

**THE ERWIN BOARD OF COMMISSIONERS  
FEBRUARY 2020 REGULAR MEETING  
THURSDAY, FEBRUARY 6, 2020 @ 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 (Page 2)**

*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 of Regular Meeting on January 2, 2020 (Page 2)
- B. Minutes of Regular Workshop on January 27, 2020 (Page 9)
- C. Financial Report for December 2019 (Page 12)
- D. Open an account with First Federal Bank for the improvements to Al Woodall Park with the PARTF grant (Page 14)

**4. RECOGNITION OF CITIZEN OF THE MONTH**

**5. PUBLIC HEARING**

- A. Proposed Text Amendment involving Accessory Structures in our RD Zoning District of the Code of Ordinance Section 36-419 (Page 16)

**6. OLD BUSINESS**

- A Conditional Use to operate a Vehicular Sales Lot at 2408 Erwin Road, Erwin NC.  
(HC Tax PIN 1507-40-3993.000) (Page 19)

**7. NEW BUSINESS**

- A. Set date for Mayor/Commissioners Retreat (Page 36)

**8. MANAGER'S REPORT**

**9. ATTORNEY'S REPORT**

**10. 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*

**11. GOVERNING BODY COMMENTS**

**12. ADJOURNMENT**

ERWIN BOARD OF COMMISSIONERS  
REGULAR MINUTES  
JANUARY 2, 2020  
ERWIN, NORTH CAROLINA

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The Board of Commissioners for the Town of Erwin with Mayor Carson presiding, held its Regular Meeting in the Town Hall on Thursday, January 2, 2020 at 7:00 P. M. in Erwin, North Carolina.

Board Members present were: Mayor Patsy Carson, Commissioners William Turnage, Randy Baker, Ricky Blackmon and Melinda Alvarado.

Board Members absent were: Commissioners Alvester McKoy and Thurman Whitman.

Town Manager Snow Bowden and Town Clerk Cynthia Patterson were present.

Town Attorney Tim Morris was present.

Mayor Carson called the meeting to order at 7:00 P. M.

Harnett County Commissioner Howard Penny gave the invocation.

Those present recited the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

Commissioner Blackmon made a motion to move (Item B) New Business Presentation from School Board to in front of Public Hearings and was seconded by Commissioner Turnage. **The Board voted unanimously.**

### **CONSENT ITEMS**

Commissioner Turnage made a motion to approve (**Item A**) Approval of Regular Minutes of 12/05/19, (**Item B**) Financial Report Summary for November 2019, (**Item C**) Closed session Minutes of August 2, 2019, (**Item D**) Pledge and Naming Rights Agreements for Erwin Parks and Recreation and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

*A copy of the Financial Report Summary for November 2019 and Pledge and Naming Rights Agreements for Erwin Parks and Recreation is incorporated into these minutes as **Attachment #1***

### **PRESENTATION FROM SCHOOL BOARD**

Architect Thomas Hughes with sfl+a Architects presented the Erwin Mayor and Board of Commissioners with computer renderings detailing the state of the art facility that has been in the planning stage for some years. Plans for the multi-million dollar school include a variety of energy savings features, secure entrance points and room for future growth. The new school is expected to be a zero-energy building with modernized air systems, air barrier designs to make it more economical, LED lighting and

## MINUTES CONTINUED FROM JANUARY 2, 2020

innovative classroom floor plans created to act like teaching tools for educators. The site, in addition to the two-story main building, will include a 476 seat auditorium, media center and gymnasium. Secure access point designs enable administrators to control who comes into and out of the school. The new school is designed just under 700 students, which is greater than the current capacity at the old school.

Once demolition of the old school is completed, construction is expected to start sometime in April 2020. The school is expected to open in time for the 2021-2022 school year if the project runs smoothly. Estimated final construction costs to come in between \$23-24 million.

## PUBLIC HEARING

Commissioner Turnage made a motion to open the public hearing at 7:33pm and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

### CONDITIONAL USE TO OPERATE A VEHICULAR SALES LOT AT 2408 ERWIN ROAD, ERWIN, NC (HC TAX PIN 1507-40-3993.000)

Town Manager Snow Bowden informed the board that a conditional use application has been submitted to operate a vehicular sales lot at 2408 Erwin Road with corresponding Harnett County Tax PIN# 1507-40-3993.000. In the proposed site plan the vehicles for sale would be parked directly in front of the building. Customer parking would be on the side of the building. The large green building in the back of the lot will not be used as a part of this proposed use.

The Planning Board recommended this conditional use be approved. They recommended it be approved with the parking surface being a suitable improved surface.

Mayor Carson asked if anyone would like to speak in favor of this conditional use request, to please come forward and state your name and oath.

Jim Hartman of P.O. Box 387, Coats, NC came forward and spoke to the board. Mr. Hartman stated that he was the owner of this property and would like to rent to Angel Martinez which would be a great addition to the Town of Erwin. Mr. Martinez is wanting to open a small car lot, which will be a family owned business. Mr. Hartman stated that he currently has an automotive repair business in the back of the property that he has owned for years. However the front part of the property is for a car lot. This will be great for the Town of Erwin however I'm aware there are several on that road.

Commissioner Baker asked Mr. Hartman when he began this process did anyone explain what some of the requirements would be for having a vehicle sales or utilizing the property for a change of use of some of the improvements you might have to take and make to the property before you moved forward with the conditional use hearing with the board. Did anyone talk with you of what our regulations say? Our regulations are in black and white, it's what has to

## MINUTES CONTINUED FROM JANUARY 2, 2020

be done once the approval is granted and it's separate from the board actually granting that approval. Were you advised of any of that before you went to the conditional use process?

Mr. Hartman stated no.

Commissioner Baker stated he has questions, was looking at the site plan submitted for the parking and it is a B-2 zoned district and have the buildings in the rear that you have been using for several years of your business which is commercial use. However where you are talking about parking the vehicles for sale, what I see in the site plan that was submitted about parking sell cars directly in front of the building, which is what you are wanting to do. The parking area for customers, I have some misunderstanding of which side of the building?

Mr. Hartman assumed on the right side of the building.

