

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**

May 20, 2014

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 APRIL 15, 2014
- VII. PUBLIC HEARING CONSENT ITEMS

**REZONING CASES**

- A. **P14-22.** REZONING OF 8.32+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 3529 THROWER ROAD; SUBMITTED BY VANCE UPTON TYSON, JR. ON BEHALF OF VANCE UPTON TYSON HEIRS (OWNER) AND TIMOTHY EVANS. (COUNTY)
- B. **P14-23.** REZONING OF 4.63+/- ACRES FROM R40 RESIDENTIAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF US 401 (RAMSEY STREET), EAST OF SR 1609 (W REEVES BRIDGE ROAD); SUBMITTED BY ARNELL VANESSA BOBBITT (OWNER). (COUNTY)
- C. **P14-25.** REZONING OF 1.00+/- ACRE FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF NC HWY 24 (CLINTON ROAD), WEST OF SR 1853 (JOHN NUNNERY ROAD), SUBMITTED BY JERRY G. AND TAMMY B. TAYLOR (OWNERS) AND ROBERT M. BENNETT, RLS. (COUNTY)

VIII. PUBLIC HEARING CONTESTED ITEMS

IX. DISCUSSION

DIRECTOR'S UPDATE

X. ADJOURNMENT

Walter Clark,  
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May 13, 2014

**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the May 20, 2014 Board Meeting

**P14-22.** REZONING OF 8.32+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 3529 THROWER ROAD; SUBMITTED BY VANCE UPTON TYSON, JR. ON BEHALF OF VANCE UPTON TYSON HEIRS (OWNER) AND TIMOTHY EVANS.

**CONSISTENCY WITH LAND USE PLAN STATEMENT**

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.

**REASONABLENESS & IN THE PUBLIC INTEREST**

The location and character of the district is reasonable and in the public interest by allowing for lot sizes and uses comparable to those in the surrounding area.

The Planning and Inspections Staff recommends approval of the R40 Residential district because of the foregoing and based on the following:

- If approved, the rezoning would be consistent with recent rezonings in the general area.

There are no other districts considered suitable for this request.

**Attachments:**

- 1 – Site Profile
- 2 – Sketch Map

**P14-22**  
**SITE PROFILE**

**P14-22.** REZONING OF 8.32+/- ACRES FROM A1 AGRICULTURAL TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 3529 THROWER ROAD; SUBMITTED BY VANCE UPTON TYSON, JR. ON BEHALF OF VANCE UPTON TYSON HEIRS (OWNER) AND TIMOTHY EVANS.

**Site Information:**

**Frontage & Location:** 918.06'+/- on SR 2245 (Thrower Road)

**Depth:** 401.51'+/-

**Jurisdiction:** Cumberland County

**Adjacent Property:** Yes, east & west of subject property

**Current Use:** Farmland

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

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North: C1(P), R40, RR, R15 & A1; South: R40, RR & A1; East: R30 & A1; 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:** Well/Septic

**Soil Limitations:** None

**School Capacity/Enrolled:** Alderman Road Elementary: 750/644; Gray's Creek Middle: 1,100/1,067; Gray's Creek High: 1,270/1/271

