

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*

Joel Strickland,  
Acting Director

Vacant,  
Deputy Director

Vikki Andrews,  
Carl Manning,  
Lori Epler  
Cumberland County

Stan Crumpler,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

**AGENDA**

February 19, 2019  
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 JANUARY 15, 2019
- VII. PUBLIC HEARING CONSENT ITEMS

TEXT AMENDMENT

- A. **P19-06:** REVISIONS AND AMENDMENTS TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CHAPTER 42, BY AMENDING ARTICLE XI. - SIGN REGULATIONS SEC. 42-293. – SIGNS PERMITTED BY DISTRICTS., SECTION (2) *PROFESSIONAL, COMMERCIAL AND INDUSTRIAL DISTRICTS*. SUB-SECTION (D) *C(P) PLANNED COMMERCIAL, HS(P) PLANNED HIGHWAY SERVICE AND C-3 HEAVY COMMERCIAL DISTRICTS.*, AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)
- B. **P19-10:** REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CODE OF ORDINANCES, CHAPTER 42 ZONING BY AMENDING ARTICLE III. – PERMITTED, CONDITIONAL, AND SPECIAL USES SECTION 42-63.3. – USE MATRIX ALLOWING CALL CENTER BY INSERTING A “P” INDICATING PERMITTED USE IN THE C(P)/C3 COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

CONDITIONAL ZONING CASES

- C. **P19-01.** REZONING OF 1.46+/- ACRES FROM R6A RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON EAST SIDE OF NC 59 (HOPE MILLS ROAD), WEST OF SR 1135 (JOHN SMITH ROAD), NORTH OF NC 162 (GEORGE OWEN ROAD); SUBMITTED BY ERIC & CARRIE BROWN (OWNERS) & MICHAEL J. ADAMS ON BEHALF OF M.A.P.S. SURVEYING INC. (AGENT). (**Applicant has modified request to rezone 2.18+/- acres to C(P) Planned Commercial/CZ Conditional Zoning for motor vehicle sales**) (HOPE MILLS)

- D. **P19-07:** REZONING OF .94+/- ACRE FROM C1(P) PLANNED LOCAL BUSINESS DISTRICT TO C(P) PLANNED COMMERCIAL DISTRICT/CZ CONDITIONAL ZONING FOR ALL ALLOWED USES WITHIN THE C(P) PLANNED COMMERCIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 6428 & 6432 CAMDEN ROAD; SUBMITTED BY FADHL ALHOBISHI (OWNER) & MARK CANDLER ON BEHALF OF CANDLER & ASSOCIATES, INC. (AGENT). (HOPE MILLS)

#### REZONING CASES

- E. **P19-08:** INITIAL ZONING OF 2.95+/- ACRES R6 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF SR 1112 (ROCKFISH ROAD), EAST OF SR 3091 (DEAVER CIRCLE); SUBMITTED BY NICHOLAS HARRELL (OWNER). (HOPE MILLS)
- F. **P19-09:** REZONING OF 1.44+/- ACRES FROM R6A RESIDENTIAL/CU CONDITIONAL USE OVERLAY DISTRICT TO ALLOW THE PLACEMENT OF A RECREATIONAL VEHICLE IN AN APPROVED MANUFACTURED HOME PARK TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE WEST SIDE OF SR 1132 (LEGION ROAD), NORTH OF SR 3009 (PIONEER DRIVE); SUBMITTED BY S. HEWITT FULTON, III ON BEHALF OF Z.V. PATE, INC. (OWNER) & ALEX T. KEITH (AGENT).

#### VIII. PUBLIC HEARING CONTESTED ITEMS

##### CONDITIONAL ZONING CASES

- G. **P18-35.** REZONING OF 21.56+/- ACRES FROM M(P) PLANNED INDUSTRIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON BOTH SIDES OF LAZY ACRES STREET, EAST OF SR 2341 (CLAUDE LEE ROAD); SUBMITTED BY JOHN LEE, FRED LEE, JR. AND JAMES LEE (OWNERS) & JAMES C. ROBINSON (AGENT). **(Applicant has modified request to RR Rural Residential/CZ Conditional Zoning for a recreational vehicle park and/or campground)**
- H. **P19-05.** REZONING OF 1.50+/- ACRES FROM R10 RESIDENTIAL TO C2(P) PLANNED SERVICE AND RETAIL DISTRICT/CZ CONDITIONAL ZONING FOR TRADES CONTRACTOR ACTIVITIES OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1243 (US HWY 301 SOUTH), NORTH OF SR 1126 (BROOKLYN CIRCLE); SUBMITTED BY TIMOTHY B. EVANS (OWNER).

##### REZONING CASE

- I. **P18-50.** REZONING OF .47+/- ACRES FROM A1 AGRICULTURAL TO R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 315 JOHN B CARTER ROAD; SUBMITTED BY MARY K. WHITTED, BRENDA WILLIAMS, DEBORAH WRIGHT, DELLA W. PERKINS & BETTY JAMES ON BEHALF OF LILLIE MAE WHITTED HEIRS (OWNER).

#### IX. PLANNING DEPARTMENT PERFORMANCE AUDIT

#### X. DISCUSSION

#### XI. ADJOURNMENT



Charles Morris,  
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Patricia Hall,  
Town of Hope Mills

February 12, 2019

**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning & Inspections Staff  
**SUBJECT:** Recommendation for the February 19, 2019 Board Meeting

**P19-06:** REVISIONS AND AMENDMENTS TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CHAPTER 42, BY AMENDING ARTICLE XI. - SIGN REGULATIONS SEC. 42-293. – SIGNS PERMITTED BY DISTRICTS., SECTION (2) *PROFESSIONAL, COMMERCIAL AND INDUSTRIAL DISTRICTS*. SUB-SECTION (D) *C(P) PLANNED COMMERCIAL, HS(P) PLANNED HIGHWAY SERVICE AND C-3 HEAVY COMMERCIAL DISTRICTS.*, AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

**BACKGROUND:** Proposed changes to Spring Lake Zoning Ordinance Article XI, Section 42-293.2.D:

1. Sites with one occupant will be allowed up to three attached signs, not to exceed two square feet in area for each front foot of structure that the occupant occupies;
2. Sites with two or more occupants will be allowed one attached sign per occupant, not to exceed two square feet in area for each front foot of structure that the occupant occupies.

**RECOMMENDATION:** In Case P19-06, the Planning & Inspections staff recommends approval of the text amendment to the Spring Lake Zoning Ordinance finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 9: Compatible Commercial Development & Services* and *Policy Area 10: Community Appearance & Image* and the Spring Lake Area Land Use Plan (2003) goal of improving the appearance of major corridors through signage regulation and providing commercial development that is designed to be safe, attractive and compatible with surroundings; and further find that approval of the amendment is reasonable and in the public interest because the amendment if approved, would enable the town to enforce sign regulations that are consistent with the image the town is seeking to project in their commercial areas. Additionally, this amendment was prepared and submitted by the Town of Spring Lake.

This proposed text amendment would not cause any changes to the Spring Lake Area Land Use Plan map.

Attachment: P19-06 Spring Lake Text Amendment

**TOWN OF SPRING LAKE  
ZONING CHAPTER TEXT AMENDMENT  
ARTICLE XI SIGN REGULATIONS**

REVISIONS AND AMENDMENTS TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CHAPTER 42, BY AMENDING ARTICLE XI. - SIGN REGULATIONS SEC. 42-293. – SIGNS PERMITTED BY DISTRICTS., SECTION (2) *PROFESSIONAL, COMMERCIAL AND INDUSTRIAL DISTRICTS*. SUB-SECTION D. *C(P) PLANNED COMMERCIAL, HS(P) PLANNED HIGHWAY SERVICE AND C-3 HEAVY COMMERCIAL DISTRICTS.*, AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

**CHAPTER 42  
ZONING**

**AMENDING ARTICLE XI. – SIGN REGULATIONS, SEC. 42-293. – SIGNS PERMITTED BY DISTRICTS, SECTION (2) SUB-SECTION D; as written and as indicated below:**

**ARTICLE XI. - SIGN REGULATIONS**

Sec. 42-293. - Signs permitted by districts. *(2) Professional, commercial and industrial districts.*

- d. *C(P) Planned Commercial, Hs(P) Planned Highway Service and C-3 Heavy Commercial Districts.* Except for billboards (off-premises) which are regulated by section 42-294, signs for uses permitted in the C(P), HS(P) and C-3 districts shall be regulated as follows:
7. ~~One attached sign is allowed per occupant, not to exceed two square feet in area for each front foot of structure that the occupant occupies. On sites where a canopy exceeds the building size, the canopy size may be used to determine the permitted attached sign area. Attached signs may be placed on any side of the building.~~ Sites with two or more occupants are allowed one attached sign per occupant, not to exceed two square feet in area for each front foot of structure that the occupant occupies. On sites where a canopy exceeds the building size, the canopy size may be used to determine the permitted attached sign area. Attached signs may be placed on any side of the building.
  9. Sites with only one occupant are allowed up to three attached signs, not to exceed two square feet in area for each front foot of structure that the occupant occupies. On sites where a canopy exceeds the building size, the canopy size may be used to determine the permitted attached sign area. Attached signs may be placed on any side of the building.



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February 12, 2019

**MEMORANDUM**

**TO:** Cumberland County Joint Planning Board  
**FROM:** Planning & Inspections Staff  
**SUBJECT:** Recommendation for the February 19, 2019 Board Meeting

**P19-10:** REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CODE OF ORDINANCES, CHAPTER 42 ZONING BY AMENDING ARTICLE III. – PERMITTED, CONDITIONAL, AND SPECIAL USES SECTION 42-63.3. – USE MATRIX ALLOWING CALL CENTER BY INSERTING A “P” INDICATING PERMITTED USE IN THE C(P)/C3 COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

**BACKGROUND:** Proposed changes to Spring Lake Zoning Ordinance Article III, Section 42-63.3:

- Call centers will become a permitted use within the C(P) Planned Commercial and C3 Heavy Commercial districts.

**RECOMMENDATION:** In Case P19-10, the Planning & Inspections staff recommends approval of the text amendment to the Spring Lake Zoning Ordinance finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 1: A More Diversified Local Economy* and *Policy Area 9: Compatible Commercial Development* and the Spring Lake Area Land Use Plan (2003) goal of providing an atmosphere that promotes the expansion of commercial development that is dynamic, diverse and capable of providing a full range of business and economic opportunities; and further find that approval of the amendment is reasonable and in the public interest because the amendment if approved, would enable property owners and developers to market the call center use for commercial properties, therefore opening more opportunities for economic development. Additionally, this amendment was prepared and submitted by the Town of Spring Lake.

This proposed text amendment would not cause any changes to the Spring Lake Area Land Use Plan map.

Attachment: P19-10 Spring Lake Text Amendment

**P19-10**  
**Town of Spring Lake**  
**Zoning Chapter Text Amendment**  
**Call Centers in C(P)/C3**

**P19-10:** REVISION AND AMENDMENT TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CODE OF ORDINANCES, CHAPTER 42 ZONING BY AMENDING ARTICLE III. – PERMITTED, CONDITIONAL, AND SPECIAL USES SECTION 42-63.3. – USE MATRIX ALLOWING CALL CENTER BY INSERTING A “P” INDICATING PERMITTED USE IN THE C(P)/C3 COLUMN AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

**CHAPTER 42**  
**ZONING**

**AMENDING ARTICLE III. - PERMITTED, CONDITIONAL, AND SPECIAL USES SEC. 42-63.3 USE MATRIX. ALLOWING CALL CENTER BY INSERTING A “P” INDICATING PERMITTED USE IN THE C(P)/C3 COLUMN AS INDICATED BELOW:**

**ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES**

**Sec. 42-63.3. - Use matrix.**

The matrix on the following pages indicates uses permitted of right, with a special use permit and some uses allowed only in a conditional zoning district.



Sec. 42-63.3 Use Matrix.

Spring Lake Zoning

P = Permitted use (Site plan approval by Board of Aldermen — Non-public hearing)

Z = Conditional zoning district (Approval by Board of Aldermen — Public hearing)

S = Special use permit (Approval by Board of Adjustment — Public hearing)

Land Uses	Zoning Classification											
	CD	RR	R-15 R-10 R-6	R-5 R-5A	R-6A	O & I	C-1	CB	HS(P)	C(P) C-3	M-1	M(P) M-2
Call Center										<u>P</u>	P	P

REQUEST  
**R6A & C(P) to C(P)/CZ for motor vehicle sales**

ACREAGE: **2.18+/-**

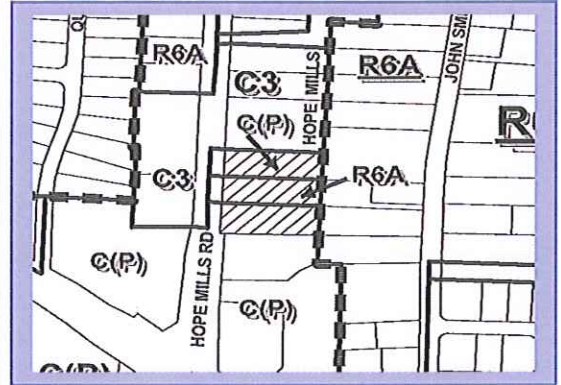
PROPERTY OWNER/APPLICANT  
**ERIC & CARRIE BROWN (OWNERS) & MICHAEL J. ADAMS ON BEHALF OF M.A.P.S. SURVEYING INC. (AGENT)**

PROPERTY ADDRESS/LOCATION  
**East side of NC 59 (Hope Mills Road), west of SR 1135 (John Smith Road), north of NC 162 (George Owen Road)**

Jurisdiction: **Hope Mills**

**PROPERTY INFORMATION**

Frontage & Location: 318'+/- on NC 59 (Hope Mills Road)  
Depth: 305'+/-  
Adjacent Property: Yes  
Current Use: Vacant residential structure, vacant commercial structure, trade contracting  
Initial Zoning: R6A – November 17, 1975 (Area 4); southern parcel rezoned to C(P) on August 15, 2011 (Case P11-27); northern parcel rezoned to C(P) on July 21, 2014 (Case P14-28)  
Town of Hope Mills: No objection  
Nonconformities: Residential uses will become nonconforming if approved  
Zoning Violation(s): None  
School Capacity/Enrolled: Cumberland Mills Elementary: 660/616; Douglas Byrd Middle: 600/553; Douglas Byrd High: 1280/1088  
Special Flood Hazard Area (SFHA): None  
Water/Sewer Availability: PWC/PWC  
Soil Limitations: None  
Subdivision/Site Plan: See Ordinance Related Conditions  
Average Daily Traffic County (2016): 27,000 on NC 59 (Hope Mills Road)  
Highway Plan: Hope Mills Road is identified as a boulevard, 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 & manufactured home park), motor vehicle washing, barbering & hairdressing, motor vehicle repair (2), motor vehicle sales, woodworking, shopping center (2)

**COMPREHENSIVE PLANS:**  
**2030 Growth Vision Plan:** Urban  
**Southwest Cumberland Land Use Plan (2014):** Heavy Commercial

**Notes:**

- Density**  
R6A- 6 lots/7 units
- Minimum Yard Setbacks:**

	<u>R6A</u>	<u>C(P)</u>
Front yard:	25'	50'
Side yard:	10'	30'
Rear yard:	30'	30'
- The property owner has agreed with all ordinance related conditions.

