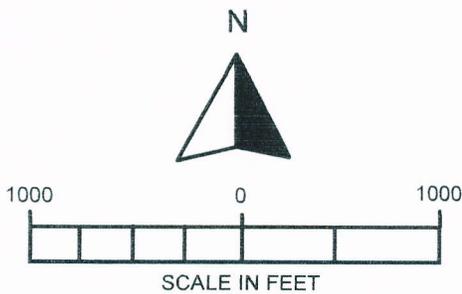


**HOKE
COUNTY**

**REQUESTED REZONING
RR & CD TO R7.5**



ACREAGE: 47.7 AC.+/-		HEARING NO: P08-51	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

PIN: 9484-90-3689
PIN: 9484-83-4294

AF
9/23/08

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Draft

2009 MEETING SCHEDULE JOINT PLANNING BOARD - PLATS AND PLANS (WAIVERS, EXCEPTIONS & ALTERNATE YARDS)

SUBMIT BY

PLANNING BOARD DATE

Tuesday, December 30, 2008

January 20, 2009

Thursday, January 29, 2009

February 17, 2009

Thursday, February 26, 2009

March 20, 2009

Wednesday, April 1, 2009

April 21, 2009

Thursday, April 30, 2009

May 19, 2009

Thursday, May 28, 2009

June 16, 2009

Wednesday, July 1, 2009

July 21, 2009

Thursday, July 30, 2009

August 18, 2009

Wednesday, August 26, 2009

September 15, 2009

Thursday, October 1, 2009

October 20, 2009

Wednesday, October 28, 2009

November 17, 2009

Tuesday, November 24, 2009

December 15, 2009

Note: The deadlines to submit are established 14 working days prior to and including the day of the Planning Board meeting (excluding County observed holidays).

Draft

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



Thomas J. Lloyd,
Director

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Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

COUNTY of CUMBERLAND

Planning & Inspections Department

DRAFT

2009

JOINT PLANNING BOARD

REZONING DEADLINE/MEETING SCHEDULE

<u>Application Deadline</u>	<u>Meeting Date</u>
Wednesday, December 10, 2008	Tuesday, January 20, 2009
Tuesday, January 13, 2009	Tuesday, February 17, 2009
Wednesday, February 11, 2009	Tuesday, March 17, 2009
Tuesday, March 17, 2009	Tuesday, April 21, 2009
Wednesday, April 15, 2009	Tuesday, May 19, 2009
Tuesday, May 12, 2009	Tuesday, June 16, 2009
Tuesday, June 16, 2009	Tuesday, July 21, 2009
Wednesday, July 15, 2009	Tuesday, August 18, 2009
Tuesday, August 11, 2009	Tuesday, September 15, 2009
Wednesday, September 16, 2009	Tuesday, October 20, 2009
Tuesday, October 13, 2009	Tuesday, November 17, 2009
Friday, November 6, 2009	Tuesday, December 15, 2009

Note: Deadlines are set 24 working days prior to the Board meeting date not including weekend and holidays.

Created: September 3, 2008

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning & Inspections Department

October 14, 2008

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: County Planning & Inspections Staff

SUBJECT: Staff Recommendation for October 21, 2008 Board Meeting

P08-50: A ZONING MAP CORRECTION OF 2.72+/- ACRES TO R30 RESIDENTIAL; LOCATED AT 1956, 1964 & 1976 MIDDLE ROAD; OWNED BY LARRY W. & DIANE W. FUSSELL, WINBURN L. & MARY H. FUSSELL, AND DAVID Q. & DEBORAH W. WILLIAMS; STAFF INITIATED. (EASTOVER)

This case was initiated by the Planning & Inspections Staff as an effort to correct a mapping error. After the initial zoning into the Town of Eastover which was adopted on December 4, 2007, the R30 Residential zoning district previously approved on September 21, 1998 by the County Board of Commissioners for the subject property was omitted on the zoning map. However, the County Planning & Inspections Staff recommends the zoning map be corrected to reflect the approved zoning of R30 Residential district.

There are no other suitable zoning districts to be considered for this location at this time.

Attachments:

- 1 - Site Profile
- 2 - Rezoning Sketch Map

P08-50
SITE PROFILE

P08-50: A ZONING MAP CORRECTION OF 2.72+/- ACRES TO R30 RESIDENTIAL; LOCATED AT 1956, 1964 & 1976 MIDDLE ROAD; OWNED BY LARRY W. & DIANE W. FUSSELL, WINBURN L. & MARY H. FUSSELL, AND DAVID Q. & DEBORAH W. WILLIAMS; STAFF INITIATED. (EASTOVER)

Site Information:

Frontage & Location: 419.89'+/- on Middle Road

Depth: 851.93'+/-

Jurisdiction: Town of Eastover

Adjacent Property: No

Current Use: Residential

Initial Zoning: A1– December 14, 1979 (Area 10); Rezoned to R30 on September 21, 1998

Nonconformities: Yes, A1 zoning district calls for minimum lot size of 2 acres; subject lots are less than the minimum lot size requirement

Zoning Violation(s): None

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

Surrounding Land Use: Residential (including manufactured homes), equestrian facilities and woodlands

Eastover Area Detailed Land Use Plan: One acre residential lots

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: ESD/Septic

Soil Limitations: Yes, hydric: (Ro) Roanoke and Wahee loams

School Capacity/Enrolled: Armstrong Elementary: 450/444; Mac Williams Middle: 1,270/1,200; Cape Fear High: 1,425/1,490

Subdivision/Site Plan: Subdivision final plat approval on November 10, 1998, (Case No. 98-286)

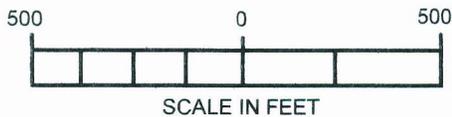
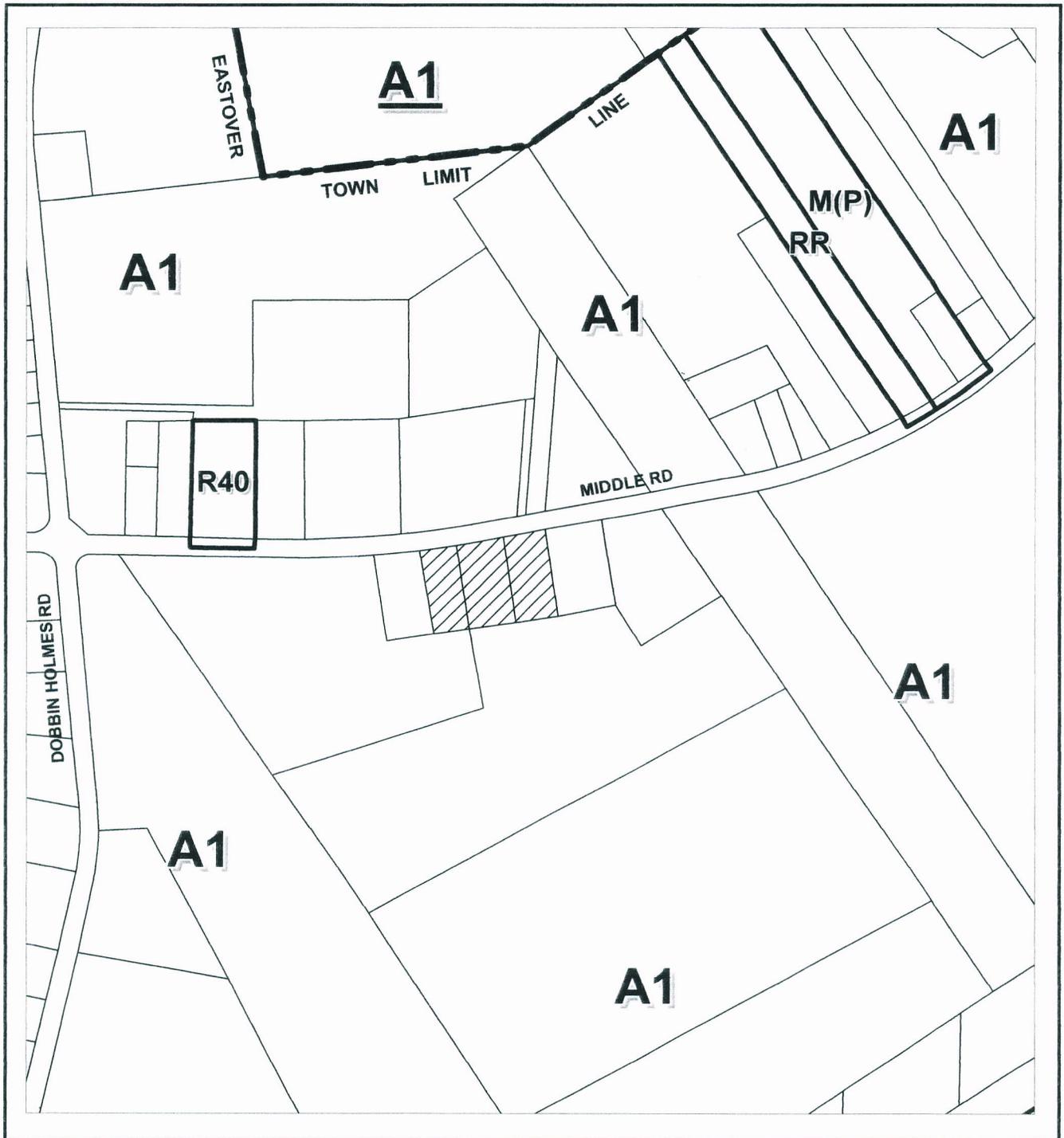
Average Daily Traffic Count (2006): 3,200 on Middle Road; 1,340 on Dobbins Holmes Road

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

Note: During the initial zoning into the Town of Eastover, the R30 zoning district previously approved, September 21, 1998, on the subject property was omitted on the zoning map. This is not a rezoning request; it is to correct a zoning map error to reflect the approved R30 zoning district. Currently the lots are incorrectly zoned A1 which calls for minimum lot size of two acres; making these lots nonconforming. Eastover's initial zoning was adopted on December 4, 2007.

First Class Mailed Notice Certification

A certified copy of the tax record owner(s) and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



ZONING MAP CORRECTION: A1 TO R30

ACREAGE: 2.72 AC.+/-		HEARING NO: P08-50	
ORDINANCE: EASTOVER	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning & Inspections Department

October 14, 2008

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for October 21, 2008 Board Meeting

P08-52: REZONING OF 1.64+/- ACRES FROM A1 AGRICULTURAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2463 CEDAR CREEK ROAD, SUBMITTED BY BRADY L. RUFENACHT, OWNED BY WATERMARK HOMES INC.

The Planning & Inspections Staff recommends denial of the request for R15 Residential and recommend approval of R20 Residential zoning district based on the following:

1. The recommendation is consistent with the 2010 Land Use Plan, which calls for low density residential at this location;
2. Public utilities are available to the subject property and extension will be required upon development

There R40 and R30 Residential districts could also be found suitable in this area.

The applicant has verbally agreed with the recommendation to R20 Residential.

Attachments:

- 1 - Site Profile
- 2 - Sketch Map

P08-52
SITE PROFILE

P08-52: REZONING OF 1.64+/- ACRES FROM A1 AGRICULTURAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2463 CEDAR CREEK ROAD, SUBMITTED BY BRADY L. RUFENACHT, OWNED BY WATERMARK HOMES INC.

Site Information:

Frontage & Location: 295.00' +/- on Cedar Creek Road

Depth: 516.00' +/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, 2 tracts east of subject property

Current Use: 2 vacant lots

Initial Zoning: A1 – September 14, 1979 (Area 9)

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: A1, PND, CP & MP; East: A1, RR & R15; South: A1 & A1/CU (to allow automotive car sales); West: A1, HS(P) & C(P)

Surrounding Land Use: Commercial (including motor vehicle sales, convenience retail w/gasoline sales, variety, gift and hobby supply and retail sales) and residential (including 1- abandoned dwelling)

2010 Land Use Plan: Low density residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC; water is available and sewer exists 650 ft. west of site

Soil Limitations: Yes, hydric – Ra Rains sandy loam and Le Leon sand

School Capacity/Enrolled: JW Seabrook Elementary: 310/328; Mac Williams Middle: 1,270/1,200; Cape Fear High: 1,425/1,490

Subdivision/Site Plan: Approved preliminary zero lot line subdivision (Case No. 08-134)

Sewer Service Area: Yes

Average Daily Traffic Count (2006): 9,300 on Cedar Creek Road; 1,600 on AB Carter Road

Highway Plan: Cedar Creek Road is identified in the Highway Plan as a major thoroughfare. This proposal calls for a multi-lane facility (U-4415) with a right-of-way of 100 feet. Road improvements are included in the 2009-2015 MTIP

Note:

Density:

R40 – 1 lot/ 2 units

R30 – 2 lots/ units

RR/R20/R20A – 3 lots/4 unit

R15 – 4 lots/ 5 units

Density (minus 15% for r/w):

R40 – 1 lot/ 2 units

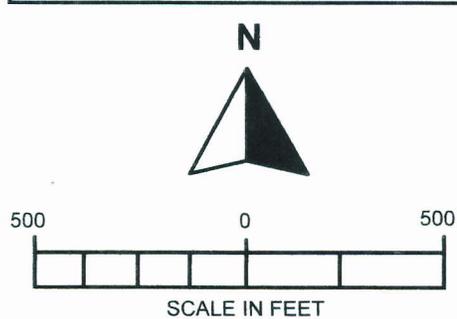
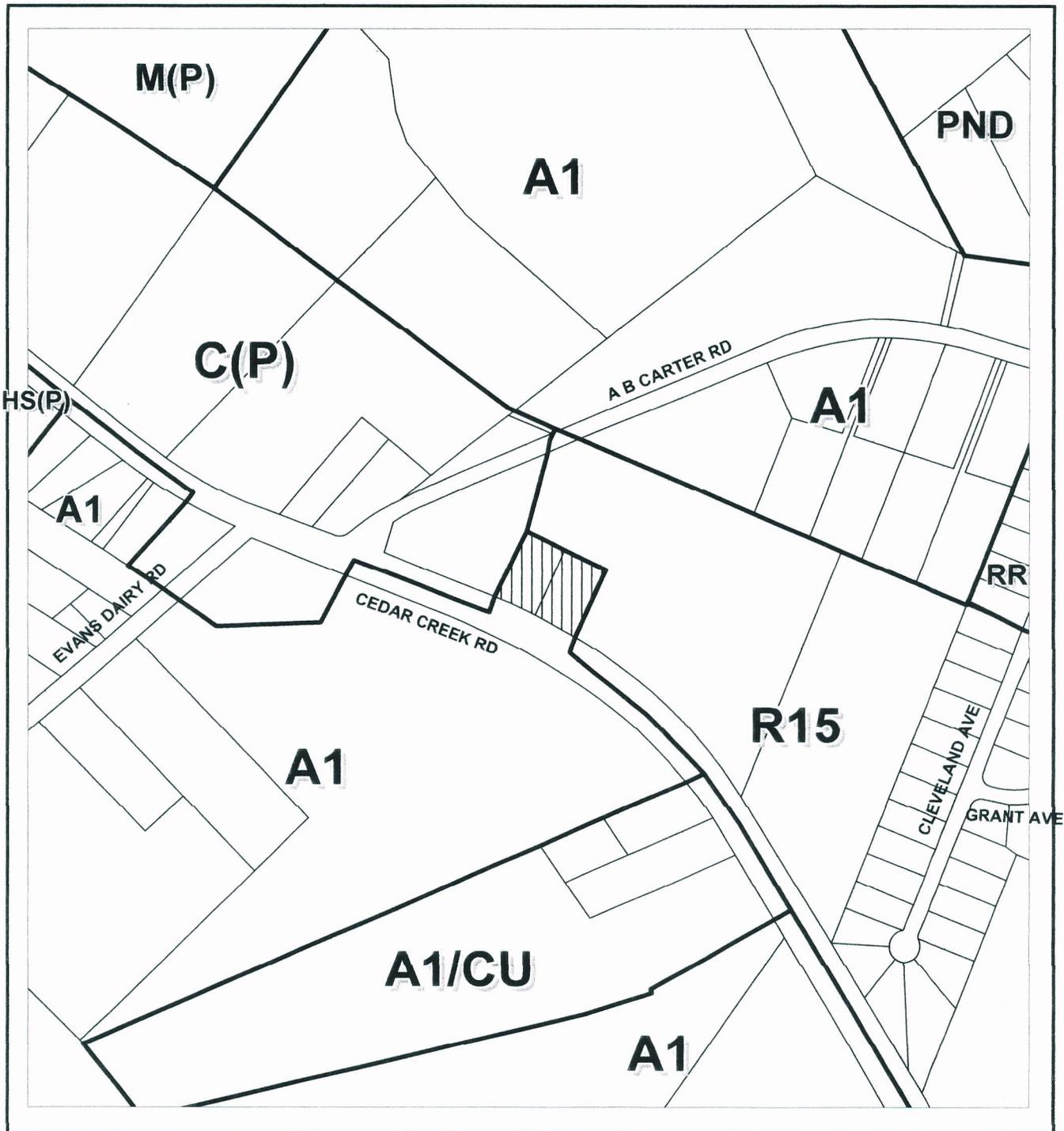
R30 – 2 lots/ units