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

**NCDOT:** Only 1 driveway will be allowed to serve the maximum density approved

**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

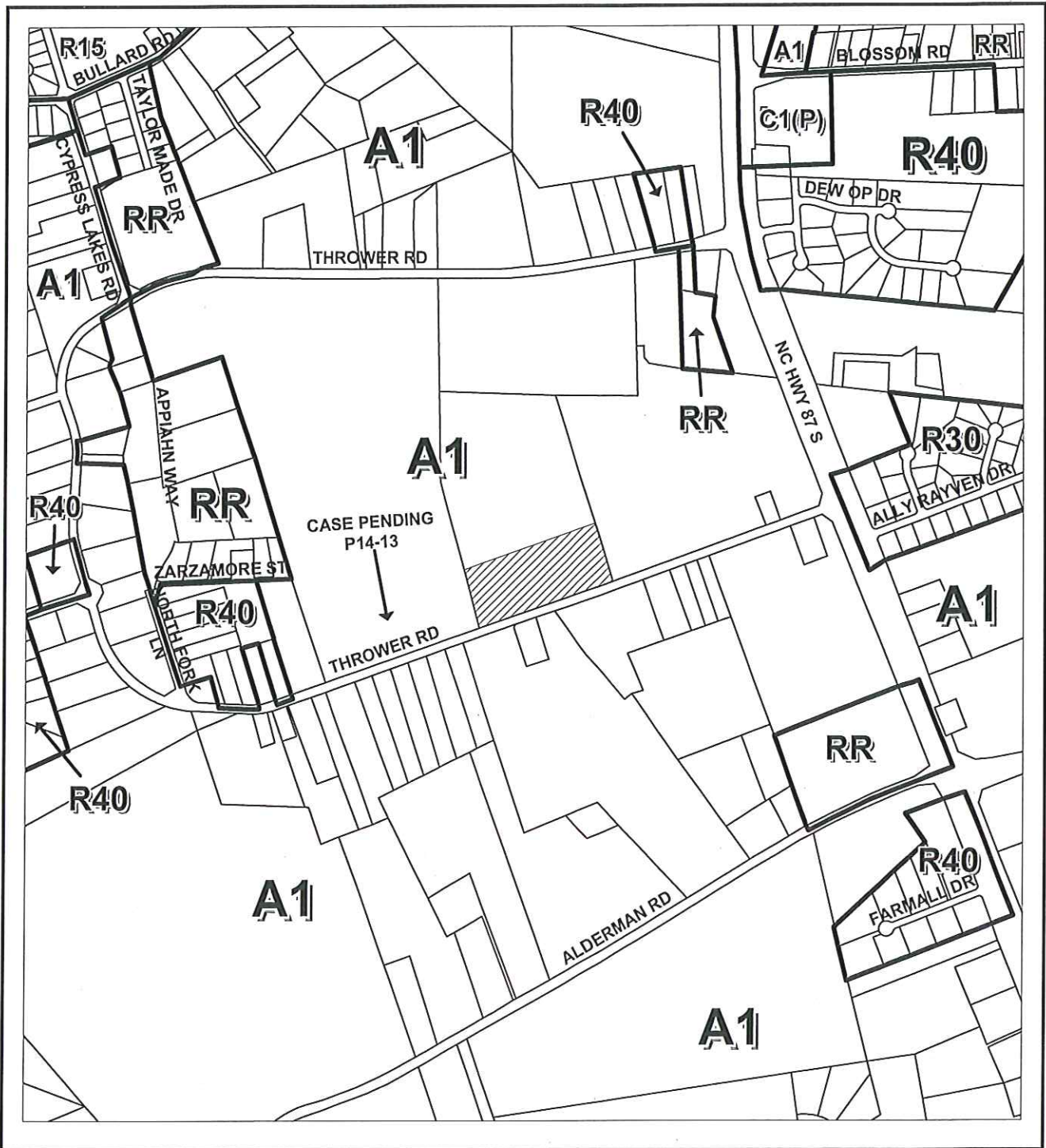
**Notes:**

1. Density:  
A1 – 4 lots/units  
A1A – 8 lots/units  
R40 – 9 lots/units
  
2. Minimum Yard Setback Regulations:

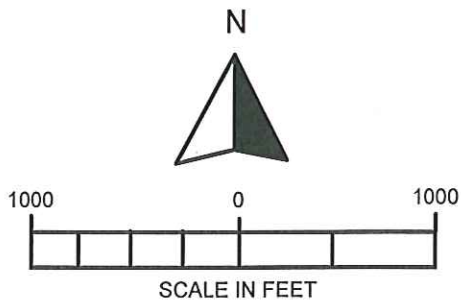
<u>A1 &amp; A1A</u>	<u>R40</u>
Front yard: 50'	Front yard: 30'
Side yard: 20'	Side yard: 15'
Rear yard: 50'	Rear yard: 35'

**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



PORT. OF PIN: 0442-10-3316

<b>ACREAGE: 8.32 AC.+/-</b>		<b>HEARING NO: P14-22</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

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May 13, 2014

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**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the May 20, 2014 Board Meeting

**P14-23.** REZONING OF 4.63+/- ACRES FROM R40 RESIDENTIAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF US 401 (RAMSEY STREET), EAST OF SR 1609 (W REEVES BRIDGE ROAD); SUBMITTED BY ARNELL VANESSA BOBBITT (OWNER).

