

**THE ERWIN BOARD OF COMMISSIONERS
OCTOBER 2021 REGULAR MEETING
THURSDAY, OCTOBER 7, 2021 @ 7:00 P.M.
ERWIN MUNICIPAL BUILDING BOARD ROOM**

AGENDA

1. **MEETING CALLED TO ORDER**
 - A. Invocation
 - B. Pledge of Allegiance
2. **AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**
3. **CONSENT**

All items on Consent Agendas are considered routine, to be enacted on one motion without discussion. If a Board member or citizen requests discussion of an item, the item will be removed from the Consent Agenda and considered under New Business.

 - A. Minutes of Regular Meeting on September 2, 2021 (**Page 2**)
 - B. Financial Report for August 2021 (**Page 6**)
 - C. Erwin Depot
4. **PUBLIC COMMENT**

Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 15 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on the subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff, and other speakers. §160A-81.1
5. **PRESENTATION OF OCTOBER CITIZEN OF THE MONTH**
6. **PUBLIC HEARING**
 - A. SU-2021-002 (**Page 8**)
 - B. SU-2021-003 (**Page 27**)
 - C. SU-2021-004 (**Page 49**)
 - D. ~~SU-2021-005 (Page 65)~~
 - E. ZT-2021-006 (**Page 82**)
7. **OLD BUSINESS**
 - A. ~~Erwin Depot (Page 97)~~
8. **NEW BUSINESS**
 - A. 2021-2022 Street Resurfacing Recommendations (**Page 98**)
9. **CLOSED SESSION**
 - A. Pursuant to General Statute 143-318.11(a) (6) for the Purpose of Discussing Personnel
 - B. Pursuant to General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege
10. **MANAGER'S REPORT**
11. **ATTORNEY'S REPORT**
12. **GOVERNING BODY COMMENTS**
13. **ADJOURNMENT**

ERWIN BOARD OF COMMISSIONERS**REGULAR MINUTES****OCTOBER 7, 2021****ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, October 7, 2021, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were: Mayor Patsy Carson, Mayor Pro Tem Randy Baker, and Commissioners William Turnage, Ricky Blackmon, Alvester McKoy, Thurman Whitman, and Melinda Alvarado.

Town Manager Snow Bowden, Town Clerk Lauren Evans, Town Attorney Tim Morris, and Town Engineer Bill Dreitzler were present.

Pastor of First Baptist Church, Rev. Thomas Greene, gave the invocation.

Town Clerk Lauren Evans led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to remove Special Use Application SU-2021-005 from the agenda on the grounds that the applicant asked her application to be withdrawn without prejudice.

Mayor Pro Tem Baker offered an adjustment to place Item 7A Erwin Depot under consent for the scheduled Workshop.

Commissioner Blackmon made a motion to approve the adjusted agenda and was seconded by Commissioner Turnage. **The Board voted unanimously.**

CONSENT

Commissioner McKoy made a motion to approve **(ITEM A)** Minutes of Regular Meeting on September 2, 2021 **(ITEM B)** Financial Report for August 2021 **(ITEM C)** Erwin Depot Scheduled for October Workshop and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Town Of Erwin
 Financial Summary Report
 YTD Comparison of August FY 2020 & FY 2021



	YTD	YTD	YTD
	August 2021	August 2020	DIFFERENCE
Revenues			
CURRENT YEAR LEVY OF PROPERTY TAXES	4,449.00	4,651.00	(102.00)
CURRENT YEAR MOTOR VEHICLE TAXES	17,257.00	0.00	17,257.00
FRONT YR TAXES / Permits & Interest	4,790.00	4,271.00	489.00
ENTRANCE FRANCHISE TAXES	880.00	835.00	25.00
ENTRY FEES	4,325.00	0.00	4,325.00
SALES & LICENSE TAX	71,518.00	120,331.00	(48,416.00)
ZONING PERMITS/APPLICATIONS	1,200.00	1,480.00	(280.00)
REFUSE COLLECTION FEES	40,050.00	60,025.00	(19,976.00)
STORM WATER COLLECTION	5,228.00	9,434.00	(4,206.00)
ALL OTHER REVENUES	25,891.00	73,579.00	(47,688.00)
	\$ 175,735.00	\$ 274,477.00	(98,742.00)
Expenditures			
GOVERNING BODY	1,832.00	3,578.00	(1,746.00)
ADMINISTRATION	19,275.00	43,573.00	(24,298.00)
NON-DEPARTMENTAL	56,392.00	118,779.00	(62,387.00)
PLANNING & INSPECTIONS	8,459.00	11,437.00	(2,978.00)
POWELL HILLS STREETS	1,000.00	2,000.00	(1,000.00)
POLICE	62,341.00	104,420.00	(42,079.00)
POLICE-CR	5,188.00	17,287.00	(12,109.00)
CONTRACT SERVICES-FIRE	4,887.00	0.00	4,887.00
PUBLIC WORKS-ACTUAL	9,940.00	13,155.00	(3,215.00)
PUBLIC WORKS-EQUIPMENT	27,706.00	29,472.00	(1,766.00)
PUBLIC WORKS-MAINTENANCE	42,638.00	30,148.00	12,490.00
PUBLIC WORKS-STORM WATER	0.00	0.00	0.00
RECREATION	40,029.00	31,943.00	8,086.00
LIBRARY	6,957.00	7,971.00	(1,014.00)
COMMUNITY CENTER	349.00	610.00	(261.00)
	\$ 286,912.00	\$ 414,484.00	(128,471.00)

	YTD	YTD	YTD
	August 2021	August 2020	August 2020
BANK ACCOUNT BALANCES			
CASH MANAGEMENT	1,987,203.61	1,308,795.57	1,308,795.57
BBAT CASH IN BANK	111,076.38	35,887.99	35,887.99
FIRST FEDERAL BUSINESS MONEY MARKET	884,777.71	136,191.77	136,191.77
FIRST FEDERAL MONEY MARKET	136,891.42	855,185.66	855,185.66
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	\$ 3,072,382.13	\$ 2,336,040.99	\$ 2,336,040.99
BBAT STATE FORTIFURE	4,246.84	3,691.32	3,691.32
BB & T CAPITAL RESERVE/ECONOM. ENHANCEMENT	184,078.81	167,564.75	167,564.75
FIRST FEDERAL CAP. RESERVE/GENERAL	2,346,898.42	2,344,991.76	2,344,991.76
BBAT HEALTH RESERVE HRA ACCT.	17,189.42	12,923.80	12,923.80
PERRIS FIELD ACCT.	11,241.44	8,297.94	8,297.94
AL WOODBALL PARK IMPROVEMENTS American Ballfield Fund	346,400.85	289,276.46	289,276.46
Y-T-D BALANCE RESTRICTED FUNDS	\$ 3,746,909.59	\$ 2,836,746.03	\$ 2,836,746.03
CUMULATIVE BALANCE FOR TOWN OF ERWIN	\$ 6,819,165.72	\$ 5,162,787.02	\$ 5,162,787.02

TOWN OF ERWIN
 FINANCIAL SUMMARY REPORT
 FOR MONTH OF AUGUST 2021



FRONT MOUNTAIN RESORT

REVENUES		ANNUAL BUDGET	AUGUST 2021 ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,103,858.00	4,449.00	17,267.00	4,449.00	0.40%
CURRENT YEAR MOTOR VEHICLE TAXES	175,470.00	4,780.00	33,782.00	17,267.00	9.83%
PROR YEAR TAXES / Penalties & Interest	10,000.00	850.00	6,000.00	33,782.00	337.82%
UTILITIES FRANCHISE TAXES	190,000.00	4,326.00	71,916.00	850.00	0.45%
ENTRY FEES	19,000.00	1,200.00	2,840.00	6,000.00	31.64%
SALES & USE TAX	700,000.00	40,050.00	5,228.00	145,717.00	20.82%
ZONING PERMITS/APPLICATIONS	8,000.00	89,939.00	26,691.00	60,014.00	8.61%
REFUSE COLLECTIONS FEES	410,258.00	897,942.00	175,735.00	360,486.00	10.66%
STORM WATER COLLECTION	89,939.00	3,383,554.00	175,735.00	360,486.00	10.66%
ALL OTHER REVENUES	897,942.00	26,691.00	60,014.00	897,942.00	8.61%
		3,383,554.00	175,735.00	360,486.00	10.66%
EXPENDITURES					
GOVERNING BODY	47,945.00	1,832.00	3,808.00	47,945.00	7.55%
ADMINISTRATION	253,395.00	19,275.00	40,426.00	253,395.00	16.36%
NON-DEPARTMENTAL	279,315.00	56,392.00	168,376.00	279,315.00	60.29%
PLANNING & INSPECTIONS	77,369.00	8,489.00	8,837.00	77,369.00	11.42%
POWELL BILL-STREETS	157,000.00	1,000.00	3,000.00	157,000.00	1.91%
POLICE	964,020.00	62,341.00	129,853.00	964,020.00	13.48%
POLICE-SRO	64,030.00	5,188.00	10,758.00	64,030.00	16.80%
CONTRACT SERVICES-FIRE	238,507.00	4,857.00	10,091.00	238,507.00	4.23%
PUBLIC WORKS-ADMIN.	109,004.00	9,940.00	19,633.00	109,004.00	17.92%
PUBLIC WORKS-STREETS	396,394.00	27,708.00	53,076.00	396,394.00	13.37%
PUBLIC WORKS-MAINTENANCE	345,343.00	42,638.00	44,519.00	345,343.00	12.89%
PUBLIC WORKS-STORM WATER	15,000.00	0.00	3,549.00	15,000.00	23.66%
RECREATION	349,119.00	40,029.00	64,249.00	349,119.00	18.40%
LIBRARY	69,405.00	5,967.00	11,422.00	69,405.00	16.46%
COMMUNITY CENTER	7,300.00	349.00	615.00	7,300.00	8.42%
	3,383,554.00	286,013.00	671,712.00	3,383,554.00	16.90%
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		(110,278.00)		(110,278.00)	(211,226.00)

BANK BALANCES AS OF August 2021		
CASH MANAGEMENT		1,987,203.61
BBAT CASH IN BANK		111,870.30
FIRST FEDERAL BUSINESS MONEY MARKET		658,177.71
FIRST FEDERAL MONEY MARKET		138,691.42
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS		3,072,362.13
BBAT STATE FORESTURE		4,246.64
BB & T CAPITAL RESERVE/COMM. ENHANCEMENT		193,370.81
FIRST FEDERAL CAP. RESERVE/GENERAL		2,349,088.42
BBAT HEALTH RESERVE HRA ACCT.		17,180.42
PRUEBE FIELD ACCT.		11,249.44
AL WOODDALL PARK IMPROVEMENTS		349,440.85
American Relief Funds		851,802.01
Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS		3,746,803.59
CUMULATIVE BALANCE FOR TOWN OF ERWIN		6,819,165.72

POWELL BILL BALANCE
\$292,692.57

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: Erwin Depot

At our regularly scheduled September Town Board workshop meeting we decided to discuss the next steps for the Erwin Depot at a workshop meeting. The Town already has construction drawn plans and estimates that were prepared by the Becker Morgan Group. In March 2020 Rick Collins and Julianne Harrelson presented the drawings and estimates for the renovation of the old depot building. The estimated cost of the project at the time was \$856,609. In the proposed estimates the costs to fix the existing Depot are \$308,004. The \$308,004 estimate does not include the ticket booth renovation.

Construction costs have increased since March 2020. From what I have been told by other contractors there are issues with even getting construction materials to complete the project. There have been increases from 5% up to 15% in construction costs since this presentation back in March 2020. We also need to factor in additional costs that come with a new building such as operating costs (heating and cooling the building and insurance). These operating costs will be a cost that will have to be paid annually.

Attachments:

- Proposed expenses for the Depot project

Action Recommended:

- Schedule a workshop session to discuss the Erwin Depot (pick a date)
 - At our regularly scheduled October workshop meeting which would be Monday, October 25th at 6 PM?
 - Another day and time?

MINUTES CONTINUED FROM OCTOBER 7, 2021

PUBLIC COMMENT

Joey Powell of 600 East E Street came forward and addressed the Board. He thanked the Board for all they do on the behalf of Erwin. He asked the Board to consider funding the Erwin Depot. He felt it could be a great landmark for our Town and have huge benefits. They need the room for their museum, the Historical Artifacts are growing they need somewhere to put them. The Depot could be a showplace and attract visitors.

Si Harrington III of 503 South 11th Street came forward and addressed the Board. He thanked the Board, Police, Fire Department, and staff for all they do for the Town of Erwin. He provided the Board with photographs of the Depot before moving it and now with the leaking roof. He explained the history of the Depot and expressed the urgency of saving the Depot. If we preserve and save to Depot it will show the surrounding Towns that we are proud of our Town and of those who came before us. The benefit of the Depot is that it can provide a larger space for the Chamber of Commerce and the home of the History Museum telling Erwin's story.

Sarah Beitar of 104 1st Street came forward and addressed the Board. She presented the Board a petition with 108 signatures to save the Depot. She asked the Board to consider funding the project. The people deserve to have their history preserved and the longer we wait, the more money it will cost the Town.

PRESENTATION OF CITIZEN OF THE MONTH

James Cooper of 708 East H Street was recognized as the October 2021 Citizen of the Month. Mayor Patsy Carson presented him with a Proclamation Plaque.

PUBLIC COMMENT CONTINUED

Lamar Tart of 716 W J Street came forward and expressed his anger towards the Board for not saving the Depot. He stated the Depot of very important to the Community, it is part of our heritage. He also stated the stop signs all over Town are ridiculous, it is Tax Payers' money going to waste.

PUBLIC HEARING

SU-2021-002

Commissioner McKoy made a motion to open the Public Hearing and was seconded by Commissioner Turnage. **The Board voted unanimously.**

October 7, 2021

NAME	ADDRESS
Joey Powell	600 EAST E ST, Erwin
Si Harrington III	503 S 11 th St Erwin, N.C.
Sarah Beitar	104 1st Street, Erwin, NC
BILLY GLOVER	406 E JACKSON BLVD ERWIN NC

Cathy McLamb Gibson	Erwin	NC	28339	US	2021-09-28
Carolyn Family	Carthage	NC	28327	US	2021-09-28
Bobby Weaver	Carthage	NC	28327	US	2021-09-28
Gay Wilson	Sanford	NC	27330	US	2021-09-28
Robert Morrison	Dunn	NC	28334	US	2021-09-29
Earl Price Jr	Ludowici	GA	31316	US	2021-09-29
Jane Cade	Dunn	NC	28334	US	2021-09-29
Kimberly Mason	Benson	NC	27504	US	2021-09-29
June Royals	Charlotte	NC	28215	US	2021-09-29
katelyn lucas	Carthage	NC	28327	US	2021-09-29
Danny Marbell Jr	Raleigh	NC	27613	US	2021-09-29
Lynda Bennett	Raleigh	NC	27609	US	2021-09-29
Lisa Johnson	Fuquay Varina	NC	27526	US	2021-09-29
Deborah Jones	Creedmoor	NC	27522	US	2021-09-29
Johnny Fowler	Angier	NC	27501	US	2021-09-29
Leah Glover	Erwin	NC	28339	US	2021-09-29
Catherine Addison	Erwinj	NC	28339	US	2021-09-30
Hope Thompson	Moncure	NC	27559	US	2021-09-30
Jonathan Dillard	Cleveland	TN	37312	US	2021-09-30
Terry Giles	Linden	NC	28356	US	2021-09-30
Deborah Boslack	Charlotte	NC	28216	US	2021-09-30
Leah Hoyt	New Orleans	LA	70119	US	2021-09-30
Phylis Weeks	Dunn	NC	28334	US	2021-09-30
Tonia Maynor	Coats	NC	27521	US	2021-09-30
Kait Stevens	Seattle		98121	US	2021-09-30
August Stoddard	Dunn	NC	28334	US	2021-09-30
Joneil Hosford	Erwin	NC	28339	US	2021-10-01
Erica Smith	Niles		44446	US	2021-10-01
Stacey Walsh	Erwin	NC	28339	US	2021-10-01
Scott West	Sanford	NC	27330	US	2021-10-01
Allyna Reynolds	Irmo	SC	29063	US	2021-10-01
Desi Campbell	Lillington	NC	27546	US	2021-10-01
Jeanett Velasco	Montebello		90640	US	2021-10-01
Scott sauce	Concord		28025	US	2021-10-02
Tara Wilson	San Diego	CA	92128	US	2021-10-02
Lisa Hunt	Erwin	NC	28339	US	2021-10-02
Jim Hartman				Jr Sanford NC	27330 US 2021-10-02
Keith Pollard	Autryville	NC	28318	US	2021-10-02
Tashia Collis	Gideon		63848	US	2021-10-02

