

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

September 17, 2013

7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRAL/WITDRAWAL
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF AUGUST 20, 2013
- VII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENTS

- A. **P13-36.** CONSIDERATION OF ADOPTION OF AN ORDINANCE REGULATING THE ZONING OF PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF GODWIN AND ENFORCEMENT OF THE SAME. (GODWIN)
- B. **P13-37.** CONSIDERATION OF ADOPTION OF AN ORDINANCE REGULATING THE ZONING OF PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF WADE AND ENFORCEMENT OF THE SAME. (WADE)

REZONING CASES

- C. **P13-38.** REZONING OF 9.88+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED WEST OF SR 1006 (WADE STEDMAN ROAD), NORTHWEST OF SR 1006 (MAXWELL ROAD); SUBMITTED BY ERNEST A. JR. AND RUTH BUNCE (OWNERS).
- D. **P13-39.** REZONING OF 3.07+/- ACRES FROM R6A RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3857 LEGION ROAD, SUBMITTED BY GREG MCLEAN ON BEHALF OF TRACE INVESTMENTS, LLC. (OWNER) AND MICHAEL J. ADAMS PLS.
- E. **P13-42.** REZONING OF 3.65+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 1810 (GODWIN FALCON ROAD),

NORTHWEST OF SR 1806 (SHERRILL BAGGETT ROAD); SUBMITTED BY CLIFTON L. JR. AND JOSEPHINE TURPIN ON BEHALF OF TURPIN RENTALS LLC. (OWNER) AND DAVID R. EVANS.

- F. **P13-43.** REZONING OF 1.30+/- ACRES FROM A1 AGRICULTURAL TO R30A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 1721 (TOM GEDDIE ROAD), NORTHEAST OF SR 1725 (MIDDLE ROAD); SUBMITTED BY JOHN WILLIAM AUTRY JR. (OWNER). (EASTOVER)

VIII. PUBLIC HEARING CONTESTED ITEMS

IX. PUBLIC HEARING WAIVER REQUEST

CASE NO. 13-072. CONSIDERATION OF THE SCOTT S. & LILIANA C. PARKER PROPERTY; GROUP DEVELOPMENT REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO HAVE DIRECT STREET ACCESS; COUNTY SUBDIVISION ORDINANCE, SECTION 2401.D STREET ACCESS; ZONED: A1; TOTAL ACREAGE: 11.1+/-; LOCATED AT 6300 HALL PARK ROAD; SUBMITTED BY SCOTT S. & LILIANE C. PARKER. (OWNER).

X. DISCUSSION

DIRECTOR'S UPDATE

XI. ADJOURNMENT

Walter Clark,
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Cumberland County

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Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

September 10, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the September 17, 2013 Board Meeting

P13-36. CONSIDERATION OF ADOPTION OF AN ORDINANCE REGULATING THE ZONING OF PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF GODWIN AND ENFORCEMENT OF THE SAME. (GODWIN)

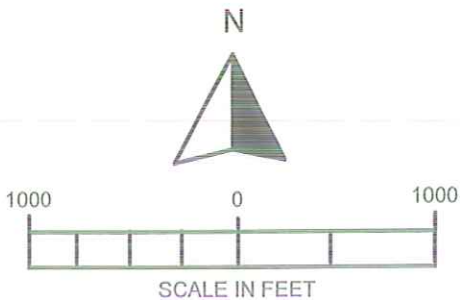
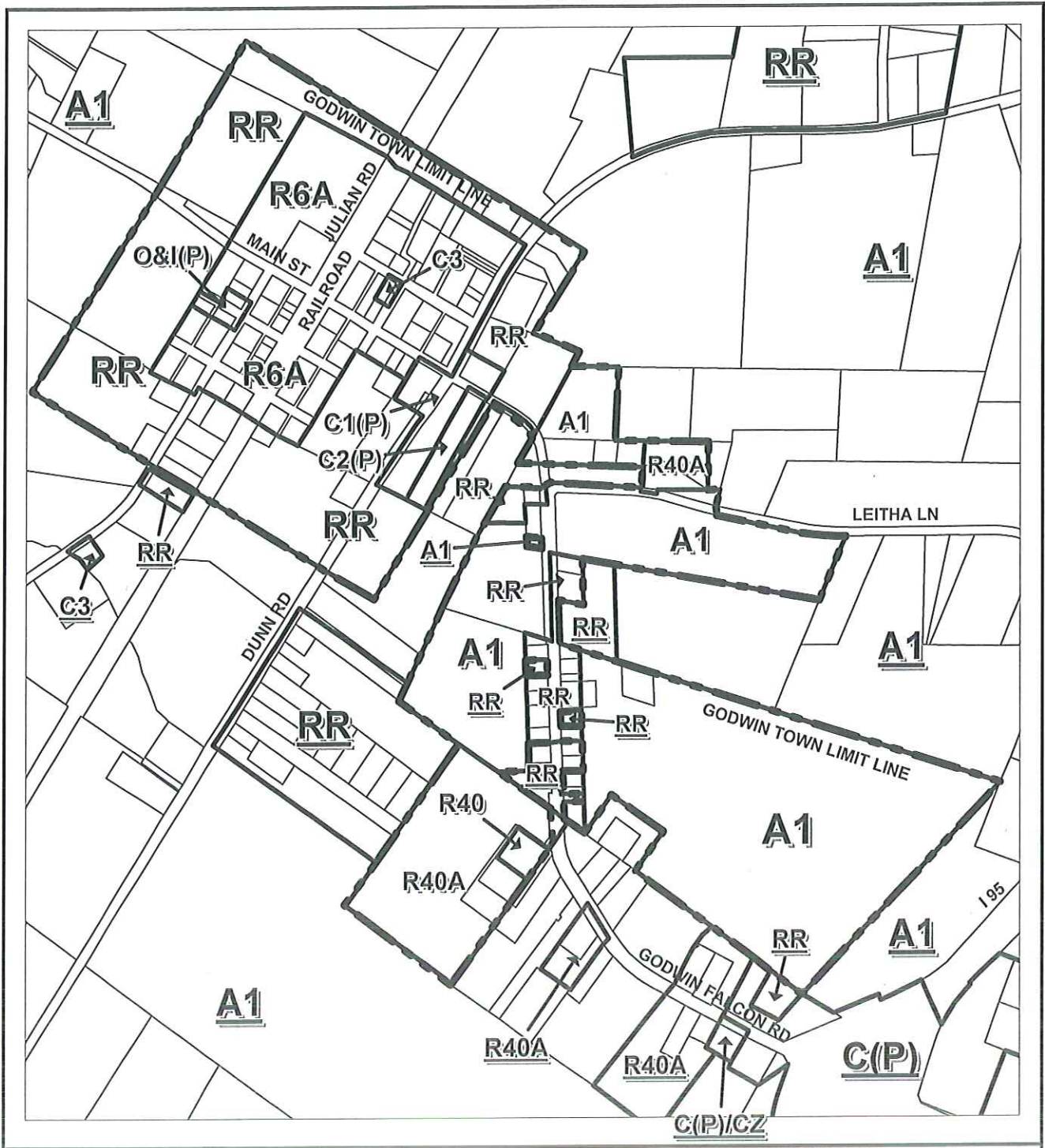
The Planning and Inspections Staff recommends approval of the proposed Godwin Zoning Ordinance for the Town of Godwin, based on the following:

1. The proposed ordinance is consistent with the County Zoning Ordinance standards, which the properties within the town have been subject to since November 1980;
2. The zoning for each property within the town remains unchanged; and
3. The ordinance was requested by the town.