Commissioner Baker that's what leads me to the question the way the site plan was submitted. If you look at the overall aerial, basically from the corner of the building on the right hand side to where the property line is, you have 20/21 feet from the building to the property line. One of our regulations as far as commercial that abuts residential to the house on the right is zoned residential. The requirements call for a 20ft buffer to be on that side. What you are showing as far as how things need to be position may have to be reworked in order to meet some of those guidelines. That's why I asked the question. I'm hoping we as a board and as staff can work more with the owners and potential applicant to let them know these things in advance. On the left side of the building, the ordinance calls for the buffers to be placed. I believe there is existing amount of buffering already in place on the left side however on the right side of the building next to the residents there would need to be installation of vegetative buffering that will need to go down and until it meets the other property line. Those are some of the things that I was wondering was brought to your attention before because those would be some things if approved would have to be put in before the operating of the business.

Mr. Hartman stated that he would not have a problem with that.

Mayor Carson asked if anyone would like to speak against this conditional use request, to please come forward and state your name and oath.

No one came forward.

Commissioner Turnage made a motion to close the public hearing at 7:57pm and was seconded by Commissioner Baker. **The Board voted unanimously.**

The board's discussion was for the applicant to get another site plan to show where the buffers and landscaping would be and show that he can meet that requirement to which should not be a problem.

## MINUTES CONTINUED FROM JANUARY 2, 2020

Commissioner Baker made a motion to Table Conditional Use Application CU-2019-08 until the next regular meeting, Thursday, February 6, 2020 at 7pm and was seconded by Commissioner Turnage. **The Board voted unanimously.**

## PUBLIC HEARING

Commissioner Turnage made a motion to open the public hearing at 7:57pm and was seconded by Commissioner Baker. **The Board voted unanimously.**

## PROPOSED FOUR WAY STOP SIGN AT THE CORNER OF NORTH 10<sup>TH</sup> STREET AND EAST I STREET TO CODE OF ORDINANCES TRAFFIC SECTION 109

Town Manager Snow Bowden informed the board that during the October 2019 Planning Board meeting we had a discussion involving four-way stop signs. I had received a request to discuss putting a four-way stop sign at the intersection of East I and North 12<sup>th</sup>. This request was primarily due to the increased traffic/parking around the Erwin Presbyterian Church. The Erwin Presbyterian Church did close a while back but a new congregation is using this church that is also affiliated with the Presbyterian Church. There is a lot more traffic in that area as a result of the new tenants. The Town has received complaints about speeding on East I Street as well.

After some discussion amongst the Planning Board we decided that a four-way stop sign could be beneficial on this street. The Planning Board recommended to put it at the intersection of East I and North 10<sup>th</sup> Street. There is already a caution light at this intersection. Another reason was that it is more centrally located on the street so it should slow people down more compared to it being posted on the first block of the street from North 13<sup>th</sup> Street.

Police Chief Jonathan Johnson came forward and spoke to the board. Chief Johnson stated that this subject was brought up for two different reasons. One was for the church crowd however since this church has recovered we have not had any accidents there that has been reported. Also we had several complaints of speeding on East I. Street. Would it help, not sure? If you place the four way at the church you will have a long stretch of road to Hwy 421. This would defeat the purpose. If we place a four way at the caution light at North 10<sup>th</sup> Street, this would be center of East I. Street and may slow people down.

Commissioner Turnage stated that we have criticism on the four way stop signs on West E. Street.

Commissioner Blackmon stated that he does not have a problem with a four way stop sign at the proposed location however whatever we do we need some sort of sign both ways down the street "Caution Four Way Stop Ahead". What would be the cost to install a Stop Light?

## MINUTES CONTINUED FROM JANUARY 2, 2020

Mayor Carson asked if anyone would like to speak in favor of the proposed text amendment to please come forward and state your name and oath.

No one came forward.

Mayor Carson asked if anyone would like to speak against the proposed text amendment to please come forward and state your name and oath.

No one came forward.

Commissioner Baker made a motion to close the public hearing at 8:05pm and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

Commissioner Baker made a motion to approve the Ordinance of 2019-2020:004 to amend Section 109 Traffic Appendix 1 Intersections at which “stop” is required before entering add to (202) North 10<sup>th</sup> Street and East I. Street and was seconded by Commissioner Blackmon. **The Board voted 3 for and 1 against (Commissioner Turnage).**

## NEW BUSINESS

### PRESENTATION OF TOWN OF ERWIN FY 2018-2019 AUDIT

Bryon Scott with Thompson, Price, Scott, Adams & Co., PA came forward and spoke to the board. Mr. Scott stated that the Town has in Revenue \$3,667,794. The Expenditures is \$3,391,297. The Fund Balance at the end of the year is \$5,664,283.

The Tax Collection rate is around 99%.

Mr. Scott advised the Board that there were no difficulties encountered in performing the Audit nor disagreements with Management.

Commissioner Blackmon made a motion to approve the 2018-2019 Audit as presented and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

### PARTF PROJECT ORDINANCE FOR AL WOODALL MUNICIPAL PARK

Town Manager Snow Bowden informed the board that the Town was awarded a PARTF grant for the improvements at Al Woodall Park. The PART-F Grant is a 50-50 matching grant. The Town will have to pay for the project and submit reimbursement request(s) as the project proceeds. The Town will receive \$339,678 from PARTF funding. Doug Stevens has raised \$195,000 in pledged donations over the next ten years. We are still working on raising more money as well. If we obtain any more donation pledges we will ask for an amendment to this project ordinance.

## MINUTES CONTINUED FROM JANUARY 2, 2020

Commissioner Baker made a motion to approve Ordinance 2019-2020:005 and was seconded by Commissioner Turnage. **The Board voted unanimously.**

*A copy of the Ordinance 2019-2020:005 is incorporated into these minutes as **Attachment #2***

### MANAGER REPORT

- All of the infrastructure work for the East Erwin Project has been completed and should have final report at the next regular meeting.
- The drawings for the Erwin Depot are almost completed and should have a presentation ready for the February meeting.
- Need to schedule a date for the Budget Retreat

### GOVERNING COMMENTS

Mayor Carson asked everyone to remember Commissioner Whitman, he will be having knee surgery on Friday.

