

**TOWN OF ERWIN
PLANNING BOARD/BOARD OF ADJUSTMENTS
MONDAY, SEPTEMBER 16, 2024, AT 7:00 PM
ERWIN MUNICIPAL BUILDING BOARD ROOM**

AGENDA

1. **MEETING CALLED TO ORDER**
 - A. Invocation
 - B. Pledge of Allegiance
2. **CONSENT AGENDA**
 - A. Planning Board Minutes from Regular Meeting on August 19, 2024 **(Page 2)**
3. **OATH OF OFFICE**
 - A. Joshua Schmeiding **(Page 7)**
4. **OLD BUSINESS**
 - A. Updates
 - B. Encroachment in Public ROW **(Page 8)**
 - C. Accessory Structures in ROW **(Page 13)**
 - D. Fences in ROW **(Page 16)**
 - E. ZT-2024-004 **(Page 21)**
5. **NEW BUSINESS**
 - A. Urban Camping Ordinance **(Page 33)**
 - B. ZT-2024-005 **(Page 36)**
6. **ADJOURNMENT**
7. **BOARD OF ADJUSTMENTS**
 - A. Call to Order
8. **CONSENT AGENDA**
 - A. Board of Adjustments Minutes from Regular Meeting June 17, 2024 **(Page 88)**
9. **PUBLIC HEARING**
 - A. BOA-2024-004 **(Page 92)**
10. **ADJOURNMENT**

PLANNING BOARD
MEETING MINUTES
MONDAY, AUGUST 19, 2024
ERWIN, NORTH CAROLINA

The Town of Erwin Planning Board held its regular meeting in the Erwin Municipal Building Board Room 100 West F Street, Erwin NC on Monday, August 19th, 2024 at 7:00 PM.

Board members present were Vice Chairperson Ronald Beasley, In-Town Board Members Kathryn Moore, Grace Watts, Jim Hartman and Rebecca Kelly, and Out-of-Town Board Members Howard Godwin and Nicholas Skatell.

Board members absent were: Chairperson Joshua Schmeiding, and In-Town Alternate Vanessa Lech.

Town Manager Snow Bowden, Town Planner Dylan Eure, and Deputy Town Clerk Katelan Blount were present.

Vice Chairperson Ronald Beasley called the meeting to order at 7:00 PM.

Board Member Grace Watts gave the Invocation.

Board Member Howard Godwin led the Pledge of Allegiance.

CONSENT ITEMS

Board Member JD Hartman made a motion to approve the minutes of July 15, 2024, and was seconded by Howard Godwin. **The Board voted unanimously.**

OLD BUSINESS

421 Overlay Amendment

Town Planner Dylan Eure updated the Planning Board Members on the 421 Overlay Amendment. This amendment outlines the dimensional standards, building materials, landscaping materials, sidewalk requirements, parking lot standards, and signage.

Board Member Jim Hartman had questions regarding the building material requirements, restricting metal facades.

Town Planner Dylan Eure explained that it's a typical standard in planning. He also explained that the 600ft guideline is to cover the entirety of Professional Parkway, as it is set slightly back from Highway 421.

Board Member Grace Watts asked Town Planner Dylan Eure to show her the proposed overlay on the map.

Board Member Howard Godwin made a motion to approve the 421 Overlay Amendment, which was seconded by Kathryn Moore. **The Board voted unanimously.**

Outdoor Dining in CB

Town Planner Dylan Eure updated the Planning Board Members that this would allow outdoor dining in Central Business as a permitted accessory use. There would be additional requirements, such as rails to be

a buffer separating the dining area from the sidewalk, and ADA compliance. Encroachments into the public right of way would have to be approved by the Town. Additionally, there would be no allowance of outdoor dining in public parking spaces due to the limited public parking space that the Town already has.

With the requirements that would need to be in place, Town Planner Dylan Eure stated that this is not extremely feasible due to the lack of space and ADA requirements. As it is laid out, the spaces are limited.

Board Member Jim Hartman asked if Pizza House was asking to do outdoor dining.

Town Planner Dylan Eure stated that he has not been approached specifically, but that it was an item in our 2023 Land Use Plan to look into the feasibility.

Board Member Rebecca Kelly asked when this would be presented to the Board of Commissioners.

Town Planner Dylan Eure stated that he doesn't have a specific date at this time.

Vice Chairperson Ronald Beasley asked if Chapter 22, Article 1 would be changed in the future. If the Town allows outdoor dining, the restaurant should be allowed to also serve beer or wine with their food. He stated that the Town needs to have forward thinking.

There was discussion among the Board about sidewalk extensions, the possibility of making that street one way, and other options on how to make this amendment work.

Board Member Nick Skatell made a motion to approve the Outdoor Dining in CB amendment, which was seconded by Jim Hartman. **The Board voted unanimously.**

Restaurants in CB

Town Planner Dylan Eure presented this amendment to the Board. This would clarify the definition for restaurant versus service establishments in our ordinance, thus not violating the Town ordinances if the Outdoor Dining is approved. The current ordinance restricts service establishments to be operated within the building only.

Board Member Jim Hartman made a motion to approve the Restaurants in CB Amendment, which was seconded by Rebecca Kelly. **The Board voted unanimously.**

NEW BUSINESS

ZT 2024-004

Town Planner Dylan Eure stated that the Town of Erwin Staff wishes to request to rezone fifteen parcels throughout Erwin to either correct split-zoned parcels or to zone them in their current use. There are 4 properties that would have changes in property value, being the last 4 properties listed below. It is important to note that the changes in property values is not the change in taxes, but is used to calculate the tax differences.

- 1503 Denim Dr.- **Rezone to full B-2**
- 610 Denim Dr. - **Rezone to full DMV**
- 403 N 10th St. - **Rezone to full RMV**
- 207 Pineview Dr. - **Rezone to full R-15**
- 209 Pineview Dr. - **Rezone to full R-15**
- 103 Twin City Street -**Rezone to full R-6**

- 104 Raiford Rd. - **Rezone to full R-6**
- 225 Butch St., - **Rezone to full R-10**
- 2302 Erwin Rd. - **Rezone to full B-2**
- 2100 Erwin Rd. - **Rezone to full B-2**
- 2006 Erwin Rd. - **Rezone to full B-2**
- 1507 Denim Dr. - **Rezone to full B-2** (increase of \$13,000 in property value)
- 104 County Ave. - **Rezone to full R-6** (increase of \$2,570 in property value)
- 1605 Denim Dr. - **Rezone to full R-6** (decrease of \$19,600 in property value)
- HC Tax Pin 1507-40-4344.000. - **Rezone to full R-6** (increase of \$8,910 in property value)

Board Member Jim Hartman asked if the four property owners whose tax values would change have been notified.

Town Planner Dylan Eure explained that he has not notified the property owners yet, but was waiting to see if the Planning Board was interested in making the changes first.

Board Member Jim Hartman made a motion to remove the four parcels that would have tax value changes from this rezoning, which was seconded by Howard Godwin. **The Board voted unanimously.**

The remaining 11 (eleven) properties are as follows:

- 1503 Denim Dr. - **Rezone to full B-2**
- 610 Denim Dr. - **Rezone to full DMV**
- 403 N 10th St. - **Rezone to full RMV**
- 207 Pineview Dr. - **Rezone to full R-15**
- 209 Pineview Dr. - **Rezone to full R-15**
- 103 Twin City Street - **Rezone to full R-6**
- 104 Raiford Rd. - **Rezone to full R-6**
- 225 Butch St., - **Rezone to full R-10**
- 2302 Erwin Rd. - **Rezone to full B-2**
- 2100 Erwin Rd. - **Rezone to full B-2**
- 2006 Erwin Rd. - **Rezone to full B-2**

Board Member Nicholas Skatell made a motion in the affirmative, seconded by Jim Hartman, and unanimously approved by the Board that the impact to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.

- Reasoning: The re-zonings are compatible with the surrounding community and would not cause any inconvenience to those within the area, as this is the use they are currently being operated as.

Board Member Kathryn Moore made a motion in the affirmative, seconded by Rebecca Kelly, and unanimously approved by the Board that the requested zoning district is compatible with the existing Land Use Classification.

- Reasoning: According to Erwin's current Land Use Plan done in 2023 the properties are assigned to be zoned under mixed use that promotes residential and commercial uses where appropriate.

Board Member Rebecca Kelly made a motion in the affirmative, seconded by Nicholas Skatell, and unanimously approved by the Board that the proposal does enhance or maintain the public health, safety, and general welfare.

- Reasoning: The rezoning would correct zoning nonconformities and ensure that clear uses are defined for the parcels.

Board Member Rebecca Kelly made a motion in the affirmative, seconded by Jim Hartman, and unanimously approved by the Board that the request is for a small-scale rezoning and should be evaluated for reasonableness.

- Reasoning: This rezoning request includes 11 parcels, all within the corporate limits of Erwin.

Board Member Rebecca Kelly made a motion in the affirmative, seconded by Nick Skatell, and unanimously approved by the Board that there is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.

- Reasoning: Parcels are currently split-zoned, and by rezoning would ensure that their current uses are permitted.

Board Member Jim Hartman made a motion in the affirmative, seconded by Rebecca Kelly, and unanimously approved by the Board, that there is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)

- Reasoning: All parcels are designated under the Erwin 2023 Land Use Plan to be either residential or mixed use.

Board Member Jim Hartman made a motion in the affirmative, seconded by Kathryn Moore, and unanimously approved by the Board that there is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.

- Reasoning: The rezonings would not alter the character of the neighborhood in any way. Rezoning's would ensure clarity for owners and not take away rights that they currently have to their land.

Board Member Jim Hartman made a motion in the affirmative, seconded by Nick Skatell, and unanimously approved by the Board that the proposed change is in accord with the Land Development Plan and sound planning principles.

- Reasoning: All of the parcels that are included are designated to be mixed in the 2023 Erwin Land Use Plan for the purposes of residential and commercial.

Board Member Howard Godwin made a motion that the requested rezoning from being split-zoned is compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances, the uses defined within the mixed-use classification would best serve the above-stated parcels. It is recommended that this rezoning request be Approved and was seconded by Jim Hartman. **The Board voted unanimously.**

Encroachment Memo

Town Planner Dylan Eure presented this information to the Board, explaining that this memorandum came about because of the intended brewery at the old mill. This would allow the necessary HVAC units and glycol chillers would extend off the rear of the building and into the public right of way, due to having a setback requirement from the building in order to meet NC building code.

The chillers and HVAC unit would extend approximately 15 ft $\frac{3}{4}$ inch off the side of the current building, which would extend 5 ft 9 $\frac{3}{4}$ inches into the right of way.

Town Planner Dylan Eure stated that it is important to note that this would apply to the entire town, not just this specific circumstance.

There was discussion of a vegetation buffer versus a fence buffer.

Board Member Howard Godwin made a motion to table the Encroachment Memo until the September 16th Planning Board Meeting, which was seconded by Jim Hartman. **The Board voted unanimously.**

ADJOURNMENT

Board Member Nicholas Skatell made a motion to adjourn the meeting at 8:01 PM and was seconded by Rebecca Kelly. **Motion unanimously approved.**

Minutes recorded and typed by

Katelan Blount, Deputy Town Clerk

Joshua Schmieding
Chairperson

Katelan Blount
Deputy Town Clerk



TOWN OF ERWIN

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

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

OATH OF OFFICE

“I, Joshua Schmeiding, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as In Town Planning Board Member of the Town of Erwin, so help me God.”

Joshua Schmeiding

Sworn To and Subscribed Before Me
This 16th Day of September 2024.

Katelan Blount
Deputy Town Clerk



TOWN OF ERWIN

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9/16/2024

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Ricky W. Blackmon
Commissioners
Alvester L. McKoy
Timothy D. Marbell
Charles L. Byrd
David L. Nelson
William R. Turnage

Encroachment Memorandum

Background

Wesley Johnson of Grain Dealers Inc. who is planning on operating a tap room located in building KW. He is wanting to install glycol chillers (required for tap rooms) and an 27.5 ton HVAC unit along Chief Joseph Lane in Erwin. Due to the orientation of the building and the proposed layout of the tap room this causes the HVAC unit to extend off of the rear of the building and into the public right-of-way due to it having to be setback from the building in order to meet NC building code. Measuring from the edge of the current structure with no alternations to the edge of Chief Joseph Ln. there is approximately 25 feet. The amount of right-of-way according to a recent survey done by 200 N LLC is 15 feet 7 inches and the current unmodified building is setback from the property line by 9 feet 3inches.

According to the site plans submitted by Grain Dealers the area that would hold the chillers/HVAC unit would extend approximately 15 feet 3/4 of an inch off of the side of the current building. According to these measurements the chillers/HVAC unit would extend approximately 5 feet 9 3/4 inches into the public right-of-way. Which would leave the Town to have approximately 9 feet 11 1/4 inches of vacant right-of-way space between the edge of the street and the edge of the proposed HVAC structure along unit KW. There is a drainage ditch that is at approximately 18 feet away from the current unmodified building.

Applicable Regulations

Sec. 36-433 of the Erwin Code of Ordinances gives a list of prohibited fence types which includes:

“Obstruction of drainageway. Fence construction shall not alter or impede the natural flow of water in any stream, creek, drainage swale or ditch.”

Sec. 36-433 states that:

“fence prohibited in rights-of-way. No fence shall be erected or maintained within or on any state or town right-of-way”.

Sec. 36-419 states that :

“Minimum rear setback for accessory structures are 10ft”

Sec. 36-436 contains regulations for the screening of of utilities and mechanical units

“Utility and mechanical screening. All non-residential and multifamily developments' mechanical and utility equipment which is greater than five tons in nominal capacity, and is located on, beside, or adjacent to any building or

developments shall be fully screened from the view of streets and adjacent property. The screen shall exceed the height of the equipment, shall not interfere with the operation of the equipment, and shall use one or a combination of the following screening techniques:

(1) Building materials and design that are compatible with those used for the exterior of the principal building, or

(2) Evergreen plantings.”

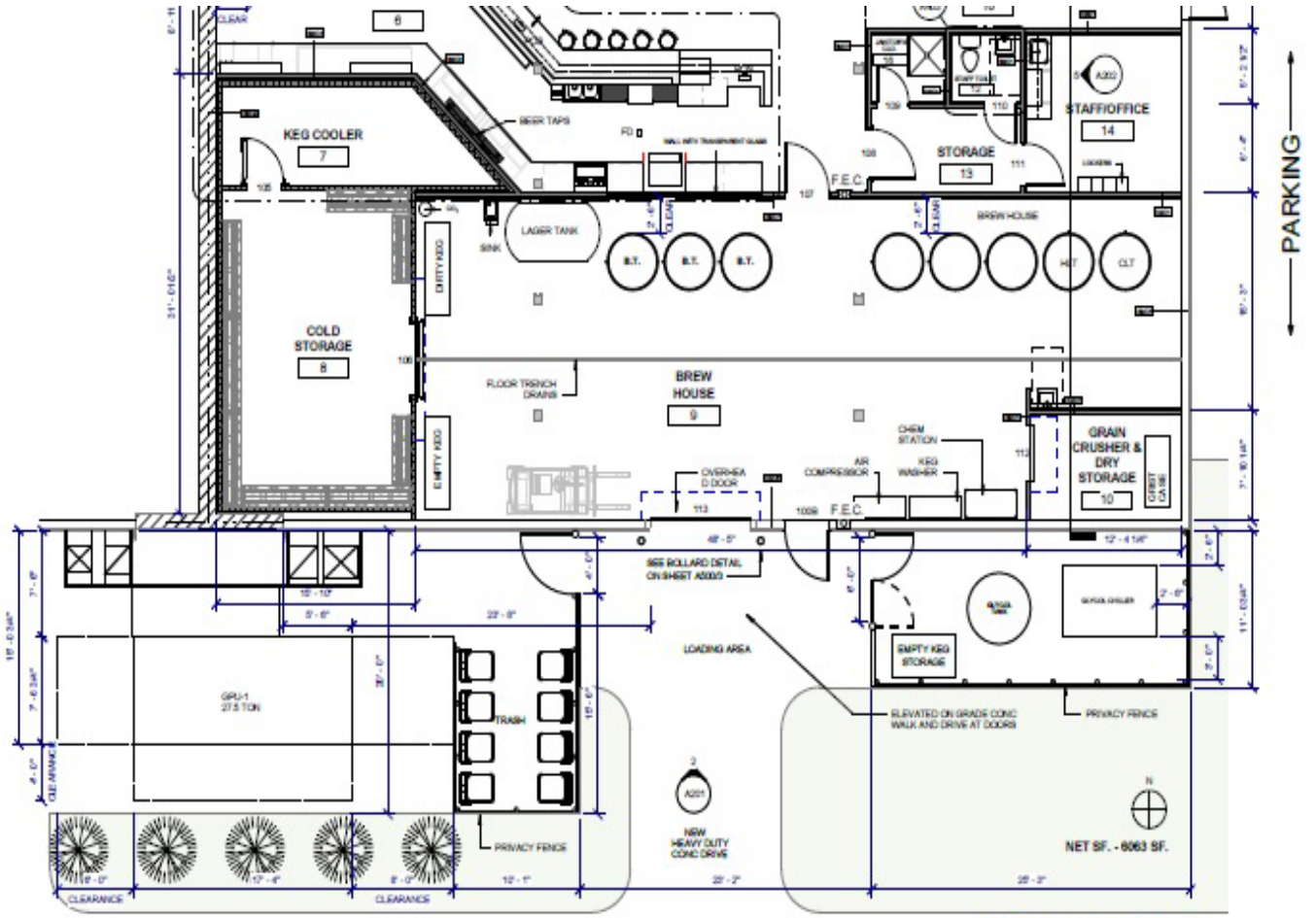
Benchmarking

The City of Raleigh faces similar issues with structures having to extend into the public right-of-way because of circumstances that fall out of the property owner's control. In circumstances such as this, they require an encroachment agreement that is approved by the Board of Commissioners. If the said structure extends into the Right-of-Way would seem appropriate to be buffered the City Council will require a buffer that will take additional room within the Right-of-Way. Otherwise, the council will not require the buffer to be implemented.

Recommendation

Due to the nature of the mill's layout, it is not expected that this is the last time a similar request will be made. Therefore it is the opinion of staff that an amendment be authored to the Erwin Code of Ordinances to state that no fence shall be erected or maintained within or on any state or town right-of-way unless an encroachment agreement is approved by the board of commissioners. A second amendment be authored to be included within accessory structures that state similar terminology. Finally, a process and a set of standards be established to ensure the safety of town right-of-ways.

Map of Encroachment Area



BREWERY FLOOR PLAN
3/16" = 1'-0" ①

First Name: _____
Last Name: _____
Address: _____
City/State/Zip: _____
Home Phone: _____ Cell Phone: _____
Email: _____
Parcel PIN / ID: _____
Acreage/size: _____
Zoning: _____

Encroachment Request (may be attached on a separate sheet):

Encroachment Reasoning (may be attached on a separate sheet):

I, as the landowner, hereby **CERTIFY** that the information contained herein is true to the best of my knowledge.

Landowner's Signature: _____ Date: _____

Applicant's Signature: _____ Date: _____

Attach a scaled illustrative plot or site plan showing all dimensions of structure encroachment along with property lines.

In order for the Town of Erwin's Commissioners to grant an encroachment into the Town of Erwin's Public Right-Of-Way all of the following standards must be met and found in the affirmative.

1. Cannot be easily sited in the private property due to physical constraints.

Reasoning:

2. Must not locate within a public street.

Reasoning:

3. Must not encroach into public parking.

Reasoning:

4. Must not block drainage ditches or gutters that control the flow of stormwater.

Reasoning:

5. Must not locate within 5 feet of public signs, utility boxes, utility poles/ lines, or other areas readily accessed by town or county departments.

Reasoning:

6. Must not be within 5 feet of any street intersection.

Reasoning:

7. Must not be within 5 feet of a fire hydrant.

Reasoning:

8. Must not block access to public street furniture or sidewalk.

Reasoning:

9. The circumstances are not the result of the actions of the applicant.

Reasoning:

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin's Planning Board Members

From: Dylan Eure, Town Planner

Date: September 16, 2024

Subject: Accessory structures in ROW

The staff of the Town of Erwin wishes to amend its Code of Ordinances, specifically Chapter 36 within Article XV Sections 36-419 to allow for accessories in the public right-of-way as long as an encroachment agreement is approved by the Erwin Board of Commissioners and standards are met. The purpose of this is to address properties that are along the downtown area of Erwin that are limited to their yard space for utilities.

Proposed language:

(G) "Accessory structures prohibited in rights-of-way. No accessory structure or use shall be erected or maintained within or on any state or town right-of-way unless an encroachment is approved by the Board of Commissioners or the North Carolina Department of Transportation"

Statement of Consistency

The proposed text amendment is compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances, the proposed text amendment would best the issues that the downtown area of Erwin faces due to lack of yard space. It is recommended that this amendment be **Approved**.

Statement of Consistency
Accessory Structure in ROW Text Amendment

The proposed text amendment is compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances, the proposed text amendment would best address the issues that the downtown area of Erwin faces due to lack of yard space. It is recommended that this amendment be **Approved**.