Attached to the ordinance is the proposed fee schedule that is identical to the County fee schedule for zoning-related matters. The Planning Staff member assigned to the town has conducted work sessions reviewing the proposed ordinance with the elected officials on two separate occasions. The complete text of the ordinance can be viewed at:

<http://www.co.cumberland.nc.us/planning/ordinances/godwin.aspx>

Attachment: P13-36 Town of Godwin Zoning Sketch Map



TOWN OF GODWIN ZONING ORDINANCE ADOPTION

CASE NO: P13-36

ORDINANCE: GODWIN	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,
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Donovan McLaurin,
Wade, Falcon & Godwin

September 10, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the September 17, 2013 Board Meeting

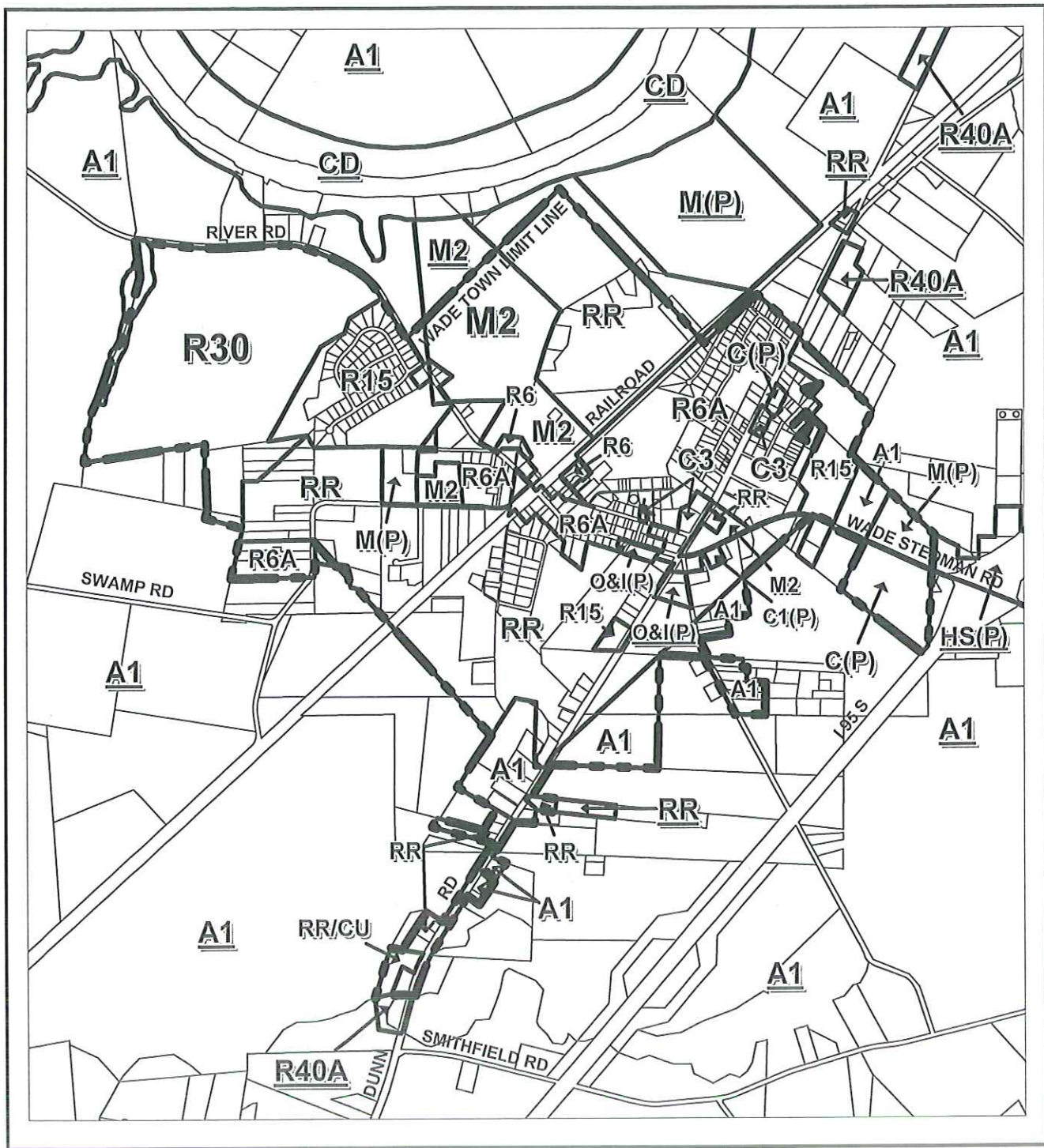
P13-37. CONSIDERATION OF ADOPTION OF AN ORDINANCE REGULATING THE ZONING OF PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF WADE AND ENFORCEMENT OF THE SAME. (WADE)

The Planning and Inspections Staff recommends approval of the proposed Wade Zoning Ordinance for the Town of Wade, based on the following:

1. The proposed ordinance is consistent with the County Zoning Ordinance standards, which the properties within the town have been subject to since November 1980;
2. The zoning for each property within the town remains unchanged; and
3. The ordinance was requested by the town.

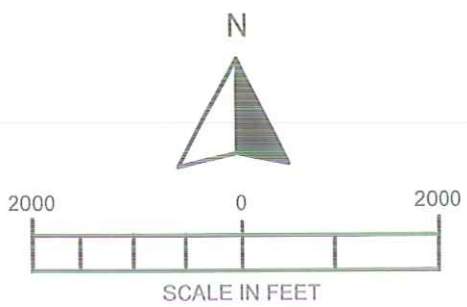
Attached to the ordinance is the proposed fee schedule that is identical to the County fee schedule for zoning-related matters. The Planning Staff member assigned to the town has conducted work sessions reviewing the proposed ordinance with the elected officials on two separate occasions. The complete text of the ordinance can be viewed at: <http://www.co.cumberland.nc.us/planning/ordinances/wade.aspx>

Attachment: P13-37 Town of Wade Zoning Sketch Map



TOWN OF WADE ZONING ORDINANCE ADOPTION

CASE NO: P13-37



ORDINANCE: WADE	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



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Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon & Godwin

September 10, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the September 17, 2013 Board Meeting

P13-38. REZONING OF 9.88+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED WEST OF SR 1006 (WADE STEDMAN ROAD), NORTHWEST OF SR 1006 (MAXWELL ROAD); SUBMITTED BY ERNEST A. JR. AND RUTH BUNCE (OWNERS).

The Planning and Inspections Staff recommends approval of the R40 Residential district 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 residential” development as listed in the Land Use Policies Plan; and
2. The location and character of the district is reasonable and will be in harmony with the surrounding area.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-38
SITE PROFILE

P13-38. REZONING OF 9.88+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED WEST OF SR 1006 (WADE STEDMAN ROAD), NORTHWEST OF SR 1006 (MAXWELL ROAD); SUBMITTED BY ERNEST A. JR. AND RUTH BUNCE (OWNERS).

Site Information:

Frontage & Location: 50.00'+/- on Ruth Bunce Lane

Depth: 850.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, southwest of subject property

Current Use: Farmland

Initial Zoning: A1 – August 23, 1994 (Area 19)

Nonconformities: None

Zoning Violation(s): None

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

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

2030 Growth Strategy Map: Rural

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: ESD/Septic

Soil Limitations: Yes, hydric – TR Torhunta & Lynn Haven soils

School Capacity/Enrolled: Eastover-Central Elementary: 540/470; 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

Municipal Influence Area: Town of Eastover

Average Daily Traffic Count (2010): 1,600 on SR 1826 (Wade Stedman 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:

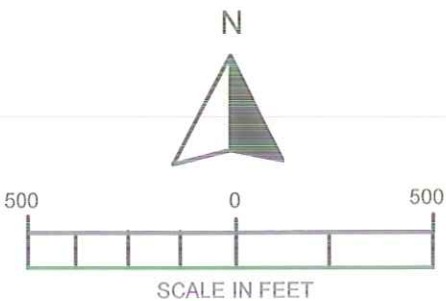
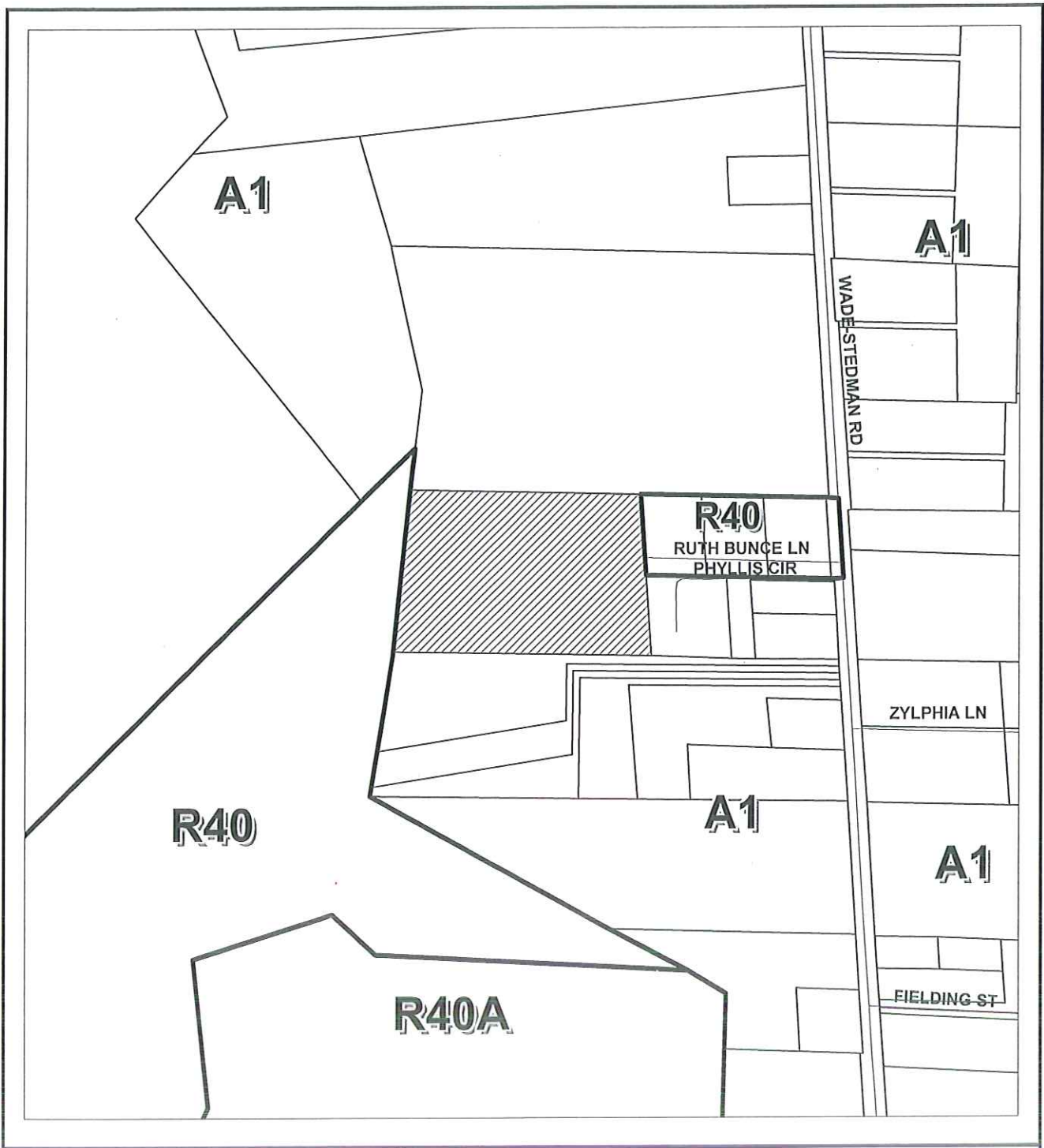
1. Density (minus 15% for ROW):
A1 – 5 lots/units (4 lots/units)
A1A – 10 lots/units (8 lots/units)
R40 – 11 lots/units (9 lots/units)

