

**PLANNING BOARD - APRIL 15, 2025
COUNCIL CHAMBERS - 6:00 PM**

**Joe Terranova
Greg Caulder
Angela Jones
Jeffery McLean
Mitchell Prevatte**

**Walter Smith
Lisa Douglas
Lee-Pam Odom
Randy Hammonds
Ray Britt**

AGENDA

I. Call to Order

II. Minutes Approval

- A. Planning Board - Regular Meeting - March 18, 2025

III. Agenda Items

- A. Ryan Locklear Special Use Permit 328 E. 24th. St. - P3 - ArTriel Kirchner, Planning & Neighborhood Services
- B. Habbeb Najjar Special Use Permit 2105 W.5th St.-P7 - ArTriel Kirchner, Planning & Neighborhood Services
- C. Dannie Stewart SUP 328 Hood Rd.-ETJ - ArTriel Kirchner, Planning & Neighborhood Services
- D. Justin Patterson Rezoning 35 State St.-P7 - ArTriel Kirchner, Planning & Neighborhood Services

IV. Adjournment

MEMBERS - IF YOU ARE UNABLE TO ATTEND THE MEETING PLEASE CALL THE PLANNING DEPARTMENT AT 671-3838 BY 4 P.M.

Lumberton Planning Board

Item: II.A.

Lumberton, North Carolina



Request for Action

Meeting Date: April 15, 2025

Originated By:

Submission Date: 04/09/2025

Subject: Planning Board - Regular Meeting - March 18, 2025

Summary/Background of Subject Matter:

A copy of the minutes from the March 18, 2025 meeting for review.

Staff Recommendation:

Staff recommends the Planning Board review and approve the minutes.

City Manager's Comments:

Signature:

Department:

ATTACHMENTS:

1. March 18, 2025



CITY OF LUMBERTON

PLANNING BOARD

MINUTES • MARCH 18, 2025

Council Chambers

Joe Terranova
Greg Caulder
Angela Jones
Jeffery McLean
Mitchell Prevatte

Walter Smith
Lisa Douglas
Lee-Pam Odom
Randy Hammonds
Ray Britt

6:00 PM

I. Call to Order

II. Minutes Approval

- A. Planning Board - Regular Meeting - DATE

III. Agenda Items

- A. D. Locklear Bailey Rd - Special Use Permit - P1 WITHDRAWN - ArTriel Kirchner, Planning & Neighborhood Services

Mr. Locklear submitted a request to withdraw his special use permit application.

- B. **Mark Tippet rezoning Dunn Rd.- ETJ**
- ArTriel Kirchner, Planning & Neighborhood Services

Planning Director, Dr. ArTriel Kirchner gave a brief overview of the request.

The applicant, Mr. Mark Tippet gave a presentation of the rezoning request.

After questions and discussion from the board, Chairman Terranova called for a motion.

Mr. Caulder made a motion to recommend approval for the rezoning based on no public opposition. It would be consistent with the land use plan, and be harmonious with the surrounding area.

The motion was seconded by Mr. McLean, the motion carried unanimously.

- C. **Mark Tippet SUP Dunn Rd.- ETJ** - ArTriel Kirchner, Planning & Neighborhood Services

Planning Director, Dr. ArTriel Kirchner gave a brief overview of the request.

The applicant, Mr. Mark Tippet gave a presentation of the rezoning request.

After questions and discussion from the board, Chairman Terranova called for a motion.

Mr. Caulder made a motion to recommend approval for the special use permit based

on the information provided it would be in harmony with the surrounding area, would not endanger public health and safety and would not devalue surrounding properties with the conditions that screening be installed in accordance with city code along borders to adjacent residential areas; the screening would be Italian Cyprus trees or equivalent allowed by city ordinance; and that a routine monthly maintenance plan for the facility be implemented and followed.

The motion was seconded by Ms. Douglas, the motion carried unanimously.

D. QBA Management La Quinta Rezoning-P1 - ArTriel Kirchner, Planning & Neighborhood Services

Planning Director, Dr. ArTriel Kirchner gave a brief overview of the request.

The applicant, Mr. Ron Jackson gave a presentation of the rezoning request.

After questions and discussion from the board, Chairman Terranova called for a motion.

Mr. Caulder made a motion to recommend approval for the rezoning from B-4 to B-5 to convert the application to a conditional rezoning to exclude use 6.140 Adult establishments. The owner agreed to do a conditional rezoning.

The motion was seconded by Ms. Douglas, the motion carried unanimously.

E. Faith Community Christian Center – 1220 Alamac Road ETJ - ArTriel Kirchner, Planning & Neighborhood Services

Planning Director, Dr. ArTriel Kirchner gave a brief overview of the request.

The applicant, Mr. Leo Barnwell gave a presentation on the special use permit request.

After questions and discussion from the board, Chairman Terranova called for a motion.

Mr. Prevatte made a motion to recommend approval of the special use permit and to revise the cemetery plot plan to include 8' rows instead of 4' to allow better access and the SUP would not materially endanger public health or safety, will not injure the value of adjoining property, would be in harmony with the surrounding area, and be in conformity with the land use plan.

The motion was seconded by Ms. Douglas, the motion carried unanimously.

IV. Adjournment

The meeting was adjourned at 7:38 pm.

Lumberton Planning Board

Item: III.A.

Lumberton, North Carolina



Request for Action

Meeting Date: April 15, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/09/2025

Subject: Ryan Locklear Special Use Permit 328 E. 24th. St. - P3

Summary/Background of Subject Matter:

Ryan Locklear is requesting a Special Use Permit to extend his operating hours for his restaurant and arcade, located at 328 E. 24th. St. (parcel #32140100801), to 2:00 am on Fridays and Saturdays. His current operating hours are Mon. - Sat. 4 pm – 11 pm and Sunday 4 pm-10 pm.

Restaurants with hours of operation, which includes the hours of 11:00 pm through 6:00 am, require a Special Use Permit.

Staff Recommendation:

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Locklear Application PB

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Legal Name: Ryan Locklear

Physical Address: 328 E 24th St.

Lumberton, NC 28358

Mailing Address: 1619 Cabinet Shop Rd

Maxton, NC 28364

Telephone: (910) 733-2132

Name of Business: Retro City Arcade LLC

EMAIL: Retrocityarcadeshop@gmail.com

Owner:

Legal Name: Brad Martin for Dass Investors

Physical Address: 600-E Farmington St.

Lumberton, NC 28358

Mailing Address: same as above

Telephone: (910) 738-1466

Business Address: same as above

Description of Property:

2. 328 E 24th St.
(Address)

01767
(Deed Book)

0078
(Page)

(Map Book)

(Page)

155'
(Frontage)

28,830 sq. ft.
(Area)

3. Tax Map Identification (parcel number): 32140100801

4. Proposed Use of Property: Amusement arcade, Bar, Restaurant

5. Zoning District Designation of Property: B4

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

I would like to extend my hours of operation until 2am on Friday and Saturday nights.

Current hours: Mon - Fri : 4pm - 11pm
Saturdays : 12pm - 11pm
Sundays : 3pm - 10pm

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Ryan Locklear 1619 Cabinet Shop rd, Maxton NC 28564
Name Physical Address

Applicant: Ryan Locklear
Signature

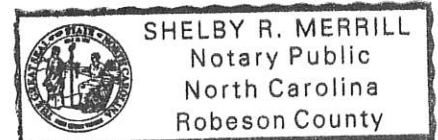
STATE OF North Carolina COUNTY OF Robeson

I, Shelby R. Merrill, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 21st day of February, 2025.

Shelby R. Merrill
Notary Public Signature

My Commission Expires: July 28, 2027



Owner: Brad Martin for Pass Investors 600 -E Farningham St. Lumberton NC 28358
Name Physical Address

Owner: Pass Investors, LLC by Brad Martin (Agent for Owner)
Signature

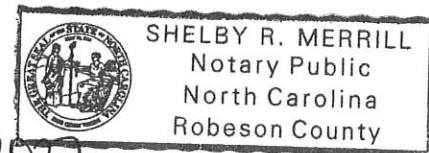
STATE OF North Carolina COUNTY OF Robeson

I, Shelby R. Merrill, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 21st day of February, 2025.

Shelby R. Merrill
Notary Public Signature

My Commission Expires: July 28, 2027



File # 7.190 2 of 2
5/28/21



City of *Lumberton*

Planning & Neighborhood Services

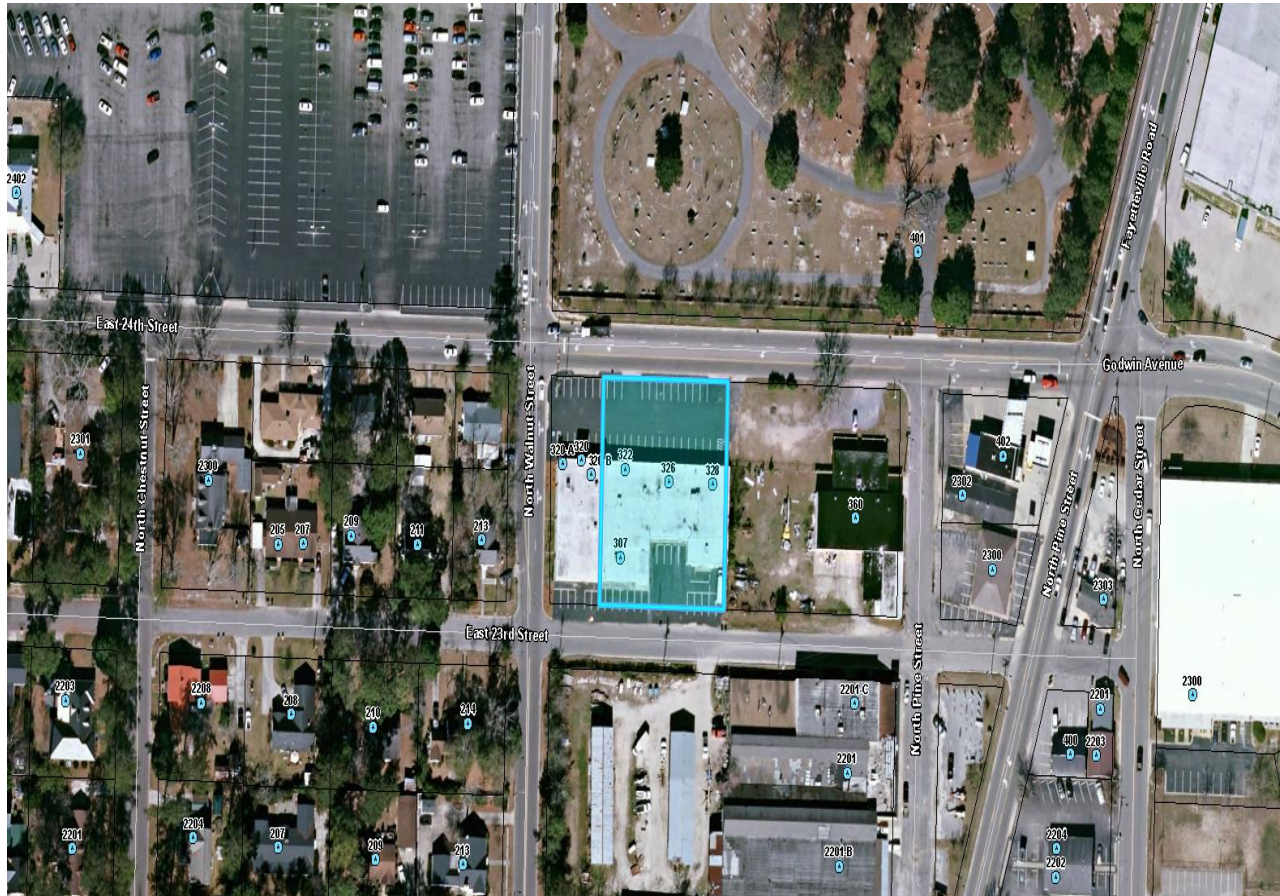
Ryan Locklear Special Use Permit 328 E. 24th. St.

