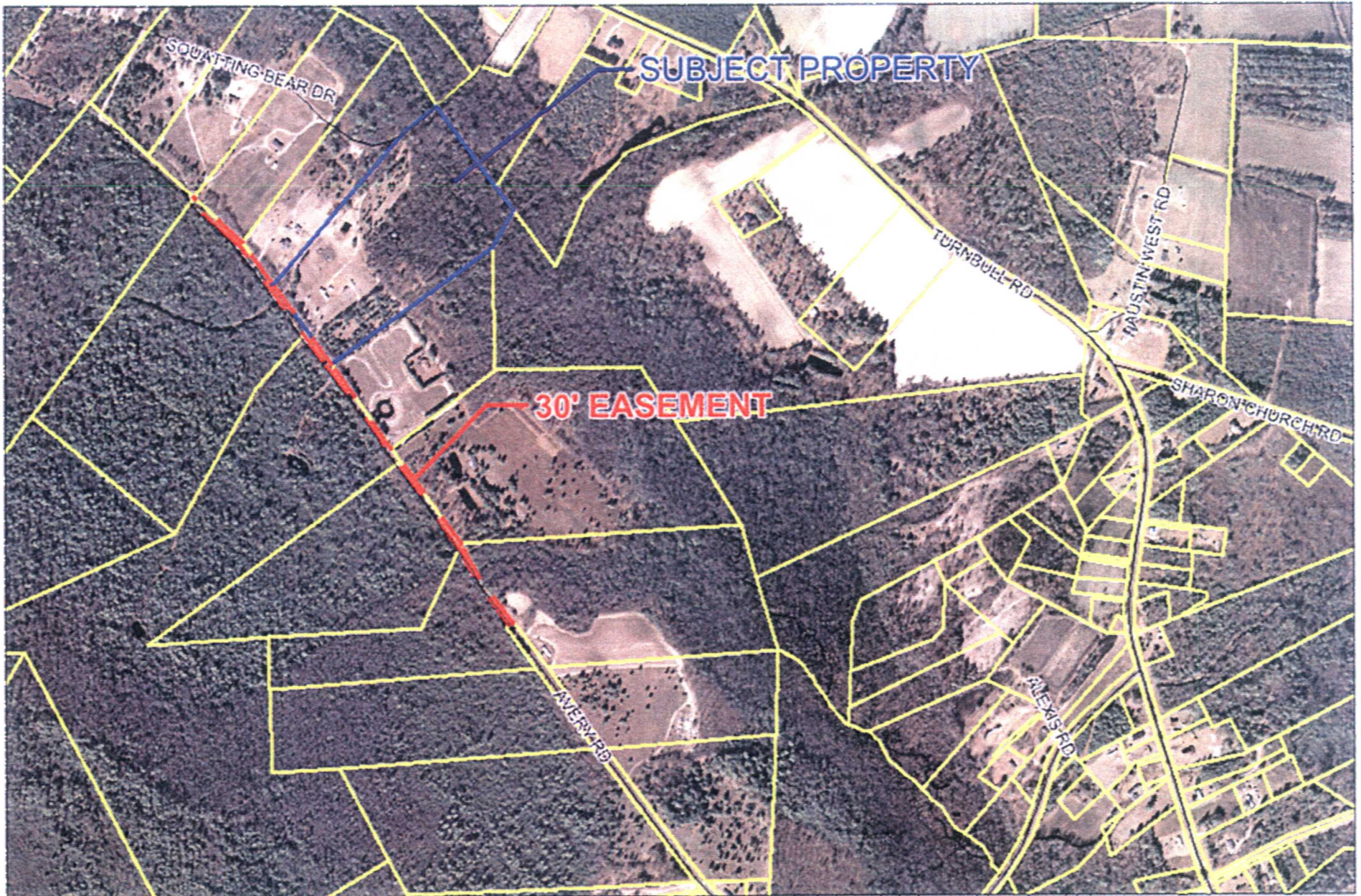
COUNTY SUBDIVISION ORDINANCE WAIVER

ACREAGE: 28.18 AC.+/-		HEARING NO: 10-089	
ORDINANCE: COUNTY		HEARING DATE	ACTION
GOVERNING BOARD			



**ROXY PARHAM PROPERTY
 GROUP DEVELOPMENT REVIEW
 REQUEST: A WAIVER FROM SECTION
 2401.D STREET ACCESS
 CASE: 10-089 ACREAGE: 28.18 AC +/-
 ZONED: A1 SCALE: NTS**

