Charles Morris, Chair Town of Linden

Diane Wheatley, Vice-Chair Cumberland County

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

Donovan McLaurin Wade, Falcon & Godwin



Planning & Inspections Department

AGENDA

Thomas J. Lloyd, Director

Cecil P. Combs, Deputy Director

Vikki Andrews, Carl Manning, Lori Epler Cumberland County

Stan Crumpler, Town of Eastover

Patricia Hall, Town of Hope Mills

- January 16, 2018 7:00 P.M.
- INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING WITHDRAWALS / DEFERRALS

P17-46. REZONING OF 645.52+/- ACRES FROM A1 AGRICULTURAL, RR RURAL RESIDENTIAL, PND PLANNED NEIGHBORHOOD DEVELOPMENT & CD CONSERVANCY DISTRICT TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED NORTH OF THE CAPE FEAR RIVER, BOUNDED BY SR 1700 (MCBRYDE STREET) & SR 1609 (LANE ROAD); SUBMITTED BY T.L. BROOKS IV ON BEHALF OF MCCORMICK FARMS L.P. (OWNER). WITHDRAWN

P18-03. REZONING OF .93+/- ACRE FROM R10 RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3496 GILLESPIE STREET, SUBMITTED BY PHILIP & SHARON KROPP (OWNERS). STAFF REQUESTED DEFERRAL UNTIL FEBRUARY 20, 2018

- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. APPROVAL OF THE MINUTES OF DECEMBER 19, 2017
- VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. P18-01. REZONING OF 1.01+/- ACRES FROM R40 RESIDENTIAL/CU CONDITIONAL USE OVERLAY FOR MOTOR VEHICLE SALES TO R40 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON SOUTH SIDE OF SR 2040 (BEAVER DAM CHURCH ROAD), WEST OF NC HWY 210 SOUTH; SUBMITTED BY WILLIAM JEFFREY SIMPSON ON BEHALF OF SIMPSON FARMS LLC (OWNER).
- B. **P18-02.** REZONING OF 1.65+/- ACRES FROM R6 RESIDENTIAL TO C2(P) PLANNED SERVICE & RETAIL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1709 MCARTHUR ROAD, SUBMITTED BY MELVIN & MARGARET MOORE (OWNERS).

CONDITIONAL ZONING CASE

C. **P17-55.** REZONING OF 41.30+/- ACRES FROM RR RESIDENTIAL TO M(P) PLANNED INDUSTRIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF DOWNING ROAD, EAST OF ACCORD ROAD; SUBMITTED BY JOHN S. HAIR, JR. (OWNER) AND GARRIS NEIL YARBOROUGH (ATTORNEY).

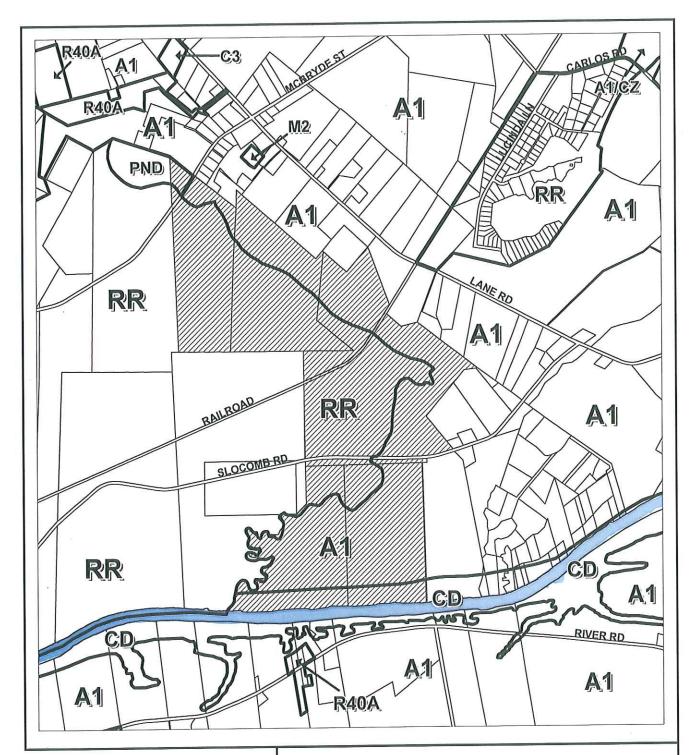
VIII. PUBLIC HEARING WAIVER CASE

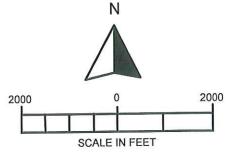
CASE NO. 17-006. CONSIDERATION OF THE JASON AUTRY PROPERTY; SUBDIVISION REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO CONNECT TO PUBLIC WATER; COUNTY SUBDIVISION ORDINANCE, SECTIONS 2306.A.1.B, CONNECTION TO WATER AND SANITARY SEWER REQUIRED; ZONED: R15; TOTAL ACREAGE: 3.898 +/-; LOCATED AT 548 SUNNYSIDE SCHOOL ROAD; SUBMITTED BY JASON AUTRY (OWNER).

- IX. PUBLIC HEARING CONTESTED ITEMS
- X. DISCUSSION

DIRECTOR'S UPDATE

XI. ADJOURNMENT





PIN: 0562-09-5188, 0562-26-5895, 0562-46-1435, 0562-31-2400 0562-41-9727

REQUESTED REZONING RR, A1, PND & CD TO A1

ACREAGE: 645.52 AC.+/-	HEARING NO: P17-46	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

petth Thua

From:

Tom <tlbiv@verizon.net>

Sent:

Monday, January 08, 2018 3:31 PM

To:

Subject:

Betty Lynd RE: P17-76

I apologize, I did mean P17-46.

Thank you for your help.

Tom

From: Betty Lynd [mailto:blynd@co.cumberland.nc.us]

Sent: Monday, January 8, 2018 2:43 PM

To: tlbiv@verizon.net

Cc: Patricia Speicher cpspeicher@co.cumberland.nc.us>

Subject: RE: P17-76

Good afternoon Mr. Brooks:

I have received you request for withdrawal, but I wanted to clarify that you mean Case P17-46. If this is correct, please let me know via e-mail.

Thank you and have a wonderful day.

Betty Lynd Planner, Zoning **Cumberland County Planning & Inspections** 130 Gillespie Street (910) 678-7603 blynd@co.cumberland.nc.us



From: Patricia Speicher

Sent: Monday, January 08, 2018 2:37 PM

To: Betty Lynd Cc: Thomas Lloyd Subject: FW: P17-76

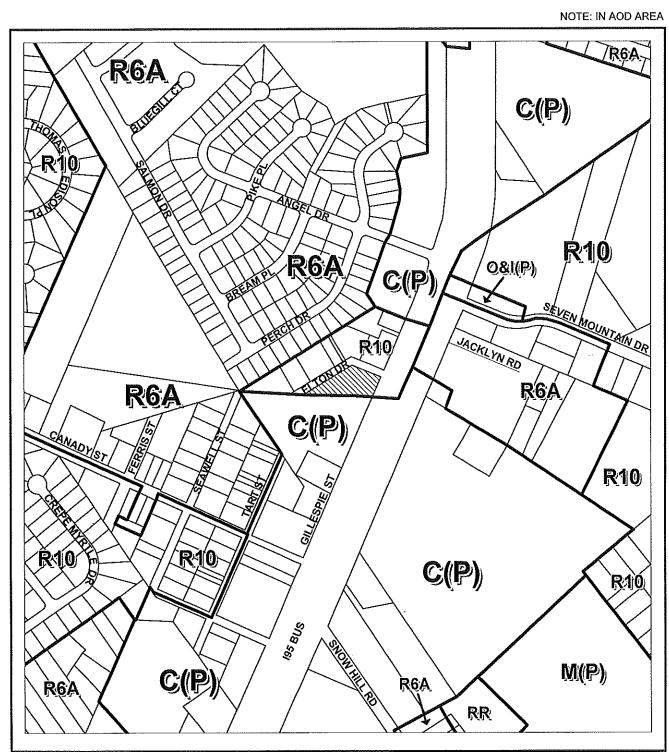
fyi

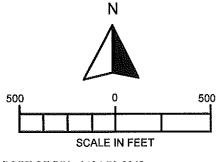
Patti.

I respectfully request that our rezoning application P17-76, rezoning of 645.2 +/- acres, be removed from the agenda for the upcoming Planning Board Meeting.