PETITIONER(S):	OWNER(S):
Name of Petitioner: Ryan Locklear	Name of Owner: Dass Investors Limited
Address: 1619 Cabinet Shop Rd	Address: 328 E. 24 th St.
City/State/Zip: Maxton, NC 28364	City/State/Zip: Lumberton, NC 28358
Mailing Address: 1619 Cabinet Shop Rd. Maxton, NC 28364	Mailing Address: 712 RoanTree Dr. Brentwood, TN 37027

SUP Request: Ryan Locklear is requesting a Special Use Permit for property located at 328 E. 24th. St. Parcel #32140100801.

LOCATION:

328 E 24th St.



Zoning



PROJECT OVERVIEW

Analysis: Ryan Locklear is requesting a Special Use Permit to extend his operating hours for his restaurant and arcade, located at 328 E. 24th. St. (parcel #32140100801), to 2:00 am on Fridays and Saturdays. His current operating hours are Mon. - Sat. 4 pm – 11 pm and Sunday 4 pm-10 pm. Restaurants with hours of operation, which includes the hours of 11:00 pm through 6:00 am, require a Special Use Permit.

BACKGROUND:

City Council approved the Special Use Permit on October 9, 2023 to allow the arcade. During that time, his operating hours for the restaurant with accessory bar and arcade were Mon. - Sat., 4:00 pm to 11:00 pm and Sunday, 4:00 pm to 10:00 pm.

PLANNING & ZONING

Parcel #(s)	Zoning	Width	Area	Structure Area	
32140100801	B-4	155’	28,830 sq ft.	12,040 sq.ft. divided	

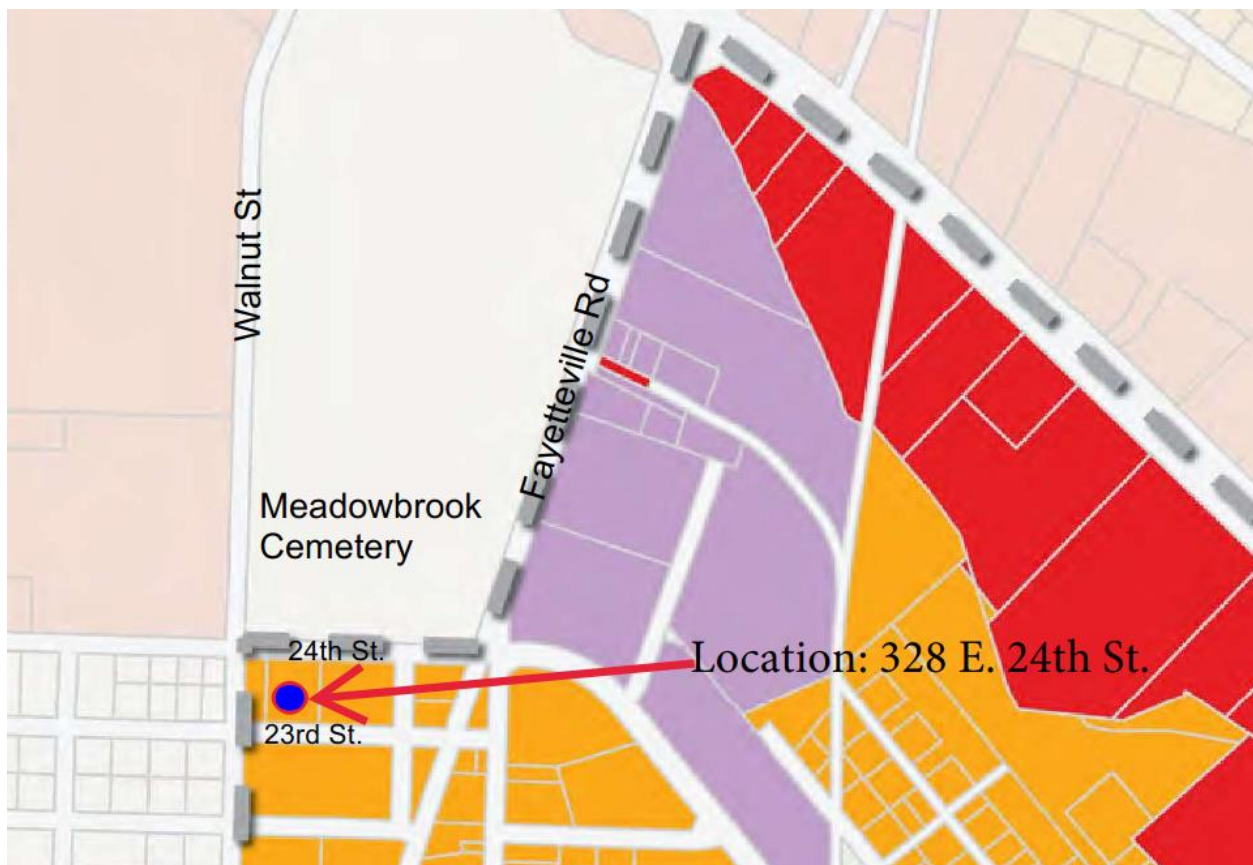
City of Lumberton

Planning & Neighborhood Services

ADJACENT PROPERTY SITE DATA

	<i>Zoning</i>	<i>Zoning Description</i>	<i>Land Use</i>
Subject Property	B-4	General Commercial	Restaurant with accessory bar and arcade
North	B-4	General Commercial	Cemetery
South	B-4	General Commercial	Retail/Storage
East	B-4	General Commercial Walnut St./R11	Retail Residential Single Family
West	B-4	General Commercial	Gas Station/Convenience Store

Land Use Plan: The parcel is currently zoned B-4 (General Commercial). The Land Use Plan designates the future use of the parcel as medium intensity and is located in precinct 3.



City of



Lumberton

Planning & Neighborhood Services

MEDIUM INTENSITY

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

Map Number: 3710939200K **Panel Effective Date:** 12/6/2019

DEVELOPMENT UPON APPROVAL

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit.

PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the April 15, 2025 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

PLANNING STAFF RECOMMENDATION TO PLANNING BOARD

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Use Description	A	R-20	R-15	R-11	PR-11	R-7	R-6	R-3	B-1	B-2	B-3	B-4	B-5	B-6	B-7	M-1	M-2	M-3
8.250 Restaurant without carry-out/delivery/drive-in; with outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am									S			S	S		S			
8.300 Carry-out and delivery service, consumption outside fully enclosed structure allowed										Z		Z	Z		Z			
8.350 Restaurant with carry-out/delivery/outdoor dining; without drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am												S	S		S			

RETURN: CITY OF LUMBERTON



NORTH CAROLINA

SPECIAL USE PERMIT

ROBESON COUNTY

APPLICANT: RYAN LOCKLEAR
 PROPERTY OWNER: DASS INVESTORS
 TAX MAP: 32140100801
 DEED REFERENCE: BK: 01767 PG 078
 PROPOSED USE: GAME CENTER
 MEETING DATE: OCTOBER 9, 2023

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Special Use Permit for the aforelisted proposed use of property at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Council finds that the application is complete, that the application complies with all of the applicable requirements of the Lumberton Land Use Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Lumberton Land Use Ordinance and the following conditions:

(1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Planning and Neighborhood Services Department of the City of Lumberton, North Carolina.

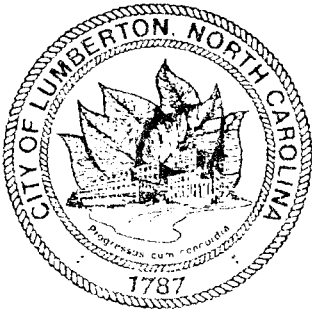
(2) In granting the Special Use Permit, the Council has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein:

PROVIDE A PARTITION WALL BETWEEN THE ALCOHOL SALES AND GAME CENTER

(3) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, this permit shall be void and of no effect.

Nothing authorized by the permit may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this permit so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, The City of Lumberton has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the above-described property, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.



CITY OF LUMBERTON

BY: Bruce W. Davis
Bruce W. Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh
Laney Mitchell-McIntosh, City Clerk

The undersigned, being all of the owners of the above described property, do hereby acknowledge: (1) receipt of this Special Use Permit, (2) that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements, and (3) that this restriction shall be binding on them and their successors in interest.

Dass Investors by Agent Brad Martin
Owner Name (print/type)

BRM (SEAL)
Owner Signature

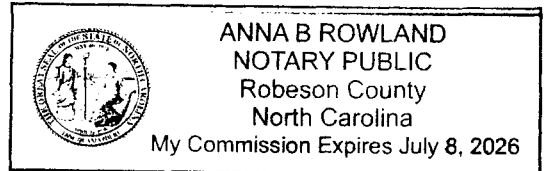
STATE OF NORTH CAROLINA
COUNTY OF Robeson

I, Anna B. Rowland, a Notary Public in and for said County and State, do hereby certify that Brad Martin personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 20th day of November, 2023.

My Commission Expires: July 20, 2023

Anna B. Rowland
Notary Public



Lumberton Planning Board

Item: III.B.

Lumberton, North Carolina



Request for Action

Meeting Date: April 15, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/09/2025

Subject: Habbeb Najjar Special Use Permit 2105 W.5th St.-P7

Summary/Background of Subject Matter:

Habbeb Najjar is requesting a Special Use Permit for an electronic gaming center for property located at 2105 W. 5th Street P7.

Staff Recommendation:

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter. Furthermore, the Planning Staff recommends denial of the request based on the fact that the operation will not meet the requirements outlined in Section 35-166.5 of the Code of the City of Lumberton.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Habbeb 2105 W 5th St PB application et al

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT

7-191

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. **Applicant:**

Owner:

Legal Name: HABBEB NIZAR NAJJAR

Legal Name: AMZ SS Properties, LLC.

Physical Address: 2105 W 5th St
Lumberton, NC 28358

Physical Address: 230 Kensington St
Lumberton NC 28358

Mailing Address: 2105 W 5th St
Lumberton, NC 28358

Mailing Address: 230 Kensington St
Lumberton NC 28358

Telephone: 818-270-5357

Telephone: 919 798 2237

Name of Business: mike gift shop

Business Address: 2105 W 5th St

EMAIL: habbeeb.syria1993@gmail.com

Description of Property:

2. <u>2105 W 5th St</u>	<u>2415</u>	<u>0476</u>
(Address)	(Deed Book)	(Page)
<u>4</u>	<u>286</u>	<u>0.36 acres</u>
(Map Book)	(Frontage)	(Area)

3. Tax Map Identification (parcel number): 3223 0200901

4. Proposed Use of Property: 6.160 Electronic gaming operation

5. Zoning District Designation of Property: B-4

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- That it will not materially endanger the public health or safety; and
- That it will not substantially injure the value of adjoining or abutting property; and
- That it will be in harmony with the area in which it is to be located; and
- That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

Trans. # 41326

File # 7.191

1 of 2

5/28/21

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

- Days/Hours operation: 8am - 10pm Monday through Saturday
- numbers of machines: 40
- licensed machines: Yes
- No Food cooked/served
- No Alcohol Allowed
- Parking lot light: yes
- SUFFICIENT PARKING: Yes
- operations meets the necessary requirements for distance away from prohibited areas.
- operation is open for access by All emergency personnel
- Permitted Age: 18+
- Full time Security onsite w/weapon (licensed) at all times.

11. Notarized Signatures:

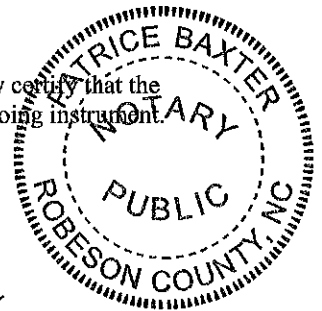
I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: HABIB NAJJAR 2105 W 5th St, Lumberton, NC
Name Physical Address 28358

Applicant: HABIB
Signature

STATE OF NC COUNTY OF Robeson

I, Patrice Baxter, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.