RR/R20/R20A – 3 lots/ units

R15 – 4 lots/ units

First Class Mailed Notice Certification

A certified copy of the tax record owner(s) and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



**REQUESTED REZONING:
A1 TO R15**

ACREAGE: 1.64 AC. +/-

HEARING NO: P08-52

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning & Inspections Department

October 14, 2008

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for October 21, 2008 Board Meeting

P08-53: REZONING OF .55+/- ACRES FROM M(P) PLANNED INDUSTRIAL/ CONDITIONAL USE DISTRICT (TO ALLOW STORAGE OF EXPLOSIVE MATERIALS) AND THE PERMIT TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 315 MAGNOLIA CHURCH ROAD, SUBMITTED AND OWNED BY LARRY W. HALL.

The Planning and Inspections Staff recommends approval of the request for A1 Agricultural based on the following:

1. Although the A1 Agricultural district is not consistent with the Stedman Area Land Use Plan, it is consistent with the lot sizes and land uses within the general area; and
2. The subject lot is a portion of the original tract and, rezoning A1 Agricultural district would allow for the property to be under the same ownership to have the same zoning classification.

There are no other suitable zoning districts to be considered for this location at this time.

Attachments:

- 1- Site Profile
- 2- Sketch Map

P08-53
SITE PROFILE

P08-53: REZONING OF .55+/- ACRES FROM M(P) PLANNED INDUSTRIAL/CONDITIONAL USE DISTRICT (TO ALLOW STORAGE OF EXPLOSIVE MATERIALS) AND THE PERMIT TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 315 MAGNOLIA CHURCH ROAD, SUBMITTED AND OWNED BY LARRY W. HALL.

Site Information:

Frontage & Location: Off of Magnolia Church Road

Depth: 160.00' +/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, parent tract

Current Use: Vacant lot

Initial Zoning: A1 – September 3, 1976 (Area 20); Rezoned to M(P)/CUD on May 15, 2006

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: A1 & C3; East: A1 & R10 (County/Stedman); South: A1 & RR (County/Stedman), R10 & C1; West: RR & C3

Surrounding Land Use: Residential (including manufactured homes), religious worship facility, farmland and woodland

Stedman Land Use Plan: Suburban residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: Well/Septic

Soil Limitations: None

School Capacity/Enrolled: Stedman Primary: 200/182; Stedman Elementary: 300/308; Mac Williams Middle: 1,270/1,200; Cape Fear High: 1,425/1,490

Subdivision/Site Plan: Lot has been approved as zero lot line subdivision (Case No. 08-149)

Municipal Influence Area: Town of Stedman

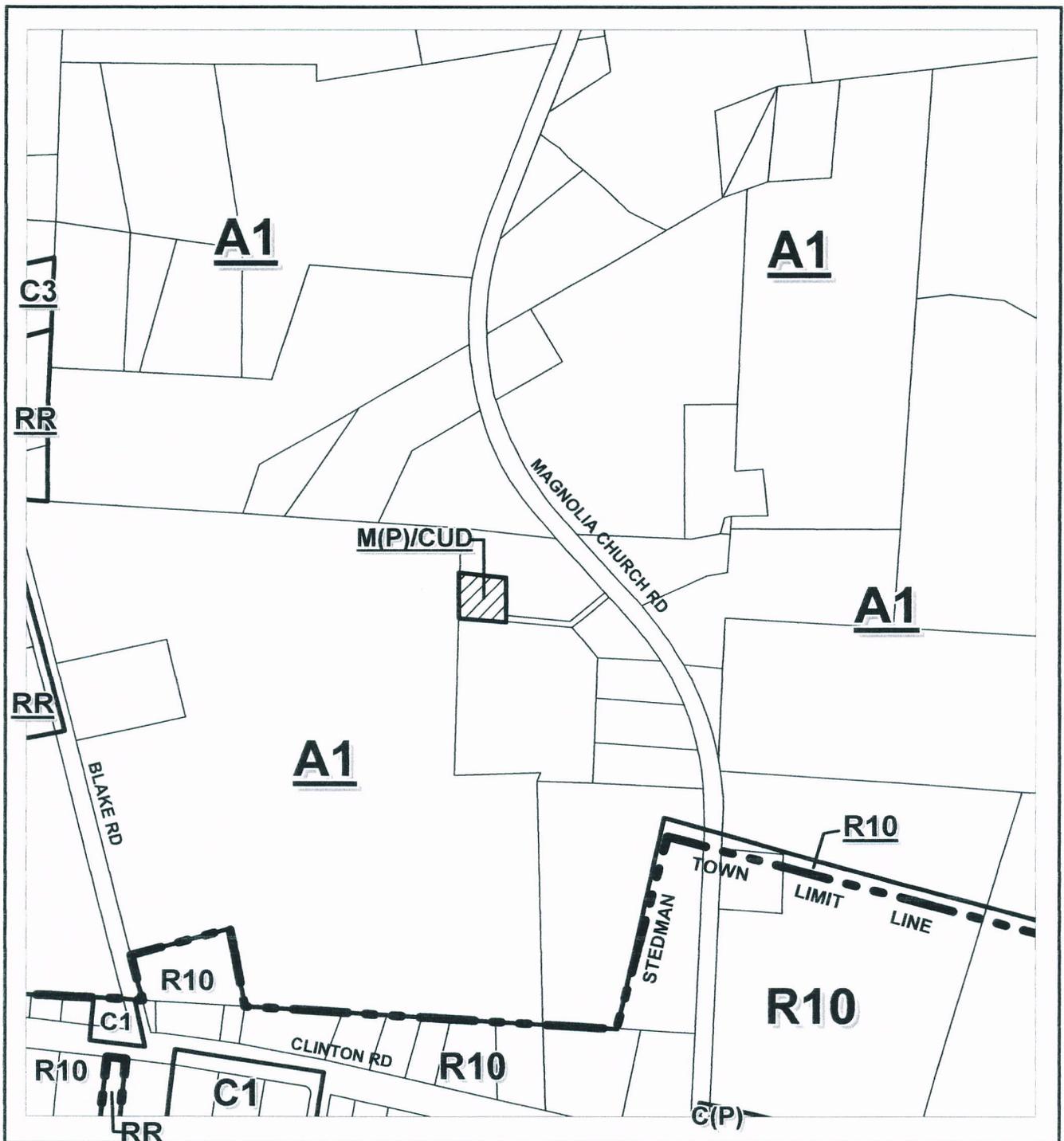
Average Daily Traffic Count (2006): 13,000 on Clinton Road (HWY 24); 590 on Magnolia Church Road

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

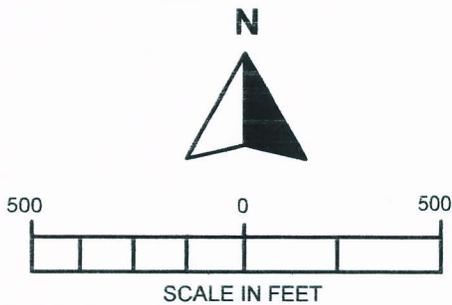
Note: The approved M(P)/CUD & Permit (to allow storage of explosive materials) has ceased operations.

First Class Mailed Notice Certification

A certified copy of the tax record owner(s) and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



REQUESTED REZONING: M(P)/CUD TO A1



ACREAGE: 0.55 AC.+/-		HEARING NO: P08-53	
ORDINANCE: COUNTY		HEARING DATE	ACTION
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning & Inspections Department

October 14, 2008

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: Planning & Inspections Staff

SUBJECT: Staff Recommendation for October 21, 2008 Board Meeting

P08-54: REZONING OF .52+/- ACRES FROM MXD MIXED USE DEVELOPMENT/CUD CONDITIONAL USE DISTRICT AND PERMIT TO R7.5 RESIDENTIAL AND R10 RESIDENTIAL TO MXD MIXED USE DEVELOPMENT/CUD CONDITIONAL USE DISTRICT AND PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF ELK ROAD, WEST OF PINWOOD DRIVE; SUBMITTED BY TRACY POUNDERS; OWNED BY FAYETTEVILLE CHRISTIAN SCHOOLS, INC.

The Planning & Inspections Staff recommends approval for the request of R7.5 Residential and MXD Mixed Use Development/CUD Conditional Use District and Permit based on the following:

1. The request is not consistent with the 2010 Land Use Plan, which calls for low density residential; however the request, if approved will allow for the protection of wetlands and allow for the same or similar type of development that has previously been approved; and
2. The *Ordinance-Related Conditions* approved by the County will remain enforce.

There are no other suitable zoning districts to be considered for this site.

Attachments:

- 1 - Site Profile
- 2 - Sketch Map

P08-54
SITE PROFILE

P08-54: REZONING OF .52+/- ACRES FROM MXD MIXED USE DEVELOPMENT/CUD CONDITIONAL USE DISTRICT AND PERMIT TO R7.5 RESIDENTIAL AND R10 RESIDENTIAL TO MXD MIXED USE DEVELOPMENT/CUD CONDITIONAL USE DISTRICT AND PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF ELK ROAD, WEST OF PINWOOD DRIVE; SUBMITTED BY TRACY POUNDERS; OWNED BY FAYETTEVILLE CHRISTIAN SCHOOLS, INC.

Site Information:

Frontage & Location: No frontage

Depth: 1,300.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: Yes, parent tract

Current Use: Vacant

Initial Zoning: R10 – November 17, 1975 (Area 4); Rezoned to MXD/CUD on November 21, 2005

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR, R20, R10, R6A, O&I(P) & C(P); South: R15 & R10 (Hope Mills/County); West: R10

Surrounding Land Use: Residential, utility substation and woodlands

2010 Land Use Plan: Low density residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/PWC; water and sewer exist on Sycamore Drive.

Soil Limitations: Yes, hydric on the northwest and south sides of subject property – JT Johnston loam

School Capacity/Enrolled: Ed V. Baldwin Elementary: 790/696; South View Middle: 900/884; South View High: 1,800/1,872

Municipal Influence Area: Town of Hope Mills

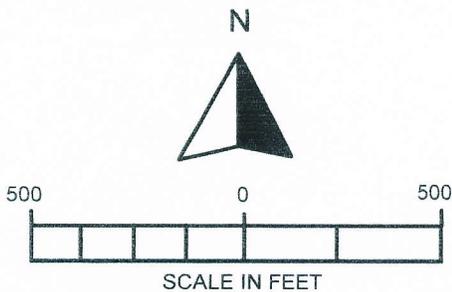
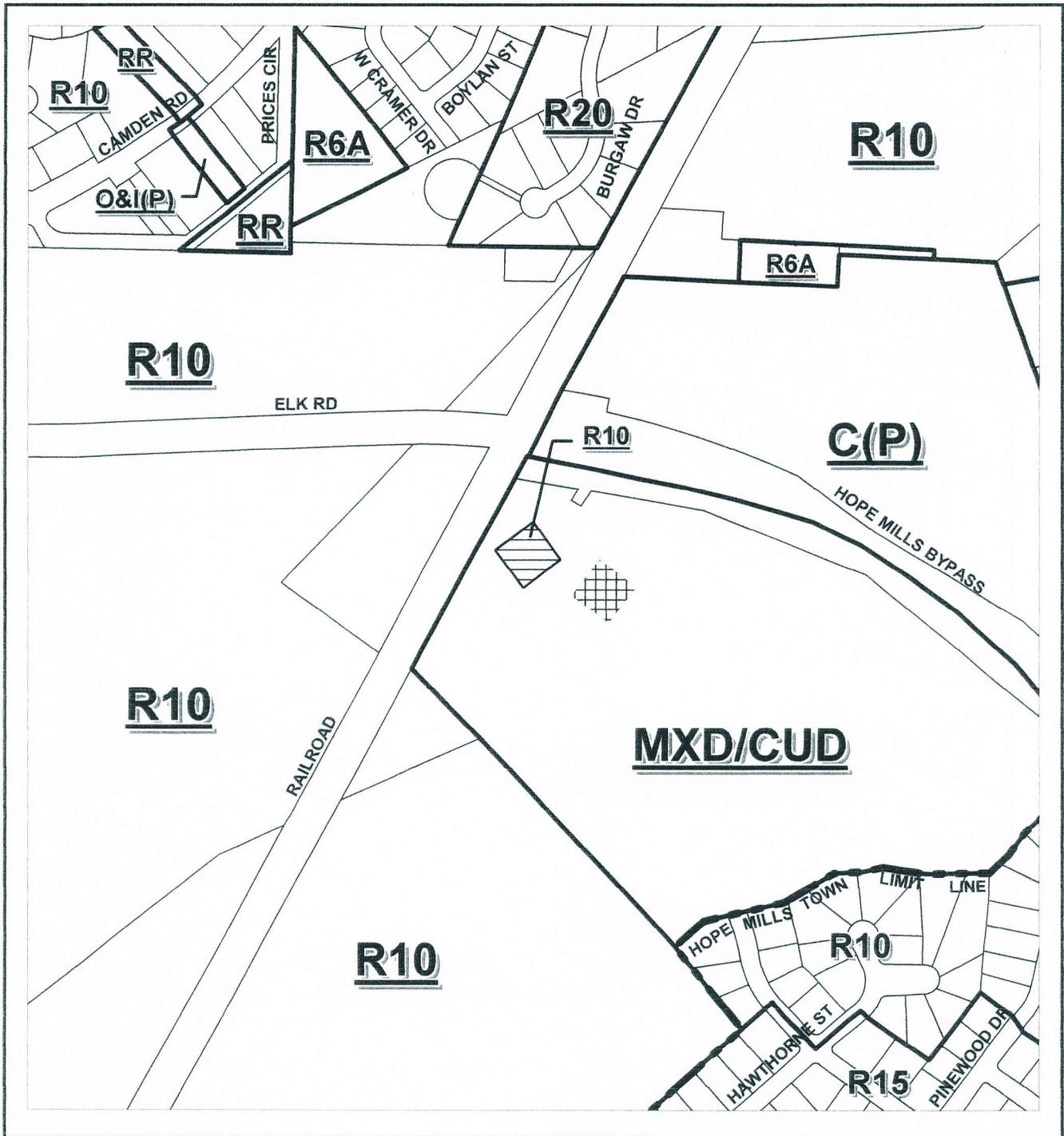
Average Daily Traffic Count (2006): 14,000 on Legion Road; 9,600 on Elk Road

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

Note: Case No. P06-01-C, Special Use Permit for a cell tower approved 1/19/06; relocation of proposed cell tower will require submittal of an application for a modification to the Special Use Permit.

