

**THE ERWIN BOARD OF COMMISSIONERS
AUGUST 2023 REGULAR MEETING
THURSDAY, AUGUST 3, 2023 @ 7:00 P.M.
ERWIN MUNICIPAL BUILDING BOARDROOM**

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 request discussion of an item, the item will be removed from the Consent Agenda and considered under New Business.

- A. Minutes Regular Meeting on July 6, 2023 **(Page 2)**
- B. Minutes Regular Workshop on July 24, 2023 **(Page 10)**
- C. Renewal of SRO MOU **(Page 15)**
- D. Resolution of Support- Erwin Barn Quilt **(Page 16)**
- E. **Out of Town Planning Board Member Application for Nicholas Skatell**

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. PUBLIC HEARING

- A. ~~SU-2023-003 (Page 17)~~
- B. SU-2023-004 **(Page 36)**
- C. VAR-2023-001 **(Page 51)**

6. MANAGER'S REPORT

7. ATTORNEY'S REPORT

8. GOVERNING BODY COMMENTS

9. CLOSED SESSION

- A. Pursuant to General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege

10. ADJOURNMENT

****IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE TOWN CLERK AT (910) 591-4202 AT LEAST 48 HOURS PRIOR TO THE MEETING.****

ERWIN BOARD OF COMMISSIONERS**REGULAR MINUTES****AUGUST 3, 2023****ERWIN, NORTH CAROLINA**

The Board of Commissioners for the Town of Erwin with Mayor Baker presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, August 3, 2023, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker, Mayor Pro Tem Ricky Blackmon, and Commissioners Timothy Marbell, Charles Byrd, William Turnage, David Nelson, and Alvester McKoy.

Town Manager Snow Bowden, Town Attorney Tim Morris, Town Engineer Bill Dreitzler, Code Enforcement Officer Chris Jones, and Police Chief Jonathan Johnson were present.

Mayor Baker called the meeting to order at 7:00 PM.

Commissioner McKoy gave the invocation.

Commissioner Blackmon led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to remove Item A, SU-2023-003, under Public Hearing. The applicant requested to have their application withdrawn without prejudice. He also requested to add the Out of Town Planning Board Member Application for Nicholas Skatell under Consent as Item E.

Commissioner Blackmon made a motion to approve the agenda as amended and was seconded by Commissioner McKoy. **The Board voted unanimously.**

CONSENT

Commissioner Blackmon made a motion to approve **(ITEM A)** Minutes Regular Meeting on July 6, 2023 **(ITEM B)** Minutes Regular Workshop on July 24, 2023 **(ITEM C)** Renewal of SRO MOU **(ITEM D)** Resolution of Support- Erwin Barn Quilt **(ITEM E)** Planning Board Application- Nicholas Skatell and was seconded by Commissioner Turnage. **The Board voted unanimously.**

PUBLIC COMMENT

No one was present to speak.

Re: Renewal of School Resource Officer Program Memorandum of Understanding

Per Article VII entitled "Amendments and Modifications; Additional Policies and Procedures" of the School Resource Officer Program Memorandum of Understanding dated October 1, 2018 ("MOU"), attached hereto, the Harnett County Board of Education and Town of Erwin mutually agree to renew the MOU on the same terms and conditions for a term of 12 months beginning July 1, 2023, and ending June 30, 2024.

SIGNATURES:

Denea E. Jeger

Steve Beach

6.29.23

DATE

08/03/2023

DATE



TOWN OF ERWIN

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

TOWN OF ERWIN BOARD OF COMMISSIONERS RESOLUTION IN SUPPORT OF PLACING A BARN QUILT ON A MUNICIPAL BUILDING

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

WHEREAS, Barn Quilts have a significant place in our Country's history dating back to the Revolutionary War. A group of volunteers has made it their mission to create a Barn Quilt Trail throughout Harnett County which will entice visitors to the area;

WHEREAS, the Harnett County Barn Quilt Trail displays hand-painted blocks in prominent places, on historic, family-owned buildings, and museums;


WHEREAS, Teresa Stephenson of the Erwin Historical Society came before the Erwin Board of Commissioners on July 24, 2023, and asked permission to place a historically accurate Barn Quilt on the front of the municipal building where the Erwin History Room is located at 110 West F Street;

WHEREAS, the proposed Barn Quilt will display a design of trains and travel to represent trains being a vital part of Erwin, the colors red, black and white to represent Erwin's traditional colors, and blue to represent Erwin being the Denim Capital of the World for so many years;


THEREFORE, BE IT RESOLVED THAT The Town of Erwin Board of Commissioners supports and recognizes the Erwin Historical Society in donating and building an Erwin historically accurate Barn Quilt and accept the responsibility of attaching the Barn Quilt to the front of the Erwin History Room located at 110 West F Street, Erwin NC 28339.

This resolution shall be effective on and after its passage and shall be shared with the members of the Erwin Historical Society.

PROCLAIMED this 3rd day of August 2023.


Randy Baker, Mayor

ATTEST:


Snow Bowden, Town Manager

Approved

ETS



APPLICATION FOR APPOINTMENT TO A BOARD FOR THE TOWN OF ERWIN, NORTH CAROLINA



The Town of Erwin appreciates your interest in serving on a Board and requests that you complete the following application. This application requests general information based on your interest in applying for a Board for the Town of Erwin.

Applicant Name: Nicholas Skatell Date of Application: 08/01/2023

Home Address: 390 Bumpas Creek Access Dunn 28334
Street Address Town Zip Code

Home Phone: _____ Business/Other Phone: 919-820-2444

FAX Number: _____ Email Address: nick@nkscontracting.com

In order to consider this application, the Town of Erwin requests the following information:

Date of Birth 07/24/1987 Do you reside within the Town Limits of Erwin: Yes No
Occupation: Self-Employed Length of residence in Erwin: ___ Years ___ Months

Have you ever pled guilty to or been found guilty of any criminal offense or been convicted of any offense other than a minor traffic violation? Yes ___ No

If yes, please explain _____

Any evidence found to be incorrect on the application may result in disqualification.

Please write a brief statement as to why you are interested in serving on one of these Boards.

I am interested in serving my community and help with any future development the Town of Erwin will be involved in.

Please indicate your preference by the number (first choice being "1")


Planning Board 1 Recreation _____

Please note: If you are applying for the Planning Board you will not be able to serve on another Board.



**TOWN OF ERWIN
BOARD OF COMMISSIONERS
REGULAR MEETING
THURSDAY, AUGUST 3, 2023 AT 7 PM**

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 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*

Name	Address	Subject
1. 		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		

MINUTES CONTINUED FROM AUGUST 3, 2023

PUBLIC HEARING

SU-2023-004

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

Town Manager Snow Bowden stated that the Town of Erwin received a special use application to operate a vehicular sales business at 129 Bumpas Creek Access. There would be no car sold on the site and the majority of sales would be online. This request is so the property owner could make sales and be in compliance with the regulations, not a typical car lot.

Mayor Baker inquired whether this use was listed among the special uses in the district for which this application was made.

Town Manager Snow Bowden stated yes, the changes were made the previous month.

Mayor Baker inquired whether this request was in conformity with our Land Use Plan.

Town Manager Snow Bowden stated yes, this request would be a low-intensity use, not a high-intensity use. There would be no traffic involved with this request.

Mayor Baker asked if anyone was present to speak in favor of the request.

Applicant, William Morris, of 129 Bumpas Creek Access came forward and promised to tell the truth.

Mr. Morris addressed the Board and stated all of his business would be conducted online. It will have low to no impact at all on the surrounding community. He had occasionally stuck a car at the corner of this property for sale and no one had ever noticed or commented on it.

Commissioner McKoy stated so many people do what they want when it was against the rules and he commended Mr. Morris for coming forward and doing it the right way.

Commissioner Blackmon stated it was all self-explanatory.

Mayor Baker asked if anyone else was present to speak in favor of the request.

No one came forward.

Mayor Baker asked if anyone was present to speak against the request.

No one came forward.

Mayor Baker closed the Public Hearing.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the requested use is listed among the special uses in the district for which the application is made. Reasoning that vehicular sales are allowed with a special use permit in our RD zoning district.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that the requested use is essential or desirable to the public

MINUTES CONTINUED FROM AUGUST 3, 2023

convenience or welfare. Reasoning that the service of providing vehicles will enhance the public's ability to satisfy transportation needs.

