

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

AGENDA

1. **MEETING CALLED TO ORDER**
 - A. Invocation
 - B. Pledge of Allegiance

2. **AGENDA ADJUSTMENTS /APPROVAL OF AGENDA**
3. **CONSENT**

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

 - A. Minutes of Regular Meeting on September 2, 2021 (**Page 2**)
 - B. Financial Report for August 2021 (**Page 6**)

4. **PUBLIC COMMENT**

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

5. **PRESENTATION OF OCTOBER CITIZEN OF THE MONTH**

6. **PUBLIC HEARING**
 - A. SU-2021-002 (**Page 8**)
 - B. SU-2021-003 (**Page 27**)
 - C. SU-2021-004 (**Page 49**)
 - D. SU-2021-005 (**Page 65**)
 - E. ZT-2021-006 (**Page 82**)

7. **OLD BUSINESS**
 - A. Erwin Depot (**Page 98**)

8. **NEW BUSINESS**
 - A. 2021-2022 Street Resurfacing Recommendations (**Page 99**)

9. **CLOSED SESSION**
 - A. Pursuant to General Statute 143-318.11(a) (6) for the Purpose of Discussing Personnel
 - B. Pursuant to General Statute 143-318.11(a) (3) for the Purpose of Preserving the Attorney-Client Privilege

10. **MANAGER’S REPORT**

11. **ATTORNEY’S REPORT**

12. **GOVERNING BODY COMMENTS**

13. **ADJOURNMENT**

ERWIN BOARD OF COMMISSIONERS

REGULAR MINUTES

SEPTEMBER 2, 2021

ERWIN, NORTH CAROLINA

The Board of Commissioners for the Town of Erwin with Mayor Patsy Carson presiding held its Regular Meeting in the Erwin Municipal Building Board Room on Thursday, September 2, 2021, at 7:00 P.M. in Erwin, North Carolina.

Board Members present were: Mayor Patsy Carson and Commissioners William Turnage, Ricky Blackmon, and Alvester McKoy.

Board Members absent were: Commissioners Randy Baker, Thurman Whitman, and Melinda Alvarado.

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

Commissioner McKoy gave the invocation.

Commissioner Blackmon led the Pledge of Allegiance.

AGENDA ADJUSTMENT/APPROVAL OF AGENDA

Town Manager Snow Bowden requested to strike the Closed Session from the agenda due to the absence of three of our Commissioners.

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

CONSENT

Commissioner McKoy made a motion to approve **(ITEM A)** Minutes of Regular Workshop on June 28, 2021 **(ITEM B)** Minutes of Regular Meeting on August 5, 2021 **(ITEM C)** Financial Report for July 2021. **The Board voted unanimously.**

MINUTES CONTINUED FROM SEPTEMBER 2, 2021

PUBLIC COMMENT

Gar Mattson of 301 County Avenue came forward. Mr. Mattson stated that 30 years ago, roughly 30 people signed a petition begging the Town of Erwin to not allow Mr. Warren to put that house on the corner of County Avenue and Dunn Erwin Road but the Town allowed it anyways. He expressed his concern about the looks of the home. He stated a couple of years ago he spoke with the building inspector but nothing came of it, he came back 6 months ago and spoke with the building inspector again who stated he would check if power was put on the home. Mr. Mattson stated you can look at the property and tell that power has never been put on the home. Mr. Warren put in five houses that the City of Dunn was going to burn down but the Town of Erwin allowed those homes to be moved into Erwin. He stated three of the five homes are unsafe and have been that way for 30 years. He stated the Town of Erwin is responsible for these homes and he has reached out to a lawyer.

PRESENTATION OF CITIZEN OF THE MONTH

James “Sonnyman” McCray of 700 North 15th Street was recognized as the September 2021 Citizen of the Month. Mayor Patsy Carson presented him with a Proclamation Plaque.

PUBLIC HEARING

Due to a lack of quorum needed to vote on a quasi-judicial hearing, the consensus of the Board was to readvertise and table the Public Hearing until next month.

NEW BUSINESS

Census and Redistricting for Postponed 2021 Election

Town Manager Snow Bowden stated he just wanted to update the Board on the census data. The numbers sent out were much lower than he thought they would be due to covid. We should have the complete data by the middle of September and be able to update our maps for the March 2022 Election.

American Rescue Plan

Town Manager Snow Bowden informed the Board that we are still waiting on the final guidelines from the US Treasury’s Office. He stated that the School of Government has recommended waiting to see if the N.C. General Assembly sets any guidelines for these funds

MINUTES CONTINUED FROM SEPTEMBER 2, 2021

before approving expenditures. He would like to have our regular scheduled workshop on the fourth Monday of the month to discuss these final guidelines if they come out.

Community Economic Recovery and Resiliency Initiative (CERRI)

Our Director of the Mid-Carolina Council of Government, Justin Hembree, reached out to Town Manager Snow Bowden and informed him of a program at no cost to the Town that would provide economic recovery strategies and other technical services to the Town. He stated that Justin Hembree felt that the Town of Erwin would be a good fit and he just wanted to inform the Board of this program. If the Town is selected to be in this program, it will be required that the Town Board approve a Resolution of support that we support the efforts of the Department of Commerce helping the Town.

MANAGER'S REPORT

Town Manager Snow Bowden informed the Board that we will be swearing in a new Police Officer by the name of Lemar Benjamin on Friday. We are working on the issues with the trash pickup. He stated we have a meeting scheduled with the main GFL manager next week.

ATTORNEY'S REPORTS

Town Attorney Tim Morris thanked the Board for allowing him to be their attorney. He stated he spoke with Mac Hunter this week and he asked about the wellbeing of the Town. He asked the Board to be diligent with the new COVID strain.

GOVERNING COMMENTS

Commissioner Blackmon asked about the drainage on I Street.

Town Manager Snow Bowden stated that Ray Johnson has been out there to look at it and is supposed to be getting back with us on a price.

Commissioner Blackmon stated this has been going on for a while and we need to get it fixed before any more storms come through.

Commissioner Turnage asked whether Town Engineer Bill Dreitzler was still working on the street paving.

Town Engineer Bill Dreitzler stated he will be presenting his recommendation at the October Board Meeting.

MINUTES CONTINUED FROM SEPTEMBER 2, 2021

Mayor Carson stated we will be having Denim Days in a month and the Street Dance on that Friday night at the Park.

ADJOURNMENT

Commissioner Turnage made a motion to adjourn at 7:20 P.M. and was seconded by Commissioner Blackmon. **The Board voted unanimously.**

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

ATTEST:

Patsy Carson
Mayor

Lauren Evans
Town Clerk

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



FRONT PORCH FRIENDS

	YTD		DIFFERENCE
	August 2021	August 2020	
Revenues			
CURRENT YEAR LEVY OF PROPERTY TAXES	4,445.00	4,651.00	(102.00)
CURRENT YEAR MOTOR VEHICLE TAXES	17,257.00	0.00	17,257.00
PROOR YEAR TAXES / Penalties & Interest	4,760.00	4,271.00	489.00
UTILITIES FRANCHISE TAXES	860.00	835.00	25.00
ENTRY FEES	4,325.00	0.00	4,325.00
SALES & USE TAX	71,915.00	120,331.00	(48,416.00)
ZONING PERMITS/APPLICATIONS	1,200.00	1,460.00	(260.00)
REPURSE COLLECTIONS FEES	40,050.00	60,026.00	(19,976.00)
STORM WATER COLLECTION	5,228.00	9,434.00	(4,206.00)
ALL OTHER REVENUES	25,691.00	73,579.00	(47,888.00)
	\$ 175,735.00	\$ 274,477.00	(98,742.00)
Expenditures			
GOVERNING BODY	1,832.00	3,578.00	(1,746.00)
ADMINISTRATION	19,275.00	43,673.00	(24,398.00)
NON-DEPARTMENTAL	56,392.00	118,779.00	(62,387.00)
PLANNING & INSPECTIONS	8,485.00	11,437.00	(2,948.00)
POWELL BILL-STREETS	1,000.00	2,000.00	(1,000.00)
POLICE	62,341.00	104,420.00	(42,079.00)
POLICE-SRO	5,186.00	17,297.00	(12,109.00)
CONTRACT SERVICES-FIRE	4,867.00	0.00	4,867.00
PUBLIC WORKS-ADMIN	9,940.00	13,156.00	(3,216.00)
PUBLIC WORKS-STREETS	27,706.00	29,472.00	(1,766.00)
PUBLIC WORKS-SANITATION	42,638.00	30,148.00	12,490.00
PUBLIC WORKS-STORM WATER	0.00	0.00	0.00
RECREATION	40,029.00	31,943.00	8,086.00
LIBRARY	5,967.00	7,971.00	(2,004.00)
COMMUNITY CENTER	349.00	610.00	(261.00)
	\$ 286,013.00	\$ 414,484.00	(128,471.00)

	YTD	
	August 2021	August 2020
BANK ACCOUNT BALANCES		
CASH MANAGEMENT	1,867,203.61	1,308,795.57
BB&T CASH IN BANK	111,679.38	35,687.99
FIRST FEDERAL BUSINESS MONEY MARKET	866,877.71	136,191.77
FIRST FEDERAL MONEY MARKET	136,591.42	855,165.66
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	\$ 3,072,352.13	\$ 2,336,040.99
BB&T STATE FORFEITURE	4,246.64	3,691.32
BB & T CAPITAL RESERVE/COMM. ENHANCEMENT	183,378.61	167,564.75
FIRST FEDERAL CAP. RESERVE/GENERAL	2,346,686.42	2,344,991.76
BB&T HEALTH RESERVE IRA ACCT.	17,199.42	12,923.80
PRIEBE FIELD ACCT.	11,268.44	8,297.94
AL WOODDALL PARK IMPROVEMENTS	349,440.85	289,276.46
American Relief Fund	821,602.01	
Y-T-D BALANCE RESTRICTED FUNDS	\$ 3,746,803.59	\$ 2,826,746.03
CUMULATIVE BALANCE FOR TOWN OF ERWIN	\$ 6,819,155.72	\$ 5,162,787.02

TOWN OF ERWIN
 FINANCIAL SUMMARY REPORT
 FOR MONTH OF August 2021



FRONT PORCEI FRIENDS

REVENUES	ANNUAL BUDGET	August 2021 ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
CURRENT YEAR LEVY OF PROPERTY TAXES	1,103,856.00	4,449.00	4,449.00	0.40%
CURRENT YEAR MOTOR VEHICLE TAXES	175,470.00	17,257.00	17,257.00	9.83%
PRIOR YEAR TAXES / Penalties & Interest	10,000.00	4,760.00	33,782.00	337.82%
UTILITIES FRANCHISE TAXES	190,000.00	860.00	860.00	0.45%
ENTRY FEES	19,000.00	4,325.00	6,000.00	31.58%
SALES & USE TAX	700,000.00	71,915.00	145,717.00	20.82%
ZONING PERMITS/APPLICATIONS	8,000.00	1,200.00	2,840.00	35.50%
REFUSE COLLECTIONS FEES	410,256.00	40,050.00	79,201.00	19.31%
STORM WATER COLLECTION	69,930.00	5,228.00	10,366.00	14.82%
ALL OTHER REVENUES	697,042.00	25,891.00	60,014.00	8.61%
	3,383,554.00	175,735.00	360,486.00	10.65%
EXPENDITURES				
GOVERNING BODY	47,945.00	1,832.00	3,608.00	7.53%
ADMINISTRATION	263,399.00	19,275.00	40,426.00	15.36%
NON-DEPARTMENTAL	279,319.00	56,392.00	168,376.00	60.28%
PLANNING & INSPECTIONS	77,369.00	8,489.00	8,837.00	11.42%
POWELL BILL-STREETS	157,000.00	1,000.00	3,000.00	1.91%
POLICE	964,020.00	62,341.00	129,653.00	13.45%
POLICE-SRO	64,030.00	5,188.00	10,758.00	16.80%
CONTRACT SERVICES-FIRE	238,307.00	4,867.00	10,091.00	4.23%
PUBLIC WORKS ADMIN.	109,004.00	9,940.00	19,533.00	17.92%
PUBLIC WORKS-STREETS	396,994.00	27,706.00	53,076.00	13.37%
PUBLIC WORKS-SANITATION	345,343.00	42,638.00	44,519.00	12.89%
PUBLIC WORKS-STORM WATER	15,000.00	0.00	3,549.00	23.66%
RECREATION	349,119.00	40,029.00	64,249.00	18.40%
LIBRARY	69,405.00	5,967.00	11,422.00	16.46%
COMMUNITY CENTER	7,300.00	349.00	615.00	8.42%
	3,383,554.00	286,013.00	571,712.00	16.90%
Y-T-D GENERAL FUND BALANCE INCREASE (DECREASE)		(110,278.00)	(211,226.00)	