WITNESS my hand and Notarial Seal this 18th day of November, 2024

Patrice Baxter
Notary Public Signature

My Commission Expires: 11-18-2025

Owner: AMZEE Properties LLC 2105 W 5th St, Lumberton, NC
Name Physical Address

Owner: AMZEE Properties LLC
Signature

STATE OF NC COUNTY OF Robeson

I, Patrice Baxter, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 18th day of November, 2024

Patrice Baxter
Notary Public Signature

My Commission Expires: 11-18-2025

REQUIRED APPLICATION / APPEAL AND SPECIAL USE PERMIT APPENDIX FOR ELECTRONIC GAMING OPERATIONS

Under the Lumberton City code, Electronic Gaming Operations are allowed only Zones B-4, B-5 and B-7, and even then, only by a Special Use Permit. Further requirements and limitations are set forth in Code Section 35-166.5. Subsection (j) thereof makes an Electronic Gaming Operation impermissible within 1000 feet of certain other uses. If a proposed Electronic Gaming Operation fails to meet these or any other threshold requirements, staff will not accept an application for the required special use permit. A letter setting forth the basis for the refusal to accept the application will be provided upon request.

The following Certification is also required to be signed and notarized before any Electronic Gaming Operation Special Use Permit application or appeal will be accepted and processed:

CERTIFICATION

I, HABIB NIZAR NAJJAR, the undersigned applicant for an Electronic Gaming Operation Special Use Permit, or Appellant of an Electronic Gaming Operation-related issue, having been duly sworn, do hereby acknowledge that any false statement herein could be construed as perjury, and further certify that:

1. In addition to the above, the Electronic Gaming Operation for which I am applying, or to which the appeal pertains, is not in any way in contravention or violation of any aspect of Article 37 of Chapter 14 of the North Carolina General Statutes. HN (initial)

2. I understand that, while the City seeks the assurance set out in Paragraph 1, no action or inaction by the City with regard to an Electronic Gaming Operation Special Use Permit or appeal, shall be construed in any way as a conclusion

by the City that the facility is in compliance with Article 37 of Chapter 14 of the North Carolina General Statutes. I understand that it is not part of the City Special Use process to evaluate the facility for compliance with Chapter 14 (entitled "Criminal Law"), Article 37, of the NC General Statutes, which is, again, clearly a criminal matter. The enforcement of Article 37 of Chapter 14 of the NC General Statutes falls under the purview of Law Enforcement. HN (initial)

3. I further understand that despite any type of City acceptance of the application or appeal, processing of the same, or approval as for the special use process or appeal, city, county, and/or state law enforcement may investigate the subject facility and determine whether it is in violation of Article 37 of Chapter 14 of the North Carolina Statutes and may take any and all appropriate legal actions, including but not limited to confiscation of property and criminal prosecution, and I understand that in this regard I am proceeding completely at my own risk. HN (initial)

4. I acknowledge that I have been given the opportunity to consult with legal counsel prior to executing this Certification. HN (initial)

Notarized signatures:

APPLICANT: HABBEH NIZAR NAJJAR (print)

2105 W 5th St, Lumberton, NC 28358

Physical Address

Applicant signature: HABBEH

State of

North Carolina

County of

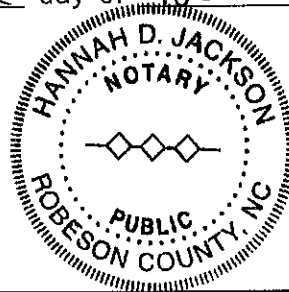
Robeson

I, Hannah D. Jackson, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared

before me this day, and was duly sworn, and duly acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 22 day of November, 2024.

Hannah D. Jackson
Notary Public Signature



My Commission Expires: 9-4-29

PROPERTY OWNER: AMZ ss Properties, LLC (print)
2105 W 5th St Lumberton (28358)
Physical Address

Property owner signature: AMZ

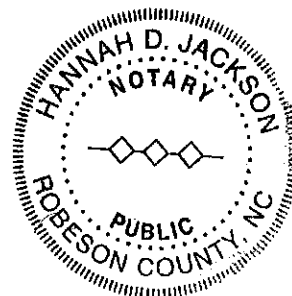
State of NC

County of Robeson

I, Hannah D. Jackson, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day, and was duly sworn, and duly acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 22 day of November, 2024.

Hannah D. Jackson
Notary Public Signature



My Commission Expires: 9-4-29

City of



Lumberton

Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: _____

Property address: 2105W 5th St. Parcel #: 32230200901

I, Amigos Properties, LLC. (property owner), give Dr./Mr./Ms. HABIB NIZAR NAJJAR the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): Abdelmounaim Zaimi

Signature: [Signature] (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.

2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF NC COUNTY OF Robeson

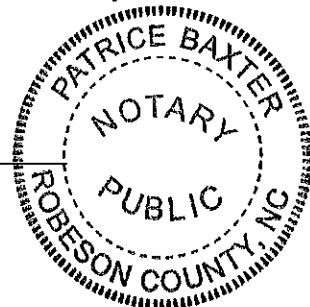
I, Patrice Baxter, a Notary Public in and for said County and

State, do hereby certify that Abdelmounaim Zaimi personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 18th day of November, 2024.

My Commission Expires: 11-18-2025

Patrice Baxter
Notary Public



Planning & Neighborhood Services

Request for Special Use Permit 7.191 Habbeb Najjar 2105 W.5th St.

PETITIONER(S):	OWNER(S):
Habbeb Nizar Najjar 2105 W. 5 th Street Lumberton, NC 28358 818-270-5357 habbeb.syria1993@gmail.com	AMZ55 PROPERTIES LLC 230 KENSINGTON ST LUMBERTON , NC 28358 919-798-2237

Special Use Permit Request: Habbeb Najjar is requesting a Special Use Permit for an electronic gaming center for property located at 2105 W. 5th Street P7.

LOCATION: 2105 W. 5th Street **PARCEL #**32230200901



Planning & Neighborhood Services

PROJECT OVERVIEW

PLANNING & ZONING

<i>Parcel #(s)</i>	<i>Zoning</i>	<i>Width</i>	<i>Area</i>		<i>Limits of Construction</i>
32230200901	B-4	~286'	~0.36 Acres	Floor area = 4,146 sq.ft. (Rob. Co. Tax)	~0.36 Acres Floor area = 4,146 sq.ft. (Rob. Co. Tax)

MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS

<i>Zoning District</i>	<i>Min. Square Footage</i>	<i>Min. Road Frontage</i>	<i>Min. Front Setback (right of way)</i>	<i>Min. Side Setback (no right of way)</i>	<i>Min. Rear Setback (no right of way)</i>	<i>Max. Height</i>
B-4, Business General Commercial	No minimum	100'	40'	20'	20'	35'

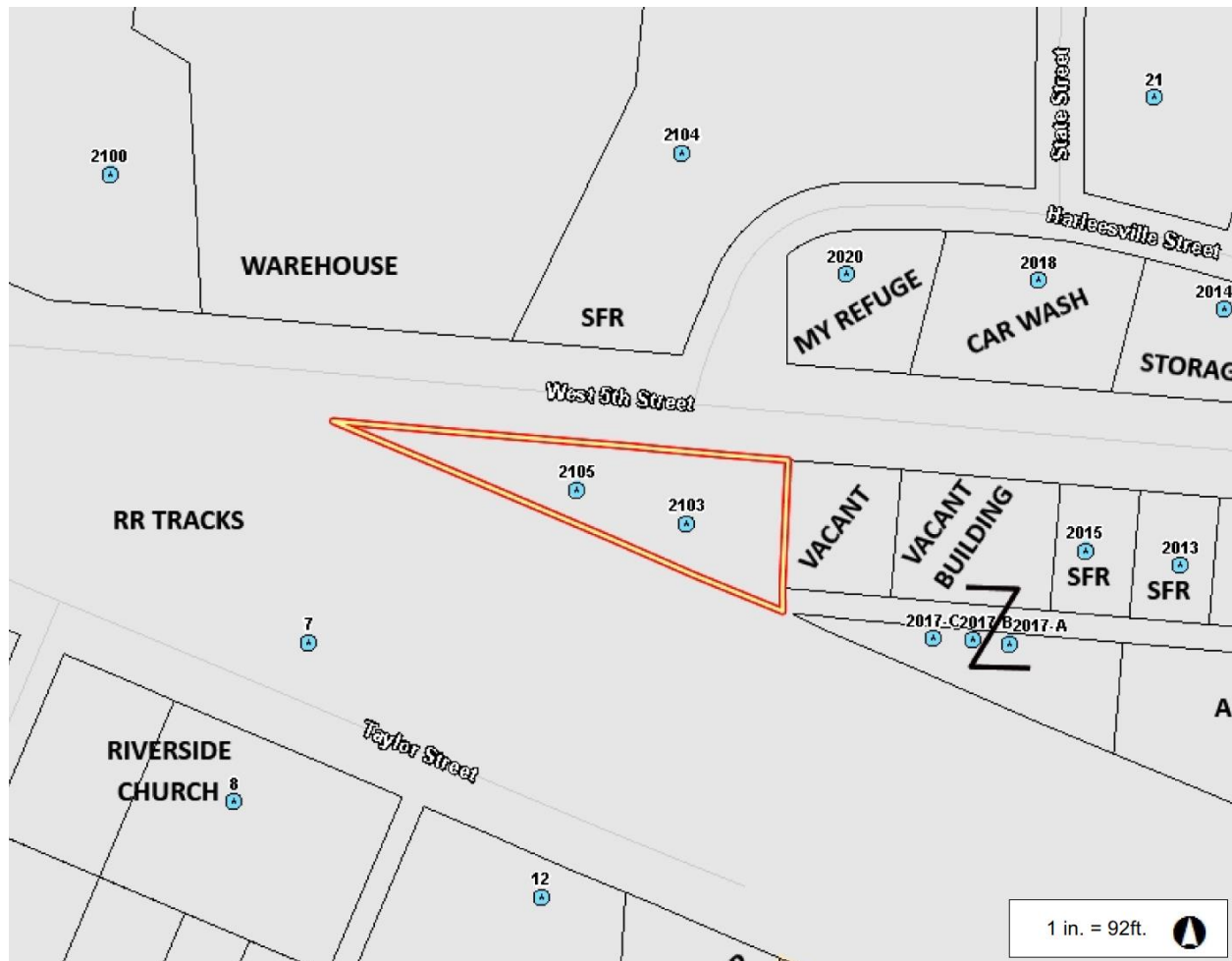
ADJACENT PROPERTY SITE DATA

	<i>Zoning</i>	<i>Zoning Description</i>	<i>Land Use</i>
Subject Property	B-4	Business General Commercial	Proposed Electronic Gaming Center
North	M-1 B-4	Light Manufacturing Residential Single-Family/Duplex Business General Commercial	STREET SINGLE-FAMILY RESIDENTIAL WAREHOUSE NON-PROFIT
South	N/A	N/A	RR TRACK
East	B-4	Business General Commercial	Vacant Lot
West	N/A	N/A	RR TRACK