Joshua Schmeiding
Chairperson

Katelan Blount
Deputy Town Clerk

Statement of Inconsistency
Accessory Structure in ROW Text Amendment

The proposed text amendment is not compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances, the proposed text amendment would not best address the issues that the downtown area of Erwin faces due to lack of yard space. It is recommended that this amendment be **denied**.

Joshua Schmeiding
Chairperson

Katelan Blount
Deputy Town Clerk

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin's Planning Board Members

From: Dylan Eure, Town Planner

Date: September 16, 2024

Subject: Fences in ROW

The staff of the Town of Erwin wishes to amend its Code of Ordinances, specifically Chapter 36 within Article XV Sections 36-433 to allow for fences in the public right-of-way as long as an encroachment agreement is approved by the Erwin Board of Commissioners. The purpose of this is to address properties that are along the downtown area of Erwin that are limited to their yard space.

Current language:

“fence prohibited in rights-of-way. No fence shall be erected or maintained within or on any state or town right-of-way”.

Proposed language:

“fence prohibited in rights-of-way. No fence shall be erected or maintained within or on any state or town right-of-way unless an encroachment is approved by the Board of Commissioners or North Carolina Department of Transportation”

Statement of Consistency

The proposed text amendment is compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances, the proposed text amendment would best the issues that the downtown area of Erwin faces due to lack of yard space. It is recommended that this amendment be **Approved**.

Statement of Consistency
Fences in ROW Text Amendment

The proposed text amendment is compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances, the proposed text amendment would best address the issues that the downtown area of Erwin faces due to lack of yard space. It is recommended that this amendment be **Approved**.

Joshua Schmeiding
Chairperson

Katelan Blount
Deputy Town Clerk

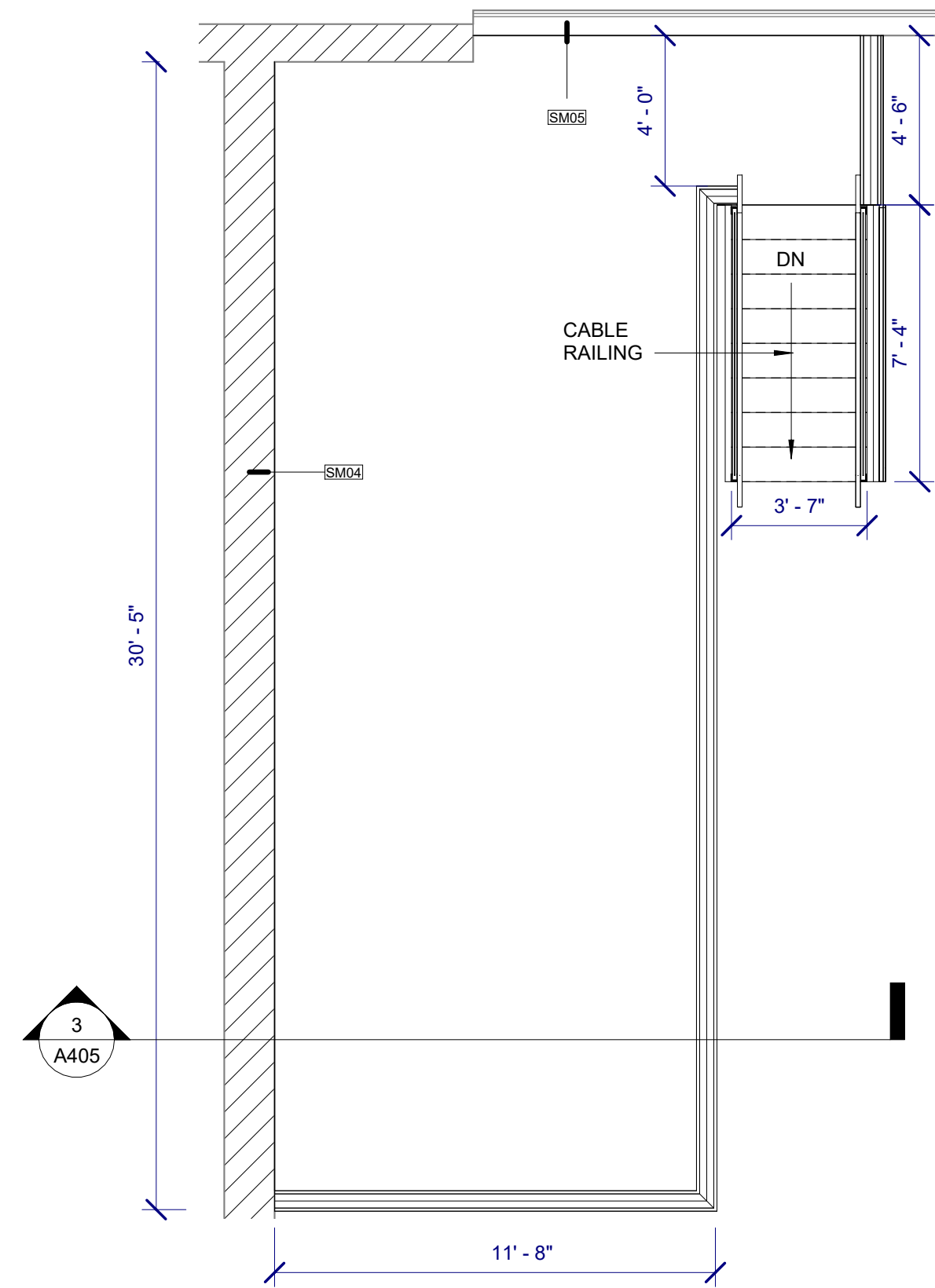
Statement of Inconsistency
Fences in ROW Text Amendment

The proposed text amendment is not compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances, the proposed text amendment would not best address the issues that the downtown area of Erwin faces due to lack of yard space. It is recommended that this amendment be **denied**.

Joshua Schmeiding
Chairperson

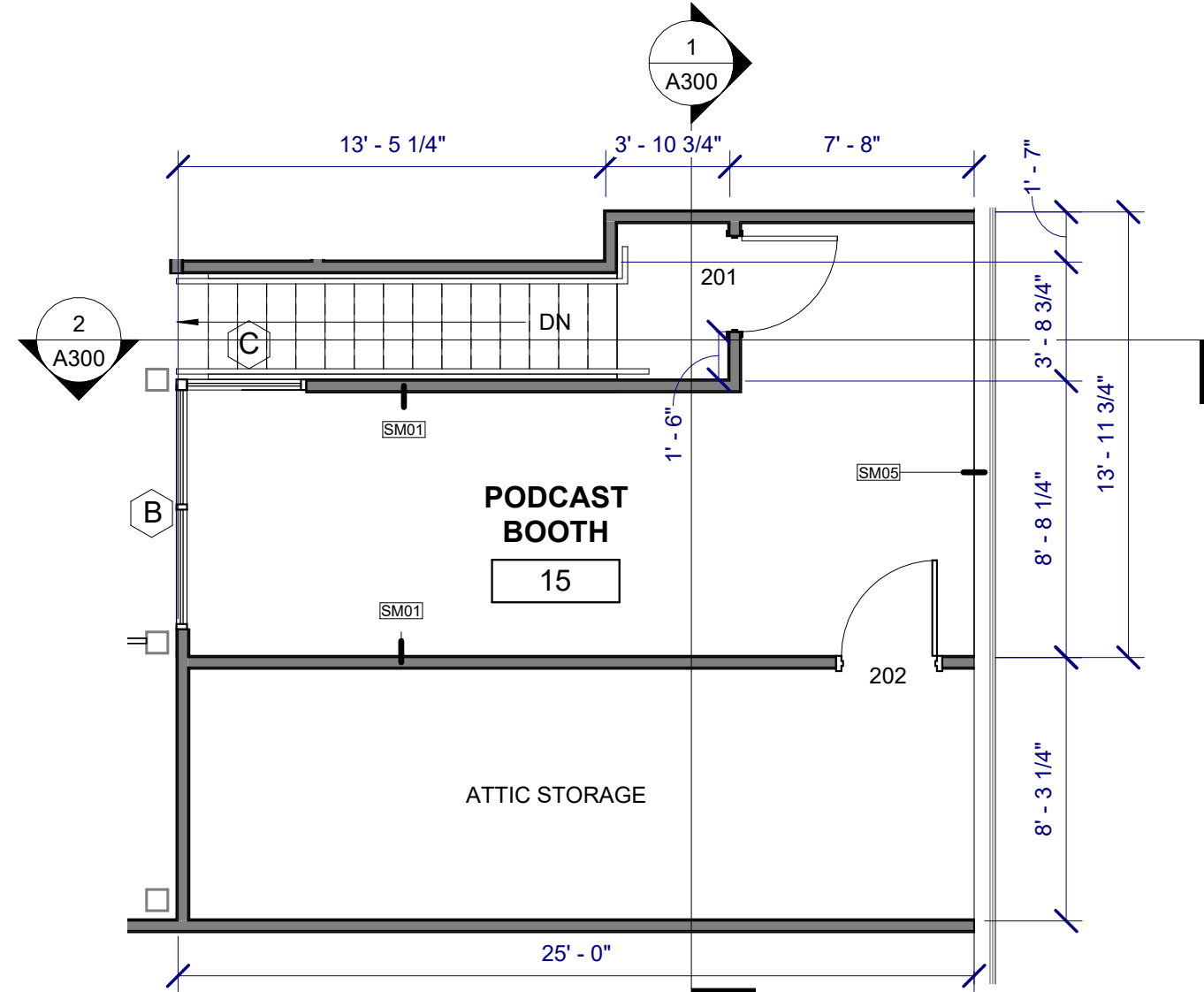
Katelan Blount
Deputy Town Clerk

- SM01
 - SM02
 - SM03
 - SM04 EXISTING 3 HOUR FIRE WALL
 - SM05
- REFER TO SHEET G300 FOR NOTES AND DIMENSIONS



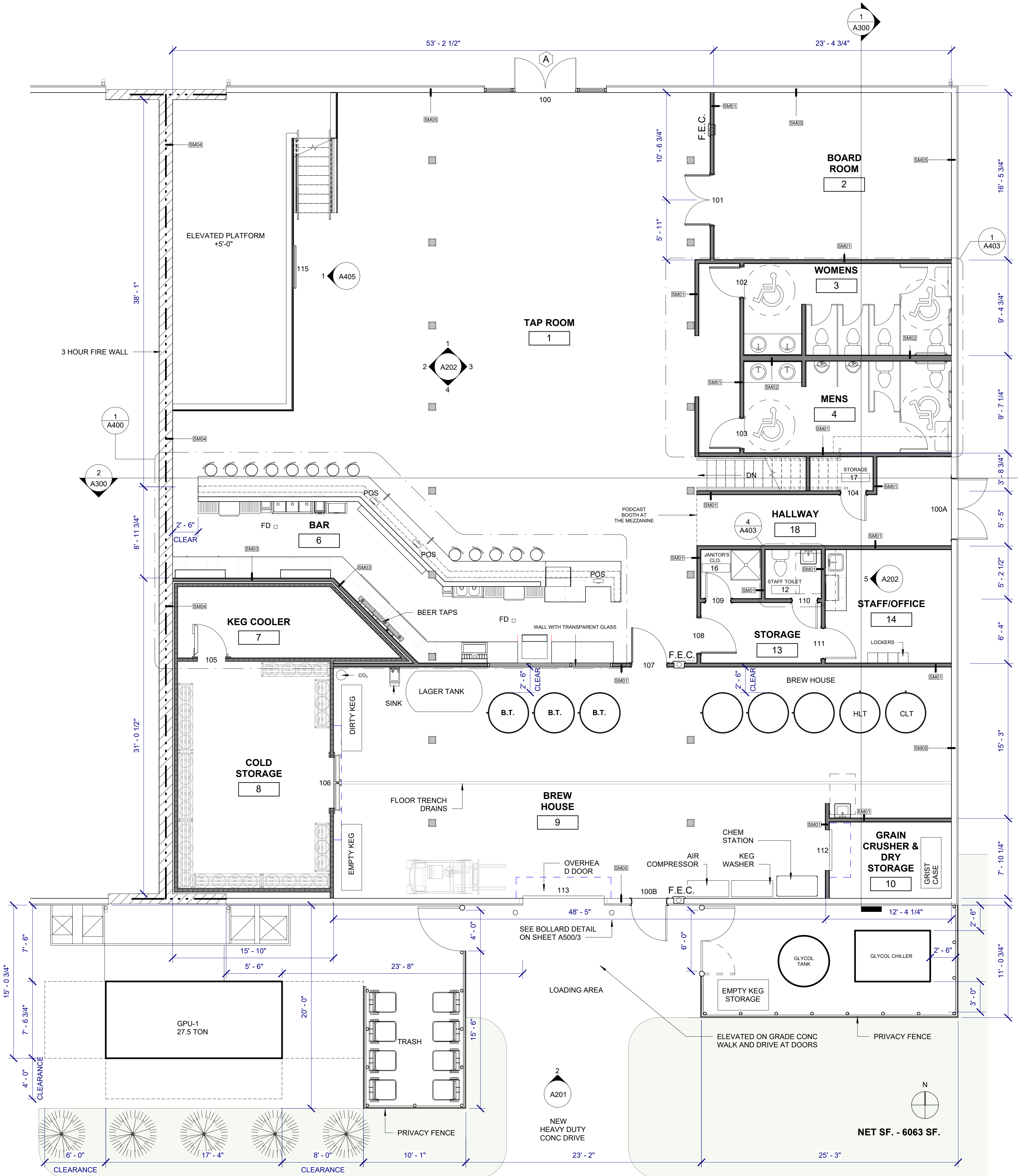
ELEVATED PLATFORM PLAN 3

1/4" = 1'-0"



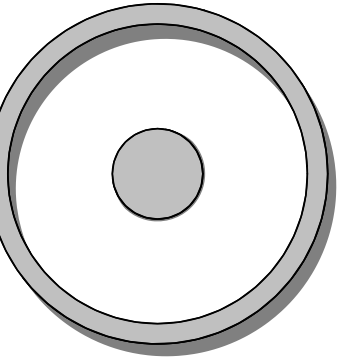
MEZZANINE FLOOR PLAN 2

3/16" = 1'-0"



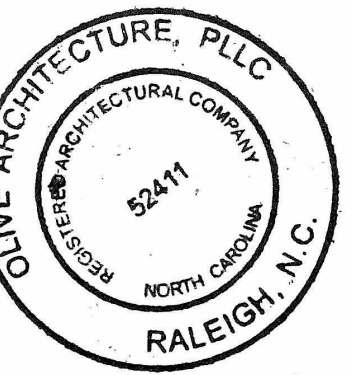
BREWERY FLOOR PLAN 1

3/16" = 1'-0"



OLIVE ARCHITECTURE
WWW.OLIVE-ARCH.COM

436 N. Harrington St. Ste. 140 p. 919.838.9934
Raleigh, NC 27603 f. 919.838.9935



PERMIT SET

GRAIN DEALERS BREWERY
100 North 13th St, Bay K
Erwin, NC

issued date:

ISSUE	NAME	DATE
1ST	BID SET	06/18/2024
1ST	PERMIT SET	06/25/2024

revisions:

Revision	Date	Description

drawn by:

AL-TD

checked by:

AOL

project no:

23-117

FLOOR PLAN

A111

7/9/2024 5:59:26 PM



TOWN OF ERWIN

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Charles L. Byrd
David L. Nelson
William R. Turnage

8/19/2024

ZT-2024-004 **Memorandum**

Rezoning Description

The Town of Erwin Staff wishes to request to rezone five (5) parcels located throughout Erwin to either correct split-zoned parcels or to zone them in which their current use is being occupied or intended use. The parcels are listed below. Four of the five parcels are parcels that were tabled during the August 19th Planning Board and the final was missed due to error.

- 1507 Denim Dr. – **Rezone to full B-2**
- 104 County Ave. – **Rezone to full R-6**
- 1605 Denim Dr.- **Rezone to full R-6**
- 1601 Denim Dr. - **Rezone to Full R-6**
- HC Tax Pin 1507-40-4344 -**Rezone to full R-6**

Property Description

- 1507 Denim Drive
 - Church on property
 - B-2 1.25 acres, 79.47%
 - R-10 .32 acres, 20.53%
 - **Full B-2**
- 104 County Ave
 - Home on property zoned as B-2
 - .16 acres
 - **Full R-6**
- 1605 Denim Dr
 - Home on property, zoned at business
 - Full B-2, .81 acres
 - **Full R-6**
- 1601 Denim Dr.
 - Home on property
 - Full B-2, 1.87 acres

- **Full R-6**
- 1507-40-4344
 - Apart of a residential property
 - B2 .3 acres,44.3%
 - R6 .38, 55.7%
 - **Full R-6**

Findings of Fact

The requested rezoning from being split-zoned or incorrectly zoned is compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances the uses defined within the mixed-use classification would best serve the above-stated parcels. It is recommended that this rezoning request be **Approved**.

Regards,

Dylan Eure
Town Planner



**REZONING MAP REQUEST
STAFF REPORT**

Case: ZT-2024-004

Dylan Eure, Town Planner
deure@erwin-nc.org

Phone: (910) 591-4201 Fax: (910) 897-5543

Planning Board: 09/16/2024 Town Commissioners: TBD

The Town of Erwin Staff wishes to request to rezone five (5) parcels located throughout Erwin to either correct split-zoned parcels or to zone them in which their current use is being occupied or intended use. The parcels are listed below.

- 1507 Denim Dr. – **Rezone to full B-2**
- 104 County Ave. – **Rezone to full R-6**
- 1605 Denim Dr.- **Rezone to full R-6**
- 1601 Denim Dr. - **Rezone to Full R-6**
- HC Tax Pin 1507-40-4344 -**Rezone to full R-6**

Applicant Information

Owners of Record:

Name: George Lamonte McAllister
 Address: 1507 Denim Dr. / Mailing Address
110 Forest Creek Dr.
 City/State/Zip: Erwin, NC 28339/ Raeford, NC
28376

Name: Joshua Schmieding
 Address: 104 County Ave
 City/State/Zip: Dunn, NC 28334

Name: Donna & David Avery
 Address: 1605 Denim Dr. / Mailing Address
1601 Denim Dr.
 City/State/Zip: Erwin, NC 28339

Name: Donna & David Avery

Address: 1601 Denim Dr. / Mailing Address
1601 Denim Dr.
City/State/Zip: Erwin, NC 28339

Name: Barbra Beasley
Address: HC Tax Pin: 1507-40-4344/ Mailing
Address 200 Twin City St.
City/State/Zip: Dunn, NC 28334

Applicant:

Name: Town of Erwin
Address: 100 West F St
City/State/Zip: Erwin, NC 28339

Property Description

- 1507 Denim Drive
 - Church on property
 - B-2 1.25 acres, 79.47%
 - R-10 .32 acres, 20.53%
 - **Full B-2**
- 104 County Ave
 - Home on property zoned as B-2
 - .16 acres
 - **Full R-6**
- 1605 Denim Dr
 - Home on property, zoned at business
 - Full B-2, .81 acres
 - **Full R-6**
- 1601 Denim Dr.
 - Home on property
 - Full B-2, 1.87 acres
 - **Full R-6**
- 1507-40-4344
 - Apart of a residential property
 - B2 .3 acres, 44.3%
 - R6 .38, 55.7%
 - **Full R-6**

Vicinity Map

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

Physical Characteristics

Site Description:

A total of 5 parcels throughout Erwin corporate limits. According to Harnett GIS, no wetlands, watersheds, or flood areas are within any of the parcels discussed. The exact acreage for each of the parcels is as follows.

- 1507 Denim Dr. -.57 acres
- 104 County Ave. -.16 acres
- 1605 Denim Dr.- .81 acres
- 1601 Denim Dr.- 1.87 acres
- HC Tax Pin 1507-40-4344 -.41 acres

Services Available

- Harnett County Water and Sewer are accessible for all properties.

Staff Evaluation

The Town of Erwin has requested 5 parcels to be rezoned to correct zoning map nonconformities to align parcels to a single zoning classification in which fits each parcel best based on their current use.

Staff Evaluation

Yes No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community

- **Reasoning:** The rezoning's are compatible with the surrounding community and would not cause any inconvenience to those within the area as this is the use they are currently being operated as.

Yes No The requested zoning district is COMPATIBLE with the existing Land Use Classification.

- **Reasoning:** According to Erwin's current Land Use Plan done in 2023 the properties are assigned to be zoned under mixed use that promotes residential and commercial uses where appropriate.

Yes No The proposal does ENHANCE or maintain the public health, safety, and general welfare.

- **Reasoning:** The rezoning would correct zoning nonconformities and ensure that clear uses are defined for the parcels.

Yes No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness.

- **Reasoning:** This rezoning request includes 15 parcels all within corporate limits of Erwin.

<p>There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group. YES</p>	<p>Parcels are currently split zoned and by rezoning would ensure that their current uses are permitted.</p>
<p>There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.) YES</p>	<p>All parcels are designated under the Erwin 2023 Land use Plan to be either residential or mixed use.</p>
<p>There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change. YES</p>	<p>The rezoning's would not alter the character of the neighborhood in anyway. Rezoning's would ensure clarity for owners and not take away rights that they currently have to their land.</p>
<p>The proposed change is in accord with the Land Development Plan and sound planning principles. YES</p>	<p>All of the parcels that are included are designated to be mixed in the 2023 Erwin Land Use Plan for the purposes of residential and commercial where appropriate.</p>

Statement of Consistency

The requested rezoning from being split-zoned is compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances, the uses defined within the mixed-use classification would best serve the above-stated parcels. It is recommended that this rezoning request be **Approved**.

