

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

AGENDA

1. MEETING CALLED TO ORDER

- A. Invocation
- B. Pledge of Allegiance

2. AGENDA ADJUSTMENTS /APPROVAL OF AGENDA

3. CONSENT

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

- A. Minutes Regular Meeting on July 6, 2023 (**Page 2**)
- B. Minutes Regular Workshop on July 24, 2023 (**Page 10**)
- C. Renewal of SRO MOU (**Page 15**)
- D. Resolution of Support- Erwin Barn Quilt (**Page 16**)

4. PUBLIC COMMENT

Each speaker is asked to limit comments to 3 minutes, and the requested total comment period will be 15 minutes or less. Citizens should sign up prior to the start of the meeting. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on the subject matter brought up during the Public Comment segment. Thank you for your consideration of the Town Board, staff, and other speakers. §160A-81.1

5. PUBLIC HEARING

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

6. MANAGER'S REPORT

7. ATTORNEY'S REPORT

8. GOVERNING BODY COMMENTS

9. CLOSED SESSION

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

10. ADJOURNMENT

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

ERWIN BOARD OF COMMISSIONERS

REGULAR MINUTES

JULY 6, 2023

ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Baker presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, July 6, 2023, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were Mayor Randy Baker and Commissioners Timothy Marbell, Charles Byrd, William Turnage, and Alvester McKoy.

Board Members absent were Mayor Pro Tem Ricky Blackmon and Commissioner David Nelson, Town Manager Snow Bowden, Town Clerk Lauren Evans, Finance Director Linda Williams, Code Enforcement Officer Chris Jones, Public Works Director Mark Byrd, and Police Chief Jonathan Johnson were present.

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

Commissioner McKoy gave the invocation.

Commissioner Turnage led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

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

CONSENT

Commissioner Turnage made a motion to approve **(ITEM A)** Minutes Regular Workshop on May 22, 2023 **(ITEM B)** Minutes Regular Meeting on June 1, 2023 **(ITEM C)** Minutes Regular Workshop on June 26, 2023 **(ITEM D)** Personnel Policy Update **(ITEM E)** Planning Board Application- Howard Staffon Godwin **(ITEM F)** BOA-2023-08 **(ITEM G)** Contract for Computer Support Services and was seconded by Commissioner McKoy. **The Board voted unanimously.**

SPECIAL PRESENTATION

Octavio “Toby” Cano, an Equipment Operator for the Erwin Public Works Department, was awarded the first-ever Employee of the Quarter Award for the Town of Erwin. Mayor Baker presented him with a Plaque.

MINUTES CONTINUED FROM JULY 6, 2023

PUBLIC COMMENT

No one was present to speak.

PUBLIC HEARING

ZT-2023-003

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

Town Manager Snow Bowden stated that the Town of Erwin received a rezoning request for a vacant tract of land on the corner of Bait Road and Antioch Church Road to be rezoned from R-15 to RD. The Planning Board did recommend the request for approval. The applicants were requesting to have the parcel rezoned to build a church on the property and currently churches are not allowed in R-15. RD zoning is adjacent to the property.

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

Pastor Alexander Lockamy of 194 Roosevelt Road came forward and stated his church was currently in a building on N 13th Street and had standing room only. They purchased the property on Antioch Church Road and they are requesting to rezone the property to build a bigger church to hold more people than their current facility.

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

No one came forward.

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

No one came forward.

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

Commissioner Byrd made a motion to recommend that the proposed rezoning application meets all the Findings of Facts in the Affirmative and was seconded by Commissioner McKoy. **The Board voted unanimously.**

Commissioner Byrd made a motion that the requested rezoning to RD 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** and was seconded by Commissioner McKoy. **The Board voted unanimously.**

Commissioner McKoy made a motion to recommend the approval of Ordinance For Map Amendment Case # ZT-2023-003 Amendment To The Official Zoning Map To Rezoned From R-15 To RD Per Zoning Ordinance Article XXIII For Harnett County PIN 1506-17-8791.000 and was seconded by Commissioner Byrd. **The Board voted unanimously.**

MINUTES CONTINUED FROM JULY 6, 2023

Zoning Updates Text Amendment

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

Town Manager Snow Bowden stated these were proposed text amendments to almost all of our district except the M-1 District which was separate and would be discussed next on the agenda. All of the changes were displayed in red font and were additions to what is permitted by moving the requested uses from Special Uses to Permitted by Right. The Planning Board did recommend these changes for approval. These changes have been recommended in previous studies to streamline the process of approval for applicants.

Mayor Baker inquired whether we had any Public Comments at our Planning Board Meeting.

Town Manager Snow Bowden stated we did not have any Public Comments at our Planning Board Meeting.

Mayor Baker asked if anyone was present to speak in favor of the proposed text amendments.

No one came forward.

Mayor Baker asked if anyone was present to speak against the proposed text amendments.

No one came forward.

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

Town Manager Snow Bowden asked to strike the years in parenthesis under R-6 Permitted principal uses and Structures, Item 5, Manufactured Home, Class A on page 54. That was a staff typo, we cannot regulate by years the Manufactured Class A Homes in R-6 and should only apply to R-6.

Commissioner Byrd made a motion to recommend the approval of the Ordinance of the Town Of Erwin, North Carolina Amending Chapter 36 Zoning, Ordinance 2023-2024: 001 and removing the year restriction on Manufactured Class A Homes in R-6 reasoning that the Town of Erwin cannot propose an age standard and was seconded by Commissioner McKoy. **The Board voted unanimously.**

M-1 Zoning Text Amendment

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

Town Manager Snow Bowden these proposed changes only apply to our M-1 District which was mostly where the Erwin Mill site was located, where Public Works was located, and in our Planning Zone. Staff was proposing to add permitted uses such as retail shops and stores and service establishments whose operation is conducted entirely within an enclosed building, outdoor dining, educational uses, trades and similar enterprises catering to household and business establishments, public facilities, brewery/microbrewery, and distillery to be permitted by right.

MINUTES CONTINUED FROM JULY 6, 2023

Mayor Baker asked if anyone was present to speak in favor of or against the proposed text amendments.

No one came forward.

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

Commissioner Byrd inquired about retail shops in the M-1 district.

Town Manager Snow Bowden stated retail shops would require the building to certainly meet the building code.

Commissioner Byrd asked what guidelines there were around the brewery/distillery.

Town Manager Snow Bowden informed that the brewery/distillery would be regulated by ABC State Regulations.

Commissioner Byrd made a motion to recommend the approval of the Ordinance of the Town Of Erwin, North Carolina Amending Chapter 36 Article II- Definitions and Article XI.- Industrial District (M-1), Ordinance 2023-2024: 002 and was seconded by Commissioner Turnage. **The Board voted unanimously.**

OLD BUSINESS

Erwin Fire Department

Mayor Baker asked Town Manager Snow Bowden for some information. An MOU was not before the Board tonight but this item of business was brought up at our Workshop and due to a lack of quorum at our Workshop, he wanted to bring it before the Board again for an official vote for Staff to draft an official document.

Town Manager Snow Bowden stated he meant to have a MOU for the Board but he ran out of time. Town Clerk Lauren Evans printed a copy of the minutes from May 24, 2010, the last time the Board discussed this topic. If the consensus of the Board is to move forward, we can draft a letter stating we plan to enter into an MOU with the Erwin Fire and Rescue to bring their full-time employee on as full-time Erwin employees and lease them to the Erwin Fire Department. He brought to the Board's attention the attachment in the agenda from the State. He was hoping the State would send him a sample MOU but he had not received it at the time of the meeting.

Commissioner Byrd asked to be recused as it was a conflict of interest because he served as the Vice Chairman of the Board of Directors for the Erwin Fire Department.

*Commissioner Marbell made a motion to excuse Commissioner Byrd and was seconded by Commissioner McKoy. **The Board voted unanimously.***

Mayor Baker stated the Board heard the circumstances from Town Manager Snow Bowden. The MOU had not been officially drafted at the time of the meeting but it would allow the employees of Erwin Fire Department to fall under the retirement system of the Town. There would be several details that needed to be worked out by both the Town Board and Fire Department Board of Directors. The details and negotiations would take place after the MOU was in place. The Town of

MINUTES CONTINUED FROM JULY 6, 2023

Erwin would need to send the MOU to the Fire Department Board of Directors for review and then both Boards would have to agree to move forward. The vote at this meeting was not to make the final decision but to instruct Town Staff to prepare the draft MOU and bring it back before the Board for approval. He asked if there were any further questions or comments before the vote.

None of the Board Members had questions.

Commissioner McKoy made a motion to instruct staff to develop a Memorandum of Understanding and bring it back before the Town Board for approval and was seconded by Commissioner Turnage. **The Board voted unanimously.**

Commissioner Byrd was now back and considered for voting on the agenda.

East L Street

Town Manager Snow Bowden stated Town Staff had prepared a letter that addressed this matter. It had been determined that the Town did not have authority to close an unopened road that was not existent and a public hearing would not be appropriate. Staff also included copies of all the maps associated with the property that are on file with the Harnett County Register of Deeds. The Town Board did not have the authority to close a road that did not exist.

Mayor Baker verified that a copy of the letter would be forwarded to the parties requesting the closure.

Town Manager Snow Bowden stated he would forward the letter to Dr. Bradham and his attorney.

Discussion continued among the Board.

Mayor Baker stated according to our legal counsel, legal counsel for the NCLM, and Town Staff, the Board did not have the power to close East L Street.

MANAGER'S REPORT

Town Manager Snow Bowden informed the Board that:

- Harnett Regional Water fixed the issue that caused the sinkhole at the intersection of East H Street and 12th Street. We were still waiting on them to complete resurfacing this site and a few other sites in Town where they have had to make some repair work.
- The filing period for the Municipal 2023 office began at 12:00 PM on July 7, 2023, and ends at 12:00 PM on July 21, 2023, for Wards 2, 4, and 6, The fee to run remained at \$25. Election Day will be on 10/10/2023. If a runoff is necessary it will be on 11/7/2023. If the Board had any questions or needed any additional information, please let him know.
- Our meeting for next month was already looking busy we will have at least two public hearings. We have had a special use permit submitted to the Town for apartments to be built off of 13th Street. We also have had a variance submitted for a proposed subdivision of the parcel that the old Erwin Mill now the Central Carolina Industrial Park.

MINUTES CONTINUED FROM JULY 6, 2023

- We were having a public meeting on Thursday, July 13th at the First Free Will Baptist Church from 5:00 PM till 7:00 PM to review the draft copy of our updated Land Use Plan. We planned to incorporate any additional feedback received at this meeting and update the plan to include that information and present it to the Planning Board at our July meeting to get their input. We planned on taking their input and finalizing everything. We planned to present a final copy to the Planning Board at their August meeting. He was planning on sharing the proposed plan with the Town Board at our August workshop meeting and having staff from Stewart here at our September meeting to present the plan to the Town Board.
 - He thanked the members of the First Free Will Baptist Church for allowing us to host this meeting at their church.
- He planned on reaching out to Bruce with NC Commerce to get an update on the CORE program that we were selected to be in. We had planned on starting the work in the fall. Hopefully, it will be good timing with our updated Land Use Plan and a hopeful start of updating our ordinance.
- Johnson Brothers were scheduled to resurface the roads in July. They were supposed to have the work done before June 30th but did not. These roads were included in the Powell Bill 2022-2023 resurfacing project awarded a few months ago.
- We received 6 Submittals on West K. I may not be available at the July Workshop but if not, we definitely planned to have a contract for the Board of Commissioners at the August meeting.
- He would be looking at the Pope drainage (North 9th Street) with Public Works Direct Mark Byrd next week and preparing a Bid Form.
- We were going to have a meeting with V1 Fiber soon to discuss what we expect out of them to fix the damage they caused on West E Street when they hit the water line while installing fiber. The road was passable at the moment but it was damaged and needs to be fixed. During this meeting, we were also going to follow up with them and ensure that they start filling in all of the holes that they have dug into our streets as well. They have started filling in some of the holes but not all of them. We were still filing complaints and V1 Fiber is addressing them as we report them. The vast majority of complaints had been handled to the best of his knowledge. If you or anyone you know had an issue please let Town Staff know and we would address it.
- We were working with HRW on an RFQ and an Interlocal Agreement for the St. Matthews ARPA funds. The current thought was to use ARPA for water and the developer is responsible for sewer. We were expecting to receive the construction drawings for the planned unit development off of St. Matthews next week.
- The Ample Storage site was still under review with the State of North Carolina Department of Environmental Quality.
- The Powell Bill submittal deadline was 7/21.
- We would be hosting the 10-U Tar Heel All-Stars baseball tournament at Al Woodall Park the following week.

ATTORNEY'S REPORT

Town Manager Snow Bowden informed the Board that our Town Attorney Tim Morris asked him to thank everyone for all of their thoughts and prayers. Mr. Morris also insisted that Mr. Bowden give his report and say “Thank you for letting me be your Town Attorney.”

MINUTES CONTINUED FROM JULY 6, 2023

GOVERNING COMMENTS

Commissioner McKoy thanked Town Manager Snow Bowden for the fantastic job with the Stormwater issues. He echoed the Land Use Plan update meeting being held on July 13th at First Free Will Baptist Church. It will be a Public Meeting from 5:00 PM to 7:00 PM. He asked the citizens to tell their neighbors and everyone to come if they can. This was our Town we were talking about.

Commissioner Byrd thanked all of our Town Staff for the great job they were doing. He stated he spoke with Town Manager Snow Bowden about a water problem at the corner of 12th Street and D Street, behind the school. He clarified that the County would take responsibility for moving the water.

Town Manager Snow Bowden stated that was what he was originally told but they thought there may have been some changes.

Commissioner Byrd stated good things were going on in Erwin.

Commissioner Turnage stated he wanted to comment on the speed trap on Iris Bryant Road. Someone took down the speed marker at the corner of Iris Bryant Road and Chicora Club Drive and it was laying on the edge of the road. He called Public Works on Monday and it was still laying there on Thursday. A car had to have hit the speed limit sign and damaged the car. He reported that four speed marker signs from Iris Bryant Road to S 13th Street have been taken down and never replaced. He asked the Board to go by The Gettin Place in south Erwin. He spoke with Code Enforcement Officer Chris Jones who had already spoken with the owner of the property. The owner promised to clean it up and he had not at the time of our meeting. He asked if the house on riverside was zoned for residential because it is a junk pile.

Town Manager Snow Bowden stated we were aware and was waiting for Town Attorney Tim Morris to come back in practice and we would get it cleaned up.

Commissioner Turnage stated he was proud of Erwin, he had lived here 88 years. We have some places that need to be cleaned up. We need to back up Mr. Jones. It was time to get things done in Erwin, whatever it takes. The grass at the intersection of Iris Bryant Road and S 13th is out of hand. The lot behind E-Mart is also high.

Commissioner Byrd thanked Code Enforcement Officer Chris Jones for all he has done. He had his hands full coming in as long as we went without a Code Enforcement Officer.

Mayor Baker thanked the citizens and extended a special invitation to come back next month. He echoed the comments of Commissioner McKoy, the Land Use Plan updates meeting was so important for us to hear from our citizens. This was our Town and it needed to be shaped, molded and developed the way our citizens what to see it. The Town Board will listen to you and we need your input. He pointed out Si Harrington in the audience. He stated Mr. Harrington was a very important gentleman in our community and he can tell you anything you want or need to know about the history of Erwin. The Town received a bench dedication at our History Room by a young man fulfilling his Eagle Scout Project. We would like to implement a history trail and each historically significant place would have its own dedicated bench, similar to the bench in front of the History Room. Mayor Baker planned to donate a bench in honor of his mother. He hoped this program would spread to our businesses and people in Town to buy back into this Town that we call home. If we do not love it, who else will?

MINUTES CONTINUED FROM JULY 6, 2023

Mayor Baker expressed his appreciation for his invitation to the Good Fellas breakfast. Those who missed it on Tar Heel Traveler missed a treat because it echoed people from Erwin and how they hold onto friendship. He thanked the citizens for their participation in our Meeting and asked them to please come back next month. He thanked all Town Staff for all their efforts. Without our staff, we cannot do anything.

ADJOURNMENT

Commissioner Byrd made a motion to adjourn at 7:57 P.M. and was seconded by Commissioner McKoy. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK**

ATTEST:

Randy Baker
Mayor

Lauren Evans
Town Clerk

ERWIN BOARD OF COMMISSIONERS
REGULAR WORKSHOP MINUTES
JULY 24, 2023
ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Randy Baker presiding held its Regular Workshop in the Erwin Municipal Building Board Room on Monday, July 24, 2023, at 6:00 P.M. in Erwin, North Carolina.