2. Minimum Yard Setback Regulations:

<u>A1& A1A</u>	<u>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 R40

ACREAGE: 9.88 AC.+/-		HEARING NO: P13-38	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Walter Clark,
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Cumberland County

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Donovan McLaurin,
Wade, Falcon & Godwin

September 10, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the September 17, 2013 Board Meeting

P13-39. REZONING OF 3.07+/- ACRES FROM R6A RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3857 LEGION ROAD, SUBMITTED BY GREG MCLEAN ON BEHALF OF TRACE INVESTMENTS, LLC. (OWNER) AND MICHAEL J. ADAMS PLS.

The Planning and Inspections Staff recommends approval of the C2(P) Planned Service and Retail district 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 “light commercial” 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 “mixed use” at this location;
2. The request is reasonable because SR 1132 (Legion Road) is a major thoroughfare that is planned as a multi-lane facility with a right-of-way of 100 feet and public utilities are available to this site; and
3. Consideration of the C2(P) Planned Service and Retail district for the subject property is reasonable because the request is comparable to development and rezonings within the general area.

The C1(P) Planned Local Business district could also be considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-39
SITE PROFILE

P13-39. REZONING OF 3.07+/- ACRES FROM R6A RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3857 LEGION ROAD, SUBMITTED BY GREG MCLEAN ON BEHALF OF TRACE INVESTMENTS, LLC. (OWNER) AND MICHAEL J. ADAMS PLS.

Site Information:

Frontage & Location: 200.00'+/- on SR 1132 (Legion Road)

Depth: 711.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Trade Contractor's office

Initial Zoning: R6A – November 17, 1975 (Area 4)

Nonconformities: Yes, trade contractor activities not permitted in the R6A district, and if approved, residential structure will become non-conforming

Zoning Violation(s): Yes, Notice of Violation issued (ZN-225-2013)

Surrounding Zoning: North: C(P), O&I(P), R10 & R6A; South: C3/CU (outside storage of plumbing supplies), C(P)/CU (motor vehicle repair & towing), M(P) (Hope Mills), C3, C1(P), R10, PND & R6A; East: R10; West: R6A/CU (allow recreational vehicle in manufactured home park), R10 & R6A

Surrounding Land Use: Residential (including manufactured dwellings & multi-family), lodge, religious worship, manufactured home parks (2), farm machinery sales, bar, motor vehicle repair, retailing & woodlands

2030 Land Use Plan: Urban

Proposed Southwest Cumberland Land Use Plan: Mixed use development

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC

Soil Limitations: None

School Capacity/Enrolled: Baldwin Elementary: 790/745; South View Middle: 900/783; South View High: 1,800/1,791

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

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2010): 12,000 on SR 1132 (Legion Road)

Highway Plan: Legion Road is identified in the Highway Plan as a Major Thoroughfare. This proposal calls for a multi-lane facility (U-2809) with a right-of-way of 100 feet. Road improvements have are included in the 2012-2018 MTIP

Notes:

1. Density (minus 15% for ROW):
R6A – 32 lots/units (27 lots/units) & 26 manufactured home spaces if a MHP

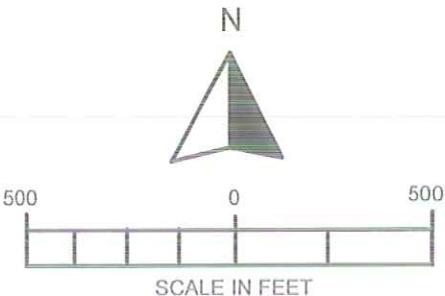
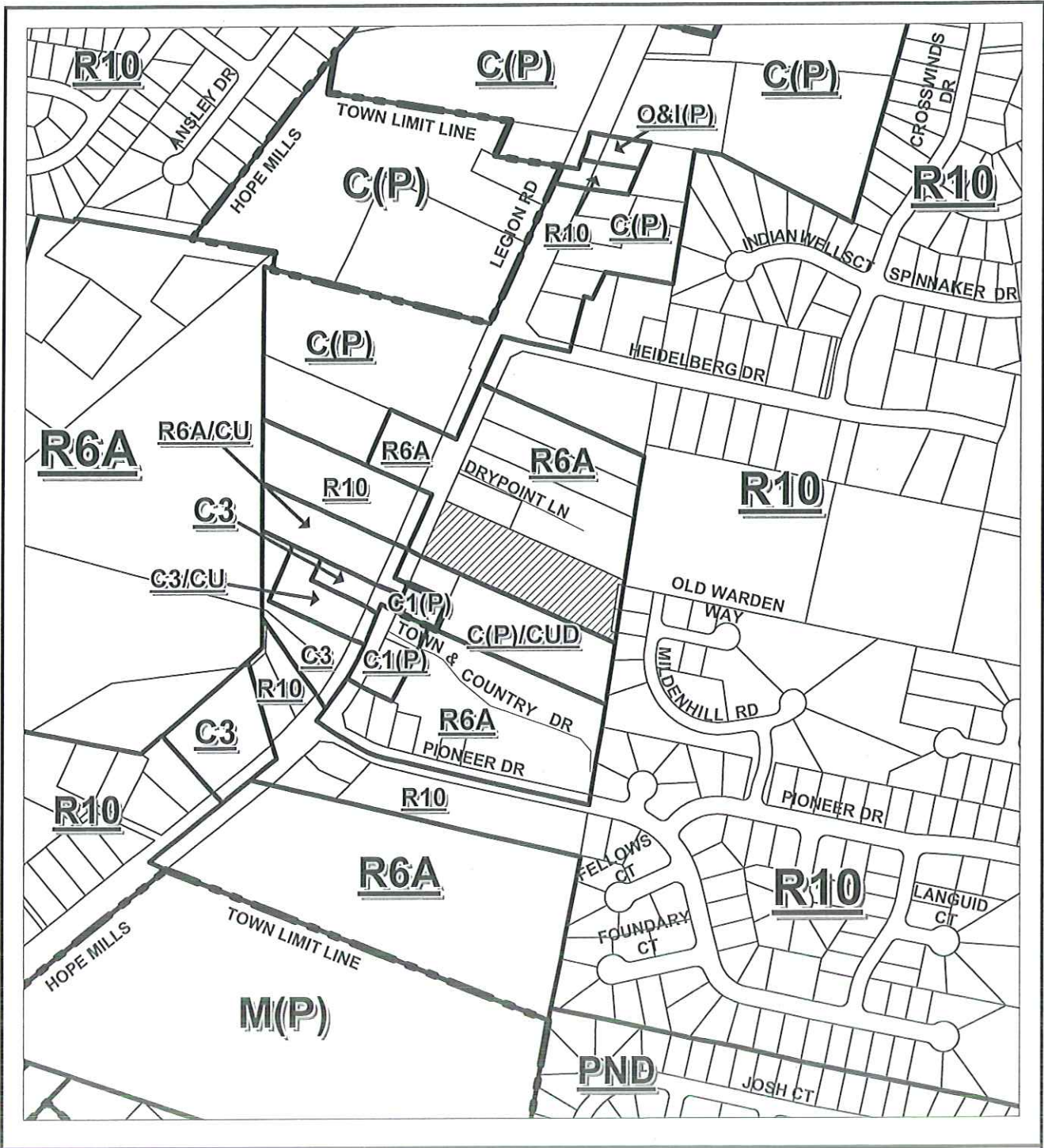
2. Minimum Yard Setback Regulations:

<u>R6A</u>	<u>C2(P)</u>
Front yard: 25'	Front yard: 35'
Side yard: 10'	Side yard: 15'
Rear yard: 15'	Rear yard: 20'

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.

