

Members:

George Lott, Chairman
George Turner, Vice-Chair
Alfonso Ferguson Sr.
Winton McHenry
Gregory Parks



Alternates:

Robert E Davis
Nathan Galbreath
Stacy Michael Long
Marva Lucas-Moore
Quinsentina James

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

130 Gillespie Street
Fayetteville North Carolina 28301
(910) 678-7602

TENTATIVE AGENDA
JANUARY 17, 2019
7:00 PM

A meeting of the Cumberland County Board of Adjustment is to be held on Thursday, January 17, 2019, at 7:00 p.m. in Hearing Room #3 of the Historic Courthouse at 130 Gillespie Street, Fayetteville, North Carolina. The agenda is as follows:

1. INVOCATION & PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. SWEAR IN STAFF
4. ADJUSTMENTS TO THE AGENDA
5. APPROVAL OF THE DECEMBER 20, 2018 MINUTES
6. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)
7. PUBLIC HEARING DEFERRALS/WITHDRAWALS
8. POLICY STATEMENT REGARDING APPEAL PROCESS
9. PUBLIC HEARING(S):

P19-01-C: CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A BILLBOARD IN A C(P) PLANNED COMMERCIAL DISTRICT ON 5.28+/- ACRES, LOCATED SOUTH OF NC HWY 24, WEST OF MAGNOLIA CHURCH ROAD, SUBMITTED BY KEVIN CARROLL AND WESLEY S. CAMPBELL (AGENTS) ON BEHALF OF 4C DEVELOPMENT LLC (OWNER)

10. DISCUSSION/UPDATE(S)
11. ADJOURNMENT

Members:
George Lott, Chair
George Turner, Vice-Chair
Alfonso Ferguson Sr.
Winton McHenry
Gregory Parks



Alternates:
Robert E Davis
Nathan Galbreath
Stacy Michael Long
Marva Lucas-Moore
Quinsentina James

CUMBERLAND COUNTY BOARD OF ADJUSTMENT

130 Gillespie Street
Fayetteville North Carolina 28301
(910) 678-7602

MINUTES
December 20, 2018
7:00 PM

Members Present

George Lott
George Turner
Gregory Parks
Nathan Galbreath
Stacy Michael Long

Absent Members

Alfonso Ferguson Sr.
Winton McHenry

Staff/Others Present

Hope Ward Page
Dena Smith
Rick Moorefield
(County Attorney)
Joel Strickland (Acting Director)

Chairman Lott called the meeting to order at 7:00 p.m. in Public Hearing Room #3 of the Historic Courthouse.

1. INVOCATION

Chairman Lott

PLEDGE OF ALLEGIANCE

Recited by all.

2. ROLL CALL

Mrs. Page called the roll and stated a quorum was present. For the audience Mrs. Page introduced Mr. Rick Moorefield, County Attorney and Joel Strickland, Acting Director for Planning and Land Use.

3. SWEAR IN STAFF

Chair Lott swore in staff.

4. ADJUSTMENTS TO THE AGENDA

There were none from staff.

5. APPROVAL OF THE OCTOBER 18, 2018 MINUTES

CHAIR LOTT: The motion has been made, motion of a second has been made, all those in favor of approval?

Mr. Turner made a motion to approve the minutes from the October 18, 2018 meeting with any necessary corrections, seconded by Mr. Galbreath. The motion passed unanimously.

IN FAVOR

LOTT	YES
TURNER	YES
PARKS	YES
GALBREATH	YES
LONG	YES

6. ABSTENTIONS BY BOARD MEMBERS/BOARD MEMBER DISCLOSURES (SITE VISITS AND/OR PERSONAL AFFILIATIONS)

There were none.

7. PUBLIC HEARING DEFERRALS/WITHDRAWALS

There were none.

8. POLICY STATEMENT REGARDING APPEAL PROCESS

Mrs. Page read the policy statement.

CHAIR LOTT: Chairman Lott stated the procedural matters are to turn off all cell phones and other electronic devices, other than the camera, are fine and if asked to speak at the podium to please speak clearly into the microphone as the meeting is being recorded. Although there are no set time limits for any speaker addressing the board, the board asks speakers to not repeat what has been previously stated. If there is no new evidence to offer please make the board aware of your agreement with the previous speakers. If any board member wishes to speak or ask any questions please ask to be recognized by the Chairman before speaking.

9. PUBLIC HEARING(S)

P18-05-C: CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A RECREATION VEHICLE PARK AND/OR CAMPGROUND IN AN A1 AGRICULTURAL DISTRICT ON 3.62+/- ACRES, LOCATED AT 7288 LANE ROAD, SUBMITTED BY KERRY AND AUDRA POPE (OWNERS).

Mrs. Page read the case heading for Case No. P18-05-C.

Mrs. Page reviewed the zoning, sketch map, and land use of the area surrounding subject property. She briefly reviewed board packet material. Mrs. Page asked if the section of the zoning ordinance reference Section 921 Recreational vehicle park / campground which are referencing on pages 101 - 103. The applicant is requesting a special use permit to operate a recreation vehicle campground with 10 RV sites. The application submitted by the owner is complete and the owner has agreed to all the ordinance related conditions that were included in your packet. Staff asked when making a motion if you could make the motion subject to the findings of facts located behind the special use tab in your binders.

CHAIR LOTT: Special use did you say?

MRS. PAGE: Yes special use.

MRS. PAGE: You have the sheet.

CHAIR LOTT: Give us your name and address. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth so help you God?

MR. POPE: Yes sir.