Thank you, **Tom Brooks** McCormick Farms (910) 813-0408

All correspondence to and from this address may be subject to the N.C. Public Records Law and may be





PORT OF PIN: 0424-79-9342

REQUESTED REZONING R10 TO C(P)

ACREAGE: 0.93 AC.+/-	HEARING NO	: P18-03
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

CASE NUMBER: P18-01

PLANNING BOARD HEARING DATE:

01/16/2018

REQUEST

R40/CU to R40 (REMOVAL OF CU for motor

vehicle sales ONLY)

ACREAGE: 1.01+/-

PROPERTY OWNER/APPLICANT
WILLIAM JEFFREY SIMPSON ON BEHALF OF
SIMPSON FARMS LLC (OWNER)

PROPERTY ADDRESS/LOCATION

South side of SR 2040 (Beaver Dam

Church Rd), West of NC Hwy 210 South

PROPERTY INFORMATION

Frontage & Location: 260'+/- on NC Hwy 210 South; 330'+/-

on SR 2054 (Clay Fork Hill Rd)

Depth: 200'+/-

Adjacent Property: Yes Current Use: Vacant

Initial Zoning: A1 – September 3, 1996 (Area 23); rezoned to R40 January 25, 1999 (Case P98-106); rezoned to R40/CU

for motor vehicle sales March 15, 2004 (Case P04-08)

Nonconformities: None

Zoning Violation(s): None issued

School Capacity/Enrolled: Comments requested; none

received

Special Flood Hazard Area (SFHA): Yes Water/Sewer Availability: Well/Septic

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

Subdivision/Site Plan: Future development may require review Average Daily Traffic County (2016): 1,500 on NC Hwy 210 S

Notes:

1. Density

R40- 1 lot/unit

2. Minimum Yard Setbacks:

<u>R40</u>

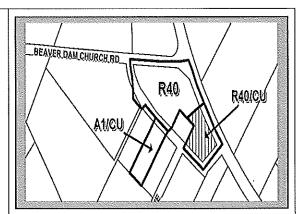
Front yard: 30'

Side vard: 15'

Rear yard:

Jurisdiction:

County



SURROUNDING LAND USE: Residential (including manufactured homes), cemetery, farmland

COMPREHENSIVE PLANS: 2030 Growth Vision Plan: Rural Areas;

Southwest Cumberland Land Use Plan:

Farmland

STAFF RECOMMENDATION

APPROVAL

35'

APPROVAL WITH CONDITIONS

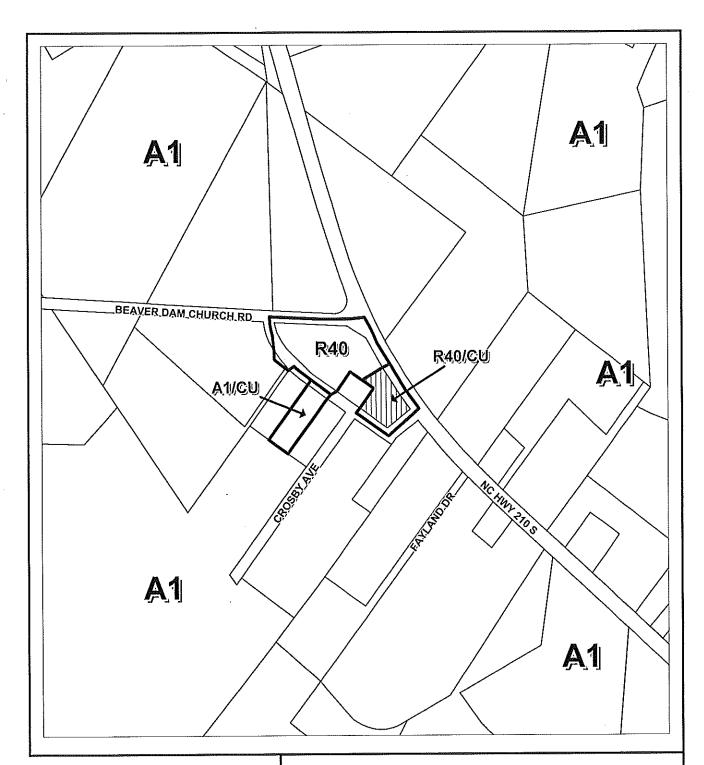
DENIAL

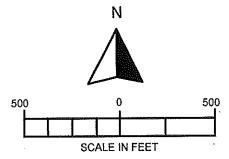
In Case P18-01, the Planning and Inspections Staff recommends approval of the rezoning to remove the Conditional Use Overlay for motor vehicle sales at the property owner's request and find the Southwest Cumberland Land Use Plan has been examined and does not address this particular situation; and further find approval of the request is reasonable and in the public interest because Conditional Use Overlays were approved prior to 2005 in order to allow land uses that were not permitted in the current zoning district in exceptional situations, later deemed as an improper use of zoning, and that the approved business is no longer in operation at this location.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS:

SKETCH MAP





PIN: 1421-63-2566

REQUESTED REZONING R40/CU TO R40

ACREAGE: 1.01 AC.+/-	HEARING NO: P18-01		
ORDINANCE: COUNTY	HEARING DATE	ACTION	
STAFF RECOMMENDATION			
PLANNING BOARD			
GOVERNING BOARD			

CASE NUMBER: P18-02

PLANNING BOARD HEARING DATE:

01/16/2018

REQUEST

R6 to C2(P)

ACREAGE: 1.65+/-

PROPERTY OWNER/APPLICANT
MELVIN & MARGARET MOORE (OWNERS)

PROPERTY ADDRESS/LOCATION

1709 McArthur Road

PROPERTY INFORMATION

Frontage & Location: 200.37'+/- on SR 1600 (McArthur Road)

Depth: 604'+/-

Adjacent Property: No

Municipal Influence Area: Fayetteville

City of Fayetteville: Annexation petition if connected to PWC sewer

Current Use: One residential dwelling

Initial Zoning: R6 - August 21, 1972 (Area 1)

Nonconformities: If approved, existing home will be made

nonconforming and will not meet side setbacks on northern property

line.

Zoning Violation(s): None issued

School Capacity/Enrolled: Comments requested; none received

Special Flood Hazard Area (SFHA): None

Watershed: Yes

Water/Sewer Availability: PWC/PWC

Soil Limitations: None

Subdivision/Site Plan: If approved, site plan may be required Average Daily Traffic County (2016): 20,000 on SR 1600 (McArthur

Road)

Highway Plan: McArthur Road is identified as an existing thoroughfare in the 2040 Metropolitan Transportation Plan with no constructions/ improvements planned; no impact on the Transportation

Improvement Plan.

Notes:

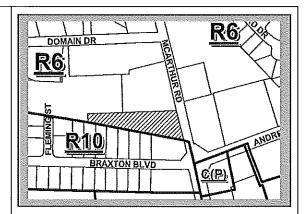
1. Density R6- 16 lots/17 units

2. Minimum Yard Setbacks:

	<u>R6</u>	<u>O&I(P)</u>	<u>C1(P)</u>	C2(P)
Front yard:	25'	35'	45'	50'
Side yard:	10'	15'	15'	30'
Rear yard:	30	20'	20'	30'

Jurisdiction:

County



SURROUNDING LAND USE: Residential (single and multi-family dwellings), religious worship facility, water tower, retailing and servicing, mini-warehousing

COMPREHENSIVE PLANS: 2030
Growth Vision Plan: Urban; North
Fayetteville Land Use Plan: Low Density

Residential

STAFF RECOMMENDATION

APPROVAL

APPROVAL WITH CONDITIONS

DENIAL

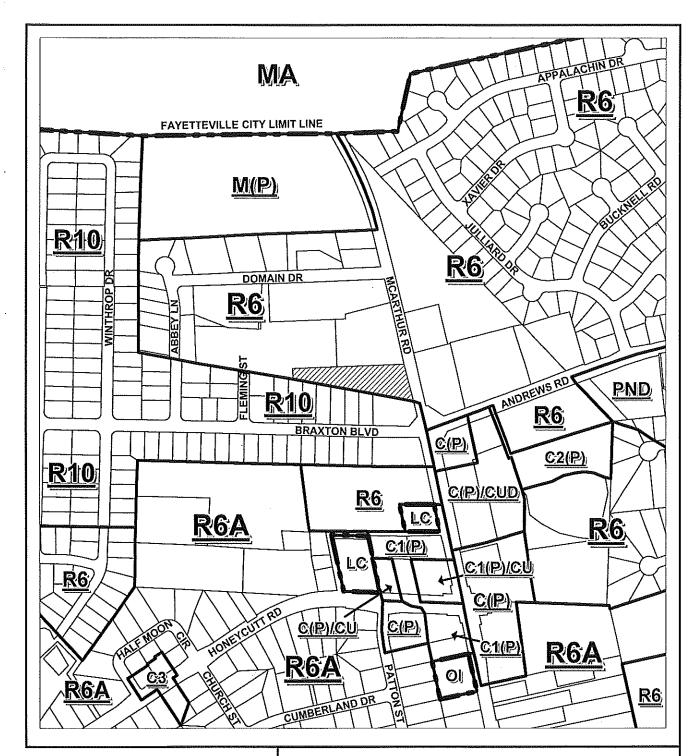
In Case P18-02, the Planning and Inspections Staff recommend to approve the rezoning from R6 Residential to C2(P) Planned Service and Retail and find:

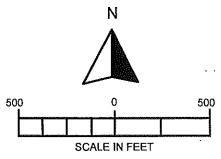
- a. The approval is an amendment to the adopted North Fayetteville Land Use Plan (2003) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the requested district is consistent with the more recently adopted 2030 Growth Vision Plan (2009) which calls for "urban" development at this location;
- c. And, this rezoning approval is reasonable and in the public interest because the subject property is located in an area that is in transition from residential to non-residential through redevelopment and construction of the Fayetteville Outer Loop (I-295).

