

**THE ERWIN BOARD OF COMMISSIONERS
APRIL 2022 REGULAR MEETING
THURSDAY, APRIL 7, 2022 @ 7:00 P.M.
ERWIN MUNICIPAL BUILDING BOARD ROOM**

AGENDA

1. MEETING CALLED TO ORDER

- A. Invocation
- B. Pledge of Allegiance

2. AGENDA ADJUSTMENTS /APPROVAL OF AGENDA

3. CONSENT

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

- A. Minutes of Workshop on February 28, 2022 **(Page 2)**
- B. Minutes of Regular Meeting on March 3, 2022 **(Page 4)**
- C. Financial Report for February 2022 **(Page 15)**

4. INTRODUCTION CEREMONY OF NEW MEMBER OF THE BOARD

- A. Oath of Office for Newly Elected Member of the Board: Charles Byrd----Ward 4 **(Page 17)**

5. SPECIAL PRESENTATION FROM HARNETT COUNTY SHERIFF WAYNE COATS

6. 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

7. PUBLIC HEARING

- A. SU-2022-002 **(Page 18)**
- B. SU-2022-003 **(Page 38)**
- C. SU-2022-004 **(Page 58)**
- D. SU-2022-005 **(Page 82)**
- E. SU-2022-006 **(Page 102)**
- F. Variance 2022-001 **(Page 141)**
- G. Petition to Annex 127 Red Hill Church Rd **(Page 156)**
- H. Discussion of All-Way Stop Signs **(Separate Attachments)**

8. NEW BUSINESS

- A. Schabert Crossing Final Plat **(Page 164)**
- B. Erwin Oaks Preliminary Subdivision Plat **(Page 172)**
- C. Potential Annexation of three parcels off of St. Matthews Road **(Page 180)**
- D. Porter Park Improvements **(Page 192)**

9. MANAGER'S REPORT

10. ATTORNEY'S REPORT

11. GOVERNING BODY COMMENTS

12. ADJOURNMENT

ERWIN BOARD OF COMMISSIONERS
REGULAR WORKSHOP MINUTES
FEBRUARY 28, 2022
ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding, held its Regular Workshop in the Erwin Municipal Building Board Room on Monday, February 28, 2022, at 6:00 P.M. in Erwin, North Carolina.

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

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

Mayor Carson called the meeting to order at 6:00 P.M.

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 under New Business, GFL, from the agenda on account of Nick Zdeb being unable to attend due to illness.

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

NEW BUSINESS

Community Building Grant

Town Manager Snow Bowden stated the grant we received from the State is \$100,000 and needs to be used for Capital Improvements and at our retreat we can discuss putting some of our own money into the project as well. We need to focus on getting the sewer fixed and upgrading the bathrooms. He provided the Board with a rough estimate of \$40,000 for those improvements. He also suggested some improvements to the outside of the building and possibly the kitchen. The building may need an HVAC unit.

Mayor Carson suggested using ARP funds to replace the HVAC unit.

Town Manager Snow Bowden stated that Towns receiving less than 10 million dollars, could write it off as revenue loss and put it towards the general government expenditures.

MINUTES CONTINUED FROM FEBRUARY 28, 2022

Mayor Pro Tem Baker clarified that we can use the entire \$100,000 for the Community Building improvements.

After much discussion from the Board, the consensus was to make the needed improvements to the bathrooms, exterior, and kitchen. We will increase the pricing to match the improvements and have a staff member present to make sure the building is taken care of during the rental period.

Town Manager Snow Bowden stated at the future meeting, he will ask the Board to approve opening a separate bank account as recommended by the State.

Lion's Club Sign

Town Manager Snow Bowden was approached by the Lion's Club in regards to putting a sign on the Community Building. He would recommend a kiosk so that the Lion's Club and DAV can advertise meeting there.

The consensus of the Board was to move forward.

ZT-2022-001

Town Manager Snow Bowden provided the Board with an overview of an upcoming rezoning request for our Public Hearing on March 3, 2022.

ADJOURNMENT

Commissioner McKoy made a motion to adjourn at 7:07 P.M. and was seconded by Commissioner Turnage. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY

LAUREN EVANS TOWN CLERK

ATTEST:

Patsy M. Carson
Mayor

Lauren Evans
Town Clerk

ERWIN BOARD OF COMMISSIONERS

REGULAR MINUTES

MARCH 3, 2022

ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, March 3, 2022, at 7:00 P.M. in Erwin, North Carolina.

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

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

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

Commissioner McKoy gave the invocation.

Commissioner Whitman led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

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

CONSENT

Mayor Pro Tem Baker made a motion to approve **(ITEM A)** Minutes of Regular Workshop on January 24, 2022 **(ITEM B)** Minutes of Regular Meeting on February 3, 2022 **(ITEM C)** Financial Report for January 2022 **(ITEM D)** NC DOT 2022 Mowing Extension and was seconded by Commissioner Turnage. **The Board voted unanimously.**

PUBLIC COMMENT

Krystal Lanfair of 306 East I Street came forward and expressed her concern for the danger at the intersection of East I Street and N 10th Street. She asked the Board to consider placing a four-way stop sign at that intersection.

MINUTES CONTINUED FROM MARCH 3, 2022

PRESENTATION OF CITIZEN OF THE MONTH

Joey Powell of 600 East E Street was recognized as the March 2022 Citizen of the Month. Mayor Carson presented him with a Proclamation Plaque.

INTRODUCTION OF THE NEW HARNETT COUNTY MANAGER BRENT TROUT

Harnett County Manager Brent Trout came forward and introduced himself to the Board. He stated he is aware of the challenges Towns goes through and he looks forward to working with the Board in the future.

INTRODUCTION OF THE NEW HARNETT COUNTY ECONOMIC DEVELOPMENT DIRECTOR CHRISTIAN A. LOCKAMY

Harnett County Economic Development Director Christian A. Lockamy came forward and introduced himself to the Board. He wanted to impress upon the Board that his mission is people, opportunities, and jobs and he hopes the Town will go along with him.

PUBLIC HEARING

SU-2021-007

Commissioner Blackmon 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 applicant has requested the Public Hearing be tabled. The applicant was traveling from Vietnam and just got back. When this request was originally submitted, there were some concerns, then though it was not in the floodplain, the parcel does flood during storms. The applicant is working with a surveyor and possibly presenting a new plan. The applicant has stayed in contact and he respectfully requested to table to request until next month.

Commissioner Blackmon stated the applicant will need to resubmit the application with any proposed changes and readvertise the request.

Mayor Pro Tem Baker made a motion to dismiss the request without prejudice and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

MINUTES CONTINUED FROM MARCH 3, 2022

ZT-2022-001

Town Manager Snow Bowden stated that this request is for three parcels located off of St. Matthews Rd. The Planning Board did meet on February 21st and did recommend the request and adopted the Statement of Consistency.

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

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

Applicant, Mike Roselli, came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Roselli addressed the Board and informed them that he was a Licensed Professional Engineer in the State of North Carolina and worked for Underfoot Engineering at 1149 Executive Circle, Cary NC. He stated he is present to represent his client, Mark Eisenbeis who is a developer of Old East Properties, and the builder, Jon Ward from True Homes. Both were present at the meeting. He explained the project to the Board and showed some sample homes that True Homes has built. He stated that we had a great discussion with the Planning Board in February and he felt that they addressed all concerns brought up at the meeting.

He presented a slideshow to the Board which is part of these minutes as an attachment.

Applicant, Mark Eisenbeis, came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Eisenbeis came forward and addressed the Board. He stated they are excited about establishing a presence in Erwin. He thinks the Town has a lot going for it and has a lot of potential. He presented the Town with recent sale statistics of Town Home Subdivisions in Johnston County, he could not find statistics for Harnett County. The average price for last year was \$228,000. He wanted to point out that just because it is a narrower product, it does not make that big of an impact on the pricing. He stated he could find any recent new sales in Harnett County but he showed a chart of resale statistics by price and square footage. If you can prices Town Homes in the 20 percentile then you are doing well in the industry.

Mr. Roselli came back up to the podium and continued his presentation. He stated since the Planning Board Meeting, they have added some additional conditions to fit Erwin. They changed the side setbacks from 5' to 8', they addressed construction activity, elevation repetition, open space, fire code, and development management/covenants.

Mayor Pro Tem Baker inquired about the density and how many lots will be available.

Mr. Roselli stated that they were still working with Harnett County and were unsure of how many water taps and sewer services the system has the capacity for. They plan to use the capacity in the area that the system will allow and if necessary, they will make some improvements.

Commissioner Blackmon inquired about the build-out time for this project.

MINUTES CONTINUED FROM MARCH 3, 2022

Mr. Roselli stated if approved, they will create construction drawings, in the 12-18 months they will have designs done, then maybe two years after that would be a full build-out.

Commissioner Whitman inquired about the lift station on the corner of that property and whether they feel that one lift station could provide for all the proposed homes.

Mr. Roselli stated the lift station, he believes, is providing for other homes but they can gravity from the main in the area. There are further lift stations down the Harnett County network and part of our studies on the utility system are looking into those lift stations.

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

Dale Ryals of 201 County Spring Lane came forward and was sworn in by Town Clerk Lauren Evans.

She provided the Board with a packet that is part of these minutes as an attachment.

Ms. Ryals addressed the Board and stated her concerns with the area being high intensity vs medium intensity. She stated she agrees that the Town needs homes and she did not realize that the proposed homes would be townhomes, she thought they were going to be duplexes and single-family homes. She stated there is plenty of land to develop and the owners of that land do not have an Erwin Address so it will be more likely an investment property. She recommended a turn lane on Bryant Road and St Matthews Rd in all directions and a roundabout on Red Hill Church Rd where there is a four-way stop sign. She stated the traffic is already heavy in that section. She expressed her concern with parking and provided the Board with pictures of parking issues around Erwin. She stated they should be bigger lot sizes and built upward, taking up less space, and using the backyard for parking. Drainage is a major issue with parcels and the developers need to make improvements to prevent standing water. This development will put a strain on the Town's resources which the Town will have to compensate for. She asked that the developers report to the Board on the process Monthly or Quarterly.

Billy Glover of 406 East Jackson BLVD came forward and was sworn in by Town Clerk Lauren Evans.

Mr. Glover stated he looked forward to seeing development in that area. He stated he has some questions for the engineer. His main concern was Storm Water runoff. His property is in a low area, south of this proposed development and right now it is at the maximum that it can handle. DOT has a culvert that runs within 150 feet of his property that dumps all the water into that wet area. He has a 15-foot pipe that runs underneath his property and it cannot handle that weight. He asked if they will be able to revert the stormwater to the wetlands behind their property. He also asked how much impervious area they plan to create.

Mr. Roselli stated they do not have a firm count of the impervious area at this time because they don't have a final unit count to build. That being said, the Stormwater ordinance requires them to make sure the release of stormwater in a post-development is the same as the pre-condition. Stormwater that currently goes to the road will still need to go to the road but there will not be any more water than there was previously. The water that goes to the wetlands will continue to go to the wetlands. They will use stormwater devices, likely wet ponds which will hold the water

MINUTES CONTINUED FROM MARCH 3, 2022

and release it within a few days. In regards to the concern for traffic, a traffic analysis will be conducted.

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

Mayor Pro Tem Baker stated if the development is approved there are still multiple steps and requirements that must be met beyond this hearing and prior to final approval.

Town Manager Snow Bowden stated it would require many more approvals, there will be other times when they come to present to the Board again. Our engineer will review their stormwater plans and staff will make sure they are following the conditions. The DOT will have to approve their connection to Bryant Rd and St Matthews Rd, as they are both State maintained roads.

Mayor Pro Tem Baker made a motion in the affirmative that the IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community. The request is for a conditional residential zoning district that would have a high density of mixed residential land uses. There is a strong need for new home construction in the Town and County at this current time. The proposed development of this property will follow all development standards that are set forth by the Town of Erwin and the State of North Carolina and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner Turnage made a motion in the affirmative that the requested zoning district is COMPATIBLE with the existing Land Use Classification. The majority of these three parcels are located in an area that was identified for high-intensity growth. The parcels are adjacent to an area for medium-intensity growth. The area for medium intensity growth includes the townhomes located off of St. Mathews Road and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion in the affirmative that the proposal does ENHANCE or maintain the public health, safety, and general welfare. If this rezoning request is approved it will allow for the potential development of these three parcels. The proposed development would include a mix of structures for single-family residential land uses. There is a definite need for new home construction in the area at the moment and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner McKoy made a motion in the affirmative that the request is for a SMALL SCALE REZONING and should be evaluated for reasonableness. This request includes three separate parcels that total 57.23 acres and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner Blackmon made a motion in the affirmative that there is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group. The request is for a conditional district that would allow for a mix of high/medium residential land uses. The proposed zoning district would benefit the general public and not one individual or small group and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

MINUTES CONTINUED FROM MARCH 3, 2022

Mayor Pro Tem Baker made a motion in the affirmative that there is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.) This request is for a conditional district that would allow for a mix of structures for single-family residential land uses. It would be similar to the smaller townhome land development directly across the street off of St. Matthews Road and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Commissioner Blackmon made a motion in the affirmative that there is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change. The area is already in an area identified for a mix of high and medium land uses and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Commissioner McKoy made a motion in the affirmative that the proposed change is in accord with the Land Development Plan and sound planning principles. The area where these three parcels are located includes an area identified for high-intensity land use. It is adjacent to a medium intensity land use. A mix of residential land uses would be a good planning fit for these three parcels and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion to recommend that the proposed zoning map amendment application meets all the Finds of Fact in the Affirmative, the proposed zoning map amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans, and recommend the approval of ZT-2022-001 Zoning Map Amendment to rezone the following three tracts of land off of St. Matthews Road:

- i. Tract 1- 640/504 St. Matthews Road
 - Harnett County Tax PIN 1507-34-7604.000
- ii. Tract 2- Vacant Tract adjacent to 640/504 St. Matthews Road
 - Harnett County Tax PIN 1507-45-1001.000
- iii. Tract 3- Vacant Tract at the corner of St. Matthews Road and Bryant Road
 - Harnett County Tax PIN 1507-35-0329.000

This motion was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Approval with the following conditions:

Mayor Pro Tem Baker:

1. A 10-foot buffer will be provided around the property, outside of private lots
2. Townhomes shall be added as an allowable residential use and townhome lot widths shall conform to builder product widths and not limited by zoning minimum lot width.

MINUTES CONTINUED FROM MARCH 3, 2022

- 3. Minimum required parking shall be two parking spaces per dwelling unit. Dwelling units can achieve minimum required parking in driveways, garages, on-street parking, or off-street parking lots, or a combination of any of the above.
- 4. Annexation: The development shall be annexed into Town limits prior to any approval for final plats.
- 5. Signage: Monument signs shall be made of brick, stone, or masonry material.
- 6. Setbacks (Residential Buildings): Setbacks shall be measured from the lot line to the building wall. Building eaves, at-grade patios, and at-grade stoops shall be allowed in the setback area. The minimum setbacks from the lot lines to the buildings for each residential use type shall be as follows:

Land Use Type	Minimum Front Setback	Minimum Side Setback	Minimum Side Setback (Adjacent to Street)	Minimum Rear Setback
Single Family Detached	20'	8'	10'	20'
Single Family Attached	20'	Min. Separation Dictated by Fire Code	10'	Min. Separation Dictated by Fire Code

Commissioner Blackmon:

- 7. Street Signage: Street signage, if proposed to be decorative and different from Town of Erwin signs, must be in accordance with the latest version of the Town of Erwin Street and NCDOT specifications.
- 8. Streetlights: The developer shall coordinate with the electrical utility provider on the lighting plan layout and available streetlight fixtures.
- 9. Entrances: All subdivision entrances shall be reviewed and approved by the Town of Erwin and the North Carolina Department of Transportation during the appropriate site plan approval process.
- 10. Driveways: All individual driveways shall be concrete and able to accommodate at least one vehicle outside of the public right-of-way (inclusive of the garage).
- 11. Open Space: All lands within areas required to be maintained as open space by the Homeowner's Association, or if applicable a Homeowner's Association management firm, shall

MINUTES CONTINUED FROM MARCH 3, 2022

be protected by a permanent conservation easement and restrictive covenant, prohibiting further development, and recorded upon final plat approval as “Open Space.”

12. Building Materials: Exterior building materials will be brick or stone veneer, vinyl, or fiber cement siding.
13. Stormwater: Stormwater quality and quantity controls will be installed according to municipal and NCDEQ requirements.
14. Nuisance: Construction activities shall be subject to Town of Erwin grading and building permit rules, and an approved erosion control plan will be followed to limit dust, noise, and sediment pollution as required. Building and site inspectors will have access to the site to enforce all applicable construction ordinances. Construction shall be subject to all Town noise ordinances, public and private utility regulations, and local, county, and state laws.
15. Elevations: No two adjacent lots or lots directly across the street from one another, excluding lots separated by a street, open space, or easement 50’ wide or greater, shall utilize the same elevation of the same product footprint.
16. Open Space: All lands within areas required to be maintained as open space by the Homeowner’s Association shall be protected by a permanent restrictive covenant, prohibiting further development, and recorded upon final plat approval as “Open Space”.
17. Fire Code: Development must comply with the latest edition of the NC Fire Prevention Code or current edition adopted for use by the Town of Erwin and Harnett County. This includes, but is not limited to, requirements related to access roadways, hydrant locations, and building materials.
18. Homeowner’s Association: All owners of developable lots shall immediately become members of a Homeowner’s Association. A declaration of Covenants, Conditions, and Restrictions and bylaws for the Homeowner’s Association shall be reviewed, approved, and recorded with the final plat. The Homeowner’s Associations shall be professionally managed and shall be in place to enforce and abate all community association covenants, conditions, and restrictions, and shall be responsible for the maintenance and upkeep of all Open Space and improvements built throughout the development, including the maintenance and upkeep of all drainage easements and Detention/Retention/Water Quality devices.

Mayor Pro Tem Baker made a motion that the requested rezoning to R-6- Conditional District is compatible with all of the Town of Erwin’s regulatory documents and would not only have a positive impact on the surrounding community, but would enhance the public health, safety, and general welfare as stated in the evaluation. It is recommended that this rezoning request be Approved with the conditions read by himself and Commissioner Blackmon and was seconded by Commissioner Whitman. **The Board voted unanimously.**

Mayor Pro Tem Baker made a motion to approve the Ordinance of Map Amendment Case #ZT-2022-001 Amendment to the official zoning map to rezone from R-D to R-6 per zoning ordinance Article XXIII for Harnett County PINs 1507-34-7604.000, 1507-45-1001.000, AND 1507-35-0329.000 and was seconded by Commissioner Whitman. **The Board voted unanimously.**

MINUTES CONTINUED FROM MARCH 3, 2022

Sign Text Amendment

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 this was presented to the Planning Board in December 2021 and to the Town Board at the January Meeting. We were unable to have a Public Hearing in February due to a lack of quorum to adopt ordinances. This amendment would allow for bigger signs on commercial buildings. They were limited to 100 square feet, if they are illuminated they must be proportional to the size of the building.

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

No one came forward.

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

No one came forward.

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

Commissioner Blackmon made a motion to approve the Ordinance of the Town of Erwin, North Carolina Amending 36-549 ORD 2021-2022:005 Business Signs and was second by Mayor Pro Tem Baker. **The Board voted unanimously.**

OLD BUSINESS

Potential Annexation of 127 Red Hill Church Road

Town Manager Snow Bowden informed the Board that Town Clerk Lauren Evans investigated the request and believes it is ready to go to the next step of annexation. Staff recommends excepting the Certificate of Sufficiency from the Town Clerk and approving the resolution fixing the date of the Public Hearing which would be at our next scheduled Board Meeting.

Mayor Pro Tem Baker made a motion to approve the resolution fixing date of public hearing on question of annexation pursuant to G.S. 160A-31 and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

Four-Way Stop Signs

Town Manager Snow Bowden stated he was contacted by a resident, Michael Jackson, who wanted to add the discussion of Stop Signs to the agenda. He informed Mr. Jackson of the process and Mr. Jackson reached out to Commissioner Whitman and Commissioner McKoy asking to have it added to the agenda.

Mr. Jackson provided the Board with a packet which is part of these minutes as an attachment.

MINUTES CONTINUED FROM MARCH 3, 2022

Mr. Jackson thanked the Board for allowing him to speak and the two Commissioners for allowing him to be put on the agenda. He expressed his concern about the all-way stop signs on St Matthews Rd. As a resident and a business owner on this road, he and his family have personally seen the dangers of these signs. He provided the Board with evidence from the Manual on Uniform Traffic Control Devices on why the Town cannot use stop signs to regulate speed. He expressed his opinion that the signs are illegal and the Town could be liable if someone were to get in rear-end collision due to the signs. He requested immediate removal of these all-way stop signs.

NEW BUSINESS

Petition to Annex Three Parcels Located off of St. Matthews Road

Town Manager Snow Bowden stated the Town received an annexation request from the three parcels we just rezoned early in the meeting. Staff is asking the Board to instruct the Town Clerk to investigate the request for sufficiency.

Commissioner Blackmon made a motion to approve to Resolution directing the town clerk to investigate an annexation petition received G.S. 160A-31 2021-2022---003 and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

Grant Project Ordinance – Community Building Renovations

Town Manager Snow Bowden stated this is for the grant from the State for renovations to our Community Building. This is to get us started on the process, track what we will spend, and report to the State in a timely manner.

Commissioner Blackmon made a motion to approve the Grant Project Ordinance for the Town of Erwin Community Building Renovations ORD 2021-2022:002 and was seconded by Mayor Pro Tem Baker. **The Board voted unanimously.**

CLOSED SESSION

Mayor Pro Tem Baker made a motion to go into Closed Session in Pursuant to General Statute 143-318.11 (a) (6) for the Purpose of Discussing Personnel at 8:42 PM. and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

MINUTES CONTINUED FROM MARCH 3, 2022

RECONVENED

Mayor Pro Tem Baker made a motion to go back into regular session at 8:52 PM and was seconded by Commissioner Alvarado. **The Board voted unanimously.**

MANAGER'S REPORT

Town Manager Snow Bowden reminded the Board of the Annual Budget Retreat on March 24th at 9 AM in the Board Room.

ATTORNEY'S REPORT

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

GOVERNING COMMENTS

Commissioner McKoy stated it is a pleasure to serve with his fellow colleagues. He is so proud to be a part of the Erwin Board.

ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 8:58 P.M. and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

MINUTES RECORDED AND TYPED BY

LAUREN EVANS TOWN CLERK

ATTEST:

Patsy Carson

Mayor

Lauren Evans

Town Clerk

Town Of Erwin
 Financial Summary Report
 YTD Comparison of February 2021 and 2022



	YTD		YTD		DIFFERENCE
	Feb-22	Feb-21	Feb-22	Feb-21	
Revenues					
CURRENT YEAR LEVY OF PROPERTY TAXES	1,090,364.00	1,074,315.00	16,049.00	16,049.00	
CURRENT YEAR MOTOR VEHICLE TAXES	105,355.00	116,724.00	(11,369.00)	(11,369.00)	
PRIOR YEAR TAXES / Penalties & Interest	40,545.00	23,739.00	16,806.00	16,806.00	
UTILITIES FRANCHISE TAXES	92,639.00	94,710.00	(2,071.00)	(2,071.00)	
ENTRY FEES	15,075.00	4,465.00	10,610.00	10,610.00	
SALES & USE TAX	590,613.00	514,908.00	75,705.00	75,705.00	
ZONING PERMITS/APPLICATIONS	8,785.00	8,950.00	(165.00)	(165.00)	
REFUSE COLLECTIONS FEES	303,885.00	286,984.00	16,701.00	16,701.00	
STORM WATER COLLECTION	41,589.00	39,574.00	2,015.00	2,015.00	
ALL OTHER REVENUES	503,341.00	694,945.00	(191,604.00)	(191,604.00)	
	\$ 2,791,991.00	\$ 2,859,314.00	(67,323.00)	(67,323.00)	
Expenditures					
GOVERNING BODY	14,710.00	14,945.00	(235.00)	(235.00)	
ADMINISTRATION	162,651.00	177,645.00	(14,994.00)	(14,994.00)	
NON-DEPARTMENTAL	282,611.00	201,914.00	80,697.00	80,697.00	
PLANNING & INSPECTIONS	9,876.00	25,537.00	(15,661.00)	(15,661.00)	
POWELL BILL-STREETS	9,438.00	13,431.00	(3,993.00)	(3,993.00)	
POLICE	674,046.00	551,596.00	122,450.00	122,450.00	
POLICE-SRO	41,842.00	56,245.00	(14,403.00)	(14,403.00)	
CONTRACT SERVICES-FIRE	229,730.00	224,031.00	5,699.00	5,699.00	
PUBLIC WORKS-ADMIN.	78,968.00	69,761.00	9,207.00	9,207.00	
PUBLIC WORKS-STREETS	190,799.00	163,098.00	27,701.00	27,701.00	
PUBLIC WORKS-SANITATION	189,419.00	227,855.00	(38,436.00)	(38,436.00)	
PUBLIC WORKS-STORM WATER	3,739.00	1,997.00	1,742.00	1,742.00	
RECREATION	217,251.00	176,785.00	40,466.00	40,466.00	
LIBRARY	44,186.00	40,527.00	3,659.00	3,659.00	
COMMUNITY CENTER	3,673.00	10,479.00	(6,806.00)	(6,806.00)	
	\$ 2,152,939.00	\$ 1,955,846.00	197,093.00	197,093.00	

BANK ACCOUNT BALANCES			
	YTD	YTD	YTD
	Feb-22	Feb-21	Feb-21
CASH MANAGEMENT	2,316,647.77	1,612,138.91	1,612,138.91
BB&T CASH IN BANK	736,266.57	935,373.90	935,373.90
FIRST FEDERAL BUSINESS M	136,749.80	136,399.95	136,399.95
FIRST FEDERAL MONEY MARKET	857,727.97	856,004.84	856,004.84
Y-T-D INVESTMENT BALANCE IN GENERAL	\$ 4,047,392.11	\$ 3,539,915.60	\$ 3,539,915.60
BB&T STATE FORFEITURE	4,246.64	3,703.41	3,703.41
BB & T CAPITAL RESERVE/COMM. ENHANC	206,509.83	180,311.35	180,311.35
FIRST FEDERAL CAP. RESERVE/GENERAL	2,352,017.94	2,347,292.90	2,347,292.90
BB&T HEALTH RESERVE HRA ACCT.	9,972.67	7,298.76	7,298.76
PRIEBE FIELD ACCT.	12,752.30	9,772.37	9,772.37
AL WOODALL PARK IMPROVEMENTS	392,011.61	357,121.41	357,121.41
AMERICAN RELIEF FUNDS	593,901.34	-	-
Y-T-D BALANCE RESTRICTED FUNDS	\$ 3,571,412.33	\$ 2,905,500.20	\$ 2,905,500.20
CUMULATIVE BALANCE FOR TOWN OF ERWIN	\$ 7,618,804.44	\$ 6,445,415.80	\$ 6,445,415.80

**TOWN OF ERWIN
FINANCIAL SUMMARY REPORT
FOR MONTH OF February 2022**



REVENUES	ANNUAL BUDGET	February '22 ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,103,856.00	176,663.00	1,090,364.00	98.78%
CURRENT YEAR MOTOR VEHICLE TAXES	175,470.00	14,506.00	105,355.00	60.04%
PRIOR YEAR TAXES / Penalties & Interest	10,000.00	2,148.00	40,545.00	405.45%
UTILITIES FRANCHISE TAXES	190,000.00	901.00	92,839.00	48.76%
ENTRY FEES	19,000.00	3,165.00	15,075.00	79.34%
SALES & USE TAX	700,000.00	77,557.00	590,613.00	84.37%
ZONING PERMITS/APPLICATIONS	8,000.00	1,100.00	8,785.00	109.81%
REFUSE COLLECTIONS FEES	410,256.00	33,985.00	303,685.00	74.02%
STORM WATER COLLECTION	69,930.00	4,801.00	41,589.00	59.47%
ALL OTHER REVENUES	697,042.00	44,982.00	503,341.00	72.21%
	3,383,554.00	359,808.00	2,791,991.00	82.52%
EXPENDITURES	ANNUAL BUDGET	February 2022 ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	47,945.00	1,747.00	14,710.00	30.68%
ADMINISTRATION	263,399.00	19,844.00	162,661.00	61.75%
NON-DEPARTMENTAL	279,319.00	23,059.00	282,611.00	101.18%
PLANNING & INSPECTIONS	77,369.00	174.00	9,876.00	12.76%
POWELL BILL-STREETS	157,000.00	1,000.00	9,438.00	6.01%
POLICE	964,020.00	150,015.00	674,046.00	69.92%
POLICE-SRO	64,030.00	5,055.00	41,842.00	65.35%
CONTRACT SERVICES-FIRE	238,307.00	36,031.00	229,730.00	96.40%
PUBLIC WORKS-ADMIN.	109,004.00	9,496.00	78,968.00	72.45%
PUBLIC WORKS-STREETS	396,994.00	16,134.00	190,799.00	48.06%
PUBLIC WORKS-SANITATION	345,343.00	23,458.00	189,419.00	54.85%
PUBLIC WORKS-STORM WATER	15,000.00	190.00	3,739.00	24.93%
RECREATION	349,119.00	25,595.00	217,251.00	62.23%
LIBRARY	69,405.00	6,152.00	44,186.00	63.66%
COMMUNITY CENTER	7,300.00	724.00	3,673.00	50.32%
	3,383,554.00	318,674.00	2,152,939.00	63.63%
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		41,134.00	639,052.00	

BANK BALANCES AS OF February 2022		
CASH MANAGEMENT		2,316,647.77
BB&T CASH IN BANK	*	736,266.57
FIRST FEDERAL PRESTIGE - BUSINESS MONEY MARKET		136,749.80
FIRST FEDERAL PREMIUM - BUSINESS MONEY MARKET		857,727.97
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS		4,047,392.11
BB&T STATE FORFEITURE		4,246.64
BB & T CAPITAL RESERVE/COMM. ENHANCEMENT		206,509.83
FIRST FEDERAL CAP. RESERVE/GENERAL		2,352,017.94
BB&T HEALTH RESERVE HRA ACCT.		9,972.67
PRIEBE FIELD ACCT.		12,752.30
AL WOODALL PARK IMPROVEMENTS		392,011.61
AMERICAN RELIEF FUNDS		593,901.34
Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS		3,571,412.33
CUMULATIVE BALANCE FOR TOWN OF ERWIN		7,618,804.44

POWELL BILL BALANCE
\$ 436,757.19



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

O A I H

NORTH CAROLINA

HARNETT COUNTY

TOWN OF ERWIN

"I, CHARLES BYRD, DO SOLEMNLY SWEAR (AFFIRM) THAT I WILL SUPPORT AND MAINTAIN THE CONSTITUTION AND LAWS OF THE UNITED STATES; AND THE CONSTITUTION AND LAWS OF NORTH CAROLINA NOT INCONSISTENT THEREWITH; AND THAT I WILL FAITHFULLY DISCHARGE THE DUTIES OF MY OFFICE AS COMMISSIONER OF THE TOWN OF ERWIN, ON WHICH I AM ABOUT TO ENTER; SO HELP ME GOD. "

CHARLES BYRD, COMMISSIONER

SWORN TO AND SUBSCRIBED BEFORE ME

THIS THE 7TH DAY OF APRIL 2022.

PATSY M. CARSON, MAYOR

ATTEST:

LAUREN EVANS, TOWN CLERK

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 7, 2022

Subject: SU-2022-002

The Town of Erwin has received a special use permit application request to open a full-service beauty salon at 400 East H Street. This is an existing building that is located off of a Town street. There are already parking spaces in front of the building.

Attachments:

- SU-2022-002 Application
- SU-2022-002 Staff Report
- SU-2022-002 Harnett County GIS Image with no zoning
- SU-2022-002 Harnett County GIS Image with zoning
- Property owners notified

Suggested Motions:

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

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

3. I move to recommend:
 - a. Approval of SU-2022-002 Special Use Application to operate a full-service beauty salon at 400 East H Street (HC Tax PIN # 0597-84-1671.000.)
 - b. Denial of SU-2021-002 Special Use Application to operate a full-service beauty salon at 400 East H Street (HC Tax PIN # 0597-84-1671.000.)
 - c. Approval of SU-2021-002 Special Use Application to operate a full-service beauty salon at 400 East H Street (HC Tax PIN # 0597-84-1671.000) with additional conditions (state conditions).