Commissioner Nelson made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board 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. Reasoning that this tract of land is surrounded by primarily residential land uses. Most of the sales will take place at other facilities thus reducing the amount of impact to the surrounding area.

Commissioner McKoy made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the requested use will be in conformity with the Land Development Plan. Reasoning that this parcel is located in an area identified for Low-Intensity growth in our 2014 Land Use Plan. The requested special use permit will not have any impact on the area due to the fact that there will not be any onsite traffic associated with the use.

Commissioner Turnage made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided. Reasoning that this is an existing site that already has an established driveway. They have an established ditch for drainage and a private company collects their trash.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets. Reasoning this site has an existing driveway and there will be no onsite traffic associated with this requested land use.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Nelson, and unanimously approved by the Board that the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except such regulations may, in each instance, be modified by the Board of Commissioners pursuant to the recommendations of the Planning Board. Reasoning that the requested use will be required to adhere to local and state regulatory guidelines in order to perform activities in conjunction with vehicular sales.

Commissioner Blackmon made a motion to recommend that the proposed special use permit application meets all the Findings of Facts in the Affirmative and to recommend the approval of Special Use Permit SU-2023-004 to conduct vehicular sales activities located at 129 Bumpas Creek Access, Harnett County Tax PIN #0595-79-5908.000 and was seconded by Commissioner Byrd. **The Board voted unanimously.**

VAR-2023-001

Commissioner Byrd made a motion to open the Public Hearing and was seconded by Commissioner Blackmon. The Board voted unanimously.

Town Manager Snow Bowden stated the Town of Erwin received a hardship variance request for the site of the old mill. The applicant wanted to subdivide the property and have a zero-lot line on the sides. This hardship variance had nothing to do with the use of the land and the property owners did not have plans for residential use at this time. Residential is not allowed in the M-1 zoning district so any changes would require a zoning amendment to our ordinances.

5Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 3, 2023

Subject: SU-2023-004

The Town has received a special use permit application to operate a vehicular sales business at 127 Bumpas Creek Access. The majority of the sales will be off-site and there would be minimal traffic based on the conversations that I have had with the property owner. The property owner does the majority of sales online and just needs a verification from the Town that he can operate in a building on this lot.

Attachments:

- SU-2023-004 Application
- SU-2023-004 Staff Report
- Harnett County GIS Image with zoning
- Harnett County GIS Image with no zoning
- Property owners notified
- SU-2023-004 Public Notice Letter
- SU-2023-004 Newspaper Notice



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	Black River Services WILLIAM MORRIS	Property Owner Name	WILLIAM M. MORRIS
Mailing Address	129 BUMPAS CREEK ACROSS	Mailing Address	11 11
City, State, Zip	DUNN NC	City, State, Zip	11 11 11
Telephone	910 287 9657	Telephone	
Email	mo	Email	

Address of Subject Property	11	124 Bumpas Creek ACROSS
Parcel Identification Number(s) (PIN) of Subject Property	05 75 - 79 - 5908 .000	
Legal Relationship of Applicant to Owner	owner	Floodplain SFHA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Legal Description: Lot	Block	Subdivision
Zoning District	RD	Wetlands Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Public Water Available: Y or N	Public Sewer Available: Y or N	Existing Septic Tank: Y or N
Number of Buildings to Remain	2	Gross Floor Area to Remain
Describe Proposed Project or Request with Conditions proposed by applicant:		
Operate a vehicular sales business.		
Total Acreage or Square Footage to be Disturbed	96 59 FT.	
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.


Date Application Submitted 1/15/21 Office Use Only Application Fee \$ 20 Received By KGD

Case # SU-2023 -004

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:  4/10/23

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 _____

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.



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"/>

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2023-004

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, August 3, 2023

Requested special use permit to operate a vehicular sales business at 129 Bumpas Creek Access.

Applicant Information

Owner of Record:

Name: W.H. and Gina D. Morris

Address: 129 Bumpas Creek Access

City/State/Zip: Dunn, NC 28334

Applicant:

Name: W.H. Morris

Address: 129 Bumpas Creek Access

City/State/Zip: Dunn, NC 28334

Property Description

Harnett County Tax PIN 0597-79-5908.000

Acres 4.15

Zoning District- Residential R-D

Vicinity Map

- See Attached Document
-
-

Physical Characteristics

Site Description: This is a tract of land that is 4.15 acres with a single family dwelling located on the parcel. There are other buildings that are associated with the agricultural use of the property.

Surrounding Land Uses: The primary land uses that surround this parcel are residential and agricultural.

Services Available

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

Zoning District Compatibility

Special Use	RD
Customary Home Occupation	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:** Vehicular Sales are allowed with a special use permit in our RD Zoning District.

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

- **Reasoning:** The service they provide is desirable to the public.

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 primarily residential land uses.

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

- **Reasoning:** This parcel is located in an area identified for Low Intensity growth in our 2014 Land Use Plan. The requested special use permit will not have any impact on the area due to the fact that there will not be any on site traffic associated with the use.

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

- **Reasoning:** This is an existing site that already has an established driveway. They have an established ditch for drainage and a private company collects their trash.

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 site has an existing driveway and there will be no onsite traffic associated with this requested land use.

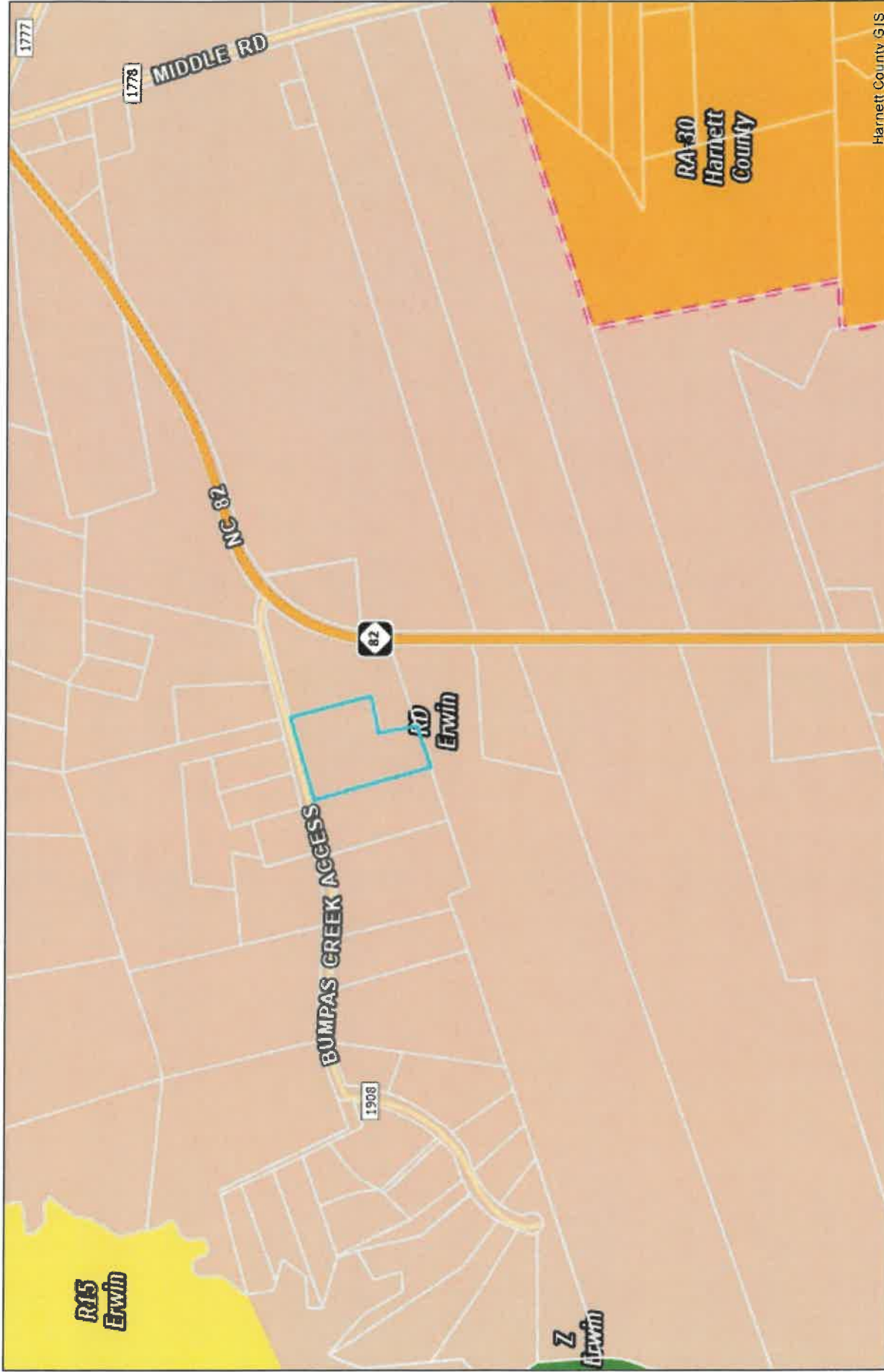
Yes No That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Commissioners.

