

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

TENTATIVE AGENDA

July 16, 2013
7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL / WITHDRAWAL
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF JUNE 16, 2013
- VII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENTS

- A. **P13-17:** REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 42 ZONING; AMENDING ARTICLE XI. SIGN REGULATIONS, SECTION 42-289. DEFINITIONS, BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR *NONPROFIT, NONCOMMERCIAL ENTITY*; AMENDING SECTION 42-291. SIGNS PERMITTED IN ANY DISTRICT, BY INSERTING SUB-SECTION (6) ENTITLED *NONPROFIT, NONCOMMERCIAL ENTITY SIGNS*; AND AMENDING SECTION 42-295. PROHIBITED SIGNS. SUB-SECTION (2) SIGNS ERECTED ON PUBLIC STREETS, EXCLUDING THE APPLICABILITY OF THIS SUB-SECTION TO NONPROFIT NONCOMMERCIAL ENTITY SIGNS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)
- B. **P13-27.** REVISION AND AMENDMENT TO THE TOWN OF FALCON ZONING ORDINANCE AMENDING ARTICLE III. PRINCIPAL USES AND STRUCTURES, SECTION 3.1. TABULATION OF USES, TABLE 1-G, PERMITTED AND SPECIAL USES C(P) PLANNED COMMERCIAL AND C-3 HEAVY COMMERCIAL DISTRICTS AND TABLE 1-H, PERMITTED AND SPECIAL USES M INDUSTRIAL DISTRICT, BY INSERTING THE TERM *BILLBOARD* IN ALPHABETICAL ORDER IN THE PERMITTED USE AREA OF EACH TABLE;; AMENDING ARTICLE IX. SIGN REGULATIONS, SECTION 9.1. GENERAL PROVISIONS, SUB-SECTION 9.14. SIGNS FACING RESIDENTIAL DISTRICTS; SECTION 9.4. SIGNS PERMITTED BY DISTRICT, SUB-SECTION 9.42. C(P) DISTRICT, PARAGRAPH 9.421. SIGNS PERMITTED; SUB-SECTION 9.43. C-3 DISTRICTS, PARAGRAPHS: 9.431. SIGNS PERMITTED, 9.432. SIGN AREA, 9.434. HEIGHT, AND 9.435. LOCATION; SUB-SECTION 9.45. M DISTRICT; CREATING SECTION 9.5., ENTITLED:

BILLBOARDS (OFF-PREMISES SIGNS) AND SUB-SECTIONS 9.51. GENERAL PROVISIONS. (A) THROUGH (F) AND 9.52. DIMENSIONAL CRITERIA;; AMENDING ARTICLE X. DEFINITION OF TERMS, SECTION 10.2. DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY BILLBOARD; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (FALCON)

REZONING CASE

- C. **P13-25.** INITIAL ZONING OF .34+/- ACRE TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 130 NEW STREET, OWNED BY WDCDC, INC. (SPRING LAKE)
- D. **P13-26.** INITIAL ZONING OF 6.40+/- ACRES TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1860 (GORDON WILLIAMS ROAD), NORTHWEST OF SR 1806 (SHERRILL BAGGETT ROAD); OWNED BY MYERS GRIFFIN AND CLARA GAYLE M. BRAXTON. (FALCON)
- E. **P13-28.** INITIAL ZONING OF 74.87+/- ACRES TO R6 RESIDENTIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED EAST OF NC HWY 210 (LILLINGTON HIGHWAY), SOUTHWEST OF SR 1600 (MCCORMICK BRIDGE ROAD); OWNED BY GOODSON PROPERTIES MANAGEMENT, LLC. (SPRING LAKE)
- F. **P13-31.** REZONING OF 7.49+/- ACRES FROM A1 AGRICULTURAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3377 NORTH FORK LANE, SUBMITTED BY CHRISTINE M. SMITH ON BEHALF OF WILLIE B. SMITH JR. (OWNER) AND TIMOTHY B. EVANS.

CONDITIONAL ZONING DISTRICT

- G. **P13-32.** REZONING OF 1.00+/- ACRE FROM RR RURAL RESIDENTIAL TO A1/CZ AGRICULTURAL/CONDITIONAL ZONING DISTRICT FOR A KENNEL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1118 (PARKTON ROAD), NORTHWEST OF SR 1120 (NATURAL VIEW DRIVE); SUBMITTED BY JERRY L. AND MARY E. KING (OWNERS).

VIII. PUBLIC HEARING CONTESTED ITEMS

IX. PUBLIC HEARING WAIVER REQUEST

CASE NO. 13-018. CONSIDERATION OF THE TRACE HOMES, INC PROPERTY; ZERO LOT LINE SUBDIVISION REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO CONNECT TO PUBLIC SEWER; COUNTY SUBDIVISION ORDINANCE, SECTION 2306.A.1.B UTILITIES; ZONED: R10; TOTAL ACREAGE: 2.00+/-; LOCATED ON NORTH SIDE OF SR 2996 (CHURCH STREET), EAST OF BAFFLE CIRCLE; SUBMITTED BY GREGORY MCLEAN ON BEHALF OF TRACE HOMES INC. (OWNER) AND TIM EVANS. (COUNTY JURISDICTION/HOPE MILLS MIA)

X. DISCUSSION

- CUMBERLAND COUNTY APPOINTED BOARDS WELCOME & INFORMATION SESSION

DIRECTOR'S UPDATE

XI. ADJOURNMENT

Walter Clark,
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Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

Garland C. Hostetter,
Town of Spring Lake
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Town of Stedman
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—◆—
Planning & Inspections Department

July 9, 2013

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for April 16, 2013 Board Meeting

P13-17. REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 42 ZONING; AMENDING ARTICLE XI. SIGN REGULATIONS, SECTION 42-289. DEFINITIONS, BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR *NONPROFIT ENTITY*; AMENDING SECTION 42-291. SIGNS PERMITTED IN ANY DISTRICT, BY INSERTING SUB-SECTION (6) ENTITLED *NONPROFIT ENTITY DIRECTIONAL SIGNS*; AND AMENDING SECTION 42-295. PROHIBITED SIGNS. SUB-SECTION (2) SIGNS ERECTED ON PUBLIC STREETS, EXCLUDING THE APPLICABILITY OF THIS SUB-SECTION TO NONPROFIT ENTITY DIRECTIONAL SIGNS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

The Planning & Inspections Staff recommends approval of the text amendment based on the following:

1. If approved, this amendment will allow nonprofit entities that provide community services to obtain permits for directional signs within the town's rights-of-way; and
2. The proposed amendment was requested by the town staff.

Attachment:

P13-17 Spring Lake Zoning Text Amendment – Nonprofit Entity Directional Signs

P13-17

**Spring Lake Zoning Ordinance
Text Amendment
(Nonprofit Entity Directional Signs)**

P13-17: REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE CODE OF ORDINANCES, CHAPTER 42 ZONING; AMENDING ARTICLE XI. SIGN REGULATIONS, SECTION 42-289. DEFINITIONS, BY INSERTING IN ALPHABETICAL ORDER THE TERM AND DEFINITION FOR *NONPROFIT ENTITY*; AMENDING SECTION 42-291. SIGNS PERMITTED IN ANY DISTRICT, BY INSERTING SUB-SECTION (6) ENTITLED *NONPROFIT ENTITY DIRECTIONAL SIGNS*; AND AMENDING SECTION 42-295. PROHIBITED SIGNS. SUB-SECTION (2) SIGNS ERECTED ON PUBLIC STREETS, EXCLUDING THE APPLICABILITY OF THIS SUB-SECTION TO NONPROFIT ENTITY DIRECTIONAL SIGNS; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

AMEND Article XI. Sign Regulations, Sec. 42-289. Definitions, by inserting the following term and definition in alphabetical order:

Sec. 42-289. Definitions.

Nonprofit entity means any partnership, association, corporation or other group whose activities is conducted for civic or humanitarian motives, for the benefit of others and not for the gain of any private individual or group, and may include but shall not be limited to patriotic, education, civic, cultural, historical, recreational or religious activities.

AMEND Article XI. Sign Regulations, Sec. 42-291. Signs permitted in any district, by CREATING a new sub-section numbered (6) entitled *Nonprofit entity directional signs* to read as follows:

Sec. 42-291. Signs permitted in any district.

(6) *Nonprofit entity directional signs.* A permanent sign may be permitted within the town street rights-of-way for purposes of providing direction to community oriented nonprofit entities. The entity proposing the sign shall ensure that the installation of a sign in the desired location does not constitute a hazard to public safety, does not impede pedestrian traffic and is located a minimum of 20 feet from a street intersection, alley, off-street parking and loading areas including aisle ways and access driveways. Such signs shall be limited to those which are necessary to inform the public as to location and information concerning the nonprofit entity and shall not relay any commercial message. Signs permitted under this sub-section shall not exceed four square feet in area with a maximum height of four feet and shall not provide for changeable copy of the contents of the sign. The sign support structure shall be of

breakaway material and designed for the 100 mph wind zone. In addition, all relevant provisions of the N.C. Building Code shall be complied with.

AMEND Article XI. Sign Regulations, Sec. 42-295. Prohibited signs, by ADDING a new sentence as indicated below:

Sec. 42-295. Prohibited signs.

- (2) *Signs erected on public streets.* No sign shall be erected or maintained within any public street right-of-way nor be allowed to extend over or into any public street , provided that this section shall not apply to public signs necessary in the performance of a governmental function or required to be posted by law. This section shall also not apply to properly permitted nonprofit entity directional signs.

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July 9, 2013

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MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning and Inspections Staff

SUBJECT: Staff Recommendation for July 16, 2013 Board Meeting

P13-27. REVISION AND AMENDMENT TO THE TOWN OF FALCON ZONING ORDINANCE AMENDING ARTICLE III. PRINCIPAL USES AND STRUCTURES, SECTION 3.1. TABULATION OF USES, TABLE 1-G, PERMITTED AND SPECIAL USES C(P) PLANNED COMMERCIAL AND C-3 HEAVY COMMERCIAL DISTRICTS AND TABLE 1-H, PERMITTED AND SPECIAL USES M INDUSTRIAL DISTRICT, BY INSERTING THE TERM *BILLBOARD* IN ALPHABETICAL ORDER IN THE PERMITTED USE AREA OF EACH TABLE;; AMENDING ARTICLE IX. SIGN REGULATIONS, SECTION 9.1. GENERAL PROVISIONS, SUB-SECTION 9.14. SIGNS FACING RESIDENTIAL DISTRICTS; SECTION 9.4. SIGNS PERMITTED BY DISTRICT, SUB-SECTION 9.42. C(P) DISTRICT, PARAGRAPH 9.421. SIGNS PERMITTED; SUB-SECTION 9.43. C-3 DISTRICTS, PARAGRAPHS: 9.431. SIGNS PERMITTED, 9.432. SIGN AREA, 9.434. HEIGHT, AND 9.435. LOCATION; SUB-SECTION 9.45. M DISTRICT; CREATING SECTION 9.5., ENTITLED: *BILLBOARDS (OFF-PREMISES SIGNS)* AND SUB-SECTIONS 9.51. GENERAL PROVISIONS. (A) THROUGH (F) AND 9.52. DIMENSIONAL CRITERIA;; AMENDING ARTICLE X. DEFINITION OF TERMS, SECTION 10.2. DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY *BILLBOARD*; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (FALCON)

The Planning & Inspections Staff recommends approval of the above referenced text amendment based on the following:

1. If approved, this amendment will generally allow for consistency with the county standards for billboard location and approval of plans; and
2. The amendment, if adopted, will ensure that all billboards constructed inside the corporate limits of the town will require Falcon Board of Commissioners' approval prior to issuance of any permits.