OTHER SUITABLE DISTRICTS: O&I(P) & C1(P)

ATTACHMENTS:

SKETCH MAP





PIN: 0521-51-7052

REQUESTED REZONING R6 TO C2(P)

ACREAGE: 1.65 AC.+/-	:.+/- HEARING NO: P18-02	
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD	**************************************	
GOVERNING BOARD		

CASE NUMBER: P17-55

PLANNING BOARD HEARING DATE:

JOHN S. HAIR, JR. (OWNER) & GARRIS NEIL

PROPERTY OWNER/APPLICANT

YARBOROUGH (AGENT)

01/16/2018

REQUEST
RR TO M(P)/CZ for open storage of construction materials and equipment

construction materials and equipment along with ancillary work activities, office

space and storage buildings

PROPERTY ADDRESS/LOCATION

South side of Downing Road, East of Accord

Road

PROPERTY INFORMATION

Frontage & Location: 551'+/- on SR 1834 (Downing Road); 760'+/- on NC

Hwy 24

Depth: 1400'+/-

Adjacent Property: Yes; remaining portion of parent tract(s)

Current Use: Agricultural

Municipal Influence Area: Fayetteville Initial Zoning: RR – April 26, 1979 (Area 8)

Nonconformities: None

Zoning Violation(s): None issued

School Capacity/Enrolled: Armstrong Elementary: 450/462; Mac Williams:

1270/1102; Cape Fear High: 1425/1482 Special Flood Hazard Area (SFHA): None Water/Sewer Availability: PWC/PWC

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

inclusion: WmB (Wickham fine sandy loam)

Subdivision/Site Plan: If approved, development review will be required Average Daily Traffic County (2016): 11,000 on NC Hwy 24; 1,200 on SR

1834 (Downing Road)

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

Notes:

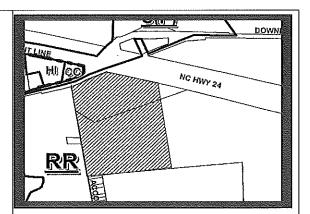
1. <u>Density(minus 15% for r/w)</u> RR- 76 lots/units

Minimum Yard Setbacks:

	M(P)	M1(P)	<u>RR</u>
Front yard:	100'	50'	30'
Side yard:	50'	30'	15'
Rear yard:	50'	30'	35'

Jurisdiction:

County



SURROUNDING LAND USE: Residential (including manufactured homes), vacant commercial, motor vehicle repair, retailing & servicing

COMPREHENSIVE PLANS: 2030
Growth Vision Plan: Urban Fringe;
Vander Land Use Plan: Light Industrial

STAFF RECOMMENDATION

ACREAGE: 41.30+/-

APPROVAL APPROVAL WITH CONDITIONS

DENIAL

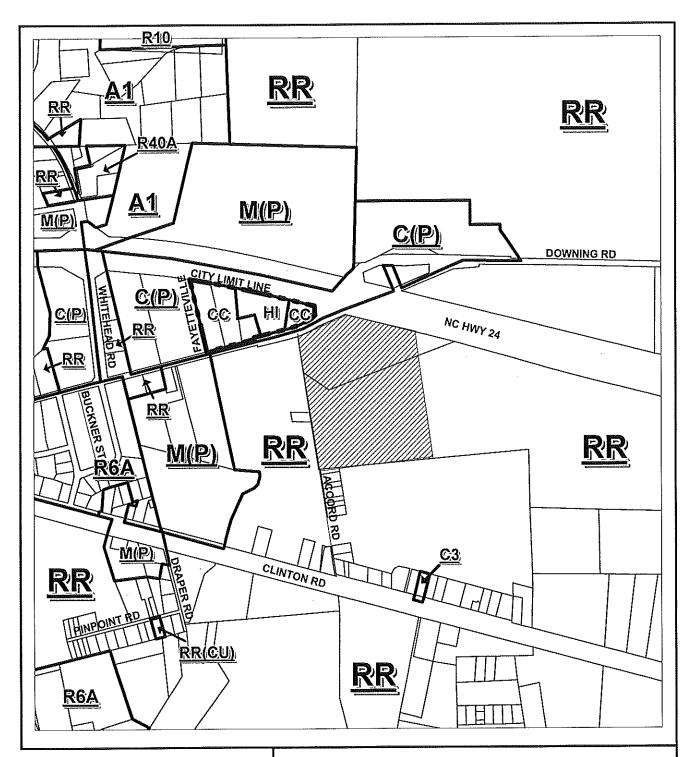
In Case P17-55, the Planning and Inspections Staff recommend to approve the rezoning from RR Rural Residential to M(P) Planned Industrial/CZ Conditional Zoning for open storage of construction materials and equipment along with ancillary work activities, office space and storage buildings and find:

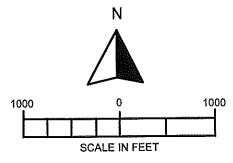
- a. The approval is an amendment to the adopted Vander Area Land Use Plan (2017) map; and that the Board of Commissioners should not require any additional request or application for amendment to said map;
- b. The following change in conditions was considered in amending the zoning ordinance (zoning map) to meet the development needs of the community: the requested district will allow the property to be developed in a manner that more closely fits the Vander Area Land Use Plan recommendation of "Light Industrial";
- c. And, this rezoning approval is reasonable and in the public interest if the property owner agrees to the attached conditions because the subject property is of a sufficient size to accommodate buffering, screening and landscaping; public water & sewer are available to the site; and NC Hwy 24 is classified as a freeway/expressway designed to handle industrial type traffic.

OTHER SUITABLE DISTRICTS: None

ATTACHMENTS:

SKETCH MAP SITE PLAN APPLICATION ORDINANCE RELATED CONDITIONS



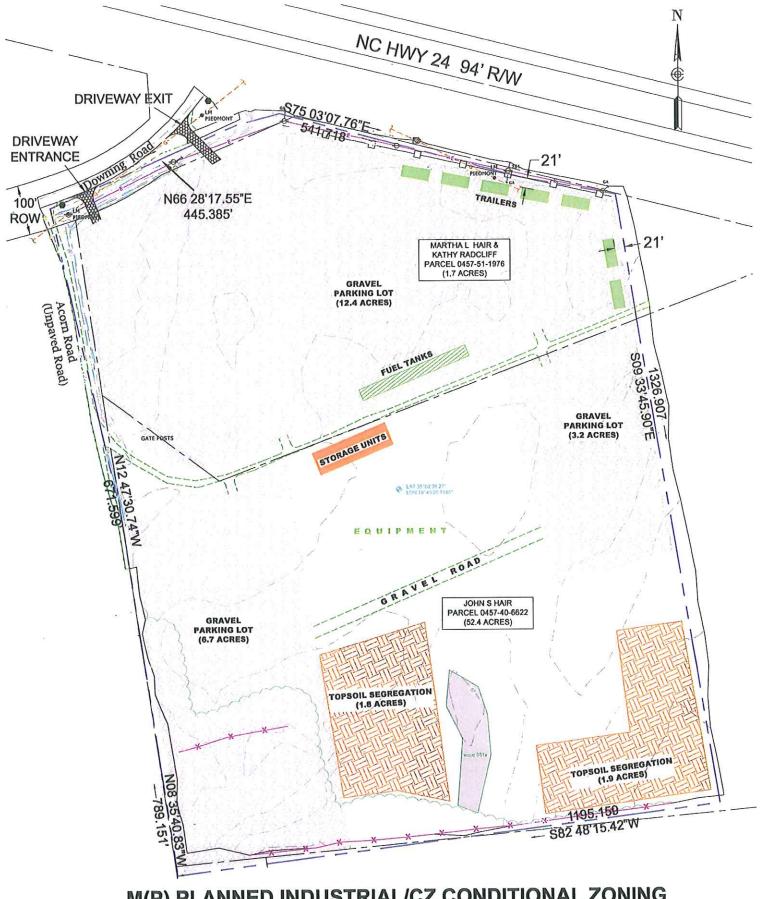


PORTION OF PIN: 0457-40-6622 PORTION OF PIN: 0457-51-1976

REQUESTED REZONING RR TO M(P)/CZ

ACREAGE: 41.30 AC.+/-	HEARING NO	: P17-55
ORDINANCE: COUNTY	HEARING DATE	ACTION
STAFF RECOMMENDATION		
PLANNING BOARD		
GOVERNING BOARD		

01/08/18 MB



M(P) PLANNED INDUSTRIAL/CZ CONDITIONAL ZONING

REQUEST: OPEN STORAGE OF CONSTRUCTION MATERIALS AND EQUIPMENT ALONG WITH ANCILLARY WORK **ACTIVITIES, OFFICE SPACE, AND STORAGE BUILDINGS** CASE: P17-55 ACREAGE: 41.30 AC+/-

SCALE: NTS

*SCALED DETAILED SITE PLAN AVAILABLE FOR REVIEW UPON REQUEST

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

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

1.	Applicant/Agent				
2.	Address:		Zip Code		
3.	Telephone: (Home)		(Work)		
4.	Location of Property:				
5.	Parcel Identification Nur (also known as Tax ID N				***************************************
6.	Acreage:	Frontage:	Dept	a:	
7.	Acreage: Frontage: Depth: Water Provider: Septage Provider:				
8.	Deed Book, Page(s), Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).			nd County	
9.	Existing use of property:	:			
10.	Proposed use(s) of the pr	ropertu			
				•	
	NOTE: Be specific and	d list all intended uses	3		<u></u>
11.	Do you own any propert	ty adjacent to, includin	gacross the street from	om, the proj	perty being
	submitted for rezoning?	Yes No _			
12.	Has a violation been issu It is requested that the fo	ued on this property? Y	es No	<u> </u>	
13.	It is requested that the fo	oregoing property be re-	zoned FROM:	<u>KK</u>	
	TO: (Select one)				4 - 5
	(Article V)	Zoning District, with ar District/Conditional Zon			MCP)
	Planned Neig	ghborhood District/Con	ditional Zoning Dis	trict (Article	e VII)
	Density Deve	elopment/Conditional 2	Coning District, at th	e	Density

Revised: 03-27-14 Page 2 of 6

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 RR to M(P)		
2.	Address of Property to be Rezoned: Downing Road and Accord Road		
3.	Location of Property: South side of NC 24 and Downing Road and East side of Accord Road -		
	See attached Exhibits A		
4.	Parcel Identification Number (PIN #) of subject property: (1) 0457-40-6622 & (2) 0457-51-1976 (also known as Tax ID Number or Property Tax ID)		
5.	Acreage(1)26.4 ac out of 99.84 acFrontage: See attached Exhibits A (2)14.9 ac out of 51.78 ac		
6.	Water Provider: Well: PWC: X Other (name):		
7.	Septage Provider: Septic Tank PWC X		
8.	Deed Book (1) 4642 & (2) 2772 , Page(s) (1) 227 & (2) 183 , Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).		
9.	Existing use of property: Agricultural		
10.	Proposed use(s) of the property:Open storage contractor yard		
11.	Do you own any property adjacent to or across the street from this property?		
	Yes X No If yes, where? Adjacent and East and South of subject property		
12.	Has a violation been issued on this property? YesNoX		
portion	y of the recorded deed(s) and/or recorded plat map(s) must be provided. If the area is a n of a parcel, a written legal description by metes and bounds, showing acreage must pany the deeds and/or plat. If more than one zoning classification is requested, a correct and bounds legal description, including acreage, for each bounded area must be ted.		