- **Reasoning:** Yes.

Attachments:

- SU-2023-004 Application
- SU-2023-004 Staff Report
- SU-2023-004 Site Plan
- SU-2023-004 Harnett County GIS Image with Zoning
- SU-2023-004 Harnett County GIS Image with no Zoning
- SU-2023-004 property owners notified

Harnett GIS



Surrounding County Boundaries

- City Limits
- County Boundary
- Airport

MajorRoads

- Interstate
- NC
- US
- Roads

Mile_Markers

- Mile_Markers
- Railroad
- Parcels
- CapeFearRiver

0 335 670 1,340 Feet

1 inch = 752 feet

Harnett County GIS

NOT FOR LEGAL USE .

GIS/E-911 Addressing
April 25, 2023

Harnett GIS



Surrounding County Boundaries

City Limits

County Boundary

Airport

Interstate

NC

US

Roads

Mile_Markers

Railroad

Parcels

CapeFearRiver

GIS/E-911 Addressing
 April 25, 2023

NOT FOR LEGAL USE .

W.H. and Gina Morris
129 Bumpas Creek Access
Dunn, NC 28334

Black River Properties
PO Box 787
Dunn, NC 28335

Kenneth and Julie Pope
199 Bumpas Creek Access
Dunn, NC 28334

William and Karen Lamm
172 Bumpas Creek Access
Dunn, NC 28334

Keith and Susan Tripp
116 Bumpas Creek Access
Dunn, NC 28334

Thomas and Ann Denning
90 Bumpas Creek Access
Dunn, NC 28334



TOWN OF ERWIN

P.O. Box 459 · Erwin, NC 28339
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www.erwin-nc.org

07/11/2023

Notice of a Public Hearing SU-2023-004

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on August 3rd, 2023 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed special use permit application request.

There has been a special use permit application submitted to the Town. The property is located at 129 Bumpas Creek Access. The applicant has request a special use permit to operate a vehicular sales lot at 129 Bumpas Creek Access. The applicant needs to establish a home office for his business.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at townmanager@erwin-nc.org.

Regards,

Snow Bowden
Town Manager

NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following item pursuant to NC General Statute 160D-406, on Thursday, August 3, 2023, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339. Questions can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at townmanager@erwin-nc.org.

- Case SU-2023-003: Special Use Permit Application to build ten multi-family units on a vacant parcel located off of North 13th Street. The parcel is adjacent to the apartment complex Oakdale 1. It can also be identified by its Harnett County Tax PIN # 0597-66-7341.000.
- Case SU-2023-004: Special Use Permit Application to operate vehicular sales lot at 129 Bumpas Creek Access. It can also be identified by its Harnett County Tax PIN # 0595-79-5908.000.
- VAR-2023-001: The applicant is requesting a subdivision hardship variance request at the parcel where the Erwin Mill is located at 200 North 13th Street. The building is now known as the Central Carolina Industrial Park. It can also be identified by its Harnett County Tax PIN # 0597-54-8405.000.

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed items set forth above are requested to be present at the above-mentioned time and place.
7/18,25/2023

MINUTES CONTINUED FROM AUGUST 3, 2023

Mayor Baker asked if anyone was present to speak in favor of the request.

Norman Avery, of 335 Raymond Avery came forward and promised to tell the truth.

Mr. Avery showed the Board maps of the area which are included in these minutes as an attachment.

Mr. Avery stated they wanted to tap into the growth coming from the Raleigh and Fayetteville areas. Erwin was in a good spot being in the middle. There was a lot of housing being built and they were striving to get more businesses in Erwin. He stated he agreed to stay for a while and help manage the building for the new owners. Looking at the site plan, the owners would like to subdivide the building and focus on the East half first. There was a lot of work being done, including a new roof, tearing out the old office to make it a storefront, and putting in loading docks. The owners are putting a lot of money into Erwin. He extended an invitation to the Board to come to look at the progress anytime. Any work done on this site had been permitted by Harnett County. The former owners paid three million dollars in clean-up. Everything being done to this site is for the betterment of Erwin. LED light had been installed. The Board approving this request would save the owners \$100,000 a year in insurance costs. He had been in contact with different companies to rent offices. If the Hardship request is approved, the buildings will be split and named two different companies, side one was undecided but side two would still be CCIP.

Commissioner Byrd asked for clarification on the divide.

Mr. Avery stated it would come from J Street, East to West.

Mayor Baker verified that the owners have spoken with Code officials about how the property line would limit the aspects of the buildings.

Mr. Avery stated that was correct. He stated they planned to build three loading docks where the breezeway was and had already been approved by the County.

Commissioner Turnage asked when Mr. Avery anticipated the first phase being completed.

Mr. Avery stated their dates were a little different than his. He stated he thought four months but the owners say two months.

Commissioner Turnage stated he had seen the money being spent including redoing the parking lot. There are big improvements and the Town needed to do everything we could to assist in developing that property.

Mr. Avery stated the big parking lot between J and I Street have not had any lights on it, they planned to cut on two lights on each pole making eight lights total. They received two lawsuits because since spraying the parking lot, everything was black. They were going to go back and paint the speedbumps white or yellow.

Mayor Baker asked for verification that the reasoning for this Hardship Variance was stated in the application and was not for the purpose of adding any additional buildings or encroaching on any other property. What the Board was looking at was a dividing line between the existing building. No expansion would take place to bring any part of the building closer to the property line.

Mr. Avery stated that was correct.

MINUTES CONTINUED FROM AUGUST 3, 2023

Commissioner McKoy stated what Mr. Avery and the owners were doing was great. The parking lot looked great. He was happy to hear that this site will create more jobs for Erwin.

Commissioner Blackmon stated the way the building was, restricted their use of the building. By dividing the building it broadens their possibilities and he completely understood the reasoning for dividing the building.

Mayor Baker asked if anyone else was present to speak in favor of the request.

No one came forward.

Mayor Baker asked if anyone was present to speak against the request.

No one came forward.

Mayor Baker asked if anyone was present to ask a question about the request.

No one came forward.

Mayor Baker closed the Public Hearing.

Mayor Baker verified with staff that the application was a complete application and that the Board could rule on the request at this meeting.

Town Manager Snow Bowden stated we did have a complete application but at our Workshop we discussed tabling the request. The applicants did send updated information and he spoke with the Owner, Michael who was aware of the upgrades he will have to make if the Hardship Variance was approved.

Mayor Baker asked if Town Engineer Bill Dreitzler had any concerns about what was being proposed.

Town Engineer Bill Dreitzler stated from the discussion at the Workshop he did have some concerns but after the presentation from Mr. Avery, he no longer had concerns.

Mr. Avery stated he also wanted to let the Board know that they finally received approval to close in the reservoir. They were going to backfill it in accordance with DDQ and Environmental.

Commissioner Blackmon verified that we were approving a setback in the M-1 district for this specific parcel. Since they have not subdivided the property yet, that was his question.

Town Manager Snow Bowden stated if the Board approved the setbacks, that would subdivide the property.

Commissioner Blackmon stated the applicants have not presented the Board with a subdivision plat showing the easements and setbacks. The applicant was asking for a variance to the setbacks but it was one piece of property. Until the property is divided, you cannot provide a Variance to the setbacks, there was nothing there to give it to. The owners could submit the subdivision and ask for a variance to the setbacks at that time.

Town Manager Snow Bowden stated we need further information before moving forward.