**CONSISTENCY WITH LAND USE PLAN STATEMENT**

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 "suburban density residential" development as listed in the Land Use Policies Plan; the request is also consistent with the North Central Land Use Plan which calls for suburban density at this location.

**REASONABLENESS & IN THE PUBLIC INTEREST**

The location and character of the district is reasonable and in the public interest by allowing for lot sizes and uses comparable to those existing in the surrounding area.

The Planning and Inspections Staff recommends approval of the R30 Residential district because of the foregoing and based on the following:

1. If approved, the rezoning would be consistent with recent rezonings in the general area.
2. Public water is available to the subject property.
3. Soils in this area are suitable for private septic systems.

There are no other districts considered suitable for this request.

Attachments:

- 1 – Site Profile
- 2 – Sketch Map

**P14-23**  
**SITE PROFILE**

**P14-23.** REZONING OF 4.63+/- ACRES FROM R40 RESIDENTIAL TO R30 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF US 401 (RAMSEY STREET), EAST OF SR 1609 (W REEVES BRIDGE ROAD); SUBMITTED BY ARNELL VANESSA BOBBITT (OWNER).

**Site Information:**

**Frontage & Location:** 191.41'+/- on US 401 (Ramsey Street) & 1,078.00'+/- on Trinity Gardens Lane

**Depth:** 1,157.76'+/-

**Jurisdiction:** Cumberland County

**Adjacent Property:** Yes, northwest of subject property

**Current Use:** Vacant land

**Initial Zoning:** A1 – December 17, 2001 (Area 15); rezoned to R40 on January 17, 2006

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North & East: R20 & A1; South: R40, R20 & A1; West: R40A, R20 & A1

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

**2030 Growth Strategy Map:** Rural

**North Central Land Use Plan:** Suburban density residential

**Special Flood Hazard Area (SFHA):** None

**Water/Sewer Availability:** Linden/Septic

**Soil Limitations:** None

**School Capacity/Enrolled:** Raleigh Road Elementary (K-1): 220/218; Long Hill Elementary (2-5): 460/491; Pine Forest Middle: 820/760; Pine Forest High: 1,750/1,642