CHAIR LOTT: Thank you.

MR. POPE: My name is Kerry Pope. I live at 2740 Chimney Point in Linden. My wife and I are the current owners over at this property at 7288 Lane Road. About 10 years ago I had a private home out here, we lost it to a house fire. So I had an existing well and a septic tank out there and I had power was looking at putting something out there and actually called and had a guy call and was looking at putting a mobile home or something of that sort, just to make use of the facilities that I had out there, the infrastructure that I had. Had somebody call me and just mentioned about the RV park so that kinda sparked my interest. What I propose to

do here, and I guess that's what I'm telling you guys, I don't know the format here. Just some of the things I'm looking at just taking my piece of property there obviously I'm paying taxes on it, have been for the last 10 years not really getting anything out of the infrastructure that I've invested there. Had some interest, somebody wanted to put some RV's out there, actually called and wanted to follow the process, follow the format, hence the reason why I'm here tonight. I spoke with the folks in the office and Hope graciously gave me the paperwork, give me what I had to look at and all the stuff I had to go through, so first I just looked at that and then obviously I've decided to move forward with the process and actually I kinda got in on the right time for the board, and was able to get on the agenda for tonight and I appreciate you guys having me here. Pretty much what I'm looking at doing, is if you ask the question, is it going to be detrimental to anything that's around there? If you went back to the drawings, I own all the property, other than the driveway, my wife and I own all the property around it. As far as the stuff to the north, those A1's, that's actually divided by a creek. You look at it and some of the questions you may have, what kind of environment, what kind of folks are you going to have there? If I own the property obviously I'm not going to do anything that would bring down the value of that. As far as safety, that's probably number one on most people's mind, you know what am I doing in an A1 neighborhood? I've lived out there for probably about fifteen years, prior to this ten year period here, just in my opinion, my experience, no more than I'm looking at doing, possibly having some people put an RV out there. The more people you have in the area out there, I can go there and tell you look at my well now and there's no wiring in there and that's because there's nobody there. If I have more people out there obviously you'll have more activity, you're going to see what's going on in the neighborhood, you're going to have more eyes. It is a village out there, my neighbors when I lived out there; we all looked out for one another. Now you know that it's just a vacant piece of property, I had a couple of wells out there, they are no longer there because somebody has come and taken them. So hopefully by giving somebody a safe, tranquil environment, I've actually done some preliminary just talking with some folks and if you ever go out there, some of you have, it's a pretty place. You can go out there, put you an RV, it would be a tranquil environment. I don't want to degrade anything that's around it, just want to help pay the property tax on it and provide a safe place for some people to put an RV. That's my primary interest. I just looking at also investing in the community, if I'm giving the grace to go forward with this project, I will have some folks out there doing some work, putting some gravel in, also doing some plumbing and electrical, so it's going to stimulate the economy and hopefully there will be more taxpayers in here to come and not pay property taxes like I do but to spend some time out here. That's the primary reason why I'm here tonight.

CHAIR LOTT: Ok – thank you. Any questions by the board?

MR.TURNER: Sir you said you owned all the land, you made that broad statement, how much land do you own there?

MR. POPE: There's approximately, a hundred, and I say all the land, if you look to the property where the A1 is at, approximately 133 acres. I can show you, if you look over here, this is the road, this separates the piece of property, this separates this is a 20 foot access easement that comes into the property here. This access was where my home was at. The residency that she showed there that's actually a house that I once lived in before I

had this flagship lot pulled out. The house and the barn that's there now is owned by my wife and myself, you know this was A1 agriculture, there's abandoned hog houses there now that's good dry storage. All this wooded property here is stewardship farm in the stewardship program made the application so all this is planted timber we actually logged this years ago. To show that I'm there to stay and I am vested in the community, all this was pretty much hardwood and I actually had it clear cut and had it re-planted with loblollies with the forestry service. Actual soil erosion, I forgot the name of the department I got it from, planted all of this in coastal Bermuda hay. So if you have to go and look at this little lot up there, it's a pretty place. You might ask why I didn't build my house back there but I did tell you I lost it to a house fire so it's kinda hard to convince my wife to build my house back over there once it got struck by lightning, it's up on a ridge, pretty little place right there. I think it would be a fine place to put an RV and help me generated some income money to help me pay the property taxes on it that's kinda what I'm looking for. Yes sir you asked the question do I own all the land.

MR.TURNER: The question really, is how much land do you own?

MR. POPE: 133

MR.TURNER: 133 acres

MR. POPE: Yeah that's plus or minus, I think it's 133 in this whole parcel right here.

MR.TURNER: Ok. Thank you.

MR. PARKS: So you just forest that area? You don't farm or anything out there?

MR. POPE: Yes sir. The cleared land we farm sir. The rest of it is planted in loblolly.

MR. PARKS: I got you. Good choice.

MR. POPE: Very good choice. We just thinned it.

MR. PARKS: You know there is a need for RV parks around this area? We had one come up several months ago and the closest one that's not full is up there in the Dunn area and they're pretty full. I'm in the construction business so I have a lot of people call me about bringing people in and they've got nice RV's and you know a single man or a married man by himself and couldn't find places for them.

MR. POPE: Yes sir.

MR. PARKS: This will be a real God send to a lot of the people that need it.

MR. POPE: Yes sir.

CHAIR LOTT: Okay, Thank you Kerry. Brian Clement?

MR. CLEMENT: I have no objections. Thank you

CHAIR LOTT: Thank you. Questions or discussions.

MR. TURNER: Is there anyone else to speak in favor or against?