Statement of Inconsistency (only read if denied)

The requested rezoning from being split-zoned is **NOT** compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances, the uses defined within the mixed-use classification would **NOT** best serve the above-stated parcels. It is recommended that this rezoning request be **Denied**.

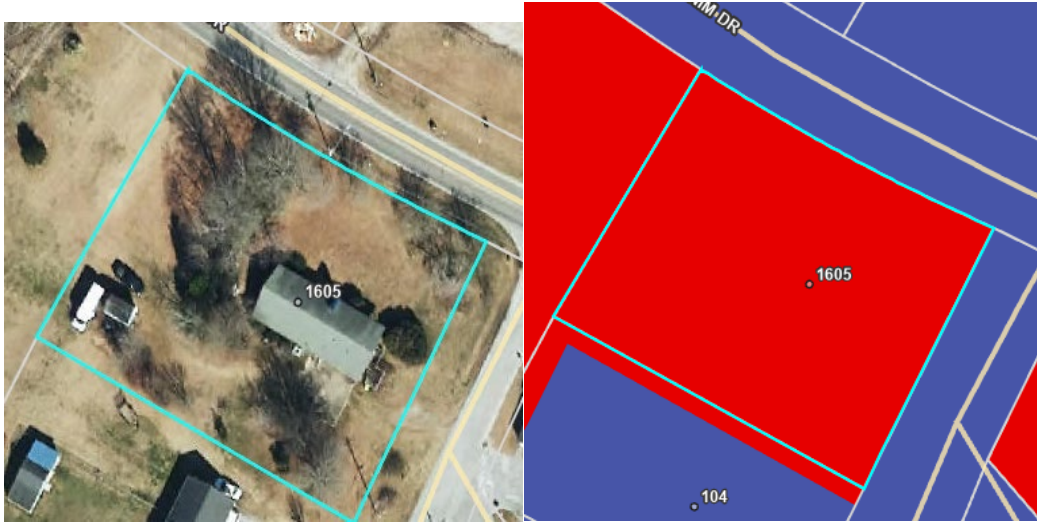
Attachments:

- ZT-2024-004 Memo
- Harnett County GIS Image with zoning districts
- Harnett County GIS Image without zoning districts
- Adjacent property owner sheets
- Public notice letter sent to adjacent property owners

HC Tax Pin 1507-40-4344



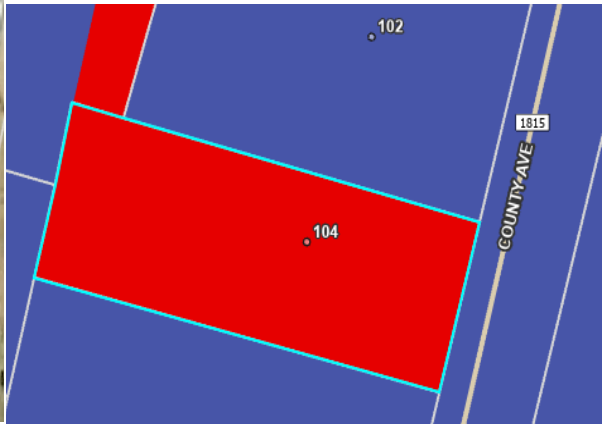
1605 Denim



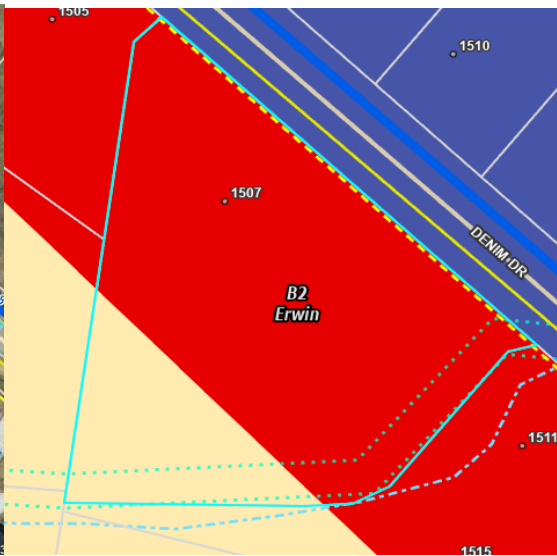
1601 Denim



104 County



1507 Denim



Statement of Consistency
ZT-2024-004

The requested rezoning from being split-zoned is compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances, the uses defined within the mixed-use classification would best serve the above-stated parcels. It is recommended that this rezoning request be **Approved**.

Joshua Schmeiding
Chairperson

Katelan Blount
Deputy Town Clerk

Statement of Inconsistency
ZT-2024-004

The requested rezoning from being split-zoned is not compatible with all of the Town of Erwin's regulatory documents. According to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances, the uses defined within the mixed-use classification would not best serve the above-stated parcels. It is recommended that this rezoning request be **denied**.

Joshua Schmeiding
Chairperson

Katelan Blount
Deputy Town Clerk



TOWN OF ERWIN

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

09 /16/2024

ZT-2024-004 **Property Values** **Memorandum**

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

- 1507 Denim Dr - Full B-2 – **increase of \$13,860**
- 104 County Ave- Full R-6 – **increase of \$2,570**
- 1605 Denim Dr- Full R-6 – **decrease of \$19,600**
- 1601 Denim Dr-Full R-6 - **decrease of \$21,290**
- HC Tax Pin:1507-40-4344 - Full R-6 – **increase of \$8,910**

Erwin Planning Board

REQUEST FOR CONSIDERATION

To: Erwin's Planning Board Members
From: Dylan Eure, Town Planner
Date: September 16, 2024
Subject: Urban Camping and Improper Use of Public and Private Places

The Town of Erwin Staff wishes to amend Chapter 36 within Article XV Section 36-437 to prohibit and or limit public and private camping within the Town of Erwin and to add a definition of children to Article 2 of Chapter 36 Section 36-34. The proposed language reads as follows:

Sec. 36-34 Definitions

Children- A young human being below or at 18 years of age.

Sec. 36-437 Living, Residing, Camping, or Sleeping in Open Air, Vehicles, and Tents.

No Person shall engage in any act of living, residing, or sleeping in the open air or an automobile or vehicle.

No person shall erect or cause to be erected on property within the town any tent or tenting material serving as a temporary dwelling or overnight accommodation. Children using tents on their parent's/guardian's own property may be excluded from this on the condition that the tent be erected for a maximum of 5 consecutive days, in which follows a period of 7 successive days where the tent is not erected and no overnight dwelling is occurring.

Statement of Consistency

The proposed text amendment is compatible with all of the Town of Erwin's regulatory documents according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **approved**.

Statement of Inconsistency (Only when denied)

The proposed text amendment is **NOT** compatible with all of the Town of Erwin's regulatory documents according to Erwin's 2023 Land Use Plan and Erwin's Code of Ordinances. It is recommended that this text amendment be **denied**.

Statement of Consistency
Urban Camping Text Amendment

The proposed text amendment is compatible with all of the Town of Erwin’s regulatory documents according to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances. It is recommended that this text amendment be **approved**.

Joshua Schmeiding
Chairperson

Katelan Blount
Deputy Town Clerk

Statement of Inconsistency
Urban Camping Text Amendment

The proposed text amendment is **NOT** compatible with all of the Town of Erwin’s regulatory documents according to Erwin’s 2023 Land Use Plan and Erwin’s Code of Ordinances. It is recommended that this text amendment be **denied**.

Joshua Schmeiding
Chairperson

Katelan Blount
Deputy Town Clerk



TOWN OF ERWIN

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www.erwin-nc.org

9/16/2024

ZT-2024-005 **Memorandum**

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

Rezoning Description

The Town of Erwin has received a request to rezone a group of seven (7) parcels located off U.S. 421 (E Jackson Blvd) on Professional Park to an R-6 conditional zoning district to allow for multi-family dwellings. Said parcel's total size is approximately 8.8 acres. According to the attached site plan the applicant wishes to construct 5 apartment buildings totaling 120 units and 264 bedrooms, with a leasing office/clubhouse alongside amenities such as a pool, a basketball court, and an outdoor grilling station. The applicant has also included a traffic study per the request of the Board of Commissioners and said study would require no additional road upgrades per NCDOT standards. According to the proposed site plan and all of the accompanying documents the applicant has meet all development regulations.

Property Description

Seven vacant parcels totaling approximately 8.8 acres off US 421 (East Jackson Blvd.) on Professional Park within Erwin's corporate limits. According to Harnett County GIS there are both sewer and water lines accessible to all properties. The water is a 6-inch main line that goes down Professional Park and turns into a 2-inch water line about halfway down. According to Harnett Regional Water in order to accommodate for such style of development the 6-inch water main on Pope St. would need to be extended to connect to the existing 6-inch main on Professional Pk. to ensure adequate flow. The sewer that is accessible to the properties is a gravity-fed line that has no additional pumps to control the flow of sewer for the property. In addition, there are no wetlands, ponds, or open water sources on any of the proposed sites nor are there any flood zones or watersheds affected by the property. Due to the site being greater than 1 acre before any zoning permits could be issued the applicant will have to provide approved stormwater and soil/erosion permits from the North Carolina Department of Environmental Quality. All property is under the ownership of Rabbit Construction Inc. of which Gregorio Escarcega is the owner.

Findings of Fact

The requested rezoning from being B-2 to an R-6 conditional district with special uses for multi-family dwellings is compatible with all of the Town of Erwin's regulatory documents.

According to Erwin's 2023 Land Use Plan, the areas along 421 would be the best fit for high-density residential developments which include apartment complexes. It is recommended that this conditional zoning district be **approved**.

Regards,

Dylan Eure
Town Planner



TOWN OF ERWIN

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

9/16/2024

Notice of a Public Hearing ZT-2024-005

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

The Board of Commissioners of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on October 10th, 2024 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed conditional rezoning request to allow for mutli-family dwellings.

There has been a conditional district zoning map amendment application submitted to the Town. The rezoning request includes seven (7) parcels of land that are listed below:

- 40 Professional Park-Harnett County Tax Pin #1507-33-1583.000 (1.71 acres)
- 100 Professional Park-Harnett County Tax Pin #1507-23-9378.000 (2.29 acres)
- 140 Professional Park-Harnett County Tax Pin #1507-23-7207.000 (1.40 acres)
- 137 Professional Park-Harnett County Tax Pin #1507-23-7068.000 (1.13 acres)
- 119 Professional Park-Harnett County Tax Pin #1507-33-0088.000 (.70 acres)
- 87 Professional Park-Harnett County Tax Pin #1507-33-2136.000 (.77 acres)
- 51 Professional Park-Harnett County Tax Pin #1507-33-3278.000 (.80 acres)

Currently these parcels entirely zoned as B-2 and the petition would rezone said parcels to be a conditional zoning R-6 district with special conditions to be used as a multi-family dwelling (apartment complex) containing 120 units.

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Planner Dylan Eure at 910-591-4201 or by email at deure@erwin-nc.org

Regards,

Dylan Eure
Town Planner



**REZONING MAP REQUEST
STAFF REPORT**

Case: ZT-2024-005

Dylan Eure, Town Planner
deure@erwin-nc.org

Phone: (910) 591-4201 Fax: (910) 897-5543

Planning Board: 9/16/2024 Town Commissioners: 10/10/2024

The Town of Erwin has received a request to rezone a group of seven (7) parcels located off U.S. 421 (E Jackson Blvd) on Professional Park to an R-6 conditional zoning district to allow for multi-family dwellings. Said parcel's total size is approximately 8.8 acres. According to the attached site plan the applicant wishes to construct 5 apartment buildings totaling 120 units and 264 bedrooms, with a leasing office/clubhouse alongside amenities such as a pool, a basketball court, and an outdoor grilling station. The current zoning classification for the parcels is B-2 in which the purpose of the district is to accommodate a wide variety of commercial, wholesale, and retail establishments.

Applicant Information

Owner of Record:

Name:	<u>Rabbit Construction Inc.</u>
Address:	<u>40 Professional Park</u>
City/State/Zip:	<u>Erwin, NC 28339</u>
Name:	<u>Rabbit Construction Inc.</u>
Address:	<u>100 Professional Park</u>
City/State/Zip:	<u>Erwin, NC 28339</u>
Name:	<u>Rabbit Construction Inc.</u>
Address:	<u>140 Professional Park</u>
City/State/Zip:	<u>Erwin, NC 28339</u>
Name:	<u>Rabbit Construction Inc.</u>
Address:	<u>137 Professional Park</u>
City/State/Zip:	<u>Erwin, NC 28339</u>
Name:	<u>Rabbit Construction Inc.</u>
Address:	<u>119 Professional Park</u>
City/State/Zip:	<u>Erwin, NC 28339</u>
Name:	<u>Rabbit Construction Inc.</u>
Address:	<u>87 Professional Park</u>
City/State/Zip:	<u>Erwin, NC 28339</u>
Name:	<u>Rabbit Construction Inc.</u>
Address:	<u>51 Professional Park</u>
City/State/Zip:	<u>Erwin, NC 28339</u>

Applicant:

Name: Gregorio Jurado Escarcega / Rabbit Construction Inc.

Address: 121 Britt Valley Rd.
City/State/Zip: Raleigh, NC 27603

Property Description

Harnett County Tax Pin #1507-33-1583.000 (1.71 acres)
Harnett County Tax Pin #1507-23-9378.000 (2.29 acres)
Harnett County Tax Pin #1507-23-7207.000 (1.40 acres)
Harnett County Tax Pin #1507-23-7068.000 (1.13 acres)
Harnett County Tax Pin #1507-33-0088.000 (.70 acres)
Harnett County Tax Pin #1507-33-2136.000 (.77 acres)
Harnett County Tax Pin #1507-33-3278.000 (.80 acres)

Zoning Classification: B-2

Vicinity Map

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

Physical Characteristics

Site Description:

Seven vacant parcels totaling approximately 8.8 acres off US 421 (East Jackson Blvd.) on Professional Park within Erwin's corporate limits. According to Harnett County GIS there are both sewer and water lines accessible to all properties. The water is a 6-inch water line that goes down Professional Park and turns into a 2-inch water line about halfway down. The sewer that is accessible to the properties is a gravity-fed line that has no additional pumps to control the flow of sewer for the property. In addition, there are no wetlands, ponds, or open water sources on any of the proposed sites nor are there any flood zones or watersheds affected by the property. Due to the site being greater than 1 acre before any zoning permits could be issued the applicant will have to provide approved stormwater and soil/erosion permits from the North Carolina Department of Environmental Quality. All property is under the ownership of Rabbit Construction Inc. of which Gregorio Escarcega is the owner.

Surrounding Land Uses:

The surrounding land uses are B-2 to the North-West, North-East, and North of the proposed site consisting of commercial business. To the South, South-West, and South-East of the property, there is R-6 zoning consisting of single-family residences. Within Professional Park itself, there are two current businesses located at 25 and 133 Professional Park. These businesses are an urgent care and a primary care office.

Services Available

- Both Harnett County water and sewer are available to the property.
 - 6-inch water line that converts into a 2-inch line.
 - Gravity-fed sewer line.
 - Both of these services may need upgrades if the proposed conditional district is approved due to the amount of density.
- Duke Energy for electric and gas.
- Bright Speed for telephone/internet services.
- Education
 - Erwin Elementary School
 - Coats-Erwin Middle School
 - Triton High School

Staff Evaluation

Yes No The IMPACT to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community

- **Reasoning:** The rezoning to a conditional-use district for an apartment complex would not create any burdensome impacts on the surrounding neighbors due to screening.

Yes No The requested zoning district is COMPATIBLE with the existing Land Use Classification.

- **Reasoning:** According to Erwin’s current Land Use Plan done in 2023, high-density housing options which include apartments are to be along US 421 and are desired.

Yes No The proposal does ENHANCE or maintain the public health, safety, and general welfare.

- **Reasoning:** The rezoning would allow for additional housing options within Erwin.

Yes No The request is for a SMALL SCALE REZONING and should be evaluated for reasonableness.

- **Reasoning:** This rezoning request includes 7 parcels in which all of them are along Professional Park.

<p>There is a convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group. YES</p>	<p>The parcels in question are about a single-use only and are limited to multi-family dwellings.</p>
<p>There is a convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.) YES</p>	<p>The conditional district zoning would only be for the use of multi-family dwellings which is designated in the Erwin 2023 Land Use Plan along U.S. 421 and all developmental requirements are being followed.</p>
<p>There is a convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change. YES</p>	<p>According to the 2023 Erwin Land Use Plan any high-density developments such as apartments shall be along U.S. 421. Such use would not impact the feel of current neighborhoods.</p>
<p>The proposed change is in accord with the Land Development Plan and sound planning principles. YES</p>	<p>The Erwin 2023 Land Use Plan has the area under high density for apartment complexes along with traditional commercial uses.</p>

Statement of Consistency

The requested rezoning from being B-2 to an R-6 conditional district with special uses for multi-family dwellings is compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan, the areas along 421 would be the best fit for high-density residential developments which include apartment complexes. It is recommended that this conditional zoning district be **approved**.

Statement of Inconsistency (only read if denied)

The requested rezoning from being B-2 to an R-6 conditional district with special uses for multi-family dwellings is **NOT** compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan, this area along 421 would **NOT** be the best fit for high-density residential developments which include apartment complexes. It is recommended that this conditional zoning district be **DENIED**.

Special Use Evaluation

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

- **Reasoning:** Multi-family developments require a special use permit in the R-6 zoning districts.

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

- **Reasoning:** Approving would increase the amount of housing units currently in Erwin’s jurisdiction.

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

- **Reasoning:** There is no evidence that the proposed use of apartment complexes would be detrimental to the health, morals, or welfare of the general public.

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

- **Reasoning:** According to Erwin’s 2023 Land Use Plan apartment complexes are to be located off of 421 and are to be encouraged.

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

- **Reasoning:** The developer has been in contact with Harnett Regional Water about the potential development and has stated that if upgrades are needed then the upgrades will be made.

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

- **Reasoning:** The applicant has submitted a traffic impact study and the results would not cause any issues in relation to traffic congestion along Professional Park nor would it require any additional modifications to the road.

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:** All aspects of the submitted site plan and other documents meet all of the requirements set forth by the Erwin Code of Ordinances.
-
-

Attachments:

- ZT-2023-005 Application
- Harnett County GIS Image with zoning districts
- Harnett County GIS Image without zoning districts
- Adjacent property owner sheet
- Public notice letter sent to adjacent property owners
- Site Plan
- Landscaping Plan
- Lighting Plan
- Traffic Impact Study
- Erwin Land use Goal 1 LUH 4.1

Statement of Consistency
ZT-2024-005

The requested rezoning from B-2 to an R-6 conditional district with special uses for multi-family dwellings is compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan, the areas along 421 would be the best fit for high-density residential developments which include apartment complexes. It is recommended that this conditional zoning district be **Approved**.

Joshua Schmeiding
Chairperson

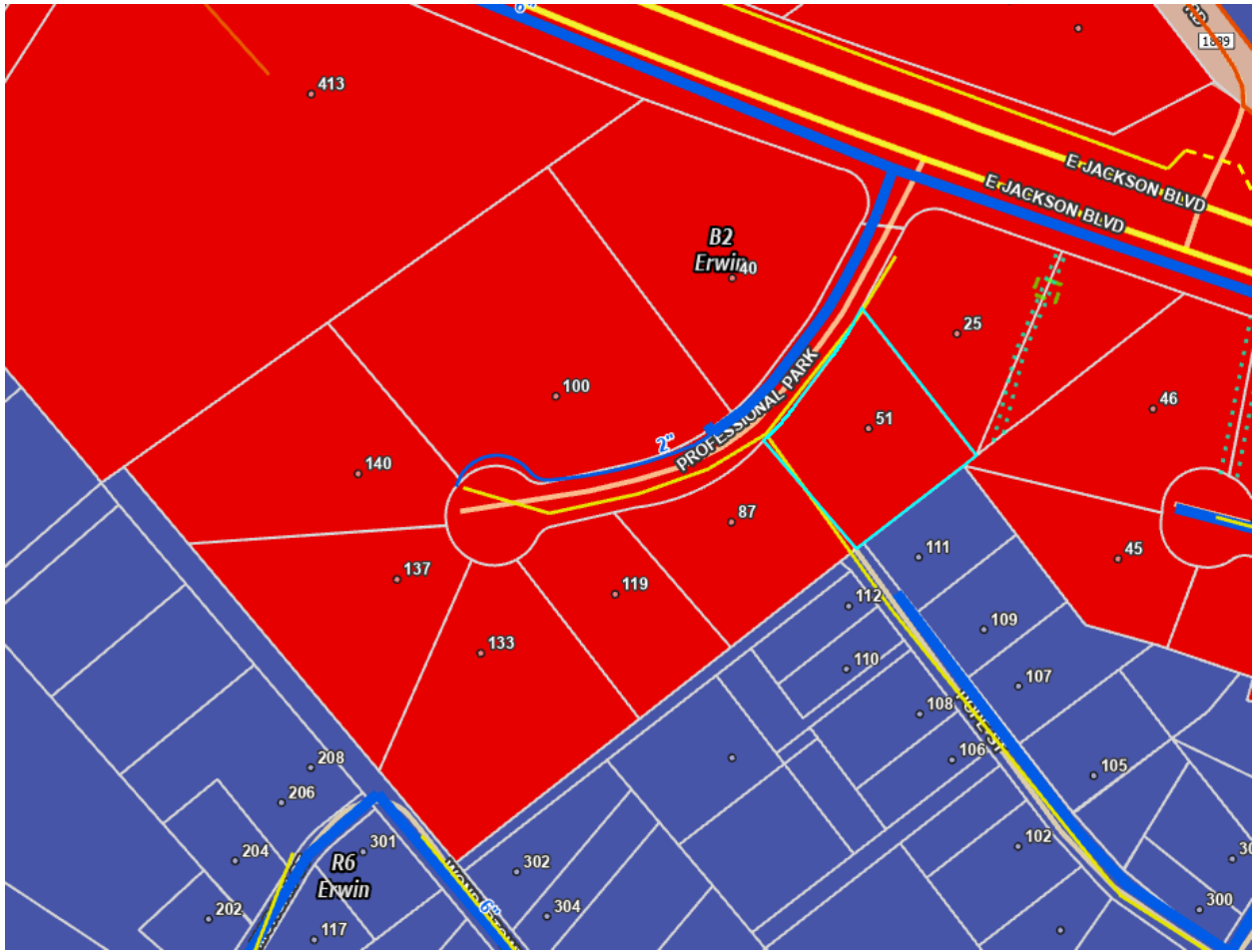
Katelan Blount
Deputy Town Clerk

Statement of Inconsistency
ZT-2024-005

The requested rezoning from B-2 to an R-6 conditional district with special uses for multi-family dwellings is compatible with all of the Town of Erwin’s regulatory documents. According to Erwin’s 2023 Land Use Plan, the areas along 421 would be the best fit for high-density residential developments which include apartment complexes. It is recommended that this conditional zoning district be **denied**.

