

Lori Epler,
Chair
Cumberland County

Roy Turner,
Vice-Chair
Cumberland County

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



COUNTY of CUMBERLAND

Planning and Inspections Department

Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

Donovan McLaurin,
Wade, Falcon, & Godwin

MINUTES

May 18, 2010

Members Present

Mrs. Lori Epler, Chair
Mr. Roy Turner, Vice Chair
Mr. Garland Hostetter
Mr. Benny Pearce
Mr. Walter Clark
Ms. Patricia Hall
Mr. Donovan McLaurin
Mrs. Sara Piland
Mr. Harvey Cain, Jr.

Members Absent

Mr. Charles Morris

Others Present

Mr. Tom Lloyd
Mrs. Laverne Howard
Ms. Donna McFayden
Mr. Rick Moorefield
(County Attorney)
Mr. Marshall Faircloth
(County Commissioner)

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Hall delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

There were none.

III. PUBLIC HEARING DEFERENTIAL/WITHDRAWAL

There were none.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. APPROVAL OF THE MINUTES OF APRIL 20, 2010

Vice-Chair Turner made a motion to accept the minutes as submitted, seconded by Mr. Clark. Unanimous approval.

VI. PUBLIC HEARING CONSENT ITEMS

P10-19: REZONING OF 2.74+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2158 UNICORN DRIVE, SUBMITTED BY RICHARD V. AND LINDA C. GODWIN (OWNERS).

The Planning & Inspections Staff recommends approval of the R40 Residential district for this request based on the following:

1. The district requested is consistent with the 2030 Comprehensive Plan, which calls for “rural area” at this location, as well as meeting the location criteria for rural density residential development as listed in the Land Use Policies Plan;
2. The request will ensure comparable lot sizes with the one acre lots currently recommended for this area; and
3. The request is consistent with the surrounding land use;

There are no other districts considered suitable for this request. (Note: A1A is not suitable because it would make the existing dwelling nonconforming and the applicant intends to setup an additional class “B” manufactured home.)

A motion was made by Vice-Chair Turner, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P10-19 as submitted. Unanimous approval.

PUBLIC HEARING ITEM

P91-118: REVOCATION OF R6A RESIDENTIAL/CU CONDITIONAL USE OVERLAY FOR A JUNK YARD ON 2.08+/- ACRES REVERTING TO THE PREVIOUS ZONING CLASSIFICATION OF R6A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 304 WILKES ROAD, OWNED BY ERNEST H. AND EVELYN BREWINGTON.

Chair Epler swore in Mr. Lloyd.

There were no speakers present to speak in favor or in opposition.

The Planning and Inspections Staff has provided me with sufficient evidence that the property owners of the above referenced property have not ensured all approved conditions and requirements of the Conditional Use Permit have been complied with and therefore I am seeking revocation of the Permit and reversion of the zoning to R6A Residential for the subject property.

On December 16, 1991 the County Board of Commissioners approved a Conditional Use Overlay on the subject property with the approved uses being “automobile junk yard, towing, repair and sales service.” At that time the property was zoned R6A Residential. In conjunction with the overlay, the Commissioners stipulated that the Permit be approved with the following conditions:

1. No more than 25 vehicles to be located on the site at any one time;
2. A fence and buffer be built around the entire site; and
3. The site was to be cleaned up within 120 days.

As of the date of this memorandum, the property is not in compliance with any of the terms and conditions of the Conditional Use Overlay and Permit. In addition, on April 19, 2010 the County Commissioners ordered the “property owners to remove or demolish the structure within 30 days; the Inspector to remove or demolish the dwelling, if the owner fails to do so and impose a lien on the property for the cost of such action.” Since that date, the structure on the subject property has substantially burnt.

On April 22, 2010 I notified the property owners in writing of my intentions to submit for revocation of this Overlay and Permit and to request that the property revert to its previous

zoning classification of R6A Residential. This letter was sent certified mail, return receipt with the receipt being signed for on April 24, 2010. The property owner was also mailed the standard hearing notice for your May 18, 2010 board meeting.

County Zoning Ordinance reference: Section 508, Failure to Comply and Section 509, Validation of Existing Conditional Use Overlays.

Mr. Lloyd stated that staff has spoken with the property owner and he has no objection to taking off the overlay.

A motion was made by Vice-Chair Turner, seconded by Mr. Hostetter, to follow the staff recommendation for revocation of the Conditional Use Overlay, and that the zoning revert to R6A based on the material presented for case P91-118. Unanimous approval.

VII. DISCUSSION

- WORK PROGRAMS

Mr. Lloyd reminded board members that work programs need to be turned in.

- Mr. Lloyd stated that there was a fifth Tuesday in June and we could have a joint meeting with the City. If he is able to find a speaker there will be a meeting, if not than we won't have a meeting.

VIII. FOR YOUR INFORMATION

DIRECTOR'S UPDATE

There was none.

IX. ADJOURNMENT

There being no further business, the meeting adjourned at 7:14 p.m.