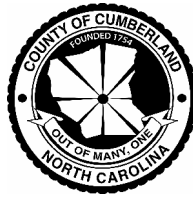


Charles C. Morris
Chair
Town of Linden

Donovan McLaurin
Vice-Chair
Wade, Falcon & Godwin
Joe W. Mullinax,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

Planning and Inspections Department

Nancy Roy, AICP
Director
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Deputy Director

Clifton McNeill, Jr.,
Roy Turner,
Dr. Marion Gillis-Olson,
Lori Epler.,
Cumberland County

TENTATIVE AGENDA AUGUST 16, 2005 7:00 p.m.

- I. INVOCATION AND PLEDGE OF ALLEGIANCE
- II. APPROVAL OF/ADJUSTMENTS TO AGENDA
- III. PUBLIC HEARING DEFERRALS
- IV. ABSTENTIONS BY BOARD MEMBERS
- V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS
- VI. CONSENT ITEMS
 - A. APPROVAL OF THE MINUTES OF AUGUST 2, 2005

REZONING CASES

- A. P05-55: INITIAL ZONING OF 46.63 ACRES TO R15 OR A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF BLAKE ROAD, NORTH OF CLINTON ROAD, OWNED BY RAM DEVELOPMENT INC., AND PEACHTREE CONSTRUCTION, INC. (STEDMAN)
- B. P05-56: REZONING OF TWO PARCELS TOTALING 4.18 ACRES FROM A1 TO A1A, LOCATED AT 3451 AND 3461 COUNTY LINE ROAD, SUBMITTED BY FRANKLIN JOHNSON, OWNED BY WILLA LEWIS AND GARY A. BURTON.
- C. P05-57: REZONING OF 1.56 ACRES FROM A1 TO RR OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED WEST OF CEDAR CREEK ROAD, SOUTH OF MCKINNON ROAD, OWNED BY ROBENA M. MCLAURIN.
- D. P05-58: REZONING OF 22.95 ACRES FROM M2 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4810 FRONT STREET, SUBMITTED BY THOMAS J. GOODEN, OWNED BY LANDTEC DEVELOPMENT COMPANY. (STEDMAN)

- E. P05-59: INITIAL ZONING OF 58.14 ACRES TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED SOUTH OF CARL FREEMAN ROAD, WEST OF HORNE FARM ROAD, OWNED BY HORNE TURF LLC. (STEDMAN)
- F. P05-61: REZONING OF 13.21 ACRES FROM A1 TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTHWEST OF H. BULLARD ROAD, EAST OF CYPRESS LAKES ROAD, SUBMITTED BY CHRIS ROBERTS, OWNED BY MARILYN G. BARNES.

AMENDMENT

- A. P05-63: REVISION AND AMENDMENT TO THE COUNTY SUBDIVISION ORDINANCE, ARTICLE VI., LEGAL PROVISIONS, SECTION 6.1. VARIANCES, IN THAT: CHANGING THE TERM "VARIANCES" TO "WAIVERS" AND INSERTING ADDITIONAL PROVISIONS FOR GRANTING WAIVERS.

CONDITIONAL USE DISTRICT AND PERMIT

- A. P05-60: REZONING OF .83 ACRES FROM RR TO M(P)/CONDITIONAL USE DISTRICT AND PERMIT TO ALLOW THE MANUFACTURE AND SALES OF STORAGE BUILDINGS AT 5003 US HIGHWAY 301 SOUTH, SUBMITTED BY JOSE GOMEZ, OWNED BY JOHN D. GRAHAM AND COLUMBIA O. BLANKS.

VII. PUBLIC HEARING ITEMS

REZONING CASES

- A. P05-50: REZONING OF TWO PARCELS TOTALING 110.50 ACRES FROM RR TO R10 AND C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF MUSCAT ROAD, SOUTH OF BLACK BRIDGE ROAD, OWNED BY GRRF, LLP.
- B. P05-41: REZONING OF TWO PARCELS TOTALING 4.59 ACRES FROM RR TO R5 AND C1(P) OR A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CLIFFDALE ROAD, SOUTH OF HOPPER ROAD, SUBMITTED BY ROBERT M. BENNETT, OWNED BY HAROLD AND MARIAN F. KIDD.
- C. P05-62: REZONING OF 24.20 ACRES FROM A1 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CYPRESS LAKES ROAD, WEST OF SOUTH FORTY DRIVE, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY FRANKLIN R. FOWLER.

VIII. DISCUSSION

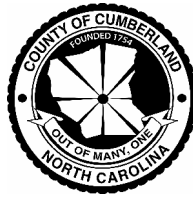
IX. FOR YOUR INFORMATION

- A. DIRECTOR'S UPDATE

X. ADJOURNMENT

Charles C. Morris
Chair
Town of Linden

Donovan McLaurin
Vice-Chair
Wade, Falcon & Godwin
Joe W. Mullinax,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

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Clifton McNeill, Jr.,
Roy Turner,
Dr. Marion Gillis-Olson,
Lori Epler,
Cumberland County

MINUTES August 2, 2005

Members Present

Mr. Charles Morris, Chair
Mr. Donovan McLaurin, Vice-Chair
Mr. Harvey Cain, Jr.
Mr. Clifton McNeill
Mr. Joe W. Mullinax
Mr. Roy Turner
Ms. Lori Epler

Others Present

Ms. Nancy Roy, Director
Mr. Tom Lloyd, Dep. Dir.
Mr. Grainger Barrett,
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Epler delivered the invocation, and Chair Morris led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

A motion was made by Mr. Cain and seconded by Vice-Chair McLaurin to approve the Agenda as submitted. The motion passed unanimously.

III. CONSENT ITEMS

A. APPROVAL OF THE MINUTES OF JULY 19, 2005

A motion was made by Mr. McLaurin and seconded by Mr. McNeill to approve the Minutes of July 19, 2005 with the noted changes. The motion passed unanimously.

IV. ITEMS FOR DISCUSSION WITH THE COUNTY ATTORNEY

A. P05-63: PROPOSED REVISION TO SUBDIVISION ORDINANCE SECTION 6.1 VARIANCES

County Attorney Grainger Barrett explained that this section of the Subdivision Ordinance has been problematic for some time. He recommended the Ordinance be revised to remove the term “variance” and insert the term “waiver”. By giving a waiver from standards in the Ordinance, the Planning Board would not need to consider the traditional variance standards when granting a waiver. Also inserted was the word “inequitable” since it relates to fairness and in most of these situations, the Board is simply trying to be fair to applicants. Mr. Barrett explained that these cases are finalized by the Planning Board and need no Board of Commissioner approval. He did note that motions to approve these Waivers should be made in the form of a resolution, e.g., “I move that the Board by resolution find that this waiver be granted” Chairman Morris directed the staff to set a public hearing on this revision to the Subdivision Ordinance.

B. QUASI-JUDICIAL HEARING PROCEDURES

Chairman Morris stated that changes are occurring and he requested that County Attorney Grainger Barrett spend some time explaining new procedures we will be using for Conditional Use District hearings.

Mr. Barrett explained that a quasi-judicial hearing would now be required for all applications for Conditional Use Districts (Density Developments, Mixed Use Districts, PNDs, and others) and a good term to use would be Evidentiary Hearing. The evidentiary hearing differs from a legislative hearing in that the decision is based on “reliable evidence presented at a hearing where all parties have the right to contest and test the evidence.” Mr. Barrett reviewed his memo to the Planning Board regarding Quasi-Judicial Hearing Procedures, two handouts from the School of Government and a script for the chairman’s use during the hearing. It was noted that Board members should disclose any visits to sites and conversations with applicants should be avoided. When approving the permit it is good practice to summarize the evidence presented, but when denying the permit it will be essential to summarize the evidence used to deny. Mr. Barrett also suggested that notice of these hearings highlight the fact that the hearing is evidentiary in nature and suggested that the staff prepare some guidelines for the public so they understand the procedure and the type of evidence they will need to provide.

V. DISCUSSION

Members used some actual prior cases to further discussed the new guidelines and clarify how certain types of evidence should be treated.

VI. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

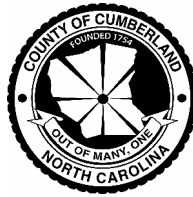
Chairman Morris presented the Committee Assignments for 2005-2006.

VII. ADJOURNMENT

There being no further business, the meeting adjourned at 8:25 p.m.

Charles C. Morris
Chair
Town of Linden

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Lori Epler,
Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-55: INITIAL ZONING OF 46.63 ACRES TO R15 OR A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF BLAKE ROAD, NORTH OF CLINTON ROAD, OWNED BY RAM DEVELOPMENT INC., AND PEACHTREE CONSTRUCTION, INC. (STEDMAN)

The Planning staff recommends approval of the initial zoning to R15 Residential District based on the finding that the extension of Stedman utilities will be provided.