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

**Average Daily Traffic Count (2010):** 6,300 on US 401 (Ramsey Street)

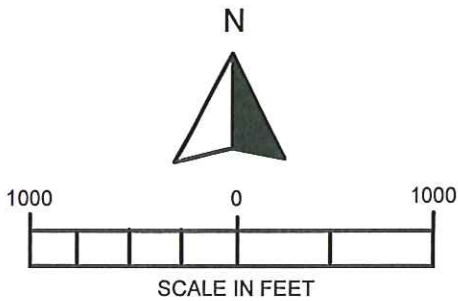
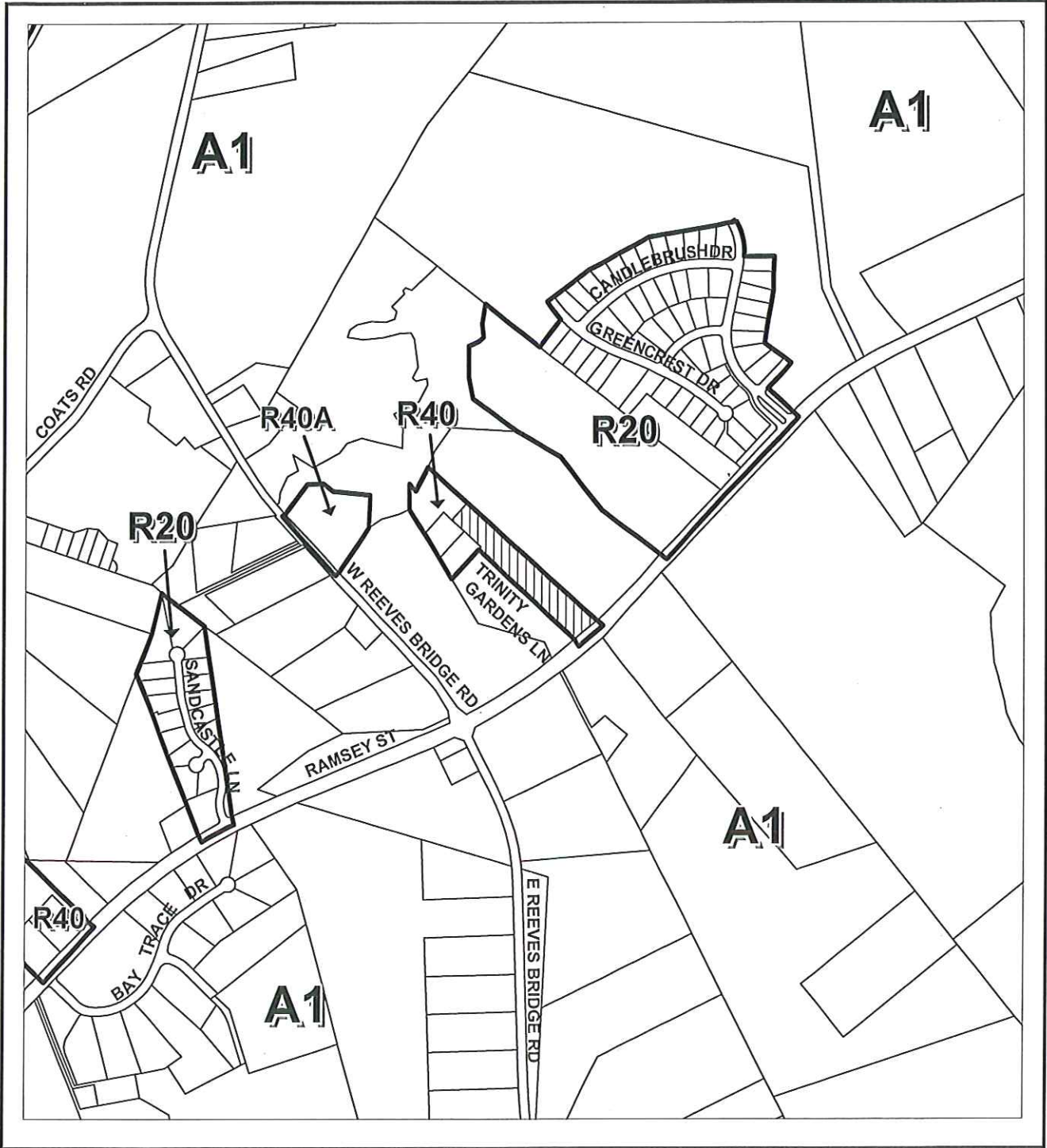
**Highway Plan:** Ramsey Street is identified in the highway plan as a Major Thoroughfare. The current right-of-way is 100 feet and the proposal calls for a multi-lane facility (R-2609) with a ROW of 200 feet. Road improvements are past years and the project is unfunded. This proposal would require a 25 foot reservation for future acquisition by the NCDOT

**Notes:**

1. Density:  
R40 – 5 lots/units  
R30 – 7 lots/units
  
2. Minimum Yard Setback Regulations:  
R40 & R30  
Front yard: 30'  
Side yard: 15'  
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.*



PIN: 0554-44-5617

## REQUESTED REZONING R40 TO R30

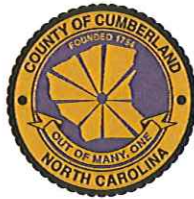
<b>ACREAGE: 4.63 AC.+/-</b>	<b>HEARING NO: P14-23</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

AM

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**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning and Inspections Staff  
**SUBJECT:** Staff Recommendation for the May 20, 2014 Board Meeting

**P14-25.** REZONING OF 1.00+/- ACRE FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF NC HWY 24 (CLINTON ROAD), WEST OF SR 1853 (JOHN NUNNERY ROAD), SUBMITTED BY JERRY G. AND TAMMY B. TAYLOR (OWNERS) AND ROBERT M. BENNETT, RLS.