Joshua Schmeiding
Chairperson

Katelan Blount
Deputy Town Clerk





	Application for an Amendment To The Official Zoning Map of Erwin, NC
	Staff Only: Zoning Case # <u>Z-2024 - 005</u> Fee: <u>W</u> Check # _____ MO _____ Cash _____ PB Recommendation: <u> </u> A <u> </u> D <u> </u> A/W Conditions _____ BOC Date: _____ Decision: <u> </u> A <u> </u> D <u> </u> T <u> </u> A/W Conditions _____

Print Applicant Name: Gregorio Jurado Escarcega
 Name of Legal Property Owner Rabbit Construction Inc.

Location of Property: 40 Professional Park Erwin NC, 100 Professional Park Erwin, NC, 140 Professional Park Erwin, NC, 137 Professional Park Erwin, NC, 119 Professional Park Erwin, NC, 87 Professional Park Erwin, NC, 51 Professional Park 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 B-2 Highway Business to R-6 Residential with special

If Conditional District, note conditions: residential buildings, 5 condition use for multifamily dwelling, 5

Harnett County Tax Map PIN: 1507-33-1583, 1507-23-9378, 1507-23-7267, 1507-23-7068, 1507-33-0088, 1507-33-2136, 1507-33-3278

Property Owners of the Area Requested and Addresses: (If more space is required, please attach to this document separately) (See attached Exhibit A)

- 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 (See Attached Exhibit B)
- 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 (See attached Exhibit C)
- 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.

Gregorio Jurado
 Signature of Applicant

919 559-1644
 Contact Number

121 Britt Valley rd Raleigh NC 2763
 Mailing Address of Applicant

*residential buildings, 5
 120 units
 leasing/club house
 facility containing a
 pool
 grilling
 station*

Exhibit "A"

Property Owners of the Area Requested and Addresses:

Areas Involved:

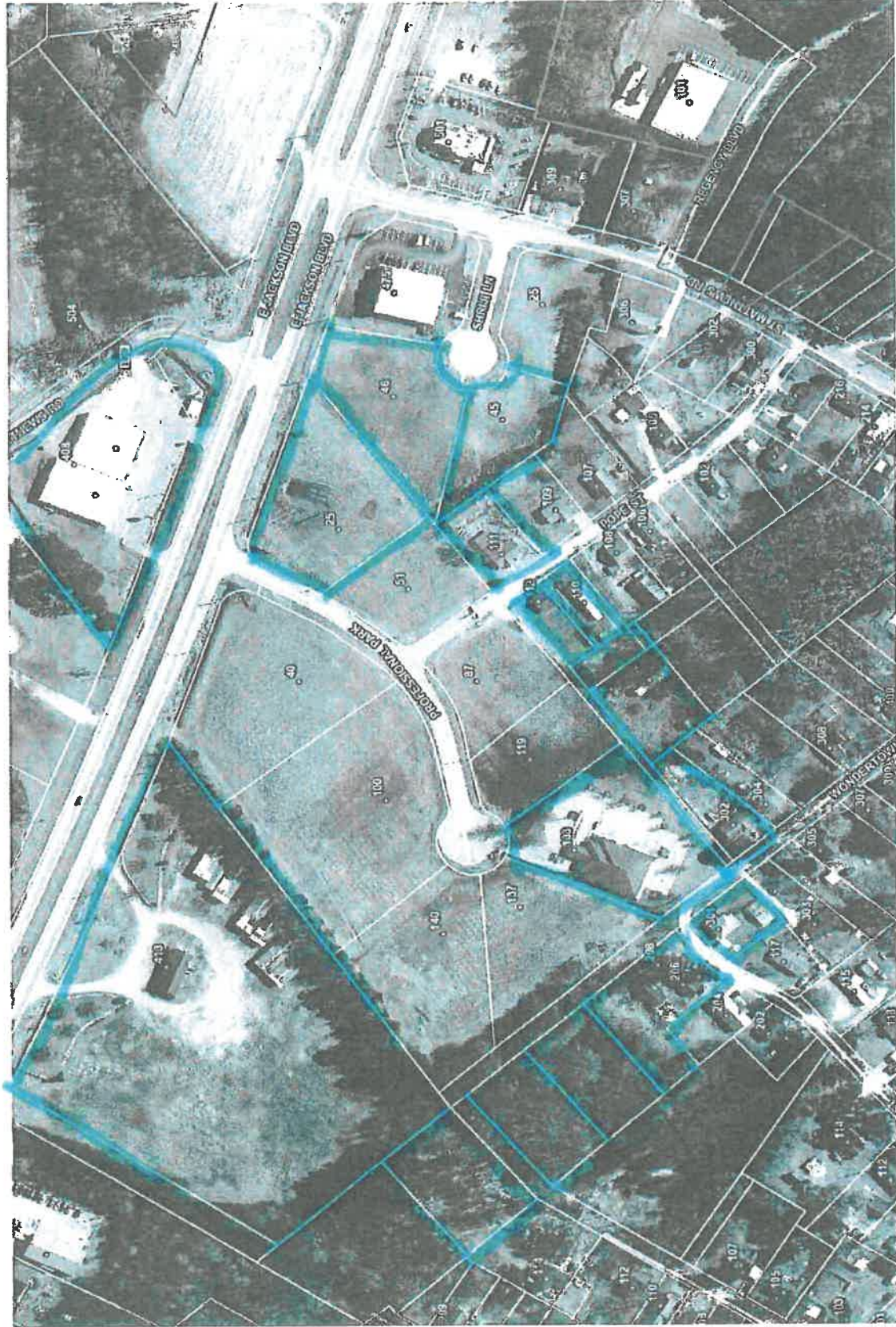
Address	Current Legal Description	Owner	Mailing Address
40 Professional Park Erwin, NC 28339	LT#9 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
100 Professional Park Erwin, NC 28339	LT#8 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
140 Professional Park Erwin, NC 28339	LT#7 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
137 Professional Park Erwin, NC 28339	LT#6 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
119 Professional Park Erwin, NC 28339	LT#4 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
87 Professional Park Erwin, NC 28339	LT#3 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024
51 Professional Park Erwin, NC 28339	LT#2 RIVERSIDE PROF PARK MAP#2005-715	Rabbit Construction Inc.	121 Britt Valley Rd Raleigh, Nc 27603-8024

Adjacent Areas & Areas within 100 FT.

Address	Current Legal Description	Owner	Mailing Address
133 Professional Park Erwin, NC 28339	LT#5 RIVERSIDE PROF PARK MAP#2005-715	Erwin Mob Partners, LLC	3048 Cone Manor Ln Raleigh, NC 27613- 6604
25 Professional Park Erwin, NC 28339	LOT#1 GRAVITY COMPANIES LLC MAP#2024-70 Previously referred to as: LT#1 RIVERSIDE PROF PARK 1.341ACS MAP#2013-196	Kenneth Leon Stough and Patti Jean Stough Corzine, as CO-Trustees of the Leon and Shelby Stough Irrevocable Trust dated May 9, 2019	178 Wintercrest Drive Concord, NC 28025- 9244
413 E Jackson Blvd Erwin, NC 28339	7.2 ACRES R L TAYLOR & BRYANT	Michael Jefferson Wood	1431 Bailey Rd Coats, NC 27521-9677
408 E Jackson Blvd Erwin, NC 28339	1.93ACS HWY 421	Southeastern Properties of Buies Creek	PO Box 4200 Buies Creek, NC 27506
46 Shriji Ln Erwin, NC 28339	LT#2 NARAYANSWARUP INC MAP#2006-411	Gravity Erwin 1, LLC	P.O. Box 2107 Elizabethtown, NC 28337
45 Shriji Ln Erwin NC 28339	LT#3 NARAYANSWARUP INC MAP#2006-411	45 Shriji Ln Erwin Nc LLC	81 Suttons Lane Piscataway, NJ 08854
111 Pope St Erwin, NC 28339	LOT#8-9 WONDERTOWN 100X150	Pineda Hoguer Piedra	111 Pope St Erwin, NC 28339-2413
112 Pope St Erwin, NC 28339	LOT#10 WONDERTOWN 50X150	Brian Keith Page & Crystal Underwood Page	10165 Timothy Rd Dunn, NC 28334-9769

110 Pope St Erwin, NC 28339	1 LOT #11 50X150 WONDERTOWN HT	John Duncan Stewart	401 W A St Erwin, NC 28339-2509
Pope St NC	PT/LTS 12&15 20X150 & 50 X 116	John Duncan Stewart	401 W A St Erwin, NC 28339-2509
110 Pope St Erwin, NC 28339	LOTS 16 17 18 164.8X132.5	Rhonda Lee Stewart	110 POPE St Erwin, NC 28339-2414
302 Wondertown Dr Erwin, NC 28339	LT#22 JERNIGAN MB4/34 94X220 MB4P34	Kimber Group, LLC	PO BOX 181 Erwin, NC 28339-0181
301 Wondertown Dr Erwin, NC 28339	LOT#A SHIRLEY B & DEWEY JOHNSON MAP#2019-49	Jeremy R Grady	301 Wondertown Dr. Erwin, NC 28339
206 Morgan St Erwin, NC 28339	8 LOTS TAYLOR 75X125	Joyce N. Parnell	204 Morgan Street Erwin, NC 28339-0000
Wondertown Dr NC	5 LOTS R L TAYLOR 125X210 (.6AC)	Zoraida Del Carmen Martinez Meza & Humberto Medellin Paz	114 1st Street Erwin, NC 28339
Wondertown Dr NC	4 LOTS TAYLOR 110X210 (.58AC)	Zoraida Del Carmen Martinez Meza & Humberto Medellin Paz	114 1st Street Erwin, NC 28339
1st St Erwin, NC 28339	6 LOTS DAVID BYRD (0.72AC) 150X210 MB#6-110	Zoraida Del Carmen Martinez Meza	114 1st Street Erwin, NC 28339

Exhibit B



Blue lines outline any adjacent areas and areas within 100 ft of the affected areas

Matthew S. Willis Register of Deeds
Harnett County, NC
Electronically Recorded
06/23/2022 04:40:53 PM
Book: 4156 Page: 956 - 957 (2)
Instrument Number: 2022103549

NC Rev Stamp: \$159.00
Fee: \$26.00

HARNETT COUNTY TAX ID#
061507 0107 09

06-23-2022 BY TC

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$159.00

Parcel Identifier No. 061507 0107 09 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: GRANTEE

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

Brief description for the Index: Lot 6, Riverside Professional Park

THIS DEED made this 16th day of June, 2022, by and between

GRANTOR

GRANTEE

Kurt G. Vernon, M.D., P.A.,
(a North Carolina professional corporation)
(aka Kurt G. Vernon, MDPA,
Inc., a North Carolina corporation)
3412 Birk Bluff Court
Raleigh, NC 27601

Rabbit Construction Inc.,
a North Carolina corporation

121 Britt Valley Road
Raleigh, NC 27603

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

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

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

BEING ALL OF LOT 6, RIVERSIDE PROFESSIONAL PARK AS RECORDED IN MAP NUMBER 2005-715 AND RE-RECORDED IN MAP NUMBERS 2006-349 AND 2007-262, HARNETT COUNTY REGISTRY.

Submitted electronically by Adams, Howell, Sizemore & Adams, P.A. in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Harnett County Register of Deeds.

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Printed by Agreement with the NC Bar Association
North Carolina Bar Association – NC Bar Form No. 3
North Carolina Association of Realtors, Inc. – Standard Form 3

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

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

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

This conveyance is expressly made subject to the lien created by all the Grantors' real 2022 Harnett County ad valorem taxes on said tract of land which the Grantee(s) agree to assume and pay in full when due.

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

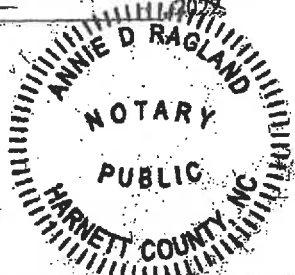
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above-written.

GRANTOR(S):

Kurt G. Vernon, M.D., P.A., (a North Carolina professional corporation) (aka Kurt G. Vernon, MDPA, Inc., a North Carolina corporation)

By: [Signature] (SEAL)
Kurt G. Vernon, President

State of North Carolina - County or City of Harnett
I, the undersigned Notary Public of the County or City of Harnett and State aforesaid, certify that Kurt G. Vernon personally came before me this day and acknowledged that he is the President of Kurt G. Vernon, M.D., P.A. (a North Carolina professional corporation) (aka Kurt G. Vernon, MDPA, Inc., a North Carolina corporation), 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 14 day of June 2022.



Annie D. Ragland
Annie D. Ragland
Notary's Printed or Typed Name
My Commission Expires: May 16 2025

(Affix Seal)

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North Carolina Bar Association - NC Bar Form No. 3
North Carolina Association of Realtors, Inc. - Standard Form 3

Matthew S. Willis Register of Deeds
Harnett County, NC
Electronically Recorded
06/23/2022 04:40:52 PM
Book: 4156 Page: 953 - 955 (3)
Instrument Number: 2022103548

NC Rev Stamp: \$509.00
Fee: \$26.00

HARNETT COUNTY TAX ID#
061507 0107 06 & others

06-23-2022 BY TC

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$509.00

Parcel Identifier No. 061507 0107 06; 061507 0107 07 & 061507 0107 12 Verified by _____ County on the
____ day of _____, 20____

By: _____

Mail/Box to: GRANTEE

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

Brief description for the Index: Lots 3, 4 & 9, Riverside Professional Park

THIS DEED made this 11th day of June, 2022, by and between

GRANTOR

GRANTEE

BPRV, LLC, a North Carolina
limited liability company

Rabbit Construction, Inc.,
a North Carolina corporation

904-D W. Broad Street
Dunn, NC 28334

121 Britt Valley Road
Raleigh, NC 27603

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

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

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

See attached Exhibit A

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

NC Bar Association Form No. 3 © Revised 7/2013
Printed by Agreement with the NC Bar Association
North Carolina Bar Association – NC Bar Form No. 3
North Carolina Association of Realtors, Inc. – Standard Form 3

Submitted electronically by Adams, Howell, Sizemore &
Adams, P.A. in compliance with North Carolina statutes
governing recordable documents and the terms of the
submitter agreement with the Harnett County Register of
Deeds.

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

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

This conveyance is expressly made subject to the lien created by all the Grantors' real 2022 Harnett County ad valorem taxes on said tract of land which the Grantee(s) agree to assume and pay in full when due.

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

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

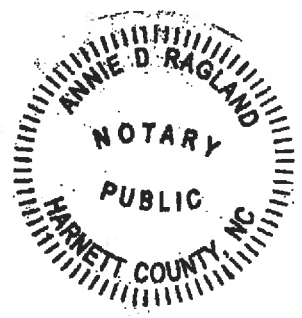
GRANTOR(S):

BPRV, LLC, a North Carolina limited liability company

By: [Signature] (SEAL)
Kurt G. Vernon, Manager

State of North Carolina - County or City of Harnett
I, the undersigned Notary Public of the County or City of Harnett and State aforesaid, certify that Kurt G. Vernon personally came before me this day and acknowledged that he is the Manager of BPRV, LLC, a North Carolina limited liability company, 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 10 day of June, 2022.

Annie D. Ragland
Annie D. Ragland
Notary's Printed or Typed Name
My Commission Expires: May 10 2025



(Affix Seal)

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North Carolina Bar Association - NC Bar Form No. 3
North Carolina Association of Realtors, Inc. - Standard Form 3

EXHIBIT "A"

TRACT 1

BEING ALL OF LOT 3, RIVERSIDE PROFESSIONAL PARK AS RECORDED IN MAP NUMBER 2005-715 AND RE-RECORDED IN MAP NUMBERS 2006-349 AND 2007-262, HARNETT COUNTY REGISTRY.

PROPERTY ADDRESS: 87 PROFESSIONAL PARK ERWIN NC 28339 PARCEL #061507 0107 06

TRACT 2

BEING ALL OF LOT 4, RIVERSIDE PROFESSIONAL PARK AS RECORDED IN MAP NUMBER 2005-715 AND RE-RECORDED IN MAP NUMBERS 2006-349 AND 2007-262, HARNETT COUNTY REGISTRY.

PROPERTY ADDRESS: 119 PROFESSIONAL PARK ERWIN NC 28339 PARCEL #061507 0107 07

TRACT 3

BEING ALL OF LOT 9, RIVERSIDE PROFESSIONAL PARK AS RECORDED IN MAP NUMBER 2005-715 AND RE-RECORDED IN MAP NUMBERS 2006-349 AND 2007-262, HARNETT COUNTY REGISTRY.

PROPERTY ADDRESS: 40 PROFESSIONAL PARK ERWIN NC 28339 PARCEL #061507 0107 12

Matthew S. Willis Register of Deeds
Harnett County, NC
Electronically Recorded
06/23/2022 04:40:55 PM
Book: 4156 Page: 960 - 961 (2)
Instrument Number: 2022103551

NC Rev Stamp: \$191.00

Fee: \$26.00

HARNETT COUNTY TAX ID#
061507 0107 10

06-23-2022 BY TC

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$191.00

Parcel Identifier No. 061507 0107 10 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: GRANTEE

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

Brief description for the Index: Lot 7, Riverside Professional Park

THIS DEED made this 17th day of June, 2022, by and between

GRANTOR

GRANTEE

Gizmo Realty, LLC, a North
Carolina limited liability company

Rabbit Construction, Inc.,
a North Carolina corporation

100 S. 10th Street
Lillington, NC 27546

121 Britt Valley Road
Raleigh, NC 27603

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

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

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

BEING ALL OF LOT 7, RIVERSIDE PROFESSIONAL PARK AS RECORDED IN MAP NUMBER 2005-715 AND RE-RECORDED IN MAP NUMBERS 2006-349 AND 2007-262, HARNETT COUNTY REGISTRY.

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

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Printed by Agreement with the NC Bar Association
North Carolina Bar Association – NC Bar Form No. 3
North Carolina Association of Realtors, Inc. – Standard Form 3

Submitted electronically by Adams, Howell,
Sizemore & Adams, P.A. in compliance with North
Carolina statutes governing recordable documents
and the terms of the submitter agreement with the
Harnett County Register of Deeds.

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

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

This conveyance is expressly made subject to the lien created by all the Grantors' real 2022 Harnett County ad valorem taxes on said tract of land which the Grantee(s) agree to assume and pay in full when due.

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

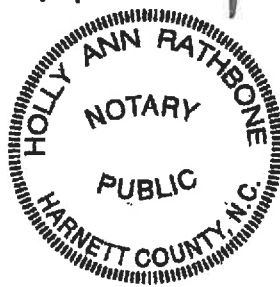
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

GRANTOR(S):

Gizmo Realty, LLC, a North limited liability company

By: [Signature] (SEAL)
Rodolfo C. Reyes, Member/Manager

State of NC - County or City of Harnett
I, the undersigned Notary Public of the County or City of Harnett and State aforesaid, certify that Rodolfo C. Reyes personally came before me this day and acknowledged that he is the Member/Manager of Gizmo Realty, LLC, a North Carolina limited liability company, 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 17 day of June, 2022.