City of *Lumberton*

Planning & Neighborhood Services

ADJACENT PROPERTY MAP

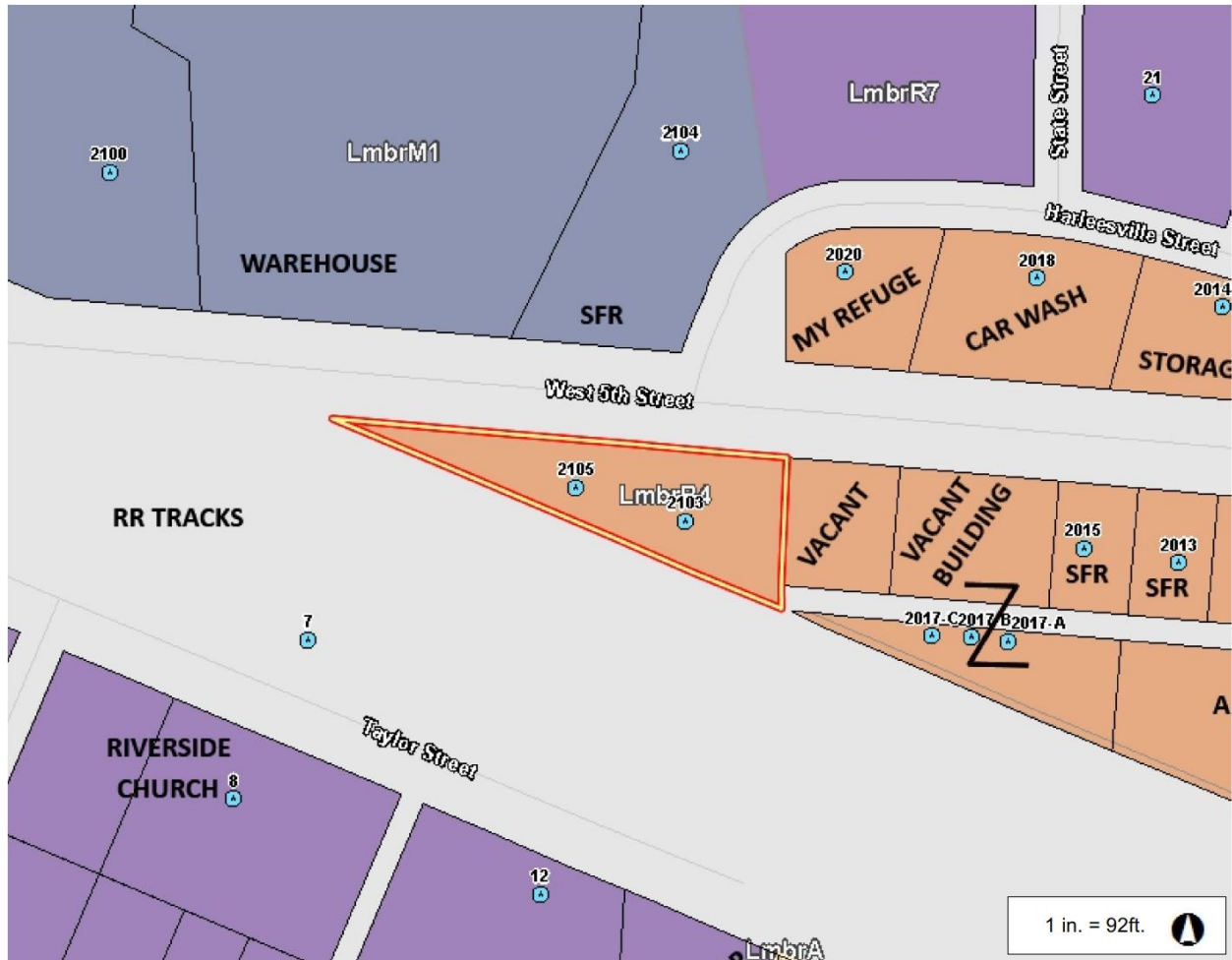


City of Lumberton

Planning & Neighborhood Services

EXISTING LOT INFORMATION: Current use of property – Non-permitted Gaming Center.

ZONING – B-4





Planning & Neighborhood Services

NON-COMPLIANCE WITH CITY CODE SECTION 35-166.5

Section 35-166.5(9):

- This location will not meet the required parking spaces of 24 spaces.

Section 35-166.5(10):

- This location is ~60 feet of residential use.
- This location is ~60 feet from a residential zoning district (R-7)/residential use.
- This location is ~ 204 feet from Riverside Church of God.
- This location is within ~ 655 feet from Luther Britt Park (City Park).

*****PLEASE SEE ATTACHED MAPS AND ORDINANCE*****

City of *Lumberton*

Planning & Neighborhood Services

Land Use Plan: Future use of the parcel is medium intensity and is located in precinct 7.



MEDIUM INTENSITY

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

City of Lumberton

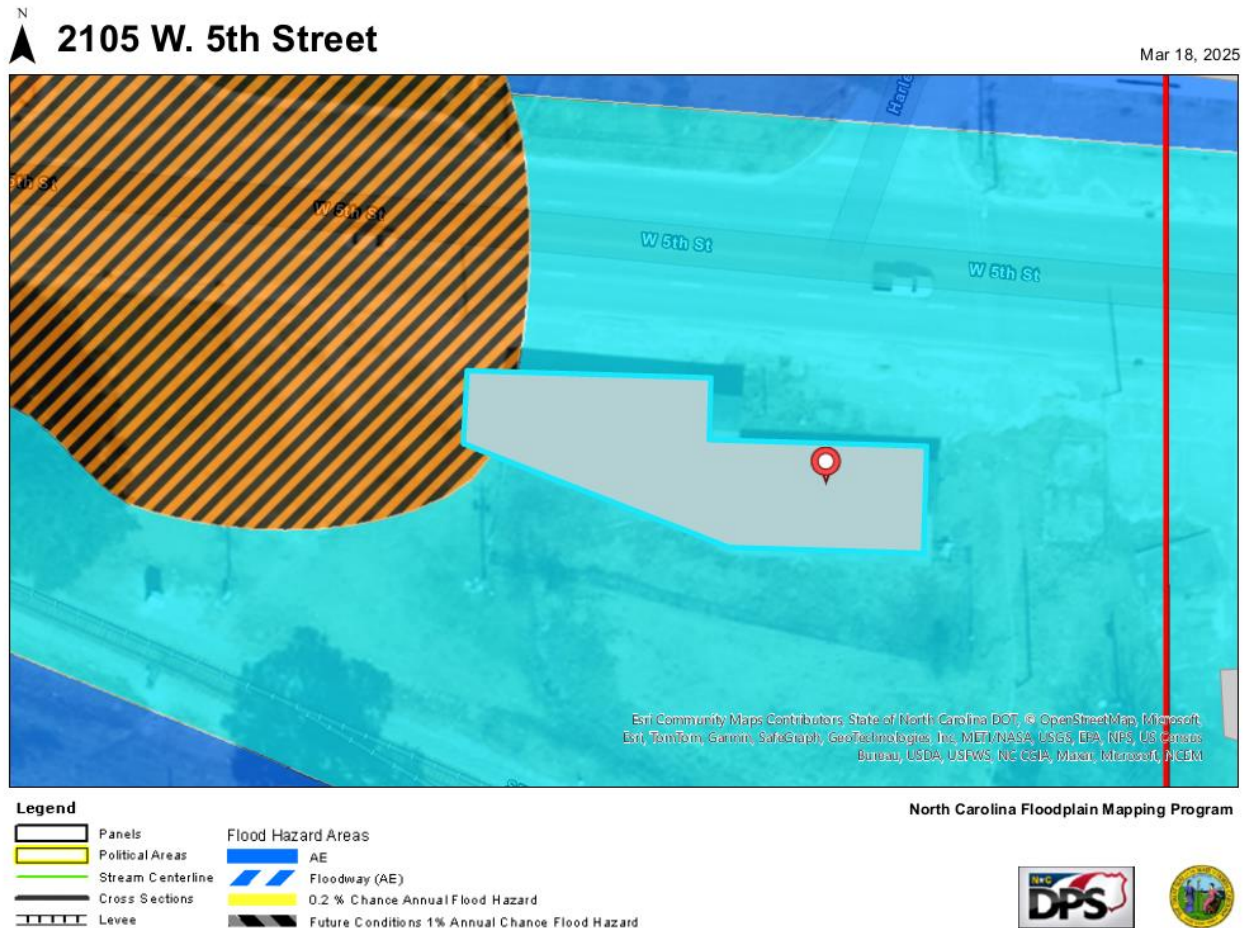
Planning & Neighborhood Services

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone AH 100-YEAR FLOOD (portion of building & property): Special Flood Hazard Area inundated by the 100-year flood; flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations are determined.. Mandatory flood insurance purchase requirements apply.

Zone X: (Protected by Levee) NOT IN 100-YEAR FLOOD (portion of building & property): Moderate flood hazard area protected by levee from the 1% annual chance flood.

Map Number: 3710938100K **Panel Effective Date:** 12/6/2019



City of *Lumberton*
Planning & Neighborhood Services

DEVELOPMENT UPON APPROVAL

If the Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton, and other applicable Federal and State Departments, for review and approval prior to development. All conditions of the Special Use Permit must be met prior to issuance of a Certificate of Occupancy.

PLANNING DEPARTMENT RECOMMENDATION TO CITY COUNCIL (CPC)

CPC review the request, refer the petition to the April 15, 2025 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing. Furthermore, the Planning Staff recommends denial of the request based on the fact that the operation will not meet the requirements outlined in Section 35-166.5 of the Code of the City of Lumberton.

PLANNING STAFF RECOMMENDATION TO PLANNING BOARD

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Furthermore, the Planning Staff recommends denial of the request based on the fact that the operation will not meet the requirements outlined in Section 35-166.5 of the Code of the City of Lumberton.

Sec. 35-166.5 Electronic Gaming Operations

- (1) Any business desiring to operate as an Electronic Gaming Operation must obtain a special use permit. Special use permit for Electronic Gaming Operations can only be applied for in zoning districts B-4, B-5, and B-7.
- (2) The following will require a special use permit under this section:
 - a. The opening or commencement of an electronic gaming operation as a new business;
 - b. The conversion of an existing business, whether or not an electronic gaming operations, to any of the electronic gaming operations defined herein;
 - c. The addition of any of the features of one or more of the electronic gaming operation defined herein to an existing business;
 - d. The addition of any of the electronic gaming operations defined herein to any other existing electronic gaming operation; or
 - e. The relocation of any electronic gaming operation.
- (3) Days/Hours of operation: An Electronic Gaming Operation may operate from 8:00am until 10:00pm Monday thru Saturday, closed on Sundays. If the electronic gaming operation is an accessory use, the primary use may continue to operate during its normal business hours.
- (4) Number of machines/terminals/computer for any Electronic Gaming Operation: 1 unit per 50 sq.ft. of gross floor area designated for the Electronic Gaming Operation. The maximum number of machines/terminals/computer for any Electronic Gaming Operation is 40. Floor area = 4,146 (Rob. Co. Tax)
If approve maximum number of 40
- (5) The machines/terminals/computers used by an Electronic Gaming Operation must not be prohibited by state or federal law and must have all applicable permits and licenses.
- (6) If food or beverages are served by an Electronic Gaming Operation, the establishment must meet the requirements of the Robeson County Department of Health, and all state law requirements.
- (7) The consumption of alcoholic beverages on premises is prohibited unless the owner or operator has secured appropriate state alcoholic beverage permit(s).
- (8) Lighting shall be kept on the parking surfaces associated with an Electronic Gaming Operation during the hours of operation which are within sunset to sunrise.

- (9) An Electronic Gaming Operation must meet a parking requirement of one (1) space for every two hundred (200) square feet of gross floor area plus three (3) additional parking spaces.

Floor area = 4,146 SQ.FT. (Rob. Co. Tax)
Minimum required 21, will not meet

- (10) An Electronic Gaming Operation shall not be located within one thousand (1,000) linear feet of any:

(a) other Electronic Gaming Operation,

(b) residential zoning district, nearest residential zoning district ~60 feet

(c) single-family residence, nearest single-family residence ~60 feet

(d) church or place of worship, nearest church ~204 feet

(e) public or private daycare center,

(f) public or private school,

(g) government building,

(h) public park, playground, or library, nearest public park ~655 feet

(i) adult establishment,

(j) group care, facilities for the care of the aged or infirm, or congregate care facilities, or

(k) cemetery.

- The required separation from the above listed places applies whether a use indicated in (a) to (j) is the principal use or an accessory use of the property.
- Distances shall be measured from the closest point of a lot line of each of the two properties in question.

- (9) All Electronic Gaming Machines shall be open for direct, unobstructed access by police officers, fire department personnel, and emergency response personnel, and shall be visible from the main entrance of the involved Electronic Gaming Operation.

- (10) No Electronic Gaming Operation shall permit, allow, or condone the use of an Electronic Gaming Machine by any person under the age of 18.

- (11) A \$200.00 Civil Penalty per day per violation and/or a criminal misdemeanor, punishable as provided in G.S. 14-4, with a maximum fine of up to five hundred dollars (\$500.00) per day per violation may be issued for a violation of any part of this Ordinance. The penalty or fine may be imposed upon the owner, the operator, or both.