SITE PROFILE

P05-55

INITIAL ZONING OF 46.63 ACRES TO R15 OR A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF BLAKE ROAD, NORTH OF CLINTON ROAD, OWNED BY RAM DEVELOPMENT INC., AND PEACHTREE CONSTRUCTION, INC. (STEDMAN)

Site Information:

Applicant/Owner: RAM DEVELOPMENT INC., AND PEACHTREE CONSTRUCTION, INC.

Area: 46.63 acres

Frontage & Location: 1,005 feet on Blake Road

Depth: 1,544 feet

Jurisdiction: Stedman

Adjacent Property: No

Current Use: Agriculture - preliminary subdivision approved 129 lots on 6-16-05

Initial Zoning: September 3, 1996 (Area 20)

Zoning Violation(s): None

Surrounding Zoning: North-A1, R40A, East-A1, R40A, RR, C3, South-A1, RR, R10, C1, C3, and West-A1, R15, R10, C1, C3

Surrounding Land Use: Farm, telephone substation, and no name commercial

Stedman Land Use Plan: Suburban Density Residential and Open Space

Water/Sewer Availability: Stedman utilities

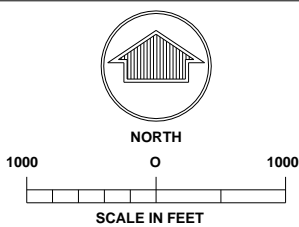
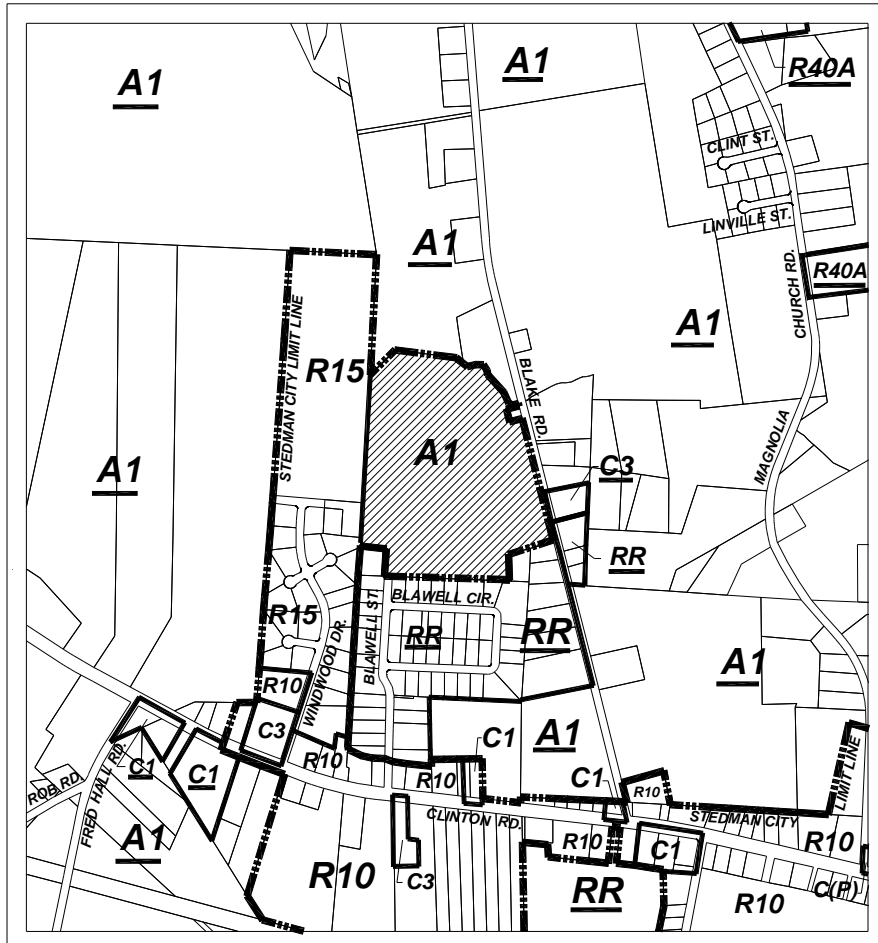
School Capacity/Enrolled: Stedman Primary 250/136, Stedman Elementary 393/260, Mac Williams Middle 1218/1154, Cape Fear High 1415/1517

Subdivisions: A zero lot line subdivision (Case 05-92) has been reviewed on this property.

Highway Plan: The subject property will not be impacted by the NC 24 (Stedman Bypass).

Notes:

Density minus 20% for roads: R15 - 108 lots



INITIAL ZONING TO R15

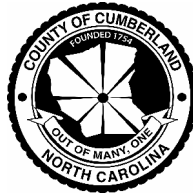
ACREAGE: 46.63 AC. ±	HEARING NO: P05-55	
ORDINANCE: STEDMAN	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0486-63-3937

AF

Charles C. Morris
Chair
Town of Linden

Donovan McLaurin
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Wade, Falcon & Godwin
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Harvey Cain, Jr.,
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Lori Epler,
Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-56: REZONING OF TWO PARCELS TOTALING 4.18 ACRES FROM A1 TO A1A,
LOCATED AT 3451 AND 3461 COUNTY LINE ROAD, SUBMITTED BY FRANKLIN
JOHNSON, OWNED BY WILLA LEWIS AND GARY A. BURTON.

The Planning staff recommends approval of the A1A Agricultural District based on the following:

1. A1A zoning would be consistent with the surrounding area.
2. The rezoning would meet the purpose and intent of the A1A district.

SITE PROFILE
P05-56

REZONING OF TWO PARCELS TOTALING 4.18 ACRES FROM A1 TO A1A,
LOCATED AT 3451 AND 3461 COUNTY LINE ROAD, SUBMITTED BY
FRANKLIN JOHNSON, OWNED BY WILLA LEWIS AND GARY A. BURTON.

Site Information:

Applicant/Owner: FRANKLIN JOHNSON / WILLA LEWIS AND GARY A.
BURTON

Area: 4.18 acres

Frontage & Location: 681 feet on County Line Road

Depth: 260 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Residential

Initial Zoning: June 25, 1980 (Area 13)

Zoning Violation(s): None

Surrounding Zoning: Primarily A1 and R40

Surrounding Land Use: Farmland and single family residential

2010 Land Use Plan: Farmland

Designated 100-Year Floodplain or Floodway: No Flood

Urban Services Area: No

Water/Sewer Availability: Well / Septic

School Capacity/Enrolled: Grays Creek Elementary 901/759, Grays Creek Middle
450/524, Grays Creek High 1000/961

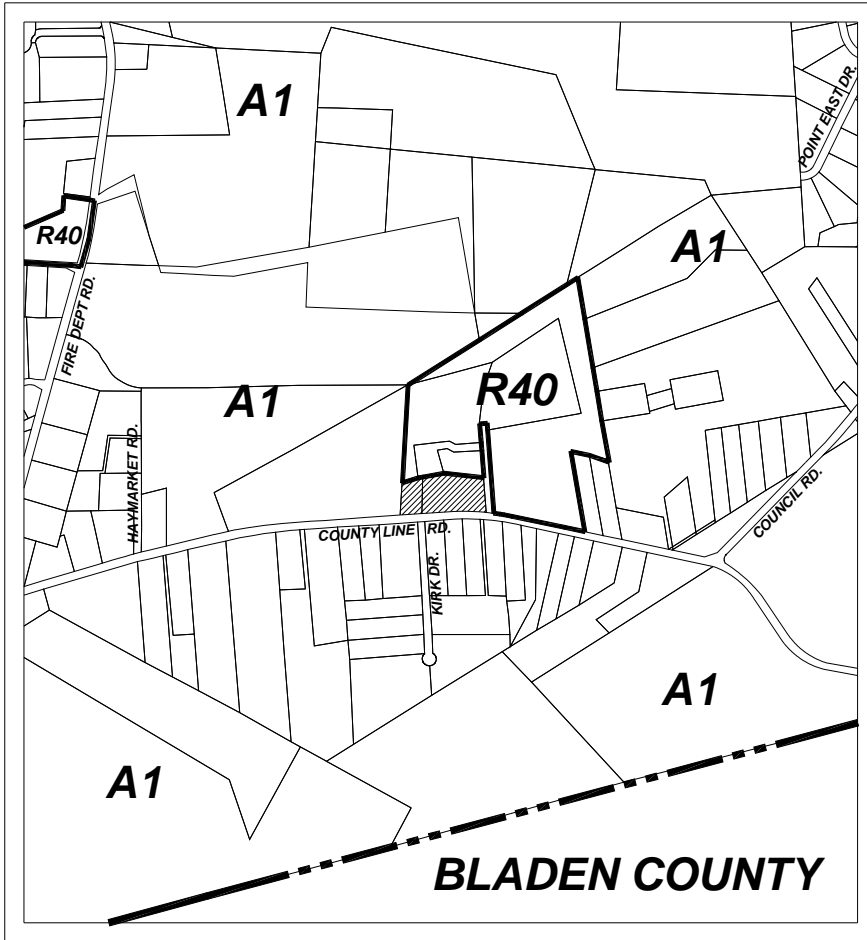
Subdivisions: A zero lot line subdivision exists on the subject property to create the one
acre lot. The density of the other lot is at maximum.