Attachment: P13-27 Town of Falcon Zoning Text Amendment – Billboards

P13-27
Town of Falcon
Zoning Ordinance Text Amendment
Billboards

P13-27. REVISION AND AMENDMENT TO THE TOWN OF FALCON ZONING ORDINANCE AMENDING ARTICLE III. PRINCIPAL USES AND STRUCTURES, SECTION 3.1. TABULATION OF USES, TABLE 1-G, PERMITTED AND SPECIAL USES C(P) PLANNED COMMERCIAL AND C-3 HEAVY COMMERCIAL DISTRICTS AND TABLE 1-H, PERMITTED AND SPECIAL USES M INDUSTRIAL DISTRICT, BY INSERTING THE TERM *BILLBOARD* IN ALPHABETICAL ORDER IN THE PERMITTED USE AREA OF EACH TABLE;; AMENDING ARTICLE IX. SIGN REGULATIONS, SECTION 9.1. GENERAL PROVISIONS, SUB-SECTION 9.14. SIGNS FACING RESIDENTIAL DISTRICTS; SECTION 9.4. SIGNS PERMITTED BY DISTRICT, SUB-SECTION 9.42. C(P) DISTRICT, PARAGRAPH 9.421. SIGNS PERMITTED; SUB-SECTION 9.43. C-3 DISTRICTS, PARAGRAPHS: 9.431. SIGNS PERMITTED, 9.432. SIGN AREA, 9.434. HEIGHT, AND 9.435. LOCATION; SUB-SECTION 9.45. M DISTRICT; CREATING SECTION 9.5., ENTITLED: *BILLBOARDS (OFF-PREMISES SIGNS)* AND SUB-SECTIONS 9.51. GENERAL PROVISIONS. (A) THROUGH (F) AND 9.52. DIMENSIONAL CRITERIA;; AMENDING ARTICLE X. DEFINITION OF TERMS, SECTION 10.2. DEFINITIONS OF SPECIFIC TERMS AND WORDS, SPECIFICALLY *BILLBOARD*; AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (FALCON)

AMEND Article III. Principal Uses and Structures, Section 3.1. Tabulation of Uses, Table 1-G. Permitted and Special Uses C(P) Planned Commercial and C-3 Heavy Commercial Districts, by INSERTING the term “Billboards” in alphabetical order as a Permitted Use (X):

ARTICLE III. PRINCIPAL USES AND STRUCTURES

SECTION 3.1. TABULATION OF USES

TABLE 1-G
PERMITTED AND SPECIAL USES
C(P) PLANNED COMMERCIAL AND C-3 HEAVY COMMERCIAL
DISTRICTS

PERMITTED USES (X)

.....
Barbering and Hairdressing Services
Bicycle Sales and Repairing
Billboards
Blacksmith Services
Boats and Accessories, retail sales and service
.....

AMEND Article III. Principal Uses and Structures, Section 3.1. Tabulation of Uses, Table 1-H. Permitted and Special Uses M Industrial District, by INSERTING the term “Billboards” in alphabetical order as a Permitted Use (X):

ARTICLE III. PRINCIPAL USES AND STRUCTURES

SECTION 3.1. TABULATION OF USES

**TABLE 1-H
PERMITTED AND SPECIAL USES
M INDUSTRIAL DISTRICT**

PERMITTED USES (X)

.....
Automobile Washing
Bakery Production and Wholesale Sales
Billboards
Blacksmith Services
Book Binding
.....

AMEND Article IX. Sign Regulations, Section 9.1. General Provisions, sub-section 9.14. Signs Facing Residential Districts, as follows:

ARTICLE IX. SIGN REGULATIONS

SECTION 9.1. GENERAL PROVISIONS

9.14. Signs Facing Residential Districts.

~~No billboard shall face or be oriented toward any adjoining or abutting residentially zoned district within two hundred (200) feet of the residential district boundary line. Illuminated signs shall be so placed as not to be a nuisance to residents of neighboring residential property.~~

AMEND Article IX. Sign Regulations, Section 9.4. Signs Permitted by District, sub-section 9.42. C(P) District paragraph 9.421. Signs Permitted, as follows:

SECTION 9.4. SIGNS PERMITTED BY DISTRICT

9.42. C(P) District.

9.421. Signs Permitted. Two (2) detached signs are permitted bearing the name of the shopping center and the names of types of

businesses, except that three ~~(3)~~ such detached signs are permitted for shopping centers having frontage on two ~~(2)~~ or more public streets with no more than two ~~(2)~~ such signs for each street front. One attached business sign is permitted for each business and which is integral with or attached to the principal building except structures with frontage on two ~~(2)~~ streets may have two ~~(2)~~ attached business signs, one per street frontage. Billboards are permitted as regulated in Section 9.5 of this article.

AMEND Article IX. Sign Regulations, Section 9.4. Signs Permitted by District, sub-section 9.43. C-3 Districts paragraphs: 9.431. Signs Permitted, 9.432. Sign Area, 9.434. Height, and 9.435. Location, as follows:

9.43. C-3 Districts

9.431. Signs Permitted. Business signs are permitted with no limitation on number of business signs which are integral with or attached to the principal building or located within the buildable area of the lot. One sign for each business occupant may be detached and placed in the required yard space, except on through lots or lots having frontage on three ~~(3)~~ or more streets, in which case two ~~(2)~~ detached signs per business occupant shall be permitted. Billboards are permitted as regulated in Section 9.5 of this article below.

9.432. Sign Area. The combined total sign area of all signs for a single business occupant shall not exceed ~~seven hundred fifty (750)~~ square feet or four ~~(4)~~ square feet of sign area per linear foot of frontage on a public street whichever is the lesser. No detached sign shall exceed ~~one hundred (100)~~ square feet in area. ~~No billboard sign shall exceed six hundred fifty (650) feet in area.~~

9.434. Height. Detached business and ~~billboard~~ signs shall not exceed a height of ~~thirty five (35)~~ feet above ground from the base.

9.435. Location. Business signs shall not be located closer than five ~~(5)~~ feet to any street line and no sign not integral with or attached to a building shall be located nearer than five ~~(5)~~ feet to any property line. ~~Billboards shall not be located closer than thirty (30) feet to any street line, closer than five (5) feet to any side property line, or closer than fifty (50) feet to any detached sign or structure located on the same lot or on land in the same ownership or located within three hundred (300) feet of any billboard.~~

AMEND Article IX. Sign Regulations, Section 9.4. Signs Permitted by District, sub-section 9.45. M District, as follows:

9.45. M District.

Signs located in the M District shall follow be the same dimensional criteria as for signs being located permitted in the C-3 District. Billboards are permitted as regulated in Section 9.5 of this article.

AMEND Article X. Definition of Terms, Section 10.2 Definitions of Specific Terms and Words, specifically the term "Billboard" as follows:

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, designs, trade names, or trademarks by which anything is made known, such as the designation of any individual, business, commodity, product, service, or entertainment, which are visible from any public way and used to attract attention. The word "sign" does not include the flag, pennant, or insignia of any nation, state, other political unit, nor does the word "sign" include official notices posted by any public officer in performance of a public duty, or by any person in giving legal notice; nor does it include directional, warning, traffic, or informational structures required by or authorized by law, or by federal, state, county or city authority.

Types of signs:

(a) **Identification sign:** A sign used to identify only the name and/or address of the individual, family, organization, enterprise, subdivision, group housing development, or other such facility occupying the premises; the profession practiced on the premises, the name of the building on the premises on which the sign is displayed.

(b) **Bulletin board:** A sign used to announce meetings, programs, occupants, purposes, operating hours and other such information on the premises of churches, schools, auditoriums, libraries, recreation areas, and other such nonresidential uses permitted in residential districts.

(c) **Business sign:** A sign which directs attention to a business, industry, profession, commodity, service, or entertainment sold, produced or offered upon the premises where such sign is located or to which it is attached.

(d) **Billboard (Off-premises Sign):** A sign which directs attention to a business, ~~industry, profession, commodity, service, or entertainment~~ or other message not conducted, sold, produced or offered upon the premises where upon which such sign is located.

(e) **Incidental Sign:** A sign carrying no advertising message, but giving information for the convenience and necessity of the public such as

"entrance," "exit," "no admittance," "telephone," "parking," etc.

AMEND Article IX. Sign Regulations by CREATING a new section, entitled: Section 9.5. Billboards (Off-Premises Signs), with the text to read as follows:

SECTION 9.5. BILLBOARDS (OFF-PREMISES SIGNS)

In addition to other applicable standards contained within this article, the following provisions shall apply to all billboards:

9.51. General Provisions.

(a) Billboards shall be allowed only along rights-of-way with full-control or limited control of access, such as freeways and major thoroughfares;

(b) Billboards shall not face or be oriented toward any adjoining or abutting residentially-zoned or residentially-used property;

(c) Billboards shall not exceed a sign height of 35 feet;

(d) All billboards are considered as a principal use of property, not accessory, and shall be allowed in the C(P) Planned Commercial, C3 Heavy Commercial and M Industrial districts, upon the Town Commissioners' approval of the site plan and provided that the dimensional criteria outlined below is complied with;

(e) All Federal, State, and other local regulations shall be complied with; and

(f) Billboards are exempt from the landscaping and buffering provisions of this ordinance.

9.52. Dimensional Criteria.

Billboards constructed and located in this zoning district shall have a maximum sign area of 700 square feet and shall be located at least 50 feet from a street right-of-way line; five feet from any property line not a right-of-way line; 50 feet from any other freestanding sign, building or structure on the same lot; and be a minimum of 500 feet from another billboard.

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Wade, Falcon & Godwin

July 9, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: County Planning Staff
SUBJECT: Staff Recommendation for the July 16, 2013 Board Meeting

P13-25. INITIAL ZONING OF .34+/- ACRE TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 130 NEW STREET, OWNED BY WCDC, INC. (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; the request is also consistent with the Spring Lake Area Detailed Land Use Plan which calls for “planned commercial” development at this location;
2. The district requested is reasonable as public utilities are available to the subject property; and
3. The request was submitted by the Town of Spring Lake.