- (12) This section shall not apply to any lottery endorsed, approved, or sponsored by the State of North Carolina nor to arcade games of skill which don't involve the use of electronic machines.

(Ord. No. 2017.12.03, 12-6-2017)

2105 W. 5TH ST. DISTANCE MEASUREMENTS



Legend

- Site Address
- Road
- Parcel
- City Limit

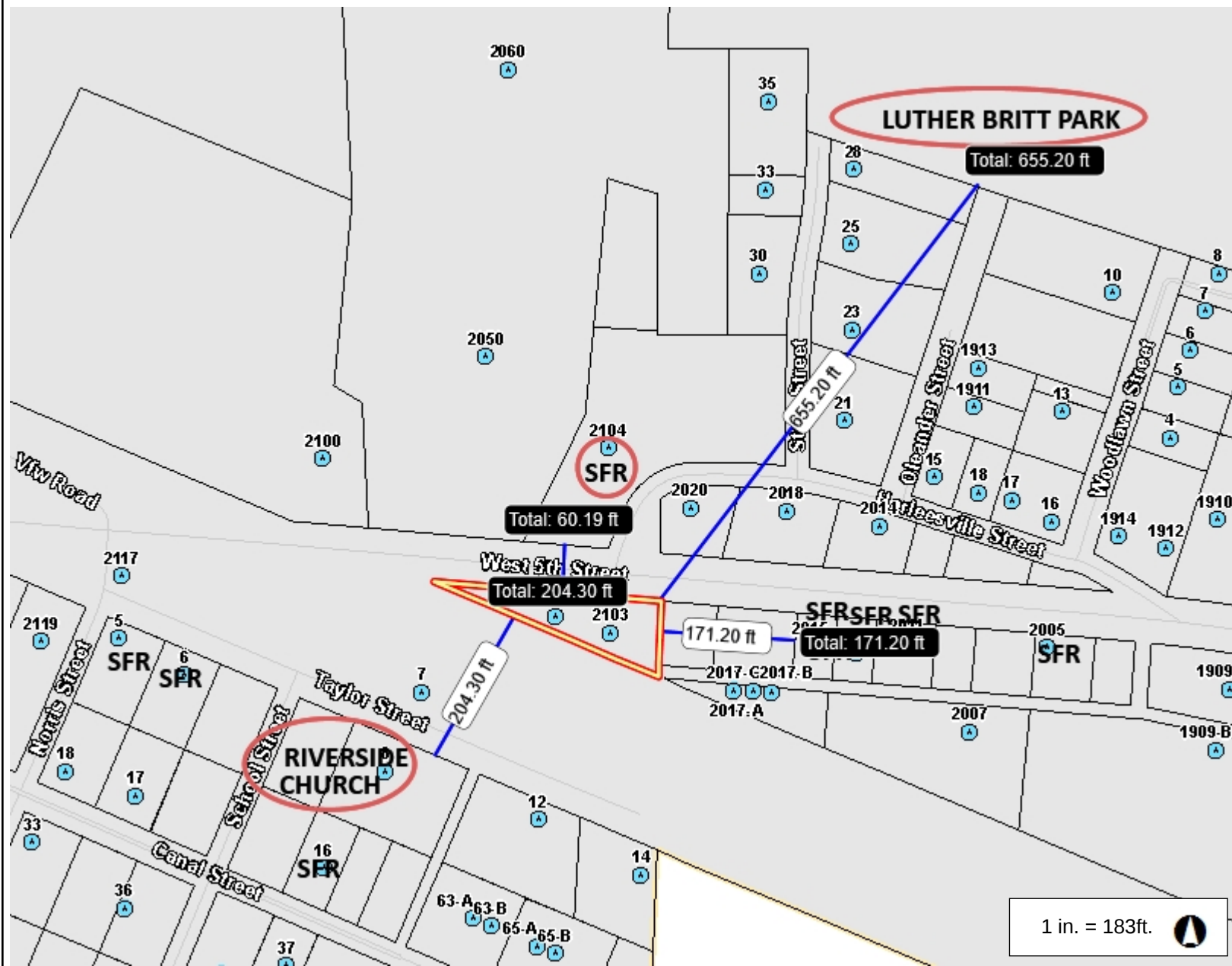
Notes

366.4 0 183.21 366.4 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

2105 W. 5TH ST. DISTANCE MEASUREMENTS

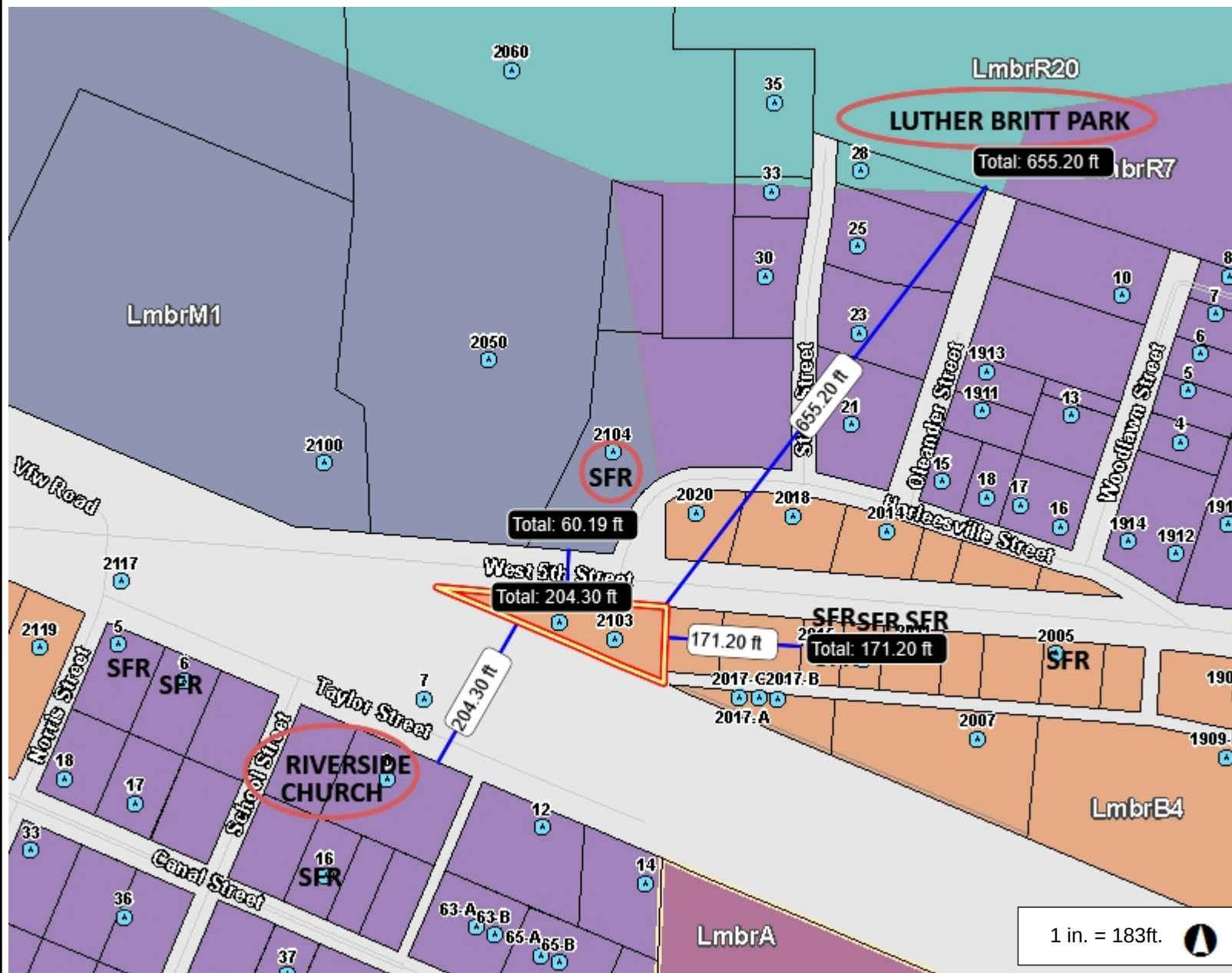


366.4 0 183.21 366.4 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

2105 W. 5TH ST. DISTANCE MEASUREMENTS



Legend

- Site Address
- Road
- Parcel
- City Limit
- Zoning**
 - CntyC1
 - CntyH1
 - CntyI2
 - CntyR2
 - CntyRA
 - Lmbr CZ B3
 - Lmbr CZ B4
 - Lmbr CZ B6
 - Lmbr CZ R6
 - Lmbr SUP A
 - Lmbr SUP B2
 - Lmbr SUP B3
 - Lmbr SUP B4
 - Lmbr SUP R6
 - LmbrA
 - LmbrB1
 - LmbrB2
 - LmbrB3
 - LmbrB4
 - LmbrB5
 - LmbrB6

Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Lumberton Planning Board

Item: III.C.

Lumberton, North Carolina



Request for Action

Meeting Date: April 15, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/09/2025

Subject: Dannie Stewart SUP 328 Hood Rd.-ETJ

Summary/Background of Subject Matter:

Dannie Stewart is requesting a Special Use Permit to construct a 1600 square feet accessory structure for property located at 328 Hood Rd. (parcel # 102006019/Deed Book 01059 Page 117).

Staff Recommendation:

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Stewart SUP Application and Attachments

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Owner:

Legal Name: Dannie R. Stewart

Legal Name: Dannie R. Stewart

Physical Address: 328 Hood Rd. Lumberton, NC 28358

Physical Address: 328 Hood Rd. Lumberton, NC 28358

Mailing Address: 328 Hood Rd. Lumberton, NC 28358

Mailing Address: 328 Hood Rd. Lumberton, NC 28358

Telephone: 910-301-9989

Telephone: 910-301-9989

Name of Business: N/A

Business Address: N/A

EMAIL:

Description of Property:

2. 328 Hood Rd. Lumberton, NC 28358

01059

0690

(Address)

(Deed Book)

(Page)

21

117

140 ft.

42,000 sq. ft.

(Map Book)

(Page)

(Frontage)

(Area)

3. Tax Map Identification (parcel number): 102006019

4. Proposed Use of Property: Accessory Structure - garage building

5. Zoning District Designation of Property: R20

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

File #

7.192

1 of 2

5/28/21

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

Requesting a special use permit to construct a 40' x 40' garage. City ordinance will only allow for a 745 sq. ft. accessory structure.

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: DANNIE RAY STEWART 328 HOOD ROAD LOHREY N.C. 28358
Name Physical Address

Applicant: *Dannie Ray Stewart*
Signature

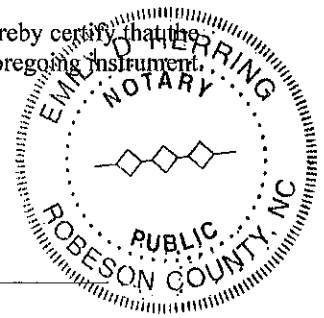
STATE OF NC COUNTY OF Robeson

I, Emily D Herring, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 28th day of March, 2020.