Military Impact Area: No

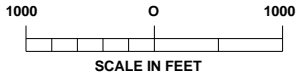
Highway Plan: No road improvements or new constructions specified for this area.

Notes:

Density: A1 - 2 units
 A1A - 4 units



NORTH



SCALE IN FEET

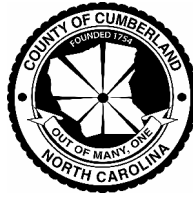
PIN: 0430-90-7243
 PIN: 0430-90-9295

**REQUESTED REZONING:
 A1 TO A1A**

ACREAGE: 4.18 AC. ±	HEARING NO: P05-56	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

Charles C. Morris
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Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-57: REZONING OF 1.56 ACRES FROM A1 TO RR OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED WEST OF CEDAR CREEK ROAD, SOUTH OF MCKINNON ROAD, OWNED BY ROBENA M. MCLAURIN.

The Planning staff recommends approval of the RR Rural Residential District based on the finding that the RR zoning is consistent with the surrounding zoning and development in the area.

The Planning staff finds that the subject property could be suitable for R40 and R40A Residential Districts.

SITE PROFILE
P05-57

REZONING OF 1.56 ACRES FROM A1 TO RR OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED WEST OF CEDAR CREEK ROAD, SOUTH OF MCKINNON ROAD, OWNED BY ROBENA M. MCLAURIN.

Site Information:

Applicant/Owner: ROBENA M. MCLAURIN

Area: 1.56 acres

Frontage & Location: 180 feet on McKinnon Road, 50 feet on Cedar Creek Road

Depth: 288 feet

Jurisdiction: County

Adjacent Property: Yes

Current Use: Vacant

Initial Zoning: September 3, 1996 (Area 22)

Zoning Violation(s): None

Surrounding Zoning: North-A1, R40A, RR, M2, East-A1, RR, South-A1, R40A, RR, and West-A1, R40A, RR, C3

Surrounding Land Use: Two churches, hair salon, garage, retail store, community building

2010 Land Use Plan: Farmland

Designated 100-Year Floodplain or Floodway: No Flood

Urban Services Area: No

Water/Sewer Availability: Well / Septic

School Capacity/Enrolled: Seabrook Elementary 321/376, Mac Williams Middle 1154/1154, Cape Fear High 1517/1517

Subdivisions: A subdivision or group development may be required.

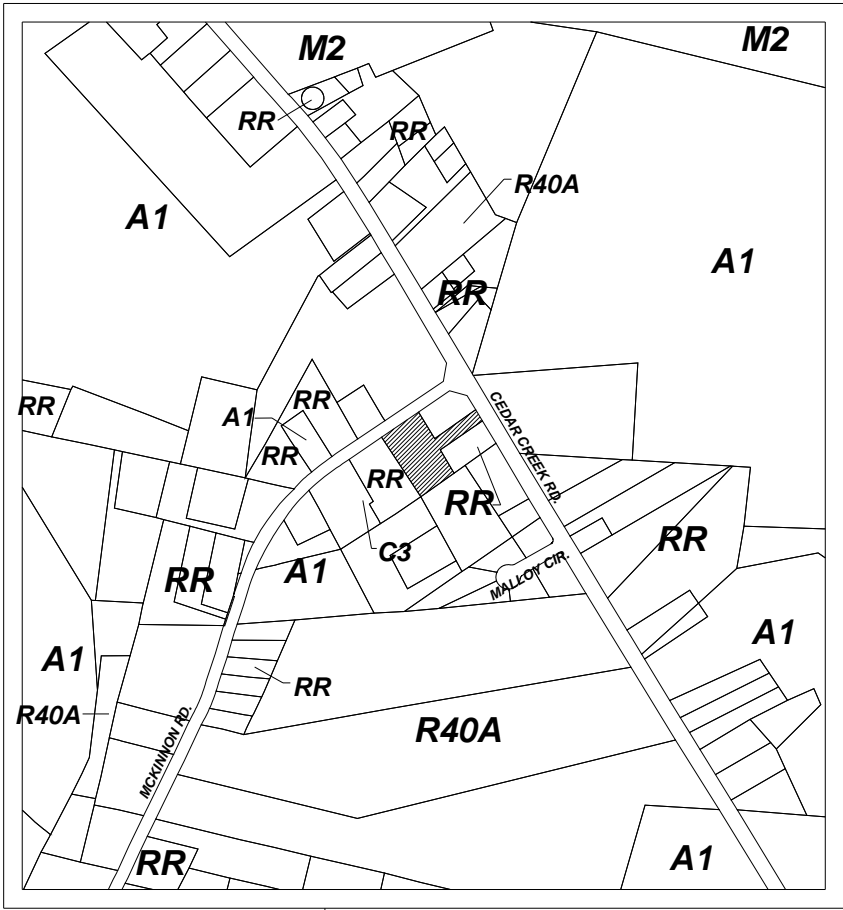
Military Impact Area: No

Highway Plan: No road improvements or new constructions specified for this area.

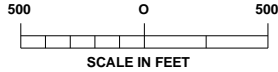
Average Daily Traffic Count (2000): 700 on McKinnon Road, 5,900 on Cedar Creek Road

Notes:

Density: A1 - 1 unit
 A1A - 2 units
 R40 - 2 units
 RR - 3 units



NORTH



**REQUESTED REZONING:
A1 TO RR**

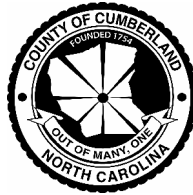
ACREAGE: 1.56 AC. ±	HEARING NO: P05-57	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0473-55-1095

SP

Charles C. Morris
Chair
Town of Linden

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August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-58: REZONING OF 22.95 ACRES FROM M2 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4810 FRONT STREET, SUBMITTED BY THOMAS J. GOODEN, OWNED BY LANDTEC DEVELOPMENT COMPANY. (STEDMAN)

The Planning staff recommends approval of the R10 Residential District based on the following:

1. The R10 zoning is consistent with the surrounding zoning in the area.
2. Stedman utilities would be extended to the property.

SITE PROFILE
P05-58

REZONING OF 22.95 ACRES FROM M2 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, AT 4810 FRONT STREET, SUBMITTED BY THOMAS J. GOODEN, OWNED BY LANDTEC DEVELOPMENT COMPANY. (STEDMAN)

Site Information:

Applicant/Owner: THOMAS J. GOODEN / LANDTEC DEVELOPMENT COMPANY

Area: 22.95 acres

Frontage & Location: 452 feet on Front Street

Depth: 1,340 feet

Jurisdiction: Stedman

Adjacent Property: No

Current Use: Residential and Vacant

Initial Zoning: September 3, 1996 (Area 20)

Zoning Violation(s): None

Surrounding Zoning: North-A1, RR, R10, C1, C(P), East-R10, R10M, C(P), C3, M2, South-A1, RR, R10, R6A, and West-A1, R40, R40A

Surrounding Land Use: PWC substation, no name commercial, church

Stedman Land Use Plan: Light Industrial and Open Space

Municipal Influence Area: Stedman

Water/Sewer Availability: Stedman utilities

School Capacity/Enrolled: Stedman Primary 250/136, Stedman Elementary 393/260, Mac Williams Middle 1218/1154, Cape Fear High 1415/1517