The effective date of annexation was July 1, 2013. There are no other suitable districts to be considered for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-25
SITE PROFILE

P13-25. INITIAL ZONING OF .34+/- ACRE TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 130 NEW STREET, OWNED BY WDCD, INC. (SPRING LAKE)

Site Information:

Frontage: 101.87'+/- on New Street

Depth: 160.17'+/-

Jurisdiction: Town of Spring Lake (annexation effective July 1, 2013)

Adjacent Property: Yes, west of subject property

Current Use: 1 residential structure

Initial Zoning: R6 – January 7, 1977 (Area 11); rezoned to C(P) on April 22, 2013

Nonconformities: Existing residential use is nonconforming; and structure does not appear to meet front or side yard setbacks

Zoning Violation(s): None

Surrounding Zoning: North: R6/CU (2 manufactured homes) (County), M1, C3, C(P), C1, R10, R6 & R5A; South: C3, C(P), PND, R6, R6A (County), R5 & R5A; East: R6 (County); West: C(P)

Surrounding Land Use: Residential (including manufactured homes), office, dressmaking, motor vehicle repair (2), religious worship, motor vehicle parts sales (2), vacant commercial building, strip mall, restaurants (2), car wash, shopping center & woodlands

2030 Land Use Plan: Urban

Spring Lake Area Detailed Land Use Plan: Planned commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Spring Lake/Spring Lake

Soil Limitations: None

School Capacity/Enrolled: Manchester Elementary: 340/371; Spring Lake Middle: 700/496; Pine Forest High: 1,750/1,626

Subdivision/Site Plan: If approved, new development may require review and approval

RLUAC: No objections

Average Daily Traffic Count (2010): 39,000 on NC HWY 87 (North Bragg Boulevard)

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. Minimum Yard Setback Regulations:

C(P)

Front yard: 50'

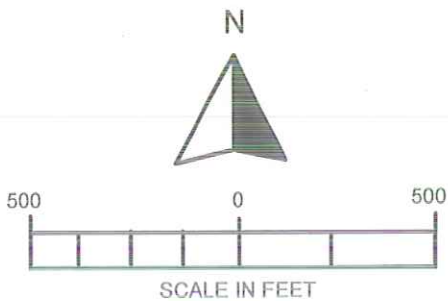
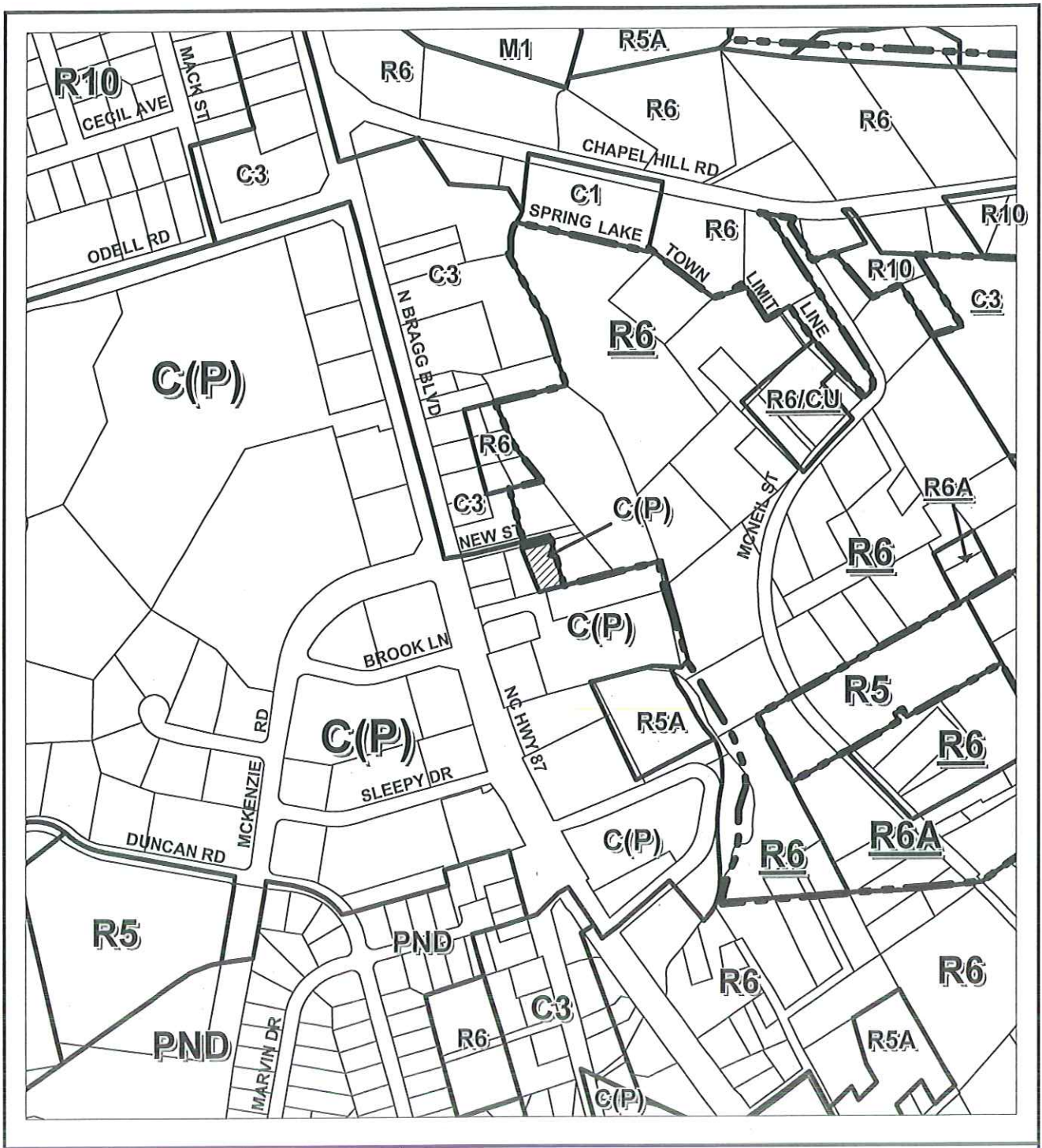
Side yard: 30'

Rear yard: 30'

2. New Street is a 30' public right-of-way maintained by the Town of Spring Lake

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.



INITIAL ZONING TO C(P)

ACREAGE: 0.34 AC. +/-		HEARING NO: P13-25	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0502-50-9406

3/13/2013
7/10/2013
AM

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July 9, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for the July 16, 2013 Board Meeting

P13-26. INITIAL ZONING OF 6.40+/- ACRES TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1860 (GORDON WILLIAMS ROAD), NORTHWEST OF SR 1806 (SHERRILL BAGGETT ROAD); OWNED BY MYERS GRIFFIN AND CLARA GAYLE M. BRAXTON. (FALCON)

The Planning & Inspections 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 “community growth area” at this location, as well as meeting the location criteria for “heavy commercial” development as listed in the Land Use Policies Plan; the request is also consistent with the Vision Northeast Land Use Plan which calls for “commercial” at this location; and
2. The request was submitted by the Town of Falcon.

The effective date of annexation was July 1, 2013. There are no other districts to be considered for this request.

Attachments:
1 – Site Profile
2 – Sketch Map

P13-26
SITE PROFILE

P13-26. INITIAL ZONING OF 6.40+/- ACRES TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1860 (GORDON WILLIAMS ROAD), NORTHWEST OF SR 1806 (SHERRILL BAGGETT ROAD); OWNED BY MYERS GRIFFIN AND CLARA GAYLE M. BRAXTON. (FALCON)

Site Information:

Frontage: 1,460.00'+/- on SR 1860 (Gordon Williams Road)

Depth: 330.00'+/-

Jurisdiction: Town of Falcon (annexation effective July 1, 2013)

Adjacent Property: No

Current Use: Woodlands

Initial Zoning: A1 – November 25, 1980 (Area 14)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: CP/CZ (motor vehicle repair), C(P), R40A, R40 (Godwin), RR, R6A & A1; South, East & West: A1

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

2030 Land Use Plan: Community growth area

Vision Northeast Land Use Plan: Commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Norcross/Septic

Soil Limitations: Yes, hydric – JT Johnston loam

School Capacity/Enrolled: District 7 Elementary: 300/278; Mac Williams Middle: 1,270/1,229; Cape Fear High: 1,425/1,575

Subdivision/Site Plan: If approved, new development may require review and approval

Average Daily Traffic Count (2010): 47,000 on I-95

Highway Plan: I-95 is identified in the Highway Plan as a Major Freeway Thoroughfare. The plan calls for widening to a multi-lane facility (8 lane divide). This portion of the corridor is included in the MTIP

Note:

Minimum Yard Setback Regulations:

C(P)

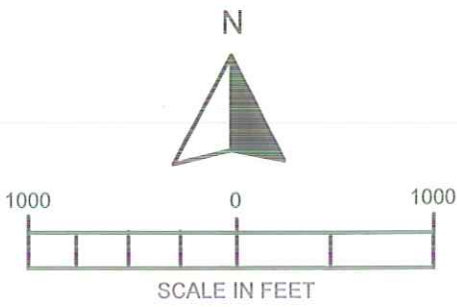
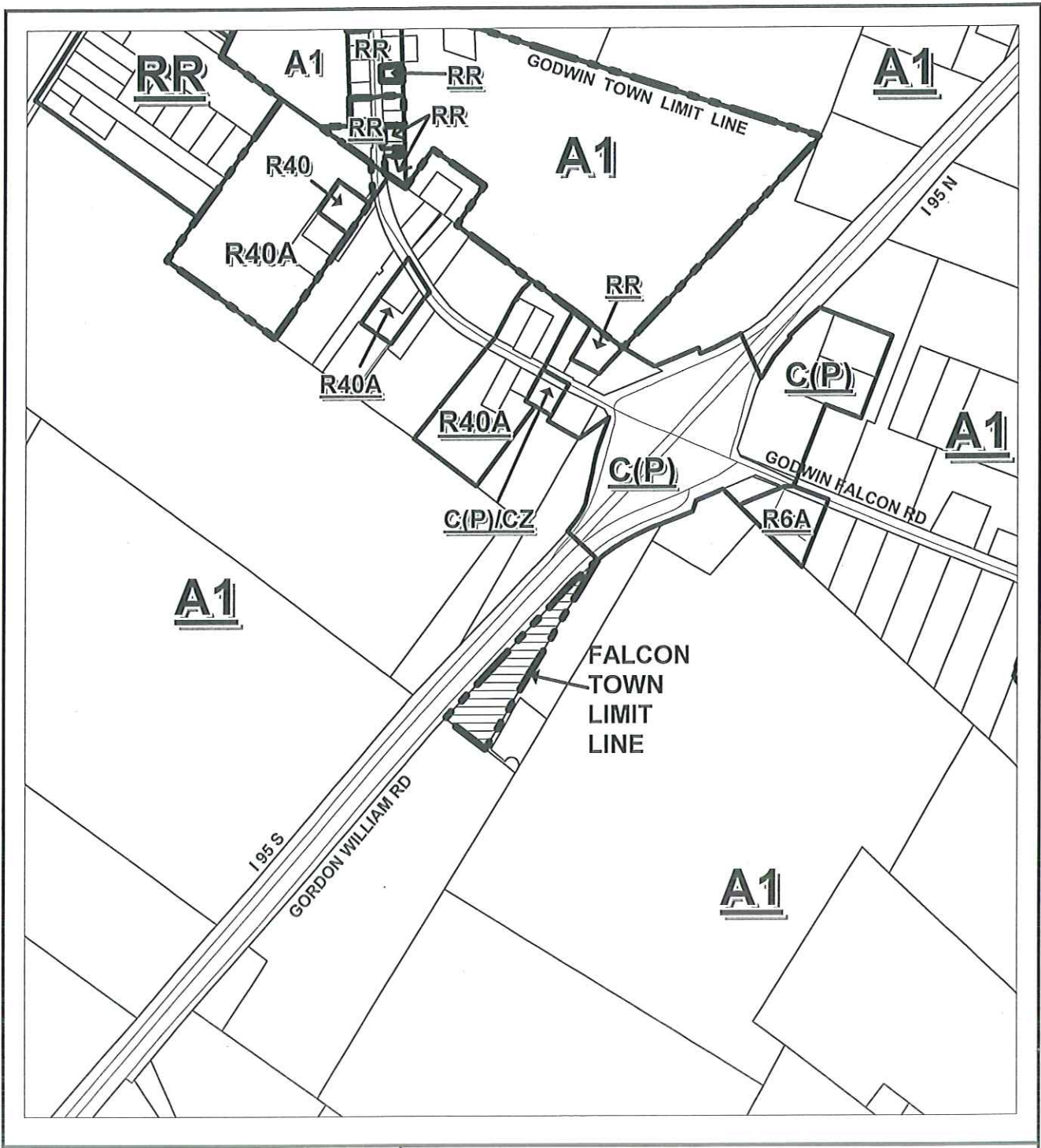
Front yard: 50'

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.