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

Board Members absent were: Commissioners Alvester McKoy and William Turnage

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

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

Commissioner Nelson gave the invocation.

Commissioner Byrd led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Commissioner Byrd made a motion to approve the agenda as presented and was seconded by Commissioner Nelson. **The Board voted unanimously.**

NEW BUSINESS

All-Way Stop Signs

Town Manager Snow Bowden stated he just wanted to show the Board the All-Way Stop Sign Guidance he decided on from a company called Benesch. He was not happy with what we received from this company, it was a lot of cut and paste and not what we were looking for.

Mayor Baker stated it was not an evaluation pertaining to Erwin but asked if it was a document that our Town Engineer Bill Dreitzler could use along with other information.

Town Manager Snow Bowden stated we would be able to utilize it but before establishing policies, staff would need to make the document more relevant to Erwin.

Commissioner Byrd stated we just needed to do something about four-way stop signs because the Town has been challenged over and over about it.

Town Manager Snow Bowden stated we are working on updating our Land Use Plan which will address pedestrian safety, all-way stop signs, and improvement to our roads. Pedestrian safety was a main concern in the Land Use Plan surveys. We were looking at grants to fund more sidewalks.

MINUTES CONTINUED FROM JULY 24, 2023

Pump Station Road Preliminary Plat

Town Manager Snow Bowden stated this plat was recommended for approval at our last Planning Board Meeting. The proposed subdivision was located off Pump Station Road. The easement was still in question at that time. The Lucas family of 281 Pump Station Road sued the Prices and went all the way to the superior court. We still need clarification on the road. Also, Enoch turned in a soil evaluation and clearly this plat will have to change, most likely cut down to four lots.

Commissioner Blackmon stated he was not able to discuss the matter due to a conflict of interest with Enoch Engineering.

Discussion continued among the Board.

The consensus of the Board was to remove the review of the Pump Station Preliminary Plat from the August agenda until clarification is received.

Erwin Fire and Rescue

Town Manager Snow Bowden stated he prepared a letter for the Town Board to send to the Fire and Rescue Board. There is a lot of unknown and we need to sit down with the Fire and Rescue Board to provide clarification on unanswered questions. This letter will start the engagement. If the Fire and Rescue Board wishes to move forward, they can hire an outside attorney, since Tim Morris represents the Town Board and Fire and Rescue Board, and draft an MOU that spells out each party's responsibilities. He respected the Erwin Fire Department's wish to keep their independence but we had some details that needed to be ironed out.

Mayor Baker stated it was discussed that the Town of Erwin was going to draft an MOU for the Town Board to vote on and send to the Erwin Fire and Rescue Board. Then at that point, the Erwin Fire and Rescue Board would have to accept what the Town Board was requesting of them and send it back to the Town to initiate the understanding of what both parties wanted. He asked if the Town will be preparing a document to send to the Fire Department for review.

Town Manager Snow Bowden stated no, in the proposed letter he was asking the Fire and Rescue Board to prepare a document so that the Town will know what was expected of us. We know what Fire Fighters do but we currently have a Fire Department in-house so we do not know the specifics of how they carry out their jobs. We need a document that spells out who is responsible when it comes to the employees and the use of the equipment. There were a lot of unanswered questions.

Commissioner Byrd stated the Fire Department would come under the Town in regards to employees but just like the Recreation Department, Public Works, and Police, the Fire Department would still run the way it had always run.

Town Manager Snow Bowden stated the Fire Department would remain a private non-profit. The employees would be full-time employees that were leased to the Fire Department. The process of hiring employees needed to be explained and spelled out in the MOU.

Commissioner Blackmon stated he does not like to have a lot of discussion on the matter because he cannot vote on the matter but Mint Hill, Four Oaks, and New Hanover County all had this agreement. He stated the Fire Department insurance would cover anyone driving or working on the Fire Department equipment regardless of whether the person is a Town Employee. All Full-Time Fire

MINUTES CONTINUED FROM JULY 24, 2023

Department Employees leased by the Town would have to follow the Town of Erwin personnel policy.

Commissioner Marbell arrived at 6:21 PM.

The consensus of the Board was to place this item under Consent on the agenda for our Regularly Scheduled Meeting in August. Commissioners Ricky Blackmon and Charles Byrd will be recused from voting on the items under Consent due to a conflict of interest.

Renewal of SRO MOU

The consensus of the Board was to place this item under Consent on the agenda for our Regularly Scheduled Meeting in August.

American Tower

Town Manager Snow Bowden stated he knew the Town Board was tired of talking about it but he was contacted by De' Andre Freeman. At our last Workshop, we did not have a quorum to discuss the matter. He countered back with the same terms and a 10-year rent guarantee.

The consensus of the Board was to instruct Town Manager Snow Bowden to reach out to Mr. Freeman and inform American Towers that the Town Board is not interested in negotiating and the Board will keep the terms the same as we approved five years ago.

Al Woodall Park Parking

Town Engineer Bill Dreitzler stated the proposed parking lots would add twenty-eight new spaces. We would have to lose three spaces but the added spaces would be worth those three.

Mayor Baker inquired about the cost.

Town Manager Snow Bowden stated that staff estimated a cost of 60-70 thousand dollars. He stated the Town could reach out to our State Representatives and we could also look at using funding from our Capital Reserve.

The consensus of the Board was to instruct Town Manager Snow Bowden to look into funding options and get the design started.

Barn Quilt

Teresa Stephenson of the Erwin Historical Society came forward and addressed the Board. She stated that she was looking for permission to place a historically accurate Barn Quilt on the front of the municipal building where the Erwin History Room is located at 110 West F Street. The Barn Quilt would bring in tourism and cause positive attention for us. The Barn Quilt will display a design of trains and travel to represent trains being a vital part of Erwin, the colors red, black, and white to represent Erwin's traditional colors and blue to represent Erwin being the Denim Capital of the World for so many years. She asked the Board for recognition for donating the materials and as the artist completing the project. She stated all she needed was permission from the Board and the Town would need to attach the Barn Quilt to the building.

MINUTES CONTINUED FROM JULY 24, 2023

Ms. Stephenson provided the Board with a pamphlet of Barn Quilts of Harnett County, NC which is attached to these minutes.

The consensus of the Board was to instruct Town Clerk Lauren Evans to prepare a Proclamation and to place this item under Consent on the agenda for our Regularly Scheduled Meeting in August.

Bench Donation Program

Town Manager Snow Bowden stated we stole an idea from the Town of Wake Forest. They have a Bench Donation program but we expanded it. The donated benches would be similar to the bench donated by Eagle Scout, Aidan Johnson, in front of the Erwin History Room. This would be a great program for locals to donate a bench for historical areas in Town and the bench could be donated in memory of a lost loved one. The best would be to have benches on the rail trail and he recommended avoiding DOT right of way. He suggested areas such as Erwin Fire and Rescue, the gazebo, the old mill, the old bank, the old movie theater, Good Hope Hospital, etc. Resident, Si Harrington of the Erwin Historical Society has volunteered to assist with the program.

Commissioner Byrd inquired about the cost.

Town Manager Snow Bowden stated the Town would not have any cost. The person donating the bench would be responsible for paying for the bench and the cost to anchor it down.

Mayor Baker stated he spoke with Richard Royal, a local welding craftsman and the person who made the bench in front of the Erwin History Room. Mr. Royal stated the bench in front of the Erwin History Room was built oversized and had several different layers. A typical bench was four feet wide. The Town of Erwin could sponsor the Trail Program and residents/businesses can donate the benches. He used himself as an example, nothing about the donator will be on the bench but there can be a sign placed beside the bench for recognition. He wanted to start with 10 spaces around Town.

The consensus of the Board was to instruct Town Manager Snow Bowden to draft a formal policy, identify more sites, ask Mr. Royal to create designs for the benches and bring it all back before the Board at another Workshop.

West K Street

Town Manager Snow Bowden provided the Board with an update on West K Street. The Town received six RFQ submittals for the project on West K Street. Town Engineer Bill Dreitzler had reviewed all six and had reached out to the selected firm to begin negotiation. Staff hoped to have a presentation for the Board at our next regularly scheduled Workshop in August.

SU-2023-003

Town Manager Snow Bowden made the Board aware of the Public Hearing scheduled for case SU-2023-003 at our Regularly Scheduled Meeting in August. No discussion was had among the Board.

MINUTES CONTINUED FROM JULY 24, 2023

SU-2023-004

Town Manager Snow Bowden made the Board aware of the Public Hearing scheduled for case SU-2023-004 at our Regularly Scheduled Meeting in August. No discussion was had among the Board.

VAR-2023-001

Town Manager Snow Bowden made the Board aware of the Public Hearing scheduled for case VAR-2023-001 at our Regularly Scheduled Meeting in August. No discussion was had among the Board. The Board did however ask Mr. Bowden to ensure the applicant has a clear understanding of what he is asking for and the hardship the applicant was creating.

MANAGER'S REPORT

Town Manager Snow Bowden stated he had no news for the Board at that time. He would have a full report at our Regularly Scheduled Meeting in August.

GOVERNING COMMENTS

Mayor Baker informed the Board that he will be out for some time next month, his wife will be undergoing surgery.

ADJOURNMENT

Commissioner Blackmon made a motion to adjourn at 7:06 P.M. and was seconded by Commissioner Byrd. **The Board voted unanimously.**

**MINUTES RECORDED AND TYPED BY
LAUREN EVANS TOWN CLERK**

ATTEST:

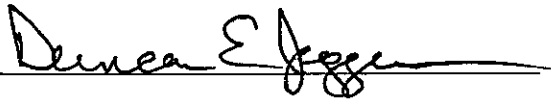
Randy Baker
Mayor

Lauren Evans
Town Clerk

Re: Renewal of School Resource Officer Program Memorandum of Understanding

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

SIGNATURES:



6.29.23
DATE

DATE



TOWN OF ERWIN

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

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

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

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

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

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

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

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

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

PROCLAIMED this 3rd day of August 2023.

ATTEST:

Randy Baker, 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: August 3, 2023

Subject: SU-2023-003

The Town has received an application for a special use permit for a vacant parcel located off North 13th Street (HWY 217). The parcel is undeveloped and does not have an address. It is located directly across from W.N. Porter Park and is adjacent to the apartment complex Oakdale I. The parcel can be identified by its Harnett County Tax PIN #0597-66-7341.000. The applicant is seeking a special use permit to build ten (10) multi-family units. They are applying for a grant to develop this site and do not have a site plan at the moment. If this request is approved the site plan would have to follow all of the guidelines pertaining to our R-6 Zoning District or any other conditions that might be placed on this special use permit by the Town Board.

Attachments:

- SU-2023-003 Application
- SU-2023-003 Staff Report
- Harnett County GIS Image with zoning
- Harnett County GIS Image with no zoning
- Harnett County GIS Image- blue line steam
- Property owners notified
- SU-2023-003 Public Notice Letter
- SU-2023-003 Newspaper Notice

PAID

JUL 07 2023



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

TOWN OF ERWIN

check 11286

SPECIAL USE PERMIT APPLICATION

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

Applicant Name	JLH Community Action	Property Owner Name	E.S. Turlington Est.
Mailing Address	PO Drawer 711	Mailing Address	PO Box 1027
City, State, Zip	Smithfield, NC 27577	City, State, Zip	Dunn, NC 28335
Telephone	919-934-2145	Telephone	859-489-7514
Email	jlhca@jlhcommunityaction.org	Email	Turlingtonstuart@gmail.com
Address of Subject Property	N. 13th Street, Erwin, NC		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 66 - 7341 .000		
Legal Relationship of Applicant to Owner	Contract Purchase	Floodplain SFHA	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"/> or N	Public Sewer Available: <input checked="" type="checkbox"/> or N	Existing Septic Tank: Y or <input checked="" type="checkbox"/> N	
Number of Buildings to Remain	N/A	Gross Floor Area to Remain	N/A
Describe Proposed Project or Request with Conditions proposed by applicant: 10 Multi-family Units (1-1BR Duplex - 2 Units; 4-2BR Units; 4-3BR Units)			
Total Acreage or Square Footage to be Disturbed	Approx. 2 Ac.		
Estimated Cost of Project \$ 4 Million			

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	6/29/23	Office Use Only	Application Fee \$	300	Received By	MSB
Case # SU-2022-003						

**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

Finding of Facts

1



TOWN OF ERWIN

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

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

Property Owner (1)	DTH Management Group	Mailing
Address	PO Box 1567	City Dunn ST ^{NC} Zip 28335
Property Owner (2)	E. S. Turlington Est.	Mailing
Address	PO Box 1027	City Dunn ST ^{NC} Zip 28335
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

202 007
SU- - -

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: E. Marie Watson / 1/11/18



1 inch = 188 feet

Cape Fear River
Approx. 3.79 AC

- Roads
- Mile_Markers
- Mile_Markers
- Railroad
- Parcels
- Airport
- MajorRoads
 - Interstate
 - NC
 - US

- Surrounding County Boundaries
- City Limits
- County Boundary
- Address Numbers

GIS/E-911 Addressing
 May 17, 2023



Harnett County GIS

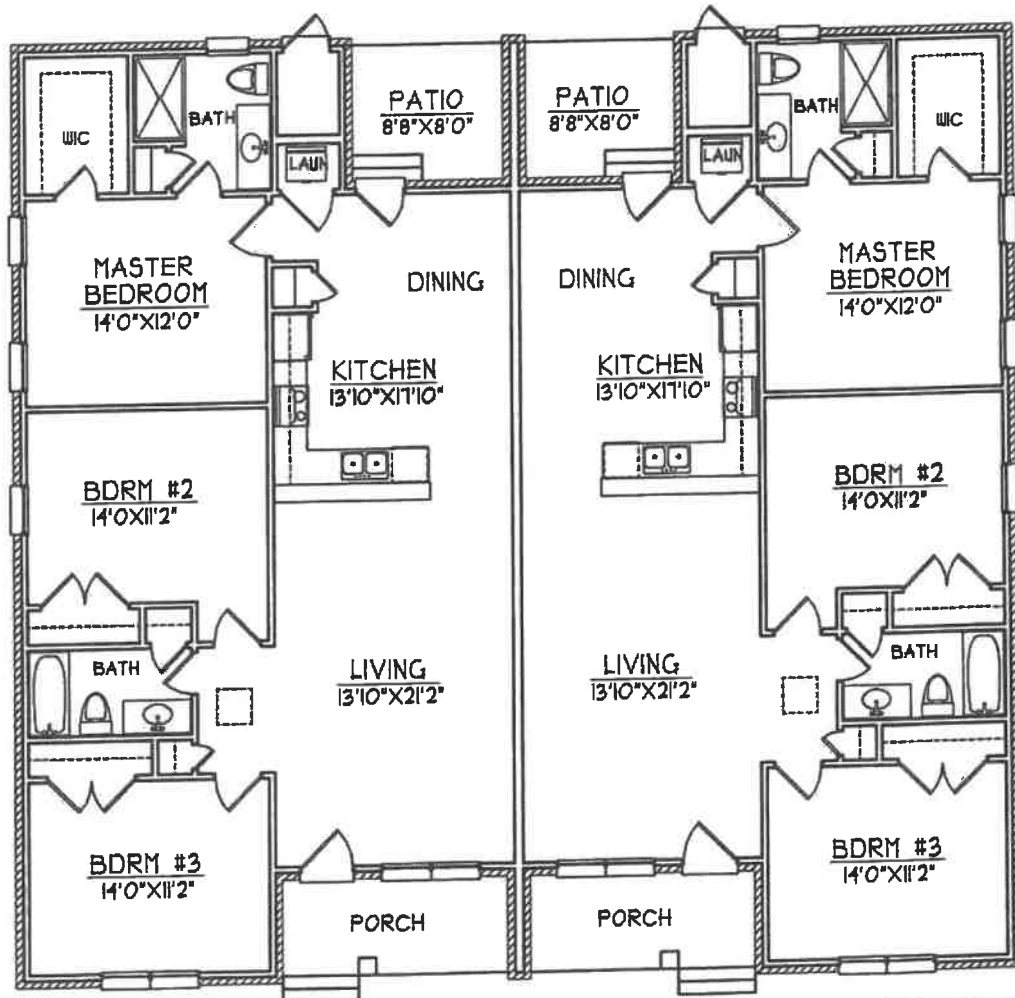
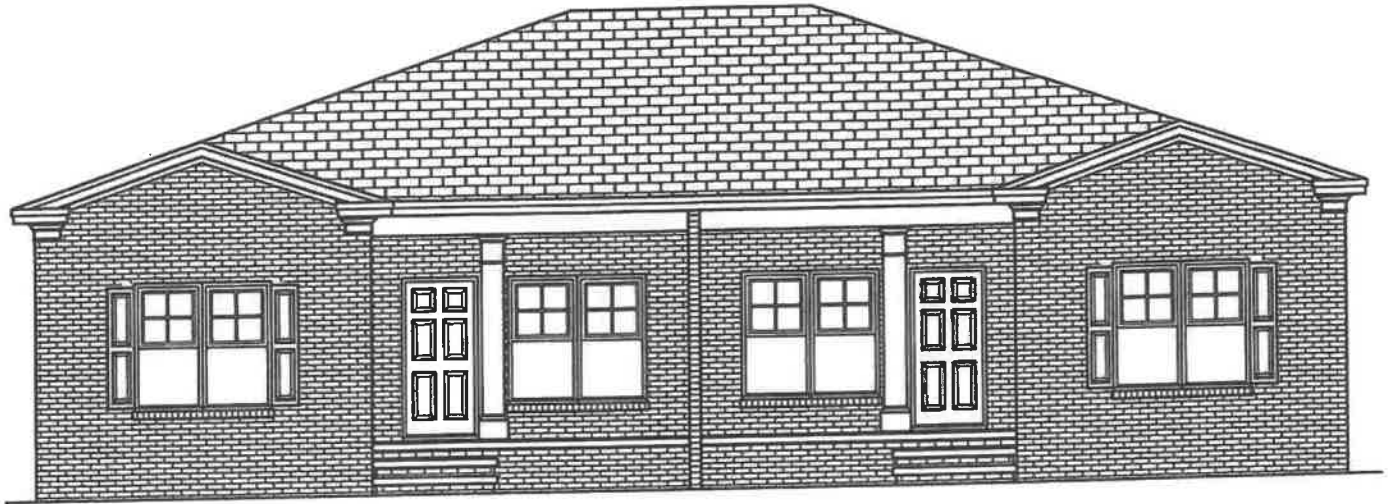
PID: 06059711050003 02
PIN: 0597-66-7341.000
Account Number: 602457000
Owner: TURLINGTON EDWARD S
Mailing Address: P O BOX 1027 DUNN, NC 28335-0000
Physical Address: N 13TH ST NC ac
Description: PART TR#8 MAP#G-3 2 ACS MB#12/54
Surveyed/Deeded Acreage: 2
Calculated Acreage: 2
Deed Date: 231310800000
Deed Book/Page: 655 - 0959
Plat(Survey) Book/Page: -
Last Sale: 1977 - 5
Sale Price: \$0
Qualified Code: X
Vacant or Improved: V
Transfer of Split:
Actual Year Built:
Heated Area : SqFt
Building Count : 0

