

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Vacant
Wade, Falcon & Godwin



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler
Cumberland County

Stan Crumpler,
Town of Eastover

Patricia Hall,
Town of Hope Mills

TENTATIVE AGENDA

June 19, 2018
7:00 P.M.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS / WITHDRAWALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF MAY 15, 2017
- VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P18-22.** REZONING OF 2.55+/- ACRES FROM R5A RESIDENTIAL TO M1(P) PLANNED LIGHT INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON SOUTH SIDE OF WATERCLIFF DRIVE, WEST OF NC HWY 210 (LILLINGTON HWY); SUBMITTED BY RALPH HUFF ON BEHALF OF HUFF-CAVINESS LLC (OWNER). (SPRING LAKE)
- B. **P18-24.** REZONING OF 1.20+/- ACRES FROM RR RURAL RESIDENTIAL & C1(P) PLANNED LOCAL BUSINESS DISTRICT TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 7163 ROCKFISH ROAD; SUBMITTED BY ABY VARGHESE ON BEHALF OF PETROMART, LLC (OWNER).

CONDITIONAL USE OVERLAY REVOCATION

- C. **P98-06.** REVOCATION OF A CONDITIONAL USE OVERLAY FOR A MANUFACTURED HOME IN A C(P) PLANNED COMMERCIAL DISTRICT ON .50+/- ACRE, LOCATED AT 3176 WHITMAN ROAD, SUBMITTED BY LAWRENCE S. GLINDEMAN (OWNER) & KYLE L. BOZARD (AGENT).

CONDITIONAL ZONING DISTRICT

- D. **P18-21.** REZONING OF 10.08+/- ACRES FROM R7.5 RESIDENTIAL/CZ CONDITIONAL ZONING FOR NON-PROFIT RECREATION CENTER & OTHER SPECIFIC REQUESTED ALLOWED USES TO RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING FOR INDOOR RECREATION FOR PROFIT & OTHER SPECIFIC REQUESTED ALLOWED USES OR TO A MORE RESTRICTIVE

ZONING DISTRICT, LOCATED AT 4221 BLACK BRIDGE ROAD, SUBMITTED BY THURSTON AND CHARLOTTE ROBINSON (OWNERS). (HOPE MILLS & COUNTY)

- E. **P18-25.** REZONING OF 1.29+/- ACRES FROM RR RURAL RESIDENTIAL/CUD CONDITIONAL USE DISTRICT FOR MANUFACTURED HOMES & C(P) PLANNED COMMERCIAL/CUD CONDITIONAL USE DISTRICT FOR TRADE CONTRACTOR ACTIVITIES WITH OUTSIDE STORAGE OF EQUIPMENT TO RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING FOR A MANUFACTURED HOME & C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING FOR TRADE CONTRACTOR ACTIVITIES WITH OUTSIDE STORAGE OF EQUIPMENT AND MOTOR VEHICLE REPAIR AND/OR BODY WORK OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5449 NC HWY 210 SOUTH, SUBMITTED BY STEPHANIE NAYLOR (OWNER) & EDDIE NAYLOR (AGENT).

VIII. PUBLIC HEARING CONTESTED ITEMS

IX. PUBLIC HEARING

CUMBERLAND ROAD BUSINESS STREET PLAN

X. DISCUSSION

XI. ADJOURNMENT

CASE NUMBER: P18-22

PLANNING BOARD HEARING DATE:
06/19/2018

REQUEST
R5A to M1(P)

ACREAGE: 2.55+/-

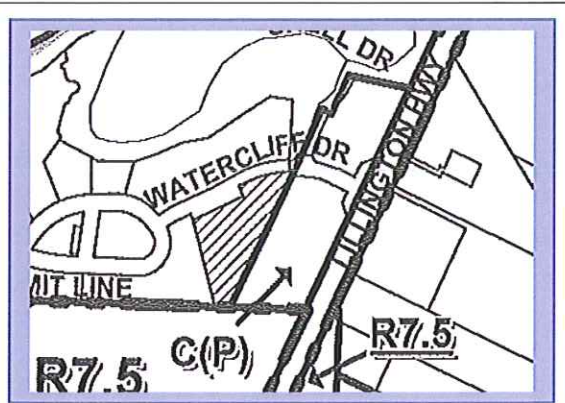
PROPERTY OWNER/APPLICANT
RALPH HUFF ON BEHALF OF HUFF-CAVINESS LLC
(OWNER)

PROPERTY ADDRESS/LOCATION
SOUTH SIDE OF WATERCLIFF DRIVE,
WEST OF NC HWY 210 (LILLINGTON HWY)

Jurisdiction: Spring Lake

PROPERTY INFORMATION

Frontage & Location: 450'+/- on Watercliff Drive
Depth: 510'+/-
Adjacent Property: Yes
Current Use: Vacant
Initial Zoning: R10 – January 7, 1977 (Area 11); Rezoned to R5A – May 16, 2005; Initially zoned R5A – July 10, 2006
Nonconformities: None
Zoning Violation(s): None
School Capacity/Enrolled: Comments requested, none received
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: Spring Lake/Septic
Soil Limitations: Yes- Hydric: Ra (Rains sandy loam)
Subdivision/Site Plan: If approved, site plan review required
Average Daily Traffic County (2016): 19,000 on NC Hwy 210 (Lillington Hwy)
Highway Plan: Watercliff Drive is identified as a Local Road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.
U.S. Fish & Wildlife and RLUAC: Cavity tree survey should be conducted before any mature pine habitat is removed.



SURROUNDING LAND USE: Residential [including manufactured homes and manufactured home park (2)], multi-family dwelling, religious worship facility (2), vacant commercial

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Urban;
Spring Lake Land Use Plan: Light Industrial

Notes:

- Density (minus 15% for r/w)
R5A- 30 lots/31 units
- Minimum Yard Setbacks:

	R5A	M1(P)
Front yard:	25'	50'
Side yard:	10'	30'
Rear yard:	30'	30'

STAFF RECOMMENDATION

APPROVAL	APPROVAL WITH CONDITIONS	DENIAL
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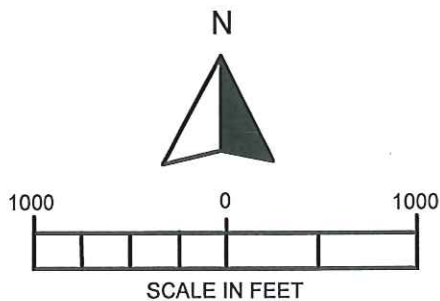
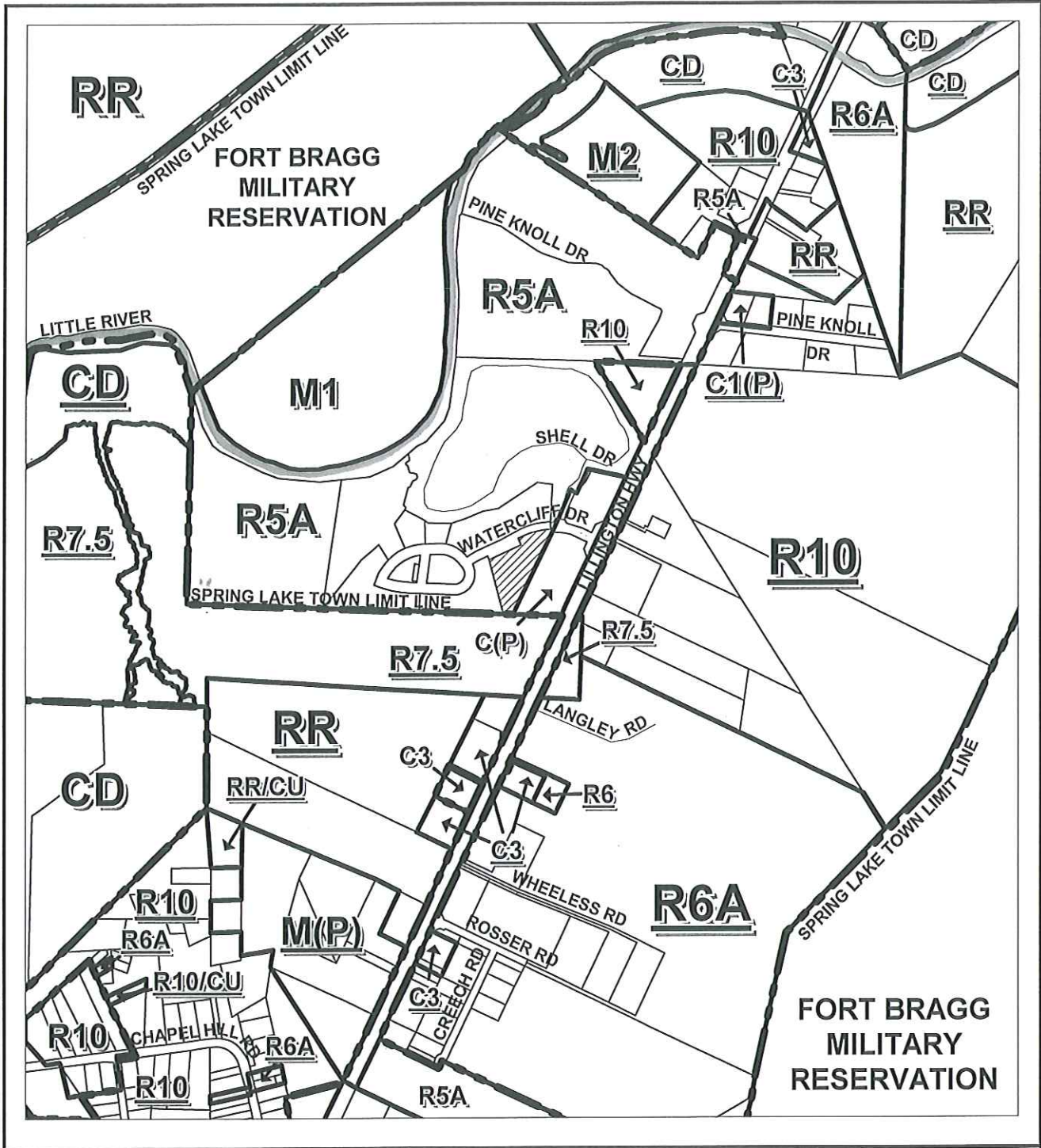
In Case P18-22, the Planning and Inspections Staff recommends approval of the rezoning from R5A Residential to M1(P) Planned Light Industrial and find it is consistent with the adopted Spring Lake Land Use Plan which calls for "light industrial" at this location, and further find that approval of the request is reasonable and in the public interest because the district requested accommodates administrative offices, flex offices, limited institutional and heavy commercial uses while restricting heavy industrial uses.