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SPECIAL USE PERMIT APPLICATION

In the Matter Of the Request to the Erwin Board of Commissioners *IN 2 Properties LLC*

Applicant Name	<i>Katyna Bunn</i>	Property Owner Name	<i>Katyna Bunn, owner</i>
Mailing Address	<i>7928 Twin Pines Way</i>	Mailing Address	<i>same</i>
City, State, Zip	<i>Fuquay Varina NC</i>	City, State, Zip	<i>27526</i>
Telephone	<i>910-796-1678</i>	Telephone	
Email	<i>Katyna@NCLEGACY.com</i>	Email	
Address of Subject Property	<i>400 E H Street, Erwin NC 28339</i>		
Parcel Identification Number(s) (PIN) of Subject Property	<i>0597-84-1671.000</i>		
Legal Relationship of Applicant to Owner	<i>both = owner</i>	Floodplain SFHA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Legal Description: Lot	Block	Subdivision	
Zoning District	Wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Watershed Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Public Water Available <input checked="" type="checkbox"/> Y or N	Public Sewer Available <input checked="" type="checkbox"/> Y or N	Existing Septic Tank: <input checked="" type="checkbox"/> Y or N	
Number of Buildings to Remain	<i>1</i>	Gross Floor Area to Remain	<i>2,900</i>
Describe Proposed Project or Request with Conditions proposed by applicant: <i>Would like to use building for beauty salon Interior Renovations only - no added sq footage</i>			
Total Acreage or Square Footage to be Disturbed	<i>N/A</i>		
Estimated Cost of Project \$	<i>90,000</i>		

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	<i>2/17/22</i>	Office Use Only	Application Fee \$	<i>300</i>	Received By	<i>[Signature]</i>
Case # SU-20 <i>22</i>	<i>-002</i>	PAYED				

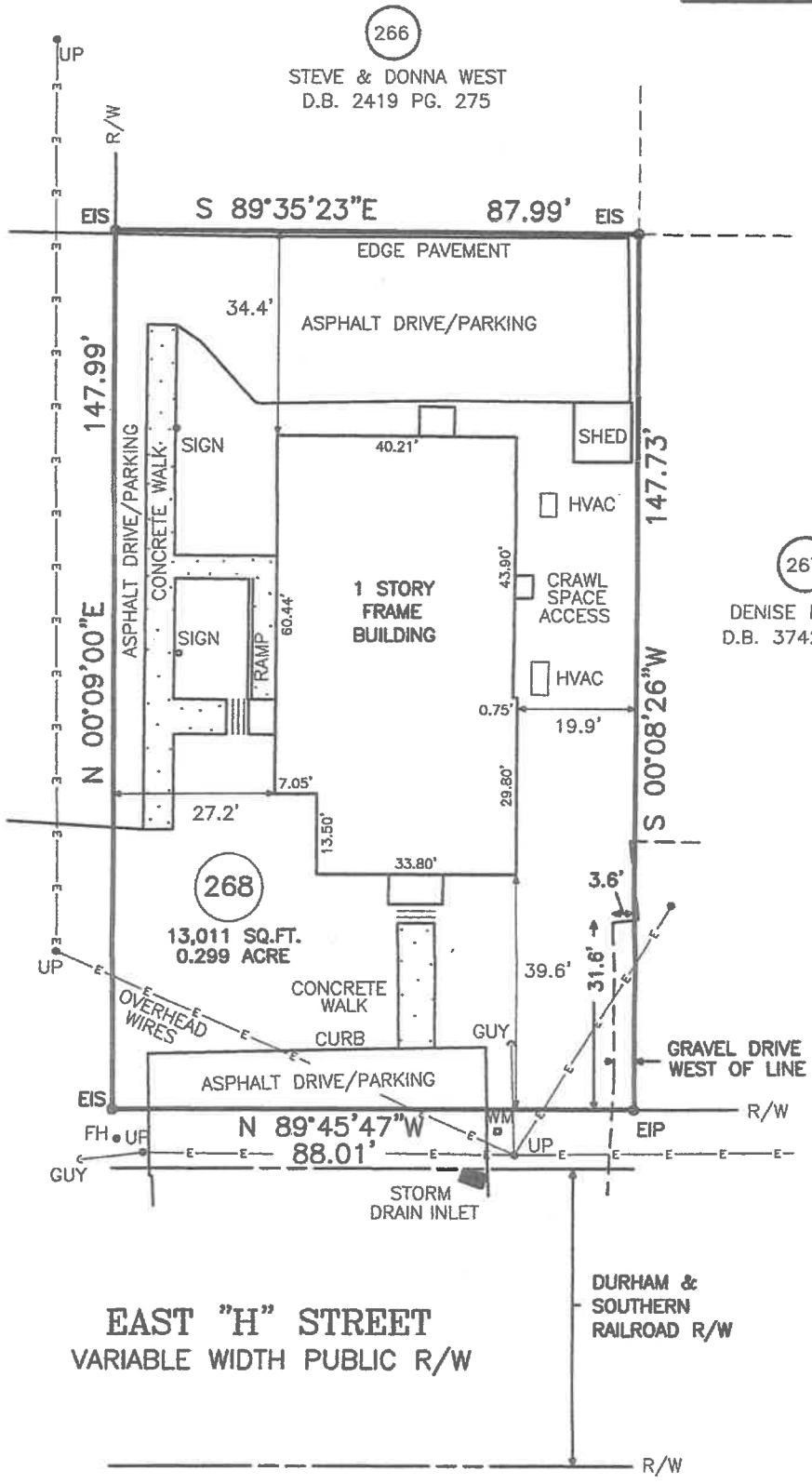
FEB 17 2022

check 1002

GAS METER
 - HEAT/AC UNIT
 FIRE HYDRANT

P.B. 6 PG. 88

NORTH 10TH STREET
 60' PUBLIC R/W



266

STEVE & DONNA WEST
 D.B. 2419 PG. 275

267

DENISE R. WINNIE
 D.B. 3742 PG. 450

268

13,011 SQ.FT.
 0.299 ACRE



PHYSICAL SURVEY FOR
IN 2 PROPERTIES, LLC
 400 EAST "H" STREET, ERWIN, NC 28339
 LOT 268 ERWIN MILLS, INC.
 SECTION NO. 1 - PLAT BOOK 6 PAGE 88
 DEED BOOK 3839 PAGE 614
 PIN # 0597-84-1671.000
 DUKE TOWNSHIP
 HARNETT COUNTY - NORTH CAROLINA

I HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER
 THE PROVISIONS OF THE SURVEYING ACT OF 1971
 FROM AN ACTUAL SURVEY MADE UNDER MY

- see attached



TOWN OF ERWIN

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

Property Owner (1) Denise R. Winnie Mailing
 Address 402 E H St City Erwin ST NC Zip 28339

Property Owner (2) Steve and Donna West Mailing
 Address 101 N 10th St City Erwin ST NC Zip 28339

Property Owner (3) Lane Spe LLC Mailing
 Address 100 N 10th St City Erwin ST NC Zip 28339

Property Owner (4) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (5) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (6) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (7) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (8) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (9) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (10) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (11) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (12) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (13) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

SU- 222 002



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Special Use Signature Page

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

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

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

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

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

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

SU- 2022 - 002

Signature Page

Page 1 of 2

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

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

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

Applicant Signature and Date: _____

Katya Bn

- see attached
staff report

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

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

Yes No Personal service establishments whose operation is conducted entirely within an

2. The requested use is essential or desirable to the public convenience or welfare enclosed building
 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 Building will still look like surrounding homes after renovation

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 Existing parking spaces equal 19-20

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

Yes No _____



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SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

Action by the Board of Commissioners

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

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



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IMPORTANT

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

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

Using the Zoning Ordinance

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



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Processing Requirements

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

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

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

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

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

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

**Town of Erwin
Record and Decisions**

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____

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

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2022-002

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, April 7th, 2022

Requested special use permit to operate a full service beauty salon at 400 East H Street. The property can also be identified by its Harnett County Tax PIN # 0597-84-1671.000.

Applicant Information

Owner of Record:

Name: IN 2 Properties, LLC

Address: 7928 Twin Pines Way

City/State/Zip: Fuquay-Varina, NC 27526

Applicant:

Name: Katyna Bunn

Address: 7928 Twin Pines Way

City/State/Zip: Fuquay-Varina, NC 27526

Property Description

Harnett County Tax PIN 0597-84-1671.000

Acres .30

Zoning District- Downtown Mill Village District (DMV)

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description: This is an existing building that was built in 1933 and it is 2,829 square feet based on Harnett County GIS data. There are 20 existing parking spaces.

Surrounding Land Uses: This building is mostly surrounded by residential uses. Across the street is a medical facility and on the other side of East H Street is Good Hope Hospital. The Dunn-Erwin Rail Trail separates this building from the Dunn-Erwin Rail Trail.

Services Available

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

Zoning District Compatibility

Special Use	DMV
Personal Services Establishments	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:** Personal service establishments whose operations are conducted entirely within an enclosed building are a special use in our Downtown Mill Village district.

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

- **Reasoning:** The applicant is requesting a special use permit to open a full service beauty salon. This potential business would provide another option for people in Town to get these services.

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

- **Reasoning:** This is an existing building that has been used as an office before. There are other buildings in the area that are used commercially. This building is in one of our newer zoning districts. The new district does include commercial uses with low noise and traffic impacts that would be compatible with a residential area.

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

- **Reasoning:** This area of land would be in the area identified for medium intensity growth. The plan calls for medium to high density mixed residential uses. The classification also includes low impact neighborhood businesses.

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

- **Reasoning:** This is an existing building that will not be expanded. The parking spaces are already located on site.

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

- **Reasoning:** This is an existing parcel that has a building located on site. There are already parking spaces located in front of the building.

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-2022-002 Application
- SU-2022-002 Staff Report
- SU-2022-002 Site Plan
- Harnett County GIS Image with Zoning
- Harnett County GIS Image with no Zoning
- SU-2022-002 property owners notified

Harnett GIS
















NOT FOR LEGAL USE

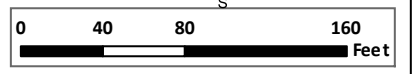
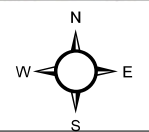


Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing
September 14, 2021

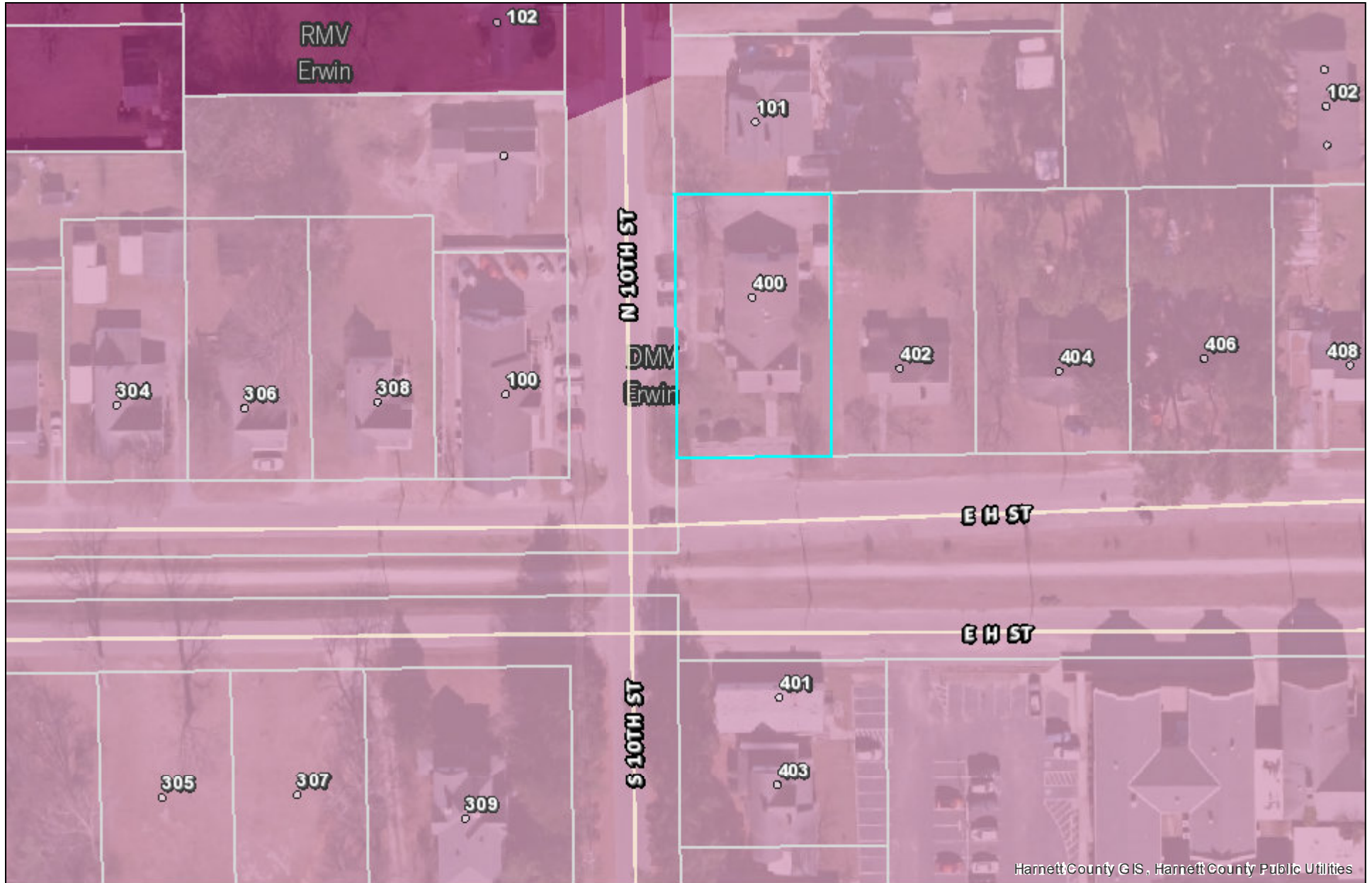
-  Recycle Center
-  Landfills
-  Surrounding County Boundaries
-  Federal Property
-  City Limits
-  Harnett County Boundary
-  Address Numbers
-  Airport
- Major Roads**
-  Interstate
-  NC
-  US
-  Roads
-  Mile_Markers
-  Railroad
-  Parcels



1 inch = 94 feet ³⁴

Harnett GIS

NOT FOR LEGAL USE



Harnett County GIS, Harnett County Public Utilities



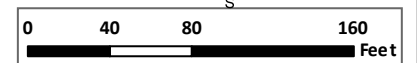
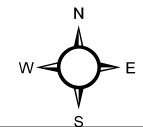
GIS/E-911 Addressing
September 14, 2021

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

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

- NC
- US
- Roads
- Mile_Markers
- Railroad

- Parcels



1 inch = 94 feet ³⁵



TOWN OF ERWIN

P.O. Box 459 • Erwin, NC 28339
Ph: 910-897-5140 • Fax: 910-897-5543
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Mayor
Patsy M. Carson
Mayor Pro Tem
Randy L. Baker
Commissioners
William R. Turnage
Thurman E. Whitman
Alvester L. McKoy
Ricky W. Blackmon

03/14/2022

Notice of a Public Hearing **SU-2022-002**

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on April 7th, 2022 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.

There has been an application submitted to operate a hair salon at 400 East H Street. The property can also be identified by its Harnett County Tax PIN # 0597-84-1671.000. 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

IN 2 PROPERTIES, LLC
7920 Twin Pines Way
Fuquay-Varina, NC 27526

Steve and Donna West
101 North 10th Street
Erwin, NC 28339

Denise Winnie
402 East H Street
Erwin, NC 28339

Lane SPE LLC
12450 Cleveland Rd.
Garner, NC 27529

LANE LTR Properties, LLC.
PO Box 2230
Angier, NC 27501

Good Hope Hospital
ATTN: Bill Larrison
PO Box 639
Erwin, NC 28339

Harnett County
PO Box 759
Lillington, NC 759

Seth and Angela Gundersen
309 East H Street
Erwin, NC 28339

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 7, 2022

Subject: SU-2022-003

The Town of Erwin has received a special use application for a customary home occupation at 813 North 14th Street. The customary home occupation would be a hair salon and it would be inside the home at 813 North 14th Street. The home occupation cannot be inside the accessory building on the property. The customary home occupation would need to be approved by the North Carolina Cosmetology Board.

Attachments:

- SU-2022-003 Application
- SU-2022-003 Staff Report
- SU-2022-003 Site Plan
- Harnett County GIS Image with Zoning
- Harnett County GIS Image with no zoning
- Property owners notified

Suggested Motions:

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

1. I move to recommend that the proposed special use application:
 - a. Meets all the Findings of Fact in the Affirmative, or
 - b. Meets one or more of the Findings of Fact in the negative (if this motion is made, then the application would have to be recommended for denial.)
2. I move that:
 - a. The proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans: or

- b.** The proposed amendment is not consistent with those documents that constitute the officially adopted land development plans and other applicable plans, in that (state reason(s) for nonconsistency).
- 3. I move to recommend:
 - a.** Approval of SU-2022-003 Special Use Application to operate a customary home occupation (hair salon) inside a home located at 813 North 14th Street (HC Tax PIN # 0597-57-9633.000).
 - b.** Denial of SU-2021-003 Special Use Application to operate a customary home occupation (hair salon) inside a home located at 813 North 14th Street (HC Tax PIN # 0597-57-9633.000).
 - c.** Approval of SU-2021-003 Special Use Application to operate a customary home occupation (hair salon) inside a home located at 813 North 14th Street (HC Tax PIN # 0597-57-9633.000) with additional conditions (state conditions).



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- Submit by March 11th at 5PM
- site Plan
 - show where the home occupation will be

SPECIAL USE PERMIT APPLICATION

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

Applicant Name	Shannon Wynn		Property Owner Name	11	11
Mailing Address	813 N. 14th St		Mailing Address	11	11
City, State, Zip	Erwin N.C. 28339		City, State, Zip	11	11
Telephone	(910) 892-9599		Telephone	11	11
Email	shannonchance2@gmail.com		Email		
Address of Subject Property		913 N. 14th St. Erwin N.C.			
Parcel Identification Number(s) (PIN) of Subject Property		0597 - 57 - 9633 .000			
Legal Relationship of Applicant to Owner	owner of home		Floodplain SFHA	_Yes_ <input checked="" type="checkbox"/> No	
Legal Description: Lot	11	Block	Subdivision Field A Turinton		
Zoning District	R6	Wetlands	Yes <input checked="" type="checkbox"/> No		Watershed Area Yes <input checked="" type="checkbox"/> No
Public Water Available:	Y or N	Public Sewer Available:	Y or N	Existing Septic Tank: Y or <input checked="" type="checkbox"/> N	
Number of Buildings to Remain		Gross Floor Area to Remain			
Describe Proposed Project or Request with Conditions proposed by applicant: - operate a custom home occupation inside my home (hair salon)					
Total Acreage or Square Footage to be Disturbed					
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	2/24/22	Office Use Only	Application Fee \$	700	Received By	
Case # SU-20 ²² -003						

any questions - Snow Bonds 910-591-4200



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Special Use Signature Page

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

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

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

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

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

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

SU- 2022-003

Signature Page

Page 1 of 2

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

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

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

Applicant Signature and Date: Shannon Wynn 9/22/22

SU- 2022-003

- see attached
stuff re: 01/1



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

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

SU- 2022 003

See attached
Staff
Report

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

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

Yes No _____

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

Yes No _____

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

Yes No _____

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

Yes No _____

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

Yes No _____

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

Yes No _____

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

Yes No _____

SU- 2022 - 003



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SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

2022-03
SU- _____

Action by the Board of Commissioners

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

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



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IMPORTANT

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

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

Using the Zoning Ordinance

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



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Processing Requirements

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

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

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

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

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

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

SU- 2022 007

**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>	<u>Record of Decision:</u>	<u>Yea</u>	<u>Nay</u>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2022-003

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, April 7th, 2022

Requested special use permit to operate a customary home occupation (hair salon) inside a home located at 813 North 14th Street with corresponding Harnett County Tax PIN # 0597-57-9633.000

Applicant Information

Owner of Record:

Name: Shannon E Wynn

Address: 813 North 14th Street

City/State/Zip: Erwin, NC 28339

Applicant:

Name: Shannon E Wynn

Address: 813 North 14th Street

City/State/Zip: Erwin, NC 28339

Property Description

Harnett County Tax PIN 0597-57-9633.000

Acres .43

Zoning District- Residential R-6

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description- This parcel is .43 acres and has a single-family home on the parcel. The structure is 1,568 square feet.

Surrounding Land Uses- The parcel is primarily surrounded by other residential land uses. The vacant lot across the street from the house is owned by the Town of Erwin and is zoned Highway Business. There is a building at the end of this street that is zoned industrial (M-1).

Services Available

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

Zoning District Compatibility

Special Use	R-6
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:** Customary Home Occupations are permitted as a special use in our R-6 zoning district.

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

- **Reasoning:** The requested use would allow for a resident in our Town to operate her hair salon inside her home at 813 North 14th Street.

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:** There will be no impact to the surrounding area if this special use permit is approved. Any cosmetology services would need to be approved by the State of North Carolina and take place inside the house. The only people that could provide cosmetology services at this house would be family members that reside at the home.

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

- **Reasoning:** This parcel is found in an area in our 2014 Land Use Plan as an area for medium intensity growth. Medium intensity growth does include low impact neighborhood businesses.

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

- **Reasoning:** This is an existing house that is already connected to the necessary utilities.

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.

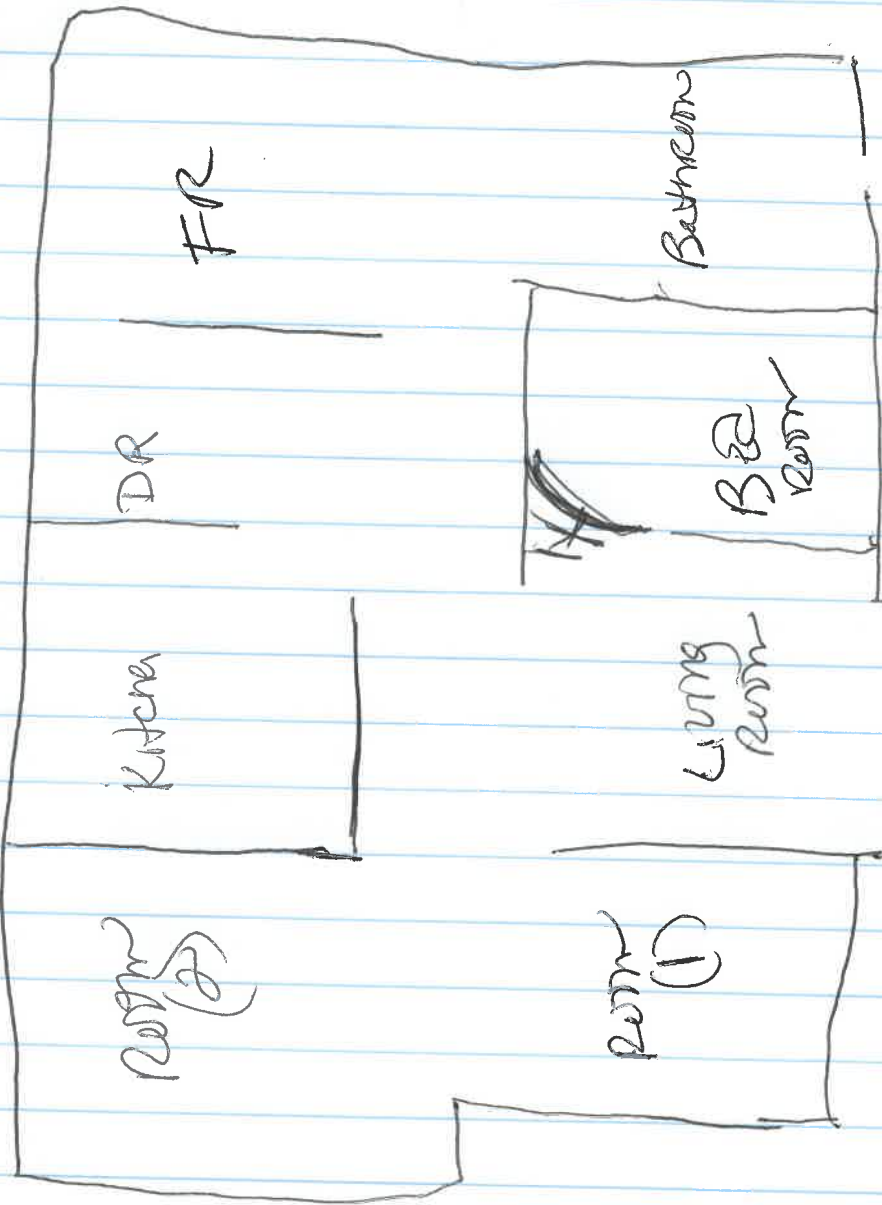
- **Reasoning:** There is an existing driveway that is connected to a Town owned street (North 14th Street). The property owner has recently paved this driveway and has space for parking behind her home.

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:** The North Carolina Board of Cosmetology must approve the beauty salon inside this house. Any service associated with this beauty salon must take place inside the house at 813 North 14th Street and not in the accessory building on this parcel.

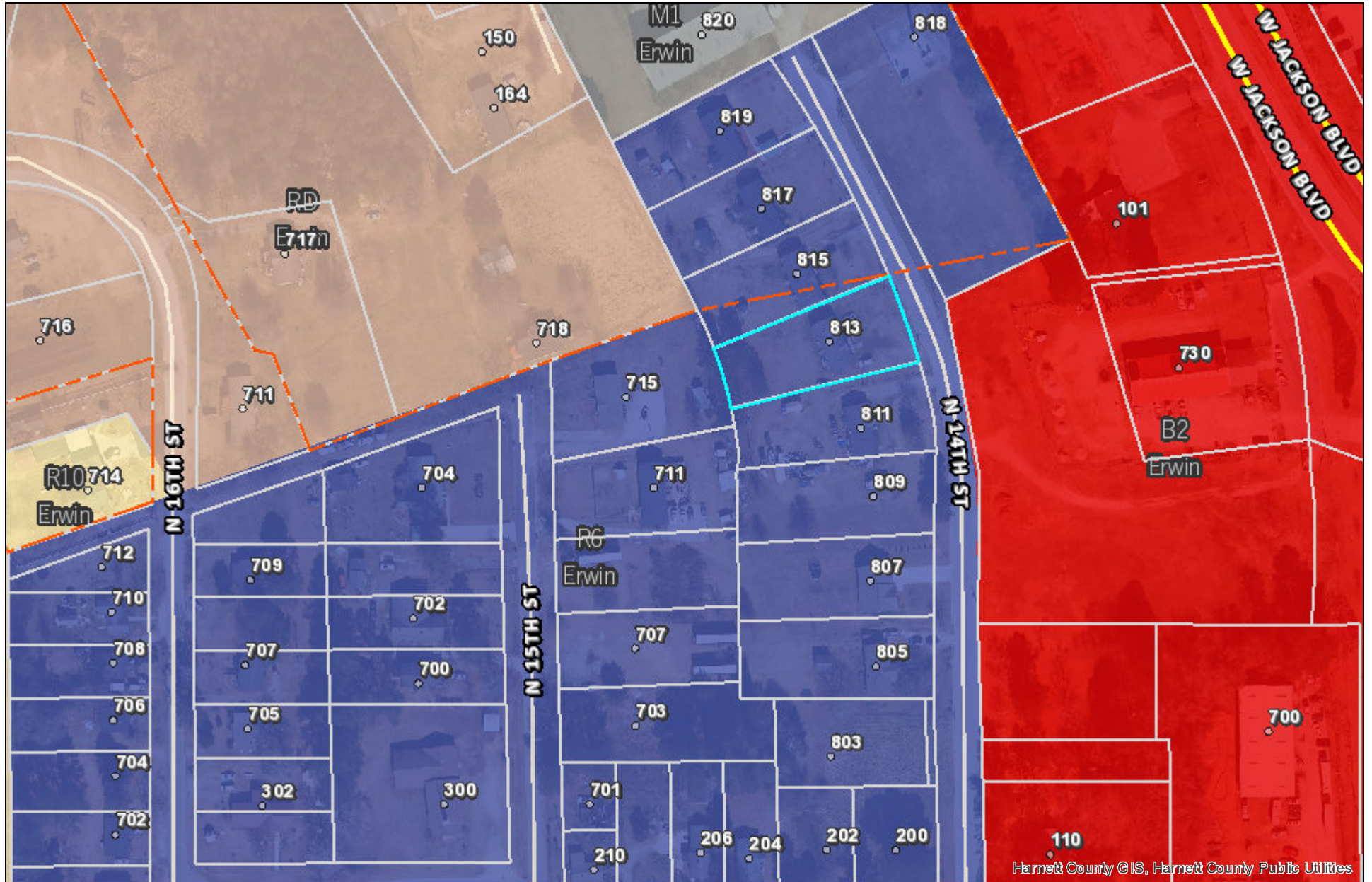
Attachments:

- SU-2022-003 Application
- SU-2022-003 Staff Report
- Harnett County GIS Image with Zoning Overlay
- Harnett County GIS Image with No Zoning
- Property Owners notified



Harnett GIS

NOT FOR LEGAL USE



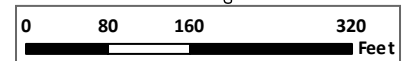
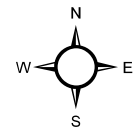
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

March 1, 2022

- | | | |
|-------------------------------|--------------------|---------------------|
| Surrounding County Boundaries | Major Roads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
| Address Numbers | NC | Railroad |
| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 188 feet ⁵⁴

Harnett GIS

NOT FOR LEGAL USE

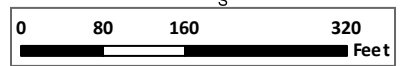
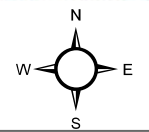


Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing
March 1, 2022

- | | | |
|-------------------------------|--------------------|---------------------|
| Surrounding County Boundaries | Major Roads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
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1 inch = 188 feet ⁵⁵



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

03/14/2022

Notice of a Public Hearing **SU-2022-003**

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on April 7th, 2022 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.

There has been an application submitted to operate a customary home occupation at 813 North 14th Street. The parcel can also be identified by its Harnett County Tax PIN # 0597-57-9633.000. The customary home occupation would be a hair salon that is operated inside the home not the accessory building located on the site. The hair salon would have to also be approved by the North Carolina Board of Cosmetic Art.

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

SU-2022-003 Property Owners notified

- Shannon E Wynn 813 North 14th Street Erwin, NC 28339
- David and Jeanette Grady 150 Brookfield Avenue Lillington, NC 27546
- Town of Erwin PO Box 459 Erwin, NC 28339
- Connie McBryde PO Box 77 Linden, NC 28356
- Robert and Mamie Gidron PO Box 11 Erwin, NC 28339
- Darin and Vanessa Carter 711 North 15th Street Erwin, NC 28339
- Alvester and Dorothy McKoy 811 North 14th Street Erwin, NC 28339
- Cathy Spears and Vicki Spears 203 East C Street Erwin, NC 28339
- Deshann Evans 807 North 14th Street Erwin, NC 28339
- Gerry and Betty Bell 805 North 14th Street
- David Elliot and Callie Williams 717 North 16th Street Erwin NC 28339

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 7, 2022

Subject: SU-2022-004

The Town of Erwin has received a special use application to place a Manufactured Class Home on an individual lot located in our R-6 Zoning District. The proposed site plan shows the home being placed on the lot adjacent to 106 Barnes Drive. The property owner can place the home on this lot and meet all of the setback requirements. They are trying to recombine both of the vacant parcels into one lot. They have had a hard time getting a surveyor lined up to complete this work due to the current market. Most surveyors are backed up for months. At the writing of this memo, the Town has not received a lot recombination map. If they complete the lot recombination it would only allow for one additional structure for these two lots.

Attachments:

- SU-2022-004 Application
- SU-2022-004 Staff Report
- SU-2022-004 Site Plan
- Harnett County GIS Images
- Property owners notified

Suggested Motions:

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

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

3. I move to recommend:
- a.** Approval of SU-2022-004 Special Use Application to place a Class A Manufactured Home on a vacant parcel located on Barnes Drive adjacent to 106 Barnes Drive. (HC Tax PIN # 0597-77-1940.000).
 - b.** Denial of SU-2021-004 Special Use Application to place a Class A Manufactured Home on a vacant parcel located on Barnes Drive adjacent to 106 Barnes Drive. (HC Tax PIN # 0597-77-1940.000).
 - c.** Approval of SU-2021-004 Special Use Application to place a Class A Manufactured Home on a vacant parcel located on Barnes Drive adjacent to 106 Barnes Drive. (HC Tax PIN # 0597-77-1940.000) with additional conditions (state conditions).