ypName	City	State	Postal Code	Country	Signed On
Sarah Beitar	Erwin	NC	US 2021-09-28		
Karen Beitar	Erwin	NC	28339 US	2021-09-28	
Brenda Beasley	Charlotte	NC	28269 US	2021-09-28	
Edward Elley	Richlands	NC	28574 US	2021-09-28	
Trudeau Turner Nichols	Kenly	NC	27542 US	2021-09-28	
Ken Allen	Bumpass	VA	23024 US	2021-09-28	
Kaden Strickland	Erwin	NC	28339 US	2021-09-28	
Michele Lee	Erwin	NC	28339 US	2021-09-28	
April Grady	Erwin	NC	28339 US	2021-09-28	
Martha Lyon	Erwin	NC	28339 US	2021-09-28	
LTC (Ret.) Sion H. Harrington III	Erwin	NC	28339 US	2021-09-28	
Aaron Edmonds	Lillington	NC	27546 US	2021-09-28	
Woody & Mary Woodall	Durham	NC	27704 US	2021-09-28	
Hazel Inglis	Erwin	NC	28339 US	2021-09-28	
David Norris	Erwin	NC	28339 US	2021-09-28	
Susan Raynor	Myrtle Beach	SC	29572 US	2021-09-28	
Helen Harrington	Cameron	NC	28326 US	2021-09-28	
Paula Day	Fuquay Varina	NC	27526 US	2021-09-28	
Heather Harrington-Perry	Clarksville	TN	37040 US	2021-09-28	
Catherine Taylor	Erwin	NC	28339 US	2021-09-28	
Jeffrey Perry	Clarksville	TN	37043 US	2021-09-28	
Jane Ray	Angier	NC	27501 US	2021-09-28	
Dennis Thornton	Dunedin	FL	34698 US	2021-09-28	
Ron Davis	Erwin	NC	28339 US	2021-09-28	
Mary McVicker	Raleigh	NC	27607 US	2021-09-28	
Tara Smith	Raleigh	NC	27604 US	2021-09-28	
Brent Stroud	Raleigh	NC	27606 US	2021-09-28	
Carla Crews	Chapel Hill	NC	27514 US	2021-09-28	
Jerri Collins	Cary	NC	27519 US	2021-09-28	
Mary pope	Erwin	NC	28339 US	2021-09-28	
Maddison Thornton	Dunn	NC	28334 US	2021-09-28	
Cyrus Carter	Dunn	NC	28334 US	2021-09-28	
JON INWOOD	Brooklyn	NY	11230 US	2021-09-28	
Franco Carlo	NY	US	2021-09-28		
Aaron Meredith	Dunn	NC	28334 US	2021-09-28	
Jamie Thompson	Durham	NC	27704 US	2021-09-28	
Linda Avery	Erwin	NC	28339 US	2021-09-28	

Sheryl Dale	Bowie	MD	20715	US	2021-10-02
Collin Gleason	Kyle		78640	US	2021-10-03
Toby Johnson	Anderson		29621	US	2021-10-03
Jennifer Kravetz	Phoenix		85023	US	2021-10-03
Fran Swartz	Clarksville	TN	37043	US	2021-10-04
Ron Miriello	Sanford	NC	27332	US	2021-10-05
John Hairr	Charlotte	NC	28269	US	2021-10-05
juli denning	Dunn	NC	28334	US	2021-10-05
Andrew Duppstadt	Kinston	NC	28504	US	2021-10-05
Larry Odzak	Durham	NC	27707	US	2021-10-05
Will Murray	Wallace	NC	28466	US	2021-10-05
Francis Hale III	Raleigh	NC	27607	US	2021-10-05
WILLIAM WILBOURNE	Cheyenne	WY	82009	US	2021-10-05
Tim Hair	Fayetteville	NC	28306	US	2021-10-05
Mary jacobs	Twin Falls		83301	US	2021-10-05
Al Woodall	New Canaan	CT	06840	US	2021-10-05
Jeff Davis	Erwin	NC	28339	US	2021-10-05
Andy Sterlen	Wake Forest	NC	27587	US	2021-10-06
Niels Hansen	Charlotte	NC	28310	US	2021-10-06
Leisa Greathouse	Fayetteville	NC	28304	US	2021-10-06
Tom Belton	Apex	NC	27502	US	2021-10-06
Thomas McDonald	WINSTON SALEM	NC	27127	US	2021-10-06
Dwight West	Burlington	NC	27215	US	2021-10-06
Jim Wade	Dunn	NC	28334	US	2021-10-06
Adrienne Berney	Raleigh	NC	27699-4614	US	2021-10-06
Brenda Wood	Myrtle Beach	SC	29588	US	2021-10-06
Ashleigh Snyder	Mill Creek		46365	US	2021-10-06
Randy Flanery	Colorado Springs		80920	US	2021-10-06
Janae Rea	East Los angles		90022	US	2021-10-06
Alex Beck	Indianapolis		46241	US	2021-10-07
Lyman Biakeddy	Lukachukai		86507	US	2021-10-07

Cathy McLamb Gibson	Erwin	NC	28339	US	2021-09-28	
Carolyn Family	Carthage	NC	28327	US	2021-09-28	/
Bobby Weaver	Carthage	NC	28327	US	2021-09-28	/
Gay Wilson	Sanford	NC	27330	US	2021-09-28	/
Robert Morrison	Dunn	NC	28334	US	2021-09-29	
Earl Price Jr	Ludowici	GA	31316	US	2021-09-29	/
Jane Cade	Dunn	NC	28334	US	2021-09-29	
Kimberly Mason	Benson	NC	27504	US	2021-09-29	
June Royals	Charlotte	NC	28215	US	2021-09-29	/
katelyn lucas	Carthage	NC	28327	US	2021-09-29	/
Danny Marbell Jr	Raleigh	NC	27613	US	2021-09-29	/
Lynda Bennett	Raleigh	NC	27609	US	2021-09-29	/
Lisa Johnson	Fuquay Varina	NC	27526	US	2021-09-29	/
Deborah Jones	Creedmoor	NC	27522	US	2021-09-29	/
Johnny Fowler	Angier	NC	27501	US	2021-09-29	/
Leah Glover	Erwin	NC	28339	US	2021-09-29	
Catherine Addison	Erwinj	NC	28339	US	2021-09-30	
Hope Thompson	Moncure	NC	27559	US	2021-09-30	/
Jonathan Dillard	Cleveland	TN	37312	US	2021-09-30	/
Terry Giles	Linden	NC	28356	US	2021-09-30	
Deborah Bosiack	Charlotte	NC	28216	US	2021-09-30	
Leah Hoyt	New Orleans	LA	70119	US	2021-09-30	/
Phylis Weeks	Dunn	NC	28334	US	2021-09-30	
Tonia Maynor	Coats	NC	27521	US	2021-09-30	
Kait Stevens	Seattle		98121	US	2021-09-30	/
August Stoddard	Dunn	NC	28334	US	2021-09-30	
Jonnell Hosford	Erwin	NC	28339	US	2021-10-01	
Erica Smith	Niles		44446	US	2021-10-01	/
Stacey Walsh	Erwin	NC	28339	US	2021-10-01	
Scott West	Sanford	NC	27330	US	2021-10-01	
Allyna Reynolds	Irmo	SC	29063	US	2021-10-01	
Desi Campbell	Lillington	NC	27546	US	2021-10-01	
Jeanett Velasco	Montebello		90640	US	2021-10-01	
Scott sauce	Concord		28025	US	2021-10-02	
Tara Wilson	San Diego	CA	92128	US	2021-10-02	
Lisa Hunt	Erwin	NC	28339	US	2021-10-02	
Jim Hartman						Jr Sanford NC 27330 US 2021-10-02
Keith Pollard	Autryville	NC	28318	US	2021-10-02	
Tashia Collis	Gideon		63848	US	2021-10-02	

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Sarah Beltar	Erwin	NC	US 2021-09-28		
Karen Beltar	Erwin	NC	28339 US 2021-09-28		
Brenda Beasley	Charlotte	NC	28269 US 2021-09-28		
Edward Elley	Richlands	NC	28574 US 2021-09-28		
Trudeau Turner Nichols	Kenly	NC	27542 US 2021-09-28		
Ken Allen	Bumpass	VA	23024 US 2021-09-28		
Kaden Strickland	Erwin	NC	28339 US 2021-09-28		
Michele Lee	Erwin	NC	28339 US 2021-09-28		
April Grady	Erwin	NC	28339 US 2021-09-28		
Martha Lyon	Erwin	NC	28339 US 2021-09-28		
LTC (Ret.) Sion H. Harrington III	Erwin	NC	28339 US 2021-09-28		
Aaron Edmonds	Lillington	NC	27546 US 2021-09-28		
Woody & Mary Woodall	Durham	NC	27704 US 2021-09-28		
Hazel Inglis	Erwin	NC	28339 US 2021-09-28		
David Norris	Erwin	NC	28339 US 2021-09-28		
Susan Raynor	Myrtle Beach	SC	29572 US 2021-09-28		
Helen Harrington	Cameron	NC	28326 US 2021-09-28		
Paula Day	Fuquay Varina	NC	27526 US 2021-09-28		
Heather Harrington-Perry	Clarksville	TN	37040 US 2021-09-28		
Catherine Taylor	Erwin	NC	28339 US 2021-09-28		
Jeffrey Perry	Clarksville	TN	37043 US 2021-09-28		
Jane Ray	Angier	NC	27501 US 2021-09-28		
Dennis Thornton	Dunedin	FL	34698 US 2021-09-28		
Ron Davis	Erwin	NC	28339 US 2021-09-28		
Mary McVicker	Raleigh	NC	27607 US 2021-09-28		
Tara Smith	Raleigh	NC	27604 US 2021-09-28		
Brent Stroud	Raleigh	NC	27606 US 2021-09-28		
Carla Crews	Chapel Hill	NC	27514 US 2021-09-28		
Jerri Collins	Cary	NC	27519 US 2021-09-28		
Mary pope	Erwin	NC	28339 US 2021-09-28		
Maddison Thornton	Dunn	NC	28334 US 2021-09-28		
Cyrus Carter	Dunn	NC	28334 US 2021-09-28		
JON INWOOD	Brooklyn	NY	11230 US 2021-09-28		
Franco Carlo	NY	US	2021-09-28		
Aaron Meredith	Dunn	NC	28334 US 2021-09-28		
Jamie Thompson	Durham	NC	27704 US 2021-09-28		
Linda Avery	Erwin	NC	28339 US 2021-09-28		

Sheryl Dale	Bowie	MD	20715	US	2021-10-02
Collin Gleason	Kyle		78640	US	2021-10-03
Toby Johnson	Anderson		29621	US	2021-10-03
Jennifer Kravetz	Phoenix		85023	US	2021-10-03
Fran Swartz	Clarksville	TN	37043	US	2021-10-04
Ron Miriello	Sanford	NC	27332	US	2021-10-05
John Hairr	Charlotte	NC	28269	US	2021-10-05
juli denning	Dunn	NC	28334	US	2021-10-05
Andrew Duppsstadt	Kinston	NC	28504	US	2021-10-05
Larry Odzak	Durham	NC	27707	US	2021-10-05
Will Murray	Wallace	NC	28466	US	2021-10-05
Francis Hale III	Raleigh	NC	27607	US	2021-10-05
WILLIAM WILBOURNE	Cheyenne	WY	82009	US	2021-10-05
Tim Hair	Fayetteville	NC	28306	US	2021-10-05
Mary jacobs	Twin Falls		83301	US	2021-10-05
Al Woodall	New Canaan	CT	06840	US	2021-10-05
Jeff Davis	Erwin	NC	28339	US	2021-10-05
Andy Sterlen	Wake Forest	NC	27587	US	2021-10-06
Niels Hansen	Charlotte	NC	28310	US	2021-10-06
Leisa Greathouse	Fayetteville	NC	28304	US	2021-10-06
Tom Belton	Apex	NC	27502	US	2021-10-06
Thomas McDonald	WINSTON SALEM	NC	27127	US	2021-10-06
Dwight West	Burlington	NC	27215	US	2021-10-06
Jim Wade	Dunn	NC	28334	US	2021-10-06
Adrienne Berney	Raleigh	NC	27699-4614	US	2021-10-06
Brenda Wood	Myrtle Beach	SC	29588	US	2021-10-06
Ashleigh Snyder	Mill Creek		46365	US	2021-10-06
Randy Flanery	Colorado Springs		80920	US	2021-10-06
Janae Rea	East Los angles		90022	US	2021-10-06
Alex Beck	Indianapolis		46241	US	2021-10-07
Lyman Biakeddy	Lukachukai		86507	US	2021-10-07



TOWN OF ERWIN

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Mayor
Patsy M. Carson
Mayor Pro Tem
Randy L. Baker
Commissioners
William R. Turnage
Thurman E. Whitman
Alvester L. McKoy
Ricky W. Blackmon
Melinda Alvarado

PROCLAMATION RECOGNIZING JAMES COOPER FOR CITIZEN OF THE MONTH

2021-2022---004

WHEREAS, the Town of Erwin Mayor and Board of Commissioners, realize that the Town of Erwin's greatest asset is viewed as the citizens that contribute tirelessly and unselfishly of themselves to aid in the well-being of the residents within the community. These citizens display characteristics and qualities in an individual that strive to make a real difference in the lives of children, adults and the elderly without desire for recognition or personal gain; and


WHEREAS, Mr. James Cooper of 708 East H Street, Erwin was born on September 17, 1937, to Joseph and Ola Mae Cooper. He is a 1957 graduate of Erwin High School; and

WHEREAS, Mr. Cooper married Nancy Glover Cooper on July 27, 1958, and they were married 61 years until her passing. This marriage was blessed with 2 children, Cindy Cooper Haney and Jamie Cooper; 7 grandchildren, and 3 great-grandchildren; and

WHEREAS, Mr. Cooper has been a native of Erwin for 71 years. He worked in the Erwin Mills/Swift for 54 years, part-time at Warren Eye Care for 46 years, and is a member of the Lions Club. He is very active in his church. He is a Deacon at First Baptist Church of Erwin, a Sunday School Teacher, a choir member, and participated in lending support for Kennedy Children's Home Mission; and

NOW THEREFORE BE IT RESOLVED that the Town of Erwin Mayor and Board of Commissioners give recognition and appreciation to Mr. James Cooper for his valuable contributions to the quality of life in our community and proudly acknowledge Mr. James Cooper as the October 2021 Citizen of the Month.

Duly Adopted, this the 7th day of October 2021.


Patsy M. Carson, Mayor

ATTEST:


Lauren Evans, Town Clerk

MINUTES CONTINUED FROM OCTOBER 7, 2021

Town Manager Snow Bowden informed the Board that the Town received an application to place a Class A Manufactured Home on a vacant lot across the street from 101 Gilbert Street, between 104 and 106 Gilbert Street. The applicant, Ms. Canteen was present to answer any questions.

Mayor Carson asked if anyone would like to come forward and speak in favor of the request.

The applicant, Teresa Canteen, came forward and was sworn in by Town Clerk Lauren Evans.

Ms. Canteen addressed the Board and asked if they have any questions.

Commissioner Blackmon asked if the County was going to get the taps set up or if they were already on the parcel.

Town Manager Snow Bowden stated that the property already has Water and Sewer.

Mayor Carson asked if anyone would like to come forward and speak against the request.

No one came forward.

Commissioner McKoy made a motion to close the Public Hearing and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the use requested is listed among the special uses in the district for which the application is made. Manufactured Class A Homes are permitted as a special use in our R-6 Zoning District and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the requested use is essential or desirable to the public convenience or welfare. The applicant is requesting a special use permit to place a Manufactured Class A Home on this parcel. It will provide an affordable housing option for this property owner and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner Blackmon made a motion in the affirmative that the requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. This tract of land is surrounded by similar residential uses. If the permit is approved the applicant will have to follow all of our restrictions with the placement of a Manufactured Class A Home. Our Code of Ordinances states "It is the intent of the criteria to ensure that a Class A manufactured home when installed, shall have substantially the appearance of a no-site conventionally built, single-family dwelling, to include landscaping in harmony with surrounding dwellings." Seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

MINUTES CONTINUED FROM OCTOBER 7, 2021

Commissioner Alvarado made a motion in the affirmative that the requested use will be in conformity with the Land Development Plan. This area of land would be in the area identified for medium-intensity growth. The plan calls for medium to high density mixed residential uses and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner McKoy made a motion in the affirmative that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided. This is an existing lot located off of an existing street. The proposed house site would be accessed from Gilbert Street. There are already Harnett Regional Water and Sewer lines in the area that will be able to provide water and sewer to the proposed new home and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner Blackmon made a motion in the affirmative that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. This is an existing parcel located off of a town street. This would be a single-family dwelling. The impacts to traffic would be minimal and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Commissioner Blackmon made a motion in the affirmative that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion to recommend that the proposed special use application meets all the Findings of Facts in the affirmative; that the proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; and to recommend the approval of SU-2021-002 to place a Class A Manufactured Home on a vacant parcel located off of Gilbert Street (HC Tax PIN #0597-77-2517.000) and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

SU-2021-003

Mayor Pro Tem Baker made a motion to open the Public Hearing and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Town Manager Snow Bowden informed the Board that the Town received an application to put apartments on the second floor of the corner building located downtown at 101 East H Street. A few years ago, they were issued a similar permit but it expired. Ms. Toma, the Project Lead, was present at the meeting.