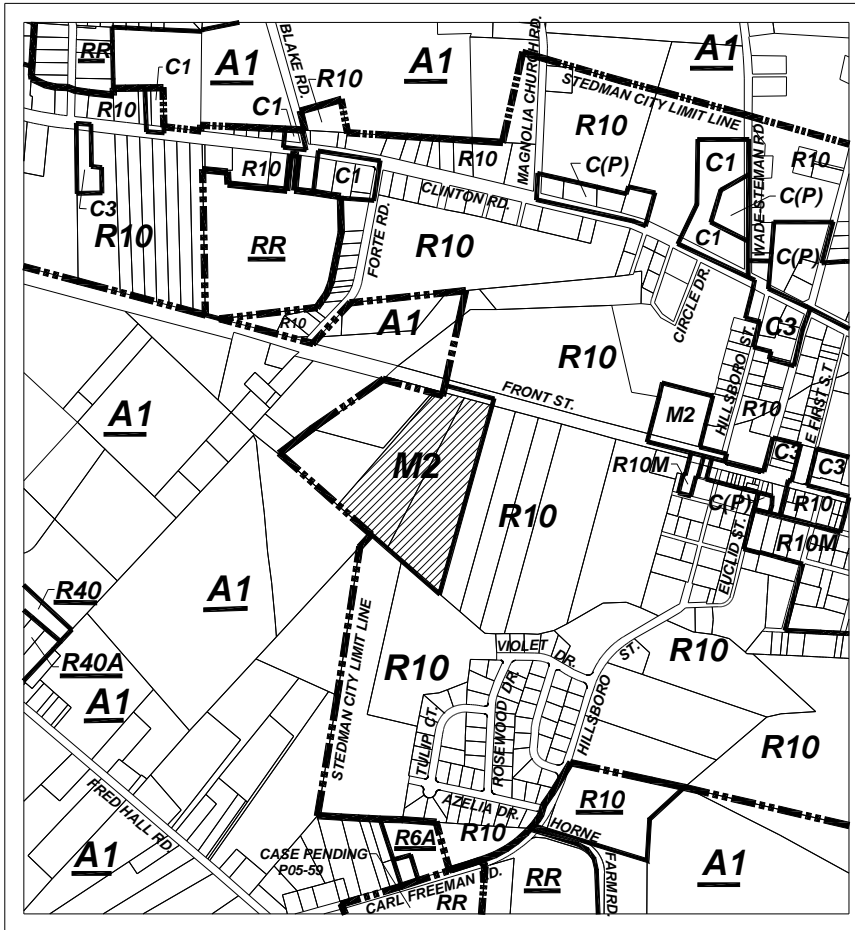
Subdivisions: A subdivision or group development may be required.

Military Impact Area: No

Highway Plan: No road improvements or new construction specified for this area.

Notes:

Density minus 20% for road:	A1 - 9 lots
	R40 - 19 lots
	R20 - 39 lots
	R15 - 53 lots
	R10 - 79 lots



**REQUESTED REZONING:
M2 TO R10**

ACREAGE: 22.95 AC. ±

HEARING NO: P05-58

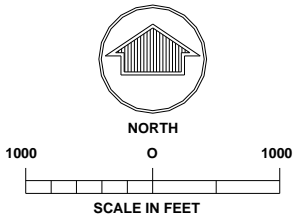
ORDINANCE: STEDMAN

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

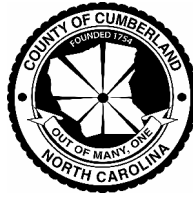


PIN: 0485-88-4783
PIN: 0485-88-8511

AF

Charles C. Morris
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Town of Linden

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August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-59: INITIAL ZONING OF 58.14 ACRES TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED SOUTH OF CARL FREEMAN ROAD, WEST OF HORNE FARM ROAD, OWNED BY HORNE TURF LLC. (STEDMAN)

The Planning staff recommends approval of the initial zoning to R10 Residential District based on the finding that Stedman utilities would be extended to the property and is consistent with Planning Board policies.

SITE PROFILE
P05-59

INITIAL ZONING OF 58.14 ACRES TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED SOUTH OF CARL FREEMAN ROAD, WEST OF HORNE FARM ROAD, OWNED BY HORNE TURF LLC. (STEDMAN)

Site Information:

Applicant/Owner: HORNE TURF LLC

Area: 58.14 acres

Frontage & Location: 1,061 feet on Carl Freeman Road

Depth: 2,252 feet

Jurisdiction: Stedman

Adjacent Property: Yes

Current Use: Agricultural - preliminary zero lot line subdivision approval of 145 lots as of 7-7-05.

Initial Zoning: September 3, 1996

Zoning Violation(s): None

Surrounding Zoning: North-A1, RR, R10, R6A, East-A1, RR, R10, R10M, South-A1, and West-A1, R40, R40A

Surrounding Land Use: Manufactured home park, furniture store, sod sales

Stedman Land Use Plan: Suburban Density Residential and Open Space

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Municipal Influence Area: Stedman

Within Area Considered for Annexation: Yes - September 1, 2005

Water/Sewer Availability: Stedman utilities

School Capacity/Enrolled: Stedman Primary 250/136, Stedman Elementary 393/260, Mac Williams Middle 1218/1154, Cape Fear High 1415/1517

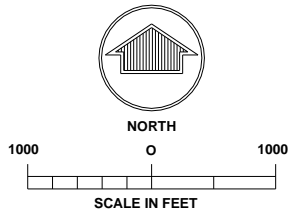
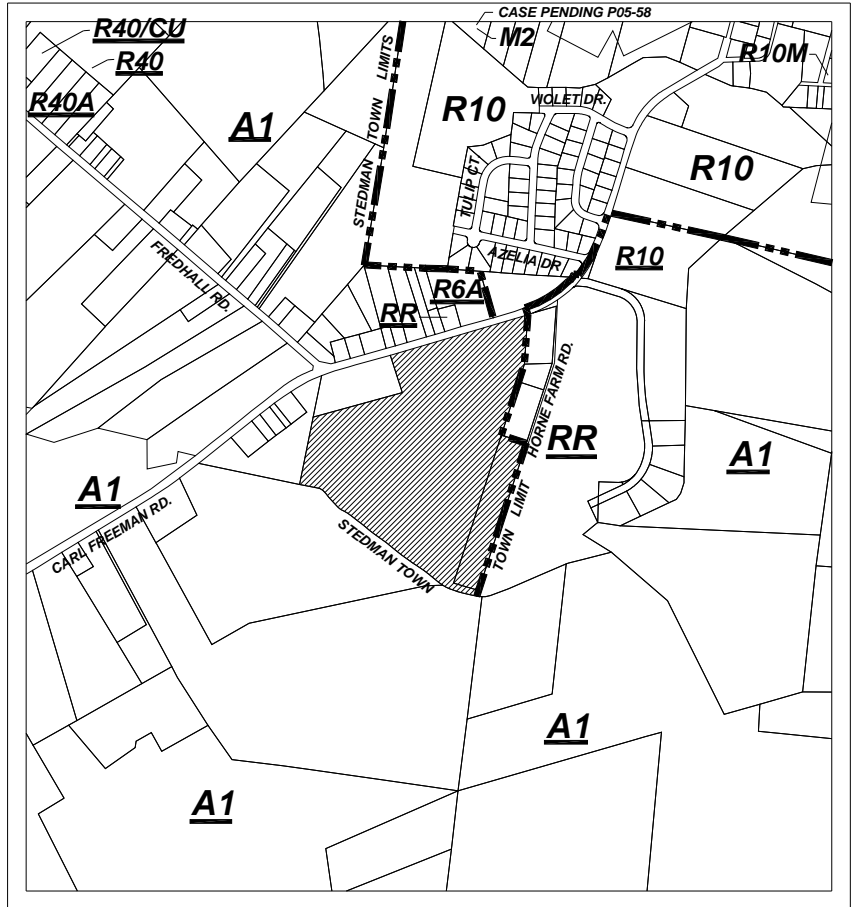
Subdivisions: This property is currently under subdivision review (Case 05-110).

Military Impact Area: No

Highway Plan: Carl Freeman Road is identified as a Major Thoroughfare. It is proposed to be widened to multi-lanes (4). It is a Priority #2 in the Highway Plan.

Notes:

Density minus 20% for roads: R10 - 202 lots



INITIAL ZONING TO R10

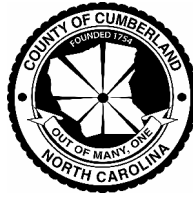
ACREAGE: 58.14 AC. ±		HEARING NO: P05-59	
ORDINANCE: STEDMAN	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

PIN:0485-84-3506

SP

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Town of Linden

Donovan McLaurin
Vice-Chair
Wade, Falcon & Godwin
Joe W. Mullinax,
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,
Dr. Marion Gillis-Olson,
Lori Epler,
Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-61: REZONING OF 13.21 ACRES FROM A1 TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTHWEST OF H. BULLARD ROAD, EAST OF CYPRESS LAKES ROAD, SUBMITTED BY CHRIS ROBERTS, OWNED BY MARILYN G. BARNES.

The Planning staff recommends approval of the R15 Residential District based on the following:

1. There is R15 zoning adjacent to the property.
2. PWC water will be required to be extended to the site upon development.

The Planning staff also recommends the Urban Services boundary be adjusted to follow the H. Bullard Road at this location.

SITE PROFILE
P05-61

REZONING OF 13.21 ACRES FROM A1 TO R15 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTHWEST OF H. BULLARD ROAD, EAST OF CYPRESS LAKES ROAD, SUBMITTED BY CHRIS ROBERTS, OWNED BY MARILYN G. BARNES.