Emily D Herring
Notary Public Signature

My Commission Expires: 9-4-29



Owner: _____
Name Physical Address

Owner: _____
Signature

STATE OF _____ COUNTY OF _____

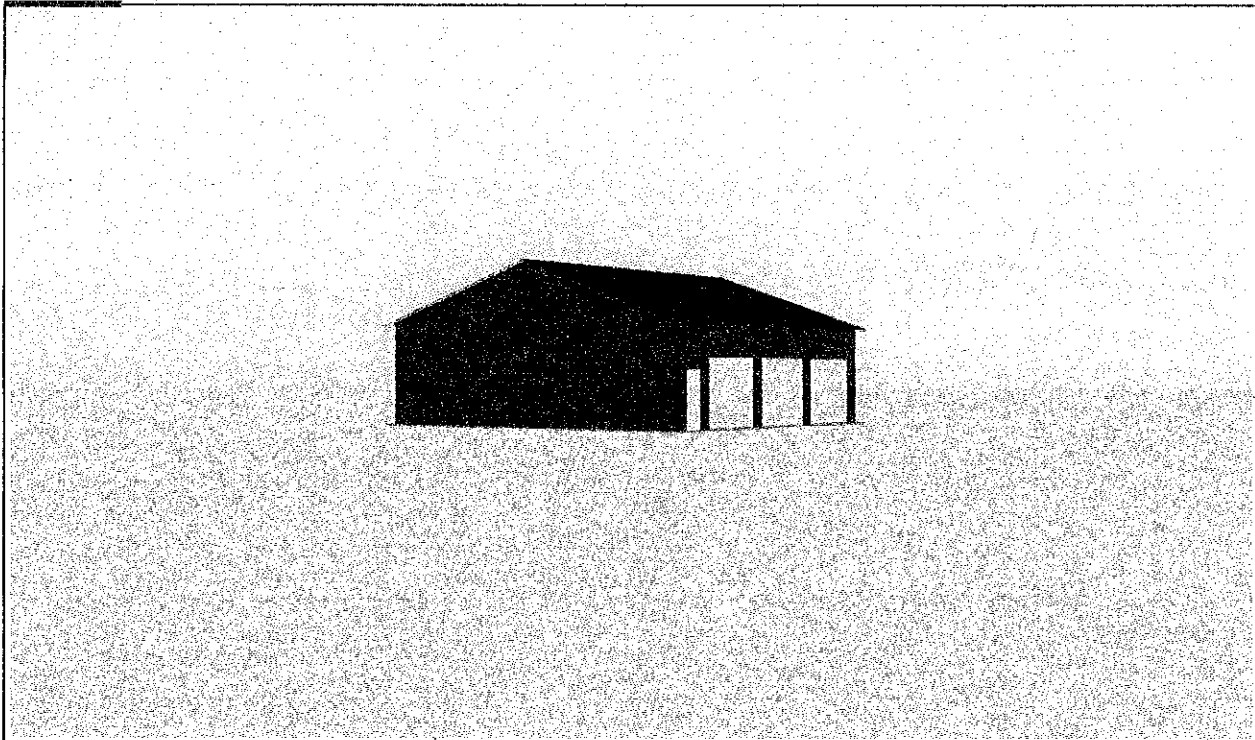
I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this _____ day of _____, 20____.