First Class Mailed Notice Certification

A certified copy of the tax record owner(s) and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



REQUESTED REZONING



R10 TO MXD/CUD

MXD/CUD TO R7.5

ACREAGE: 0.52 AC. +/-

HEARING NO: P08-54

ORDINANCE: COUNTY

HEARING DATE

ACTION

STAFF RECOMMENDATION

PLANNING BOARD

GOVERNING BOARD

PIN: 0415-80-3461

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: FAYETTEVILLE CHRISTIAN SCHOOL, INC
*CO APPLICANT: AMERICAN TOWERS, INC, Barry Gannon (770) 329-7422
900 Circle 75 Parkway, Suite 300 Atlanta GA 30339*
2. ADDRESS: 1428 IRELAND DRIVE FAY, NC ZIP CODE: 28304
3. TELEPHONE: (Home) _____ (Work) 910-483-3905
4. Location of Property: HOPE MILLS BYPASS BETWEEN CAMDEN RD & LEGION RD.
5. Parcel Identification Number (PIN #) of subject property: 0415-80-3461 ~~_____~~
(also known as Tax ID Number or Property Tax ID)
6. Acreage: ~~4.78~~ Frontage: 2260' Depth: 1300'
7. Water Provider: PWC
8. Septage Provider: PWC
9. Deed Book 6839, Page(s) 32, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: _____
11. Proposed use(s) of the property: Rezone 150'x150' MXD/CUD TO R10
for telecommunication tower. Rezone Previous 150'x150' R10 to MXD/CUD

NOTE: Be specific and list all intended uses.

12. It is requested that the foregoing property be rezoned FROM: R10 TO MXD/CUD

TO: (select one)

- _____ Conditional Use District, with an underlying zoning district of _____ (Article V)
- _____ Mixed Use/Conditional Use District (Article VI) ^{TO} R10
- _____ Planned Neighborhood District/Conditional Use District (Article VII)
- _____ Density Development/Conditional Use District, at the _____ Density (Article VIII)

MXD to R10 → .52

R10 to MXD → .52

J.P.

Charles C. Morris
Chair
Town of Linden

Donovan McLaurin
Vice-Chair
Wade, Falcon & Godwin
Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
Thomas J. Lloyd,
Deputy Director

Clifton McNeill, Jr.,
Roy Turner,
Lori Epler,
Sara E. Piland,
Cumberland County

December 20, 2005

Rev. Tracy Pounders
3110 Doc Bennett Rd
Fayetteville NC 28306

RE: P05-77: REZONING OF 45.74 ACRES FROM R10 TO A MIXED USE DEVELOPMENT/CONDITIONAL USE DISTRICT AND PERMIT, LOCATED SOUTH OF THE HOPE MILLS ROAD BYPASS, NORTH OF SYCAMORE DRIVE, SUBMITTED BY MATTHEW A. CRUMP, OWNED BY CROSSPOINTE CHURCH.

Dear Reverend Pounders:

The Cumberland County Board of Commissioners met on Monday, November 21, 2005, and approved the Mixed Use Development and Conditional Use Overlay District and Permit subject to the following conditions:

1. That the Public Works Commission approves water and sewer plans prior to application for any permits.
2. That applicant is advised that an expert on wetlands should be consulted before proceeding with any development.
3. That the owner(s)/developer(s) of these lots obtain detailed instructions on permits required to place a structure within this development from the Code Enforcement Section at 130 Gillespie Street, Room 106. The Code Enforcement Section will need a copy of this Approved Condition Sheet and map for additional information or the developer should call a Code Enforcement Officer at 321-6654.
4. That at a minimum a zoning permit is required prior to the placement of any structure on any portion of this development.
5. That no occupancy permit be issued until the Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.
6. That a site-specific address and tax parcel number be provided at the time of building/zoning permit application.
7. That the developer provides the County Code Enforcement Section with an approved state sedimentation and erosion control plan prior to any application for permits.

8. That the signage for this development 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) 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.
9. That all uses and setbacks be compatible with those permitted and approved for the MXD/CUD zoning classification.
10. That all applicable portions of Section 3.20 "Lot Standards" and 3.21 "Group Development", of the County Subdivision Ordinance be complied with.
11. That the developer shall contact Diane Shelton at 678-7665 for street name approval prior to submission of the final plat for approval. (Note: The approved street name shall be reflected on the final plat.)
12. That street name signs, in compliance with the Cumberland County Street Sign Specifications, shall be installed prior to final plat approval. The developer is responsible for contacting 678-7665, once the street name sign(s) are installed, to schedule an inspection of said sign(s) and notice of a satisfactory inspection must be received by Land Use Codes prior to the approval of the final plat.
13. That Sections 4.1.c, "Curb and Gutters", 4.1.d, "Required Drainage", 4.1.e, and 4.3.g, "Fire Hydrants", and 4.3.h "Underground Utilities", of the Cumberland County Subdivision Ordinance must be adhered to.
14. That the final plat must be submitted to the Land Use Codes Section for review and approval for recording; and that the plat must be recorded prior to any permit application on any structure and/or prior to the sale of any lot or unit in this development.
15. That any/all easements appear on the final plat.
16. That all structures shall be shown on the final plat or that the final plat shall reflect the following statement:

"Nonconforming structures have not been created by this subdivision."
17. That notarized owners' signature(s) and certifications appear on the final plat prior to approval.
18. That the NC Department of Transportation approves street plans and that the street(s) be constructed to the N.C. Department of Transportation standards for secondary roads.
19. That the NC Department of Transportation stamp be affixed to the final plat prior to final plat approval by the Land Use Codes Section.
20. That the developer needs to obtain a driveway permit from the NC Department of Transportation.
21. Turn lanes may be required by NC Department of Transportation.
22. That a 10' x 70' sight distance easement shall be required at the intersection of the Hope Mills Bypass and the proposed right-of-way.
23. That a 25' right-of-way radius shall be required at all intersections.

24. That all lighting shall be directed internally to the property and shall meet the standards of Section 1102.M, Outdoor Lighting, Cumberland County Zoning Ordinance.
25. That a solid buffer in accordance with Section 1102.G., Cumberland County Zoning Ordinance, be complied with.
26. The developer shall submit two copies of a revised plan to the Land Use Codes Staff for approval showing the location of all dumpster, garbage, and utility areas prior to permits being issued.
27. That all dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
28. That all required parking spaces shall be a minimum of 9' X 20' and shall be surfaced and striped with a permanent material such as asphalt or concrete.
29. That off-street loading areas shall be provided in accordance with Section 1203, County Zoning Ordinance, and that a revised plan showing the required loading spaces shall be submitted to the Land Use Codes Section for approval prior to any permits being issued.
30. That the owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include insuring 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.
31. That the developer not be required to connect to the street stub shown as "Sycamore Drive" in the adjacent subdivision since this portion of the right-of-way is blocked and the developments are naturally separated by a creek.
32. That the site be developed in accordance with the application and site plan.
33. That all Federal, State, and local regulations be complied with.

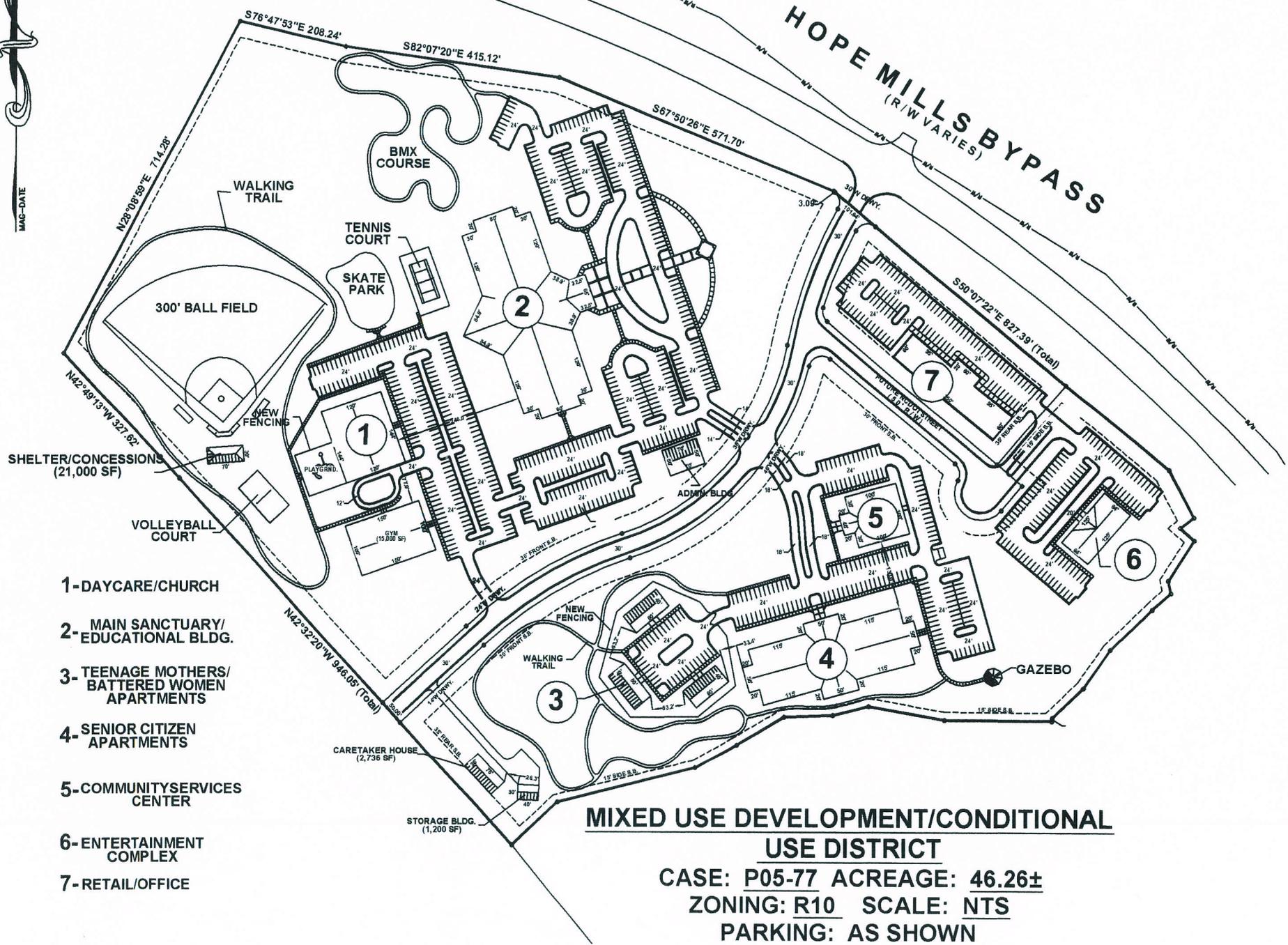
In addition to the approval by the Board of Commissioners, a permit is required to be obtained from the Code Enforcement Section, Planning and Inspections Department. They are located at 130 Gillespie Street, Room 101 and can be reached at 321-6654.

Sincerely,

- S -

Patti Speicher, Supervisor
Land Use Codes Section

Signed copy mailed per Annette 3-28-06



SHELTER/CONCESSIONS
(21,000 SF)

VOLLEYBALL COURT

WALKING TRAIL

300' BALL FIELD

BMX COURSE

TENNIS COURT

SKATE PARK

NEW FENCING

PLAYGRND.

ADMIN BLDG.

WALKING TRAIL

NEW FENCING

GAZEBO

CARETAKER HOUSE
(2,736 SF)

STORAGE BLDG.
(1,200 SF)

- 1-DAYCARE/CHURCH
- 2- MAIN SANCTUARY/
EDUCATIONAL BLDG.
- 3- TEENAGE MOTHERS/
BATTERED WOMEN
APARTMENTS
- 4- SENIOR CITIZEN
APARTMENTS
- 5-COMMUNITY SERVICES
CENTER
- 6- ENTERTAINMENT
COMPLEX
- 7- RETAIL/OFFICE

**MIXED USE DEVELOPMENT/CONDITIONAL
USE DISTRICT**
 CASE: P05-77 ACREAGE: 46.26±
 ZONING: R10 SCALE: NTS
 PARKING: AS SHOWN

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

October 14, 2008

MEMORANDUM

TO: Cumberland County Joint Planning Board

FROM: County Planning & Inspections Staff

SUBJECT: Staff Recommendation for October 21, 2008 Board Meeting

P08-55: A ZONING MAP CORRECTION OF 2.0 +/- ACRES TO RR RURAL RESIDENTIAL/ CU CONDITIONAL USE OVERLAY DISTRICT AND PERMIT; LOCATED AT 3565 BEARD ROAD; OWNED BY JOHN B. & DELLA W. PATTERSON; STAFF INITIATED. (EASTOVER)

This case was initiated by the Planning & Inspections Staff as an effort to correct a mapping error. This property was rezoned to RR Rural Residential/Conditional Use Overlay (used auto sales and the existing residence) along with the approval of the Permit on February 17, 2003 while still under the jurisdiction of the County. The zoning was inadvertently presented to and adopted by Eastover Town Council as RR Rural Residential (the Overlay and Permit were not included). The County Planning & Inspections Staff recommends the zoning map be corrected to reflect the approved zoning of RR Rural Residential/CUD Conditional Use Overlay District and Permit.

There are no other suitable zoning districts to be considered for this location at this time.

