

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



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

Planning & Inspections Department

MINUTES
December 19, 2017

Members Present

Mrs. Diane Wheatley, Acting-Chair
Ms. Patricia Hall
Mr. Carl Manning
Mr. Harvey Cain, Jr.
Mr. Stan Crumpler
Dr. Vikki Andrews
Mrs. Jamie McLaughlin
Mrs. Lori Epler

Members Absent

Mr. Charles Morris
Mr. Donovan McLaurin

Others Present

Mr. Thomas Lloyd
Ms. Patricia Speicher
Ms. Annie Melvin
Ms. Dena Smith
Mr. Rick Moorefield
County Attorney

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting – Chair Wheatley delivered the invocation and Ms. Hall led those present in the Pledge of Allegiance.

II. APPROVAL OF / ADJUSTMENTS TO AGENDA

There were no adjustments to the agenda.

Dr. Andrews made a motion, seconded by Mr. Crumpler to approve the agenda as submitted. Unanimous approval.

III. PUBLIC HEARING DEFERRALS

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). STAFF REQUESTED UNTIL JANUARY 16, 2018

Ms. Hall made a motion, seconded by Mrs. McLaughlin to approve the deferral. Unanimous approval.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Lloyd read the policy statement.

VI. APPROVAL OF THE MINUTES OF NOVEMBER 21, 2017

Ms. Hall made a motion, seconded by Mr. Crumpler to approve the minutes as submitted. Unanimous approval.

VII. PUBLIC HEARING CONSENT ITEMS

REZONING CASES

- A. **P17-54.** REZONING OF 2.00+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4259 PERCY BRITTON DRIVE, SUBMITTED BY LAURA MARIE BRITTON (OWNER).

In Case P17-54, the Planning and Inspections Staff recommend to approve the rezoning from A1 Agricultural to R40A Residential and find:

- a. The approval is an amendment to the adopted Eastover Area Land Use Plan (2000) 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 ensure the lot sizes are compatible with the ultimate goal of protecting and preserving the rural character of the area, and the subject property is now located within the Town of Eastover's Municipal Influence Area which was nonexistent in October 2000 when the Land Use Plan was adopted;
- c. And, this rezoning approval is reasonable and in the public interest because the district requested will allow the site to be developed in accordance with similar approvals in the area.

In Case P17-54 Mrs. Epler made a motion, seconded by Mrs. McLaughlin to approve the rezoning from A1 Agricultural to R40A Residential and find: a. The approval is an amendment to the adopted Eastover Area Land Use Plan (2000) 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 ensure the lot sizes are compatible with the ultimate goal of protecting and preserving the rural character of the area, and the subject property is now located within the Town of Eastover's Municipal Influence Area which was nonexistent in October 2000 when the Land Use Plan was adopted; c. And, this rezoning approval is reasonable and in the public interest because the district requested will allow the site to be developed in accordance with similar approvals in the area.

CONDITIONAL ZONING CASE

- B. **P17-53.** REZONING OF 1.18+/- ACRES FROM R15 RESIDENTIAL TO O&I(P) PLANNED OFFICE & INSTITUTIONAL/CZ CONDITIONAL ZONING FOR A GENERAL OFFICE OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 4064 DUNN ROAD, SUBMITTED BY GLORIA CRAWFORD SEALEY & THEODORE C. SEALEY (OWNERS). (EASTOVER)

In Case P17-53, the Planning and Inspections Staff recommend to approve the rezoning from R15 Residential to O&I(P) Planned Office and Institutional/CZ Conditional Zoning for a general office and find:

- a. The approval is an amendment to the adopted Eastover Land Use Plan (2000) 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 Eastover Land Use Plan (2000) was adopted prior to Eastover's incorporation (2007) and the town's adoption of the Commercial Core Overlay District (2012), and public water and sewer are now available to the subject property;

- c. And, this rezoning approval is reasonable and in the public interest because the district requested will allow the site to be developed in accordance with the Commercial Core Overlay District standards.

The property owner has agreed to the Ordinance Related Conditions.

In Case P17-53 Mrs. Epler made a motion, seconded by Mrs. McLaughlin to approve the rezoning from R15 Residential to O&I(P) Planned Office and Institutional/CZ Conditional Zoning for a general office and find: a. The approval is an amendment to the adopted Eastover Land Use Plan (2000) 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 Eastover Land Use Plan (2000) was adopted prior to Eastover's incorporation (2007) and the town's adoption of the Commercial Core Overlay District (2012), and public water and sewer are now available to the subject property; c. And, this rezoning approval is reasonable and in the public interest because the district requested will allow the site to be developed in accordance with the Commercial Core Overlay District standards.

VIII. PUBLIC HEARING CONTESTED ITEMS

REZONING CASE

- C. **P17-52. REZONING OF .40+/- ACRES FROM RR RURAL RESIDENTIAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF US HWY 301 SOUTH & SR 2243 (ROSLIN FARM ROAD), SUBMITTED BY IBRAHIM ALSAIDI ON BEHALF OF PIT STOP 301 EXPRESS LLC (OWNER).**

In Case P17-52, the Planning and Inspections Staff recommends to deny the rezoning from RR Rural Residential to C(P) Planned Commercial and find it is not consistent with the adopted Southwest Cumberland Land Use Plan which calls for "farmland" at this location; and further find that denial of the rezoning is reasonable and in the public interest because the subject property lacks access to public water and sewer and is not a tract of sufficient size to accommodate vehicular and pedestrian traffic as well as buffering and landscaping.

Mr. Lloyd presented the case information.

Acting Chair Wheatley opened the public hearing.

There was no one signed up to speak in favor or in opposition.

The public hearing was closed.

Mrs. Epler read Mr. Alsaidi's testimony from the minutes of the April 18, 2017 meeting where he stated that his family purchased the subject property to avoid the problem of any more businesses in the area that could bring problems like crime and disturb the quality of life.

In Case P17-52 Mrs. Epler made a motion, seconded by Dr. Andrews to deny the rezoning from RR Rural Residential to C(P) Planned Commercial and find it is not consistent with the adopted Southwest Cumberland Land Use Plan which calls for "farmland" at this location; and further find that denial of the rezoning is reasonable and in the public interest because the subject property lacks access to public water and sewer and is not a tract of sufficient size to accommodate vehicular and pedestrian traffic as well as buffering and landscaping.

IX. DISCUSSION

- Mr. Lloyd wished everyone a Merry Christmas.
- Mrs. Epler will do the prayer and pledge at the January meeting.

X. ADJOURNMENT

There being no further business, the meeting adjourned at 8:08 pm.