NOTE: PARCEL IN AOD AREA



REQUESTED REZONING R6A TO C2(P)

ACREAGE: 3.07 AC.+/-	HEARING NO: P13-39	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

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Wade, Falcon & Godwin

September 10, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for the September 17, 2013 Board Meeting

P13-42. REZONING OF 3.65+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 1810 (GODWIN FALCON ROAD), NORTHWEST OF SR 1806 (SHERRILL BAGGETT ROAD); SUBMITTED BY CLIFTON L. JR. AND JOSEPHINE TURPIN ON BEHALF OF TURPIN RENTALS LLC. (OWNER) AND DAVID R. EVANS.

The Planning & Inspections Staff recommends approval of the C(P) Planned Commercial district 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;
2. The location and character of the district will be in harmony with the surrounding area and is comparable with recent rezonings in the general area; and
3. The request is reasonable as public utilities are available to the subject property.

The C1(P) and C2(P) districts could also be considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-42
SITE PROFILE

P13-42. REZONING OF 3.65+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 1810 (GODWIN FALCON ROAD), NORTHWEST OF SR 1806 (SHERRILL BAGGETT ROAD); SUBMITTED BY CLIFTON L. JR. AND JOSEPHINE TURPIN ON BEHALF OF TURPIN RENTALS LLC. (OWNER) AND DAVID R. EVANS.

Site Information:

Frontage & Location: 321.88'+/- on SR 1810 Godwin Falcon Road

Depth: 422.60'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, north of subject property

Current Use: Vacant woodlands

Initial Zoning: R6A – November 25, 1980 (Area 14)

Nonconformities: None

Zoning Violation(s): None

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

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

2030 Growth Vision Plan: Community Growth Area

Vision Northeast Cumberland Plan: Commercial

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Falcon/Norcross

Soil Limitations: Yes, hydric – WO Woodington loamy sand

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, any new development will require review and approval

Municipal Influence Area: Town of Falcon

Average Daily Traffic Count (2010): 1,500 on SR 1810 (Godwin Falcon 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:

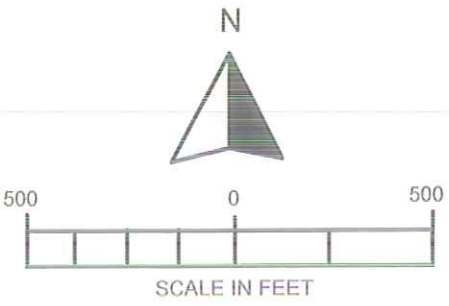
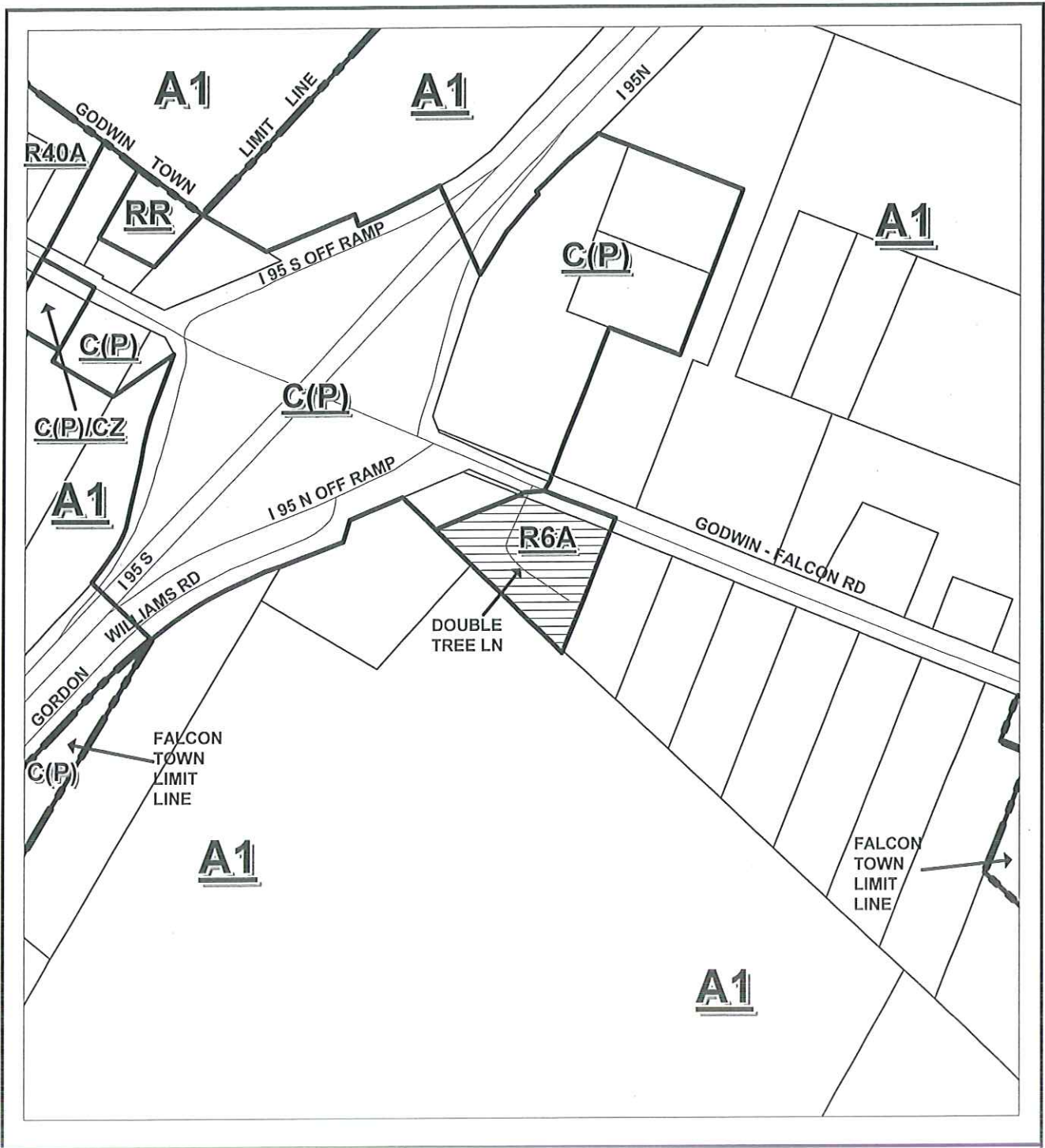
1. Density (minus 15% for ROW):
R6A – 39 lots/units (33 lots/units) & 29 manufactured home spaces if a MHP

2. Minimum Yard Setback Regulations:

<u>R6A</u>	<u>C(P)</u>
Front yard: 25'	Front yard: 50'
Side yard: 10'	Side yard: 30'
Rear yard: 15'	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.



REQUESTED REZONING R6A TO C(P)

ACREAGE: 3.65 AC.+/-		HEARING NO: P13-42	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Walter Clark,
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Garland C. Hostetter,
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Wade, Falcon & Godwin

September 10, 2013

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning and Inspections Staff
SUBJECT: Staff Recommendation for the September 17, 2013 Board Meeting

P13-43. REZONING OF 1.30+/- ACRES FROM A1 AGRICULTURAL TO R30A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 1721 (TOM GEDDIE ROAD), NORTHEAST OF SR 1725 (MIDDLE ROAD); SUBMITTED BY JOHN WILLIAM AUTRY JR. (OWNER). (EASTOVER)

The Planning and Inspections Staff recommends approval of the R30A Residential district 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 “suburban density residential” development as listed in the Land Use Policies Plan;
2. Although the district requested is not entirely consistent with the Eastover Area Detailed Land Use Plan, which calls for “one acre residential lots” at this location, approval will allow for lot sizes comparable with existing lots in the general area;
3. In addition, at the time the Eastover Detailed Plan was adopted, the Sanitary District did not have public water available to the subject property; and
4. The location and character of the district is reasonable and will be in harmony with the surrounding area.