OTHER SUITABLE DISTRICTS: C(P)

ATTACHMENTS: SKETCH MAP

First Class and Record Owners' Mailed Notice Certification

A certified copy of the listing with the tax record owner(s) of the subject and adjacent properties, along with their tax record mailing addresses, is contained within the case file and incorporated by reference as if delivered herewith.



PIN: 0512-15-9100

REQUESTED REZONING R5A TO M1(P)

ACREAGE: 2.55 AC.+/-	HEARING NO: P18-22	
ORDINANCE: SPRING LAKE	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

REQUEST
RR & C1(P) to C2(P)

ACREAGE: 1.20+/-

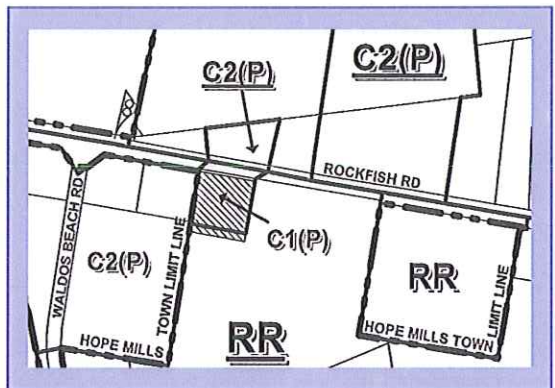
PROPERTY OWNER/APPLICANT
ABY VARGHESE ON BEHALF OF PETROMART LLC
(OWNER)

PROPERTY ADDRESS/LOCATION
7163 Rockfish Road

Jurisdiction: County

PROPERTY INFORMATION

Frontage & Location: 230'+/- on SR 1112 (Rockfish Road)
Depth: 240'+/-
Adjacent Property: None
Current Use: Vacant
Municipal Influence Area: Hope Mills
Initial Zoning: RR – February 6, 1976 (Area 5); portion rezoned to C1(P) – June 20, 2016
Nonconformities: None
Zoning Violation(s): None
School Capacity/Enrolled: Comments requested, none received
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: PWC/PWC
Soil Limitations: None
Subdivision/Site Plan: If approved, site plan review required
Average Daily Traffic County (2016): 13,000 on SR 1112 (Rockfish Road)
Highway Plan: Rockfish Road is identified as a Thoroughfare Needing Improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.



SURROUNDING LAND USE: Residential (including manufactured homes), convenience store with gasoline sales, public school, vacant bank, pharmacy, grocery store, retail sales, assisted living facility

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Urban;
Southwest Cumberland Land Use Plan: Medium Density Residential

Notes:

1. Minimum Yard Setbacks:

	RR	C1(P)	C2(P)
Front yard:	30'	45'	50'
Side yard:	15'	15'	30'
Rear yard:	35'	20'	30'

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

In Case P18-24, the Planning and Inspections Staff recommends approval of the rezoning from RR Rural Residential & C1(P) Planned Local Business District to C2(P) Planned Service and Retail District and find:

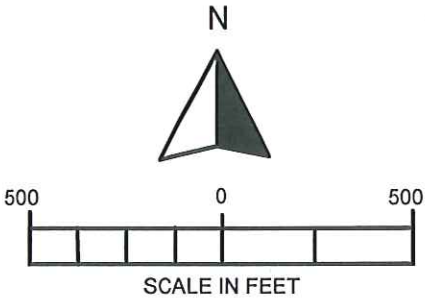
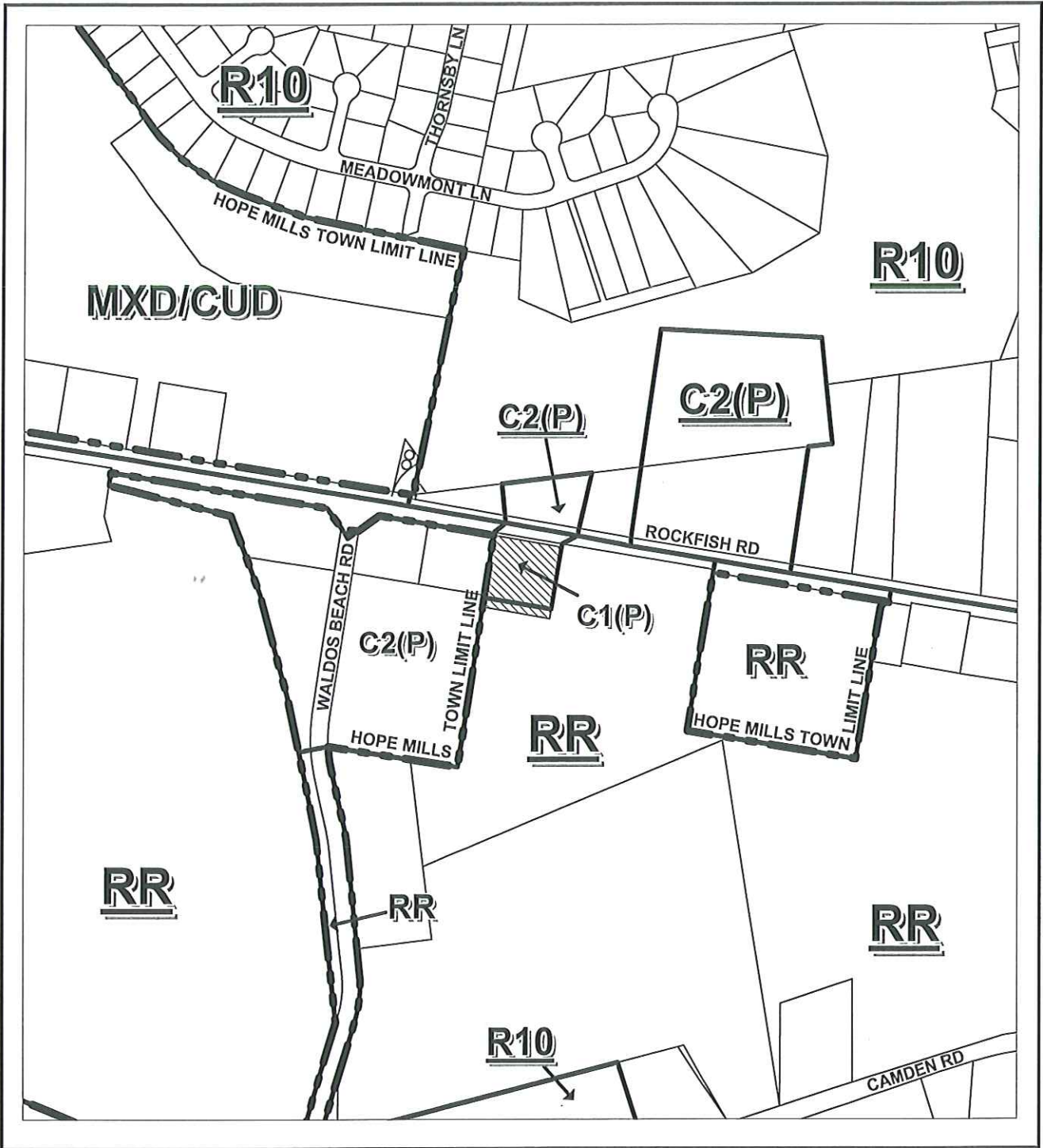
- The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2013) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the parcel is currently zoned a non-residential district and approval of the request will limit future heavy commercial along the south side of Rockfish Road toward the existing residential area;
- And, this rezoning approval is reasonable and in the public interest because the subject property is located in an area that is in transition from residential to commercial.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP

First Class and Record Owners' Mailed Notice Certification

A certified copy of the listing with the tax record owner(s) of the subject and adjacent properties, along with their tax record mailing addresses, is contained within the case file and incorporated by reference as if delivered herewith.



REQUESTED REZONING RR & C1(P) TO C2(P)

ACREAGE: 1.20 AC.+/-		HEARING NO: P18-24	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 9494-87-2510

AKJ

REQUEST
REVOCAION OF CU FOR A MANUFACTURED
HOME IN A C(P) PLANNED COMMERCIAL
DISTRICT

ACREAGE: **0.50+/-**

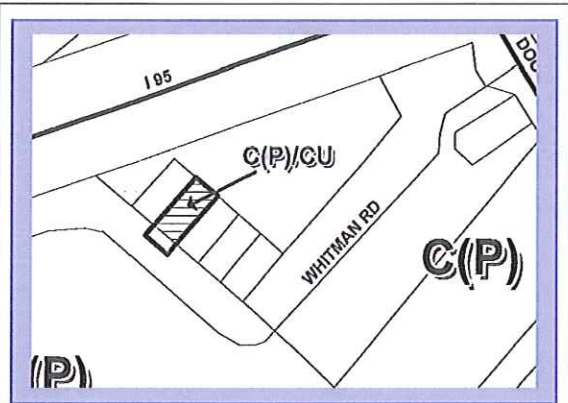
PROPERTY OWNER/APPLICANT
LAWRENCE S. GLINDEMAN (OWNER) & KYLE L.
BOZARD (AGENT)

PROPERTY ADDRESS/LOCATION
3176 Whitman Road

Jurisdiction: **County**

PROPERTY INFORMATION

Frontage & Location: 100'+/- on Whitman Road
Depth: 216'+/-
Adjacent Property: No
Current Use: Vacant
Initial Zoning: C(P) – March 15, 1979 (Area 6); Conditional Use Overlay approved March 16, 1998 (Case P98-06) for manufactured home
Nonconformities: None
Zoning Violation(s): None issued
School Capacity/Enrolled: Comments requested, none received
Special Flood Hazard Area (SFHA): None
Water/Sewer Availability: PWC/Septic
Soil Limitations: None
Subdivision/Site Plan: Subject property part of approved site plan (Case 18-042)
Average Daily Traffic County (2016): 1,600 on SR 2212 (Doc Bennett Road)
Highway Plan: Whitman Road is identified as a Local Road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.