STAFF RECOMMENDATION

APPROVAL

**APPROVAL WITH CONDITIONS**

DENIAL

In Case P19-01, the Planning and Inspections Staff recommends approval of the rezoning from R6A Residential & C(P) Planned Commercial to C(P) Planned Commercial/CZ Conditional Zoning for motor vehicle sales subject to the conditions within our packet and find this recommendation to be consistent with the Southwest Cumberland Land Use Plan (2014) which calls for "heavy commercial" at this location, C(P) Planned Commercial is classified as a "heavy commercial" zoning district and further find approval of the request is reasonable and in the public interest because the district requested is in harmony with the surrounding zoning and existing land uses.

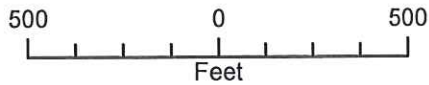
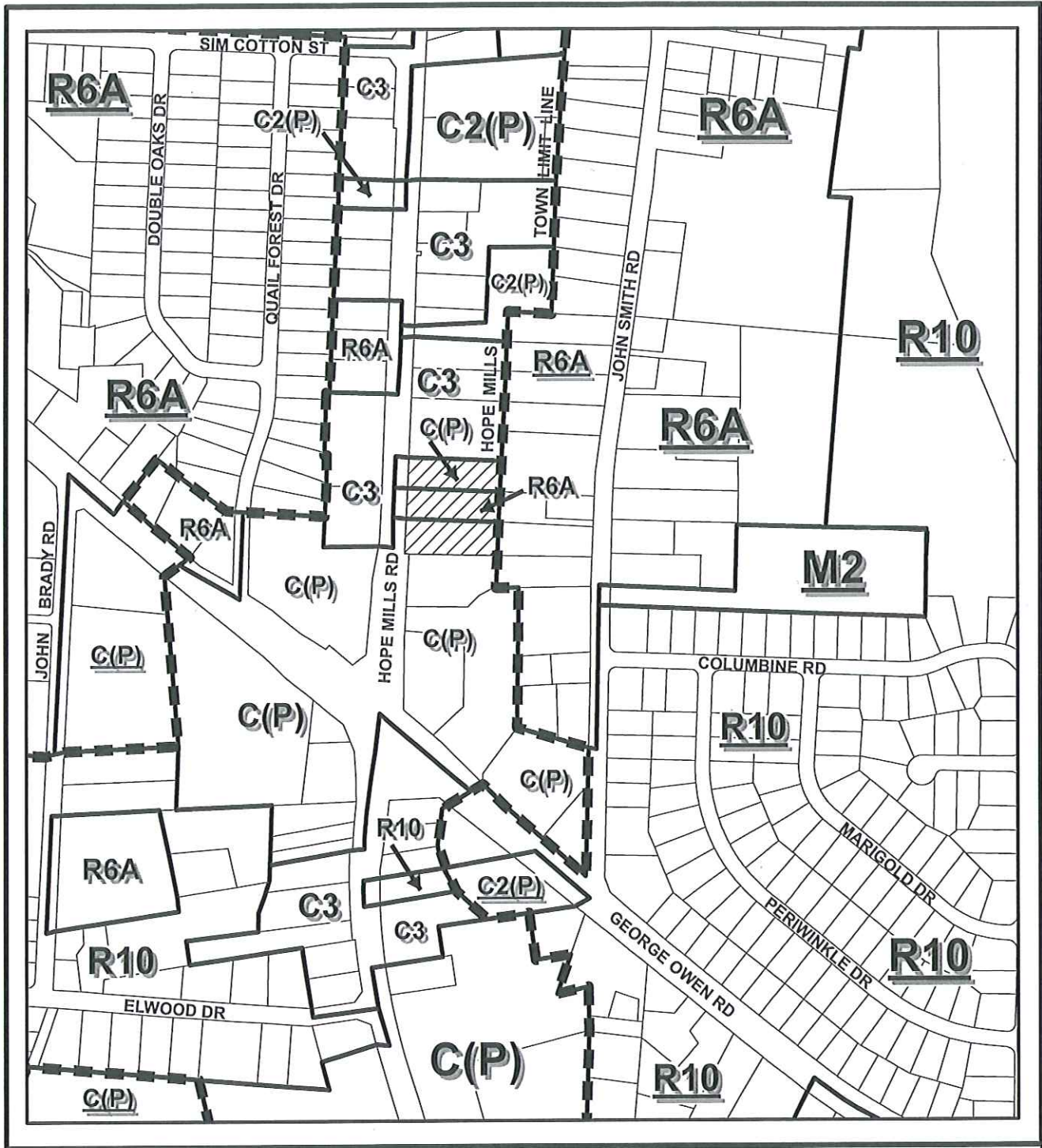
**OTHER SUITABLE DISTRICTS:** None

**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.



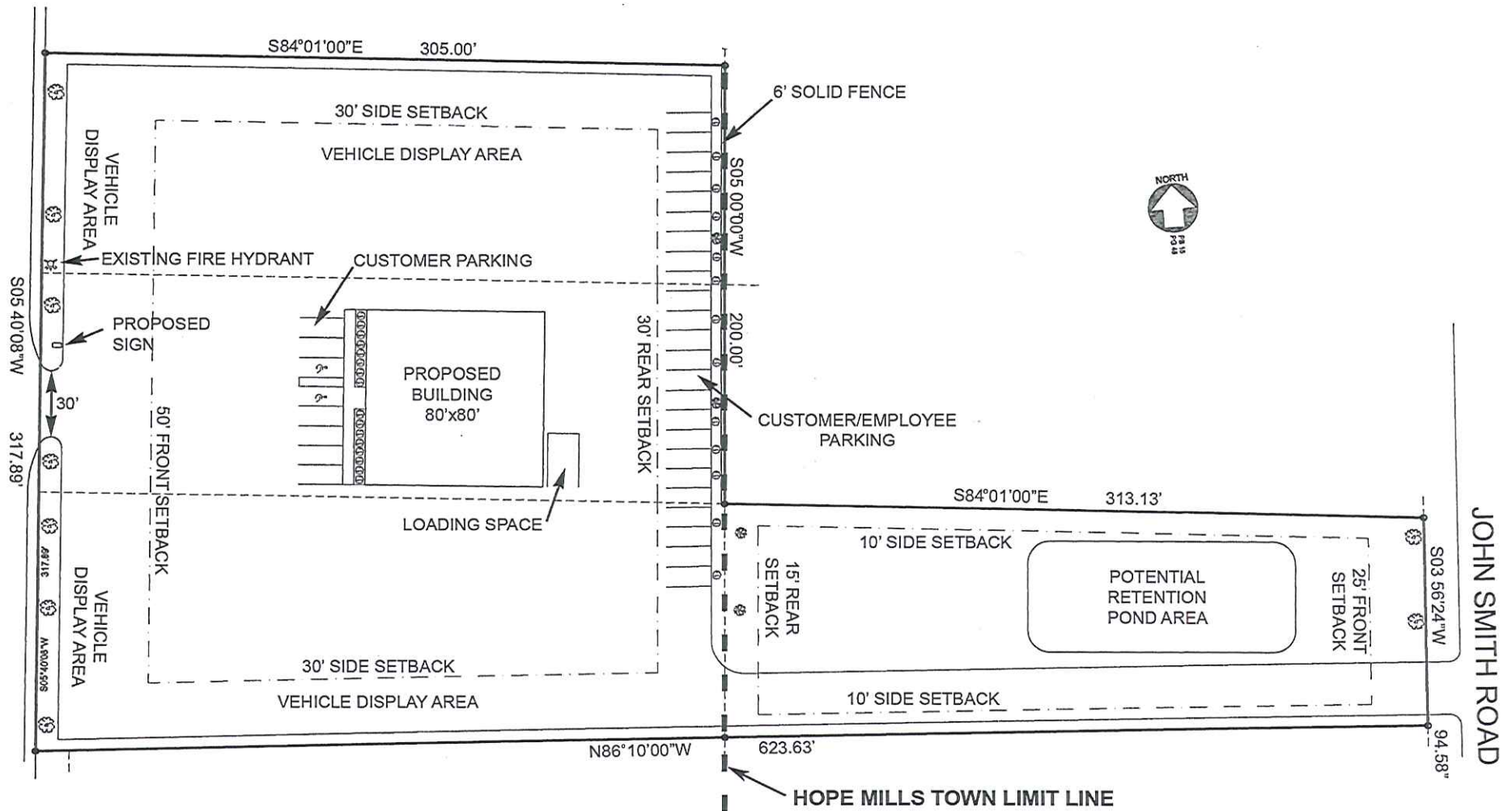


PIN: 0405-94-9121  
 PIN: 0405-94-9010  
 PIN: 0405-93-9910

## REQUESTED REZONING C(P) & R6A TO C(P)/CZ

<b>ACREAGE: 2.18 AC. +/-</b>	<b>HEARING NO: P19-01</b>	
ORDINANCE: HOPE MILLS	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

HOPE MILLS RD/NC HWY 59



**C(P) PLANNED COMMERCIAL/  
CZ CONDITIONAL ZONING  
REQUEST: MOTOR VEHICLE SALES  
CASE: P19-01  
SCALE: NTS PARKING: 32 SPACES**

\*SCALE DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST



**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: 0405-94-9121: 9010  
(also known as Tax ID Number or Property Tax ID) 93-9910
6. Acreage: 2.18 Frontage: 318 Depth: 305
7. Water Provider: \_\_\_\_\_ Septage Provider: \_\_\_\_\_
8. Deed Book 9807/153-155 9658/82, 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: C(P) + R6A

TO: (Select one)

- Conditional Zoning District, with an underlying zoning district of CCP  
(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

**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  R6A to  C(P)
2. Address of Property to be Rezoned: 2627 Hope Mills Rd / 2678 John Smith Rd
3. Location of Property: Hope Mills Rd / John Smith Rd  
750' ± North of Intersection of Hope Mills Rd + George Owen Rd
4. Parcel Identification Number (PIN #) of subject property: 0405-94-9010 / 0415-03-2839  
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 0.72 / 0.74 Frontage: 100.00' / 100.00' Depth: 307' / 313'
6. Water Provider: Well: \_\_\_\_\_ PWC:  Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank \_\_\_\_\_ PWC
8. Deed Book 9658 / 9818, Page(s) 82 / 620, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Residential / Houses are vacant
10. Proposed use(s) of the property: Car Sales
11. Do you own any property adjacent to or across the street from this property?  
Yes  No \_\_\_\_\_ If yes, where? Both Sides of Hope Mills Property
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No

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.*



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.)

*Motor Vehicle Sales*

- 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.

*2.18 ac - Conditional Zoning for*

*0.74 ac lot shown on site plan not part of rezoning*  
*Motor Vehicle Sales*

2. DIMENSIONAL REQUIREMENTS:

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

*F-50*

*S-30*

*A-30*

- 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.

*32 - Regular*

*1 - Loading*

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

*See 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.

*See Site Plan*

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



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.

✓ Eric + Carrie Brown  
NAME OF OWNER(S) (PRINT OR TYPE)

2904 Barnby Pl Fay NC 28306  
ADDRESS OF OWNER(S)

HOME TELEPHONE #

WORK TELEPHONE #

✓ Michael J. Adams (MAPS Surveying)  
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

1401 Morganton Rd Fay NC 28305  
ADDRESS OF AGENT, ATTORNEY, APPLICANT

maps @ mapssurveying . com  
E-MAIL

HOME TELEPHONE #

910-484-6432  
WORK TELEPHONE #

Eric W Brown  
SIGNATURE OF OWNER(S)

Michael J Adams  
SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

Carrie T Brown  
SIGNATURE OF OWNER(S)

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

## **C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING DISTRICT**

### **DRAFT**

### **Ordinance Related Conditions**

#### *for Motor vehicle sales*

#### **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. A recombination plat (also known as a “No Approval Required” or “NAR”) must be submitted to Land Use Codes and then the Town Manager for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

#### **Permit-Related:**

3. 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.
  4. 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 Town’s Plan Review Committee offered the following comments:
    - a. *Town of Hope Mills Storm Water Department:* Site is above 1 acre and will require a stormwater permit.
    - b. *Town of Hope Mills Planning Department:* Staff is in support of this request.
    - 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 Comment.
  5. 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)
  6. 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.
- Note: This conditional zoning approval is not an approval of the “potential retention pond area” as shown on the site plan.**
7. 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.
  8. 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.



9. Landscaping must be provided in accordance with Section 102A-1202(n), Landscaping, Hope Mills Zoning Ordinance and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
  - a. Eight large shade trees or twenty-five small ornamental trees within the front yard setback area;
  - b. Two small ornamental trees and sixteen shrubs are required in the building yard area;
  - c. Two trees and thirteen 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.
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. 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.
12. The developer must obtain a driveway permit from the Hope Mills Street Department and 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.**

**Site-Related:**

13. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision Ordinance and Zoning Ordinance for the C(P) Planned Commercial/ CZ Conditional Zoning for motor vehicle sales zoning district must be complied with, as applicable.
14. This conditional approval is not approval of the permit for any freestanding signs. 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.)
15. "Hope Mills Road/NC Hwy 59" must be labeled as "NC 59 (Hope Mills Road)" and "John Smith Road" must be labeled as "SR 1135 (John Smith Road)" on all future plans.
16. 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)
17. 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.

18. 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)
19. 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.
20. Turn lanes may be required by the Hope Mills Street Department and NC Department of Transportation (NCDOT).

**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.**

21. 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.
22. A solid buffer must be provided and maintained along the rear property line where this tract/site abuts R6A Residential zoning 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.)
23. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
24. 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 thirty-two off-street parking spaces is required for this development. (Section 102A-1302, Off-street parking, Hope Mills Zoning Ordinance.)
25. A minimum of one off-street loading spaces(s) measuring 12’ x 25’ with 14’ overhead clearance must be provided for the retail area. (Section 102A-1303 Off-street loading, Hope Mills Zoning Ordinance.)
26. 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.
27. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County’s Noise Ordinance is required.
28. Motor vehicles for sale must remain in the areas noted as “vehicle display area” and are not permitted for display on the portion of the lot outside of the conditional zoning area zoned R6A Residential.

**Plat-Related:**

29. “Hope Mills Road/NC Hwy 59” must be labeled as “NC 59 (Hope Mills Road)” and “John Smith Road” must be labeled as “SR 1135 (John Smith Road)” on the final plat.
30. Any/All easements must be reflected on the recombination plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
31. The NC Department of Transportation (NCDOT) stamp must be affixed to the recombination plat prior to submission for plat approval by Land Use Codes.

**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.**



32. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for final approval. (Section 86A-603(d), Certificate of Ownership and Dedication, Hope Mills Subdivision Ordinance)
33. The recombination plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.
34. The developer should be aware that any addition and/or revision to this plat may require an additional review and approval by the Planning & Inspections Department.

**Plat-Required Statements:**

35. All structures shall be shown on the recombination plat shall reflect the following statement:

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

**Other Relevant Conditions:**

36. The applicant is advised to consult an expert on wetlands before proceeding with any development.
37. 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.
38. 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.
39. 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.
40. 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.
41. The subject property lies on Hope Mills Road. Hope Mills Road is identified as a boulevard, needing improvement 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.
42. This conditional approval is contingent upon continued compliance with the Town’s Subdivision and Zoning Ordinances.