Commissioner Turnage expressed some concerns with Iris Bryant Road/Old Cut off Road.

Commissioner Baker thanked Town Engineer Bill Dreitzler for working on the East Erwin Project. Would like for Staff to establish a policy and procedure that before anyone come and propose a conditional use or any type of development (pre-development meeting) that staff would be able to take and sit down with that person and make sure what the requirements are and what lies ahead of them other than the conditional use approval. I do agree with the Planning Board that some of our conditional use permits that we have, we have way too many of them. I would like to see Staff and the board going back through our ordinances and possibly reducing some of the conditional uses that we have in our ordinances. I think certain developmental standards, there should be some administrative review to be given where the individual meets certain set of developmental guidelines that it's a permitted use and no longer be considered a conditional use. I think we need to work harder at doing that and working with our Planning Board/Board of Adjustments and our citizens that are coming in, that we need to take this step progressive and move forward with those type things and can talk more about at our Budget Retreat.

Commissioner Alvarado stated that she 100% agreed with Commissioner Baker and excited to see some construction in Ward 4.

**MINUTES CONTINUED FROM JANUARY 2, 2020**

**ADJOURNMENT**

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

**MINUTES RECORDED AND TYPED BY  
CYNTHIA B PATTERSON TOWN CLERK**

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**Patsy M. Carson,  
Mayor**

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**Cynthia B. Patterson, CMC  
Town Clerk**



ERWIN BOARD OF COMMISSIONERS  
REGULAR WORKSHOP MINUTES  
JANUARY 27, 2020  
ERWIN, NORTH CAROLINA

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The Board of Commissioners for the Town of Erwin with Mayor Pro-Tem Baker presiding, held its Regular Workshop in the Town Hall on Monday, January 27, 2020 at 6:00 P. M. in Erwin, North Carolina.

Board Members present were: Commissioners William Turnage, Randy Baker, Alvester McKoy and Melinda Alvarado.

Board Members absent were: Mayor Patsy Carson, Commissioners Ricky Blackmon and Thurman Whitman.

Town Manager Snow Bowden and Town Clerk Cynthia Patterson were present.

Mayor Pro-Tem Randy Baker called the meeting to order at 6:00 P. M.

Commissioner Alvester McKoy gave the invocation.

Those present recited the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

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

### **PROPOSED TEXT AMENDMENT TO B-2 (HIGHWAY BUSINESS) ZONING DISTRICT IN THE CODE OF ORDINANCE SECTION 36-272 & SECTION 274**

At our December Planning Board meeting we discussed some issues that the Planning Board wanted to address with our ordinance. We discussed the need to make some changes, and it was decided that we start with proposing some changes to our B-2 (Highway Business) Zoning District. I have included the current copy of our B-2 Zoning District to this packet. I have also attached the proposed changes to our B-2 Zoning District in this packet.

The consensus of the Planning Board was to recommend this proposed text amendment be approved. With the recent passing of some new laws involving planning/zoning in North Carolina (160D) I felt like this proposed amendment deserved some discussion before setting a public hearing. If this proposed text amendment is ready for a public hearing we will have to advertise it and set it for our March 5<sup>th</sup>, 2020 regularly scheduled Town Board meeting.

After some discussion it was agreed upon the board, that the Planning Board, Staff and Board of Commissioners need to take and look at what would be allowed as a permitted use where it will not run the risk of it jeopardizing the exiting use. Need to have some perimeters and developmental guidelines in our general provisions that ensures that if something goes in as a permitted use it will not cause any harm or jeopardize any capability of the zoning district.

Mr. Bowden stated that he will begin working on a checklist and will try and have it to the Planning Board by the March meeting.

**PROPOSED TEXT AMENDMENT INVOLVING ACCESSORY STRUCTURES IN  
OUR RD ZONING DISTRICT OF THE CODE OF ORDINANCE SECTION 36-419**

Our current ordinance allows for lots that have a primary structure on them to have an accessory building/structure on them that does not exceed 40% of the total area of the principal structure. Each developed lot up to 15,000 square feet is permitted one accessory building. For each additional 15,000 square feet a lot they are allowed an additional accessory structure/building. These standards apply to our zoning districts inside Town Limits and in our ETJ.

The proposed text amendment would allow secondary structures on lots larger than eight acres in our RD zoning District. The secondary structure could not exceed 80% of the total size of the principal structure on the lot. The secondary structure would still need to follow the guidelines set forth in Section 36-419(b).

The consensus of the Planning Board was to recommend this proposed text amendment be approved. This proposed text amendment was advertised and the public hearing is set for February 6<sup>th</sup>, 2020.

Commissioner Baker informed Mr. Bowden of one change to the proposed text amendment. Item B states: Each accessory structure shall not exceed 40 percent of the total area of the principal structure **unless located on a lot greater than eight acres. If the lot is larger than eight acres the accessory structure shall not exceed 75 percent of the total area of the principal structure.** At no time shall the total area of accessory use exceed 25 percent of the rear yard.

**Should state the following:** Item B: Each accessory structure shall not exceed 40 percent of the total area of the principal structure **unless located on lots at least eight acres and/or greater. If the lot is eight acres and/or greater the accessory structure shall not exceed 75 percent of the total area of the principal structure.** At no time shall the total area of accessory use exceed 25 percent of the rear yard.

**AMEND MAXIMUM BUILDING HEIGHT IN CERTAIN AREAS WITHIN  
TOWN LIMITS**

Town Staff recommends that we change our maximum building height in certain areas within Town Limits. At the moment, 35 feet is the maximum building height. This maximum building height might be a hindrance in efforts to recruit a hotel to locate in Erwin. After our discussion at our last Planning Board meeting Town Staff believes that this proposed language is in line with a proactive change to our rules and regulations.

The consensus of the Planning Board was to recommend this proposed text amendment be approved. With the recent passing of some new laws involving planning/zoning in North Carolina (160D) I felt like this proposed amendment deserved some discussion before setting a public hearing. If this proposed text amendment is ready for a public hearing we will have to advertise it and set it for our March 5<sup>th</sup>, 2020 regularly scheduled Town Board meeting.