The Planning and Inspections Staff is available for advice on completing this application;

however, they are not available for completion of the application.

Cumberland County Rezoning Revised: 01-25-2013

APPLICATION FOR CONDITIONAL ZONING

1. PROPOSED USE(S):

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

Open storage of construction materials and equipment along with ancillary work activities, office space and storage buildings.

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.

Area being proposed for industrial zoning is approximately 40 acres of which approximately 3 acres will be used as buffer. Non-residential units include approximately seven (7) temporary office units, five (5) temporary parts trailers and one (1) temporary ice and water facility all of which will involve no more than 100,000 SF of impervious area.

2. DIMENSIONAL REQUIREMENTS:

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

All setback requirements of the NP will be utilized.

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

There is a 20+/- acre area whereupon crush and run will be placed and parking will occur in this area as shown on the site plan. It is estimated that in addition to the construction equipment located on the site that there will be a designated parking area for employee parking which from time to time may include up to 40 vehicles. Equipment and material loading will go on throughout the site.

3. SIGN REQUIREMENTS:

Reference the district sign regulations proposed from Article XIII.

All signage will conform to the requirements in Article XIII, Section 1306.B.5

Revised: 03-27-14 Page **3** of **6**

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.

Property will have a 6-foot wooden fence along property line abutting Highway 24.

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

Buffering by setback will occur as shown on the site plan.

5. MISCELLANEOUS:

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

At various times there will be approximately 70 employees. Hours of operation will be from 6am to 6pm, six days per week. However, there may be limited office activities all days of the week. Temporary lighting fixtures will occasionally be used for exterior lighting. All light will be utilized in such a manner as to comply with the County's lighting requirements for emission of ambient light. All lighting will be directed in an inward fashion. The only noise and or emissions that will occur on the property will be from the various equipment used which have the appropriate factory installed devices to minimize noise and emissions (there will be no smoke stacks or the like on the property). Access to the property will be from Downing Road.

6. SITE PLAN REQUIREMENTS:

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

Revised: 03-27-14 Page 4 of 6

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request within a complete application.

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

	binitted is accurate and correct.	
	athleen Hair Radclift and Marthe L. Hair AME OF OWNER(S) (PRINT OR TYPE)	
	AME OF OWNER(S) (PRINT OR TITE) 19 Norton Strut, Oak Island, NC 28465 DDRESS OF OWNER(S)	
	NIA	
	NIA 910-670-7011	
	NIA HOME TELEPHONE WORK TELEPHONE Mobile Mobile	1 c4
	HOME TELEPHONE Mobile	ř., .
	HOME TELEPHONE HOME TELEPHONE WORK TELEPHONE Mobile Len stan Padel of Martin X Attended to Stanting Codel of Martin X SIGNATURE OF OWNER(S) SIGNATURE OF OWNER(S) Koll ben Heig Rod lift, as Aquat and	Hace
X	SIGNATURE OF OWNER(S)	
	SIGNATURE OF OWNER(S) Kathken Hair Rockliff, as Agent and	
	Kathban Hair Radclift Kathban Hair Radclift, as Hair Alberton in fact for Mortha L. Hair	
	ICHA KON LANCT ASK I MALINO EX LIMI	
	NAME OF AGENT, ATTORNEY, APPLICANT (by assign) (PRINT OR TYPE)	
	115 C. Russell Street, Famothewille, NC 28301 ADDRESS OF AGENT, ATTORNEY, APPLICANT	
	a 12 4 12 2 4 14 2 3	
	NIA 910-433-4433 HOME TELEPHONE WORK TELEPHONE	
	TYCANATA V VALUE A	
	EMAIL ADDRESS FAX NUMBER	
	FAXNUMBER	
	E-MAIL AND DRESS	
	Agree of the control	
	SIGNATURE OF AGENT, ATTORNEY, OR APPLICANT	
	SIGNATURE OF AGENT, ATTOMAET, OR PERSONAL	

Revised: 03-27-14

Page 5 of 6

20.q

7. STATEMENT OF ACKNOWLEDGMENT:

It is understood by the undersigned that the official zoning map, as originally adopted and subsequently amended, is presumed to be appropriate to the property involved and that the burden of proof for a zoning amendment (rezoning) rest with the petitioner.

It is the responsibility of the petitioner (personally or by agent) to submit to the Planning and Inspections Department a valid request within a complete application.

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

	John S. Hair, Jr. NAME OF OWNER(S) (PRINT OR TYPE)		
	281 West wood Ct. Fayetteville NC 28303 ADDRESS OF OWNER(S)		
	N 1 A E-MAIL		
	910-487-1021.	910-262-3870	
×	HOME TELEPHONE	WORK TELEPHONE	
'	SIGNATURE OF OWNER(S)	SIGNATURE OF OWNER(S)	
	NAME OF AGENT, ATTORNEY, APPLIC		
	115 E. Russell Street, Function ADDRESS OF AGENT, ATTORNEY, APPLICATION AND ADDRESS OF AGENT, ATTORNEY, ATTORNEY		
	ADDRESS OF AGENT, ATTORNEY, APP	PLICANT	
	N A HOME TELEPHONE	410-433-4433 WORK TELEPHONE	
	envesa dy whlow, com	910-433-2233	
	E-MAIL ADDRESS	FAX NUMBER	
	SIGNATURE OF AGENT, ATTORNEY, O	DR APPLICANT	

Revised: 03-27-14

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

NE	John S. Hair, Jr.	
	NAME OF OWNER(S) (PRINT OR TYPE)	
المحمدة	281 Westwood Ct., Fayetteville, NC 28303 ADDRESS OF OWNER(S)	
	910-487-1021	910-262-3870
	HOME TELEPHONE #	WONK TELEPHONE # MOBILE
Vo	Garris Neil Yarborough NAME OF AGENT, ATTORNEY, APPLICA 115 E. Russell Street, Fayettevill ADDRESS OF AGENT, ATTORNEY, APPL //gnyesq@ywnlaw.com E-MAIL	.e, NC 28301
	A/N	910–433–4433
	HOME TELEPHONE #	WORK TELEPHONE #
	SIGNATURE OF OWNER(S) John/S. Hair, Jr.	SIGNATURE OF AGENT, ATTORNEY OR APPLICANT
,	SIGNATURE OF OWNER(S)	

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

Cumberland County Rezoning Revised: 01-25-2013

The undersigned hereby acknowledge that the County Planning Staff has conferred with the petitioner or assigns, and the application as submitted is accurate and correct.

Kathleen Hair Radcliff and Martha L. Hair	
NAME OF OWNER(S) (PRINT OR TYPE)	
825 Shadowlawn Dr., Fayetteville, NC 28305	
ADDRESS OF OWNER(S)	
910-484-4895	910-670-7011
HOME TELEPHONE #	MORK TELEPHONE # MOBILE
Garris Neil Yarborough	
NAME OF AGENT, ATTORNEY, APPLICA	ANT (PRINT OR TYPE)
115 E. Russell Street, Fayettevill ADDRESS OF AGENT, ATTORNEY, APPI	•
gnyesq@ywnlaw.com	
E-MAIL	
N/A	910-433-4433
HOME TELEPHONE #	WORK TELEPHONE #
Kathleen Dair Radchill	h. 11. 2000
SIGNATURE OF OWNER(S) Kathleen Hair Radcliff	SIGNATURE OF AGENT, ATTORNEY OR APPLICANT
a/k/a Kathy Nell Hair Radcliff	mi monivi
Kathleen Iher Budchff	<u>.</u>
SIGNATURE OF OWNER(S) Kathleen Hair Radcliff, Acting as Agent and	
Attorney-in-fact for Martha L. Hair	

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

Cumberland County Rezoning Revised: 01-25-2013

Case: P17-55 January 9, 2018

M(P) PLANNED INDUSTRIAL/CZ CONDITIONAL ZONING DISTRICT

DRAFT

Ordinance Related Conditions

for

Open storage of construction materials & equipment along w/ ancillary work activities, office space and storage buildings

Pre- Permit Related:

- A recombination plat (also known as a "No Approval Required" or "NAR") 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.
- 2. Three copies of a revised plan are required for staff review and approval prior to permit application. The revision must address the following:
 - a. Landscaping must be provided in accordance with Section 1102 N, Landscaping, County Zoning Ordinance with the location and type shown on the site plan. The following are the minimum standards for the required landscaping of this site:
 - (1) Twenty large shade trees or thirty-nine small ornamental trees within the front yard setback area along SR 1834 (Downing Road) & NC Hwy 24;
 - (2) Yard space landscaping cannot be calculated without building dimensions being shown. The ordinance requires one ornamental tree for every 50 linear feet of building length and two shrubs for every ten linear feet of building length and/or width in the building yard area; and
 - (3) Parking landscaping cannot be calculated without parking spaces being shown. The ordinance requires one large shade tree or two small ornamental trees for every 20 parking spaces.