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

(Affix Seal)

HARNETT COUNTY TAX ID#
061507 0107 05

02-27-2023 BY TC

Matthew S. Willis Register of Deeds
Harnett County, NC
Electronically Recorded
02/27/2023 11:54:30 AM NC Rev Stamp: \$300.00
Book: 4183 Page: 1839 - 1840 (2) Fee: \$26.00
Instrument Number: 2023002859

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$300.00

Parcel Identifier No. 061507 0107 05 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: GRANTEE

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

Brief description for the Index: Lot 2, containing 37,919 square feet; Map # 2006-349

THIS DEED made this 27 day of February, 2023, by and between

GRANTOR	GRANTEE
Nicksam, LLC, a North Carolina limited liability company	Rabbit Construction, Inc., a North Carolina corporation
4004 Dembridge Drive Raleigh, NC 27606	121 Britt Valley Road Raleigh, NC 27603

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 or parcel of land situated in Duke Township, Harnett County, North Carolina and more particularly described as follows:

BEING all of Lot 2, containing 37,909 square feet, as per plat and survey thereof entitled "Survey of Riverside Professional Park" and recorded in Map # 2006-349, Harnett County Registry, and re-recorded in Map # 2007-262, Harnett County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 2387, Page 832.

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

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Printed by Agreement with the NC Bar Association
North Carolina Bar Association – NC Bar Form No. 3
North Carolina Association of Realtors, Inc. – Standard Form 3

Submitted electronically by Adams, Howell, Sizemore & Adams, P.A. in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Harnett County Register of Deeds.

A map showing the above described property is recorded in Map # 2006-349

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 has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

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

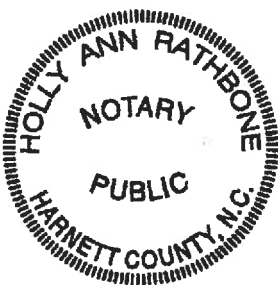
GRANTOR(S):

Nicksam, LLC, a North Carolina limited liability company

By: [Signature] (SEAL)
Suresh K. Alahari, Manager

State of NC - County or City of Harnett
I, the undersigned Notary Public of the County or City of Harnett and State aforesaid, certify that Suresh K. Alahari personally came before me this day and acknowledged that he is the Manager of Nicksam, LLC, a North Carolina limited liability company, 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 27 day of February, 2023.

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



(Affix Seal)

Matthew S. Willis Register of Deeds
Harnett County, NC
Electronically Recorded

HARNETT COUNTY TAX ID#
061507 0107 11

06/23/2022 04:40:54 PM NC Rev Stamp: \$212.00
Book: 4156 Page: 958 - 959 (2) Fee: \$26.00
Instrument Number: 2022103550

06-23-2022 BY TC

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$212.00

Parcel Identifier No. 061507 0107 11 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: GRANTEE

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

Brief description for the Index: Lot 8, Riverside Professional Park

THIS DEED made this 15th day of June, 2022, by and between

GRANTOR

GRANTEE

KOMVISH, LLC, a North
Carolina limited liability company

Rabbit Construction, Inc., a
North Carolina corporation

4020 Chaumont Drive
Apex, NC 27539

121 Britt Valley Road
Raleigh, NC 27603

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

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

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

BEING ALL OF LOT 8, RIVERSIDE PROFESSIONAL PARK AS RECORDED IN MAP NUMBER 2005-
715 AND RE-RECORDED IN MAP NUMBERS 2006-349 AND 2007-262, HARNETT COUNTY
REGISTRY.

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

NC Bar Association Form No. 3 © Revised 7/2013
Printed by Agreement with the NC Bar Association
North Carolina Bar Association – NC Bar Form No. 3
North Carolina Association of Realtors, Inc. – Standard Form 3

Submitted electronically by Adams, Howell, Sizemore &
Adams, P.A. in compliance with North Carolina
statutes governing recordable documents and the terms
of the submitter agreement with the Harnett County
Register of Deeds.

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

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

This conveyance is expressly made subject to the lien created by all the Grantors' real 2022 Harnett County ad valorem taxes on said tract of land which the Grantee(s) agree to assume and pay in full when due.

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

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

GRANTOR(S):

KOMVISH, LLC, a North Carolina limited liability company

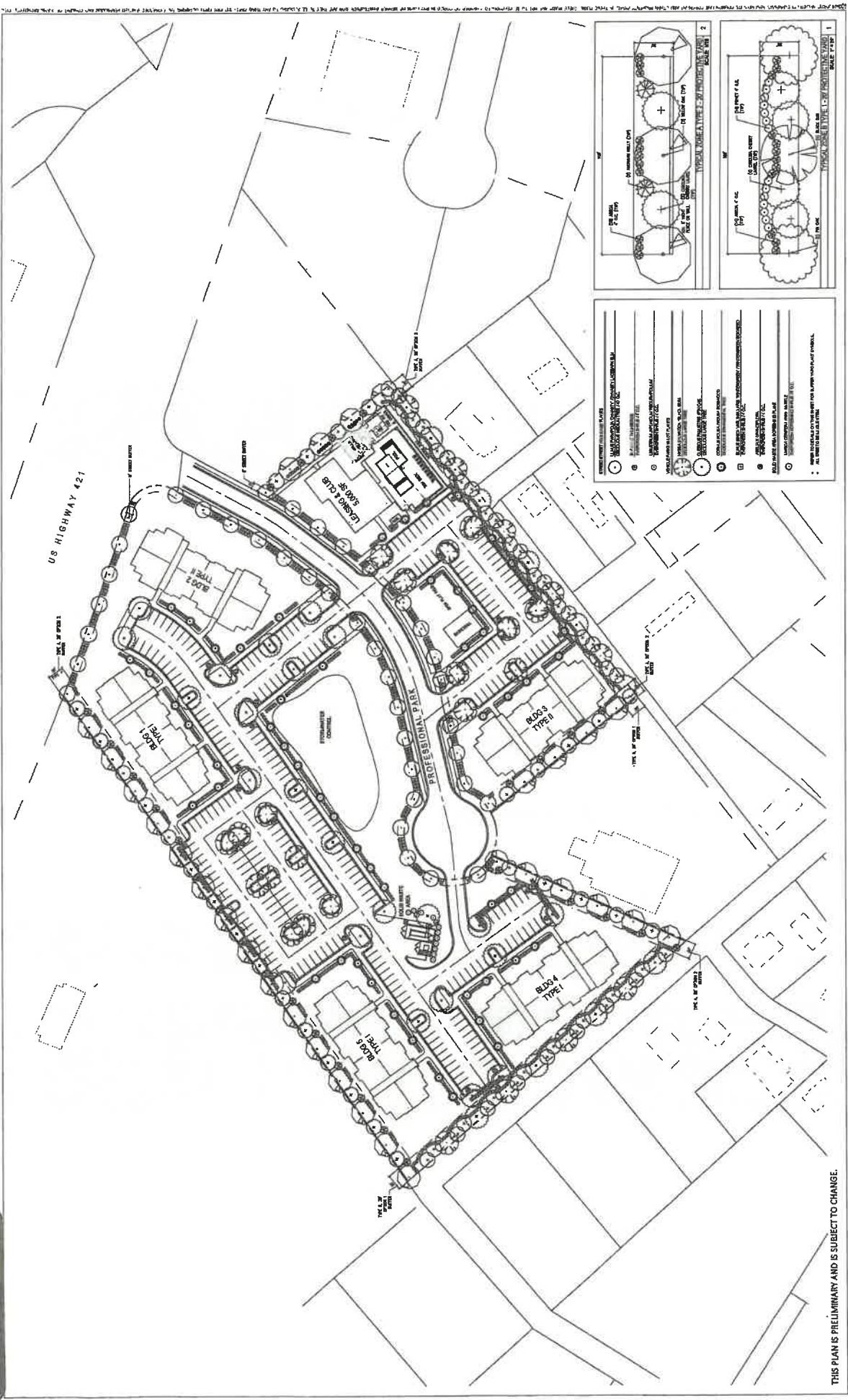
By: Rekha J. Parikh (SEAL)
Rekha J. Parikh, Manager

State of NC - County or City of Wake
I, the undersigned Notary Public of the County or City of Wake and State aforesaid, certify that Rekha J. Parikh personally came before me this day and acknowledged that he is the Manager of KOMVISH, LLC, a North Carolina limited liability company, 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 15 day of June, 2022.

VANESSA BRIONES
Notary Public
Wake Co., North Carolina
My Commission Expires July 30, 2023
(Affix Seal)

VB
Vanessa Briones
Notary's Printed or Typed Name
My Commission Expires: July 30, 2023

EXHIBIT
D2
Blumberg No. 3718



Date: July 22, 2024
 0' 25' 50'
 SCALE: 1"=100'

PROFESSIONAL PARK APARTMENTS - LANDSCAPE PLAN
 Erwin, North Carolina

J DAVIS



DRMP, Inc.
 8210 University Executive Park Drive
 Suite 220, Charlotte, NC 28262

July 12, 2024

Dylan Eure
Town Planner
Town of Erwin
E: deure@erwin-nc.org

Reference: Erwin Apartments – Erwin, NC
Subject: Trip Generation Letter

Dear Mr. Eure:

This letter provides a trip generation summary for the proposed Erwin Apartments development in Erwin, North Carolina. This development is proposed to be located along Professional Park and south of E. Jackson Boulevard. Refer to the attached site location map. The existing site is currently vacant. The proposed site is expected to consist of five (5) separate apartment buildings, containing a total of 120 dwelling units (DU). Site access is provided via the existing right-in/right-out intersection of E. Jackson Boulevard and Professional Park. A preliminary site plan is attached.

Study Area Roadway Summary:

Existing speed limits, typical cross sections, and annual average daily traffic (AADT) volumes for roadways adjacent to the site are summarized in Table 1.

Table 1: Existing Roadway Inventory

Road Name	Route Number	Typical Cross Section	Speed Limit	2021 AADT (vpd)
E. Jackson Boulevard	NC 55	4-lane divided	35/45 mph	15,500

Trip Generation:

Average weekday daily, AM peak hour, and PM peak hour trips for the proposed developments were estimated using methodology contained within the ITE Trip Generation Manual, 11th Edition. Refer to Table 2 for the proposed site trip generation for the proposed development.

Table 2: Trip Generation Summary

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Multifamily Housing (Low-Rise) (220)	120 DU	845	14	46	45	27

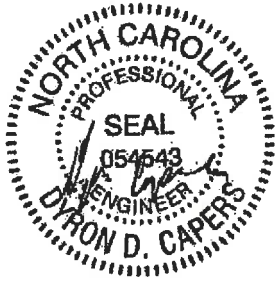
It is estimated that the proposed development will generate approximately 845 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated 60 trips (14 entering, 46 exiting) will occur during the weekday AM peak hour and 72 trips (45 entering, 27 exiting) during the weekday PM peak hour.

The anticipated trips for the proposed development are expected to be less than the typical threshold NCDOT supports for requiring a Traffic Impact Analysis (TIA) (3,000 trips per day). The Town of Erwin Code of Ordinances does not list a specific threshold of trips for requiring a TIA. This proposed development is anticipated to be under the daily trip thresholds to require a TIA by NCDOT standards.

Findings and Summary:

Based on trip generation results, it is expected that the proposed Erwin Apartments will have minimal impact on the surrounding roadway network. The peak hour trip generation potential for this proposed development is expected to be under the typical threshold for NCDOT to require a TIA. If you should have any questions, please feel free to contact me at (704) 220-6859.

Sincerely,

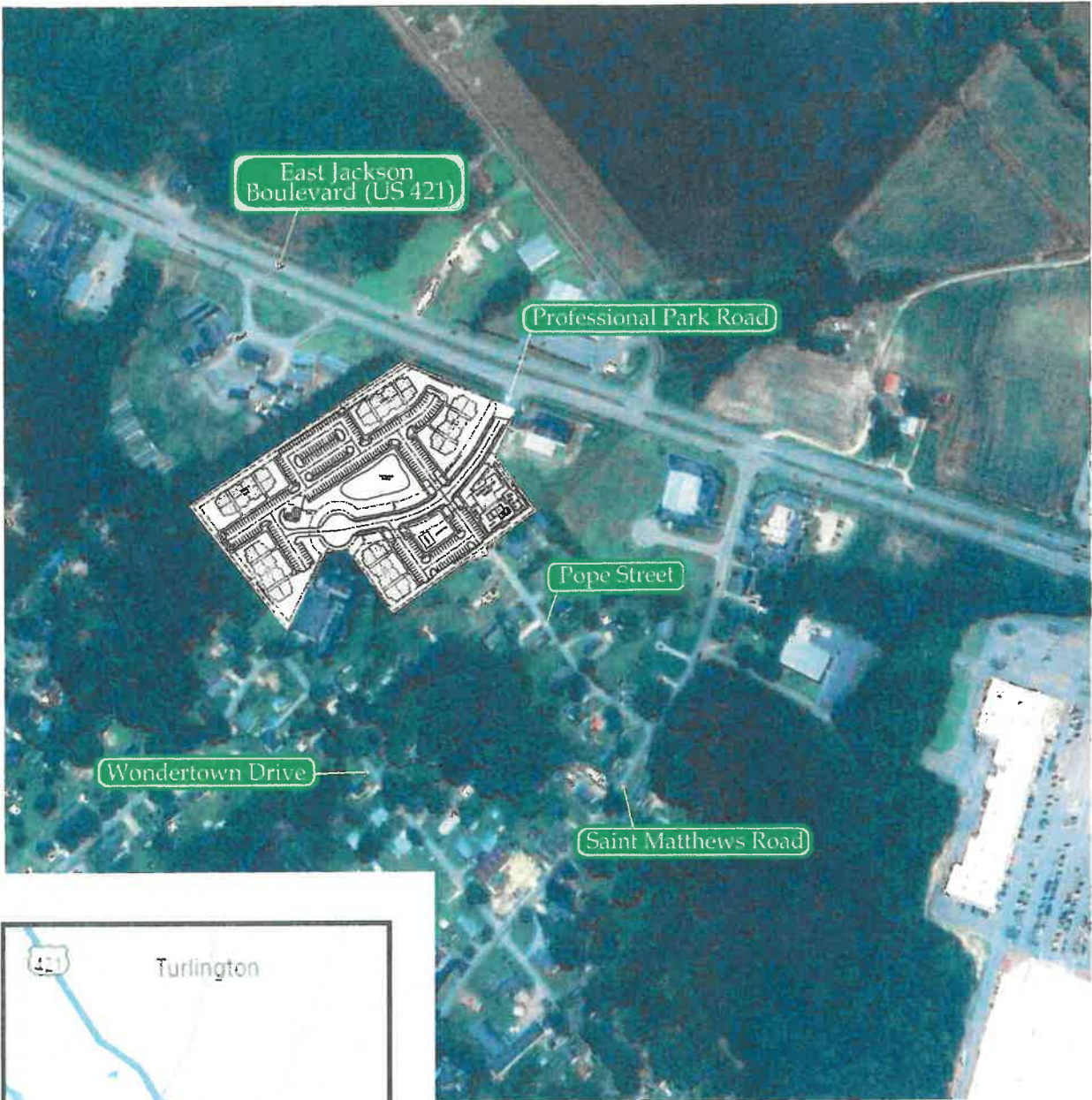


7/12/2024


Dyron Capers, PE
Traffic Analysis Project Manager
DRMP, Inc.
License #F-1524

Attachments

- Site Location Map
- Site Plan



LEGEND

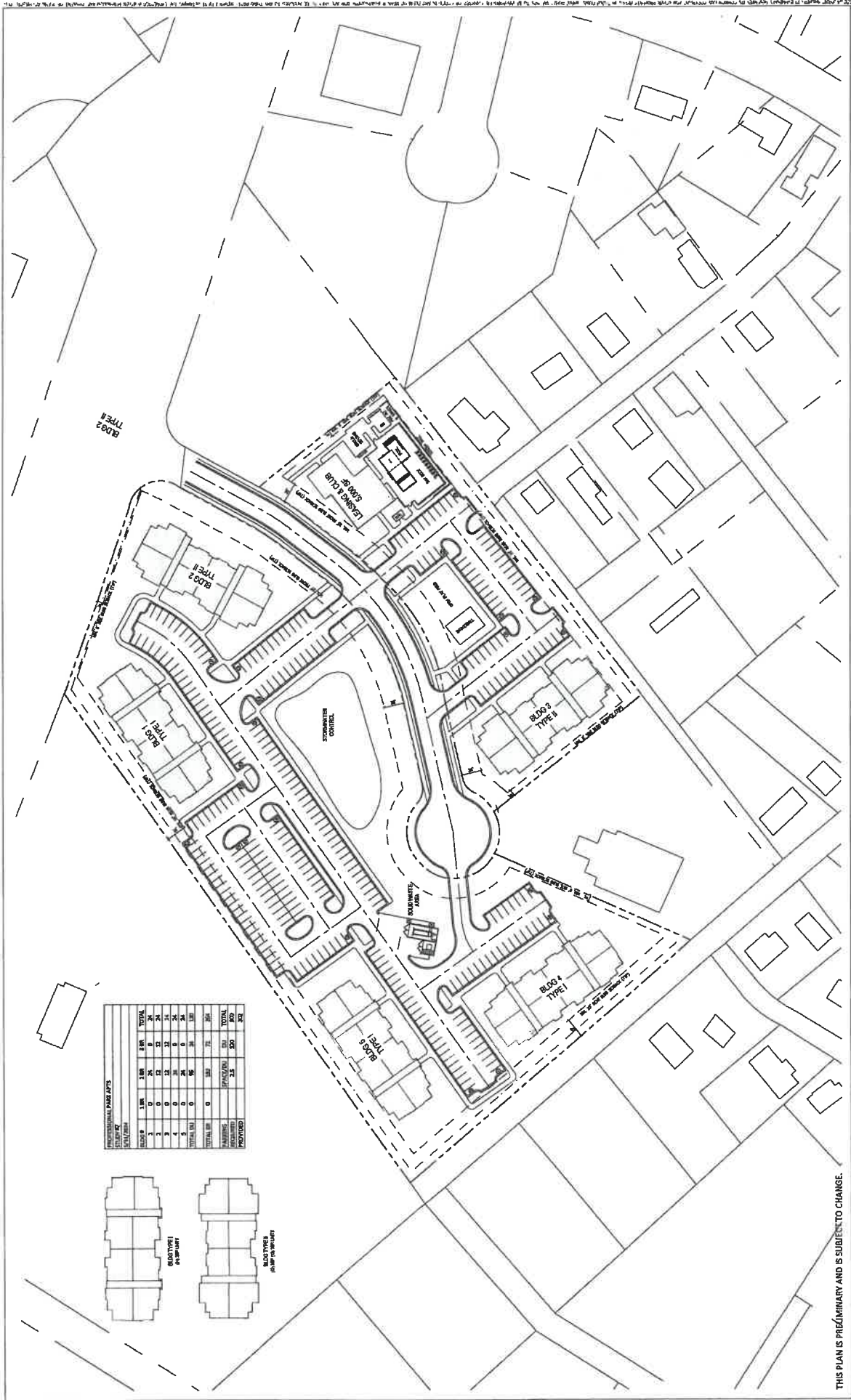
 Study Area



Erwin Apartments
Erwin, NC

Site Location Map

Scale: Not to Scale Figure 1



Date: May 31, 2024
 SCALE: 1" = 60'

PROFESSIONAL PARK APARTMENTS - OPTION 7

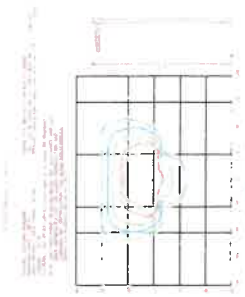
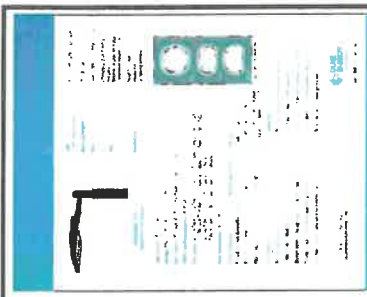
Erwin, North Carolina

THIS PLAN IS PRELIMINARY AND IS SUBJECT TO CHANGE.



4/20/24 10:54 AM C:\Users\jldavis\OneDrive\Documents\Professional Park Option 7.dwg

EXHIBIT
D4-1
Barberg No. 5118



Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Main Parking		1.1 fc	3.7 fc	0.3 fc	12.8:1	3.7:1
BLDG 3 & CLUB PARKING		1.1 fc	2.8 fc	0.3 fc	9.3:1	3.7:1

Symbol	Qty	Description	Power	LLS
A	9	LED 100w Bulbset - Type IV - 3000K	48	337
B	1	LED 100w Bulbset - Type IV - 3000K	48	337
C	2	LED 100w Bulbset - Type IV - 3000K	48	337

PROPOSED LIGHTING SOLUTIONS
 This lighting plan is based on the information and data provided by the client. It is the responsibility of the client to ensure that the information provided is accurate and complete. The lighting designer is not responsible for any errors or omissions in this plan. The lighting designer is not responsible for any damage to property or persons caused by the use of the lighting plan. The lighting designer is not responsible for any changes to the lighting plan made by the client or any other party. The lighting designer is not responsible for any costs associated with the lighting plan. The lighting designer is not responsible for any legal issues related to the lighting plan. The lighting designer is not responsible for any other matters related to the lighting plan.