Building Value: \$0
Parcel Outbuilding Value: \$0
Parcel Land Value: 31130
Market Value: \$31130
Deferred Value: \$0
Total Assessed Value: \$31130
Zoning: Residential - 2.0 acres (100.0%)
Zoning Jurisdiction: Erwin
Wetlands: No
FEMA Flood: Minimal Flood Risk
Within 1mi of Agriculture District: Yes
Elementary School: Erwin Elementary
Middle School: Coats-Erwin Middle
High School: Triton High
Fire Department: Erwin
EMS Department: Medic 5, D5 EMS
Law Enforcement: Erwin Police
Voter Precinct: Erwin/Duke
County Commissioner : Barbara McKoy
School Board Member: Sharon Gainey

Generating Map...

STEWART ST. DUPLEX

#1375 EACH

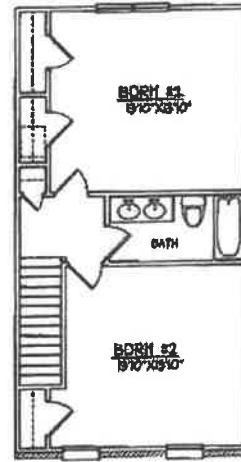
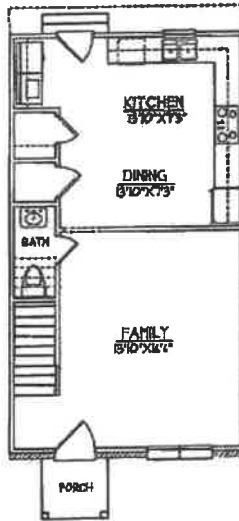


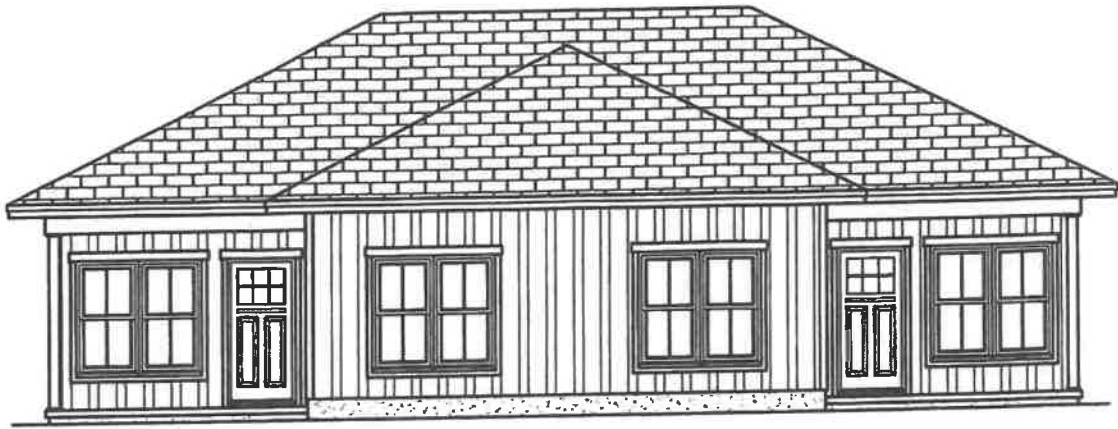
SQUARE FOOTAGE	
EACH UNIT	= 1375
FRONT PORCH	= 83
PATIO	= 69
WIDTH	= 58'-4"
DEPTH	= 54'-10"



SQUARE FOOTAGE	
FIRST FLOOR	154
WIDTH	18'-0"
DEPTH	37'-0"

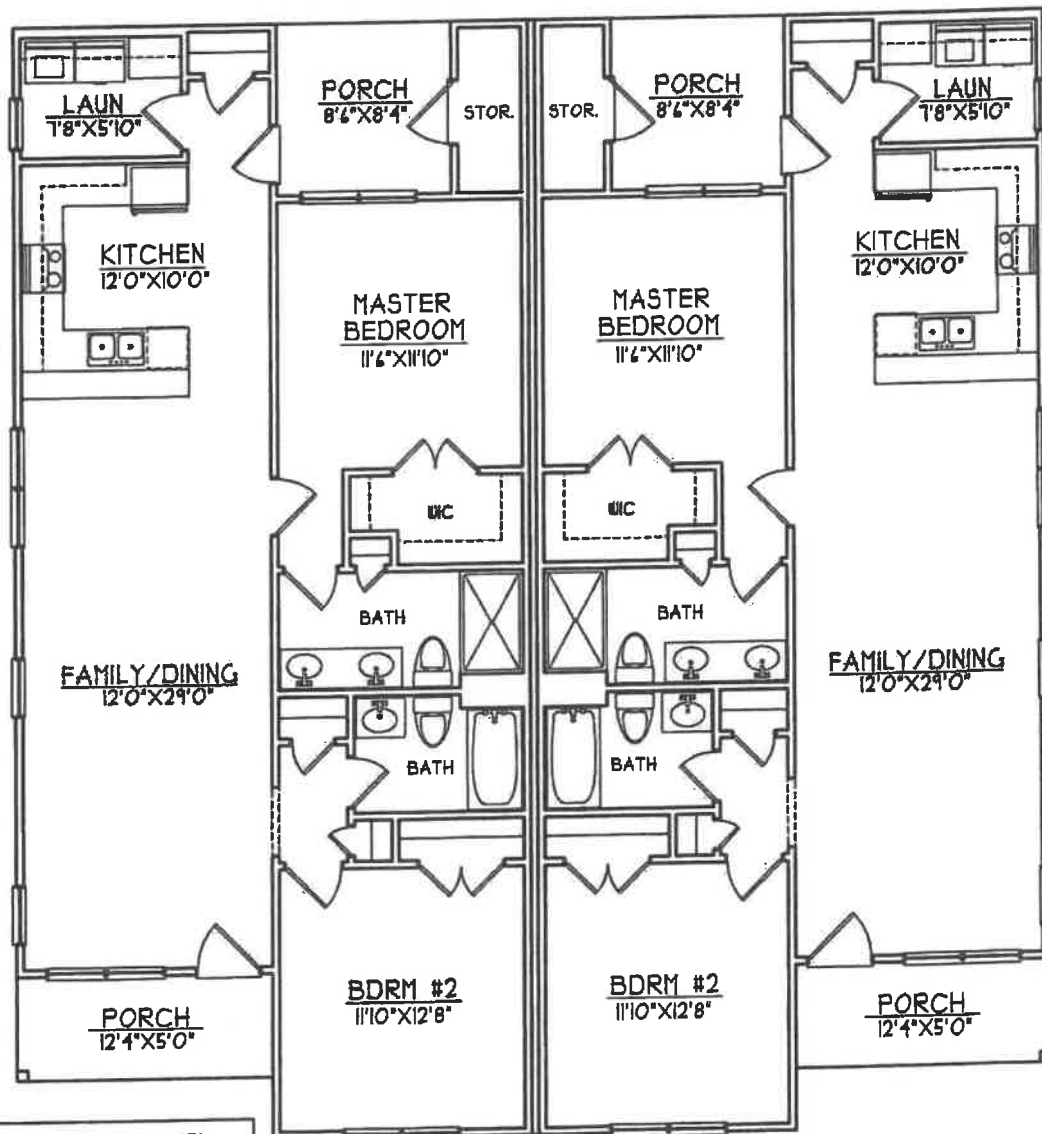
THE TRIPLEX
#1154





#1140 DUPLEX

#1140



SQUARE FOOTAGE (PER UNIT)	
FIRST FLOOR	= 1140
PORCHES	= 132
STORAGE	= 31
WIDTH = 24'-10" (TOTAL = 50'0")	
DEPTH = 41'-4"	



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2023-003

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, August, 3, 2023 at 7PM

Requested special use permit for a multi-family (duplexes) on a residential parcel that is currently vacant. The parcel does not have an address but it can be identified by its Harnett County Tax PIN # 0597-66-7341.000.

Applicant Information

Owner of Record:

Name: E.S. Turlington

Address: PO Box 1027

City/State/Zip: Dunn, NC 28334

Applicant:

Name: JLH Community Action

Address: PO Box 711

City/State/Zip: Smithfield, NC 27577

Property Description

Harnett County Tax PIN 0597-66-7341.000

Acres 2.0

Zoning District- Residential R6

Vicinity Map

- See Attached Document

Physical Characteristics

Site Description: This is a vacant tract of land that is undeveloped.

Surrounding Land Uses: There are multi-family (apartments) adjacent to this parcel and a municipal park across the street.

Services Available

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

Zoning District Compatibility

Special Use	R-6
Multi-family dwellings	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:** Multi-family dwellings are allowed with a special use permit 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 seeking a special use permit to build another apartment complex in Erwin. This would provide a much needed housing option to our current residents and any potential future residents.

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 land uses and there is a municipal park across the street.

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

- **Reasoning:** This parcel is located in an area identified for Medium Intensity Growth which does include medium to high density residential land uses.

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

- **Reasoning:** The proper infrastructure will be installed by the developer and reviewed by Town Staff before a final Certificate of Occupancy is issued.

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:** The units will be served by an existing Town Street. At the moment, there are no plans for any additional connections to North 13th Street (HWY 217).

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

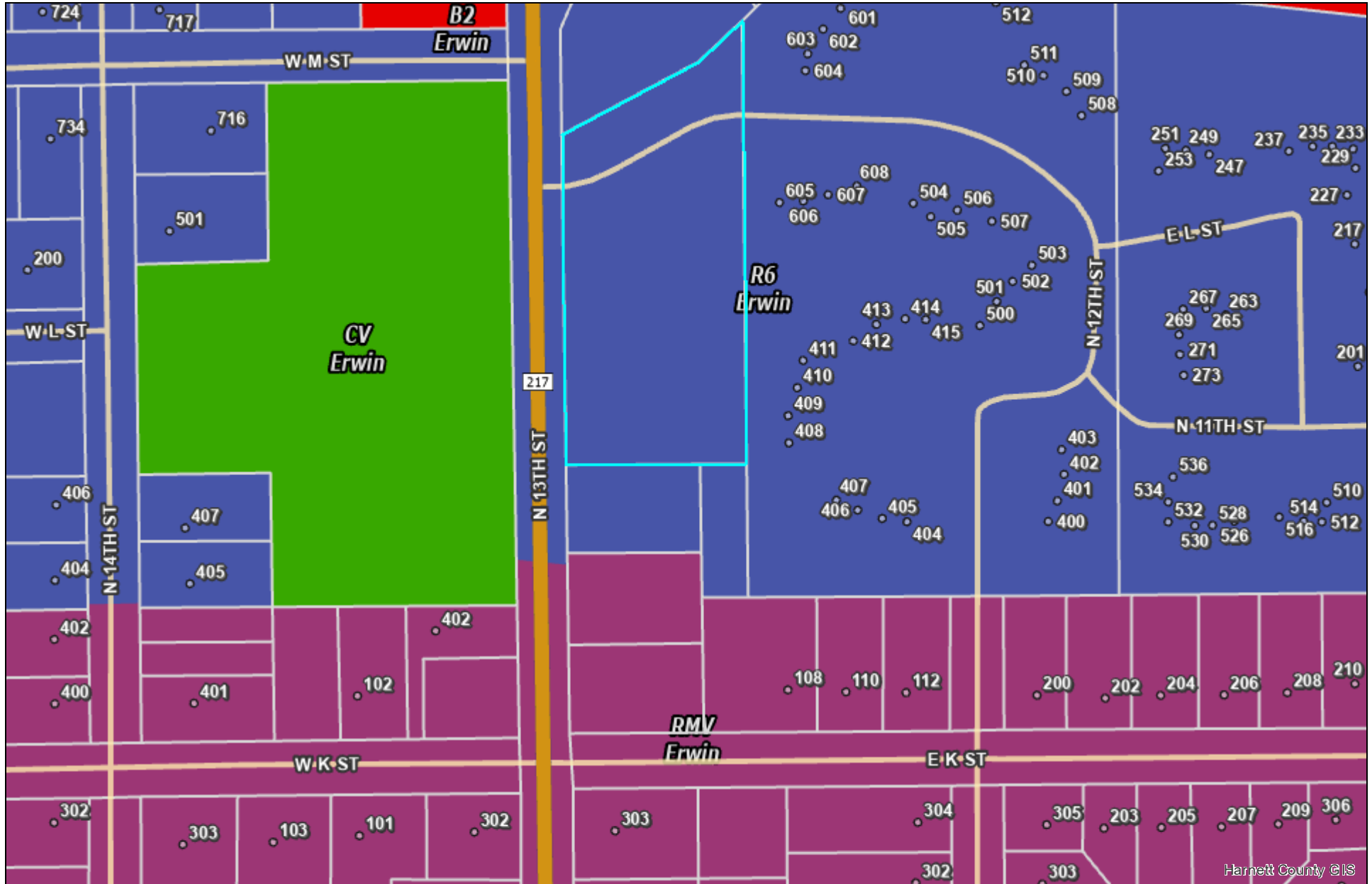
- **Reasoning:** Yes.