In addition:

- Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
- (2) All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
- b. All structures are required to meet the minimum required setbacks for the M(P) Planned Industrial district. All buildings must be shown with dimensions, proposed specific use(s) and distances to the property lines on the revised site plan.

Note: The M(P) setbacks for the subject property are as follows:

- (1) Front: 100 feet (measured from NC HWY 24 and Downing Road rights-of-way); and
- (2) Sides and rear: 50 feet (measured from the property lines).

[In the event any structure or storage of materials is proposed to exceed 35 feet in height, this must be noted on the revised plan and setbacks are increased one foot for every foot in height in excess of 35 feet.]

- c. The boundaries for the open storage area must be designated and must respect all required yard setbacks.
- d. A solid buffer must be provided and maintained along both sides and the rear property lines where this tract/site abuts RR Rural Residential in accordance with the provisions of Section 1102 G, Buffer Requirements, County Zoning Ordinance. The proposed buffer type and location must be included on the site plan. (Note: Chain link fencing cannot be used to satisfy the buffer requirement.)

Note: In the event the developer desires chain link or barbed wire fencing for security purposes, this fencing must be located on the subject property side of the required buffer (solid fence and/or vegetation), with the required buffer being located along the common property line with adjacent properties.

- e. A solid buffer is required to screen the open storage from view from all public streets and must comply with the minimum required M(P) zoning setbacks. (Note: Chain link fencing <u>cannot</u> be used to satisfy the buffer requirement.)
- f. Required off-street parking spaces cannot be calculated with the information provided. All required off-street parking spaces are required to measure a minimum of 9' x 20' and must be included on the site plan. Based on the intended uses included in the application, the minimum off-street parking spaces required are one space for each 300 square feet of office area plus one space for each vehicle used in conjunction with the approved use(s).
- g. A solid fence is not permitted within the front yard setback area and must be relocated. The proposed fence location must be included on the revised plan.
- h. This conditional approval is <u>not</u> approval of any freestanding signs. If a freestanding sign is desired, the proposed sign location and dimensions must be included on the revised site plan. Note: Sign setbacks vary depending on the type and proposed location; therefore, the developer is encouraged to contact Planning Staff prior to finalizing any proposed signage plans.
 - 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.)
- i. All dumpster, garbage, and utility areas are required to be located on concrete pads and screened on a minimum of three sides. The proposed dumpster, garbage and utility areas must be reflected on the revised site plan.
- j. "Downing Road" must be labeled as "SR 1834 (Downing Road)" on the revised plan.

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. 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 and Development Ordinance)
- 5. At the time of application for permits, the developer must provide to Code Enforcement approval from the entity that owns and/or regulates the type sewer serving the proposed development.
 - Note: Due to an existing agreement between the PWC and the City of Fayetteville, an annexation petition most likely would be required if the developer extends and/or connects to the PWC sewer system.
- 6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
- 7. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Division of Water Quality, North Carolina Department of Environmental Quality. 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.
- For any new development where the developer disturbs or intends to disturb more than one acre of land, the developer must provide the Code Enforcement Section with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and

erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDEQ approval must be provided to Code Enforcement at the time of application for any building/zoning permits.

- The site 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.
- 10. 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. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense. For additional information contact the Division 6 / District 2 office at the number listed on the bottom of this conditional approval.

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

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

Note: In the event the NCDOT does not approve the driveway locations as proposed and/or eliminates one of the driveways, the revised plan required by Condition No. 2 above must reflect the change in drives.

Site-Related:

- 11. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance and Zoning Ordinances for the M(P)/CZ zoning district for open storage of construction materials & equipment along w/ ancillary work activities, office space and storage buildings must be complied with, as applicable.
- 12. Storage of junk and/or junked vehicles on this site is not permitted.
- 13. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
- 14. For any new development, an adequate drainage system must be installed by the developer in accordance with the NC Department of Environmental Quality (NCDEQ) *Manual on Best Management Practices* and all drainage ways must be kept clean and free of debris. (Section 2306 D, County Subdivision and Development Ordinance)
- 15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306 C, County Subdivision and Development Ordinance)
- 16. In the event a stormwater utility structure is required by the NC Department of Environmental Quality (NCDEQ), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
- 17. Turn lanes may be required by the NC Department of Transportation (NCDOT).

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

18. 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.

- 19. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing.
- 20. The Cumberland County Noise Regulations must be complied with.
- 21. Upon ceasing the proposed outdoor storage and related uses on the subject property, the site must be properly cleared, all debris disposed of and the site reclaimed to include the leveling of the "topsoil segregation" areas shown on the site plan.

Plat-Related:

- 22. "Downing Road" must be labeled as "SR 1834 (Downing Road)" on the recombination plat.
- 23. Any/All easements must be reflected on the recombination plat and labeled as to type of easement, reference number for document creating the easement, and the name of the agency, individual, etc. who holds the easement.
- 24. A 10' x 70' sight distance easement is required at the intersection of SR 1834 (Downing Road) with NC HWY 24 and must be reflected on the recombination plat.
- 25. The NC Department of Transportation (NCDOT) stamp must be affixed to the recombination plat prior to submission for approval for recording by Land Use Codes.
- 26. The notarized signature(s) of all current tax record owner(s) and notary certifications appear on the recombination plat when submitted for approval for recording. (Section 2503 D, Certificate of Ownership and Dedication, County Subdivision and Development Ordinance)
- 27. The recombination plat must be submitted to Land Use Codes for review and approval for recording with the County Register of Deeds, and the plat must be recorded prior to any permit application.

Plat-Required Statements:

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

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

Other Relevant Conditions:

- 29. The applicant is advised to consult an expert on wetlands before proceeding with any development.
- 30. The subject property lies on Downing Road. Downing Road is identified as a Local Road in the 2040 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan. For questions related to this comment, please contact Transportation Planning.
- 31. An internal street system most likely will be required to serve any future divisions of the subject property.
- 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.
- 33. The developer's subsequent application for permits upon receipt of these conditions of approval constitutes the developer's understanding and acceptance of the conditions of approval for this development.
- 34. This conditional approval is not to be construed as all encompassing of the applicable rules, regulations, etc. which must be complied with for any development. Other regulations, such as building, environmental, health and so forth, may govern the specific development. The developer is the responsible party to ensure full compliance with all applicable Federal, State, and local regulations.