Snow
Bowden
TWR. 910-591-
4200



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

PAID

MAR 2 - 2022

SPECIAL USE PERMIT APPLICATION

TOWN OF ERWIN

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

Applicant Name	Ann L. Toulon	Property Owner Name	Ann L. Toulon
Mailing Address	PO Box 176	Mailing Address	
City, State, Zip	Erwin, NC 28339	City, State, Zip	
Telephone	571-665-9077	Telephone	
Email	priscillafreeman@ccs.k12.nc.us	Email	
Address of Subject Property	Vacant tract of land		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 77 - 0965 .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	Wetlands	Yes <input checked="" type="checkbox"/> No	Watershed Area Yes <input checked="" type="checkbox"/> No
Public Water Available: <input checked="" type="checkbox"/> Y or N	Public Sewer Available: <input checked="" type="checkbox"/> Y or N	Existing Septic Tank: Y or <input checked="" type="checkbox"/> N	
Number of Buildings to Remain	Gross Floor Area to Remain		
Describe Proposed Project or Request with Conditions proposed by applicant: Manufactured Class A Home on the individual lot. 54' x 30' 4"			
Total Acreage or Square Footage to be Disturbed			
Estimated Cost of Project \$			

0597-
77-
1940

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

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

Office Use Only	
Date Application Submitted <u>3/2/22</u>	Application Fee \$ <u>300</u> Received By <u>MSB</u>
Case # SU-2022 -004	



TOWN OF ERWIN

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Special Use Signature Page

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

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

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

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

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

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

SU. 2022 - 004

Signature Page

Page 1 of 2

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

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

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

* Applicant Signature and Date: Ann L. Toulon 1/20/22

- see attached



TOWN OF ERWIN

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

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

SU- 2-22 - 004

- 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 _____



TOWN OF ERWIN

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SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

Action by the Board of Commissioners

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

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



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IMPORTANT

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

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

Using the Zoning Ordinance

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

SU- 224 - 004

Important

Page 1 of 1



TOWN OF ERWIN

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Processing Requirements

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

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

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

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

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

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

**Town of Erwin
Record and Decisions**

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____


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

Town Board Decision and Date _____

Certified By: _____


Harnett GIS






Harnett County
NORTH CAROLINA

GIS/E-911 Addressing
March 2, 2022














N
W E
S



0 40 80 160 Feet

1 inch = 94 feet

Surrounding County Boundaries	MajorRoads	Mile_Markers
<ul style="list-style-type: none">  City Limits  Address Numbers  Airport 	<ul style="list-style-type: none">  Interstate  NC  US  Roads 	<ul style="list-style-type: none">  Mile_Markers  Railroad  Parcels  CapeFearRiver

Grifton

Dutch Elite Housing Series

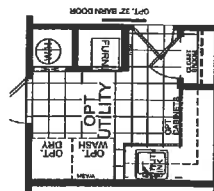
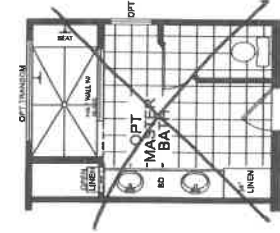
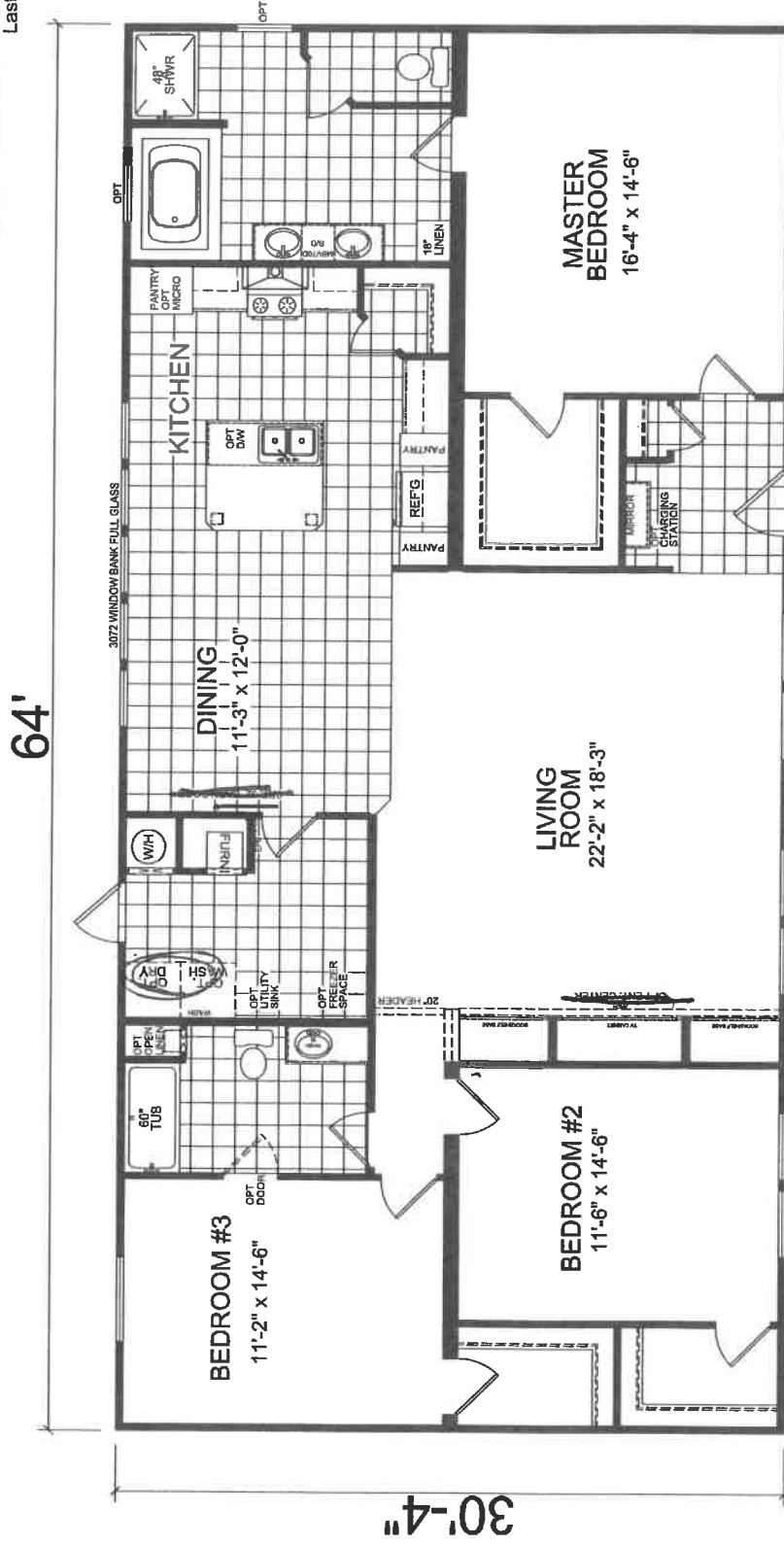


Factory Expo

HOME CENTERS
"Factory Direct Value"

3 Bedroom, 2 Bath
Approx. 1,941 Sq. Ft.

Last Updated: 12-7-15



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Wilmington NC 27546
For Detailed Directions See Map On Our Website

I authorize Factory Expo Homes to build my house, per this plan.
X _____
Customer Signature/Date

1-800-504-3238 www.fbhexpo.com **1-800-504-3238**

Important: Due to our policy of continuing improvement, all information in our brochures may vary from actual home. The right is reserved to make changes at any time, without notice or obligation, in colors, materials, specifications, processes, and models. All dimensions and square footage calculations are nominal and approximate figures. Please check with your sales person for specific and current information.



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2022-004

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, April 7th, 2022

Requested special use permit to place a Class A Manufactured Home on an individual lot. The parcel does not have an address but it is located in between 100 Barnes Drive and 106 Barnes Drive. At the moment, there are two parcels. The property owner is trying to get a surveyor lined up to do a lot recombination. The proposed site plan shows the home being placed on the parcel adjacent to 106 Barnes Drive. If the property owner can get a lot recombination completed in a timely manner the proposed home would still meet all of the required setbacks for this zoning district.

Applicant Information

Owner of Record:

Name: Carlos A Toulon and Ann L Toulon
(Trustee)

Address: 141 Moffat Street

City/State/Zip: Brooklyn, NY 11207

Applicant:

Name: Ann L. Toulon

Address: PO Box 176

City/State/Zip: Erwin, NC 28339

Property Description

Harnett County Tax PIN 0597-77-0965.000

Acres .26

Zoning District- Residential R-6

Harnett County Tax PIN 0597-77-1940.000

Acres .28

Zoning District- Residential R-6

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description- These are two vacant lots located off a residential town maintained street.

Surrounding Land Uses- The surrounding land uses are primarily residential. There is a large tract of land directly behind these two parcels that is vacant but zoned commercial. Any development on this land should not have a direct impact on the development of this parcel.

Services Available

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

Zoning District Compatibility

Special Use	R-6
Class A Manufactured Home	X

Staff Evaluation

Staff Evaluation

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

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

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

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

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

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

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

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

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

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

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

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

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

- **Reasoning:** Yes

Attachments:

- SU-2022-004 Application
- SU-2022-004 Staff Report
- Harnett County GIS Image with Zoning Overlay
- Harnett County GIS Image with No Zoning
- Property Owners notified

Harnett GIS



Harnett County GIS, Harnett County Public Utilities

Surrounding County Boundaries **MajorRoads** **Mile_Markers**

- City Limits
- Interstate
- NC
- US
- Roads
- Mile_Markers
- Railroad
- Parcels
- CapeFearRiver

Address Numbers Airport

N W E S

0 40 80 160 Feet

1 inch = 94 feet

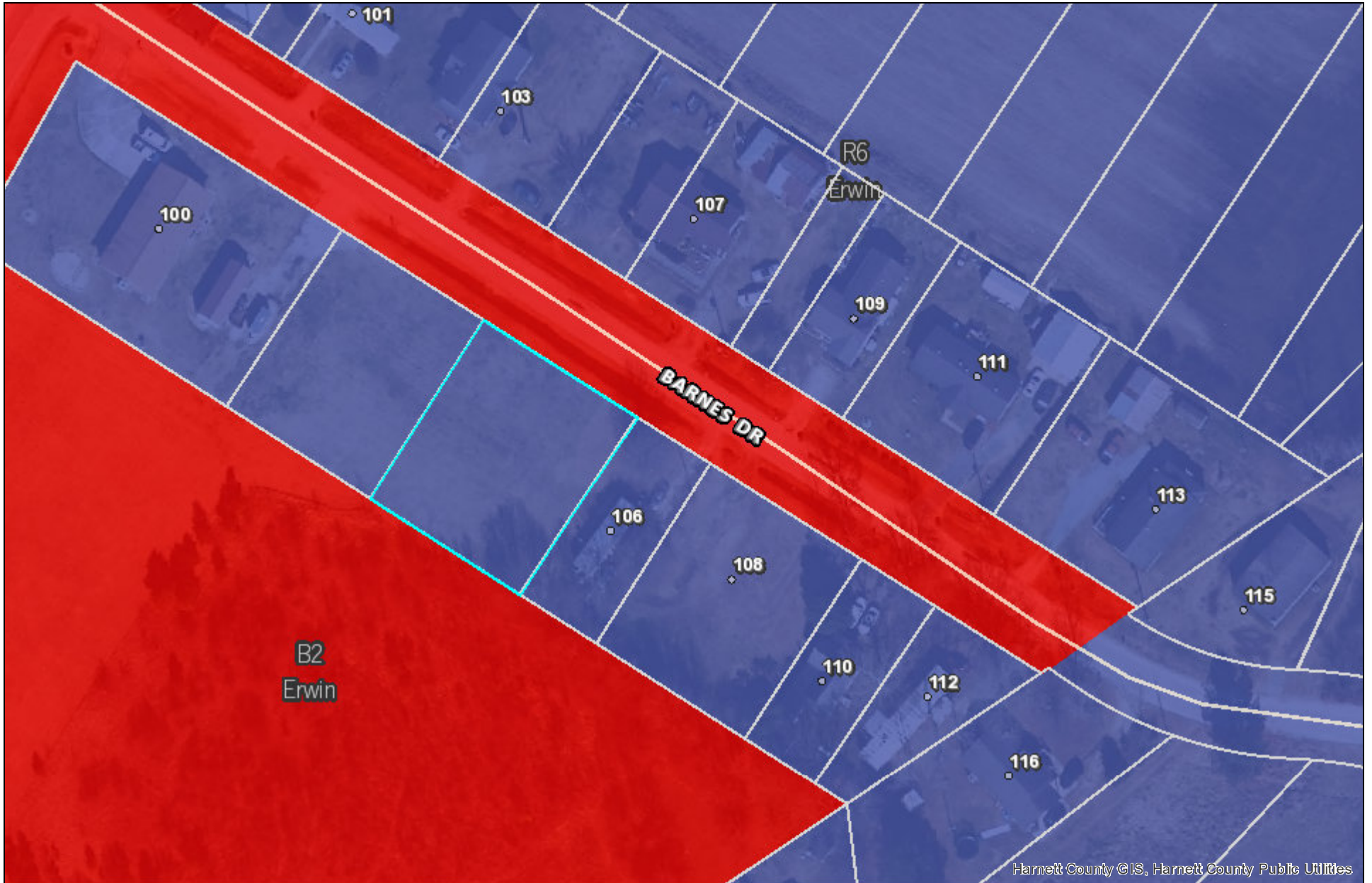


GIS/E-911 Addressing
March 8, 2022

NOT FOR LEGAL USE

Harnett GIS

NOT FOR LEGAL USE



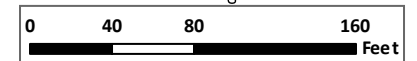
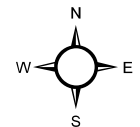
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

March 28, 2022

- | | | |
|-------------------------------|-------------------|---------------------|
| Surrounding County Boundaries | MajorRoads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
| Address Numbers | NC | Railroad |
| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 94 feet **76**

Harnett GIS

NOT FOR LEGAL USE



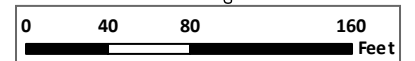
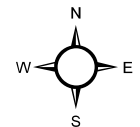
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

March 28, 2022

- | | | |
|-------------------------------|-------------------|---------------------|
| Surrounding County Boundaries | MajorRoads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
| Address Numbers | NC | Railroad |
| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 94 feet ⁷⁷

Harnett GIS

NOT FOR LEGAL USE

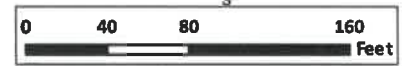
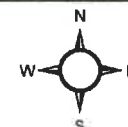


Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing
March 3, 2022

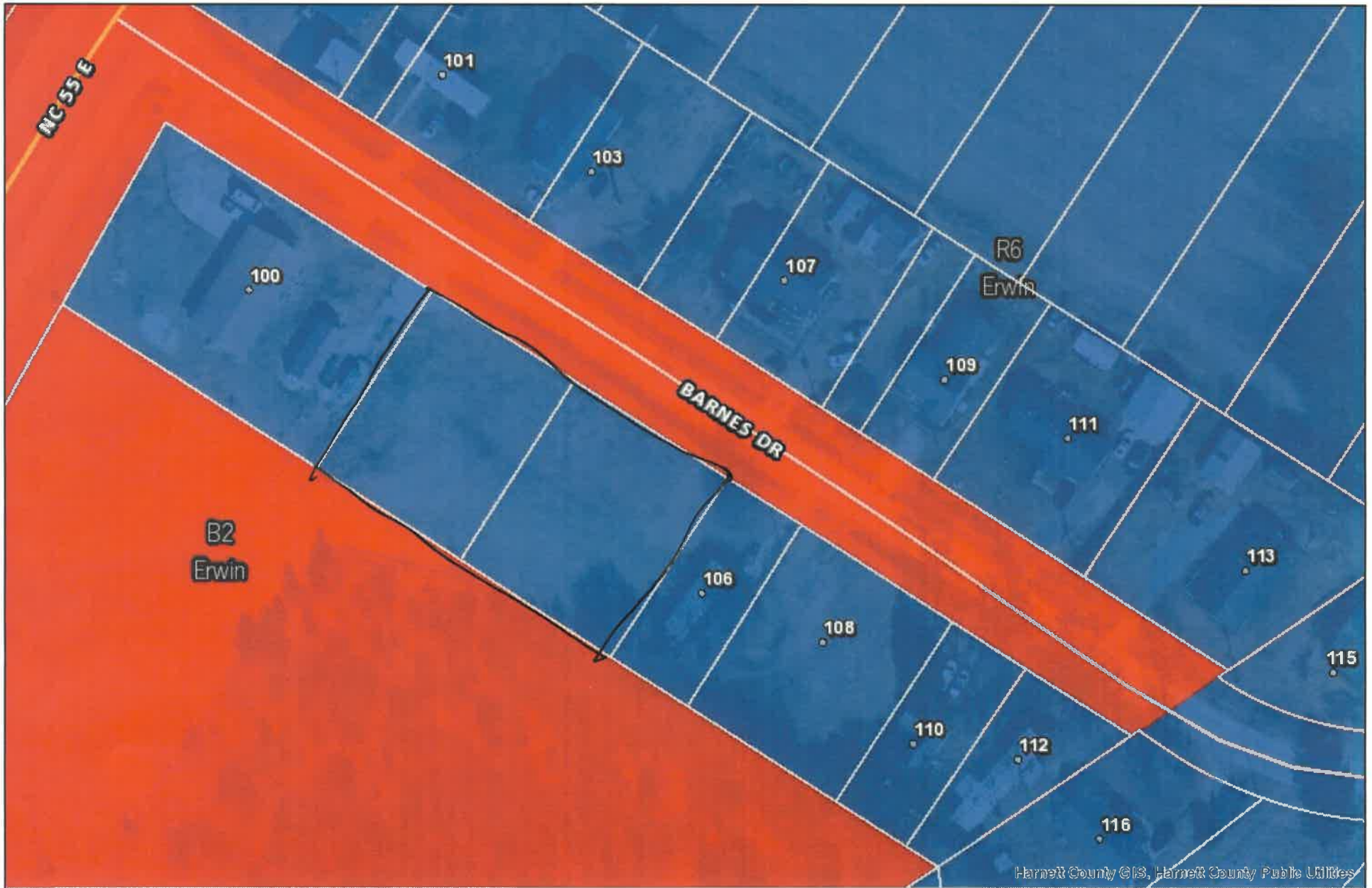
- | | | |
|-------------------------------|-------------------|---------------------|
| Surrounding County Boundaries | MajorRoads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
| Address Numbers | NC | Railroad |
| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 94 feet ⁷⁸

Harnett GIS

NOT FOR LEGAL USE

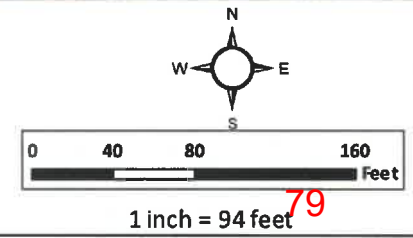


Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing
March 3, 2022

- | | | |
|-------------------------------|--------------------|---------------------|
| Surrounding County Boundaries | Major Roads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
| Address Numbers | NC | Railroad |
| Airport | US | Parcels |
| | Roads | CapeFearRiver |





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

03/14/2022

Notice of a Public Hearing **SU-2022-004**

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on April 7th, 2022 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.

There has been an application submitted to place a Class A Manufactured Home on a vacant parcel located on Barnes Drive. The vacant parcel is adjacent to 106 Barnes Drive. It can also be identified by its Harnett County Tax PIN # 0597-77-1940.000.

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

Ann Toulon
PO Box 176
Erwin, NC 28339

Carlos Toulon
141 Moffat Street
Brooklyn, NY 11207

Visions and Action, INC
2551 Prospect Church Road
Dunn, NC 28334

Jerry Shaw
1081 Andrews Road
Fayetteville, NC 28311

Jackson Family Enterprises, LLC.
309 St. Matthews Road
Erwin, NC 28339

Glenwood Gilbert
PO Box 263
Erwin, NC 28339

Joseph and Betty Combs
101 A Barnes Drive
Erwin, NC 28339

Doris Canteen
5426 Mawood Avenue
Fayetteville, NC 28314

Michael and Barbara Terry
PO Box 73
Erwin, NC 28339

John and Diane Johnson
C/O John Johnson
3217 Catamore Lane
Dallas, TX 75229

Ricky and Meritta Williams
109 Barnes Drive
Erwin, NC 28339

Elbert Campbell
G. Campbell
PO Box 233
Erwin, NC 28339

Annie Stokes
3681 Mast Head Trail
Triangle, VA 22172

Charles Gilbert
S. Gilbert
PO Box 111
Erwin, NC 28339

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 7, 2022

Subject: SU-2022-005

The Town of Erwin has received a special use permit application to operate a vehicular sales lot at 701 South 13th Street. This is an existing building that currently has an auto garage operating inside the building. The applicant would like to expand his operations and operate a vehicular sales lot on site. The existing building would need improvements to meet the standards set by the North Carolina Department of Motor Vehicles. The North Carolina Department of Transportation would also need to approve of the existing connection to South 13th Street (HWY 217). The applicant would like to have six vehicles for sale on the site at a time. The applicant's site plan does show a request to consider four additional spots for vehicles to be sold in the future.

Attachments:

- SU-2022-005 Application
- SU-2022-005 Staff Report
- SU-2022-005 Site Plan
- Harnett County GIS Image
- Property owners notified

Suggested Motions:

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

1. I move to recommend that the proposed special use application:
 - a. Meets all the Findings of Fact in the Affirmative, or
 - b. Meets one or more of the Findings of Fact in the negative (if this motion is made, then the application would have to be recommended for denial.)

2. I move that:
 - a. The proposed amendment is consistent with those documents that constitute the officially adopted land development plan and other applicable plans: or
 - b. The proposed amendment is not consistent with those documents that constitute the officially adopted land development plans and other applicable plans, in that (state reason(s) for nonconsistency).
3. I move to recommend:
 - a. Approval of SU-2022-005 Special Use Application to operate a vehicular sales lot at 701 South 13th Street. (HC Tax PIN # 0597-62-7145.00).
 - b. Denial of SU-2021-005 Special Use Application to operate a vehicular sales lot at 701 South 13th Street. (HC Tax PIN # 0597-62-7145.00).
 - c. Approval of SU-2021-005 Special Use Application to operate a vehicular sales lot at 701 South 13th Street. (HC Tax PIN # 0597-62-7145.00) with additional conditions (state conditions).



TOWN OF ERWIN
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 (910) 897-5140 V (910) 897-5543 F
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SPECIAL USE PERMIT APPLICATION

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

Applicant Name	JOSHUA PALMQUIST	Property Owner Name	MICHYL LLC
Mailing Address	701 S13TH ST	Mailing Address	111 DENIM DR
City, State, Zip	ERWIN, NC 28339	City, State, Zip	ERWIN, NC 28339
Telephone	919-812-1414	Telephone	910-840-4296
Email	WRINCHANDSOCKET@135GARAGE.COM	Email	MICHAEL R JACKSON, SR @GMAIL.COM

Address of Subject Property	701 South 13th St.		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 62 - 7145 .000		
Legal Relationship of Applicant to Owner	Refr	Floodplain SFHA	<input type="checkbox"/> Yes <input type="checkbox"/> No
Legal Description: Lot	17	Block	Subdivision Erwin Mills Inc
Zoning District	B2	Wetlands	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Watershed Area Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Public Water Available:	<input checked="" type="checkbox"/> or N	Public Sewer Available:	<input checked="" type="checkbox"/> or N Existing Septic Tank: Y or <input checked="" type="checkbox"/>
Number of Buildings to Remain	2	Gross Floor Area to Remain	3540 SF
Describe Proposed Project or Request with Conditions proposed by applicant: Respectfully REQUEST permission to use ABOVE ADDRESS for used CAR LOT (small) PAID MAR 3 - 2022			
Total Acreage or Square Footage to be Disturbed	NO changes of drilling for point		
Estimated Cost of Project \$			

-> minor improvements inside

TOWN OF ERWIN

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

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

Date Application Submitted	3/31/22	Office Use Only	Application Fee \$	300	Received By	m j
Case #	SU-2022 -005					



TOWN OF ERWIN

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Special Use Signature Page

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

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

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

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

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

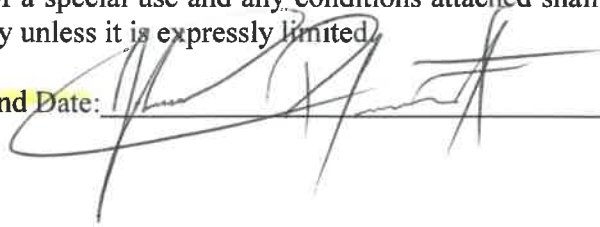
Compliance with Other Codes: Granting of a Special Use Permit does not exempt applicant from complying with all of the requirements of building codes and other ordinances.

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

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

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

Applicant Signature and Date:

 3/3/22

- see Staff Remit



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

Property Owner (1) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (2) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (3) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (4) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (5) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (6) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (7) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (8) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (9) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (10) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (11) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (12) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

Property Owner (13) _____ Mailing
 Address _____ City _____ ST _____ Zip _____

SU- 2022-005

- Sec Staff
Report

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

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____



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SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

Action by the Board of Commissioners

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

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



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IMPORTANT

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

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

Using the Zoning Ordinance

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



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Processing Requirements

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

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

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

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

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

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

Town of Erwin Record and Decisions

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____

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

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2022-005

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, April 7th, 2022

Requested special use permit to place vehicular sales lot at 701 South 13th Street.

Applicant Information

Owner of Record:

Name: MICPHYL, LLC

Address: 309 St. Matthews Road

City/State/Zip: Erwin, NC 28339

Applicant:

Name: Joshua Palmquist

Address: 701 South 13th Street

City/State/Zip: Erwin, NC 28339

Property Description

Harnett County Tax PIN 0597-62-7145.000

Acres .35

Zoning District- Residential Highway Business (B-2)

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description- This parcel has a building on it that was built in 1960 based on data from Harnett County GIS. The building is 3,540 square feet. A section of this building is used as a car garage.

Surrounding Land Uses- The surrounding land uses are primarily commercial on this block of the road. Across the street is primarily commercial on the 700 block. There are some residential uses across the street to the North. The Erwin Church of God is also located one block to the North.

Services Available

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

Zoning District Compatibility

Special Use	B-2
Vehicular Sales and Rental	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 and Rentals are a special use in our Highway Business (B-2) Zoning District.

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

- **Reasoning:** The applicant is requesting a special use permit to place a vehicular sales lot at an existing building that is partially used as an auto garage. The use of this lot as a vehicular sales lot would give residents another option to purchase a vehicle locally.

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 parcel has been used for commercial uses in the past. There is an existing auto garage that uses a section of this building. Allowing a vehicular sales lot on this parcel would allow the current business in operation here to expand their operations.

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

- **Reasoning:** This area of land would be in the area identified for medium intensity growth. This classification also includes low impact neighborhood businesses.

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

- **Reasoning:** This is an existing building that already has sanitation services being provided to it by a private company. The building is already connected to services such as water, sewer, and electric.

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

- **Reasoning:** This is an existing building that is located off of a North Carolina Department of Transportation (NCDOT) road. The expansion of this business should require additional approval from the NCDOT.

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

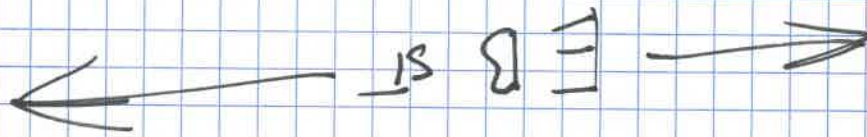
- **Reasoning:** Yes, the applicant would need to obtain a driveway permit from the North Carolina Department of Transportation to access this lot from South 13th Street (NC HWY 217). There is an existing connection to the road on this site but this would be a new use of this parcel. The connection from East B Street should be used for the existing use of this building which is a car garage. There should be a maximum of six (6) vehicles for sale.

Attachments:

- SU-2022-005 Application
- SU-2022-005 Staff Report
- Harnett County GIS Image with Zoning Overlay
- Harnett County GIS Image with No Zoning
- Property Owners notified

HIRTEEN'S GARAGE - AUTO SALES

EXPANSION PROPOSAL



Blue Line Represents
WHITE PICKET FENCE
FOR EXTRA PARKING

THIS IS NOT MANDATORY
BUT WOULD BE HELPFUL
WITH OVERFLOW PARKING

SMALL
BUILDING
(NOT IN USE)

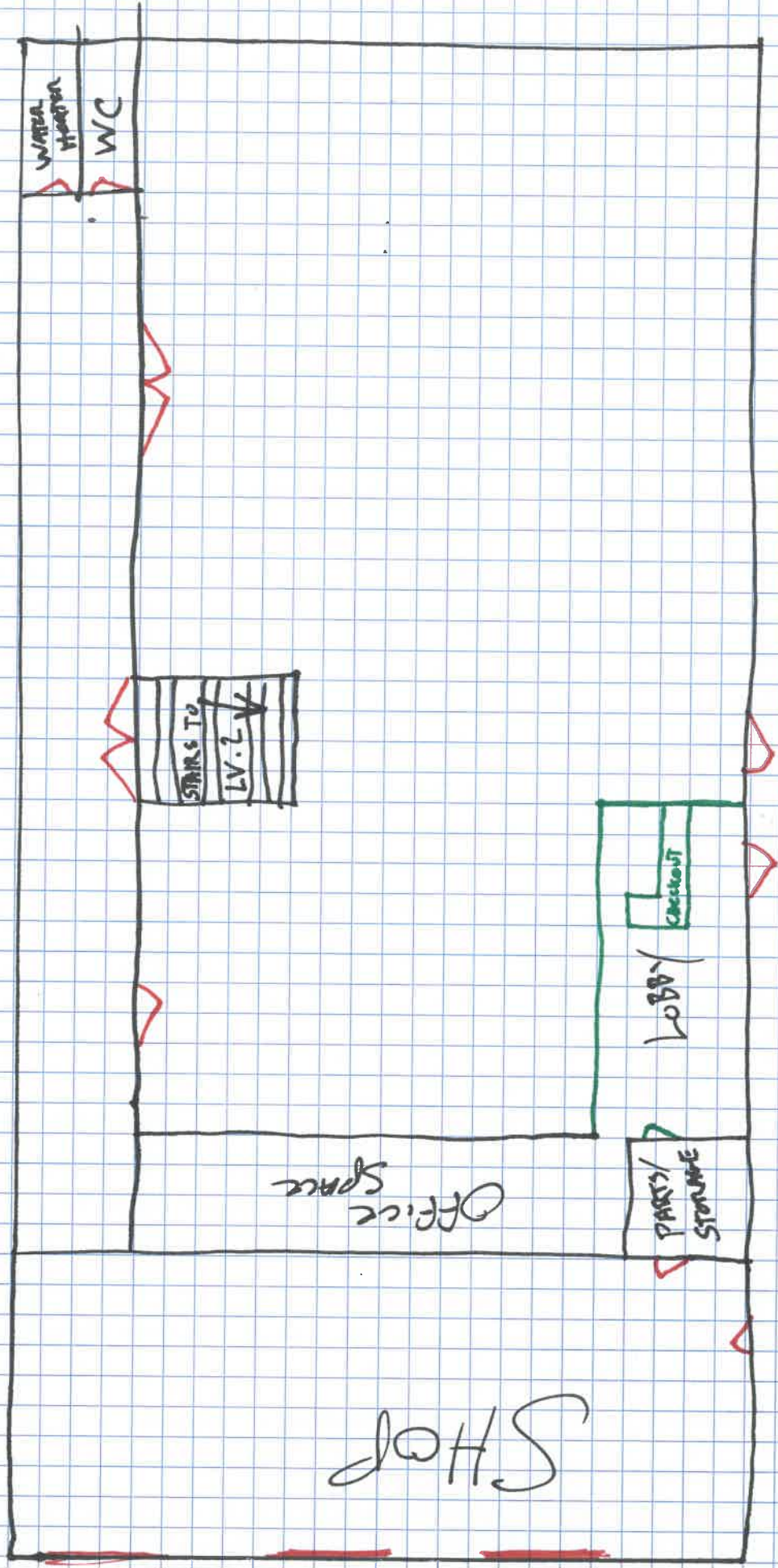
CARS FOR SALE PARKING

4



FIFTEEN'S GARAGE

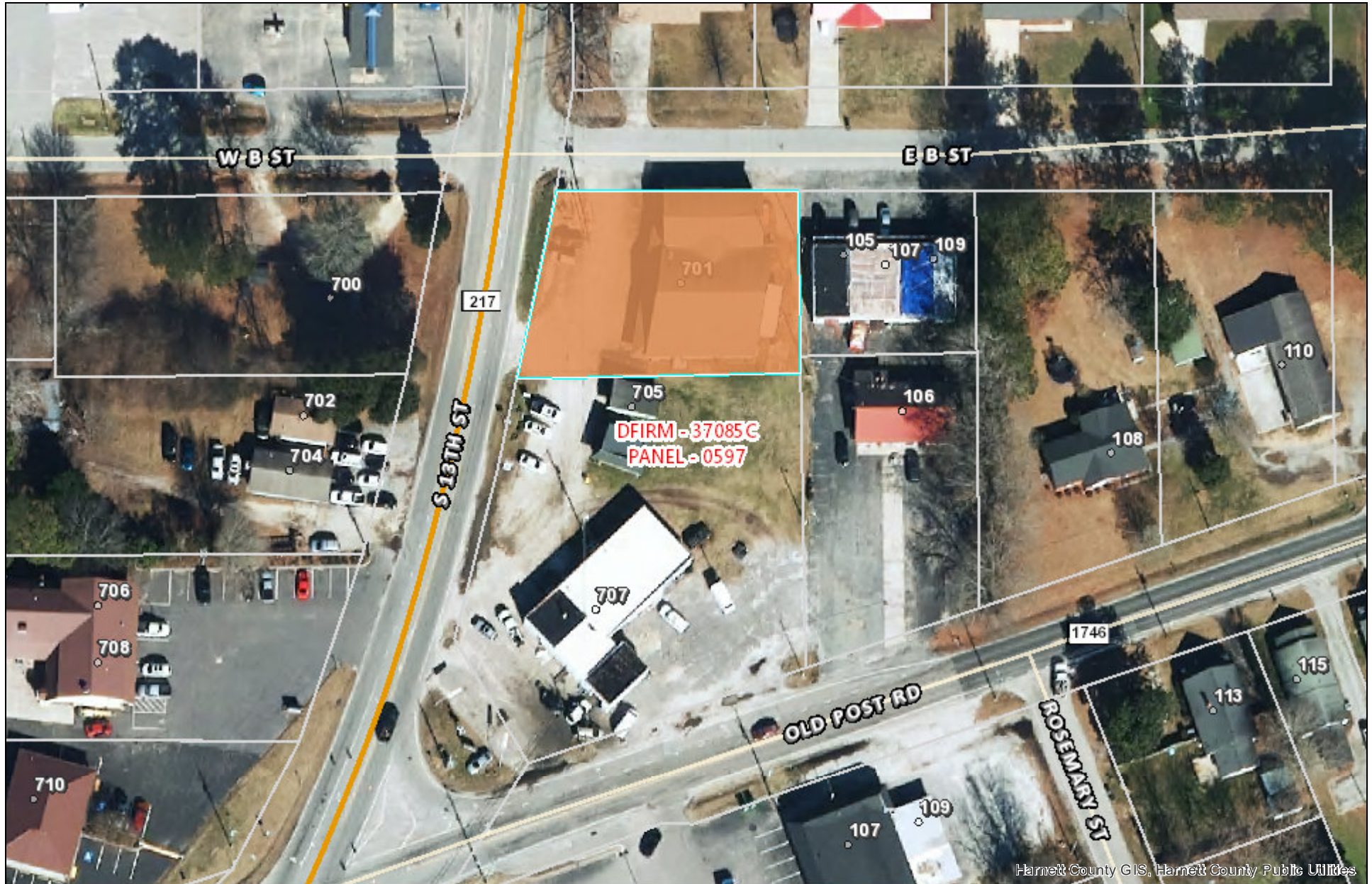
AUTO SALES EXPANSION PROPOSAL
MAIN BUILDING - INTERIOR



GREEN LINES REPRESENTS ADDITIONS TO SPACE

Harnett GIS

NOT FOR LEGAL USE



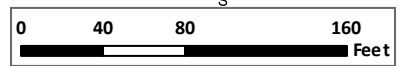
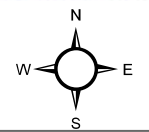
DFIRM-37085C
PANEL-0597

Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing
March 28, 2022

- Surrounding County Boundaries
- City Limits
- Address Numbers
- Airport
- Major Roads**
- Interstate
- NC
- US
- Mile_Markers**
- Mile_Markers
- Railroad



1 inch = 94 feet **99**



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Thurman E. Whitman
Alvester L. McKoy
Ricky W. Blackmon

03/14/2022

Notice of a Public Hearing **SU-2022-005**

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on April 7th, 2022 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.