SURROUNDING LAND USE: Residential (including manufactured homes), religious worship facility (2), cemetery, outdoor recreation, club or lodge, demolition landfill

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Urban
South Central Land Use Plan: Heavy Commercial

Notes:

1. Minimum Yard Setbacks:

	C(P)
Front yard:	50'
Side yard:	30'
Rear yard:	30'

2. Conditional Use Overlays were removed from the County Zoning Ordinance in 2005, the manufactured home could not be approved under today's regulations.

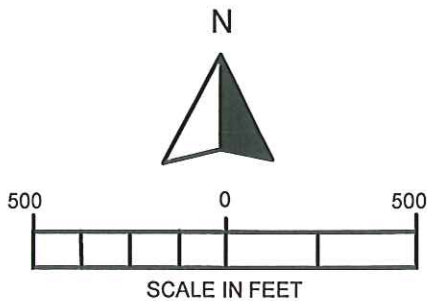
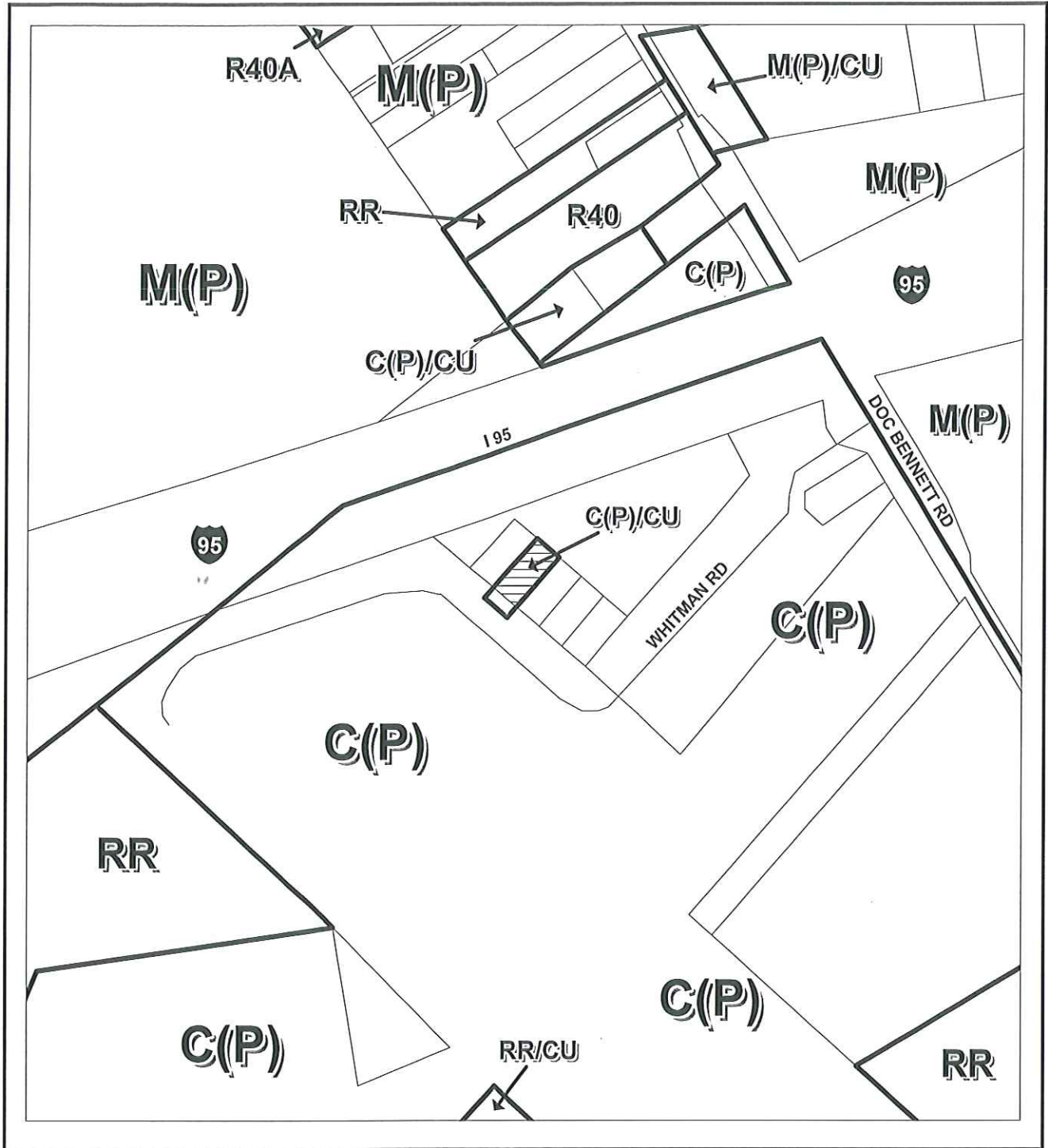
STAFF RECOMMENDATION

APPROVAL	APPROVAL WITH CONDITIONS	DENIAL
<p>In Case P98-06, the Planning and Inspections Staff recommends approval of the rezoning to revoke the Conditional Use Overlay for a manufactured home at the property owner's request and find the South Central Land Use Plan has been examined and does not address this particular situation; and further find approval of the request is reasonable and in the public interest because Conditional Use Overlays were approved prior to 2005 in order to allow land uses that were not permitted in the current zoning district in exceptional situations, later deemed as an improper use of zoning, and that the manufactured home is not currently located on the subject property.</p>		
<p>OTHER SUITABLE DISTRICTS: None</p>		

ATTACHMENTS: SKETCH MAP P98-06 SITE PLAN

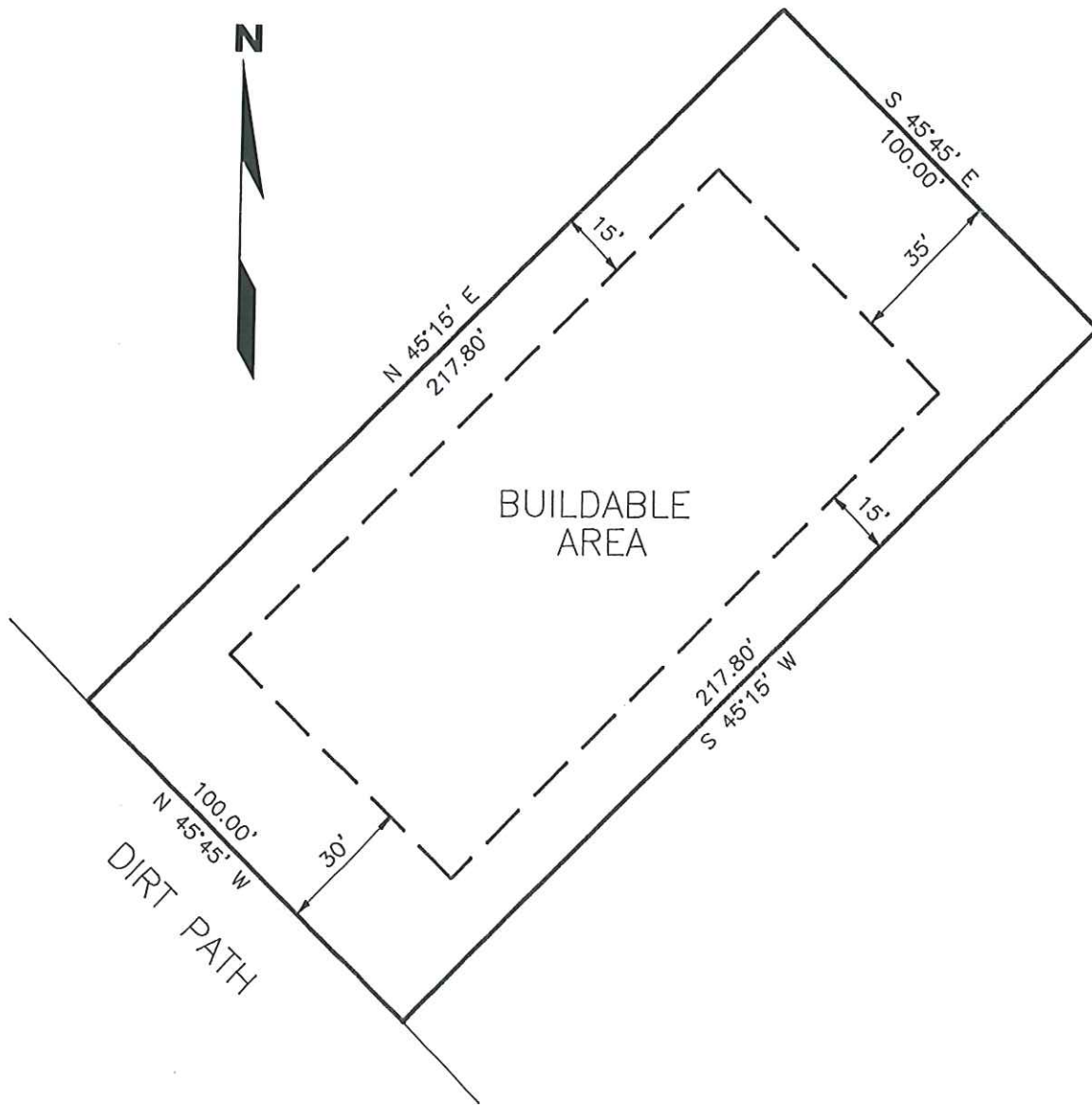
First Class and Record Owners' Mailed Notice Certification

A certified copy of the listing with the tax record owner(s) of the subject and adjacent properties, along with their tax record mailing addresses, is contained within the case file and incorporated by reference as if delivered herewith.