MINUTES CONTINUED FROM AUGUST 3, 2023

Commissioner Blackmon stated what was presented was fine, it was just brought before the Board before it should be done. Once they subdivide the property, they would come before the Board to request a variance be granted.

Town Attorney Tim Morris stated it wasn't as much a situation of a cart before the horse, it was more a catch-22. When they come to do the subdivision, are they going to say there was no reason for the subdivision?

Commissioner Blackmon stated we would still have to subdivide the property. The issue was which step should come first. He stated Snow was right that a variance was needed because the building did not meet the setbacks now.

Mayor Baker stated this particular parcel will be buried down to a zero lot line. Then with that being done, they would come back with their subdivision and Mr. Bowden could sign off on it. We would be appropriate in acting upon and granting the variance at this meeting.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district. Yes, this parcel was developed prior to current zoning code.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that granting the variance the requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located. Yes, helping the redevelopment of the property.

Commissioner Blackmon made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that a literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residence of the district in which the property is located. Yes, without the variance it will cost us about \$100,000 more in extra insurance fees.

Commissioner Byrd made a motion in the affirmative, seconded by Commissioner Blackmon, and unanimously approved by the Board that the requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare. Yes, it won't have any negative to the neighborhood.

Commissioner McKoy made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the special circumstances are not the result of the actions of the applicant. Yes, as it is an already-developed site.

Commissioner Nelson made a motion in the affirmative, seconded by Commissioner Byrd, and unanimously approved by the Board that the variance requested is the minimum variance that will make possible the legal use of the land, building, or structure. Yes, this will help the redevelopment of the property as it will reduce insurance costs significantly.

Commissioner Blackmon made a motion to approve the variance for Harnett County PIN #0597-54-8405.000 for a zero lot line and was seconded by Commissioner Byrd. **The Board voted unanimously.**

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 3, 2023

Subject: VAR-2023-001

We have received a hardship variance request for the site of the old Erwin Mill. The site is under new ownership and has a new name which is the Central Carolina Industrial Park (CCIP). They are trying to make improvements to the site. The public hearing was properly advertised. A lot of our residents received letters in the mail. We have received more information from the new owner and they are planning on having someone to attend the meeting.

Recommendation: Open the public hearing and allow public comment. If necessary, make a motion to continue the public hearing until our regularly scheduled September Town Board meeting on Thursday, September 7th at 7PM in the Erwin Municipal Building Board Room.

Sec. 30-40. - Variances.

The town board may only authorize a variance from these regulations when, in its opinion, undue hardship may result from strict compliance. In granting any variance, the town board shall make the findings required below, taking into account the nature of the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the town board finds all four of the following conditions to clearly exist:

- (1) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of their land.
- (2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- (3) That the circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristics of other parcels in the jurisdiction of this article.
- (4) That the granting of the variance will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated.

I have spoken with a few other people and a hardship variance is the only way I believe that his subdivision can be approved.



Variance Application (February 2011)

Name of Applicant	Levi Gross	Property Owner	200 North 13 LLC
Mailing Address	320 Roebling St #125	Mailing Address	320 Roebling St #125
City, State, Zip	Brooklyn NY 11211	City, State, Zip	Brooklyn NY 11211
Telephone	910-250-5025	Telephone	910-250-5025
Email	levi@ccipnc.com	Email	levi@ccipnc.com
Address of Subject Property		200 North 13th St Erwin NC 28339	
Parcel Identification Number(s) (PIN) of Subject Property		0597-54-8405.000	

Variance Description: On a separately attached document, please state the particular zoning regulation for which the variance is being requested. Also state the requested variance (For instance, in the case of a setback variance request: If the required side yard setback is 12' and the applicant can only meet a 10' setback; then the applicant will be requesting a 2' variance from the 12' setback requirement.). Please attach a site plan with all appropriate dimensional notations needed to demonstrate the variance request if applicable.

Findings of Fact: The following are the findings of fact associated with a variance request. Applicant is to note that all of the following findings must be found in the affirmative in order for the requested variance to be granted. The applicant is requested to review each of these findings and answer the same to the best ability of the applicant. Responses to each of these findings may be attached to this application on a separate document.

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.

Yes, this parcel was developed prior to current zoning code

b. Granting the variance the requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located.

Yes, helping the redevelopment of the property

c. A literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residence of the district in which the property is located.

Yes, without the variance it will cost us about \$100,000 more in extra insurance fees

d. The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.

Yes, it won't have any negative to the neighborhood

e. The special circumstances are not the result of the actions of the applicant.

Yes, as it is an already-developed site

f. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

Yes, this will help the redevelopment of the property as it will reduce insurance cost significantly

Owner/Applicant Must Read and Sign

The undersigned property owner, or duly authorized agent/representative thereof certifies that this application and the forgoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. The undersigning party understands that any incorrect information submitted may result in the revocation of this application. The undersigning party authorizes the Town of Erwin to review this request and conduct a site inspection to ensure compliance to this application as approved.

Levi Gross

Print Name

Levi Gross

Signature of Owner or Representative

07/05/23

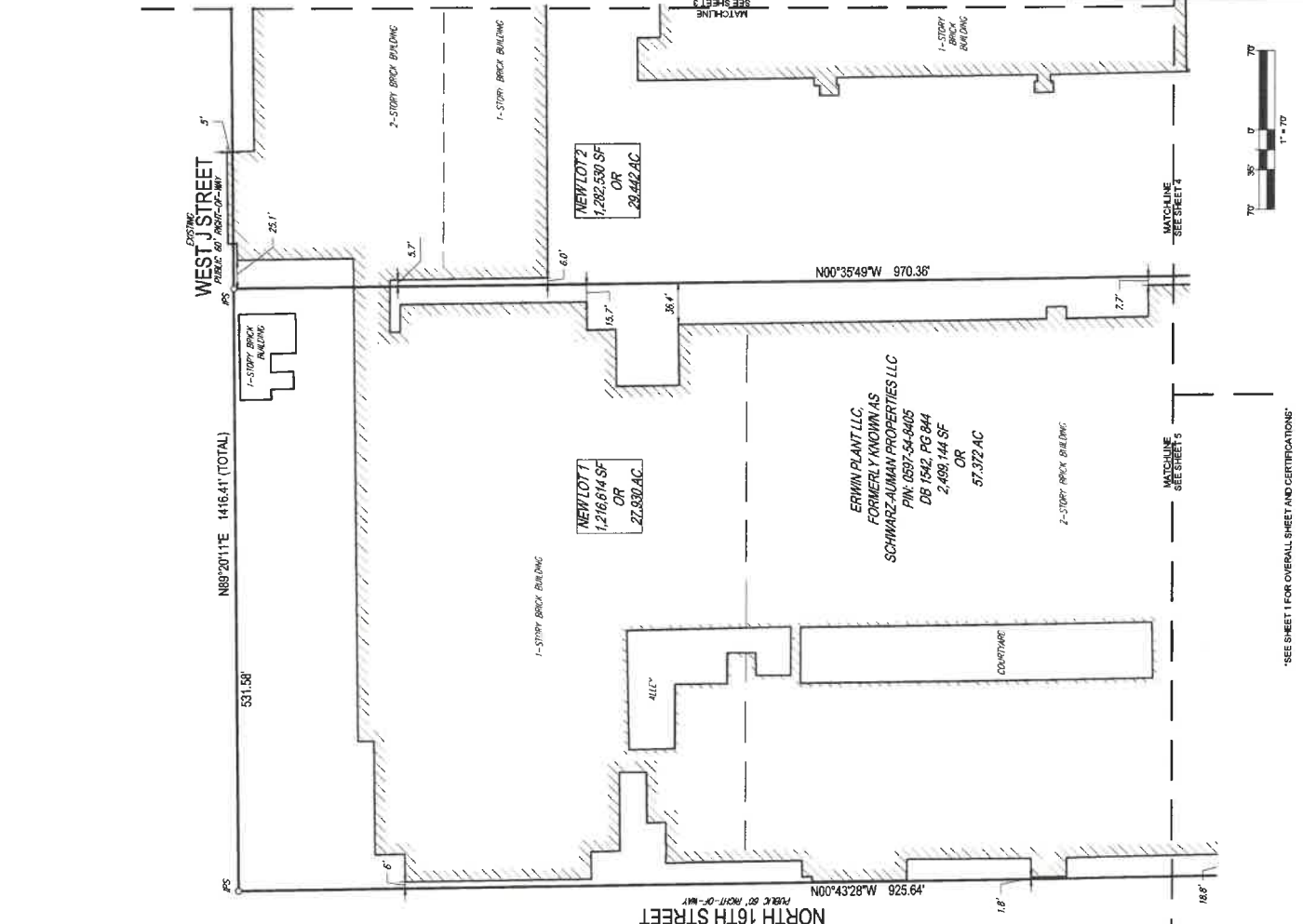
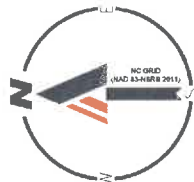
Date