There has been an application submitted to operate a vehicular sales lot at 701 South 13th Street. The property can also be identified by its Harnett County Tax PIN # 0597-62-7145.000. The existing business at this site is an automobile related business. It is an automobile service shop. In order to operate a vehicular sales lot the business owner needs an additional special use permit.

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

Micphyl LLC
309 St. Matthews Road
Erwin, NC 28339

Jackell LLC
309 St. Matthews Road
Erwin, NC 28339

Manoel Deoliveira
Debora Malonado-Deoliveria
915 Church Street
Morrisville, NC 27560

Alan and Patti Hargis
7206 NC 210 N
Angier, NC 27501

Buies Creek Partners, LLC.
PO Box 548
Buies Creek, NC 27506

Curr-Well Developments, LLC.
8079 Christian Light Road
Fuquay-Varina, NC 27526

Keens Auto Body, LLC.
706 South 13th Street
Erwin, NC 28339

Elizabeth Parker
100 East B Street
Erwin, NC 28339

Randall and Krystal Parker
102 East B Street
Erwin, NC 28339

Rhonda Ray
108 Old Post Road
Erwin, NC 28339

Joseph and Elaine Woodworth
104 East B Street
Erwin, NC 28339

Erwin Church of God
109 West C Street
Erwin, NC 28339

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 7, 2022

Subject: SU-2022-006

We have received a special use permit application to operate an outdoor hand wash car wash at 344 East Jackson Blvd. The parcel actually has three buildings located on it. The car wash would be operated at a shop building with an identifying address of 346 East Jackson Blvd. The applicant has already reached out to the North Carolina Department of Transportation (NCDOT) and obtained an NCDOT driveway permit. They would need to obtain approval from the North Carolina Department of Environmental Quality (NCDEQ) to operate a car wash on this site.

Attachments:

- SU-2022-006 Application
- SU-2022-006 Staff Report
- SU-2022-006 Driveway Permit
- Harnett County GIS Image with Zoning
- Harnett County GIS Image with no zoning
- Property owners notified

Suggested Motions:

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

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

3. I move to recommend:
 - a. Approval of SU-2022-006 Special Use Application to operate an outdoor car wash at 346 East Jackson BLVD (HC Tax PIN # 0597-95-7674.000).
 - b. Denial of SU-2021-006 Special Use Application to operate an outdoor car wash at 346 East Jackson BLVD (HC Tax PIN # 0597-95-7674.000).
 - c. Approval of SU-2021-006 Special Use Application to operate an outdoor car wash at 346 East Jackson BLVD (HC Tax PIN # 0597-95-7674.000) with additional conditions (state conditions).

SNOW BOWEN -> 910-591-4200



TOWN OF ERWIN
 100 West F St., Post Office Box 459
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 www.erwin-nc.org

PAID

MAR 11 2022

Cash

SPECIAL USE PERMIT APPLICATION TOWN OF ERWIN

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

Applicant Name	<i>Amanda Limon</i>	Property Owner Name	<i>Marcos Tabuel</i>
Mailing Address	<i>344 E Jackson Blvd</i>	Mailing Address	<i>344 E Jackson Blvd</i>
City, State, Zip	<i>Erwin NC 28339</i>	City, State, Zip	<i>Erwin NC 28339</i>
Telephone	<i>919 672 8876</i>	Telephone	<i>984-260-1052</i>
Email	<i>limon84@gmail.com</i>	Email	<i>mark8698@gmail.com</i>
Address of Subject Property		<i>346 E. Jackson Blvd</i>	
Parcel Identification Number(s) (PIN) of Subject Property		<i>3 0597 - 95 - 7674 .000</i>	
Legal Relationship of Applicant to Owner	<i>owner</i>	Floodplain SFHA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Legal Description: Lot <i>302</i> Block <i>302</i> Subdivision <i>Erwin Mills PT Cor 262</i>			
Zoning District	<i>92</i>	Wetlands	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Public Water Available	<input checked="" type="checkbox"/> Y or N <input type="checkbox"/>	Public Sewer Available	<input checked="" type="checkbox"/> Y or N <input type="checkbox"/>
Existing Septic Tank		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Number of Buildings to Remain	<i>3</i>	Gross Floor Area to Remain	<i>N/A</i>
Describe Proposed Project or Request with Conditions proposed by applicant: <i>Outdoor Car Wash</i>			
Total Acreage or Square Footage to be Disturbed	<i>None</i>		
Estimated Cost of Project \$	<i>-</i>		

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 3/11/22 Application Fee \$ 300 Received By MB

Case # SU-2022 -006



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Special Use Signature Page

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

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

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

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

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

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

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

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

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

Applicant Signature and Date: Armando Limon

- See
staff
report



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

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

SU- 2022-026

- See ATTACHED

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

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____



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SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

Action by the Board of Commissioners

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

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



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IMPORTANT

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

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

Using the Zoning Ordinance

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



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Processing Requirements

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

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

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

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

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

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

Town of Erwin Record and Decisions

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____

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

Town Board Decision and Date _____

Certified By: _____



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Special Use Signature Page

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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.

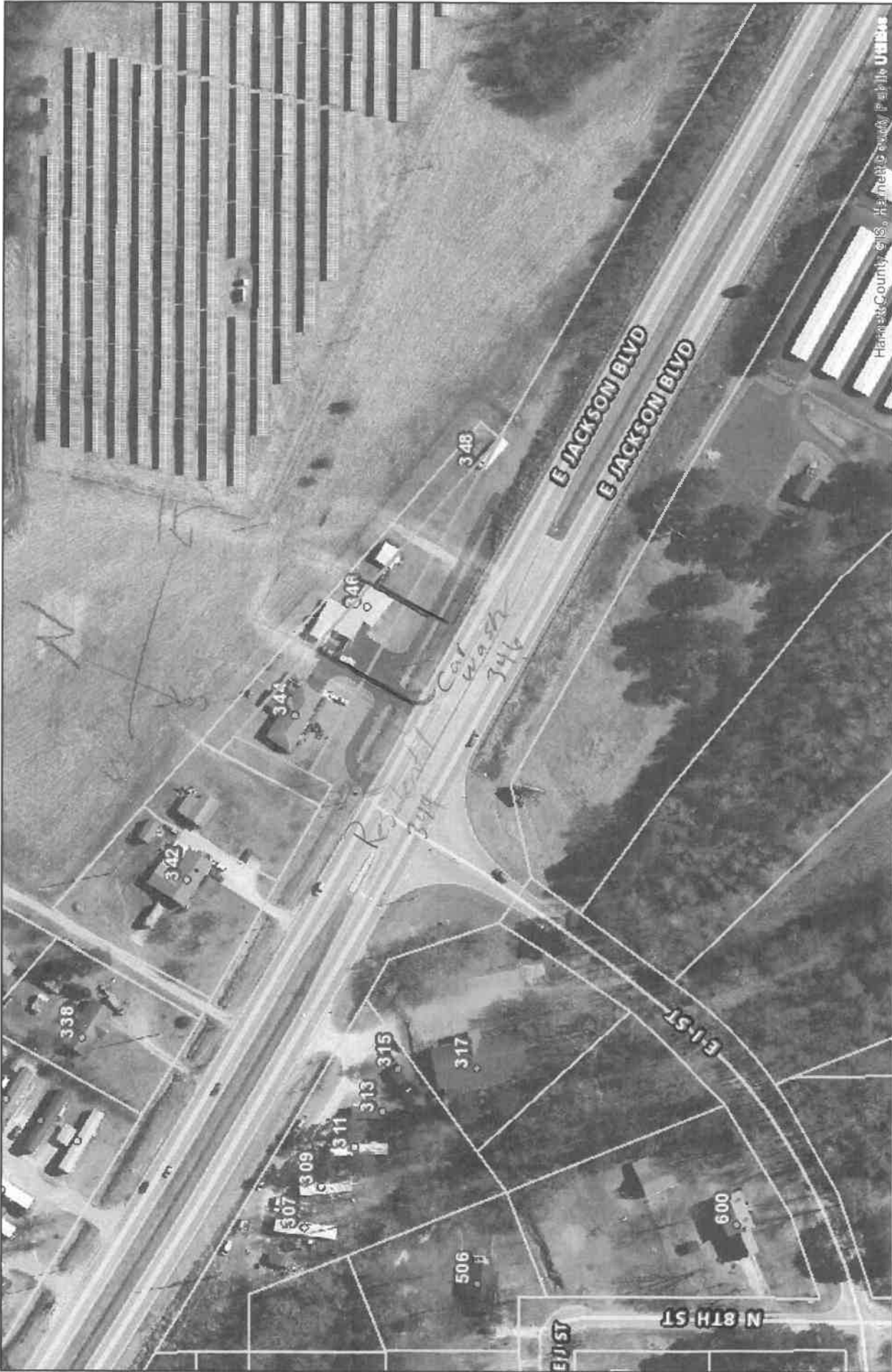
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- Conditions of a continuing nature may be imposed. (For example, “exterior loud speakers shall not be used between hours of 10:00 p.m. and 9:00 a.m.”)

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

Harnett GIS



Harnett County, GIS, Harnett County Public Utilities

1 inch = 188 feet

	Surrounding County Boundaries		Major Roads		Mile Markers
	City Limits		Interstate		Mile Markers
	Address Numbers		NC		Railroad
	Airport		US		Parcels
			Roads		CapeFearRiver



GIS/E-911 Addressing
 January 10, 2022





SPECIAL USE REQUEST STAFF REPORT

Case: SU-2022-006

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, April 7th, 2022

Requested special use permit to operate an outdoor car wash at 348 East Jackson BLVD with corresponding Harnett County Tax PIN # 0597-95-7674.000

Applicant Information

Owner of Record:

Name: Marcos Tlahuel and Yarida Arroyo

Address: 344 E. Jackson BLVD

City/State/Zip: Erwin, NC 28339

Applicant:

Name: Marcos Tlahuel

Address: 344 E. Jackson BLVD

City/State/Zip: Erwin, NC 28339

Property Description

Harnett County Tax PIN 0597-95-7674.000

Acres .74

Zoning District- Residential Highway Business (B-2)

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description- There are two structures located on this parcel with two separate addresses. The single-family house at 344 East Jackson BLVD and a building that has been used as a workshop in the past at 346 East Jackson BLVD. Both of these structures appear to sit on two different parcels based on data from Harnett County GIS. There is also a single wide manufactured home at 348 East Jackson BLVD that appears to be in the North Carolina Department of Transportation right-of-way and also on two separate parcels owned by the applicant. The parcel is located off of a four-lane highway.

Surrounding Land Uses- The parcel is located off of a four-lane state maintained highway. To the rear of the parcel is a solar farm. Across the highway are mostly commercial land uses. There are some residential land uses surrounding the parcel.

Services Available

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

Zoning District Compatibility

Special Use	B-2
Vehicular Service	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:** In our ordinance car washes fall are covered under the definition for vehicular services. Vehicular services are allowed as a special use in this zoning district.

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

- **Reasoning:** The applicant is seeking a permit to operate an outdoor car wash. This would provide our residents and people driving off of Highway 421 an option to have their vehicle cleaned.

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 applicant is not asking for any expansion of the existing building on this lot. The applicant is seeking a special use permit to operate an outdoor car wash at this site.

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

- **Reasoning:** This area of land would be in the area identified for high intensity growth. In our land use plan auto-oriented businesses are included in this classification.

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

- **Reasoning:** This is an existing building that already has sanitation services being provided to it by a private company. The building is already connected to services such as water, sewer, and electric. The applicant would need to obtain approval from the North Carolina Department of Environmental Quality for the water discharge from this operation.

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

- **Reasoning:** This is an existing building that is located off of a North Carolina Department of Transportation (NCDOT) road. The owner of this property has obtained a driveway permit from the North Carolina Department of Transportation.

Yes No

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

- **Reasoning:** Yes, the applicant needs to follow all of the guidelines in the NCDOT driveway permit that he was issued.

Attachments:

- SU-2022-006 Application
- SU-2022-006 Staff Report
- Harnett County GIS Image with Zoning Overlay
- Harnett County GIS Image with No Zoning
- Property Owners notified
- NC DOT Driveway Permit

Harnett GIS

NOT FOR LEGAL USE



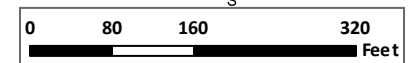
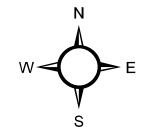
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

March 28, 2022

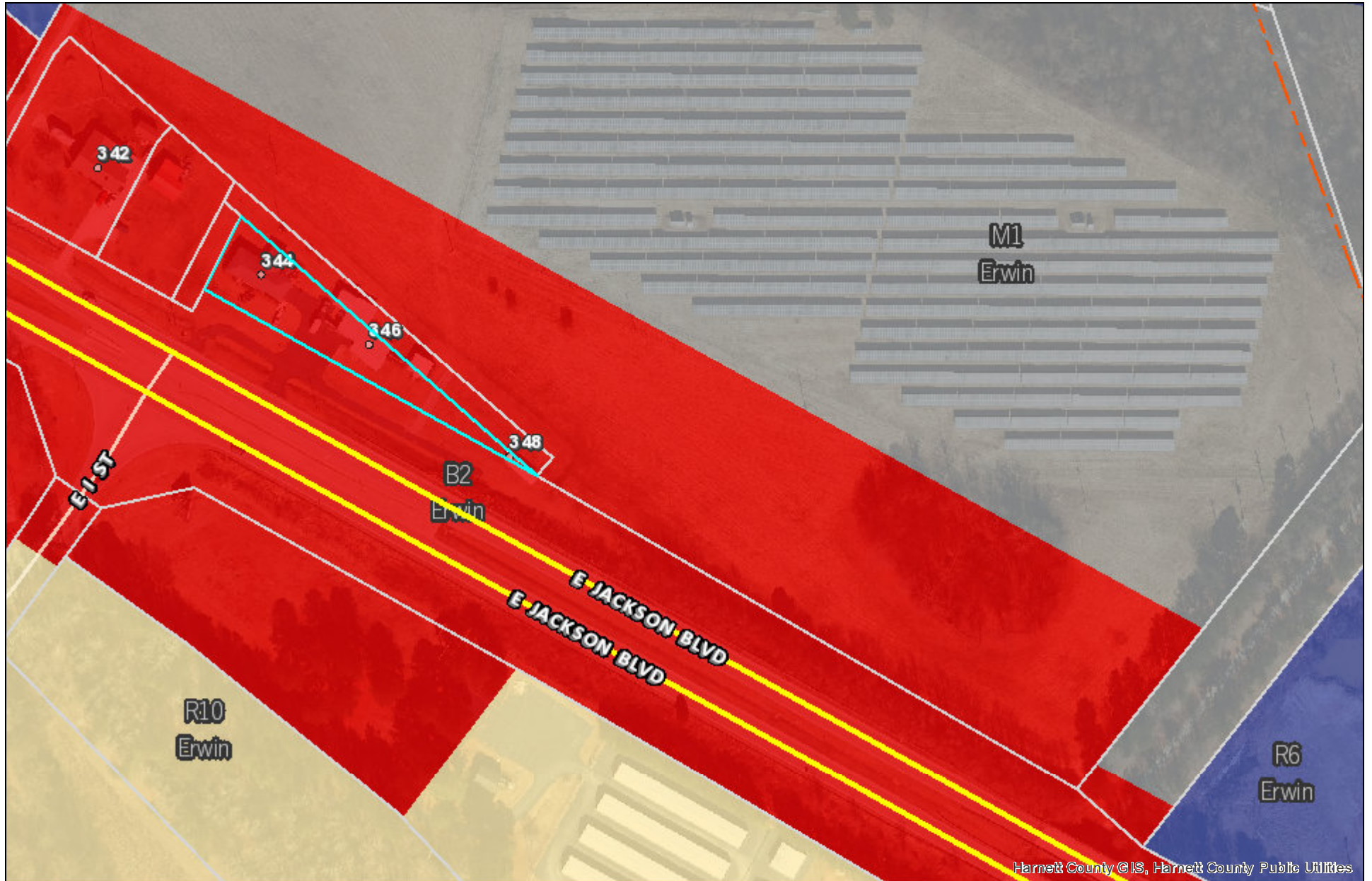
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|-------------------------------|--------------------|---------------------|
| Surrounding County Boundaries | Major Roads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
| Address Numbers | NC | Railroad |
| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 188 feet **120**

Harnett GIS

NOT FOR LEGAL USE



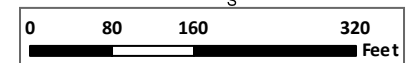
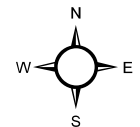
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

March 28, 2022

- | | | |
|-------------------------------|-------------------|---------------------|
| Surrounding County Boundaries | MajorRoads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
| Address Numbers | NC | Railroad |
| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 188 feet **121**



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

March 2, 2022

Mr. Marcos Tlahuel
344 East Jackson Boulevard
Erwin, North Carolina 28339

**SUBJECT: APPLICATION - DRIVEWAY ENTRANCE ONTO
US Highway 421 (East Jackson Boulevard)
PERMIT NUMBER D062-043-22-00050 (Car Wash at Home - Site)
TOWN OF ERWIN - HARNETT COUNTY**

To whom it may concern:

Please find attached for your file a copy of the Driveway Application, which has been properly executed. This Driveway Permit is approved subject to the provisions stated in the Permit Application Agreement and the following special provisions:

- **The encroaching party's construction contractor must submit the NCDOT *Workforce Safety Plan for Encroachment Activities: COVID-19* form to the District Engineer prior to construction. Construction within nor access to the right of way shall not commence until such time as the required Workplace Safety plans has been submitted to the District office.**
- **This driveway permit is for the property owner to have a hand car wash at their residence by using existing driveways.**
- **Additional development of the undeveloped portions of this parcel and/or adjoining parcels of land will require an additional review by the District Engineer. The developer(s) may be required to make external roadway improvements along US Highway 421 (East Jackson Boulevard) as a result of this additional review.**
- **Driveway construction must be completed within one (1) year after the approval date.** This Driveway Permit becomes null and void after that time and the Applicant will be required to reapply for access. Consideration may be given for time extensions on a case by case basis.
- An executed copy of this Permit will be present at the construction site at all times during construction. NCDOT reserves the right to stop all work unless evidence of approval can be shown.
- **Upon completion of the project, an executed North Carolina Department of Transportation Subdivision Road, Driveway Access and Encroachment Installation Certification Memo shall be returned to the District Engineer's office.**

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION SIX / DISTRICT TWO
POST OFFICE BOX 1150
FAYETTEVILLE, NC 28302

Telephone: (910) 364-0601
Fax: (910) 437-2529
Customer Service: 1-877-368-4968

Location:
600 SOUTHERN AVENUE
FAYETTEVILLE, NC 28306

Website: www.ncdot.gov

- Any change or alteration of the existing or proposed property use shall require a new Driveway Permit. Failure to secure required Permits prior to construction or change in property usage may result in the removal of the driveway at the expense of the Permittee.
- Changes noted in red on the plans shall be incorporated into and made a part of the approved Permit.
- All out parcels or excluded areas shall be served internally, with no additional access onto abutting roadways permitted. This condition should be conveyed in any buy, sell, lease, rent, or subdivision agreement.
- It is the responsibility of the Permittee to provide inspection of the work that is performed on the right of way as a part of this Permit. This work includes, but is not limited to, culvert and drainage structure installation, roadway widening, grading work, pavement structure installation (subgrade, base, and pavement), and traffic marking and marker installation. Please note that the Permittee is also responsible for contacting Mr. Earl C. Locklear, Assistant District Engineer at (910) 364-0601 at least 24 hours prior to beginning construction and prior to "critical events," such as backfilling pipe, installing curb and gutter, and placing asphalt.
- Ingress and egress shall be maintained to all businesses and dwellings affected by the project. Special attention shall be paid to police, EMS and fire stations, fire hydrants, secondary schools, and hospitals.
- Approval of the Driveway Permit does not constitute review or approval of subdivision streets for NCDOT maintenance. If addition of subdivision streets to the State Maintenance System is desired, plans for review and a Petition for Addition shall be submitted to the District Engineer's office. For further information, contact Mr. Christopher L. Jones, Engineering Technician, at (910) 364-0601.
- All materials and construction shall be in accordance with NCDOT Standards and Specifications, including but not limited to, the latest NCDOT *Standard Specifications for Roads and Structures*, the latest NCDOT *Roadway Standards Drawings*, and *NCDOT Policies and Procedures for Accommodating Utilities on Highway Rights of Way*.
- The traveling public shall be warned of construction with complete and proper signing and traffic control devices in accordance with the current *Manual on Uniform Traffic Devices* (MUTCD). No work shall be performed in the right of way unless this requirement is satisfied. NCDOT reserves the right to require a written traffic control plan for encroachment operations. All contractor personnel will be required to wear a class II ANSI approved safety vest while working within DOT rights of way.
- NCDOT does not guarantee the right of way on this road, nor will it be responsible for any claim for damages brought by any property owner by reason of the installation. All right of way and easements necessary for construction and maintenance shall be dedicated to NCDOT and proof of dedication shall be furnished to the District Engineer prior to beginning work.
- Two-way traffic shall be maintained at all times.
- No lane of traffic on US Highway 421 (East Jackson Boulevard) shall be closed or restricted between the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m., or on Sundays, holidays, special events, or as directed by the Engineer.

- **When personnel and/or equipment are working on the shoulder and within five (5) feet of an open travel lane, close the nearest open travel lane using Standard Drawing No. 1101.02 unless the work area is protected by barrier or guardrail. When personnel and/or equipment are working within a lane of travel of an undivided or divided facility, close the lane according to the traffic control plans, or as directed by the Engineer. Conduct the work so that all personnel and/or equipment remain within the closed travel lane. Do not work simultaneously, on both sides of an open travel way, within the same location, on a two-lane, two-way road. Do not perform work involving heavy equipment within fifteen (15) feet of the edge of travel way when work is being performed behind a lane closure on the opposite side of the travel way. Perform work only when weather and visibility conditions allow safe operations as directed by the Engineer.**
- NCDOT reserves the right to further limit, restrict, or suspend operations within the right of way if, in the opinion of NCDOT, safety or traffic conditions warrant such action.
- Mr. Frank West, Division Traffic Engineer, shall be notified at (910) 364-0606 prior to beginning work on the right of way if there are existing NCDOT signs, traffic signals, or signal equipment in or near the proposed work zone. Costs to relocate, replace, or repair NCDOT signs, signals, or associated equipment shall be the responsibility of the Permittee. Furthermore, any revisions to existing traffic signals or the installation of any new traffic signals shall require a Signal Agreement between the Permittee and the NCDOT. Additional information concerning this subject can be obtained from the Division Traffic Engineer.
- When surface area in excess of one acre will be disturbed, the Permittee shall submit a Sediment and Erosion Control Plan which has been approved by the appropriate regulatory agency or authority prior to beginning any work on the right of way. Failure to provide this information shall be grounds for suspension of operations.
- All erosion control devices and measures shall be constructed, installed, maintained, and removed by the Permittee in accordance with all applicable Federal, State, and Local laws, regulations, ordinances, and policies. All earth areas shall be re-graded and seeded in accordance with current NCDOT Standards and Specifications.
- It shall be the responsibility of the Permittee to determine the location of other utilities within the work zone. The Permittee shall be responsible for notifying other utility owners and providing protection and safeguards to prevent damage or interruption to existing facilities and to maintain accessibility to existing utilities.
- Curb cuts and ramps for handicapped persons shall be constructed in accordance with the current NCDOT "Standard for Wheelchair Ramp Curb Cuts" and the Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities.
- Access granted under this permit shall remain closed (i.e. barricaded) to all traffic until all requirements relating to traffic control and signalization have been satisfied.
- Any proposed landscaping or landscape plantings shall be approved by the Division Engineer under an NCDOT Planting Permit. For further information, please contact Mr. David Plummer, Division Roadside Environmental Engineer, at (910) 364-0603.
- Pre-cast concrete manholes, catch basins, or other drainage structures shall be pre-approved by NCDOT for use within highway rights of way.
- Manhole rings and covers, valve covers, and storm drainage grates and frames shall be traffic bearing types approved by NCDOT for use within highway Rights of Way.

- **The existing driveways shall be paved to the right of way line of US Highway 421 (East Jackson Boulevard) measured from the edge of existing pavement as shown on the attached plans.**
- **The existing roadway connections to US Highway 421 (East Jackson Boulevard) shall be constructed with 20' (maximum) ingress, egress, and regress edge of pavement radii and shall provide a minimum of four (4) feet of vegetative shoulder as shown on the attached plans.**
- **The existing driveways onto US Highway 421 (East Jackson Boulevard) shall be constructed with 28' (maximum) width roadway and shall provide a minimum of four (4) feet of vegetative shoulder as shown on the attached plans.**
- The entrance grade shall be constructed in accordance with Figure 6 (attached).
- Pipe, if required, shall be manufactured from reinforced concrete or steel, shall be a minimum diameter of 15 inches, a minimum of 20' in length, and shall be inspected for proper installation prior to backfilling. Contact Mr. Keith Anderson, County Maintenance Engineer, at (910) 893-4020 for inspection. Please provide at least 24 hours advance notice for inspection.
- Any drainage pipe shall be constructed with Division 3 of the latest *NCDOT Standard Specifications for Roads and Structures* and Amendments or Supplementals thereto and shall bear the stamp of approval by the NCDOT Materials and Tests Unit.
- Trenching, bore pits and/or other excavations shall not be left overnight. The contractor shall comply with all OSHA requirements and provide a competent person on site to supervise excavation at all times.
- Excavated areas adjacent to pavement having more than a 2" drop shall be safed up at a 6:1 or flatter slope and designated by appropriate delineation during periods of inactivity, including, but not limited to, night and weekend hours. Excavated material shall not be placed on the roadway at any time.

Pavement Markings, Markers and Signing

- The Permittee shall be responsible for the removal, relocation, and / or installation of all pavement markings and NCDOT signs within the limits affected by the development. Pavement marking and signing plans shall be submitted to the District Engineer for approval prior to the installation of any signs and/or pavement markings.
- The Permittee has been approved to use NCDOT approved ~~waterborne paint for all pavement markings (edge lines, lane lines and centerlines) on US Highway 421 (East Jackson Boulevard)~~ and thermoplastic pavement markings for all pavement markings (edge lines, lane lines and centerlines) and non-snowplowable markers on US Highway 421 (East Jackson Boulevard). (The use of waterborne paint or thermoplastic pavement markings is to be determined according to the location of the site and AADT of the roadway).
- Pavement marking and marker changes shall be accomplished by completely covering the lines by means of asphalt overlaying or by an approved method of grinding. **In no case shall the application of liquid asphalt "tack" be accepted as an approved method for covering pavement markings.**

- All work performed under this section shall meet standards outlined in the current Manual on Uniform Traffic Control Devices (MUTCD) published by the Federal Highway Administration, NCDOT Supplement to the MUTCD, and the latest edition of the NCDOT Roadway Standard Drawings.
- The pavement marking contractor is required to have at least one member of every pavement marking crew that is working on the project, preferably the Crew Supervisor, be certified through the NCDOT Pavement Marking Technician Certification Process. For more information please contact the **Work Zone Traffic Control Unit** at (919) 773-2800 or <http://www.ncdot.org/doh/preconstruct/wztc/>”
- Prior to installing pavement markings, please contact Mr. Frank West, Division Traffic Engineer, shall be notified at (910) 364-0606 with the NCDOT Division Six Traffic Services Unit to review the proposed pavement-marking layout. This notification should take place a minimum of 48 hours in advance of the pavement marking installation.
- Failure to contact the Traffic Services Unit to review the pavement-marking layout prior to installation may result in the removal and reinstallation of the markings at the expense of the Permittee.

If additional information is required, please contact Mr. Lee R. Hines Jr., (Richie), PE, District Engineer, at (910) 364-0601.

Sincerely,
DocuSigned by:

Lee R. Hines Jr. (Richie), PE
FB667F97FF844A7
 Lee R. Hines Jr. (Richie), PE
 District Engineer

DS
 Ell

LRH:ecl

cc: Mr. Snow Bowden, Town Manager, Town of Erwin
<https://connect.ncdot.gov/site/files/road-file/Pages/myroadFiles.aspx>

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway Permit No.	Date of Application <u>1/10/22</u>	
County: <u>Harnett</u>		
Development Name: <u>Car wash at home</u>		

LOCATION OF PROPERTY:

Route/Road: Route: 421 Road: 346 E. Jackson Blvd. Erwin, NC 28339

Exact Distance 1,868 Miles Feet N S E W W

From the Intersection of Route No. SR 1703 and Route No. US 421 Toward SR 1726

Property Will Be Used For: Residential /Subdivision Commercial Educational Facilities TND Emergency Services Other

Property: is is not within Town of Erwin City Zoning Area.

AGREEMENT

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during and following construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I agree that the entire cost of constructing and maintaining an approved private street or driveway access connection and conditions of this permit will be borne by the property owner, the applicant, and their grantees, successors, and assignees.
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED

RECEIVED \$50

JAN 14 2022 600 Southern Avenue Fayetteville, NC 28306

SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY	Marcos Tlanuel	NAME	<i>[Signature]</i>
SIGNATURE	Marcos Tlanuel	SIGNATURE	<i>[Signature]</i>
ADDRESS	344 E Jackson Blvd Erwin NC 28339	ADDRESS	
	Phone No. 984-2601052		

AUTHORIZED AGENT		WITNESS	
COMPANY		NAME	
SIGNATURE		SIGNATURE	
ADDRESS		ADDRESS	
	Phone No.		

APPROVALS

APPLICATION RECEIVED BY DISTRICT ENGINEER

SIGNATURE DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

<i>[Signature]</i>	John Manarc	11/10/2022
SIGNATURE	TITLE	DATE

APPLICATION APPROVED BY NCDOT

DocuSigned by: DS
ell

<i>[Signature]</i>		03/02/2022
SIGNATURE	TITLE	DATE

INSPECTION BY NCDOT

SIGNATURE TITLE DATE

COMMENTS:

~ B-2 (Highway Business) zoning district off of Hwy 421. Mixed uses on same lot. Applicant wishes to open a car wash on site.

WORKFORCE SAFETY PLAN

FOR ENCROACHMENT ACTIVITIES: COVID-19

EFFORTS THE N.C. TRANSPORTATION INDUSTRY IS TAKING TO STOP THE SPREAD OF COVID-19

The North Carolina Department of Transportation (NCDOT) and their partners expect all parties involved in the delivery of transportation projects to abide by the guidelines issued from the Centers for Disease Control and Prevention (CDC) and the North Carolina Department of Health and Human Services (NCDHHS).

Response to COVID-19 is rapidly evolving; new information and guidelines may be issued from the CDC, NCDHHS, or other state or federal agencies. NCDOT and their partners should review the current CDC and NCDHHS guidance, including the resources listed at the end of this document, for up-to-date information on how to respond to COVID-19. Additional guidelines may be issued by state or federal agencies that should be followed in addition to the guidance included in this document.

Though certain Americans with Disabilities Act (ADA) requirements have been relaxed in response to the pandemic, employers must still maintain all information about employee illness as a confidential medical record in compliance with the ADA. If an employee is suspected of having or tests positive for COVID-19, it is essential that management keep the identity of the employee and details related to the employee's health confidential.

Below are precautions required by NCDOT and from encroaching parties and their contractors performing construction within NCDOT Rights of Way. The term employee refers to any person on a job site within NCDOT right of way for the purpose of constructing or inspecting the work related to construction of a facility under an approved encroachment agreement and where that employee may or may not be under employment by or under contract to NCDOT.

EMPLOYEE WELLNESS

- If an employee has not yet reported to work and develops any COVID-19 symptoms (i.e. fever, coughing, or shortness of breath) — STAY HOME and immediately:
 - Call a health care provider
 - Self-Isolate
 - Communicate with your supervisor
 - Remain calm and follow all instructions from your health care provider
- Employees who appear to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work, or become sick during the day, should be separated from others and sent home immediately. The potentially affected employees should immediately follow the steps outlined above, which includes immediately contacting a health care provider.
- Should an employee show symptoms of acute respiratory illness or be diagnosed with COVID-19, all other employees who have worked in close proximity to the affected employee during the last 14

days and all encroachment points of contact indicated at the end of this plan should be notified of potential exposure to the disease without identifying the affected employee.