Site Information:

Applicant/Owner: CHRIS ROBERTS / MARILYN G. BARNES

Area: 13.21 acres

Frontage & Location: 1,985 on H. Bullard Road

Depth: 284 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: June 25, 1980 (Area 13)

Zoning Violation(s): No

Surrounding Zoning: North-A1, RR, R15, R10, East-A1, R40, South-A1, R40, RR, and West-A1, R15

Surrounding Land Use: Golf course, open storage of tractor trailer and buses, telephone substation, and residential

2010 Land Use Plan: Farmland

Designated 100-Year Floodplain or Floodway: No Flood

Watershed Area: No

Urban Services Area: No

Water/Sewer Availability: PWC / Septic Tank

School Capacity/Enrolled: Grays Creek Elementary 901/759, Grays Creek Middle 450/524, Grays Creek High 1000/961

Subdivisions: A subdivision or group development may be required.

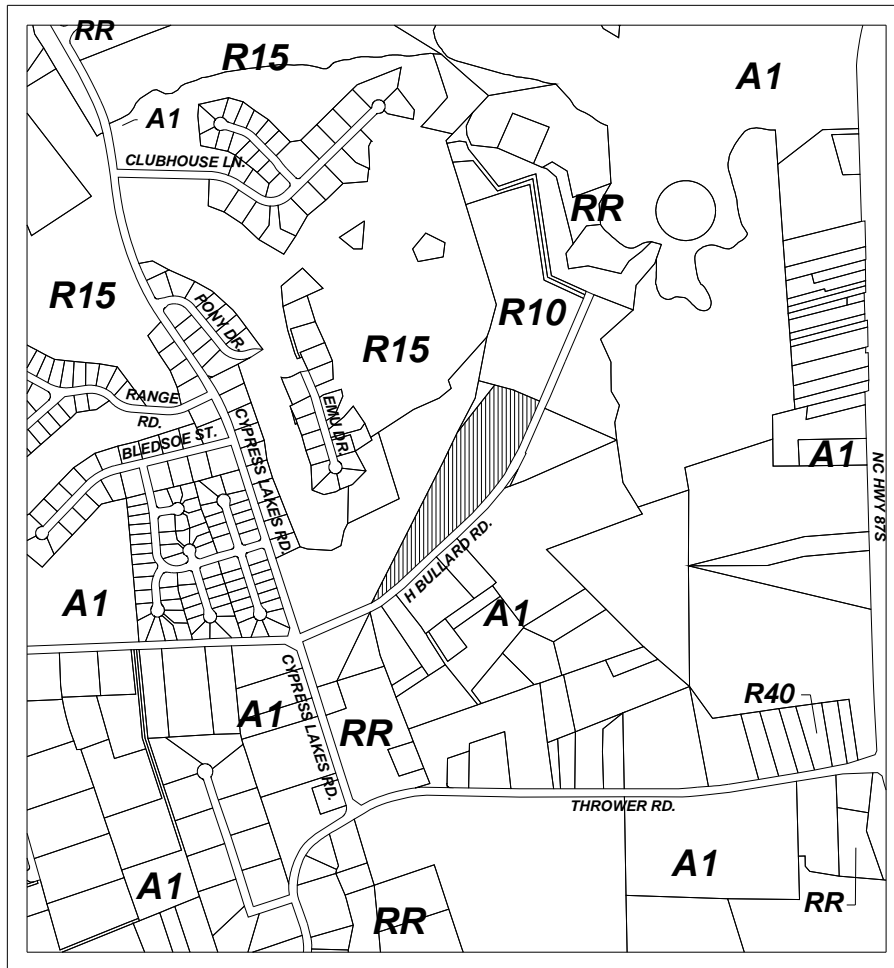
Military Impact Area: No

Highway Plan: No road improvements or new construction specified for this area.

Average Daily Traffic Count (2000): 90 on H. Bullard Road

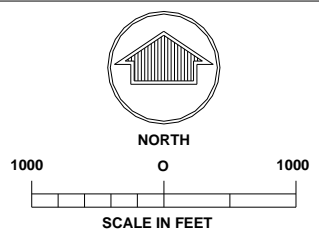
Notes:

Density minus 20% for roads:	A1 - 5 lots
	R40 - 11 lots
	RR - 23 lots
	R15 - 30 lots



**REQUESTED REZONING:
A1 TO R15**

ACREAGE: 13.21 AC. ±		HEARING NO: P05-61	
ORDINANCE: COUNTY	HEARING DATE	ACTION	
PLANNING BOARD			
GOVERNING BOARD			

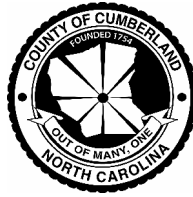


PIN:0432-94-5286

SP

Charles C. Morris
Chair
Town of Linden

Donovan McLaurin
Vice-Chair
Wade, Falcon & Godwin
Joe W. Mullinax,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

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Lori Epler,
Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-63: REVISION AND AMENDMENT TO THE COUNTY SUBDIVISION ORDINANCE, ARTICLE VI., LEGAL PROVISIONS, SECTION 6.1. VARIANCES, IN THAT: CHANGING THE TERM "VARIANCES" TO "WAIVERS" AND INSERTING ADDITIONAL PROVISIONS FOR GRANTING WAIVERS.

The Planning staff recommends approval of the amendments to the Cumberland County Subdivision Ordinance as submitted.

**REVISION AND AMENDMENT TO THE COUNTY SUBDIVISION
ORDINANCE, ARTICLE VI., LEGAL PROVISIONS, SECTION 6.1.
VARIANCES, BY ADDING TO THE SECTION THE FOLLOWING WORDS
SHOWN IN BOLD ITALICS, AS FOLLOWS:**

SECTION 6.1 WAIVERS ~~VARIANCES~~

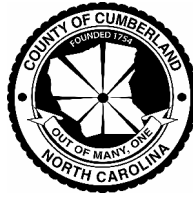
The Planning Board may *waive* ~~vary~~ the requirements of this ordinance where *it finds by resolution that:*

- 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* ~~variances~~, the Planning Board may require such conditions as will secure, in so far as practicable, the objectives of the requirements *waived* ~~varied~~. Any *waiver* ~~variance~~, 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.

Charles C. Morris
Chair
Town of Linden

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Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

Planning and Inspections Department

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Lori Epler,
Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-60: REZONING OF .83 ACRES FROM RR TO M(P)/CONDITIONAL USE DISTRICT AND PERMIT TO ALLOW THE MANUFACTURE AND SALES OF STORAGE BUILDINGS AT 5003 US HIGHWAY 301 SOUTH, SUBMITTED BY JOSE GOMEZ, OWNED BY JOHN D. GRAHAM AND COLUMBIA O. BLANKS.

The Planning staff recommends approval of M(P) Planned Industrial District/Conditional Use District based on the findings that the request is reasonable, neither arbitrary nor unduly discriminatory and in the public interest.

The Planning staff recommends approval of the Conditional Use Permit based on the findings that the proposal:

1. Will not materially endanger the public health and safety;
2. Will not substantially injure the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is to be located; and
4. Will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners.

The Planning staff recommends that the following conditions be added to the Conditional Use Permit:

1. Limited to the manufacturing and sales of storage buildings.
2. Hours of operation: Monday thru Friday, 7:00 a.m. to 6:00 p.m. and Saturday, 7:00 a.m. to 5:30 p.m.
3. Buffer be provided on the east side as required by the Zoning Ordinance.
4. Parking: 11 spaces
5. Employees: 5
6. Signage: 4 X 6 feet detached, using existing post.

SITE PROFILE
P05-60

REZONING OF .83 ACRES FROM RR TO M(P) CONDITIONAL USE DISTRICT AND PERMIT TO ALLOW THE MANUFACTURE AND SALES OF STORAGE BUILDINGS AT 5003 US HIGHWAY 301 SOUTH, SUBMITTED BY JOSE GOMEZ, OWNED BY JOHN D. GRAHAM AND COLUMBIA O. BLANKS.

Site Information:

Applicant/Owner: JOSE GOMEZ / JOHN D. GRAHAM AND COLUMBIA O. BLANKS

Area: .83 acres

Frontage & Location: 593 feet on US Hwy 301 South and 607 feet on Marracco Drive

Depth: 143 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: June 25, 1980 (Area 13)

Zoning Violation(s): Violation - no letter sent

Surrounding Zoning: North-RR, R6A, C(P), C3, East-RR, RR/CU, M(P), South-RR, C(P), and West-R6A, C(P), C3, C3/CU, M2

Surrounding Land Use: Church, tractor company, and camper company

2010 Land Use Plan: Medium Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Urban Services Area: Yes

Water/Sewer Availability: Well / Septic, PWC water available

School Capacity/Enrolled: Gallberry Farms Elementary 901/958, South View Middle 644/946, South View High 1715/1820

Military Impact Area: No

Highway Plan: US 301 is identified as a Major Thoroughfare with a proposed widening to multi-lanes (6 lanes). It is a Priority #3 in the Highway Plan.