INITIAL ZONING TO C(P)

ACREAGE: 6.40 AC.+/-		HEARING NO: P13-26	
ORDINANCE: FALCON	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PORT. OF PIN: 0592-88-0573

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

—◆—
Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

July 9, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: County Planning Staff
SUBJECT: Staff Recommendation for the July 16, 2013 Board Meeting

P13-28. INITIAL ZONING OF 74.87+/- ACRES TO R6 RESIDENTIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED EAST OF NC HWY 210 (LILLINGTON HIGHWAY), SOUTHWEST OF SR 1600 (MCCORMICK BRIDGE ROAD); OWNED BY GOODSON PROPERTIES MANAGEMENT, LLC. (SPRING LAKE)

The County Planning Staff recommends approval of the initial zoning to the R6 Residential district of the subject property and CD Conservancy District for that portion located within the *Special Flood Hazard Area* as shown on the attached sketch map, based on the following:

1. The districts requested are consistent with the 2030 Growth Vision Plan, which calls for “urban” and “conservation area” at this location, as well as meeting the location criteria for “medium density” development as listed in the Land Use Policies Plan; the request is also consistent with the Spring Lake Area Detailed Land Use Plan which calls for “suburban” development and “open space” at this location;
2. The districts requested are reasonable as public utilities are available to the subject property; and
3. The request was submitted by the Town of Spring Lake.

The effective date of annexation was July 1, 2013. There are no other suitable districts to be considered for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-28
SITE PROFILE

P13-28. INITIAL ZONING OF 74.87+/- ACRES TO R6 RESIDENTIAL AND CD CONSERVANCY OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED EAST OF NC HWY 210 (LILLINGTON HIGHWAY), SOUTHWEST OF SR 1600 (MCCORMICK BRIDGE ROAD); OWNED BY GOODSON PROPERTIES MANAGEMENT, LLC. (SPRING LAKE)

Site Information:

Frontage: 141.05'+/- on NC HWY 210 (Lillington Highway)

Depth: 3,980.00'+/-

Jurisdiction: Town of Spring Lake (annexation effective July 1, 2013)

Adjacent Property: No

Current Use: Woodlands

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

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: C1(P)/CU (selected uses), C1(P), RR, R10, R6A & CD; South: M2, C3, C1(P), RR, R10, R5A (Spring Lake) & CD; East: RR & CD; West: M1(P) (Spring Lake), C(P), C1(P), O&I(P), RR, R10 & R6A

Surrounding Land Use: Residential (including manufactured dwellings), retailing (2), religious worship, manufactured home parks (2), funeral home & woodlands

2030 Land Use Plan: Urban & conservation area

Spring Lake Area Detailed Land Use Plan: Suburban density & open space

Special Flood Hazard Area (SFHA): Yes, base flood varies from 138.3 msl (NAVD) to 140 msl (NAVD)

Water/Sewer Availability: Spring Lake/Spring Lake

Soil Limitations: Yes, hydric – WmB Wickham fine sandy, DE Deloss loam & CH Chewacla loam

School Capacity/Enrolled: Lillian Black Elementary: 265/180; Spring Lake Middle: 700/496; Pine Forest High: 1,750/1,626

Subdivision/Site Plan: If approved, new development may require review and approval

Average Daily Traffic Count (2010): 20,000 on NC HWY 210 (Lillington Highway)

US Fish & Wildlife & RLUAC: No objection to rezoning; however, concerned about loss of trees for dispersal corridor for red-cockaded woodpeckers

Highway Plan: Lillington Highway (Highway 210) is identified as a Major Thoroughfare. The proposal calls for a multi-lane facility with a right-of-way of 110 feet. Road improvements are no included in the MTIP

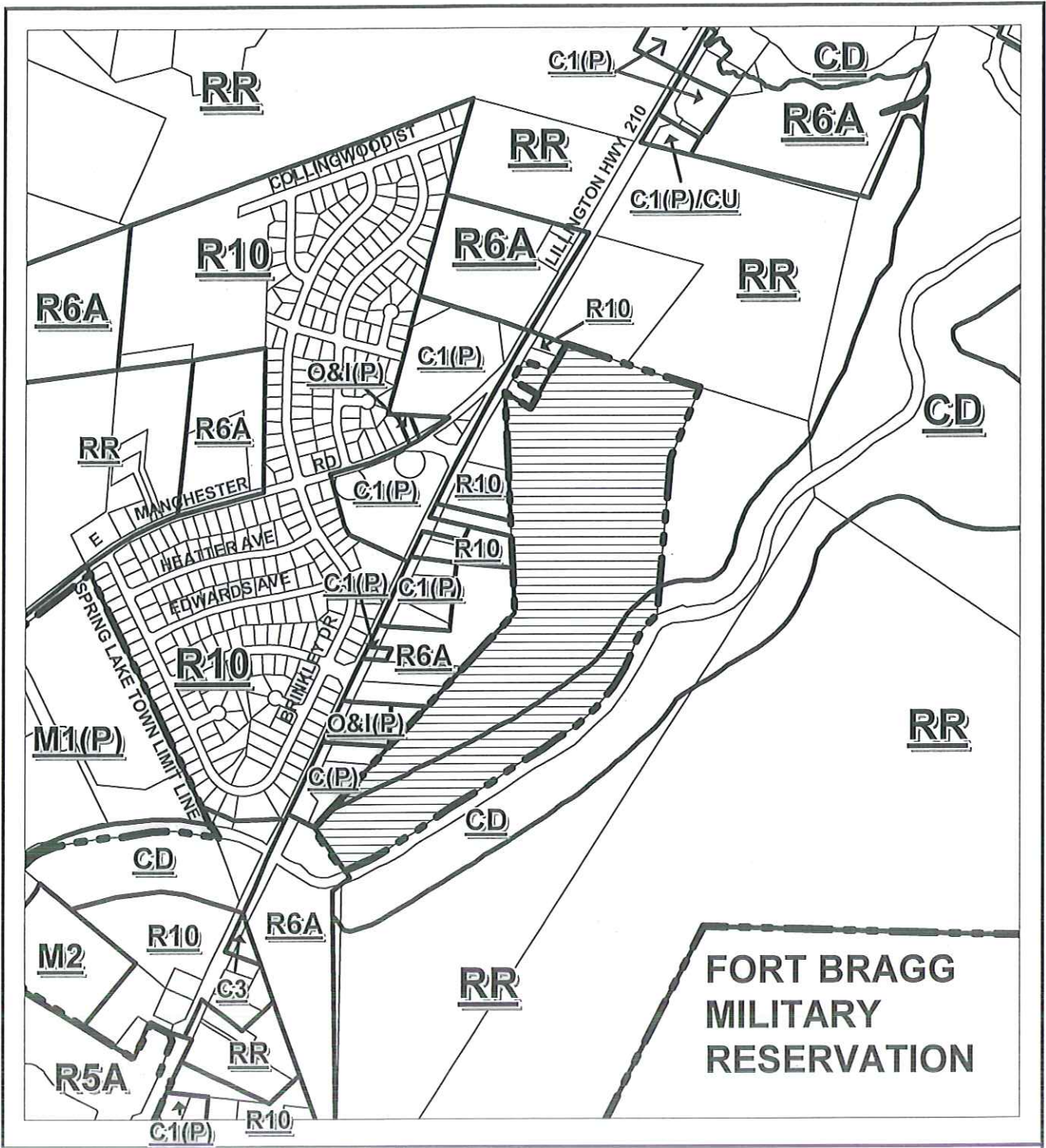
Notes:

1. Density (minus 15% for ROW):
R6 – 652 units (554 units)

2. Minimum Yard Setback Regulations:
R6
Front yard: 25'
Side yard: 10'
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.



INITIAL ZONING TO R6 & CD

ACREAGE: 74.87 AC.+/-

HEARING NO: P13-28

ORDINANCE: SPRING LAKE

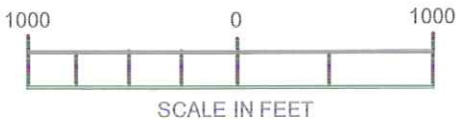
HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD



PIN: 0513-50-9544

AM
6-18-13

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

July 9, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning and Inspections Staff

SUBJECT: Staff Recommendation for the July 16, 2013 Board Meeting

P13-31. REZONING OF 7.49+/- ACRES FROM A1 AGRICULTURAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3377 NORTH FORK LANE, SUBMITTED BY CHRISTINE M. SMITH ON BEHALF OF WILLIE B. SMITH JR. (OWNER) AND TIMOTHY B. EVANS.

The Planning and Inspections Staff recommends denial of the request for the R30 Residential district but approval of the R40 Residential district based on the following:

1. The subject property location is not consistent with the criteria listed in the Land Use Policies Plan for "suburban density residential" as the R30 Residential district is classified; however, the recommended district of R40 Residential is consistent with the 2030 Growth Vision Plan, as well as meeting the location criteria for "rural density residential" development as listed in the Land Use Policies Plan; and
2. The recommendation for the R40 Residential district is reasonable due to similar and recent rezonings in the general vicinity and would be in harmony with the surrounding area.

There are no other districts considered suitable for this request.

The applicant has verbally agreed to the recommendation for the R40 Residential district.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-31
SITE PROFILE

P13-31. REZONING OF 7.49+/- ACRES FROM A1 AGRICULTURAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3377 NORTH FORK LANE, SUBMITTED BY CHRISTINE M. SMITH ON BEHALF OF WILLIE B. SMITH JR. (OWNER) AND TIMOTHY B. EVANS.