Attachments:

- 1 - Site Profile
- 2 - Rezoning Sketch Map
- 3 - Site Plan

P08-55
SITE PROFILE

P08-55: A ZONING MAP CORRECTION OF 2.0 +/- ACRES TO RR RURAL RESIDENTIAL/ CU CONDITIONAL USE OVERLAY DISTRICT (USED AUTO SALES AND A RESIDENCE) AND PERMIT; LOCATED AT 3565 BEARD ROAD; OWNED BY JOHN B. & DELLA W. PATTERSON; STAFF INITIATED. (EASTOVER)

Site Information:

Frontage & Location: 210.00'+/- on Beard Road

Depth: 464.00'+/-

Jurisdiction: Town of Eastover

Adjacent Property: Yes, 3 lots west, east, and south of subject lot

Current Use: Motor vehicles sales and residential

Initial Zoning: RR – October 24, 1990 (Area 18); Rezoned to RR/CU on February 17, 2003

Nonconformities: None

Zoning Violation(s): None

Surrounding Zoning: North: RR, R6A & M(P); East: RR & R6; South: RR, R15, R6A & C(P); West: RR & R6A

Surrounding Land Use: Residential (including manufactured homes, 2- multi-family dwellings, and abandoned dwelling), religious worship facility, cemetery, recreational park, and commercial (including printing and reproduction small scale)

Eastover Area Detailed Land Use Plan: One acre residential lots

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: ESD/Septic; sewer is available on Dunn Road

Soil Limitations: None

Subdivision/Site Plan: This is a zoning map correction and all previously approved conditions should apply to this case referenced in (Case No. P03-08)

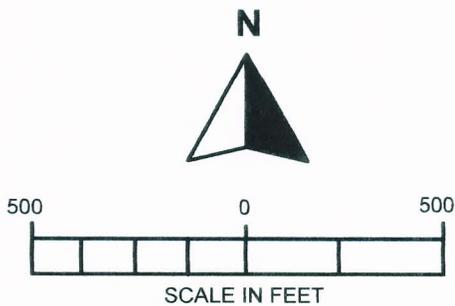
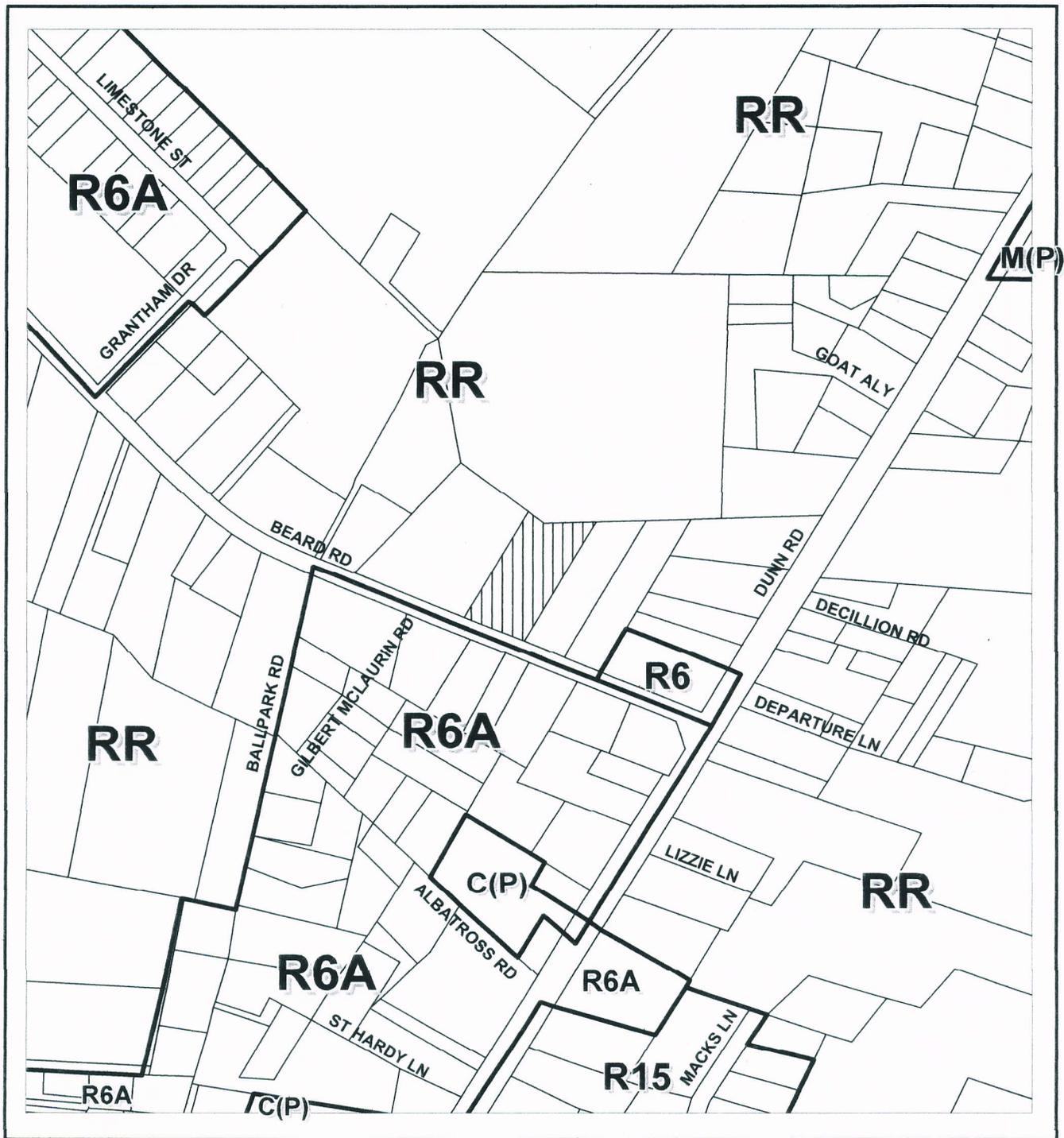
Average Daily Traffic Count (2006): 3,400 on Dunn Road (US HWY 301); 1,100 on Beard Road

Highway Plan: Beard Road is identified in the Highway Plan as a major thoroughfare. The plan calls for adding a center turning lane. This is a Priority #3 in the Highway Portion of the L RTP

Note: During the initial zoning into the Town of Eastover, the Conditional Use Overlay district (to allow used car sales and a residence) and permit previously approved on subject property was omitted on the zoning map. This is not a rezoning request; it is to correct a zoning map error to reflect the approved CU. Eastover's initial zoning was adopted on December 4, 2007.

First Class Mailed Notice Certification

A certified copy of the tax record owner(s) and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.



ZONING MAP CORRECTION RR TO RR/CU

ACREAGE: 2.00 AC. +/-	HEARING NO: P08-55	
ORDINANCE: EASTOVER	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

TO THE PLANNING BOARD AND THE COUNTY COMMISSIONERS OF CUMBERLAND COUNTY, NC:

I (We), the undersigned, make application and petition the County Commissioners to amend the Zoning Ordinance and to change the zoning map of the County of Cumberland as hereinafter requested. In support of this application, the following facts are submitted:

The property sought for Conditional Use Overlay is located:

- A. Address 3565 Beard Road 28301
(Number, Street/Road Name, and Zip Code)
- B. Located on Beard Road (North Side)
(Name of Street Road)
- C. Tax Parcel Identification Number 0469 - 53 - 9763 (obtain from Tax Supervisor's Office)
- D. Known as Lot(s) # _____ Frontage 212.52 feet Depth 463.98 Containing 2.00 acres.

The applicant must furnish a correct metes and bounds description of the area to be considered for Conditional Use Overlay. (Attach a copy of deed(s) and/or legal description for area to be considered.)

The property sought for Conditional Use is owned by John B. Patterson - wife, Della W. Patterson
as evidenced by deed from John B. Patterson
recorded in Book No. 2081, Page 381, Register of Cumberland County.

It is requested that the foregoing property be rezoned as Conditional Use Overlay District from RR
to RR1CU Conditional Use.

Proposed use of property requested for Conditional Use: Used Car Sales + residence
house to front, office in back.

Note: This information is not to be used in the consideration of the Conditional Use request by the Planning Board and/or County Commissioners, but to ensure that the proposed or intended use of the property is not otherwise allowed as a Specified Conditional Use in the zoning district in which it is located.

Existing use of the property (specify any structures and respective uses): Residential

Existing and/or proposed water service (specify if community system): Eastover

Existing and/or proposed sewer service (specify if community system): Septic Tank

POS-03 Case File
Application p.1

3. B. List any variance proposed from those regulations

None

4. Miscellaneous:

Set forth other information regarding the proposed use(s), such as days and hours of operation, number of employees, exterior lighting, and noise, odor and smoke emission controls, etc., which are considered to determine whether the proposed use of the property will be compatible with surrounding areas and uses allowed therein.

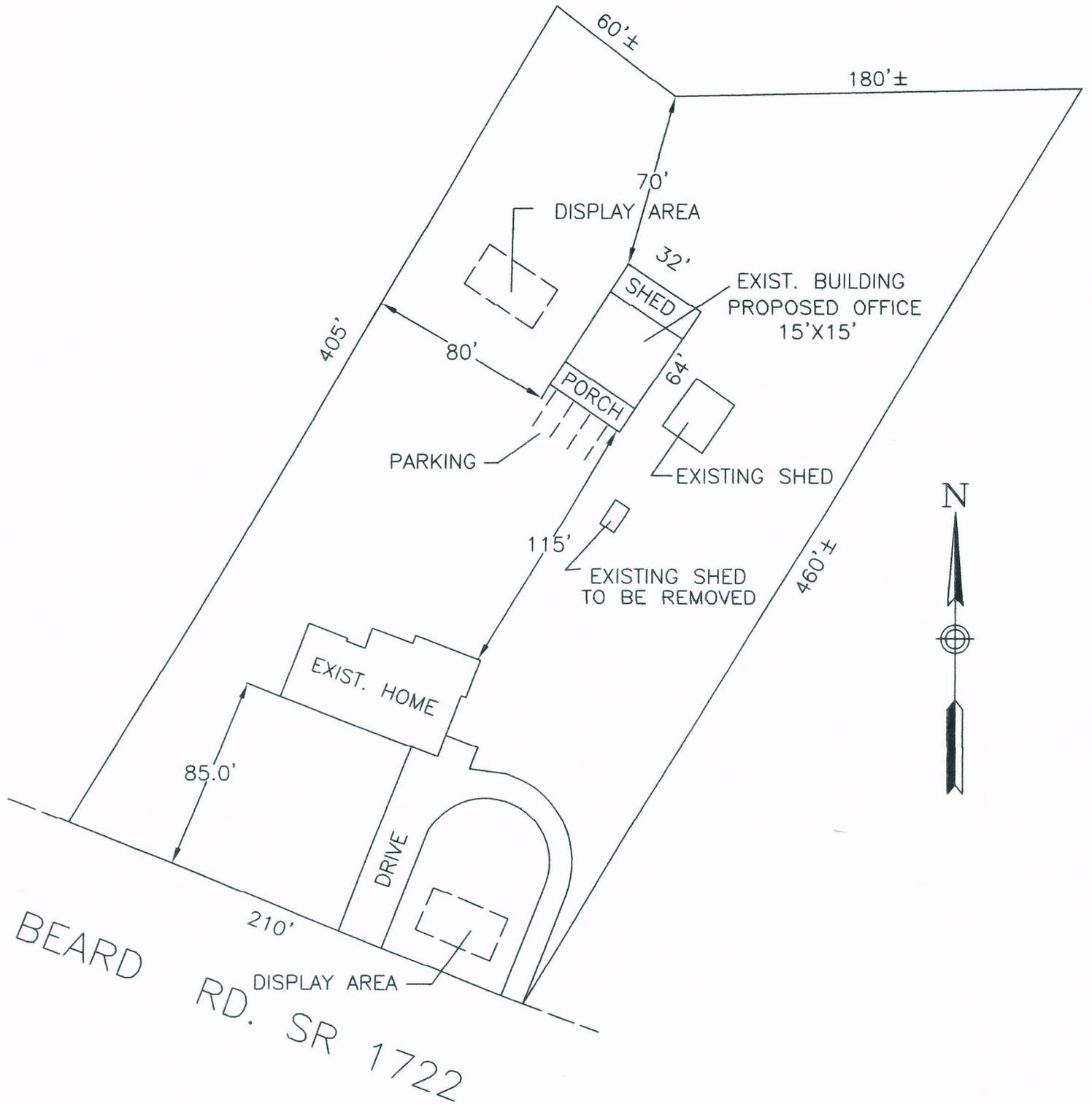
of vehicles on display - 5 maximum
Hours of operation - Monday-Friday 10:00 AM - 5:00 PM
of employees - 1
exterior lighting - security lights
Noise, odor & smoke emission controls - None

5. Site Plan Requirements: *The Conditional Use permit will be used to maintain records required by DMV & infrequent use of the minimum display area.*

Attach a site plan drawn to scale. If the proposed uses involve development subject to Cumberland County subdivision regulations, the site plan required hereunder may be general in nature, showing a generalized street pattern, if applicable and the location of proposed structures. If the proposed uses involve development not subject to subdivision regulations, the site plan shall include sufficient detail to allow the Planning Department and Planning Board to analyze the proposed use(s) and arrangement of use(s) on the site. Outline all buildings to be placed on the site, the proposed number of stories, the location and number of off-street parking spaces, proposed points of access to existing streets and internal circulation patterns, and the location of all proposed buffers and fences.

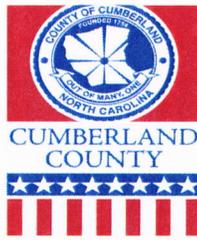
6. Acknowledgement:

It is understood and agreed that upon review by the Planning Board and action by the Board of Commissioners, the uses proposed in the petition may be modified and conditions and limitations placed upon them to insure compatibility of the uses with land use plans, studies or policies and/or existing uses in the surrounding area or community.



CONDITIONAL USE OVERLAY DISTRICT
REQUEST: TO ALLOW A USED CAR SALES & RESIDENCE
 CASE NO: P08-55 ACREAGE: 2.0±
 ZONING: RR SCALE: 1"=60'
 PARKING: 3 SPACES

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



Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

COUNTY of CUMBERLAND

Planning & Inspections Department

October 14, 2008

MEMORANDUM

TO: Cumberland County Joint Planning Board
FROM: Planning & Inspections Staff
SUBJECT: Staff Recommendation for October 21, 2008 Board Meeting

P08-40: REZONING OF 0.81+/- ACRES FROM M(P) PLANNED INDUSTRIAL/CUD CONDITIONAL USE DISTRICT (TO ALLOW THE MANUFACTURING AND SALES OF STORAGE BUILDINGS) AND THE PERMIT TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5003 MARRACCO DRIVE, SUBMITTED BY MICHAEL N. NELSON & MICHAEL ADAMS, OWNED BY JOHN D. GRAHAM AND COLUMBIA O. BLANKS.

The Planning and Inspections Staff recommends approval of the request for C(P) Planned Commercial/Conditional Use District for retail and other permitted uses; however, the staff does not recommend approval of all the requested uses; the staff's recommended allowable uses for this district are:

- | | |
|-------------------------------|---------------------------------------|
| a. Apparel & Accessory Sales | e. Retail or Servicing |
| b. Locksmith, Gunsmith | f. Office Use |
| c. Photography Studio | g. Restaurant |
| d. Repair, Rental & Servicing | h. Variety, Gift & Hobby Supply Sales |

This recommendation is based on the following:

1. Even though the C(P) Planned Commercial district is not consistent with the 2010 Land Use Plan, which calls for medium density residential at this location, the recommendation is reasonable because the area is in transition to non-residential uses; and
2. The recommendation would allow for uses appropriate within an *entrance corridor* to both the County and the Town of Hope Mills.

The C1(P) Planned Local Business and C2(P) Planned Service and Retail districts could also be found suitable at this location.

The Planning & Inspections Staff also recommends approval of the Conditional Use Permit based on the following:

1. The recommended use will not materially endanger the public health and safety if located according to the site plan submitted;
2. The use will meet all required conditions and specifications if constructed according to the site plan, application and conditions – a copy of the *Ordinance-Related Conditions* pertaining to this site is attached; and
3. The location and character of the use, if developed according to the site plan as submitted, will be in harmony with the area in which it is to be located.

Inherent in this recommendation, the Planning & Inspections Staff recommends that the Permit be restricted so that any use allowed cannot generate outside display and/or outside storage at this location.

Attachments: 1 – Site Profile; 2 – Sketch Map; 3 – Site Plan; 4 – Ordinance-Related Conditions; 5 – Application

P08-40
SITE PROFILE

P08-40: REZONING OF 0.81+/- ACRES FROM M(P) PLANNED INDUSTRIAL/CUD CONDITIONAL USE DISTRICT (TO ALLOW THE MANUFACTURE AND SALES OF STORAGE BUILDINGS) AND THE PERMIT TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5003 MARRACCO DRIVE, SUBMITTED BY MICHAEL N. NELSON & MICHAEL ADAMS, OWNED BY JOHN D. GRAHAM AND COLUMBIA O. BLANKS.