Mayor Carson asked if anyone would like to come forward and speak in favor of the request.

Megan Toma came forward and was sworn in by Town Clerk Lauren Evans.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: SU-2021-002

The Town has received an application to put a Class A manufactured home on a vacant parcel off of Gilbert Street. The parcel is in between the houses at 104 and 106 Gilbert Street. It is located across the street from 101 Gilbert Street. The applicant is aware of the additional requirements for a Class A manufactured home that is found in our ordinance.

Attachments:

- SU-2021-002 Application
- SU-2021-002 Staff Report
- Site Plan
- Harnett County GIS Image no zoning
- Harnett County GIS image with zoning
- Property Owners notified

Suggested Motions:

For legal purposes, Staff recommends that 3 separate recommendations be made:

1. I move to recommend that the proposed special use application:
 - a. Meets all the Findings of Fact in the Affirmative, or
 - b. Meets one or more of the Findings of Fact in the negative (if this motion is made, then the application would have to be recommended for denial.)
2. I move that:
 - a. The proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans: or
 - b. The proposed amendment is not consistent with those documents that constitute the officially adopted land development plans and other applicable plans, in that (state reason(s) for nonconsistency).

3. I move to recommend:

- a. Approval of SU-2021-002 Special Use Application to place a Class A Manufactured Home on a vacant parcel located off of Gilbert Street (HC Tax PIN # 0597-77-2517.000).
- b. Denial of SU-2021-002 Special Use Application to place a Class A Manufactured Home on a vacant parcel located off of Gilbert Street (HC Tax PIN # 0597-77-2517.000).
- c. Approval of SU-2021-002 Special Use Application to place a Class A Manufactured Home on a vacant parcel located off of Gilbert Street (HC Tax PIN # 0597-77-2517.000) with additional conditions (state conditions).

Contact Harnett Regional Water to check about water & sewer access 910-897-7575 → tell them the PIN # 0597-77-2517



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SPECIAL USE PERMIT APPLICATION

In the Matter Of the Request to the Erwin Board of Commissioners

Applicant Name	Teresa Deneen Carter	Property Owner Name	" "
Mailing Address	5246 Maxwell St.	Mailing Address	" "
City, State, Zip	Fayetteville, NC 28314	City, State, Zip	" "
Telephone	910-982-6335	Telephone	
Email	tdeneencn@gmail.com	Email	

Address of Subject Property	NO GIS-911 ADDRESS		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 77 - 2517 .000		
Legal Relationship of Applicant to Owner	owner	Floodplain SFHA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Legal Description: Lot	8	Block	10 Subdivision
Zoning District	R-6	Wetlands	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Watershed Area
Public Water Available: Y or N	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Public Sewer Available: Y or N	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N Existing Septic Tank: Y or N
Number of Buildings to Remain	1 new	Gross Floor Area to Remain	
Describe Proposed Project or Request with Conditions proposed by applicant: Manufactured class A Home			
Total Acreage or Square Footage to be Disturbed	AUG - 5 2021		
Estimated Cost of Project \$	CASH		

NOT IN FEMA Flood Hazard zone

PAID

TOWN OF ERWIN
 Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.
 Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

Date Application Submitted	08/6/21	Office Use Only Application Fee \$	300	Received By	MSB
Case # SU-20	21-002				

Public Hearing
 Thursday, Sept. 2, 2021 at 7pm



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Special Use Signature Page

It is understood by the undersigned that the development and execution of the Special Use Permit is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such special uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance as originally adopted and as subsequently amended is presumed by the Town to be appropriate to the property involved and that the burden of proof for a Special Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9- 411.5 of the Town Code. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
- Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")

Compliance with Other Codes: Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

SU- 2021-002

Signature Page

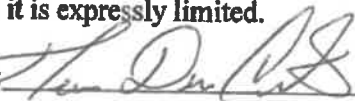
Page 1 of 2

Revocation: In any case where the conditions of the Special Use Permit have not been or are not being complied with, the Building Inspector shall give the permitted notice of intention to revoke such permit at least ten (10) days prior to a Board of Commissioners review thereof. After conclusion of the review, the Board of Commissioners may revoke such permit.

Expiration: In any case where a Special Use Permit has not been exercised within the time limit set by the Board of Commissioners, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development, or completion (sewer, drainage, etc.). When construction is not part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set for in the permit.

Duration: Duration of a special use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date:

 8-6-21

See ATTACHED



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SPECIAL USE APPLICATION
Record of Adjacent Property Owners
With Mailing Addresses Per Harnett County Land Records

Property Owner (1)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (2)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (3)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (4)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (5)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (6)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (7)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (8)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (9)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (10)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (11)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (12)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (13)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____

SU-201-00A

In report

**Town of Erwin Planning Board
Special Use Guidelines for Findings of Fact**

1. The use requested is listed among the special uses in the district for which application is made:

 Yes No _____

2. The requested use is essential or desirable to the public convenience or welfare

 Yes No _____

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare

 Yes No _____

4. The requested use will be in conformity with the Land Development Plan

 Yes No _____

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided

 Yes No _____

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets

 Yes No _____

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board

 Yes No _____



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SPECIAL USE APPLICATION PROCEDURES

1. Completed application for the Special Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the first Friday of the month prior to the following Town Board.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Special Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$300.

Conditions and Guarantees

Prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified by ordinance. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
 - Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
 - Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")
1. Administrative official posts property at least one (1) week prior to public hearing
 2. Newspaper advertisement once (1) each week for two (2) successive weeks prior to the public hearing
 3. The Board of Commissioners shall approve, modify or deny the application for Special Use Permit following the public hearing.

Action by the Board of Commissioners

In granting a Special Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the special uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.



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IMPORTANT

This is a complete Special Use Application package consisting of 10 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Special Use Permit approval.

Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Special Uses.
- Complete the Special Use Permit Application, the Special Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
 - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
 - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
 - All easements and rights-of-way located on the proposed lot
 - All natural features including tree lines, drainage ways, etc.
 - The location and dimensions of required parking area(s) as may be required by Ordinance
 - Proposed lighting plans as may be required by Ordinance
 - Demonstration of the placement of buffers and streetscape as may be required by ordinance



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Processing Requirements

Special Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the site plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at www.erwin-nc.org.

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 10 copies of this completed application. Each member of the Governing Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the first Friday of the month to be placed on following month's Town Board Agenda.

**Town of Erwin
Record and Decisions**

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____

<u>Governing Body Motion</u>	Record of Decision:	Yea	Nay
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2021-002

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, September 2nd, 2021

Requested special use permit to place a Class A Manufactured Home on a vacant parcel that does not have an address. The parcel is located off of Gilbert Street. It is in between the structures located at 104 and 106 Gilbert Street. It is located directly across the street from the parcel at 101 Gilbert Street. The parcel can also be identified by its Harnett County Tax PIN # 0597-77-2517.000

Applicant Information

Owner of Record:

Name: Teresa Deneen Canteen

Address: 5246 Mawood Street

City/State/Zip: Fayetteville, NC 28314

Applicant:

Name: Teresa Deneen Canteen

Address: 5246 Mawood Street

City/State/Zip: Fayetteville, NC 28314

Property Description

Harnett County Tax PIN 0597-77-2517.000

Acres .23

Zoning District- Residential (R-6)

Vicinity Map

- See Attached Document
-
-

Physical Characteristics

Site Description: This is a vacant tract of land that is .23 acres based on Harnett County GIS data. The lot is around 120 feet wide. The lot is 10,018 square feet. This lot does conform to our standards for the R-6 Zoning District.

Surrounding Land Uses: This tract of land is off of a Town street that is accessed from Highway 421. The current land uses around it are residential. There is a large vacant lot next to it that is zoned Highway Business (B-2) and is 3.8 acres. The lot at 104 Gilbert Street is adjacent to this parcel and is a single-family dwelling located in our B-2 Zoning District.

Services Available

- Electricity (Duke Energy)
 - Telephone (Centurylink)
 - Harnett Regional Water and Sewer
-
-

Zoning District Compatibility

Special Use	M-1
Manufactured Class A Home	X

Staff Evaluation

Staff Evaluation

Yes No The use requested is listed among the special uses in the district for which the application is made.

- **Reasoning:** Manufactured Class A Homes are permitted as a special use in our R-6 Zoning District.

Yes No The requested use is essential or desirable to the public convenience or welfare.

- **Reasoning:** The applicant is requesting a special use permit to place a Manufactured Class A Home on this parcel. It will provide an affordable housing option for this property owner.

Yes No The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. .

- **Reasoning:** This tract of land is surrounded by similar residential uses. If the permit is approved the applicant will have to follow all of our restrictions with the placement of a Manufactured Class A Home. Our Code of Ordinances states "It is the intent of the criteria to ensure that a Class A manufactured home, when installed, shall have substantially the appearance of an no-site conventionally built, single-family dwelling, to include landscaping in harmony with surrounding dwellings."

Yes No The requested use will be in conformity with the Land Development Plan.

- **Reasoning:** This area of land would be in the area identified for medium intensity growth. The plan calls for medium to high density mixed residential uses.

Yes No Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

- **Reasoning:** This is an existing lot located off of an existing street. The proposed house site would be accessed from Gilbert Street. There are already Harnett Regional Water and Sewer lines in the area that will be able to provide water and sewer to the proposed new home.

Yes No That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- **Reasoning:** This is an existing parcel located off of a town street. This would be a single-family dwelling. The impacts to traffic would be minimal.

Yes No

That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

- **Reasoning:** Yes

Attachments:

- SU-2021-002 Application
- SU-2021-002 Staff Report
- SU-2021-002 Site Plan
- SU-2021-002 Harnett County GIS Image with Zoning
- SU-2021-002 Harnett County GIS Image with no Zoning
- SU-2021-002 property owners notified

Harnett GIS



1 inch = 188 feet

Recycle Center

 Lanfills

 Surrounding County Boundaries

 Federal Property

 City Limits

Harnett County Boundary

 Address Numbers

 Airport

 Major Roads

 Interstate

NC

 US

 Roads

 Mile Markers

 Railroad

Parcels

Harnett
County
 30770-2497183

GIS/E-911 Addressing
 August 11, 2021

Harnett GIS



0 80 160 320 Feet

 1 inch = 188 feet

- Recycle Center
- Landfills
- Surrounding County Boundaries
- Federal Property
- City Limits
- Harnett County Boundary
- Address Numbers
- Airport
- Major Roads
- Interstate
- NC
- US
- Roads
- Mile Markers
- Railroad
- Parcels

Harnett

 COUNTY

 NORTH CAROLINA

GIS/E-911 Addressing

 August 11, 2021

Property Owners Notified

- Teresa Deneen Canteen 5246 Mawood Street Fayetteville, NC 28314
- Jackson Family Enterprises LLC 309 St. Matthews Road, Erwin, NC 28339
- Ricky and Shannon 106 Gilbert Street Erwin, NC 28339
- Gertrude McKoy Allen Heirs C/O Alvin Allen 104 East Jackson BLVD Erwin, NC 28339
- Priscilla Ann Freeman PO Box 176 Erwin, NC 28339
- Mohamed Falih and Fatima Oulouah 106 East Jackson BLVD Erwin, NC 28339
- Ronnie and Alfreda Smith 7882 HWY 903 Halifax, NC 27839
- Demien and Elizabeth Limon 105 Hicks Street Erwin, NC 28339
- Jim Hartman and John Stubbs PO Box 387 Coats, NC 27521
- SFR3-007 LLC 500 Westover Drive #14104 Sanford, NC 27330

MINUTES CONTINUED FROM OCTOBER 7, 2021

Ms. Toma addressed the Board and informed them that they are planning to put four apartment buildings on the second floor owned by her grandmother. This is a historical building and they plan to renovate and restore the building while keeping the historical nature.

Commissioner Turnage asked about the parking for their tenants.

Ms. Toma stated that there is street parking in front of the building but that is something they still have to figure out.

Mayor Carson asked if anyone would like to come forward and speak against the request.

No one came forward.

Mayor Pro Tem Baker made a motion to close the Public Hearing and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the use requested is listed among the special uses in the district for which the application is made. Multifamily dwellings (on the upper floors in a commercial building) are a special use in the Central Business Zoning District. and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the requested use is essential or desirable to the public convenience or welfare. These proposed four apartment units would provide another/different housing option for people in Erwin. It would provide an option for someone to live in Erwin that does not necessarily need a single-family dwelling and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. This is an existing building located in downtown Erwin. There are no proposed changes to the footprint of the building. The applicant would be fixing the building up to the current code and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Commissioner Turnage made a motion in the affirmative that the requested use will be in conformity with the Land Development Plan. This building is located in the area identified as our downtown core in the 2014 Land Use Plan. Multifamily dwellings on the upper floors in our downtown businesses are recommended in the 2014 Land Use Plan and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Commissioner Alvarado made a motion in the affirmative that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided. This is an existing building that will be served by Harnett Regional Water for water and sewer. The

MINUTES CONTINUED FROM OCTOBER 7, 2021

property owners would be responsible for setting up a dumpster for their trash collection. and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Commissioner Alvarado made a motion in the affirmative that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. This is an existing building in our downtown. The parking lot behind the building is owned and maintained by the Town of Erwin and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner Alvarado made a motion in the affirmative that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion to recommend that the proposed special use application meets all the Findings of Facts in the affirmative; that the proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; and to recommend the approval of SU-2021-003 to put apartments on the second floor of the building located at 101 East H Street (HC Tax PIN #0597-64-7313.000) and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

SU-2021-004

Commissioner McKoy made a motion to open the Public Hearing and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Town Manager Snow Bowden informed the Board that the Town received an application to put a Class A manufactured home on a vacant parcel on the corner of Maynard Lake Road and Porter Drive. This is the property we rezoned a few months ago to R-6.

Mayor Carson asked if anyone would like to come forward and speak in favor of the request.

Chris Milligan of Clayton Homes in Fayetteville came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Milligan addressed the Board and stated he has been in the manufactured business for 17-20 years. He was present at the meeting on behalf of the property owner, Richard Lovett.

Mayor Carson asked if anyone would like to come forward and speak against the request.

No one came forward.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: SU-2021-003

The Town has received a special use permit application to use the second floor of the building located at 101 East H Street for multifamily dwellings. The applicant would like to put four (4) apartment units on the second floor of this building. The first floor of the building would remain a commercial use. The apartments and other building improvements will be brought up to current code.

There was a previous conditional use permit that was approved for this building to have apartments on the second floor. No action was taken on the permit within a year and it expired.

Attachments:

- SU-2021-003 Application
- SU-2021-003 Staff Report
- Site Plan
- Harnett County GIS Image no zoning
- Harnett County GIS image with zoning
- Property Owners notified
- Page from the 2014 Land Use Plan

Suggested Motions:

For legal purposes, Staff recommends that 3 separate recommendations be made:

1. I move to recommend that the proposed special use application:
 - a. Meets all the Findings of Fact in the Affirmative, or
 - b. Meets one or more of the Findings of Fact in the negative (if this motion is made, then the application would have to be recommended for denial.)
2. I move that:
 - a. The proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans: or
 - b. The proposed amendment is not consistent with those documents that constitute the officially adopted land development plans and other applicable plans, in that (state reason(s) for nonconsistency).

3. I move to recommend:
- a. Approval of SU-2021-003 Special Use Application to put apartments on the second floor of the building located at 101 East H Street (HC Tax PIN #0597-64-7313.000).
 - b. Denial of SU-2021-003 Special Use Application to put apartments on the second floor of the building located at 101 East H Street (HC Tax PIN #0597-64-7313.000).
 - c. Approval of SU-2021-003 Special Use Application to put apartments on the second floor of the building located at 101 East H Street (HC Tax PIN #0597-64-7313.000) with additional conditions (state conditions).