CHAIR LOTT: No.

MR. TURNER: Okay.

MRS.PAGE: Excuse me Chairman you may want to close the public hearing.

CHAIR LOTT: Alright, this public hearing is closed.

MR. TURNER: Did we ever get, I think the question between us was about the soil. With his operate on one septic tank? Is that the way this is designed?

CHAIR LOTT: I'm sure all this has been addressed or I would think it has.

MR. TURNER: This just shows one existing septic tank.

MR. POPE: Frederick Thomas, the health department downstairs I actually spoke with Frederick, what we have there now currently, don't quote me on this, but one thousand twelve hundred gallon tank with four 63 foot lines, that would support two RV's by adding an additional tank to the existing system with a distribution box, I could put four. So if you go back to the site drawing where the, Hope if you could go back maybe to it, so go back to the one, two, three, and four basically the plan was is to just add another twelve hundred gallon tank, another distribution line you would split the four and that way you could get four in with the infrastructure that I have so very little investment there to at least get four. Obviously if I were to put the four proposed in here, yes sir, I think I've got to apply for a special permit for an additional tank here, but then this would be a new tank, and yes sir all that would be on that piece of property. So it has been addressed.

MR. TURNER: So the four that you intend to do here, looking at what we have which is there, shows your intent is to do four right up front, will the existing system handle that or do you have to improve on that? You're aware of what requirements would have to be there?

MR. POPE: Everything would go through the Health Department. So the paperwork that I received from Fred was just like a little foot note he said yes sir and with what you have there you could get four with the addition of a thousand gallon tank and a separate junction box to split the four lines. So yes it would handle four.

MR. TURNER: Using the existing four to drain fields?

MR. POPE: Yes sir that is correct. You just have to split the drain fields.

MR. TURNER: Okay.

MRS. PAGE: If I may, condition number eleven it addresses that fact. It states: The County Health Department must approve water plans. Lots not served by public water system is required to be large enough and of such physical character to comply with the Health Department's minimum standards. A copy of the Health Department approval must be provided to Code Enforcement. (Note: All Health Department requirements must be met prior to issuance of final permits.) (Sec. 2306 A, County Subdivision Ord. & Sec. 1101.E, County Zoning Ord.) Also, Mr. Pope agreed to these conditions prior to the meeting.

MR. TURNER: Okay.

CHAIR LOTT: Thank you ma'am.

MR. GALBREATH: I do have one question, Hope if you will go back to the map view of it.

MRS. PAGE: The aerial?

MR. GALBREATH: Yes the aerial. I see here its temporary with a 90 day max, I can't help but think there's going to people who start wandering. Someone has too much to drink, or just have people who are nosey and just start wandering thorough there. Is there anything that mitigates them wandering off, and I know you have a big chunk of that, but you said there's a creek back there, there's obviously liability with that.

MR. POPE: Yes sir, as far as the hazards, there could be multiple hazards out there, I mean but do you talk about to mitigate to keep them inside the RV park?

MR. GALBREATH: Yeah.

MR. POPE: Just in the event they got to wandering, I understand, I mean that, No I did not have an intent to try and keep anybody within there. No when I say a boundary in there, if you went back, I know what page if Hope could go back to that drawing, I going to try to incorporate as much of that landscape as I could, I've got a bunch of River birch trees in there so I want to try to incorporate that some of the things that after forethought I see in RV park would be a shelter, and it would have to be approved, I understand that, and have to be within the limits. Pretty much what I was doing here is I did not intend to try to keep them crowded in there; I wanted to keep it opened and try to be as pleasant to that environment out there as possible. It sits on a personal view of a hayfield, so yes there is a creek, but yes you would have to go through a pretty good briar thicket to get there so hopefully that would keep them out of there, I've been through there, it is timber, when I say that there is a beaver pond back there. There is always that chance and yes sir that is a bridge that I'd have to cross to make sure I cover myself as far as someone wandering off there.

MR. TURNER: Someone gets drunk and wanders off on 133 acre; we'll never see them again.

MR. POPE: Let's hope that doesn't happen.

MR. GALBREATH: I tend to lean more pessimistic toward people and I think the worse and it's a good place tucked back to hide out if there's trouble makers. Just in terms of the safety piece of it.

MR. POPE: I've been very fortunate, I've been blessed as far as having tenants who have not caused me a lot of trouble, and I vet it pretty well. I do some background checks on them and like I said its mine. So when I say I'm vested, I'm vested. I've not tolerated any trouble. I usually try to address it and get on it pretty quick. I've been very blessed and fortunate that I haven't had any and I don't want any.

MR. GALBREATH: Sure. Yes sir. Thank you.

CHAIR LOTT: Alright, thank you Kerry, any further discussion? Okay the factors relevant to the Issuance of a Special Use Permit. The Board of Adjustment has discretionary review in deciding whether to grant or deny a Special Use Permit for land uses that cannot be adequately controlled by the general zoning regulations. The Board may authorize and set forth conditions, when deemed necessary, on the Special Use Permit if in its judgment the public convenience and welfare will be substantially served and the appropriate use of neighboring property will not be substantially or permanently injured. Special uses, because of special site or design requirements, operating characteristics or potential adverse effects on surrounding property and the neighborhood, shall be permitted only upon approval by the Board in accordance with the four (4) standards and conditions as set forth in the Zoning Ordinance of Cumberland County, Article XVI, Section 1606, as follows:

1. The use will not materially endanger the public health or safety if located according to the plan submitted and recommended. And as we have seen I think that plan adequately covers the conditions and the use of those conditions.
2. The use meets all required conditions and specifications. I think as it was stated there is a need for this for this type of park as stated in the facts by Kerry.
3. The use will maintain or enhance the value of adjoining or abutting properties, or that the use is a public necessity; and I think as we stated the location of it

pretty well hinders any violation of the neighbors wandering on to his property or vice versa. And also stated the need for this use.