Site Information:

Frontage & Location: 720.00'+/- on Marracco Drive; 690.00'+/- on US HWY 301 S

Depth: 150.00'+/-

Jurisdiction: Cumberland County

Adjacent Property: No

Current Use: Manufacture & sale of storage buildings; staff informed the applicant that “manufacturing” is not a permitted use in the C(P) district.

Initial Zoning: C(P) – June 25, 1980 (Area 13); Rezoned to M(P)/CUD September 19, 2005

Nonconformities: Partially constructed block building not approved for the CUD; if approved, manufacturing of storage buildings would be nonconforming use

Zoning Violation(s): None

Surrounding Zoning: North: RR, R6A & C3; East: RR, RR/CU (to allow a commercial warehousing as an off-site storage facility) & M(P); South: RR, R6A, C3/CU (to allow residential uses in C3 heavy commercial district), M(P), M2 & C(P) (County/Hope Mills); West: RR & C(P)

Surrounding Land Use: Religious worship facility, truck terminal activities, mini-warehousing, sales and storage equipment, and woodlands

2010 Land Use Plan: Medium density residential

Special Flood Hazard Area (SFHA): None

Water/Sewer Availability: PWC/Septic

Soil Limitations: None

School Capacity/Enrolled: Gallberry Farm Elementary: 900/1,077; South View Middle: 911/880; Grays Creek High: 1,270/1,145

Subdivision/Site Plan: See attached “Ordinance-Related Conditions”

Municipal Influence Area: Town of Hope Mills

Average Daily Traffic Count (2006): 14,000 on US HWY 301 S; 4,500 on Marracco Drive

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

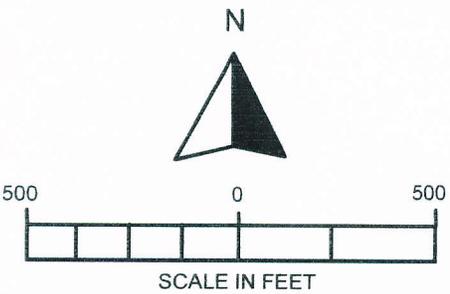
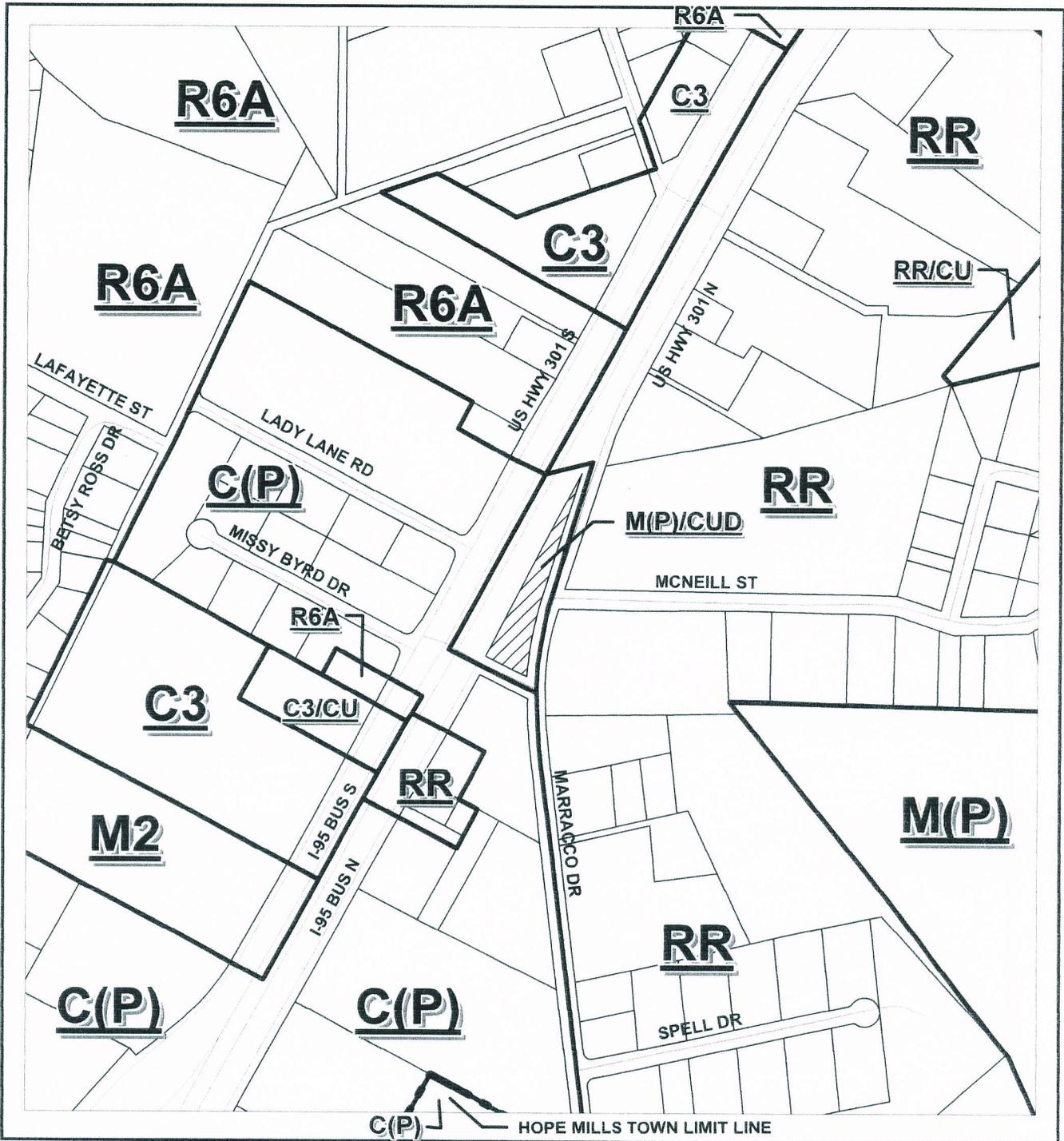
Note: Building envelope contains approximately 492.90+/- square feet.

Requested Permitted Uses:

- | | |
|--------------------------------|--|
| - Apparel & Accessory Sales | -Motor Vehicle Parts & Accessories |
| - Locksmith, Gunsmith | - Motor Vehicle Repair and/or Body Work |
| - Motor Vehicle Sales | - Mini-warehousing (Self-Storage Facility) |
| - Motor Vehicle Storage Yard | - Office Use |
| - Photography Studio | - Restaurant |
| - Repair, Rental & Servicing | - Second Hand Pawn & Flea Market |
| - Retail or Servicing | - Trailer Rentals |
| - Trades Contractor Activities | - Variety, Gift & Hobby Supply Sales |
| - Wholesale Sales | |

First Class Mailed Notice Certification

A certified copy of the tax record owner(s) and their tax record mailing address is contained within the case file and is incorporated by reference as if delivered herewith.

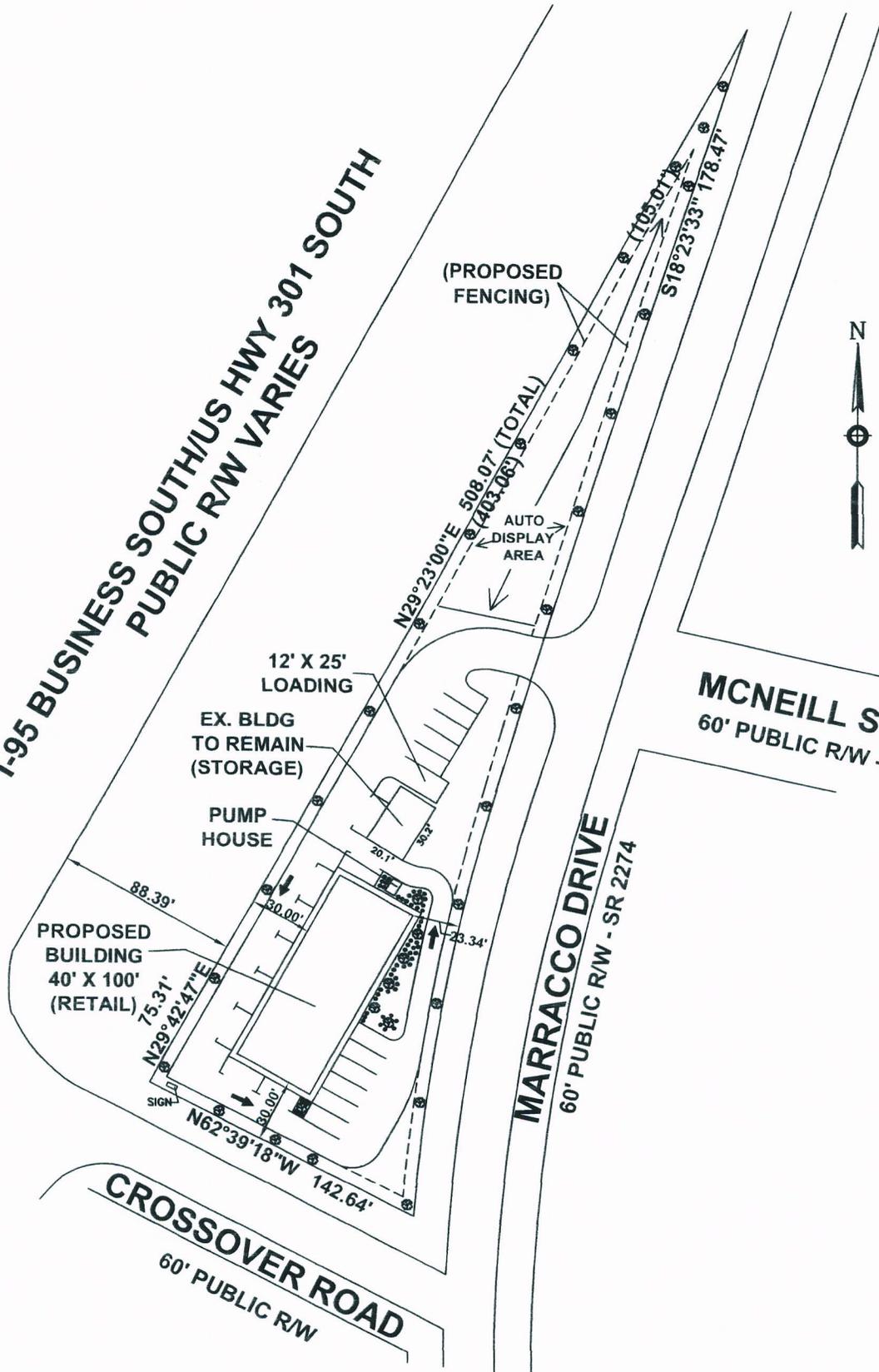


PIN: 0423-27-1139

REQUESTED REZONING M(P)/CUD TO C(P)/CUD

ACREAGE: 0.81 AC.+/-		HEARING NO: P08-40	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

**I-95 BUSINESS SOUTH/US HWY 301 SOUTH
PUBLIC R/W VARIES**



CONDITIONAL USE DISTRICT AND PERMIT

REQUEST: RETAIL AND OTHER PERMITTED USES

CASE: P08-40 ACREAGE: 0.81±

ZONED: M(P)/CUD SCALE: NTS

PARKING: AS SHOWN

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

DRAFT

Conditional Use District & Permit Ordinance Related Conditions

Pre-Permit Related:

1. Prior to application for any permits, the storage building manufacturing and sales currently approved for this site must have ceased with all display buildings removed from the site.
2. Prior to application for any permits, the developer must submit for staff site plan review and approval for the initial uses(s) and also submit for re-approval of any subsequent change in use(s).

Permit-Related:

3. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
4. The County Health Department must approve sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Section 2306 A, Water and Sewer, County Subdivision Ordinance)
5. 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 Code Enforcement at the time of application for building/zoning permits. (Section 2306 A.1, Public Water and Sewer Systems County Subdivision Ordinance)
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
7. 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:
 - a. Twelve large shade trees or 23 small ornamental trees within the front yard setback area along US HWY 301 (Gillespie Street);
 - b. Three large shade trees or six small ornamental trees within the front yard setback area along Crossover Road;
 - c. Twelve large shade trees or 24 small ornamental trees within the front yard setback area along SR 2274 (Marracco Drive);
 - d. Five ornamental trees and 48 shrubs are required in the building yard area;
 - e. One large shade tree or two small ornamental trees 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.
 - b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
8. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

9. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the C(P)/CUD zoning district must be complied with, as applicable.

Note: See case file, minutes of the meetings and the final approval letter for restricted list of allowable uses.

10. This conditional approval is not approval of the permit for the freestanding sign. 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.)
11. For all new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision Ordinance)
12. For all new construction, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision Ordinance)
13. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
14. 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.
15. All dumpster, garbage, and utility areas shall be located on concrete pads and screened on a minimum of three sides.
16. 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 20 off-street parking spaces are required for this development.
17. A minimum of one off-street loading space measuring 12' x 25' with a 14' overhead clearance is required to be provided for this development.
18. In the event a use is approved that would allow for outside open storage, the outside storage area must be completely screened from view from any public right-of-way; chain link fencing cannot be used to satisfy the buffer requirement. (Sec. 1102.G, County Zoning Ordinance) (**Note: The staff recommendation is for no outside storage and no outside display to be permitted on this site.**)
19. All notes and calculations as shown on the site plan are to be considered as a part of this conditional approval.

Other Relevant Conditions:

20. Any changes to the desired uses require re-submittal and re-approval by the County Board of Commissioners for the Conditional Use District; any changes to the Permit, including the site plan and/or layout of this site, must be submitted for review and approval and dependant upon the extent of the approval may require re-submission to the County Board of Commissioners.
21. The applicant is advised to consult an expert on wetlands before proceeding with any development.
22. 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.

23. Every deed created for a lot being served by an on-site water and/or sewer system must contain the following disclosure when filed with the County Register of Deeds:

“Public water and/or sewer services are not available as of the date of the recording of this deed. On-site sewer disposal systems must be approved by the County Health Department.”

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

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Danny Soles	433-3685
PWC:	Heidi Maly	223-4773
Town of Hope Mills:		424-4555*
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
N.C. Division of Water Quality:	Mike Randall	(919) 733-5083 ext. 545



COUNTY of CUMBERLAND

Planning & Inspections Department

CASE #:

PO8-40

PLANNING BOARD

MEETING DATE:

21 OCT 08

16 SEP 08

DATE APPLICATION

16 Sep 08

SUBMITTED:

17 July 08

RECEIPT #:

Handwritten 59849
RECEIPT

RECEIVED BY:

PBB

APPLICATION FOR REZONING REQUEST CUMBERLAND COUNTY ZONING ORDINANCE

The following items are to be submitted with the completed application:

1. A copy of the *recorded* deed and/or plat.
2. If a portion(s) of the property is being considered for rezoning, an accurate written legal description of only the area to be considered;
3. A check made payable to "Cumberland County" in the amount of \$ 400.00.
(See attached Fee Schedule).

Rezoning Procedure:

1. Completed application submitted by the applicant.
2. Notification to surrounding property owners.
3. Planning Board hearing.
4. Re-notification of interested parties / public hearing advertisement in the newspaper.
5. County Commissioners' public hearing (approximately four weeks after Planning Board public hearing).
6. If approved by the County Commissioners, rezoning becomes effective immediately.

The Planning & Inspections Staff will advise on zoning options, inform applicants of development requirements and answer questions regarding the application and rezoning process. For further questions, call (910) 678-7603 or (910) 678-7609. Hour of operation are 8:00 a.m. to 5:00 p.m., Monday through Friday.