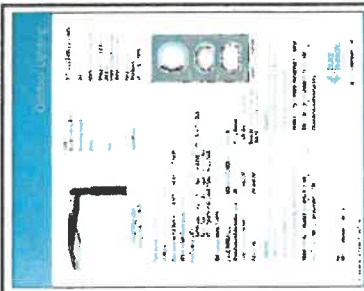


LIGHTING DESIGN TOLERANCES
 This lighting plan is based on the information and data provided by the client. It is the responsibility of the client to ensure that the information provided is accurate and complete. The lighting designer is not responsible for any errors or omissions in this plan. The lighting designer is not responsible for any damage to property or persons caused by the use of the lighting plan. The lighting designer is not responsible for any changes to the lighting plan made by the client or any other party. The lighting designer is not responsible for any costs associated with the lighting plan. The lighting designer is not responsible for any legal issues related to the lighting plan. The lighting designer is not responsible for any other matters related to the lighting plan.

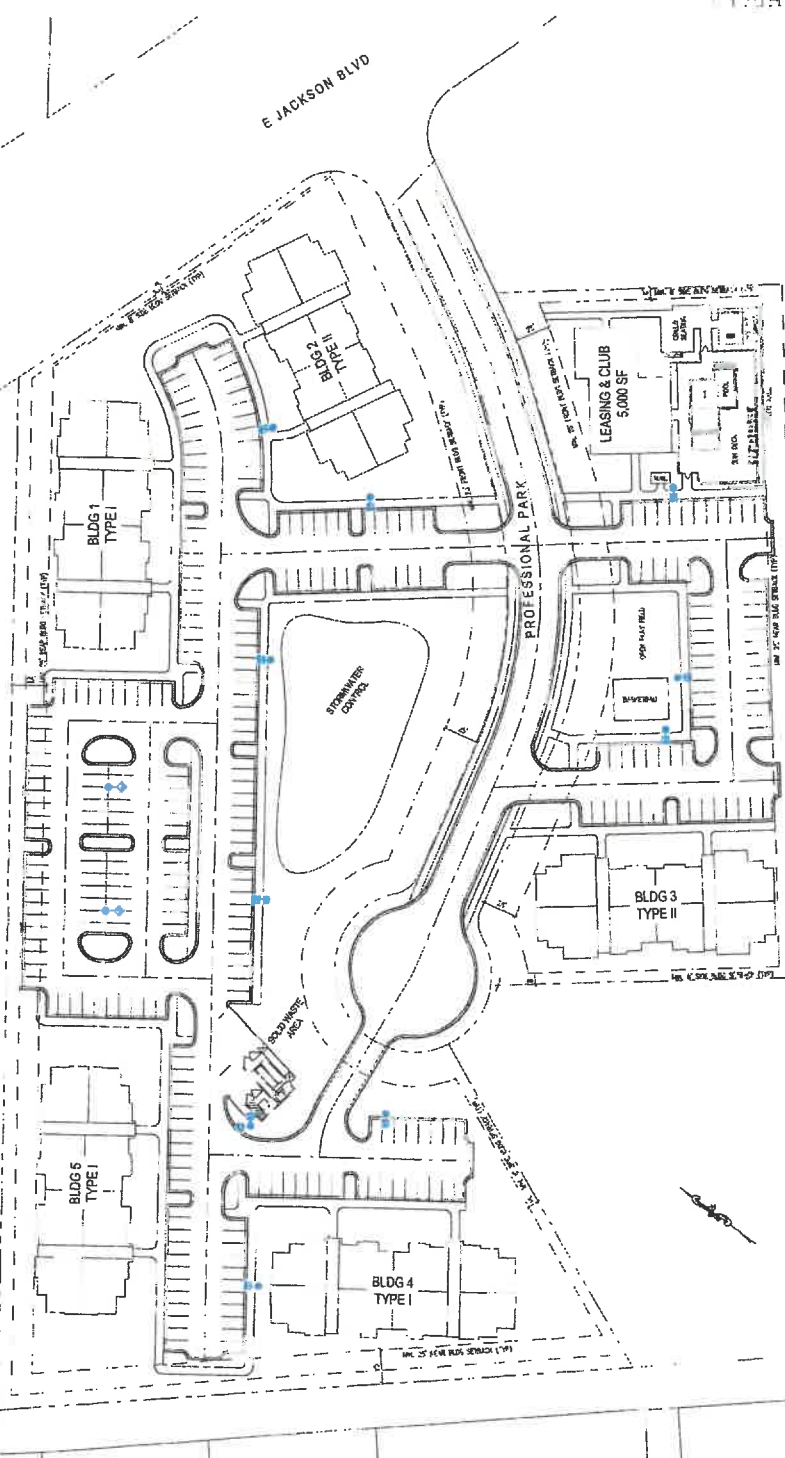


NO.	DATE	REVISION	BY

Blumberg No. 5118
EXHIBIT
D4-2



E JACKSON BLVD



Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Main Parking	SP	1.11e	3.77e	0.33e	12.21	37.1
BLDG 3 & CLUB PARKING	SP	1.11e	2.85e	0.33e	9.31	37.1

Level	OFF	Residential	Number of Fixtures	Power (Watt)	LP
A	9	LED 150w Resonance - Type IV - 5000K	48	337	0.85
B	1	LED 150w Resonance - Type IV - 5000K	48	337	0.85
C	2	LED 150w Resonance - Type V - 8000K	48	400	0.85

TOWN OF ERWIN APARTMENTS
 Erwin, NC
 SITES LIGHTING ARRANGEMENT
 Designed by DUKE ENERGY PROGRESS LIGHTING SOLUTIONS
 Reviewed by J. Johnson
 Date 10/25/2016
 Description Site Plan
 Drawing No. 24-0260A
 Rev. 1 OF 1

DUKE ENERGY
PROGRESS

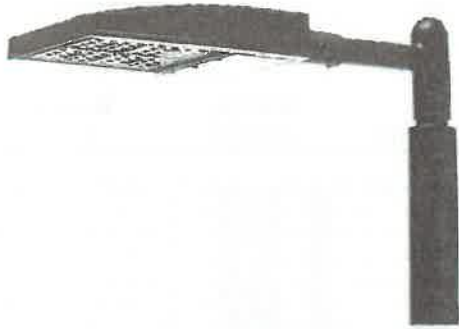
LIGHTING SOLUTIONS FOR ENERGY
 The enclosed drawings are prepared in accordance with the requirements of the Town of Erwin, NC. The drawings are prepared by the Lighting Solutions for Energy, a subsidiary of Duke Energy Progress. The drawings are prepared by the Lighting Solutions for Energy, a subsidiary of Duke Energy Progress. The drawings are prepared by the Lighting Solutions for Energy, a subsidiary of Duke Energy Progress.



NO.	DATE	REVISION	BY



Outdoor Lighting



SHOEBOX LED
(Meets Dark Sky Criteria)

LED (Light-emitting diode)	150 220 420 530 watts
Mounting height	25', 30', 35'
Color	Black Bronze Gray White
Pole	Fiberglass (1 or 2 fixtures per pole) Decorative tapered metal Decorative square metal
Applications	Neighborhoods Roadways Shopping centers

Light source: LED (white)

Wattage: 150 | 220 | 420 | 530 watts

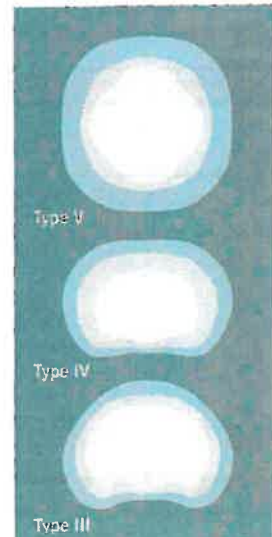
Light pattern: IES Type V | Type IV (forward throw) | Type III

IESNA cutoff classification: Full-cutoff

BUG rating: 150W Type III = B2U0G3 / Type IV = B3U0G4 / Type V = B5U0G3
 220W Type III = B2U0G4 / Type IV = B3U0G4 / Type V = B4U0G3
 420W Type IV = B3U0G5 / Type V = B5U0G5
 530W Type IV = B3U0G5 / Type V = B5U0G5

Color temperature: 4,000K

POLE AVAILABLE	MOUNTING HEIGHT	COLOR
Round tapered decorative metal*	35'	Black, Bronze
Decorative square metal*	25' and 30'	Black, Bronze, Gray, White
Fiberglass	25' and 30'	Black (1 or 2 fixtures per pole) Gray (1 or 2 fixtures per pole)



light distribution pattern

FEATURES

- Turnkey operation
- Little or no installation cost
- Design services by lighting professionals included
- Maintenance, electricity & warranty included
- One low monthly cost on your electric bill

BENEFITS

- Provides hassle-free installation and service
- Frees up capital for other projects
- Meets industry standards and lighting ordinances
- Eliminates high and unexpected repair bills
- Convenience and savings for you

For additional information, email us at ODLCarollnas@duke-energy.com.



BUILDING A SMARTER ENERGY FUTURE®

Duke Energy Progress Area Lighting NC-ALS Leaf No. 570 Estimate



LIGHTING SOLUTIONS

Proposal Date: _____
 Prepared by: _____
 Job Title: _____
 Phone: _____

Business Partner _____
 Street Address _____
 City, State, Zip _____
 Customer Phone: _____
 Contract Account _____
 Installation # _____
 Drawing # / Design Description _____
 Service Location of Light(s) _____



Corp. ID#: _____
 Mail Code: _____
 Construction Schedule Date: _____
 WO#: _____

Pricing Changes Effective 10-1-2023

Light Fixture / Pole Type	Lumens	Watts	# Items	Monthly Charge*	Monthly Cost
Sodium Vapor Area Lights - No Longer Available to New Applicants					
Semi-Enclosed, Cutoff Enclosed	9500	100	@	\$12.86	= -
Post Top (Styles "A", "S" & "M")	9500	100	@	\$12.86	= -
*Decorative Black Cutoff Enclosed	9500	100	@	\$13.24	= -
Cutoff Enclosed	16000	150	@	\$15.19	= -
*Decorative Black Cutoff Enclosed	16000	150	@	\$15.64	= -
to Existing Matchups (Encl) (Shoebox - No longer Available)	22000	200	@	\$16.91	= -
*Shoebox Forward Throw (No longer Available)	22000	200	@	\$17.27	= -
Cutoff Enclosed, Shoebox (Shoebox-No longer Available)	28500	250	@	\$19.60	= -
*Decorative Black Cutoff Enclosed	28500	250	@	\$20.22	= -
*Shoebox Forward Throw (No longer Available)	28500	250	@	\$20.18	= -
Cutoff Enclosed, Shoebox (Shoebox-No longer Available)	50000	400	@	\$27.18	= -
*Shoebox Forward Throw (No longer Available)	50000	400	@	\$27.76	= -

NOTE: *The Unit Monthly Charge for these lights includes an additional facilities charge

Sodium Vapor Floodlights - No Longer Available to New Applicants					
Flood	9500	100	@	\$12.86	= -
Flood	28500	250	@	\$19.60	= -
Flood	50000	400	@	\$30.44	= -
Metal Halide (Not for New Installs Effective 5/17)					
Shoebox (No Longer Available)					
Post Top (Styles "A", "S" & "M")	9000	100	@	\$14.81	= -
Flood	9000	100	@	\$14.81	= -
Cutoff Enclosed, Shoebox, Flood	20000	250	@	\$22.44	= -
*Decorative Black Cutoff Enclosed	20000	250	@	\$22.86	= -
*Shoebox Forward Throw (No longer Available)	20000	250	@	\$22.73	= -
Cutoff Enclosed, Shoebox, Flood	33000	350	@	\$29.42	= -
*Shoebox Forward Throw (No longer Available)	33000	350	@	\$29.80	= -
Shoebox, FT Shoebox, Cube, Flood	110000	1000	@	\$61.17	= -

NOTE: *The Unit Monthly Charge for these lights includes an additional facilities charge

Poles / Posts					
Wood Pole			@	\$2.63	= -
Gray Fiberglass Pole / Metal** Pole			@	\$6.26	= -
16' Black Fiberglass Post			@	\$6.26	= -
12' Smooth Black Concrete Post	(MFC)		@	\$17.46	= -
16' Smooth Black Concrete Post	(MFC)		@	\$18.86	= -
30' Decorative Square Metal Pole			@	\$13.43	= -
13' Fluted Black Concrete Post (Style VII)	(MFC)		@	\$17.09	= -
13' Fluted Black Concrete Post w/Receptacle (Non Std)	w/Monthly Receptacle Charge (MFC)		@	\$20.17	= -
13' Fluted Black Concrete Post w/Receptacle (Non Std)	w/Up-Front Receptacle Charge (MFC)		@	\$17.09	= -
12' Decorative Aluminum Post			@	\$21.99	= -
35'/39' Decorative Tapered Metal Pole (Bronze/Black)			@	\$34.93	= -
UG Service Charge (per pole).			@	\$3.66	= -

Total Standard Monthly Charges					= -
Additional Facilities Monthly Charges (See Attached Page)					= -
Prices and terms per North Carolina Area Lighting Rate Schedule NC-ALS Leaf No. 570 Estimate					= -
			Subtotal		= -
			7% Tax		= -
Total Proposed Monthly Charges			Total	= \$	-

One Time Underground Service Charge					
Per Pole NC			@	\$600.00	= -
Other One Time Charges From Attached Page					= -
Total One Time Charges Before Taxes					= -
			Subtotal		= -
			7% Tax		= -
Total Proposed One-Time Charges			Total	= \$	-

Comments: This price is to be used as an estimate only.

Duke Energy Progress Other Lighting Item Prices NC-ALS Leaf No. 570 Estimate



LIGHTING SOLUTIONS

Proposal Date: _____
 Prepared by: _____
 Job Title: _____
 Phone: _____

Business Partner _____
 Street Address _____
 City, State, Zip _____
 Customer Phone: _____
 Contract Account _____
 Installation # _____
 Drawing # / Design Description _____
 Service Location of Light(s) _____

Corp. ID#: _____
 Mail Code: _____
 Construction Schedule Date: _____
 WO#: _____

Pricing Changes Effective 10-1-2023

	Mounting Height	# of Items	Monthly*	Total Cost
Black Fiberglass Poles (Monthly Facility Charge)	25'	@	\$6.55 =	-
	30'	@	\$7.37 =	-
Style "A" Alum Direct Embed Poles (MFC)	12'	@	\$11.61 =	-
Style "A" Alum Direct Embed Poles (MFC)	15'	@	\$11.85 =	-
Style "A" Alum Direct Embed Poles (MFC)	17'	@	\$12.82 =	-
Style "A" Alum Anchor Base Poles (MFC)	12' and 17'	@	\$18.03 =	-

	Mounting Height	# of Items	Monthly*	Total Cost
Standard Poles-Galvanized MFC+ + Fiberglass poles should have been installed but were not due to customer preference.	30'	@	\$11.85 =	-
	35'	@	\$11.44 =	-

Early On Photo Control (Car Lots, etc.)	# of Items	Monthly*	Total Cost
	@	\$0.21 =	-

Non Std Wood Pole Bracket	# of Items	Monthly*	Total Cost
10' Mast Arm	@	\$0.63 =	-
16' Mast Arm	@	\$1.55 =	-

Transformers for "Lighting Only" (MFC)	# of Items	Monthly	Total Cost
Overhead Service - (OH 13.2 kv) 3 KVA Pole Mount.....	@	\$7.78 =	-
Overhead Service - (OH 7.2 kv) 3 KVA Pole Mount.....	@	\$9.68 =	-
Overhead Service - (OH 13.2 kv) 10 KVA Pole Mount.....	@	\$11.30 =	-
Overhead Service - (OH 7.2) 10 KVA Pole Mount.....	@	\$10.18 =	-
Underground Service - (UG 13.2 kv) 25 KVA Pad Mount.....	@	\$19.82 =	-
Underground Service - (UG 7.2 kv) 25 KVA Pad Mount.....	@	\$22.16 =	-

Miscellaneous Additional Facilities/Monthly Facilities Charges	# of Items	Monthly*	Total Cost
Details :	@	=	-

Total Proposed Monthly Charges Before Taxes Total = \$ -

One Time Pole Hand-Dig / Hand-Set Surcharge (CIAC) - Per Pole @ \$300.00 = -

One Time Hand Dig Pole Hole ONLY (CIAC) - Per Pole @ \$140.00 = -

Underground Boring Service Charge @ = -

Total Proposed One Time Charges Before Taxes Total = \$ -

Comments: *This price is to be used as an estimate only.*

Duke Energy Progress Sanibel, Teardrop & Mongoose NC-ALS Leaf No. 570 Estimate



LIGHTING SOLUTIONS

Proposal Date: _____
 Prepared by: _____
 Job Title: _____
 Phone: _____
 Corp. ID#: _____
 Mail Code: _____
 Construction Schedule Date: _____
 WO#: _____

Business Partner _____
 Street Address _____
 City, State, Zip _____
 Customer Phone: _____
 Contract Account _____
 Installation # _____
 Drawing # / Design Description _____
 Service Location of Light(s) _____

Pricing Changes Effective 10-1-2023

Teardrop - Nonstandard		Lumens	Watts	# of Items	Monthly*	Total Cost
	Sodium Vapor (Black)	28,500	250	@	\$27.77	= -
	Metal Halide (Black) <i>(Not for New Installs Effective 5/17)</i>	20,000	250	@	\$30.38	= -
	Sodium Vapor (Jade Green)	28,500	250	@	\$29.63	= -
	LED 50		50	@	\$17.82	= -
	LED 150		150	@	\$22.93	= -

		Mounting Height	# of Items	Monthly*	Total Cost
	Black Concrete Pole(s) (MFC)	27'	@	\$22.17	= -
	Existing Galvanized Metal (painted black)*	Various	@	=	= -
	Existing Metal Distribution (painted black)*	Various	@	=	= -
	6' Black Single Bracket		@	\$0.34	= -
	6' Black Twin Bracket		@	\$0.35	= -

Sanibel (MFC)		Lumens	Watts	# of Items	Monthly*	Total Cost
	Sodium Vapor	9500	100	@	\$15.54	= -
	Metal Halide <i>(Not for New Installs Effective 5/17)</i>	9000	100	@	\$18.98	= -
	LED 50		50	@	\$15.55	= -
	LED 150		150	@	\$21.58	= -

Sanibel Shepherd's Crook Arm (MFC)		# of Items	Monthly*	Total Cost
	Single Arm	@	\$4.34	= -
	Twin Arm	@	\$6.28	= -

Sanibel Posts with 6" Tenon		Mounting Height	# of Items	Monthly*	Total Cost
	12' Smooth Black Concrete Post (MFC)	12'	@	\$17.46	= -
	16' Smooth Black Concrete Post (MFC)	16'	@	\$18.86	= -

Mongoose		Lumens	Watts	# of Items	Monthly*	Total Cost
	Sodium Vapor Hi-Tilt	28,500	250	@	\$21.81	= -
	Sodium Vapor Lo-Tilt	28,500	250	@	\$21.25	= -
	Sodium Vapor Lo-Tilt	50,000	400	@	\$29.09	= -

Monthly Underground Service Charge		# of Items	Monthly*	Total Cost
	Per Pole NC	@	\$3.66	= -

Total Proposed Monthly Charges Before Taxes Total = \$ -

One-Time Underground Service Charge		# of Items	One-time Charge	Total Cost
	Per Pole NC	@	\$600.00	= \$ -

One-Time LED Conversion Charges (Lights Less than 20 years old)		# of Items	One-time Charge	Total Cost
	Fixtures	@	\$50.00	= -
	Poles	@	\$500.00	= -

NOTE: Additional upfront cost are applicable for existing poles that are painted black. Also, these poles will be billed monthly at the special metal pole rate. Lead-based paint on existing metal distribution poles must be stripped per Duke Energy Progress guidelines and poles repainted black.

Comments: This price is to be used as an estimate only.