REVOCATION CONDITIONAL USE OVERLAY

ACREAGE: 0.50 AC.+/-	HEARING NO: P98-06	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		



CONDITIONAL USE OVERLAY DISTRICT

REQUEST: TO ALLOW A SINGLE-WIDE OR
DOUBLE-WIDE MANUFACTURED HOME

CASE: P98-6 ACREAGE: 0.5 AC.±

ZONED: C(P) SCALE: 1"=40'

REQUEST

R7.5/CZ for non-profit recreation center & other specific allowed uses to RR/CZ for indoor recreation for profit & other specific allowed uses – see attached list of uses

ACREAGE: 10.08+/-

PROPERTY OWNER/APPLICANT

THURSTON & CHARLOTTE ROBINSON (OWNERS)

PROPERTY ADDRESS/LOCATION

4221 Black Bridge Road

Jurisdiction:

County/Hope Mills

PROPERTY INFORMATION

Frontage & Location: 625'+/- on SR 1115 (Black Bridge Rd)

Depth: 1457'+/-

Adjacent Property: No

Current Use: Non-profit recreation center under construction

Initial Zoning: RR – February 3, 1977 (Area 7); Rezoned to R10 – 01/27/1981; Northwest portion annexed by Hope Mills 03/01/1999 – initially zoned R10 May 17, 1999; Rezoned R7.5/CUD – 05/16/2011

Municipal Influence Area: County portion in Hope Mills MIA

Nonconformities: None

Zoning Violation(s): None

School Capacity/Enrolled: Comments requested, none received

Special Flood Hazard Area (SFHA): None – small stream standards

Water/Sewer Availability: PWC/PWC

Soil Limitations: Yes-Hydric: JT (Johnston loam)

Subdivision/Site Plan: See Ordinance Related Conditions

Average Daily Traffic County (2016): 10,000 on SR 1115 (Black Bridge Road)

Highway Plan: Black Bridge Road is identified as a Thoroughfare Needing Improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.

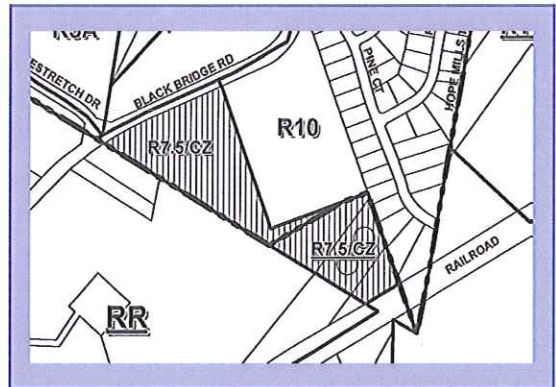
Notes:

- Density (minus 15% for r/w)

R7.5- 49 lots/80 units

RR- 18 lots/19 units
- Minimum Yard Setbacks:

	<u>R7.5</u>	<u>RR</u>
Front yard:	30'	30'
Side yard:	10'	15'
Rear yard:	35'	35'
- The property owner has agreed to all ordinance related conditions.



SURROUNDING LAND USE: Residential (including manufactured homes), multi-family dwellings, religious worship facility

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Urban;
Southwest Cumberland Land Use Plan: Medium Density Residential (R5, R6, R6A) & Suburban Residential (RR)

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

In Case P18-21, the Planning and Inspections Staff recommends approval of the rezoning from R7.5 Residential/CZ Conditional Zoning for a non-profit recreation center & other specific allowed uses to RR Rural Residential/CZ Conditional Zoning for indoor recreation for profit & other specific allowed uses and find:

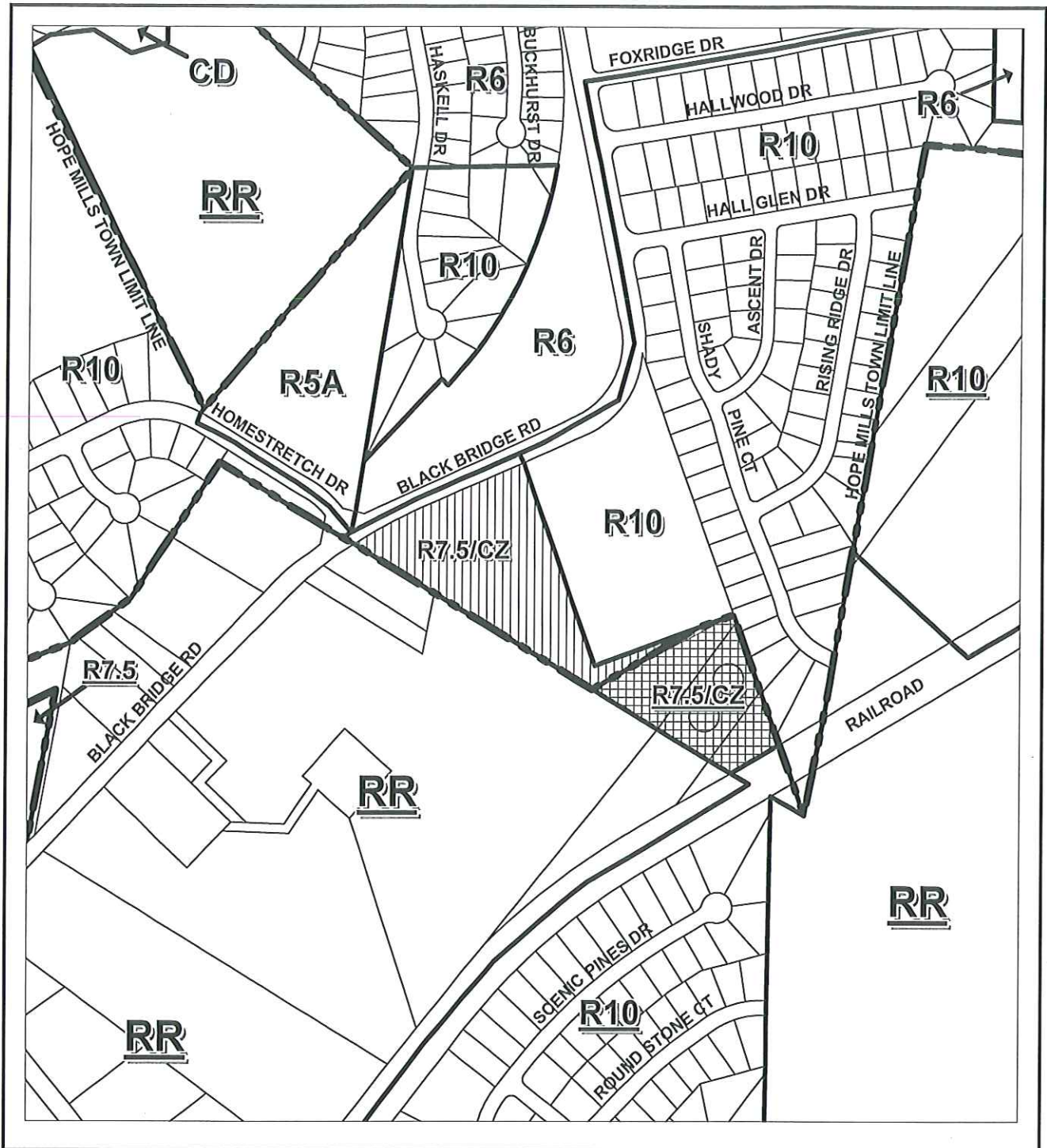
- The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2014) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the requested district is consistent with the "suburban residential" designation by the Southwest Cumberland Land Use Plan and the non-profit recreation center was approved in 2011 prior to the adoption of the Southwest Cumberland Land Use Plan;
- And, this rezoning approval is reasonable and in the public interest because the use will provide a valuable alternative source of organized recreation for the citizens in the surrounding community.

OTHER SUITABLE DISTRICTS: None

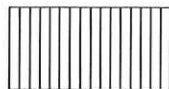
ATTACHMENTS: SKETCH MAP SITE PLAN APPLICATION LIST OF REQUESTED USES ORDINANCE RELATED CONDITIONS

First Class and Record Owners' Mailed Notice Certification

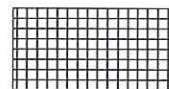
A certified copy of the listing with the tax record owner(s) of the subject and adjacent properties, along with their tax record mailing addresses, is contained within the case file and incorporated by reference as if delivered herewith.



REQUESTED REZONING



R7.5/CZ
TO RR/CZ
HM: 6.22 AC +/-



R7.5/CZ
TO RR/CZ
CO: 3.86 AC +/-

ACREAGE: 10.08 AC.+/-

HEARING NO: P18-21

ORDINANCE: COUNTY/HOPE MILLS

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

N



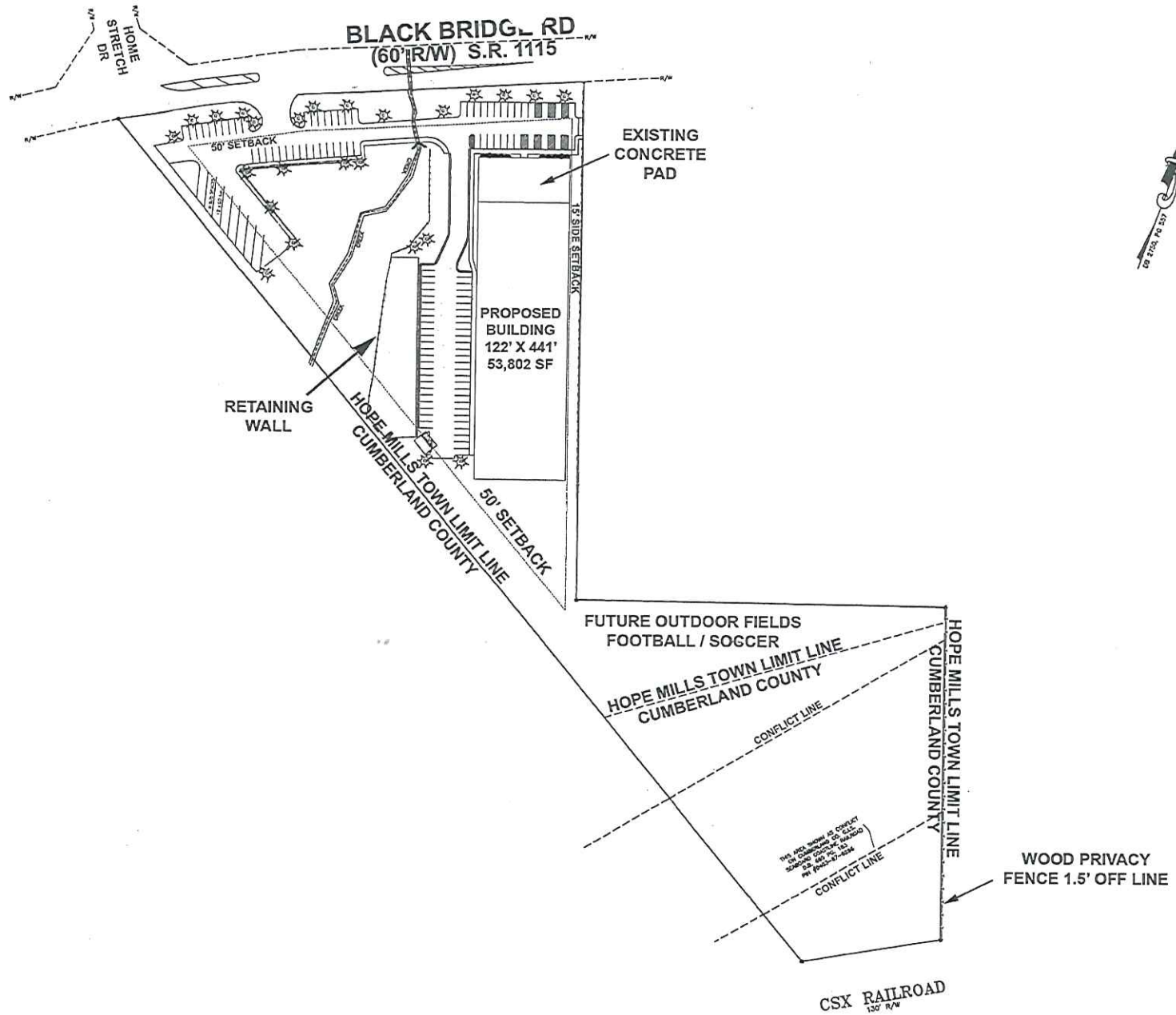
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SCALE IN FEET