NOTE: Any revisions, inaccuracies or errors to the application may cause the case to be delayed and will be scheduled for the next available Board meeting according to the Board's meeting schedule. Also, the application fee is *nonrefundable*.

TALKED WITH OWNER ABOUT CHANGING THE EXISTING COD
IN ORDER TO TAKE CARE OF THE SETBACKS FOR THE EXISTING OR
PROPOSED BUILDINGS ON SEVERAL OCCASIONS
8-18-08

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 M(P)/CUD to C(P).
2. Address of Property to be Rezoned: 5003 Marracco Drive
3. Location of Property: Intersection of Maracco Drive and
US Hwy 301
4. Parcel Identification Number (PIN #) of subject property: 0423-27-1139
(also known as Tax ID Number or Property Tax ID)
5. Acreage: 0.811 AC Frontage: 1323.50 Depth: 142.64
6. Water Provider: Well PWC _____ Other (name) _____
8. Septage Provider: Septic Tank PWC _____
9. Deed Book 6062, Page(s) 642, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: Manufacturing Sheds
11. Proposed use(s) of the property: Retail (Car Sales / Sporting Goods)
12. Do you own any property adjacent to or across the street from this property?
Yes _____ No If yes, where? _____
13. 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 deed 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.

Receipt # 52849

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: _____
8. Septage Provider: _____
9. Deed Book _____, Page(s) _____, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).
10. Existing use of property: _____
11. Proposed use(s) of the property: _____

NOTE: Be specific and list all intended uses.

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

TO: (select one)

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

APPLICATION FOR
CONDITIONAL USE PERMIT

1. PROPOSED USE(S):

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

- Apparel and Accessory Sales
- Locksmith, Gunsmith
- Mini Warehousing (Self Storage Facility)
- Motor Vehicle Storage Yard
- Motor Vehicle Parts + Accessories
- Motor Vehicle Repair and/or Body work
- Motor Vehicle Sales
- Office Use
- Photography Studio

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.

All Buildings will be commercial.
Proposed 4000 sf Bldg
Existing 608 sf Bldg

- Repair, Rental + Servicing
- Restaurant
- Retail or Servicing
- Second Hand Pawn + Flea Market
- Trades Contractor Activities
- Trailer Rentals
- Variety, Gift + Hobby Supply Scl
- Wholesale Sales

2. DIMENSIONAL REQUIREMENTS:

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

Front - 50
Side - 30
Rear - 30

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

20 Proposed Parking Spaces
Parking lot to be either grass or gravel

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

Sign contingent upon approval

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.**

34 Trees
56 Shrubs

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

6' Landscape Buffer along all rights of way
Fencing along rights of way

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.

Operating Times 6 days a week Monday - Saturday 8am - 6pm

2-3 Employees

Exterior Lights on Flag, Entrance + Property

No extra noise, odor, smoke, emissions, etc

6. SITE PLAN REQUIREMENTS:

The application shall include a site plan drawn to the specifications of Sec. 1402. If the proposed uses involve development subject to the County Subdivision Ordinance, the site plan required may be general in nature, showing a generalized street pattern, if applicable, and the location of proposed uses. If the proposed uses include development not subject to the Subdivision Ordinance, the site plan shall be of sufficient detail to allow the Planning and Inspections Staff and the Planning Board to analyze the proposed uses and arrangement of uses on the site. It shall also include the footprints of all buildings (proposed and existing), the proposed number of stories, location and number of off-street parking and loading spaces, proposed points of access to existing streets and internal circulation patterns. In addition, the location of all proposed buffers and fences and landscaping shall be included on the site plan.

Attached

7. ACKNOWLEDGEMENT:

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 (change) rests with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request, not incompatible with existing neighborhood zoning patterns.

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

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

I further understand I must voluntarily agree to all conditions proposed for the Conditional Use Permit.

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.

John Dawson Graham Columbia Otelia Green
NAME OF OWNERS (PRINT OR TYPE)

40 Graham Ave Lake Waccamow NC 28450
ADDRESS OF OWNER(S)

910-646-4514
HOME TELEPHONE #

910-840-9180 840-5412
WORK TELEPHONE #

John Dawson Graham
SIGNATURE OF OWNER(S)

Columbia Otelia Green
SIGNATURE OF OWNER(S)

The undersigned understands 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 (change) rests with the petitioner.

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.

John Dawson Graham
NAME OF OWNERS (PRINT OR TYPE)

40 Graham Ave Lake Waccamaw, NC 28450
ADDRESS OF OWNER(S)

HOME TELEPHONE # _____ WORK TELEPHONE # _____

Rev. Michael N. Nelson
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

~~P.O. Box~~ 4100 Grandford, Fayetteville NC 28306
ADDRESS OF AGENT, ATTORNEY, APPLICANT

HM 910-948-3388
Cell # 910-850-9138
HOME TELEPHONE # _____ WORK TELEPHONE # _____


SIGNATURE OF OWNER(S)


SIGNATURE OF AGENT, ATTORNEY OR APPLICANT

484-6432 (o)
257-5766 (c)

SIGNATURE OF OWNER(S)

Mike Adams
Surveyor
w/ MAPS
INC.

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

Michael J. Adams

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

1306 Fort Bragg Road Fay, NC 28305

ADDRESS OF AGENT, ATTORNEY, APPLICANT

257-5766

HOME TELEPHONE #

484-6432

WORK TELEPHONE #


SIGNATURE OF AGENT, ATTORNEY
OR APPLICANT

- * **ALL record property owners must sign this petition.**
- * **The contents of this application, upon submission, becomes "public record."**

**CUMBERLAND COUNTY ZONING ORDINANCE
FEE SCHEDULE**

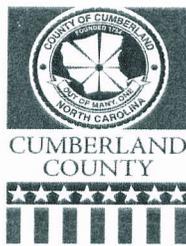
REQUESTED ZONING DISTRICTS ¹	LESS THAN 5 ACRES	5 TO 50 ACRES	50 TO 100 ACRES	100+ ACRES
CONDITIONAL USE DISTRICTS ² RESIDENTIAL DD/CUD	\$500	\$500	\$500	\$500
CONDITIONAL USE DISTRICTS ² NONRESIDENTIAL PND/CUD MXD/CUD	\$700	\$800	\$800	\$800

- 1 If more than one zoning district is requested in the same application, the highest fee for the district requested will apply.
- 2 If a general rezoning is requested and based on recommendations of the Planning Board or County Commissioners, the applicant desires to submit a Conditional Use District and Permit application, the original application fee will be credited towards the Conditional Use District and Permit application fee.

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning & Inspections Department

October 14, 2008

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

MEMORANDUM

TO: Joint Planning Board

FROM: Patti Speicher, Land Use Codes *PSS*

SUBJECT: CASE NO. 08-104. CONSIDERATION OF ROBERT P. HAMMOND PROPERTY, SUBDIVISION REVIEW, REQUEST FOR A WAIVER FROM SECTION 2306.B, COUNTY SUBDIVISION ORDINANCE, REGARDING FIRE HYDRANT INSTALLATION; ZONING: R15; TOTAL ACREAGE: 2.57 +/-; LOCATED AT THE SOUTH END OF WOLFLAIR DRIVE, SOUTH OF SR 2554 (FOXLAIR DRIVE).

The developer is requesting approval of a waiver from Condition No. 14 of the attached conditional approval, regarding the installation of a fire hydrant to serve four proposed lots. The County Subdivision Ordinance requires all newly created lots within a subdivision to be located within 500 feet of a fire hydrant when public water is available. A six inch public water line exists in the right-of-way of Foxlair Drive, approximately 230 feet from the subject property. The closest fire hydrant to the subject property is approximately 1,250 feet away. The County Subdivision Ordinance requires the installation of fire hydrants to the standards of the service provider, which is Harnett County for this development.

The Harnett County Department of Public Utilities (HCDPU) allows fire hydrants to be connected to their water system on six inch water mains and does not object to the required hydrant being installed. In the attached e-mail, Mr. Tim Payseur emphasizes that the "HCDPU is making every effort to enforce the local codes and ordinances as they pertain to the construction of new water line extensions" in Cumberland County. His only concern was whether or not the County would be satisfied with a hydrant connected to a six inch water line. Since his original e-mail, Mr. Payseur has been given a copy of the recent change in the subdivision ordinance provision governing fire hydrants, which now reads: "Each fire hydrant shall have the minimum main supply line as required by the provider to adequately provide the appropriate amount of pressure to the hydrant."

The Westarea Fire Department, Station 10 (Ramsey Street) Fire Chief has reviewed the waiver request and is of the position that a fire hydrant would be desirable at a location in or near the subject property; her position is based on the fact that the closet fire hydrant is located approximately 1,000 feet away from the entrance to the site.

The developer is requesting to be allowed develop the four lots without having to provide a fire hydrant and to serve the lots with a two inch water main. The four lots are bordered to the north and west by existing residential lots and a pond to the south. The remaining portion of the 92.81 +/- acre tract has direct access to SR 1607 (Elliot Bridge) and public water will be required to be extended from the

existing eight inch main to serve any development of this portion of the tract and fire hydrants will also be required.

In accordance with Section 6.1, Waivers, Cumberland County Subdivision Ordinance, the Planning Board may waive the requirements of this ordinance, where it finds by resolution that:

- a. Because of the size of the tract to be subdivided, its topography, the condition or nature of the adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this Ordinance would cause a special hardship to the property owner and be inequitable, and**
- b. The public purposes of the Subdivision Ordinance and the Zoning Ordinance would be served to an equal or greater degree, and**
- c. The property owner would not be afforded a special privilege denied to others.**

The Planning and Inspections Staff recommends denial of the waiver request based on the following:

- a. Installation of the fire hydrant will not cause a special hardship to the property owner and be inequitable since hydrant installation is a common standard for new developments and the developer does not necessarily have to extend a six inch water line to the subject property but could install the hydrant at the intersection of Wolflair Drive and Foxlair Drive, then extend a two inch line to serve the proposed lots;
- b. The public purposes of the Subdivision Ordinance and Zoning Ordinance will not be served to an equal or greater degree if the developer's request is granted, in that the single primary purpose of the ordinances is for the protection of the public health, safety and welfare and the provision of a fire hydrant within a reasonable distance to the proposed lots would afford the responding fire department better capability for fire suppression not only for the proposed lots but will aid in protecting the existing lots in the immediate surrounding area; and
- c. The property owner would be afforded a special privilege denied to others if this request is approved since fire hydrant installation is a basic necessary improvement required in all developments when public water is available.

Attached you will find the waiver request; e-mail from Chief Strahan, Westarea Fire Department; e-mail from Tim Payseur, HCDPU; conditions of approval; subdivision sketch plan; aerial photo with public water lines and fire hydrant locations delineated; and vicinity map. If you have any questions, please contact Ed Byrne at 910-678-7609, email: ebyrne@co.cumberland.nc.us or me at 910-678-7605, email: pspeicher@co.cumberland.nc.us.

cc: Robert Hammond, Owner
George Lott, Surveyor
Kenny Currie, Director, County Emergency Services
Chief Patricia Strahan, Westarea Fire Department
Tim Payseur, Senior Engineering Technician, HCDPU
Grainger Barrett, County Attorney



Date Request Submitted: 9-15-08

Planning Board Meeting Date: 10-21-08

Received by: EMD

Cumberland County Subdivision Ordinance

Request for Waiver

Case No.: 08-104 Case Name: Hammonds

Related Ordinance Section Number(s): _____

Summary of Request: WAIVER 6" WATER LINE & HYD.
SECTION 2300 .B.1 & 2

Section 6.1 of the County Subdivision Ordinance governs the Planning Board's authority to waiver provisions of the Subdivision Ordinance. This section reads as follows:

Section 6.1. Waivers

The Planning Board may waive the requirements of this Ordinance where it finds by resolution that:

- a. Because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, problems of access, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and*
- b. The public purposes of the Subdivision Ordinance and the Zoning Ordinance would be served to an equal or greater degree, and*
- c. The property owner would not be afforded a special privilege denied to others.*

In granting waivers, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements waived. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth.

The applicant is strongly encouraged to read the above provisions and relate the written waiver request as closely as possible to the criteria contained within. All supporting documentation for the request shall be submitted along with this request for waiver. For example, if the request is based on topography or soils, the applicant is the responsible

party to submit as evidence 'topo' and/or soils maps or if the request is based on the "condition or nature of adjoining property", the applicant will be required to submit evidence supporting this as basis for the request.

My request should receive favorable consideration by the Planning Board based on the following summary of the basis for this request:

- 1. Because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, problems of access, or the existence of other unusual physical conditions (at least one of the preceding basis must be addressed in this request), strict compliance with the provisions of this Ordinance would cause a special hardship to the property owner and be inequitable, due to:

~~The number of lots (4) and the existence of only a 6" water main available to be used for service. The site is over 1200 feet from the only fire hydrant on Foxlair Dr.~~

- 2. The public purposes of the County Subdivision and County Zoning Ordinances would be served to an equal or greater degree and the applicant agrees to:

~~Installation of an 8 inch system in a future subdivision of this developer's property, a 92 acre tract to be subdivided at a later date.~~

- 3. The property owner would not be afforded a special privilege denied to others, because:

~~There are no other fire hyd. Available near this site.~~

By signing this request, the applicant is signifying that all statements contained within this request are accurate and true to the best of their knowledge.

ROBERT P. HAMMOND
Printed Name of Applicant/Agent

Robert P. Hammond
Signature of Applicant/Agent

910 - 309-7101
Daytime Phone Number

9-10-08
Date Signed

Edward Byrne

From: Patricia Strahan [plstrahan@hotmail.com]
Sent: Monday, October 06, 2008 3:35 PM
To: Edward Byrne
Subject: Fire Hydrant

Westarea Fire Department would like a fire hydrant installed by the contractor in the area of Wolflair Drive. for the closest hydrant is 1000 feet.

Thank You
Patricia L. Strahan
Fire Chief Westarea Station 10

Get more out of the Web. Learn 10 hidden secrets of Windows Live. [Learn Now](#)

Edward Byrne

From: Patricia Speicher
Sent: Wednesday, October 08, 2008 4:17 PM
To: Edward Byrne
Cc: Kenny Currie; Cecil Combs
Subject: FW: Cumberland County Information Provided to HCDPU on Fire Hydrants

FYI

From: Timothy Payseur [mailto:tpayseur@harnett.org]
Sent: Wednesday, October 08, 2008 3:36 PM
To: Patricia Speicher
Subject: RE: Cumberland County Information Provided to HCDPU on Fire Hydrants

Patti,

Based upon the updated information that you have provided to me yesterday afternoon, I am more than happy to allow the fire hydrant to be installed on a six (6") inch water main with each lot being within at least 500 feet of the nearest fire hydrant. Thank you for providing the link to the subdivision ordinance, although I do not expect to enforce your ordinance, at least I now understand that the 8" water main is not mandated by Cumberland County. Thanks again for your input on this issue. If you need anything else from our office do not hesitate to ask.