Duke Energy Progress LED - Company Owned - NC-ALS Leaf No. 570 Estimate



LIGHTING SOLUTIONS

Proposal Date: 6/25/24
 Prepared by:
 Job Title:
 Phone:

Business Partner
 Street Address
 City, State, Zip
 Customer Phone:
 Contract Account
 Installation #
 Drawing # / Design Description
 Service Location of Light(s)

Town of Erwin Apartments
 Erwin, NC
 24-0280A / LED Shoebox

Corp. ID#:
 Mail Code:
 Construction Schedule Date:
 WO#:

Pricing Changes Effective 10-1-2023

LED Fixtures	Watts	# of Items	Monthly*	Total Cost
LED 50 Roadway / NEIGHBORHOOD	50	@	\$8.78	= -
LED 50 Cobra	50	@	\$8.78	= -
LED 70/75 Cobra	70	@	\$9.18	= -
LED 50 FLOODLIGHT	50	@	\$12.58	= -
LED 70/75 Roadway	70	@	\$9.18	= -
LED 105/110 Roadway	110	@	\$11.35	= -
LED 130 FLOODLIGHT	130	@	\$25.49	= -
LED 150 Roadway	150	@	\$14.84	= -
LED 216/220 Roadway	220	@	\$18.63	= -
LED 260 FLOODLIGHT	260	@	\$46.63	= -
LED 280 Roadway	280	@	\$21.27	= -
LED 150 Shoebox (MFC)	150	13 @	\$18.05	= 234.65
LED 220 Shoebox	220	@	\$22.99	= -
LED 420 Shoebox	420	@	\$47.87	= -
LED 530 Shoebox	530	@	\$58.38	= -

LED Post Top Fixtures	Watts	# of Items	Monthly*	Total Cost
Mini Bell (MFC)	50	@	\$13.84	= -
Traditional /Traditional Open (MFC)	50	@	\$9.12	= -
Pedestrian Shoebox "S" (MFC)	50	@	\$13.02	= -
Acorn "A" (MFC)	50	@	\$9.55	= -
Enterprise 50 (MFC)	50	@	\$13.39	= -
Enterprise 160 (MFC)	160	@	\$18.60	= -
Enterprise 220 (MFC)	220	@	\$21.22	= -

Standard Pole(s)	Mounting Height	# of Items	Monthly*	Total Cost
Wood Pole	25', 30', 35'	@	\$2.63	= -
16' Black Fiberglass Pole	16'	@	\$6.26	= -
Gray Fiberglass Pole / Metal** Pole	25', 30', 35'	@	\$6.26	= -
Decorative Square Metal Pole	30'	12 @	\$13.43	= 161.16

Non Standard Pole(s)	Mounting Height	# of Items	Monthly*	Total Cost
Black Fiberglass Poles (MFC)	25'	@	\$6.55	= -
Black Fiberglass Poles (MFC)	30'	@	\$7.37	= -
Black Fiberglass Poles (MFC)	35'	@	\$7.97	= -
Black Decorative Round 35' Steel Pole (MFC)	35'	@	\$27.14	= -
Style "A" Alum Direct Embed Poles (MFC)	12'	@	\$11.61	= -
Style "A" Alum Direct Embed Poles (MFC)	15'	@	\$11.85	= -
Style "A" Alum Direct Embed Poles (MFC)	17'	@	\$12.82	= -
Style "A" Alum Anchor Base Poles (MFC)	12' and 17'	@	\$18.03	= -
Tenon Adapter (MFC)		@	\$1.82	= -

(Use when Site Lighter(s) are mounted on Round Black Fiberglass and Round Black Tapered Steel Poles. One adapter is used for each pole.

Monthly Underground Service Charge	# of Items	Monthly*	Total Cost
Per Pole NC	12 @	\$3.66	= 43.92

One-Time Underground Service Charge	# of Items	One-time Charge	Total Cost
Per Pole NC	@	\$600.00	= -

One-Time LED Conversion Charges (Lights Less than 20 years old)	# of Items	One-time Charge	Total Cost
Fixtures	@	\$50.00	= -
Poles	@	\$500.00	= -

Total Proposed "Monthly" Charges Before Taxes	Subtotal	439.73
	7% Tax	30.78
	Total	\$ 470.51

Total Proposed One-Time Charges	Subtotal	-
	7% Tax	-
	Total	\$ -

Comments: This price is to be used as an estimate only.

North Carolina

10/1/2023	Maximo CU	Item #	Description	1% Monthly Additional Facility Charge	Up Front Contribution Cost (CIAC) DOES NOT include tax
LSH-GLARE-RW-LED-MICRO-HOUSE-VISOR-BLK-__-P	1612829	Light Shield Glare Roadway LED Micro House Side Visor Black	\$1.23	\$123.00	
LSH-GLARE-RW-LED-MICRO-STREET-VISOR-BLK-__-P	1612830	Light Shield Glare Roadway LED Micro Street Side Visor Black	\$1.23	\$123.00	
LSH-GLARE-RW-LED-SMALL-VISOR-BLK-__-P	1612831	Light Shield Glare Small Roadway LED House or Street Side Visor Black	\$1.34	\$134.00	
LSH-GLARE-RW-LED-LARGE-VISOR-BLK-__-P	1612832	Light Shield Glare Large Roadway LED House or Street Side Visor Black	\$1.41	\$141.00	
LSH-GLARE-TRAD-LED-WHITE-HOUSE-__-P	1602300	White House Side Shield, Traditional (Acuity & Cooper)	\$1.05	\$105.13	
LSH-GLARE-MTCH-LED-180-__-P	1524189	180 degree House Side Shield, Mitchell	\$1.37	\$136.72	
LSH-GLARE-TD-CLER-LED-__-P	1602303	House Side Shield, Large Teardrop	\$1.51	\$150.76	
LSH-GLARE-MONT-LED-180-__-P	1602304	House Side Shield, Monticello	\$1.27	\$127.36	
LSH-GLARE-MTCHO-LED-HOUSE-__-P	1602305	Louvered House Side Shield, Open Mitchell and Open Monticello	\$1.14	\$114.49	
LSH-GLARE-SBX-LED-205-__-P	1525356	Light Shield glare Shoebox LED 205W (4 panel)	\$1.90	\$189.84	
LSH-GLARE-SBX-LED-420-__-P	1525356	Light Shield glare Shoebox LED 420W (8 panel)	\$2.68	\$268.03	
LSH-GLARE-SBX-LED-530-__-P	1525356	Light Shield glare Shoebox LED 530W (10 panel)	\$3.07	\$307.13	
LSH-GLARE-COOP-LED-DROP-__-P	1621662	Shield for Cooper Post Tops (Trad, Open Trad, Ped SBX)	\$1.06	\$106.00	
LSH-GLARE-MB-LED-180-__-P	1621665	House Side Shield, Mini Bell 180 degree	\$1.27	\$127.00	

NOTE: Does not include tax

Duke Energy Progress LED - Amber Turtle Fixtures - NC-ALS Leaf No. 570 Estimate



LIGHTING SOLUTIONS

Proposal Date: _____
 Prepared by: _____
 Job Title: _____
 Phone: _____

Business Partner _____
 Street Address _____
 City, State, Zip _____
 Customer Phone: _____
 Contract Account _____
 Installation # _____
 Drawing # / Design Description _____
 Service Location of Light(s) _____

Corp. ID#: _____
 Mail Code: _____
 Construction Schedule Date: _____
 WO#: _____

Pricing Changes Effective 10-1-2023

LED Amber Turtle Fixtures	Watts	# of Items	Monthly *	Total Cost
LED 70/75 Roadway	70	@	\$12.51	= -
LED 105/110 Roadway	110	@	\$15.63	= -

Standard Pole(s)	Mounting Height	# of Items	Monthly *	Total Cost
Wood Pole	25', 30', 35'	@	\$2.63	= -
Gray Fiberglass Pole / Metal** Pole	25', 30', 35'	@	\$6.26	= -

Monthly Underground Service Charge	# of Items	Monthly *	Total Cost
Per Pole NC	@	\$3.66	= -

One-Time Underground Service Charge	# of Items	One-time Charge	Total Cost
Per Pole NC	@	\$600.00	= -

Total Proposed "Monthly" Charges Before Taxes	Subtotal	-
	7% Tax	-
	Total	\$ -

Total Proposed One-Time Charges	Subtotal	-
	7% Tax	-
	Total	\$ -

Comments: *This price is to be used as an estimate only.*



Keyonna Smith

Subject: FW: Message from JONES CNOSEN (9193871174)
Attachments: 24010-Professional-Park-Apts-Erwin-SP07.pdf

From: Peter Cnossen <peter@jonescnossen.com>
Sent: Wednesday, June 19, 2024 8:55 AM
To: Ken Thompson <kent@jdavisarchitects.com>; Sawako Bush <sawakob@jdavisarchitects.com>
Cc: Gregorio Jurado <rabbitconstructioninc@gmail.com>; Brian Edlin <bedlin@jordanprice.com>; Mollie L. Cozart <MCozart@jordanprice.com>
Subject: FW: Message from JONES CNOSEN (9193871174)

All,

Forwarding you all my email correspondence with Harnett Regional Water regarding sewer and water capacity. The emails date back to April, 2023 but today's email from Kenny Keel is the most important as he mentions that there is currently sufficient sewer and water capacity for this project. The attached pdf is the exhibit that I sent to Kenny for review of sewer capacity; however, using the new 75 gpd/bedroom sewer flow, the total sewer flow for the project would be 19,800 gpd (264 bedrooms x 75 gpd/bedroom). Fire flow for the apartment buildings will need to be checked and note the requirement to loop the existing water mains in Pope Street and Professional Drive. It doesn't need to be done now, but it may be best to have fire flow testing done on the existing water main to review sprinkling of the buildings. If there are any questions, please let me know. Thanks.

Peter D. Cnossen, PE
Jones & Cnossen Engineering, PLLC
PO Box 1062
Apex, North Carolina 27502
919-387-1174

From: Kenneth Keel <kkeel@harnett.org>
Sent: Wednesday, June 19, 2024 8:28 AM
To: Peter Cnossen <peter@jonescnossen.com>; Jay Meyers <jmeyers@harnett.org>
Subject: RE: Message from JONES CNOSEN (9193871174)

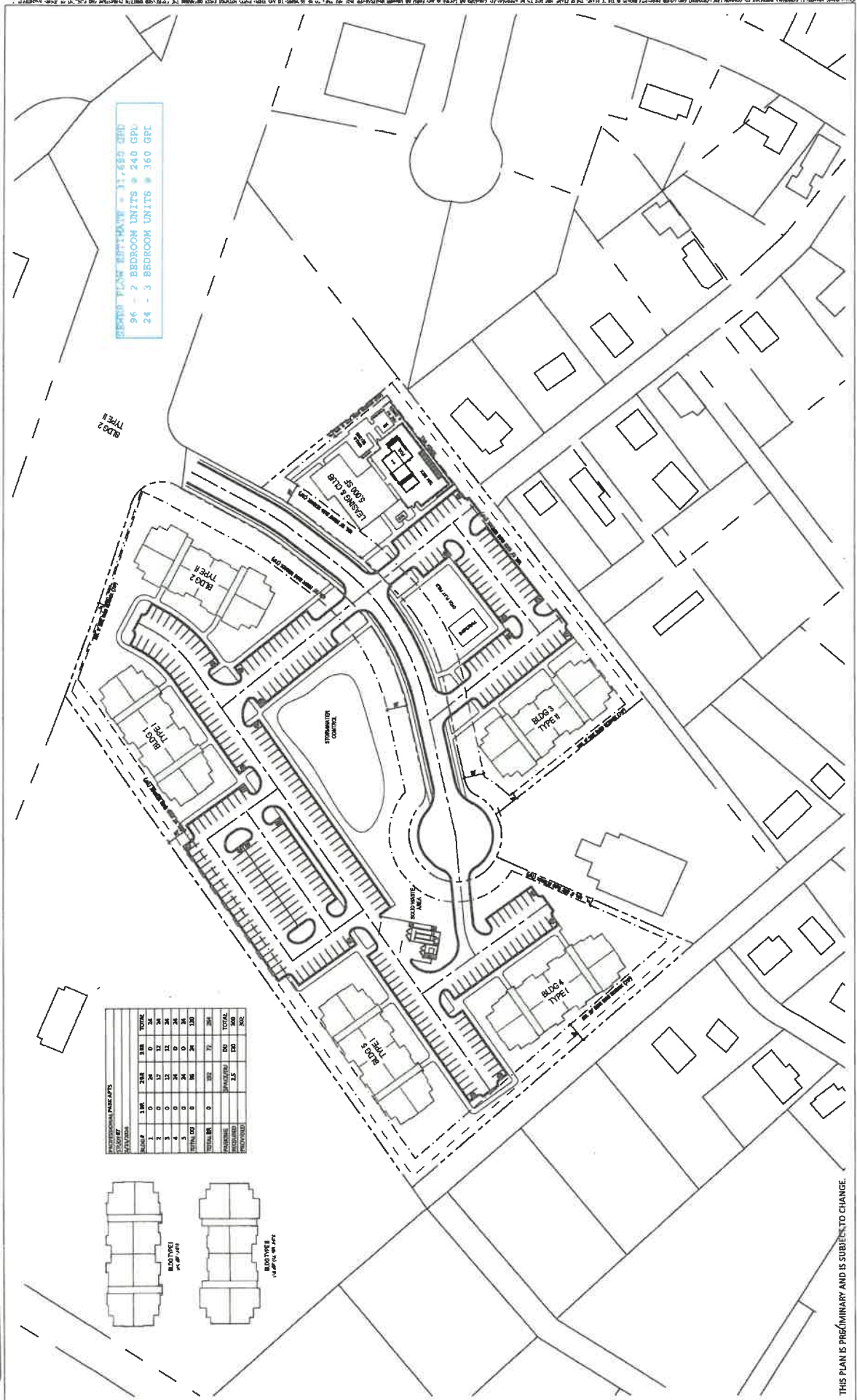
Peter,
Sewer flow calculations are now 75 gpd per bedroom.

It appears that there is sufficient water and sewer capacity for the project at this time. I'm not sure what the fire flow requirements would be for an apartment complex in Erwin, but our internal model indicates approximately 1,000 gpm available on Professional Drive. However, a fire flow test and hydraulic analysis would be required to confirm.

HRW will require this project to extend the 6" water main on Pope Street to Professional Drive in order to loop the system in the area for better water flow and reliability, due to the number of new residents to be served. It appears to be less than 300 feet separating the water lines along current public right-of-ways.

Kenny P. Keel, PE
Utility Civil Engineer
Harnett Regional Water
910-814-6477 office

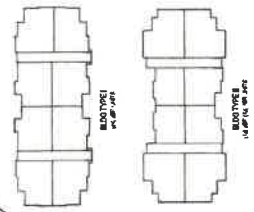
EXHIBIT
D5-2
Shimberg No. 5719



RESIDENT FLOOR EQUIPMENT = 31,750 GFI
96 - 2 BEDROOM UNITS @ 240 GFI
24 - 3 BEDROOM UNITS @ 360 GFI

PROFESSIONAL PARK APARTMENTS
PLAN # 07

UNIT #	TYPE	SQ. FT.	NO. OF UNITS	TOTAL SQ. FT.
1	2 BR	240	96	23,040
2	3 BR	360	24	8,640
3	2 BR	240	96	23,040
4	2 BR	240	96	23,040
5	2 BR	240	96	23,040
TOTAL			308	97,800
TOTAL BR			72	23,040
TOTAL 3 BR			24	8,640
TOTAL 2 BR			48	11,760
TOTAL			144	43,440
REQUIREMENT			144	43,440
PROVIDED			144	43,440



Date: May 31, 2024
SCALE: 1" = 20'
0' 20' 40' 80' 100'

PROFESSIONAL PARK APARTMENTS - OPTION 7
Erwin, North Carolina

THIS PLAN IS PRELIMINARY AND IS SUBJECT TO CHANGE.

J DAVIS

3.3: Encourage subdivisions with larger lots and/or higher amounts of open space to be located in the Suburban Residential areas on the Future Land Use Map.

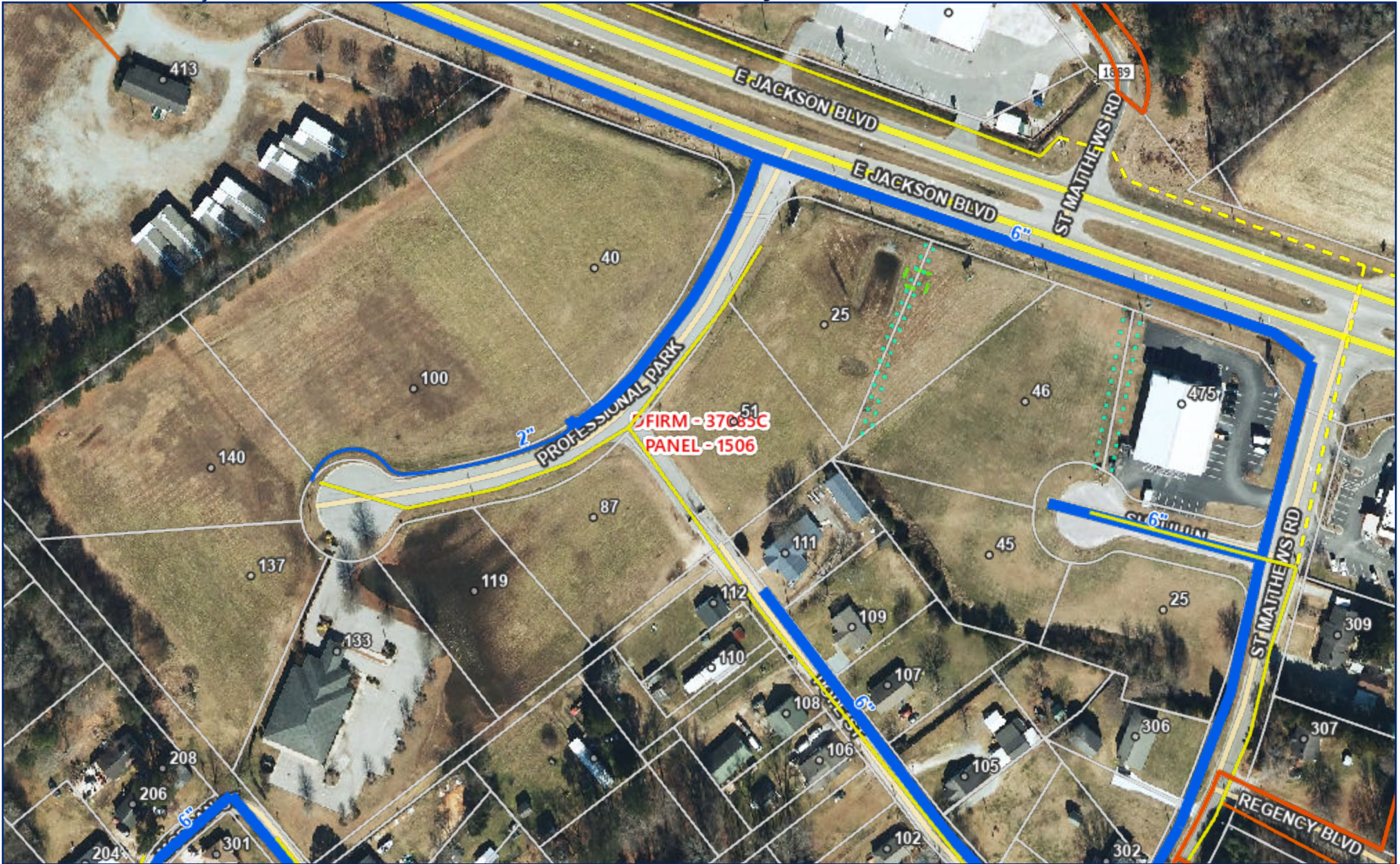


LUH 4: Allow for a variety of residential land uses.

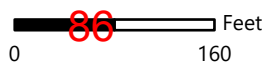
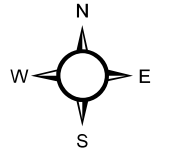
- 4.1:** Encourage a mix of higher-density housing types to locate in Commercial/Mixed Use areas or near US 421.
- 4.2:** Allow a variety of small-scale attached housing types (accessory dwellings, duplexes, quads, townhomes) on well-located sites in the mill village.
 - ◆ Consider allowing townhomes in more areas (Currently allowed only as a Special Use in R-10, R-6, RMV, and DMV districts).
 - ◆ Consider allowing duplexes, triplexes or quadplexes in more areas (currently allowed as a Special Use in R-6 only).
 - ◆ Consider allowing accessory dwelling units that meet design criteria (minimum setbacks, etc.).
- 4.3:** Allow a certain percentage of attached homes as part of new planned developments (i.e. 30% max).
 - ◆ Encourage alley-loaded attached units with front porches and on-street parking to improve pedestrian safety.
 - ◆ Consider reduced setbacks and lot width requirements for rear loaded housing types.

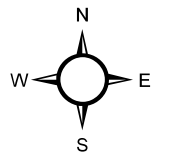
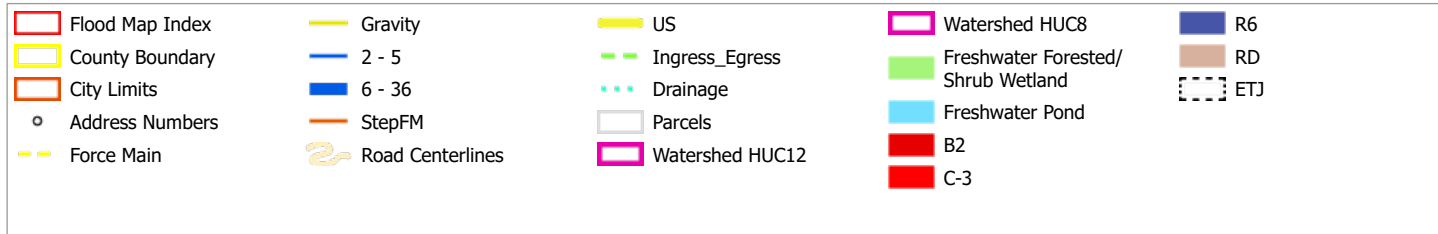
LUH 5: Protect rural views on the edges of town.

5.1: Discourage large stretches of “Fanny First” development (visible backs of homes) along major roads by encouraging tree preservation, planting buffers and location of open space along blocks.