- Consideration should be given to employees at “High Risk” of severe illness from COVID-19, who, per NCDHHS, include employees:
 - Over 65 years of age, **OR**
 - With underlying health conditions including heart disease, lung disease, or diabetes, **OR**
 - With weakened immune system
- “High Risk” Employees should be given the opportunity to discuss alternate work arrangements/duties with their employer or take leave according to their company policies.
- For guidance on confirmed positive tests for COVID-19, refer to the most recent version of the “COVID-19 Guidance for Employees on Encroachment Job Sites within NCDOT Right of Way” located on last page of this plan.

PERSONAL HYGIENE

- Clean hands often by washing with soap and water for 20 seconds. If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains 60%-95% alcohol may be used.
- Avoid touching your eyes, nose, mouth, or other parts of your face.
- Do not breathe, cough, or sneeze on another person or into the open air. Employees should cover their noses and mouth with a tissue when coughing or sneezing (or an elbow or shoulder if no tissue is available).
- A facemask for covering nose and mouth is encouraged on the job site.
- Appropriate gloves are encouraged while performing functions of the job.

CLEANING/DISINFECTING

- Wash stations and/or hand sanitizer are encouraged on each project site.
- Appropriate cleaning staff should clean frequently touched surfaces and objects with disinfectants at a minimum of once per day.
 - Office/buildings: door knobs, light switches, phones, computers/keyboards, copy machines, elevator buttons, toilets, faucets, sinks, countertops, paper towel dispensers, desktops, handrails, folders, vending machines, counters, tables, cabinets/knobs, etc.
 - Shop Yard/Jobsite: vehicle/equipment door handles, keys, gear shifts, steering wheel/operator controls and levers, fuel pump dispensers, touch points on machinery, etc.
 - Electronic equipment: cell phones, computers, keyboards, etc.
- Appropriate cleaning staff should sanitize/disinfect facilities and work areas after persons suspected/confirmed to have COVID-19 have been in the facility or work area.

- It is recommended to close off access to areas used by the ill persons and wait as long as practical, 24 hours if possible, before beginning cleaning and disinfection to minimize potential for exposure to respiratory droplets. Open outside doors and windows to increase air circulation in the area if possible.
- Appropriate cleaning staff should clean and disinfect all areas used by the ill persons, focusing especially on frequently touched surfaces.

GENERAL

- Increase communication measures between all parties regarding schedule, daily activities, etc. to reduce/minimize worker exposure in accordance with but not limited to the requirements below.
- Minimize on-site personnel such as subcontractors, work crews, QC personnel, and inspection staff to those required for that day's activities. If work is postponed or cancelled, immediately notify appropriate parties.
- Practice "Social Distancing" whenever feasible. Social Distancing is designed to limit the spread of a disease by reducing the opportunities for close contact between people. All personnel have the responsibility to remind each other to stay 6 feet or more apart. Examples of Social Distancing include:
 - Reducing face-to-face exposure by using conference calls and video conferencing
 - If an in-person meeting is absolutely required and cannot be rescheduled or attended remotely, the meeting is limited to a maximum of 10 people while maintaining Social Distancing of 6 feet or more.
 - Avoiding unnecessary travel
- Do not congregate at lunch or breaks. Bringing your lunch is encouraged.
- No communal coolers or drink stations are allowed. Supervisors should confirm with employees prior to beginning work for appropriate hydration and nutrition availability to employees for the duration of the employee's shift and without direct contact with others on the job site.
- First line of communication should be by phone, rather than in-person.
- Do not shake hands.
- Do not share iPads, tablets, pens, or clipboards for signing or any other purpose. Take pictures as proof of attendance at meetings.
- Sharing of Personal Protective Equipment (PPE) is strictly prohibited.
- Vehicles, equipment, and tools
 - Limit the number of people riding in a vehicle together.
 - Wipe down and disinfect vehicles after each trip.
 - As much as possible, do not share tools or equipment. If a tool or piece of equipment must be shared, the parts of it that are touched should be sanitized between uses.

RETURN TO WORK

- The following criteria must be followed for an employee who is tested for Covid-19, or asked to self-quarantine by health officials, or has contact with another employee with a positive test result to return to work:
 - at least a 14-day quarantine; **OR**
 - release by a health care provider.
- In accordance with CDC guidance, the following criteria must be followed for an employee with a positive test result to return to work:
 - at least 14 days from positive test notification; **AND**
 - at least 3 days (72 hours) have passed since recovery defined as resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath); **AND**
 - at least 7 days have passed since symptoms first appeared.

NCDOT may require certification of fitness to work from a health care provider.

ADDITIONAL RESOURCES

NCDOT and their partners should review the CDC and NCDHHS resources listed below for up-to-date information on how to respond to COVID-19. Additional guidelines may be issued by state or federal agencies that should be followed in addition to the guidelines included in this document.

- NCDHHS COVID-19 Resources:
 - <https://www.ncdhhs.gov/divisions/public-health/coronavirus-disease-2019-covid-19-response-north-carolina>
- NCOSHR Communicable Disease Emergency Policy
 - <https://oshr.nc.gov/policies-forms/workplace-wellness/communicable-disease-emergency>
- OSHA Guidance on Preparing Workplaces for COVID-19
 - <https://www.osha.gov/Publications/OSHA3990.pdf>
- CDC COVID-19 Resources:
 - <https://www.cdc.gov/coronavirus/2019-ncov/index.html>

AGREEMENT

The encroaching party shall adhere to the requirements of this plan in order to continue work under their approved encroachment agreement. Violations to this plan could result in the violating entity not being allowed to continue work or all work ceasing as determined by the NCDOT District Engineer or Resident Engineer.

PROJECT POINTS OF CONTACT





NCDOT
DocuSigned by:
Name: Earl C. Locklear
FB657F975F844A7
Phone #: 910-364-0601

Encroaching Party (Primary Contact)

Name: _____
Phone #: _____

**Primary Contractor to Encroaching Party
(Point of Contact)**

Name: _____
Phone #: _____

COVID-19 Guidance for Employees on Encroachment Job sites within NCDOT Right of Way			
CONTACT GROUP			
Relationship to Confirmed POSITIVE Test	What YOU Should Do	What your CREW Should Do <i>Exposure within 6' and longer than 10 minutes</i>	What PROJECT SITE Personnel Should Do <i>No exposure within 6' and longer than 10 minutes</i>
Employee	<p>Notify your supervisor Self-quarantine for 14 days</p> 	<p>Advise of POSITIVE test without identifying the affected employee*</p> <p>Directly exposed crew self-quarantine for 14 days</p> <p>Continue hygiene & disinfecting measures</p>	<p>No exposure within 6' and longer than 10 minutes</p> <p>Advise of POSITIVE test without identifying the affected employee*</p> <p>Site personnel without direct contact may continue onsite work or follow their company policy</p> <p>Continue hygiene & disinfecting measures</p>
Direct Contact <i>Interaction with an Infected person within 6' and longer than 10 minutes</i>	<p>Self-quarantine for 14 days</p> 	<p>Advise of POSITIVE test without identifying the affected employee*</p> <p>Crew may continue onsite work or follow their company policy</p> <p>Continue hygiene & disinfecting measures</p>	<p>Advise of POSITIVE test *</p> <p>Continue hygiene & disinfecting measures</p>
Secondary Contact	<p>You may continue onsite work or follow your company policy</p> <p>Continue hygiene & disinfecting measures</p> 	<p>Continue hygiene & disinfecting measures</p>	<p>Continue hygiene & disinfecting measures</p>
Two or more Persons Removed from Contact	<p>Continue hygiene & disinfecting measures</p> 	<p>Continue hygiene & disinfecting measures</p>	<p>Continue hygiene & disinfecting measures</p>
*Notification Protocol <i>(Comply with HIPAA & ADA confidentiality requirements)</i>	<p>NCDOT employee / agent tests POSITIVE</p>	<p>NCDOT District Engineer/Resident Engineer notifies Encroaching Party's primary point of contact and Contractor Point of Contact, CDC and, if Resident Engineer has oversight for the job site, FHWA any Consultant Firms working for NCDOT</p> <p>Encroaching party representative notifies other Contractors, Sub-Contractors and Suppliers with exposed Employees</p>	
	<p>Encroaching Party or Contract crew member on job site tests POSITIVE</p>	<p>Encroaching party representative or Contractor point of contact notifies appropriate NCDOT District Engineer or Resident Engineer and all other Contractors, Sub-Contractors and Suppliers with exposed Employees</p> <p>NCDOT notifies CDC, and as appropriate, FHWA and any Consultant Firms working for NCDOT</p>	

TRAFFIC CONTROL AND WORK ZONE SAFETY

The Contractor shall maintain traffic during construction and provide, install, and maintain all traffic control devices in accordance with these project guidelines, the Project Special Provisions, North Carolina Department of Transportation Standard Specifications for Roads and Structures, and the current edition of the Manual of Uniform Traffic Control Devices (MUTCD).

The Contractor shall utilize complete and proper traffic controls and traffic control devices during all operations. All traffic control and traffic control devices required for any operation shall be functional and in place prior to the commencement of that operation. Signs for temporary operations shall be removed during periods of inactivity. The Contractor is required to leave the project in a manner that will be safe to the traveling public and which will not impede motorists.

Traffic movements through lane closures on roads with two way traffic shall be controlled by flaggers stationed at each end of the work zone. In situations where sight distance is limited, the Contractor shall provide additional means of controlling traffic, including, but not limited to, two-way radios, pilot vehicles, or additional flaggers. Flaggers shall be competent personnel, adequately trained in flagging procedures, and furnished with proper safety devices and equipment, including, but not limited to, safety vests and stop/slow paddles.

All personnel when working in traffic areas or areas in close proximity to traffic shall wear an approved safety vest, or shirt or jacket which meets the color requirements of the Manual of Uniform Traffic Control Devices (MUTCD).

The Contractor shall comply with all applicable Federal, State, and local laws, ordinances, and regulations governing safety, health, and sanitation, and shall provide all safeguards, safety devices, and protective equipment, and shall take any other needed actions, on his own responsibility that are reasonably necessary to protect the life and health of employees on the job and the safety of the public, and to protect property in connection with the performance of the work covered by the contract.

Failure to comply with any of the requirements for safety and traffic control of this contract shall result in suspension of work as provided in subarticle 108-7(2) of the Standard Specifications.

SPECIFICATIONS FOR EROSION CONTROL

The Contractor shall seed all disturbed areas as directed by the Engineer, in accordance with Section 1660 of the Standard Specifications. Seeding and mulching shall immediately follow shoulder construction operations and in no case shall shoulder construction operations exceed seeding and mulching operations by more than two weeks without written permission of the Engineer. Failure to meet this requirement shall be cause to cease all operations until it can be met.

Seeding and Mulching: (East)

The kinds of seed and fertilizer, and the rates of application of seed, fertilizer, and limestone, shall be as stated below. During periods of overlapping dates, the kind of seed to be used shall be determined by the Engineer. All rates are in pounds per acre.

The kinds of seed and fertilizer, and the rates of application of seed, fertilizer, and limestone, shall be as stated below. During periods of overlapping dates, the kind of seed to be used shall be determined. All rates are in pounds per acre.

All Roadway Areas

March 1 - August 31

50#	Tall Fescue
10#	Centipede
25#	Bermudagrass (hulled)
500#	Fertilizer
4000#	Limestone

September 1 - February 28

50#	Tall Fescue
10#	Centipede
35#	Bermudagrass (unhulled)
500#	Fertilizer
4000#	Limestone

Waste and Borrow Locations

March 1 - August 31

75#	Tall Fescue
25#	Bermudagrass (hulled)
500#	Fertilizer
4000#	Limestone

September 1 - February 28

75#	Tall Fescue
35#	Bermudagrass (unhulled)
500#	Fertilizer
4000#	Limestone

Note: 50# of Bahiagrass may be substituted for either Centipede or Bermudagrass only upon Engineer's request.

Approved Tall Fescue Cultivars

2 nd Millennium	Duster	Magellan	Rendition
Avenger	Endeavor	Masterpiece	Scorpion
Barlexas	Escalade	Matador	Shelby
Barlexas II	Falcon II, III, IV & V	Matador GT	Signia
Barrera	Fidelity	Millennium	Silverstar
Barrington	Finesse II	Montauk	Southern Choice II
Biltmore	Firebird	Mustang 3	Stetson
Bingo	Focus	Olympic Gold	Tarheel
Bravo	Grande II	Padre	Titan Ltd
Cayenne	Greenkeeper	Paraiso	Titanium
Chapel Hill	Greystone	Picasso	Tomahawk
Chesapeake	Inferno	Piedmont	Tacer
Constitution	Justice	Pure Gold	Trooper
Chipper	Jaguar 3	Prospect	Turbo
Coronado	Kalahari	Quest	Ultimate
Coyote	Kentucky 31	Rebel Exeda	Watchdog
Davinci	Kitty Hawk	Rebel Sentry	Wolfpack
Dynasty	Kitty Hawk 2000	Regiment II	
Dominion	Lexington	Rembrandt	

On cut and fill slopes 2:1 or steeper Centipede shall be applied at the rate of 5 pounds per acre and add 20# of Sericea Lespedeza from January 1 - December 31.

Fertilizer shall be 10-20-20 analysis. A different analysis of fertilizer may be used provided the 1-2-2 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as a 10-20-20 analysis and as directed.

All areas seeded and mulched shall be tacked with asphalt. Crimping of straw in lieu of asphalt tack shall not be allowed on this project.

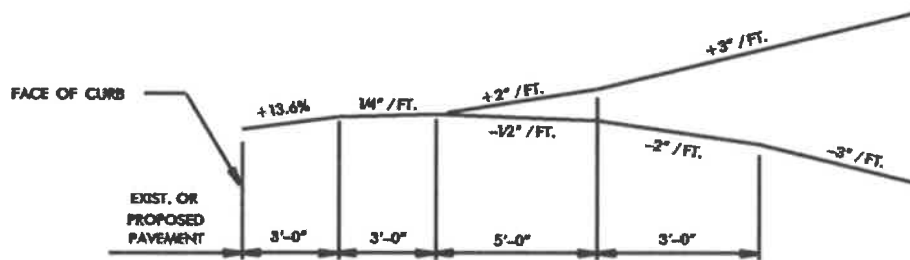
CRIMPING STRAW MULCH

Crimping shall be required on this project adjacent to any section of roadway where traffic is to be maintained or allowed during construction. In areas within six feet of the edge of pavement, straw is to be applied and then crimped. After the crimping operation is complete, an additional application of straw shall be applied and immediately tacked with a sufficient amount of undiluted emulsified asphalt.

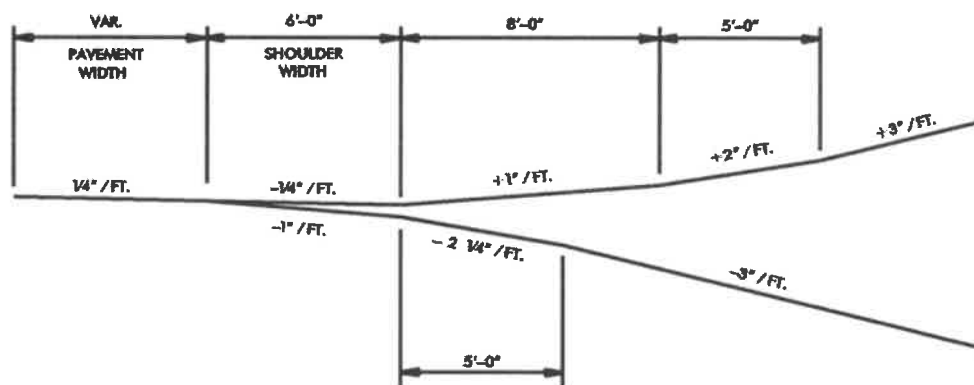
Straw mulch shall be of sufficient length and quality to withstand the crimping operation.

Crimping equipment including power source shall be subject to the approval of the Engineer providing that maximum spacing of crimper blades shall not exceed 8".

Within seven (7) calendar days to fourteen (14) calendar days of completion of any phase of grading, all disturbed areas shall be planted or otherwise provided with temporary or permanent ground cover, devices, or structures sufficient to restrain erosion. The Erosion and Sediment Control plan will identify the areas that require seven (7) and/or fourteen (14) calendar day ground stabilization. The Contractor is herein advised to follow all current regulations set forth by the North Carolina Department of Environment and Natural Resources (NCDENR) Division of Water Quality (DWQ) as defined in the *General Stormwater Permit for Construction Activities NCG-010000*.



A. CURB & GUTTER SECTION



B. SHOULDER SECTION

FIGURE 6

DRIVEWAY TURNOUT GRADES

**North Carolina Department of Transportation
Subdivision Road Construct, Driveway Access, and Encroachment
Installation Certification Memo**

(Date)

(District Engineer Name & Address)

RE: CONSTRUCTION CERTIFICATION

County: _____

Driveway Permit #: _____

and/or Subdivision I.D. #: _____

and/or Encroachment #: _____

Recording Information (if applicable): _____

Route(s) and/or Street(s): _____

Project Name/Phase/Description: _____

I, _____, have reviewed the construction within the right-of-way and/or easements required under subject project(s) for the above development and in accordance with the design drawings approved by the North Carolina Department of Transportation (NCDOT) on the following dates:

Driveway Permit #: _____ Date: _____

and/or Subdivision I.D. #: _____ Date: _____

and/or Encroachment #: _____ Date: _____

My inspection and attached testing report(s) and/or supporting documentation indicate the construction within the right-of-way and/or easements have been constructed in accordance with the standards established by current NCDOT Standard Specifications for Roads and Structures, and with the approved plans.

Name: _____

NC PE #: _____

Signature: _____



SEAL

Received by NCDOT: _____



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

03/14/2022

Notice of a Public Hearing **SU-2022-006**

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on April 7th, 2022 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.

There has been an application submitted to operate an outdoor carwash 346 East Jackson BLVD. The property can also be identified by its Harnett County Tax PIN # 0597-95-3540.000. This is an existing parcel with three structures on two separate lots. There would not be any cars stored outside of the building. The applicant is seeking permission to wash one vehicle at a time outside of the middle building on this lot.

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

Marcos Tlauehl and Yarida Arroyo
344 East Jackson BLVD
Erwin, NC 28339

Boathouse Solar LLC
600 Lakeshore LN
Chapel Hill, NC 27514

David Strickland
342-A E Jackson BLVD
Erwin, NC 28339

Pamela Gail Strickland
342 East Jackson BLVD
Erwin, NC 28339

Lynn Magyar
338 East Jackson BLVD
Erwin, NC 28339

Harnett County
PO Box 759
Lillington, NC 27546

Attic Additions Rentals, LLC.
111 Denim Drive
Erwin, NC 28339

Wincor Properties, LLC.
PO Box 160
Dunn, NC 28335

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 7, 2022

Subject: Variance 2022-001

The Town of Erwin has received a variance application for a potential subdivision located off of Denim Drive/Bayles Street/Wondertown Drive. Our ordinance allows for a maximum 600-foot road length in a new development that ends in a dead-end and or a Cul-de-sac. This proposed development shows a 1,075-foot road that ends in a Cul-de-sac. The applicant is seeking a 475-foot variance to the maximum allowed street length to install a 1,075-foot road that ends in a Cul-de-sac.

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.

(Code 1977, § 9-3016; Ord. of 2-3-1994)

Attachments:

- Variance 2022-001 Application
- Variance 2022-001 Staff Report
- Property Owners Notified
- Harnett County GIS Image with no zoning
- Harnett County GIS Image with zoning
- Harnett County GIS Image with wetlands
- Harnett County GIS Image with easement
- Findings of Fact for variance found in the Erwin Code of Ordinances

For legal purposes, Staff recommends two separate recommendations be made:

1. I move to recommend that the proposed variance application:
 - a. Meets all the Findings of Fact in the Affirmative, or
 - b. Meets one or more of the Findings of Fact in the negative (state the reasons) (if this motion is made, then the application would have to be recommended for denial.)
2. I move to recommend:
 - a. Approval of Variance 2022-001 which grants a 475-foot variance to allow a 1,075-foot road in the proposed subdivision that will be called Erwin Oaks.
 - b. Denial of Variance 2022-001

March 4, 2022

Town of Erwin
Attn: Snow Bowden
PO Box 459
Erwin, NC 28339

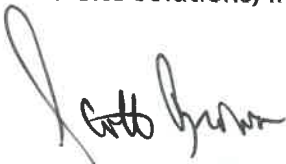
RE: Preliminary Subdivision review, Erwin Oaks Subdivision, Erwin, North Carolina

Snow;

Enclosed is the \$680 preliminary review fee for the Erwin Oaks Subdivision in Erwin, North Carolina. The street length variance application is also enclosed along with the \$300 application fee. A pdf of the plan has been emailed to you.

I look forward to working with you on this project. If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,
4D Site Solutions, Inc.



Scott Brown, PE
sbrown@4dsitesolutions.com

Enclosure

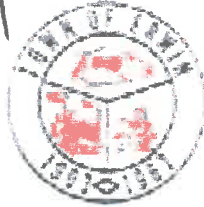
PAID

MAR 07 2022

TOWN OF ERWIN

check
7/19/22

Variance
2022 -001



PAID

MAR 07 2022 Check
71196

Variance Application (February 2011) **TOWN OF ERWIN**

Name of Applicant	Stout Land Development, LLC	Property Owner	Jerry & Faye Bayles
Mailing Address	1786 Metromedical Drive	Mailing Address	PO Box 343
City, State, Zip	Fayetteville, NC 28304	City, State, Zip	Erwin, NC 28339
Telephone	910-779-0019	Telephone	910-658-9271
Email	ben@benstoutconstruction.com	Email	

Address of Subject Property	2602 Erwin Road
Parcel Identification Number(s) (PIN) of Subject Property	1507-31-7118.000

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.
- 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.
- 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.
- 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.
- e. The special circumstances are not the result of the actions of the applicant.
- f. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

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.

Ben Stout
Print Name


Signature of Owner or Representative

3/7/2022
Date

A variance is requested for the above subdivision from Sect 30-107 (j) - Cul-de-sac and dead-end streets. Streets designed to be permanently ended shall not be longer than 600 feet. Magdalene Lane is a dead end street with a proposed length of 1,075. A variance of 475' feet is requested from the maximum 600 ft road length. The findings of fact are listed below.

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. **The property is an existing mobile home park and storage area. The property is located between Wondertown Drive and Denim Drive. Based on the shape of the property, a road through the center allows the developer to have the most efficient lot layout. The road length will exceed the maximum 600 ft per the ordinance. A properly sized cul-de-sac is proposed at the end of the street.**

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. **The variance will not grant the applicant special privileges denied to other residents. Approving the variance allows the applicant to develop the property efficiently based on the site geometry while improving the curb appeal through this section of town.**

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. **A literal interpretation will restrict the applicant from developing the property to the expected potential. The proposed site plan allows for efficient traffic flow in, through and out of the property.**

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. **The requested variance will be in harmony with the ordinance. No negative impacts of approved the variance are anticipated. Emergency vehicle are provided with the required turnaround. Approving the variance will allow the applicant to improve the neighborhood with is the general purpose of the zoning ordinance.**

e. The special circumstances are not the result of the actions of the applicant. **The circumstances are not the result of the applicant. The circumstances are the result of the shape of the property due to the existing roads to the north and south.**

f. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure. The variance will allow for the applicant to get the expected lot yield based on the zoning. All lots meet the minimum lot dimensions per the ordinance. The proposed streets are public and should not place any undue burden on the town for future maintenance. The development will improve the character of the property and add revenue to the town by increasing the tax base.



TOWN BOARD SUBDIVISION VARIANCE REQUEST STAFF REPORT

Case: Variance-
2022-001

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

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

Town Board Meeting Date: 04/07/2022

Requesting a variance for a proposed subdivision located off of Bayles Street and Wondertown Drive. At the moment, the location of the proposed subdivision is made up of five separate parcels. The applicant is seeking a variance Sec 30-107 (J) Cul-de-sac and dead-end streets in our Code of Ordinances. Streets that are dead-end streets or streets that have a cul-de-sac have a maximum length of 600 feet in our Code of Ordinances. The applicant wishes to subdivide this property and have all of the lots served by a road that is 1,075 feet in length. The applicant would need a 475 foot variance in order to be in compliance with our rules and regulations.

Applicant Information

Owner of Record:

Name: Jerry R. Bayles and Faye P. Bayles
Address: P.O. Box 343
City/State/Zip: Erwin, NC 28339

Applicant:

Name: Stout Land Development, LLC
Address: 1786 Metromedical Drive
City/State/Zip: Fayetteville, NC 28304

Property Description

Address- 2602 Erwin Road
Harnett County Tax PIN 1507-31-7118.000
Acres 6.12 acres
Zoning District-R-6

Address- 619 Wondertown Drive
Harnett County Tax PIN 1507-41-1122.000
Acres .83 acres
Zoning District-R-6

Address- 613 Wondertown Drive
Harnett County Tax PIN 1507-41-0201.000
Acres .26 acres
Zoning District-R-6

Address- 611 Wondertown Drive
Harnett County Tax PIN 1507-31-9267.000
Acres .40 acres
Zoning District-R-6

Address- 609 Wondertown Drive
Harnett County Tax PIN 1507-31-8385.000
Acres .66 acres
Zoning District-R-6

Address- Vacant
Harnett County Tax PIN 1507-31-4290.000
Acres- .67
Zoning District R-6

Total acreage- 8.94 acres

Vicinity Map

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

Physical Characteristics

Site Description: At the moment, this site is a nonconforming manufactured home park. It is made up of six separate parcels. The largest parcel is 6.12 acres. The other four parcels are less than an acre. According to Harnett County GIS data a section of the property does have wetlands located on it. There is also a drainage easement on this parcel.

Surrounding Land Uses: These parcels are primarily surrounded by residential land uses. The larger tract of land that is identified by one of its address is 2602 Denim Drive abuts a North Carolina Department of Transportation (NCDOT) road. There are some residential and commercial uses across the street.

Services Available

- Harnett County Water and Sewer is available. Duke Energy for electrical needs. The existing roads are town maintained roads with the exception being Denim Drive which is a NCDOT road.

Staff Evaluation

The proposed subdivision shows a connection to an existing town maintained street which is Bayles Street. The proposed subdivision shows the creation of 38 new lots with 36 of them being developed. It is not practical to extend Hope Street due to the small right-of-way that currently exists. The development could be accessed from Denim Drive. That would require major improvements to the road, and potentially infrastructure movements if necessary (water/sewer).

The primary road that has been proposed to serve this subdivision is 1,075 feet long and it ends in a Cul-de-sac. The maximum street length for a street that ends in a dead end or Cul-de-sac is 600 feet. The proposed street would need to have a variance granted to them of 475 feet to be allowed. There are other municipalities that allow dead-end

streets to be longer. There are some issues with connectivity with this proposed road since there is only one way in the subdivision and one way out of the subdivision. Harnett County GIS data does show wetlands on a section of this proposed subdivision and there is also a drainage easement that runs across this property.

Findings of Fact

- a. There are extraordinary and exceptional conditions pertaining to the particular piece or property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district. **YES**
 - a. Reasoning: This subdivision is made up of five separate parcels that are located in between Wondertown Drive and Denim Drive. The most efficient way to develop this land is with a road down the center of the development.
- b. Granting the variance the requested will not confer upon the applicant any special privileges denied to other residents in which the property is located. **YES**
 - a. Reasoning: This variance will allow the applicant the most efficient way to develop this property based on the shape 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**
 - a. Reasoning: This variance will allow the highest potential development of this property.
- d. The request variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or the general welfare. **YES**
 - a. Reasoning: The streets that will be installed will be built to the Town standards and emergency vehicles will have the proper turnaround space.
- e. The special circumstances are not the result of the actions of the applicant. **YES**
 - a. Reasoning: The circumstance are not a result of any actions of the applicant. The shape of the property and the location of the existing roads are the reason the applicant has requested this variance
- f. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure. **YES**
 - a. Reasoning: The variance will allow the applicant to get the standard lot count for a development based on the current zoning district.

Harnett GIS

NOT FOR LEGAL USE



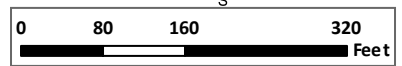
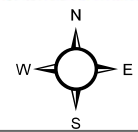
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

March 28, 2022

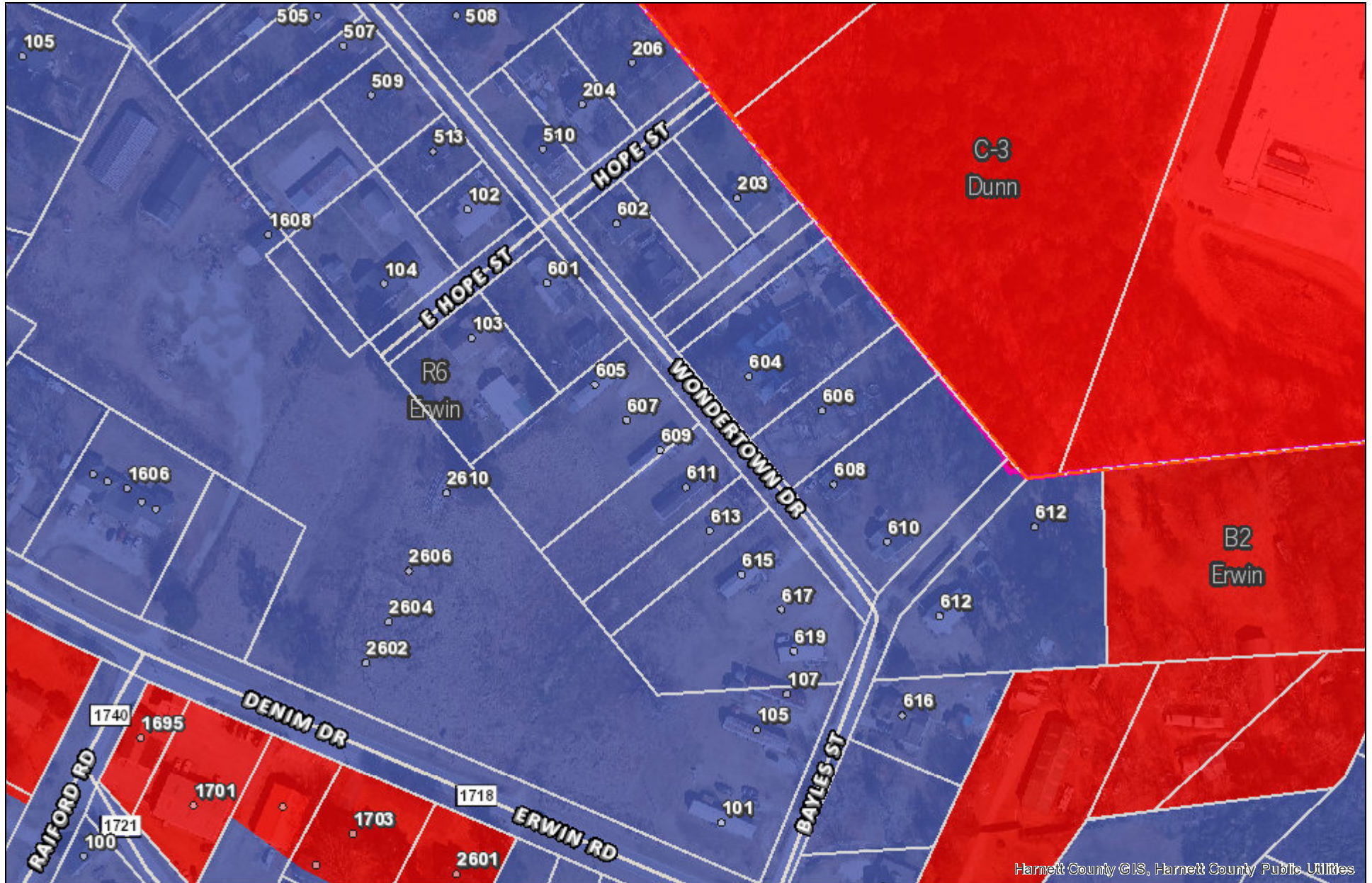
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|-------------------------------|--------------------|---------------------|
| Surrounding County Boundaries | Major Roads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
| Address Numbers | NC | Railroad |
| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 188 feet 150

Harnett GIS

NOT FOR LEGAL USE



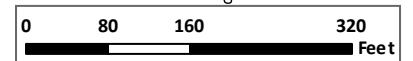
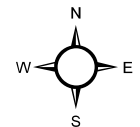
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

March 28, 2022

- | | | |
|-------------------------------|--------------------|---------------------|
| Surrounding County Boundaries | Major Roads | Mile_Markers |
| City Limits | Interstate | Mile_Markers |
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| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 188 feet **151**

Harnett GIS

NOT FOR LEGAL USE

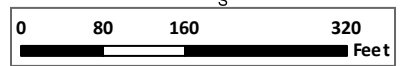
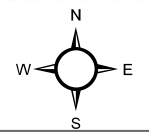


Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing
March 28, 2022

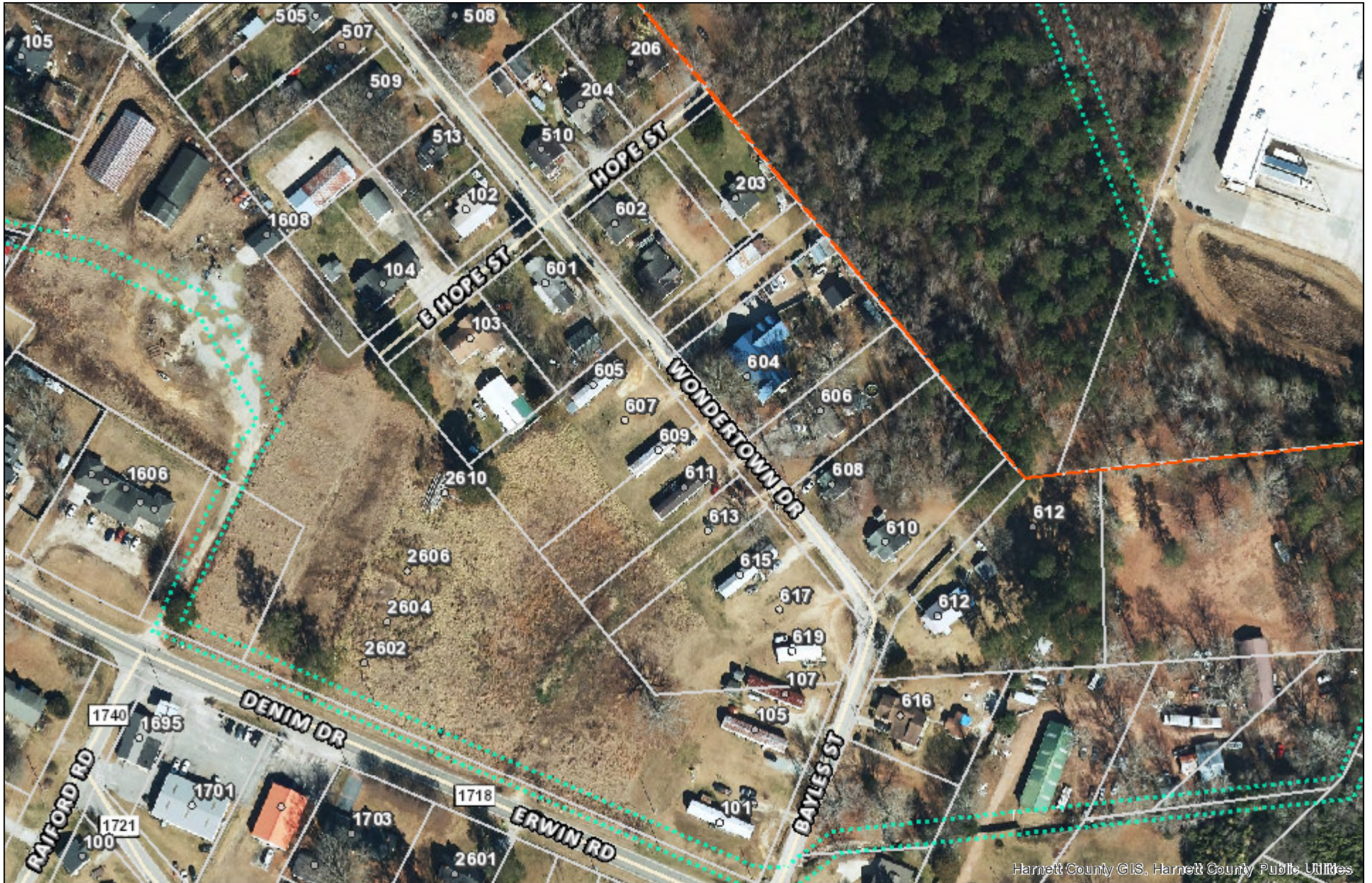
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| Airport | US | Parcels |
| | Roads | CapeFearRiver |



1 inch = 188 feet 152

Harnett GIS

NOT FOR LEGAL USE














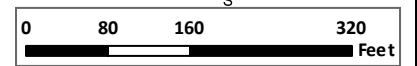
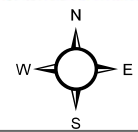
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

March 28, 2022

- | | | | | | |
|---|-------------------------------|---|-------------|---|--------------|
|  | Surrounding County Boundaries |  | Major Roads |  | Roads |
|  | City Limits |  | Interstate |  | NC |
|  | Address Numbers |  | US |  | Mile_Markers |
|  | Airport | | |  | Railroad |



1 inch = 188 feet ¹⁵³

Jerry and Faye Bayles
PO Box 343
Erwin, NC 28339

CSJD LTD LLC
PO Box 194
Erwin, NC 28339

Jennifer Owen
2545 Erwin Road
Dunn, NC 28334

Justin and Lillian Price
2565 Erwin Road
Dunn, NC 28334

Mammie Ann Webb
1585 Erwin Road
Dunn, NC 28334

Joshua and Christmas Walls
2601 Erwin Road
Dunn, NC 28334

Phyllis Diana Jackson
502 East Jackson BLVD
Erwin, NC 28339

Body of Christ Family Christian Center
C/O Robert Gilchrist
1703-A Denim Drive
Erwin, NC 28339

Gill and Shelly's Auto Repair, INC.
1701 Denim Drive
Erwin, NC 28339

Alice Faye Stocks
57 Simmons Drive
Erwin, NC 28339

Sean and Deirdre Ambrose
1604 Denim Drive
Erwin, NC 28339

Frank and Tynia Barker
1602 Denim Drive
Erwin, NC 28339

Roberto Beharry
1600 Denim Drive
Erwin, NC 28339

Stephanie Florido
Victor Rodriguez
103 St. Matthews Road
Erwin, NC 28339

Jacqueline Reyes
4052 Collier Road
Wade, NC 28395

Jimmie and Linda Baker
111 St. Matthews Road
Erwin, NC 28339

Jimmie and Linda Baker
C/O Randy and Kim Baker
500 Wondertown Drive
Erwin, NC 28339

Raymond and Paige Houston
508 W Pearsall Street
Dunn, NC 28334

Larry and Linda Wood
4536 NC 50 S
Benson, NC 27504

Thomas and Sandra Wade
509 Wondertown Drive
Erwin, NC 28339

Larry and Martha Faircloth
104 Hope Street
Erwin, NC 28339

Michael Byrd
1597 Aman Dairy Road
Dunn, NC 28334

William David Hair
102 Hope Street
Erwin, NC 28339

Reginald Lamonte Wynn
601 Wondertown Drive
Erwin, NC 28339

William Simmons
103 Hope Street
Erwin, NC 28339

Micaylah A. Dow
Austin Dow
2410 Erwin Road
Dunn, NC 28334

Toni Mangle
616 Wondertown Drive
Erwin, NC 28339

Andrea Deleese
Ronald Deleese
612 Wondertown Drive
Erwin, NC 28339

Riley Butler
101 W Roanoke Park Drive
Raleigh, NC 27608

Asael Siliezar
2065 Woods Crossroads Road
Benson, NC 27504

Danny Ray Fisher
604 Wondertown Drive
Erwin, NC 28339

William Thomas Bass
Rhonda Bass Morris, Heirs
302 South 12th Street
Erwin, NC 28339

Fisher Building Group
604 Wondertown Drive
Erwin, NC 28339

William Thomas Fisher
206 Hope Street
Erwin, NC 28339

Charles R. Fisher
204 Hope Street
Erwin, NC 28339

Betty Pearl Tew
PO Box 2036
Dunn, NC 28335

Jim Hartman
PO Box 387
Coats, NC 27521

Derek and Rachel Davis
2405 Erwin Road
Dunn, NC 28334

Stout Land Development, LLC
1786 Metromedical Drive
Fayetteville, NC 28304

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Lauren Evans, Town Clerk

Date: April 7, 2022

Subject: Petition to Annex 127 Red Hill Church Rd

The Town has received a request to have 127 Red Hill Church Rd voluntarily annexed into our Town Limits. This parcel is adjacent to our Town Limits. If you approve the Ordinance to extend the corporate limits, adoption can be made immediately, June 30th of 2022, or June 30th of 2023.

Action Recommended:

- Adopt Ordinance to extend the Corporate Limits

State of North Carolina
County of Harnett
Town of Erwin

IRREVOCABLE PETITION REQUESTING ANNEXATION


Date: 1/3/2022

To the Mayor and Board of Commissioners of the Town of Erwin:

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed into the Town of Erwin.
2. The area to be annexed is contiguous to the Town of Erwin and the boundaries of such territory are as follows:

127 Red Hill Church Road: 1507-15-5219.000

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

Name	Address	Do you declare vested rights? Indicate yes or no	Signature
PCC Properties 1149 Taos Trail Raleigh, NC 27603		No	



1703

1720

E JACKSON BLVD
E JACKSON BLVD

LUCAS ST
N 6TH ST

MASONIC RD

RED HILL CHURCH RD

ST MATTHEW RD

E H ST

158

Rural Fire Department Provisions

A municipality that is considering a petition to annex property in an area served by a rural fire department and located in an insurance district, a rural fire protection district, or a county fire protection service district should be aware of and prepared to comply with the provisions for assumption of debt set out below. (See Fire Protection Definitions, p. 1-13).

- (1) Assumption of Debt. If the area to be annexed is served by a rural fire department and is in one of the defined districts, then upon the effective date of annexation the municipality must pay annually a proportionate share of any payments due on any debt (including principal and interest) relating to facilities or equipment of the rural fire department, if the debt was existing at the time of submission of the petition for annexation. The payments must be in the same proportion that the assessed valuation of the annexed portion of the district bears to the assessed valuation of the entire district on the date the annexation ordinance becomes effective.

The annual payments to the rural fire department are calculated as follows: The rural fire department certifies to the municipality annually the amount that will be expended for debt payments to be shared by the municipality. That amount is multiplied by a percentage determined by dividing the assessed valuation of the annexed area by the assessed valuation of the district. Valuations are to be fixed as of the effective date of the annexation ordinance.

Calculation formula:

$$\begin{array}{rcl}
 \text{Amount of annual} & & \text{Assessed valuation of} & & \text{Municipality's} \\
 \text{payment on district} & \times & \text{area of district annexed} & = & \text{annual debt} \\
 \text{debt for facilities} & & \text{Assessed valuation of} & & \text{payment} \\
 \text{and/or equipment} & & \text{district} & &
 \end{array}$$

See sample Rural Fire Department Debt Information Form, p. 1-15.

- (2) LGC Approval. The municipality and the rural fire department shall jointly present a payment schedule to the Local Government Commission for approval and no payment may be made until such schedule is approved. The LGC shall approve a payment schedule agreed upon between the municipality and the rural fire department in cases where the assessed valuation of the district may not readily be determined, if there is a reasonable basis for the agreement.
- (3) Deminimus Exception. The statute does not apply in any calendar year where the municipality's share of annual debt payments for all voluntary annexations during that year does not exceed one hundred dollars (\$100).
- (4) Information to be Provided by Rural Fire Department. The rural fire department is required to make available to the municipality, within thirty (30) days following the municipality's written request, information concerning any such outstanding debt. If the rural fire department fails to respond within forty-five (45) days following receipt of the written request, it forfeits its rights for reimbursement. The municipality must include in its written request reference to the section containing this requirement (G.S. 160A-31.1 for contiguous annexations; G.S.

160A-58.2A for satellite annexations) or no forfeiture will occur. (See sample Request for Debt Information, p. 1-14).

- (5) Contracting with Rural Fire Departments. If the municipality wishes to contract with the rural fire department for provision of fire protection in the annexed area, it should take into consideration the assumption of debt requirement in determining the amount to be paid under the contract. Contracting with the rural fire department will not waive the obligation to pay a portion of the department's debt.
- (6) Fire Protection District Tax Refunds. G.S. 69-25.15; G.S. 153A-304.1. If the newly annexed area is located in a rural fire protection district or a county fire protection service district and the municipality furnishes fire protection to its citizens, the municipality may be required to reimburse property owners for a prorated portion of the fire protection district taxes they have paid for the fiscal year in which the annexation occurs. See Chapter 8 of this publication.

Judicial Review

The statutes do not provide for judicial review of petitioned annexations. Although property owners in the annexed area and residents of the municipality have the right to be heard at the public hearing, they do not have the right to appeal. *See Joyner v. Town of Weaverville, 94 N.C. App. 588 (1989).*

Procedures Following Adoption of Ordinance

- (1) Notice of Adoption. Although not required by law, it is recommended that notice of the adoption of the annexation ordinance be published. (See sample Notice of Adoption of Annexation Ordinance, p. 1-20).
- (2) Recordation. The annexation must be properly recorded with the appropriate board of elections, the register of deeds and the Secretary of State, as well as in the municipal clerk's office. Population information must be reported to the Office of State Planning. See Chapter 7 of this publication.
- (3) Voting Rights Act. Where applicable, the municipality must file with the U.S. Department of Justice for Voting Rights Act preclearance. See Chapter 6 of this publication.

Applicability of Laws to the Annexed Area

- (1) Generally. From and after the effective date of the annexation, the annexed area, its citizens and property are subject to all debts, laws, ordinances and regulations of the annexing municipality, and are entitled to the same privileges and benefits as other parts of the municipality.
- (2) Taxation. Areas annexed with an effective date other than June 30 are subject to proration of property taxes according to a statutory formula. The municipality may also have an obligation to reimburse property owners for fire protection district taxes. Chapter 8 of this publication provides details on these municipal taxation issues.

- (3) Zoning. G.S. 160A-360(f). When a municipality annexes an area regulated by the county, the county zoning and planning regulations and powers of enforcement remain in effect until (a) the municipality has adopted regulations for the area or (b) a period of sixty (60) days has elapsed following the annexation, whichever is sooner. During this period the municipality may hold hearings and take any other measures that may be required in order to adopt its regulations for the area. As noted previously, the municipal zoning vested rights ordinance may provide that any zoning vested rights acquired prior to annexation are extinguished unless expressly declared on the annexation petition.



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
Charles Byrd

ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF ERWIN, NORTH CAROLINA ORD 2021-2022: 005

WHEREAS, the Mayor and Board of Commissioners of the Town of Erwin has been petitioned under G. S. 160A-31 to annex the area described below; and

WHEREAS, the Mayor and Board of Commissioners of the Town of Erwin has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Erwin Municipal Building Town Hall, at 7:00 PM on Thursday, **April 7, 2022**, after due notice by The Daily Record on Tuesday, **March 29, 2022**; and

WHEREAS, the Mayor and Board of Commissioners of the Town of Erwin finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Commissioners of Town of Erwin, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Erwin as of _____, **20**_____:

127 Red Hill Church Rd

Section 2. Upon and after _____, **20**_____, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Erwin and shall be entitled to the same privileges and benefits as other parts of the Town of Erwin. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Erwin shall cause to be recorded in the office of the Register of Deeds of Harnett County and the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be

delivered to the County Board of Elections, as required by G.S. 163.288.1.

Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Erwin.

ADOPTED, this 7th Day of April, 2022.

Patsy M. Carson
Mayor

ATTEST:

APPROVED AS TO FORM:

Lauren Evans
Town Clerk

Timothy C. Morris, PA
Town Attorney

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

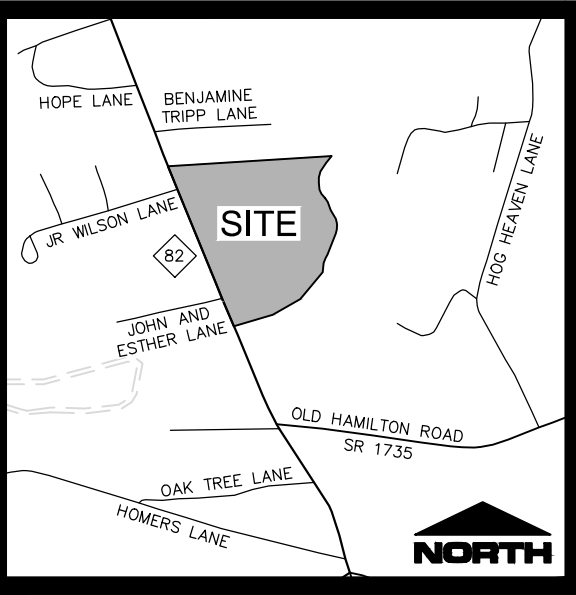
To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 7, 2022

Subject: Schabert Crossing Final Plat

The Town has received the final proposed subdivision plat for Schabert Crossing. The proposed subdivision is for a 34 lot subdivision. The water lines have been installed. They have submitted a soils report that is included in this packet for the septic tanks to serve each home. The permits have been approved by the North Carolina Department of Transportation and the roads have been installed in this development.



VICINITY MAP
NOT TO SCALE

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	39.27	25.00	S67°22'15"E	35.36
C2	106.34	325.00	S77°00'09"W	105.87
C3	39.27	25.00	N41°22'34"E	35.36
C4	39.27	25.00	N48°37'26"W	35.36
C5	39.27	25.00	S41°22'34"W	35.36
C6	39.27	25.00	N48°37'26"W	35.36
C7	89.98	275.00	S77°00'09"W	89.58
C8	39.27	25.00	S22°37'45"W	35.36
C9	39.27	25.00	S48°37'26"E	35.36
C10	39.27	25.00	S41°22'34"W	35.36
C11	39.27	25.00	N48°37'26"W	35.36
C12	39.27	25.00	N41°22'34"E	35.36

REVISIONS

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCE, OR SALES

PROJECT NAME

SCHABERT CROSSING SUBDIVISION

PIN 0596-94-5428.000
 NC 82
 DUKE TOWNSHIP
 TOWN OF ERWIN
 HARNETT COUNTY
 NORTH CAROLINA

CLIENT

STOUT LAND DEVELOPMENT, LLC

1786 Metromedical Drive
 Fayetteville, North Carolina 28304
 Phone: (910) 779-0019

PROJECT INFORMATION

SURVEYED BY:	CLIFF
DRAWN BY:	SEAN
CHECKED BY:	JIMMY
PROJECT NUMBER:	1750

DRAWING SCALE

HORIZONTAL: 1"=100'

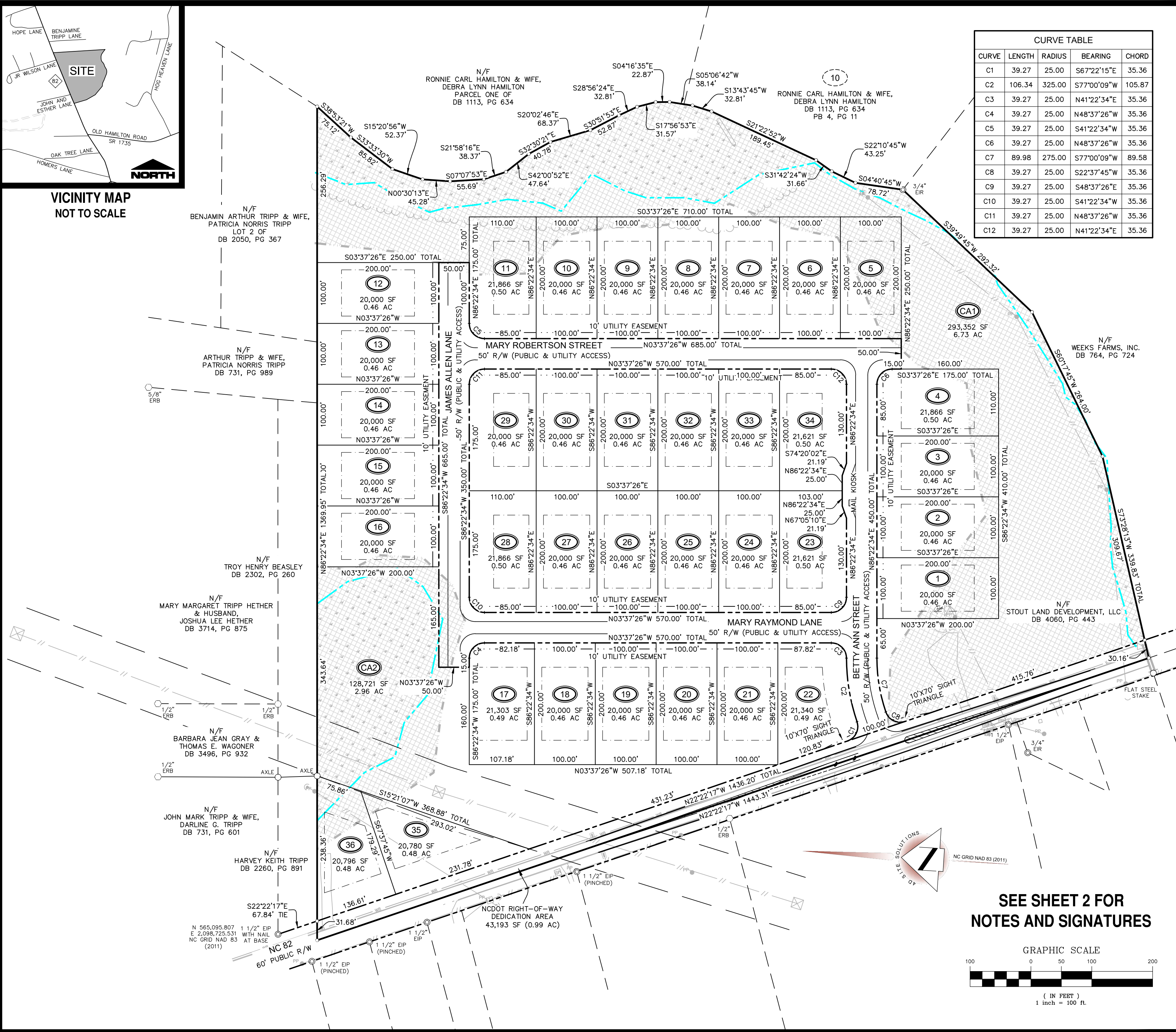
DATE SURVEYED

JANUARY 11, 2021

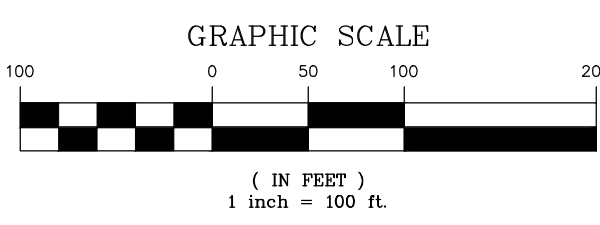
SHEET NUMBER

1

OF 165



SEE SHEET 2 FOR NOTES AND SIGNATURES



I:\Ben Shout Construction\1750-Schabert Crossing\CIVIL_3DDWG\MAPS\1750-SUBDIVISION MAP.dwg • SUBDIVISION MAP SHEET ONE • 2.17.2021 12:14:09 PM

I, HEREBY CERTIFY THAT THE DEVELOPMENT DEPICTED HEREON HAS BEEN GRANTED FINAL APPROVAL BY THE HARNETT COUNTY DEVELOPMENT REVIEW BOARD TO THE REGULATIONS SET FORTH BY E-911 ADDRESSING, ENVIRONMENTAL HEALTH, FIRE MARSHAL, PLANNING AND PUBLIC UTILITIES OF HARNETT COUNTY, NORTH CAROLINA, SUBJECT TO RECORDATION IN THE HARNETT COUNTY OFFICE OF REGISTER OF DEEDS WITHIN THIRTY DAYS OF THE DATE BELOW.

APPROVED _____ DATE _____
DEVELOPMENT REVIEW CHAIRMAN

CERTIFICATE OF IMPROVEMENTS MAINTENANCE

I HEREBY CERTIFY THAT I ASSUME ALL FINANCIAL AND LEGAL RESPONSIBILITIES FOR THE MAINTENANCE AND UPKEEP OF ALL STREETS AND OTHER REQUIRED IMPROVEMENTS IN THE SCHABERT CROSSING SUBDIVISION UNTIL SUCH TIME THAT THEY ARE ACCEPTED FOR MAINTENANCE BY THE NCDOT.

DATE _____ OWNER _____

NOTES:

- ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
- COMBINED SCALE FACTOR: 0.99987295
LOCALIZATION POINT N: 564,359.557 E: 2,098,952.893
CONTROL ESTABLISHED VIA NORTH CAROLINA GEODETIC SURVEY VIRTUAL REFERENCE SYSTEM.
- THE HORIZONTAL AND VERTICAL CONTROL FOR THIS SURVEY WERE ESTABLISHED USING THE NORTH CAROLINA GEODETIC SURVEY VIRTUAL REFERENCE SYSTEM.
- LINE NOT SURVEYED ARE SHOWN AS DASHED LINES FROM INFORMATION REFERENCED ON THE FACE OF THIS MAP.
- NONCONFORMING STRUCTURES HAVE NOT BEEN CREATED BY THIS SURVEY.
- THIS SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE SEARCH AND IS BASED ON REFERENCED INFORMATION SHOWN HERE ON. OTHER DOCUMENTS OF RECORD MAY EXIST WHICH COULD AFFECT THIS PROPERTY. NO RESPONSIBILITY IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN OR REFERENCED HERE ON, SUCH AS BUT NOT LIMITED TO HAZARDOUS WASTE MATERIALS, EASEMENTS, CEMETERIES, AND FLOOD AREAS.
- THIS PROPERTY LIES WITHIN FLOOD ZONE "X" ACCORDING TO MAP# 3720059600J OF THE FLOOD INSURANCE RATE, DATED OCTOBER 3, 2006.
- THE WETLANDS DELINEATION WAS PROVIDED BY:
SOUTHEASTERN SOIL & ENVIRONMENTAL ASSOCIATES, INC.
P.O. BOX 9321
FAYETTEVILLE, NORTH CAROLINA 28311
PHONE: 910-822-4540
FAX: 910-822-4540
DATED DECEMBER 8, 2020
- THIS DEVELOPMENT WAS DESIGNED IN ACCORDANCE WITH COMPATIBILITY DESIGN CONCEPT STANDARDS.
- TOTAL LOTS: 36
- 0.85 LOTS PER ACRE.
- OPEN SPACE IS TO BE MAINTAINED BY THE HOA.
- THE STREET LIGHTING WILL COMPLY WITH SECTION 7.3 OF THE HARNETT COUNTY UDO. STREET LIGHT LOCATIONS SHOWN ARE FOR PERMITTING PURPOSES ONLY.
- FIRE HYDRANTS WILL BE PRESENT IN ACCORDANCE WITH SECTION 6.4 OF THE HARNETT COUNTY UDO.
- SUBDIVISION INTERIOR ROADS ARE 20' IN WIDTH.
- THERE SHALL BE NO LAND DISTURBANCE WITHIN ANY DESIGNATED WETLANDS AREAS ON-SITE.
- MINIMUM LOT WIDTH = 100'
- THE MAXIMUM IMPERVIOUS AREA PER LOT IS X,XXX SF.
- LAND USE CLASSIFICATION = XXXXXX
- THIS DEVELOPMENT IS WITHIN ONE MILE OF A VOLUNTARY AGRICULTURAL DISTRICT.
- INDIVIDUAL HOME OWNERS ARE RESPONSIBLE FOR MAINTAINING ANY LANDSCAPING BUFFER THAT IS LOCATED ON THE LOT.
- MAIL KIOSK TO BE MAINTAINED BY THE HOA.
- ONLY NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVED STRUCTURES ARE TO BE CONSTRUCTED ON THE PUBLIC RIGHT OF WAY.
- ALL DRAINAGE EASEMENTS ARE DEDICATED AS PUBLIC AND IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS TO MAINTAIN THE DRAINAGE STRUCTURES THEREIN, SO AS TO MAINTAIN THE INTEGRITY OF THE DRAINAGE SYSTEM AND INSURE POSITIVE DRAINAGE.
- THE LINEAR FEET OF ROADS IS AS FOLLOWS:
ROAD NAME TOTAL LENGTH
BETTY ANN STREET 653 FT
MARY ROBERTSON STREET 735 FT
JAMES ALLEN LANE 665 FT
MARY RAYMOND LANE 670 FT
TOTAL 2,723 FT

I, SEAN R. SEEVER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____, PAGE _____); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK _____, PAGE _____ OR OTHER REFERENCE SOURCE _____; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 23rd DAY OF _____, 2022.

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCE, OR SALES
PROFESSIONAL LAND SURVEYOR - L-4571

PUBLIC PLAT DECLARATION

ALL ROADS IN THIS SUBDIVISION ARE HEREBY DECLARED PUBLIC. THE MAINTENANCE OF ALL STREETS AND ROADS IN THIS SUBDIVISION SHALL BE THE RESPONSIBILITY OF _____ AND IT

SHALL BE THEIR RESPONSIBILITY TO BRING SUCH STREETS UP TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION BEFORE ANY STREETS ON THIS PLAT ARE ADDED INTO THE NORTH CAROLINA STATE HIGHWAY SYSTEM. IF THE DISTRICT ENGINEER HAS NOT RECOMMENDED THAT THE N.C. DEPARTMENT OF TRANSPORTATION ACCEPT MAINTENANCE RESPONSIBILITY FOR THE REQUIRED PUBLIC ROAD IMPROVEMENTS BY THE TIME THAT THE COUNTY HAS ISSUED BUILDING PERMITS FOR SEVENTY-FIVE PERCENT (75%) OF THE LOTS SHOWN ON THE RECORD PLAT, THE COUNTY SHALL NOT ISSUE ANY MORE BUILDING PERMITS UNTIL THE DISTRICT ENGINEER MAKES SUCH A RECOMMENDATION AND FORMALLY NOTIFIES THE SUBDIVISION ADMINISTRATOR.

I HEREBY CERTIFY THAT STORMWATER CONVEYANCE AND CONTROL MEASURES HAVE BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS TO THE BEST OF OUR ABILITIES. DUE CARE AND DILIGENCE WERE USED IN OBSERVATION AND CONSTRUCTION SUCH THAT CONSTRUCTION WAS OBSERVED TO BE BUILT WITHIN SUBSTANTIAL COMPLIANCE OF THE PERMIT AND OTHER SUPPORTING MATERIALS.

DATE _____ OWNER'S SIGNATURE _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF HARNETT COUNTY AND THAT I HEREBY ADOPT THIS PLAN OF THE SUBDIVISION WITH MY FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED. FURTHERMORE, I HEREBY DEDICATE ALL WATER LINES TO THE COUNTY OF HARNETT.