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



**AERIAL PHOTO
CASE NO: 10-089**



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 consider this request specified below and as provided for under the terms of the ~~Zoning~~ Ordinance. In support of this petition, the following facts are submitted: Subdivision

↓ LOCATION OF PROPERTY: 8927 AVERY RD, Fayetteville, NC
OWNER: Roxy Parham
ADDRESS: 8927 AVERY RD, Fayetteville NC ZIP CODE: 28312
TELEPHONE: HOME 910 483-1621 WORK N/A
AGENT: _____
ADDRESS: _____
TELEPHONE: HOME _____ WORK _____

APPLICATION FOR JOINT PLANNING BOARD CONSIDERATION

As required by the ~~Zoning~~ Ordinance
Subdivision

- A. Parcel Identification Number (PIN #) of subject property: 1400-35-6969
(also known as Tax ID Number or Property Tax ID)
- B. Acreage: 28.18 Frontage: 624.9 Depth: 1586.96
- C. Water Provider: well
- D. Septage Provider: septic tank
- E. Deed Book 4333, Page(s) 0363, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
- F. Existing and/or proposed use of property: Single wide mobile home site
- G. Section and provision of the Cumberland County Zoning Ordinance from which consideration is requested:
Cumberland County Joint Planning Board
- H. Nature and extent of hardship involved in strict application of the County Zoning Ordinance – attach additional sheet if necessary:
See attached

A. Because of the size of the existing lot of record, 28.18 acres, it would be inequitable not to allow a second unit on such a large tract, and strict compliance with the provisions of the ordinances would cause a special and unnecessary hardship if the owner were required to upgrade the ingress/egress easement to street status given that the majority of the land area in which the easement crosses is not under the owners control.

B. The purposes of the County's Subdivision and Zoning Ordinances are being served to an equal or greater degree, in that there is an existing deeded ingress/egress easement, assigned a street name for emergency services purposes that assures access to this lot and adjacent lots within the area.

C. The property owner is not being afforded a special privilege denied to others since the Planning Board has approved similar requests when there have been comparable facts and circumstances.

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.

[Signature]
Property owner(s)' signature(s)

Roxy Parham
Property owner(s)' name (print or type)

8927 Avery RD, Fayetteville, NC 28312
Complete mailing address of property owner(s)

910 483-1621
Telephone number Alternative telephone number

Roxyparham@ash.com
Email address FAX number

NO TITLE SEARCH
HAS BEEN DONE PRIOR
TO THIS CONVEYANCE
STATE OF
NORTH CAROLINA
RECEIVED
JUN 27 1995
60.00
Real Estate
EXCISE TAX

BK4333PG0363

088584

RECEIVED
95 JUN 30 PM 12:21

GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

THIS INSTRUMENT PREPARED BY:
Donald C. Hudson

60.00
Excise Tax

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to _____
McGeachy & Hudson
P. O. Box 747, Fayetteville, N. C. 28302

This instrument was prepared by _____
Donald C. Hudson
Brief description for the Index

28.18 Acres Beaver Dam Township

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 20th day of June, 1995, by and between

GRANTOR

GRANTEE

BOBBY R. JOHNSON
and wife,
DOROTHY B. JOHNSON

Route 4, Box 735 D
Spring Lake, N. C. 28390

HARRY BRUCE PARHAM
and wife,
ROXY ANNE PARHAM

Route 5, Box 326 K
Fayetteville, N. C. 28301

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated near _____ County, North Carolina and more particularly described as follows:
Cumberland _____ County, North Carolina and more particularly described as follows:

See attached Schedule "A"

BK4333PG0365

SCHEDULE "A"

BEGINNING at an iron stake, Garofone's Southwest corner; thence North 31 degrees 33 minutes West 624.93 feet to an iron stake, Collier's Southeast corner; thence with Collier's line North 44 degrees 34 minutes East 1274.94 feet to an iron stake; thence North 53 degrees 17 minutes East 312.02 feet to a nail in the center of a wooden bridge on Turnbull Creek; thence with the run of Turnbull Creek South 30 degrees 39 minutes East 833.80 feet to a stake in the run of Turnbull Creek; thence with the Fisher line South 35 degrees 00 minutes West 300.00 feet to an iron stake, Garofone's Northwest corner; thence with Garofone's line South 58 degrees 11 minutes West 1260.14 feet to an iron stake, the point and place of BEGINNING; containing 28.18 acres more or less.