**CONSISTENCY WITH LAND USE PLAN STATEMENT**

Although the request is not entirely consistent with the 2030 Growth Vision Plan, which calls for "rural" at this location and under the Land Use Policies' location criteria where public water and sewer are required, sewer is not available; approval of the request would be consistent with the 2030 Plan objectives by promoting sufficiently zoned commercial areas to accommodate the needs of County residents and locating commercial development with the least impact on residential and other non-compatible uses.

**REASONABLENESS & IN THE PUBLIC INTEREST**

The location and character of the district is reasonable and in the public interest by allowing for lot sizes and uses comparable to those existing in the general area.

The Planning and Inspections Staff recommends approval of the C(P) Planned Commercial district because of the foregoing and based on the following:

1. If approved, the rezoning would be consistent with recent rezonings in the general area.
2. The district requested is reasonable as this area will likely transition to more non-residential uses with the imminent improvements of NC Hwy 24.

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

**Attachments:**

- 1 – Site Profile
- 2 – Sketch Map



**P14-25**  
**SITE PROFILE**

**P14-25.** REZONING OF 1.00+/- ACRE FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF NC HWY 24 (CLINTON ROAD), WEST OF SR 1853 (JOHN NUNNERY ROAD), SUBMITTED BY JERRY G. AND TAMMY B. TAYLOR (OWNERS) AND ROBERT M. BENNETT, RLS.

**Site Information:**

**Frontage & Location:** 176.08'+/- on NC Hwy 24 (Clinton Road)

**Depth:** 319.55'+/-

**Jurisdiction:** Cumberland County

**Adjacent Property:** No

**Current Use:** Vacant land (previously motor vehicle sales, removed for NC 24 widening)

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

**Nonconformities:** None

**Zoning Violation(s):** None

**Surrounding Zoning:** North: R6A & A1; South: R30 & A1; East: A1; West: RR & A1

**Surrounding Land Use:** Residential (including manufactured dwellings), substation, motor vehicle repair, farmland & woodlands

**2030 Land Use Plan:** Rural

**Special Flood Hazard Area (SFHA):** None

**Water/Sewer Availability:** Autryville/Septic

**Soil Limitations:** None

**School Capacity/Enrolled:** Stedman Primary (K-1): 200/163; Stedman Elementary (2-5): 300/298; Mac Williams Middle: 1,270/1,163; Cape Fear High: 1,425/1,570

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

**Average Daily Traffic Count (2010):** 9,300 on NC Hwy 24 (Clinton Road)

**Highway Plan:** This portion of NC Hwy 24 is identified in the Highway Plan as a Major Thoroughfare with adequate right-of-way. The NC Hwy 24 Bypass Project (R-2303) is currently under construction