BANK BALANCES AS OF August 2021	
CASH MANAGEMENT	1,967,203.61
BB&T CASH IN BANK	111,070.39
FIRST FEDERAL BUSINESS MONEY MARKET	856,877.71
FIRST FEDERAL MONEY MARKET	136,691.42
Y-T-D INVESTMENT BALANCE IN GENERAL FUND ACCOUNTS	3,072,362.13
BB&T STATE FORFEITURE	4,246.64
BB & T CAPITAL RESERVE/COMM. ENHANCEMENT	193,370.81
FIRST FEDERAL CAP. RESERVE/GENERAL	2,349,688.42
BB&T HEALTH RESERVE HRA ACCT.	17,199.42
PRIBSE FIELD ACCT.	11,248.44
AL WOODALL PARK IMPROVEMENTS	349,440.85
American Relief Funds	821,602.01
Y-T-D INVESTMENT BALANCE RESTRICTED FUNDS	3,746,803.59
CUMULATIVE BALANCE FOR TOWN OF ERWIN	6,819,165.72

POWELL BILL BALANCE
\$292,692.57

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: SU-2021-002

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

Attachments:

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

Suggested Motions:

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

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

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

Contact Harnett Regional Water to check about water & sewer access 910-893-7575 → tell them the PIN # 0597-77-2517



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	Teresa Deenen Carter	Property Owner Name	" "
Mailing Address	5246 Manor St.	Mailing Address	" "
City, State, Zip	Fayetteville, NC 28314	City, State, Zip	" "
Telephone	910-922-6335	Telephone	
Email	tdeneencn@gmail.com	Email	

Address of Subject Property	NO 655-911 ADDRESS		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 77 - 2517 .000		
Legal Relationship of Applicant to Owner	owner	Floodplain SFHA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Legal Description: Lot	8	Block	10
Subdivision	Wille v. Bailey Propert		
Zoning District	R-6	Wetlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Watershed Area	Yes <input checked="" type="checkbox"/> No		
Public Water Available:	<input checked="" type="checkbox"/> Y or N	Public Sewer Available:	<input checked="" type="checkbox"/> Y or N
Existing Septic Tank:	<input type="checkbox"/> Y or N		
Number of Buildings to Remain	NEW		
Gross Floor Area to Remain			
Describe Proposed Project or Request with Conditions proposed by applicant:			
Manufactured Class A Home		PAID	
Total Acreage or Square Footage to be Disturbed	AUG - 5 2021		
Estimated Cost of Project \$			

NOT IN FEMA Flood Hazard zone

Cash

TOWN OF ERWIN

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

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

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

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



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 Signature Page

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

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

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

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

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

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

SU- 2021-002

Signature Page

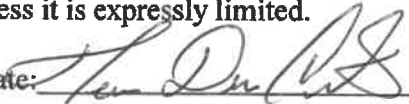
Page 1 of 2

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

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

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

Applicant Signature and Date:

 8-6-21

See ATTACHED



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

SU-2011-002A

In report

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

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____



TOWN OF ERWIN

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

SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

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

IMPORTANT

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

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

Using the Zoning Ordinance

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



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"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2021-002

Snow Bowden, Town Manager

townmanager@erwin-nc.org

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

Public Hearing Date: Thursday, September 2nd, 2021

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

Applicant Information

Owner of Record:

Name: Teresa Deneen Canteen

Address: 5246 Mawood Street

City/State/Zip: Fayetteville, NC 28314

Applicant:

Name: Teresa Deneen Canteen

Address: 5246 Mawood Street

City/State/Zip: Fayetteville, NC 28314

Property Description

Harnett County Tax PIN 0597-77-2517.000

Acres .23

Zoning District- Residential (R-6)

Vicinity Map

- See Attached Document

Physical Characteristics

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

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

Services Available

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

Zoning District Compatibility

Special Use	M-1
Manufactured Class A Home	X

Staff Evaluation

Staff Evaluation

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

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

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

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

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

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

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

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

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

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

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

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

Yes No

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

- **Reasoning:** Yes

Attachments:

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

Mrs. Canteen



- ① From Street (center) 60 ft
- ② Both sides 30 ft
- ③ Backline 28 ft

Harnett GIS



NOT FOR LEGAL USE




Harnett GIS





NOT FOR LEGAL USE




GIS/E-911 Addressing

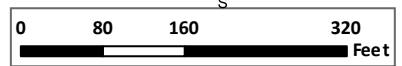
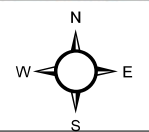
August 11, 2021

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

-  Harnett County Boundary
-  Address Numbers
-  Airport
- MajorRoads**
-  Interstate

-  NC
-  US
-  Roads
-  Mile_Markers
-  Railroad

-  Parcels

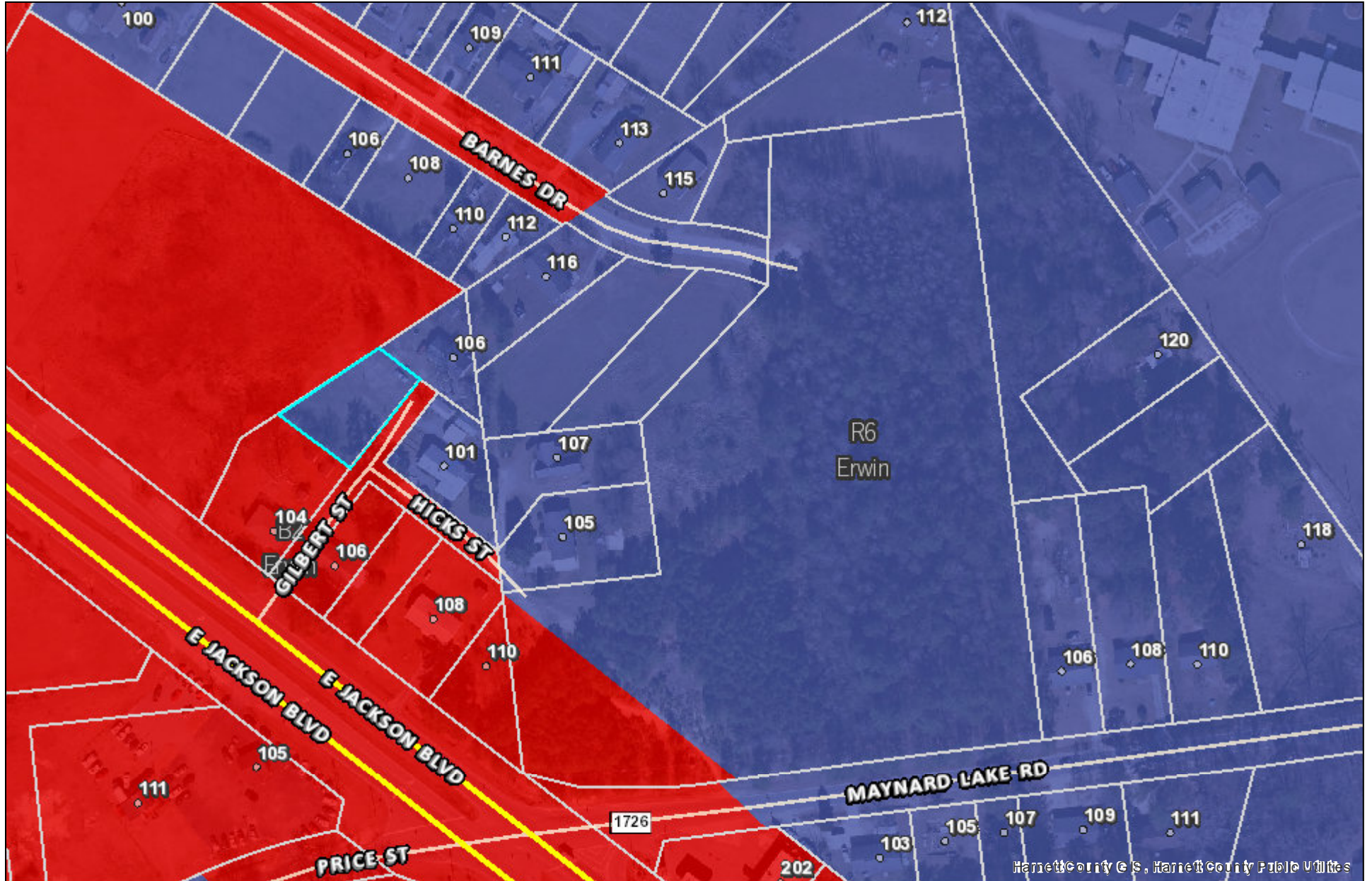


1 inch = 188 feet 24

Harnett County GIS, Harnett County Public Utilities

Harnett GIS

NOT FOR LEGAL USE



GIS/E-911 Addressing

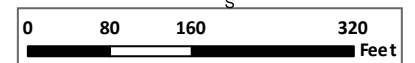
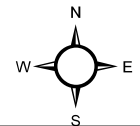
August 11, 2021

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

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

- NC
- US
- Roads
- Mile_Markers
- Railroad

- Parcels



1 inch = 188 feet ²⁵

Harnett County GIS, Harnett County Public Utilities

Property Owners Notified

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

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: SU-2021-003

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

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

Attachments:

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

Suggested Motions:

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

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

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



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

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

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

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

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



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 Signature Page

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

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

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

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

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

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

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

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

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

Applicant Signature and Date:

Mojana

★ see attached



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

SU-2011-003

★ See attached

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

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____



TOWN OF ERWIN

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

SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

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

IMPORTANT

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

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

Using the Zoning Ordinance

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



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"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____



SPECIAL USE REQUEST STAFF REPORT

Case: SU-2021-003

Snow Bowden, Town Manager

townmanager@erwin-nc.org

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

Public Hearing Date: Thursday, September 2nd, 2021

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

Applicant Information

Owner of Record:

Name: Nargis and Kamal Toma

Address: 6940 Darcy Lane

City/State/Zip: Raleigh, NC 27606

Applicant:

Name: Toma Farren Architects

Address: 101 East H Street

City/State/Zip: Erwin, NC 28339

Property Description

Harnett County Tax PIN 0597-64-7313.000

Acres .10

Zoning District- Central Business (CB)

Vicinity Map

- See Attached Document

Physical Characteristics

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

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

Services Available

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

Zoning District Compatibility

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

Staff Evaluation

Staff Evaluation

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

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

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

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

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

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

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

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

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

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

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

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

Yes No

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

- **Reasoning:** Yes

Attachments:

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

EAST H STREET

PROPERTY LINE

DOWNSPOUT

DOWNSPOUT

NEIGHBORING BUILDING

NC HWY 28/217
SOUTH 13TH STREET

NEIGHBORING BUILDING

ELECTRIC METERS

DOWNSPOUT

NATURAL GAS

NEIGHBORING BUILDING

**NOT FOR
 REGULATORY
 APPROVAL,
 PERMITTING
 OR
 CONSTRUCTION**

**ERWIN MIXED
 USE**

101 E H STREET ERWIN,
 NC 28339

JULY 1, 2021 PROJ. NO. Project Num
 PROJ. ARCHITECT DRAWN BY: Author

SET ISSUE DATES
 DAT ISSU
 E E

REVISIONS
 NO. DATE DESCRIPTION

**80% CONSTRUCTION
 DOCUMENTS**

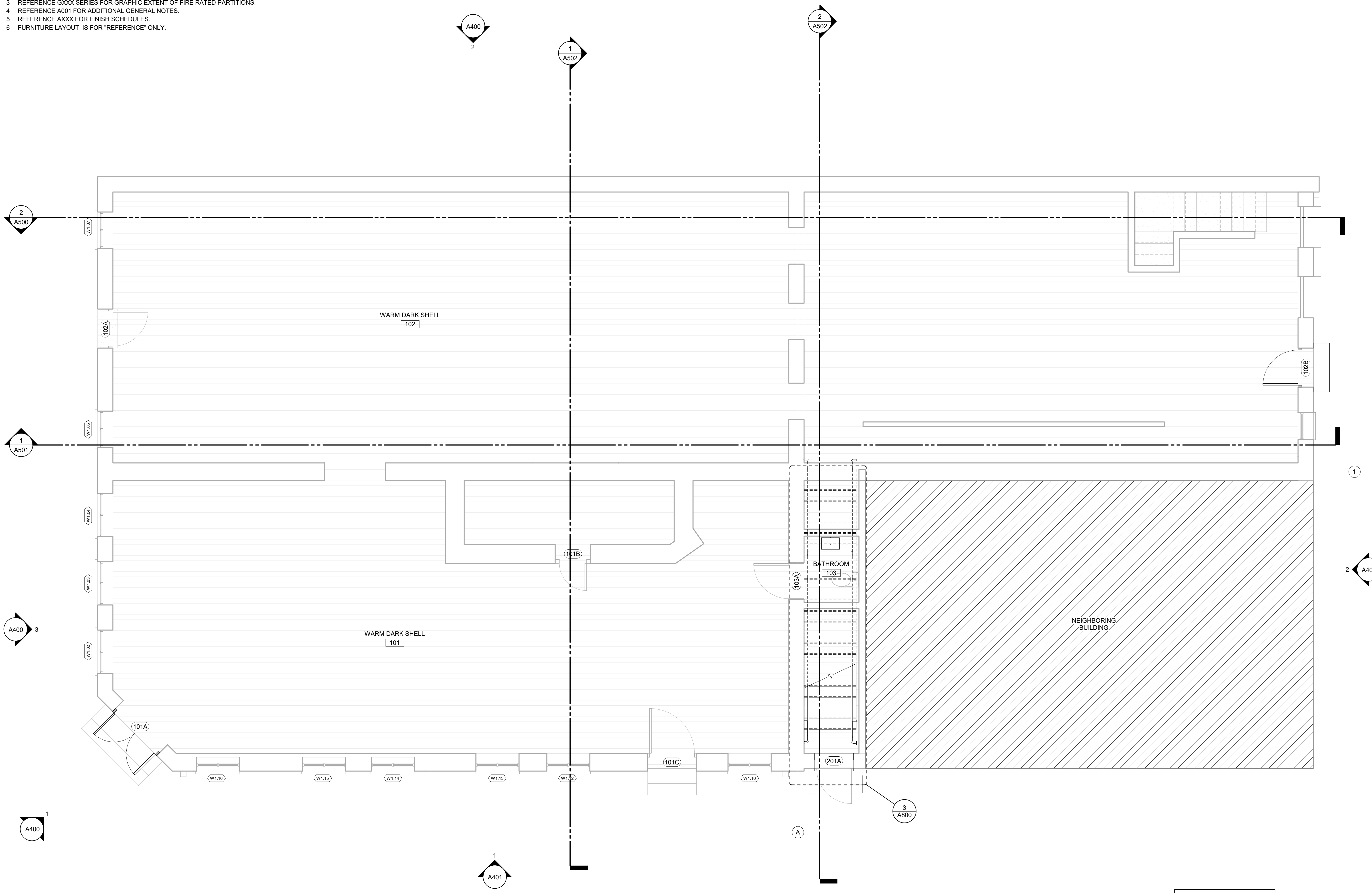
SITE PLAN

A100

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

FLOOR PLAN NOTES

- 1 DIMENSIONS ARE TO GRID LINE, FACE OF STUD, FACE OF CONCRETE, AND CENTERLINE OF DOOR OPENINGS, UNLESS NOTED OTHERWISE. DIMENSIONS NOTED AS "CLR" MUST BE PRECISELY MAINTAINED. DIMENSIONS ARE NOT ADJUSTABLE WITHOUT ARCHITECT'S APPROVAL UNLESS NOTED AS "+/-". VERIFY DIMENSIONS MARKED "V.I.F." PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND NOTIFY ARCHITECT OF ANY INCONSISTENCIES. "ALIGN" SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE.
- 2 REFERENCE AXXX FOR PARTITION TYPES. ALL PARTITIONS ARE TYPE xx UNLESS OTHERWISE NOTED. ADD FULL, ACOUSTICAL INSULATION TO ALL PARTITION TYPES ENCLLOSING THESE SPACES, OFFICE, CONFERENCE ROOM, TOILET ROOMS, AND MECHANICAL ROOMS.
- 3 REFERENCE GXXX SERIES FOR GRAPHIC EXTENT OF FIRE RATED PARTITIONS.
- 4 REFERENCE A001 FOR ADDITIONAL GENERAL NOTES.
- 5 REFERENCE AXXX FOR FINISH SCHEDULES.
- 6 FURNITURE LAYOUT IS FOR "REFERENCE" ONLY.



**NOT FOR
REGULATORY
APPROVAL,
PERMITTING
OR
CONSTRUCTION**

**ERWIN MIXED
USE**

101 E H STREET ERWIN,
NC 28339

JULY 1, 2021 PROJ. NO. Project Num
PROJ. ARCHITECT DRAWN BY: Author

SET ISSUE DATES	
DAT	ISSU
E	E

REVISIONS		
NO.	DATE	DESCRIPTION

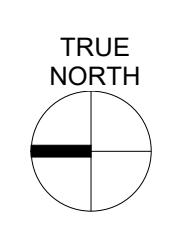
**80% CONSTRUCTION
DOCUMENTS**

**FLOOR PLAN -
1ST FLOOR**

A201

1 FLOOR PLAN - LEVEL 1 - PROPOSED
SCALE: 1/4" = 1'-0"

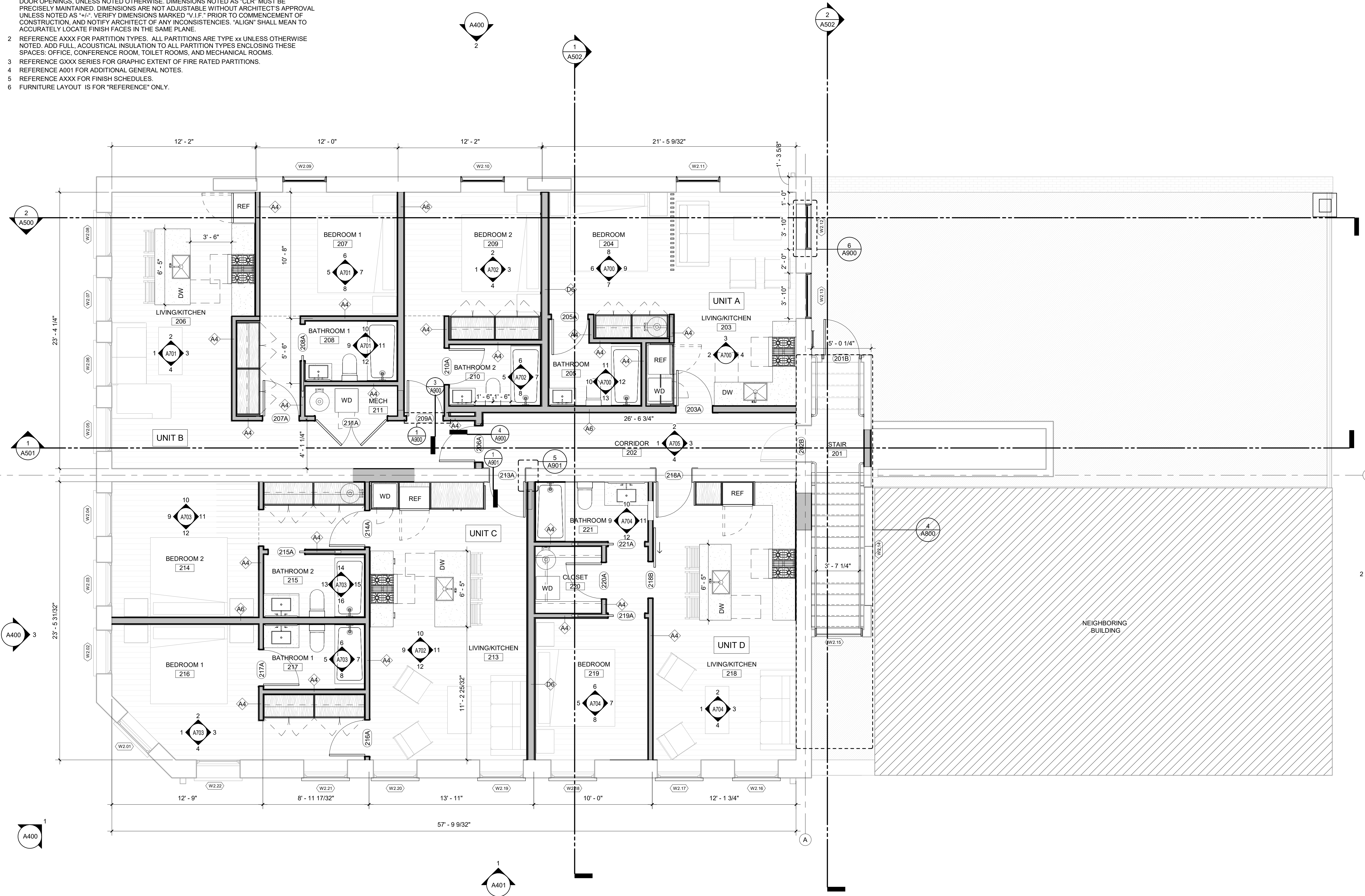
GRAPHIC LEGEND	
EXISTING	
PROPOSED	



Central File Path: O:\MyProjects\Erwin\101 Erwin Mixed Use\101 Erwin Mixed Use\101 Erwin Mixed Use - R21 - R21.dwg
Local File Path: C:\Users\Tomas\Documents\101 Erwin Mixed Use\101 Erwin Mixed Use - R21 - R21.dwg

FLOOR PLAN NOTES

- DIMENSIONS ARE TO GRID LINE, FACE OF STUD, FACE OF CONCRETE, AND CENTERLINE OF DOOR OPENINGS, UNLESS NOTED OTHERWISE. DIMENSIONS NOTED AS "CLR" MUST BE PRECISELY MAINTAINED. DIMENSIONS ARE NOT ADJUSTABLE WITHOUT ARCHITECT'S APPROVAL UNLESS NOTED AS "+/-". VERIFY DIMENSIONS MARKED "V.I.F." PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND NOTIFY ARCHITECT OF ANY INCONSISTENCIES. "ALIGN" SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE.
- REFERENCE AXXX FOR PARTITION TYPES. ALL PARTITIONS ARE TYPE xx UNLESS OTHERWISE NOTED. ADD FULL, ACOUSTICAL INSULATION TO ALL PARTITION TYPES ENCLOSING THESE SPACES: OFFICE, CONFERENCE ROOM, TOILET ROOMS, AND MECHANICAL ROOMS.
- REFERENCE GXXX SERIES FOR GRAPHIC EXTENT OF FIRE RATED PARTITIONS.
- REFERENCE A001 FOR ADDITIONAL GENERAL NOTES.
- REFERENCE AXXX FOR FINISH SCHEDULES.
- FURNITURE LAYOUT IS FOR "REFERENCE" ONLY.