The A1A and R40 districts could also be considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

P13-43
SITE PROFILE

P13-43. REZONING OF 1.30+/- ACRES FROM A1 AGRICULTURAL TO R30A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTHWEST SIDE OF SR 1721 (TOM GEDDIE ROAD), NORTHEAST OF SR 1725 (MIDDLE ROAD); SUBMITTED BY JOHN WILLIAM AUTRY JR. (OWNER). (EASTOVER)

Site Information:

Frontage & Location: 299.16'+/- on SR 1721 (Tom Geddie Road)

Depth: 191.36'+/-

Jurisdiction: Town of Eastover

Adjacent Property: No

Current Use: Vacant woodlands

Initial Zoning: A1 – December 14, 1979 (Area 10)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: R40, R40A, RR & A1; South: M(P), RR & A1; East: R40 & A1; West: A1

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

2030 Growth Strategy Map: Community Growth Area

Eastover Detailed Land Use Plan: One acre residential lots

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: ESD/Septic

Soil Limitations: None

School Capacity/Enrolled: Armstrong Elementary: 450/420; Mac Williams Middle: 1,270/1,231; Cape Fear High: 1,425/1,589

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

Average Daily Traffic Count (2010): 240 on SR 1721 (Tom Geddie Road)

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

Notes:

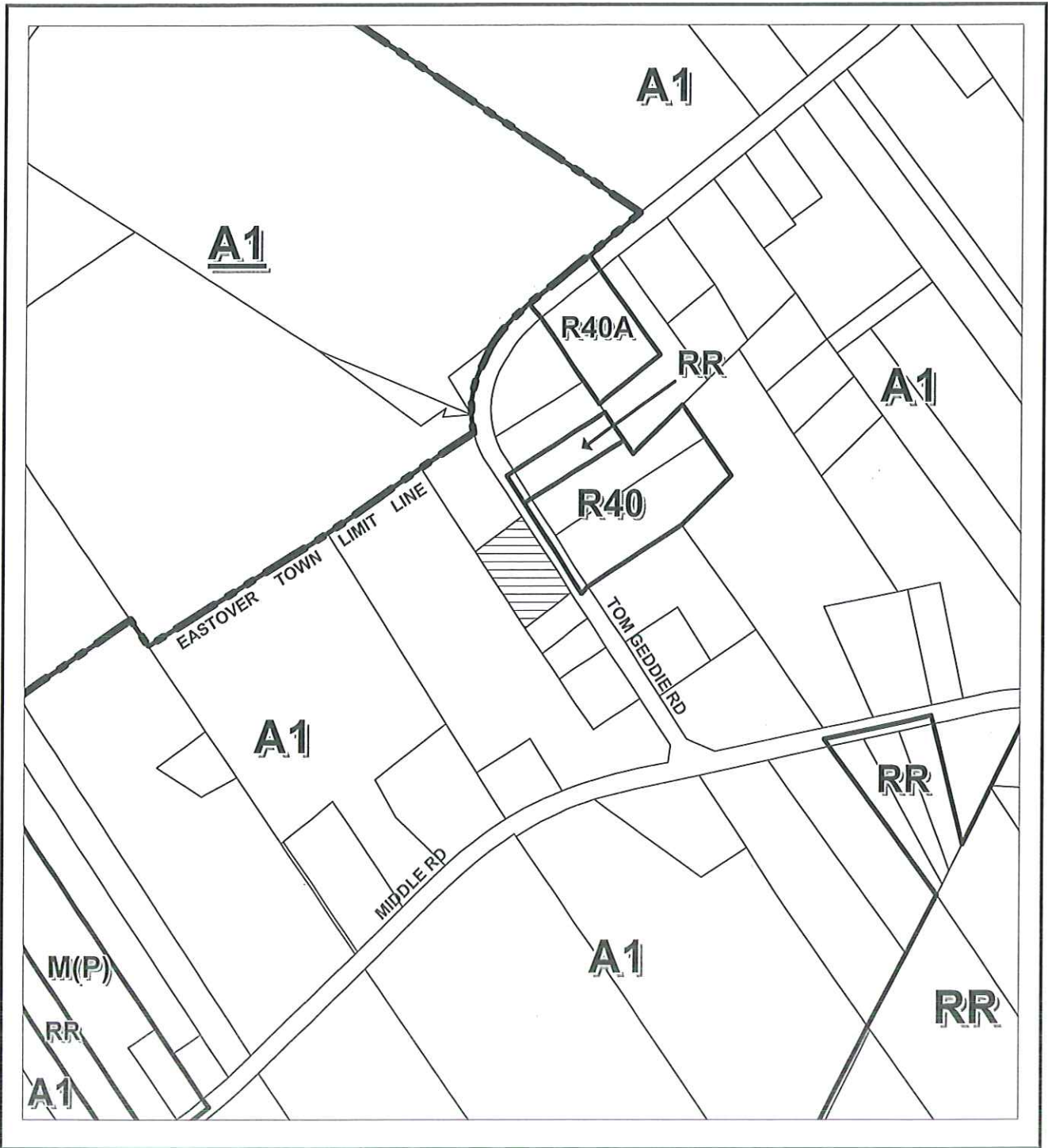
1. Density:
A1 – 1 lot/unit
A1A – 1 lot/unit
R40 – 1 lot/unit
R30 – 2 lots/units

2. Minimum Yard Setback Regulations:

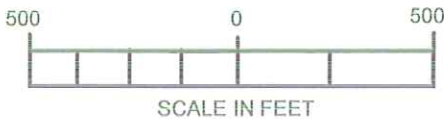
<u>A1 & A1A</u>	<u>R30A & R40A</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

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 R30A



PIN: 0458-99-8460

ACREAGE: 1.30 AC.+/-		HEARING NO: P13-43	
ORDINANCE: EASTOVER	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

13-072
SITE PROFILE

CASE NO. 13-072. CONSIDERATION OF THE SCOTT S. & LILIANA C. PARKER PROPERTY; GROUP DEVELOPMENT REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO HAVE DIRECT STREET ACCESS; COUNTY SUBDIVISION ORDINANCE, SECTION 2401.D STREET ACCESS; ZONED: A1; TOTAL ACREAGE: 11.1+/-; LOCATED AT 6300 HALL PARK ROAD; SUBMITTED BY SCOTT S. & LILIANA C. PARKER (OWNER).

Summary of Request

Developer is requesting a waiver from the requirement to have a minimum of 20 feet of street frontage along either an approved private street or public street for the placement of a second dwelling unit. The existing lot was created by plat on July 5, 1995 (Plat Bk. 89, Pg. 59) under the state exception rule for 10 acre or greater lot sizes. The property has two 60 foot wide ingress/egress easements which provide access to the property and are recorded Plat Bk. 89, Pg. 59 and Bk. 60, Pg. 119.

Site Information:

Frontage & Location: 0.00'+/- (1,470' +/- off of SR 2340 (Hall Park Road) and 3,710' +/- off of NC HWY 87)