Flood Map Index	Gravity	US	Watershed HUC8
County Boundary	2 - 5	Ingress_Egress	Watershed HUC12
City Limits	6 - 36	Drainage	
Address Numbers	StepFM	Parcels	
Force Main	Road Centerlines		





BOARD OF ADJUSTMENTS
MEETING MINUTES
MONDAY, JUNE 17, 2024
ERWIN, NORTH CAROLINA

The Town of Erwin Board of Adjustments held its regular meeting in the Erwin Municipal Building Board Room 110 West F Street, Erwin NC on Monday, June 17th, at 7:10 PM.

Board members present were Chairperson Joshua Schmeiding, In-Town Board Members Grace Watts, Jim Hartman, Kathryn Moore, and Rebecca Kelly, and Out-of-Town Board Members Nicholas Skatell and Howard Godwin.

Board members absent were: Vice-Chairperson Ronald Beasley, and In-Town Alternate Vanessa Lech.

Town Manager Snow Bowden, Deputy Town Clerk Katelan Blount, and Town Planner Dylan Eure were present.

Chairperson Joshua Schmeiding called the meeting to order at 7:10 PM.

CONSENT ITEMS

Board Member Nick Skatell made a motion to approve the minutes of Monday, May 20, 2024, and was seconded by Kathryn Moore. **The Board voted unanimously.**

PUBLIC HEARING

Board Member Kathryn Moore motioned to open the Public Hearing, which was seconded by Nick Skatell. **The Board voted unanimously.**

BOA-2024-002

Town Planner Dylan Eure informed the Board that the Town of Erwin received a request from Family Building Company II LLC for a variance in the amount of 2,523 sqft for the size of the parcel at 25.10 ft for the width/frontage of the parcel for the purpose of building a single family home on 3rd Street. The parcel is .174 of an acre and was created by a subdivision that took place in 1930, prior to Erwin's incorporation as a Town. The parcel has a total of 7,477 sqft and a frontage/width of 49.90 ft. The requirement for R-10 zoning classification is 10,000 sqft and a width/frontage of 75 ft. Due to the fact that this lot does not meet dimensional standards and is a true hardship, it is the staff's recommendation that the variance be approved. Harnett Regional Water would be the provider for water and sewer, Duke would be the electric provider, and Brightspeed would be the provider for telephone services.

Chairperson Joshua Schmeiding asked if anyone would like to come forward and speak for the request.

Matthew Solacky of Family Building Company II LLC came forward and was sworn in by Deputy Town Clerk Katelan Blount.

Mr. Solacky stated that the map was created in 1924, and the lots were 25ft wide at the time. Most people purchased 2 lots. He demonstrated on the map that the zoning line was 3rd Street, so about 2/3 of the neighborhood was zoned R-6, and 1/3 was zoned R-10. There are many single family homes in the neighborhood.

Chairperson Joshua Schmeiding asked if anyone else would like to come forward and speak for the request.

No one came forward.

Chairperson Joshua Schmeiding asked if anyone would like to come forward and speak against the request.

No one came forward.

A resident, Frankie Tyndall, asked questions for Mr. Solacky and Town Planner, Dylan Eure. He questioned why the Town required him to combine lots for him to place a metal shed on his property, but this single family home would be around the same size but would be allowable with a variance.

Town Planner Dylan Eure explained that the reason Mr. Tyndall's lots had to be recombined is because the accessory structure was straddling the property line of both of his parcels, which is unallowable. A variance request would not be appropriate in that case.

Mr. Tyndall questioned whether there would be a requirement for a privacy fence or trees between the lots. He stated that he was told that the lot as stands was unbuildable as 50 x 150.

Board Member Jim Hartman asked whether this was two parcels being combined to build one single family home.

Board Member Kathryn Moore clarified with Town Planner Dylan Eure that this was one lot, with one single family home, and questioned why Mr. Tyndall had to combine his lots to build his structure.

Town Planner Dylan Eure stated that Kathryn Moore was correct, and that the reason Mr. Tyndall had to combine the lots was because the location where he wanted to place the building would be straddling the two lots he owned, which is not allowable.

Mr. Tyndall asked Matthew Solacky if he would have to remove the trees or place fences on the lot line.

Town Planner Dylan Eure explained that the Town cannot require any privacy fencing, as that would fall under the design of a single family dwelling, which is forbidden within North Carolina General Statutes.

Board Member Nick Skatell made a motion to close public hearing, which was seconded by Jim Hartman. **The Board voted unanimously.**

Board Member Nick Skatell made a motion in the affirmative that there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district. The reasoning was that the property was created prior to Erwin being incorporated, and therefore it did not have to conform to any dimensional requirements at the time it was created.

This motion was seconded by Howard Godwin and the Board voted unanimously in the affirmative.

Board Member Kathryn Moore made a motion in the affirmative that granting the variance requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located. The reasoning was that the variance is solely for dimensional requirements that are unable to be met due to the way in which the parcel was originally drawn and would be applied to all other parcels of the same nature.

This motion was seconded by Jim Hartman and the Board voted unanimously in the affirmative.

Board Member Jim Hartman made a motion in the affirmative that a literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located. The reasoning was that by enforcing the dimensional requirements, the property would be unable to be developed.

The motion was seconded by Nick Skatell and the Board voted unanimously in the affirmative.

Board Member Nick Skatell made a motion that the requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare. The reasoning was that section 36-419 states that properties that are unable to meet dimensional requirements must be approved by the Board of Adjustments and there would be no reason as to why this development would cause injury to the surrounding neighborhood. This motion was seconded by Kathryn Moore, and the Board voted unanimously in the affirmative.

Board Member Howard Godwin made a motion in the affirmative that the special circumstances are not the result of the actions of the applicant. The reasoning was that the property was created prior to Erwin's zoning ordinance in 1930; therefore, it did not have to be created based on Erwin's dimensional standards. The motion was seconded by Jim Hartman, and the Board voted unanimously in the affirmative.

Board Member Rebecca Kelly made a motion in the affirmative that the variance requested is the minimum variance that will make possible the legal use of the land, buildings, or structures. The reasoning was that the applicant's request is the minimum that would make it able to be permitted. The motion was seconded by Kathryn Moore, and the Board voted unanimously in the affirmative.

Board Member Nick Skatell made a motion to approve BOA 2024-002, which was seconded by Howard Godwin. **The Board voted unanimously.**

ADJOURNMENT

Board Member Rebecca Kelly made a motion to adjourn the meeting at 7:34 PM and was seconded by Kathryn Moore. **Motion unanimously approved.**

Minutes recorded and typed by

Katelan Blount, Deputy Clerk

Joshua Schmeiding

Chairperson

Katelan Blount

Deputy Clerk



TOWN OF ERWIN

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

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

9/16/2024

BOA-2024-004 **Memorandum**

Variance Description

Angel Mencia of Benson North Carolina has submitted a variance request in the amount of 68 ft. for the frontage of his property located by its Harnett County Tax Pin: 1507-89-3131 for the purpose of building a single-family home located off Ashe Ave. His current frontage located in Erwin's jurisdiction is 32 ft. which fails to meet Erwin's RD district's frontage requirement of 100 ft.

Property Description

The parcel is 41.65 acres and is under split jurisdiction between the Town of Erwin and Harnett County with 51.92% being in Harnett County's jurisdiction and 48.08% being in Erwin's ETJ. The frontage that is within Erwin's jurisdiction is 32ft abutting Ashe Ave. The requirement for RD zoning classification is a frontage of 100ft abutting a town or state-maintained road. There are currently no builds on the proposed site, but the petitioner plans to build within Erwin's planning jurisdiction. Within the parcel, there is an electrical easement that is 180 ft. wide that runs through the entirety of the parcel, as well as flood plains to the northeast of the parcel and Wetlands on the northwestern tip of the parcel.

The variance in the amount of 68 ft. is recommended to be approved by town staff for the parcel identified by its Tax Pin: 1507-89-3131

Regards,

Dylan Eure
Town Planner



BOA-2024-004

Variance Application (February 2011)

Name of Applicant	Angel Mencia	Property Owner	Angel Mencia
Mailing Address	36 sunnyfield ct	Mailing Address	
City, State, Zip	Benson NC 27504	City, State, Zip	
Telephone	9109851580	Telephone	
Email	loci@mencia@titansplumbing.com	Email	Bryan.canales@titansplumbing.com
Address of Subject Property			
Parcel Identification Number(s) (PIN) of Subject Property		1507-89-3131.000	

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

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

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.
- b. Granting the variance the requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located.
- c. A literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residence of the district in which the property is located.
- d. The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- e. The special circumstances are not the result of the actions of the applicant.
- f. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

Owner/Applicant Must Read and Sign

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

Angel M. Mencia
Print Name

[Handwritten Signature]
Signature of Owner or Representative

08/13/2024
Date



Variance Application Information

**Part 9
Chapter 4
Article 10**

Board of Adjustments

§ 9-4101.2 Powers and duties.

The Board of Adjustment shall have the following powers and duties:

To authorize upon appeal in specific cases variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in undue hardship, so that the spirit of this ordinance shall be observed and substantial justice done.

A charge shall be made to the appellant according to town policy in order to cover administrative and advertising costs (Subsection (d)).

A public hearing shall be held at which all of the following conditions must be found to exist:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.
- b. Granting the variance the requested will not confer upon the applicant any special privileges denied to other residents of the district in which the property is located.
- c. A literal interpretation of the provisions of this ordinance will deprive the applicant of rights commonly enjoyed by other residence of the district in which the property is located.
- d. The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.
- e. The special circumstances are not the result of the actions of the applicant.
- f. The variance requested is the minimum variance that will make possible the legal use of the land, building, or structure.

In considering all proposed variances from this ordinance the Board shall, before making any finding in a specified case, first determine that the proposed variance will not constitute any change in the zone shown on the zoning map and will not impair an adequate supply of light and

air to adjacent property, or materially increase the public danger of fire and safety, or materially diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, morals, and general welfare.

No permitted use of land in other districts shall be considered grounds for the issuance of a variance. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any expressly or by implication prohibited by the terms of this ordinance in said district.

In granting a variance the Board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in furtherance of the purposes of this ordinance. Violation of such conditions and safeguards when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance.



Harnett County GIS

PID: 021507 0045

PIN: 1507-89-3131.000

Account Number: 1500055747

Owner: MERAZ ANGEL M MENCIA & MENCIA ROCIO ANGELICA

Mailing Address: 36 SUNNYFIELD CT BENSON, NC 27504-6390

Physical Address: ASHE AVE DUNN, NC 28334 ac

Description: 41.60ACS BUD LEE PC#F-734A&C

Surveyed/Deeded Acreage: 41.6

Calculated Acreage: 41.65

Deed Date: 1689310800000

Deed Book/Page: 4189 - 2721

Plat(Survey) Book/Page: -

Last Sale: 2023 - 7

Sale Price: \$2500

Qualified Code: C

Vacant or Improved: V

Transfer of Split: S

Actual Year Built:

Heated Area : SqFt

Building Count : 0

Building Value: \$0

Parcel Outbuilding Value: \$0

Parcel Land Value: 128010

Market Value: \$128010

Deferred Value: \$0

Total Assessed Value: \$128010

Zoning: RA-30 - 21.63 acres (51.92%), Rural District - 20.02 acres (48.08%)

Zoning Jurisdiction: Erwin, Harnett County

Wetlands: Yes

FEMA Flood: 100 Year Flood Plain, Minimal Flood Risk

Within 1mi of Agriculture District: Yes

Elementary School: Dunn Elementary, Erwin Elementary

Middle School: Coats-Erwin Middle, Dunn Middle

High School: Triton High

Fire Department: Erwin

EMS Department: Medic 5, D5 EMS

Law Enforcement: Harnett County Sheriff

Voter Precinct: Coats/Grove, West Averagesboro

County Commissioner : W Brooks Matthews

School Board Member: Bradley Abate



BOA-2024-004

To Whom It May Concern,

I, Angel Mencia, am formally requesting a frontage variance of 68 feet to construct a single-family residence on the property located on Ashe Avenue, identified by PIN ID 1507-89-3131.000. This request is submitted to the Town of Erwin for consideration.

Thank you for your attention to this matter.

Sincerely,
Angel Mencia



TOWN OF ERWIN

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

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

8/29/2024

Notice of a Public Hearing BOA-2024-004

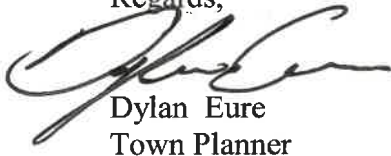
The Board of Adjustments of the Town of Erwin will hold a public hearing pursuant to NC General Statute 160D-406 on September 16th, 2024 at 7:00 P.M. at the Erwin Town Hall, 100 West F Street, Erwin, North Carolina to hear public comment on a proposed dimensional variance of 68 ft. for the frontage of the parcel for the purpose of building a single family home.

The requested variance is the following parcel:

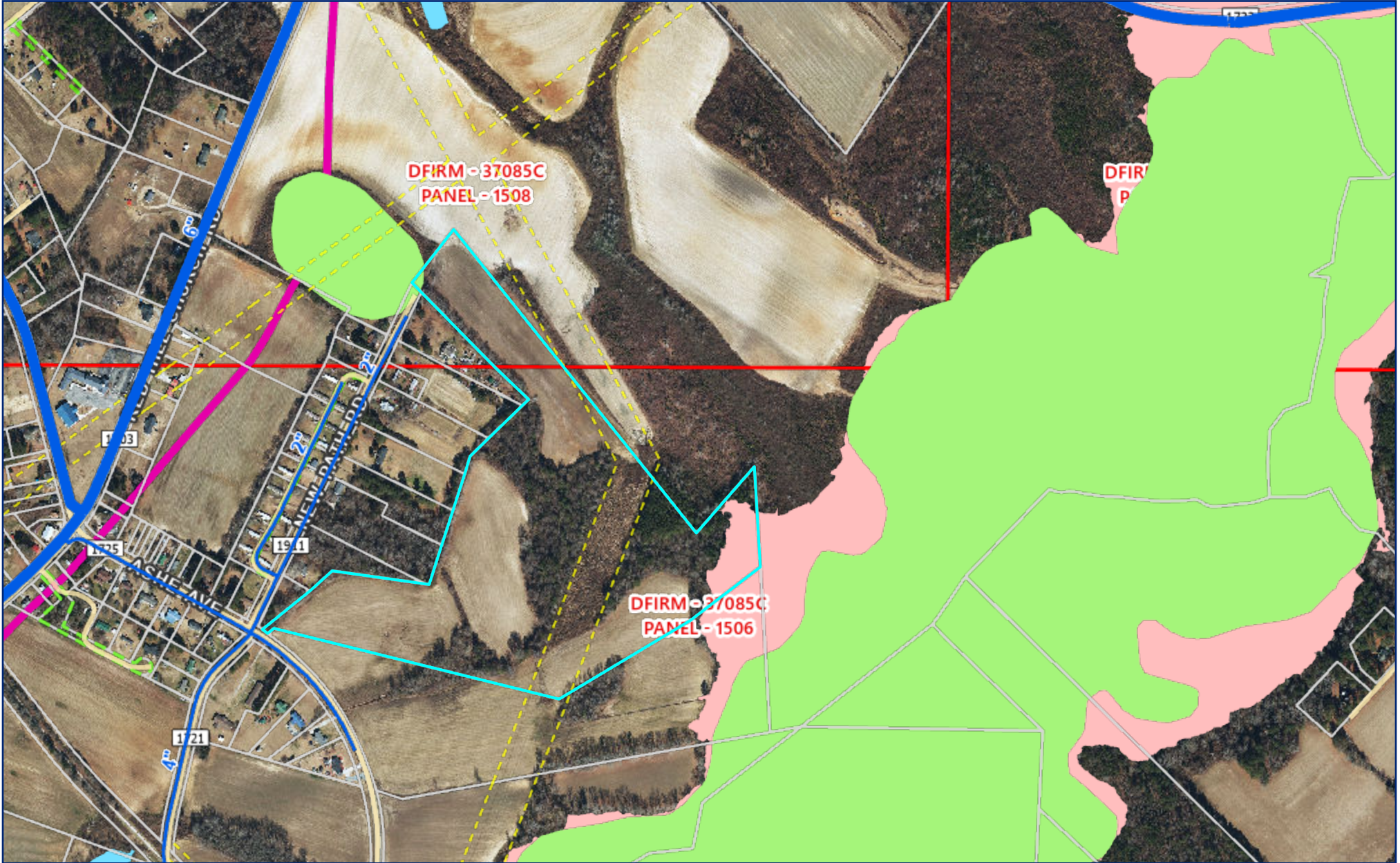
- HC Tax Pin: 1507-89-3131 Dunn, NC 28334

A copy of this case is available for review at the Erwin Town Hall. Questions concerning this case can be addressed to the Town Planner Dylan Eure at 910-591-4201 or by email at deure@erwin-nc.org

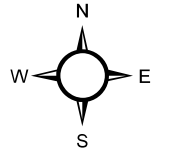
Regards,

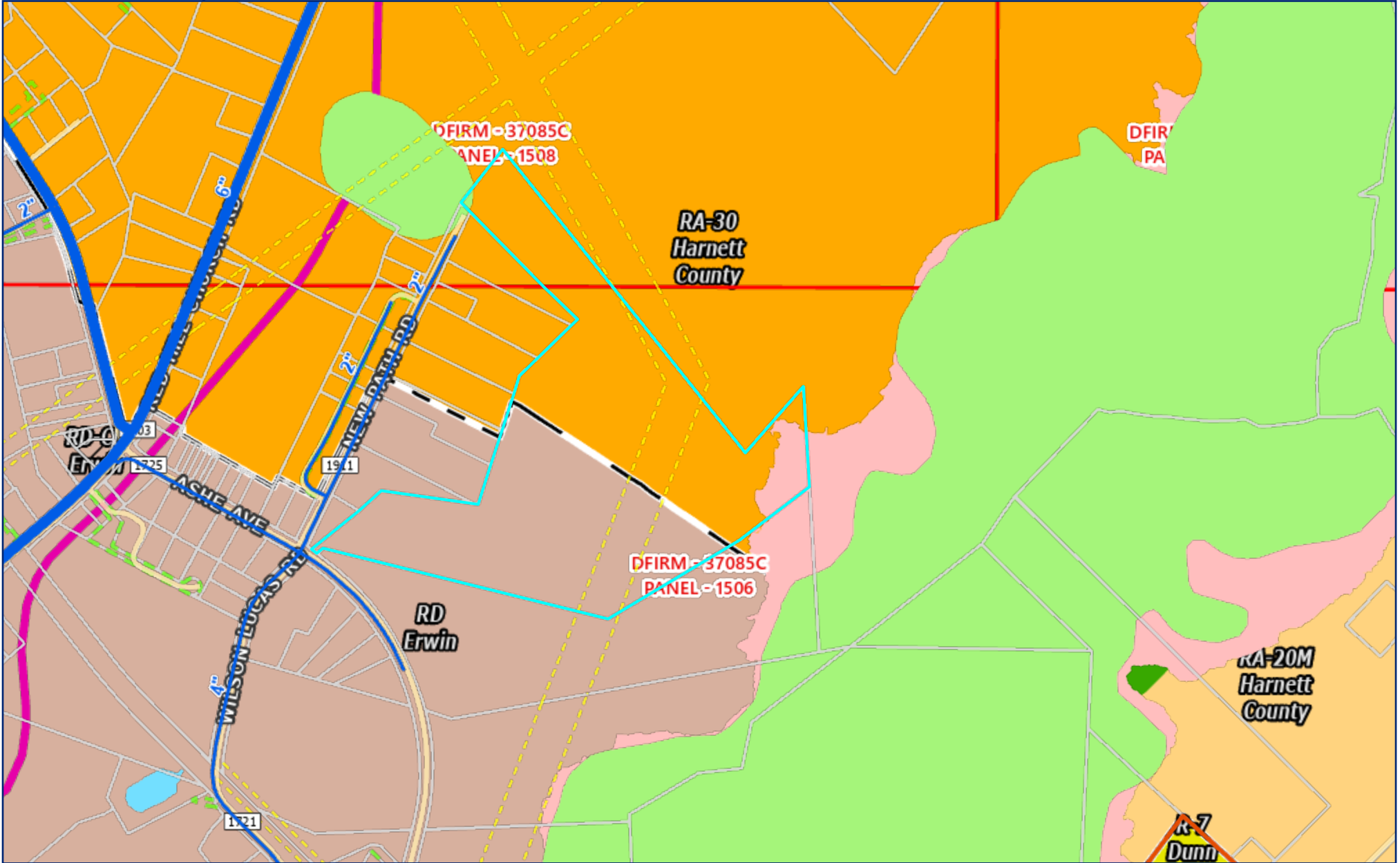


Dylan Eure
Town Planner



Flood Map Index	6 - 36	Parcels	Watershed HUC12
100 Year Flood Plain	Road Centerlines	Ponds	Watershed HUC8
County Boundary	Ingress_Egress	Freshwater Forested/ Shrub Wetland	
2 - 5	Electric	Freshwater Pond	





Flood Map Index	6 - 36	Ponds	Watershed HUC8	RD
100 Year Flood Plain	Road Centerlines	Freshwater Forested/ Shrub Wetland	CONS	RD-CD
County Boundary	Ingress_Egress	Freshwater Pond	R-7	ETJ
City Limits	Electric	Watershed HUC12	RA-20M	
2 - 5	Parcels		RA-30	