**NOT FOR
REGULATORY
APPROVAL,
PERMITTING
OR
CONSTRUCTION**

**ERWIN MIXED
USE**

101 E H STREET ERWIN,
NC 28339

JULY 1, 2021 PROJ. NO. Project Num
PROJ. ARCHITECT DRAWN BY: Author

SET ISSUE DATES	
DAT	ISSU
E	E

REVISIONS		
NO.	DATE	DESCRIPTION

**80% CONSTRUCTION
DOCUMENTS**

FLOOR PLAN -
2ND FLOOR

A202

1 FLOOR PLAN - LEVEL 2 - PROPOSED
SCALE: 1/4" = 1'-0"

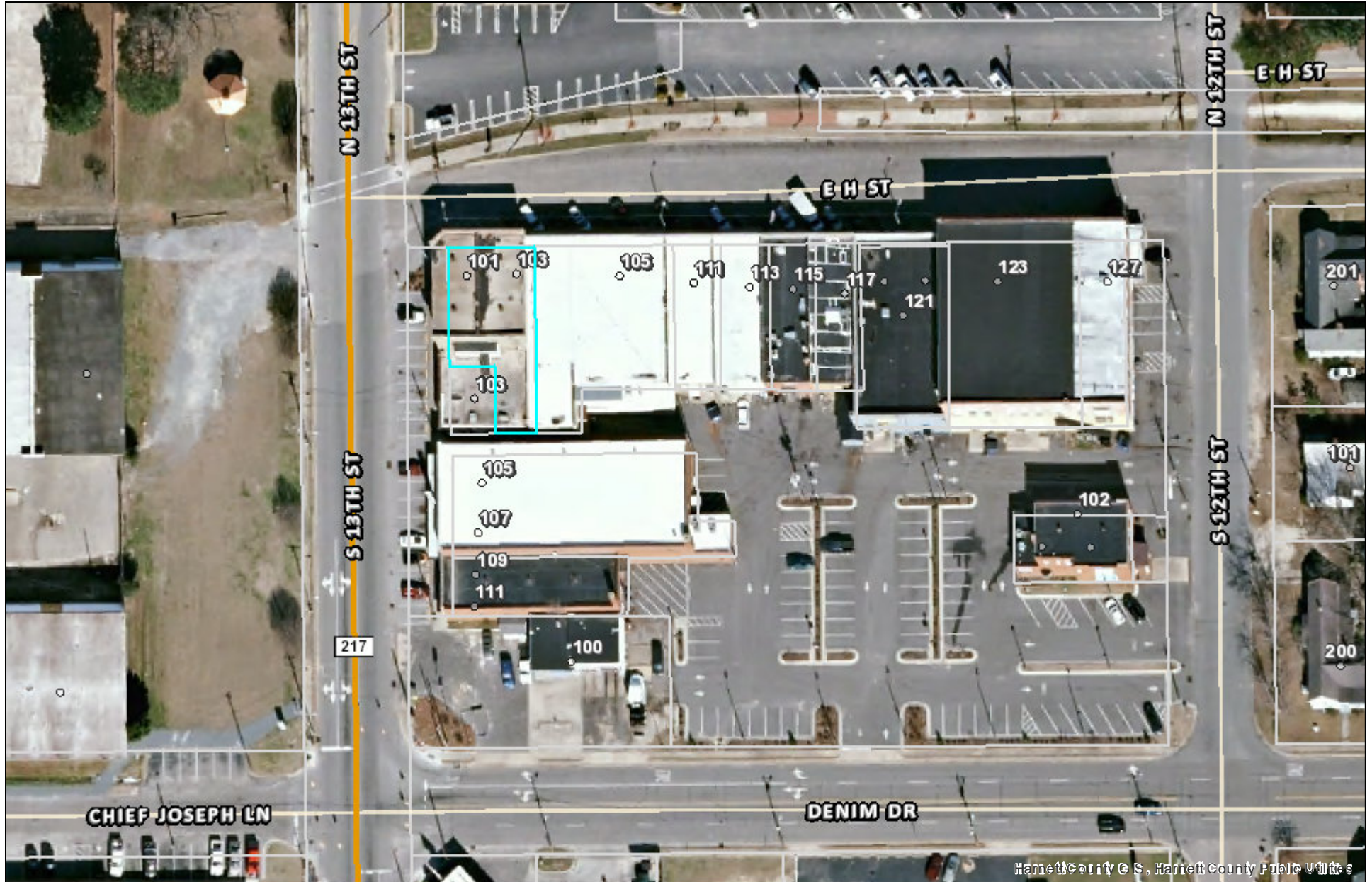


GRAPHIC LEGEND	
EXISTING	
PROPOSED	

Central File Path: O:\Myproj\erwin\Foldername\Foldername...
 Local File Path: C:\Users\erwin\Documents\015 - Erwin Mixed Use\2nd Floor\ErwinMixedUse - R21 - Rev01.rvt

Harnett GIS

NOT FOR LEGAL USE


















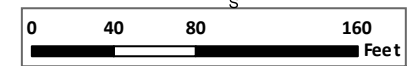
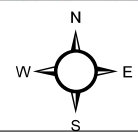
Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

August 11, 2021

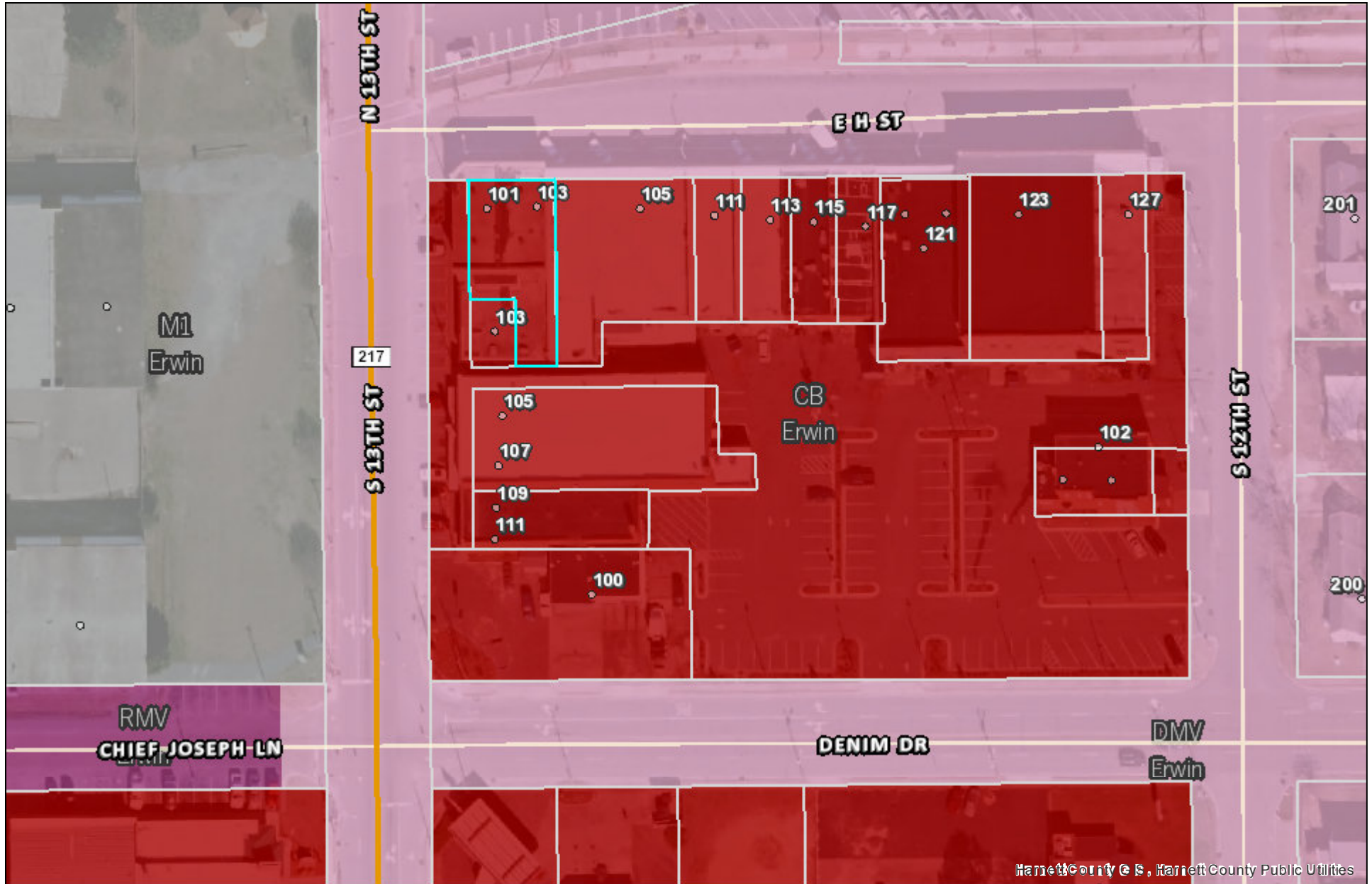
-  Recycle Center
-  Landfills
-  Surrounding County Boundaries
-  Federal Property
-  City Limits
-  Harnett County Boundary
-  Address Numbers
-  Airport
- MajorRoads**
-  Interstate
-  NC
-  US
-  Roads
-  Mile_Markers
-  Railroad
-  Parcels



1 inch = 94 feet **45**

Harnett GIS

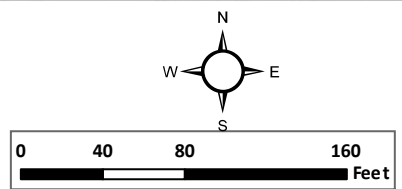
NOT FOR LEGAL USE



GIS/E-911 Addressing

August 11, 2021

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



1 inch = 94 feet **46**

Harnett County GIS, Harnett County Public Utilities

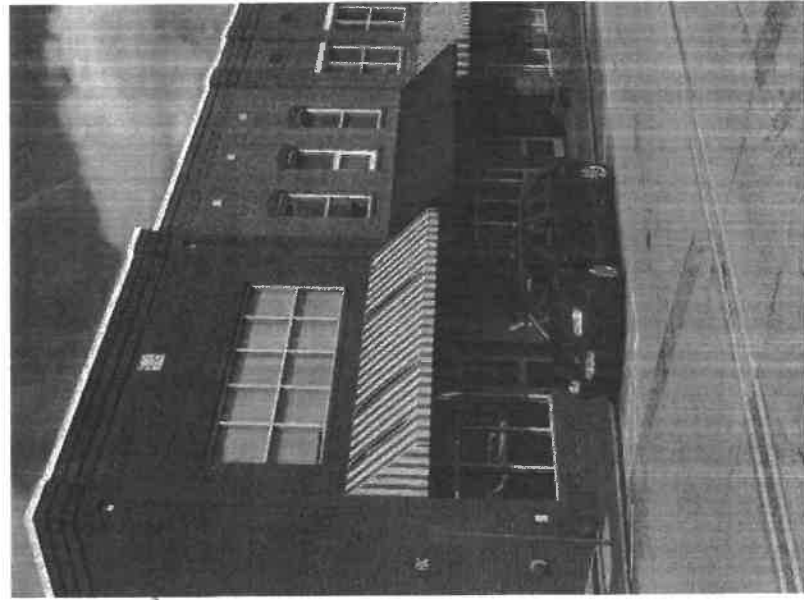
Property Owners Notified

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

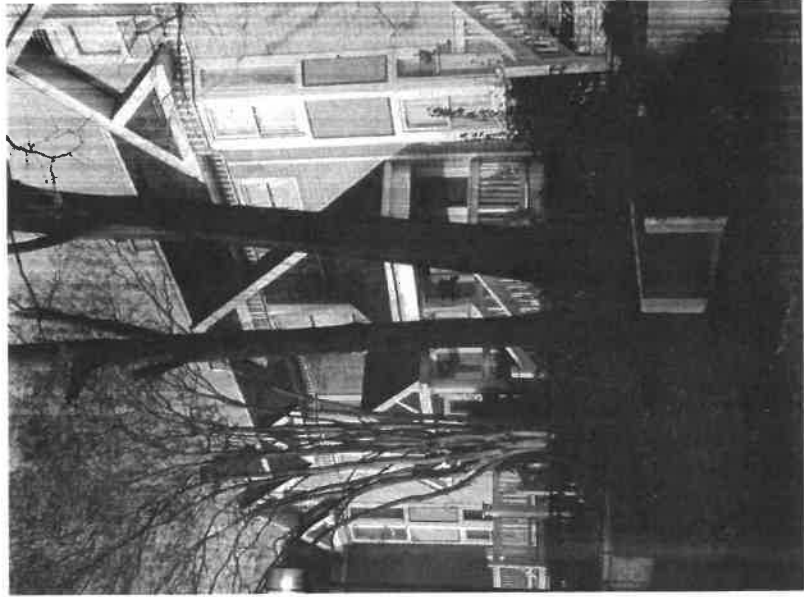
Section 2 Vision & Goals

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

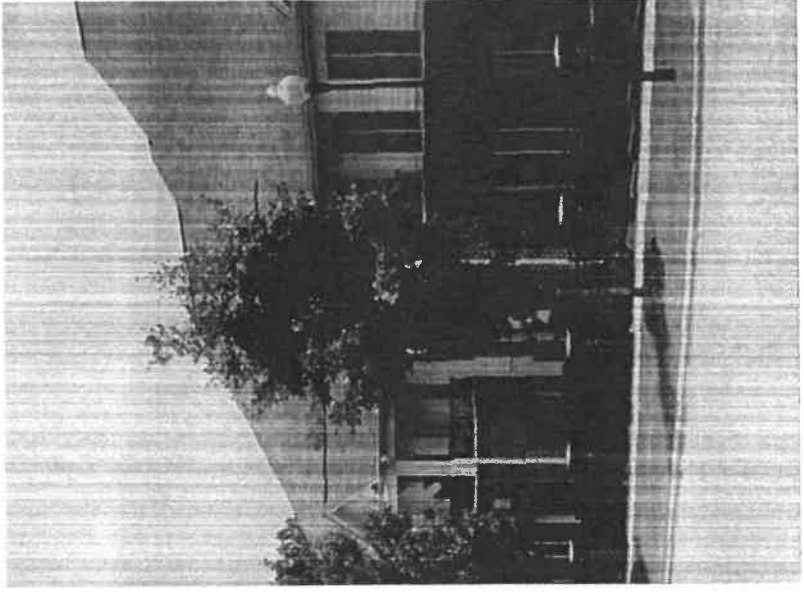
- a. Make residential zoning districts density based rather than based on minimum lot size. This will allow product flexibility while maintaining the same residential density that is desired for an area.
- b. Permit multi-family residential uses by right on upper floors of Central Business district buildings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



Mixed Use



Townhouse



Apartment

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: SU-2021-004

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

Attachments:

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

Suggested Motions:

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

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

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



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

SPECIAL USE PERMIT APPLICATION

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

Applicant Name	Chris Milligan	Property Owner Name	Richard Lovett
Mailing Address	TBD Maynard Lake Rd.	Mailing Address	
City, State, Zip	Erwin, NC	City, State, Zip	
Telephone	910.429.1923	Telephone	
Email	chris.milligan@erwinnc.com	Email	
Address of Subject Property	Maynard Lake Rd		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 97 - 0748 .000		
Legal Relationship of Applicant to Owner		Floodplain SFHA	<input type="checkbox"/> Yes <input type="checkbox"/> No
Legal Description: Lot	Block	Subdivision	
Zoning District	Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Watershed Area	<input type="checkbox"/> Yes <input type="checkbox"/> No
Public Water Available <input checked="" type="checkbox"/> Y or N	Public Sewer Available <input checked="" type="checkbox"/> Y or N	Existing Septic Tank: <input type="checkbox"/> Y or <input checked="" type="checkbox"/> N	
Number of Buildings to Remain	Gross Floor Area to Remain		
Describe Proposed Project or Request with Conditions proposed by applicant:			
New manufactured home		PAID	
Total Acreage or Square Footage to be Disturbed	SEP 09 2021		
Estimated Cost of Project \$			