Depth: 700.00'+/-

Jurisdiction: Cumberland County

Municipal Influence Area (MIA): N/A

Sewer Services Area (SSA): No

Adjacent Property: No

Nonconformities: No

Water & Sewer: Well & Septic

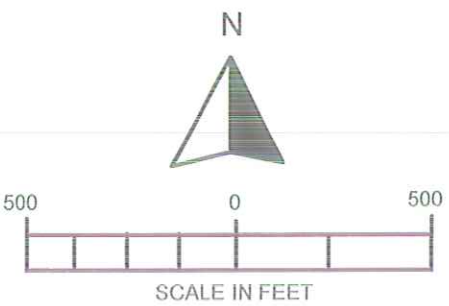
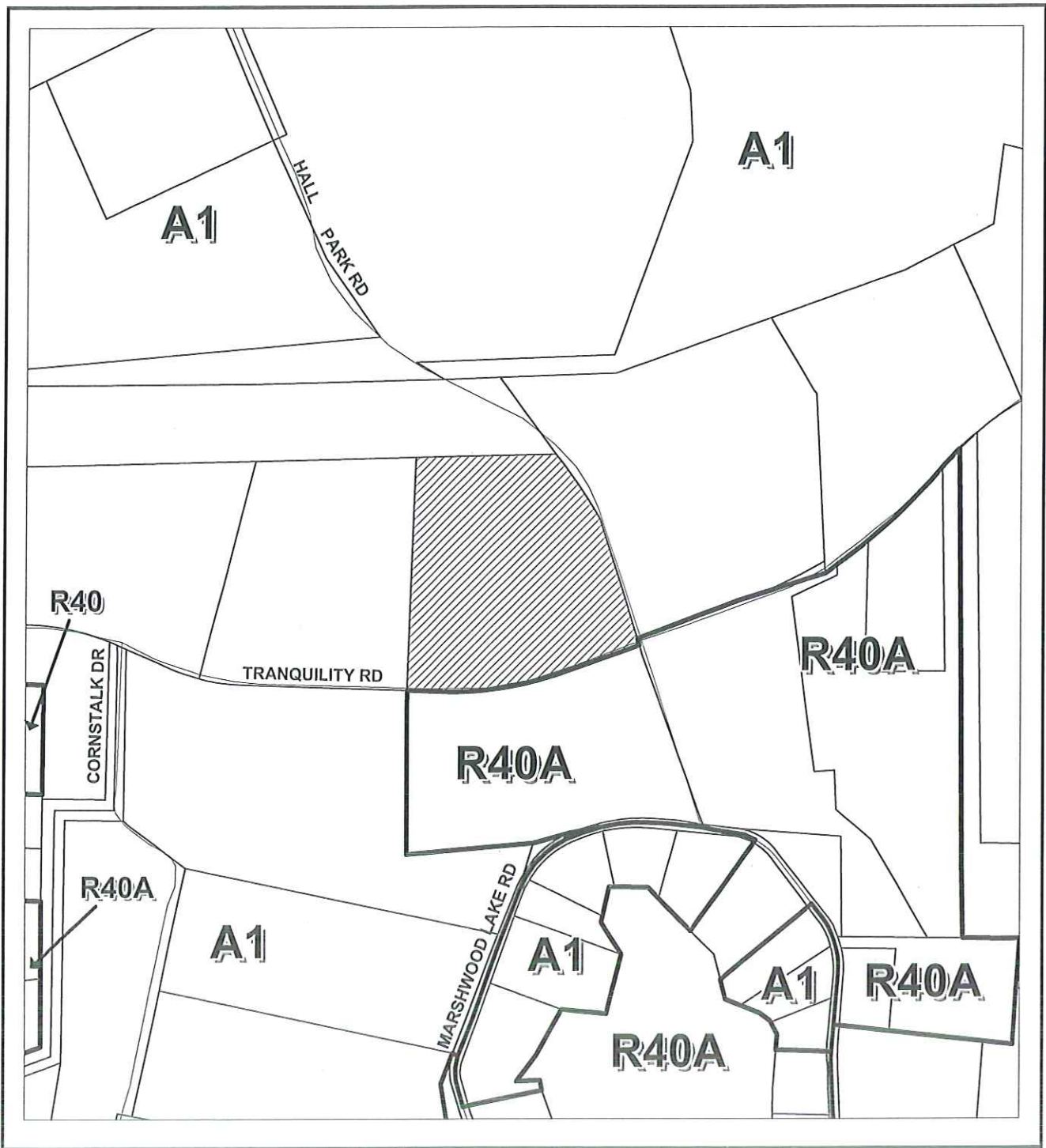
Special Flood Hazard Area (SFHA): No

Applicable County Subdivision Ordinance Provisions

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 complexes or unit ownership (i.e., condominium or townhouse) developments with owners' associates legally obligated to maintain vehicular access and circulation drives shall not be subject to the street standards specified in Section 2304.

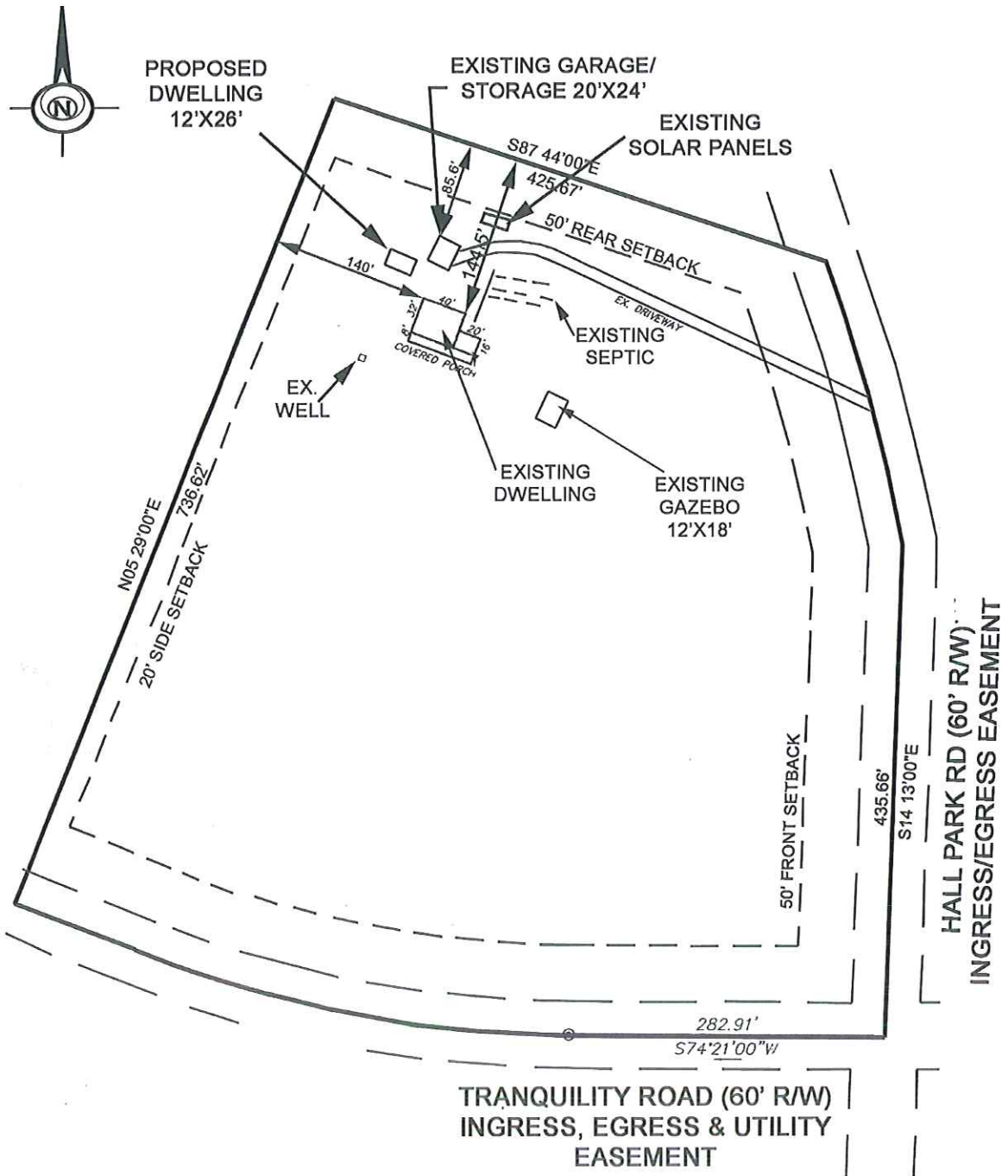
Attachments

- 1 - Sketch Map
- 2 - Group Development Sketch Plan
- 3 - Aerial Photo
- 4 - Application for Waiver
- 5 - Conditions of Approval
- 6 - 60' Ingress/Egress Easement, Plat Book 60, Page 119 & Book 89, Page 59