**If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Ward Page at 910-678-7602; 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	<a href="mailto:ebyrne@co.cumberland.nc.us">ebyrne@co.cumberland.nc.us</a>
PWC:	Joe Glass	223-4740	<a href="mailto:joe.glass@faypwc.com">joe.glass@faypwc.com</a>
Town of Hope Mills:		424-4555*	
Town Clerk:	Jane Starling		<a href="mailto:jstarling@townofhopemills.com">jstarling@townofhopemills.com</a>
Planner – Zoning Permits	Chancer McLaughlin		<a href="mailto:cmclaughlin@townofhopemills.com">cmclaughlin@townofhopemills.com</a>
Chief Building Inspector:	David Reeves		<a href="mailto:dreeves@townofhopemills.com">dreeves@townofhopemills.com</a>
Stormwater/Flood Administrator:	Beth Brown		<a href="mailto:eabrown@townofhopemills.com">eabrown@townofhopemills.com</a>
Zoning Inspector:	Chancer McLaughlin		<a href="mailto:cmclaughlin@townofhopemills.com">cmclaughlin@townofhopemills.com</a>
Fire Marshal	Brett A. Ham		<a href="mailto:baham@townofhopemills.com">baham@townofhopemills.com</a>
Public Works – Streets/sidewalks	Don Sisko		<a href="mailto:dsisko@townofhopemills.com">dsisko@townofhopemills.com</a>
US Postal Service	Jonathan R. Wallace	(704) 393-4412	<a href="mailto:jonathan.r.wallace@usps.gov">jonathan.r.wallace@usps.gov</a>

Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	<a href="mailto:hair@usacr.army.mil">hair@usacr.army.mil</a>
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	<a href="mailto:leland.cottrell@ncdenr.gov">leland.cottrell@ncdenr.gov</a>
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	<a href="mailto:susan_miller@fws.gov">susan_miller@fws.gov</a>
Location Services:			
Site-Specific Address:	Will Phipps	678-7616	<a href="mailto:wphipps@co.cumberland.nc.us">wphipps@co.cumberland.nc.us</a>
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	<a href="mailto:tlbaker@ncdot.gov">tlbaker@ncdot.gov</a>
Transportation Planning:	Katrina Evans	678-7614	<a href="mailto:kevans@co.cumberland.nc.us">kevans@co.cumberland.nc.us</a>
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	<a href="mailto:annette.lucas@ncdenr.gov">annette.lucas@ncdenr.gov</a>

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



REQUEST  
**C1(P) to C(P)/CZ for all allowed uses**

ACREAGE: .94+/-

PROPERTY OWNER/APPLICANT  
FADHL ALHOBISHI (OWNER) & MARK CANDLER ON  
BEHALF OF CANDLER & ASSOCIATES, INC. (AGENT)

PROPERTY ADDRESS/LOCATION  
**6428 & 6432 Camden Road**

Jurisdiction: **Hope Mills**

**PROPERTY INFORMATION**

**Frontage & Location:** 326'+/- on SR 1003 (Camden Road); 320'+/- on SR 1112 (Rockfish Road)

**Depth:** 134'+/-

**Adjacent Property:** None

**Current Use:** Vacant commercial structure

**Initial Zoning:** C1(P) – February 6, 1976 (Area 5); Annexed into Hope Mills on February 1, 1988; Initially zoned C1(P) by Hope Mills (Case P88-44) on April 18, 1988

**Town of Hope Mills:** Town staff in support of request

**Nonconformities:** Existing commercial structure does not meet minimum required front setbacks

**Zoning Violation(s):** None

**School Capacity/Enrolled:** Stoney Point Elementary: 840/943; John Griffin Middle: 1274/1088; Jack Britt High: 1950/1952

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

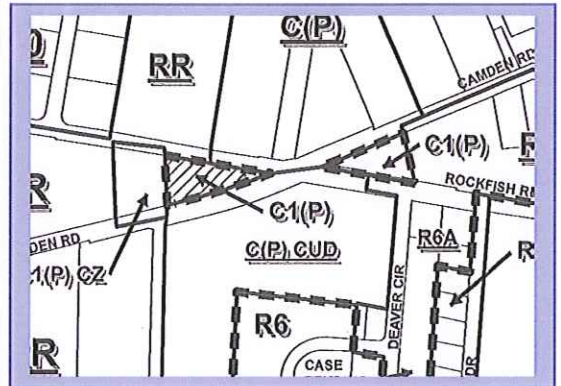
**Water/Sewer Availability:** PWC/Septic

**Soil Limitations:** None

**Subdivision/Site Plan:** See Ordinance Related Conditions

**Average Daily Traffic County (2016):** 9,600 on SR 1003 (Camden Road); 13,000 on SR 1112 (Rockfish Road)

**Highway Plan:** Camden Road is identified as thoroughfare needing improvement in the 2040 Metropolitan Transportation Plan. This portion of Camden is shown in the 2040 Metropolitan Transportation Plan as project U-3422, a widening project from the Fayetteville Outer Loop (U-2519) to NC 59 (Hope Mills Road). Right-of-way acquisition will begin in 2021. Rockfish Road is identified as thoroughfare needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned.



**SURROUNDING LAND USE:** Residential (including multi-family housing), religious worship facility (2), private school, shopping center, motor vehicle washing, mini-warehousing with outside vehicle storage and convenience retail with gasoline sales

**COMPREHENSIVE PLANS:**  
**2030 Growth Vision Plan:** Urban  
**Southwest Cumberland Land Use Plan (2014):** Heavy Commercial

**Notes:**

1. **Minimum Yard Setbacks:**

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

2. The property owner has agreed to all ordinance related conditions.

STAFF RECOMMENDATION

APPROVAL

**APPROVAL WITH CONDITIONS**

DENIAL

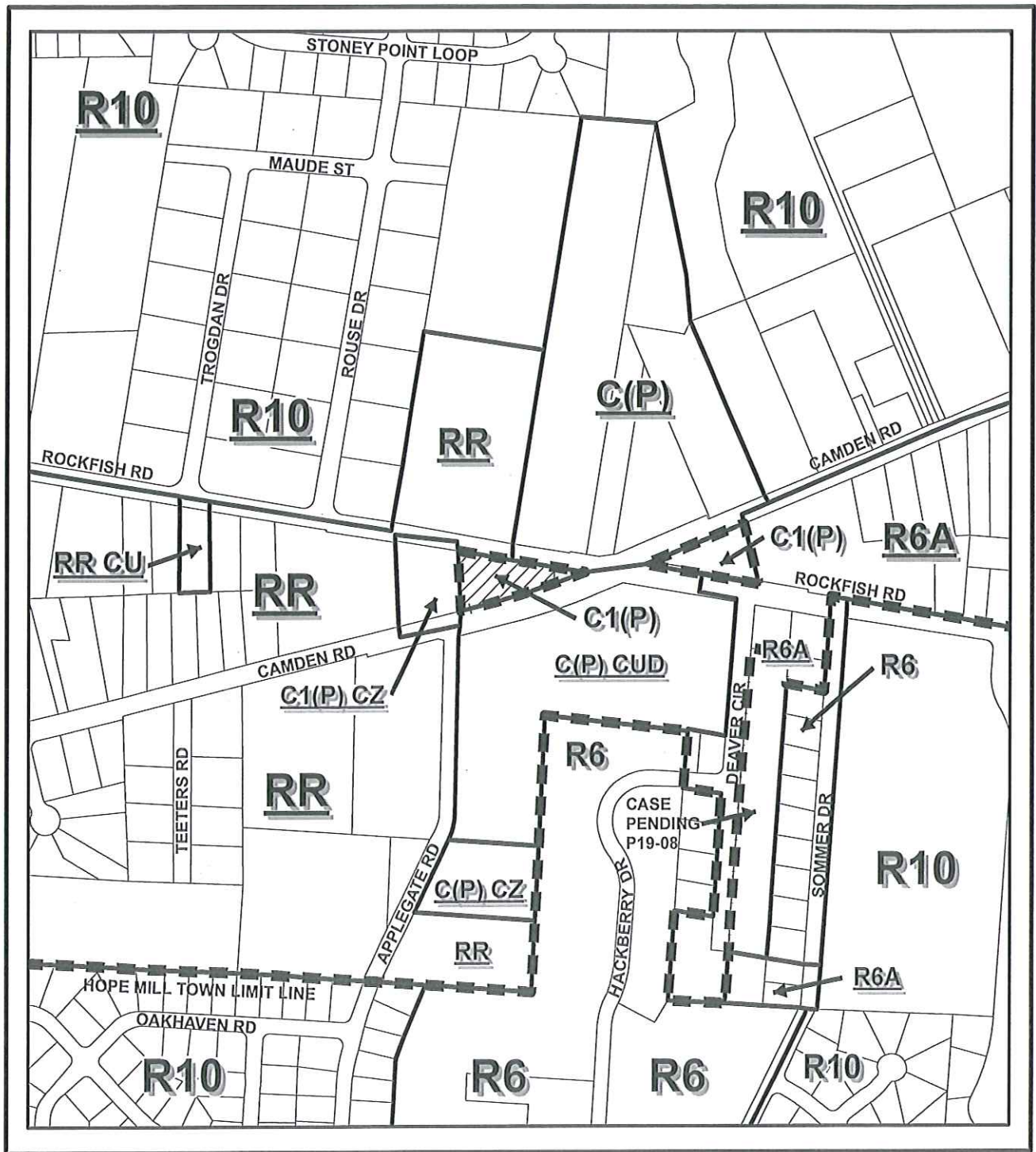
In Case P19-07, the Planning and Inspections Staff recommends approval of the rezoning from C1(P) Planned Local Business District to C(P) Planned Commercial/CZ Conditional Zoning for all allowed uses within the C(P) Planned Commercial District subject to the conditions within our packet and find this recommendation to be consistent with the Southwest Cumberland Land Use Plan (2014) which calls for "heavy commercial" at this location, C(P) Planned Commercial is classified as a "heavy commercial" zoning district and further find approval of the request is reasonable and in the public interest because the district requested is in harmony with the surrounding zoning and existing land uses.

**OTHER SUITABLE DISTRICTS:** None

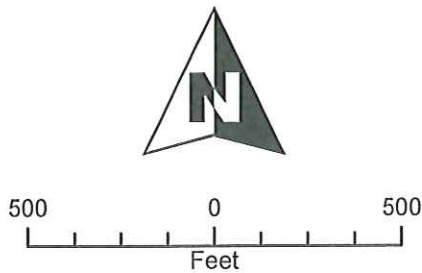
**ATTACHMENTS:** SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS

**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 C1(P) TO C(P)/CZ

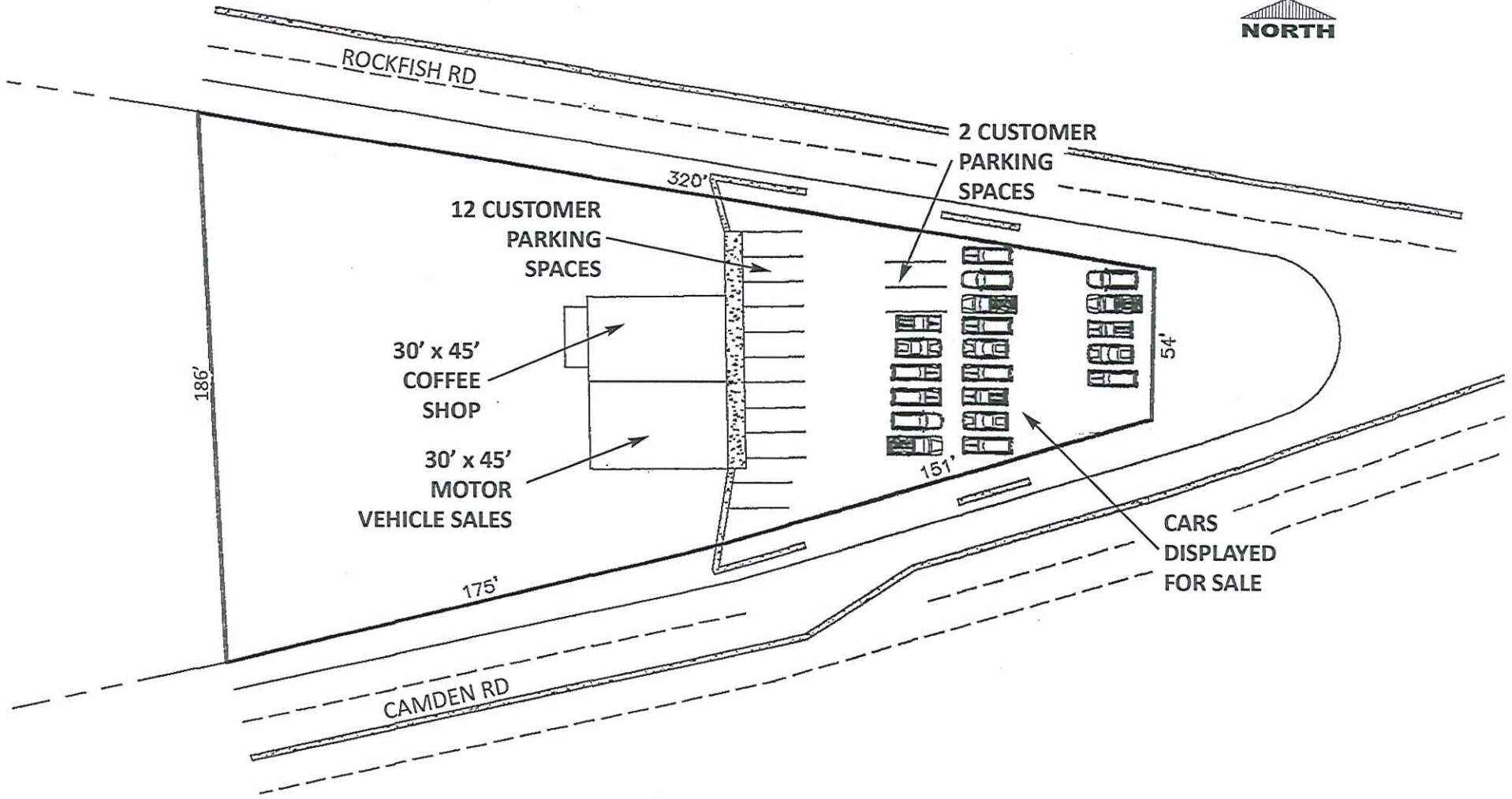


PIN: 0404-36-7684

<b>ACREAGE: 0.94 AC. +/-</b>	<b>HEARING NO: P19-07</b>	
<b>ORDINANCE: HOPE MILLS</b>	<b>HEARING DATE</b>	<b>ACTION</b>
<b>STAFF RECOMMENDATION</b>		
<b>PLANNING BOARD</b>		
<b>GOVERNING BOARD</b>		

LH  
01-17-2019  
01-23-2019  
02-12-2019





**C(P) PLANNED COMMERCIAL DISTRICT/  
CZ CONDITIONAL ZONING**

REQUEST: ALL ALLOWED USES WITHIN THE C(P) DISTRICT

CASE: P19-07 ACREAGE: 0.94 AC +/-

SCALE: NTS PARKING: 14 SPACES

\*SCALE DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

**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 Fadhl Alhobishi
2. Address: 6428 Camden Rd. Zip Code 28348
3. Telephone: (Home) 910-263-0370 (Work) Same.
4. Location of Property: 6428 Camden Rd. Hope Mills, NC.
5. Parcel Identification Number (PIN #) of subject property: 0404-36-7684  
(also known as Tax ID Number or Property Tax ID)
6. Acreage: 0.94 Frontage: 660' Depth: 319'
7. Water Provider: PWC Septage Provider: Septic
8. Deed Book 9890, Page(s) 899, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: Vac. / Conv. w - Gasoline.
10. Proposed use(s) of the property: See attached Matrix.  
Highly highlights.