Regards,
Tim

=====
Tim Payseur, Senior Engineering Technician
Harnett County Department of Public Utilities
308 West Duncan Street
P O Box 1119
Lillington, NC 27546-1119
Phone: (910) 893-7575, ext 3275
Fax: (910) 814-4024
E-mail: tpayseur@harnett.org
www.harnett.org
=====



Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



CUMBERLAND
COUNTY



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Clifton McNeill, Jr.,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

PLANNING STAFF

DECISION: 06-12-08

PLANNING BOARD

DECISION: 10-21-08

CASE NO: 08-104 NAME OF DEVELOPMENT: ROBERT HAMMOND PROPERTY

MIA: SPRING LAKE SUBDIVISION REVIEW

LOCATION: AT THE SOUTH END OF WOLFLAIR DRIVE, ZONING: R15

SOUTH OF SR 2554 (FOXLAIR DRIVE). PIN: 0543-22-4674-

OWNER OR DEVELOPER: ROBERT HAMMOND

ENGINEER OR DESIGNER: GEORGE LOTT

PLANNING DEPARTMENT ACTION

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

PLANNING BOARD ACTION

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

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

Permit-Related:

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the County Zoning Ordinance and permits required to place any structure within this development from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street. For additional information, the developer should contact a Code Enforcement Officer.
2. The County Health Department must approve sewer plans prior to application for any permits. Site and soil evaluations must be conducted on the property by the County Environmental Health Department prior to application for permits. A copy of the Health Department approval must be provided to Code Enforcement at the time of application for any building/zoning permits. (Note: All Health Department requirements must be met prior to issuance of final permits.)
3. Connection to public water is required, Harnett County must approve water plans prior to application for any permits. A copy of the Harnett County's approval must be provided to Code Enforcement at the time of application for building/zoning permits.
4. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the post-construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's post-construction permit must be provided to County Code Enforcement.

5. The developer must/may have to provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three (3) copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
7. The buildable envelopes reflected on the preliminary allow one story structures only; side yard setbacks increase for any structure with more than one story.

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the R15 zoning district must be complied with, as applicable. **(Note: The buildable envelopes as shown on the preliminary allow for one story structures only.)**
9. An adequate drainage system must be installed by the developer in accordance with the NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris.
10. All utilities, except for 25kv or greater electrical lines, must be located underground.
11. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
12. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
13. The NC Department of Transportation (NCDOT) must approve the street plans and the street(s) are required to be constructed to the NCDOT standards for secondary roads.

Plat-Related:

14. Fire hydrants must be installed along all proposed streets and drives prior to submission for final plat approval; hydrants must be located no further than 1,000 feet apart and at a maximum of 500 feet from any lot.
15. A sidewalk along Wolflair Drive may be required by the Town of Spring Lake Code – the owner/developer is the responsible party to satisfy this requirement prior to submission for final plat approval – contact the Director of Planning with the Town of Spring Lake for more information regarding sidewalk location and specifications for construction.
16. Prior to final plat approval of any portion of this development, the developer is required to submit a check or cash in the amount of \$104.24 (\$26.06 per lot for four lots) payable to "Cumberland County". This condition is in accordance with Section 3.13.1, Parks, Open Space, Recreation Provisions, County Subdivision Ordinance, which requires every residential dwelling unit to provide a portion of land, in certain instances, or pay a fee in lieu of dedication, for the purposes of providing park, recreation and open space areas. (Park District # 7)
17. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
18. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat.
19. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.

20. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.
21. The developer is reminded that the improvements must be in place or that final plat approval will only be granted in accordance with Section 2.6 b, c, or d, County Subdivision Ordinance. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.)
22. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statements:

23. Since this development does not have public sewer, the following disclosure statement is required to be provided on the final plat:

“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.”

24. All structures shall be shown on the final plat or the final plat shall reflect the following statement:

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

Advisories:

25. The applicant is advised to consult an expert on wetlands before proceeding with any development.
26. 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.
27. The front portion of the parcel listed above (beginning at Elliot Bridge Road and extending back 475 feet) is identified as suitable for urban development in the 2008 Military Joint Land Use Study. However, the back portion of the property (beyond 475 feet) is listed as "Important to Conserve" -- since it shows a value of 6 on the "Natural Values" suitability map generated by Sustainable Sandhills.. Although Regional Land Use Advisory Commission (RLUAC) has no concerns with the development of the front portion of the property, it would like to encourage clustering the development of the back portion in a manner that preserves as much of the natural heritage value of the property as possible

Other Relevant Conditions:

28. 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.”

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

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

Improvements Inspection:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
County Health Department:	Danny Soles	433-3685
Harnett County Water	Tim Payseur	(910) 893-7575 ext. 3275
Town of Spring Lake:	Tom Spinks	436-0241*
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S):	Sally McKinney	433-3300

E911 Site-Specific Address:	Ron Gonzales	678-7616
E911 Street Naming/Signs:	Diane Shelton	678-7665
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NCDOT (subdivision roads):	David Plummer	486-1496
N.C. Division of Water Quality:	Mike Randall	(910) 733-5083 Ext.- 545

OFFICIAL PRELIMINARY STAMP
CUMBERLAND COUNTY
CASE NO: **08-104**

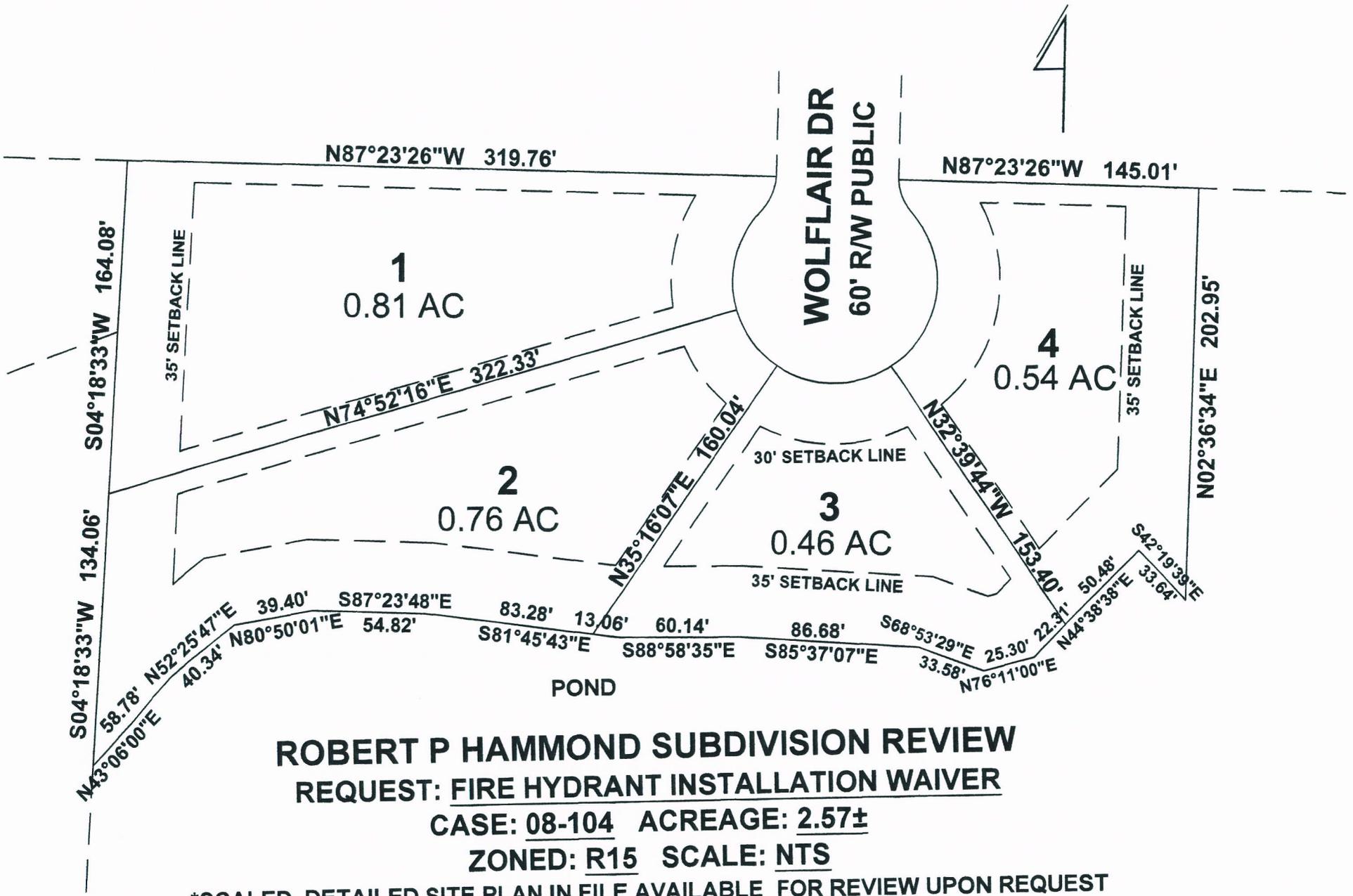
THIS PLAN APPROVED BY THE CUMBERLAND COUNTY PLANNING &
INSPECTION DEPARTMENT ON: **06-12-08**

COMMENTS: SUBJECT TO CONDITIONS

I CERTIFY THAT THIS PLAN HAS BEEN APPROVED BY THE CUMBERLAND
COUNTY PLANNING & INSPECTIONS DEPARTMENT AS DRAWN HEREON
AND MAY BE USED FOR ANY OFFICIAL PURPOSE AS PERMITTED BY LAW.
THIS APPROVAL IS VALID UNTIL: **06-12-10**

Patricia S. Spicher

EMB
SUPERVISOR, LAND USE CODES



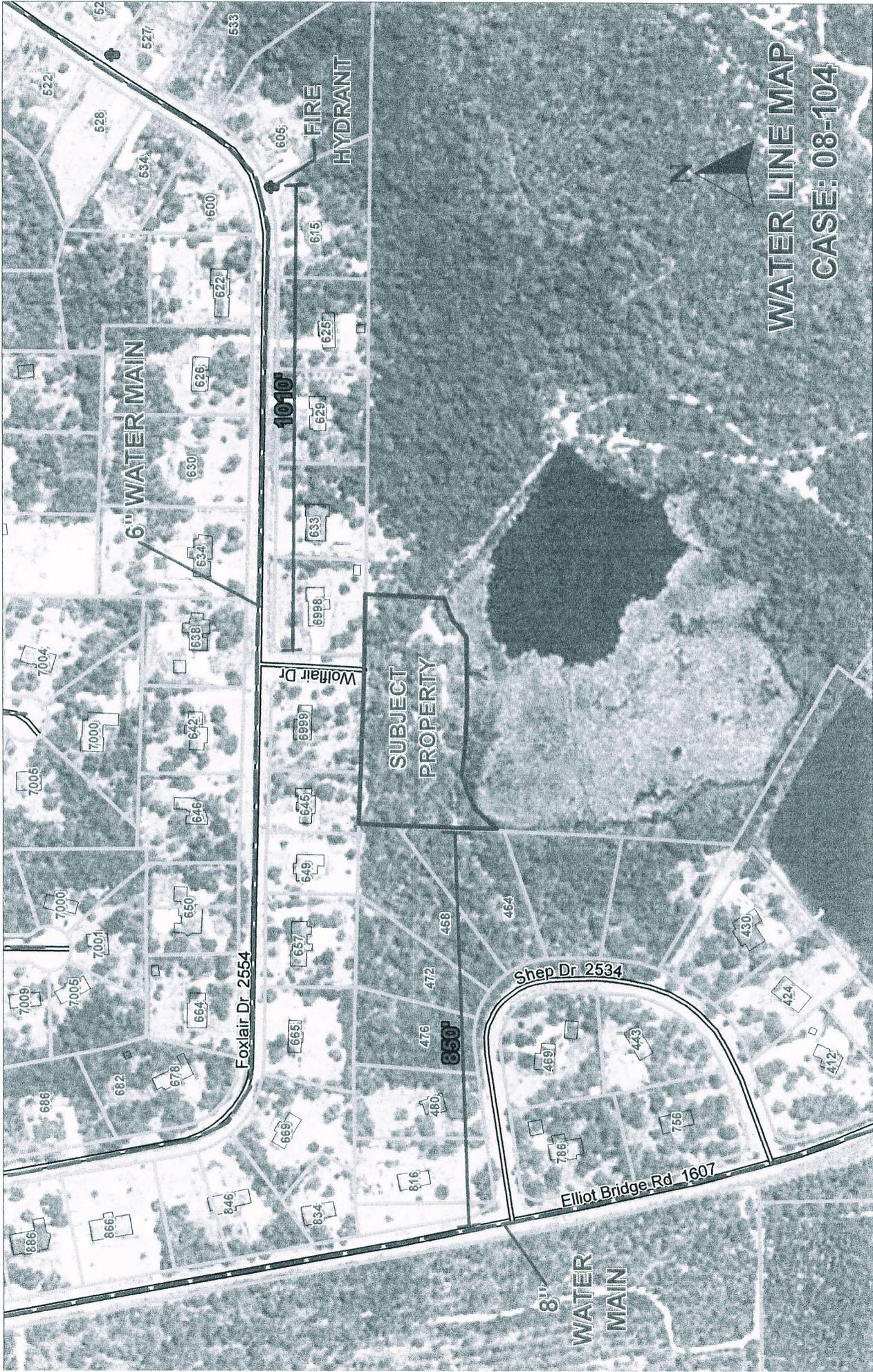
ROBERT P HAMMOND SUBDIVISION REVIEW

REQUEST: FIRE HYDRANT INSTALLATION WAIVER

CASE: 08-104 ACREAGE: 2.57±

ZONED: R15 SCALE: NTS

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



WATER LINE MAP
CASE: 08-104

**ROBERT P. HAMMOND PROPERTY
SUBDIVISION REVIEW
CASE NO. 08 - 104**



PIN(S): 0543-22-4674-
Prepared by EMB - CCJPB
SEPTEMBER 26, 2008

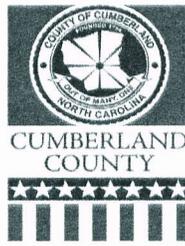
Map not to scale



Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND
Planning & Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

October 14, 2008

MEMORANDUM

TO: County Joint Planning Board

FROM: Edward M. Byrne, Planner II, Land Use Codes *EMB*

SUBJECT: CASE NO. 08-136. CONSIDERATION OF SOUTHVIEW SECTION NINE, ZERO LOT LINE SUBDIVISION REVIEW, A REQUEST FOR A WAIVER FROM SECTION 2302.A MUNICIPAL INFLUENCE COMPLIANCE (MIA), COUNTY SUBDIVISION ORDINANCE; REGARDING SIDEWALKS AND CONCRETE CURBS & GUTTERS; ZONING: R10; TOTAL ACREAGE: 7.18+/-; LOCATED AT THE NORTHEAST END OF CREPE MYRTLE DRIVE, SOUTHEAST OF SR 1392 (CANADY STREET). (COUNTY JURISDICTION)

The developer of the above referenced case has requested a waiver from Section 2302.A Municipal Influence Area (MIA), County Subdivision Ordinance, regarding conditions numbered 17 and 20 of the attached condition sheet. The conditions of approval noted above are based on the requirement that the County Subdivision Ordinance mandates that developments located within a Town's MIA to meet the development standards of that town. The Hope Mills Subdivision Regulations require sidewalks on both sides of all streets and street construction with concrete curbs and gutters

The proposed subdivision is a zero lot line development for 21 lots and is the last phase of a previously approved and developed subdivision of which the proposed development was part of the original approval. The entire area surrounding this development has been developed without sidewalks and concrete curbs and gutters. The developer's waiver application with the justification for the request is attached to this memorandum.