## Proposed amendment

The maximum height of any structure shall be the same as required by the underlying zoning district unless otherwise stated herein. Buildings located within the areas identified Medium Intensity, High Intensity, Downtown, and Employment Center Land Use Classifications are exempt from the district height requirement if they conform to the following:

A. Highest point of the building shall not exceed 80 feet.

B. Fire Code Official shall certify that the building is designed and equipped to provide adequate fire protection. All buildings that exceed maximum building height of 35 feet shall provide automatic sprinkler system in accordance with the North Carolina State Building Code.

The board was in favor of this proposed amendment.

### MEETING STRUCTURE

Mr. Bowden informed the board that we will not have a February Workshop. We will communicate with you to let you know when we will have the workshops or not. These meetings will be used mostly to discuss legislative decisions and other things.

The board felt like the purpose of these workshops are for legislative decisions of this board. Quasi-judicial information should not be heard however upcoming text amendments and possible rezoning is allowed, anything a board member feels that needs to be brought before the board prior to our open public meetings.

### ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 6:39pm and was seconded by Commissioner McKoy. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY  
CYNTHIA B PATTERSON TOWN CLERK**

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**Randy Baker,  
Mayor Pro-Tem**

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**Cynthia B. Patterson, CMC  
Town Clerk**

TOWN OF ERWIN  
 FINANCIAL SUMMARY REPORT  
 FOR MONTH ENDING DEC. 2019

	ANNUAL BUDGET	DEC. ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,090,589.00	325,337.31	532,724.13	48.85%
CURRENT YEAR MOTOR VEHICLE TAXES	158,309.00	11,522.28	64,790.05	40.93%
PRIOR YEAR TAXES	10,000.00	185.75	9,554.40	95.54%
UTILITIES FRANCHISE TAXES	197,000.00	54,491.19	97,666.69	49.58%
ENTRY FEES	20,000.00	75.00	11,421.00	57.11%
SALES & USE TAX	650,000.00	59,456.89	362,281.02	55.74%
ZONING PERMITS/APPLICATIONS	10,000.00	965.00	4,855.75	48.56%
REFUSE COLLECTIONS FEES	391,180.00	31,800.43	187,104.06	47.83%
STORM WATER COLLECTION	63,930.00	5,337.50	27,927.50	43.68%
ALL OTHER REVENUES	1,421,204.58	146,903.46	697,704.16	49.09%
	<b>4,012,212.58</b>	<b>636,074.81</b>	<b>1,996,028.76</b>	<b>49.75%</b>
	ANNUAL BUDGET	DEC. ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	51,815.00	6,221.96	18,315.32	35.35%
ADMINISTRATION	303,034.00	23,861.22	151,096.17	49.86%
NON-DEPARTMENTAL	265,338.00	19,388.78	197,058.14	74.27%
PLANNING & INSPECTIONS	123,741.00	2,662.00	19,316.42	15.61%
POWELL BILL-STREETS	182,000.00	1,069.24	34,347.91	18.87%
POLICE	839,300.00	60,360.00	381,738.95	45.48%
POLICE-SRO	123,797.00	9,156.91	56,588.52	45.71%
CONTRACT SERVICES-FIRE	233,254.00		34,457.03	14.77%
PUBLIC WORKS-ADMIN.	105,647.00	8,315.31	51,210.43	48.47%
PUBLIC WORKS-STREETS	999,364.27	111,446.20	497,529.73	49.78%
PUBLIC WORKS-SANITATION	318,902.00	23,215.02	150,247.08	47.11%
PUBLIC WORKS-STORM WATER	40,000.00	220.02	873.82	2.18%
RECREATION	348,464.31	19,388.17	147,842.87	42.43%
LIBRARY	59,256.00	4,796.24	26,433.12	44.61%
COMMUNITY CENTER	18,300.00	1,930.52	4,889.86	26.72%
	<b>4,012,212.58</b>	<b>292,031.59</b>	<b>1,771,945.37</b>	<b>44.16%</b>
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		<b>344,043.22</b>	<b>224,083.39</b>	

BALANCES AS OF DEC. 31, 2019	
CASH MANAGEMENT	885,505.12
BB&T CASH IN BANK	370,898.06
FIRST FEDERAL BUSINESS MONEY MARKET	135,696.79
FIRST FEDERAL MONEY MARKET	854,023.08
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	2,246,123.05
BB&T STATE FORFEITURE	1,583.97
BB&T FEDERAL FORFEITURE	
FIRST FEDERAL PORTER PARK PROJECT	
FIRST FEDERAL CAP. RESERVE/COMM. ENHANCEMENT	150,714.73
FIRST FEDERAL CAP. RESERVE/GENERAL	3,021,032.28
BB&T HEALTH RESERVE HRA ACCT.	19,125.88
PRIEBE FIELD ACCT.	10,776.72
Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS	3,203,233.58
	<b>5,449,356.63</b>

POWELL BILL BALANCE	<b>423,394.78</b>
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TOWN OF ERWIN  
 FINANCIAL SUMMARY REPORT  
 YTD COMPARISON OF FY 2020 & FY 2019