**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: CIP  
TO: (Select one)  
 Conditional Zoning District, with an underlying zoning district of 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



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.)

ALL allowed uses CP (F)

- 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.

0.94 ac / Commercial

2. DIMENSIONAL REQUIREMENTS:

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

50' - Front

30' - Side → Existing Building → 25' Left side - Camden

30' - Rear

→ 33' Right side - Rockfish

- 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.

14 parking spaces - See site plan.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIV.

Building - attached signage

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.**

*Existing Building  
. See attached 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 attached 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.

*Ordinance Standard will be met.*

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



STATEMENT OF ACKNOWLEDGEMENT

Regarding appearance before the Board of Commissioners, the undersigned owner(s), agents, or their assigns, by virtue of their signature(s) to this application, hereby acknowledge the following:

- That although appearance before the board is not required, it is strongly encouraged;
- The board will hear any and all arguments for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to approve, deny, or defer the request for additional information to be provided;
- If the petitioner or their representative for this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the application and defer, approve, or deny the case.
- If the board's decision is to deny the matter before them, the course of appeal to the decision will be that of Cumberland County Superior Court. (Affected parties of the board's decision have 30 days from date of proper notification of the board's action in which to serve notice of appeal.)
- Any petition for review by Superior Court shall be file with the Cumberland County Clerk of Superior Court within 30 days after the decision of the board is made final.

Signed acknowledgement that the County Planning Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above and that the application is complete and accurate..

*Fadi S Alhobisti*  
Property owner(s)' signature(s)

Property owner(s)' signature(s)

P.O. Box 807 St. Pauls NC 28384  
Complete mailing address of property owner(s)

910-263-0370  
Telephone number Alternative telephone number

*Candler Associates @ Outlook.com*  
Email address FAX number

Date: Jan 08, 2019

REALTOR (Mark Candler) Candler & Assoc. Inc.  
Agent, attorney, or applicant's signature(s) (other than property owner)

Agent, attorney, or applicant's signature(s) (other than property owner)

171 Brooke Run Lumber Bridge, NC 28357  
Complete mailing address of property owner(s)

910-263-0370  
Telephone number

Alternative telephone number

Mark.Candler@Live.com  
Email address

(910) 848-1008  
FAX number

Date: Jan 08, 2019

Note: Only expressly authorized agents or assigns may sign this acknowledgement in lieu of the tax record owners' signatures.

**Upon submission, the contents of this application becomes "public record" and is available for review and/or copies upon request.**



## C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING DISTRICT

### **DRAFT**

### **Ordinance Related Conditions**

*for*

*All allowed uses in the C(P) Planned Commercial District*

#### **Revision Required:**

1. Three copies of a revised site plan and a \$50.00 revision fee is required to be submitted to Land Use Codes prior to the further processing of this plat/plan. The following must be addressed on the revised plat/plan:
  - a. A minimum of one off-street loading spaces(s) measuring 12' x 25' with 14' overhead clearance must be provided for the retail area. (Note: Three copies of a revised site plan depicting the required loading space(s) must be submitted and approved prior to application for any building/zoning permits.) (Section 102A-1303 Off-street loading, Hope Mills Zoning Ordinance.)

#### **Pre- Permit Related:**

2. Prior to the commencement of any change in use on the subject property, three copies of a detailed site plan (and \$50 revision fee) must be submitted to the Land Use Codes section for review and approval; additional conditions may apply dependent upon the nature of the proposed non-residential use.
3. 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.
4. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public 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.) (NCGS § 130A-338 & Sec. 2306 A, & Section 86A-406 (2), Hope Mills Subdivision Ordinance, & Section 102A – 1201 (e), Hope Mills Zoning Ordinance.)

#### **Permit-Related:**

5. 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.
6. 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 were provided by the Town's Plan Review Committee:
  - a. *Town of Hope Mills Storm Water Department:* No comment.
  - b. *Town of Hope Mills Planning Department:* Staff is in support of this request, however, the applicant is advised to contact NCDOT to determine the impacts of proposed realignment of the intersection of Rockfish Road and Camden Road. Sidewalks will not be required as this is utilizing an existing commercial structure with no construction proposed.
  - c. *Town of Hope Mills Public Works Department:* Driveway permitting will be covered under DOT.
  - d. *Town of Hope Mills Fire Department:* No comment.
  - e. *Town of Hope Mills Inspections:* This property can be divided into separate tenant spaces but the owner and tenants need to be made aware that this will require a full complete set of plans. This building has one electrical service now it will have to have 2, one for each tenant. Existing lighting and outlets will have to be separated for each space. It will also have to have separate bathrooms, HVAC systems and ADA parking for each tenant. The wall separating



the spaces will be continuous from the floor to the bottom of the roof decking and rated accordingly. Again, the owner and tenants need to be aware of this. If you have any questions let me know.

7. Connection to public water is required, the Public Works Commission (PWC) must approve water 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)
8. 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.
9. 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.
10. 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.
11. 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.
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. If driveways are changed or added, the developer must obtain a driveway permit from the Hope Mills Street Department and NC Department of Transportation (NCDOT). If required, 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 NCDOT Division 6 / District 2 office at the numbers listed on the bottom of this conditional approval.

**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.**

**Site-Related:**

14. All uses, dimensions, setbacks and other related provisions of the Hope Mills Subdivision Ordinance and Zoning Ordinance for the C(P) Planned Commercial/CZ Conditional Zoning for all allowed uses within the C(P) Planned Commercial zoning district must be complied with, as applicable.
15. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
16. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article 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.)
17. "Rockfish Road" must be labeled as "SR 1112 (Rockfish Road)" on all future plans.



18. "Camden Road" must be labeled as "SR 1003 (Camden Road)" on all future plans.
19. If renovation of the existing structure exceeds more than 50%, a concrete, or other approved surface material sidewalk is required to be constructed along SR 1112 (Rockfish Road) and SR 1003 (Camden Road). (Section 86A-405, Sidewalks, Hope Mills Subdivision Ordinance)
20. 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.
21. 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)
22. Turn lanes may be required by the Hope Mills Street Department and NC Department of Transportation (NCDOT).

**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.**

23. 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.
24. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
25. 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 fourteen off-street parking spaces is required for this development. (Section 102A-1302, Off-street parking, Hope Mills Zoning Ordinance.)
26. Noise levels shall not exceed 60 dB(A) between the hours of 10:00 pm and 7:00 am. In any event, the noise level, regardless of the time of day, shall not become a nuisance to neighboring properties and strict compliance with the County's Noise Ordinance is required.
27. Motor vehicles for sale must remain in the areas noted as "cars displayed for sale" on site plan.

**Other Relevant Conditions:**

28. All conditions from Case 19-007 will apply to this site.
29. The applicant is advised to consult an expert on wetlands before proceeding with any development.
30. 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.
31. 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.
32. 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.
33. 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.

34. The subject property lies on the corner of Camden Road and Rockfish Road. Camden Road is identified as thoroughfare needing improvement in the 2040 Metropolitan Transportation Plan. This portion of Camden is shown in the 2040 Metropolitan Transportation Plan as project U-3422, a widening project from the Fayetteville Outer Loop (U-2519) to NC-59 (Hope Mills Road). Right-of-way acquisition will begin in 2021. Rockfish Road is identified as thoroughfare needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. For questions related to this comment, please contact Transportation Planning.

**If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Ward Page at 910-678-7602; 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	<a href="mailto:ebyrne@co.cumberland.nc.us">ebyrne@co.cumberland.nc.us</a>
County Health Department:	Fred Thomas	433-3692	<a href="mailto:fthomas@co.cumberland.nc.us">fthomas@co.cumberland.nc.us</a>
Food & Lodging Env. Health:	Fred Thomas	433-3692	<a href="mailto:fthomas@co.cumberland.nc.us">fthomas@co.cumberland.nc.us</a>
Ground Water Issues:	Fred Thomas	433-3692	<a href="mailto:fthomas@co.cumberland.nc.us">fthomas@co.cumberland.nc.us</a>
PWC:	Joe Glass	223-4740	<a href="mailto:joe.glass@faypwc.com">joe.glass@faypwc.com</a>
Town of Hope Mills:		424-4555*	
Town Clerk:	Jane Starling		<a href="mailto:jstarling@townofhopemills.com">jstarling@townofhopemills.com</a>
Planner – Zoning Permits	Chancer McLaughlin		<a href="mailto:cmclaughlin@townofhopemills.com">cmclaughlin@townofhopemills.com</a>
Chief Building Inspector:	David Reeves		<a href="mailto:dreeves@townofhopemills.com">dreeves@townofhopemills.com</a>
Stormwater/Flood Administrator:	Beth Brown		<a href="mailto:eabrown@townofhopemills.com">eabrown@townofhopemills.com</a>
Zoning Inspector:	Chancer McLaughlin		<a href="mailto:cmclaughlin@townofhopemills.com">cmclaughlin@townofhopemills.com</a>
Fire Marshal	Brett A. Ham		<a href="mailto:baham@townofhopemills.com">baham@townofhopemills.com</a>
Public Works – Streets/sidewalks	Don Sisko		<a href="mailto:dsisko@townofhopemills.com">dsisko@townofhopemills.com</a>
US Postal Service	Jonathan R. Wallace	(704) 393-4412	<a href="mailto:jonathan.r.wallace@usps.gov">jonathan.r.wallace@usps.gov</a>
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	<a href="mailto:hair@usacr.army.mil">hair@usacr.army.mil</a>
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	<a href="mailto:leland.cottrell@ncdenr.gov">leland.cottrell@ncdenr.gov</a>
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	<a href="mailto:susan_miller@fws.gov">susan_miller@fws.gov</a>
Location Services:			
Site-Specific Address:	Will Phipps	678-7616	<a href="mailto:wphipps@co.cumberland.nc.us">wphipps@co.cumberland.nc.us</a>
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	<a href="mailto:tlbaker@ncdot.gov">tlbaker@ncdot.gov</a>
Transportation Planning:	Katrina Evans	678-7614	<a href="mailto:kevans@co.cumberland.nc.us">kevans@co.cumberland.nc.us</a>
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	<a href="mailto:annette.lucas@ncdenr.gov">annette.lucas@ncdenr.gov</a>

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

CC: Chancer McLaughlin, Town of Hope Mills



REQUEST  
**Initial to R6**

ACREAGE: **2.95+/-**

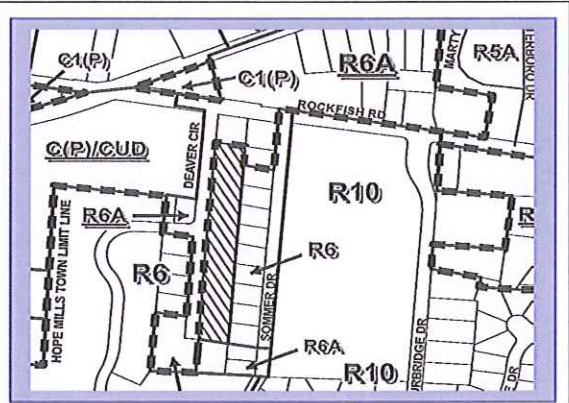
PROPERTY OWNER/APPLICANT  
NICHOLAS HARRELL (OWNER)

PROPERTY ADDRESS/LOCATION  
**South side of SR 1112 (Rockfish Road),  
east of SR 3091 (Deaver Circle)**

Jurisdiction: **Hope Mills**

**PROPERTY INFORMATION**

Frontage & Location: 999' +/- on SR 3091 (Deaver Circle)  
Depth: 132' +/-  
Adjacent Property: Yes  
Current Use: Vacant  
Initial Zoning: R6A – February 3, 1977 (Area 7); Annexed into Hope Mills on January 22, 2019  
Town of Hope Mills: Town staff is in support of request.  
Nonconformities: None  
Zoning Violation(s): None  
School Capacity/Enrolled: C. Wayne Collier Elementary: 500/482; Hope Mills Middle: 740/543; South View High: 1800/1631  
Special Flood Hazard Area (SFHA): None  
Water/Sewer Availability: PWC/PWC  
Soil Limitations: None  
Subdivision/Site Plan: Subdivision and group development approved (Case 18-106)  
Average Daily Traffic County (2016): 10,000 on SR 1112 (Rockfish Road)  
Highway Plan: Deaver Circle 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 home and multi-family dwellings), motor vehicle wash, shopping center, mini-warehousing

**COMPREHENSIVE PLANS:**  
**2030 Growth Vision Plan:** Urban  
**Southwest Cumberland Land Use Plan (2014):** Medium Density Residential

**Notes:**

1. **Density**  
R6- 30 lots/31 units
2. **Minimum Yard Setbacks:**

	<u>R6</u>
Front yard:	25'
Side yard:	10'
Rear yard:	30'

STAFF RECOMMENDATION

**APPROVAL**

APPROVAL WITH CONDITIONS

DENIAL

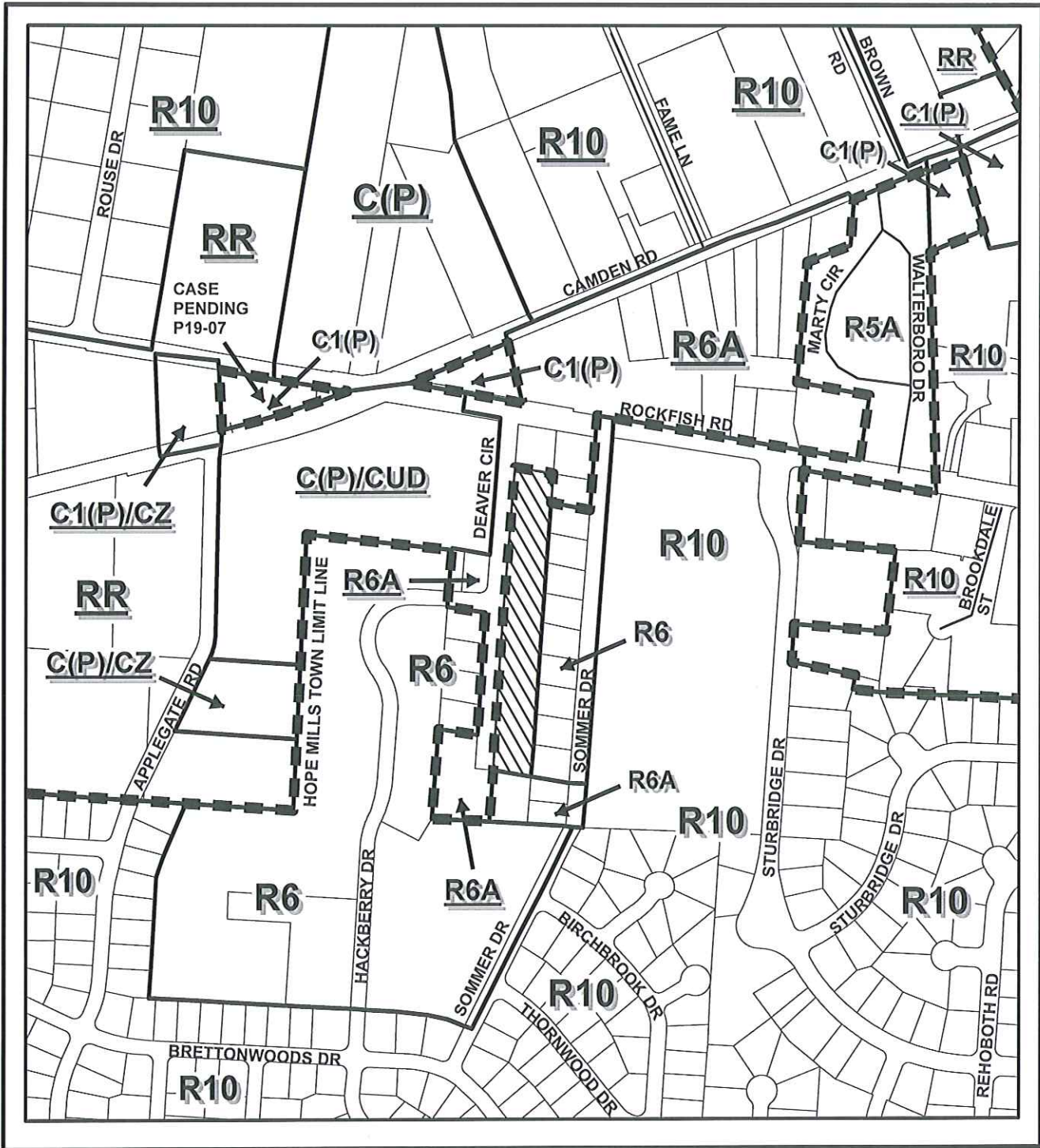
In Case P19-08, the Planning and Inspections Staff recommends approval of the initial zoning to R6 Residential and find this recommendation to be consistent with the Southwest Cumberland Land Use Plan which calls for "medium density residential" at this location; and further find approval of the request is reasonable and in the public interest because the town initiated the request and the district requested is in harmony with the surrounding zoning and existing land uses.