COUNTY SUBDIVISION ORDINANCE WAIVER

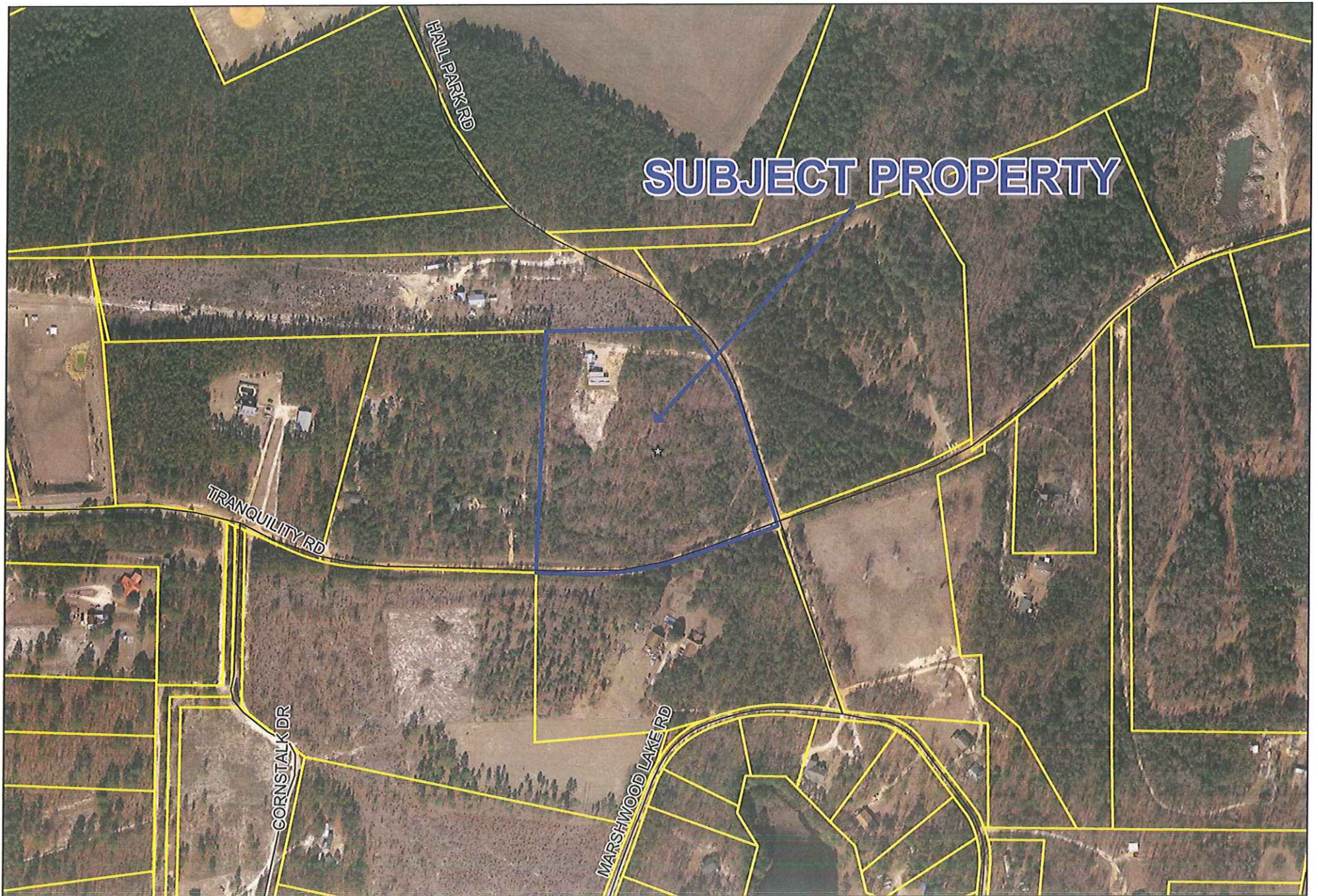
ACREAGE: 11.1 AC.+/-	HEARING NO: 13-072	
ORDINANCE: COUNTY	HEARING DATE	ACTION
GOVERNING BOARD		



**SCOTT S & LILIANA C PARKER PROPERTY
 GROUP DEVELOPMENT REVIEW
 REQUEST: A WAIVER FROM SECTION 2401.D
 "STREET ACCESS"**

**CASE: 13-072 ACREAGE: 11.1 AC +/-
 ZONED: A1 SCALE: NTS**

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



**AERIAL PHOTO
CASE NO: 13-072**



**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: 6300 Hall Park Road

OWNER: Scott S. & Liliana C. Parker

ADDRESS: 6300 Hall Park Road, Fay., NC ZIP CODE: 28306

TELEPHONE: HOME 778-5771 WORKCELL 273-1479

AGENT: _____

ADDRESS: _____

TELEPHONE: HOME _____ WORK _____

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

A. Parcel Identification Number (PIN #) of subject property: 0440-95-2124
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 11.1 Frontage: ∅ Depth: ∅

C. Water Provider: private well

D. Septage Provider: septic system

E. Deed Book 06403, Page(s) 00436, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing and/or proposed use of property: has existing dwelling; proposed development is 1BR, 1BA. unit for elderly mother.

G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested: SECTION 2401.D "STREET ACCESS;"
NEED WAIVER FROM REQUIREMENT TO HAVE DIRECT ACCESS
TO A STREET AND TO BE ALLOWED TO USE AN EXISTING 60 FT.-
WIDE EASEMENT FOR ACCESS TO BOTH DWELLINGS.

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

(SEE ABOVE)

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

STAFF REVIEW: 08-01-13 PLANNING BOARD DECISION: 09-17-13

CASE NO: 13-072 NAME OF DEVELOPMENT: SCOTT S & LILIANA C PARKER PROPERTY

MIA: N/A GROUP DEVELOPMENT REVIEW

LOCATION: 6300 HALL PARK ROAD ZONING: A1

PIN: 0440-95-2124-

OWNERS / DEVELOPER: SCOTT S & LILIANA C PARKER 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:

Pre- Permit Related:

1. The owner/developer(s) must provide a recorded copy of the ingress/egress access easement with a minimum width of 20 feet to Code Enforcement at the time of permit application – see Plat Book 89, page 59 and Plat Book 60, page 119.

Watershed-Related:

2. An application for a Watershed “No Approval Required” development must be submitted to the Watershed Review Officer (WRO) and plans must be approved by the WRO prior to final plat approval and/or prior to application for any building/zoning permits, site plan approval is required. A copy of the WRO’s approval of this plat/plan must be submitted to Code Enforcement at the time of application for any permits.
3. Prior to application for the building final inspection, a Watershed Occupancy Permit must be issued for each lot/tract within this development.

Permit-Related:

4. 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.
5. 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 and Development Ordinance)
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
7. 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.
8. 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.
9. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

10. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the A1 zoning district must be complied with, as applicable.
11. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
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 and Development Ordinance)
13. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)

Other Relevant Conditions:

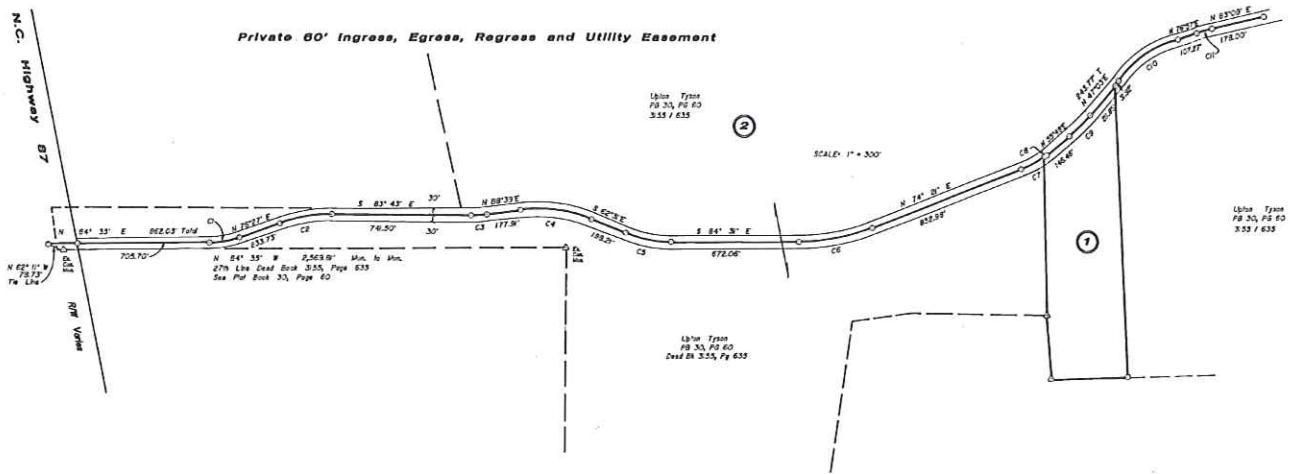
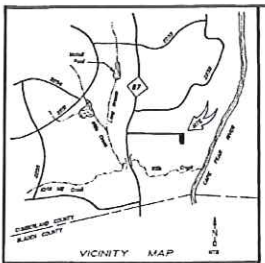
14. The applicant is advised to consult an expert on wetlands before proceeding with any development.
15. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
16. The developer has requested a waiver from the requirement to have direct street access, Section 2401.D, County Subdivision Ordinance. This case will be heard by the Cumberland County Joint Planning Board on September 17, 2013.

Thank you for making Cumberland County your home!

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):

Watershed Officer:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Building Inspections:	Gary Faulkner	321-6648
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
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545



Private 60' Ingress, Egress, Regress and Utility Easement

Upton Tyson
Pg. 30, Pg. 60
3:55 / 6:55

SCALE: 1" = 300'

Upton Tyson
Pg. 30, Pg. 60
3:55 / 6:55

Upton Tyson
Pg. 30, Pg. 60
Deed Bk 255, Pg 655

NORTH CAROLINA
CUMBERLAND COUNTY
MICHAEL TATE
I am MICHAEL TATE, county Plat
and map was drawn under my supervision from a carefully
made survey by my assistants. Said map and description recorded in
Deed Book 255, Page 655. Said map and description are
correctly and truly as shown on the plat and map.
I, the undersigned, do hereby certify that the above
described plat and map are true and correct, and that
the map was prepared in accordance with G. S. 42-27, as amended,
where my hand and seal this 20th day of OCTOBER
A. D. 1986.