REVENUES	YTD		YTD DIFFERENCE
	Dec. 19	Dec. 18	
CURRENT YEAR LEVY OF PROPERTY TAXES	532,724.13	502,098.68	30,625.45
CURRENT YEAR MOTOR VEHICLE TAXES	64,790.05	62,570.16	2,219.89
PRIOR YEAR TAXES	9,554.40	4,042.55	5,511.85
UTILITIES FRANCHISE TAXES	97,666.69	98,244.30	(577.61)
ENTRY FEES	11,421.00	10,750.00	671.00
SALES & USE TAX	362,281.02	325,744.08	36,536.94
ZONING PERMITS/APPLICATIONS	4,855.75	3,660.00	1,195.75
PERMITS AND INSPECTION FEES	187,104.06	2,765.00	184,339.06
REFUSE COLLECTIONS FEES	27,927.50	194,300.31	(166,372.81)
STORM WATER COLLECTION		19,414.50	(19,414.50)
ALL OTHER REVENUES	697,704.16	319,085.74	378,618.42
	1,996,028.76	1,542,675.32	453,353.44
			29.39%
EXPENSES	YTD		YTD DIFFERENCE
	Dec. 19	Dec. 18	
GOVERNING BODY	18,315.32	11,873.10	6,442.22
ADMINISTRATION	151,096.17	147,328.38	3,767.79
NON-DEPARTMENTAL	197,058.14	196,300.00	758.14
PLANNING & INSPECTIONS	19,316.42	21,117.68	(1,801.26)
POWELL BILL-STREETS	34,347.91	8,235.72	26,112.19
POLICE	381,738.95	395,944.70	(14,205.75)
POLICE-SRO	56,588.52		56,588.52
CONTRACT SERVICES-FIRE	34,457.03	97,086.99	(62,629.96)
PUBLIC WORKS-ADMIN.	51,210.43	49,803.16	1,407.27
PUBLIC WORKS-STREETS	497,529.73	182,583.71	314,946.02
PUBLIC WORKS-SANITATION	150,247.08	232,936.06	(82,688.98)
PUBLIC WORKS STORM WATER	873.82	3,382.63	(2,508.81)
RECREATION	147,842.87	150,384.98	(2,542.11)
LIBRARY	26,433.12	25,866.89	566.23
COMMUNITY CENTER	4,889.86	2,522.58	2,367.28
	1,771,945.37	1,525,366.58	246,578.79
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		17,308.74	

ACCOUNT BALANCES			
	YTD		YTD Dec. 18
	Dec. 19	Dec. 18	
CASH MANAGEMENT	885,505.12	691,504.10	
BB&T CASH IN BANK	370,898.06	417,219.18	
FIRST FEDERAL BUSINESS MONEY MKT.	135,696.79	134,447.48	
FIRST FEDERAL MONEY MARKET	854,023.08	851,915.23	
<b>Y-T-D BALANCE IN GENERAL FUND ACCOUNTS</b>	<b>2,246,123.05</b>	<b>2,095,085.99</b>	
BB&T STATE FORFEITURE	1,583.97	1,583.97	
FIRST FEDERAL CAP. RESERVE/COMMUNITY ENHANCE	150,714.73	126,145.69	
FIRST FEDERAL CAP. RESERVE/GENERAL	3,021,032.28	3,013,575.85	
BB&T HEALTH RESERVE HRA ACCT.	19,125.88	15,255.57	
PRIEBE FIELD ACCT.	10,776.72	6,220.00	
<b>Y-T-D BALANCE RESTRICTED FUNDS</b>	<b>3,203,233.58</b>	<b>3,162,781.08</b>	
<b>CUMULATIVE BALANCE FOR TOWN OF ERWIN</b>	<b>5,449,356.63</b>	<b>5,257,867.07</b>	



CONSENT ITEMS

**Erwin Board of Commissioners**  
REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Snow Bowden, Town Manager  
Date: February 6, 2020  
Subject: Open an account with First Federal Bank for the improvements to Al Woodall Park with the PARTF grant

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The Town of Erwin will be opening an account with First Federal Bank (Account #57350318) for the improvements that are being made at Al Woodall Park with the PARTF grant. We will be transferring \$679,356 from our Capital Reserve account with First Federal (Account #563171121). According to NC State law the Board has to approve the Town opening an account so we just need an okay to finalize opening this account.

## **NOTICE OF PUBLIC HEARING**

The Town of Erwin Board of Commissioners will conduct a Public Hearing on the following item Thursday, February 6, 2020 at 7:00 P.M. in the Town Hall Board Room located at 100 West F. Street, Erwin, NC. 28339.

- Proposed Text Amendment involving Accessory Structures in our RD Zoning District of the Code of Ordinance Section 36-419

All Persons desiring to be heard either for or against the proposed item set forth above are requested to be present at the above mentioned time and place.

Cynthia Patterson, CMC, NCCMC  
Town Clerk

PUBLIC HEARING

**Erwin Board of Commissioners**  
REQUEST FOR CONSIDERATION

---

To: The Honorable Mayor and Board of Commissioners  
From: Snow Bowden, Town Manager  
Date: February 6, 2020  
Subject: Proposed Text Amendment involving Accessory Structures in our RD Zoning District of the Code of Ordinance Section 36-419

---

Our current ordinance allows for lots that have a primary structure on them to have an accessory building/structure on them that does not exceed 40% of the total area of the principal structure. Each developed lot up to 15,000 square feet is permitted one accessory building. For each additional 15,000 square feet a lot is they are allowed an additional accessory structure/building. These standards apply to our zoning districts inside Town Limits and in our ETJ.

The proposed text amendment would allow secondary structures on lots eight acres and/or greater in our RD zoning District. The secondary structure could not exceed 75% of the total size of the principal structure on the lot. The secondary structure would still need to follow the guidelines set forth in Section 36-419(b).

The consensus of the Planning Board was to recommend this proposed text amendment be approved. This proposed text amendment was advertised and the public hearing is set for February 6<sup>th</sup>, 2020.

Attachments:

- Current Ordinance
- Proposed text amendment



Sec. 36-419. - Accessory building/structures.

- (a) Accessory buildings/structures are restricted to rear and side yards. Only one accessory building/structure shall be permitted on lots less than 15,000 square feet. Larger lots are allowed an extra accessory building/structure for each additional 15,000 square feet. There shall be a minimum of ten feet between the primary structure and any accessory building/structure as well as ten feet between each accessory building/structure.
- (b) Each accessory structure shall not exceed 40 percent of the total area of the principal structure. At no time shall the total area of accessory use exceed 25 percent of the rear yard.
  - (1) Minimum side setback: Ten feet.
  - (2) Minimum rear setback: Ten feet.
  - (3) Minimum setback from principal structure: Ten feet.
  - (4) Maximum building height for accessory structures shall not exceed 20 feet mean roof height with the exception of schools, churches, hospitals, municipal facilities, and other such campuses, provided that at least one acre comprise the total land area of the development. The maximum height for accessory structures in such instances shall not exceed 35 feet mean roof height.