OTHER SUITABLE DISTRICTS: None

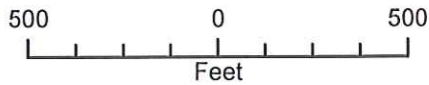
ATTACHMENTS: SKETCH MAP

**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.



# INITIAL ZONING TO R6



<b>ACREAGE: 2.95 AC. +/-</b>	<b>HEARING NO: P19-08</b>	
ORDINANCE: HOPE MILLS	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0404-45-6950

2/13/19  
MB



REQUEST  
**R6A/CU to C(P)**

ACREAGE: **1.44+/-**

PROPERTY OWNER/APPLICANT  
S. HEWITT FULTON, III ON BEHALF OF Z.V. PATE,  
INC. (OWNER) & ALEX T.KEITH (AGENT)

PROPERTY ADDRESS/LOCATION

**West side of SR 1132 (Legion Road), north  
of SR 3009 (Pioneer Drive)**

Jurisdiction: **County**

PROPERTY INFORMATION

Frontage & Location: 147'+/- on SR 1132 (Legion Road)

Depth: 450'+/-

Adjacent Property: Yes

Current Use: Single family dwelling & manufactured home park

Initial Zoning: R10 – November 17, 1975 (Area 4); rezoned to R6A Residential on July 26, 1988 (Case P88-85); Conditional Use Overlay approved February 28, 1995 (Case P95-05)

Municipal Influence Area: Hope Mills

Nonconformities: Residential & manufactured home park use will become nonconforming if approved

Zoning Violation(s): None

School Capacity/Enrolled: Ed V. Baldwin Elementary: 680/679; South View Middle: 900/665; South View High: 1800/1631

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/Septic

Soil Limitations: None

Subdivision/Site Plan: If approved, site plan review required

Average Daily Traffic County (2016): 14,000 on SR 1132 (Legion Road)

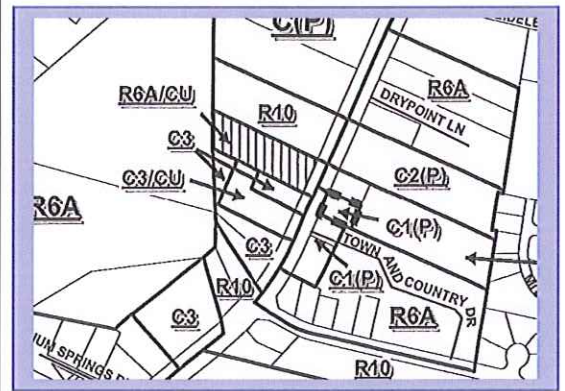
Highway Plan: Legion Road is identified as a thoroughfare needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.

Notes:

- Density**  
R6A- 14 lots/units  
MHP- 12 units

2. **Minimum Yard Setbacks:**

	R6A	C(P)
Front yard:	25'	50'
Side yard:	10'	30'
Rear yard:	15'	30'



SURROUNDING LAND USE: Residential [including multi-family housing, manufactured homes & manufactured home park (2)], club or lodge, vacant commercial, motor vehicle sales, religious worship facility, convenience retail, motor vehicle repair

COMPREHENSIVE PLANS:  
**2030 Growth Vision Plan:** Urban  
**Southwest Cumberland Land Use Plan (2013):** Heavy Commercial

STAFF RECOMMENDATION

**APPROVAL**

APPROVAL WITH CONDITIONS

DENIAL

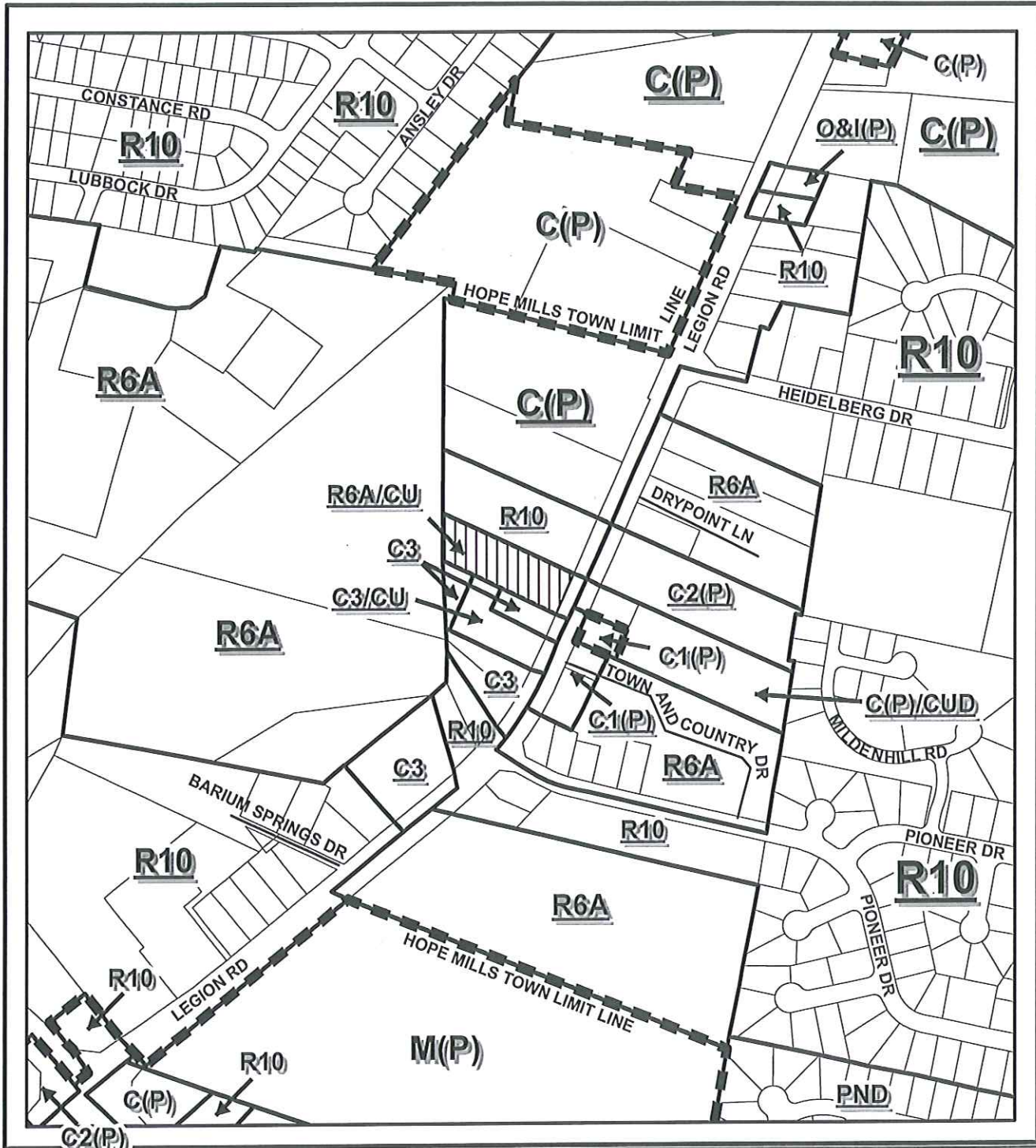
In Case P19-09, the Planning and Inspections Staff recommends approval of the rezoning from R6A Residential/CU Conditional Use Overlay District to allow the placement of a recreational vehicle in an approved manufactured home park to C(P) Planned Commercial and find this recommendation to be consistent with the Southwest Cumberland Land Use Plan (2013) which calls for "heavy commercial" at this location, C(P) Planned Commercial is classified as a "heavy commercial" zoning district and further find approval of the request is reasonable and in the public interest because the district requested is in harmony with surrounding zoning and existing land uses.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP

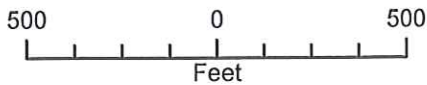
**First Class and Record Owners' Mailed Notice Certification**

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 R6A/CU TO C(P)

<b>ACREAGE: 1.44 AC. +/-</b>	<b>HEARING NO: P19-09</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		



PIN: 0425-20-0678

MB



REQUEST

ACREAGE: 21.56+/-

PROPERTY OWNER/APPLICANT

JOHN LEE, FRED LEE, JR. AND JAMES LEE  
(OWNERS) & JAMES C. ROBINSON (AGENT)

**M(P) to RR/CZ for a recreational vehicle  
park and/or campground**

PROPERTY ADDRESS/LOCATION

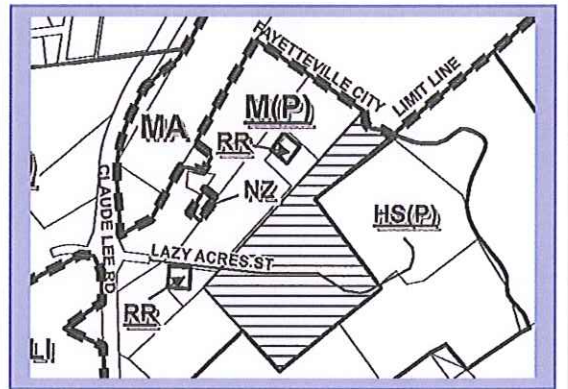
**Both sides of Lazy Acres Street, East of SR  
2341 (Claude Lee Road)**

Jurisdiction:

**County**

**PROPERTY INFORMATION**

Frontage & Location: N/A  
 Depth: 1,158'+/-  
 Municipal Influence Area: Fayetteville  
 Adjacent Property: None  
 Current Use: Vacant  
 Initial Zoning: M(P) – March 15, 1979 (Area 6)  
 Nonconformities: Subject property is landlocked  
 Zoning Violation(s): None  
 School Capacity/Enrolled: Alderman Road Elementary: 750/705; South View  
 Middle: 900/646; South View High: 1800/1709  
 Special Flood Hazard Area (SFHA): None  
 Water/Sewer Availability: Well/Septic  
 Soil Limitations: Yes- Hydric: JT (Johnston loam)  
 Subdivision/Site Plan: See Ordinance Related Conditions  
 Average Daily Traffic County (2016): 3,400 on SR 2341 (Claude Lee Road)  
 Highway Plan: Lazy Acres Street is identified as a Local Road in the 2040  
 Metropolitan Transportation Plan with no constructions/improvements planned.  
 Claude Lee Road is identified as an existing thoroughfare in the 2040  
 Metropolitan Transportation Plan with no constructions/improvements planned;  
 no impact on the Transportation Improvement Plan.  
 Fayetteville Regional Airport: Parcel is toward the approach end of Runway  
 4.



**SURROUNDING LAND USE:** Residential (including manufactured homes), airport operation (major), recreational vehicle park and/or campground, borrow source operation, vending machine rental, truck terminal activities & woodlands

**COMPREHENSIVE PLANS:**

**2030 Growth Vision Plan:** Urban  
**South Central Land Use Plan (2015):**  
 Airport Oriented Uses

**Notes:**

1. **Minimum Yard Setbacks:**

	RR	M(P)
Front yard:	30'	100'
Side yard:	15'	50'
Rear yard:	35'	50'

2. Lazy Acres Street is not an approved street.
3. The property owners have agreed with all ordinance related conditions.