PIN: 0403-87-0613
PIN: 0403-87-5332

MB
6-13-2018



RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING
REQUEST: FOR PROFIT INDOOR RECREATION CENTER & OTHER SPECIFIC USES
CASE: P18-21 ACREAGE: 10.08 AC +/-
ZONED: R7.5/CZ SCALE: NTS PARKING: 192 SPACES
 *SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

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, the following facts are submitted:

1. Requested Rezoning from R7.5 to RR
2. Address of Property to be Rezoned: 4221 Blackbridge RD Hope Mills NC
3. Location of Property: 4221 Blackbridge RD Hope Mills NC
4. Parcel Identification Number (PIN #) of subject property: 0403-87-0613 / 0403-87-5332
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 10.08 Frontage: 625.63 Depth: 767
6. Water Provider: Well: PWC PWC: PWC Other (name): _____
7. Septage Provider: Septic Tank _____ PWC _____
8. Deed Book 0115, Page(s) 0197, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Sports Center / Community Center
10. Proposed use(s) of the property: ~~RR~~ Sports Center / Community Center
11. Do you own any property adjacent to or across the street from this property?
Yes _____ No X If yes, where? _____
12. Has a violation been issued on this property? Yes _____ No X

A copy of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a portion of a parcel, a written legal description by metes and bounds, showing acreage must accompany the deeds and/or plat. If more than one zoning classification is requested, a correct metes and bounds legal description, including acreage, for each bounded area must be submitted.

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

TO THE ZONING BOARD AND TOWN BOARD OF COMMISSIONERS OF HOPE MILLS, NC:

I (We), the undersigned, hereby submit this application, and petition the Hope Mills Commissioners to amend and to change the zoning map of the Town of Hope Mills as provided for under the provisions of the Hope Mills Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

1. Applicant/Agent _____
2. Address: _____ Zip Code _____
3. Telephone: (Home) _____ (Work) _____
4. Location of Property: _____
5. Parcel Identification Number (PIN #) of subject property: _____
(also known as Tax ID Number or Property Tax ID)
6. Acreage: _____ Frontage: _____ Depth: _____
7. Water Provider: _____ Septage Provider: _____
8. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: _____
10. Proposed use(s) of the property: _____

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No _____
12. Has a violation been issued on this property? Yes _____ No _____
13. It is requested that the foregoing property be rezoned FROM: B7.5/CZ

TO: (Select one)

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

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 if approved.)

See attached matrix

- 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.

See attached site plan

2. DIMENSIONAL REQUIREMENTS:

- A. Reference either the dimensional requirements of the district, Sec. 102A-1204 or list the proposed setbacks.

See attached site plan

- B. Off-street parking and loading, Sec. 102A-1301 & 102A-1303: List the number of spaces, type of surfacing material and any other pertinent information.

See attached site plan

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

See attached site plan

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. 102A-1202(n)]. **NOTE: All required landscaping must be included on the site plan.**

see site plan

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. [Sec. 102A-1202(g)] **NOTE: All required buffers must be included on the site plan.**

see site plan

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

NA

6. SITE PLAN REQUIREMENTS:

The application must include a site plan drawn to the specifications of Sec. 102A-1502. If the proposed uses involve development subject to the Hope Mills 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 must be of sufficient detail to allow the County Planning Staff, Hope Mills Review Committee, the Zoning Board and Board of Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must 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 County Planning Department a valid request within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Charlotte Robinson Thurston Robinson
NAME OF OWNER(S) (PRINT OR TYPE)

599 Castle Rising RD Fayetteville NC 28314
ADDRESS OF OWNER(S)

tiraddis@gmail.com
E-MAIL

910-860-8810 910-257-6539
HOME TELEPHONE WORK TELEPHONE

Charlotte Robinson Thurston Robinson
SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE WORK TELEPHONE

Proposed Uses

1. Agricultural or rural farm use
2. Fire station operations/emergency service (Section 102A-1015)
3. Golf courses (Section 102A-1007)
4. Library (Section 102A-1015)
5. Nursery operations/plant husbandry/greenhouses (Section 102A-1015)
6. Office use of a doctor, dentist, osteopath, chiropractor, optometrist, physiotherapist, or other medically oriented profession, clinic (Section 102A-1015)
7. Public/community utility stations/substations (Section 102A-1015)
8. Recreation/amusement indoor (conducted inside building for profit, not otherwise listed & no regulated) (Section 102A-1019)
9. Recreation/amusement outdoor (conducted outside building for profit, not otherwise listed & not regulated) (Section 102A-1019)
10. Recreation/amusement outdoor (with mechanized vehicle operations)
11. Recreation/amusement public/private (not operated as a business for profit including playgrounds, neighborhood center buildings, parks, museums, swimming pools, etc., & not otherwise listed) (Section 102A-1019)
12. Religious worship activities (Section 102A-1015)
13. Schools, public: elementary or secondary (Section 102A-1015)
14. Swimming pools, incidental to a principal use (Section 102A-1102.C.)

RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions
for

Indoor Recreation Not for Profit and for Profit & Other Requested Allowed Uses (see attachment to application)

Pre-Permit Related:

1. All conditions of approval from Case No. P17-10 still apply – see attached letter to property owner dated April 19, 2017.
2. This condition is re-stated from the April 2017 conditional approval because the revised plans have not been submitted: Prior to permit application, five copies of a revised plan (and \$25 revision fee) be submitted for staff review and approval including the following:
 - a. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. **A minimum of 175 off-street parking spaces is required for this development.** (Section 102A-1302, Off-street parking, Hope Mills Zoning Ordinance.)
 - b. This conditional approval is not approval of any freestanding signs. **If a freestanding sign is desired, the proposed sign location must be shown 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 XIV of the Hope Mills 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.)
 - c. Landscaping must be provided in accordance with Section 102A-1202(n), Landscaping, Hope Mills Zoning Ordinance and/as shown on the site plan. The revised site plan depicting the landscaping must be submitted to Land Use Codes. The following are the minimum standards for the required landscaping of this site:
 - (1) Thirteen large shade trees or 38 small ornamental trees within the front yard setback area;
 - (2) Two small ornamental trees and 24 shrubs are required in the building yard area;
 - (3) Twelve trees and 70 shrubs are required within the parking area.

In addition:

- (a) Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
 - (b) All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
3. For continuity of future development plans, the property owner is encouraged to consider petitioning for annexation into Hope Mills that portion of the subject property that is currently in the unincorporated area of the County.
4. **Driveway Permit required.**

Driveway permit was previously issued for this site by the NC Department of Transportation (NCDOT). Permit expired, thereby requiring an additional review.

Roadway improvements will be required for this site.

Any parcels or excluded areas are to be served internally with no access onto Departmental rights of way.

Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits **MUST** be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: A new driveway permit must be obtained for every/any change in use on the subject property.

Note: The proposed driveway location must be offset from Homestretch Drive a minimum of 125 feet.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00/\$50.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

- At the time of any change in use or addition of any allowed use – see application for list of specific uses – staff review and approval must be accomplished prior to the commencement of the change or addition. If any use not listed in the application is desired and/or any structure greater than 10% in size of the approved structure is proposed, the application must be submitted to the Joint Planning Board and Hope Mills Board of Commissioners prior to application for any permits.