# 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

**AN ORDINANCE AMENDING THE ERWIN TOWN CODE  
OF ORDINANCE TO ACCESSORY BUILDING/STRUCTURES TO  
SECTION 36-419 ARTICLE XV GENERAL PROVISIONS,  
CHAPTER 36 ZONING  
ORD 2019-2020: 006**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ERWIN:**

**WHERE AS,** Sec. 36-419. - Accessory building/structures.

(a) Accessory buildings/structures are restricted to rear and side yards. Only one accessory building/structure shall be permitted on lots less than 15,000 square feet. Larger lots are allowed an extra accessory building/structure for each additional 15,000 square feet. There shall be a minimum of ten feet between the primary structure and any accessory building/structure as well as ten feet between each accessory building/structure.

(b) Each accessory structure shall not exceed 40 percent of the total area of the principal structure unless located on a lots at least eight acres and/or greater. If the lot is eight acres and/or greater the accessory structure shall not exceed 75 percent of the total area of the principal structure. At no time shall the total area of accessory use exceed 25 percent of the rear yard.

(1) Minimum side setback: Ten feet.

(2) Minimum rear setback: Ten feet.

(3) Minimum setback from principal structure: Ten feet.

(4) Maximum building height for accessory structures shall not exceed 20 feet mean roof height with the exception of schools, churches, hospitals, municipal facilities, and other such campuses, provided that at least one acre comprise the total land area of the development. The maximum height for accessory structures in such instances shall not exceed 35 feet mean roof height.

**WHERE AS,** this ordinance shall be effective upon adoption.

**Duly Adopted,** this the 6<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
Patsy Carson, Mayor

**ATTEST:**

\_\_\_\_\_  
Cynthia Patterson, Town Clerk

## OLD BUSINESS

## Erwin Board of Commissioners

### REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Snow Bowden, Town Manager  
Date: February 6, 2020  
Subject: Conditional Use to operate a Vehicular Sales Lot at 2408 Erwin Road, Erwin NC.  
(HC Tax PIN 1507-40-3993.000)

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A conditional use application has been submitted to operate a vehicular sales lot at 2408 Erwin Road with corresponding Harnett County Tax PIN# 1507-40-3993.000. In the proposed site plan the vehicles for sale would be parked directly in front of the building. Customer parking would be on the side of the building. The large green building in the back of the lot will not be used as a part of this proposed use.

The Planning Board recommended this conditional use be approved. They recommended it be approved with the parking surface being a suitable improved surface. I have included an updated site plan in this packet. The applicant would like to have two show vehicles for sale parked parallel next to the building in the front. The parked vehicles would be 25 feet from the right-of-way. Customer parking and the other vehicles for sale would be parked behind the building. The existing landscaping around the building would remain. The parking lot will be less than 10,000 square feet.

Attachments:

- CU-2019-08 Staff Report
- CU-2019-08 Application
- Site Plan
- GIS zoning district image
- GIS image



# CONDITIONAL USE REQUEST STAFF REPORT

Case: CU-2019-08

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

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

Planning Board: 12/16/2019

Town Commissioners: 01/02/2020

Requested conditional use to operate a vehicular sales lot at 2408 Erwin Road with corresponding Harnett County Tax PIN 1507-40-3993.000

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## Applicant Information

### Owner of Record:

Name: Jim D Hartman  
Address: PO Box 387  
City/State/Zip: Coats, NC 27521

### Applicant:

Name: Angel Martinez  
Address: 504 Waterford Drive  
City/State/Zip: Clayton, NC 27521

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## Property Description

Harnett County Tax PIN 1507-40-3993.000  
Acres 1.1  
Zoning District-Highway Business (B-2) 99.99% and Residential 0.01%

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## Vicinity Map

- See Attached Document

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## Physical Characteristics

Site Description: Based on data from Harnett County GIS this is a structure that was built in 1960. The building is 930 square feet. There is a large metal building in the rear of the property that will not be utilized with this request to operate a vehicular sales lot.

Surrounding Land Uses: This parcel is located off of Erwin Road. It is surrounded by residential zoning on both sides. There are two parcels near the rear right side of the lot that are zoned business. There are parcels zoned residential and business across the street.

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## Services Available

- Harnett County Water and Sewer is available in the area. Duke Energy for electrical needs.

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## Zoning District Compatibility

Conditional Use	B2
Vehicular Sales and Rental	X

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## Staff Evaluation

### Staff Evaluation

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

- **Reasoning:** Vehicular sales and rental are permitted as a conditional use in the B-2 Zoning District.

### Definitions

1. Vehicular services means any building, premise, and land, in which or upon the primary use of land is a business which involves the maintenance or servicing of vehicles, including but not limited to: body shop; service station; garage service; golf cart repair, servicing and used cart sales; car wash; tire sales and mounting; auto detailing; towing service; transmission or muffler shop; and oil/lube servicing. Note: This does not include the storage of junked or abandoned vehicles; outdoor storage; or vehicular sales and rental.
2. Vehicular sales and rental means building, office, and lot for vehicles that are immediately available for sale and/or rental. This includes passenger vehicles, trucks and other motor vehicles. Note: This does not include vehicle services or outdoor storage.

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

- **Reasoning:** This proposed use would offer residents in Erwin another option to purchase a vehicle.

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:** The requested use will not impair the character of the surrounding area. The building is already built and this would be an improvement to a building that is currently vacant. There are similar uses on Erwin Road.

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

- **Reasoning:** This building/parcel is found in the area identified for medium intensity growth in the 2014 Land Use Plan. Low impact neighborhood businesses that serve the immediate needs of residents are a recommended use in this 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 structure that already has all of the necessary utilities connected to the building.

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:** Town Staff has not been able to identify an existing NC DOT Driveway permit. If this application is approved, Town Staff would recommend a condition for this permit being that they have to obtain a driveway permit from NCDOT. In the application the applicant has shown they would like to place the cars that would be for sale in directly in front of the building (in between the building and Erwin Road). Customer parking would be on the left side of the building.

Yes  No

That the conditional 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.

- **Reasoning:** One of the recommended conditions would be improvements to the parking lot. Potentially pave with an asphalt surface. The parking lot would then need to have parking spaces marked on the lot. There would need to be a parking space to be in compliance with ADA standards.