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

**DENIAL**

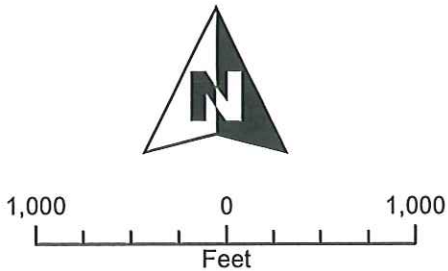
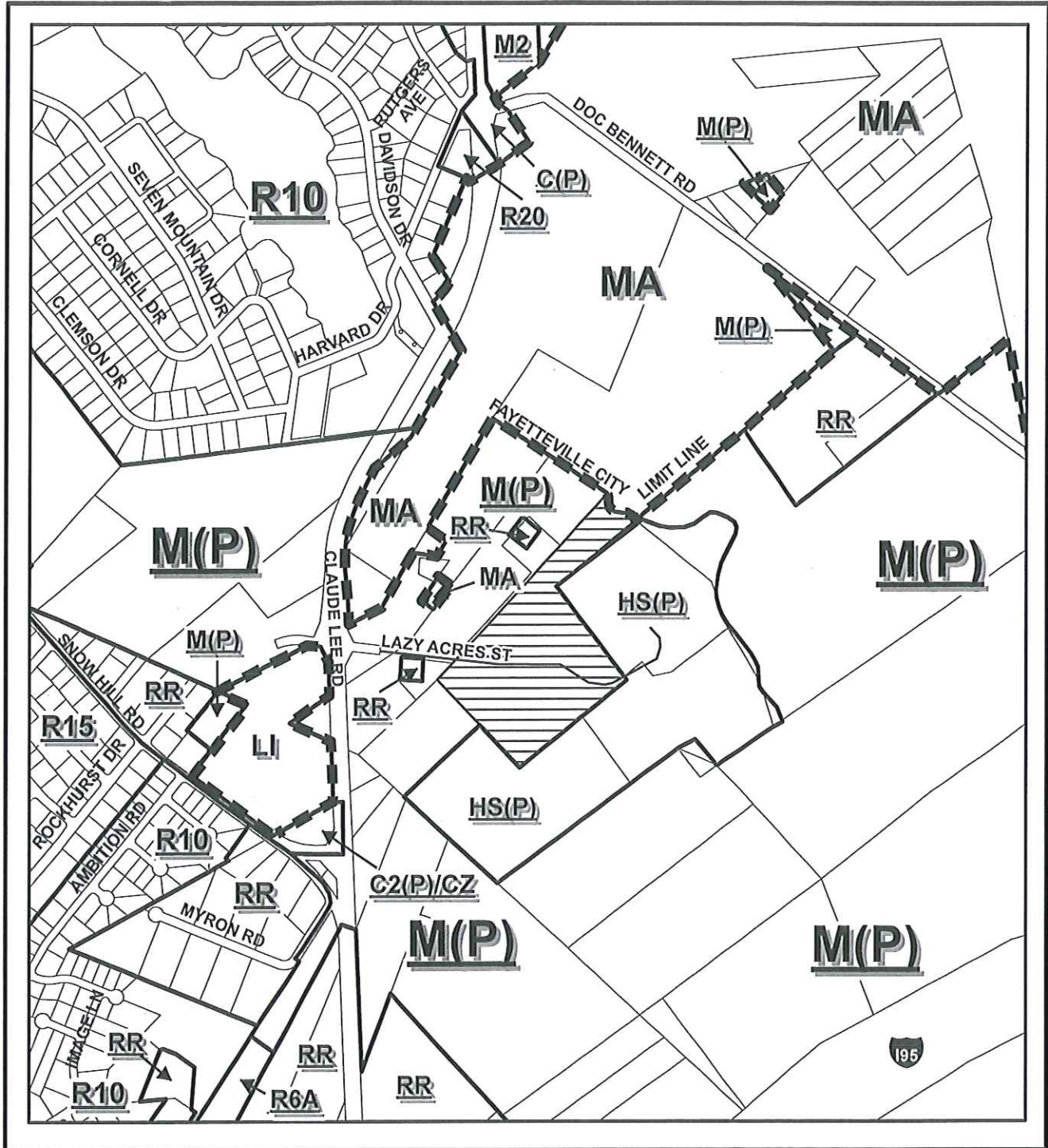
In Case P18-35, the Planning and Inspections Staff recommends denial of the rezoning from M(P) Planned Industrial to RR Rural Residential/CZ Conditional Zoning for a recreational vehicle park and/or campground and find it is not consistent with the adopted South Central Land Use Plan (2015) which calls for "Airport Oriented Uses" at this location, the "Airport Oriented Uses" designation defines critical areas around the airport based on safety and the protection of citizens; and further find that denial of the request is reasonable and in the public interest because the level of density shown on the site plan is likely to create a situation that would not be compatible with airport operations at the southern end of the runway and the property lacks access to an approved street.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS: SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS

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

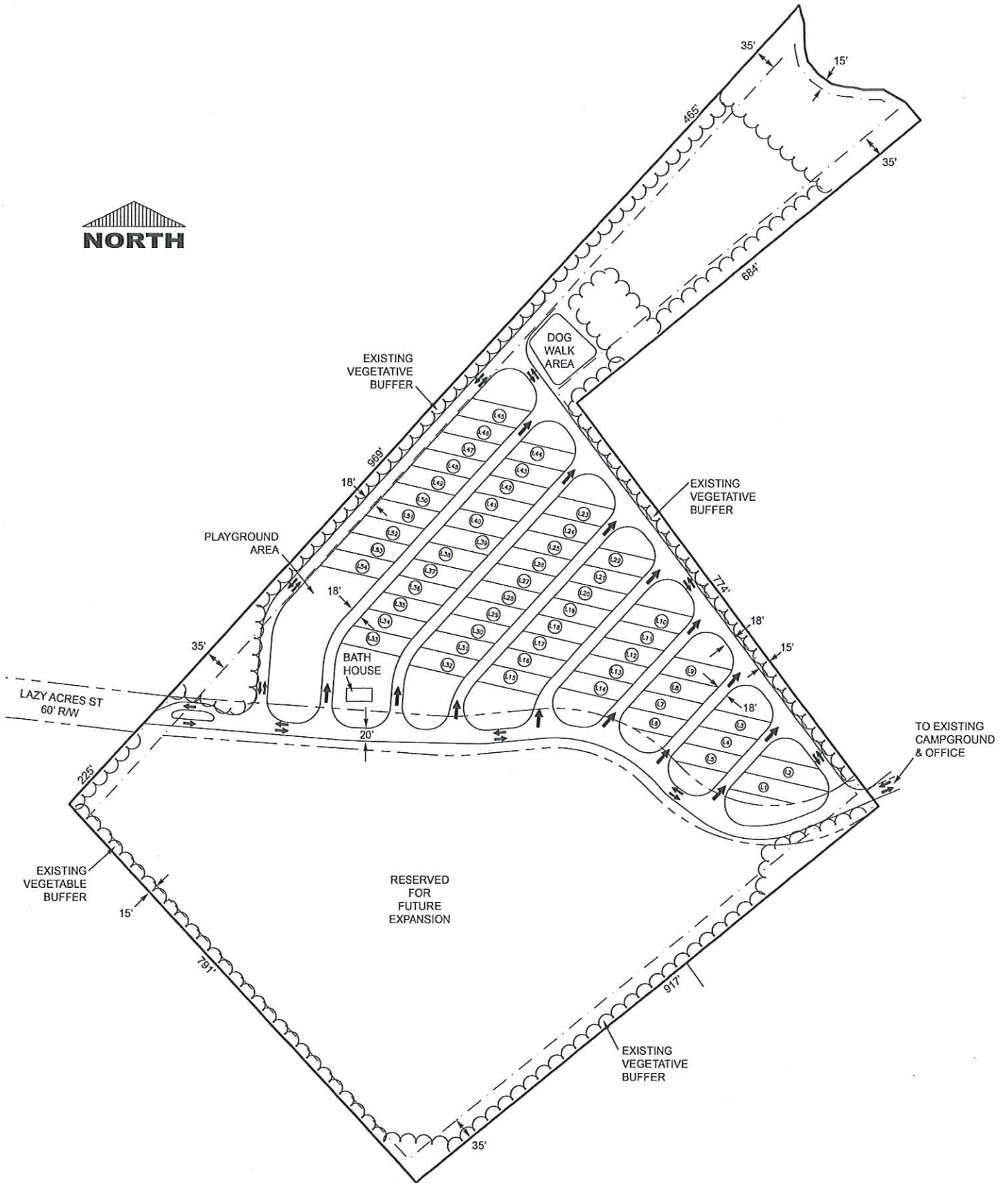
A certified copy of the listing with the tax record owner(s) of the subject and adjacent properties, along with their tax record mailing addresses, is contained within the case file and incorporated by reference as if delivered herewith.



## REQUESTED REZONING M(P) TO RR/CZ

<b>ACREAGE: 21.56 AC. +/-</b>	<b>HEARING NO: P18-35</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		





**RR RURAL RESIDENTIAL DISTRICT / CZ CONDITIONAL ZONING DISTRICT**

REQUEST: ALLOW A RECREATIONAL VEHICLE PARK AND/OR CAMPGROUND

CASE: P18-35 ACREAGE: 21.56 AC+/-

ZONED: M(P) SCALE: NTS

\*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 \_\_\_\_\_
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: MP  
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  
(Article VIII)



**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 MP to CP
2. Address of Property to be Rezoned Lazy Acres Street, East of Claude Lee Rd
3. Location of Property: Lazy Acres Street, East of Claude Lee Rd
4. Parcel Identification Number (PIN #) of subject property: 0474-35-2885  
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 21.56 Frontage: 1059 Depth: 1658
6. Water Provider: Well:  PWC: \_\_\_\_\_ Other (name): \_\_\_\_\_
7. Septage Provider: Septic Tank  PWC \_\_\_\_\_
8. Deed Book 4490, Page(s) 235, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: VACANT LAND
10. Proposed use(s) of the property: Recreational Vehicle Park
11. Do you own any property adjacent to or across the street from this property?  
Yes  No \_\_\_\_\_ If yes, where? \_\_\_\_\_
12. Has a violation been issued on this property? Yes \_\_\_\_\_ No

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.*

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.)

Recreational Vehicle Park

- 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.

21.56 Acres RV Park

113 Vehicle sites

2. DIMENSIONAL REQUIREMENTS:

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

RR Front 30 FT side 15 FT rear 35 FT

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

Adequate parking provided on adjacent parcel

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

see 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. 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. Existing vegetative buffer*

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.

*Access to be approved off Lazy Acres St.  
Monday through Saturday 9:00 AM - 12:00 PM + 1:00 PM - 6:00 PM  
Sunday 11:00 AM - 6:00 PM  
There are 4 employees  
There are 8 overhead lights*

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.





## RR RURAL RESIDENTIAL/CZ CONDITIONAL ZONING DISTRICT

**DRAFT**

### **Ordinance Related Conditions**

*for*

*Recreational vehicle park and/or campground*

#### 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.

[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]

2. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public 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.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

#### Permit-Related:

3. 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. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
4. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
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.**



[§ 136-18(29), NCGS]

6. Because the subject property is located within the Airport Overlay District and in the event any structure is greater than 200 feet in height, the developer will be required to provide a FCC Form 7460-1 to Code Enforcement at the time of permit application. This form must be acknowledged by the FCC that the structure is not a hazard or obstruction to air traffic. (Section 8.101.D, County Zoning Ord.)
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 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 (and \$25 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
8. The County Health Department must approve water plans. Lots not served by public water system is required to be large enough and of such physical character to comply with the Health Department's minimum standards. 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.) (Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)
9. The County Fire Marshall specifies that the developer is to ensure that fire department access is met. For questions related to this comment, please contact the Fire Marshall's office.
10. 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. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

**Site-Related:**

11. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the RR Rural Residential/CZ Conditional Zoning for a recreational vehicle park and/or campground zoning district must be complied with, as applicable.

**Note: By showing the access to the site as Lazy Acres Street, which is not an approved street, the applicant is requesting the Commissioners vary the ordinance by allowing development of the site without the minimum required 20 feet of street frontage. (Section 1101.B "Street Access", County Zoning Ordinance) If the variance request is approved, it is specific to the current application only and will not apply to any future development.**

12. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.) (Art. XIII, County Zoning Ord.)
13. 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 2307.A, County Subdivision Ord.)
14. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
15. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)
16. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]



**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.**

17. 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.
18. The recreational vehicle park must be enclosed by a fence, wall, landscape screening, earthen mounds or by other measures from all contiguous residential areas in a manner that complements the landscape and assures compatibility with the adjacent environment and complies with the buffering requirements for non-residential uses adjacent to residential districts (Section 1102 G, County Zoning Ordinance) (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
19. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
20. Adequate off-street parking and maneuvering space shall be provided on site. No public street, sidewalk or right-of-way or any other private grounds not a part of the recreational vehicle parking area shall be used to park or maneuver vehicles.
21. Each recreational vehicle/camp site, excluding sites used solely for tents, shall be a minimum of 1200 square feet in area.
22. The recreational vehicle park must provide at least one telephone for public use.
23. The recreational vehicle park/campground cannot allow for permanent occupancy of any RV or campsite within this development; the same RV cannot remain on the same site for a continuous period of time exceeding 90 days.
24. Recreation vehicle parks/campgrounds shall be used only by travel trailers, pickup, coaches, motor homes, camping trailers, other vehicular accommodations and tents suitable for temporary habitation and used for travel, vacation and recreation purposes.
25. The internal drives serving the recreation vehicle park are to be constructed with a minimum 18 feet in width if providing two way streets and 12 feet in width for one way drives and contain a minimum depth of six inches of stone gravel base with proper ditching, drainage, and seeding of slopes.
26. 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. (Sec. 1403, County Zoning Ord.)

**Advisories:**

27. The applicant is advised to consult an expert on wetlands before proceeding with any development. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands and the permit must be obtained prior to any construction on this site.
28. 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.

29. An internal street system most likely will be required by the NC Department of Transportation (NCDOT) to serve any future divisions of the parent tract.
30. 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.

31. 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.
32. The subject property lies on Claude Lee Road. Claude Lee Road is identified as an existing thoroughfare 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.
33. 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.
34. Because the subject property is located within the Airport Overlay District, the developer is strongly encouraged to discuss their development plans with Land Use Codes Section and/or the Fayetteville Regional Airport Director early in the planning stage to ensure that the proposed height of any proposed structure can be found to be no obstruction or hazard to air navigation.

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

**If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Page at 910-678-7602 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	<a href="mailto:ebyrne@co.cumberland.nc.us">ebyrne@co.cumberland.nc.us</a>
Code Enforcement (Permits):	Scott Walters	321-6654	<a href="mailto:swalters@co.cumberland.nc.us">swalters@co.cumberland.nc.us</a>
County Building Inspections:	Michael Naylor	321-6657	<a href="mailto:mnyalo@co.cumberland.nc.us">mnyalo@co.cumberland.nc.us</a>
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	<a href="mailto:klowther@co.cumberland.nc.us">klowther@co.cumberland.nc.us</a>
	Gene Booth	678-7641	<a href="mailto:wbooth@co.cumberland.nc.us">wbooth@co.cumberland.nc.us</a>
County Engineer’s Office:	Wayne Dudley	678-7636	<a href="mailto:wdudley@co.cumberland.nc.us">wdudley@co.cumberland.nc.us</a>
County Health Department:	Fred Thomas	433-3692	<a href="mailto:ftomas@co.cumberland.nc.us">ftomas@co.cumberland.nc.us</a>
Ground Water Issues:	Fred Thomas	433-3692	<a href="mailto:ftomas@co.cumberland.nc.us">ftomas@co.cumberland.nc.us</a>
Fayetteville Airport Director	Brad Whited	433-1160	<a href="mailto:bwhited@ci.fay.nc.us">bwhited@ci.fay.nc.us</a>
Fayetteville Planning:	Taurus Freeman	433-1416	<a href="mailto:tfreeman@ci.fay.nc.us">tfreeman@ci.fay.nc.us</a>
County Public Utilities:	Amy Hall	678-7637	<a href="mailto:ahall@co.cumberland.nc.us">ahall@co.cumberland.nc.us</a>
US Postal Service	Jonathan R. Wallace	(704) 393-4412	<a href="mailto:jonathan.r.wallace@usps.gov">jonathan.r.wallace@usps.gov</a>
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	<a href="mailto:hair@usacr.army.mil">hair@usacr.army.mil</a>
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	<a href="mailto:leland.cottrell@ncdenr.gov">leland.cottrell@ncdenr.gov</a>
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	<a href="mailto:susan_miller@fws.gov">susan_miller@fws.gov</a>
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	<a href="mailto:wphipps@co.cumberland.nc.us">wphipps@co.cumberland.nc.us</a>
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	<a href="mailto:tlbaker@ncdot.gov">tlbaker@ncdot.gov</a>
Transportation Planning:	Katrina Evans	678-7614	<a href="mailto:kevans@co.cumberland.nc.us">kevans@co.cumberland.nc.us</a>
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	<a href="mailto:annette.lucas@ncdenr.gov">annette.lucas@ncdenr.gov</a>

cc: Marsha Bryant, City of Fayetteville  
Taurus Freeman, City of Fayetteville  
Gerald Newton, City of Fayetteville  
Bradley Whited, Fayetteville Regional Airport



REQUEST  
**R10 to C2(P)/CZ for trades contractor activities**

ACREAGE: **1.50+/-**

PROPERTY OWNER/APPLICANT  
 TIMOTHY B. EVANS (OWNER)

PROPERTY ADDRESS/LOCATION  
**Northwest side of SR 1243 (US Hwy 301 S), north of SR 1126 (Brooklyn Circle)**

Jurisdiction: **County**

**PROPERTY INFORMATION**

**Frontage & Location:** 382'+/- on SR 1243 (US Hwy 301 S); 110'+/- on SR 1126 (Brooklyn Circle)

**Depth:** 260'+/-

**Adjacent Property:** Yes

**Current Use:** Vacant

**Initial Zoning:** R10 – November 17, 1975 (Area 4)

**Nonconformities:** None

**Zoning Violation(s):** None

**School Capacity/Enrolled:** Gallberry Farm Elementary: 900/998; South View

Middle: 900/646; South View High: 1800/1648

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

**Water/Sewer Availability:** PWC/Septic

**Soil Limitations:** None

**Subdivision/Site Plan:** See Ordinance Related Conditions

**Average Daily Traffic County (2016):** 1,300 on SR 1126 (Brooklyn Circle); 15,000 on US Hwy 301 South

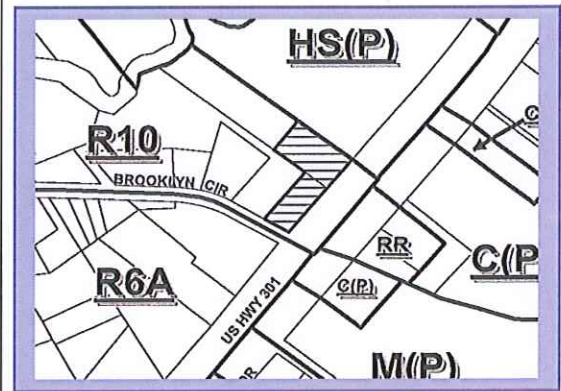
**Highway Plan:** US Hwy 301 South is identified as an expressway needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. Brooklyn Circle is identified as a local road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned; no impact on the Transportation Improvement Plan.