DATE _____ OWNER'S SIGNATURE _____

_____ COUNTY, NORTH CAROLINA

I, _____, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT

PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP AND SEAL, THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

I, SEAN R. SEEVER, CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCE, OR SALES
PROFESSIONAL LAND SURVEYOR - L-4571

**STATE OF NORTH CAROLINA
COUNTY OF HARNETT**

I, _____ REVIEW OFFICER OF HARNETT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE: _____ REVIEW OFFICER _____

HARNETT COUNTY, NORTH CAROLINA
FILED FOR REGISTRATION ON THE _____ DAY OF _____ AT _____ (AM/PM) AND DULY RECORDED IN MAP BOOK _____ AT PAGE _____

REGISTER OF DEEDS OF HARNETT COUNTY

**DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS**

PROPOSED SUBDIVISION ROAD
CONSTRUCTION STANDARDS CERTIFICATION

APPROVED _____ DISTRICT ENGINEER _____

DATE _____

**ACCEPTED FOR THE NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS**

BY: _____ DISTRICT ENGINEER _____

DATE _____

LEGEND:

- EIP EIP-EXISTING IRON PIPE
- EIR EIR-EXISTING IRON ROD
- SRB SRB-SET REBAR
- COMPUTED POINT
- N/F - NOW OR FORMERLY
- R/W - RIGHT OF WAY
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- RIGHT-OF-WAY
- SETBACK LINE
- STORM DRAINAGE
- WATER LINE
- OVERHEAD UTILITY
- WETLANDS
- PERMANENT EASEMENT
- TREE LINE
- PROPOSED EASEMENT
- SIGN
- MAILBOX
- UTILITY POLE
- GUY WIRE
- TELEPHONE PEDESTAL
- WATER VALVE
- FIRE HYDRANT
- WATER METER
- HARDWOOD TREE
- GRAVEL
- ASPHALT
- WETLANDS

AREA: (BY COORDINATE COMPUTATION)
1,331,680 SF (30.57 AC)

PIN: 0596-94-5428.000

TOWNSHIP: DUKE

ZONING: RD (RURAL DISTRICT)

40' FRONT
12' SIDE
40' REAR

SOURCE OF TITLE
DB 4060, PG 443
HARNETT COUNTY
REGISTER OF DEEDS

REVISIONS

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCE, OR SALES

PROJECT NAME

**SCHABERT
CROSSING
SUBDIVISION**

PIN 0596-94-5428.000
NC 82
DUKE TOWNSHIP
TOWN OF ERWIN
HARNETT COUNTY
NORTH CAROLINA

CLIENT

**STOUT LAND
DEVELOPMENT,
LLC**

1786 Metromedical Drive
Fayetteville, North Carolina 28304
Phone: (910) 779-0019

PROJECT INFORMATION

SURVEYED BY:	CLIFF
DRAWN BY:	SEAN
CHECKED BY:	JIMMY
PROJECT NUMBER:	1750

DRAWING SCALE

HORIZONTAL: 1"=100'

DATE SURVEYED

JANUARY 11, 2021

SHEET NUMBER

2

PRELIMINARY PLAN

PROJECT NAME
SCHABERT CROSSING SUBDIVISION

PN 0595-94-5425.00
NC 82
DUKE TOWNSHIP
TOWN OF ERWIN
HARRIS COUNTY
NORTH CAROLINA

CLIENT
STOUT LAND DEVELOPMENT, LLC

1725 Metropolitan Drive
 Raleigh, NC 27604
 Phone: (919) 778-0010

PROJECT INFORMATION

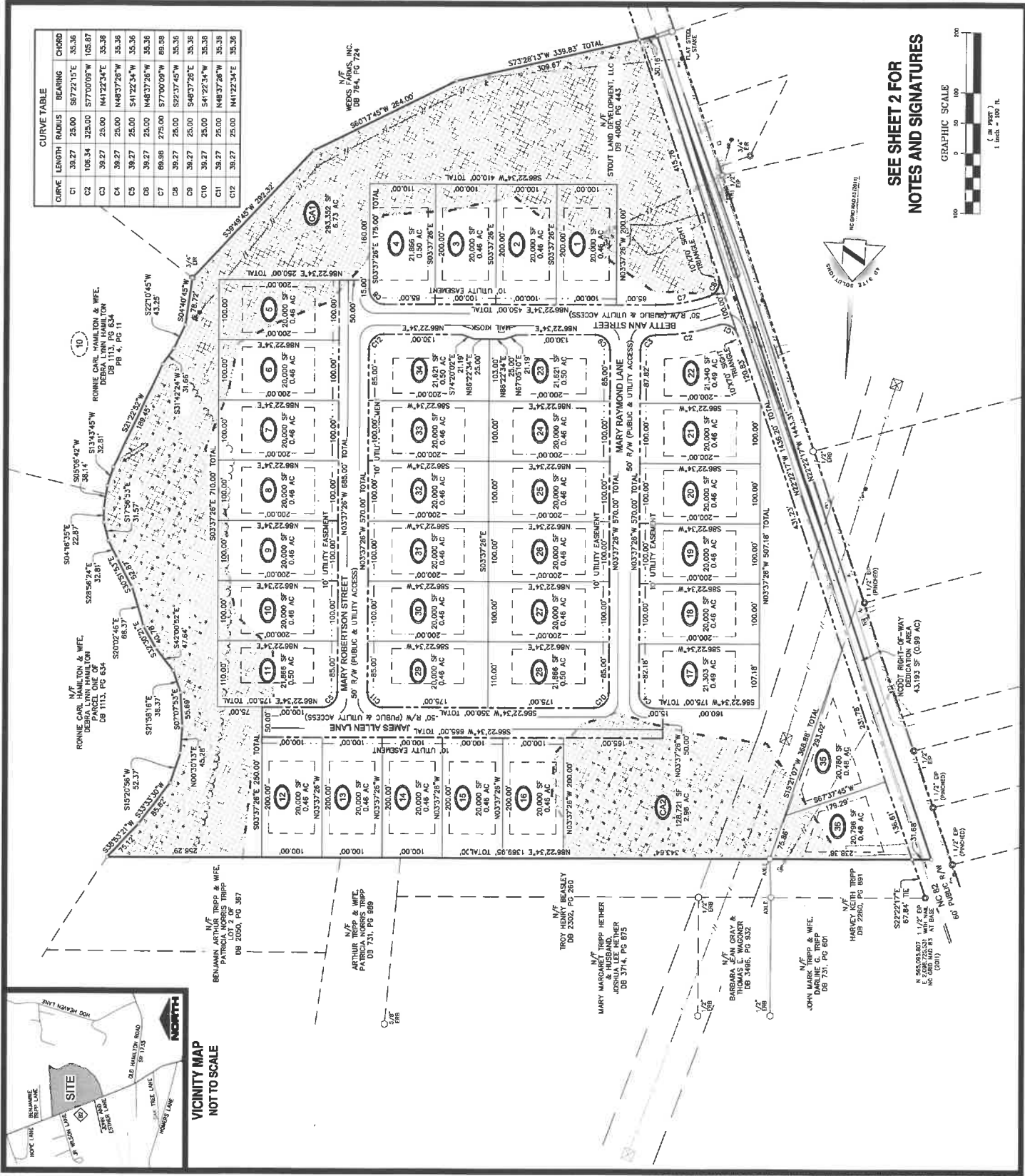
SURVEYED BY:	CLIFF
DRAWN BY:	SEAN
CHECKED BY:	JIMMY
PROJECT NUMBER:	1750

DRAWING SCALE
 HORIZONTAL: 1"=100'

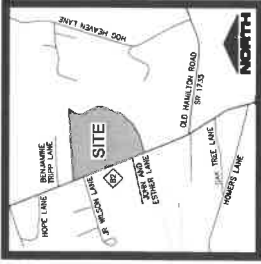
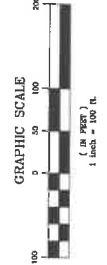
DATE SURVEYED
 JANUARY 11, 2021

SHEET NUMBER
 1

CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	39.27	25.00	S87°22'15"E	35.36
C2	105.34	325.00	S77°00'09"W	105.97
C3	39.27	25.00	N41°22'34"E	35.36
C4	39.27	25.00	N48°37'26"W	35.36
C5	39.27	25.00	S41°22'34"W	35.36
C6	39.27	25.00	N48°37'26"E	35.36
C7	66.98	275.00	S77°00'09"W	60.99
C8	39.27	25.00	S22°37'45"W	35.36
C9	39.27	25.00	S49°37'26"E	35.36
C10	39.27	25.00	S41°22'34"W	35.36
C11	39.27	25.00	N48°37'26"E	35.36
C12	39.27	25.00	N41°22'34"E	35.36



SEE SHEET 2 FOR NOTES AND SIGNATURES





4Dsite solutions
Civil Engineering / Land Surveying
1788 Metropolitan Drive
Fayetteville, North Carolina 28304
Phone: (810) 779-0018

REVISIONS

PRELIMINARY PLAT

PROJECT NAME
**SCHABERT
CROSSING
SUBDIVISION**

PIN 0596-94-5428.000
NC 82
DUKE TOWNSHIP
TOWN OF ERWIN
HARNETT COUNTY
NORTH CAROLINA

CLIENT
**STOUT LAND
DEVELOPMENT,
LLC**

1788 Metropolitan Drive
Fayetteville, North Carolina 28304
Phone: (810) 779-0018

PROJECT INFORMATION

SURVIVED BY:	CLIFF
DRAWN BY:	SEAN
CHECKED BY:	JIMMY
PROJECT NUMBER:	1760

DRAWING SCALE

HORIZONTAL: 1"=100'

DATE SURVEYED

JANUARY 11, 2021

SHEET NUMBER

2 OF 2

STATE OF NORTH CAROLINA
COUNTY OF HARNETT

HARNETT COUNTY, CERTIFY THAT THE REVIEW OFFICER OF WHICH THIS CERTIFICATE IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE: _____ REVIEW OFFICER: _____

HARNETT COUNTY, NORTH CAROLINA
FILED FOR RECORDATION ON THE _____ DAY
OF _____ (M/A/J/T/A) AND GULY
RECORDED IN MAP BOOK _____ AT PAGE _____

REGISTER OF DEEDS OF HARNETT COUNTY

DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

PROPOSED SUBDIVISION ROAD
CONSTRUCTION STANDARDS CERTIFICATION

APPROVED _____ DISTRICT ENGINEER

DATE _____

ACCEPTED FOR THE NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

BY: _____ DISTRICT ENGINEER

DATE _____

- LEGEND:
- EP - EXISTING IRON PIPE
 - ER - EXISTING IRON ROD
 - SR - SRB-SET REBAR
 - CP - COMPUTED POINT
 - N/W - NOW OR FORMERLY
 - R/W - RIGHT OF WAY
 - ADJACENT PROPERTY LINE
 - SETBACK LINE
 - STORM DRAINAGE
 - WATER LINE
 - OVERHEAD UTILITY
 - WETLANDS
 - PERMANENT EASEMENT
 - TREE LINE
 - PROPOSED EASEMENT
 - UTILITY POLE
 - GULY WALK
 - TELEPHONE PEDESTAL
 - WATER VALVE
 - FIRE HYDRANT
 - WATER METER
 - HARDWOOD TREE
 - GRASS
 - ASPHALT
 - WETLANDS

AREA: (BY COORDINATE COMPUTATION)
1,331,680 SF (30.57 AC)

EDM: 0996-94-5428.000

TOWNSHIP: DUKE

ZONING: RD (RURAL DISTRICT)

40' FRONT
12' SIDE
40' REAR

SOURCE OF TITLE
DE 4060, PG 443
HARNETT COUNTY
REGISTER OF DEEDS

PUBLIC PLAT DECLARATION

ALL ROADS IN THIS SUBDIVISION ARE HEREBY DECLARED TO BE PUBLIC ROADS. THE DESIGN, CONSTRUCTION AND MAINTENANCE OF THESE ROADS SHALL BE THE RESPONSIBILITY OF THE SUBDIVISION. THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, BEFORE ANY STREETS ARE OPENED TO TRAFFIC, SHALL BE THE STANDARD FOR THESE ROADS. THE DISTRICT ENGINEER HAS NOT RECOMMENDED THAT THE N.C. DEPARTMENT OF TRANSPORTATION ISSUE PERMITS FOR THE ROAD IMPROVEMENTS FOR THE REQUIRED PUBLIC ROAD IMPROVEMENTS BY THE TIME THAT THE COUNTY HAS ISSUED BUILDING PERMITS FOR THE SUBDIVISION. THE COUNTY SHALL NOT ISSUE ANY MORE BUILDING PERMITS UNTIL THE DISTRICT ENGINEER HAS REVIEWED THE ROAD IMPROVEMENTS AND FORMALLY NOTIFIED THE SUBDIVISION ADMINISTRATION.

I, HEREBY CERTIFY THAT STORMWATER CONVEYANCE AND CONTROL MEASURES HAVE BEEN COMPLETED IN ACCORDANCE WITH THE DESIGN SPECIFICATIONS AND SPECIFICATIONS TO THE BEST OF OUR ABILITIES. DUE CARE AND DILIGENCE WERE USED IN OBSERVATION AND MEASUREMENT. THE MEASUREMENTS WERE CONSIDERED TO BE BUILT WITH SUBSTANTIAL COMPLIANCE OF THE PERMIT AND OTHER SUPPORTING MATERIALS.

DATE _____ OWNER'S SIGNATURE _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF HARNETT COUNTY, NORTH CAROLINA. I HEREBY DEDICATE ALL BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, EASEMENTS TO PUBLIC OR PRIVATE USE, AS NOTED. FURTHERMORE, I HEREBY DEDICATE ALL WATER LINES TO THE COUNTY OF HARNETT.

DATE _____ OWNER'S SIGNATURE _____

COUNTY, NORTH CAROLINA

THE COUNTY AND STATE AFORESAID, CERTIFY THAT

PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENTS, WITNESSED AND AFFIXED MY SEAL, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

I, HEREBY CERTIFY THAT THE DEVELOPMENT DESIGNED HEREON HAS BEEN GRANTED FINAL APPROVAL BY THE HARNETT COUNTY DEVELOPMENT BOARD TO THE REGULATIONS SET FORTH BY E-811 ADDRESSING ENVIRONMENTAL HEALTH, FIRE MARSHAL PLANNING AND PUBLIC UTILITIES OF HARNETT COUNTY, NORTH CAROLINA, SUBJECT TO RECORDATION DATE BELOW.

APPROVED _____ DEVELOPMENT REVIEW CHAIRMAN _____ DATE _____

CERTIFICATE OF IMPROVEMENTS MAINTENANCE

I, HEREBY CERTIFY THAT I ASSUME ALL FINANCIAL AND LEGAL RESPONSIBILITIES FOR THE MAINTENANCE OF THE IMPROVEMENTS SHOWN ON THIS PLAT. I HEREBY CERTIFY THAT I WILL MAINTAIN AND MAINTAINANCE BY THE NCDD.

DATE _____ OWNER _____

NOTES:

1. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
2. COMBINED SCALE FACTOR: 0.9987295 = 0.998565883
3. CONTROL ESTABLISHED VIA NORTH CAROLINA GEODETIC SURVEY VIRTUAL REFERENCE SYSTEM. VERTICAL CONTROL FOR THIS SURVEY WERE ESTABLISHED USING THE NORTH CAROLINA GEODETIC SURVEY VIRTUAL REFERENCE SYSTEM.
4. LINES NOT SURVEYED ARE SHOWN AS DASHED LINES FROM INFORMATION.
5. NONCONFORMING STRUCTURES HAVE NOT BEEN CREATED BY THIS SURVEY.
6. THIS SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE SEARCH AND IS BASED ON THE RECORD INFORMATION AVAILABLE TO ME. I AM NOT RESPONSIBLE FOR RECORD INFORMATION WHICH COULD AFFECT THIS PROPERTY. NO RESPONSIBILITY IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST ON THE PROPERTY, INCLUDING BUT NOT LIMITED TO, HAZARDOUS WASTE MATERIALS, EASEMENTS, EASEMENTS, AND FLOOD AREAS.
7. THIS PROPERTY LIES WITHIN FLOOD ZONE "X" ACCORDING TO MAP# 3720089800 SOUTH-EASTERN SOIL & ENVIRONMENTAL ASSOCIATES, INC.
8. THE WETLANDS DELINEATION WAS PROVIDED BY: FAYETTEVILLE, NORTH CAROLINA 28311 PHONE: 910-822-4840
9. THIS DEVELOPMENT WAS DESIGNED IN ACCORDANCE WITH COMPATIBILITY DESIGN DATED DECEMBER 8, 2020
10. TOTAL AREA: 1,331,680 SF
11. 0.95 ACRES PER ACRE.
12. THE STREET LIGHT LOCATIONS SHOWN ARE FOR PERMITTING PURPOSES ONLY.
13. UDD. STREET LIGHT LOCATIONS SHOWN ARE FOR PERMITTING PURPOSES ONLY.
14. THIS DEVELOPMENT SHALL BE PRESENT IN ACCORDANCE WITH SECTION 8.4 OF THE HARNETT COUNTY UDD.
15. HARNETT INTERIOR ROADS ARE 20' IN WIDTH.
16. SHARED DRIVEWAY AREAS ARE 10' WIDE.
17. MINIMUM LOT WIDTH = 100'
18. LAND USE CLASSIFICATION: X-V-V.
19. THIS DEVELOPMENT IS WITHIN ONE MILE OF A VOLUNTARY AGRICULTURAL BUFFER.
20. INDIVIDUAL HOME OWNERS ARE RESPONSIBLE FOR MAINTAINING ANY LANDSCAPING BUFFER THAT IS LOCATED ON THE LOT.
21. ONLY NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVED STRUCTURES ARE TO BE CONSTRUCTED ON THE PUBLIC RIGHT OF WAY.
22. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR MAINTAINING THE DRAINAGE RESPONSIBILITY OF THE PROPERTY OWNERS TO MAINTAIN THE DRAINAGE STRUCTURES THEREON, SO AS TO MAINTAIN THE INTEGRITY OF THE DRAINAGE SYSTEM.
23. THE LINEAR FEET OF ROADS IS AS FOLLOWS:
ROAD NAME TOTAL LENGTH
MARY ROBERTSON STREET 735 FT
JAMES ALLEN LANE 665 FT
TOTAL 1,400 FT

I, SEAN R. SEEVER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK SHOWN, PAGE LEGEND, OR OTHER REFERENCE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK _____ PAGE _____ OR THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000+ THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS AS APPLICABLE TO THIS PLAT AND AS APPLICABLE TO THIS JURISDICTION.

PRELIMINARY PLAT

NOTARY PUBLIC (SEAN R. SEEVER) - 1760

I, SEAN R. SEEVER, CERTIFY THAT THE CONTROL FOR THIS SURVEY WAS OBTAINED THROUGH A GROUND ADJUSTMENT USING THE COMBINED SCALE FACTOR SHOWN HEREON. THIS SURVEY WAS PERFORMED ON 01-11-2021 USING TWO

PRELIMINARY PLAT

NOTARY PUBLIC (SEAN R. SEEVER) - 1760

PRELIMINARY PLAT

NOTARY PUBLIC (SEAN R. SEEVER) - 1760

PRELIMINARY PLAT

NOTARY PUBLIC (SEAN R. SEEVER) - 1760

PRELIMINARY PLAT

NOTARY PUBLIC (SEAN R. SEEVER) - 1760

PRELIMINARY PLAT

NOTARY PUBLIC (SEAN R. SEEVER) - 1760

PRELIMINARY PLAT

NOTARY PUBLIC (SEAN R. SEEVER) - 1760

PRELIMINARY PLAT

NOTARY PUBLIC (SEAN R. SEEVER) - 1760

Southeastern Soil & Environmental Associates, Inc.

P.O. Box 9321
Fayetteville, NC 28311
Phone/Fax (910) 822-4540
Email mike@southeasternsoil.com

March 24, 2020

Harnett County Health Department
307 Cornelius Harnett Blvd.
Lillington, N.C. 27546

Re: Soil evaluations and final septic recommendations, Lots 1 – 35, Schabert Crossing Subdivision, NC Hwy. 82, Harnett County, North Carolina

To whom it may concern,

A final soils investigation has been completed for each of the above referenced lots. The property is located on NC Hwy. 82 as shown on the accompanying map. The purpose of the investigation was to determine the ability of the soil to support any subsurface waste disposal system for each proposed lot. All ratings and determinations were made in accordance with "Laws and Rules for Sanitary Sewage Collection, Treatment, and Disposal, 15A NCAC 18A .1900".

Each lot appears to contain at least one area that meets minimum criteria for subsurface waste disposal systems for at least a typical (50' x 50') 3 bedroom home (may include the use of conventional drainlines, gravelless drainlines, low profile chamber, low pressure pipe, pumps, fill, large diameter pipe, French Drains, pretreatment, drip irrigation, etc.). Soil characteristics in the usable areas were dominantly provisionally suitable to at least 18 inches (fill, drip irrigation and/or pretreatment), 20 inches (low profile chamber) or 24 inches (conventional or LPP) including those specified in rules .1940, .1941, .1942, .1943, .1944 and .1945. A soil map indicating typical soil areas that meet these criteria is enclosed. Each of the lots appears to contain sufficient available space for a repair area for at least a typical 3 bedroom home (may include the use of any of the systems mentioned above).

Any or all lots may require specific design/layout on our part prior to action by the local health department due to space and soil considerations (at separate cost to client). Alternative systems (mentioned above) could be required on any lot to compensate for shallow unsuitable soil conditions. Specific house locations, house sizes, driveway locations and/or side entry garages may be required on any individual lot. There should be no grading, logging or other site disturbance in soil areas designated as usable for subsurface waste disposal until approved by the local health department (any site disturbance could remove soil and render the area unusable).

When evaluated, the soil areas designated as usable for subsurface waste disposal were dry to at least 24 inches. During wetter time periods, subsurface water could be found in any of these soil areas at shallower depths. The local health department has the authority to deny a permit to any soil where water saturates a soil boring. SSEA cannot be certain that this will not occur on any of these lots. If this occurs (and cannot be remedied with a French drain or other drainage), any of these lots could become unsuitable due to .1942 (soil wetness).

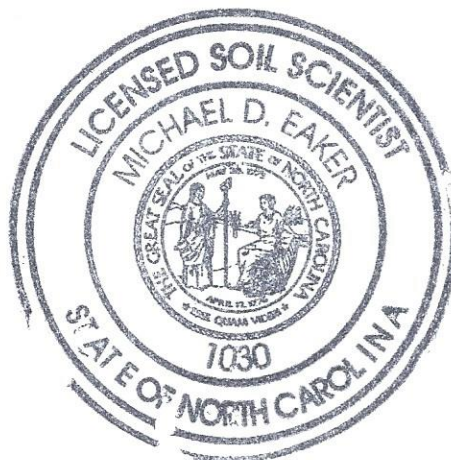
This report does not guarantee or warrant that a septic system will function for any specific length of time.

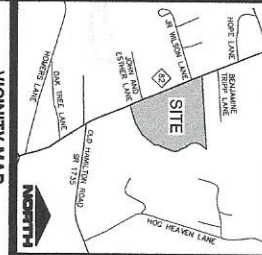
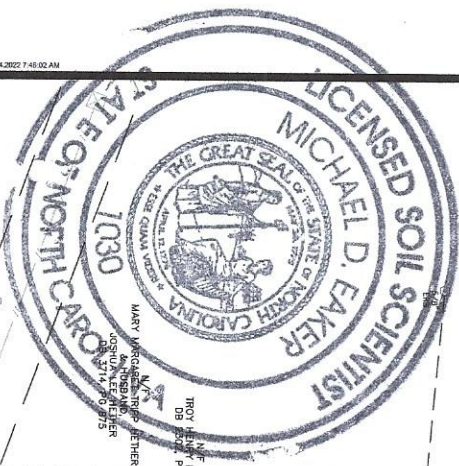
As with any property, this report does not guarantee, represent or imply approval or issuance of improvement permit as needed by the client from the local health department (as such, any potential buyers of these properties should obtain appropriate permits from the local health department prior to making and/or completing purchase obligations or financial commitments. Since professional opinions sometimes differ, an actual improvement permit issuance by the local health department is the only "guarantee" of a site's suitability for a buyers intended use.). This report only addresses rules in force at the time of evaluation. Permits will only be granted if the local health department concurs with the findings of this report. This report only represents my professional opinion as a licensed soil scientist. I trust this is the information you require at this time. If you have any questions, please call.

Sincerely,

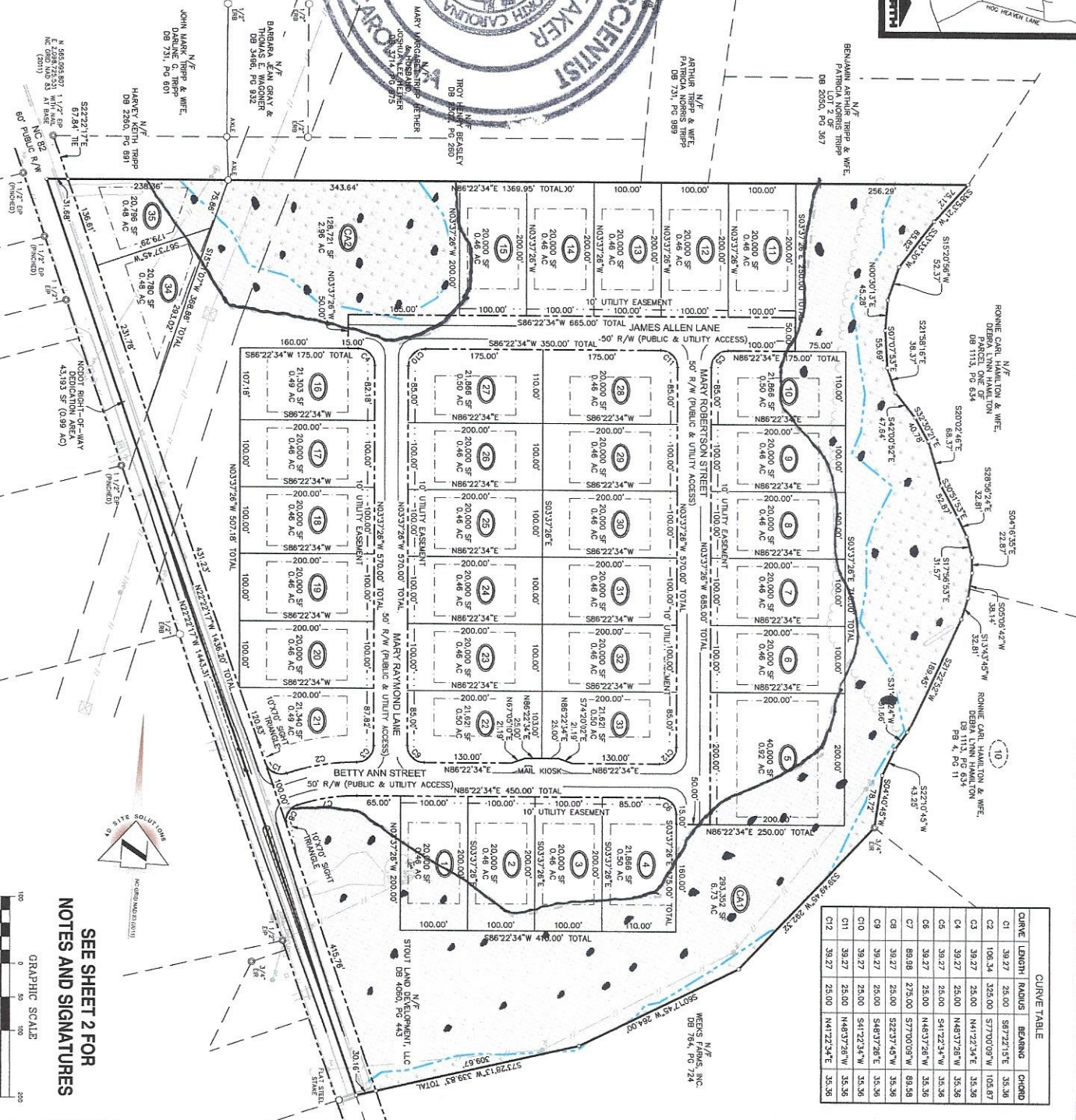


Mike Eaker
NC Licensed Soil Scientist





VICINITY MAP
NOT TO SCALE



CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	38.27	25.00	S87°22'15"E	35.36
C2	106.34	325.00	S77°00'09"W	104.87
C3	39.27	25.00	N41°22'34"E	35.36
C4	39.27	25.00	N48°37'28"W	35.36
C5	39.27	25.00	S41°22'34"W	35.36
C6	39.27	25.00	N48°37'28"W	35.36
C7	89.88	275.00	S77°00'09"W	88.58
C8	39.27	25.00	S22°37'45"W	35.36
C9	39.27	25.00	S48°37'28"E	35.36
C10	39.27	25.00	S41°22'34"W	35.36
C11	39.27	25.00	N48°37'28"W	35.36
C12	39.27	25.00	N41°22'34"E	35.36

= Provisionally Suitable Soil
 = Unsuitable Soil

SEE SHEET 2 FOR
NOTES AND SIGNATURES



PRELIMINARY PLAT
NOT FOR REDEVELOPMENT, CONVEYANCE, OR SALES

4D Site solutions
 4900 Douglas Drive, Suite 100, Raleigh, NC 27609
 919-487-4277 | 919-487-4277 | 919-487-4277
 www.4dsitesolutions.com

PROJECT NAME
SCHABERT CROSSING SUBDIVISION

CLIENT
STOUT LAND DEVELOPMENT, LLC

PROJECT INFORMATION

SURVEYED BY:	CLIFF
DRAWN BY:	SEAN
CHECKED BY:	JIMMY
PROJECT NUMBER:	1788

DRAWING SCALE
HORIZONTAL: 1"=100'

DATE SURVEYED
JANUARY 11, 2021

SHEET NUMBER
1

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

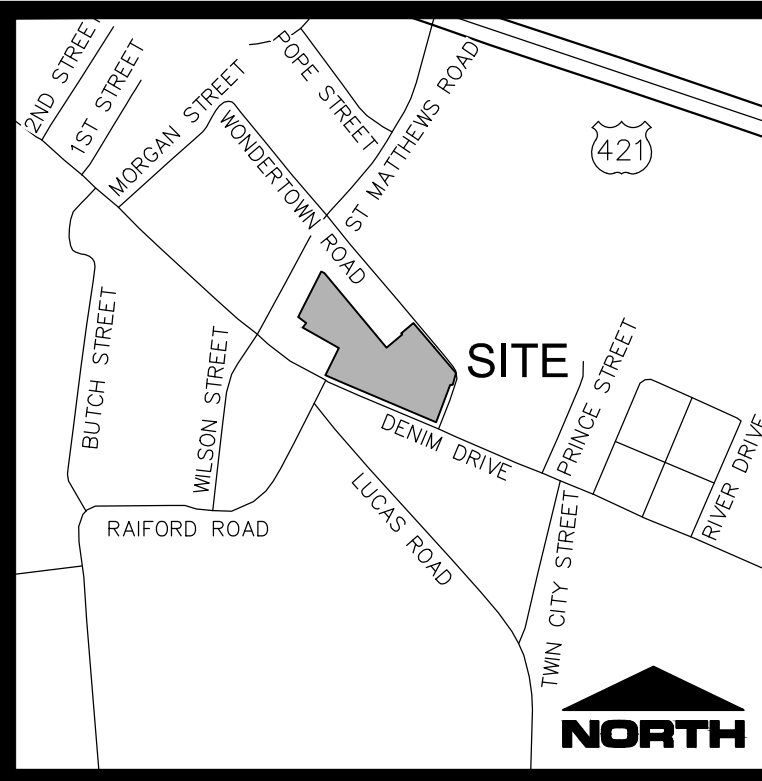
Date: April 7, 2022

Subject: Erwin Oaks Preliminary Subdivision Plat

The Town has received a preliminary subdivision for a property located in between Denim Drive and Wondertown Drive. The property is currently a nonconforming manufactured home park. The proposed subdivision would create 38 new lots with 36 lots being proposed to have a single-family structure being built on each individual lot.

The proposed subdivision will need to have a hardship variance approved for the street length to go on as it is currently being presented.

This is a preliminary subdivision review and not a final subdivision review. The final subdivision plat will be presented to the Town Board when the utilities have been installed and any other review that needs to be completed has been completed.



VICINITY MAP
NOT TO SCALE

- NOTES:**
- ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
 - COMBINED SCALE FACTOR: 0.99987329
LOCALIZATION POINT N: 571,412.056 E: 2,102,925.702
CONTROL ESTABLISHED VIA NORTH CAROLINA GEODETIC SURVEY VIRTUAL REFERENCE SYSTEM.
 - THE HORIZONTAL AND VERTICAL CONTROL FOR THIS SURVEY WERE ESTABLISHED USING THE NORTH CAROLINA GEODETIC SURVEY VIRTUAL REFERENCE SYSTEM.
 - LINE NOT SURVEYED ARE SHOWN AS DASHED LINES FROM INFORMATION REFERENCED ON THE FACE OF THIS MAP.
 - NONCONFORMING STRUCTURES HAVE NOT BEEN CREATED BY THIS SURVEY.
 - THIS SURVEY WAS DONE WITHOUT BENEFIT OF A TITLE SEARCH AND IS BASED ON REFERENCED INFORMATION SHOWN HERE ON. OTHER DOCUMENTS OF RECORD MAY EXIST WHICH COULD AFFECT THIS PROPERTY. NO RESPONSIBILITY IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN OR REFERENCED HERE ON, SUCH AS BUT NOT LIMITED TO HAZARDOUS WASTE MATERIALS, EASEMENTS, CEMETERIES, AND FLOOD AREAS.
 - LOCATIONS OF ALL UNDERGROUND UTILITIES LYING WITHIN THIS MAPPED AREA MAY NOT BE SHOWN ON THIS PLAN. DEVELOPERS OR CONTRACTORS SHOULD NOT ONLY MAKE SUBSURFACE INVESTIGATIONS BUT SHOULD ALSO ALLOW FOR CONTINGENCIES WHICH MIGHT ARISE BY REASON OF ENCOUNTERING UNRECORDED LINES OR OF LINES BEING IN DIFFERENT LOCATIONS THAN INDICATED ON THIS SURVEY.
 - THIS PROPERTY LIES WITHIN FLOOD ZONE "X" ACCORDING TO MAP# 3720150600J OF THE FLOOD INSURANCE RATE, DATED OCTOBER 3, 2006.