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
County Health Department:	Fred Thomas	433-3692	ftomas@co.cumberland.nc.us
PWC:	Joe Glass	223-4740	joe.glass@faypwc.com
Town of Hope Mills:		424-4555*	
Town Manager:	Melissa P. Adams		mpadams@townofhopemills.com
Town Clerk:	Tiffany Gillstedt		tgillstedt@townofhopemills.com
Planner – Zoning Permits	Chancer McLaughlin		cmclaughlin@townofhopemills.com
Chief Building Inspector:	David Reeves		dreeves@townofhopemills.com
Stormwater/Flood Administrator:	Beth Brown		eabrown@townofhopemills.com
Zoning Inspector:	David (Ray) Reeves		dreeves@townofhopemills.com
Fire Marshal	Brett A. Ham		baham@townofhopemills.com
Public Works – Streets/sidewalks	Hector A Cruz-Alicea		hacruz@townofhopemills.com
US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7616	wphipps@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	486-1496	tbaker@ncdot.gov
Transportation Planning:	Joel Strickland	678 7622	jstrickland@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

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

Attachment: Case No. P17-10 Approval Letter Addressed to Thurston Robinson & Charlotte Robinson, dated April 19, 2017

cc: Chancer McLaughlin, Town of Hope Mills

Charles Morris,
Chair
Town of Linden

Diane Wheatley,
Vice-Chair
Cumberland County

Jami McLaughlin,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman

Donovan McLaurin
Wade, Falcon & Godwin



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

—◆—
Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Vikki Andrews,
Carl Manning,
Lori Epler,
Cumberland County

Benny Pearce,
Town of Eastover

Patricia Hall,
Town of Hope Mills

April 19, 2017

Thurston Robinson & Charlotte Robinson
599 Castle Rising Rd
Fayetteville, NC 28314

SUBJECT: **P17-10. REZONING OF 10.08+/- ACRES FROM R7.5 RESIDENTIAL/CUD CONDITIONAL USE DISTRICT FOR NON-PROFIT RECREATION CENTER TO R7.5 RESIDENTIAL/CZ CONDITIONAL ZONING FOR NON-PROFIT RECREATION CENTER & OTHER SPECIFIC REQUESTED ALLOWED USES OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4221 BLACK BRIDGE ROAD, SUBMITTED BY THURSTON AND CHARLOTTE ROBINSON (OWNERS). (HOPE MILLS & COUNTY)**

To Whom It May Concern,

The Town of Hope Mill Board of Commissioners met on Monday, April 17, 2017 and the Cumberland County Board of Commissioners met on Tuesday, April 18, 2017. Both boards voted to approve the rezoning of 10.08+/- acres from R7.5 Residential/CUD Conditional Use District for Non-profit recreation center to R7.5 Residential/CZ Conditional Zoning for Non-profit recreation center & other specific requested allowed uses or to a more restrictive zoning district, located at 4221 Black Bridge Road, subject to the contents of the application, site plan, and the following conditions:

Pre-Permit Related:

1. The Town of Hope Mills has tree preservation provisions in their ordinance; the developer must contact Chancer McLaughlin, Hope Mills Town Planner concerning the removal of trees from this site prior to obtaining a tree removal permit.
2. For continuity of future development plans, the property owner is encouraged to consider petitioning for annexation into Hope Mills that portion of the subject property that is currently in the unincorporated area of the County.
3. Prior to permit application, five copies of a revised plan (and \$25 revision fee) be submitted for staff review and approval including the following:
 - a. All required off-street parking spaces shall be a minimum of 9' x 20' and shall be surfaced, with a permanent material such as asphalt or concrete, and striped prior to application for the building final inspection. **A minimum of 175 off-street parking spaces is required for this development.** (Section 102A-1302, Off-street parking, Hope Mills Zoning Ordinance.)
 - b. This conditional approval is not approval of any freestanding signs. **If a freestanding sign is desired, the proposed sign location must be shown 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 XIV of the Hope Mills 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.)

c. Landscaping must be provided in accordance with Section 102A-1202(n), Landscaping, Hope Mills Zoning Ordinance and/as shown on the site plan. The revised site plan depicting the landscaping must be submitted to Land Use Codes. The following are the minimum standards for the required landscaping of this site:

- (1) Thirteen large shade trees or 38 small ornamental trees within the front yard setback area;
- (2) Two small ornamental trees and 24 shrubs are required in the building yard area;
- (3) Twelve trees and 70 shrubs are required within the parking area.

In addition:

- (1) Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
- (c) All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.

Permit-Related:

4. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Hope Mills Zoning Ordinance and building/zoning permits required to place any structure within this development from the Hope Mills Inspection Department/Planning Department, in Town Hall at 5770 Rockfish Road. For additional information, the developer should contact a Town Planner.
5. The Town's Plan Review Committee requirements must be complied with and in the event any significant changes to the site plan are necessary to satisfy the Plan Review Committee's requirements, re-submittal of the site plan may be required. The following comments have been submitted by the town staff:
 - a. *Town of Hope Mills Storm Water Department:* No Comment.
 - b. *Town of Hope Mills Planning Department:* Should be conditioned to the site plan to ensure that current development is completed. Any change in use should be conditioned to appear before the Board of Commissioners.
 - c. *Town of Hope Mills Public Works Department:* No comment.
 - d. *Town of Hope Mills Fire Department:* No comment.
 - e. *Town of Hope Mills Inspections:* No objections.
6. 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 the Hope Mills Inspections Department/Planning Department at the time of application for building/zoning permits. (Section 86A-406 (1), Public Water and Sewer Systems Hope Mills Subdivision Ordinance)
7. New development that will disturb one acre or more of land or is part of a larger common plan of development that will disturb one acre or more of land is subject to the Post-Construction Stormwater Management Permitting Program administered by the Hope Mills Stormwater Department. 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 Town's Stormwater Management Permit must be provided to the Hope Mills Inspections Department/Planning Department.
8. For any new development, the developer must/may have to provide the Hope Mills Inspections Department/Planning Department with an approved NC Department of Environmental Quality (NCDEQ) 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 NCDEQ approval must be provided to the Hope Mills Town Inspections Department/Planning Department at the time of application for any building/zoning permits.
9. The developer must provide a site-specific address and tax parcel number to the Hope Mills Inspections Department/Planning Department at the time of building/zoning permit application.
10. A Certificate of Occupancy will not be issued until the Hope Mills Stormwater Department inspects the site and certifies that it has been developed in accordance with the approved drainage plans.

11. Prior to the final inspection, a concrete, or other approved surface material, sidewalk is required to be constructed along SR 1115 (Black Bridge Road) . Contact Hector A Cruz-Alicea with the Town of Hope Mills for questions related to this condition.
12. A *Certificate of Occupancy* will not be issued until the Town Planner inspects the site and certifies that the site is developed in accordance with the approved plans.
13. A review of the data available to the Army Corp of Engineers indicates that jurisdictional waters are likely to be present on this property and therefore are likely to be impacted by the proposed project. However, without an official Jurisdictional Determination at the property, these findings cannot be confirmed.

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

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 Hope Mills Inspection Department /Planning Department at the time of application for building/zoning permits. Permits **MUST** be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Hope Mills Street Department and NCCDOT Division 6 / District 2 office at the numbers listed on the bottom of this conditional approval.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, the copies of a revised site plan must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway permit application.

Note: A new driveway permit must be obtained for every/any change in use on the subject property.

Note: The proposed driveway location must be offset from Homestretch Drive a minimum of 125 feet.

Site-Related:

15. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision Ordinance and Zoning Ordinance for the R7.5 zoning district, to include the contents of the application and site plan, must be complied with, as applicable.
Note: For any change in use to any one or more of the requested and approved uses, prior to commencement of the change, site plan approval by the Hope Mills Board of Commissioners is required. In addition, depending on the use for a change in use, additional improvements/criteria may be required.
16. The small stream standards set forth in Section 42-133, Hope Mills Flood Damage Prevention Chapter, shall be complied with during construction and upon completion of development within this subdivision as enforced by the Hope Mills Stormwater Department.
17. Curbs and gutters must meet the NC Department of Transportation's (NCDOT) standards and specifications. Rolled concrete curb, if required, must not be less than 24 inches in width. (Section 86A-404(16) (b) (3), Curbs and Gutters, Hope Mills Subdivision Ordinance)
18. A drainage permit from the Town of Hope Mills Stormwater Department is required for any development or redevelopment that will construct, alter, repair, relocate, or demolish any storm sewer natural watercourse, or other drainage facility. The standards used for the design and construction of all stormwater drainage structures and/or stormwater BMP facilities shall be in accordance with the "Town of Hope Mills Stormwater Design Standards", the Design Manual, and shall be subject to the requirements of Chapter 67 Article III.

19. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 86A-406(c), Underground utilities required, Hope Mills Subdivision Ordinance)
20. The owner/developer shall secure and maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
21. Turn lanes may be required by the NC Department of Transportation (NCDOT).
22. All lighting is required to be directed internally within this development and comply with the provisions of Section 102A-1202(m), Outdoor Lighting, Hope Mills Zoning Ordinance.
23. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts residentially zoned properties in accordance with the provisions of Section 102A-1202(g), Buffer Requirements, Hope Mills Zoning Ordinance. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
24. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
25. Lateral access to the religious worship facility property must be provided. The developer is required to extend the parking drive area on the northeast side so that it is flush with the property line, thus allowing for possible future connectivity between the two tracts.

Advisories:

26. The applicant is advised to consult an expert on wetlands before proceeding with any development.
27. 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.
28. The developer's subsequent application for permits upon receipt of these conditions of approval constitutes the developer's understanding and acceptance of the conditions of approval for this development.
29. Black Bridge Road is identified as a local thoroughfare identified as needing improvement in the 2040 Metropolitan Transportation Plan. However, there are no current projects along Black Bridge Road. The subject property will have no impact on the Transportation Improvement Plan. The Fayetteville Outer loop Project falls within a half mile of the subject property, but will not have a direct impact on the parcel. For questions related to this comment, contact Transportation Planning.
30. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

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

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
County Health Department:	Daniel Ortiz	433-3680	dortiz@co.cumberland.nc.us
PWC:	Joe Glass	223-4740	joe.glass@faypwc.com
Town of Hope Mills:		424-4555*	
Town Manager:	Melissa P. Adams		mpadams@townofhopemills.com
Town Clerk:	Debrah Holland		dholland@townofhopemills.com
Planner – Zoning Permits	Chancer McLaughlin		cmclaughlin@townofhopemills.com

Chief Building Inspector:	David Reeves		dreeves@townofhopemills.com
Stormwater/Flood Administrator:	Beth Brown		eabrown@townofhopemills.com
Zoning Inspector:	David (Ray) Reeves		dreeves@townofhopemills.com
Fire Marshal	Brett A. Ham		baham@townofhopemills.com
Public Works – Streets/sidewalks	Hector A Cruz-Alicea		hacruz@townofhopemills.com
US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Ron Gonzales	678-7616	rgonzalez@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	486-1496	tlbaker@ncdot.gov
Transportation Planning:	Joel Strickland	678 7622	jstrickland@co.cumberland.nc.us
N.C. Division of Water Quality:	Mike Randall	(919) 807-6374	mike.randall@ncdenr.gov