**Notes:**

- Density**  
R10- 8 lots/9 units

- Minimum Yard Setbacks:**

	<b>R10 (R7.5)</b>	<b>C2(P)</b>
Front yard:	30'	50'
Side yard:	10'	30'
Rear yard:	35'	30'



**SURROUNDING LAND USE:** Residential (including manufactured homes), recreational vehicle park and/or campground, vacant residential rehabilitation support facility,, motor vehicle sales, motor vehicle repair, woodworking, retailing & servicing, religious worship facility, fire station & woodlands

**COMPREHENSIVE PLANS:**  
**2030 Growth Vision Plan:** Urban  
**Southwest Cumberland Land Use Plan (2013):** Low Density Residential

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

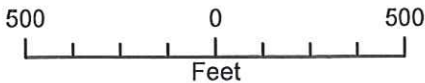
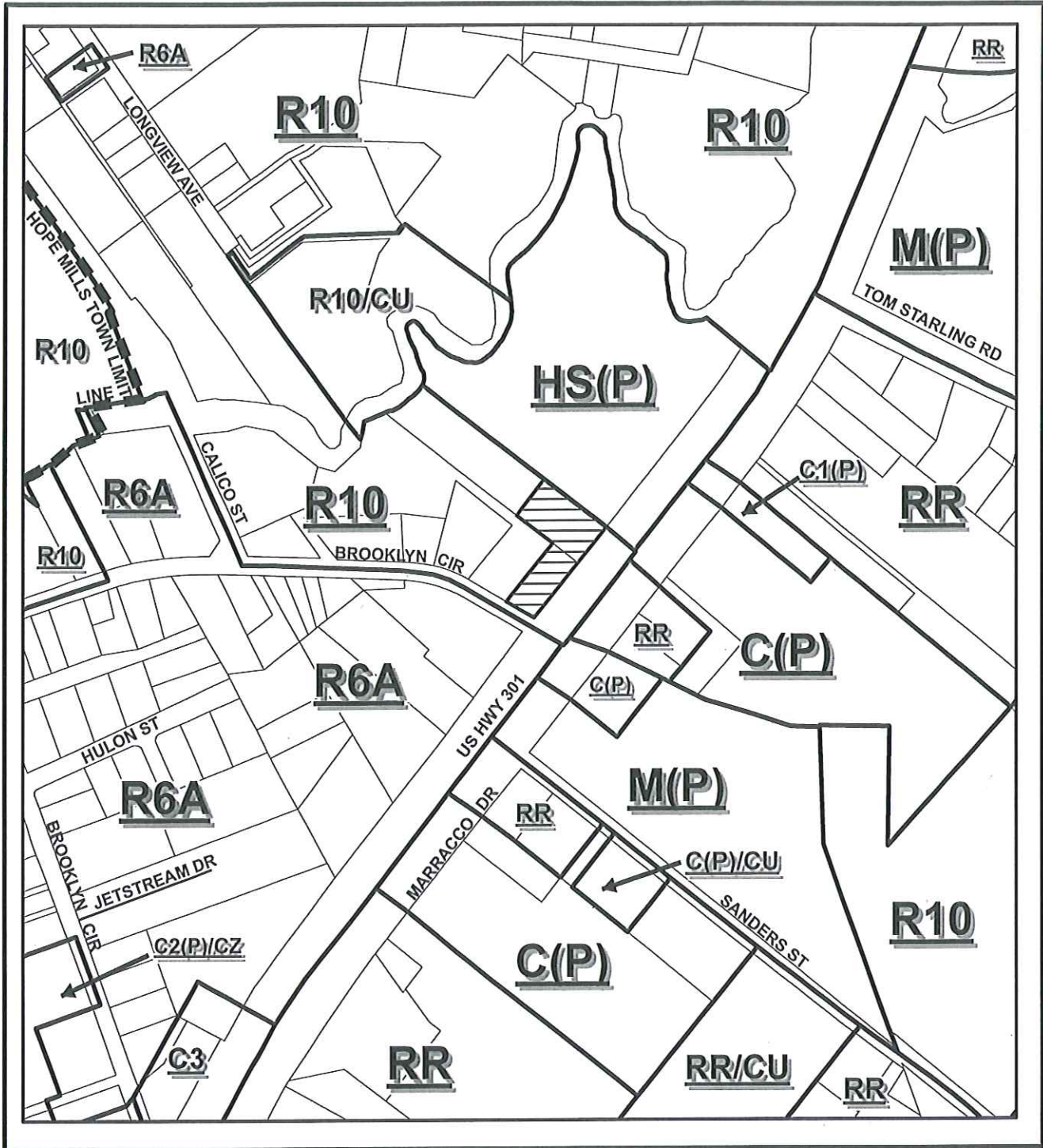
In Case P19-05, the Planning and Inspections Staff recommends denial of the rezoning from R10 Residential to C2(P) Planned Service and Retail District/CZ Conditional Zoning for trades contractor activities subject to the conditions within our packet and find it is not consistent with the Southwest Cumberland Land Use Plan (2013) which calls for "low density residential" at this location; and further find that denial of the rezoning is reasonable and in the public interest because denial of the request will prevent further encroachment of commercial uses towards the existing residential uses.

**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.

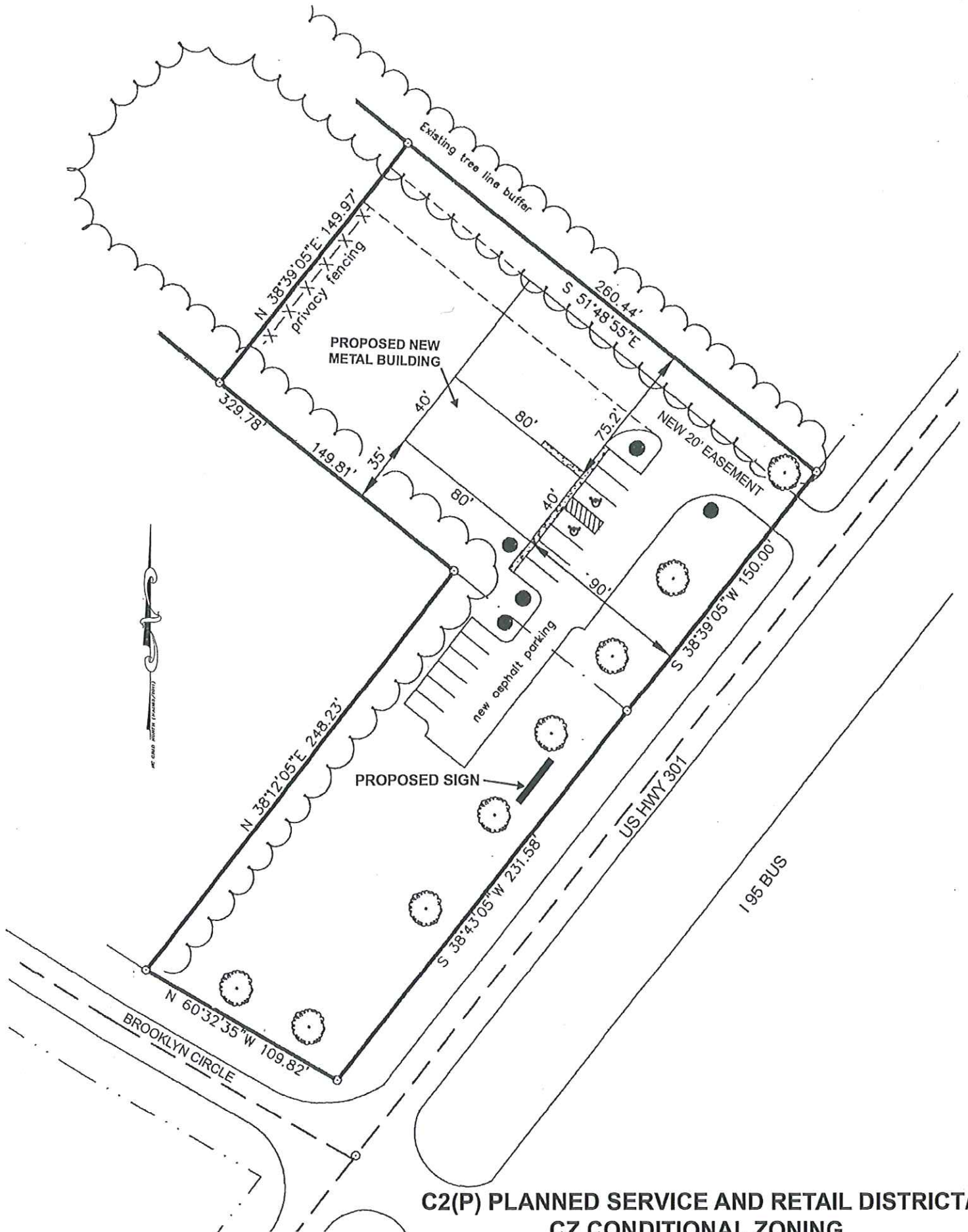


PIN: 0424-30-8458  
 PORT. OF PIN: 0424-30-7813

## REQUESTED REZONING R10 TO C2(P)/CZ

<b>ACREAGE: 1.50 AC. +/-</b>	<b>HEARING NO: P19-05</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		





**C2(P) PLANNED SERVICE AND RETAIL DISTRICT/  
CZ CONDITIONAL ZONING**

REQUEST: FOR TRADES CONTRACTOR ACTIVITIES

CASE: P19-05 ACREAGE: 1.50 AC +/-

ZONED: R10 SCALE: NTS

\*SCALE 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 Tim Evans
2. Address: ~~4251 S. ...~~ no address Zip Code 28306
3. Telephone: (Home) 910-273-5016 (Work) \_\_\_\_\_
4. Location of Property:  Hwy 301 South / Brooklyn Cir.
5. Parcel Identification Number (PIN #) of subject property: 0424-30-8458  
(also known as Tax ID Number or Property Tax ID) 0424-30-7813
6. Acreage: 1.5 Frontage: 382 Depth: 770
7. Water Provider: P.W.C. Septage Provider: Septic
8. Deed Book 09481, Page(s) 00565, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
9. Existing use of property: none / wooded
10. Proposed use(s) of the property: C2R / Trade Contractor

**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: R-10

TO: (Select one)

- C2R Conditional Zoning District, with an underlying zoning district of \_\_\_\_\_  
(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.)

C2P (Trade Contractor)

- 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.

1.9  
Acres left as residential  
1.50 acres  
to be C2P  
Comm.

2. DIMENSIONAL REQUIREMENTS:

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

SEE plot 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.

will follow city requirement

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.**

Site plan, there's a lot of natural buffer in place

- 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.**

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.

2-employees

4-vehicles

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.

✓ Timothy B. Evans  
NAME OF OWNER(S) (PRINT OR TYPE)

4239 Cameron Rd Hwy. 28306  
ADDRESS OF OWNER(S)

tim@longleafproperties.com  
E-MAIL

910-273-5010  
HOME TELEPHONE

WORK TELEPHONE

[Signature]  
SIGNATURE OF OWNER(S)

SIGNATURE OF OWNER(S)

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

ADDRESS OF AGENT, ATTORNEY, APPLICANT

HOME TELEPHONE

WORK TELEPHONE

E-MAIL ADDRESS

FAX NUMBER

[Signature]  
SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT

## **C2(P) PLANNED SERVICE AND RETAIL/CZ CONDITIONAL ZONING DISTRICT**

**DRAFT**

### **Ordinance Related Conditions**

*For*

*Trades Contractor Activities*

#### **Revision Required:**

1. Three copies of a revised site plan and a \$25.00 revision fee is required to be submitted to Land Use Codes prior to the further processing of this plat/plan. The following must be addressed on the revised plat/plan:
  - a. 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:
    - (1) Ten large shade trees or twenty small ornamental trees within the front yard setback area along SR 1243 (US Hwy 301 South) & SR 1126 (Brooklyn Circle); and
    - (2) One ornamental tree and eight shrubs are required in the building yard area.

In addition:

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

#### **Pre- Permit Related:**

2. A recorded plat is required prior to permit application, see Plat-Related conditions below. [Sec. 4-8(b)(7), County Code]
3. 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.  
[Sec. 4-8(b)(6), County Code; originally under County jurisdiction relinquished to NCDEQ around 2000]
4. Authorization for wastewater system construction required before other permits to be issued. The County Health Department must approve sewer plans. Lots not served by public 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.) (NCGS § 130A-338 & Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.)

#### **Permit-Related:**

5. 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. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)



6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
7. **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.**

[§ 136-18(29), NCGS]

8. Because the subject property is located within the Airport Overlay District and in the event the structure is greater than 200 feet in height, the developer will be required to provide a FCC Form 7460-1 to Code Enforcement at the time of permit application. This form must be acknowledged by the FCC that the structure is not a hazard or obstruction to air traffic. (Section 8.101.D, County Zoning Ord.)
9. 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 (and \$25 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)
10. Prior to application for the Certificate of Occupancy, connection to public water is required, the Public Works Commission (PWC) must approve water plans. A copy of the PWC approval must be provided to Code Enforcement. Contact Sam Powers with PWC for more information. (Section 2306 A, County Subdivision Ord. & Sec. 1403.I, County Zoning Ord.)