TOWN OF ERWIN

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SPECIAL USE PERMIT APPLICATION

In the Matter Of the Request to the Erwin Board of Commissioners

Applicant Name	Toma Farren Architects	Property Owner Name	Nargis S Toma
Mailing Address	101 E H Street	Mailing Address	6940 Darcy Ln
City, State, Zip	Erwin, NC, 28339	City, State, Zip	Raleigh, NC 27606
Telephone	(919)-817-3313	Telephone	
Email	mstoma@tomafarren.com	Email	

Address of Subject Property	101 E H Street Erwin, NC, 28339		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 64 - 7313 .000		
Legal Relationship of Applicant to Owner	Architect	Floodplain SFHA <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/>	
Legal Description: Lot	<input checked="" type="checkbox"/> 1	Block	Subdivision <u>Dawn B Murphy</u>
Zoning District	<u>CB</u>	Wetlands	<u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/> Watershed Area <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u> <input type="checkbox"/>
Public Water Available:	<u>Y</u> or N	Public Sewer Available:	<u>Y</u> or N Existing Septic Tank: <u>Y</u> or <u>N</u>
Number of Buildings to Remain	<u>1</u>	Gross Floor Area to Remain	
Describe Proposed Project or Request with Conditions proposed by applicant: <u>Apartment on second story of building</u>			
Total Acreage or Square Footage to be Disturbed	<u>estimated 2,100 SF - 2nd floor</u>		
Estimated Cost of Project \$			

Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.

Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

Office Use Only	
Date Application Submitted <u>8/10/21</u>	Application Fee \$ _____ Received By _____
Case # <u>SU-2021-003</u>	



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Special Use Signature Page

It is understood by the undersigned that the development and execution of the Special Use Permit is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such special uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance as originally adopted and as subsequently amended is presumed by the Town to be appropriate to the property involved and that the burden of proof for a Special Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9- 411.5 of the Town Code. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
- Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")

Compliance with Other Codes: Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

Revocation: In any case where the conditions of the Special Use Permit have not been or are not being complied with, the Building Inspector shall give the permitted notice of intention to revoke such permit at least ten (10) days prior to a Board of Commissioners review thereof. After conclusion of the review, the Board of Commissioners may revoke such permit.

Expiration: In any case where a Special Use Permit has not been exercised within the time limit set by the Board of Commissioners, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development, or completion (sewer, drainage, etc.). When construction is not part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set for in the permit.

Duration: Duration of a special use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date: _____

Mojana

★ See attached



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SPECIAL USE APPLICATION
Record of Adjacent Property Owners
With Mailing Addresses Per Harnett County Land Records

Property Owner (1)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (2)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (3)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (4)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (5)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (6)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (7)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (8)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (9)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (10)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (11)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (12)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (13)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____

SU-201-003

★ See attached

**Town of Erwin Planning Board
Special Use Guidelines for Findings of Fact**

1. The use requested is listed among the special uses in the district for which application is made:

 Yes No _____

2. The requested use is essential or desirable to the public convenience or welfare

 Yes No _____

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare

 Yes No _____

4. The requested use will be in conformity with the Land Development Plan

 Yes No _____

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided

 Yes No _____

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets

 Yes No _____

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board

 Yes No _____



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SPECIAL USE APPLICATION PROCEDURES

1. Completed application for the Special Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the first Friday of the month prior to the following Town Board.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Special Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$300.

Conditions and Guarantees

Prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified by ordinance. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
 - Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
 - Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")
1. Administrative official posts property at least one (1) week prior to public hearing
 2. Newspaper advertisement once (1) each week for two (2) successive weeks prior to the public hearing
 3. The Board of Commissioners shall approve, modify or deny the application for Special Use Permit following the public hearing.

Action by the Board of Commissioners

In granting a Special Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the special uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.



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IMPORTANT

This is a complete Special Use Application package consisting of 10 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Special Use Permit approval.

Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Special Uses.
- Complete the Special Use Permit Application, the Special Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
 - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
 - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
 - All easements and rights-of-way located on the proposed lot
 - All natural features including tree lines, drainage ways, etc.
 - The location and dimensions of required parking area(s) as may be required by Ordinance
 - Proposed lighting plans as may be required by Ordinance
 - Demonstration of the placement of buffers and streetscape as may be required by ordinance

SU-221 - 003

Important

Page 1 of 1



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Processing Requirements

Special Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the site plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at www.erwin-nc.org.

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 10 copies of this completed application. Each member of the Governing Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the first Friday of the month to be placed on following month's Town Board Agenda.

**Town of Erwin
Record and Decisions**

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____

<u>Governing Body Motion</u>	Record of Decision:	Yea	Nay
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2021-003

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200 Fax: (910) 897-5543

Public Hearing Date: Thursday, September 2nd, 2021

Requested special use permit to put apartments on the second floor at the building located at 101 East H Street. The property can also be identified by its Harnett County Tax PIN #0597-64-7313.000

Applicant Information

Owner of Record:

Name: Nargis and Kamal Toma

Address: 6940 Darcy Lane

City/State/Zip: Raleigh, NC 27606

Applicant:

Name: Toma Farren Architects

Address: 101 East H Street

City/State/Zip: Erwin, NC 28339

Property Description

Harnett County Tax PIN 0597-64-7313.000

Acres .10

Zoning District- Central Business (CB)

Vicinity Map

- See Attached Document
-
-

Physical Characteristics

Site Description: This is a vacant building located in downtown Erwin. The building is located on the corner of East H Street and NC HWY 217 (North 13th Street). The building is a two story building. According to Harnett County GIS data the building is listed at 4,082 square feet.

Surrounding Land Uses: This building is located in downtown Erwin. It is surrounding by commercial uses. The property owner plans on fixing up the building and having a commercial business on the first floor. The Dunn-Erwin Rail Trail is located directly across East H Street. The Erwin Business Complex is located across NC HWY 217.

Services Available

- Electricity (Duke Energy)
 - Telephone (Centurylink)
 - Harnett Regional Water and Sewer
-
-

Zoning District Compatibility

Special Use	M-1
Multifamily dwellings (on upper floors of commercial buildings)	X

Staff Evaluation

Staff Evaluation

Yes No The use requested is listed among the special uses in the district for which the application is made.

- **Reasoning:** Multifamily dwellings (on the upper floors in a commercial building) are a special use in the Central Business Zoning district.

Yes No The requested use is essential or desirable to the public convenience or welfare.

- **Reasoning:** These proposed four apartment units would provide another/different housing option for people in Erwin. It would provide an option for someone to live in Erwin that does not necessarily need a single-family dwelling.

Yes No The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. .

- **Reasoning:** This is an existing building located in downtown Erwin. There are not proposed changes to the foot print of the building. The applicant would be fixing the building up to current code.

Yes No The requested use will be in conformity with the Land Development Plan.

- **Reasoning:** This building is located in the area identified as our downtown core in the 2014 Land Use Plan. Multifamily dwellings on the upper floors in our downtown businesses are recommended in the 2014 Land Use Plan.

Yes No Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

- **Reasoning:** This is an existing building that will be served by Harnett Regional Water for water and sewer. The property owners would be responsible for setting up a dumpster for their trash collection.

Yes No That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- **Reasoning:** This is an existing building in our downtown. The parking lot behind the building is owned and maintained by the Town of Erwin.

Yes No

That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

- Reasoning: Yes

Attachments:

- SU-2021-003 Application
- SU-2021-003 Staff Report
- SU-2021-003 Site Plan
- SU-2021-003 Harnett County GIS Image with Zoning
- SU-2021-003 Harnett County GIS Image with no Zoning
- SU-2021-003 property owners notified
- 2014 Land Use Plan Page 2-12

**NOT FOR
 REGULATORY
 APPROVAL,
 PERMITTING
 OR
 CONSTRUCTION
 ERWIN MIXED
 USE**

101 E H STREET ERWIN,
 NC 28539

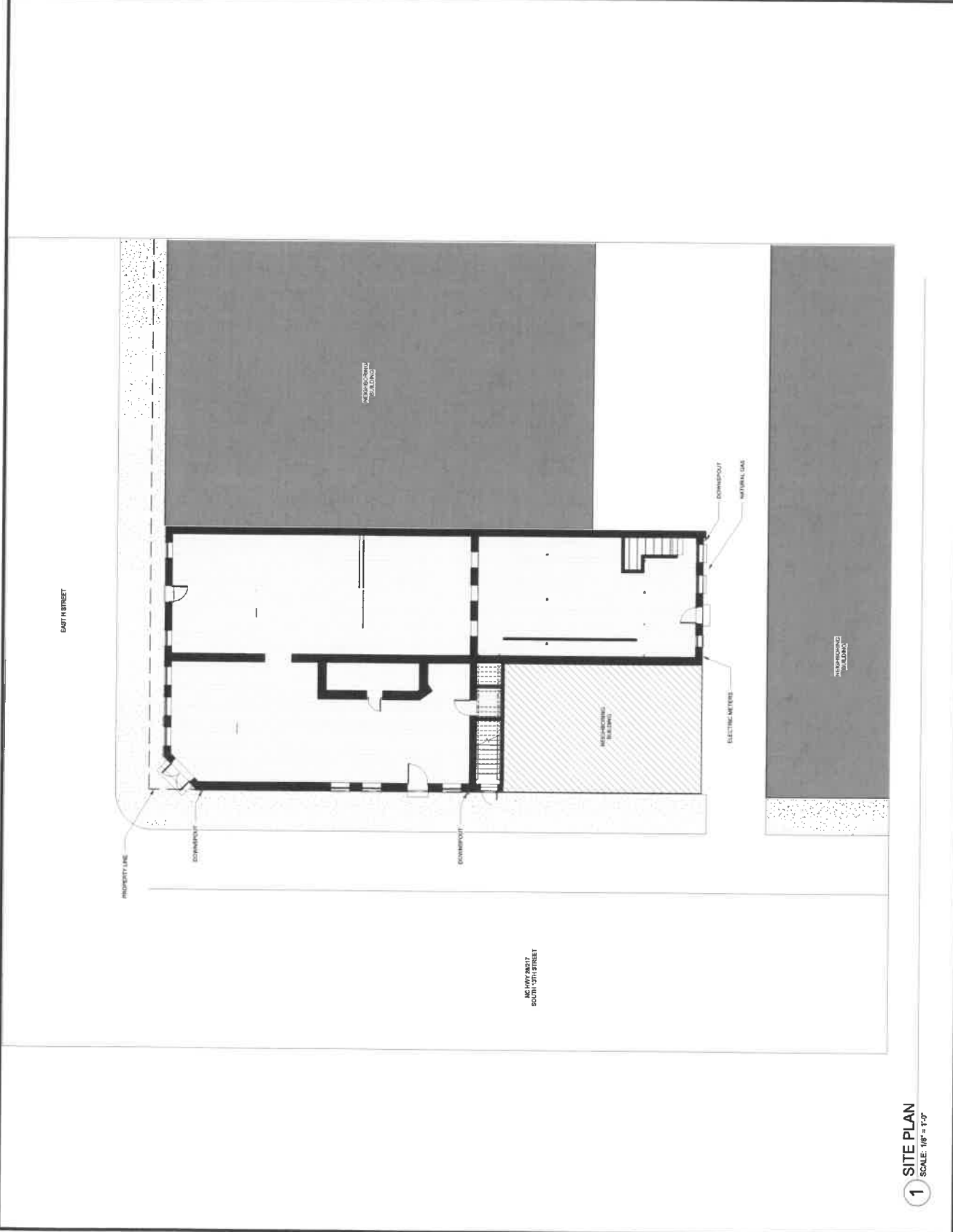
JULY 1, 2021 PROJECT NO. 2021-001
 PROJ. ARCHITECT: ARBEN/ARBEN OBSERVER: ARBEN

REV	DATE	DESCRIPTION

GET DRINK WATER
 101 E H STREET
 ERWIN, NC 28539

**80% CONSTRUCTION
 DOCUMENTS
 SITE PLAN**

A100



1 SITE PLAN
 SCALE: 1/8" = 1'-0"

Small text at the bottom of the page, likely a disclaimer or copyright notice.

Harnett GIS



NOT FOR LEGAL USE



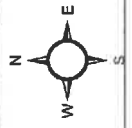
Harnett
COUNTY
NORTH CAROLINA

- Recycle Center
- Landfills
- Surrounding County Boundaries
- Federal Property
- City Limits

- Harnett County Boundary
- Address Numbers
- Major Roads
- Interstate

- NC
- US
- Roads
- Mile_Markers
- Railroad

Parcels

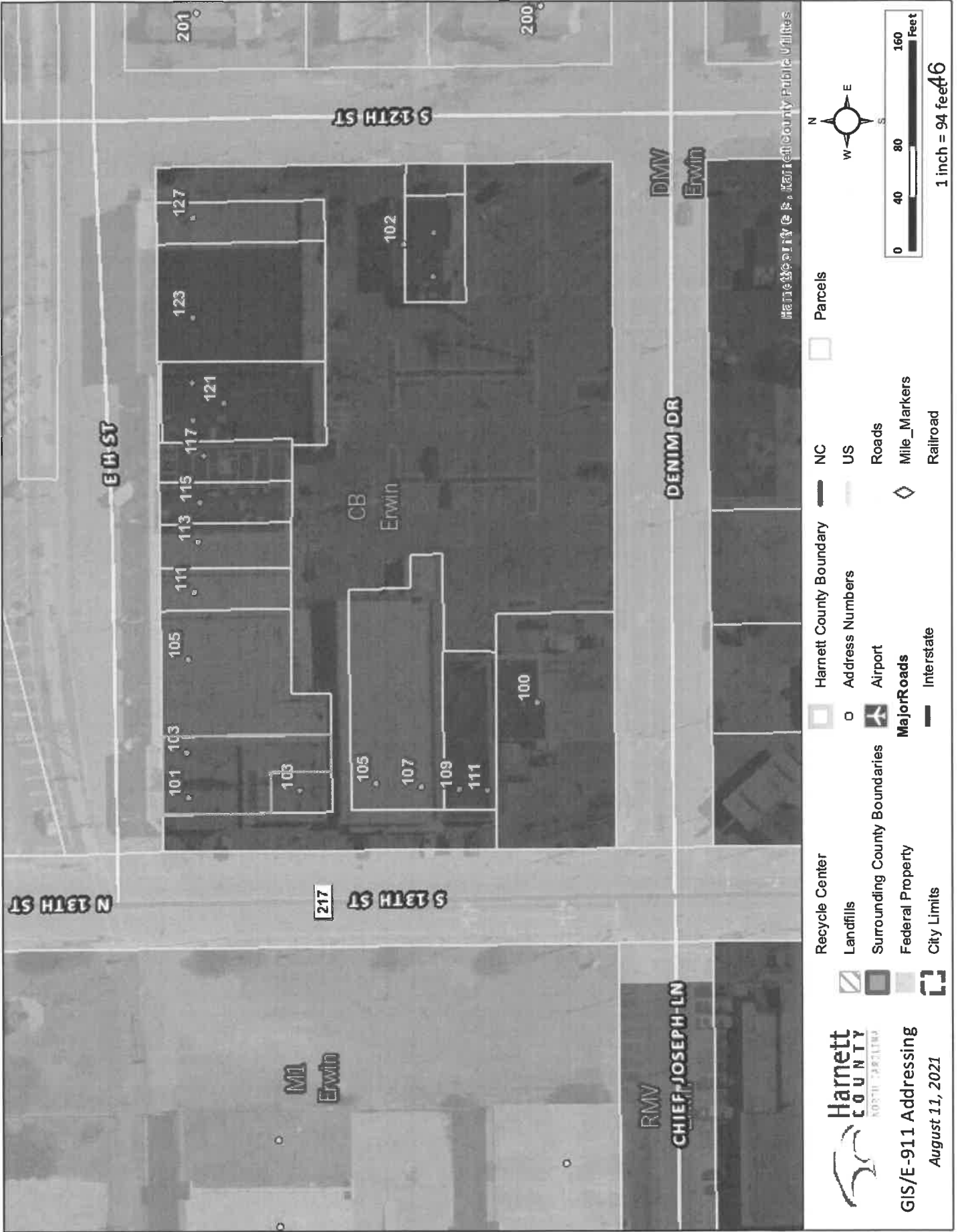


1 inch = 94 feet

Harnett County GIS, Harnett County, North Carolina

GIS/E-911 Addressing
August 11, 2021

Harnett GIS



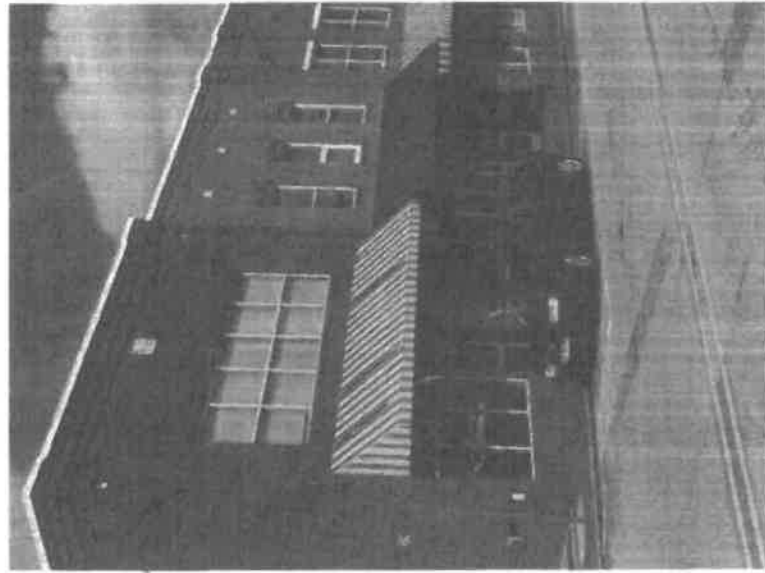
Property Owners Notified

- Nargis and Kamal Toma 6940 Darcy Lane Raleigh, NC 27606
- Hughie R. Godwin II 113 East H Street Erwin, NC 28339
- Tristen Colt Butler 105 South 13th Street Erwin, NC 28339
- Jeffrey R. Stall 391 Crawford Road Coats, NC 27521
- Entrust Administration Trust & FBO Brenton D. Adams 555 12th Street STE 1250 Oakland, CA 94607
- Timothy and Rose Matthews 109 Bluebird Lane Willow Spring, NC 27592
- Paul and Wyna Blackman PO Box 442 Erwin, NC 28339
- Athanasios and Theodora Papadopoulos 1027 Finley Point Place Knightdale, NC 27546
- Beacon Recuse Mission 207 West Broad Street Dunn, NC 28334
- Jackson Family Enterprises 309 St. Matthews Road Erwin, NC 28339
- American Mobile Home Supply Inc. 5431 Murchison Road Fayetteville, NC 28311
- Jamie and Heather Bowden 595 Palestine Road Linden, NC 28356
- Timothy C. Morris 345 Cottle Lake Drive Coats, NC 27521
- Schwarz Auman Properties LLC. & C/O Sothern Property Management 200 North 13th Street STE 3A Erwin, NC 28339
- Curr-Well Developments LLC 21 Little Farm Circle Angier, NC 27501
- George Joseph 103 North 6th Street Erwin, NC 28339
- Harnett County PO Box 759 Lillington, NC 27546