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

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

Subdivision/Site Plan/Plat Code Enforcement (Permits): Scott Walters 321-6654 Swalters@co.cumberland.nc.us Swalters@co.cumberland.nc
Fire Marshal – Emergency Services County Health Department: Daniel Ortiz Doniel Ortiz Doniel Ortiz Fayetteville Planning: County Public Utilities: Amy Hall County Public Utilities: Amy Hall Corp of Engineers (wetlands): Liz Hair NCDEQ (E&S): US Fish & Wildlife Services Site-Specific Address: Rodney Ward 321-6625 rward@co.cumberland.nc.us dortiz@co.cumberland.nc.us joe.glass@faypwc.com mbryant@ci.fay.nc.us ahall@co.cumberland.nc.us jonathan.r.wallace@usps.gov hair@usacr.army.mil leland.cottrell@ncdenr.gov susan miller@fws.gov Fayetteville Planning: (704) 393-4412 Jonathan.r.wallace@usps.gov hair@usacr.army.mil leland.cottrell@ncdenr.gov susan miller@fws.gov Fayetteville Planning: Amy Hall 678-7616 Fayetteville Planning: County Public Utilities: Amy Hall 678-7616 Fayetteville Planning: Rodney Ward 321-6625 Fward@co.cumberland.nc.us dortiz@co.cumberland.nc.us fore, 190, 251-404 planting fayetteville Planning: Fayetteville Planning: Shapetteville Planning: Fayetteville Planning: Amy Hall 678-7637 Apall@co.cumberland.nc.us planting fayenc.cumberland.nc.us fore, 201, 201, 201, 201, 201, 201, 201, 201
County Health Department: PWC: Joe Glass PWC: Joe Glass 223-4740 Fayetteville Planning: County Public Utilities: Amy Hall County Public Utilities: Amy Hall G78-7637 US Postal Service Corp of Engineers (wetlands): Liz Hair NCDEQ (E&S): Leland Cottrell NCDEQ (E&S): Leland Cottrell Susan Ladd Miller (910) 433-3393 Location Services: Site-Specific Address: Ron Gonzales A33-3680 dortiz@co.cumberland.nc.us joe.glass@faypwc.com mbryant@ci.fay.nc.us ahall@co.cumberland.nc.us jonathan.r.wallace@usps.gov hair@usacr.army.mil leland.cottrell@ncdenr.gov susan miller@fws.gov
PWC: Joe Glass 223-4740 joe.glass@faypwc.com Fayetteville Planning: Marsha Bryant 433-1416 mbryant@ci.fay.nc.us County Public Utilities: Amy Hall 678-7637 ahall@co.cumberland.nc.us US Postal Service Jonathan R. Wallace (704) 393-4412 jonathan.r.wallace@usps.gov Corp of Engineers (wetlands): Liz Hair (910) 251-4049 hair@usacr.army.mil NCDEQ (E&S): Leland Cottrell (910) 433-3393 leland.cottrell@ncdenr.gov US Fish & Wildlife Services Susan Ladd Miller (910) 695-3323 susan miller@fws.gov Location Services: Site-Specific Address: Ron Gonzales 678-7616 rgonzalez@co.cumberland.nc.us
Fayetteville Planning: Marsha Bryant 433-1416 mbryant@ci.fay.nc.us County Public Utilities: Amy Hall 678-7637 ahall@co.cumberland.nc.us US Postal Service Jonathan R. Wallace (704) 393-4412 jonathan.r.wallace@usps.gov Corp of Engineers (wetlands): Liz Hair (910) 251-4049 hair@usacr.army.mil NCDEQ (E&S): Leland Cottrell (910) 433-3393 leland.cottrell@ncdenr.gov US Fish & Wildlife Services Susan Ladd Miller (910) 695-3323 susan miller@fws.gov Location Services: Site-Specific Address: Ron Gonzales 678-7616 rgonzalez@co.cumberland.nc.us
County Public Utilities: US Postal Service Jonathan R. Wallace (704) 393-4412 jonathan.r.wallace@usps.gov Corp of Engineers (wetlands): Liz Hair (910) 251-4049 hair@usacr.army.mil NCDEQ (E&S): Leland Cottrell (910) 433-3393 leland.cottrell@ncdenr.gov Susan Ladd Miller (910) 695-3323 usan miller@fws.gov Location Services: Site-Specific Address: Ron Gonzales 678-7616 rgonzalez@co.cumberland.nc.us
US Postal Service Jonathan R. Wallace (704) 393-4412 jonathan.r.wallace@usps.gov Corp of Engineers (wetlands): Liz Hair (910) 251-4049 hair@usacr.army.mil NCDEQ (E&S): Leland Cottrell (910) 433-3393 leland.cottrell@ncdenr.gov US Fish & Wildlife Services Susan Ladd Miller (910) 695-3323 susan miller@fws.gov Location Services: Site-Specific Address: Ron Gonzales 678-7616 rgonzalez@co.cumberland.nc.us
Corp of Engineers (wetlands): Liz Hair NCDEQ (E&S): Leland Cottrell US Fish & Wildlife Services Susan Ladd Miller Susan Miller@fws.gov Figonzalez@co.cumberland.nc.us
NCDEQ (E&S): US Fish & Wildlife Services Location Services: Site-Specific Address: Leland Cottrell (910) 433-3393 Leland.cottrell@ncdenr.gov susan miller@fws.gov 8078-7616 108-7616 10910 433-3393 1
US Fish & Wildlife Services Location Services: Site-Specific Address: Susan Ladd Miller (910) 695-3323 Susan miller@fws.gov Ron Gonzales 678-7616 rgonzalez@co.cumberland.nc.us
Location Services: Site-Specific Address: Ron Gonzales 678-7616 rgonzalez@co.cumberland.nc.us
Site-Specific Address: Ron Gonzales 678-7616 <u>rgonzalez@co.cumberland.nc.us</u>
Street Naming/Signs: Diane Shelton 678-7665 <u>nameit2@co.cumberland.nc.us</u>
Tax Parcel Numbers: 678-7549
NCDOT (driveways/curb-cuts): Troy Baker 486-1496 <u>tlbaker@ncdot.gov</u>
NCDOT (subdivision roads): Earl C. Locklear 486-1496 <u>elocklear@ncdot.gov</u>
Transportation Planning: Greg Shermeto 678 7615 gshermeto@co.cumberland.nc.us
N.C. Division of Water Quality: Mike Randall (919) 807-6374 <u>mike.randall@ncdenr.gov</u>

cc: Marsha Bryant, City of Fayetteville

17-006 SITE PROFILE

CASE NO. 17-006. CONSIDERATION OF THE JASON AUTRY PROPERTY; SUBDIVISION REVIEW; REQUEST FOR A WAIVER FROM THE REQUIREMENT TO CONNECT TO PUBLIC WATER; COUNTY SUBDIVISION ORDINANCE, SECTIONS 2306.A.1.B, CONNECTION TO WATER AND SANITARY SEWER REQUIRED; ZONED: R15; TOTAL ACREAGE: 3.898 +/-; LOCATED AT 548 SUNNYSIDE SCHOOL ROAD; SUBMITTED BY JASON AUTRY (OWNER). (COUNTY JURISDICTION)

Summary of Request

The developer has submitted a request for a waiver from the requirement to connect to the existing water line located along SR 2000 (Sunnyside School Road). The subject property has street frontage along and takes access from Sunnyside School Road. This property was approved for a subdivision on January 18, 2017 and the final plat was recorded on January 23, 2017 (Plat Bk. 138, pg. 174). The requirement to connect to the public water system can found on Condition Number 5 of the approved condition sheet dated January 18, 2017. The developer has started construction of a dwelling located on Tract "B", copies of the County Inspections permits for construction, PWC water connection fees and Health Department septic permit are attached. The developer desires to use a well instead of connecting to the existing PWC water system for the proposed dwelling on Tract "B".

Site Information:

Frontage & Location: 41.12' +/- - access off of SR 2000 (Sunnyside School Road)

Depth: 770.00' +/-

Jurisdiction: Cumberland County

Municipal Influence Area (MIA): Fayetteville

Sewer Services Area (SSA): N0

Adjacent Property: Yes remaining parent tract - Tract "A"

Nonconformities: No

Water & Sewer: PWC/Septic

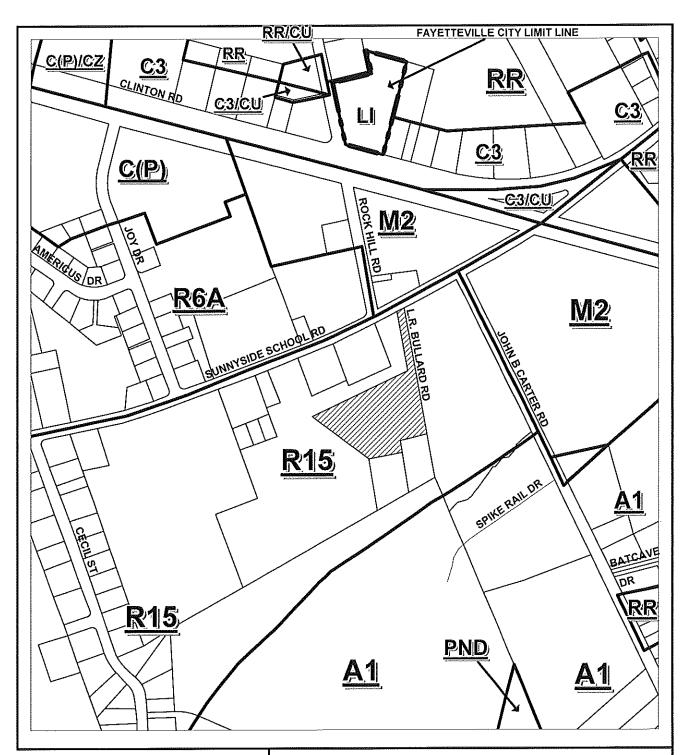
Special Flood Hazard Area (SFHA): No

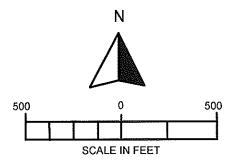
Applicable County Subdivision Ordinance Provisions

SECTION 2306 UTILITIES, A.1.b Connection to public water and sanitary sewer required. When not predicated upon a prior mandatory annexation policy and where any portion of a subdivision or other development submitted for approval under the terms of this ordinance or the County Zoning Ordinance proposes two to ten lots or units is within 300 feet of public water or sewer, the public utilities shall be extended and connected. Where any portion of eleven to twenty lots or units is within 500 feet of public water or sewer, the public utilities shall be extended and connected. For more than twenty lots or units proposed within the Sewer Services Area and/or and where density is greater than two lots or units per acre, the extension of and connection to public water and sewer service is required. Sanitary sewer service outside of the Sewer Service Area required approval in accordance with the terms of any interlocal agreement officially adopted by the Board of Commissioners.