Notary Public Signature My Commission Expires: _____

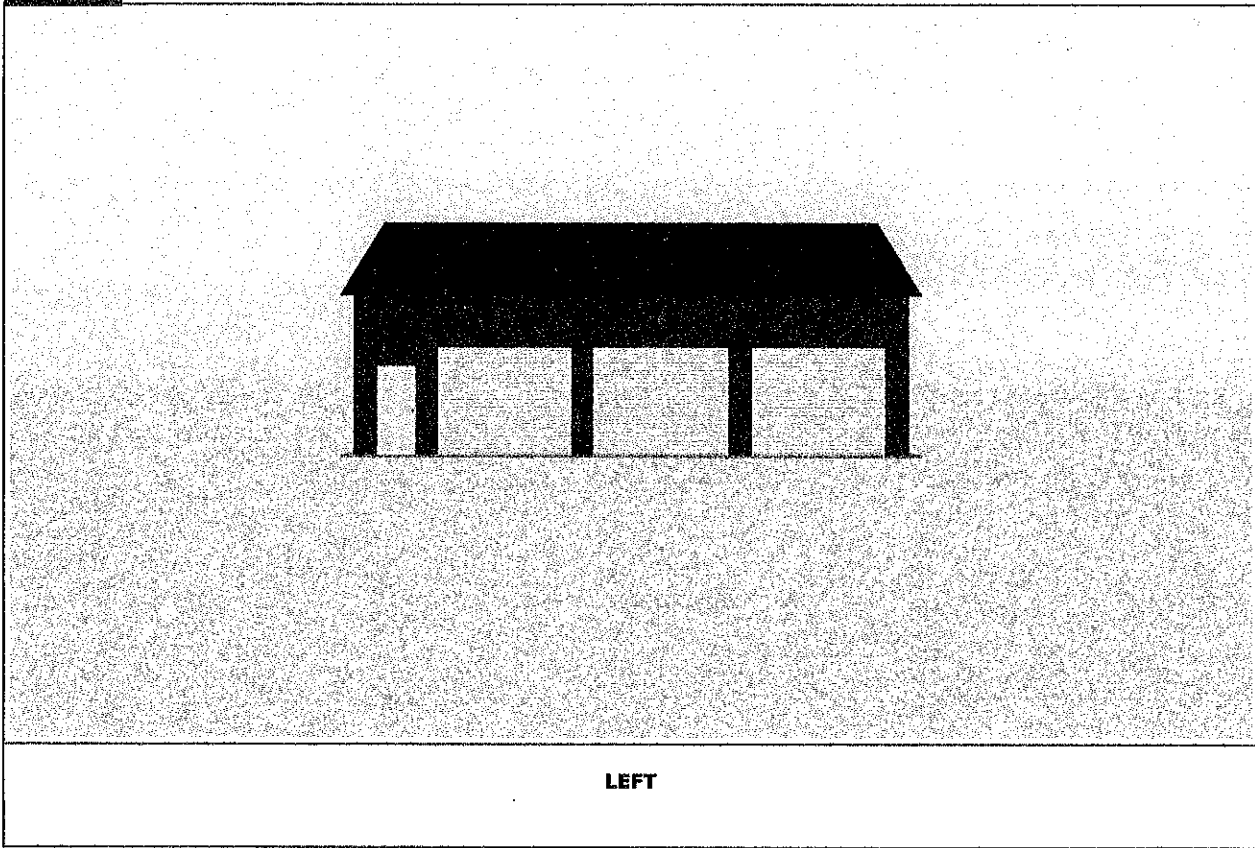
File # 7-192 2 of 2
5/28/21

BUILDING VIEW

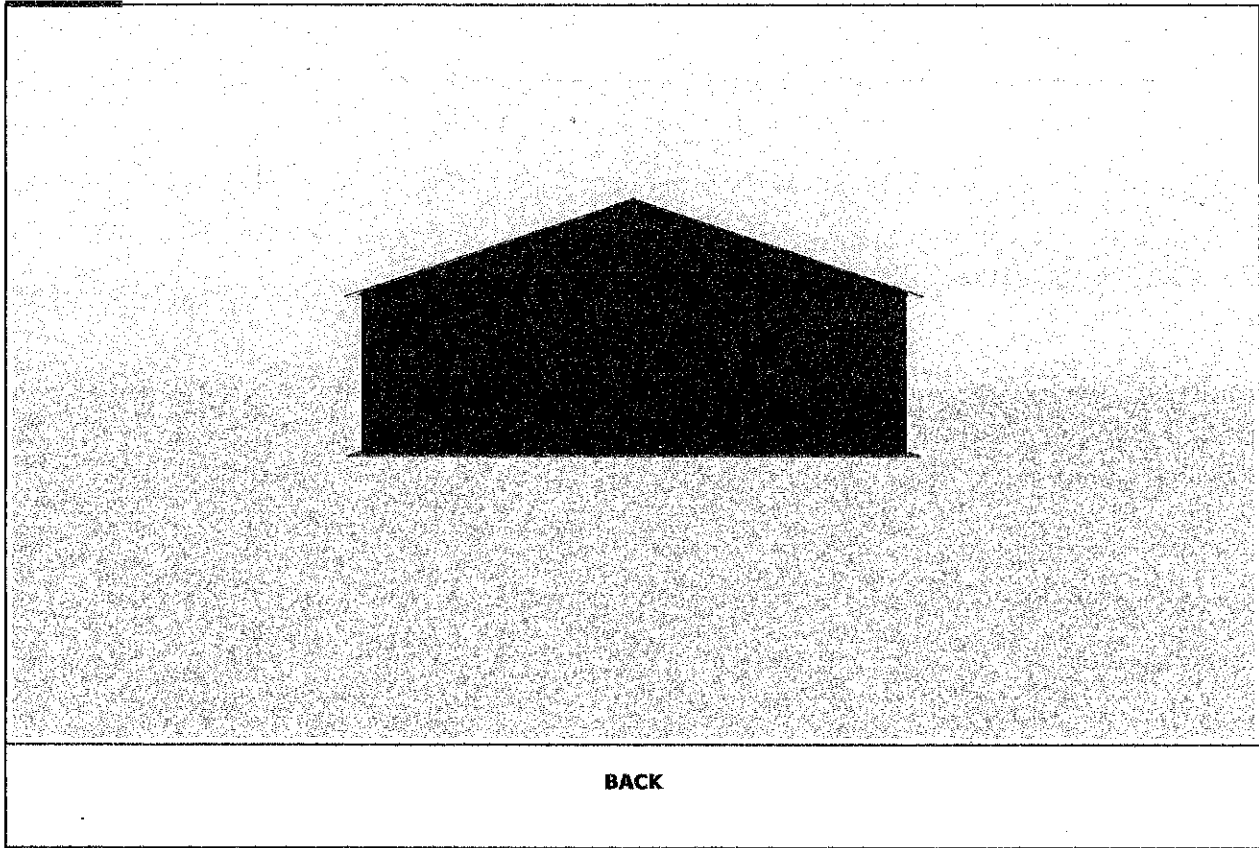


FRONT

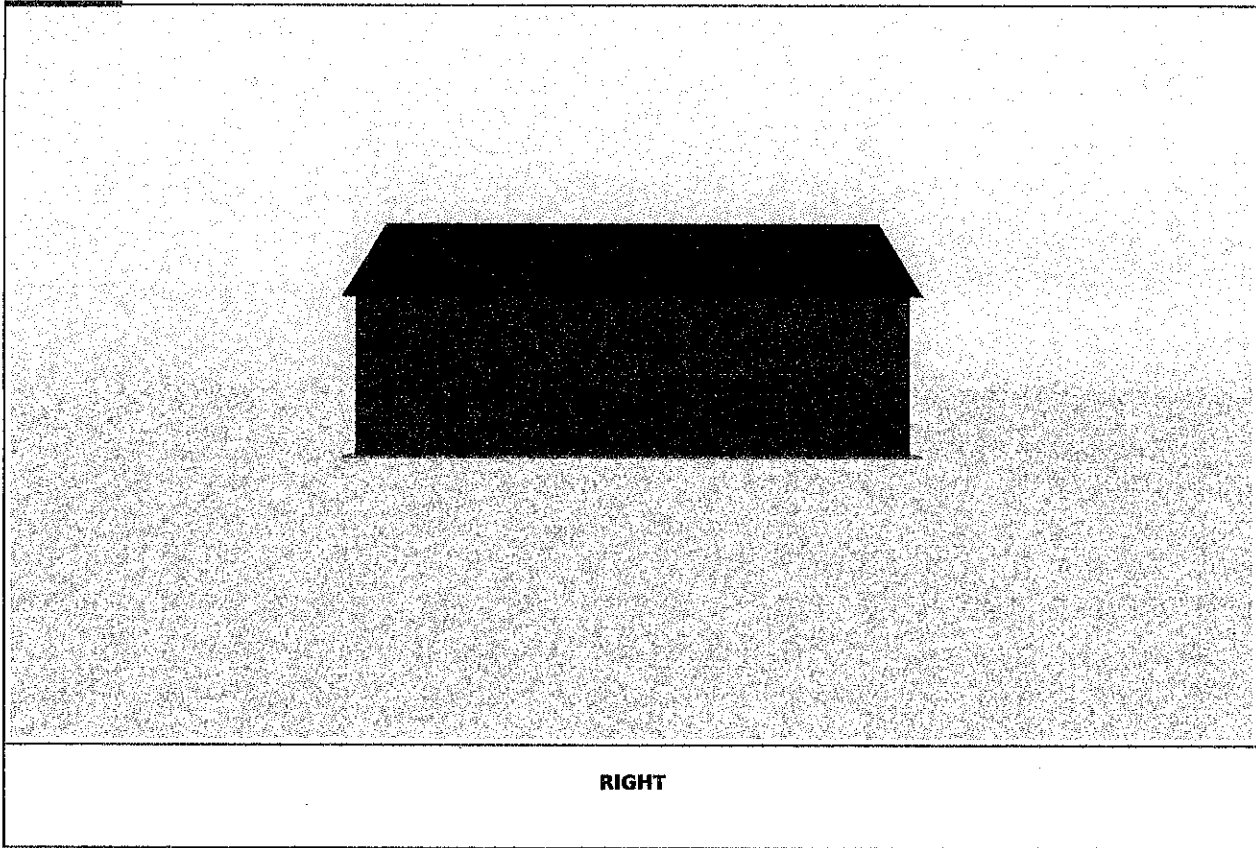
BUILDING VIEW

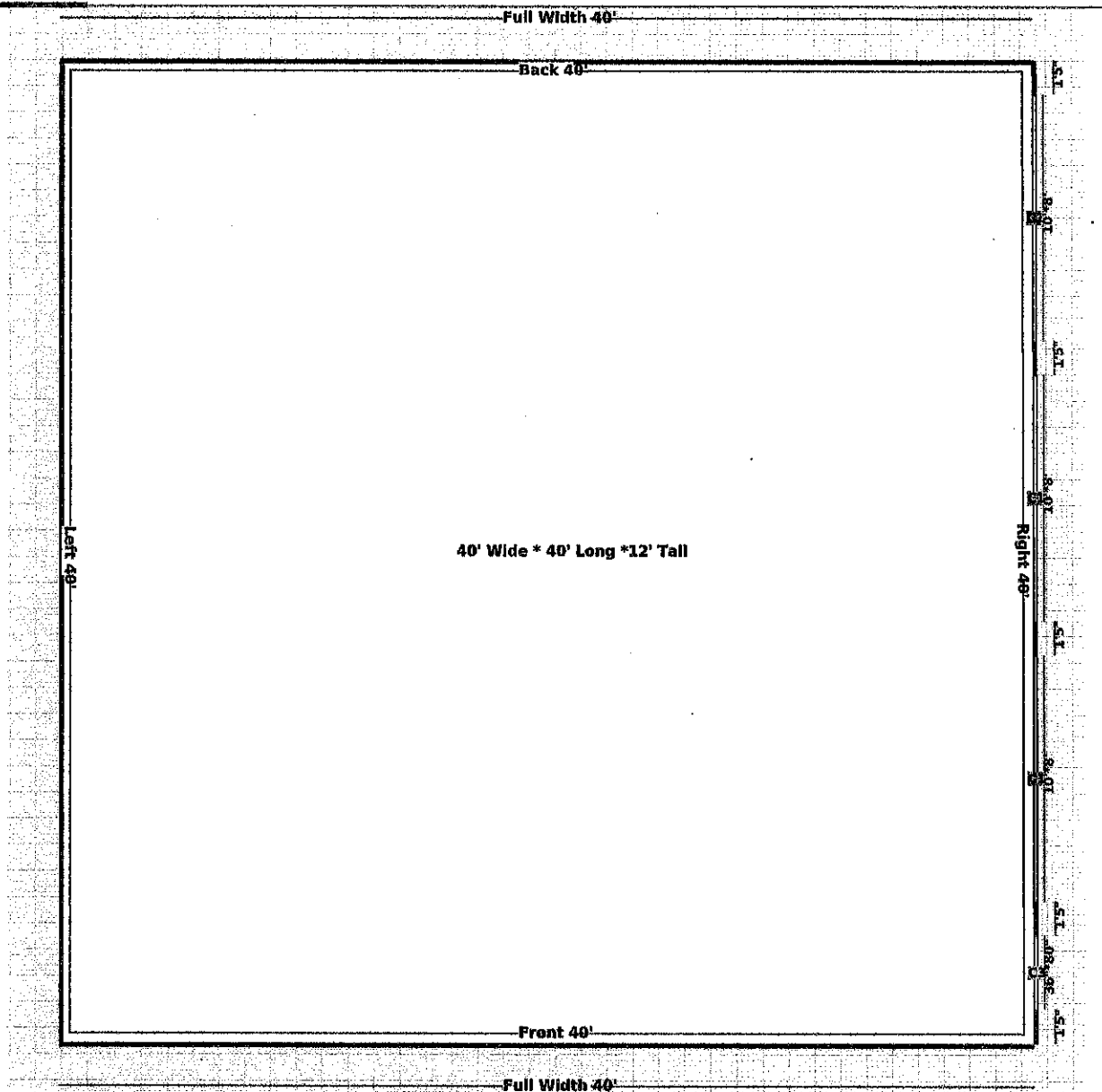


BUILDING VIEW



BUILDING VIEW

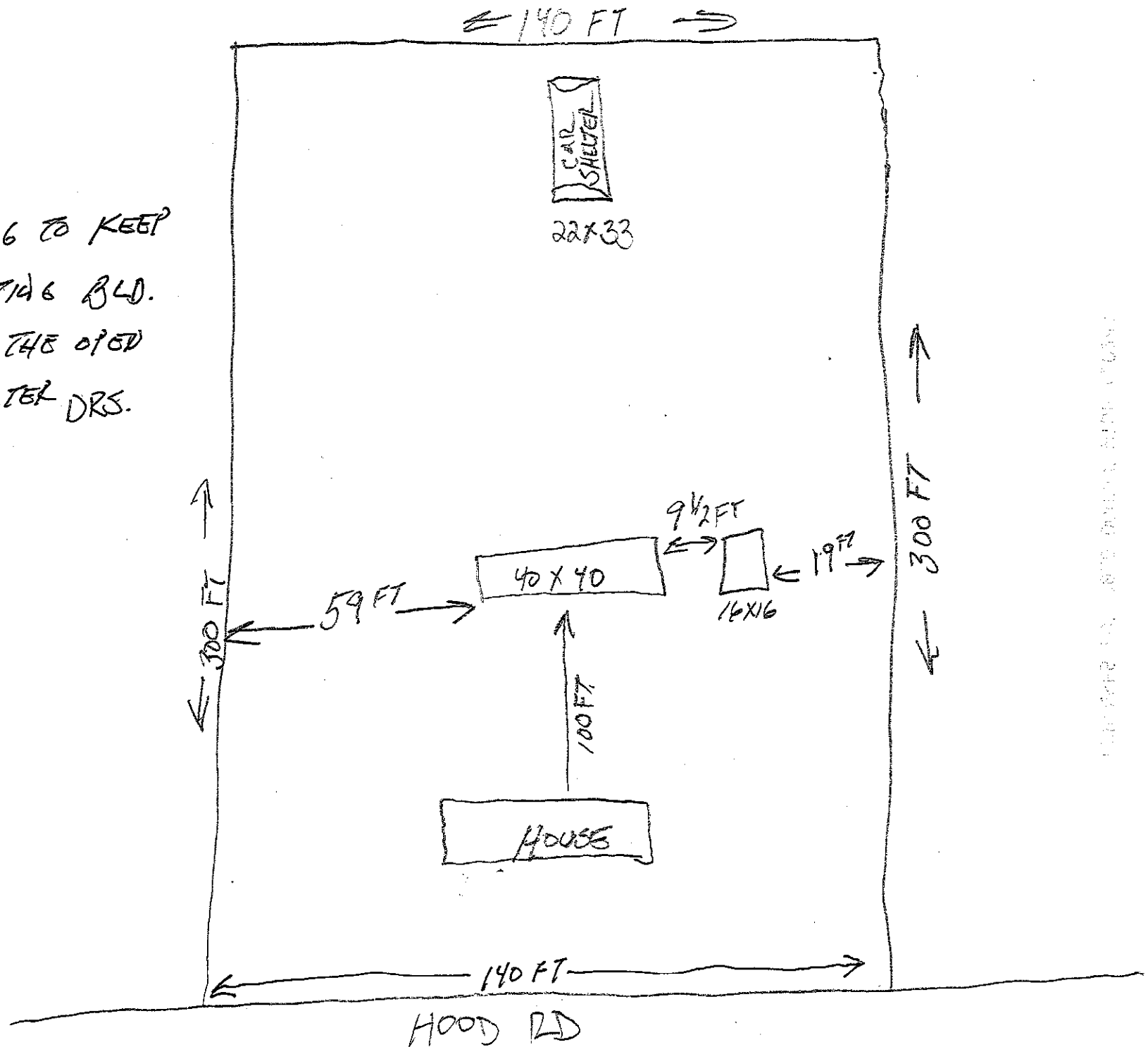




LEGENDS

- Garage Door
- Garage Door Frameout
- Walk In Door
- Walk In Door Frameout
- Windows
- Windows Frameout
- Open Wall
- Close Wall
- Distance
- Storage Length (Utility)
- Cupola

I'M GOING TO KEEP
THE EXISTING BLD.
16X16 AND THE OPEN
CAR SHELTER DRS.



**Leons Metal Structures, LLC**

248 Garren Town Road
North Carolina 27205
leonsmetalstructures@gmail.com
(336) 241-2073
<https://www.leonsmetalstructures.com>

Sales: Aimee Dominguez

248 Garren Town Road
North Carolina 27205
aimee@leonsmetalstructures.com

**Building Quote
QTE-002591**

Date
03/14/2025

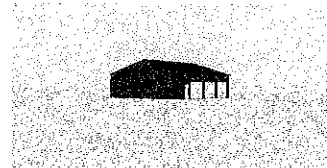
Total
\$22,684.00

CUSTOMER DETAILS**Danny Stewart**

Billing Address
Lumberton, Robeson, North Carolina 28358
Shipping Address
Lumberton, Robeson, North Carolina 28358
dannier5@yahoo.com
(910) 301-9989

Commercial Buildings-Risk II - 40 x 40 x 12

- ☒ Roof Color: Black
☒ Trim Color: Black
☒ Sides/Ends Color: Charcoal
☐ Door Color: High Gloss White
☐ Wainscot Color: NA



Ready for Installation? ☐ Jobsite Level? ☐ Permit Required? ☒ Inside City Limit? ☐ Electricity Available? ☐ Installation Surface? Concrete

Building Dimension
40'W x 40'L x 12'H

Roof Style
Vertical

Gauge
14 Gauge

Wind/Snow Rating
Built to Local Code

Distance on Center
4 Feet

40X40' (Roof 41') Vertical Roof	1
12' Height (Double Legs)	1
Built to Local Code	1
4/12' Roof Pitch	1
10x8 ft Garage Door (Roll-Up) on Right Wall (High Gloss White)	1
10x8 ft Garage Door (Roll-Up) on Right Wall (High Gloss White)	1
10x8 ft Garage Door (Roll-Up) on Right Wall (High Gloss White)	1
36x80 Inch Walk-In Door (Standard 6 Panel) on Right Wall	1
Roof Insulation Single Bubble	1
1' Overhang On Ends	1
1' Overhang On Sides	1
Colored Screws	1

NOTES

40x40 concrete pad, 4 inches thick, vapor barrier, smooth finish, 3000 psi, grading up to 4hrs, 12"x12" footers, #4 rebars included \$9,860 plus tax.*concrete price is NOT included in the total, must be paid on pour day. *customer must provide fill dirt on site. *IF COUNTY REQUIREMENTS DIFFER ON PLANS THAN WHAT IS STATED ABOVE, THERE WILL BE ADDITIONAL UPGRADING COST.