Attachments:

- GIS zoning district image
- GIS image
- CU-2019-08 application
- CU-2019-08 Staff Report

Need to Submit  
by 11/21/19



**TOWN OF ERWIN**  
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(910) 897-5140 V (910) 897-5543 F  
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**CONDITIONAL USE APPLICATION**

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

Applicant Name	Angel Martinez	Property Owner Name	JIM HANAN
Mailing Address	504 Waterford Dr.	Mailing Address	PO Box 387
City, State, Zip	Clayton, N.C, 27520	City, State, Zip	Coats, NC 27521
Telephone	919-756-2330	Telephone	
Email		Email	
Address of Subject Property		2408 Erwin Rd.	
Parcel Identification Number(s) (PIN) of Subject Property		1507-40-3993.000	
Legal Relationship of Applicant to Owner	tenant	Floodplain SFHA	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Legal Description: Lot	Block	Subdivision	
Zoning District	B2	Wetlands	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Watershed Area
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	1	Gross Floor Area to Remain	
Describe Proposed Project or Request with Conditions proposed by applicant: use front building and parking lot for vehicular services no auto repair			
Total Acreage or Square Footage to be Disturbed			
Estimated Cost of Project \$			

TOWN OF ERWIN

*Alcan*

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 1/18/19 Application Fee \$ 300 Received By SBL

Case # CU-2019 -08

Snow Boulder  
910-591-4200  
~~Town Manager~~



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### Conditional Use Signature Page

It is understood by the undersigned that the development and execution of the Conditional Use Ordinance 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 conditional 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 Conditional 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 conditional use, the Planning Board may recommend, and the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the conditional 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 conditional 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 Conditional 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 Conditional 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 Conditional 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 conditional use and any conditions attached shall be perpetually binding to the property unless it is expressly limited.

Applicant Signature and Date:

 11/18/19



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

Property Owner (1) Jim A. Hartman  
Mailing Address PO Box 387 City Coats ST NC Zip 27521

Property Owner (2) Jason and Cullie Manning  
Mailing Address 329 Salt Market St. City Dunn ST NC Zip 28334

Property Owner (3) Jay and Tracy Hartman  
Mailing Address 3814 Noble Ave. City Richmond ST VA Zip 23022

Property Owner (4) Barbara West  
Mailing Address 616 Woodtown Rd. Dr. City Erwin ST NC Zip 28339

Property Owner (5) Jerry and Faye Bayles  
Mailing Address PO Box 343 City Erwin ST NC Zip 28339

Property Owner (6) CSTD LTD LLC  
Mailing Address PO Box 194 City Erwin ST NC Zip 28339

Property Owner (7) Derrick and Rachel Davis  
Mailing Address 2405 Erwin Rd. City Dunn ST NC Zip 28334

Property Owner (8) Jason and Ashley Luckett  
Mailing Address 2403 Erwin Rd. City Dunn ST NC Zip 28334

Property Owner (9) Ricky Aver  
Mailing Address 2401 Erwin Rd. City Dunn ST NC Zip 28334

Property Owner (10) Dean and Gail Lucas  
Mailing Address 2302 Erwin Rd. City Dunn ST NC Zip 28334

Property Owner (11) Rodney Lewis  
Mailing Address 746 Tinslake Dr. City Clinton ST NC Zip 28328

Property Owner (12) Lesia Ruynor  
Mailing Address 201 Ruynor St. City Dunn ST NC Zip 28334

Property Owner (13) Samuel ~~and~~ Wood and Ann Moss  
Mailing Address 305 W D St. City Erwin ST NC Zip 28339

*\* see staff report*

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

1. The use requested is listed among the conditional 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 conditional 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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### CONDITIONAL USE APPLICATION PROCEDURES

1. Completed application for the Conditional 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 third Friday of the month prior to the following Planning Board meeting to ensure the application will be heard at the following Planning Board meeting. Planning Board meets on the third Monday of each month.
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 Conditional 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 \$250.
4. Planning Board reviews the application prior to the public hearing and makes recommendation to the Board of Commissioners.

#### Conditions and Guarantees

Prior to the granting of any conditional use, the Planning Board may recommend, and the Board of Commissioners may stipulate, such conditions and restrictions upon the establishment, location, reconstruction, maintenance, and operation of the conditional 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 conditional 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 Conditional Use Permit following the public hearing.

### Action by the Board of Commissioners

In granting a Conditional 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 conditional 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 conditional 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



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### IMPORTANT

This is a complete Conditional Use Application package consisting of 11 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 Conditional 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 – Conditional Uses.
- Complete the Conditional Use Permit Application, the Conditional 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

Conditional 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 sit 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](http://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 20 copies of this completed application. Each member of the Governing Board and Planning 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 third Friday of the month to be placed on following month's Planning Board Agenda. The Planning Board's recommendation will be presented during a Public Hearing for the Conditional Use Request. The Planning Board may revise its recommendation following the Public Hearing and present such recommendation to the Governing Board before the Governing Board takes action.

# Town of Erwin Record and Decisions

**Office Use Only**

Notice Mailed 12/13/2019

Property Posted 12/17/2019

Newspaper Advertised Date 12/19/2019  
12/26/2019

**Planning Board Motion**

Board Member Pat Cameron made a motion that the proposed conditional use application meets all the Findings of Facts in the Affirmative, is consistent with the Land Development Plan and recommends Approval of CU-2019-07 conditional use application to operate a Vehicular Sales Lot at 2408 Erwin Road HC TAX PIN# 1507-40-3993.0000 and was seconded by Board Member Ronald Beasley. **Motion Unanimously Approved.**

**Certified By:** Cynthia Patterson, Town Clerk

**Record of Decision:**

	Yea	Nay
Pat Cameron	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ronald Beasley	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alan West	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy Price	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Norman Avery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Shean	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Billy Howell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Public Hearing Date and Comments:** \_\_\_\_\_

A Public Hearing is scheduled for Thursday, January 2, 2020 at 7pm at Town Hall 100 West F. Street, Erwin in the Board Meeting Room. This was tabled until Thursday, February 6, 2020 at 7pm.