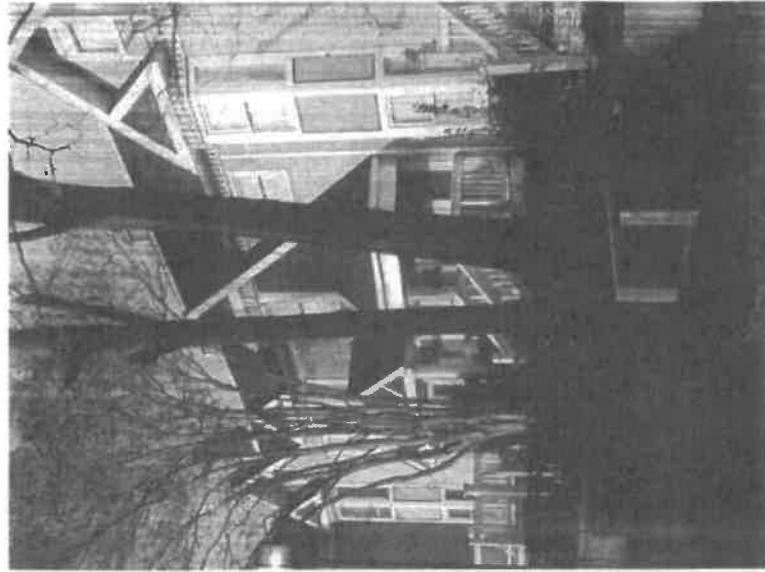
Section 2 Vision & Goals

L3. Allow for and encourage a variety of housing types to accommodate residents in all stages of life.

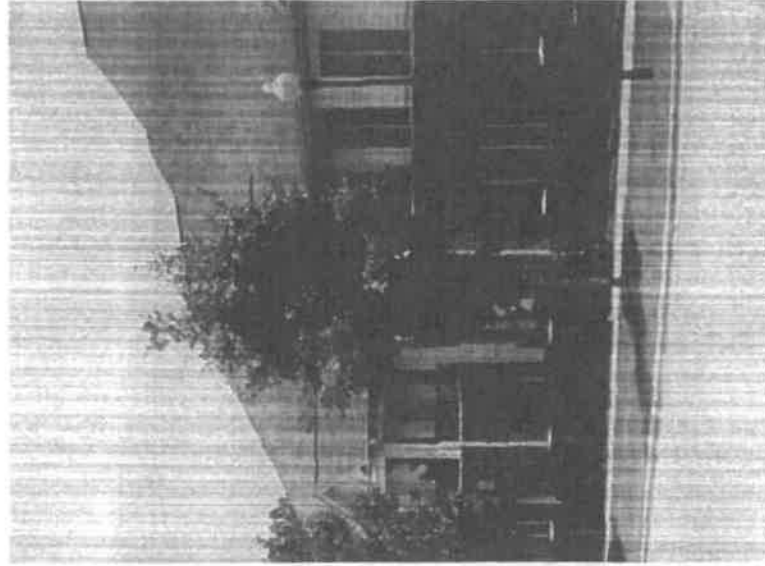
- a. Make residential zoning districts density based rather than based on minimum lot size. This will allow product flexibility while maintaining the same residential density that is desired for an area.
- b. Permit multi-family residential uses by right on upper floors of Central Business district buildings and permit some multi-family residential uses in close proximity to downtown.



Mixed Use



Townhouse



Apartment

MINUTES CONTINUED FROM OCTOBER 7, 2021

Commissioner Blackmon made a motion to close the Public Hearing and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the use requested is listed among the special uses in the district for which the application is made. This Special Use is permitted as a special use in our R-6 Zoning District and was seconded by Commissioner Thurman. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the requested use is essential or desirable to the public convenience or welfare. This new structure will provide a residential structure for a citizen in the Town of Erwin and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare. This request is similar in nature to other requested uses in the R-6 District where it is located and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the requested use will be in conformity with the Land Development Plan. This use is listed in our 2014 Land Use Plan in the R-6 District where it is located and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Commissioner Turnage made a motion in the affirmative that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided. This is an existing building that will be served by Harnett Regional Water for water and sewer. The property owners would be responsible for setting up a dumpster for their trash collection.

Mayor Pro Tem Baker offered an amendment to that proposed motion in the affirmative that adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities have been or are being provided. Adequate utilities are in place and the proposed house site would be accessed from Maynard Lake Road and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner Blackmon made a motion in the affirmative that adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. This is an existing parcel located off of a town and North Carolina Department of Transportation street. The impacts to traffic would be minimal and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Commissioner Blackmon made a motion in the affirmative that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as

MINUTES CONTINUED FROM OCTOBER 7, 2021

such regulations may, in each instance, be modified by the Board of Commissioners and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion to recommend that the proposed special use application meets all the Findings of Facts in the affirmative; that the proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans; and to recommend the approval of SU-2021-004 to place a Manufactured Class A home on a vacant lot located at the corner of Porter Drive and Maynard Lake Rd (HC Tax PIN #0597-97-0748.000) and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

ZT-2021-006

Commissioner Alvarado made a motion to open the Public Hearing and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Town Manager Snow Bowden informed the Board that this request is to rezone two parcels that are currently mixed zoned RD and B2. They are requesting to make both lots whole tracts of B2. The Planning Board recommended this request for approval.

Mayor Patsy Carson asked if anyone would like to come forward and speak in favor of the request.

Applicant, Guy Lampee, came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Lampee addressed the Board and introduced himself as well as his colleague, Terry Weatherton from Ample Storage. They are planning to build a 78,000 square foot self-storage building with primarily climate control on the lot they have under contract. There will be an office for the manager as well as gates and cameras along the property. He thanked the Board and stated they are excited to bring business to Erwin.

Owner of Glover Sales located at 406 East Jackson Blvd, Billy Glover, came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Glover stated he is fully for the rezoning request but all the water that comes from this property has to go underneath his property. There is not a ditch on their side of 421. He has a 15-inch drain he installed 35 years ago and they are working with DOT to get a ditch deepened on

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: SU-2021-004

The Town has received an application to put a Class A manufactured home on a vacant parcel that is located at the corner of Maynard Lake Road and Porter Drive. The parcel can also be identified by its Harnett County Tax PIN #0597-97-0748.000. The applicant is aware of the additional requirements for a Class A manufactured home that is found in our ordinance.

Attachments:

- SU-2021-004 Application
- SU-2021-004 Staff Report
- Site Plan
- Harnett County GIS Image no zoning
- Harnett County GIS image with zoning
- Property Owners notified

Suggested Motions:

For legal purposes, Staff recommends that 3 separate recommendations be made:

1. I move to recommend that the proposed special use application:
 - a. Meets all the Findings of Fact in the Affirmative, or
 - b. Meets one or more of the Findings of Fact in the negative (if this motion is made, then the application would have to be recommended for denial.)
2. I move that:
 - a. The proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans: or
 - b. The proposed amendment is not consistent with those documents that constitute the officially adopted land development plans and other applicable plans, in that (state reason(s) for nonconsistency).

3. I move to recommend:

- a. Approval of SU-2021-004 Special Use Application to place a Manufactured Class A home on a vacant lot located at the corner of Porter Drive and Maynard Lake Rd (HC Tax PIN #0597-97-0748.000).
- b. Denial of SU-2021-004 Special Use Application to place a Manufactured Class A home on a vacant lot located at the corner of Porter Drive and Maynard Lake Rd (HC Tax PIN #0597-97-0748.000).
- c. Approval of SU-2021-004 Special Use Application to place a Manufactured Class A home on a vacant lot located at the corner of Porter Drive and Maynard Lake Rd (HC Tax PIN #0597-97-0748.000).with additional conditions (state conditions).



TOWN OF ERWIN
 100 West F St., Post Office Box 459
 Erwin, NC 28339
 (910) 897-5140 V (910) 897-5543 F
 www.erwin-nc.org

SPECIAL USE PERMIT APPLICATION

In the Matter Of the Request to the Erwin Board of Commissioners

Applicant Name	<i>Chris Milligan</i>	Property Owner Name	<i>Richard Lovett</i>
Mailing Address	<i>Tbd Maynard Lake Rd.</i>	Mailing Address	
City, State, Zip	<i>Erwin, NC</i>	City, State, Zip	
Telephone	<i>910-429-1923</i>	Telephone	
Email	<i>chris.milligan@erwinnc.com</i>	Email	
Address of Subject Property	<i>Maynard Lake Rd</i>		
Parcel Identification Number(s) (PIN) of Subject Property	<i>0597 - 97 - 0748 .000</i>		
Legal Relationship of Applicant to Owner		Floodplain SFHA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Legal Description: Lot	Block	Subdivision	
Zoning District	Wetlands	Yes	No <input checked="" type="checkbox"/>
Public Water Available <input checked="" type="checkbox"/> or N	Public Sewer Available <input checked="" type="checkbox"/> or N	Existing Septic Tank:	Y or <input checked="" type="checkbox"/> N
Number of Buildings to Remain	Gross Floor Area to Remain		
Describe Proposed Project or Request with Conditions proposed by applicant:			
<i>New manufactured home</i>		PAID	
Total Acreage or Square Footage to be Disturbed	<i>SEP 09 2021</i>		
Estimated Cost of Project \$			

Attach a scaled illustrative plot or site plan showing all lot dimensions, buildings, structures, driveways, parking spaces, and distances between structures and property lines.

Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

Office Use Only	
Date Application Submitted <i>09/04/21</i>	Application Fee \$ <i>300</i> Received By <i>MSJ</i>
Case # SU-20 <i>21</i> -0 <i>04</i>	

check 2021



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Special Use Signature Page

It is understood by the undersigned that the development and execution of the Special Use Permit is based upon the division of the Town into districts within which districts the use of land and buildings, and the bulk and location of buildings and structures in relation to the land, is substantially uniform. It is recognized, however, that there are certain uses which, because of their characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular location. Such special uses fall into two categories.

1. Uses publicly operated or traditionally affected with a public interest
2. Uses entirely private in character, but of such unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

The Zoning Ordinance as originally adopted and as subsequently amended is presumed by the Town to be appropriate to the property involved and that the burden of proof for a Special Use approval rests with the applicant. Applicant is encouraged to discuss the proposed use with affected property owners.

It is further understood that prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as it is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in 9-411.5 of the Town Code. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
- Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
- Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")

Compliance with Other Codes: Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

SU- 221 004

Signature Page

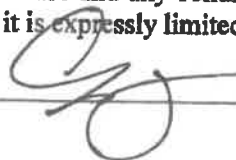
Page 1 of 2

Revocation: In any case where the conditions of the Special Use Permit have not been or are not being complied with, the Building Inspector shall give the permitted notice of intention to revoke such permit at least ten (10) days prior to a Board of Commissioners review thereof. After conclusion of the review, the Board of Commissioners may revoke such permit.

Expiration: In any case where a Special Use Permit has not been exercised within the time limit set by the Board of Commissioners, or within one year if no specific time limit has been set, then without further action, the permit shall be null and void. "Exercised" as set forth in this section shall mean that binding contracts for the construction of the main building have been let; or in the absence of contracts that the main building is under construction to a substantial degree; or that pre-requisite conditions involving substantial investment are contracted for, in substantial development, or completion (sewer, drainage, etc.). When construction is not part of the use, "exercised" shall mean that the use is in operation in compliance with the conditions set for in the permit.

Duration: Duration of a special use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date:



9-9-21



TOWN OF ERWIN

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SPECIAL USE APPLICATION
Record of Adjacent Property Owners
With Mailing Addresses Per Harnett County Land Records

Property Owner (1)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (2)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (3)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (4)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (5)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (6)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (7)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (8)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (9)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (10)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (11)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (12)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____
Property Owner (13)	_____	Mailing
Address	_____	City _____ ST _____ Zip _____

SU- 221 - 004

**Town of Erwin Planning Board
Special Use Guidelines for Findings of Fact**

1. The use requested is listed among the special uses in the district for which application is made:

 Yes No _____

2. The requested use is essential or desirable to the public convenience or welfare

 Yes No _____

3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare

 Yes No _____

4. The requested use will be in conformity with the Land Development Plan

 Yes No _____

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided

 Yes No _____

6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets

 Yes No _____

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board

 Yes No _____

SU- 221.074

Finding of Facts

1



TOWN OF ERWIN

100 West F St., Post Office Box 459
Erwin, NC 28339
(910) 897-5140 V (910) 897-5543 F
www.erwin-nc.org

SPECIAL USE APPLICATION PROCEDURES

1. Completed application for the Special Use Permit, signed by the applicant, shall be addressed to the Board of Commissioners and presented to the Administrative Official. Applications must be submitted by the first Friday of the month prior to the following Town Board.
2. Each application shall contain or be accompanied by such legal descriptions, maps, plans and other information so as to completely describe the proposed use and existing conditions.
3. Pay the Special Use Permit Fee as established by the Board of Commissioners and found in the Schedule of Fees in the Office of the Town Clerk. Current fee is \$300.

Conditions and Guarantees

Prior to the granting of any special use, the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified by ordinance. In all cases in which special uses are granted, the Board of Commissioners shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

- Such conditions may include a time limitation;
 - Conditions may be imposed which require that one or more things be done before the use requested can be initiated. (For example, "that a solid board fence be erected around the site to a height of 6 feet before the use requested is initiated");
 - Conditions of a continuing nature may be imposed. (For example, "exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.")
1. Administrative official posts property at least one (1) week prior to public hearing
 2. Newspaper advertisement once (1) each week for two (2) successive weeks prior to the public hearing
 3. The Board of Commissioners shall approve, modify or deny the application for Special Use Permit following the public hearing.

SU- 221 . 004

Action by the Board of Commissioners

In granting a Special Use Permit the Board of Commissioners shall make written findings that the applicable regulations of the district in which it is located are fulfilled. With due regard to the nature and state of all adjacent structures and uses, the district within which same is located, and official plans for future development, the Board of Commissioners shall also make written findings that the following provisions are fulfilled:

1. The use requested is listed among the special uses in the district for which application is made
2. The requested use is essential or desirable to the public convenience or welfare
3. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor be detrimental to the health, morals, or welfare
4. The requested use will be in conformity with the Land Development Plan
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.