Site Information:

Frontage & Location: 490.00'+/- on SR 2372 (North Fork Lane)

Depth: 670.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: 1 manufactured dwelling

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

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR, A1A & A1; South & West: R40 & A1; East: A1

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

2030 Growth Strategy Map: Rural

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: None

School Capacity/Enrolled: Alderman Road Elementary: 750/646; Gray's Creek Middle: 1,000/1,001; Gray's Creek High: 1,270/1,234

Subdivision/Site Plan: If approved, new development may require review and approval

Average Daily Traffic Count (2010): 290 on SR 2245 (Thrower 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:

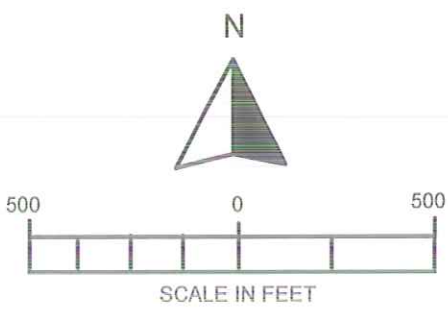
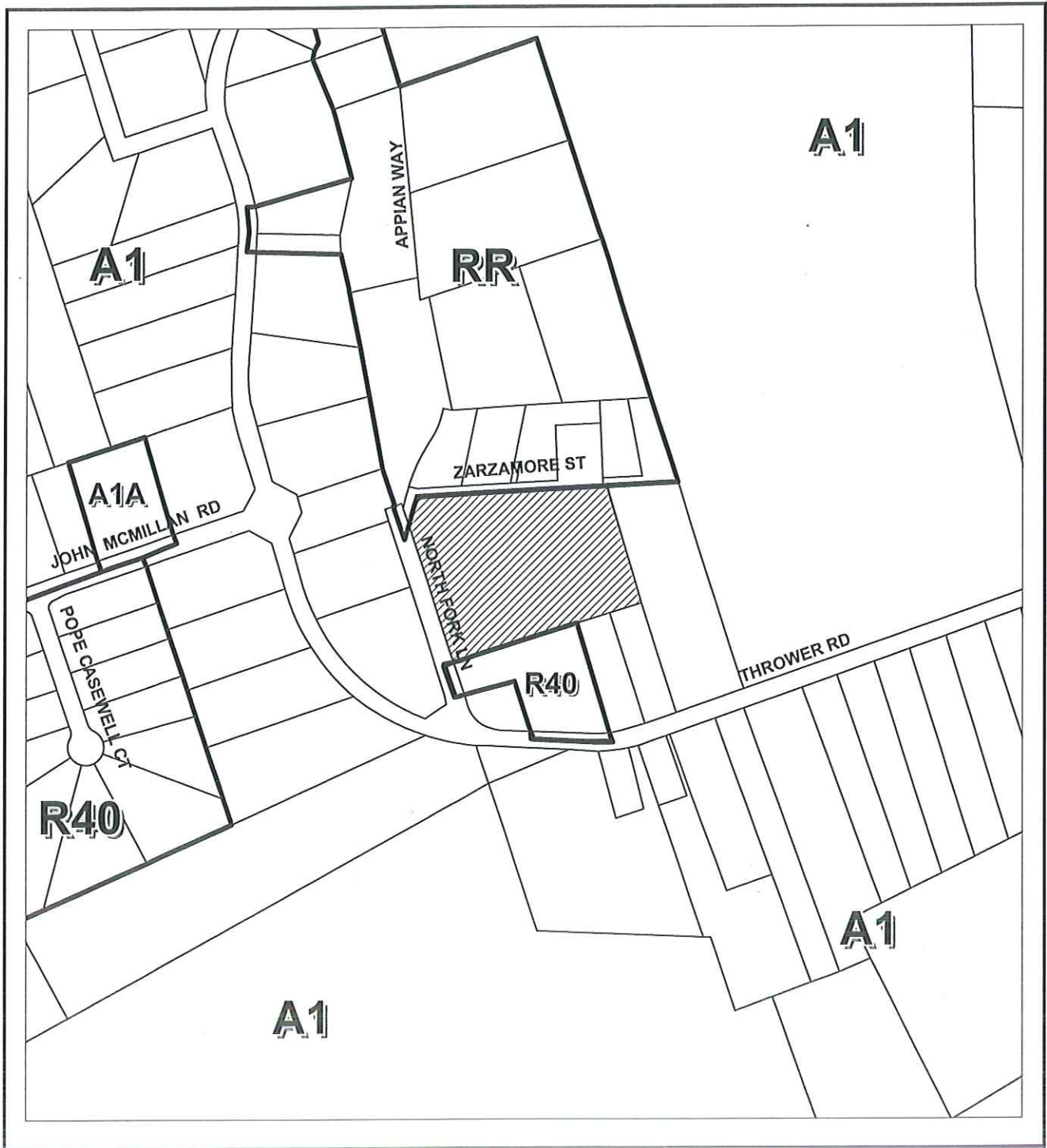
1. Density:
A1 – 4 lots/units
A1A – 7 lots/units
R30 – 11 lots/units
R40 – 7 lots/units

2. Minimum Yard Setback Regulations:

<u>A1 & A1A</u>	<u>R30 & R40</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

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.



REQUESTED REZONING A1 TO R30

ACREAGE: 7.49 AC.+/-	HEARING NO: P13-31	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND
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NORTH CAROLINA

—◆—
Planning & Inspections Department

July 9, 2013

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Diane Wheatley,
Carl Manning,
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 the July 16, 2013 Board Meeting

P13-32. REZONING OF 1.00+/- ACRE FROM RR RURAL RESIDENTIAL TO A1/CZ AGRICULTURAL/CONDITIONAL ZONING DISTRICT FOR A KENNEL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1118 (PARKTON ROAD), NORTHWEST OF SR 1120 (NATURAL VIEW DRIVE); SUBMITTED BY JERRY L. AND MARY E. KING (OWNERS).

The Planning & Inspections Staff recommends approval of the requested rezoning to A1 Agricultural /CZ Conditional Zoning district for a kennel operation based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for “rural” at this location, as well as meeting the location criteria for “rural density” development as listed in the Land Use Policies Plan; the request is also consistent with the proposed Southwest Cumberland Land Use Plan, which calls for “farmland” and “open space” at this location;
2. The requested use of a kennel operation is logical as an equestrian facility exists on adjacent property under the same ownership; and
3. The location and character of the use, if developed according to the plan as submitted and the recommended Ordinance Related Conditions, are reasonable as they will be in harmony with the area in which they are to be located.

There are no other zoning districts suitable as related to this request. The applicant has verbally agreed to all Ordinance Related Conditions.

Attachments:

- 1 – Site Profile
- 2 – Rezoning Sketch Map
- 3 – Site Plan
- 4 – Draft Ordinance Related Conditions
- 5 – Application

P13-32
SITE PROFILE

P13-32. REZONING OF 1.00+/- ACRE FROM RR RURAL RESIDENTIAL TO A1/CZ AGRICULTURAL/CONDITIONAL ZONING DISTRICT FOR A KENNEL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHEAST SIDE OF SR 1118 (PARKTON ROAD), NORTHWEST OF SR 1120 (NATURAL VIEW DRIVE); SUBMITTED BY JERRY L. AND MARY E. KING (OWNERS).

Site Information:

Frontage & Location: 258.75'+/- on SR 1118 (Parkton Road)

Depth: 235.27'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, east & west of subject property

Current Use: Vacant land

Initial Zoning: RR – February 3, 1977 (Area 7)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North, South, East & West: RR

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

2030 Land Use Plan: Rural

Proposed Southwest Cumberland Land Use Plan: Farmland & open space

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: Yes, hydric – RA Rains sandy loam

School Capacity/Enrolled: Gallberry Farm Elementary: 900/828; Grays Creek Middle: 1,000/999; Grays Creek High: 1,270/1,227

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

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2010): 1,000 on SR 1118 (Parkton Road)

Highway Plan: Parkton Road is identified in the Highway Plan as a Major Thoroughfare. The plan calls widening to a multi-lane facility (4 lane divide) with a right-of-way of 110 feet. The proposed dedication is 15 feet and reservation of 10 feet. Road improvements are not included in the MTIP

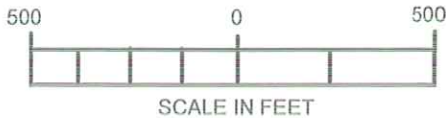
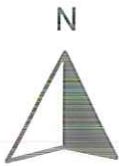
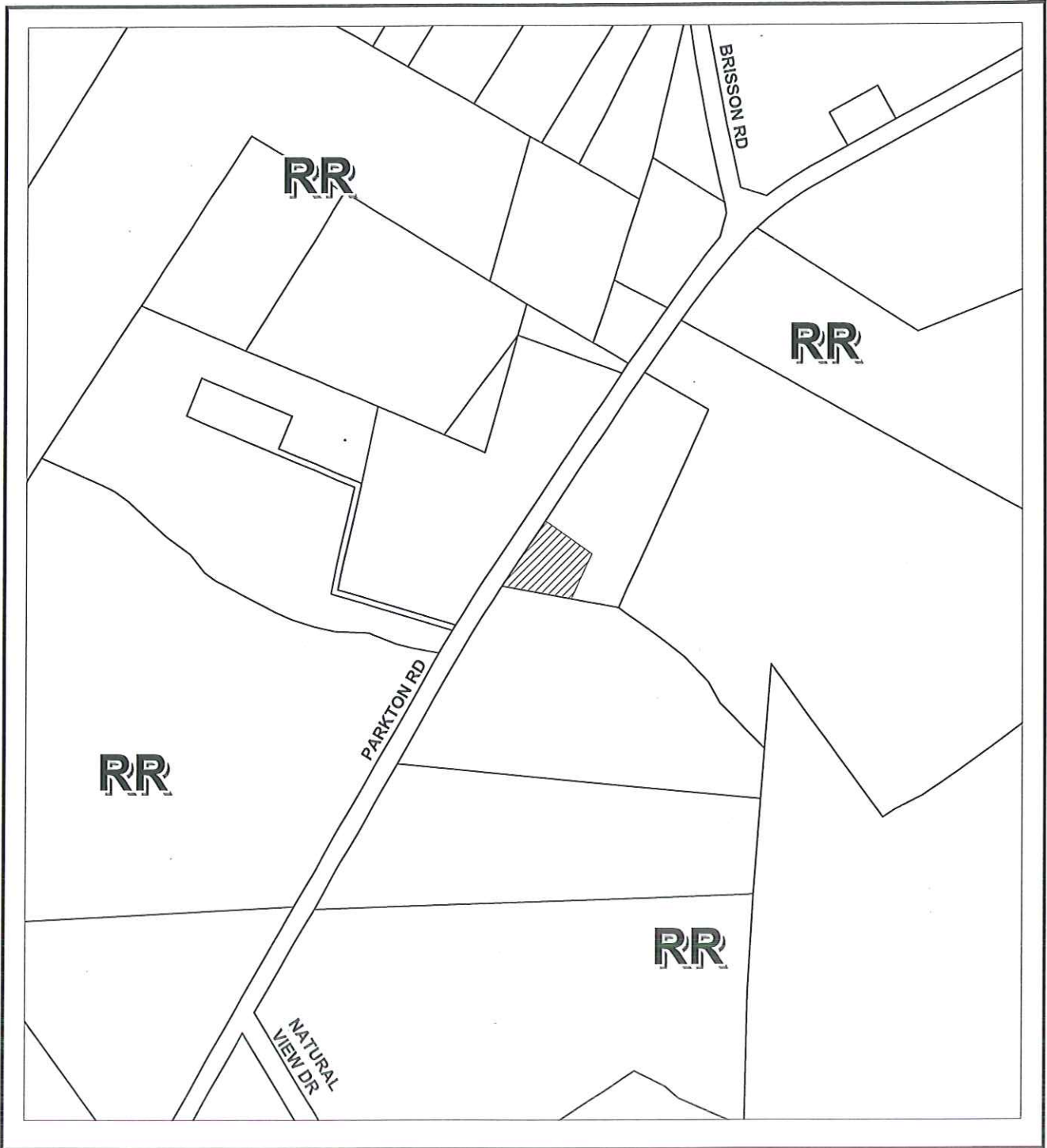
Notes:

1. Minimum Yard Setback Regulations:
A1
Front yard: 50'
Side yard: 20'
Rear yard: 50'

2. Shelters, runs, and pens shall not located any closer than fifteen feet to any property line for kennels located in A1 Agricultural districts

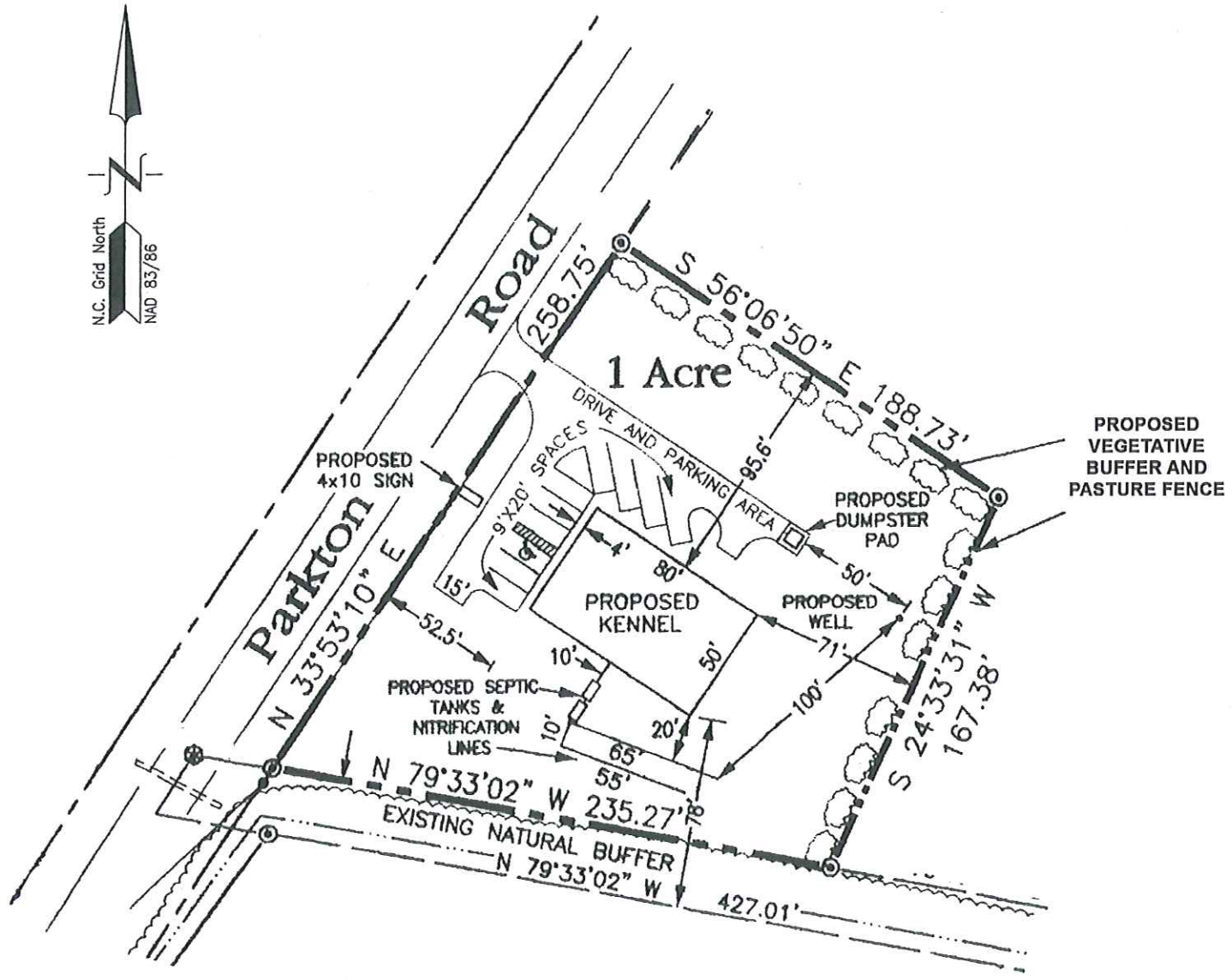
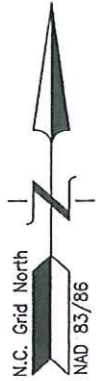
First Class and Record Owners' Mailed Notice Certification

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.



REQUESTED REZONING RR TO A1/CZ

ACREAGE: 1.00 AC.+/-	HEARING NO: P13-32	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		



A1 AGRICULTURAL/CONDITIONAL ZONING DISTRICT

REQUEST: KENNEL OPERATIONS

CASE: P13-32 ACREAGE: 1.00 AC +/-

ZONED: RR SCALE: NTS

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

A1 Agricultural / CZ Conditional Zoning District

Kennel Operation

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 and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development. [Note: This condition is required due to the land swap between the subject property and the adjacent property (0403-70-8097) which created two illegal lots, PINs: 0402-80-1769 & 0403-80-4031.]
2. The developer must submit five copies of a revised plan for staff review and approval to the Land Use Codes Section of the Planning & Inspections Department showing the following changes to the site plan:

(Note: The portion of this tract subject to rezoning appears to be more than sufficient in size to satisfy the zoning requirements including accommodating the revision requirements listed below.)

- a. A site plan revision reflecting the required dedication of 15 feet of right-of-way and reservation of 10 feet of right-of way along SR 1118 (Parkton Road) is required and the metes and bounds for both dedication and reservation must be 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)
- b. The proposed sign must be relocated out of the required dedication and reservation area and a minimum of five feet from the property/right-of-way line.
- c. All off-street parking spaces must be relocated so the entire area of the parking spaces and the drive areas are located out of the required dedication and reservation area.
- d. 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:
 - Five large shade trees or ten small ornamental trees within the front yard setback (outside the ultimate right-of-way) area along SR 1118 (Parkton Road); and
 - One ornamental tree and ten shrubs are required in the building yard area.

In addition:

- Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 - All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
- e. The proposed building must meet the minimum front yard setback of 50 feet from the required reservation line (ultimate right-of-way/property line).

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 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)
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. 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.
7. 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.
8. 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:

9. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the A1 zoning district, to include the contents of the application and site plan for the conditional zoning, must be complied with, as applicable.
10. All shelters, runs and pen areas shall not be located any closer than fifteen feet to any property line.
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. 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)
13. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
14. 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.
15. 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.
16. A solid buffer must be provided and maintained along the sides and rear property lines as shown on the site plan in accordance with Section 912.D, County Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
17. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
18. All required off-street parking spaces shall be a minimum of 9' x 20'; a minimum of ten off-street parking spaces are required for this development.

19. 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.
20. Compliance with the County's Noise Ordinance is required.

Plat-Related:

21. The recombination plat must include the lots identified by PINs: 0402-79-6558 and 0402-89-1769. The properties assigned PINs: 0403-70-8097 and 0403-80-4031 may be recombined at the time of proposed development/permit issuance of the "Furmage" property or included with the current recombination.
22. The recombination plat must be drawn with solid lines of the new recombined lots with the bearing and distances, acreage and lot identifiers reflected on the plat.
23. Dedication of 15 feet of right-of-way and reservation of 10 feet of right-of way along SR 1118 (Parkton 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)
24. 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.
25. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
26. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision Ordinance)
27. The final 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 the sale of any lot or unit within this development.
28. All notes and calculations as shown on the site plan are to be considered as a part of this conditional approval.

Plat-Required Statements:

29. Since this development does not have public water/sewer, the following disclosure statement is required to be provided on the recombination plat (Section 2504 C, On-Site Water and/or Sewer Disclosure, County Subdivision Ordinance):

"The individual lots in this development do not have public sewer and/or water services available, and no lots have been approved by the Health Department for on-site sewer services or been deemed acceptable for private wells at the date of this recording."

30. Since this development is located within the *Farmland Protection Area* as defined on the current Land Use Plan map, the following disclosure statement is required to be provided on the NAR plat (Section 2504 B, Farmland Protection Area Discloser, County Subdivision Ordinance):

"This property or neighboring property may be subject to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted farming and agricultural practices and operations, including but not limited to noise, odors, dust, the operation of any kind of machinery the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides, and pesticides."

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

“Nonconforming structures have not been created by this recombination plat.”

Other Relevant Conditions:

- 32. The applicant is advised to consult an expert on wetlands before proceeding with any development.
- 33. An internal street system most likely will be required to serve any divisions of the parent tract.
- 34. 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.
- 35. If the developer decides to divide out the kennel area from the parent tract, a subdivision review will be required prior to any deeds being recorded or sale of the property.
- 36. The owner/developer be aware that every deed created for a lot being served by an on-site water and/or sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public water and/or 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.”

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605 with the Land Use Codes Section; 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 Health Department:	Daniel Ortiz	433-3680
Ground Water Issues:	Matt Rooney	678-7625
County Public Utilities:	Amy Hall	678-7637
Corp of Engineers (wetlands):	Crystal C. Amschler	(910) 251-4170
NCDENR (E&S):	Sally Castle	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Street Naming/Signs:	Diane Shelton	678-7665
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NCDOT (subdivision roads):	David Plummer	486-1496
Transportation Planning:	Bobby McCormick	678 7632
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

cc: Mike Bailey, Town of Hope Mills

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 Jerry L & Mary M King
2. Address: 6657 Parkton Rd Zip Code 28371
3. Telephone: (Home) 910 858 2141 (Work) 910 237-4523
4. Location of Property: Parkton Rd across from
Brisson Rd
5. Parcel Identification Number (PIN #) of subject property: 0402-79-6558
(also known as Tax ID Number or Property Tax ID) (PORTION OF -)
6. Acreage: 1 Frontage: 258.75 Depth: 210
7. Water Provider: Well
8. Septage Provider: Septic
9. Deed Book 77212 7674 4620, Page(s) 464, 453, 235 Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: Pasture for horses/cows
11. Proposed use(s) of the property: Kernel on 1 Ac.

NOTE: Be specific and list all intended uses.