The grantors hereby reserve unto themselves, their heirs and assigns, a right of way or easement for ingress, egress or regress on and over the land above and described as follows: BEGINNING at an iron stake, Garofone's Southwest corner; thence North 31 degrees 33 minutes West 624.93 feet to an iron stake, Collier's Southeast corner; thence with Collier's line North 44 degrees 34 minutes East 30 feet to a point; thence South 31 degrees 33 minutes East 624.93 feet to a point in Garofone's line; thence South 58 degrees 11 minutes West 30 feet to an iron stake; the point and place of BEGINNING.

This conveyance also includes the use of that easement described at Book 3462, page 78, of the Cumberland County Registry.

06454
STATE OF
NORTH CAROLINA
MAR 1 1985
PB. 10/16
Real Estate
Excise Tax
20.50

THIS INSTRUMENT PREPARED BY
060993 DONALD C. HUDSON
ESTIMATED PH 4:50

GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

BK3462PG0078

20.50
Excise Tax

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 19 _____
by _____

Mail after recording to McGeachy & Hudson
P. O. Box 747, Fayetteville, N. C. 28302

This instrument was prepared by Donald C. Hudson

Brief description for the Index 29.38 Ac. Beaver Dam Twnshp.

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this _____ day of _____, 19 _____, by and between

GRANTOR

GRANTEE

BOBBY R. JOHNSON
and wife,
DOROTHY B. JOHNSON

RANDY MICHAEL SCHWARTZBAUER, single

5217 Palmetto Lane
Fayetteville, N. C. 28304

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated ^{near} the City of Fayetteville Beaver Dam Township, Cumberland County, North Carolina and more particularly described as follows:

BEGINNING at a concrete monument, being the northern most corner of the first tract conveyed to Bobby Johnson by deed recorded in Book 2658, Page 19 and the Western most corner of a tract conveyed to George Bullard by deed recorded in Book 2252, page 545 of the Cumberland County Registry, and runs thence from said beginning North 43 degrees 09 minutes West 806.29 feet with the Bobby Johnson line to a pipe; thence North 32 degrees 13 minutes East 1205.1 feet with the Standifer line to a stake in the run of Turnbull Creek; thence South 67 degrees 12 minutes East 1066.99 feet a traverse line (the run of Turnbull Creek is the line) to a stake in said run; thence South 41 degrees 58 minutes 48 seconds West 1606.70 feet with the Bullard line to the beginning, containing 29.38 acres, more or less.

Being a part of a tract conveyed to Bobby R. Johnson and wife, Dorothy B. Johnson by deed recorded in Book 3300, page 68 of the Cumberland County Registry.

This conveyance includes the use of the following easement for ingress and egress: BEGINNING at a concrete marker, the corner of James P. Luce, Bobby R. Johnson and Beatty Avery Estate, and runs thence N 30 degrees 32 minutes 34 seconds West

8
157

2403.05 feet to a concrete marker; thence N 42 degrees 33 minutes 59 seconds West 397.24 feet to a concrete marker; thence North 43 degrees 09 minutes West 30 feet to a point; thence South 41 degrees 58 minutes 48 seconds West 30 feet to a point; thence South 43 degrees 09 minutes East 30 feet to a point; thence South 42 degrees 34 minutes East 397.24 feet to a point; thence South 30 degrees 32 minutes 34 seconds East 2403.05 feet to a point. This easement is a strip of land 30 feet wide to be used as ingress and egress for the benefit of the above described tract of land.