Michael Tate
Land Surveyor
Registration No. L-2450



NORTH CAROLINA
CUMBERLAND COUNTY
MARGARET A. TATE
I, MARGARET A. TATE, a Notary Public of
the County and State aforesaid, hereby certify that
a regular and valid survey, personally supervised by me on this day
and duly returned to the office of the Notary Public,
where my hand and official stamp are hereunto, this 20th day of
OCTOBER, 1986.

Margaret A. Tate
Notary Public
My commission expires August 5, 1990.



NORTH CAROLINA
CUMBERLAND COUNTY
The foregoing plat and map of MARGARET A. TATE
Notary Public, is correct to be correct. This testimony is
provided for the purposes and to the effect that
the above described plat and map are true and correct.
I, the undersigned, do hereby certify that the above
described plat and map are true and correct, and that
the map was prepared in accordance with G. S. 42-27, as amended,
where my hand and seal this 20th day of OCTOBER
A. D. 1986.

GEORGE E. TAYLOR
Register of Deeds
George E. Taylor
A. D. Day of Deeds

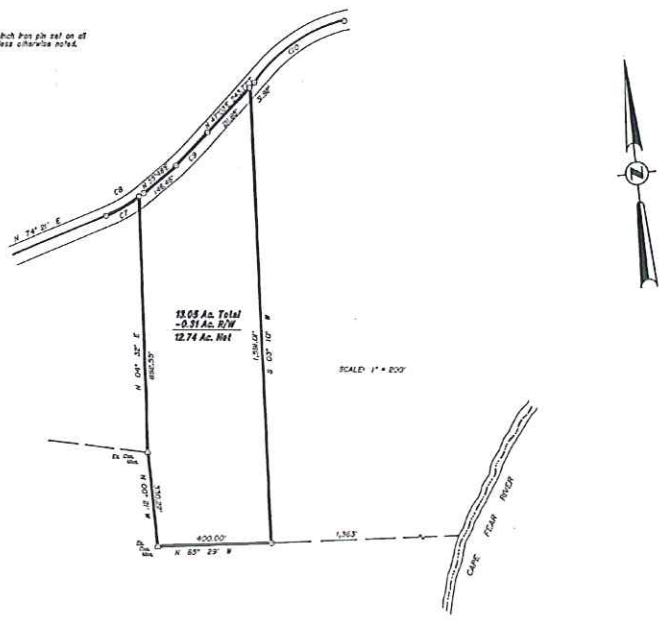
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
NO. APPROVAL SECRETARY
R. B. Jean
District Engineer
OCT. 21 1986
Date

In Approval Surveyor
George E. Taylor
Register of Deeds
Checked for the Title Printing Board

CURVE DATA.

Curve No.	Bearing	Chord	Arc	Radius
C1	N 85° 56' E	157.81'	158.54'	478.77'
C2	N 86° 12' E	278.82'	277.20'	800.87'
C3	S 87° 32' E	79.82'	79.88'	600.87'
C4	S 78° 26' E	307.41'	301.53'	778.34'
C5	S 73° 31' E	245.41'	248.92'	643.22'
C6	N 84° 58' E	303.22'	308.43'	1072.00'
C7	N 86° 14' E	137.80'	138.28'	420.13'
C8	N 57° 00' E	20.28'	20.28'	400.13'
C9	N 51° 28' E	159.33'	159.63'	1044.63'
C10	N 62° 00' E	306.45'	303.34'	536.68'
C11	N 80° 03' E	79.88'	79.92'	738.88'

NOTE: A 1/2 inch has been set out on it
compare with other notes.



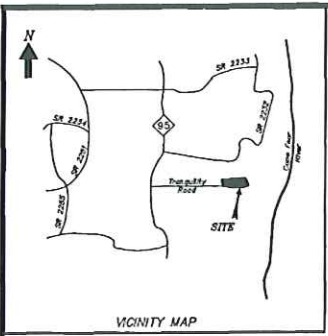
13.05 Ac. Total
- 0.31 Ac. RW
12.74 Ac. Net

SCALE: 1" = 200'

MICHAEL TATE, REGISTERED LAND SURVEYOR
FAYETTEVILLE, NORTH CAROLINA 28301
(919) - 483 - 7387

PROPERTY OF
UPTON TYSON et al
GRAY'S CREEK TOWNSHIP CUMBERLAND COUNTY
STATE OF NORTH CAROLINA

REVISIONS
Date: October 20, 1986
Scale: As Shown
Drawn By: AMG
Surveyed By: WBS
Check & Clair: MT



I, Michael Tate, Registered Land Surveyor No. L-2450, certify that this plot is of a survey that creates a subdivision of land within Cumberland County that has an ordinance that regulates parcels of land.

Michael Tate
Michael Tate, RLS

- Notes:
1. No nonconforming structures have been created.
 2. All property corners are Existing Iron Pins.

59

LINE	DIRECTION	DISTANCE
L1	S43°03'00"E	50.00'
L2	S33°30'00"E	72.31'
L3	S30°01'00"E	67.52'
L4	S28°11'00"E	70.78'
L5	N84°31'00"W	7.19'

NORTH CAROLINA
CUMBERLAND COUNTY

I, MICHAEL TATE, certify that this plot was drawn under my supervision from an actual survey made under my supervision, deed description recorded in Book _____, Page _____; that the boundaries not surveyed are clearly indicated as drawn from information found in Book J970, Page 037, that the ratio of precision as calculated is 1:7,500; that this plot was prepared in accordance with G.S. 47-30 as amended.

Witness my original signature, registration number and seal this 30th day of June, A.D. 1995.

Michael Tate
Registration No. L-2450 Surveyor



NORTH CAROLINA
CUMBERLAND COUNTY

I, KARIN J. TATE, a Notary Public of the County and State aforesaid, certify that MICHAEL TATE, a Registered Land Surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 30th day of June, 1995.

Karin J. Tate
Notary Public
My commission expires September 25, 1996

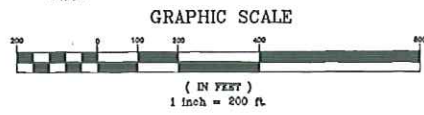
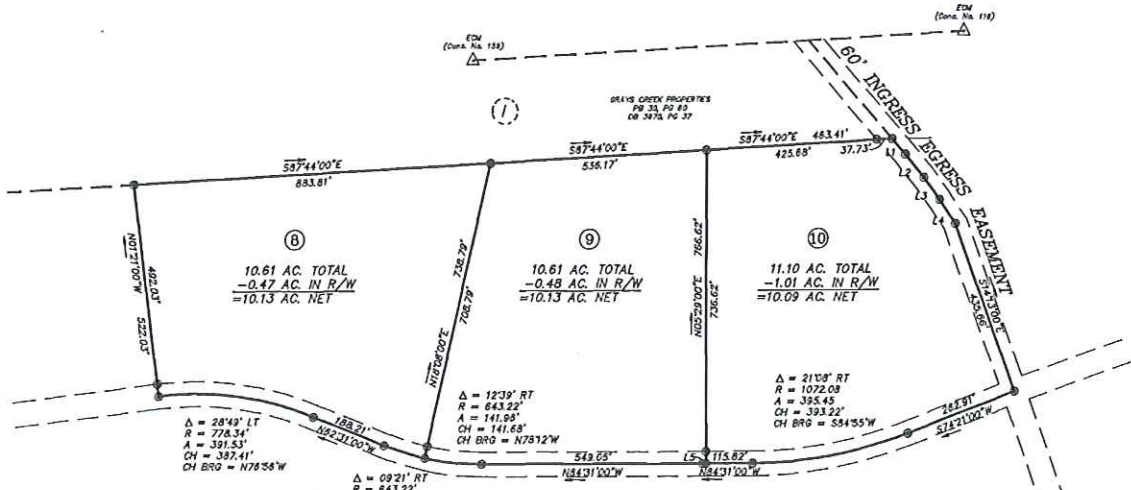


NORTH CAROLINA
CUMBERLAND COUNTY

The foregoing certificate of KARIN J. TATE, Notary Public, is certified to be correct. This instrument was presented for registration and recorded in Plot Book 89, Page 59, this 5th day of July, 1995 at 12:11 pm.

GEORGE E. TATUM
Registrar of Deeds

George E. Tatum
Asst. Dept. Reg. of Deeds



DRAWN BY: GEC	JOB NO: 274
DATE: 06-30-95	DWG NO: 274-4

PROPERTY OF
GRAYS CREEK PROPERTIES
GRAYS CREEK TOWNSHIP ~ CUMBERLAND COUNTY
NORTH CAROLINA
MICHAEL TATE REGISTERED LAND SURVEYOR
3525 CLINTON RD, FAYETTEVILLE, NC 28301
PHONE 910-483-7387

89/59