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

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

Office Use Only	
Date Application Submitted	Application Fee \$
09/09/21	300 Received By msj
Case # SU-2021-004	

check 2021



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 Signature Page

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

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

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

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

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

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

SU- 221 004

Signature Page

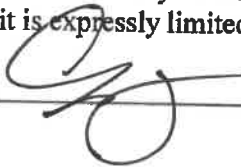
Page 1 of 2

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

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

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

Applicant Signature and Date:



9-9-21



TOWN OF ERWIN

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

SU- 221 - 004

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

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

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

 Yes No _____

SU-221-074

Finding of Facts

1



TOWN OF ERWIN

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

SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

SU- 221-004

Action by the Board of Commissioners

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

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



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

IMPORTANT

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

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

Using the Zoning Ordinance

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

SU- 201 - 004

Important

Page 1 of 1



TOWN OF ERWIN

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"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Town Board Decision and Date _____

Certified By: _____

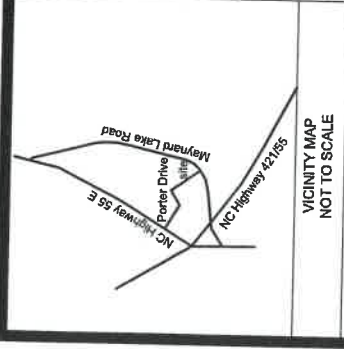
NC NAD 83/2011
VRS GRID NORTH

Site Plot Plan For
Richard Lovett
Duke Township
Hamlet County North Carolina
July 13, 2021 Scale 1" = 60'
Title Reference: Deed Book 3885, Page 863
Map Book 6, Page 125
PIN - 0597-97-0748,000; PID - 06059711010011

NORTH CAROLINA
ROBERTSON COUNTY
PLAT 111
THIS SURVEY IS OF AN EXISTING PARCEL OR
STREET OR CHANGE AN EXISTING STREET.



Digital Signature and seal
not for recording conveyance
or sales. Copies with original
signature and seal will be
provided. This is for email
purposes only.



LEGEND

- epk - existing pk nail found
- eis - existing iron stake found
- eam - existing concrete marker found
- erns - existing railroad spike found
- els - existing iron axle found
- en - existing nail found
- smn - set meg nail
- emnn - existing meg nail found
- sip - set iron pipe
- eip - existing iron pipe found
- sir - set iron rod
- eir - existing iron rod found
- cp - calculated point (no stake set)
- right of way line plotted
- surveyed line
- line plotted (not surveyed)
- fence line plotted
- ditch line plotted
- easement line plotted
- power line plotted
- tie line surveyed

Note: New iron rods set at all corners unless otherwise noted.



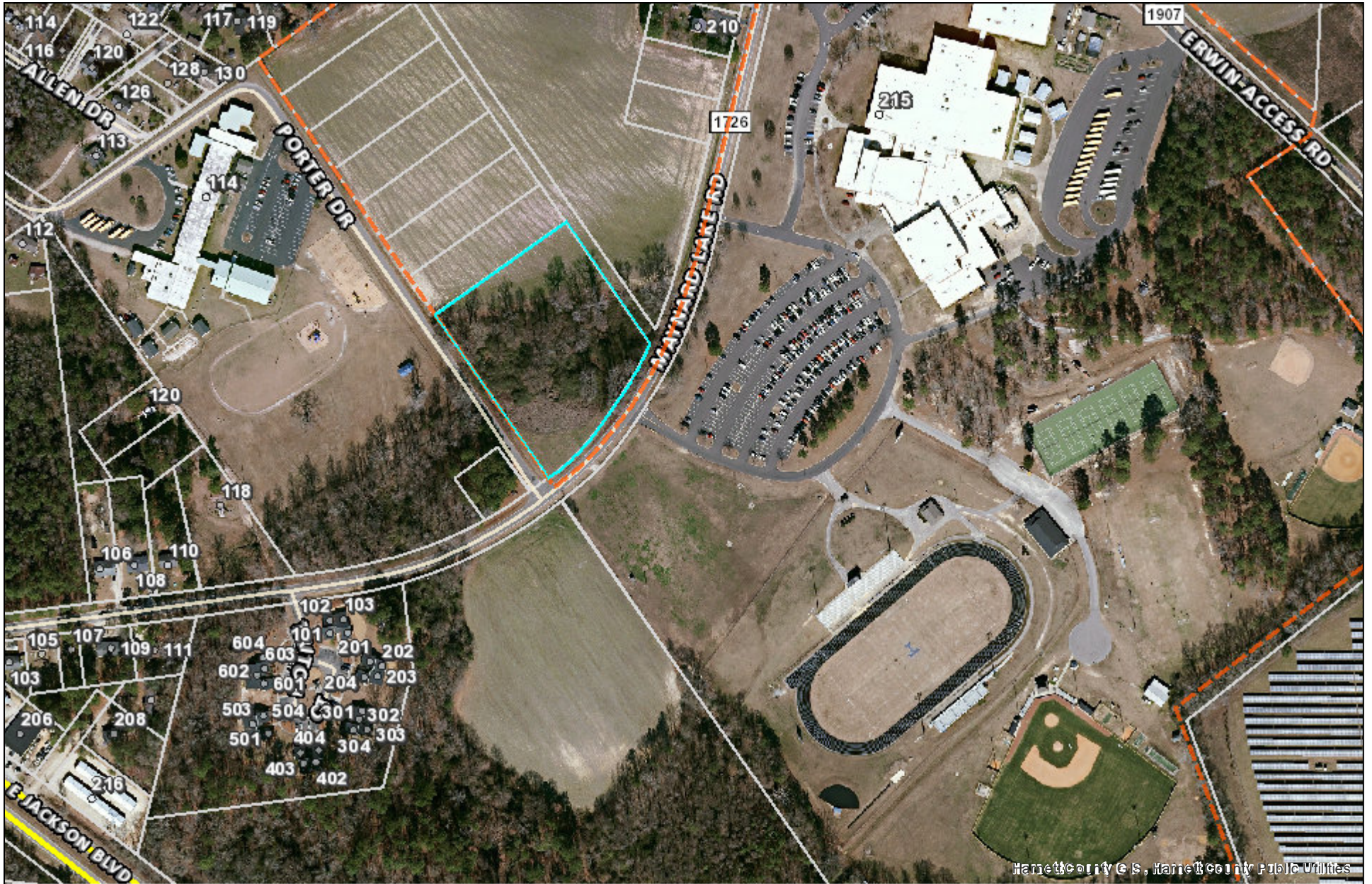
Hamlet County Board of Education
Deed Book 1388, Page 959
Plat Book 6, Page 66

Powers Surveying
Firm License: FL1559
John D. Powers, Jr., FLS L-1719
Lumberton, North Carolina 28358
(701) 756-9996

DRAWING #: 21-232.DWG

Harnett GIS

NOT FOR LEGAL USE



Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing

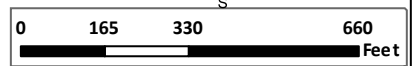
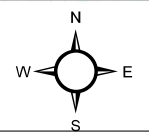
September 10, 2021

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

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

- NC
- US
- Roads
- Mile_Markers
- Railroad

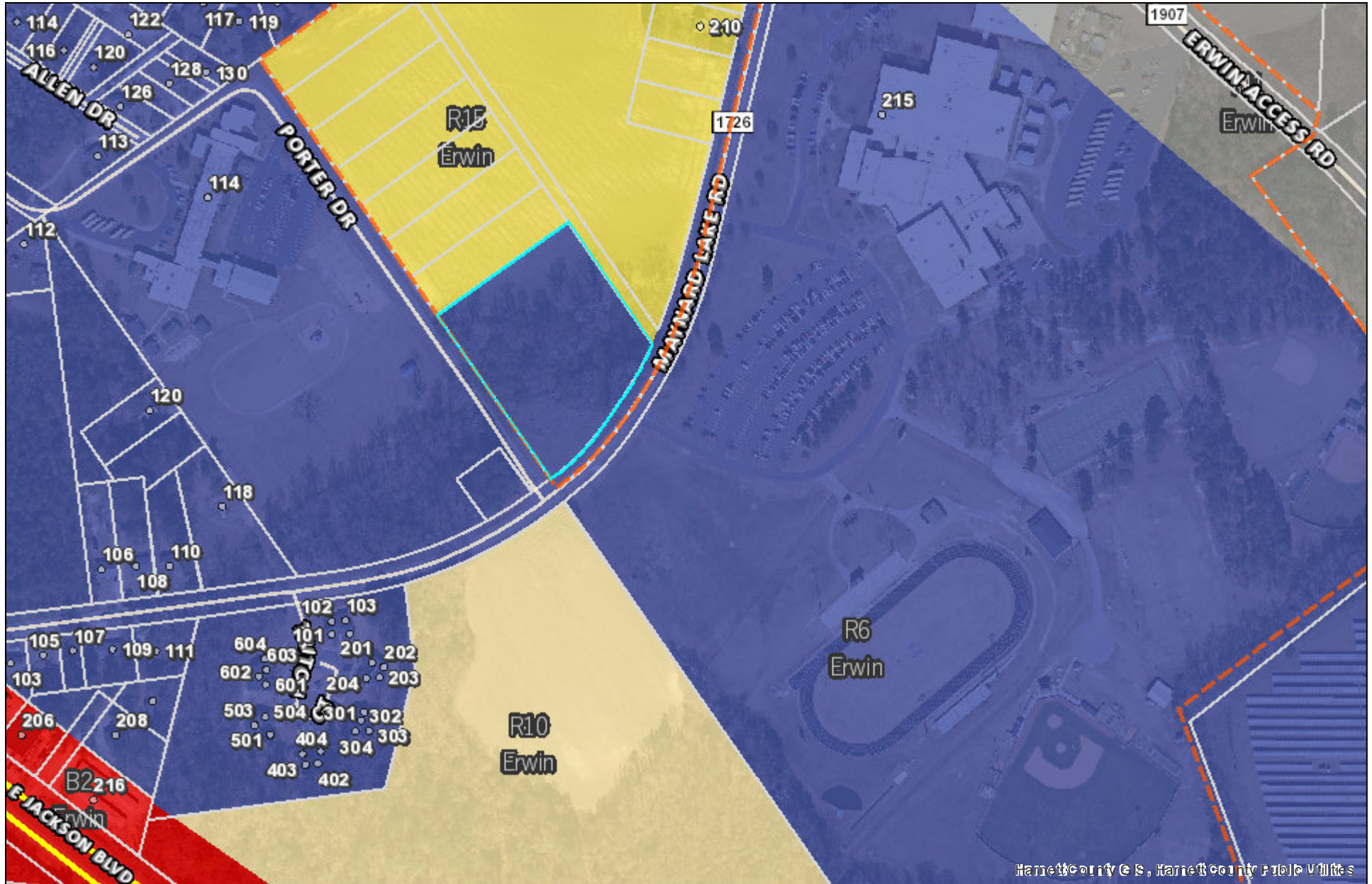
- Parcels



1 inch = 376 feet

Harnett GIS

NOT FOR LEGAL USE



GIS/E-911 Addressing

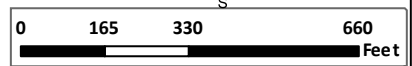
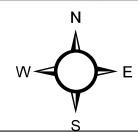
September 10, 2021

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

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

- NC
- US
- Roads
- Mile_Markers
- Railroad

- Parcels



1 inch = 376 feet **63**

Harnett County GIS, Harnett County Public Utilities

Lynne Fowler Godwin
212 Maynard Lake Road
Erwin, NC 28339

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

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

Harnett County
PO Box 759
Lillington, NC 27546

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

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: SU-2021-005

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

Attachments:

- SU-2021-005 Application
- SU-2021-005 Staff Report
- SU-2021-005 Harnett County GIS Image with no zoning
- SU-2021-005 Harnett County GIS Image with zoning
- Property Owners notified

Suggested Motions:

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

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

3. I move to recommend:
 - a. Approval of SU-2021-005 Special Use Application to open a full service beauty salon at 400 East H Street (HC Tax PIN #0597-84-1671.000).
 - b. Denial of SU-2021-005 Special Use Application to open a full service beauty salon at 400 East H Street (HC Tax PIN #0597-84-1671.000).
 - c. Approval of SU-2021-005 Special Use Application to open a full service beauty salon at 400 East H Street (HC Tax PIN #0597-84-1671.000) with additional conditions (state conditions).