Average Daily Traffic Count (2000): 14,000 on US Hwy 301 South and 3,700 on Marracco Drive

Notes:

1. Manufacture and sales of storage buildings.
2. Hours of operation: Monday thru Friday 7:00 am to 6:00 pm, Saturday 7:00 am to 5:30 pm
3. Signage: 4x6 detached, using existing post.
4. Parking: 11 spaces
5. Employees: 5

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

I (We), the undersigned, hereby submit application and petition the County Commissioners to amend and to change the zoning map of the County of Cumberland as provided for by Section 12.5 of the Zoning Ordinance. In support of this petition, as hereinafter requested, the following facts are submitted:

The property sought for Conditional Use Overlay is located:

Address US 301 Hwy S 4961
(Street address or Route and Box #, and Zip Code)

Located on 5003 US Hwy 301 S
(Name of Street/ Road, or General Directions to Site)

Parcel Identification Number 048-327-1134
(obtain from Tax Receipt or from Office of the Tax Administrator 678-7567)

Lot(s) # 1 Frontage 150 feet Depth 715 Containing 1.10 acres +/-.

The applicant(s) must furnish a copy of the recorded deed(s) and/or recorded plat map of the area considered for Conditional Use Overlay. If area to be considered for Conditional use Overlay is a portion of a parcel, a written legal description by metes and bounds must accompany the deed and/or plat. (Attach a copy of each, as they apply, to this petition.)

The property sought for Conditional Use is owned by: John Dawson Graham
as evidenced by deed from _____

as recorded in Deed Book 2312, Page(s) 331, Cumberland County Registry.

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

Manufacturer storage buildings end sales
Proposed use of property requested for Conditional Use: _____

Note: This information shall not be used in the consideration of the Conditional Use request by the Planning Staff, Planning Board or the 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. Planning Staff will assist in determining the proper classifications(s), however, the responsibility of the actual request as submitted is that of the applicant.

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

Water Provider (Existing or Proposed):

Well PWC _____ Community Water _____ (Name)

Septage Disposal Provided by: Septic Tank PWC _____

APPLICATION FOR
CONDITIONAL USE OVERLAY DISTRICT

1. Proposed uses(s):

- A. List the uses proposed for the Conditional Use Overlay District. (Use of the underlying district will continue to be legal, unless otherwise restricted.)

Manufacturer storage buildings and sales

- B. Justification in terms of need and benefit to the community. Include a statement regarding how the uses will be compatible.

it's to help the Community to Storage in Buildings

- C. Density: (If the project is to include residential units, state the number of dwelling units proposed for the project and the gross number of acres to be used.)

N/A

2. Dimensional Requirements:

- A. Reference either the dimensional requirements of district as shown in Section 7.3 or list proposed setbacks.

- B. Off-street parking and loading.

FOR my Building Can Be Loaded OFF the Street

3. Sign Requirements:

A. Reference district sign regulations proposed from Section 9.4.

B. List any variance proposed from those regulations.

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.

7:00 - 6:00 M-F Sat 7:00 - 5:30

5 Employees

only noise of nail gun & compressor

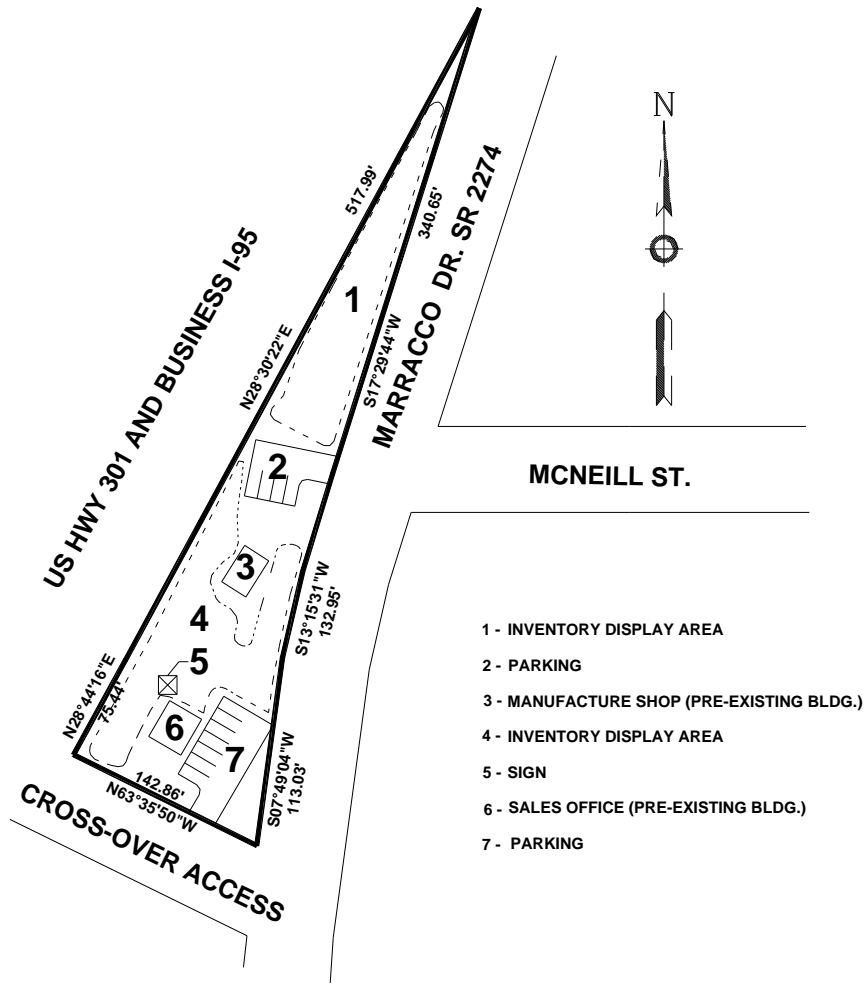
4x6 Sign

5. Site Plan Requirements:

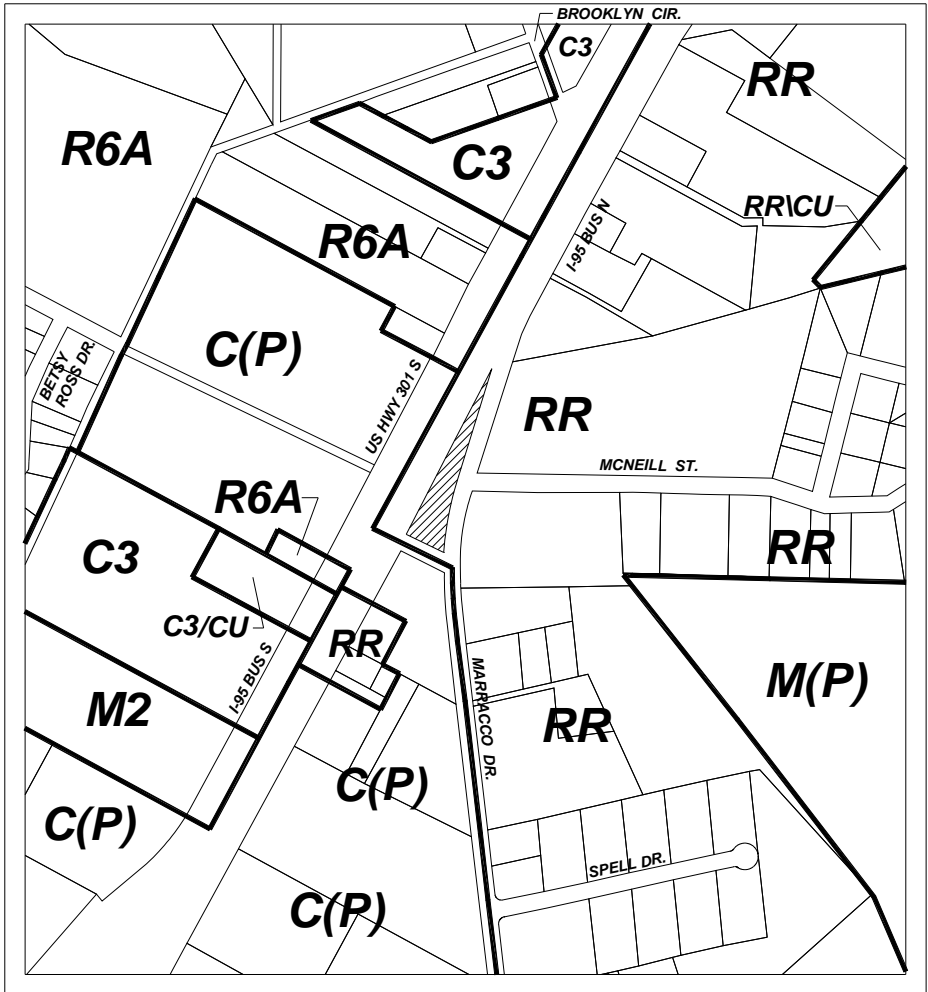
Attach a site plan drawn to scale. If the proposed uses involve development subject to Cumberland County subdivision regulations, the site plan required hereunder may be general in nature, showing a generalized street pattern, if applicable and the location of proposed structures. If the proposed uses 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:

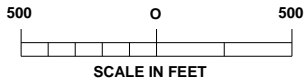
It is understood and agreed that upon review by the Planning Board and action by the Board of Commissioners, the uses proposed in the petition may be modified and conditions and limitations placed upon them to insure compatibility of the uses with land use plans, studies or policies and/or existing uses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



M(P)/CONDITIONAL USE DISTRICT
REQUEST: TO ALLOW THE MANUFACTURE AND SALES OF STORAGE BUILDINGS
CASE: P05-60 SCALE: NTS
ACREAGE: 0.82± ZONED: RR
PARKING: AS SHOWN



NORTH

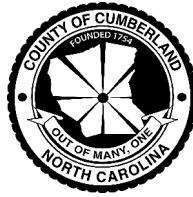


**REQUESTED REZONING:
RR TO M(P)/CUD**

ACREAGE: 0.83 AC. ±	HEARING NO: P05-60	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

Charles C. Morris
Chair
Town of Linden

Donovan McLaurin
Vice-Chair
Wade, Falcon & Godwin
Joe W. Mullinax,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman



COUNTY of CUMBERLAND

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Dr. Marion Gillis-Olson,
Lori Epler,
Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-50: REZONING OF TWO PARCELS TOTALING 110.50 ACRES FROM RR TO R10 AND C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF MUSCAT ROAD, SOUTH OF BLACK BRIDGE ROAD, OWNED BY GRRF, LLP.

The Planning staff recommends denial of the R10 Residential District and C(P) Planned Commercial District based on the following:

1. There are currently no public utilities available to the site.

Note: If utilities were extended to the site, a Mixed Use Development/CUD could be considered.

SITE PROFILE
P05-50

REZONING OF TWO PARCELS TOTALING 110.50 ACRES FROM RR TO R10 AND C(P) OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE WEST SIDE OF MUSCAT ROAD, SOUTH OF BLACK BRIDGE ROAD, OWNED BY GRRF, LLP.

Site Information:

Applicant/Owner: GRRF, LLP

Area: 110.50 acres

Frontage & Location: 3,200 feet on Muscat Road

Depth: 500 feet

Jurisdiction: County

Adjacent Property: Yes

Current Use: Vacant

Initial Zoning: February 3, 1977 (Area 7)

Zoning Violation(s): None

Surrounding Zoning: North-RR, R10, Hope Mills city limit, East, South and West-RR

Surrounding Land Use: Church, single family residential and vacant land

2010 Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Urban Services Area: Yes

Water/Sewer Availability: PWC/PWC-the developer is proposing to extend utilities to site. No plans submitted yet. Currently no PWC utilities available.

School Capacity/Enrolled: Galberry Farms elementary 901/958, South View Middle 743/946, Gray's Creek High 1,100/961

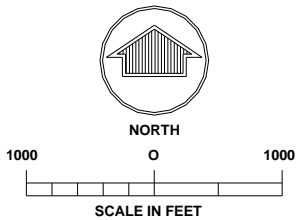
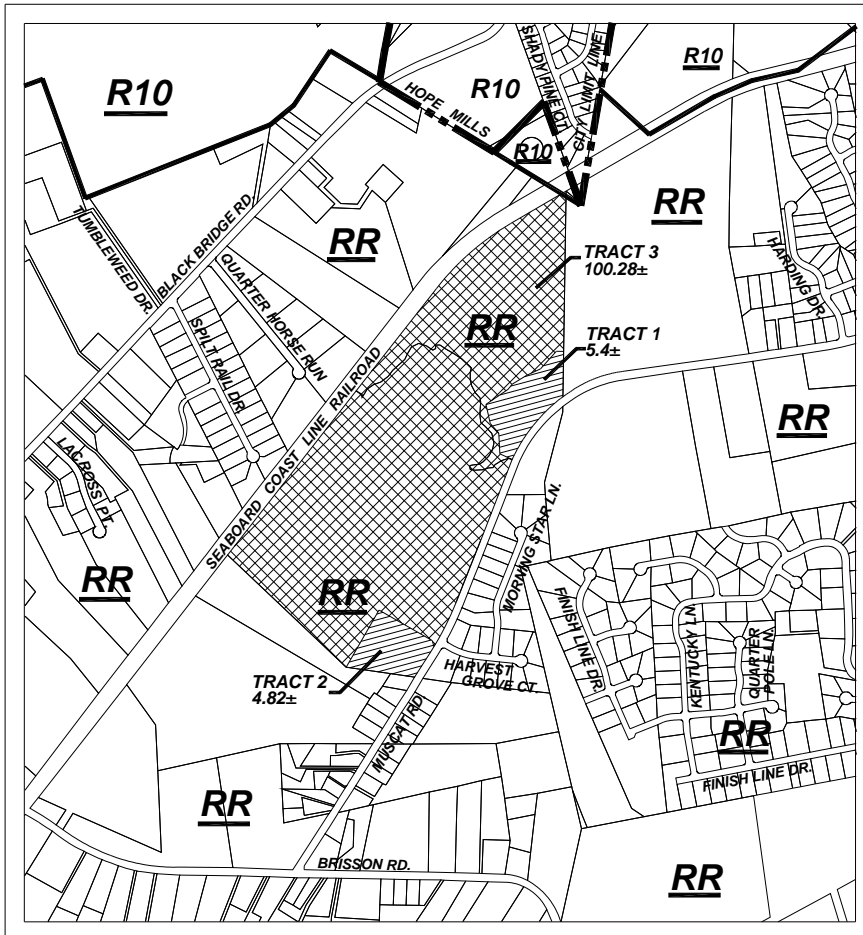
Subdivisions: A Subdivision Review and Site Plan approval will be required on any development of the property.

Highway Plan: No road improvements or new constructions specified for this area.



Average Daily Traffic Count (2000): 1,800 on Muscat Road

Notes:

Density minus 20% for roads:	RR - 174 lots
	R15 - 232 lots
	R10 - 349 lots



REQUESTED REZONING:

 RR TO R10  RR TO C(P)

ACREAGE: 110.50 AC. ± HEARING NO: P05-50

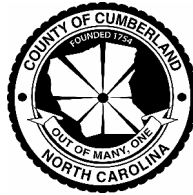
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0403-74-4377
PIN: 0403-85-4807

AF

Charles C. Morris
Chair
Town of Linden

Donovan McLaurin
Vice-Chair
Wade, Falcon & Godwin
Joe W. Mullinax,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman



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Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-41: REZONING OF TWO PARCELS TOTALING 4.59 ACRES FROM RR TO R5 AND C1(P) OR A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CLIFFDALE ROAD, SOUTH OF HOPPER ROAD, SUBMITTED BY ROBERT M. BENNETT, OWNED BY HAROLD AND MARIAN F. KIDD.

The Planning staff recommends denial of R5 Residential District and approval of R5A Residential District and C1(P) Planned Local Business District based on the following:

1. R5A is a good transitional zoning for the area.
2. Since the 2010 Land Use Plan there have been changes to the development of the area. (Note: Realignment of Cliffdale Road has contributed to the changes in the area.)

The Planning staff finds that the subject property could be suitable for the R15, R10, and R6 Residential Districts.

SITE PROFILE
P05-41

REZONING OF TWO PARCELS TOTALING 4.59 ACRES FROM RR TO R5 AND C1(P) OR A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CLIFFDALE ROAD, SOUTH OF HOPPER ROAD, SUBMITTED BY ROBERT M. BENNETT, OWNED BY HAROLD AND MARIAN F. KIDD.

Site Information:

Applicant/Owner: ROBERT M. BENNETT / HAROLD AND MARIAN F. KIDD

Area: 4.59 acres

Frontage & Location: 1,021 feet on Hopper Road and 392 feet on Cliffdale Road

Depth: 575 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: May 1, 1975 (Area 2D)

Zoning Violation(s): None

Surrounding Zoning: North-R15, R10, East-RR, R10, R6, R6A, South-RR, R10, R6, C1, and West-R15, R10, C1

Surrounding Land Use: Telephone substation, day care, church, open storage of junk

2010 Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Within Area Considered for Annexation: Yes

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC

School Capacity/Enrolled: Lake Rim Elementary 884/673, Anne Chesnutt Middle 669/671, 71st High 1,905/1802

Subdivisions: A group development or subdivision review will be required on the residential portion and site plan approval on the commercial portion.