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IMPORTANT

This is a complete Special Use Application package consisting of 10 pages. For this application to be accepted, it must be completed and returned with all required documents and entries.

Do be aware that under certain conditions the applicant may be required to obtain a Driveway Permit from the NC Department of Transportation prior to Special Use Permit approval.

Using the Zoning Ordinance

- Go to the applicable zoning district in Article 3. That section will serve as a guide to begin the development of your site plan. This section will also direct you to pertinent requirements such as: parking, sign, lighting, and other general provision such as streetscape requirements and other general development regulations that may apply to the proposed development.
- Be sure to read Article 11 – Special Uses.
- Complete the Special Use Permit Application, the Special Use Signature page, and the Record of Adjacent Property Owners sheet; and include other required information with the application. Use additional pages if necessary. Adjacent property owners' names must be from current Harnett County tax listing; so this requires that the applicant contact Harnett County. Addresses of the adjacent property owners must be complete which includes name, mailing address, and zip code.
- The submitted site plan must be drawn to scale and include all dimensions and required provision. Of these dimensions and other requirements, be sure to include the following:
 - Existing structures on the proposed lot, their dimensions and distances between on another and the lot's property lines
 - Proposed structures including their dimensions and distances from other structures on the lot and proposed distances from property lines (i.e. setbacks)
 - All easements and rights-of-way located on the proposed lot
 - All natural features including tree lines, drainage ways, etc.
 - The location and dimensions of required parking area(s) as may be required by Ordinance
 - Proposed lighting plans as may be required by Ordinance
 - Demonstration of the placement of buffers and streetscape as may be required by ordinance

SU- 201 - 004

Important

Page 1 of 1



TOWN OF ERWIN

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Processing Requirements

Special Uses are not Uses by Right. It is the responsibility of the applicant to demonstrate that the requested use will meet the minimum requirements set forth in the Erwin Zoning Ordinance. The Board's decision will be greatly influenced by the completeness and neatness of the submitted application.

A requested and very necessary tool is the site plan. Its importance cannot be overstated. Applicant is encouraged to portray in detail and to accurately scale the property boundaries, improvements, and any natural features. In some cases, approval or denial may depend on the quality of the Site Plan.

If the proposed use involves business operations, description of the anticipated activity needs to be sufficiently disclosed. This will assist the Board in determining the Town's infrastructure capability, the public health and safety considerations such as traffic and noise, and how neighboring property may be affected.

All uses require dedicated parking spaces and some may require lighting, buffering, fences, landscaping, and other elements. It is suggested that the applicant spend some time reading the Town's Zoning Ordinance prior to application. Copies of the Zoning Ordinance may be purchased at Town Hall. Copies are available in the Erwin Library and Town Hall for review. An electronic copy of the Ordinance can be found on the Town website as well at www.erwin-nc.org.

A complete application consists of all documents included in the application package and any required maps, site plan, and/or related documents. These documents become the property of the Town. It is the applicant's responsibility to submit 10 copies of this completed application. Each member of the Governing Board receives a copy including the Town Manager, Town Clerk, Town Attorney, and Code Enforcement Officer.

The completed application and fees must be submitted no later than the first Friday of the month to be placed on following month's Town Board Agenda.

**Town of Erwin
Record and Decisions**

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____

<u>Governing Body Motion</u>	Record of Decision:	Yea	Nay
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2021-004

Snow Bowden, Town Manager
townmanager@erwin-nc.org

Phone: (910) 591-4200 Fax: (910) 897-5543

Public Hearing Date: Thursday, October 7th, 2021

Requested special use permit to place a Class A Manufactured Home on a vacant parcel that does not have an address. The parcel is located at the corner of Porter Drive and Maynard Lake Road. The parcel can also be identified by its Harnett County Tax PIN # 0597-97-0748.000.

Applicant Information

Owner of Record:

Name: Wesley Fowler and Janice Mayhew
Address: 208 Edgewater Circle
City/State/Zip: Chapel Hill, NC 27516

Applicant:

Name: Chris Milligan
Address: 3005 Gillespie Street
City/State/Zip: Fayetteville, NC 28306

Property Description

Harnett County Tax PIN 0597-97-0748.000.
Acres 3.38
Zoning District- Residential (R-6)

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description: This is a vacant tract of land that is 3.38 acres. There is a blue line that is located on the property that will not be disturbed with this home.

Surrounding Land Uses: It is surrounded mostly by vacant land. Triton High School is across the street and Erwin Elementary at Gentry is located in the area.

Yes No

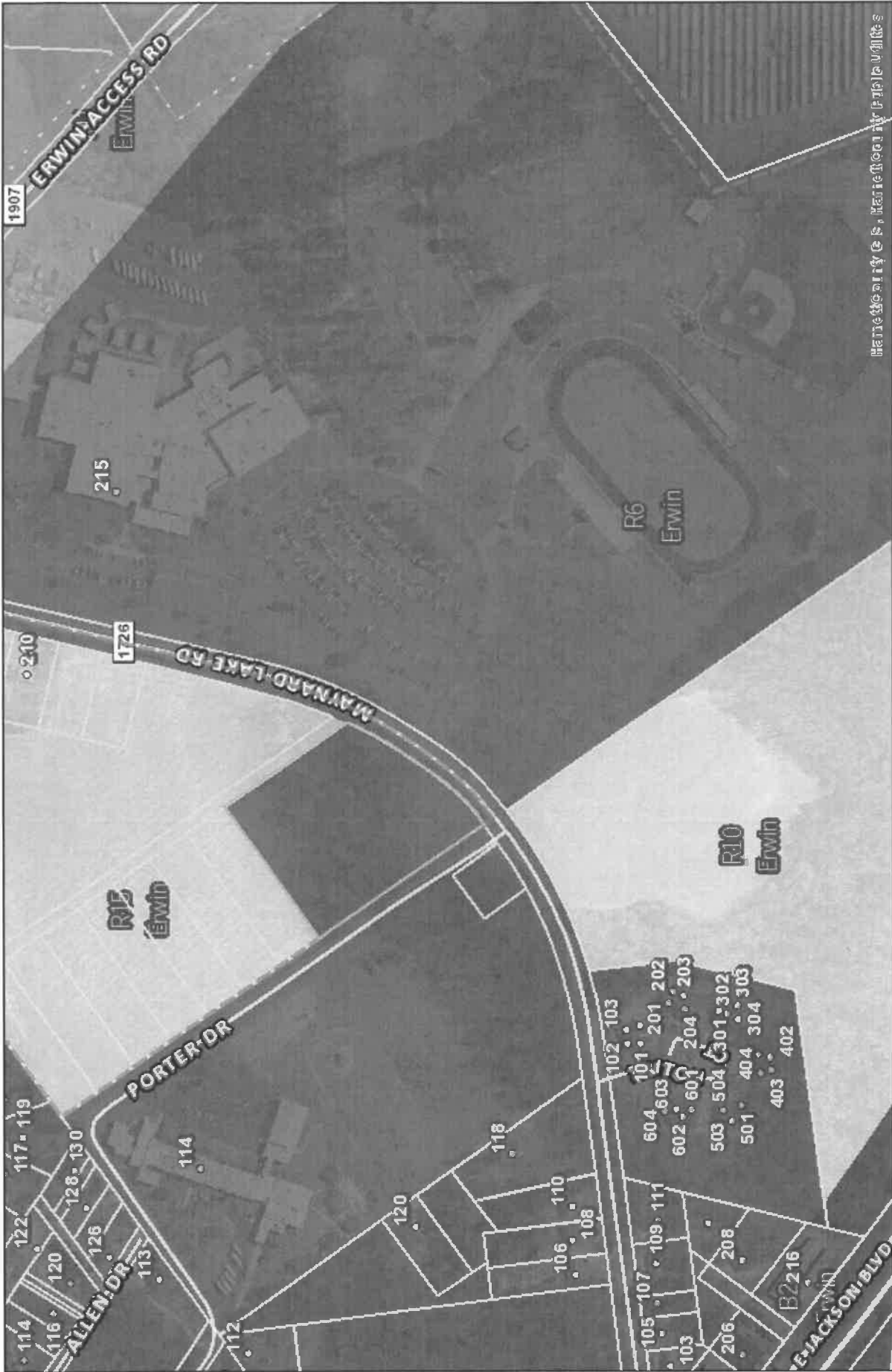
That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

- **Reasoning:** Yes, the property owner will need to obtain a North Carolina Department of Transportation driveway permit.

Attachments:

- SU-2021-004 Application
- SU-2021-004 Staff Report
- SU-2021-004 Site Plan
- SU-2021-004 Harnett County GIS Image with Zoning
- SU-2021-004 Harnett County GIS Image with no Zoning
- SU-2021-004 property owners notified

Harnett GIS



Harnett County GIS, Harnett County, North Carolina

Harnett County
303716-2831184

GIS/E-911 Addressing
September 10, 2021

1 inch = 376 feet

0 165 330 660 Feet

Recycle Center

Landfills

Surrounding County Boundaries

Federal Property

City Limits

Harnett County Boundary

Address Numbers

Major Roads

Interstate

NC

US

Roads

Mile Markers

Railroad

Parcels

Lynne Fowler Godwin
212 Maynard Lake Road
Erwin, NC 28339

Harnett County Board of Education
PO Box 1029
Lillington, NC 27546

Wesley C. Fowler
Janice Mayhew
208 Edgewater Circle
Chapel Hill, NC 27516

Harnett County
PO Box 759
Lillington, NC 27546

Stephen A. Acai Jr.
5912 Holly Drive
Raleigh, NC 27604

MINUTES CONTINUED FROM OCTOBER 7, 2021

south St Matthews. He just wanted to raise awareness for someone to look at it to eliminate runoff in the future.

Mayor Patsy Carson asked if anyone would like to come forward and speak against the request.

No one came forward.

Commissioner Blackmon made a motion to close the Public Hearing and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Mayor Pro Tem Baker asked staff whether any proposed development would have to go through the Development Review and be evaluated by our Engineer and any agencies that would be involved with the County.

Town Manager Snow Bowden stated when a commercial development is submitted, there is a site plan review by himself, Town Engineer Bill Dreitzler, and typically a predevelopment meeting with Harnett County.

Mayor Pro Tem Baker made a motion to approve the Statement of Consistency that the requested rezoning to Highway Business (B-2) is compatible with all the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this request be approved and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner Blackmon made a motion to approve the Ordinance for map amendment case #ZT-2021-006 amendment to the official zoning map to rezone from RD to B-2 per zoning ordinance article XXIII for Harnett County PIN 1507-24-4207.000 and 1507-24-9301.000 and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

NEW BUSINESS

2021-2022 Street Resurfacing Recommendations

Town Manager Snow Bowden stated Town Engineer Bill Dreitzler was present to present the 2021-2022 Street Resurfacing Recommendations

Town Engineer Bill Dreitzler came forward and presented his recommendations to the Board.

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: ZT-2021-006

The Town of Erwin has received a request to have two parcels rezoned from Rural District to Highway Business. There is mixed zoning on both of these parcels. One of the parcels would be a newly created lot that would be cut out of an existing parcel. The newly created parcel is a vacant field at the moment. The other lot is 404/402 East Jackson BLVD (the old white house restaurant). The goal of this rezoning request is to allow for commercial use on both lots. The applicant would like to build a climate control storage unit facility on the lots if the rezoning is approved. They would also demolish the existing building at 404/402 East Jackson BLVD.

The Planning Board adopted a statement-of-consistency and recommended this rezoning request for approval.

Attachments:

- ZT-2020-006 Application
- ZT-2020-006 Staff Evaluation
- GIS zoning district image
- GIS image
- Surrounding property owners notified
- Survey of new proposed lot requesting to be surveyed
- Metes and Bounds description of the new proposed lot
- Statement-of-Consistency
- Statement-of-Inconsistency
- Ordinance for Map Amendment Case # ZT-2021-006



Application for an Amendment To The Official Zoning Map of Erwin, NC

Staff Only: Zoning Case # Z-20006 - _____
 Fee: _____ Check # _____ MO _____ Cash _____
 PB Recommendation: A D A/W Conditions
 BOC Date: _____ Decision: A D T A/W Conditions

Print Applicant Name: GUY CAMPBELL OR ASSIGNEE
 Name of Legal Property Owner: JOE BUD JERNIGAN
 Location of Property: E JACKSON BLVD ERWIN, NC

Please Circle One of the Following: Less than one Acre One to 4.99 Acres Five or more Acres

Zoning change requested from RD to B2

If Conditional District, note conditions: _____

Harnett County Tax Map PIN 1507-24-9301

Property owner(s) of area requested and address(es)

- GLOBAL LLC 3709 TRAMM CT ALEX NC 27521
- DAN BRANT 132 JUNIPER CREEK PINEHURST, NC 28374
- JAMES LOUIS SENTER 565 ST MATTHEWS RD ERWIN, NC 283
- OWNER SALES 406 E JACKSON BLVD ERWIN, NC 283

(If more space is required, please attach to this document separately)

- Submit names and addresses of property owners immediately adjacent to the proposed rezoning area (and properties within 100 feet of proposed rezoning area) and across any street(s) and identify on an area map
- Attach a metes and bounds description, deed drawing of the area involved or a reference to lots in an approved subdivision on the entire property requested for change
- This application must be filed with the Town Hall by 4:00 p.m. on the Friday which is at least 25 days before the meeting at which it is to be considered and may be withdrawn without penalty no later than 19 days prior to the public hearing

Whenever an application requesting an amendment has been acted on and denied by the Town Board, such application, or one substantially similar shall not be reconsidered sooner than one year after the previous denial.

It is understood by the undersigned that the Zoning Map, as originally adopted and as subsequently amended, is presumed by the Town to be appropriate to the property involved and that the burden of proof for a zoning amendment rests with the applicant. Applicant is Encouraged to Discuss the Proposed Zoning Amendment with Affected Property Owners.

 JL 919-334-8153
 Signature of Applicant Contact Number

225 Peedin Rd. Smithfield, NC 27577
 Mailing Address of Applicant

OWNER → Joe Bud Jernigan 1188 Hobson Road

Joe Bud Jernigan



REZONING MAP REQUEST STAFF REPORT

Case: ZT-2020-06

Snow Bowden, Town Manager
townmanager@erwin-nc.org

Phone: (910) 591-4200 Fax: (910) 897-5543

Planning Board: 09/20/2021

Town Commissioners: 10/7/2021

Requested zoning map amendment to a section of the parcel located at 404 East Jackson BLVD with corresponding Harnett County Tax PIN #1507-24-4207.000. The applicant has also requested that a section of the lot directly behind this lot be rezoned as well. The new proposed lot is included in the packet. There is also a metes and bounds description included in the packet. Ultimately, the request is to have both tracts of land zoned Highway Business (B-2).

Applicant Information

Owner of Record:

Name: Global LLC
Address: 3709 Tammy Court
City/State/Zip: Apex, NC 27523

Owner of Record (2nd lot)

Name: Joe Jernigan and Larry Hardison
Address: 29 Stonegate Drive
City/State/Zip: Angier, NC 27501

Applicant

Name: Guy Lampe
Address: 225 Peedin Road
City/State/Zip: Smithfield, NC 27577

Property Description

(Lot #1)
Harnett County Tax PIN 1507-24-4207.000
Acres 1.48
Zoning District- B-2 (95.17%) and RD (4.83%)

(Lot #2 New proposed lot)
Current Harnett County Tax PIN 1507-24-9301.000 *if approved this new lot would have a different PIN number

Acres- The current parcel is 11.17 acres. The applicant would like to have this parcel subdivided and have 4.86 acres included in the rezoning request.

Zoning District- B-2 (30.73%) and RD (69.27%) *this is for the entire existing lot.

Vicinity Map

- See Attached Harnett County GIS Image with zoning districts
- See Attached Harnett County GIS Image without zoning districts

Physical Characteristics

Site Description: This request includes two separate parcels. One currently fronts HWY 421 that has an existing building on it that would be torn down if approved. The building was a restaurant in the past. The new proposed parcel is adjacent to 404 East Jackson BLVD and is a vacant parcel that is mostly cleared.

Surrounding Land Uses: There are commercial uses directly across the street and some other commercial uses in the area as well. Both parcels next to these lots are undeveloped but they are located off of HWY 421. The new proposed lot would have access to St. Matthews Road. St Matthews Road does have some residential land uses located on it.

Services Available

- Harnett County Regional Water and Sewer is available for this parcel
- Duke Energy would provide electricity
- CenturyLink is the telephone provider

Staff Evaluation

This request includes an existing lot located off of HWY 421 and a new proposed lot directly behind 404/402 East Jackson BLVD. There are commercial uses directly across the highway. The applicant would like to build a climate control storage unit facility on both lots. There are some residential land uses located off of St. Matthews Road. Overall, this would be a major improvement to both lots. It would also allow for the development of this property as a commercial use.