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

PAID

SEP 14 2021

check
09/14/21
MSB

SPECIAL USE PERMIT APPLICATION TOWN OF ERWIN

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

Applicant Name	Michele Gray	Property Owner Name	Zachary and Arielle Angle
Mailing Address	207 Prior Lane	Mailing Address	126 N. Ennis St
City, State, Zip	Pikeville NC 27863	City, State, Zip	Fuquay varina NC 27526
Telephone	910 850 3045	Telephone	919-602-2351
Email	dunnbombshells@gmail.com	Email	zach.angle@gmail.com
Address of Subject Property	400 East H Street ERWIN, NC 28339		
Parcel Identification Number(s) (PIN) of Subject Property	0597 - 84 - 1671 .000		
Legal Relationship of Applicant to Owner	buyer	Floodplain SFHA	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Legal Description: Lot	268 Block 1	Subdivision	Downtown Mill Village
Zoning District	Wetlands	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Watershed Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Public Water Available: <input checked="" type="checkbox"/> Y or N	Public Sewer Available: <input checked="" type="checkbox"/> Y or N	Existing Septic Tank: <input checked="" type="checkbox"/> Y or N	
Number of Buildings to Remain	1	Gross Floor Area to Remain	2829 sq Ft
Describe Proposed Project or Request with Conditions proposed by applicant: I request, the property to be used as a full service beauty salon. We will offer hair, nails, tanning and spa services. We have gained clientel in bunn and are expanding.			
Total Acreage or Square Footage to be Disturbed	<input checked="" type="checkbox"/>		
Estimated Cost of Project \$	25,000		

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

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

Office Use Only

Date Application Submitted 9/14/21 Application Fee \$ 300 Received By MSB

Case # SU-20 21-005



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 Signature Page

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

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

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

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

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

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

SU- 221-005

Signature Page

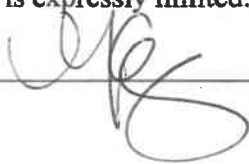
Page 1 of 2

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

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

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

Applicant Signature and Date: _____





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) Winnie Rachelle Mailing
 Address 402 E. H St City Erwin ST NC Zip 28339

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

Property Owner (3) Lane SPE LLC Mailing
 Address 12450 Cleveland Rd City Garner ST NC Zip 27529

Property Owner (4) Lane LTRR Properties Mailing
 Address PO Box 2230 City Angier ST NC Zip 27501

Property Owner (5) William Gregory Mailing
 Address 404 E. H Street City Erwin ST NC Zip 28339

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

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

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

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

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

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

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

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

SU- 201-025

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

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

Yes No _____

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

Yes No _____

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

Yes No _____

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

Yes No _____

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

Yes No _____

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

Yes No _____

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

Yes No _____



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

SPECIAL USE APPLICATION PROCEDURES

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

Conditions and Guarantees

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

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

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

IMPORTANT

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

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

Using the Zoning Ordinance

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



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: _____

Proposal and Explanation

Bombshells Beauty Bar is an established full service salon that offers hair and nail services as well as facials, body waxing, eyelash extensions, permanent makeup and tanning. We also would like to have a small bar for beer and wine for our clients but will also serve soft drinks water and coffee. We believe our salon will be an asset to the Town of Erwin.

Our plan is to take down a few walls on the interior, paint and add new flooring. There will be some plumbing involved to hook up the water supply and drains for our pedicure area and washing machine. A dryer vent will also be installed. No square footage will be disturbed since no exterior walls are in our planned upfit.

We thank you for your time and consideration for our business to become a part of the Town of Erwin.

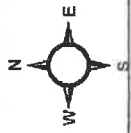
Bombshells Beauty Bar
Michele Gray and Associates

A handwritten signature in black ink, appearing to be 'Michele Gray', written in a cursive style.

Harnett GIS



Harnett County GIS, Harnett County Public Utilities



1 inch = 47 feet

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

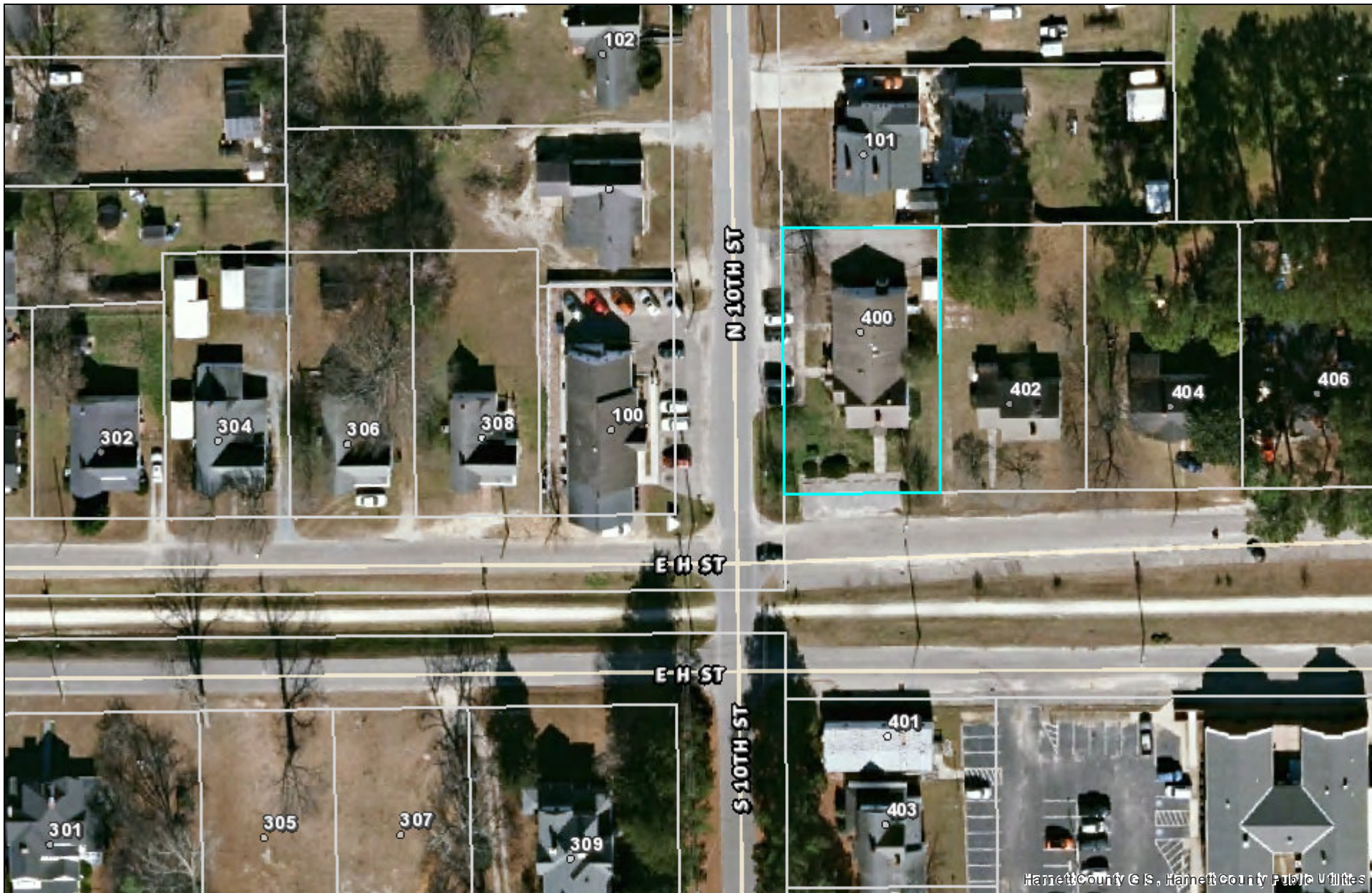


Harnett
COUNTY
North Carolina

GIS/E-911 Addressing
September 13, 2021

Harnett GIS

NOT FOR LEGAL USE

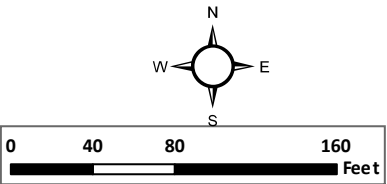


Harnett County GIS, Harnett County Public Utilities



GIS/E-911 Addressing
September 14, 2021

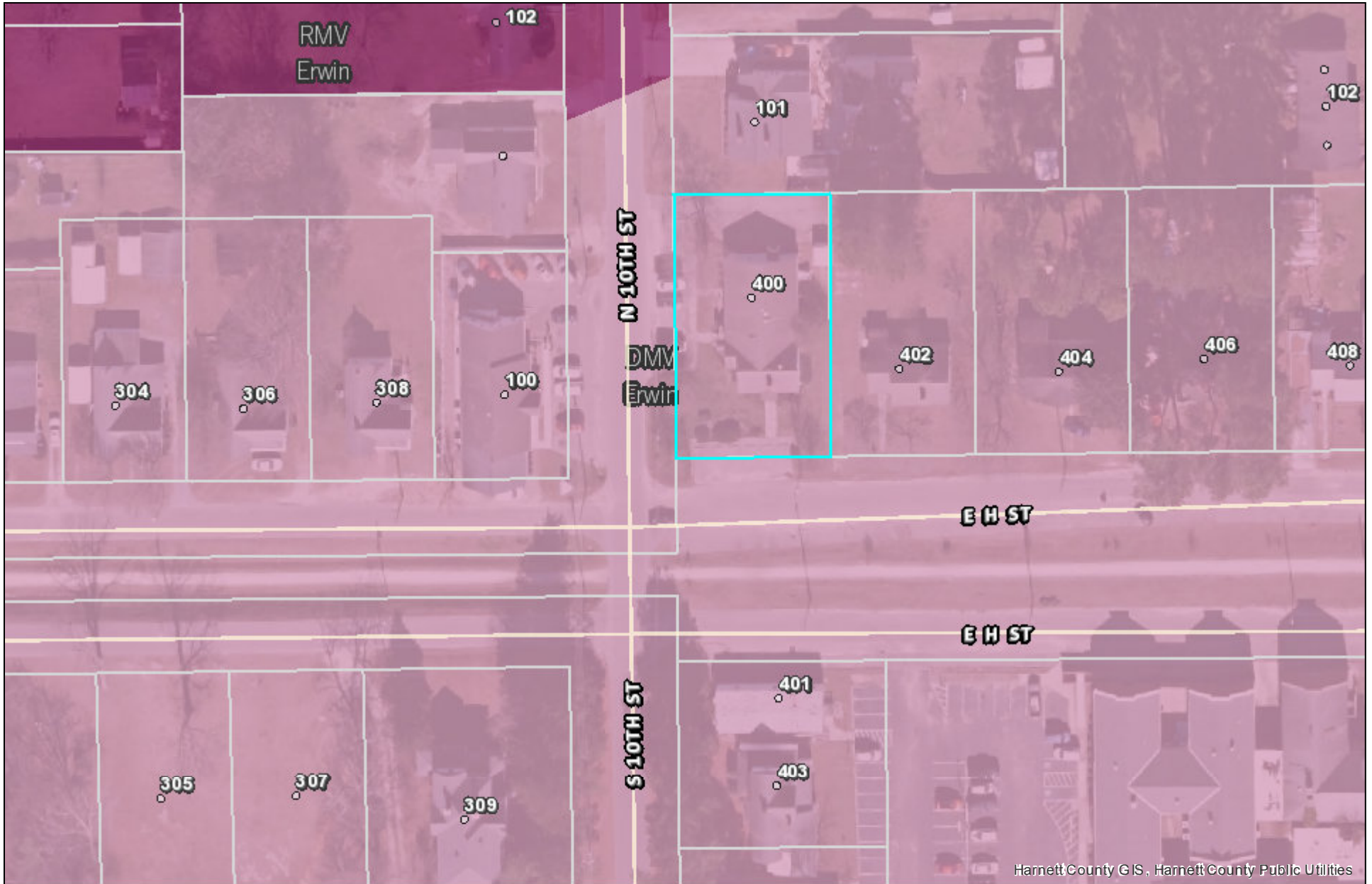
- | | | | |
|-------------------------------|-------------------------|--------------|---------|
| Recycle Center | Harnett County Boundary | NC | Parcels |
| Landfills | Address Numbers | US | |
| Surrounding County Boundaries | Airport | Roads | |
| Federal Property | Major Roads | Mile_Markers | |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



1 inch = 94 feet 79

Harnett GIS

NOT FOR LEGAL USE



Harnett County GIS, Harnett County Public Utilities

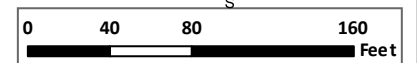
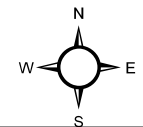