MR. TURNER: He owns enough acreage out there he'll only harm himself.

CHAIR LOTT: Only harm himself. 4. The location and character of the use, if developed according to the plan as submitted and recommended, will be in harmony with the area in which it is to be located and is in general conformity with Cumberland County's most recent Land Use Plan. And apparently that has been met by the fact that the plans have been preliminary approved by the planning staff.

MR. TURNER: Is all that a motion?

CHAIR LOTT: Yes.

MR. TURNER: I'll second it.

MRS. PAGE: Chair if your motion could be subject to the ordinance related conditions.

CHAIR LOTT: Yes.

MR. TURNER: I'll second that.

Mr. Lott made a motion to approve Case P18-05-C Special Use Permit to allow a recreation vehicle park and/or campground in an A1 Agriculture District on 3.62 +/- acres, subject to the finding of facts and ordinance related conditions, Mr. Turner seconded. The motion passed unanimously.

IN FAVOR

LOTT	YES
TURNER	YES
PARKS	YES
GALBREATH	YES
LONG	YES

10. DISCUSSION/UPDATES

CHAIR LOTT: Any other business?

MRS. PAGE: Yes on the agenda for discussion/updates, staff received a case and we will have a Board of Adjustment meeting on January 17, 2019.

CHAIR LOTT: Okay.

11. ADJOURNMENT

Mr. Turner made a motion to adjourn, seconded by Mr. Long. The motion passed unanimously. Meeting adjourned at 7:28pm.

IN FAVOR

LOTT	YES
TURNER	YES
PARKS	YES
GALBREATH	YES
LONG	YES

Dena L Smith, Clerk to the Board

George Lott, Chairman

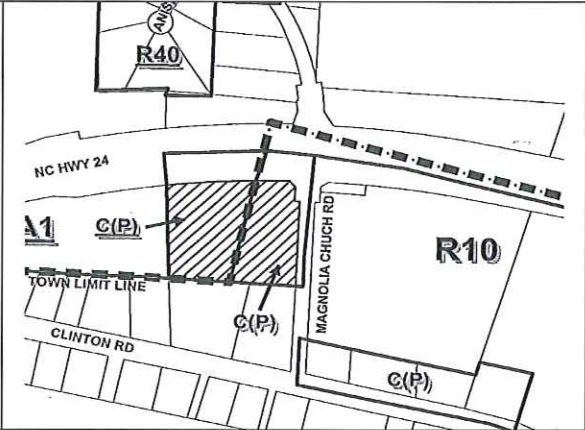
SITE PROFILE: P19-01-C

P19-01-C: CONSIDERATION OF A SPECIAL USE PERMIT TO ALLOW A BILLBOARD IN A C(P) PLANNED COMMERCIAL DISTRICT ON 5.28+/- ACRES, LOCATED SOUTH OF NC HWY 24, WEST OF MAGNOLIA CHURCH ROAD, SUBMITTED BY KEVIN CARROLL AND WESLEY S. CAMPBELL (AGENTS) ON BEHALF OF 4C DEVELOPMENT LLC (OWNER)

Cumberland County Zoning Ordinance Reference: Section 1307 Billboards (Off-Premises Signs) (Pgs. 146-147)

Notes:

1. The applicant is requesting a special use permit for a proposed double-sided 10'x25' monopole billboard in a C(P) commercial planned district
2. The owner has agreed to the attached ordinance related conditions.



<p>INITIAL ZONING A1 – December 17, 2001 (Area 20)</p>	<p>ADJACENT PROPERTY No</p>	<p>NONCONFORMITIES None</p>	<p>WATER/SEWER AVAILABILITY Town of Stedman</p>	<p>SIZE OF PROPERTY</p>
<p>JURISDICTION County</p>	<p>CURRENT USE Vacant</p>	<p>ZONING VIOLATIONS None</p>	<p>SOIL LIMITATIONS Yes Hydric Inclusion Soil: Ly Lynchburg Sandy Loam</p>	<p>Frontage & Location: 483' +/- NC HWY 24 (SR 24) 460' +/- Magnolia Church Rd (SR1843) Depth: 456' +/-</p>
<p>MUNICIPAL INFLUENCE AREA Stedman</p>			<p>WATERSHED No</p> <p>SPECIAL FLOOD HAZARD AREA No</p>	

<p>SURROUNDING ZONING</p> <p>North: (County): R40, A1 East: C(P), R10, C1 South: R10, C(P); (County): A1 West: C1, R10; (County): RR, C(P), A1</p> <p>*All surrounding zoning is in Stedman, unless otherwise noted*</p>	<p>SURROUNDING LAND USE: Subject Property: Vacant Lot</p> <ol style="list-style-type: none"> 1. General Office
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<p>COMPREHENSIVE PLANNING: PIN 0486-91-1594- Stedman Land Use Plan: Suburban Residential 2030 Growth Strategy: Community Grown Areas PIN 0486-91-4541- Stedman Land Use Plan: Suburban Residential 2030 Growth Strategy: Community Grown Areas</p>	<p>TRANSPORTATION PLANNING: The subject property lies on the corner of NC Hwy 24 and Magnolia Church Road. NC Hwy 24 is an existing expressway identified as R-2303, a widening project from SR 1006 (Maxwell Road) to SR 1853 (John Nunnery Road). Right of way acquisition is already complete. Magnolia Church Road is identified as an existing thoroughfare the 2040 Metropolitan Transportation Plan with no constructions/improvements planned.</p>
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OTHER PROPERTY INFO:

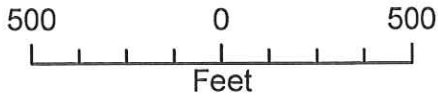
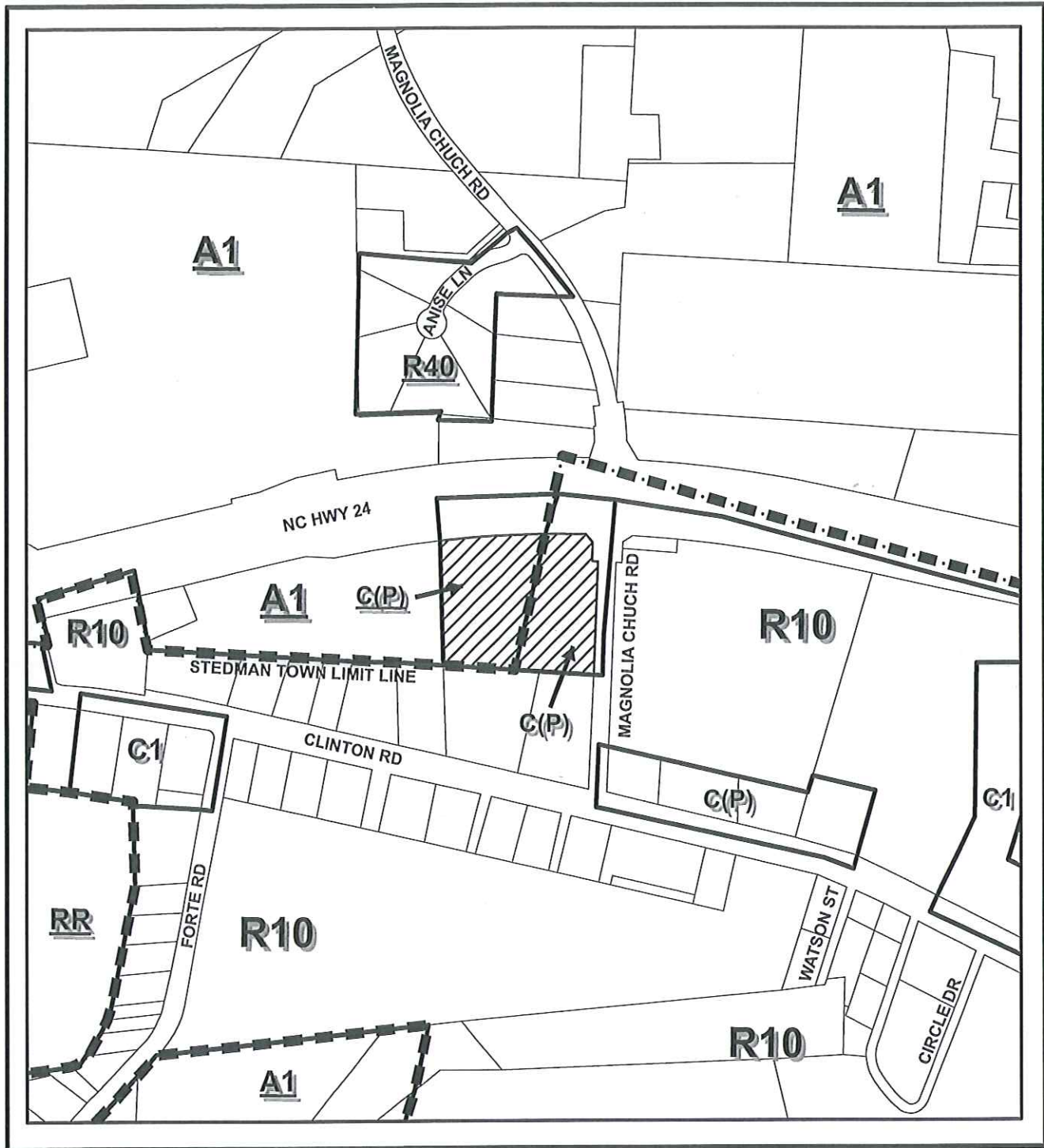
School Capacity/Enrolled: Comment requested, none received
 Subdivision/Site Plan: See Ordinance Related Conditions
 Average Daily Traffic Count: SR 24 (2017) 1,510 and SR 1863 (2017) 500
 US Fish & Wildlife: No comments related to red-cockaded woodpecker recovery efforts

Attached: Sketch Map, Site Plan, Application, Conditions

All documentation required by the ordinance is attached to the application or contained within the case file, and is available for review upon request.