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

Sincerely,



Patti Speicher
Land Use Codes Section

Attachments: Sketch Map
Site Plan
Application

cc: Chancer McLaughlin, Planner – Zoning Permits via email: cmclaughlin@townofhopemills.com
Melissa Adams, Town Manager via email: mpadams@townofhopemills.com
Debra Holland, Town Clerk via email: dholland@townofhopemills.com
Ed Byrne, Cumberland County Senior Planner via email: ebyrne@co.cumberland.nc.us

REQUEST

RR/CUD for manufactured & "stick built" homes & C(P)/CUD for trade contracting with equipment storage to RR/CZ for manufactured & "stick built" homes & C(P)/CZ for trade contracting with equipment storage and motor vehicle repair with towing service

ACREAGE: **1.29+/-**

PROPERTY OWNER/APPLICANT

STEPHANIE NAYLOR (OWNER) & EDDIE NAYLOR (AGENT)

PROPERTY ADDRESS/LOCATION

5449 NC Hwy 210 South

Jurisdiction:

County

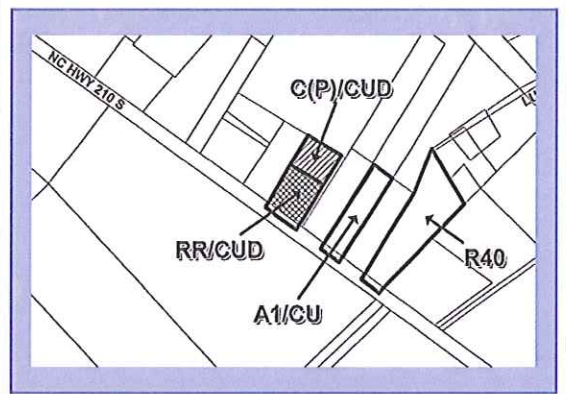
PROPERTY INFORMATION

Frontage & Location: 164'+/- on NC Hwy 210 South
 Depth: 340'+/-
 Adjacent Property: No
 Current Use: Residential & trade contracting with equipment storage
 Initial Zoning: A1 – September 3, 1996 (Area 20); Rezoned to RR/CUD & C(P)/CUD – August 18, 2008
 Nonconformities: None
 Zoning Violation(s): None issued
 School Capacity/Enrolled: Comments requested, none received
 Special Flood Hazard Area (SFHA): None
 Water/Sewer Availability: Well/Septic
 Soil Limitations: None
 Subdivision/Site Plan: See Ordinance Related Conditions
 Average Daily Traffic County (2016): 2,300 on NC Hwy 210 South
 Highway Plan: NC Hwy 210 is identified as a Thoroughfare Existing in the 2040 Metropolitan Transportation Plan with no constructions/ improvements planned; no impact on the Transportation Improvement Plan.

Notes:

1. Density
RR- 1 lot/ 2 units
2. Minimum Yard Setbacks:

	RR	C(P)
Front yard:	30'	50'
Side yard:	15'	30'
Rear yard:	35'	30'
3. The property owner has not agreed to all ordinance related conditions.



SURROUNDING LAND USE: Residential (including manufactured homes), religious worship facility, cemetery, agricultural/ farm use, barbering/hair salon

COMPREHENSIVE PLANS:
2030 Growth Vision Plan: Rural Areas
No Detailed Area Land Use Plan

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

In Case P18-25, the Planning and Inspections Staff recommends approval of the rezoning from RR Residential/CUD Conditional Use District for a "stick built" home and manufactured home & C(P) Planned Commercial/CUD Conditional Use District for trade contracting with storage of equipment to RR Rural Residential/CZ Conditional Zoning for a "stick built" home and manufactured home & C(P) Planned Commercial/CZ Conditional Zoning for trade contracting with storage of equipment and motor vehicle repair with towing and find:

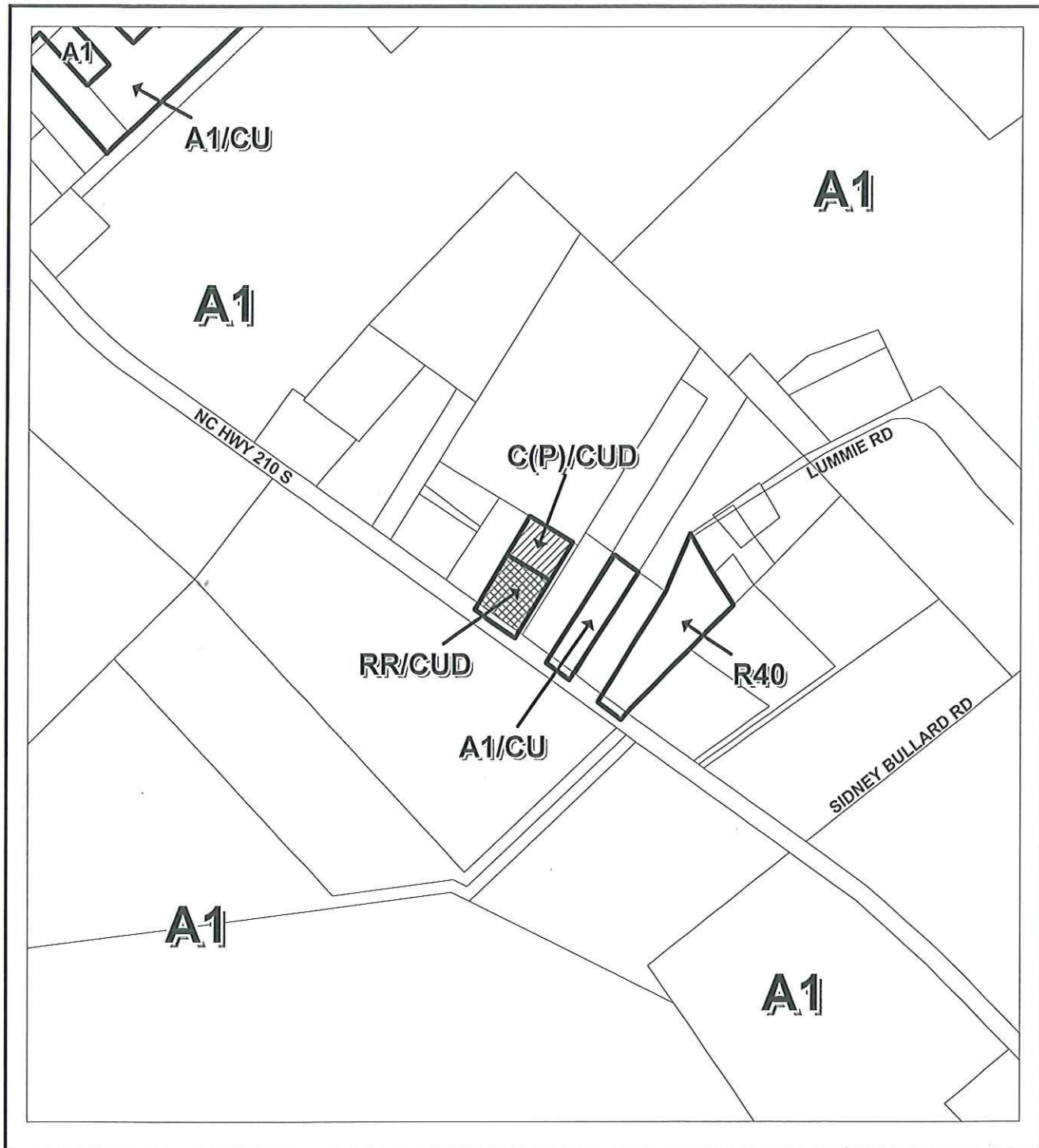
- a. The approval is an amendment to the adopted current 2030 Growth Vision Plan (2009) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: although the districts requested are not entirely consistent with the "rural areas" designation, the uses requested are compatible with the permitted uses allowed in the surrounding zoning districts;
- c. And, this rezoning approval is reasonable and in the public interest because the district requested is in harmony with similar approvals in the general area and the 2008 approval of the current zoning of the subject property.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS

First Class and Record Owners' Mailed Notice Certification

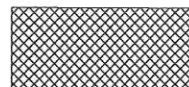
A certified copy of the listing with the tax record owner(s) of the subject and adjacent properties, along with their tax record mailing addresses, is contained within the case file and incorporated by reference as if delivered herewith.