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

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of A1
(Article IV)
- Mixed Use District/Conditional Zoning District (Article VI)
- Planned Neighborhood District/Conditional Zoning District (Article VII)
- Density Development/Conditional Zoning District, at the _____ Density
(Article VIII)

The Planning and Inspections Staff is available for advice on completing this application; however, they are not available for completion of the application.

Proposed for- "Kings Bed & Biscuit"

Proposed to have a 50x 80 metal building on your 17.41 acres of land in Cumberland County

The kennel will be off Parkton Rd with 10 parking spaces. There will be a night light for the safety and security of the customers. The check in lobby will be a 14x14 room and off that room will be 2 luxury dog rooms ,like home away from home.

From the check in room you go into the Kitchen and wash room for dogs.

From there you go into the kennels which will be 20 kennels on each side of building total of 40 kennels.

Each dog will have his own kennel inside with heating/ ac and with a dog door for him to go outside in his kennel run.

"Kings Bed & Biscuit" would like to offer Doggie Day Care as well as Boarding.

I, Liz King would also like to offer Basic Dog Training –Sit, Down, Stay, Heeling and Place.

The hours of operation will be 7am/ 12pm- 4pm/ 6pm Mon –Sat

We plan the have 5 employees working full time.

We propose that we can put a sign up hanging off the fence that is already there. Small 4x10 sign will be attached to the field fence that is in front .

"KINGS BED & BISCUIT"

Boarding/ Doggie Day Care

910-237-4523

The property buffer is going to be a wood fence all the way around the kennel for privacy and safety for the public and dogs. The fence will begin at the sides of the building and go around the sides and back.

Parkton Rd is just off of Chicken Foot Rd, For we are thinking that all the people going to work into Fayetteville can just go the 2 ¼ miles to drop off their dog/dogs for doggie day care or boarding.

APPLICATION FOR
CONDITIONAL ZONING

1. PROPOSED USE(S):

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

Kennel - See ATTACHMENT
Proposed For - "Kings Bed & Biscuit"

- 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, and the square footage of the non-residential units.

acreage already pasture. Proposed
to take out 1 Acre on the 17.41 acres
to Build Kennel.

2. DIMENSIONAL REQUIREMENTS:

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

See ATTACHMENT

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

See ATTACHMENT

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

See ATTACHMENT

4. LANDSCAPE AND BUFFER REQUIREMENTS:

- A. For all new non-residential and mixed use development abutting a public street, indicate the number and type of large or small ornamental trees used in the streetscape, yard space, and/or parking areas, plus the number and type of shrubs. (Sec. 1102N). **NOTE: All required landscaping must be included on the site plan.**

See Attachment

- B. Indicate the type of buffering and approximate location, width and setback from the property lines.

See Attachment

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.

See Attachment

6. SITE PLAN REQUIREMENTS:

The application must 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. STATEMENT OF ACKNOWLEDGMENT:

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 (rezoning) rest 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.

In order for the Planning Board to offer a favorable recommendation, and for the Board of Commissioners to approve, any Conditional Zoning District, they must find from the evidence presented at their respective hearing that:

- A. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended;
- B. The use meets all required conditions and specifications;
- C. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and
- D. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and in general conformity with Cumberland County's most recent Comprehensive Land Use Plan and adopted planning policies.

I further understand I must voluntarily agree to all ordinance related prior to the first hearing on the case. The undersigned hereby acknowledge that the Planning and Inspections Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

✓✓

Jerry L & Mary A King
NAME OF OWNER(S) (PRINT OR TYPE)

6651 Parkton Rd Parkton NC 28371
ADDRESS OF OWNER(S)

cowentterka@yahoo.com
E-MAIL

910-287-4523
HOME TELEPHONE

Sam
WORK TELEPHONE

[Signature]
SIGNATURE OF OWNER(S)

[Signature]
SIGNATURE OF OWNER(S)

13-018
SITE PROFILE

CASE NO. 13-018. CONSIDERATION OF THE TRACE HOMES, INC PROPERTY; ZERO LOT LINE SUBDIVISION REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO CONNECT TO PUBLIC SEWER; COUNTY SUBDIVISION ORDINANCE, SECTION 2306.A.1.B UTILITIES; ZONED: R10; TOTAL ACREAGE: 2.00+/-; LOCATED ON NORTH SIDE OF SR 2996 (CHURCH STREET), EAST OF BAFFLE CIRCLE; SUBMITTED BY GREGORY MCLEAN ON BEHALF OF TRACE HOMES INC. (OWNER) AND TIM EVANS. (COUNTY JURISDICTION/HOPE MILLS MIA)

Summary of Request

The developer is requesting a waiver from the requirement to connect to the public sewer system. The proposed subdivision was part of a two lot subdivision which was approved on November 7, 2012 – Case: 12-125 and recorded in Plat Bk. 190, Pg. 190 on January 8, 2013. This previously approved subdivision required all lots proposed within the development to connect to the public sewer system because it was located within the 300 foot distance requirement for connections. The current developer of Lot 2 has proposed four additional lots to be created and these are under the same requirement to connect to the existing public sewer system - see Condition No. 2 on the attached condition of approval. Included is a copy of a letter from the Public Works Commission as to the location and options the developer has to connect to the public sewer.

Site Information:

Frontage & Location: 260.46' +/- along SR 2996 (Church Street)

Depth: 350.00'+/-

Jurisdiction: Cumberland County

Municipal Influence Area (MIA): Hope Mills

Sewer Services Area (SSA): No

Adjacent Property: No

Nonconformities: No.

Water & Sewer: PWC

Special Flood Hazard Area (SFHA): No

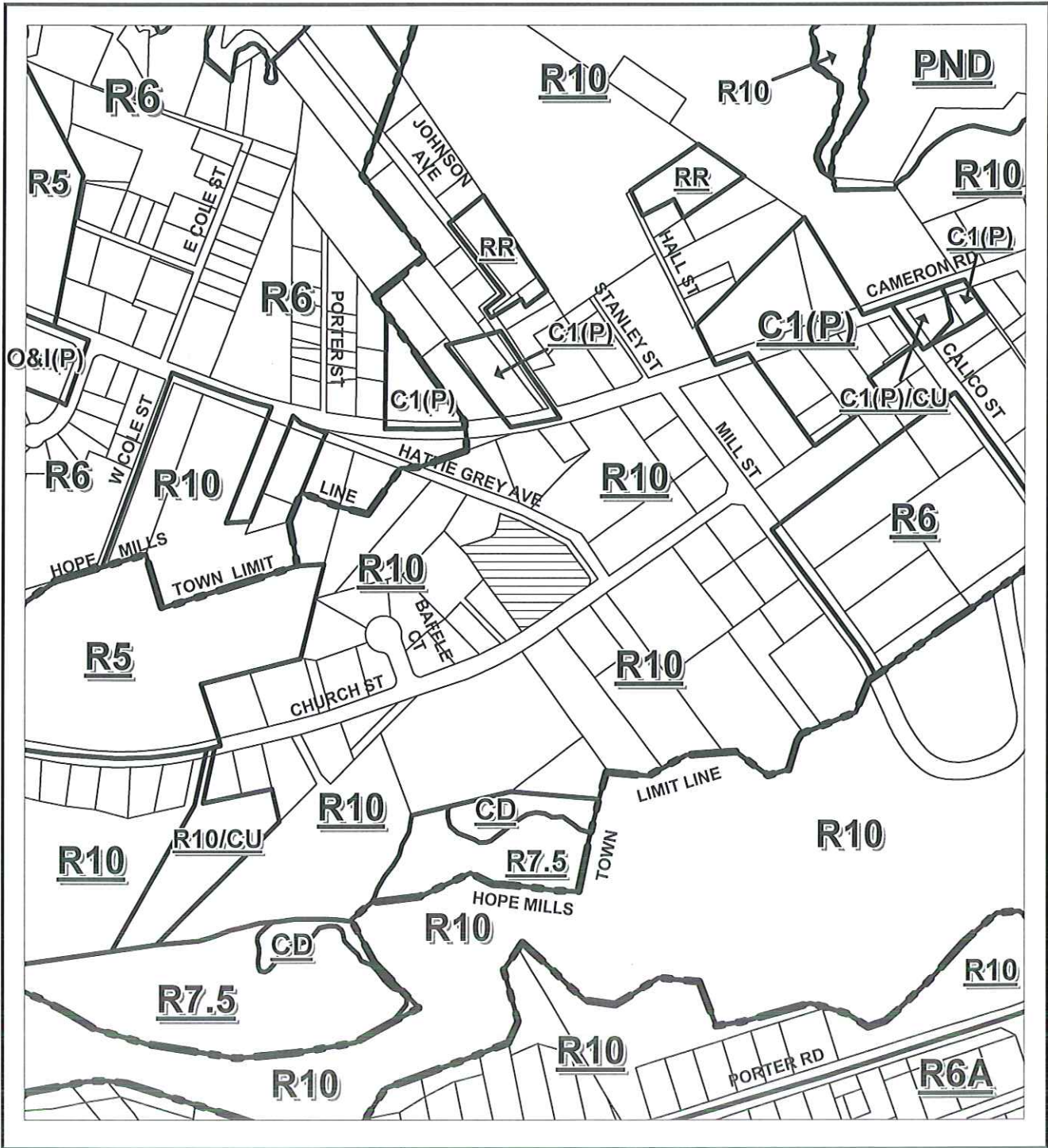
Applicable County Subdivision Ordinance Provisions

Section 2302 AREA-SPECIFIC STANDARDS, A, *Municipal Influence Areas.* The Board of Commissioners by interlocal agreement may approve and establish a Municipal Influence Area (MIA) for a municipality. All development located within a municipality's MIA shall be developed in accordance with the subdivision design standards officially adopted by the affected governing bodies. The development standards for each municipality are attached to this ordinance as "Exhibit 5" and entitled MIA Development Standards. The official MIA map – see Exhibit 4 – shall be maintained by the Planning and Inspections Department and kept on file with the office of the Clerk to the County Board of Commissioners.

Section 2306 UTILITIES, A.1.b, *Connection to public water and sanitary sewer required.* When not predicated upon a prior mandatory annexation policy and where any portion of a subdivision or other development submitted for approval under the terms of this ordinance or the County Zoning Ordinance proposes two to ten lots or units is within 300 feet of public water or sewer, the public utilities shall be extended and connected. Where any portion of eleven to twenty lots or units is within 500 feet of public water or sewer, the public utilities shall be extended and connected. For more than twenty lots or units proposed within the Sewer Service Area and/or and where density is greater than two lots or units per acre, the extension of and connection to public water and sewer service is required. Sanitary sewer service outside of the Sewer Service Area requires approval in accordance with the terms of any interlocal agreement officially adopted the Board of Commissioners.