Attachments:

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

Harnett GIS

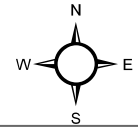
NOT FOR LEGAL USE



Harnett County GIS

- | | | | |
|-----------------|-------------------|-----------------|--------------|
| City Limits | MajorRoads | RoadCenterlines | ETJ Boundary |
| County Boundary | Interstate | Railroad | |
| Address Numbers | NC | Parcels | |
| Airport | US | CapeFearRiver | |

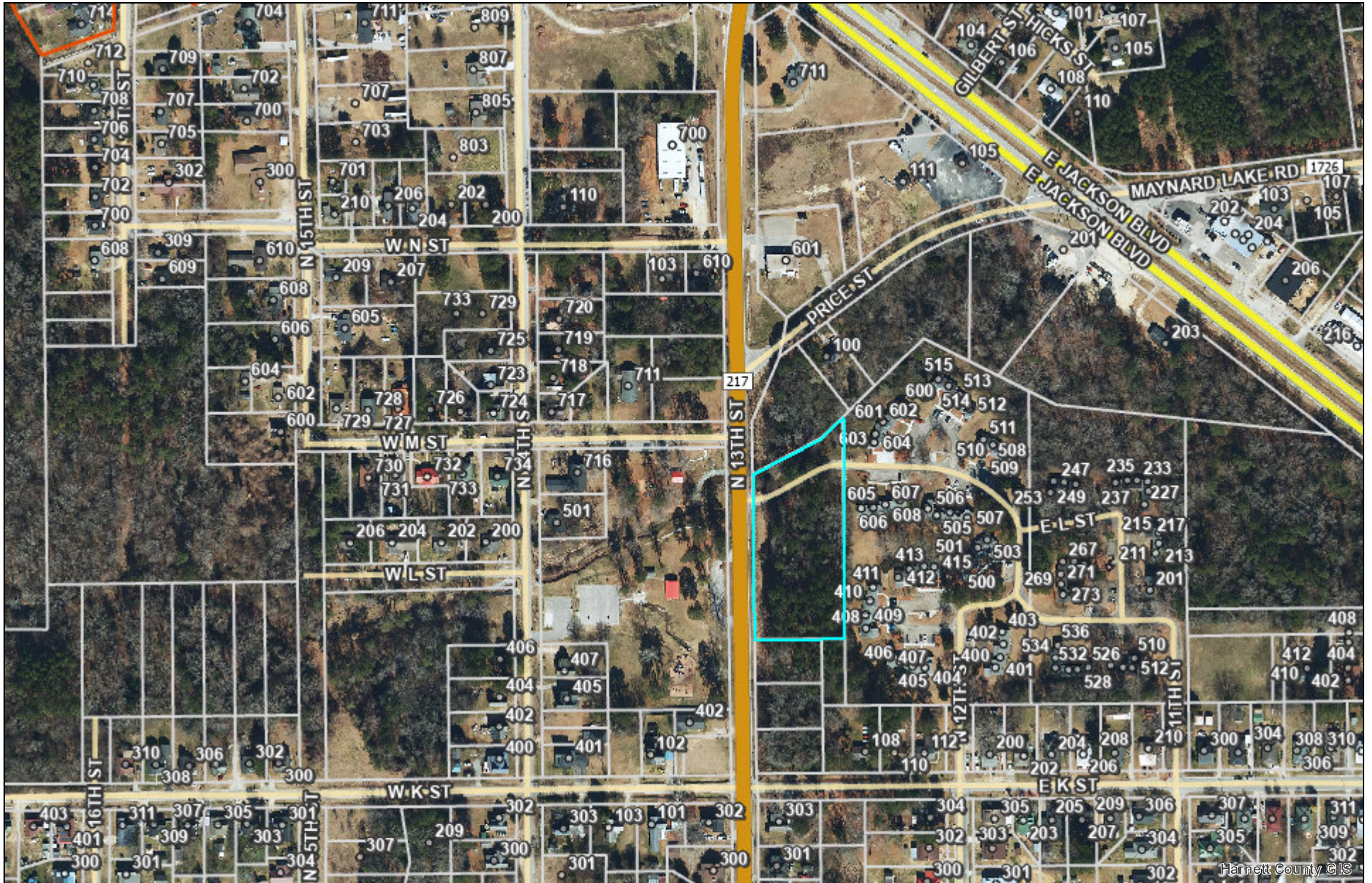
GIS/E-911 Addressing
July 17, 2023











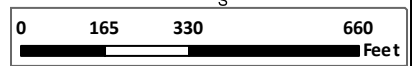
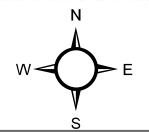
1 inch = 188 feet ³⁰

Harnett GIS

NOT FOR LEGAL USE



- | | | | | |
|---|-----------------|---|--|------------------|
|  | City Limits | Major Roads |  | Road Centerlines |
|  | County Boundary |  | Interstate | Railroad |
|  | Address Numbers |  | NC | Parcels |
|  | Airport |  | US | Cape Fear River |



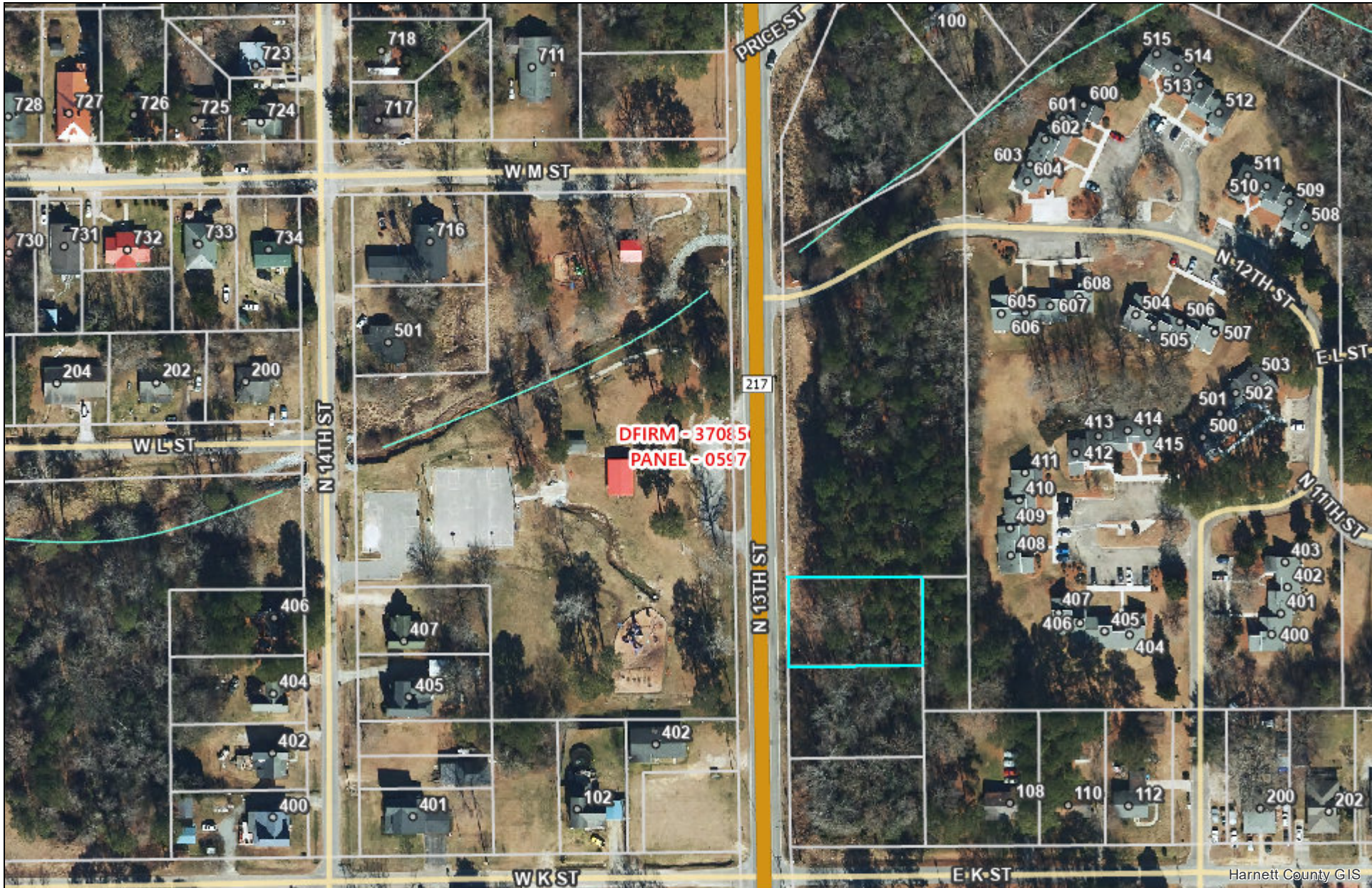
GIS/E-911 Addressing
July 17, 2023

1 inch = 376 feet ³¹

Harnett County GIS

Harnett GIS

NOT FOR LEGAL USE

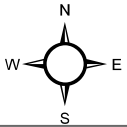


Harnett County GIS

- | | | | |
|-----------------|--------------------|-----------------|---------------------------|
| City Limits | Major Roads | Railroad | Flood Hazard Zones |
| County Boundary | Interstate | Parcels | 100 Year Flood Plain |
| Address Numbers | NC | BlueLineStreams | 500 Year Flood Plain |
| Airport | US | Flood Map Index | |
| | Road Centerlines | Floodway | |

GIS/E-911 Addressing

July 17, 2023



1 inch = 188 feet

32

Edward Turlington
PO Box 1027
Dunn, NC 28335

Oakdale Associates
DTH MGT
PO Box 1567
Dunn, NC 28335

Shantyra McLean
100 Price Street
Erwin, NC 28339

JLH Community Action
PO Box 711
Smithfield, NC 27577



TOWN OF ERWIN

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

07/11/2023

Notice of a Public Hearing SU-2023-003

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

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

There has been a special use permit application submitted to the Town. The property is located on a vacant parcel located off of North 13th Street (also known as HWY 217). The parcel is adjacent to the apartment complex Oakdale 1. The parcel can also be identified by its Harnett County Tax PIN # 0597-66-7341.000. The applicant is seeking a special use permit to build ten multi-family units.

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

Regards,

Snow Bowden
Town Manager

NOTICE OF PUBLIC HEARING

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

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

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

7/18,25/2023

5Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 3, 2023

Subject: SU-2023-004

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

Attachments:

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



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

SPECIAL USE PERMIT APPLICATION

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

Applicant Name	Black River Services William Morris	Property Owner Name	William H. Morris
Mailing Address	129 Bumpas Creek Access	Mailing Address	11 11
City, State, Zip	Dunn NC	City, State, Zip	11 11 11
Telephone	910 237 3657	Telephone	
Email	mo	Email	
Address of Subject Property	SAME 11	129 Bumpas Creek Access	
Parcel Identification Number(s) (PIN) of Subject Property	05 95 - 79 - 5708 .000		
Legal Relationship of Applicant to Owner	owner	Floodplain SFHA	Yes <input checked="" type="checkbox"/> No
Legal Description: Lot	Block	Subdivision	
Zoning District	RD	Wetlands	Yes <input checked="" type="checkbox"/> No
Public Water Available: Y or N		Public Sewer Available: Y or N	<input checked="" type="checkbox"/>
Existing Septic Tank: Y or N		<input checked="" type="checkbox"/>	
Number of Buildings to Remain	2	Gross Floor Area to Remain	96 sf
Describe Proposed Project or Request with Conditions proposed by applicant: Operate a vehicular sales business.			
Total Acreage or Square Footage to be Disturbed	96 sq FT.		
Estimated Cost of Project \$			

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

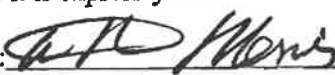
Provide complete mailing addresses for each adjacent property owners (also property within 100 feet) and/or property owners directly across a street, if any. Names and addresses must be from current Harnett County tax listings.

Date Application Submitted	11/10/17	Office Use Only	Application Fee \$	20	Received By	KGD
Case # SU-2023 -004						

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

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

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

Applicant Signature and Date:  4/10/23

See attached

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

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

Action by the Board of Commissioners

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

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



TOWN OF ERWIN

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

Processing Requirements

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

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

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

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

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

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

**Town of Erwin
Record and Decisions**

Office Use Only

Notice Mailed _____ Property Posted _____ Newspaper Advertised Date _____

Public Hearing Date and Comments: _____

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

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2023-004

Snow Bowden, Town Manager

townmanager@erwin-nc.org

Phone: (910) 591-4200

Fax: (910) 897-5543

Public Hearing Date: Thursday, August 3, 2023

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

Applicant Information

Owner of Record:

Name: W.H. and Gina D. Morris

Address: 129 Bumpas Creek Access

City/State/Zip: Dunn, NC 28334

Applicant:

Name: W.H. Morris

Address: 129 Bumpas Creek Access

City/State/Zip: Dunn, NC 28334

Property Description

Harnett County Tax PIN 0597-79-5908.000

Acres 4.15

Zoning District- Residential R-D

Vicinity Map

- See Attached Document

Physical Characteristics

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

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

Services Available

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

Zoning District Compatibility

Special Use	RD
Customary Home Occupation	X

Staff Evaluation

Staff Evaluation

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

- **Reasoning:** Vehicular Sales are allowed with a special use permit in our RD Zoning District.

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

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

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

- **Reasoning:** This tract of land is surrounded by primarily residential land uses.

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

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

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

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

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

- **Reasoning:** This site has an existing driveway and there will be no onsite traffic associated with this requested land use.

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

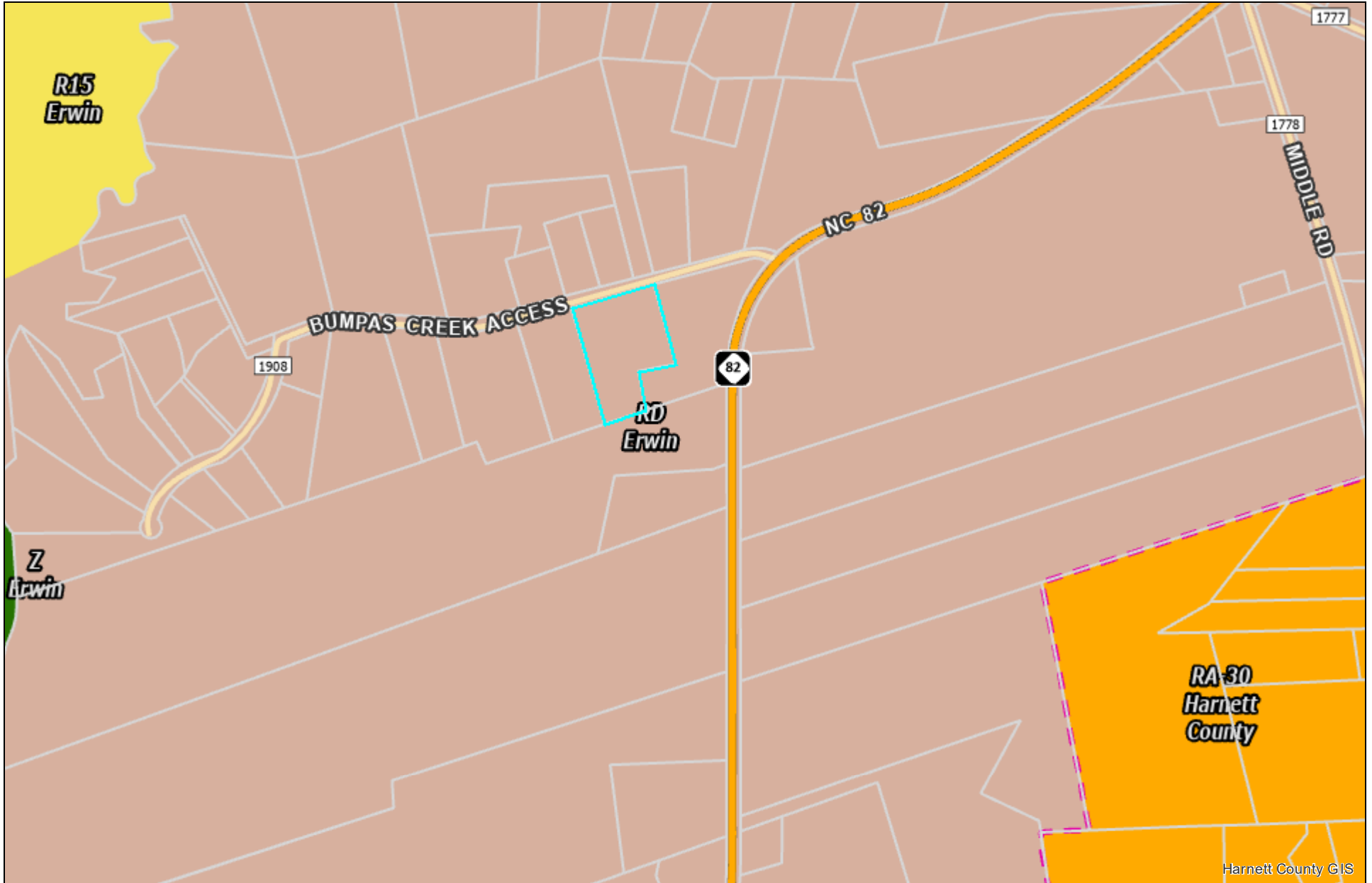
- **Reasoning:** Yes.