GIS/E-911 Addressing
September 14, 2021

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

- Harnett County Boundary
- Address Numbers
- Airport
- Major Roads**
- Interstate
- NC
- US
- Roads
- Mile_Markers
- Railroad

- Parcels



1 inch = 94 feet **80**

Zachary and Arielle Angle
126 N Ennis Street
Fuquay-Varina, NC 27526

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

Denise Winnie
402 East H Street
Erwin, NC 28339

Lane SPE LLC
12450 Cleveland Rd.
Garner, NC 27529

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

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

Harnett County
PO Box 759
Lillington, NC 759

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

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: ZT-2021-006

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

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

Attachments:

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



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

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

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

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

Zoning change requested from RD to B2

If Conditional District, note conditions: _____

Harnett County Tax Map PIN 1507-24-9301

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

GLOBAL, LLC 3709 TRAMM CT APTX NC 27523
PAW BRANT 132 JUNIPER CREEK VINEHURST, NC 28377
JAMES LOUIS SENTER 565 ST MATTHEWS RD ERWIN, NC 283
GLOVER SALES 406 E JACKSON BLVD ERWIN, NC 283

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

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

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

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

D-2 919-334-2153
Signature of Applicant Contact Number

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

OWNER → Joe Bud Jernigan 1188 Hobson Road
Joe Bud Jernigan



REZONING MAP REQUEST STAFF REPORT

Case: ZT-2020-06

Snow Bowden, Town Manager

townmanager@erwin-nc.org

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

Planning Board: 09/20/2021

Town Commissioners: 10/7/2021

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

Applicant Information

Owner of Record:

Name: Global LLC

Address: 3709 Tammy Court

City/State/Zip: Apex, NC 27523

Owner of Record (2nd lot)

Name: Joe Jernigan and Larry Hardison

Address: 29 Stonegate Drive

City/State/Zip: Angier, NC 27501

Applicant

Name: Guy Lampe

Address: 225 Peedin Road

City/State/Zip: Smithfield, NC 27577

Property Description

(Lot #1)

Harnett County Tax PIN 1507-24-4207.000

Acres 1.48

Zoning District- B-2 (95.17%) and RD (4.83%)

(Lot #2 New proposed lot)

Current Harnett County Tax PIN 1507-24-9301.000 *if approved this new lot would have a different PIN number

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

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

Vicinity Map

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

Physical Characteristics

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

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

Services Available

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

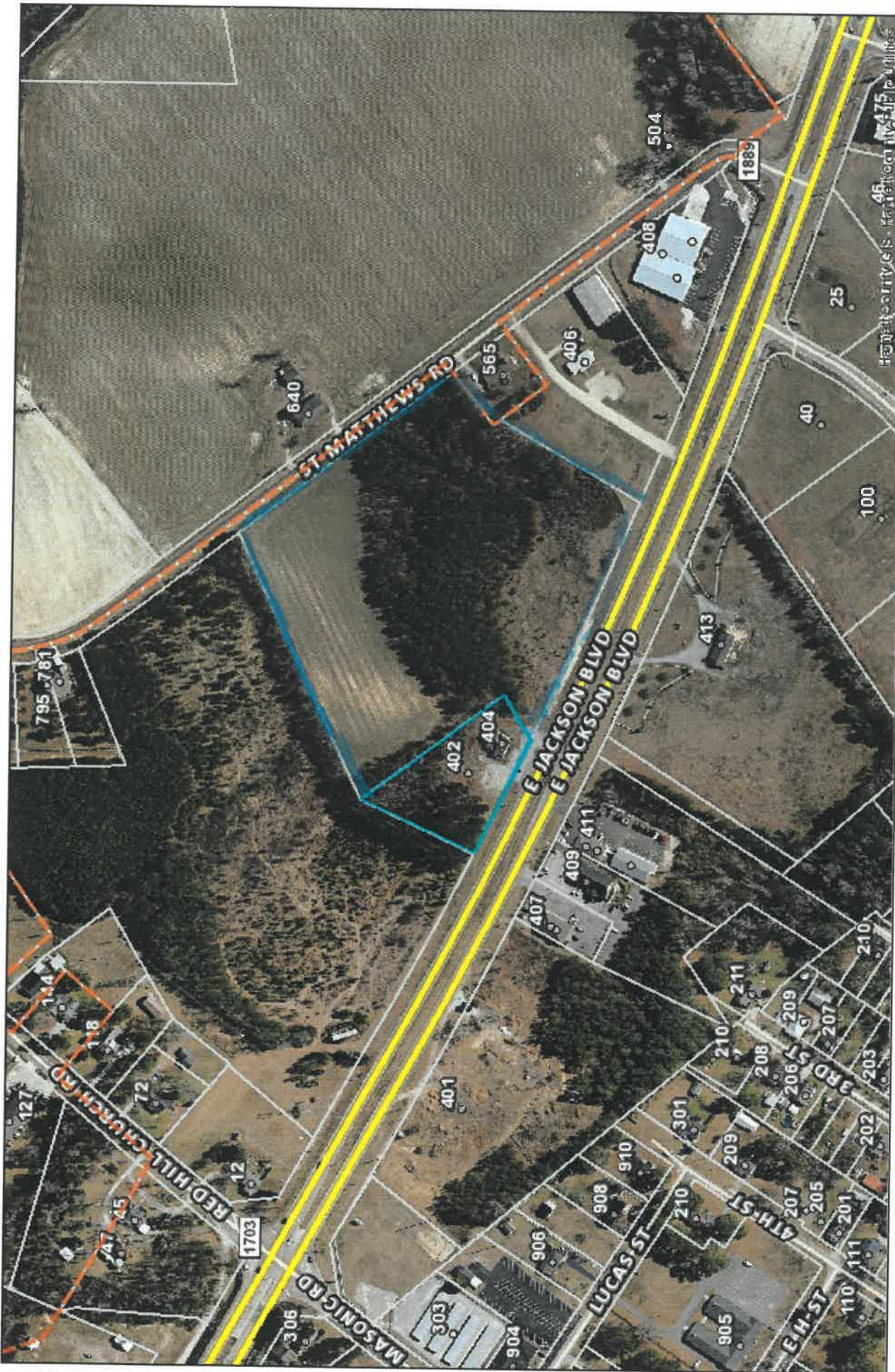
Staff Evaluation


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

Attachments:

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

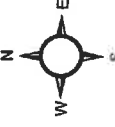
Harnett GIS






Harnett COUNTY
NORTH CAROLINA

















GIS/E-911 Addressing
September 10, 2021



N
W E
S

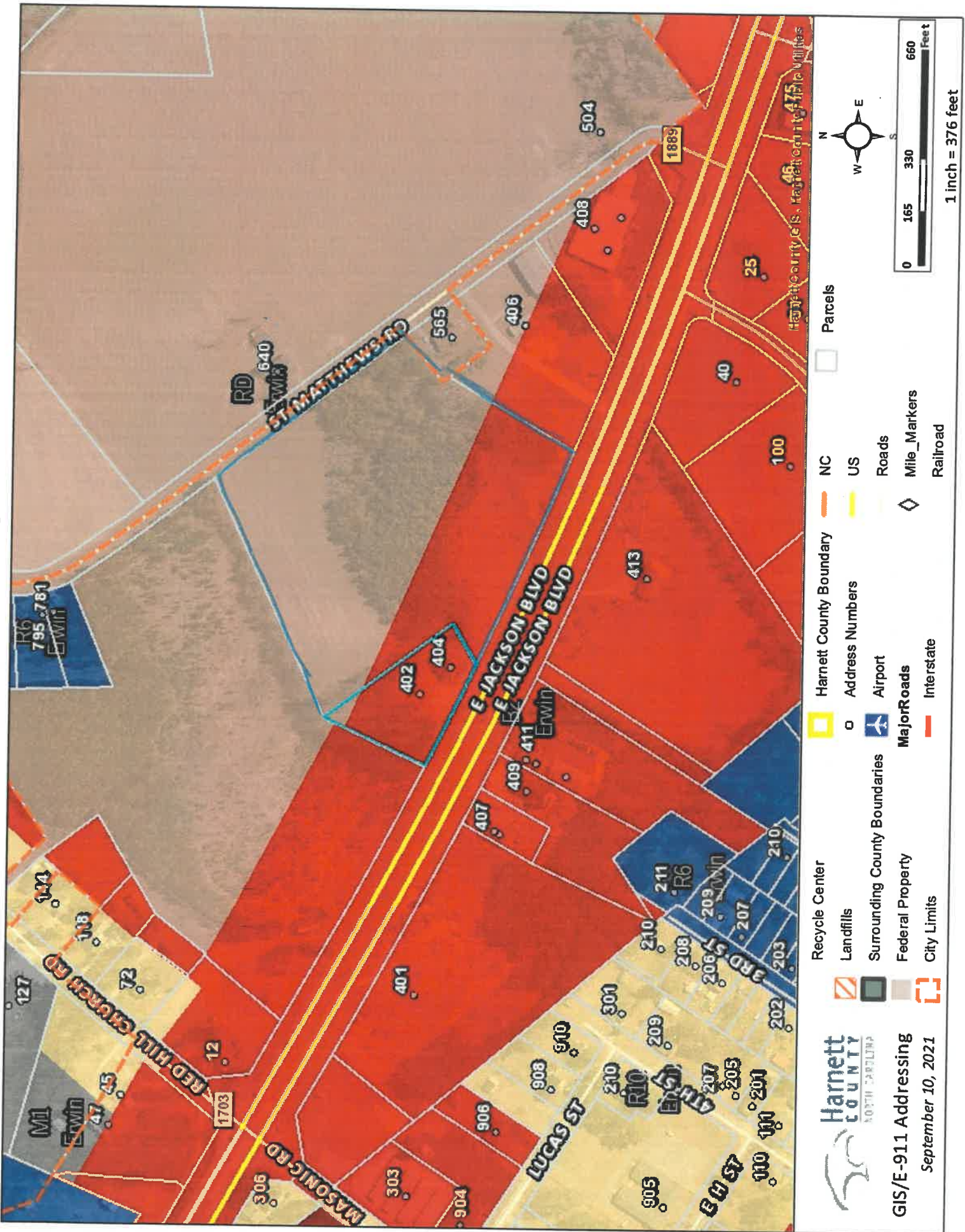


0 165 330 660 Feet
1 inch = 376 feet

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

NOT FOR LEGAL USE

Harnett GIS



NOT FOR LEGAL USE

Joe Jernigan
Larry Hardison
29 Stonegate Drive
Angier, NC 27501

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

Glover Sales INC
406 East Jackson BLVD
Erwin, NC 28339

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

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

Global LLC.
3709 Tammy CT
Apex, NC 27523

Edward Miller Sr.
PO Box 248
Dunn, NC 28335

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

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

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

Michael Jefferson Wood
1431 Bailey Road
Coats, NC 27521

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

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

Mark Kolosky
999 Carlton Street
Clayton, NC 27520

BPRV LLC
1004 Procure Street
Fuquay-Varina, NC 27526

EXHIBIT A

<p>DRAWN BY: TJG CHECKED: TJG REVIEWED: [] DATE: Aug 31, 2021</p>	<p>DUKE TOWNSHIP NORTH CAROLINA AUGUST 31, 2021</p>	<p>CITY OF ERWIN HARRETT COUNTY SCALE 1" = 100'</p>	<p>LARRY E. HARDISON Subdivision Survey For</p>	<p>DEED REFERENCE Db 3503 Pg 129 Db 1289 Pg 231</p>	<p>Tax ID #s 1507-24-4207.000 1507-24-9301.000</p>	<p>115 Broadfoot Ave. P.O. Box 53774 Fayetteville, N.C., 28305 Phone 910-484-5191 License # F-0106</p>	<p>1" = 100' SHEET 1</p>
---	---	---	--	---	--	--	---------------------------------------

I, Thomas J. Gooden, certify the following for the control of this survey: State Plan Grid alignment was obtained by an actual GPS survey made under my supervision; This GPS survey was performed on August 19, 2021; This GPS survey was performed on a Trimble 5800 Series Dual Frequency receiver. This method results in NAD 83, (NRS 2011) positions and NAVD 88 Elevations using the Continuously Operation Reference Stations maintained by the North Carolina Geodetic Survey. The positional accuracy of this GPS Survey is 0.05 feet. Witness my original signature, registration number and seal this 19th day of August, 2021.

Thomas J. Gooden Professional Land Surveyor L-3196

I, Thomas J. Gooden, certify that this plat was drawn under my supervision from an actual survey made under my supervision (see description recorded in Book 1289 page 231 etc.); that the boundaries not shown on this plat were as drawn from information found in Plat Book registered as calculated in accordance with that the ratio of precision as calculated is 1:10,000+; U.S. 47-30 as amended; that this plat was prepared in accordance with the provisions of the laws, regulations, number and seal this 31st day of August, A.D., 2021.