NOTES:

1. THE FIRM HAS NEITHER REVIEWED, NOR RELIED UPON A TITLE INSURANCE POLICY, NOR CONDUCTED A TITLE SURVEY AND THE CLIENTS SHOULD OBTAIN A TITLE INSURANCE POLICY AND THE CLIENTS SHOULD OBTAIN A TITLE INSURANCE POLICY AS GUARANTEE OF MARKETABLE TITLE. EXCEPTIONS THAT MAY, COULD OR DO ENCUMBER THE PROPERTY, INCLUDING BUT NOT LIMITED TO, EASEMENTS, RIGHTS-OF-WAY, COMPANY FOR REVIEW AND CONFIRMATION OF, AND INSURANCE REGARDING MARKETABLE TITLE.
2. THIS SURVEY IS A MECHANICAL SURVEY. THE METHOD OF MEASUREMENTS AND RESTRICTIONS OF RECORD, ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
3. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES.
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5. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, FOR THE NAD83 NETWORK.
6. BARS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NRS 2011).
7. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X". AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 372688010L, PANEL 0897 EFFECTIVE DATE OCTOBER 3, 2006.

REFERENCES:

- DB 1542, PG 844
- DB 3624, PG 881
- DB 3431, PG 416
- DB 2962, PG 818
- DB 3441, PG 712
- DB 2416, PG 976
- PG 6, PG 89
- PG 6, PG 87



LEGEND

- LINE SURVEYED
- - - LINE NOT SURVEYED
- PK FOUND
- PK FOUND
- IRON PIPE SET
- COMPUTED POINT

SITE AREA TABLE:

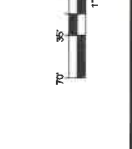
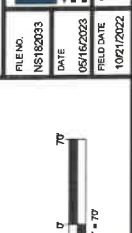
NEW LOT 1:	1,216,614 SF OR 27,930 AC
NEW LOT 2:	1,292,530 SF OR 29,442 AC
TOTAL AREA:	2,499,144 SF OR 57,372 AC

PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES



SUBDIVISION PLAT FOR ERWIN PLANT LLC
 PIN: 0597-54-8405
 DB1542, PG 844
 TOWN OF ERWIN, DADE COUNTY, NORTH CAROLINA

FILE NO.	NS162023
DATE	05/16/2023
FIELD DATE	10/21/2022
CS/CHECKED	RJ
DRAWN	BG
REVIEWED	JT/RET
APPROVED	RET
SCALE	1" = 70'
DWG. NO.	2 OF 5



SEE SHEET 1 FOR OVERALL SHEET AND CERTIFICATIONS

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NOTES:

1. THE FIRM HAS NEITHER REVIEWED, NOR RELIED UPON A TITLE COMMITMENT OR ANY TITLE REPORT OR INSTRUMENT WHILE PREPARING THIS SURVEY. THE FIRM DOES NOT GUARANTEE OR WARRANT SURVEY AS ASSURANCE OF OWNERSHIP, AS GUARANTEE OF MARKETABLE TITLE EXCEPTIONS OR AS GUARANTEE OF TITLE. THE CLIENT MUST ENGAGE A TITLE AGENT/TITLE INSURANCE COMPANY FOR REVIEW AND CONVEYANCE OF TITLE AND INSURANCE AND CONVEYANCE OF TITLE AND INSURANCE.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS INDICATED OTHERWISE.
5. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS PER THE NAD83 NETWORK.
6. ROAD SHOWN HEREON IS NC GRID ROAD 63 (R63) 2011.
7. THE PROPERTY SHOWN HEREON IS MAJOR FLOODING PER FLOOD INSURANCE RATE MAP 37200897903, PANEL 0567 EFFECTIVE DATE OCTOBER 3, 2009.

SITE AREA TABLE:

NEW LOT 1: 1,216,814 SF OR 27.89 AC
 NEW LOT 2: 1,282,530 SF OR 29.442 AC
 TOTAL AREA: 2,499,344 SF OR 57.372 AC

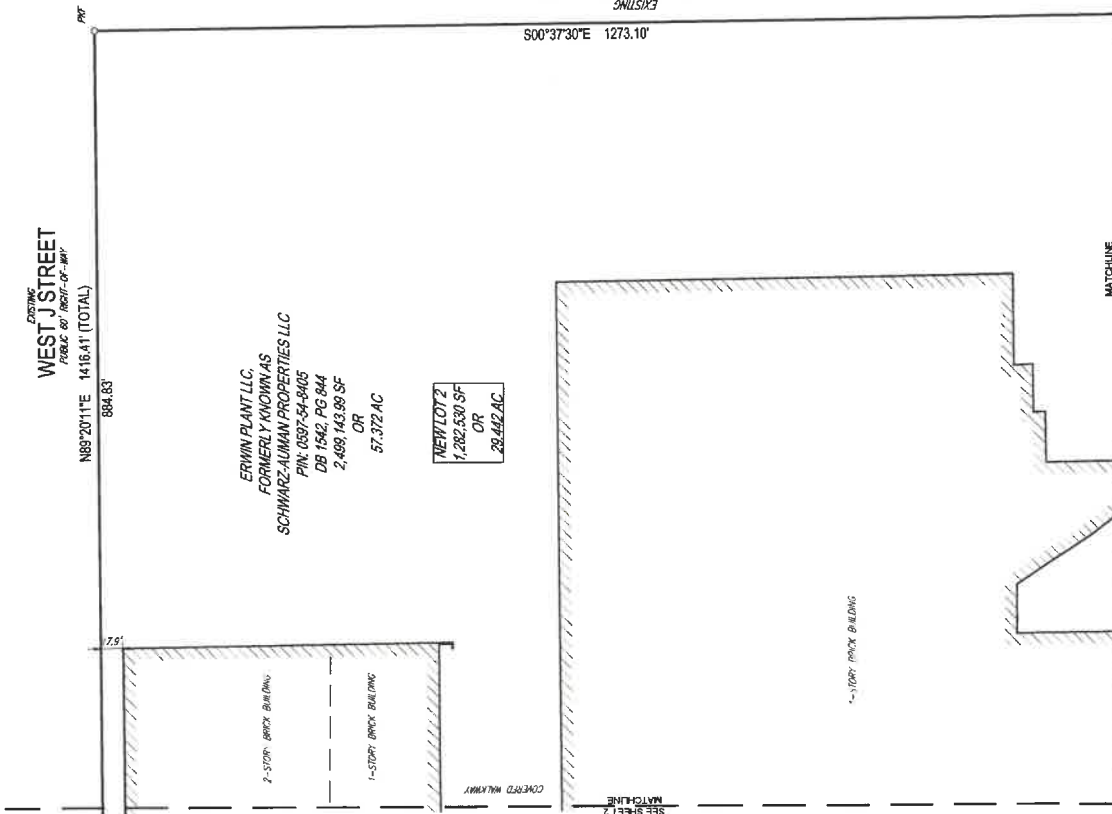
LEGEND

- LINE SURVEYED
- - - LINE NOT SURVEYED
- PFK
- IFS
- CP
- PFK NAIL FOUND
- IRON PIPE SET
- COMPUTED POINT

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ERWIN PLANT LLC,
 FORMERLY KNOW-AS
 SCHWARZ-ALUMAN PROPERTIES LLC
 PIN: 0597-54-8405
 DB 1542, PG 844
 2,499,143.99 SF
 OR
 57.372 AC