Attachments:

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













Harnett GIS

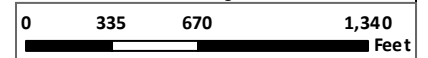
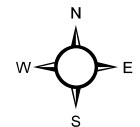
NOT FOR LEGAL USE



GIS/E-911 Addressing

April 25, 2023

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

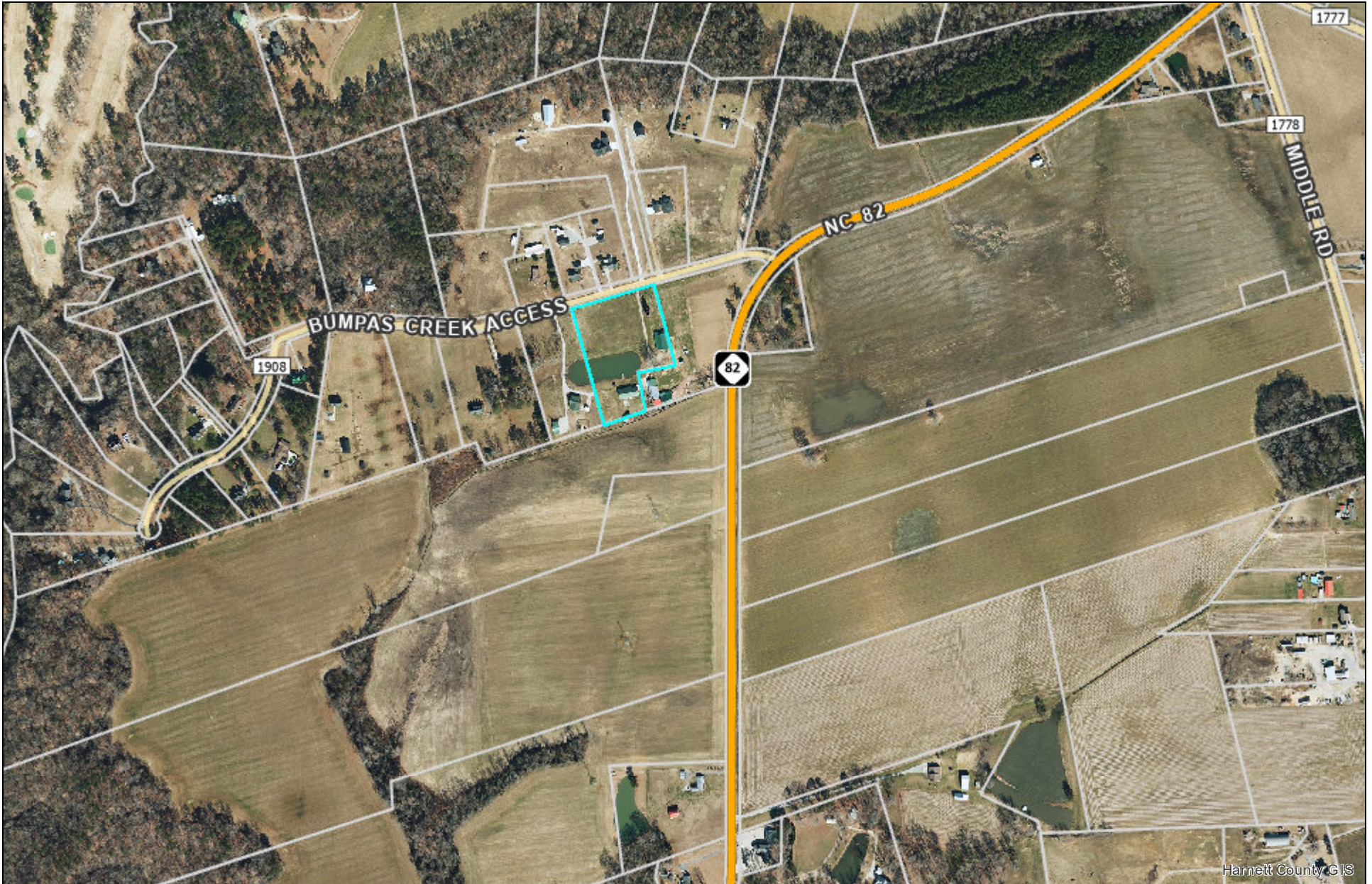


1 inch = 752 feet **46**













Harnett County GIS

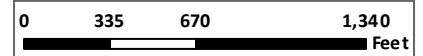
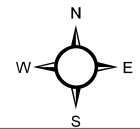
Harnett GIS

NOT FOR LEGAL USE



Harnett County GIS

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



1 inch = 752 feet ^{A7}

GIS/E-911 Addressing

April 25, 2023

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

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

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

Black River Properties
PO Box 787
Dunn, NC 28335

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

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



TOWN OF ERWIN

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

07/11/2023

Notice of a Public Hearing SU-2023-004

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

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

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

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

Regards,

Snow Bowden
Town Manager

NOTICE OF PUBLIC HEARING

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

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

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

7/18,25/2023

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: August 3, 2023

Subject: VAR-2023-001

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

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

Sec. 30-40. - Variances.

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

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

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



Variance Application (February 2011)

Name of Applicant	Levi Gross	Property Owner	200 North 13 LLC
Mailing Address	320 Roebling St #125	Mailing Address	320 Roebling St #125
City, State, Zip	Brooklyn NY 11211	City, State, Zip	Brooklyn NY 11211
Telephone	910-250-5025	Telephone	910-250-5025
Email	levi@ccipnc.com	Email	levi@ccipnc.com

Address of Subject Property	200 North 13th St Erwin NC 28339
Parcel Identification Number(s) (PIN) of Subject Property	0597-54-8405.000

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

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

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

Yes, this parcel was developed prior to current zoning code

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

Yes, helping the redevelopment of the property

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

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

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

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

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

Yes, as it is an already-developed site

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

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

Owner/Applicant Must Read and Sign

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

Levi Gross

Print Name

Levi Gross

Signature of Owner or Representative

07/05/23

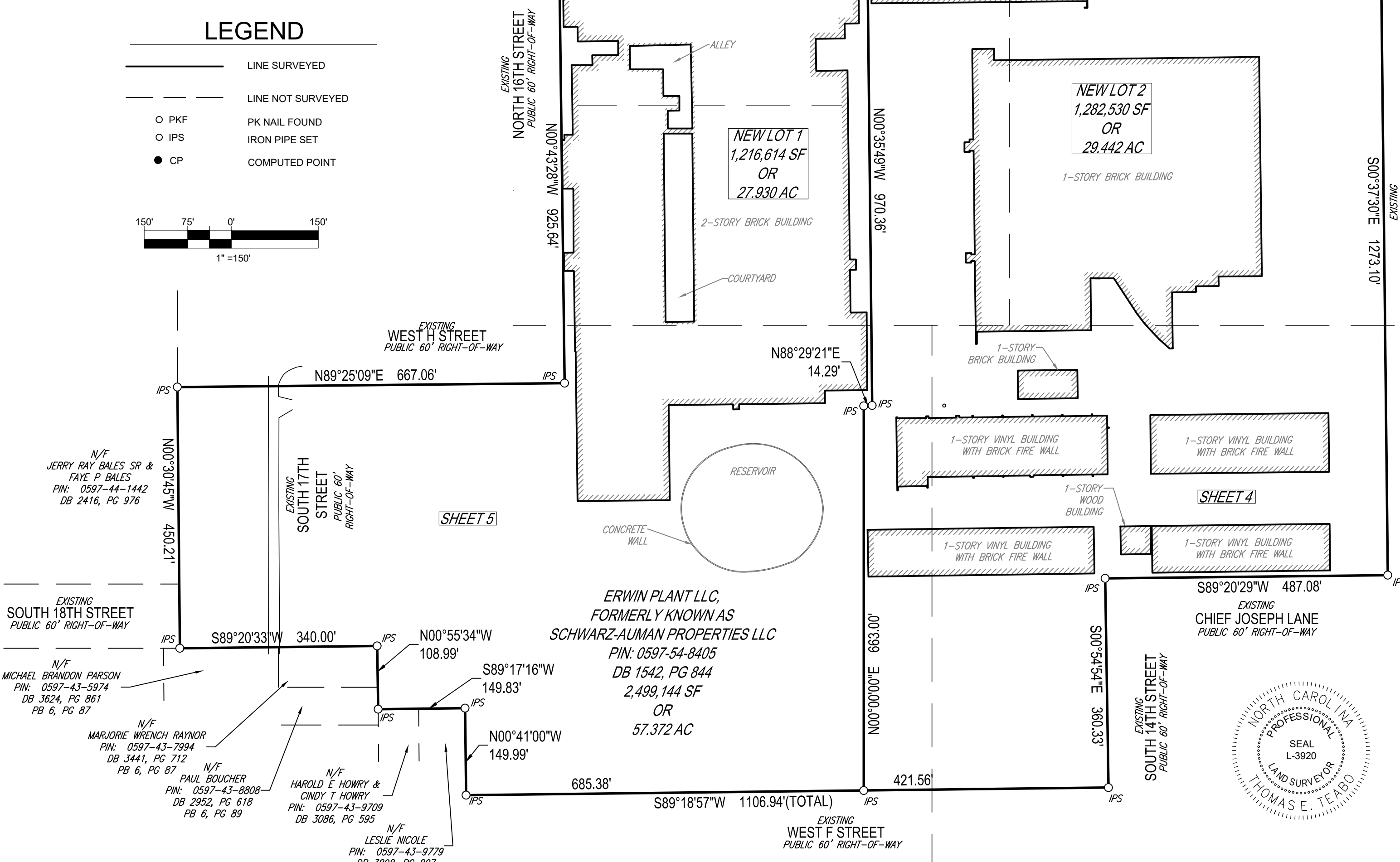
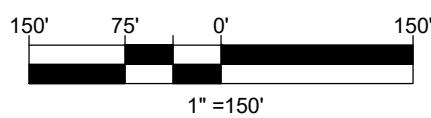
Date

NOTES:

1. THE FIRM HAS NEITHER REVIEWED, NOR RELIED UPON A TITLE COMMITMENT OR ANY TITLE REPORT IN AND WHILE PREPARING THIS SURVEY AND THE CLIENT SHOULD NOT RELY UPON THIS SURVEY AS ASSURANCE OF OWNERSHIP, AS GUARANTEE OF MARKETABLE TITLE EXCEPTIONS THAT MAY, COULD OR DO ENCUMBER THE PROPERTY. THE CLIENT MUST ENGAGE A TITLE AGENT/TITLE INSURANCE COMPANY FOR REVIEW AND CONFIRMATION OF, AND INSURANCE REGARDING MARKETABLE TITLE.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
5. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, PER THE NCVRS NETWORK.
6. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).
7. VERTICAL DATUM SHOWN HEREON IS NAVD88.
8. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720059700J, PANEL 0597 EFFECTIVE DATE OCTOBER 3, 2006.

LEGEND

- LINE SURVEYED
- - - LINE NOT SURVEYED
- PKF PK NAIL FOUND
- IPS IRON PIPE SET
- CP COMPUTED POINT



SITE AREA TABLE:

NEW LOT 1:	1,216,614 SF OR 27.930 AC
NEW LOT 2:	1,282,530 SF OR 29.442 AC
TOTAL AREA:	2,499,144 SF OR 57.372 AC

AS THE OWNER OF RECORD, I HEREBY FORMALLY CONSENT TO THE PROPOSED DEVELOPMENT SHOWN ON THIS PLAN AND ALL REGULATIONS AND REQUIREMENTS OF THE TOWN OF ERWIN ORDINANCES.

DATE _____ OWNER'S SIGNATURE _____

NOTARY STATEMENT

STATE OF _____

COUNTY OF _____

I CERTIFY THAT THE FOLLOWING PERSON(S) PERSONALLY APPEARED BEFORE ME THIS DAY, EACH ACKNOWLEDGING TO ME THAT HE OR SHE VOLUNTARILY SIGNED THE FOREGOING DOCUMENT FOR THE PURPOSE STATED THEREIN AND IN THE CAPACITY INDICATED:

DATE: _____, 2023

PRINTED NAME: _____

MY COMMISSION EXPIRES: _____

HARNETT COUNTY, NORTH CAROLINA

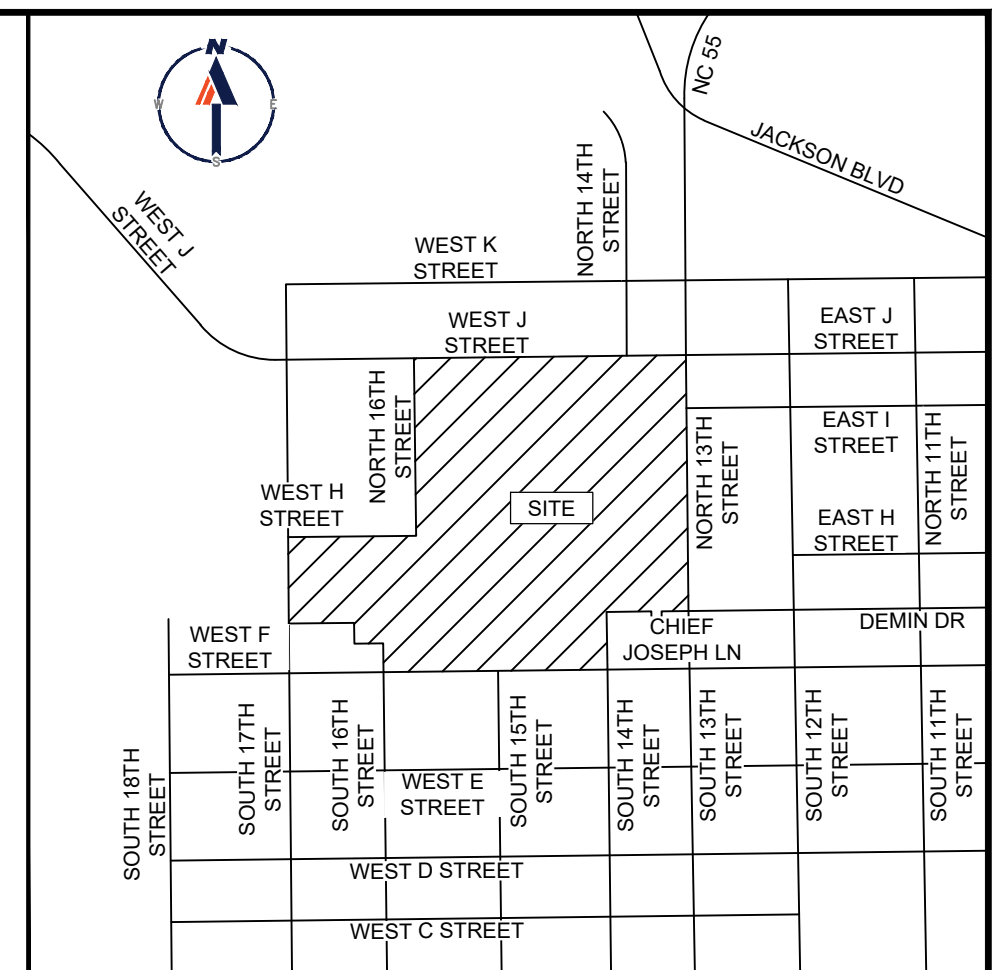
FILED FOR REGISTRATION ON THE _____ DAY OF _____ AT _____ (AM / PM) AND DULY RECORDED IN MAP BOOK _____ AT PAGE _____

REGISTER OF DEEDS OF HARNETT COUNTY

STATE OF NORTH CAROLINA
COUNTY OF HARNETT

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

REVIEW OFFICER _____ DATE _____



LOCATION MAP
NOT TO SCALE



- REFERENCES:**
- DB 1542, PG 844
 - DB 3624, PG 861
 - DB 3431, PG 416
 - DB 3086, PG 595
 - DB 2952, PG 618
 - DB 3441, PG 712
 - DB 2416, PG 976
 - PB 6, PG 89
 - PB 6, PG 87

SURVEYOR CERTIFICATION

I, THOMAS E. TEABO, PLS, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, FROM DEED AND MAP REFERENCES AS NOTED ON SAID MAP; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FROM DEED AND MAP REFERENCES AS NOTED ON SAID MAP.

THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY OF THE SURVEY AS CALCULATED IS 1: 10,000+. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION OF RECORD; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30, AS AMENDED.

I HEREBY CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: "CLASS A"
- (2) POSITIONAL ACCURACY: 0.04'
- (3) TYPE OF GPS FIELD PROCEDURE: REAL-TIME KINEMATIC NETWORKS-NCVRS
- (4) DATES OF SURVEY: MAY 23, 2018-NOVEMBER 15, 2021
- (5) DATUM/EPOCH: NAD 83 (2011) EPOCH 2010.00
- (6) PUBLISHED/FIXED-CONTROL USE: NCVRS
- (7) GEOID MODEL: 2012 (CONUS)
- (8) COMBINED GRID FACTOR(S): 0.999869844
- (9) UNITS: US SURVEY FEET

THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF A SUBDIVISION.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 16TH DAY OF MAY A.D., 2023.