**Note: Due to an existing agreement between the PWC and the Town of Hope Mills, an annexation petition most likely will be required prior to the PWC's review of any utility plans. Upon submission of the annexation petition the town most likely will require an engineer's sealed certification as to the guarantee of improvements. In addition, the town may require a bond or other financial guarantee as assurance that all required improvements will be properly installed.**

11. 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. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

**Site-Related:**

12. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the C2(P) Planned Service and Retail District/CZ Conditional Zoning for trades contractor activities zoning district must be complied with, as applicable.
13. All corner lots and lots fronting more than one street must provide front yard setbacks from each street. (Secs. 1101.G & 1102.B, County Zoning Ord.)



14. This conditional approval is not approval of the permit for any freestanding signs. 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.) (Art. XIII, County Zoning Ord.)
15. "Brooklyn Circle" must be labeled as "SR 1126 (Brooklyn Circle)" and "NC Hwy 301/Business 95" must be labeled as "SR 1243 (US Hwy 301 South) on all future plans. (Sec. 2203, County Subdivision Ord.)
16. 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 2307.A, County Subdivision Ord.)
17. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
18. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation. (Sec. 1102.O, County Zoning Ord.)
19. Turn lanes may be required by the NC Department of Transportation (NCDOT). [Art. XIV, County Zoning Ord. & NCGS §136-18(5) & §136-93]

**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.**

20. 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.
21. A solid buffer must be provided and maintained along the side and rear property lines where this tract/site abuts R10 Residential in accordance with the provisions of Section 1102 G, County Zoning Ordinance (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)
22. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
23. All required off-street parking spaces are required to be a minimum of 9' x 20'. A minimum of six off-street parking spaces is required for this development. (Art. XII, County Zoning Ord.)
24. A minimum of one off-street loading spaces(s) measuring 12' x 25' with 14' overhead clearance must be provided for the trade contractor activities area. (Art. XII, County Zoning Ord.)

**Note: The property owner is requesting that the Cumberland County Board of Commissioners vary from this ordinance standard by allowing the site to be developed as shown on the site plan without the required one off-street loading space.**

25. 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. (Sec. 1403, County Zoning Ord.)
26. The Noise Regulations of the County Code Chpt. 9.5, Art. II are to be complied with.

**Plat-Related:**

27. The proposed development is located in a Special Flood Hazard Area (SFHA). The recombination plat must show the limits of the SFHA; information may be obtained from the County Engineer's office or the Federal Emergency Management Agency's (FEMA) website at [www.ncfloodmaps.com](http://www.ncfloodmaps.com). Any development within the SFHA is subject to the requirements of the County Flood Damage Prevention Ordinance administered by the County Engineering Department. [Sec. 6.5-43, County Code]



28. "Brooklyn Circle" must be labeled as "SR 1126 (Brooklyn Circle)" and "NC Hwy 301/Business 95" must be labeled as "SR 1243 (US Hwy 301 South)" on the recombination plat. (Section 2203.C & D, County Subdivision Ord.)
29. Any/All easements must be reflected on the recombination plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
30. A 25' right-of-way radius is required at all intersections and must be reflected on the recombination plat. (Section 2304.10.c, Street Design, County Subdivision and Development Ordinance)

**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.**

31. The NC Department of Transportation (NCDOT) stamp must be affixed to the recombination plat prior to submission for recombination plat approval by Land Use Codes.

**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.**

32. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for final approval. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)
33. The recombination plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

**Plat-Required Statements:**

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

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

35. Since this development is located within the *Airport Overlay District* as shown on the official zoning map, the following disclosure statement is required to be provided on the recombination plat (Section 8.101.E, Notice and Disclosure of Noise Impact Disclosure, County Zoning Ordinance):

"Property shown on this plat is within the Cumberland County Airport Overlay District and all or a portion of the property described hereon is within an area that is subject to an average noise level near to or exceeding 65 dnl."

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

"Nonconforming structures have not been created by this recombination plat."

**Other Relevant Conditions:**

37. The applicant is advised to consult an expert on wetlands before proceeding with any development. There may be wetlands located in the project area that are subject to the permit requirements of Section 404 of the Clean Water Act. To avoid a violation of federal and/or state law, it is recommended the developer contact the Office of the Army Corp of Engineers or hire an environmental consultant to identify and delineate any wetlands in the project area prior to construction. A Section 404 permit will be required if the applicant needs to fill wetlands and the permit must be obtained prior to any construction on this site.

38. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
39. 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.
40. 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.
41. The subject property lies on the corner of US Hwy 301 South and Brooklyn Circle. US Hwy 301 South is identified as an expressway needing improvement in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. Brooklyn Circle is identified as a local road 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.
42. 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.
43. 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.
44. Because the subject property is located within the Airport Overlay District, the developer is strongly encouraged to discuss their development plans with Land Use Codes Section and/or the Fayetteville Regional Airport Director early in the planning stage to ensure that the proposed height of any proposed structure can be found to be no obstruction or hazard to air navigation.
45. This conditional approval is contingent upon continued compliance with the County's Subdivision and Development Ordinance and Zoning Ordinance.
46. The owner/developer be aware that every deed created for a lot being served by an on-site sewer system must contain the following disclosure when filed with the County Register of Deeds:

"Public sewer services are not available as of the date of the recording of this deed. On-site sewer disposal systems must be approved by the County Health Department."

*Thank you for doing business in Cumberland County!*

**If you need clarification of any conditions, please contact Betty Lynd at 910-678-7603 or Hope Ward Page at 910-678-7602 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	<a href="mailto:ebyrne@co.cumberland.nc.us">ebyrne@co.cumberland.nc.us</a>
Code Enforcement (Permits):	Scott Walters	321-6654	<a href="mailto:swalters@co.cumberland.nc.us">swalters@co.cumberland.nc.us</a>
County Building Inspections:	Michael Naylor	321-6657	<a href="mailto:mnyalo@co.cumberland.nc.us">mnyalo@co.cumberland.nc.us</a>
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	<a href="mailto:klowther@co.cumberland.nc.us">klowther@co.cumberland.nc.us</a>
	Gene Booth	678-7641	<a href="mailto:wbooth@co.cumberland.nc.us">wbooth@co.cumberland.nc.us</a>
County Engineer's Office:	Wayne Dudley	678-7636	<a href="mailto:wdudley@co.cumberland.nc.us">wdudley@co.cumberland.nc.us</a>
County Health Department:	Fred Thomas	433-3692	<a href="mailto:fhomas@co.cumberland.nc.us">fhomas@co.cumberland.nc.us</a>
PWC:	Joe Glass	223-4740	<a href="mailto:joe.glass@faypwc.com">joe.glass@faypwc.com</a>
	Sam Powers	223-4370	<a href="mailto:sam.powers@faypwc.com">sam.powers@faypwc.com</a>
Fayetteville Airport Director	Brad Whited	433-1160	<a href="mailto:bwhited@ci.fay.nc.us">bwhited@ci.fay.nc.us</a>
Town of Hope Mills:		424-4555*	
Town Clerk:	Jane Starling		<a href="mailto:jstarling@townofhopemills.com">jstarling@townofhopemills.com</a>
Planner – Zoning Permits	Chancer McLaughlin		<a href="mailto:cmclaughlin@townofhopemills.com">cmclaughlin@townofhopemills.com</a>



US Postal Service	Jonathan R. Wallace	(704) 393-4412	<a href="mailto:jonathan.r.wallace@usps.gov">jonathan.r.wallace@usps.gov</a>
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	<a href="mailto:hair@usacr.army.mil">hair@usacr.army.mil</a>
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	<a href="mailto:leland.cottrell@ncdenr.gov">leland.cottrell@ncdenr.gov</a>
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	<a href="mailto:susan_miller@fws.gov">susan_miller@fws.gov</a>
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	<a href="mailto:wphipps@co.cumberland.nc.us">wphipps@co.cumberland.nc.us</a>
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	<a href="mailto:tlbaker@ncdot.gov">tlbaker@ncdot.gov</a>
Transportation Planning:	Katrina Evans	678 7614	<a href="mailto:kevans@co.cumberland.nc.us">kevans@co.cumberland.nc.us</a>
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	<a href="mailto:annette.lucas@ncdenr.gov">annette.lucas@ncdenr.gov</a>

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

CASE NUMBER: P18-50

PLANNING BOARD HEARING DATE:  
12/18/2018

REQUEST  
A1 to R6A

ACREAGE: .47+/-

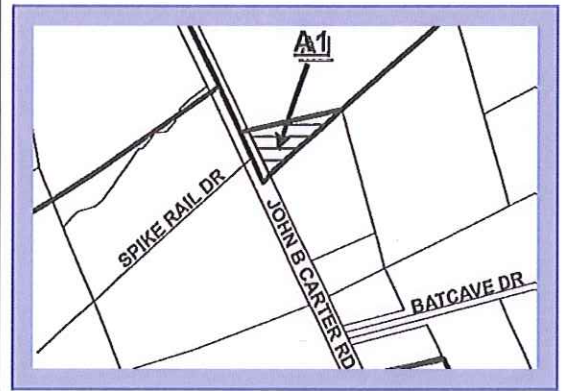
PROPERTY OWNER/APPLICANT  
MARY K. WHITTED, BRENDA WILLIAMS, DEBORAH  
WRIGHT, DELLA W. PERKINS & BETTY JAMES ON  
BEHALF OF LILLIE MAE WHITTED HEIRS (OWNER)

PROPERTY ADDRESS/LOCATION  
315 John B Carter Road

Jurisdiction: County

**PROPERTY INFORMATION**

Frontage & Location: 140'+/- on SR 2010 (John B Carter Road)  
Depth: 281'+/-  
Adjacent Property: No  
Current Use: Single family dwelling  
Initial Zoning: A1 – September 14, 1979 (Area 9)  
Municipal Influence Area: Fayetteville  
Nonconformities: Property does not meet minimum size requirements for the A1 district (parcel created prior to zoning). Existing dwelling does not meet front yard or side yard setbacks to the southern property line for the A1 district.  
Zoning Violation(s): None  
School Capacity/Enrolled: Sunnyside Elementary: 300/351; Mac Williams Middle: 1270/1164; Cape Fear High: 1425/1450  
Special Flood Hazard Area (SFHA): None  
Water/Sewer Availability: PWC/Septic  
Soil Limitations: None  
Subdivision/Site Plan: If approved, group development review required  
Average Daily Traffic County (2016): 1,100 on SR 2010 (John B Carter Road)  
Highway Plan: John B Carter Road is identified as an existing thoroughfare in the 2040 Metropolitan Transportation Plan with no construction/ improvements planned; no impact on the Transportation Improvement Plan.



SURROUNDING LAND USE: Residential (including manufactured homes & manufactured home park), religious worship facility (2)

COMPREHENSIVE PLANS:  
2030 Growth Vision Plan: Urban Fringe  
Vander Land Use Plan (2017): Suburban Density Residential

**Notes:**

- Density**  
A1- 1 lot/unit  
R6A- 3 lots/4 units
- Minimum Yard Setbacks:**

	A1	R6A
Front yard:	50'	25'
Side yard:	20'	10'
Rear yard:	50'	15'

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

**DENIAL**

In Case P18-50, the Planning and Inspections Staff recommends to deny the rezoning from A1 Agricultural to R6A Residential and find it is not consistent with the adopted Vander Land Use Plan (2017) which calls for "suburban density residential" at this location; and further find that denial of the rezoning is reasonable and in the public interest because the subject property lacks access to public sewer and the district requested is not in harmony with surrounding existing zoning.

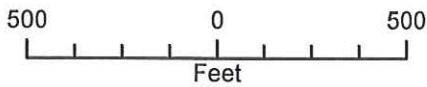
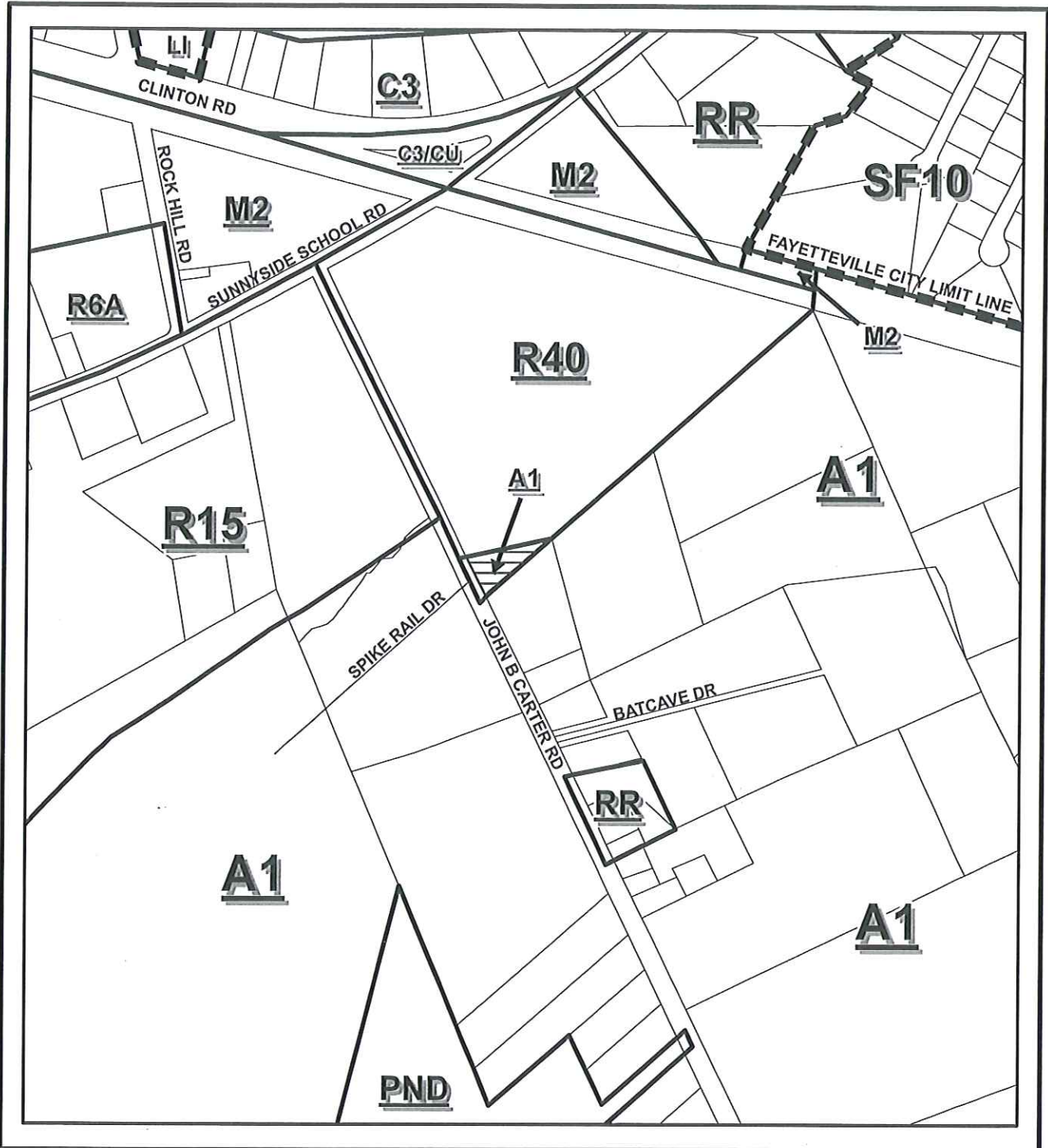
OTHER SUITABLE DISTRICTS: None

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 A1 TO R6A

<b>ACREAGE: 0.47 AC. +/-</b>	<b>HEARING NO: P18-50</b>	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0466-25-7182

LH  
11-28-2018