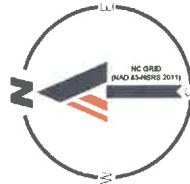
NEW LOT 2
 1,282,530 SF
 OR
 29.442 AC



SEE SHEET 1 FOR OVERALL SHEET AND CERTIFICATIONS



- REFERENCES:**
- DB 1542, PG 844
 - DB 3024, PG 961
 - DB 3068, PG 595
 - DB 2562, PG 618
 - DB 3441, PG 712
 - DB 2416, PG 976
 - DB 1542, PG 844
 - DB 3024, PG 961
 - DB 3068, PG 595
 - DB 2562, PG 618
 - DB 3441, PG 712
 - DB 2416, PG 976
 - DB 1542, PG 844
 - DB 3024, PG 961
 - DB 3068, PG 595
 - DB 2562, PG 618
 - DB 3441, PG 712
 - DB 2416, PG 976
 - DB 1542, PG 844



PRELIMINARY - NOT FOR RECORDATION,
 SALES OR CONVEYANCES

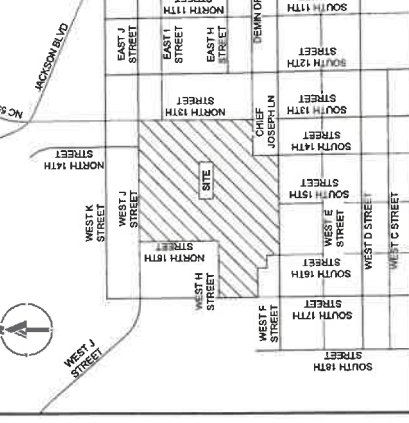
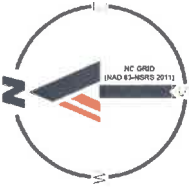


SUBDIVISION PLAT
 FOR
 ERWIN PLANT LLC
 PIN: 0597-54-8405
 DB1542, PG 844
 TOWN OF ERWIN, WAKE COUNTY, NORTH CAROLINA

FILE NO.	NS1520233	DATE	05/16/2023	CREATED BY	RJ	REVIEWED BY	BG	APPROVED BY	J/TEI	SCALE	1" = 70'	SHEET NO.	3 OF 5
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BOHLER
 4709 PARLAVILLE AVENUE, SUITE 100
 1310 PALMER NORTH CAROLINA 27550
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LOCATION MAP
NOT TO SCALE

LEGEND

- LINE SURVEYED
- LINE NOT SURVEYED
- PKF
- IPK
- IRON PIPE SET
- CP
- COMPUTED POINT

PRELIMINARY - NOT FOR RECORDATION,
SALES OR CONVEYANCES



SUBDIVISION PLAT
FOR
ERWIN PLANT LLC
PIN: 0597-54-8405
DB1542, PG 844

209 N 13TH STREET
TOWN OF ERWIN, DUKE TOWNSHIP
HARRIS COUNTY, NORTH CAROLINA

BOHLER

FILE NO.	NS182033	DRAWN	REVIEWED	APPROVED	SCALE	DWG. NO.
DATE	05/16/2023	BY	DATE	DATE	1" = 70'	4 OF 5
FIELD DATE	10/21/2022	BY	DATE	DATE		

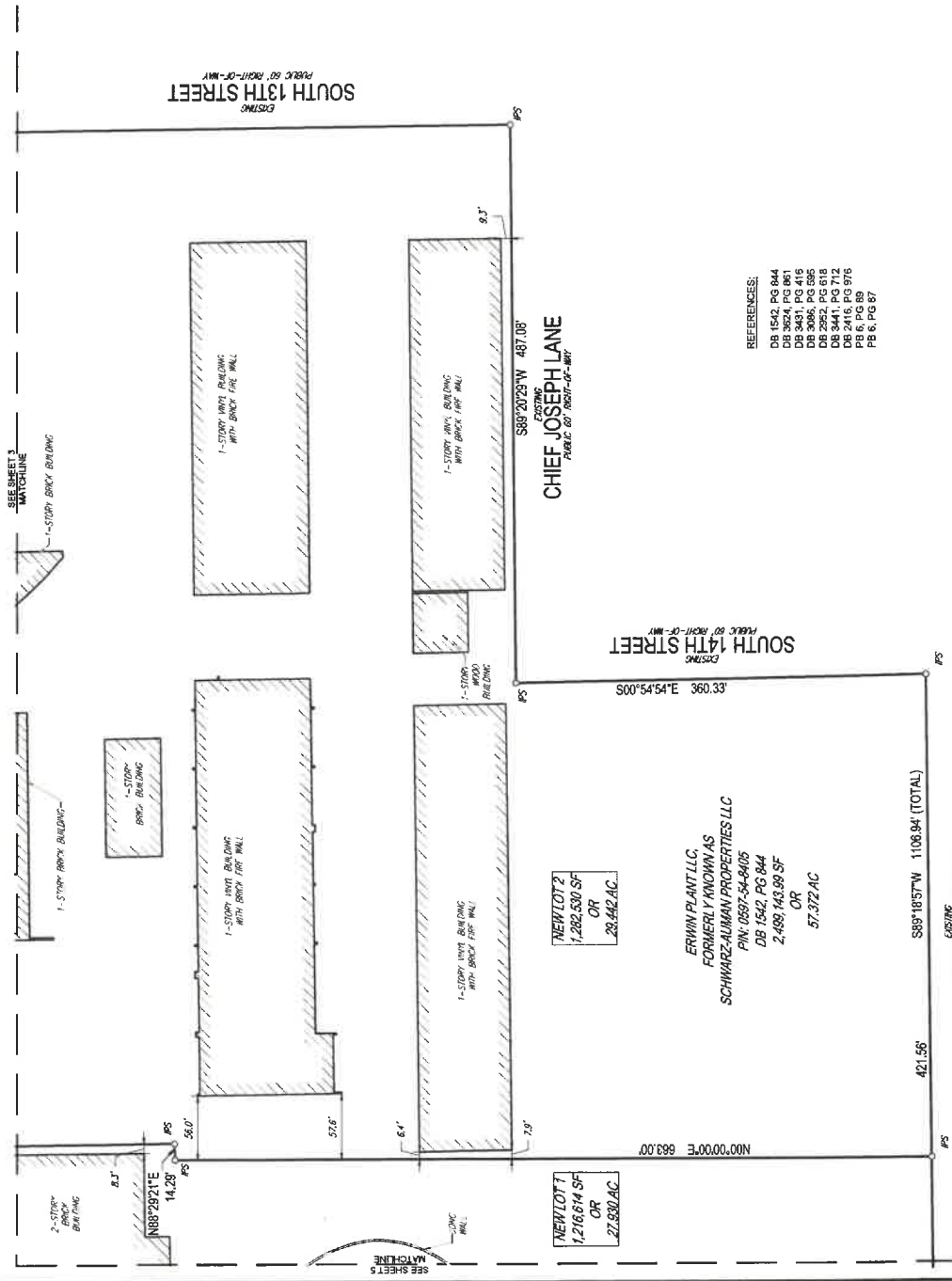
SITE AREA TABLE

NEW LOT 1	1,216,614 SF OR 27,530 AC
NEW LOT 2	1,282,530 SF OR 29,442 AC
TOTAL AREA	2,499,144 SF OR 57,372 AC

- REFERENCES:**
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 - DB 3524, PG 861
 - DB 3431, PG 415
 - DB 3095, PG 595
 - DB 3441, PG 712
 - DB 2416, PG 976
 - PE 6, PG 89
 - PE 6, PG 87



- NOTES:**
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 - BASES OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NAD 2011).
 - THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 370008700, PANEL 097 EFFECTIVE DATE OCTOBER 3, 2006.



ERWIN PLANT LLC,
FORMERLY KNOWN AS
SCHWARZ-ALUMAN PROPERTIES LLC
PIN: 0597-54-8405
DB 1542, PG 844
OR
2,499,140.99 SF
57,372 AC

SEE SHEET 1 FOR OVERALL SHEET AND CERTIFICATIONS

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TOWN BOARD SUBDIVISION VARIANCE REQUEST STAFF REPORT

Case: Variance-
2023-001

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

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

Town Board Meeting Date: 08/03/2023

Requesting a variance for a proposed subdivision located at 200 North 13 Street. The parcel can also be identified by its Harnett County Tax PIN #0597-54-8405.000.