**Governing Body Motion**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certified By:** \_\_\_\_\_

**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"/>


Town Board Decision and Date \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certified By:** \_\_\_\_\_












# Harnett GIS









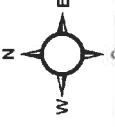



**Harnett COUNTY**  
NORTH CAROLINA

GIS/E-911 Addressing  
January 30, 2020

	Recycle Center		Major Roads
	Landfills		Interstate
	Surrounding County Boundaries		NC
	Federal Property		US
			Roads

 City Limits  
 Harnett County Boundary  
 Address Numbers  
 Airport  
 Mile Markers  
 Railroad

1 inch = 47 feet



Harnett GIS



GIS/E-911 Addressing

November 26, 2019

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

- City Limits
- Harnett County Boundary
- Address Numbers
- Airport

- Major Roads
- Interstate
- NC
- US

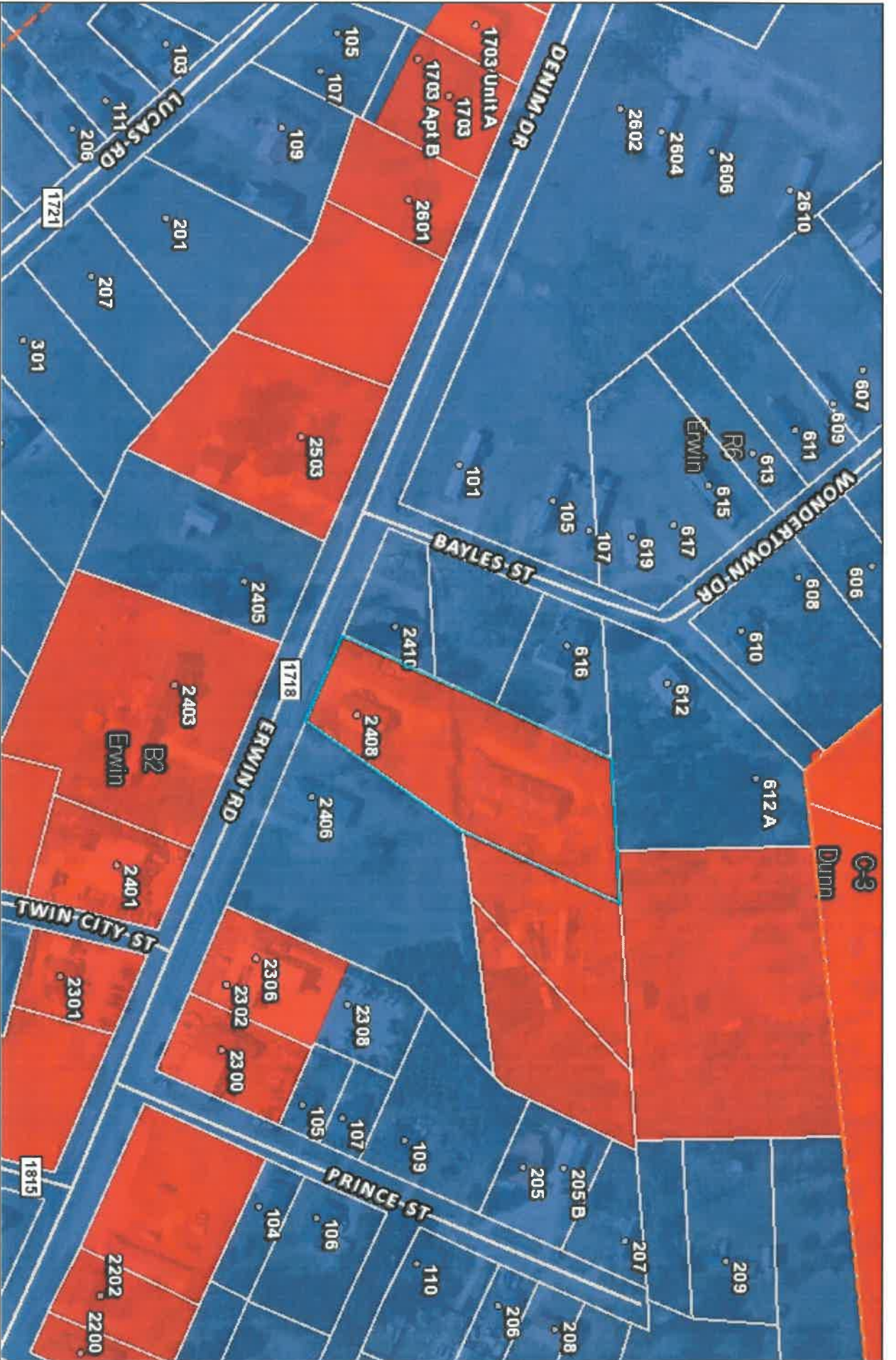
- Mile\_Markers
- Railroad



1 Inch = 94 feet











Harnett GIS








GIS/E-911 Addressing

November 26, 2019

-  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



1 inch = 188 feet

NEW BUSINESS

## Erwin Board of Commissioners

### REQUEST FOR CONSIDERATION

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To: The Honorable Mayor and Board of Commissioners  
From: Snow Bowden, Town Manager  
Date: February 6, 2020  
Subject: Set date for Mayor/Commissioners Retreat

---

We need to go ahead and schedule an initial meeting for our budget worksheet. I should have all budget requests from Department Heads by 1/31/2020. I have not received any updated property tax revenue estimates at the time of this memo. I can start with the numbers I currently have and always adjust them after our first meeting. We are going to have a lot of items to discuss during this meeting.

#### Proposed Dates

- Friday, February 21<sup>st</sup>
- Saturday, February 22<sup>nd</sup>
- Monday, February 24<sup>th</sup>
- Friday, February 28<sup>th</sup>
- Saturday, February 29<sup>th</sup>
- Saturday, March 7<sup>th</sup>
- Monday, March 9<sup>th</sup>
- Saturday, March 14<sup>th</sup>
- Tuesday, March 17<sup>th</sup>
- Thursday, March 19<sup>th</sup>
- Saturday, March 21<sup>st</sup>