Attachments:

- ZT-2020-006 Application
- ZT-2020-006 Staff Evaluation
- GIS zoning district image
- GIS image
- Surrounding property owners notified
- Survey of new proposed lot requesting to be surveyed
- Metes and Bounds description of new proposed lot
- Statement-of-Consistency
- Statement-of-Inconsistency

Harnett GIS



Recycle Center
 Landfills
 Surrounding County Boundaries
 Federal Property
 City Limits

Harnett County Boundary
 Address Numbers
 MajorRoads
 Interstate

NC
 US
 Roads
 Mile_Markers
 Railroad

Parcels

1 inch = 376 feet

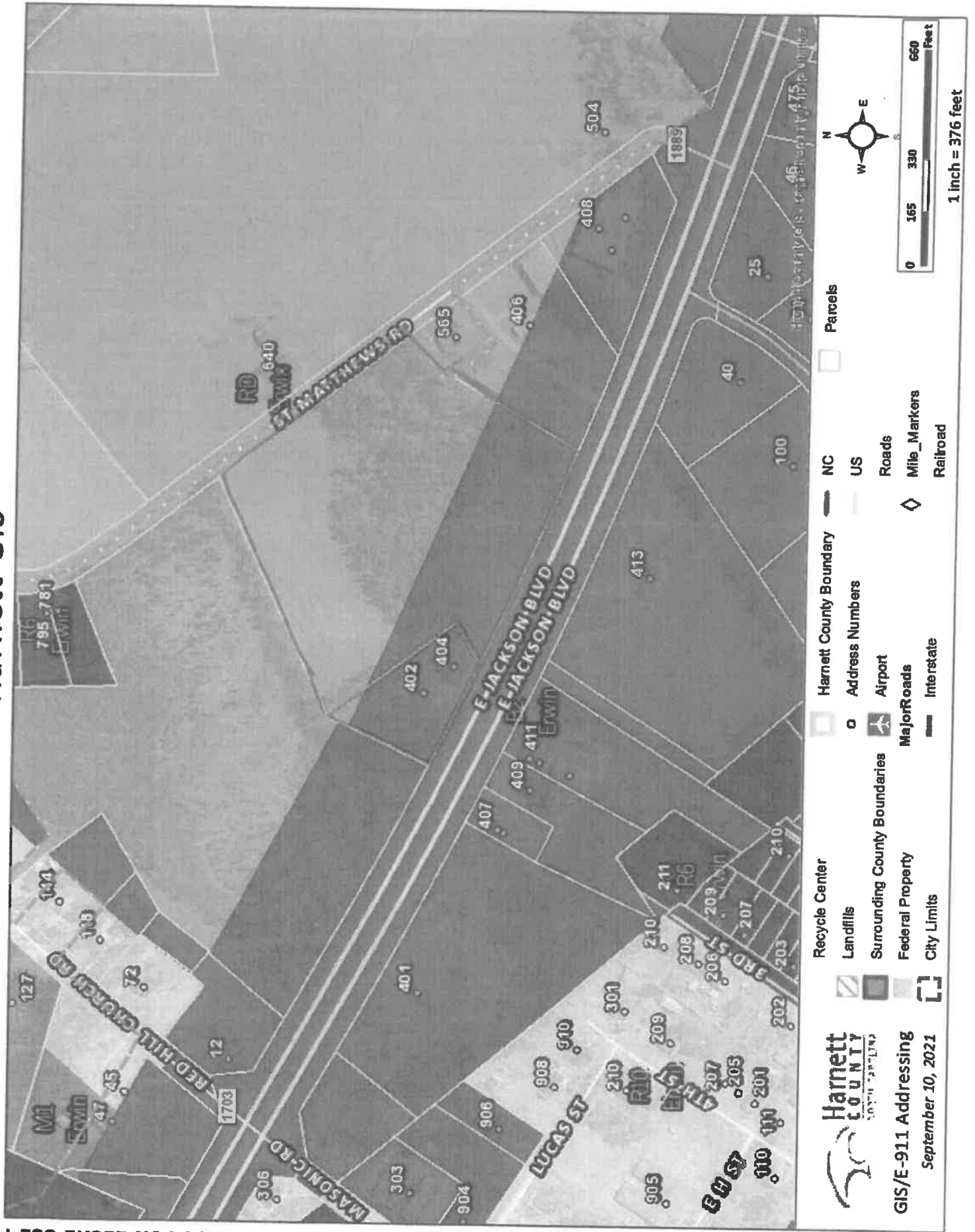
Harnett
 COUNTY
 NORTH CAROLINA


GIS/E-911 Addressing
 September 10, 2021

NOT FOR LEGAL USE

Harnett GIS

NOT FOR LEGAL USE




Harnett COUNTY
 GIS/E-911 Addressing
 September 10, 2021

Recycle Center
 Landfills
 Surrounding County Boundaries
 Federal Property
 City Limits

Harnett County Boundary
 Address Numbers
 Airport
 Major Roads
 Interstate

NC
 US
 Roads
 Mile Markers
 Railroad

Parcels

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 1 inch = 376 feet

Joe Jernigan
Larry Hardison
29 Stonegate Drive
Angier, NC 27501

James and Sheryl Senter
565 Saint Matthews Road
Erwin, NC 28339

Glover Sales INC
406 East Jackson BLVD
Erwin, NC 28339

Casper and Kara Tart
200 Murdock C Road
Cameron, NC 28326

Dan Bryant
Nancy Starr
132 Juniper Creek BLVD
Pinehurst, NC 28374

Global LLC.
3709 Tammy CT
Apex, NC 27523

Edward Miller Sr.
PO Box 248
Dunn, NC 28335

Chiro Properties, LLC.
407 East Jackson BLVD
Erwin, NC 28339

LAD Hair INC.
409 East Jackson BLVD.
Erwin, NC 28339

EZS Company, LLC
27 Annette Drive
STE 107
Benson, NC 27504

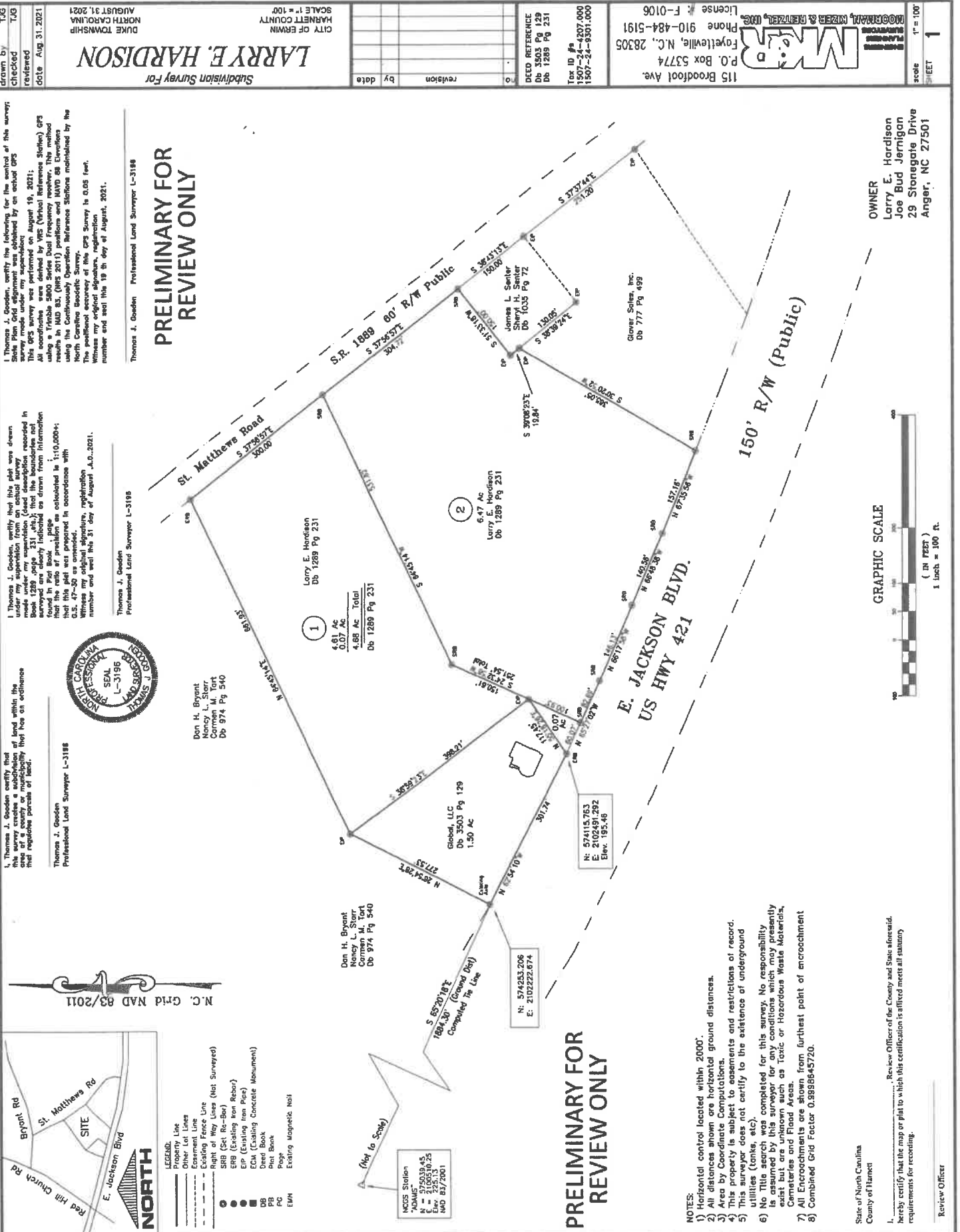
Michael Jefferson Wood
1431 Bailey Road
Coats, NC 27521

University Storage LLC
165 Sommerville Park RD.
Raleigh, NC 28603

Southeastern Properties of Buies
Creek
PO Box 4200
Buies Creek, NC 27506

Mark Kolosky
999 Carlton Street
Clayton, NC 27520

BPRV LLC
1004 Procure Street
Fuquay-Varina, NC 27526



Thomas J. Gooden, verify the following for the work of this survey:
 State Plane Grid alignment was obtained by an actual GPS survey made under my supervision;
 This GPS survey was performed on August 19, 2021;
 All corners were surveyed by RTK (Virtual Reference Station) GPS using the Continuously Operating Reference Stations maintained by the North Carolina Geomatic Survey;
 The positional accuracy of this GPS survey is 0.05 feet.
 Witness my digital signature, registration number and seal this 19th day of August, 2021.

Thomas J. Gooden Professional Land Surveyor L-3188

Thomas J. Gooden, verify that this plat was drawn under my supervision (and description recorded in Book 1289, page 231, etc.); that the boundaries and survey data were obtained as shown from information that the ratio of precision as calculated is 1:10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended.
 Witness my digital signature, registration number and seal this 31st day of August, A.D., 2021.

Thomas J. Gooden Professional Land Surveyor L-3198

Thomas J. Gooden, verify that this plat was drawn under my supervision (and description recorded in Book 1289, page 231, etc.); that the boundaries and survey data were obtained as shown from information that the ratio of precision as calculated is 1:10,000+; that this plat was prepared in accordance with G.S. 47-30 as amended.
 Witness my digital signature, registration number and seal this 31st day of August, A.D., 2021.

Thomas J. Gooden Professional Land Surveyor L-3188

PRELIMINARY FOR REVIEW ONLY

Don H. Bryant
 Nancy L. Starr
 Carmen M. Tort
 Db 974 Pg 540

Don H. Bryant
 Nancy L. Starr
 Carmen M. Tort
 Db 974 Pg 540

Larry E. Hardison
 Db 1289 Pg 231

Larry E. Hardison
 Db 1289 Pg 231

James L. Seiler
 Sherry H. Seiler
 Db 1035 Pg 72

Glover Sales, Inc.
 Db 777 Pg 499

Gooda, LLC
 Db 3503 Pg 129

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 E. 2102222.674

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Preliminary (Not for Recording or Conveyance)

Property Description for Lot 1

For Rezoning Application

A tract or parcel of land lying and being located south of St. Matthews Road (S.R. 1889) and north of E. Jackson Boulevard (U.S. Highway 421) in Duke Township, City of Erwin, Harnett County, North Carolina, and being more particularly described as:

BEGINNING at an existing iron rebar located along the southern right of way of St. Matthews Road (S.R. 1889), said point of beginning being the southeastern corner of property now or formerly owned by Dan H. Bryant, Nancy L. Starr, and Carmen M. Tart in Book 974, page 540, Harnett County Registry, thence from the point and place of BEGINNING along a line with the southern right of way of St. Matthews Road South 37 degrees 56 minutes 57 seconds East 300.00 feet to a set rebar; thence leaving the right of way of St. Matthews Road along a line with the northern boundary of Lot 2 (as shown on the survey identified below) running South 64 degrees 45 minutes 14 seconds West 531.82 feet to a set rebar; thence a line continuing along the northern boundary of Lot 2 South 24 degrees 32 minutes 58 seconds West 150.61 feet to an existing iron pipe, a corner with property now or formerly owned by Global, LLC in Book 3503, page 129, Harnett County Registry; thence along the northern line of the Global, LLC property North 36 degrees 59 minutes 23 seconds West 398.21 feet to an existing iron pipe set along the southern boundary line of the Dan H. Bryant, Nancy L. Starr, and Carmen M. Tart property described in Book 974, page 540, Harnett County Registry, and continuing along the common line of the southern boundary of the Bryant, Starr and Tart property North 64 degrees 45 minutes 14 seconds East 661.93 feet to the existing iron rebar that is the point and place of BEGINNING, and consisting of 4.61 acres, more or less, according to a plat and survey entitled "Subdivision Survey for Larry E. Hardison" as drawn by Thomas J. Gooden, PLS of Moorman, Kizer & Reitzel, Inc. dated August 31, 2021, to which such survey is hereby referenced for a more particular description.

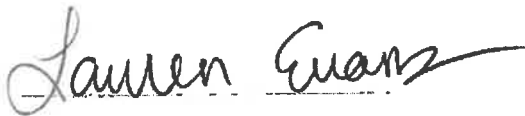
This description does not include the small triangular area along E. Jackson Blvd./U.S. Highway 421 of 0.07 acres, more or less, located south of the Global, LLC property.

Statement-of-Consistency

The requested rezoning to Highway Business (B-2) is compatible with all of the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Approved**.

A handwritten signature in cursive script, appearing to read "Pat Cameron", written in black ink on a white background.

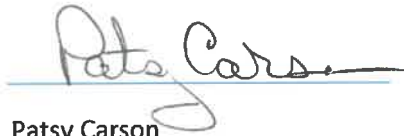
Pat Cameron
Planning Board Vice-Chairperson

A handwritten signature in cursive script, appearing to read "Lauren Evans", written in black ink on a white background.


Lauren Evans
Town Clerk

Statement-of-Consistency

The requested rezoning to Highway Business (B-2) is compatible with all of the Town of Erwin's regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be **Approved**.

A handwritten signature in cursive script, reading "Patsy Carson", written over a horizontal blue line.

Patsy Carson
Mayor

A handwritten signature in cursive script, reading "Lauren Evans", written over a horizontal blue line.

Lauren Evans
Town Clerk



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
www.erwin-nc.org

Mayor
Patsy M. Carson
Mayor Pro Tem
Randy L. Baker
Commissioners
William R. Turnage
Thurman E. Whitman
Alvester L. McKoy
Ricky W. Blackmon
Melinda Alvarado

ORDINANCE FOR MAP AMENDMENT CASE # ZT-2021-006 AMENDMENT TO THE OFFICIAL ZONING MAP TO REZONE FROM RD TO B-2 PER ZONING ORDINANCE ARTICLE XXIII FOR HARNETT COUNTY PINs 1507-24-4207.000 and 1507-24-9301.000. ORD 2020-2021: 002

Per Chapter 36 Zoning, Article XXIII, Changes and Amendments, Harnett County PINs 1507-24-4207.000 owned Global LLC and 1507-24-9301.000 owned by Joe Jernigan and Larry Hardison have been rezoned to B-2, Highway Business, Case# ZT-2021-006.

B3503 - P129

HARNETT COUNTY TAX ID#
061507 0128
06-10-2017 BY SB

For Registration Kimberly S. Hargrove
Register of Deeds
Harnett County, NC
Electronically Recorded
2017 May 10 10:29 AM NC Rev Stamp: \$ 220.00
Book: 3503 Page: 129 - 130 Fee: \$ 26.00
Instrument Number: 2017006617

Submitted electronically by Stevens Law Firm PLLC in compliance with North Carolina statutes governing electronic documents and the terms of the submitter agreement with the Harnett County Register of Deeds.