Applicant Information

Owner of Record:

Name: 200 North 13 LLC
Address: 320 Roebing Street STE 125
City/State/Zip: Brooklyn, NY 11211

Applicant:

Name: 200 North 13 LLC
Address: 320 Roebing Street STE 125
City/State/Zip: Brooklyn, NY 11211

Property Description

Address- 200 North 13th Street
Harnett County Tax PIN 0597-54-8405.000
Acres 55.29
Zoning District-M-1

Vicinity Map

- See Attached Proposed Subdivision Plat
- See Harnett County GIS Map- No zoning
- See Harnett County GIS Map- Zoning

Physical Characteristics

Site Description: This is a large parcel located near our downtown area. It is a little over 55 acres and it is adjacent to NCDOT roads and roads that are managed by the Town.

Surrounding Land Uses: This parcel is a large parcel in the center of Erwin that is surrounded by mostly residential land uses. There are also recreational land uses adjacent to the property with the Dunn-Erwin Rail Trail.

Services Available

- Harnett County Water and Sewer is available.
- Duke Energy for electric
- Piedmont Natural Gas

Staff Evaluation

This is the site of the former Erwin Mill. The parcel is a little over 55 acres and the majority of the site was developed long before the Town was incorporated. The new owners of the Central Carolina Industrial Park want to subdivide this parcel. The current owners are trying to explore all of the possibilities that they might have to redevelop this property. The proposed subdivision has a tunnel that connects two separate buildings that would be on separate lots. The tunnel is no longer used.

Findings of Fact

(1) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of their land. **YES,**

REASONING: This is an existing site that was developed as a textile mill before the Town of Erwin was incorporated. The site was developed before the current zoning regulations were put into place.

(2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner. **YES,**

REASONING: This variance would allow the current property owners to continue to make improvements to this site and preserve a building in this Town and hopefully bring it new life.

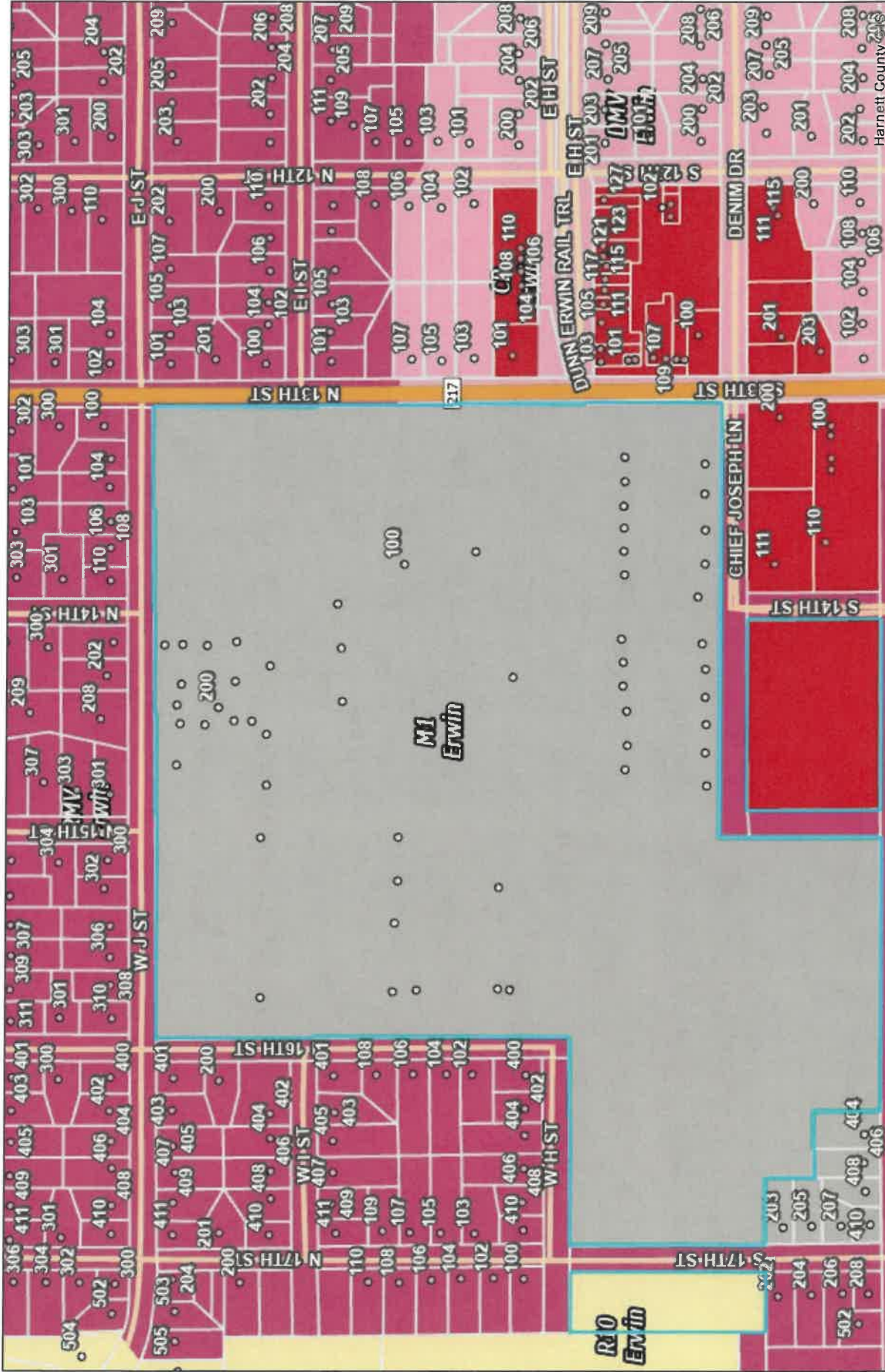
(3) That the circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristics of other parcels in the jurisdiction of this article. **YES,**

REASONING: This site was mostly developed before the Town of Erwin was incorporated. It is a large site with multiple buildings on one parcel and it is not like any of the surrounding parcels.

(4) That the granting of the variance will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated. **YES,**

REASONING: Granting this variance will allow for the future redevelopment of this site and it will potentially help with the option of having a section or to have the entire site on the historic sites registry.

Harnett GIS



Surrounding County Boundaries
 City Limits
 County Boundary
 Address Numbers

Interstate
 NC
 US

Major Roads
 Airport

Road Centerlines
 Railroad
 Parcels
 Cape Fear River
 ETJ Boundary

GIS/E-911 Addressing
 July 17, 2023

0 165 330 660 Feet
 1 inch = 376 feet

NOT FOR LEGAL USE.