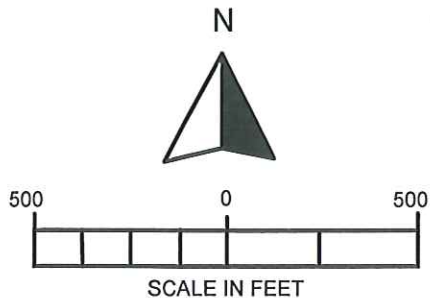
REQUESTED REZONING



C(P)/CUD
TO C(P)/CZ
0.57 AC +/-



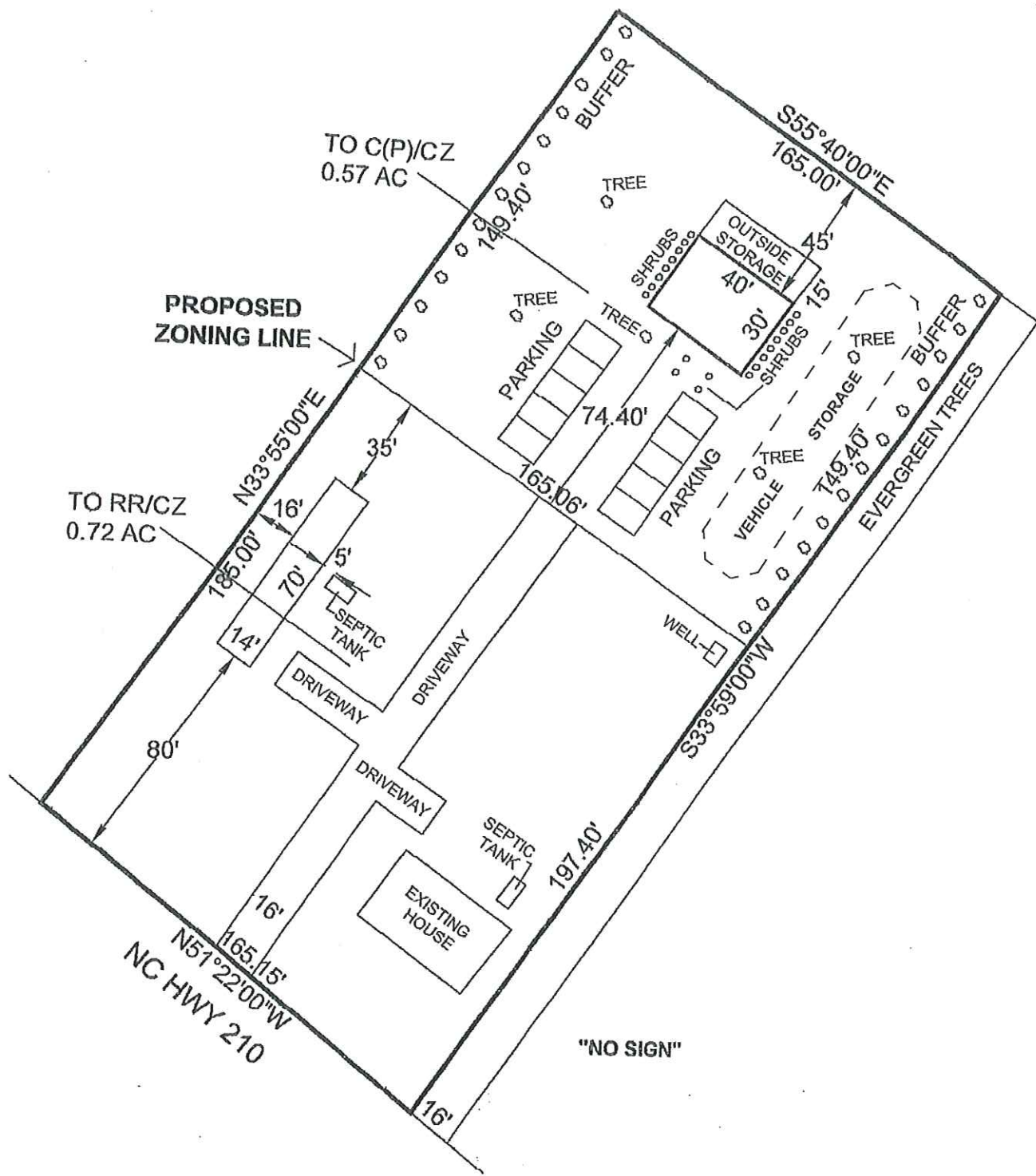
RR/CUD
TO RR/CZ
0.72 AC +/-



ACREAGE: 1.29 AC. +/-		HEARING NO: P18-25	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 0474-98-7049

MB



RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING & C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING
REQUEST: FOR TRADE CONTRACTOR ACTIVITIES WITH OUTSIDE STORAGE OF EQUIPMENT & MOTOR VEHICLE REPAIR &/OR BODY WORK
CASE: P18-25 ACREAGE: 1.29 AC +/-
ZONED: RR/CUD&C(P)/CUD SCALE: NTS PARKING: 10 SPACES
 *SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

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 Eddie Naylor
2. Address: 1231 Yellow Bridge Rd Zip Code 28318
3. Telephone: (Home) 910/2633041 (Work) _____
4. Location of Property: 5449 NC Hwy 210 S Iredman NC 28318
5. Parcel Identification Number (PIN #) of subject property: 0474987049
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 1.29 Frontage: 163 Depth: 332
7. Water Provider: well Septage Provider: septic
8. Deed Book 9884, Page(s) 0267-0268, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: trade contracting and 2 residential units
10. Proposed use(s) of the property: TRADE CONTRACTING and vehicle REPAIR
2 residential units

NOTE: Be specific and list all intended uses.

11. Do you own any property adjacent to, including across the street from, the property being submitted for rezoning? Yes _____ No X
12. Has a violation been issued on this property? Yes _____ No X
13. It is requested that the foregoing property be rezoned FROM: RR - CUD and CP-CUD

TO: (Select one)

- X Conditional Zoning District, with an underlying zoning district of RR-CP
(Article V)
- _____ 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)

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 if approved.)

TRADE CONTRACTING / motor vehicle repair
with towing

2 Homes

- 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.

see site plan

2. DIMENSIONAL REQUIREMENTS:

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

see site plan

- B. Off-street parking and loading, Sec. 1202 & 1203: List the number of spaces, type of surfacing material and any other pertinent information.

see site plan

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

see plan

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 site plan

- B. Indicate the type of buffering and approximate location, width and setback from the property lines. (Sec. 1102G). **NOTE: All required buffers must be included on the site plan.**

see site plan

5. MISCELLANEOUS:

List any information not set forth above, such as the days and hours of the operation, number of employees, exterior lighting, noise, odor and smoke, emission controls, etc.

TRADE CONTRACTOR Employee - 8

motor vehicle repair - 2

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 must be of sufficient detail to allow the Planning and Inspections Staff, Planning Board and County Commissioners to analyze the proposed uses and arrangement of uses on the site. It also must 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 within a complete application.

I further understand I must voluntarily agree to all ordinance related conditions prior to the first hearing on the case or any disagreement may be cause for an unfavorable recommendation. 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.

✓ Steph-Ann Naylor
NAME OF OWNER(S) (PRINT OR TYPE)

1231 Hollow Bridge Road - Hopyville NC 28318
ADDRESS OF OWNER(S)

eddie.naylor@rocketmail.com
E-MAIL

910 308 7334
HOME TELEPHONE

WORK TELEPHONE

[Signature]
SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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

same as above
ADDRESS OF AGENT, ATTORNEY, APPLICANT

910 263 3041
HOME TELEPHONE

WORK TELEPHONE

E-MAIL ADDRESS

FAX NUMBER

[Signature]
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

RR Rural Residential/CZ Conditional Zoning & C(P) Planned Commercial/CZ Conditional Zoning

DRAFT

Ordinance Related Conditions

Two existing residential units (one manufactured home & one "stick built" dwelling), trade contractor activities with outside storage of equipment & motor vehicle repair and/or body work w/ towing service

Pre- Permit Related:

1. Prior to permit application, the developer must provide to the Code Enforcement Section documentation of NC Department of Environmental Quality Division of Energy, Mineral and Land Resources' (NCDEQ DEMLR) approval of the Sedimentation and Erosion control plan for this project. NCDEQ DEMLR requires a Sedimentation and Erosion control plan be submitted and approved 30 days prior to land disturbing activities if said land disturbing activity will exceed one acre.

If a plan is not required, per 15ANCAC 04B.0105 "Person conducting land disturbing activity shall take all reasonable measures to protect public and private property from damage cause by such activities." Sedimentation and erosion control measures will need to be installed to protect adjacent properties.

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer.
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
4. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - One ornamental tree and eight shrubs are required in the building yard area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
- b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.

5. Driveway Permit Required.

Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

Change of use of subject properties shall require an approved Driveway Permit. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6/District 2 office.

In the event that a structure (house) is built by a contractor for commercial gain and/or if property changes ownership from existing owner to builder, an approved Driveway Permit must be secured.

Note: In the event the NCDOT driveway permit process alters the site plan in any manner, three copies of a revised site plan (and \$25.00 revision fee) must be submitted for staff review and approved prior to permit application.

Note: The property owner most likely will be required to provide a copy of a recorded plat and deed conveying to the NCDOT that portion of the subject property located within or to be located within the right-of-way at the time of driveway 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 Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state approval of this plan, three copies of a revised plan must be submitted and approved by Planning & Inspections.)
7. The County Health Department must approve water and sewer plans. Lots not served by public water and/or sewer systems are required to be large enough and of such physical character to comply with the Health Department's minimum standards. Site and soil evaluations must be conducted on the property by the County Environmental Health Department. A copy of the Health Department approval must be provided to Code Enforcement. (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)
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 Development Ordinance and Zoning Ordinances for the RR/CZ & C(P)/CZ zoning districts for one manufactured home and one "stick built" dwelling on the RR zoned portion, and trade contracting with outside storage of equipment and supplies and motor vehicle repair with towing service on the C(P) zoned portion of the tract, to include the contents of the application and site plan, must be complied with, as applicable.
10. Storage of junked vehicles on this site is not permitted; the temporary storage of motor vehicles awaiting repairs must be temporarily stored in such an area that the vehicles are screened from view and cannot be seen from a public street or the adjacent residential property.
11. A 150' fire department access to all portions of the building must be maintained. Contact the County Fire Marshal for questions related to this condition.
12. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan (and \$25.00 revision fee) 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.)
13. "NC HWY 210" must be labeled as "NC HWY 210 S" on all future plans.
14. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *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)
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
16. 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.
17. A solid buffer must be provided and maintained as shown on the site plan.
18. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.

19. All required off-street parking spaces are required to be a minimum of 9' x 20'; a minimum of ten off-street parking spaces is required for this development.
20. 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.

Other Relevant Conditions:

21. Any changes in use of the subject property and/or any deviation from the site plan as approved most likely will require a new application for approval by the County Board of Commissioners.
22. The applicant is advised to consult an expert on wetlands before proceeding with any development.
23. The subject property lies on NC HWY 210 S. NC HWY 210 S is identified as a Thoroughfare Existing in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. For questions related to this comment, please contact Transportation Planning.
24. An internal street system most likely will be required to serve any divisions of the subject property.
25. 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.
26. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.

Thank you for doing choosing Cumberland County for your business location!

If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 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	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnaylo@co.cumberland.nc.us
Fire Marshal – Emergency Services	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
County Health Department:	Fred Thomas	433-3692	fthomas@co.cumberland.nc.us
Ground Water Issues:	Fred Thomas	433-3680	fthomas@co.cumberland.nc.us
County Public Utilities:	Amy Hall	678-7637	ahall@co.cumberland.nc.us
US Postal Service	Jonathan R. Wallace	(704) 393-4412	jonathan.r.wallace@usps.gov
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7616	wphipps@co.cumberland.nc.us
Street Naming/Signs:	Diane Shelton	678-7665	nameit2@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
NCDOT (subdivision roads):	Earl C. Locklear	364-0601	elocklear@ncdot.gov
Transportation Planning:	Greg Shermeto	678 7615	gshermeto@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6374	annette.lucas@ncdenr.gov