The grantors reserve unto themselves, their heirs and assigns, an easement 30 feet in width described as follows: BEGINNING at a concrete marker, thence N 41 degrees 58 minutes 48 seconds South 30 feet to a point; thence North 43 degrees 09 minutes West 806.29 feet to a point; thence South 32 degrees 13 minutes West 30 feet to an iron stake; thence South 43 degrees 09 minutes West 806.29 feet to a concrete marker, the point and place of beginning.
 The property hereinabove described was acquired by Grantor by instrument recorded in _____ Book 3300, page 068 of the Cumberland County Registry.

BK 3462 PG 079

A map showing the above described property is recorded in Plat Book _____ page _____
 TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.
 And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.
 Title to the property hereinabove described is subject to the following exceptions:

Subject to easements, restrictions and right-of-ways of record, if any.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

 (Corporate Name)
 By: _____
 President
 ATTEST: _____
 Secretary (Corporate Seal)

USE BLACK INK ONLY

Bobby R. Johnson (SEAL)
 BOBBY R. JOHNSON
Dorothy B. Johnson (SEAL)
 DOROTHY B. JOHNSON



NORTH CAROLINA, _____ Cumberland County.
 I, a Notary Public of the County and State aforesaid, certify that _____
 Bobby R. Johnson and wife, Dorothy B. Johnson Grantor,
 personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my
 hand and official stamp or seal, this 15 day of March, 1939.
 My commission expires: 8-22-39 *Carla B. Council* Notary Public



NORTH CAROLINA, _____ County.
 I, a Notary Public of the County and State aforesaid, certify that _____
 personally came before me this day and acknowledged that _____ he is _____ Secretary of
 _____ a North Carolina corporation, and that by authority duly
 given and as the act of the corporation, the foregoing instrument was signed in its name by its
 President, sealed with its corporate seal and attested by _____ as its Secretary.
 Witness my hand and official stamp or seal, this _____ day of _____, 19____.
 My commission expires: _____ Notary Public

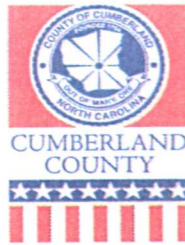
The foregoing Certificate(s) of *Carla B. Council*

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page of this deed.
Deane E. Totum REGISTER OF DEEDS FOR *Cumberland* COUNTY
 By *Roger J. Melan* Deputy/Assistant - Register of Deeds

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

DRAFT

STAFF REVIEW: 08-26-10 PLANNING BOARD DECISION: 09-21-09

CASE NO: 10-089 NAME OF DEVELOPMENT: ROXY PARHAM PROPERTY

MIA: N/A GROUP DEVELOPMENT REVIEW

LOCATION: NORTHWEST OF THE END OF SR 2046 (AVERY ROAD), ZONING: A1

SOUTHWEST OF SR 1002 (TURNBULL ROAD) PIN: 1400-35-6969-

OWNERS / DEVELOPER: ROXY PARHAM 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. The County Health Department must approve water and 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)
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
4. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the 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.

5. For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must 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.
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.
7. A review of the data available to the Army Corp of Engineers indicates that jurisdictional waters are likely to be present on this property and therefore are likely to be impacted by the proposed project. However, without an official Jurisdictional Determination at the property, these findings cannot be confirmed.

A permit will be required for this project if construction will involve the temporary and/or permanent placement of fill in waters of the United States including wetlands. If a permit is required, the applicant will be required to avoid and minimize impacts to wetland/waters of the United States and may need to provide compensatory mitigation for unavoidable impacts.

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the A1 zoning district must be complied with, as applicable.
9. The small stream standards set forth in Section 6.5-44, County Flood Damage Prevention Ordinance, shall be complied with during construction and upon completion of development within this subdivision as enforced by the County Engineer's Office.
10. 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)
11. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
12. In the event a stormwater utility structure is required by the NC Department of Environment and Natural Resources (NCDENR), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.

Other Relevant Conditions:

13. 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.
14. 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.
15. Under current standards, additional principal structures or any division of the property resulting in any tract being less than 10 acres cannot be permitted or approved for the subject property until such time that the easement is upgraded to a public street or an approved private street.
16. The developer has requested a waiver from Section 2401 Group Development, D. *Street Access*, County Subdivision Ordinance, to allow a second dwelling unit using an existing recorded easement for access. This case will be heard by the Cumberland County Joint Planning Board on September 21, 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):

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
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 (subdivision roads):	David Plummer	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545