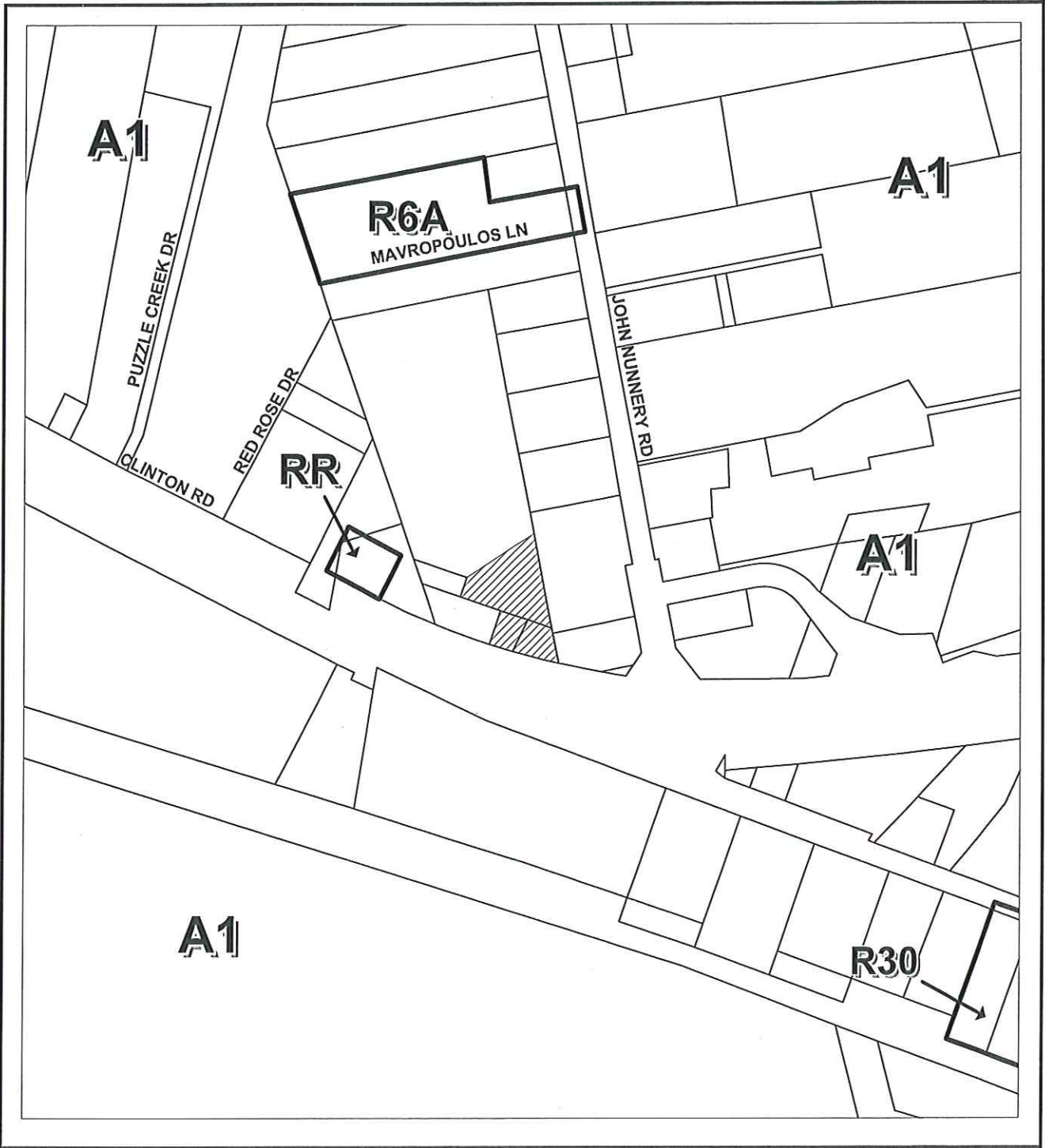
**Notes:**

1. Density:  
A1 – 1 lot/unit (non-residential)
  
2. Minimum Yard Setback Regulations:

<u>A1</u>	<u>C1(P)</u>	<u>C2(P) &amp; C(P)</u>
Front yard: 50'	Front yard: 45'	Front yard: 50'
Side yard: 20'	Side yard: 15'	Side yard: 30'
Rear yard: 50'	Rear yard: 20'	Rear yard: 30'

**First Class and Record Owners' Mailed Notice Certification**

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**A1**

**R6A**  
MAVROPOULOS LN

**RR**

**A1**

**A1**

**R30**

**A1**

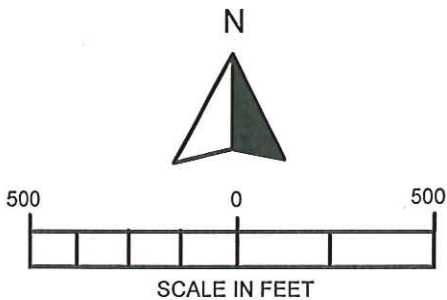
PUZZLE CREEK DR

RED ROSE DR

JOHN NUNNERY RD

CLINTON RD

## REQUESTED REZONING A1 TO C(P)



**ACREAGE: 1.00 AC.+/-**

**HEARING NO: P14-25**

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

PORT. OF PIN: 1405-26-7686  
PIN: 1405-26-9149  
PIN: 1405-36-0017

AM