Attachments

- 1 Sketch Map
- 2 Aerial Photo
- 3 Subdivision Sketch Map
- 4 Application for Waiver
- 5 Building Permit
- 6 PWC Connection Fee & Receipt
- 7 Septic Permit & Map
- 8 Property Deed
- 9 Recorded Plat
- 10 Conditions of Approval





COUNTY SUBDIVISION ORDINANCE WAIVER

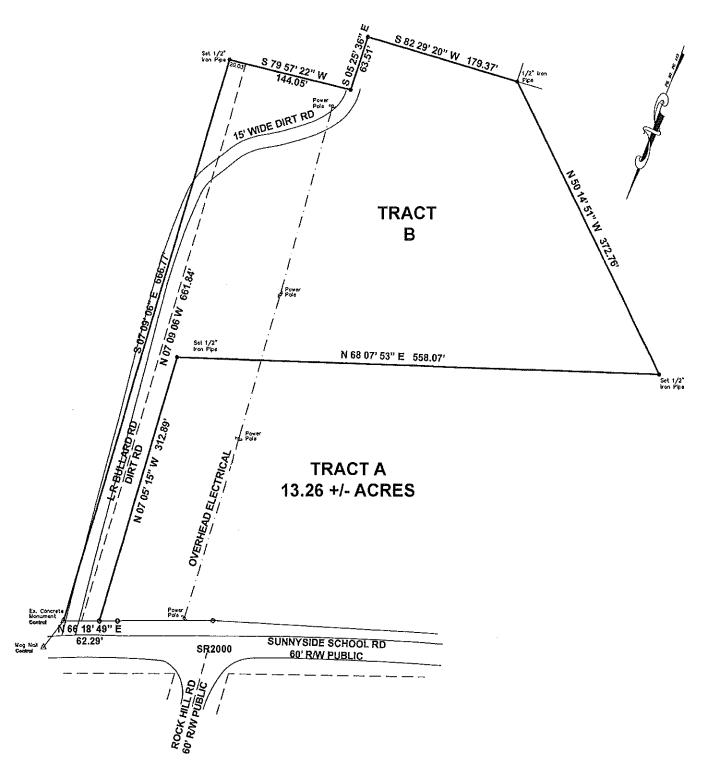
ACREAGE: 3.898 AC.+/-	HEARING NO: 17-006		
ORDINANCE: COUNTY	HEARING DATE ACTION		
GOVERNING BOARD			

PIN: 0466-15-7358



AERIAL PHOTO CASE NO: 17-006





JASON AUTRY PROPERTY SUBDIVISION REVIEW

REQUEST: A WAIVER FROM SECTION 2306.A.1.B

CONNECT FROM PUBLIC WATER

CASE: 17-006 ACREAGE: 3.898 AC +/-

ZONED: R15 SCALE: NTS

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

01/10/18 12/14/17 MB

TO THE CUMBERLAND COUNTY JOINT PLANNING BOARD, FAYETTEVILLE, NORTH CAROLINA:

I (We), the undersigned, hereby submit this application, and petition the Cumberland County Joint Planning Board to waive [vary] certain adopted provisions of the County's Subdivision Ordinance as specified below and provided for under the terms of the Subdivision Ordinance. In support of this petition, the following facts are submitted: LOCATION OF PROPERTY: 548 L. R. Bullard Rd OWNER: Jason Autry ADDRESS: 3924 Sunnyside school Ad ZIP CODE: 28312 TELEPHONE: HOME 308-75-35 WORK AGENT: ADDRESS: TELEPHONE: HOME WORK APPLICATION FOR A WAIVER [VARIANCE] As required by the Subdivision Ordinance A. Parcel Identification Number (PIN #) of subject property: 0966-15-(also known as Tax ID Number or Property Tax ID) B. Acreage: 3,898 Frontage: 20/40 Depth: 666 C. Water Provider: Vell / Porvet-D. Septage Provider: Proute / Septoc E. Deed Book 433, Page(s) 29/, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry). F. Existing and/or proposed use of property: Single Family Dudling G. Section and provision of the Cumberland County Subdivision Ordinance from which a waiver [variance] is requested: 2306 A.1 H. Nature and extent of hardship involved in strict application of the County Subdivision Ordinance – attach additional sheet if necessary: From need or want PWC Clorinated water to be Forced to consum puc

my Family

STATEMENT OF ACKNOWLEDGEMENT

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

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

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

Property owner(s)' signature(s)	
Jason Aut	V.
Property owner(s)' name (print or type)	
3924 Sunnyside	School Payettoulle VC
Complete mailing address of property owner(s	28812
910-308-7535	487-35-32
Telephone number	Alternative telephone number
med south 30 nc. vv. com	
Email address	FAX number

Agent, attorney, or applicant's signature (or	ther than property owner)
Agent, attorney, or applicant (other than pro	operty owner) (print or type)
3924. Soungside Sele Complete mailing address of agent, attorned	ey, or applicant Pag 28312
Telephone number	Alternative telephone number
_midsouth 3 phc.vv.com Email address	FAX number

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

CUMBERLAND COUNTY PLANNING & INSPECTION DEPT. 130 Gillespie/PO Drawer 1829 Fayetteville, NC 28302-1829 (910)321-6636 Fax(910)321-6637 www.co.cumberland.nc.us/planning.aspx

New Single Family Dwelling PERMIT

D-17-171654 PAGE 1 of 1 Issued by: TOR Prt by: JWHEELER

Bldg:

Permission is hereby granted for the construction or installation as identified herein. All work must comply with the North Carolina State Building Code and all other applicable State and Local Laws, Ordinances, and Regulations.

Date Issued:

03/27/2017

0466-15-7358-Pin:

Location:

L R BULLARD RD

548

Unit:

Lat: Owner:

AUTRY, JASON

3924 SUNNYSIDE SCHOOL RD Address:

Lot:

Phone: 308-7535

Address:

Contractor: AUTRY, JASON (OWNER) 3924 SUNNYSIDE SCHOOL RD

FAYETTEVILLE, NC 28312

FAYETTEVILLE, NC 28312

License:

Phone: 910-308-7535 Phone: 910-309-4925

ELEC Contr: MIDSOUTH ELECTRIC

Address:

3924 SUNNYSIDE SCHOOL RD FAYETTEVILLE, NC 28312-6905

Phone: FAX:401-1985

Comments:

MECH Contr: AUTRY, JASON (OWNER)

Address:

Phone: 910-308-7535

License: 24833 EL-L

Phone: 910-487-3532

Phone:

Comments:

GAS Contr: MLS PLBG CO INC

1500 GILLESPIE ST Address:

FAYETTEVILLE, NC 28306-1846

License: 28833 Pl Phone: 910-484-1124 Phone: 910-309-4925

Comments:

PLUM Contr: MLS PLBG CO INC

Address:

1500 GILLESPIE ST

FAYETTEVILLE, NC 28306-1846

License: 28833 Pl

Phone: 910-484-1124 Phone: 910-309-4925

Comments:

Cnst Type:

No of Stories: 1

Termite Treatment Type:

1127

Work Value:

Subdivision: .

Deck:

Fireplace:

Total Area: (Sq. Ft.):

5105 Heated: PREFAB-WOOD PREFAB-GAS

3978 Unheated:

Right:

Water:

Sewer:

Zoned as:

Fees:

R15

Set Backs:

Rear: *

Left:

\$1,221.00

HORF

NSFD > = 1500 SQ FT

\$10.00 \$1,231.00

\$231,000

Total Fees:

NEW SINGLE FAMILY DWELLING

UNFINISHED BONUS ROOM ABOVE GARAGE MUST MEET AL CONDITIONS OF APPROVAL CASE # 17-006

TO BE SITED AS PER PLOT PLAN

All work will comply with the NC State Bldg. Code & all other applicable state & local laws, ordinances & regulations. Inspection Dept. shall be notified of any changes in the approved plans or work as submitted. It is the permit holders responsibility to request all required inspections & ensure approval prior to continuing work.

Without further notice from this Dept., this permit will become void if work is not started within 6 mths. from issuance or if the work is discontinued for one year as determined by no inspection activity. These time periods are superseded by time limitations set by County ordinance and/or Code Enforcement Actions.

A \$25 processing fee shall be charged for all returned checks. (NCGS25-3-506) Call before you dig - 1-800-632-4949.

INSP/

MOST CURRENT INSPECTION RESULTS

INSPECTOR= *** PLS ENTER INS

STATUS: ACTIVE

INSP DATE= 09/15/2017 OWNR: AUTRY, JASON

PERMIT= D-17-171654 SITE: 548 L R BULLARD RD

FAYETTEVILLE

CONTRACTOR

INSPECTOR DATE TYP A CB ST

GEN AUTRY, JASON (OWNER)

KEVIN FARLEY 08/04/2017 SV A A

ELEC MIDSOUTH ELECTRIC

JERRY CYRUS 03/30/2017 TP A

MECH AUTRY, JASON (OWNER)

GAS MLS PLBG CO INC

PLUM MLS PLBG CO INC

INSP HIST-PF10 BROWSE CONT-PF11



Water & Sanitary Sewer Connection Fees

Fayetteville's		5RĄ	1708043	CSR: k	w	Date: 3/21	/2017
HOME TOWN OTHERY	ţ	ពេទ្ធនាវិថា៖	e en e	Water	x	Sewer	
t are Asite	1,		Phone # 30	08-7535			
Sustomer Name: Jason Autr	γ .		fas #				
Business Name: •		ı	Mail/E-Mail: n	idSvouth3(@nc.rr.com		
, and und			tot#		Subdivisiont		
Address: 548 L.R. Bullard Rd (Old Pin: 0466-15-3192-	Nova Pin: I	0466-15-413	32-	Frontage:	and the second		
Existing Laterals: Water	Sewer		Curre	gnillið tar Water		Sewer	<u>.</u> .
Field Check:			fan to	bernade	water only		
•		Quote Ir	nformation				
No of Water Laterals: 1	Lareral Size:	1"	Meter Size:	3/4"	metar Vauli	and the	\$2,360.00 \$1,720.00
Additional Water Laterals	langation?		Sphi?		Water Lab	eral Charge: eral Charge: eral Charge:	
Mo of Sewer Exterals:	Lateral Ma	ž.				Aam Charge: eral Charge:	
Additional Sevrer Laterals					Sowei La	teral Charge: Water FIF: Seyver FII Credit: Total	\$540.00 \$4,620.00
Remarks The water tap n full fees apply.	eeds to be mac	le, location t	to be determir	ied. PWC	installed the v	vater main in	
This quote is valid for 30 dar			A C. Ula	n 3-	22-17	eç¥	