200 North 13 LLC
320 Roebing Street
STE 125
Brooklyn, NY 11211

Eller Rental Properties, LLC.
PO Box 2228
Lillington, NC 27546

Roy and Melody McGee
PO Box 56
Buies Creek, NC 27506

Laurie and Lillian Huck
110 West J ST.
Erwin, NC 28339

Mcleod Properties Rentals, LLC
19526 NC 210 N
Angier, NC 27501

MY Homes LLC
202 Winterlochen Dr.
Dunn, NC 28334

Suzanne Bradshaw
5966 Titan Roberts Rd.
Erwin, NC 28339

Robert Gibson
308 West J St.
Erwin, NC 28339

Debra Hartman
Jay Martin
PO Box 387
Coats, NC 27521

Brenda Aguillon
402 W I St.
Erwin, NC 28339

Jean Wade
C/O Nicholas Skatell
1565 Chicora RD
Dunn, NC 28334

Tara Gabrielle
104 West J St.
Erwin, NC 28339

Robert Lee
PO Box 41
Dunn, NC 28335

Tameka Nclean
200 W J St.
Erwin, NC 28339

Fredrick and Jennifer Bontemps
5104 Highcroft Dr.
Cary, NC 27519

Procal Construction INC.
PO Box 387
Coats, NC 27521

Linda Avery
306 W J St.
Erwin, NC 28339

Ursula Barril
310 West J St.
Erwin, NC 28339

Donald and Nancy Johnson
401 W J ST.
Erwin, NC 28339

Gilbert Royal
401 W I St.
Erwin, NC 28339

Waylon Byrd
108 N 16th St.
Erwin, NC 28339

Frances Jackson
Sandra Pope
104 N 16th St.
Erwin, NC 28339

Preston and Kristy Geist
860 Lakebay Rd.
Vass, NC 28394

His Real Estate LLC
5539 Red Hill Church Rd.
Coats, NC 27521

Gregory and Jessyka Glatz
107 Rothier LN.
Durham, NC 27707

Amilcar Sanchez
Elda Archila
100 N 17th St.
Erwin, NC 28339

Paul Boucher
205 S 17th St.
Erwin, NC 28339

Jennifer Godwin
210 W F St.
Erwin, NC 28339

Harold and Cindy Howry
406 W F St.
Erwin, NC 28339

Habitat for Humanity
PO Box 2157
Dunn, NC 28335

Martavis Randall
106 N 16th St.
Erwin, NC 28339

Jerry Lashmit
102 N 16th St.
Erwin, NC 28339

Ronald Morrison
402 W H St.
Erwin, NC 28339

DDD and T, LLC.
4181 Benson Rd.
Angier, NC 27501

Dianna Jackson
1434 Neills Creek Rd.
Lillington, NC 27546

Majorie Raynor
203 S 17th St.
Erwin, NC 28339

Maria Denning
207 S 17th St.
Erwin, NC 28339

Jesus and Gilma Argueta
408 West F St.
Erwin, NC 28339

Ashley Leslie
303 W ST.
Erwin, NC 28339

Juan Ximl
106 Jerry Franklin LN.
Lillington, NC 27546

Maria Perez
403 W F St.
Erwin, NC 28339

Calvin and Shirley Weaver
305 W F St.
Erwin, NC 28339

Robert and Kay Wilson
303 W F St.
Erwin, NC 28339

Group Adaline LLC
8231 Newton Grove HWY
Dunn, NC 28334

David Rivera
201 Suncreek Dr.
Benson, NC 27504

Michael Andrews
301 S 15th Street
Erwin, NC 28339

Battista McNeill
207 W F St.
Erwin, NC 28339

Melissa Ray
205 W F St.
Erwin, NC 28339

Michael and Nancy Jackson
309 St. Matthews Rd.
Erwin, NC 28339

Jonathan and Paula Day
73 Victory Circle
Willow Spring, NC 27592

Robert and Rochelle Norris
303 South 14th St.
Erwin, NC 28339

Erwin Fire and Rescue Station
200 S 13th St.
Erwin, NC 28339

Tailor and Patel LLC
337 Sutton Glen Dr.
Apex, NC 27523

Brenton Adams
PO Box 1389
Dunn, NC 28335

Jeffrey Stall
391 Crawford Road
Coats, NC 27521

Tristen Butler
989 Bailey Road
Coats, NC 27521

Woods Investment Enterprise, LLC.
101 S 13th St.
Erwin, NC 28339

Curr-Well Developments, LLC.
21 Little Farm Circle
Angier, NC 27501

Alfonso Gonzalez
Ernestina Luna
140 Merchant Dr. #29
Angier, NC 27501

Stacy and Barbara McLamb
C/O T & S Enterprises
101 E I St.
Erwin, NC 28339

Southern vision Properties, LLC.
124 Ariel St.
Lillington, NC 27546

Cheyenne Enterprises LLC.
C/O Daniel Wall
PO Box 745
Willow Spring, NC 27592

George Tanner
409 W F St.
Erwin, NC 28339

Nargis and Kamal Toma
6940 Darcy LN.
Raleigh, NC 27609

Olga Portillo
103 N 13th St.
Erwin, NC 28339

Barbara Smith
107 N 13th St.
Erwin, NC 28339

Calrence Mason Group, LLC.
8013 Matinvesi St.
Raleigh, NC 27616

Jimmy and Gloria Barefoot
101 E J St.
Erwin, NC 28339

Mary Tyndall and Annette Moore
407 W F St.
Erwin, NC 28339

George Brittan
57 Thunder Way LN
Dunn, NC 28334



TOWN OF ERWIN

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

07/11/2023

Notice of a Public Hearing VAR-2023-001

Mayor
Randy L. Baker
Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on August 3rd, 2023 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a subdivision hardship variance at 200 North 13th Street. The parcel can also be identified by its Harnett County Tax PIN # 0597-54-8405.000. This parcel is where the Erwin mill is located. The building is now known as the Central Carolina Industrial Park.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at townmanager@erwin-nc.org.

Regards,

Snow Bowden
Town Manager

NOTICE OF PUBLIC HEARING

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following item pursuant to NC General Statute 160D-406, on Thursday, August 3, 2023, at 7:00 P.M. in the Erwin Municipal Building Board Room located at 100 West F Street, Erwin, NC 28339. Questions can be addressed to the Town Manager Snow Bowden at 910-591-4200 or by email at townmanager@erwin-nc.org.

- Case SU-2023-003: Special Use Permit Application to build ten multi-family units on a vacant parcel located off of North 13th Street. The parcel is adjacent to the apartment complex Oakdale 1. It can also be identified by its Harnett County Tax PIN # 0597-66-7341.000.
- Case SU-2023-004: Special Use Permit Application to operate vehicular sales lot at 129 Bumpas Creek Access. It can also be identified by its Harnett County Tax PIN # 0595-79-5908.000.
- VAR-2023-001: The applicant is requesting a subdivision hardship variance request at the parcel where the Erwin Mill is located at 200 North 13th Street. The building is now known as the Central Carolina Industrial Park. It can also be identified by its Harnett County Tax PIN # 0597-54-8405.000.

These cases are available for review at the Erwin Town Hall. All persons desiring to be heard either for or against the proposed items set forth above are requested to be present at the above-mentioned time and place.
7/18,25/2023

MINUTES CONTINUED FROM AUGUST 3, 2023

MANAGER'S REPORT

Town Manager Snow Bowden informed the Board that:

- We were making progress on the subdivision located off St. Matthews Road. We were still waiting on them to answer a few questions involving stormwater and the roads in the proposed subdivision at this time.
- At the moment, we already had two public hearings scheduled for our meeting next month. One was a rezoning case and the other one was for a special use permit for a large planned unit development. Staff reports should be finished next week and would be available for public inspection.
- We were still working on the Land Use Plan at the moment we still should be on schedule to present the rough draft to the Planning Board this month at their regular meeting on August 21st at 7 PM.

ATTORNEY'S REPORT

Town Attorney Tim Morris thanked the Board for allowing him to be the Town Attorney.

GOVERNING COMMENTS

Commissioner Nelson thanked everyone for coming out to the meeting and being involved in our Town. He had come exciting news, we booked Jim Quick and the Coastline Band to come to Erwin on October 20th. He thanked all Town Staff for everything they do.

Commissioner Turnage stated he rides up and down the streets of Erwin pretty often and to the park every day. We needed to get the internet company to fill in all the potholes. There were still a lot of holes that had not been patched. He appreciated what Mr. Bowden did to get the hay cut down on Iris Bryant Road and S 13th Street. He expressed his concern about two houses on Mason Drive needing to be taken out, 202 and 309 Mason Drive. He was not going to run again but he was not going to leave the residents in WARD 6 without representation. He asked the residents to come to the Board if there are issues to be addressed.

Mayor Baker thanked everyone for coming out to the meeting. For those who were unaware, in our consent agenda, the Board approved a barn quilt and we were looking forward to that. Also, at our Workshop we discussed creating a program for history benches. The Board appreciated all of the help from our citizens, Historical Society, and civic clubs.

CLOSED SESSION

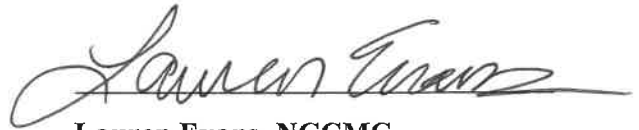
Commissioner Blackmon made a motion to go into Closed Session in Pursuant to General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege at 7:50 PM. and was seconded by Commissioner Byrd. **The Board voted unanimously.**

MINUTES CONTINUED FROM AUGUST 3, 2023**RECONVENED**

Commissioner Blackmon made a motion to go back in regular session at 8:10 PM. and was seconded by Commissioner Turnage. **The Board voted unanimously.**

ADJOURNMENT

Commissioner Blackmon made a motion to adjourn 8:11 P.M. and was seconded by Commissioner Byrd. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY**LAUREN EVANS TOWN CLERK****ATTEST:****Randy Baker****Mayor****Lauren Evans, NCCMC****Town Clerk**