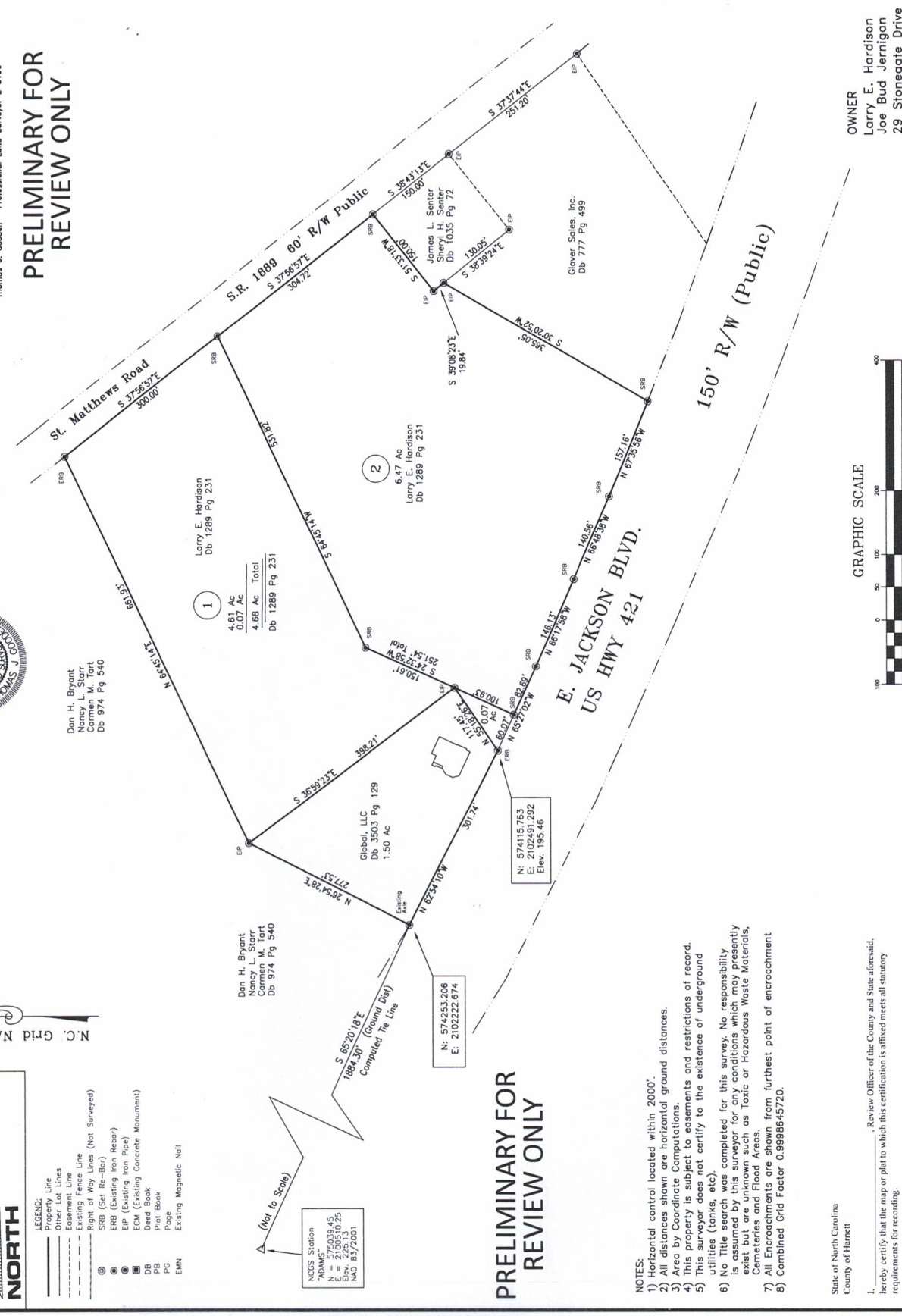
Thomas J. Gooden Professional Land Surveyor L-3196

I, Thomas J. Gooden certify that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Thomas J. Gooden Professional Land Surveyor L-3196

I, Thomas J. Gooden certify that this plat was drawn under my supervision from an actual survey made under my supervision (see description recorded in Book 1289 page 231 etc.); that the boundaries not shown on this plat were as drawn from information found in Plat Book registered as calculated in accordance with that the ratio of precision as calculated is 1:10,000+; U.S. 47-30 as amended; that this plat was prepared in accordance with the provisions of the laws, regulations, number and seal this 31st day of August, A.D., 2021.

Thomas J. Gooden Professional Land Surveyor L-3196



GRAPHIC SCALE
 (IN FEET)
 1 inch = 100 ft.

OWNER
 Larry E. Hardison
 Joe Bud Jernigan
 29 Stonegate Drive
 Anger, NC 27501

PRELIMINARY FOR REVIEW ONLY

- NOTES:**
- Horizontal control located within 2000'.
 - All distances shown are horizontal ground distances.
 - Area by Coordinate Computations.
 - This property is subject to easements and restrictions of record.
 - This surveyor does not certify to the existence of underground utilities (tanks, etc).
 - No title search was completed for this survey. No responsibility is assumed by this surveyor for any conditions which may presently exist on the property such as Toxic or Hazardous Waste Materials, Contaminated or Flood Areas.
 - All Encroachments are shown from furthest point of encroachment.
 - Combined Grid Factor 0.9998645720.

I, _____, Review Officer of the County and State aforesaid, hereby certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

State of North Carolina
 County of Harrett

Review Officer

Preliminary (Not for Recording or Conveyance)

Property Description for Lot 1

For Rezoning Application

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

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

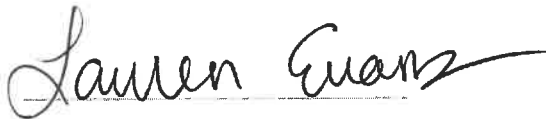
This description does not include the small triangular area along E. Jackson Blvd./U.S. Highway 421 of 0.07 acres, more or less, located south of the Global, LLC property.

Statement-of-Consistency

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

A handwritten signature in cursive script that reads "Pat Cameron". The signature is written in black ink and has a long, sweeping underline that extends to the right.

Pat Cameron
Planning Board Vice-Chairperson

A handwritten signature in cursive script that reads "Lauren Evans". The signature is written in black ink and has a long, sweeping underline that extends to the right.

Lauren Evans
Town Clerk

Statement-of-Consistency

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

Patsy Carson
Mayor

Lauren Evans
Town Clerk

Statement-of-Inconsistency

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

Patsy Carson
Mayor

Lauren Evans
Town Clerk



TOWN OF ERWIN

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

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

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

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

B3503 - P129

HARNETT COUNTY TAX ID#
061507 0126
05-10-2017 BY SB

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

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

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$220.00

Parcel Identifier No. 0031425 Verified by _____ County on the ____ day of _____, 20__

By: _____

Mail/Box to: GRANTEE

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

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

THIS DEED made this 10th day of May, 2017, by and between

<p>GRANTOR ANCHOR PROPERTIES OF RALEIGH, LLC, A NC LIMITED LIABILITY COMPANY 503 WRENNSTONE COURT APEX, NC 27539</p>	<p>GRANTEE GLOBAL, LLC A NC LIMITED LIABILITY COMPANY 5621 KOSTER HILL PLACE CARY, NC 27518</p>
---	--

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

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

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

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

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3273 page 117. All or a portion of the property herein conveyed includes or X does not include the primary residence of a Grantor.

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

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple. And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that the title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: Easements, restrictions and rights of way of record. 2017 ad valorem taxes.

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

ANCHOR PROPERTIES OF RALEIGH, LLC (Entity Name) (SEAL)
By: [Signature] Print/Type Name:
HOSAMELDIN ELHELBAWI (SEAL)
MANAGER Print/Type Name:
By: Print/Type Name: (SEAL)
By: Print/Type Name: (SEAL)

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

My Commission Expires: [blank] Notary Public (Affix Seal)
Notary's Printed or Typed Name: [blank]
State of [blank] - County or City of [blank] and State aforesaid, certify that I, the undersigned Notary Public of the County or City of [blank] personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this [blank] day of [blank], 20[blank].

My Commission Expires: [blank] Notary Public (Affix Seal)
Notary's Printed or Typed Name: [blank]
State of North Carolina - County or City of WAKE * RALEIGH, LLC
I, the undersigned Notary Public of the County or City of WAKE and State aforesaid, certify that HOSAMELDIN ELHELBAWI personally came before me this day and acknowledged that he is the MANAGER of ANCHOR PROPERTIES OF *, a North Carolina or corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 26 day of May, 2017.
My Commission Expires: 3-19-2018 Notary Public (Affix Seal)
Notary's Printed or Typed Name: [blank]



NC Bar Association Form No. 3 © 1976, Revised © 1977, 2013. Printed by Agreement with the NC Bar Association - 1951

This standard form has been approved by: North Carolina Bar Association - NC Bar Form No. 3

Prepared by: J. Michael Miller, ATTY. 95130-254 NORTH CAROLINA, HARNETT COUNTY.

FILED BOOK 1299 PAGE 231-232 '98 AUG 5 PM 3 36 KIMBERLY G HARGROVE REGISTER OF DEEDS HARNETT COUNTY, NC Single of Route

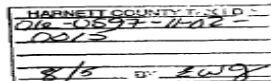
THIS DEED, Made this 27th day of July, 1998, by JOE BUD JERNIGAN #3, Box 355, Dunn, North Carolina 28335, party of the first part, to LARRY E. HARDISON of 100 West Vance Street, Dunn, N. C. 28334, party of the second part,

WITNESSETH

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

BEGINNING at a found iron pin, said iron pin being the Southwest corner of that tract of land described in Deed to Glover Sales, Inc., recorded in Book 777, Page 499, Harnett County Registry, said iron pin also being located in the Northern margin of U. S. Highway 421 and runs thence along the Northern margin of U. S. Highway 421 North 63 degrees 21 minutes 07 seconds West 157.16 feet, North 62 degrees 33 minutes 49 seconds West 140.56 feet, North 62 degrees 03 minutes 09 seconds West 146.13 feet, and North 61 degrees 13 minutes 17 seconds West 142.78 feet to a set rebar by a bent axle; thence North 59 degrees 33 minutes 16 seconds East 117.51 feet to a found iron pin; thence North 32 degrees 43 minutes 43 seconds West 398.55 feet to a found iron pin, thence North 69 degrees 01 minutes 17 seconds East 662.14 feet to a point in the Western margin of N. C. S. R. #1728, thence along the Western margin of N. C. S. R. #1728 South 33 degrees 47 minutes 05 seconds East 604.93 feet to a found iron pin; thence South 55 degrees 57 minutes 50 seconds West 151.00 feet to a found iron pin; thence South 34 degrees 27 minutes 12 seconds East 20.00 feet to a found iron pin; thence South 34 degrees 34 minutes 43 seconds West 365.06 feet to the BEGINNING, and containing 11.17 acres, more or less.

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



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

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

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

Joe Bud Jernigan (SEAL)
Joe Bud Jernigan

NORTH CAROLINA,
HARNETT COUNTY

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

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



Sylvia B. Long
Notary Public

My Commission Expires November 11, 2001

NORTH CAROLINA
HARNETT COUNTY

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

Notary Public (Notaries Public) is/are certified to be correct This instrument was presented for registration and recorded in this office at Book 1289 Page 131-232 This 5 day of August 1998 at 3:36 o'clock A M PM

Kimberly S Hargrove
Register of Deeds
Harnett County

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

232

Adopted this the 7th day of October 2021.

Patsy Carson,
Mayor

ATTEST:

Lauren Evans
Town Clerk

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: Erwin Depot

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

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

Attachments:

- Proposed expenses for the Depot project

Action Recommended:

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

Erwin Board of Commissioners

REQUEST FOR CONSIDERATION

To: The Honorable Mayor and Board of Commissioners

From: Snow Bowden, Town Manager

Date: October 7, 2021

Subject: 2021-2022 Street Resurfacing Recommendations

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

Attachments:

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



TOWN OF ERWIN

Post Office Box 459
Erwin, NC 28339
(910) 897-5140

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

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

Snow,

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

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

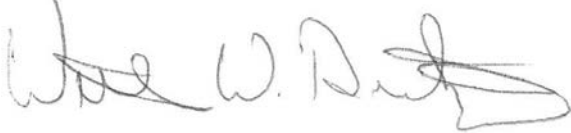
The opinion of cost is based on an evaluation of the re-surfacing cost over the last few years. However, with the construction climate we have today, budget adjustments may be required when we are able to evaluate actual bid prices. Another option for consideration is the re-construction of the East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

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

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

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

Sincerely,

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

Bill Dreitzler, P.E.
Town Engineer



SITE PLAN

SCALE: 1"=60'