Chx # 1935		S COMMISSION ville, NC	2/2240
		tuenty dollar	- · ·
Reconnect Chg 23272 \$	ECTRIC WATER	SAN: SEWER	Pin H.
Temp. Svc. Chg.	\$	\$ \$	0466-15-4132-
Returned Check \$ 2	<u> </u>	\$	
Customer Contr. \$ 1	\$	\$	
Other Acct. No. \$	\$	· \$	
1 0 \$ C)	\$ <u>540,</u>	<u>00 </u>	·
Malin Fee 5 \$ \$	<u> </u>		
Service Lateral Chg. CASH SALES DEPOSIT FOR EXTENSION: \$	<u> </u>	<u>,00</u> \$	Item(s)
CASH SALES TO THE CONTRACT OF SALES	\$ <u> </u>	\$	
DEPOSIT FOR EXTENSION: \$		\$	
Tap Application No.		Extension Agreeme	nt Dated
Property Owner Same		With: BardS_	
Address 548 L R Bo	ullard Rd	For: main, la	Heral + FIF fees
	•	DATE: 3-23	-17

Cumberland County Department of Public Health 130 Gillesple Street Favetleville NC 28301-5477

Manufacturer__

Tank Information

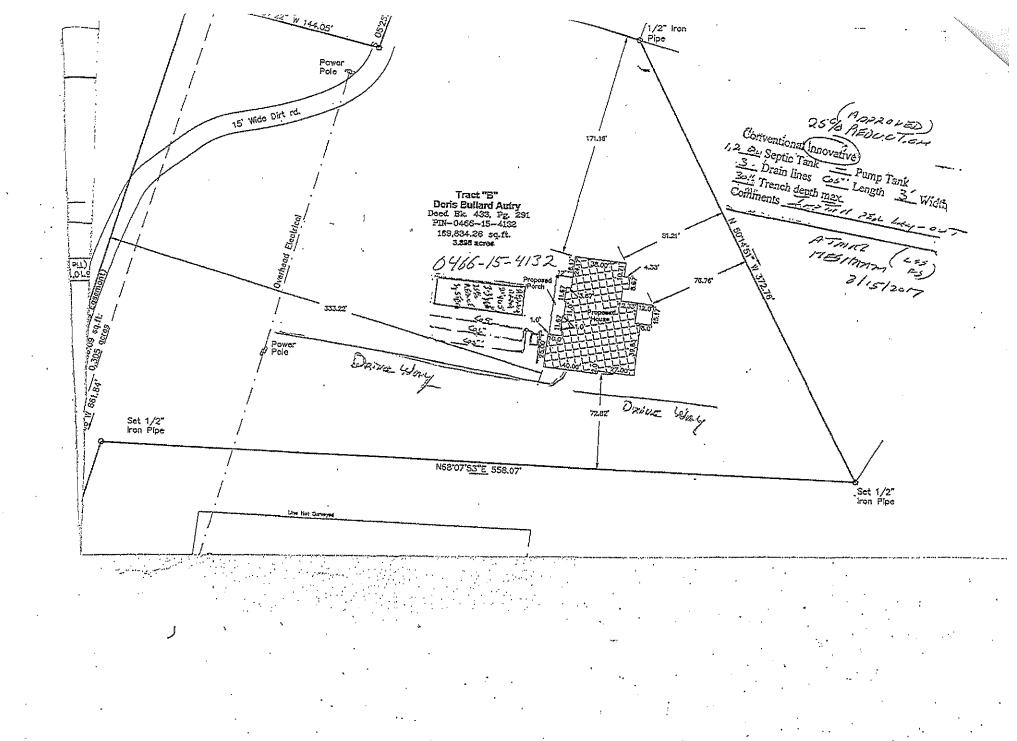
System Type___

(910) 433-3668

Improvement Permit

This permit is subject to revocation if the site plan or plat, whichever is applicable, or the intended use changes.

	`		
Date: 3/46/2	017	new system/soil eval	Permit #: 2017 - 329
	Privato wei	l to be installed prior to wastewater system instal	Transfer and the second second
Pin Number: O486	7-15-4132		
Date purchased	3/8/2017	,	Tulular determina
			Expiration date: 3/8/2022 Zoning Permit Number 0
Applicant Hame.	AUTRY, JASON	•	coming reminimental o
Sile Address:	548 L.R. BULLARD ROAD Fayetteville NC	Lof: 28312-	
Efrections;			
Table 1867 Legal		Carlos Flores 200 and Cita Charifordian C	, illa li la
Type of Establishn Repairs: 25% Ri	ieni. Residenbai EDUCTION SYSTEM (APPF	Design Flow, 600 gpd Site Classification: S	nigae .
3 LINE	S@ 3' x 65'		
	YSTEM: The allached plof p		
Tank Capacity:	1250 gallons	Pump lank reserve capacity: gallons	
NITRIFICATION F	IELD; Type: Innovativa	Olher: 25% REDUCTION - APPROVED	No. Bedrooms: 5
No. Lines: 3	Length of Each Line: 65'	Width of Each Line: 3' Maximum To	rench Bottom Depth 30MAX
	'ALL PER LAY-OUT UPANCY LIMITED TO 10 PI	EOPLE	•
Compression	Name a SI AT in modified th	e Improvement Permit is valid without expiration.	•
		ravided, the Improvement Permit is valid for five (5):	voris:
Improvement Pern	8	3/15/2022	,
	nit Approved By: AJAML H		Date: 3/15/2017
•			ki tareti
An Authorization for V wastewater system or	Vastwater System Construction i	ON FOR WASTEWATER SYSTEM CONSTRUCTIO s required belore any person shall commonce or assist in Sic bical, plumbing, having, air conditioning or other constructio	rinslallation, construction errepair of a
ė	AUTHORIZATION FOR WAS	STEWATER SYSTEM CONSTRUCTION IS VALID F	OR FIVE (6) YEARS.
ATC Expiration Da	te: 3/15/2022		
ATC Approved By:	AJMAL HESHAAM '	ANH	Date: 3/15/2017
		OPERATIONS PERMIT	•
Contractor:		Pump Information:	- 1000000 - 100000000000000000000000000
North Carolina, "Wast "Regulations Governing	ewater Systems ^{a a} Laws and Rule	pected and meet the requirements as set forth by Anticle 11 as for Sewage Treatment and Disposal Systems" Title 10 NO Treatment and Disposal in Cumberland County, NC*, however and a ray or all conditions.	AC, Subchapter 10A, Section .1900 and
Operations Permit	Approved By;		Date:
		c tank connection thereto is the responsibility of Oumberland	County Inspection Dept. (910) 321-6636



Submitted electronically by "McGeachy, Hudson & Zuravel" in compliance with North Carolina statutes governing recordable documents and the culments and the reman of the culmitter acrosment with the Cumberland County Redister of Deeds.

FILED ELECTRONICALLY CUMBERLAND COUNTY NC J. LEE WARREN, JR.

FILED Feb 23, 2017
AT 04:26:18 EM
BOOK 10042
START PAGE 0802
END PAGE 0803
INSTRUMENT # 05908
RECORDING \$26.00
EXCISE TAX \$0.00

	ORTH	CAROL	INA QU	IT CL	AIM I	DEED
Mail after recording to	McGeachy, I	Iudson & Zura	vel, 605 Execu	ttive Pl., F	ayetteville, l	NC 28305 [MHZ BOX]
No Revenue	Title	Not Examined	or Certified		E	Pin #: 0466-15-4132
This instrument was pre-	pared by Dona	ald C. Hudson			,,,,	File #42550
Brief description for the In	dex	Subdivisio	n of Deed Bk	:. 433, Pg.	. 291	
THIS DEED made this	21 st	day of	February		2017	, by and between
	GRANTOR		Ī		GR.	ANTEE
Doris Bullard Autry a	nd husband, l	Marshall Autr	y Jasoi	ı L. Autr	y, Married	l
Property Address:			Prope	rty Addre	ss:	
				Sunnyside S eville, NC	School Rd. 28314	
The designation Granto shall include singular, p	r and Grantee lural, masculin	as used herein e, feminine or	shall include neuter as requi	said parti red by cor	es, their hei ntext.	rs, successors, and assigns, and
WITNESSETH, that the acknowledged, has and Certain lot or parcel of land Cumberland	by these presen	nts does grant,	oargain, sell a	nd convey	unto the	the receipt of which is hereby Grantee in fee simple, all that Cedar Creek Township, ollows:
BEING all of "Tract recorded in Plat Boo	B" pursuan k 138, Page	t to plat entit 174, Cumberl	led "Subdivi and County	ision of D , North C	eed Bk. 43 Carolina Re	33, Pg. 291 for Jason Autry" egistry.
					-	
			•			
All or a portion of the p grantor.	roperty herein	conveyed	includes o	rX_	does not	include the primary residence of

BK 10042 PG 0803

The property hereinabove described was acquired by Grantor by instrument recorded in Book , Page .
Cumberland County, North Carolina Registry
A map showing the above described property is recorded in Plat Book 138, Page 174
TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.
The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.
IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.
Doris Bullard Autry (SEAL)
Marshall Autry (SEAL)
STATE OF: North Carolina
I, JOSMING H. Crims a Notary Public of the aforesaid State and County, certify that Doris Bullard Autry and Marshall Autry personally appeared before me and acknowledged the execution of the foregoing instrument for the purposes therein expressed.
Witness my hand and official stamp or seal, this 230 day of February, 2017.
Notary Public (SEAL) My commission expires:
JASMINE N. GRIMES Notary Public Cumberland County, NC My Commission Expires November 20, 2021