First Class and Record Owners' Mailed Notice Certification

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



BOARD OF ADJUSTMENT SPECIAL USE PERMIT

ACREAGE: 5.28 AC. +/-

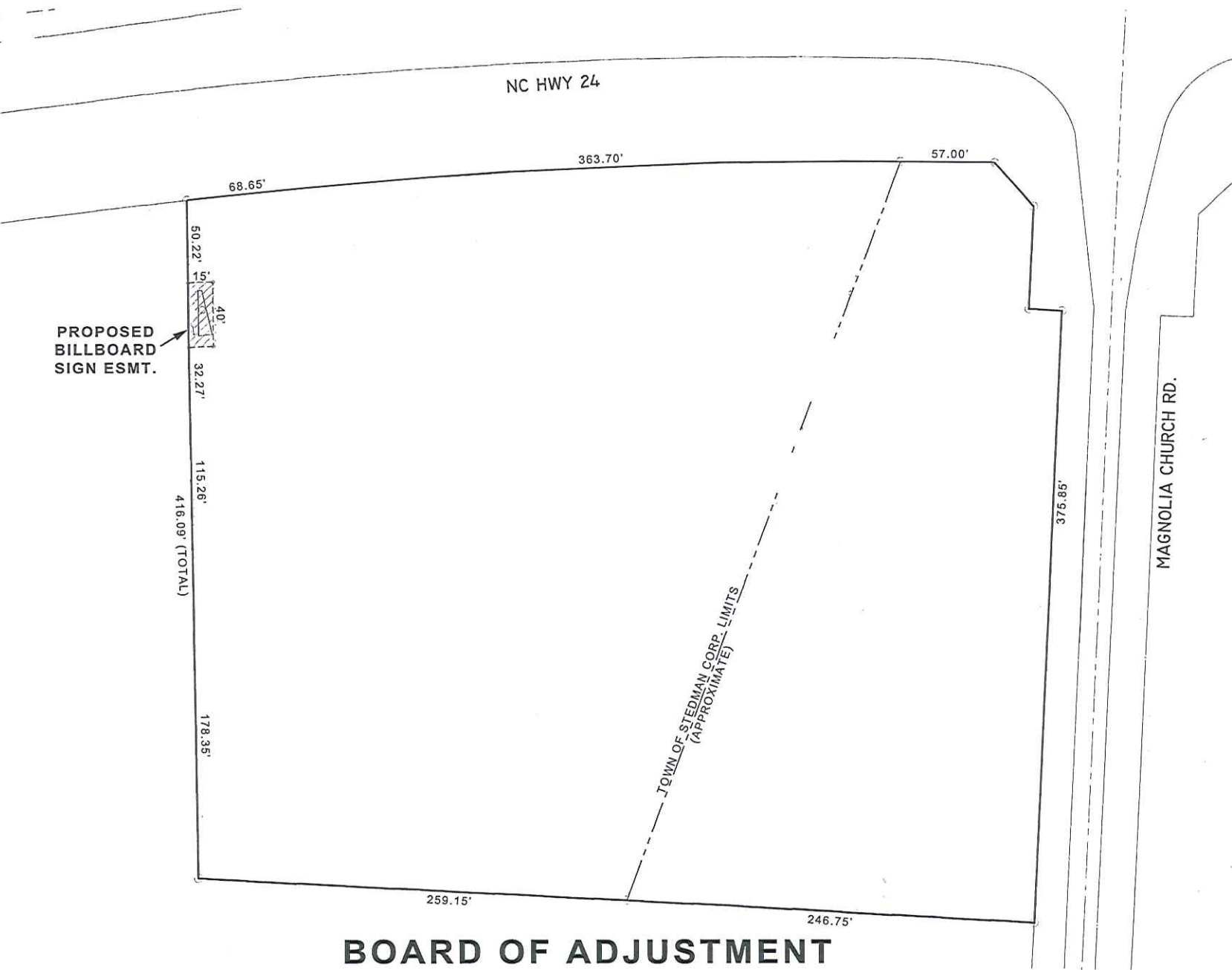
HEARING NO: P19-01-C

ORDINANCE: COUNTY

GOVERNING BOARD

PIN: 0486-91-1594, 4541

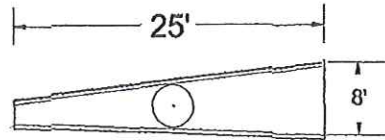
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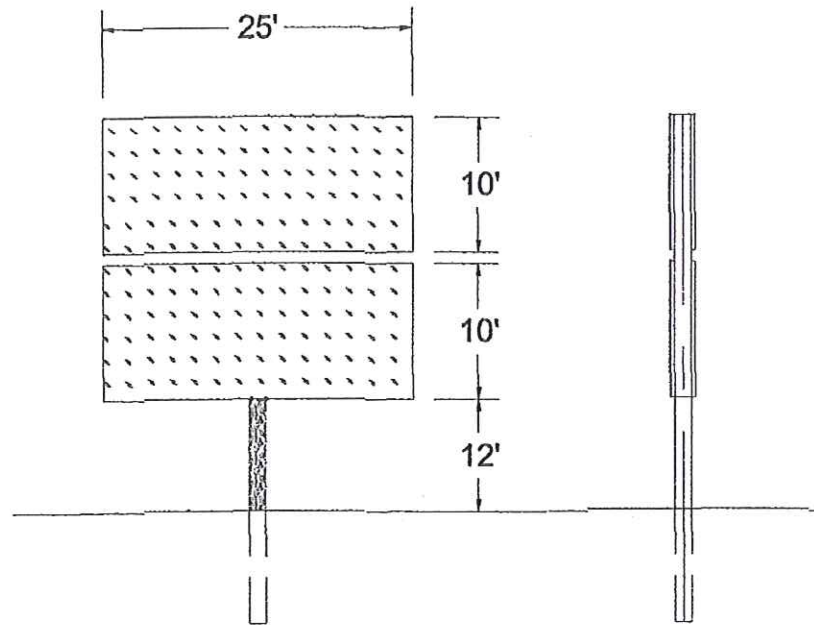
**BOARD OF ADJUSTMENT
SPECIAL USE PERMIT**
REQUEST: TO ALLOW A BILLBOARD IN A C(P)
PLANNED COMMERCIAL DISTRICT
CASE: P19-01-C ACREAGE: 5.28 AC +/-
ZONED: C(P) SCALE: NTS
*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST

P19-01-C

PLAN VIEW



FRONT VIEW



SIDE VIEW



PROPOSED BILLBOARD SIGN LAYOUT

NTS

Proposed Double Stacked 10' x 25' Monopole Billboard

BOARD OF ADJUSTMENT

LOCATION OF PROPERTY: South of NC Hwy 24 West of Magnolia Church Rd

OWNER: 4C Development LLC

ADDRESS: 418 Peanut Rd Elizabethtown ZIP CODE: 28337

TELEPHONE: HOME _____ WORK ^{NC} (910) 862-8423

AGENT: Kevin Carroll

ADDRESS: ^{PO Box 528} 7431 Clinton Rd Stedman NC 28391

TELEPHONE: HOME _____ WORK (910) 990-3974

E-MAIL: wcampbell@campbeloil.net / carrollsga@gmail.com
(owner) (agent)

APPLICATION FOR A SPECIAL USE PERMIT
As required by the Zoning Ordinance

A. Parcel Identification Number (PIN #) of subject property: # 0486-91-1594
(also known as Tax ID Number or Property Tax ID)

B. Acreage: 5.28 ^(AC) Frontage: 350 ft ^(AC) 483 ft Depth: 425 ft

C. Water Provider: None

D. Septage Provider: None

E. Deed Book 10340, Page(s) 0705, Cumberland County Registry. (Attach copy of deed of subject property as it appears in Registry).

F. Existing use of property: Vacant

G. It is proposed that the property will be put to the following use: (Describe proposed use/activity in detail including hours of operation, number of employees, signage, parking, landscaping, etc.)

Billboard

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.

4-C DEVELOPMENT, LLC
NAME OF OWNER(S) (PRINT OR TYPE)

418 PEANUT RD, ELIZABETHTOWN, NC 28337
ADDRESS OF OWNER(S)

wcampbell@campbelloil.net
E-MAIL

910-874-2008
HOME TELEPHONE #

910-862-8423
WORK TELEPHONE #

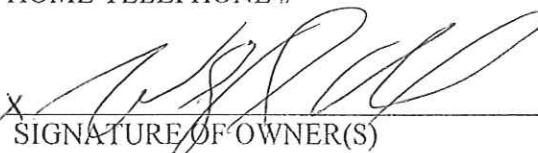
KEVIN CARROLL
NAME OF AGENT, ATTORNEY, APPLICANT (PRINT OR TYPE)

PO Box 528, STEDMAN, NC 28391
ADDRESS OF AGENT, ATTORNEY, APPLICANT

carrollsga@gmail.com
E-MAIL

910-485-3333
HOME TELEPHONE #

910-990-3974
WORK TELEPHONE #

X 
SIGNATURE OF OWNER(S)


SIGNATURE OF AGENT, ATTORNEY
OR APPLICANT

SIGNATURE OF OWNER(S)

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

STATEMENT OF ACKNOWLEDGMENT

Regarding appearance before the Board of Adjustment, 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 argument for and against this matter before them and such relevant facts will be given under sworn testimony;
- At the public hearing the board has the authority to approve, deny, or defer the request for additional information to be provided;
- If the petitioner or their representative for this application does not appear personally before the board, whether there is opposition or not, the board has full authority to consider the case.
- If the board's decision is to deny the matter before them, the aggrieved party shall file a "Notice to Intent to Appeal" with the Planning & Inspections Staff on the next business day following the meeting in which the board's decision was made final, or the next business day following receipt of the written copy thereof.
- Any petition for review by Superior Court shall be file with the Clerk of Superior Court within 30 days after the decision of the board is made final.

Signed acknowledgment that the Planning and Inspections Staff has explained the application process and procedures regarding this request and the public hearing procedure stated above.

SIGNATURE OF OWNER(S) _____



PRINTED NAME OF OWNER(S) 4C DEVELOPMENT, LLC
by WESLEY S. CAMPBELL, MEMBER/MGR.

DATE 11/7/2018

Special Use Permit – Board of Adjustment

DRAFT

Ordinance Related Conditions

*For
Billboard*

Pre- Permit Related:

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

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

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

Permit-Related:

2. The owner/developer(s) of these lots must obtain detailed instructions from the County Code Enforcement Section, Room 101 in the Historic Courthouse at 130 Gillespie Street on provisions of the County Zoning Ordinance and any permits that may be required to place any structure within this development or to commence any use of the subject property. For additional information, the developer should contact a Code Enforcement Officer. (Chpt. 4, County Code & Sec. 107, County Zoning Ord.)
3. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application. [Sec. 4-8(b)(2), County Code]
4. **Driveway Permit Required.** Construction of any new connection or alteration of any existing connection may require an approved Driveway Permit. For additional information contact the NC Department of Transportation's (NCDOT) Division 6/District 2 office.