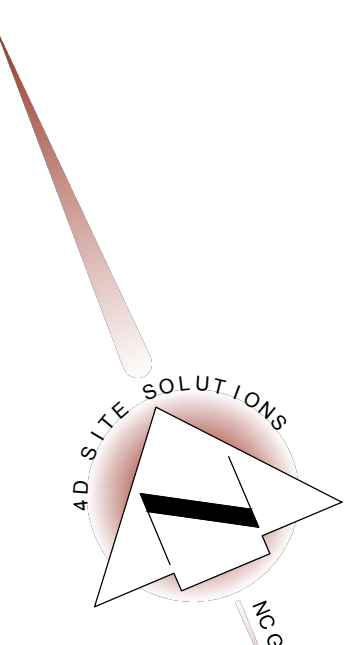
AREA: (BY COORDINATE COMPUTATION)
392,611 SF (9.01 AC)

PERMITS:
1507-31-4290.000
1507-31-7118.000
1507-31-5591.000
1507-31-8285.000
1507-31-9287.000
1507-41-0201.000
1507-41-1122.000

ZONING: R-6

25' FRONT
8' SIDE
25' REAR

SOURCE OF TITLE:
DB 2416, PG 976
HARNETT COUNTY
REGISTER OF DEEDS



REVISIONS

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCE, OR SALES

PROJECT NAME

**ERWIN OAKS
SUBDIVISION**

SITE PLAN

CLIENT

**STOUT LAND
DEVELOPMENT,
LLC**

1786 Metromedical Drive
Fayetteville, North Carolina 28304
Phone: (910) 779-0919

PROJECT INFORMATION

DESIGNED BY:	SEAN
DRAWN BY:	BRETT
CHECKED BY:	SCOTT
PROJECT NUMBER:	1823

DRAWING SCALE

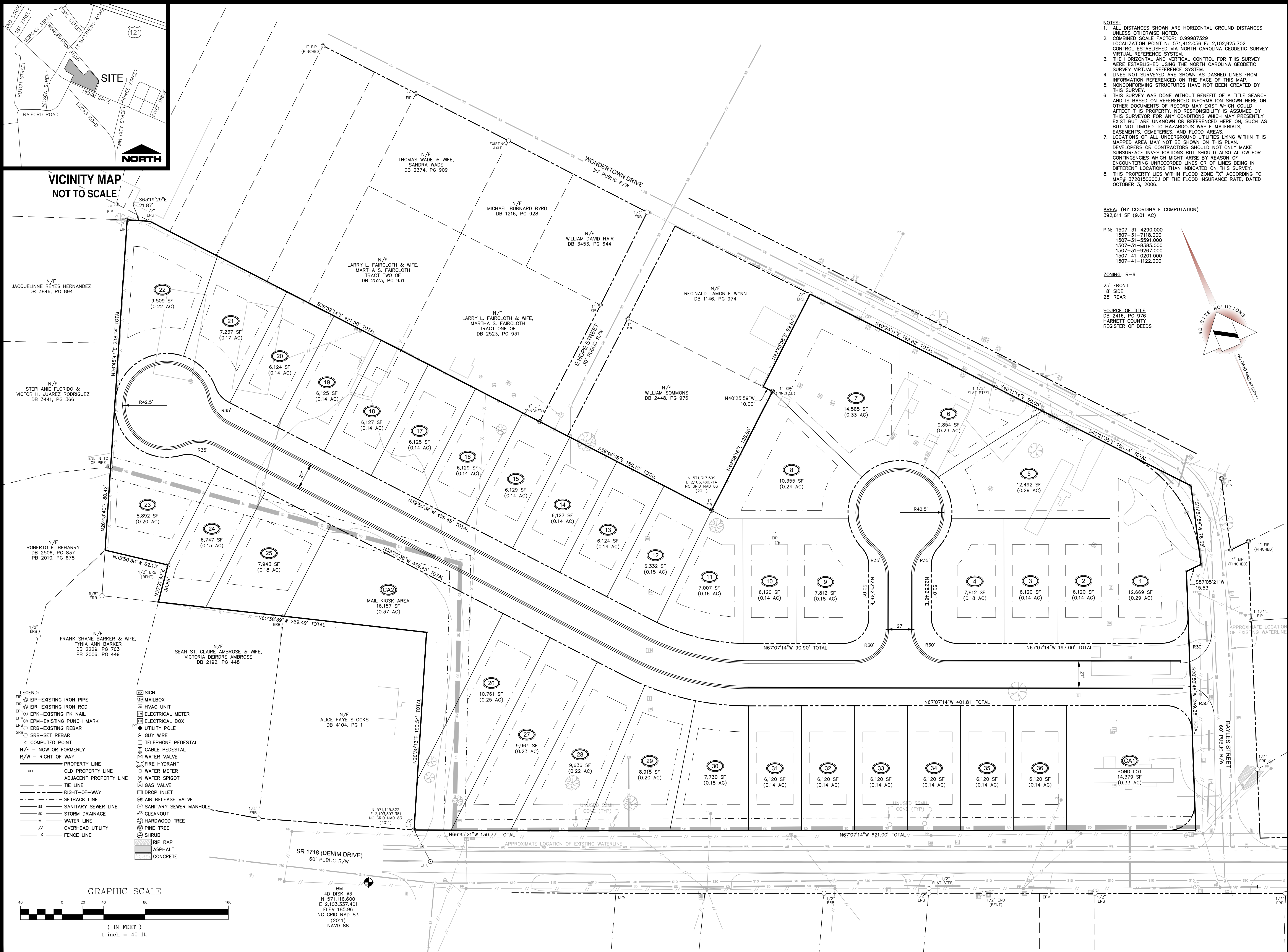
HORIZONTAL: 1"=40'

DATE RELEASED

XXXXXX X, 2022

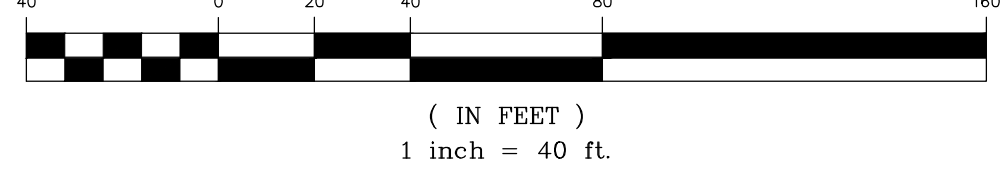
SHEET NUMBER

C-2.0



- LEGEND:**
- EIP - EXISTING IRON PIPE
 - EIR - EXISTING IRON ROD
 - EPK - EXISTING PK NAIL
 - EPM - EXISTING PUNCH MARK
 - ERB - EXISTING REBAR
 - SRB - SET REBAR
 - CP - COMPUTED POINT
 - N/F - NOW OR FORMERLY
 - R/W - RIGHT OF WAY
 - PL - PROPERTY LINE
 - OP - OLD PROPERTY LINE
 - APL - ADJACENT PROPERTY LINE
 - TL - TIE LINE
 - ROW - RIGHT-OF-WAY
 - SL - SETBACK LINE
 - SSL - SANITARY SEWER LINE
 - SD - STORM DRAINAGE
 - W - WATER LINE
 - OU - OVERHEAD UTILITY
 - X - FENCE LINE
 - SI - SIGN
 - MB - MAILBOX
 - HVAC - HVAC UNIT
 - EL - ELECTRICAL METER
 - EB - ELECTRICAL BOX
 - UP - UTILITY POLE
 - GW - GUY WIRE
 - TP - TELEPHONE PEDESTAL
 - CP - CABLE PEDESTAL
 - WV - WATER VALVE
 - FH - FIRE HYDRANT
 - WM - WATER METER
 - WS - WATER SPIGOT
 - GV - GAS VALVE
 - DI - DROP INLET
 - AR - AIR RELEASE VALVE
 - SS - SANITARY SEWER MANHOLE
 - CO - CLEANOUT
 - HT - HARDWOOD TREE
 - PT - PINE TREE
 - SR - SHRUB
 - RR - RIP RAP
 - AS - ASPHALT
 - CO - CONCRETE

GRAPHIC SCALE

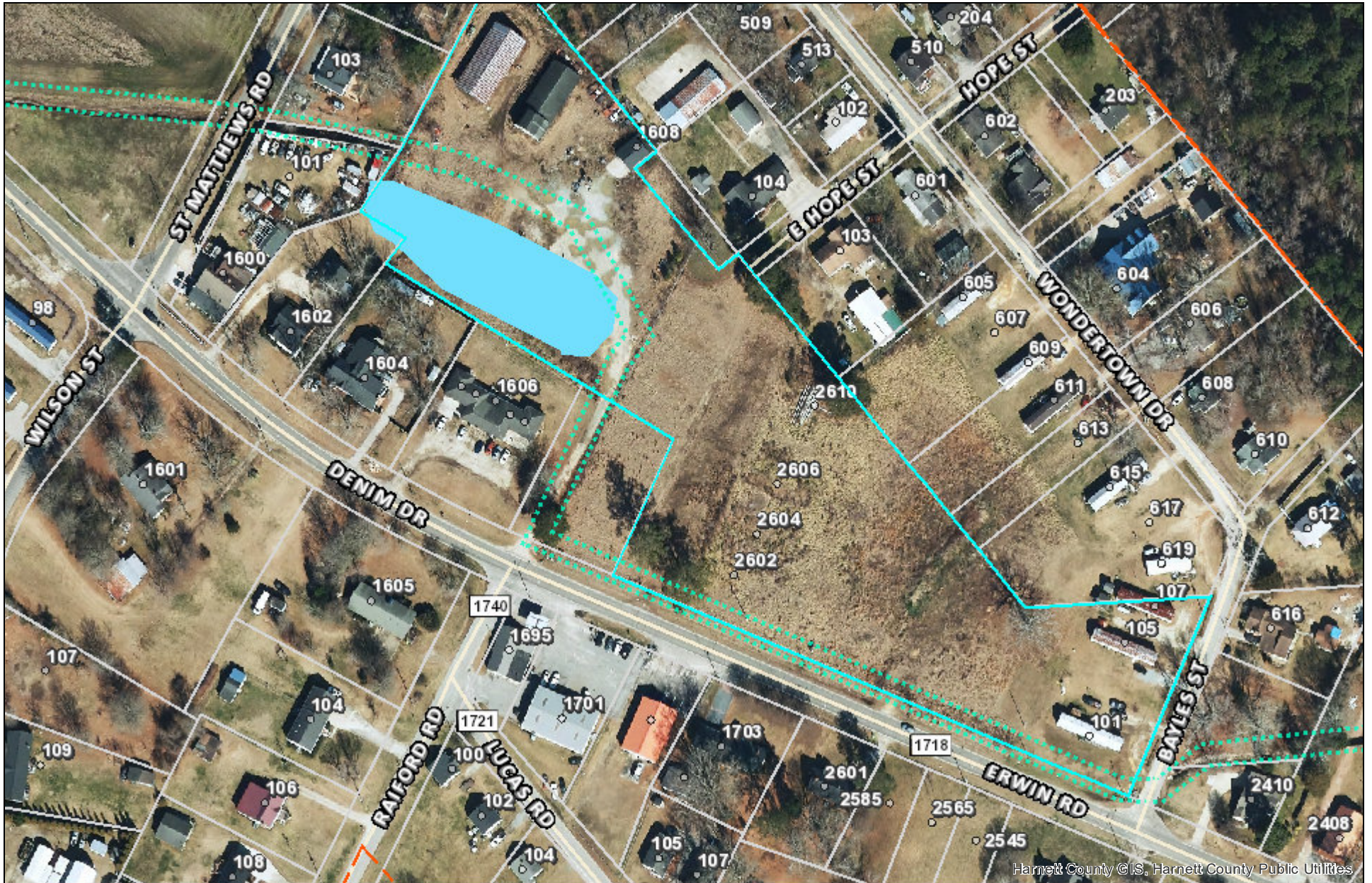


TBM
4D DISK #3
N 571,116.600
E 2,103,337.401
ELEV 185.96
NC GRID NAD 83
(2011)
NAVD 88

I:\Data\Draw\Drawings\1823\1823.dwg (4/11/2022 11:46:07 AM)

Harnett GIS











NOT FOR LEGAL USE

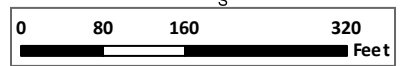
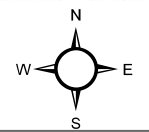


Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing
February 28, 2022

- | | | |
|---|--|--|
|  Surrounding County Boundaries | Major Roads |  Roads |
|  City Limits |  Interstate | Mile_Markers |
|  Address Numbers |  NC |  Mile_Markers |
|  Airport |  US |  Railroad |



1 inch = 188 feet ¹⁷⁴

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Lauren Evans, Town Clerk

Date: April 7, 2022

Subject: Potential Annexation of three parcels off of St. Matthews Rd

As instructed by the Board at our March Meeting, I have investigated the sufficiency of the petition to annex three parcels off of St Matthews Rd into the Erwin limits.

These parcels are as follows:

- Tract 1- 504/640 St. Matthews Road (Harnett County Tax PIN # 1507-34-7604.000)
- Tract 2- Vacant (Harnett County Tax PIN # 1507-45-1001.000)
- Tract 3- Vacant (Harnett County Tax PIN # 1507-35-0329.000)

Attachments:

- Certificate of Sufficiency
- Copy of the Deed
- GIS Image
- Irrevocable Petition Requesting Annexation
- Resolution Fixing Date of Public Hearing

Action Recommended:

- Accept the Certificate of Sufficiency from Town Clerk and Approve the Resolution Fixing Date of Public Hearing on Question of Annexation.

CERTIFICATE OF SUFFICIENCY


To the honorable Mayor and Board of Commissioners of the Town of Erwin, North Carolina:

I, Lauren Evans, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation in the form of metes and bounds.
- b. The area described in the petition is contiguous to the Town of Erwin's primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes the address(es) of all owners of real property lying in the area described therein.
- d. Other findings

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Erwin, this the 30th Day of March, 2022.




Lauren Evans
Town Clerk

State of North Carolina
 County of Harnett
 Town of Erwin

IRREVOCABLE PETITION REQUESTING ANNEXATION

Date: 2022.02.03

To the Mayor and Board of Commissioners of the Town of Erwin:

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed into the Town of Erwin.

2. The area to be annexed is contiguous to the Town of Erwin and the boundaries of such territory are as follows:

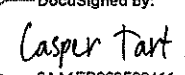
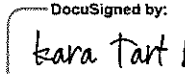
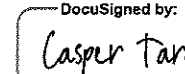
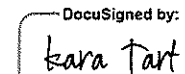
Insert metes and bounds or other legally acceptable description here.

PINS:

1. 1507-35-0329
2. 1507-34-7604
3. 1507-45-1001

[SEE ATTACHED METES AND BOUNDS FOR EACH PARCEL]

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

PIN	NAME	ADDRESS	DO YOU DECLARE VESTED RIGHTS? YES OR NO	SIGNATURE
1507-35-0329	Mark Kolosky	Bryant Road Dunn, NC 28334	NO	
1507-34-7604	Casper Tart Jr. Kara Tart	504 St Matthews Road Erwin, NC 28339	NO	DocuSigned by:  3AA1ED263F98411... DocuSigned by:  3AA1ED263F98411...
1507-45-1001	Casper Tart Jr. Kara Tart	St Matthews Road Off Road Erwin, NC 28339	NO	DocuSigned by:  3AA1ED263F98411... DocuSigned by:  3AA1ED263F98411...

State of North Carolina
 County of Harnett
 Town of Erwin

IRREVOCABLE PETITION REQUESTING ANNEXATION

Date: 2022.02.03

To the Mayor and Board of Commissioners of the Town of Erwin:

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed into the Town of Erwin.
2. The area to be annexed is contiguous to the Town of Erwin and the boundaries of such territory are as follows:

Insert metes and bounds or other legally acceptable description here.

PINS:

1. 1507-35-0329
2. 1507-34-7604
3. 1507-45-1001

[SEE ATTACHED METES AND BOUNDS FOR EACH PARCEL]

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

PIN	NAME	ADDRESS	DO YOU DECLARE VESTED RIGHTS? YES OR NO	SIGNATURE
1507-35-0329	Mark Kolosky	Bryant Road Dunn, NC 28334	NO	DocuSigned by: <i>Mark Kolosky</i> CDC3652209FC45F..
1507-34-7604	Casper Tart Jr. Kara Tart	504 St Matthews Road Erwin, NC 28339	NO	
1507-45-1001	Casper Tart Jr. Kara Tart	St Matthews Road Off Road Erwin, NC 28339	NO	

NORTH CAROLINA,

HARNETT COUNTY.

THIS DEED, made this the 8th day of June, 1956, by and between L. L. Lucas, and wife, Ollie Lucas of Harnett County, N. C. parties of the first part, and Casper Tart, of Harnett County, N. C., party of the second part;

WITNESSETH:

That whereas, the lot of land described below was allotted to Ollie Lucas, a daughter of J. S. Lucas, deceased, in the division of his lands, as is shown by the report of the Commissioners filed January 22, 1943, in that Special Proceedings No. 2850, recorded in Book of Orders and Decrees No. 18, at page 184, which Special Proceeding is entitled, "Ollie Lucas, and her husband, L. L. Lucas vs. Jesse Lucas and wife, Myrtle Lucas, and others";

And, whereas, by deed dated October 28, 1952, L. L. Lucas and wife, Ollie Lucas, conveyed to Casper Tart two tracts of land located in Harnett County, North Carolina, the first of said two tracts of land being the lot of land hereinafter described; said deed being recorded in the office of the Register of Deeds of Harnett County, N. C. in Book 338, at page 36;

And whereas, there was omitted in the description of the tract of land hereinafter described the following course; "Thence South 54 deg. West 537 feet to a stake, corner with Wilson Lucas";

And, whereas, the parties of the first part desire to correct the said error in the description of said first tract of land conveyed by the deed above referred to;

Now, therefore, in consideration of the premises and the sum of One Dollar paid to the parties of the first part by the party of the second part, the receipt of which is hereby acknowledged, the said parties of the first part have bargained and sold, and by these presents do bargain, sell and convey unto the said party of the second part, his heirs and assigns, all the right, title and interest of the said parties of the first part in and to the following described tract of land located in Harnett County, North Carolina:

BEING LOT #1 of the division of the J. S. Lucas lands allotted to Ollie Lucas: BEGINNING at the southwestern corner of Lot No. 2, and runs thence with a line of that Lot North 44 deg. and 15 min. East 981.5 feet to a stake; thence North 35 deg. and 15 min. West 474.5 feet to a stake, corner of the E. F. Young property; thence South 59 deg. and 45 min. West 421 feet to a stake, a corner with Milliard Jackson; thence South 34 deg. and 15 min. East 211 feet to a stake; thence South 54 deg. West 537 feet to a stake, corner with Wilson Lucas; thence South 34 deg. East 474.5 feet to the beginning, containing 10.45 acres, more or less.

TO HAVE AND TO HOLD all the right, title and interest of the said parties of the first part, or either of them, in and to the above described lot of land, to the said party of the second part, his heirs and assigns, in fee simple.

In Testimony Whereof, the said parties of the first part have hereunto set their hands and seals, the day and year first above written.

L. L. Lucas, (SEAL)

Ollie Lucas (SEAL)

NORTH CAROLINA,

HARNETT COUNTY.

I, Lillian Benson Smith, a Notary Public of said County and State, do hereby certify that L. L. Lucas and wife, Ollie Lucas, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed.

Witness my hand and notarial seal, this 9th day of June, 1956.

SEAL

Lillian Benson Smith, Notary Public.

My commission expires: Jan. 30, 1958.

NORTH CAROLINA,

HARNETT COUNTY.



3650576

The foregoing certificate of Lillian Benson Smith, a Notary Public of Harnett County, N. C. is adjudged to be correct. Let the instrument, with the certificates, be registered.

Witness my hand, this the 9th day of June, 1956.

Ruby T. Currin, Dep. Clerk Superior Court.

Filed for registration at 11:00 o'clock, A. M. June 9, 1956 and registered in the Office of the Register of Deeds for Harnett County, in Book 365, Page 576. June 11, 1956.

Inez Harrington, Reg. of Deeds

NORTH CAROLINA,

HARNETT COUNTY.

THIS DEED, made this the 8th day of June, 1956, by and between L. L. Lucas, and wife, Ollie Lucas of Harnett County, N. C. parties of the first part, and Casper Tart, of Harnett County, N. C., party of the second part;

WITNESSETH:

That whereas, the lot of land described below was allotted to Ollie Lucas, a daughter of J. S. Lucas, deceased, in the division of his lands, as is shown by the report of the Commissioners filed January 22, 1943, in that Special Proceedings No. 2850, recorded in Book of Orders and Decrees No. 18, at page 184, which Special Proceeding is entitled, "Ollie Lucas, and her husband, L. L. Lucas vs. Jesse Lucas and wife, Myrtle Lucas, and others";

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And, whereas, the parties of the first part desire to correct the said error in the description of said first tract of land conveyed by the deed above referred to;

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TO HAVE AND TO HOLD all the right, title and interest of the said parties of the first part, or either of them, in and to the above described lot of land, to the said party of the second part, his heirs and assigns, in fee simple.

In Testimony Whereof, the said parties of the first part have hereunto set their hands and seals, the day and year first above written.

L. L. Lucas, (SEAL)

Ollie Lucas (SEAL)

NORTH CAROLINA,

HARNETT COUNTY.

I, Lillian Benson Smith, a Notary Public of said County and State, do hereby certify that L. L. Lucas and wife, Ollie Lucas, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed.

Witness my hand and notarial seal, this 9th day of June, 1956.

SEAL

Lillian Benson Smith, Notary Public.

My commission expires: Jan. 30, 1958.

NORTH CAROLINA,

HARNETT COUNTY.



3650576

The foregoing certificate of Lillian Benson Smith, a Notary Public of Harnett County, N. C. is adjudged to be correct. Let the instrument, with the certificates, be registered.

Witness my hand, this the 9th day of June, 1956.

Ruby T. Currin, Dep. Clerk Superior Court.

Filed for registration at 11:00 o'clock, A. M. June 9, 1956 and registered in the Office of the Register of Deeds for Harnett County, in Book 365, Page 576. June 11, 1956.

Inez Harrington, Reg. of Deeds

HARNETT COUNTY TAX ID#
02-1518-0023-01

9-19-19 BY SB

FOR REGISTRATION
Kimberly S. Hargrove
REGISTER OF DEEDS
Harnett County, NC
2019 SEP 19 04:31:06 PM
BK:3737 PG:849-850
FEE:\$26.00
EXCISE TAX:\$280.00
INSTRUMENT # 2019013640
TWESTER



NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$280.00

Parcel Identifier No. 021518 0223 01 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: GRANTEE

This instrument was prepared by: Currie Tee Howell, Adams, Howell, Sizemore & Adams, P.A.

Brief description for the Index: 9.08 ACRES, AVERASBORO TWP

THIS DEED made this 18th day of September, 2019, by and between

GRANTOR

GRANTEE

Thomas J. Balmat and wife,
Kyung S. Balmat

Mark Kolosky, Married

700 West J Street
Erwin, NC 28339

999 Carlton Street
Clayton, NC 27520

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

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

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

BEING ALL OF TRACT TWO, 9.08 ACRES, AS SHOWN ON THAT "DIVISION MAP PREPARED FOR LONNIE B. STARGEL", AS RECORDED IN MAP #2000-26, HARNETT COUNTY REGISTRY.

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

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

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

This conveyance is expressly made subject to the lien created by all the Grantors' real 2019 Harnett County ad valorem taxes on said tract of land which the Grantee(s) agree to assume and pay in full when due.

Subject to all easements, rights-of-way, covenants and other restrictions as shown on the public record or as would be disclosed by an accurate survey and inspection of the land.

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

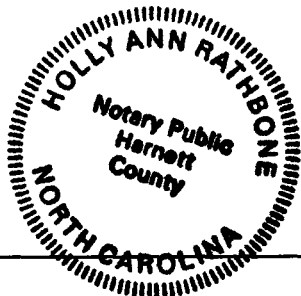
GRANTOR(S):

[Signature] (SEAL)
Thomas J. Balmat

[Signature] (SEAL)
Kyung S. Balmat

State of North Carolina - County of Harnett
I, the undersigned Notary Public of the County or City of Harnett and State aforesaid, certify that Thomas J. Balmat and Kyung S. Balmat personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 19 day of September, 2019

[Signature]
Holly Ann Rathbone
Notary's Printed or Typed Name
My Commission Expires: 8/27/23




(Affix Seal)

Parcels

Harnett GIS



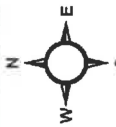
Harnett County GIS, Harnett County Public Utilities.




Harnett COUNTY
NORTH CAROLINA

GIS/E-911 Addressing
February 10, 2022

- Surrounding County Boundaries
- City Limits
- Airport
- MajorRoads
- Interstate
- NC
- US
- Roads
- Mile_Markers
- Railroad
- Parcels
- CapeFearRiver
- Mile_Markers
- Mile_Markers



N
W E
S



0 335 670 1,340 feet

1 inch = 752 feet

NOT FOR LEGAL USE



TOWN OF ERWIN

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

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G. S. 160A-31 2021-2022--005

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

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Mayor and Board of Commissioner of the Town of Erwin has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification of the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioner of the Town of Erwin, North Carolina, that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Erwin Town Hall, 100 West F Street, Erwin, NC 7:00 PM. on Thursday, May 5, 2022.

Section 2. The area proposed for annexation is described as follows:

BRYANT ROAD, 1507-45-1001
ST MATTHEWS RD OFF ROAD

A legal description for a parcel of land in Harnett County identified as PIN# 1507-45-1001 and described in deed book 338 page 179 and shown as portions of lots 1-5 in plat book 1 page 10 in the Harnett County Registry and more accurately described as follows: Starting at a set iron pipe having NAD'83(2011) NC Grid Coordinates of N: 574939.75' and E: 2104380.13' and being the place and POINT OF BEGINNING;
Thence, S 55° 27' 11" W for a distance of 152.00 feet to a point;
Thence, S 80° 16' 57" W for a distance of 290.00 feet to a point;
Thence, N 00° 45' 02" W a distance of 532.92 feet to a point;
Thence, S 46° 25' 28" E for a distance of 577.00 feet to the place and POINT OF BEGINNING;
Encompassing an area of 2.737 acres, more or less.

BRYANT ROAD, 1507-35-7604
504 ST MATTHEWS RD

A legal description for a parcel of land in Harnett County identified as PIN# 1507-34-7604 and described as the first tract in deed book 338 page 36 and shown as lot 1 in plat book 4 page 173, inclusive of the second tract in deed book 338 page 36 in the Harnett County Registry and more accurately described as follows:

Starting at an existing PK nail near the centerline of St. Matthews Road having NAD'83(2011) NC Grid Coordinates of N: 574917.11' and E: 2102879.66';
Thence, N 49° 29' 12" E for a distance of 30.61 feet to a set iron pipe in the northern 60' right-of-way of St. Matthews Road and being the place and POINT OF BEGINNING;
Thence, N 49° 29' 12" E for a distance of 605.27 feet to an existing iron stake;
Thence continuing, N 49° 29' 12" E for a distance of 779.33 feet to a set iron pipe;
Thence, S 00° 45' 02" E for a distance of 1031.94 feet to a point;
Thence, N 80° 16' 57" E for a distance of 290.00 feet to a point;
Thence, N 55° 27' 11" E for a distance of 152.00 feet to a set iron pipe;
Thence continuing, N 55° 27' 11" E for a distance of 269.00 feet to a set iron pipe;
Thence, S 39° 32' 49" E for a distance of 473.06 feet to an existing metal bar;
Thence, S 40° 08' 10" W for a distance of 981.50 feet to a set iron pipe;
Thence, S 38° 48' 15" E for a distance of 104.89 feet to a set iron pipe;
Thence, S 52° 43' 31" W for a distance of 516.120feet to a point on a set iron pipe;
Thence, N 38° 04' 51" W for a distance of 130.63 feet to the northern right-of-way of St. Matthews Road;
Thence following the northern right-of-way along a curve to the left on a chord bearing N 18° 11' 14" W for a chord distance of 88.16 feet and having a radius of 129.69 feet to a set iron pipe;
Thence N 38° 03' 31" W a distance of 1482.93 feet to the place and POINT OF BEGINNING;
Encompassing an area of 44.071 acres, more or less.

BRYANT ROAD, 1507-35-0329
BRYANT ROAD

A legal description for a parcel of land in Harnett County identified as PIN# 1507-35-0329 and described in deed book 3737 page 849 and shown as tract 2 in plat book 2000 page 26 in the Harnett County Registry and more accurately described as follows:

Starting at an existing PK nail near the centerline of St. Matthews Road having NAD'83(2011) NC Grid Coordinates of N: 574917.11' and E: 2102879.66';
Thence, N 49° 29' 12" E for a distance of 30.61 feet to a set iron pipe in the northern 60' right-of-way of St. Matthews Road and being the place and POINT OF BEGINNING;
Thence following the northern right-of-way, N 38° 03' 31" W for a distance of 170.11 feet to a set iron pipe;
Thence curving to the right on a chord bearing N 20° 30' 35" W for a chord distance of 273.81 feet and having a radius of 454.04 feet to a set iron pipe;

Thence N 02° 57' 39" W a distance of 296.07 feet to a set iron pipe at the intersection of said right-of-way and the southern right-of-way of Bryant Rd;
Thence following the southern right-of-way of Bryant Rd along a curve to the left on a chord bearing N 80° 58' 41" E for a chord distance of 613.87 feet and having a radius of 1899.76 feet to a set iron pipe;
Thence leaving said right-of-way, S 10° 11' 36" E for a distance of 395.37 feet to an existing iron stake;
Thence, S 49° 29' 12" W for a distance of 605.27 feet to the place and POINT OF BEGINNING;
Encompassing an area of 8.013 acres, more or less.

Section 3. Notice of the public hearing shall be published in the Daily Record, a newspaper having general circulation in the Town of Erwin, at least ten (10) days prior to the date of the public hearing.

Adopted this 7th Day of April 2022.

Attest:

Patsy M. Carson, Mayor

Lauren Evans, Town Clerk

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: April 7, 2022

Subject: Porter Park Improvements

At our budget retreat, we discussed some potential improvements to the stream/ditch at Porter Park. We discussed potentially installing a pipe in the stream. Any improvements to this stream would require approval from the U.S. Army Corps of Engineers since it is a blue line stream. I think it would be hard to get approval to pipe this stream. There is a good opportunity to apply for a North Carolina Environmental Enhancement Grant to make improvements to this stream. Our Town Engineer Bill Dreitzler is here to present this idea to you.

Attachments:

- Letter of Intent to apply for a planning and restoration Environmental Enhancement Grant
- Quote from McCormick Taylor



Proposal Summary

Town of Erwin
Job No. TBD

Direct Payroll Costs	\$	2,544.34 (a)
Overhead (182.210%)		4,636.04 (b)
Subtotal - Direct and Indirect Payroll Cost		7,180.38 (c)
Fixed Fee (Direct & Indirect Labor x .1000)		718.04 (d)
Direct Costs Other Than Payroll		- (e)
Direct Costs of Services and Work Performed by Others:		- (f)
Subtotal (c)+(d)+(e)+(f)		7,898.42 (g)
Escalation of Direct/Indirect Payroll Costs		- (h)
Total Cost	\$	7,898.42 (i)
Total Estimated Man-Hours:	McCormick Taylor, Inc.	59
Total		59

Engineer's Name:	McCormick Taylor, Inc. 1818 Market Street 16th Floor Philadelphia, PA 19103
Fed. I. D. No.:	23-1683759
Contact Person:	Brian Roberts Sr. Project Manager (919) 741-4483
Prepared By:	Brian Roberts

Proposal Summary

Town of Erwin
Job No. TBD

INDIRECT

Our firm's latest approved overhead rate (2020) is 182.210% , therefore we will use the overhead rate of 182.210%

Direct Payroll Costs	=	\$	2,544.34
182.210%	=		4,636.04

LUMP SUM FOR FIXED FEE

Direct + Indirect Costs 7,180.38

x 0.1000

\$ 718.04



Name: Town of Erwin

Job #: TBD

Date: March 7, 2022

By: Brian Roberts

HOURS

TASK	HOURS			Total
	Senior Project Manager	Env. Planning Pro II	CADD/GIS/ Graphics III	
TASK 100 - Restoration Application				-
1 Application form		1		1
1.1 Application report		4		4
1.2 Line-item budget	8	4		12
1.3 Budget narrative	2	2		4
1.4 Project timeline		1		1
1.5 Photograph log		1		1
1.6 Site map of project			4	4
1.7 Administrative coordination/questions/site visit	2	2		4
				-
				-
TASK 200 - Planning Application				-
1 Application form		1		1
1.1 Application report		8		8
1.2 Line-item budget	6	2		8
1.3 Budget narrative	2			2
1.4 Project timeline		1		1
1.5 Photograph log				-
1.6 Site map of project			4	4
1.7 Administrative coordination/questions/site visit	2	2		4
				-
				-
				-
TOTAL	22	29	8	59



TOWN OF ERWIN

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

3/29/2022

Town of Erwin Letter of Intent

NCAG Environmental Enhancement Grant Program

1. Contact information for applicant, including a contact person, email, phone, mailing address

Town Manager:

Snow Bowden

townmanager@erwin-nc.com

910-897-5140

Public Works:

Mark Byrd

mbyrd@erwin-nc.com

910-897-5140

100 West F Street

PO Box 459,

Erwin, NC 28339

2. Descriptive title of proposed project

- Porter Park Stream Restoration

3. Identification of Type of Applicant

- The Town of Erwin is a Municipality

4. Description of the proposed project

- The proposed Planning Study will create a clear, concise, comprehensive plan for the Town of Erwin, NC. This plan will identify individual projects (taken through conceptual design and scoping) that will include stream/floodplain restorations, resiliency planning, greenway sighting, project prioritization/sequencing, grant program identification, and a public involvement plan. This plan will generate a blueprint for the Town to follow to create a place for residents to learn about conservation and the environment, increase economic activity, all while addressing flooding, decreasing nutrient and sediment loads, and re-establishing natural hydrologic connections.

5. Project location (county)

- Harnett County/Cape Fear River Basin

6. Specific EEG program type

- Research, Planning, and Education

7. Anticipated amount for the requested grant

- \$150,000

Regards,

A handwritten signature in black ink, appearing to read "Snow Bowden". The signature is written in a cursive style with a large, sweeping flourish at the end.

Snow Bowden
Town Manager



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

3/29/2022

Town of Erwin Letter of Intent

NCAG Environmental Enhancement Grant Program

1. Contact information for applicant, including a contact person, email, phone, mailing address

Town Manager:

Snow Bowden

townmanager@erwin-nc.com

910-897-5140

Public Works:

Mark Byrd

mbyrd@erwin-nc.com

910-897-5140

100 West F Street

PO Box 459,

Erwin, NC 28339

2. Brief statement of eligibility (501(c) (3) environmental organization, government entity, etc.);

- The Town of Erwin is a Municipality

3. Description of the proposed project

- The proposed project will incorporate stream, floodplain, and wetland preservation efforts along unnamed tributaries to Juniper Creek located within Porter Park reducing nutrient and sediment runoff, increasing flood retention, re-establishing historic functions thus improving water quality within the Cape Fear River. The proposed project will also be the first phase in building a greenway connecting all parks and recreation properties within the Town of Erwin and connecting to the Cape Fear River Trail. The proposed project will also include a public education piece showing the importance of restoration by re-establishing historic functions through re-connecting natural waterways.

4. Project location (county)

- Harnett County

5. Specific EEG program type

- Construction, Remediation, Restoration

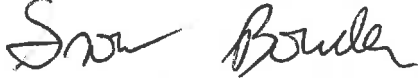
6. Anticipated amount for the requested grant

- \$375,000

7. Other anticipated funding sources

- The Town of Erwin would budget monies from the general fund through our yearly budgeting process. The fiscal year begins July 1st. Prior to pursuing the grant, the proposal will be presented to the Town Council to get their support and commitment to budget the monies in successive budgets.
- Other in-kind contributions would also occur with public and Town participation in things such as plantings, maintenance, etc.

Regards,

A handwritten signature in black ink that reads "Snow Bowden". The signature is written in a cursive style with a large initial "S" and "B".

Snow Bowden
Town Manager