PRELIMINARY - NOT FOR RECORDATION, SALES OR CONVEYANCES

SURVEYOR _____ NC L-3920

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

200 N 13TH STREET
TOWN OF ERWIN, DUKE TOWNSHIP,
HARNETT COUNTY, NORTH CAROLINA

FILE NO.	NS182033	BOHLER	4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000 www.bohlerengineering.com NCBELS: P-1132										
DATE	05/16/2023												
FIELD DATE	10/21/2022	CREW CHIEF	RJ	DRAWN	BG	REVIEWED	JT/TET	APPROVED	TET	SCALE	1" = 150'	DWG. NO.	1 OF 5

BOHLER ENGINEERING - ALL RIGHTS RESERVED. NO OTHER THAN THE ORIGINAL PROJECT OR THE PURPOSE ORIGINALLY INTENDED. WITHOUT THE WRITTEN PERMISSION OF BOHLER ENGINEERING IS PROHIBITED.

NOTES:

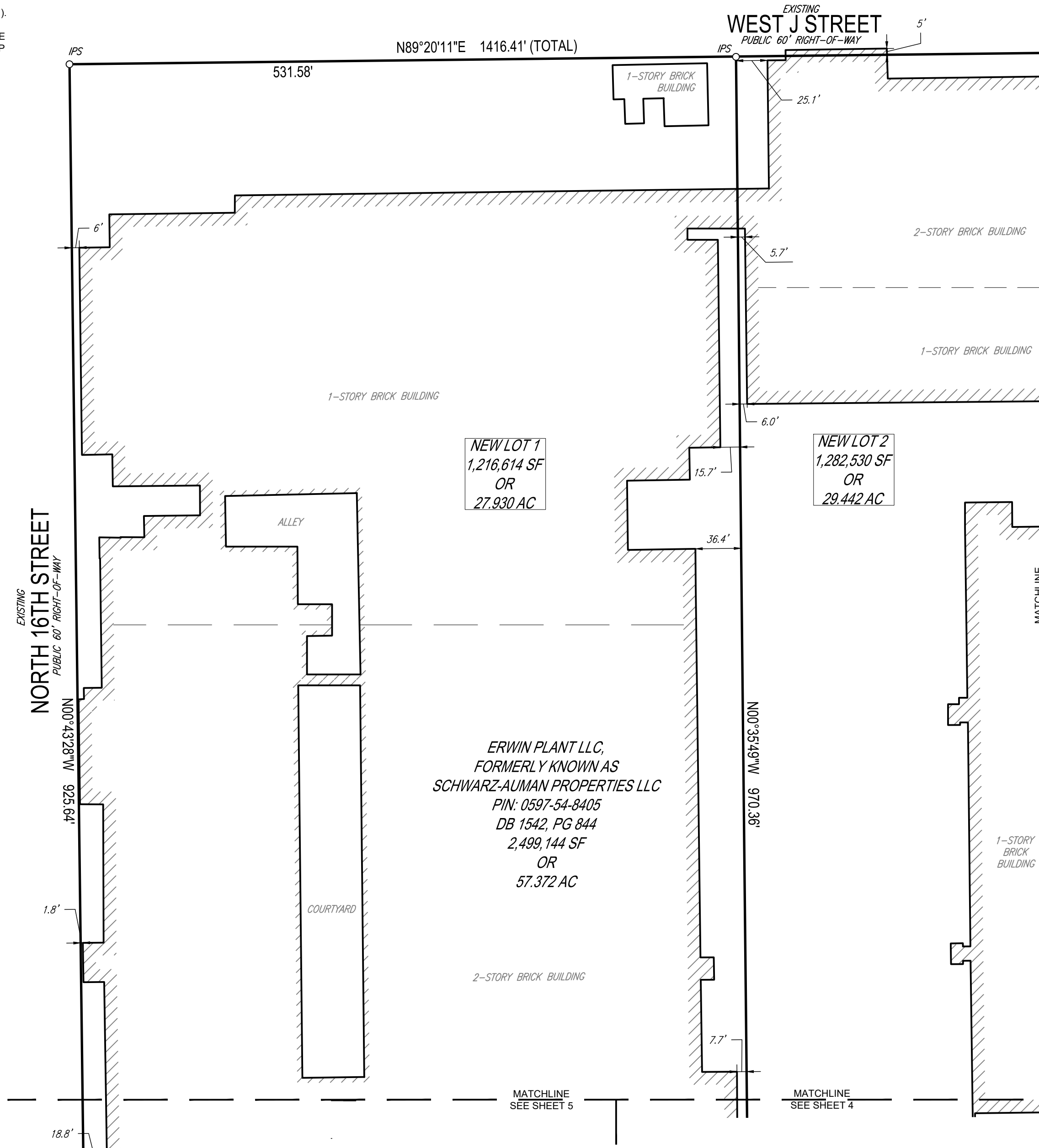
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REFERENCES:

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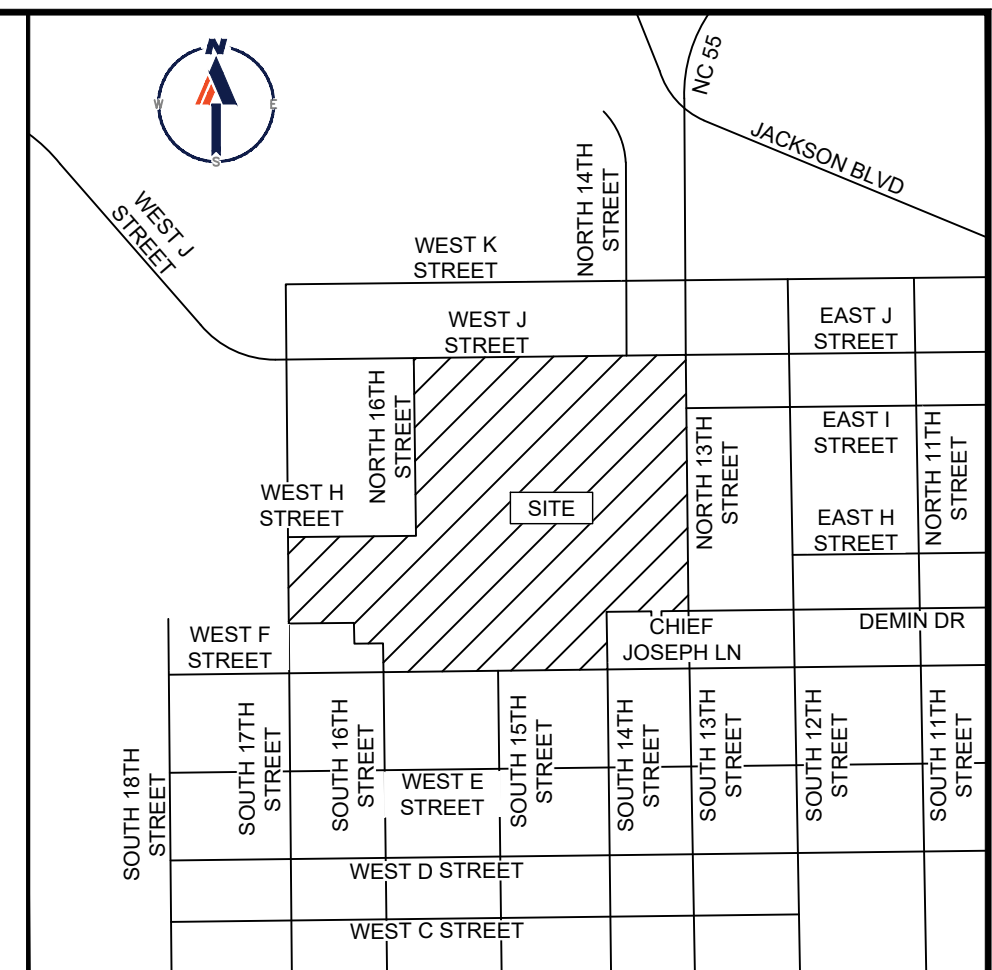
BOHLER ENGINEERING - ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BOHLER ENGINEERING. IS PROHIBITED.



ERWIN PLANT LLC,
FORMERLY KNOWN AS
SCHWARZ-AUMAN PROPERTIES LLC
PIN: 0597-54-8405
DB 1542, PG 844
2,499,144 SF
OR
57,372 AC

NEW LOT 1
1,216,614 SF
OR
27.930 AC

NEW LOT 2
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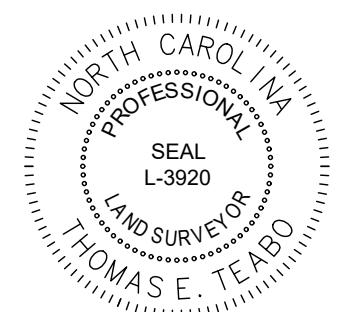
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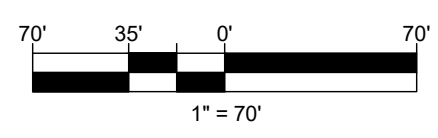
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PRELIMINARY - NOT FOR RECORDATION,
SALES OR CONVEYANCES



**SUBDIVISION PLAT
FOR
ERWIN PLANT LLC**
PIN: 0597-54-8405
DB1542, PG 844
200 N 13TH STREET
TOWN OF ERWIN, DUKE TOWNSHIP,
HARNETT COUNTY, NORTH CAROLINA

FILE NO. NS182033	BOHLER				4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000 www.bohlerengineering.com
DATE 05/16/2023	CREW CHIEF RJ	DRAWN BG	REVIEWED JT/TET	APPROVED TET	SCALE 1" = 70'
FIELD DATE 10/21/2022	DWG. NO. 2 OF 5				



SEE SHEET 1 FOR OVERALL SHEET AND CERTIFICATIONS

NOTES:

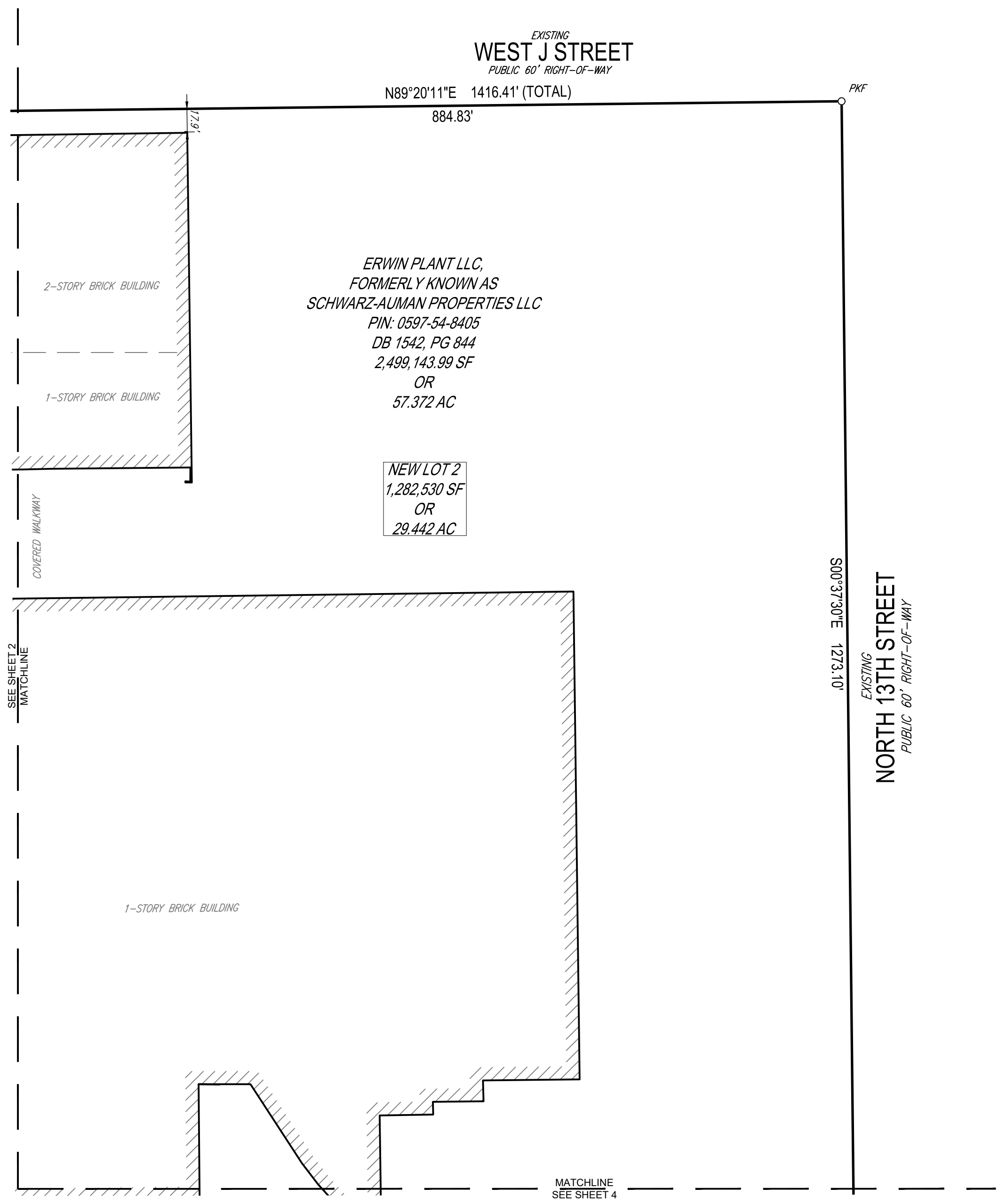
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8. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720059700J, PANEL 0597 EFFECTIVE DATE OCTOBER 3, 2006.

SITE AREA TABLE:

NEW LOT 1.....	1,216,614 SF OR 27.930 AC
NEW LOT 2.....	1,282,530 SF OR 29.442 AC
TOTAL AREA.....	2,499,144 SF OR 57.372 AC

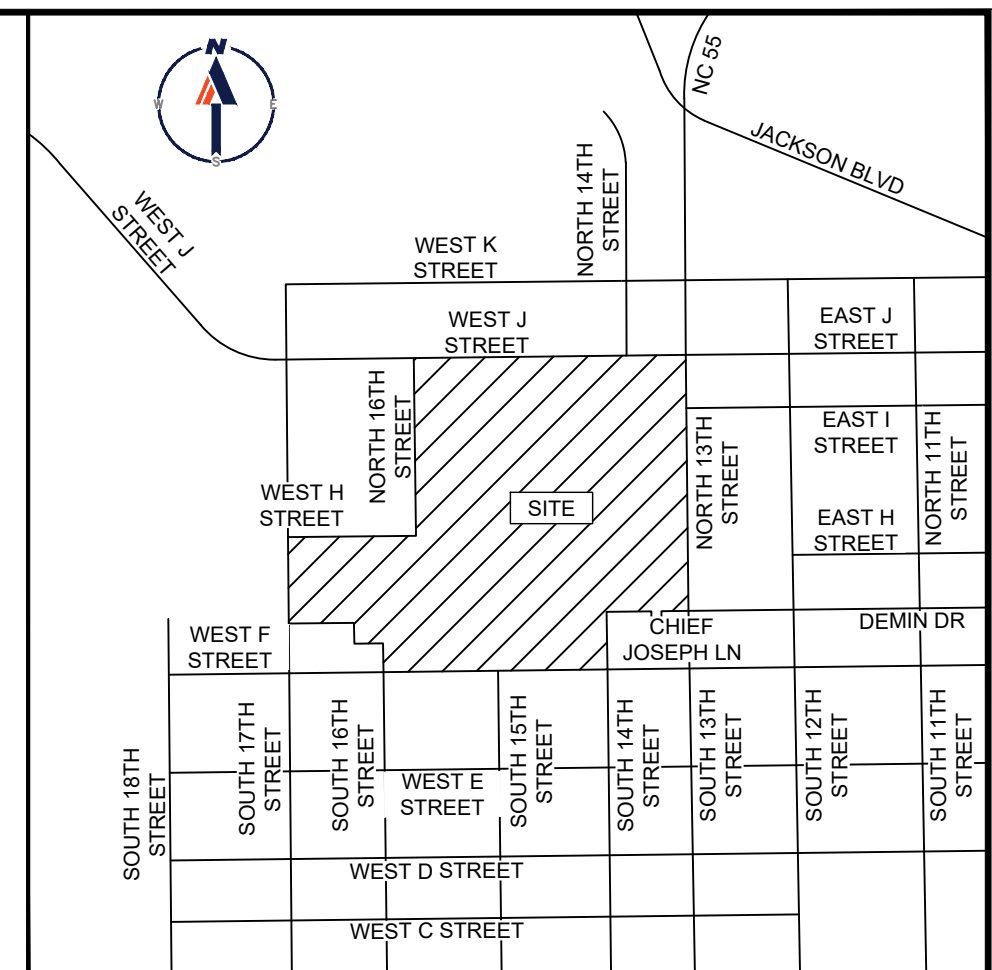
LEGEND

- LINE SURVEYED
- - - LINE NOT SURVEYED
- PKF PK NAIL FOUND
- IPS IRON PIPE SET
- CP COMPUTED POINT



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

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



REFERENCES:

- DB 1542, PG 844
- DB 3624, PG 861
- DB 3431, PG 416
- DB 3086, PG 595
- DB 2952, PG 618
- DB 3441, PG 712
- DB 2416, PG 976
- PB 6, PG 89
- PB 6, PG 87



PRELIMINARY - NOT FOR RECORDATION,
SALES OR CONVEYANCES



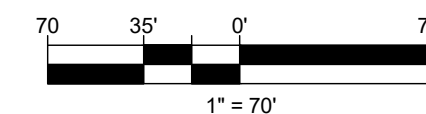
**SUBDIVISION PLAT
FOR
ERWIN PLANT LLC**
PIN: 0597-54-8405
DB1542, PG 844

200 N 13TH STREET
TOWN OF ERWIN, DUKE TOWNSHIP,
HARNETT COUNTY, NORTH CAROLINA

FILE NO. NS182033	BOHLER //	4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000 www.bohlerengineering.com NCBELS: P-1132
DATE 05/16/2023		■ UPRSTATE NEW YORK ■ BOSTON, MA ■ NEW YORK METRO ■ WARREN, NJ ■ PHILADELPHIA ■ SOUTHERN NJ ■ LEHIGH VALLEY, PA ■ SOUTHEASTERN PA ■ BALTIMORE, MD ■ SOUTHERN MARYLAND ■ NORTHERN VIRGINIA ■ WASHINGTON, DC ■ CENTRAL VIRGINIA ■ CHARLOTTE, NC ■ RALEIGH, NC
FIELD DATE 10/21/2022	CREW CHIEF RJ	DRAWN BG
	REVIEWED JT/TET	APPROVED TET
	SCALE 1" = 70'	DWG. NO. 3 OF 5

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SEE SHEET 1 FOR OVERALL SHEET AND CERTIFICATIONS

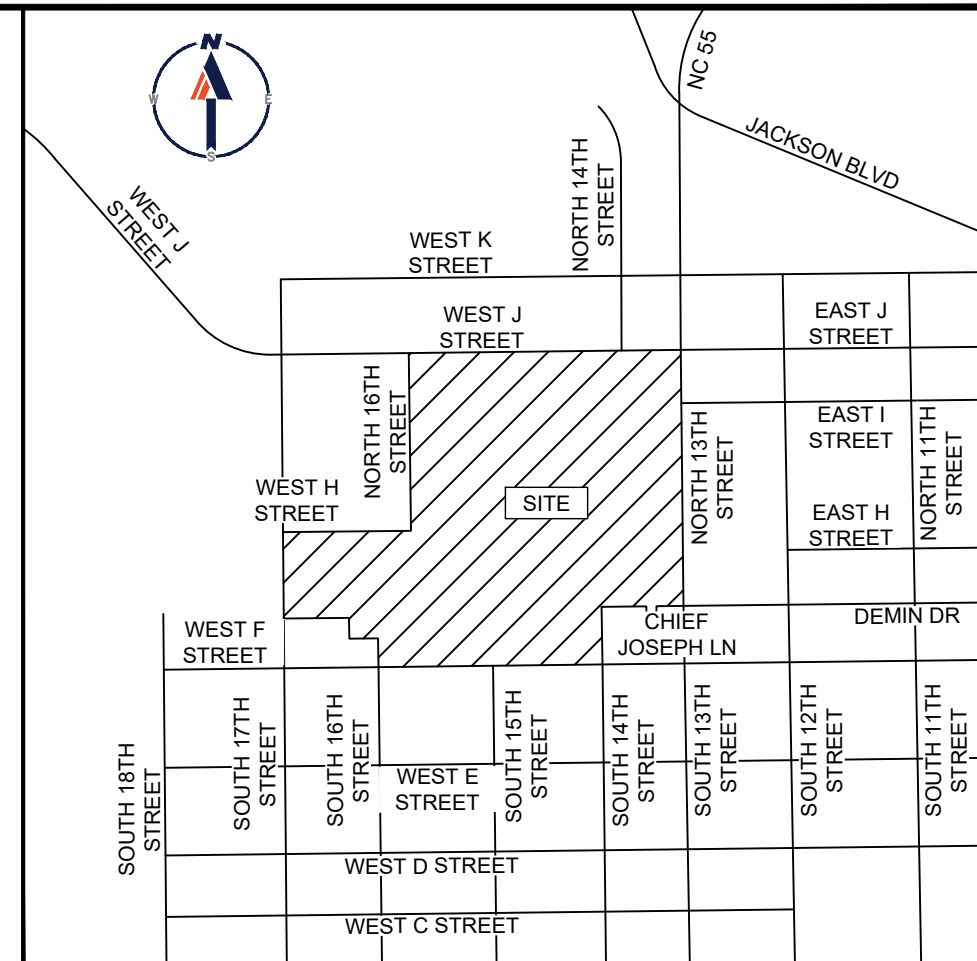


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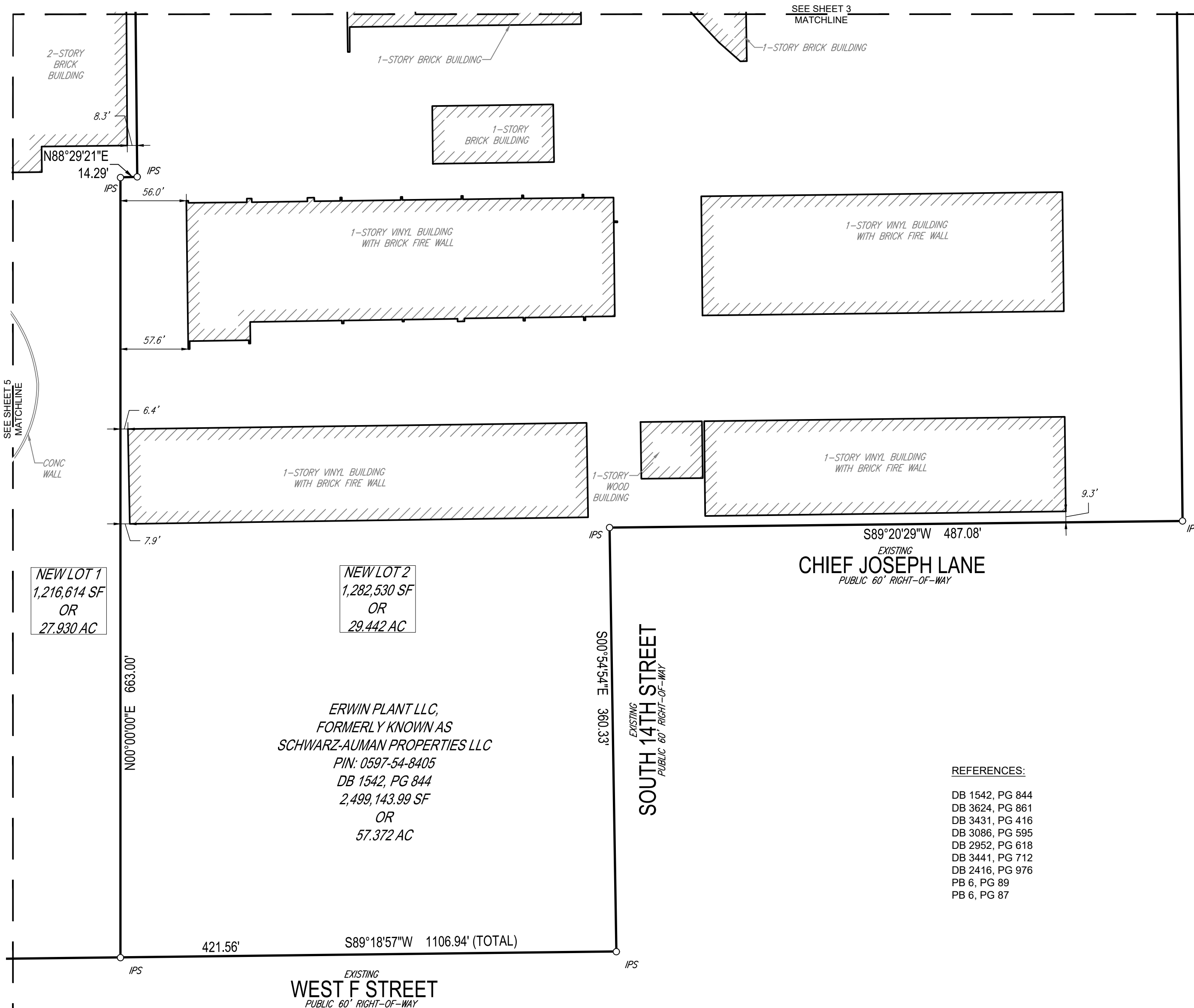
1. THE FIRM HAS NEITHER REVIEWED, NOR RELIED UPON A TITLE COMMITMENT OR ANY TITLE REPORT IN AND WHILE PREPARING THIS SURVEY AND THE CLIENT SHOULD NOT RELY UPON THIS SURVEY AS ASSURANCE OF OWNERSHIP, AS GUARANTEE OF MARKETABLE TITLE EXCEPTIONS THAT MAY, COULD OR DO ENCUMBER THE PROPERTY. THE CLIENT MUST ENGAGE A TITLE AGENT/TITLE INSURANCE COMPANY FOR REVIEW AND CONFIRMATION OF, AND INSURANCE REGARDING MARKETABLE TITLE.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. PROPERTY SHOWN HEREON IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS OF RECORD.
4. ALL DISTANCES SHOWN ON SURVEY ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
5. NC GRID COORDINATES (NAD83) OBTAINED BY USING GPS, PER THE NCVRS NETWORK.
6. BASIS OF BEARING SHOWN HEREON IS NC GRID (NAD 83 NSRS 2011).
7. VERTICAL DATUM SHOWN HEREON IS NAVD88.
8. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOODZONE "ZONE X", AREA OF MINIMAL FLOODING, PER FLOOD INSURANCE RATE MAP 3720059700J, PANEL 0597 EFFECTIVE DATE OCTOBER 3, 2006.

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LOCATION MAP
NOT TO SCALE



LEGEND

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- - - LINE NOT SURVEYED
- PKF PK NAIL FOUND
- IPS IRON PIPE SET
- CP COMPUTED POINT

PRELIMINARY - NOT FOR RECORDATION,
SALES OR CONVEYANCES



REFERENCES:

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- PB 6, PG 89
- PB 6, PG 87

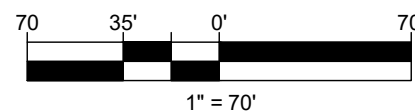
ERWIN PLANT LLC,
FORMERLY KNOWN AS
SCHWARZ-AUMAN PROPERTIES LLC
PIN: 0597-54-8405
DB 1542, PG 844
2,499,143.99 SF
OR
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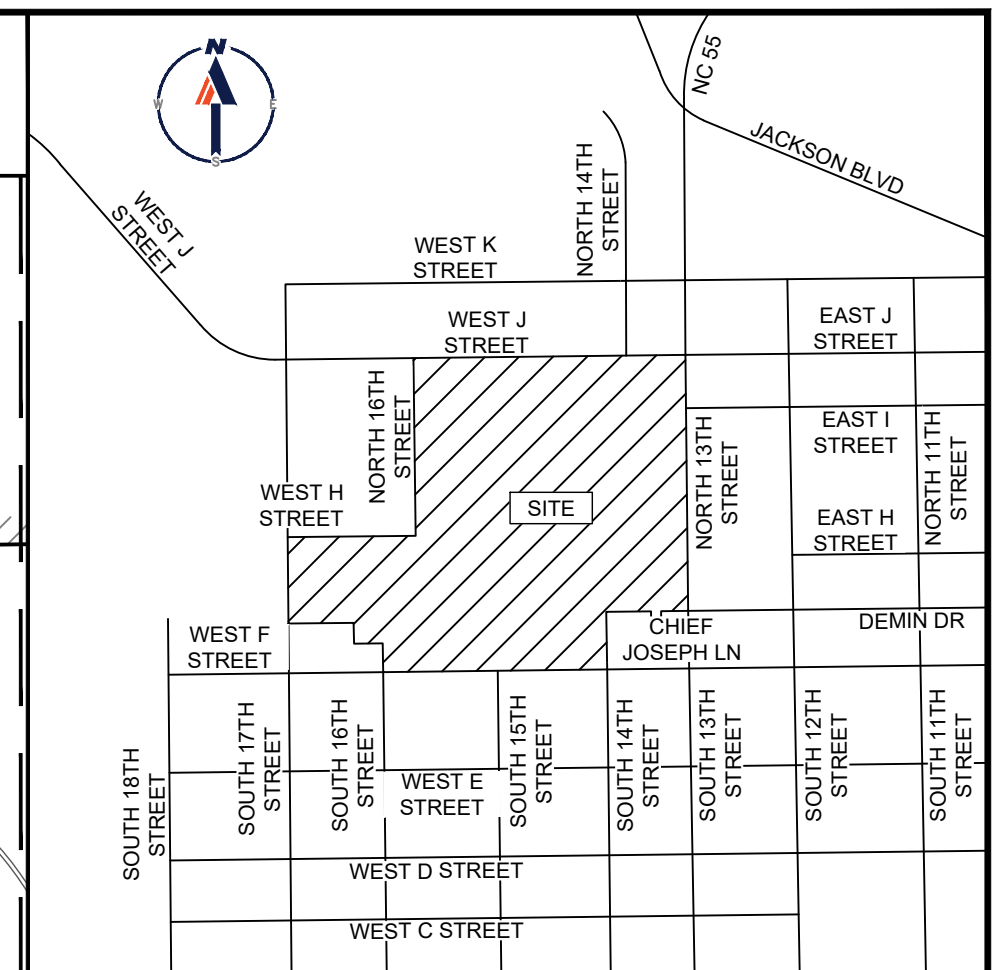
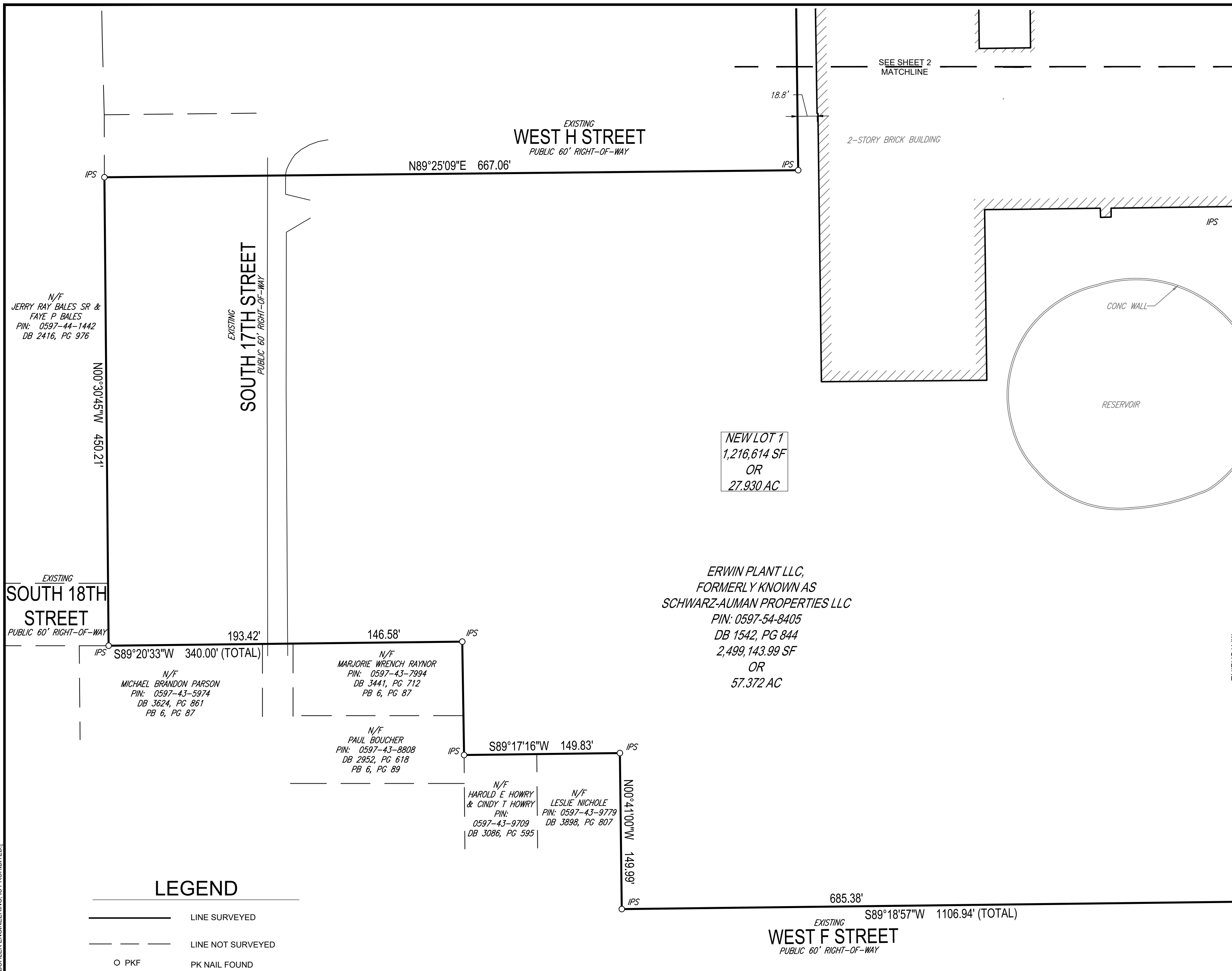
SUBDIVISION PLAT
FOR
ERWIN PLANT LLC
PIN: 0597-54-8405
DB1542, PG 844
200 N 13TH STREET
TOWN OF ERWIN, DUKE TOWNSHIP,
HARNETT COUNTY, NORTH CAROLINA