NAPZ (Ft Bragg/Pope AFB): Pope AFB has no objections to this case.

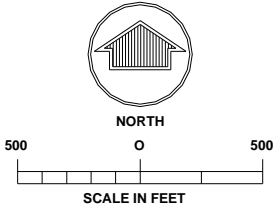
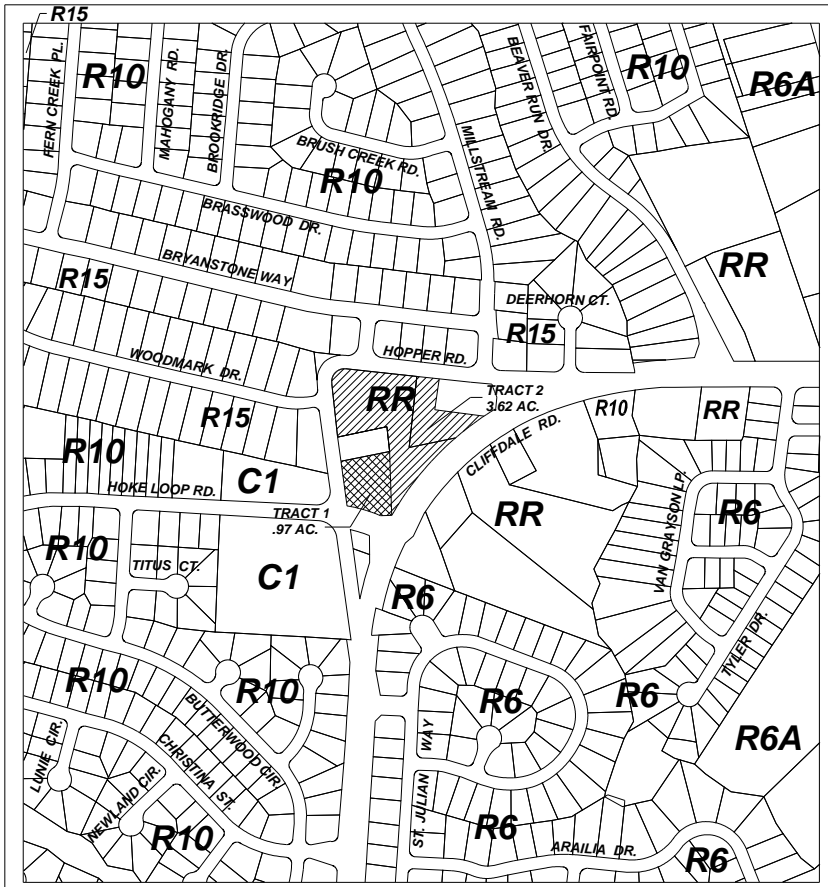
Military Impact Area: Yes

Highway Plan: Cliffdale Road is identified as a Major Thoroughfare. It is a multi-lane facility with a current 90-100 foot right-of-way. Road improvements are included in the 2006-2012 MTIP. Cliffdale Widening Project: Planning-completed, Design-completed, ROW Acquisition-completed, Construction-under construction.

Average Daily Traffic Count (2000): 2,400 on Hopper Road, 8,200 on Cliffdale Road

Notes:

Density (3.62 acres): RR - 8 units
R15 - 11 units
R10 - 21 units
R6 - 38 units
R5A - 53 units
R5 - 100 units



REQUESTED REZONING:

RR TO R5 (TRACT 2) & RR TO C1(P) (TRACT 1)

ACREAGE: 4.59 AC. ±	HEARING NO: P05-41	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

Charles C. Morris
Chair
Town of Linden

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Cumberland County

August 11, 2005

MEMO TO: PLANNING BOARD
FROM: PLANNING STAFF
SUBJECT: STAFF RECOMMENDATIONS
FOR AUGUST 16, 2005 MEETING

P05-62: REZONING OF 24.20 ACRES FROM A1 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CYPRESS LAKES ROAD, WEST OF SOUTH FORTY DRIVE, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY FRANKLIN R. FOWLER.

The Planning staff recommends denial of the R10 Residential District based on the finding that there is inadequate access for increased development of this tract.

SITE PROFILE
P05-62

REZONING OF 24.20 ACRES FROM A1 TO R10 OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED NORTH OF CYPRESS LAKES ROAD, WEST OF SOUTH FORTY DRIVE, SUBMITTED BY JAMES A. MCLEAN III, OWNED BY FRANKLIN R. FOWLER.

Site Information:

Applicant/Owner: JAMES A. MCLEAN III / FRANKLIN R. FOWLER

Area: 24.20 acres

Frontage & Location: 7 feet on Cypress Lakes Road

Depth: 1,630 feet

Jurisdiction: County

Adjacent Property: No

Current Use: Vacant

Initial Zoning: June 25, 1980 (Area 13)

Zoning Violation(s): None

Surrounding Zoning: North-A1, R40A, R20, RR, R6A, M(P), East-A1, R20, RR, R15, C1, C(P), South-R15, R10, R10/CU, and West-A1, R40, R20/CU, R10

Surrounding Land Use: Baseball field and construction company

2010 Land Use Plan: Low Density Residential

Designated 100-Year Floodplain or Floodway: No Flood

Urban Services Area: Yes

Water/Sewer Availability: PWC / PWC

School Capacity/Enrolled: Gallberry Farms Elementary 901/958, Grays Creek Middle 450/524, Grays Creek High 1000/961

Subdivisions: Property has limited access. A subdivision or group development may be required.

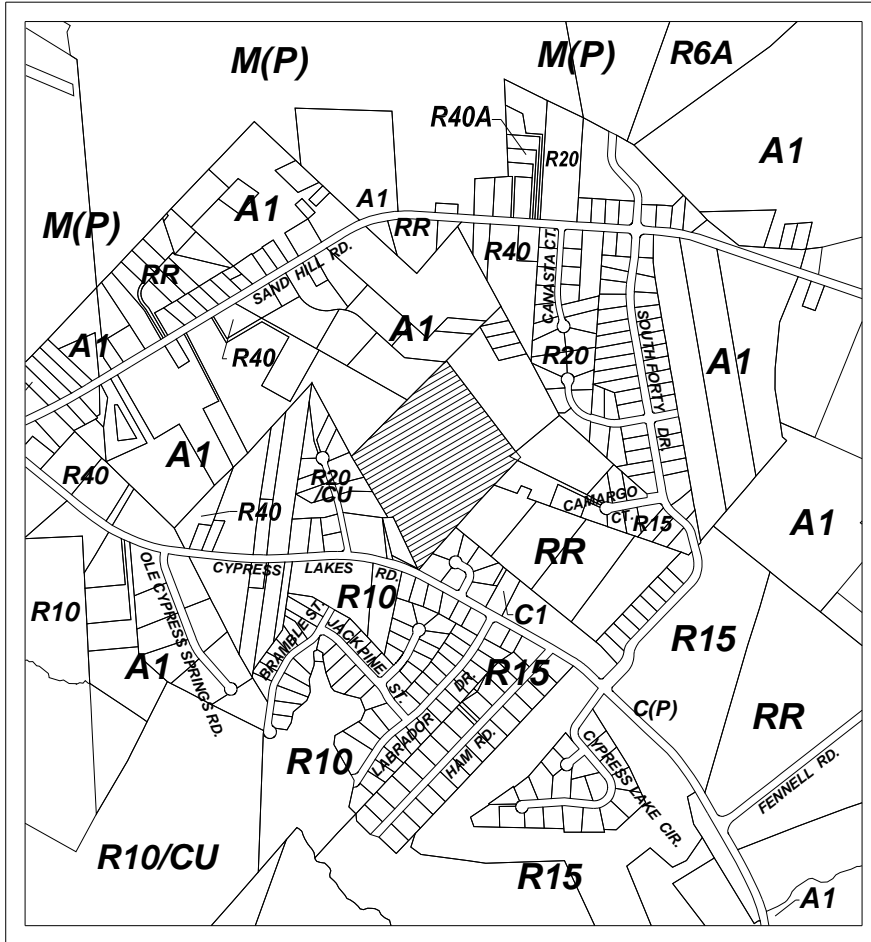
Military Impact Area: No

Highway Plan: A center turning lane will be added to Cypress Lakes Road, which is a Priority #3.

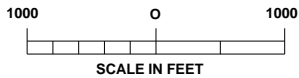
Average Daily Traffic Count (2000): 950 on Cypress Lakes Road

Notes:

Density minus 20% for roads:	A1 - 9 lots
	R40 - 21 lots
	R20 - 42 lots
	R15 - 56 lots
	R10 - 84 lots



NORTH



**REQUESTED REZONING:
A1 TO R10**

ACREAGE: 24.2 AC. ±	HEARING NO: P05-62	
ORDINANCE: COUNTY	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0433-40-3421

AF