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$220.00
Parcel Identifier No. 0031425 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: GRANTEE

This instrument was prepared by: REBECCA L. STEVENS, ATTORNEY AT LAW, 547 KEISLER DR SUITE 204, CARY, NC

Brief description for the Index: 1.5 ACRES MORE OR LESS, 404 E. JACKSON BVD

THIS DEED made this 19th day of May, 2017, by and between

GRANTOR
ANCHOR PROPERTIES OF RALEIGH, LLC,
A NC LIMITED LIABILITY COMPANY
503 WRENSTONE COURT
APEX, NC 27539

GRANTEE
GLOBAL, LLC
A NC LIMITED LIABILITY COMPANY
5621 KOSTER HILL PLACE
CARY, NC 27518

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of ERWIN, AVONBROOK Township, HARNETT County, North Carolina and more particularly described as follows:

BEGINNING AT A STAKE IN THE NORTHERN MARGIN OF U.S. HIGHWAY 421, A CORNER WITH CASPER TART PROPERTY, AND RUNS THENCE ALONG THE MARGIN OF U.S. HIGHWAY 421, NORTH 55 DEGS. 20 MINS. WEST 279 FEET TO A STAKE; THENCE NORTH 32 DEGS. 15 MINS. EAST 281.7 FEET TO A STAKE; THENCE SOUTH 30 DEGS. 45 MINS. EAST 398 FEET TO A STAKE; THENCE SOUTH 61 DEGS. 51 MINS. WEST 117 FEET TO A POINT OF BEGINNING, AND CONTAINING 1.5 ACRES, MORE OR LESS.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3273 page 117.

All or a portion of the property herein conveyed includes or does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book _____ page _____

Page 1 of 2

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: Easements, restrictions and rights of way of record, 2017 ad valorem taxes.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing on the day and year first above written.

ANCHOR PROPERTIES OF RALEIGH, LLC (Entity Name)
By: [Signature] Print/Type Name: (SUAL)
Print/Type Name & Title: HOSAMELDIN E. ELBRAWI MANAGER Print/Type Name: (SUAL)
By: Print/Type Name & Title: Print/Type Name: (SUAL)
By: Print/Type Name & Title: Print/Type Name: (SUAL)

State of _____ County or City of _____ and State aforesaid, certify that I, the undersigned Notary Public of the County or City of _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name: _____

State of _____ County or City of _____ and State aforesaid, certify that I, the undersigned Notary Public of the County or City of _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this _____ day of _____, 20____.

My Commission Expires: _____ Notary Public
(Affix Seal) Notary's Printed or Typed Name: _____

State of North Carolina County or City of WAKE * RALEIGH, LL
I, the undersigned Notary Public of the County or City of WAKE, personally appear before me this day and acknowledged that _____ is the _____ MANAGER of ANCHOR PROPERTIES OF _____ a North Carolina or _____ corporation/limited liability company/general partnership/partnership (strike through the inappropriate) and that by authority duly given and as the act of such entity, _____ as agent the foregoing instrument in its name on its behalf in its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 2017.
My Commission Expires: 1-19-2018
Notary's Printed or Typed Name: _____



NC Bar Association Form No. 3-C (1976, Revised 10/1977) Printed by Agreement with the NC Bar Association - 1991 This standard form has been approved by: North Carolina Bar Association - NC Bar Form No. 3

Prepared by: J. Michael O'Neil, ATTY. 55130-24 NORTH CAROLINA, HARNETT COUNTY.

No Use

FILED BOOK 1277 PAGE 231-232 '98 AUG 5 PM 3 36 KIMBERLY S HARGROVE REGISTER OF DEEDS HARNETT COUNTY, NC

THIS DEED, Made this 27th day of July, 1998, by JOE BUD JERNIGAN of 100 #3, Box 355, Dunn, North Carolina 28335, party of the first part, to LARRY E. HARDISON of 100 West Vance Street, Dunn, N. C. 28334, party of the second part.

WITNESSETH

That said party of the first part, in consideration of Ten Dollars and other valuable considerations to them paid by said party of the second part, the receipt of which is hereby acknowledged, have bargained and sold and by these presents to bargain, sell and convey to said party of the second part, his heirs and assigns, a two-sixths undivided interest in and to that certain tract or parcel of land lying and being in Town of Erwin, Duke Township, Harnett County, North Carolina, bounded and described as follows.

BEGINNING at a found iron pin, said iron pin being the Southwest corner of that tract of land described in Deed to Glover Sales, Inc., recorded in Book 777, Page 499, Harnett County Registry, said iron pin also being located in the Northern margin of U. S. Highway 421 and runs thence along the Northern margin of U. S. Highway 421 North 63 degrees 21 minutes 07 seconds West 157.16 feet, North 62 degrees 33 minutes 49 seconds West 140.56 feet, North 62 degrees 00 minutes 09 seconds West 146.13 feet, and North 61 degrees 13 minutes 17 seconds West 142.78 feet to a set rebar by a bent axle; thence North 59 degrees 53 minutes 16 seconds East 117.51 feet to a found iron pin; thence North 32 degrees 43 minutes 43 seconds West 398.55 feet to a found iron pin, thence North 69 degrees 01 minutes 17 seconds East 462.14 feet to a point in the Western margin of N. C. S. R. #1728, thence along the Western margin of N. C. S. R. #1728 South 33 degrees 47 minutes 05 seconds East 604.93 feet to a found iron pin, thence South 25 degrees 27 minutes 50 seconds West 151.00 feet to a found iron pin; thence South 34 degrees 27 minutes 12 seconds East 20.00 feet to a found iron pin; thence South 34 degrees 34 minutes 43 seconds West 365.06 feet to the BEGINNING, and containing 11.17 acres, more or less.

It is the purpose and intention of this deed to convey a two-sixths undivided interest in the above tract of land to LARRY E. HARDISON.

HARNETT COUNTY, N.C. S.D.P. 018-0189-1102-0013 8/5 D. 2018

TO HAVE AND TO HOLD, a two-sixths undivided interest in and to the aforesaid tract or parcel of land with all privilege and appurtenances thereto belonging to said party of the second part, his heirs and assigns, to his only use and behoof forever

And said parties of the first part, for themselves, their heirs, executors and administrators, covenant with said party of the second part, his heirs and assigns, that they are seized of said premises in fee and have right to convey in fee simple, that the same are free and clear of all encumbrances and that they do hereby warrant and will forever defend the said title to the same against the lawful claims of all persons whomsoever

IN TESTIMONY WHEREOF, Said parties of the first part have hereunto set their hands and seals, the day and year first above written

Joe Bud Jennings (SEAL)
Joe Bud Jennings

NORTH CAROLINA,
HARNETT COUNTY

I, Sylvia B Long, A Notary Public of Wilson County, hereby certify that Joe Bud ^{JENNINGS} personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance

Witness my hand and Notarial Seal, this 27th day of July, 1998



Sylvia B. Long
Notary Public

My Commission Expires on November 11, 2001

NORTH CAROLINA
HARNETT COUNTY

The foregoing certificate(s) of Sylvia B Long, Notary of Wilson Co.

Notary Public (Notaries Public) is/are certified to be correct. This instrument was presented for registration and recorded in this office at Book 12 P 9 Page 131-222 This 5 day of August 1998 at 3:36 o'clock A M PM

Kimberly S Hargrove
Register of Deeds
Harnett County

By Ruby P. G... ..
Register of Deeds, Asst. Deputy

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Adopted this the 7th day of October 2021.

Patsy Carson
Patsy Carson
Mayor

ATTEST:

Lauren Evans
Lauren Evans
Town Clerk

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: 2021-2022 Street Resurfacing Recommendations

Our Town Engineer Bill Dreitzler has submitted his recommendation for the streets to be resurfaced for the Fiscal Year 2021-2022 and Fiscal Year 2022-2023. In the recommendation for the current Fiscal Year, he has suggested we make resurface and make some other improvements on the first block of East H Street. These improvements would be great for our downtown area.

Attachments:

- Memo from our Town Engineer Bill Dreitzler
- Site Plan for recommended improvements for East H Street



TOWN OF ERWIN

Post Office Box 459

Erwin, NC 28339

(910) 897-5140

M-E-M-O-R-A-N-D-U-M

DATE: September 28, 2021
TO: Mr. Snow Bowden, Town Manager
FROM: Bill Dreitzler, P.E., Town Engineer
RE: 2021-2022 Powell Bill Street Re-surfacing Priority Recommendations

Snow,

After review of our street resurfacing locations over the last few years, review of the 2013 Pavement Condition Survey, and our continued field condition evaluation, please consider the following recommendations:

1. East H Street (13th Street to 12th Street – Approx. 470 LF): Est. Cost \$100,000
2. West D Street (13th Street to 18th Street – Approx. 2,450 LF): Est. Cost \$85,000

The opinion of cost is based on an evaluation of the re-surfacing cost over the last few years. However, with the construction climate we have today, budget adjustments may be required when we are able to evaluate actual bid prices. Another option for consideration is the re-construction of the East H Street block similar to what was applied for back in 2015 through the RBEG Program. This approach would not only re-surface the block, but also involve new curb and gutter, handicap ramps, sidewalk and storm drainage improvements. Including the cost of engineering and permitting, I would recommend a budget of \$225,000 be considered for this option. Therefore, the first recommendation above would have a budget of \$185,000 and the second alternative a budget of \$225,000. Please note that neither budget includes a pothole repair allocation within this year's re-surfacing.

Moving forward, I would offer the following locations as priorities when we reach the 2022-2023 FY:

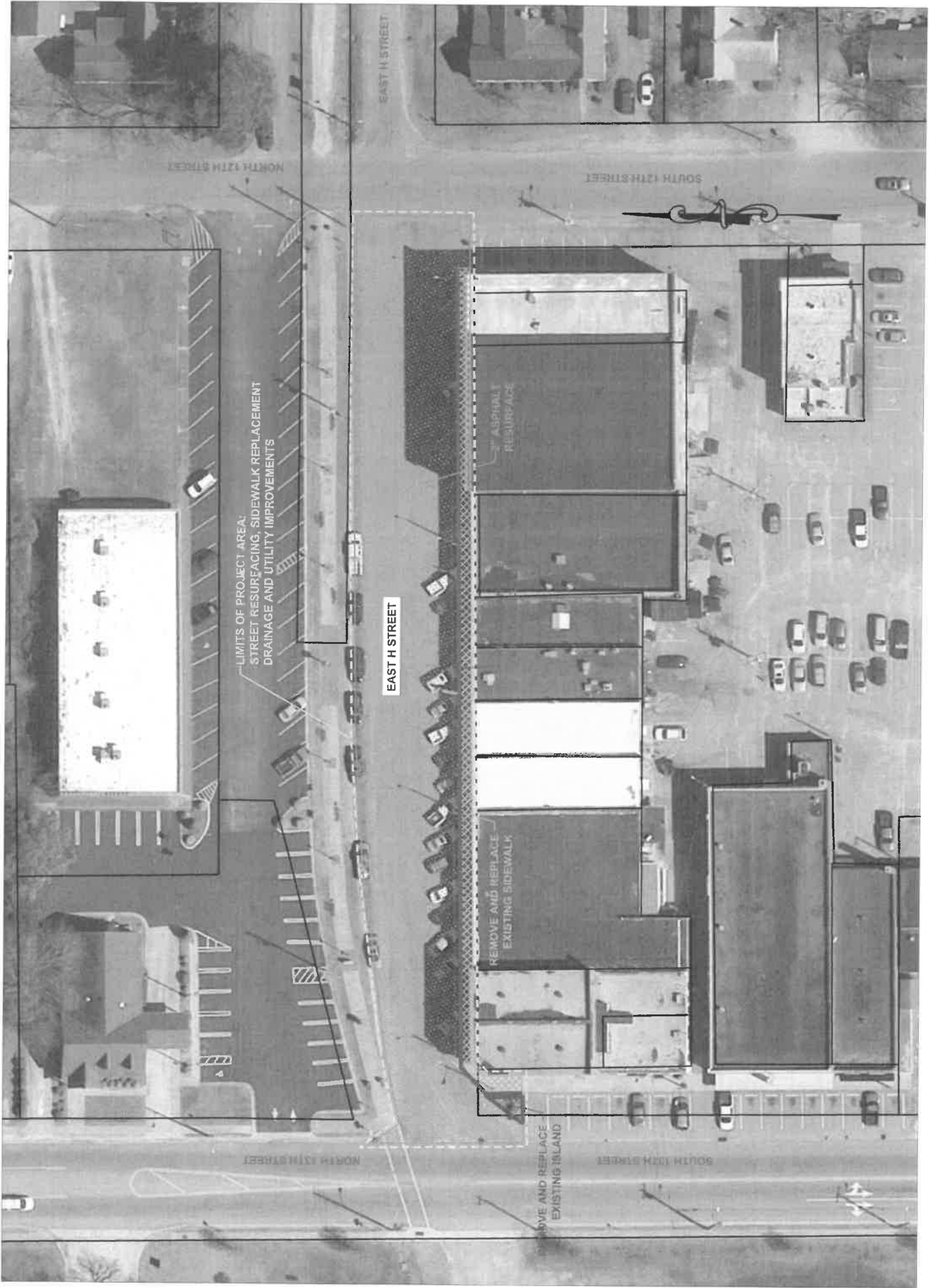
1. N 12th Street (Approx. 1,400 LF): Est. Cost \$42,000
2. East L Street (Approx. 470 LF): Est. Cost \$18,800
3. N 11th Street (Approx. 2,050 LF): Est. Cost \$71,500

Looking ahead to future resurfacing efforts beyond the 2022-2023 FY, it is my opinion that the Street Pavement Condition Survey completed back in 2013 is no longer an effective tool to evaluate resurfacing priorities. Typically, these studies are updated every 5-years. Consideration should be given to budget this update for completion prior to the FY 2023-2024 resurfacing recommendations. I estimate the cost of the update to be approximately \$25,000.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Dreitzler". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Bill Dreitzler, P.E.
Town Engineer



SITE PLAN
SCALE: 1"=60'

MINUTES CONTINUED FROM OCTOBER 7, 2021

Mayor Pro Tem Baker clarified that the improvement would be within our allotted Powell Bill Funds given to the Town of Erwin.

Town Manager Snow Bowden stated it would be a combination of Powell Bill Funds from this year which is around \$140,000 as well as a fund balance saved from previous years. He stated we have enough money to move forward with Town Engineer Bill Dreitzler's initial recommendation costing \$185,000.

The consensus of the Board was to move forward with the recommendations provided by Town Engineer Bill Dreitzler.

CLOSED SESSION

Mayor Pro Tem Baker made a motion to go into Closed Session in Pursuant to General Statute 143-318.11 (a) (6) for the Purpose of Discussing Personnel and General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege at 8:06 PM. and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

RECONVENED

Commissioner Turnage made a motion to go back in regular session at 8:20 PM and was seconded by Commissioner Whitman. **The Board voted unanimously.**

MANAGER'S REPORT

Town Manager Snow Bowden informed the Board that we have been advised to wait on spending any ARP funds until the final guidelines have been released. The census data has been released and we are making sure everything looks good with our maps, he did not feel we will have to make any changes to our maps.

ATTORNEY'S REPORTS

Town Attorney Tim Morris thanked the Board for allowing him to be their attorney. He asked the Board to be diligent with the new COVID strain. The Town lost a fellow attorney, Chris Munns.

MINUTES CONTINUED FROM OCTOBER 7, 2021

GOVERNING COMMENTS

Commissioner McKoy inquired about the presuming renting the Community Building, he has received questions from multiple people.

Town Manager Snow Bowden stated he has been hesitant to start renting the building again due to COVID, not having enough staff to keep the building sanitized in between people renting it on the weekends and meals on wheels using the Building through the week.

Commissioner Alvarado asked about ECHO.

Town Manager stated he and Mayor Carson have taken turns going to ECHO's first two meetings and they are currently meeting in the old tabernacle. He informed them that the Town Board and Town Staff support the program.

Commissioner Turnage asked to keep Norman Avery's family and Mayor Pro Tem Baker's wife in our prayers.

Mayor Carson informed the Board that the concert and crescent run the first weekend in October for the Chamber turned out wonderful.

ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 8:28 P.M. and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY

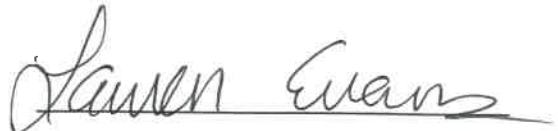
LAUREN EVANS TOWN CLERK

ATTEST:



Patsy Carson

Mayor



Lauren Evans

Lauren Evans

Town Clerk