FILE NO. NS182033	BOHLER				4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000 www.bohlerengineering.com NCBELS: P-1132
DATE 05/16/2023	CREW CHIEF RJ	DRAWN BG	REVIEWED JT/TET	APPROVED TET	SCALE 1" = 70'
FIELD DATE 10/21/2022	DWG. NO. 4 OF 5				

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SEE SHEET 1 FOR OVERALL SHEET AND CERTIFICATIONS





LOCATION MAP
NOT TO SCALE

NEW LOT 1
1,216,614 SF
OR
27.930 AC

ERWIN PLANT LLC,
FORMERLY KNOWN AS
SCHWARZ-AUMAN PROPERTIES LLC
PIN: 0597-54-8405
DB 1542, PG 844
2,499,143.99 SF
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- REFERENCES:
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LEGEND

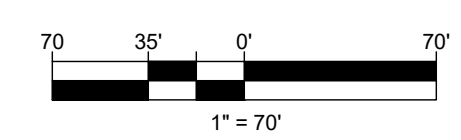
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**SUBDIVISION PLAT
FOR
ERWIN PLANT LLC**
PIN: 0597-54-8405
DB1542, PG 844

200 N 13TH STREET
TOWN OF ERWIN, DUKE TOWNSHIP,
HARNETT COUNTY, NORTH CAROLINA

FILE NO. NS182033	BOHLER	4130 PARKLAKE AVENUE, SUITE 130 RALEIGH, NORTH CAROLINA 27612 919.578.9000 www.bohlerengineering.com NCBELS: P-1132			
DATE 05/16/2023		<ul style="list-style-type: none"> <li style="margin-right: 5px;">■ UPRSTATE NEW YORK <li style="margin-right: 5px;">■ BOSTON, MA <li style="margin-right: 5px;">■ NEW YORK METRO <li style="margin-right: 5px;">■ WARREN, NJ <li style="margin-right: 5px;">■ PHILADELPHIA <li style="margin-right: 5px;">■ SOUTHERN NJ <li style="margin-right: 5px;">■ LEHIGH VALLEY, PA <li style="margin-right: 5px;">■ SOUTHEASTERN PA <li style="margin-right: 5px;">■ BALTIMORE, MD <li style="margin-right: 5px;">■ SOUTHERN MARYLAND <li style="margin-right: 5px;">■ NORTHERN VIRGINIA <li style="margin-right: 5px;">■ WASHINGTON, DC <li style="margin-right: 5px;">■ CENTRAL VIRGINIA <li style="margin-right: 5px;">■ CHARLOTTE, NC <li style="margin-right: 5px;">■ RALEIGH, NC 	DWG. NO. 5 OF 5		
FIELD DATE 10/21/2022	CREW CHIEF RJ	DRAWN BG	REVIEWED JT/TET	APPROVED TET	SCALE 1" = 70'

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TOWN BOARD SUBDIVISION VARIANCE REQUEST STAFF REPORT

Case: Variance-
2023-001

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

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

Town Board Meeting Date: 08/03/2023

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

Applicant Information

Owner of Record:

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

Applicant:

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

Property Description

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

Vicinity Map

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

Physical Characteristics

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

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

Services Available

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

Staff Evaluation

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

Findings of Fact

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

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

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

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

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

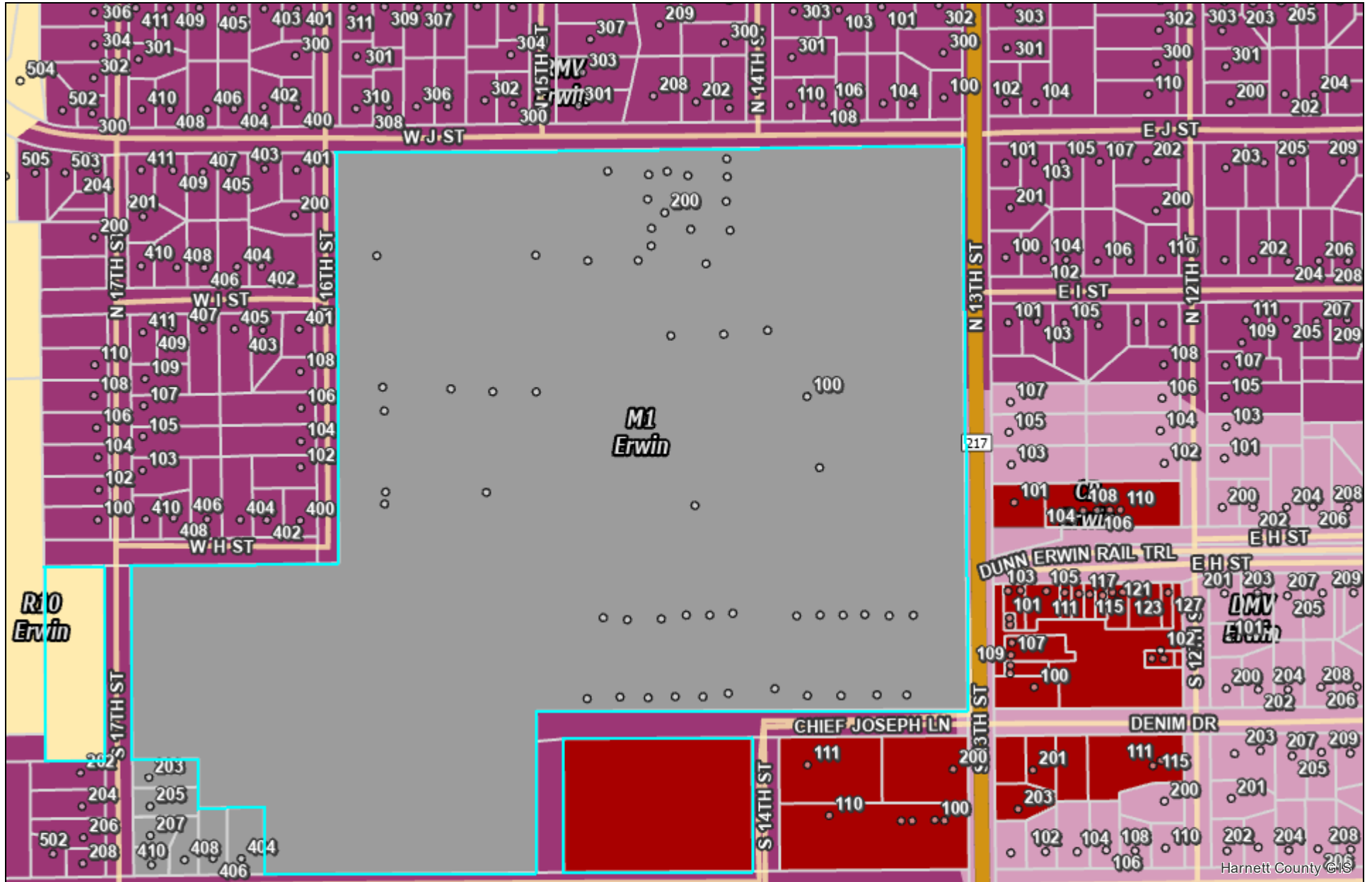
REASONING: This site was mostly developed before the Town of Erwin was incorporated. It is a large site with multiple buildings on one parcel and it is not like any of the surrounding parcels.



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

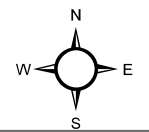
REASONING: Granting this variance will allow for the future redevelopment of this site and it will potentially help with the option of having a section or to have the entire site on the historic sites registry.

Harnett GIS

NOT FOR LEGAL USE



- | | | |
|---|--|--|
|  Surrounding County Boundaries |  Airport |  Road Centerlines |
|  City Limits | Major Roads |  Railroad |
|  County Boundary |  Interstate |  Parcels |
|  Address Numbers |  NC |  Cape Fear River |
| |  US |  ETJ Boundary |



1 inch = 376 feet 60

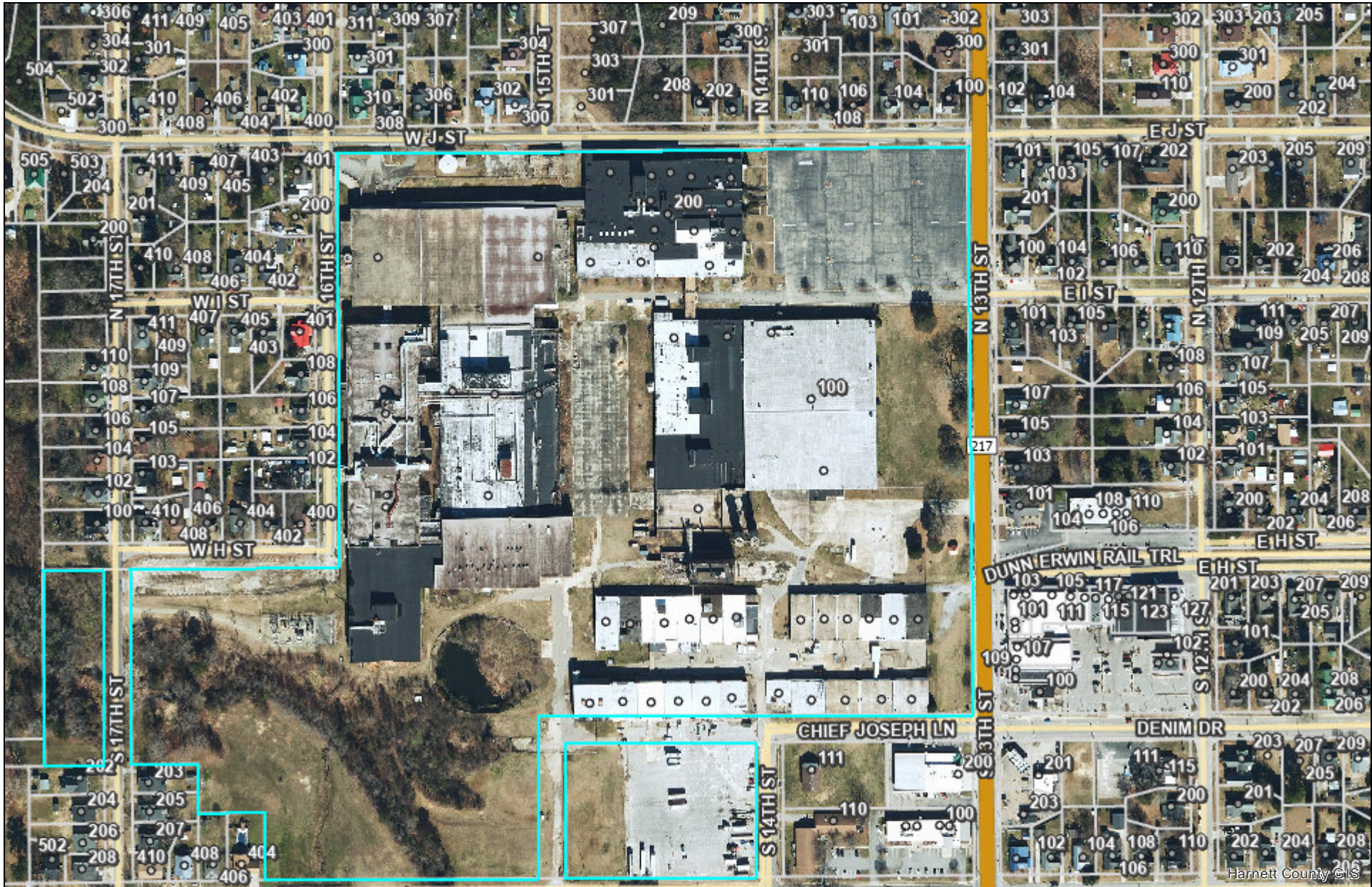
GIS/E-911 Addressing













July 17, 2023

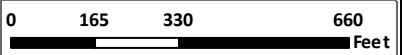
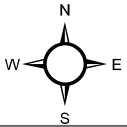
Harnett County GIS

Harnett GIS

NOT FOR LEGAL USE



- | | | |
|---|--|--|
|  Surrounding County Boundaries |  Airport |  Road Centerlines |
|  City Limits | Major Roads |  Railroad |
|  County Boundary |  Interstate |  Parcels |
|  Address Numbers |  NC |  Cape Fear River |
| |  US | |



1 inch = 376 feet ⁶¹

GIS/E-911 Addressing
July 17, 2023

Harnett County GIS

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

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

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

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

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

MY Homes LLC
202 Winterlochen Dr.
Dunn, NC 28334

Suzanne Bradshaw
5966 Titan Roberts Rd.
Erwin, NC 28339

Robert Gibson
308 West J St.
Erwin, NC 28339

Debra Hartman
Jay Martin
PO Box 387
Coats, NC 27521

Brenda Aguillon
402 W I St.
Erwin, NC 28339

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

Tara Gabrielle
104 West J St.
Erwin, NC 28339

Robert Lee
PO Box 41
Dunn, NC 28335

Tameka Nclean
200 W J St.
Erwin, NC 28339

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

Procal Construction INC.
PO Box 387
Coats, NC 27521

Linda Avery
306 W J St.
Erwin, NC 28339

Ursula Barril
310 West J St.
Erwin, NC 28339

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

Gilbert Royal
401 W I St.
Erwin, NC 28339

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

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

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

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

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

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

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

Jennifer Godwin
210 W F St.
Erwin, NC 28339

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

Habitat for Humanity
PO Box 2157
Dunn, NC 28335

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

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

Ronald Morrison
402 W H St.
Erwin, NC 28339

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

Dianna Jackson
1434 Neills Creek Rd.
Lillington, NC 27546

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

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

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

Ashley Leslie
303 W ST.
Erwin, NC 28339

Juan Ximl
106 Jerry Franklin LN.
Lillington, NC 27546

Maria Perez
403 W F St.
Erwin, NC 28339

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

David Rivera
201 Suncreek Dr.
Benson, NC 27504

Battista McNeill
207 W F St.
Erwin, NC 28339

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

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

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

Jeffrey Stall
391 Crawford Road
Coats, NC 27521

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

Group Adaline LLC
8231 Newton Grove HWY
Dunn, NC 28334

Michael Andrews
301 S 15th Street
Erwin, NC 28339

Melissa Ray
205 W F St.
Erwin, NC 28339

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

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

Brenton Adams
PO Box 1389
Dunn, NC 28335

Tristen Butler
989 Bailey Road
Coats, NC 27521

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

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

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

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

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

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

George Tanner
409 W F St.
Erwin, NC 28339

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

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

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

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

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

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

George Brittan
57 Thunder Way LN
Dunn, NC 28334



TOWN OF ERWIN

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

07/11/2023

Notice of a Public Hearing VAR-2023-001

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

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

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

Regards,

Snow Bowden
Town Manager

NOTICE OF PUBLIC HEARING

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

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

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

7/18,25/2023