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

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

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

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

[§ 136-18(29), NCGS]

5. New development where the developer will disturb or intends to disturb more than one acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Department of Energy, Minerals and Land Resources, NC Department of Environmental Quality (DEMLR NCDEQ). If one acre or more of land is to be disturbed, a copy of the State's *Post-Construction Permit* must be provided to County Code Enforcement prior to the issuance of the Certificate of Occupancy. (Note: If any retention/detention basins are required for state

approval of this plan, three copies of a revised plan (and \$25/\$50 revision fee) must be submitted and approved by Planning & Inspections.) (Sec. 2306.D, County Subdivision Ord. & 2006-246, NC Session Law)

6. Prior to application for the Certificate of Occupancy, if water and sewer is needed for this development then connection to public water and sewer is required, the Town of Stedman must approve water and sewer plans. A copy of the Town of Stedman's approval must be provided to Code Enforcement. Contact Sam Powers with PWC for more information. (Section 2306 A, County Subdivision Ord. & Sec. 1403.I, County Zoning Ord.)
7. The building final inspection cannot be accomplished until a Code Enforcement Officer inspects the site and certifies that the site is developed in accordance with the approved plans. (Sec. 107.B, County Zoning Ord.; & Secs. 2005 & 2007 County Subdivision Ord.)

Site-Related:

8. All uses, dimensions, setbacks and other related provisions of the County Subdivision and Development Ordinance, and County Zoning Ordinance for the C(P) Planned Commercial District, zoning district must be complied with, as applicable.
9. Billboards shall not face or be oriented toward any adjoining or abutting residentially-zoned or residentially-used property and shall not be located within 200 feet of a residential zoning district boundary line. (Sec. 1307, County Zoning Ord.)
10. Billboards shall not exceed a sign height of 35 feet. (Sec. 1307, County Zoning Ord.)
11. All billboards are considered as a principal use of property, not accessory, and shall be allowed in the C(P) Planned Commercial District, upon approval of a Special Use Permit (Section 1606), upon approval of the site plan (Article XIV) as a permitted use, provided that the dimensional criteria outlined below is complied with. (Sec. 1307, County Zoning Ord.)
12. All Federal, State, and other local regulations shall be complied with. (Sec. 1307, County Zoning Ord.)
13. Billboards are exempt from the landscaping and buffering provisions of this ordinance. (Sec. 1307, County Zoning Ord.)
14. C(P) Planned Commercial Districts. Billboards constructed and located in this zoning district shall have a maximum sign area of 500 square feet and shall be located at least 50 feet from a street right-of-way line; five feet from any property line not a right-of-way line; 50 feet from any other freestanding sign, building or structure on the same lot; and be a minimum of 500 feet from another billboard. (Sec. 1307, County Zoning Ord.)
15. All corner lots and lots fronting more than one street must provide front yard setbacks from each street. (Secs. 1101. G & 1102.B, County Zoning Ord.)
16. This conditional approval is not approval of any freestanding signs. If a freestanding sign is desired, re-submittal of the site plan is required prior to application for any freestanding sign permits. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XIII of the County Zoning Ordinance and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is **not** approval of the size, shape, or location of any signs.) (Art. XIII, County Zoning Ord.)
17. "Magnolia Church Road" must be labeled as "SR 1843 (Magnolia Church Road)" on all future plans. (Sec. 2203, County Subdivision Ord.)
18. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground. (Section 2306.C, County Subdivision Ord.)
19. 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.
20. The owner/developer is responsible and liable for maintenance and upkeep of this site, all structures, and appurtenances, to include ensuring that the site is kept free of litter and debris, all grass areas mowed, all buffers and shrubbery kept trim and maintained, so that the site remains in a constant state of being aesthetically and environmentally pleasing. (Sec. 1403, County Zoning Ord.)

Advisories:

21. The subject property lies on the corner of NC Hwy 24 and Magnolia Church Road. NC Hwy 24 is an existing expressway identified as R-2303, a widening project from SR 1006 (Maxwell Road) to SR 1853 (John Nunnery Road). Right of way acquisition is already complete. Magnolia Church Road is identified as an existing thoroughfare the 2040 Metropolitan Transportation Plan with no constructions/improvements planned.
22. Water and sewer owned by the Town of Stedman exists approximately 450 feet to the south. The Town of Stedman should be contacted to determine their requirements.
23. The applicant is advised to consult an expert on wetlands before proceeding with any development.
24. Any revision or addition to this plan necessitates re-submission for review and approval prior to the commencement of the change.
25. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
26. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.

Thank you for doing business in Cumberland County!

If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Jeff Barnhill at 910-678-7765 with the Land Use Codes Section; otherwise, contact the appropriate agency at the contact numbers below.

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

Subdivision/Site Plan/Plat	Ed Byrne	678-7609	ebyrne@co.cumberland.nc.us
Code Enforcement (Permits):	Scott Walters	321-6654	swalters@co.cumberland.nc.us
County Building Inspections:	Michael Naylor	321-6657	mnyalo@co.cumberland.nc.us
Fire Marshal – Emergency Services	Kevin Lowther	321-6625	klowther@co.cumberland.nc.us
	Gene Booth	678-7641	wbooth@co.cumberland.nc.us
Town of Stedman:	Christy Horne (Town Clerk)	323-1892	chorne.tos@ncrbiz.com
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	hair@usacr.army.mil
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	leland.cottrell@ncdenr.gov
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	susan_miller@fws.gov
Location Services:			
Site-Specific Address:	Will Phipps	678-7666	wphipps@co.cumberland.nc.us
Street Naming/Signs:	Diane Shelton	678-7665	nameit2@co.cumberland.nc.us
Tax Parcel Numbers:		678-7549	
NCDOT (driveways/curb-cuts):	Troy Baker	364-0601	tlbaker@ncdot.gov
Transportation Planning:	Katrina Evans	678 7614	kevans@co.cumberland.nc.us
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	annette.lucas@ncdenr.gov

cc: Christy Horne, Town of Stedman