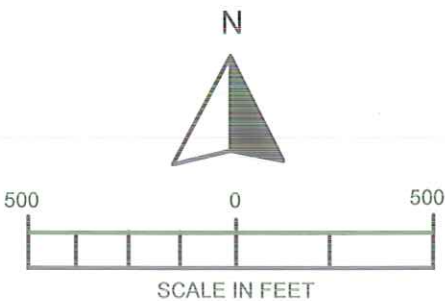
Attachments

- 1 - Sketch Map
- 2 - Zero Lot Line Subdivision Sketch Plan
- 3 - Aerial Photo
- 4 - Application for Waiver
- 5 - Public Works Commission Letter
- 6 - Hope Mills Commissioners Recommendation
- 7 - Conditions of Approval



COUNTY SUBDIVISION ORDINANCE WAIVER

ACREAGE: 2.00 AC.+/-	HEARING NO: 13-018	
ORDINANCE: COUNTY	HEARING DATE	ACTION
GOVERNING BOARD		





**AERIAL PHOTO
CASE NO: 13-018**



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

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

LOCATION OF PROPERTY: Church St (Hope Mills)

OWNER: Gregory McLean

ADDRESS: 3857 Legion Rd (H.M.C.) ZIP CODE: 28306

TELEPHONE: HOME 910-263-2944 WORK _____

AGENT: Tim Evans

ADDRESS: 4239 Cameron Rd. (Fay.) 28306

TELEPHONE: HOME 273-5016 WORK _____

0424-01-3719

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

A. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 2.0002 Frontage: 260 Depth: 350

C. Water Provider: P.W.C.

D. Septage Provider: (Septic Tanks)

E. Deed Book 131, Page(s) 190, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing and/or proposed use of property: Vacant (Residential)

G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested: Section 2306.A.1.B.

Waiver from Public Sewer Connection Requirement
Recond. #2

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

The longest distance would involve crossing someone's lot. The shortest distance is not great, but would require a pump. This could cost the lot owner a considerable amount of money to install and maintain these pumps. The sandhill is conducive to Septic systems.

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.

*Tracie Homes, Inc by
Gregory B. McLean*

Property owner(s)' signature(s)

*Tracie Homes, Inc by
Gregory B. McLean*

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

3857 Legacy 12d Hope Mills NC 28348

Complete mailing address of property owner(s)

910-226-2244

Telephone number

910-263-2944

Alternative telephone number

Email address

FAX number



WILSON A. LACY, COMMISSIONER
MICHAEL G. LALLIER, COMMISSIONER
WICK SMITH, COMMISSIONER
LYNNE B. GREENE, COMMISSIONER
STEVEN K. BLANCHARD, CEO/GENERAL MANAGER

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE
ELECTRIC & WATER UTILITIES

955 OLD WILMINGTON RD
P.O. BOX 1089
FAYETTEVILLE, NORTH CAROLINA 28302-1089
TELEPHONE (910) 483-1401
WWW.FAYPWC.COM

May 8, 2013

M.A.P.S. Surveying Inc.
1306 Ft. Bragg Rd.
Fayetteville, NC 28305
Attention: Mike Adams, PLS

RE: Sewer Service to the Proposed 6 – Lot Subdivision
for Trace Homes, Hope Mills

Dear Mr. Adams:

This is in response to your recent letter regarding the above referenced matter. This property is located at the intersection of Hattie Grey Avenue and Church Street. This property is in the Hope Mills Municipal Influence Area.

A review of the proposed sewer options for the property has been completed by this office. The distance to public sewer and the elevations anticipated if the sewer in Hattie Grey Avenue is extended is not disputed. It appears that this sewer is indeed too shallow to provide gravity sewer to the proposed development. The sewer outfall to the south of the property appears to be a viable option and it is 500 to 600 feet away as indicated.

It was not indicated in your letter but it is assumed that the proposal to provide sewer service to the property is by onsite disposal systems. In reviewing the site plans, it appears that the available area to install an onsite disposal system that meets current guidelines may be challenging. PWC has not been involved in the discussion with the Planning Board on this matter, but this may be their concern. It is not a PWC requirement to connect to sewer that is within 300 feet but typically is a factor in determining if onsite disposal systems will be approved. This is a decision that the County Health Department/County Planning Board typically makes.

It is agreed that your assessment of the gravity sewer options are accurate. There are options to provide gravity sewer to the property although some may be expensive. Perhaps your engineer could evaluate other sewer options such as grinder pumps.

If there are questions or if further information is needed, please let me know.

Sincerely,

Joseph E. Glass, PE
Water Resources Engineering




TOWN OF HOPE MILLS

5770 ROCKFISH ROAD • HOPE MILLS, NORTH CAROLINA 28348-1848
TELEPHONE (910) 424-4555 • FAX (910) 424-4902

MEMORANDUM

TO: Cumberland County Planning Board

FROM: Melissa P. Adams, MMC Town Clerk 

DATE: July 8, 2013

SUBJECT: **CASE NO. 13-018**
Hope Mills Municipal Influence Area
Cumberland County Jurisdiction

CASE NO. 13-018. CONSIDERATION OF A RECOMMENDATION FOR THE TRACE HOMES, INC PROPERTY; ZERO LOT LINE SUBDIVISION REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO CONNECT TO PUBLIC SEWER; COUNTY SUBDIVISION ORDINANCE, SECTION 2306.A.1.B UTILITIES; ZONED: R10; TOTAL ACREAGE: 2.00+/-; LOCATED ON NORTH SIDE OF SR 2996 (CHURCH STREET), EAST OF BAFFLE CIRCLE; SUBMITTED BY GREGORY MCLEAN ON BEHALF OF TRACE HOMES INC. (OWNER) AND TIM EVANS. (COUNTY JURISDICTION/HOPE MILLS MIA)

The Hope Mills Board of Commissioners at their July 1, 2013 Regular Meeting voted unanimously to recommend to the Cumberland County Planning Board denial of the request for a waiver from the requirement to connect to public sewer for the above referenced case.

If additional information is needed, please let me know.

cc: John W. Ellis, III, Town Manager
Mike Bailey, Chief Building Inspector
Ed Byrne, Cumberland County Planning & Inspections
File

Walter Clark,
Chair
Cumberland County

Patricia Hall,
Vice-Chair
Town of Hope Mills

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



CUMBERLAND COUNTY NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Lori Epler,
Sara E. Piland,
Vikki Andrews,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

STAFF REVIEW: 02-21-13 PLANNING BOARD DECISION: N/A

CASE NO: 13-018 NAME OF DEVELOPMENT: TRACE HOMES, INC.

MIA: HOPE MILLS ZERO LOT LINE SUBDIVISION REVIEW

LOCATION: NORTHWEST SIDE OF SR 2996 (CHURCH STREET), ZONING: R10

SOUTHWEST OF SR 1128 (MILL STREET) PIN: 0424-01-2893 (a portion of)

OWNERS / DEVELOPER: TRACE HOMES, INC. ENGINEER OR DESIGNER: M.A.P.S.

PLANNING & INSPECTIONS DEPARTMENT ACTION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

PLANNING BOARD DECISION:

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

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

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. Connection to public water and sewer is required, the Public Works Commission (PWC) must approve water and sewer plans prior to application for any permits. A copy of the PWC approval must be provided to Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems, County Subdivision and Development Ordinance)

Note: Due to an existing agreement between the PWC and the Town of Hope Mills, an annexation petition most likely will be required prior to the PWC's review of any utility plans.

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

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.

Site-Related:

7. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the R7.5 zoning district must be complied with, as applicable.
8. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
9. All applicable provisions of Section 2401, "Group Developments", County Subdivision and Development Ordinance, must be complied with.
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 and Development Ordinance)
11. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development 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.
13. 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.
14. 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.
15. Turn lanes may be required by the NC Department of Transportation (NCDOT).

Plat-Related:

16. Prior to submission for final plat approval, a concrete sidewalk must be constructed along SR 2996 (Church Street) – contact the Hope Mills' Chief Building Inspector for sidewalk specifications at this location. The town has agreed to sign the NC Department of Transportation encroachment agreement indicating that Hope Mills will be responsible for maintenance of the sidewalk once it is constructed to the town standard. (Section 86A-405, Sidewalks, Hope Mills Subdivision Ordinance)
17. Prior to final plat approval of any portion of this development, the developer is required to submit a check or cash in the amount of \$1,841.95 (\$368.39 per lot/5 lots) payable to "Cumberland County". This condition is in accordance with Section 2308, Parks, Recreation and Open Space, County Subdivision and Development Ordinance, which requires every residential dwelling unit to provide a portion of land, in certain instances, or pay a fee in lieu of dedication, for the purposes of providing park, recreation and open space areas. (Park District # 3)

18. The builder/developer must provide the buildable envelopes on the final plat: providing a five-foot maintenance easement along each side of all common internal lines with all other applicable setbacks being provided for; or at the time of permit application, the individual plot plans must be approved by Land Use Codes prior to issuance of any permits.
19. 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.
20. The NC Department of Transportation (NCDOT) most likely will not allow a driveway for each individual lot. If joint driveway(s) are required, the joint driveways must be reflected on the final plat.
21. A 10' x 70' sight distance easement is required at the intersection of Hattie Grey Ave with SR 2996 (Church Street) and must be reflected on the final plat.
22. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat. (Section 2304.10.c, Street Design, County Subdivision and Development Ordinance)
23. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
24. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)
25. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2502 B, C, or D, Final Plat – Guarantees of Improvements, County Subdivision and Development Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.)
26. The final 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 the sale of any lot or unit within this development.

Plat-Required Statements:

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

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

Advisories:

28. The applicant is advised to consult an expert on wetlands before proceeding with any development.
29. An internal street system most likely will be required to serve any future divisions of the subject lots.
30. The subject property is located within the Town of Hope Mills Municipal Influence Area (MIA) and the town has tree preservation standards in their ordinances. The developer is encouraged to retain as many of the existing trees as possibly on this site.
31. 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.

Thank you for developing in Cumberland County and the Hope Mills area!

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

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

Improvements Inspections:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Daniel Ortiz	433-3680
PWC:	Heidi Maly	223-4737
Town of Hope Mills:		424-4555*
Town Clerk:	Melissa P. Adams	
Chief Building Inspector:	Mike Bailey	
Stormwater Administrator:	Melanie Clerkley	
Zoning Inspector:	Jeff Wade	
County Public Utilities:	Amy Hall	678-7637
Corp of Engineers (wetlands):	Crystal C. Amschler	(910) 251-4170
NCDENR (E&S):	Sally Castle	433-3300
Location Services:		
Site-Specific Address:	Ron Gonzales	678-7616
Street Naming/Signs:	Diane Shelton	678-7665
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NCDOT (subdivision roads):	David Plummer	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545

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

cc: Mike Bailey, Town of Hope Mills

OFFICIAL PRELIMINARY STAMP
CUMBERLAND COUNTY
CASE NO: 13-018

THIS PLAN APPROVED BY THE CUMBERLAND COUNTY PLANNING &
INSPECTION DEPARTMENT ON: 2-21-13

COMMENTS: SUBJECT TO CONDITIONS

I CERTIFY THAT THIS PLAN HAS BEEN APPROVED BY THE CUMBERLAND
COUNTY PLANNING & INSPECTIONS DEPARTMENT AS DRAWN HEREON
AND MAY BE USED FOR ANY OFFICIAL PURPOSE AS PERMITTED BY LAW.
THIS APPROVAL IS VALID UNTIL: 2-21-15

Patricia S. Spicher **GB**

SUPERVISOR, LAND USE CODES