The Hope Mills Board of Commissioners voted on October 6, 2008 to recommend denial of the waiver request for sidewalks as submitted and to follow the Hope Mills Plan Review Committee and Planning Staff recommendation to allow sidewalks along one side of all streets. This recommendation is based on the following:

1. The Town Board has required sidewalk construction along at least one side of all streets for developments with a similar set of facts and circumstances, including the topography of this site, and requiring the sidewalks only on one side of all streets in an effort to cause less impervious surface area within the development;

2. This development is likely to be annexed into the Town limits within a relatively short period of time and all new subdivisions should reflect the development standards enforced within the Town when proposed within the Town's MIA; and

3. Providing sidewalks on one side of all streets will help ensure safe pedestrian access.

The Hope Mills Board of Commissioners also voted to recommends denial of the concrete curbs and gutters waiver and to follow the Staffs' recommendation. This recommendation is based on the following:

1. Because concrete curbs and gutters do not currently exist within this general area is not a justifiable basis for the waiver request;

2. The staff is of the opinion that the provision of concrete curbs and gutters will not adversely affect the development; and

3. Providing concrete curbs and gutters will aid in controlling future stormwater run off.

Attached you will find the developer's waiver application, Hope Mills Board of Commissioners recommendation, conditions of approval, subdivision sketch plan, aerial photo and a vicinity map.

If you have any questions regarding this memorandum, please contact Ed Byrne at 678-7609, email: ebyrne@co.cumberland.nc.us.

Attachments

cc: Billy Maxwell, RAM Development., Developer
Harvey Allen, Surveyor
Grainger Barrett, County Attorney
Patti Speicher, Land Use Codes



Date Request Submitted: 9-3-08
Planning Board Meeting Date: 10-21-08
Received by: PSB
H.M BOC 10-6-08

Cumberland County Subdivision Ordinance

Request for Waiver

Case No.: 08-136 Case Name: Southview Section NINE

Related Ordinance Section Number(s): 2302A-MIA

Summary of Request: WAIVER of conditions 17 & 20, this is the
last section of 21 lots and for continuity.

Section 6.1 of the County Subdivision Ordinance governs the Planning Board's authority to waiver provisions of the Subdivision Ordinance. This section reads as follows:

Section 6.1. Waivers

The Planning Board may waive the requirements of this Ordinance where it finds by resolution that:

- a. *Because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, problems of access, or the existence of other unusual physical conditions, strict compliance with the provisions of this ordinance would cause a special hardship to the property owner and be inequitable, and*
- b. *The public purposes of the Subdivision Ordinance and the Zoning Ordinance would be served to an equal or greater degree, and*
- c. *The property owner would not be afforded a special privilege denied to others.*

In granting waivers, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements waived. Any waiver, thus granted, is required to be entered in writing in the minutes of the Planning Board and the reasoning upon which departure was justified set forth.

The applicant is strongly encouraged to read the above provisions and relate the written waiver request as closely as possible to the criteria contained within. All supporting documentation for the request shall be submitted along with this request for waiver. For example, if the request is based on topography or soils, the applicant is the responsible

party to submit as evidence 'topo' and/or soils maps or if the request is based on the "condition or nature of adjoining property", the applicant will be required to submit evidence supporting this as basis for the request.

My request should receive favorable consideration by the Planning Board based on the following summary of the basis for this request:

1. Because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, problems of access, or the existence of other unusual physical conditions (at least one of the preceding basis must be addressed in this request), strict compliance with the provisions of this Ordinance would cause a special hardship to the property owner and be inequitable, due to:

This is the last 21 lots in Southview subdivision
and for continuity request asphalt curb & gutter
and no sidewalks being the same as the entire
neighborhood

2. The public purposes of the County Subdivision and County Zoning Ordinances would be served to an equal or greater degree and the applicant agrees to:

All other provisions

3. The property owner would not be afforded a special privilege denied to others, because:

it adds consistency to the last 21 lots of the
subdivision

By signing this request, the applicant is signifying that all statements contained within this request are accurate and true to the best of their knowledge.

William A. Maxwell JR
Printed Name of Applicant/Agent


Signature of Applicant/Agent

910-818-6906
Daytime Phone Number

9/3/08
Date Signed



TOWN OF HOPE MILLS

5770 ROCKFISH ROAD • HOPE MILLS, NORTH CAROLINA 28348-9998 • TELEPHONE (910) 424-4555 • FAX (910) 424-4902

October 15, 2008

MEMORANDUM

TO: Cumberland County Planning Board

FROM: Connie F. Spell, Assistant Town Manager/Clerk 

SUBJECT: CASE NO. 08-136 - Hope Mills' Municipal Influence Area

The Hope Mills Board of Commissioners at their October 6, 2008 Regular Meeting voted to follow the staff recommendation and recommended denial of the concrete curbs and gutters for Case No. 08-136.

Also, recommended denial of the waiver request for sidewalks as submitted, however, they recommended allowing sidewalks along one side of all streets.

If additional information is needed, please let me know.

cc: Randy Beeman, Town Manager

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

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



CUMBERLAND
COUNTY



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

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Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

STAFF REVIEW: 08-27-08

PLANNING BOARD DECISION: 10-21-08

CASE NO: 08-136

NAME OF DEVELOPMENT: SOUTHVIEW SECTION NINE.

MIA: HOPE MILLS

ZERO LOT LINE SUBDIVISION REVIEW

LOCATION: AT THE NORTHEAST END OF CREPE MYRTLE DRIVE,

ZONING: R10

SOUTHWEST OF SR 1392 (CANADY STREET).

PIN: 0424-68-6735-

OWNERS / DEVELOPER: RAM DEVELOPMENT, INC

ENGINEER OR DESIGNER: HARVEY ALLEN

PLANNING & INSPECTIONS STAFF ACTION

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

PLANNING BOARD DECISION (Waiver Request)

- PRELIMINARY
- EXTENSION REVISION
- APPROVED CONDITIONALLY
- DENIED

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

Permit-Related:

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

Note: A Hope Mills annexation agreement will be required to be signed by the PWC prior to review and approval of the water and sewer plans.

3. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the post-construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environment and Natural Resources. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's post-construction permit must be provided to County Code Enforcement.

4. The developer must have to provide the Code Enforcement Section with an approved NC Department of Environment and Natural Resources (NCDENR) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDENR approval must be provided to Code Enforcement at the time of application for any building/zoning permits.
5. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
6. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans.

Site-Related:

7. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Zoning Ordinances for the R7.5 zoning district must be complied with, as applicable.
8. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
9. 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.)
10. All applicable provisions of Section 3.21, "Group Developments", County Subdivision Ordinance, must be complied with..
11. An adequate drainage system must be installed by the developer in accordance with the Town of Hope Mills Stormwater Regulations and the town's Design Manual (NC Department of Environment and Natural Resources' (NCDENR) *Manual on Best Management Practices*) and all drainage ways must be kept clean and free of debris.
12. This review does not constitute a "subdivision" approval by NC Department of Transportation (NCDOT). A separate submittal to NCDOT will be required prior to consideration for addition to the system of any street within this development.
13. The developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). A copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
14. If driveways are changed or added, the developer must obtain a driveway permit from the NC Department of Transportation (NCDOT). If required, a copy of the approved driveway permit must be provided to Code Enforcement at the time of application for building/zoning permits.
15. The NC Department of Transportation (NCDOT) must approve the street plans and the street(s) are required to be constructed to the NCDOT standards for secondary roads.
16. Prior to removal of any trees on this site, the developer must first schedule an inspection with the Hope Mills Chief Building Inspector to determine which existing trees, if any, must remain on-site.

Pre-Plat-Related:

17. A concrete sidewalk must be constructed along both sides of both rights-of-way within this development.
18. Fire hydrants must be installed along all proposed streets and drives; hydrants must be located no further than 1,000 feet apart and at a maximum of 500 feet from any lot, each hydrant must have a six-inch minimum sized main supply line, and once properly installed the Public Work Commission will be responsible for maintenance of the hydrants.
19. All utilities, except for 25kv or greater electrical lines, must be located underground.

20. The proposed streets must be constructed with a right-of-way width as shown on the preliminary; in addition the proposed new streets must be constructed with concrete curbs and gutters.
21. A street name sign, in compliance with the County Street Sign Specifications, must be installed prior to final plat approval. The developer should contact E911 Street Naming/Signs for inquiries regarding the County's policy for street sign installation or, if the sign is commissioned from a private source, to schedule an inspection of the street sign(s). Land Use Codes must receive notice of agreement with the Street Naming & Addressing Section for sign installation or of satisfactory inspection prior to the approval of the final plat.
22. Prior to final plat approval of any portion of this development, the developer is required to submit a check or cash in the amount of \$5,962.90 (\$283.95 per lot) payable to "Cumberland County". This condition is in accordance with Section 3.13.1, Parks, Open Space, Recreation Provisions, County Subdivision Ordinance, which requires every residential dwelling unit to provide a portion of land, in certain instances, or pay a fee in lieu of dedication, for the purposes of providing park, recreation and open space areas. (Park District # 3)
23. Because this site is located within the Hope Mills *Municipal Influence Area*, all improvements must be in place or a surety bond, certified check or irrevocable letter of credit must be posted as a guarantee of improvements prior to submission for final plat approval of any portion of this development. (Note: Once the improvements are in place, the developer is responsible for contacting Jeff Barnhill to schedule an inspection of the improvements.)

Plat-Related:

24. The builder/developer must provide the buildable envelopes on the final plat: providing a five-foot maintenance easement along each side of all common internal lines with all other applicable setbacks being provided for; or at the time of permit application, the individual plot plans must be approved by Land Use Codes prior to issuance of any permits.
25. Any/All easements must be reflected on the final plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
26. A 25' right-of-way radius is required at all intersections and must be reflected on the final plat.
27. The NC Department of Transportation (NCDOT) stamp must be affixed to the final plat prior to submission for final plat approval by Land Use Codes.
28. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the final plat when submitted for final approval.
29. The final plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application for any structure and/or prior to the sale of any lot or unit within this development.

Plat-Required Statement:

30. All structures shall be shown on the final plat or the final plat shall reflect the following statement:

"Nonconforming structures have not been created by this subdivision."

Advisories:

31. The applicant is advised to consult an expert on wetlands before proceeding with any development.
32. 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.

Planning Board:

33. The developer submitted a request for a waiver from Section 2302.A (MIA), regarding sidewalks and concrete curbs & gutters. This case will be heard by the Hope Mills Board of Commissioners for a recommendation on October 6, 2008 and then by the Cumberland County Joint Planning Board on October 21, 2008.

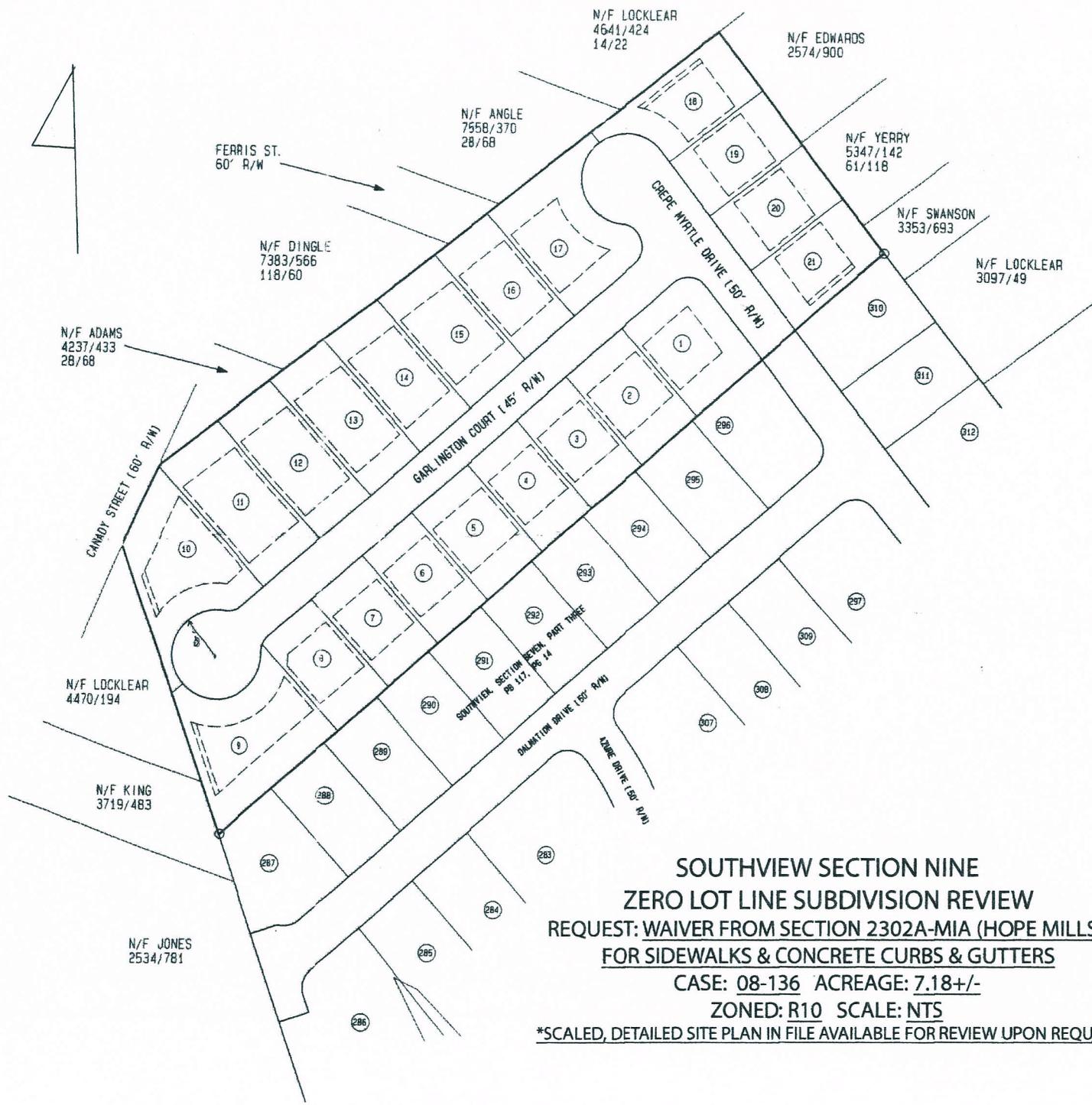
If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Patti Speicher at 910-678-7605; otherwise, contact the appropriate agency at the contact numbers below.

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

Improvements Inspections:	Jeff Barnhill	678-7765
Subdivision/Site Plan/Plat	Ed Byrne	678-7609
Code Enforcement (Permits):	Ken Sykes	321-6654
PWC:	Heidi Maly	223-4773
Town of Hope Mills:		424-4555*
Corp of Engineers (wetlands):	Ronnie Smith	(910) 251-4829
NCDENR (E&S):	Sally McKinney	433-3300
E911 Site-Specific Address:	Ron Gonzales	678-7616
E911 Street Naming/Signs:	Diane Shelton	678-7665
Tax Parcel Numbers:		678-7549
NCDOT (driveways/curb-cuts):	Gary Burton	486-1496
NCDOT (subdivision roads):	David Plummer	486-1496
N.C. Division of Water Quality: Stormwater)	Mike Randall	(919) 733-5083 ext. 545

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

cc: Mike Bailey, Chief Building Inspector, Town of Hope Mills



SOUTHVIEW SECTION NINE
ZERO LOT LINE SUBDIVISION REVIEW
 REQUEST: WAIVER FROM SECTION 2302A-MIA (HOPE MILLS)
FOR SIDEWALKS & CONCRETE CURBS & GUTTERS
 CASE: 08-136 ACREAGE: 7.18+/-
 ZONED: R10 SCALE: NTS
 *SCALED, DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST



AERIAL PHOTO CASE: 08-136

**SOUTHVIEW SECTION NINE
ZERO LOT LINE SUBDIVISION REVIEW
CASE NO. 08 - 136**



PIN(S): 0424-68-6735-
Prepared by EMB - CCJPB
SEPTEMBER 8, 2008

Map not to scale