Building Amount:	\$21,200.00
Manufacturer Discount:	\$0.00
Sub Total:	\$21,200.00
Sales Tax (7%)	\$1,484.00
Additional Charges	\$0.00
Grand Total	\$22,684.00

Pay Now

Downpayment	\$6,360.00
Balance Due	\$16,324.00

309 Hood Rd

EXISTING STRUCTURES



Image capture: May 2023 © 2025 Google



City of



Lumberton

Planning & Neighborhood Services

Special Use Permit
Dannie Stewart SUP 328 Hood Rd-ETJ

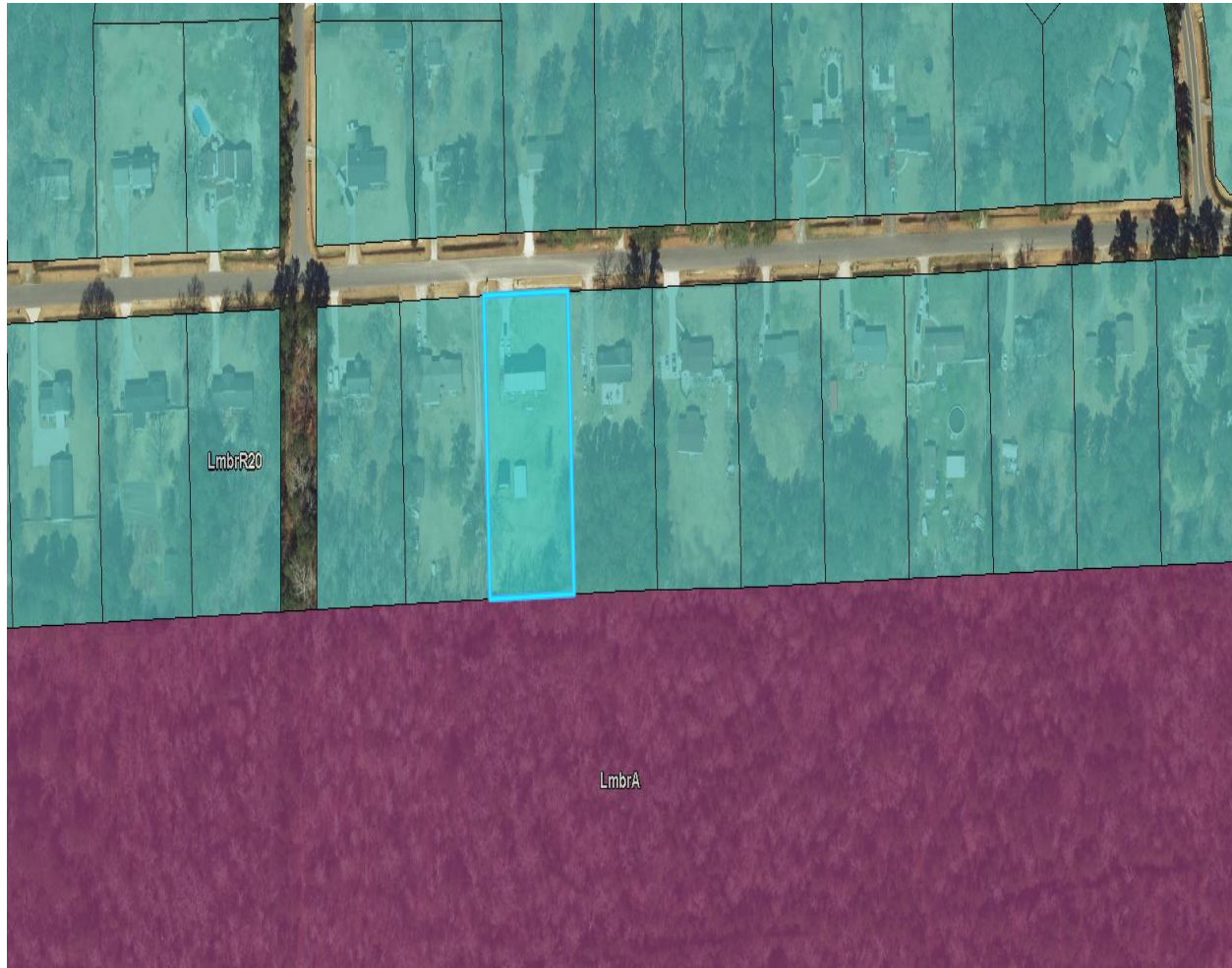
Date of Application Submittal:

PETITIONER(S):	OWNER(S):
Name of Petitioner: Dannie Stewart 328 Hood Rd. Lumberton, NC 28358	Name of Owner: Dannie Stewart 328 Hood Rd. Lumberton, NC 28358
Special Use Permit Request: Dannie Stewart is requesting a Special Use Permit to construct a 1600 square feet accessory structure for property located at 328 Hood Rd. (parcel # 102006019/Deed Book 01059 Page 117).	

LOCATION:



City of
Lumberton
Planning & Neighborhood Services



PARCEL INFORMATION				
Owner	Parcel #(s)	Zoning	Area	Limits of Construction
Dannie Stewart	102006019	R-20, Residential single-family	42,000 sq.ft.	42,000 sq.ft.
ADJACENT PROPERTY SITE DATA				
	Zoning		Land Use	
Subject Property	- R-20, Residential single-family		- Single-family residential	
North	- R-20, Residential single-family		- Single-family residential	
South	- A, Agriculture		- Woods	
East	- R-20, Residential single-family		- Single-family residential	
West	- R-20, Residential single-family		- Single-family residential	

ADJACENT PROPERTY ACCESSORY STRUCTURE



STAFF ANALYSIS

PROJECT OVERVIEW

Analysis: Dannie Stewart is requesting a Special Use Permit to construct a 1600 square feet accessory structure for property located at 328 Hood Rd. (parcel # 102006019/Deed Book 01059 Page 117).

The maximum size of residential accessory structures is fifty (50) percent of the ground floor area of the principal building. A Special Use Permit is required to exceed the maximum size.

In this case, the principal building is 2,998 sq.ft. (Rob.Co. Tax) and the maximum size of all residential accessory structures is 1,490 square feet.

The total square feet of all accessory structures, including existing and proposed, will be 2,582. **1,092 square feet over the maximum allowance (includes a 726 sq.ft. open carport).** The maximum allowance for accessory structures shall include a total of all accessory structures on the property.

City of



Lumberton

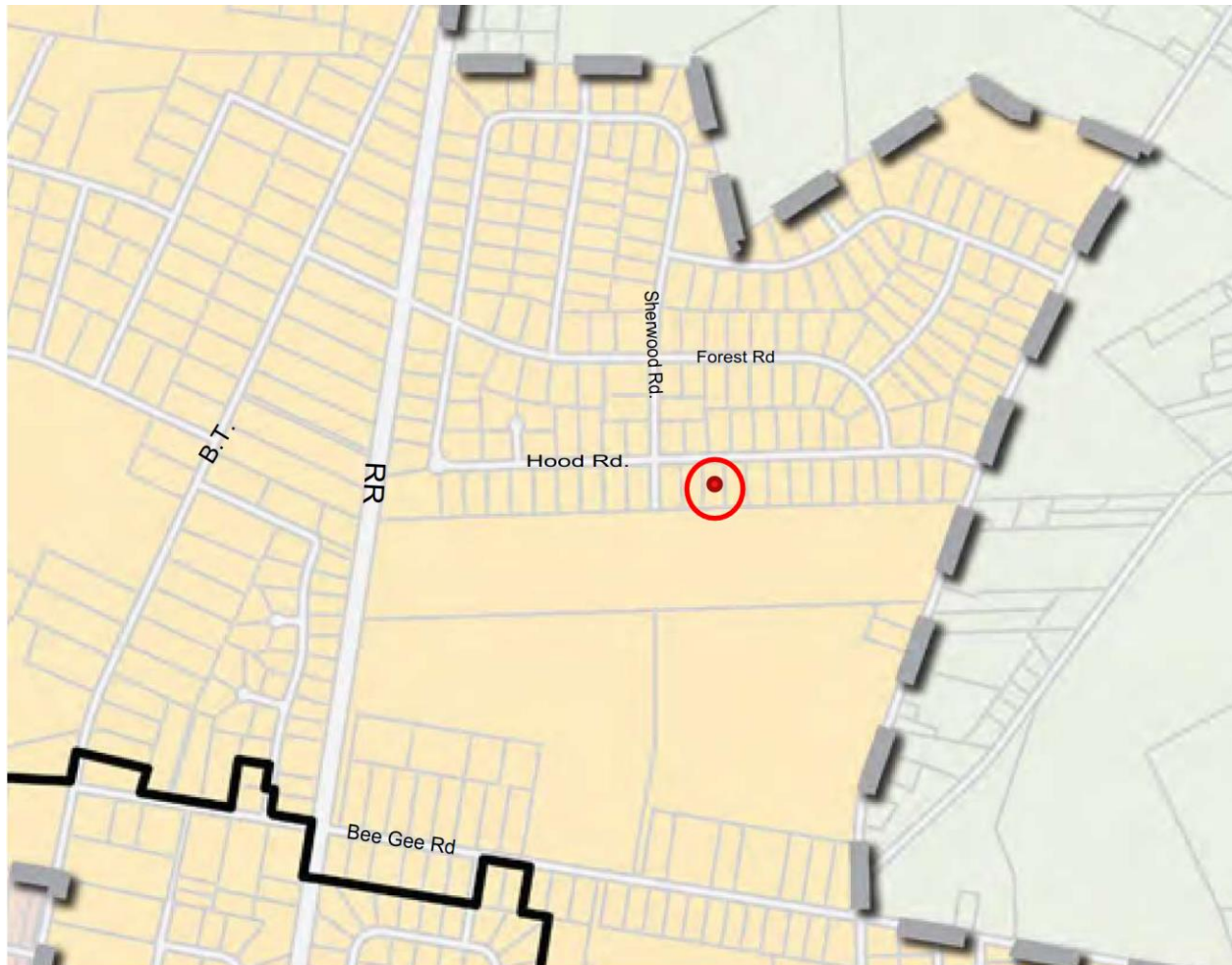
Planning & Neighborhood Services

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as Low Intensity, furthermore, this property is located within the ETJ.

Setback and Lot Size:

Zoning District	Min. Lot Size	Min. Lot Width	Min. Front Setback (right of way)	Min. Side & Rear Setbacks	Maximum Height
R-20	20,000	100'	30'	10'	35'



City of *Lumberton*
Planning & Neighborhood Services

LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone X: Area of minimal risk and determined to be outside the 100 and 500-year floodplains.

Map Number: 3720030300K **Panel Effective Date:** 12/6/2019

DEVELOPMENT UPON APPROVAL

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton, and other Federal and State Departments, if applicable, for review and approval prior to development. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit and/or Certificate of Occupancy (CO).

PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the April 18, 2025 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

PLANNING STAFF RECOMMENDATION TO PLANNING BOARD

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Lumberton Planning Board

Item: III.D.

Lumberton, North Carolina



Request for Action

Meeting Date: April 15, 2025

Originated By: Planning & Neighborhood
Services

Submission Date: 04/09/2025

Subject: Justin Patterson Rezoning 35 State St.-P7

Summary/Background of Subject Matter:

Justin Patterson is requesting to rezone parcel #322202006 at 35 State Street (deed book 2066, pg. 118) from R-20, residential single family to R-7, residential single family/duplex.

Staff Recommendation:

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Patterson Rezoning 35 State St Application and attachments

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. **Applicant:**

Full Legal Name: Justin Patterson

Physical Home Address: 35 State St,
Lumberton, NC 28358

Mailing Address: 4240 Portsmouth Blvd, Ste 221
Chesapeake VA 23321

Telephone:

Owner:

Full Legal Name: Justin Patterson

Physical Home Address: 35 State St,
Lumberton, NC 28358

Mailing Address: 4240 Portsmouth Blvd, Ste 221
Chesapeake, VA 23321

Telephone:

Legal Name of Business:

EMAIL: 12Seventeenllc@gmail.com

2. **Description of Property:**

35 State St, Lumberton NC 28358
(Address)

02066 / 0118
(Deed Book) (Page)

(Map Book)

(Page)

(Frontage)

0.33

(Area)

3. **Tax Map Identification Number (parcel number):** 322202006

4. **Existing Zoning District Designation of Property:** R20

5. **Requested Zoning District Designation of Property:** R7

6. **Applicant's Interest In Property (check one):** ☒ Owner ☐ Owner's Agent ☐ Lease-to-Own

☐ Tenant ☒ Family member ☐ Other (explain) _____

7. **Legal Description of Property:** Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. **Site Map:** Attach a map of the property in question.

9. **Application Fee:** Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # 6-230
2/6/2014
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):

I would like to change the zoning of this particular property to R7. This will allow me to
build a duplex on this property and or subdivide the property

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # 6.230

2/6/2014

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City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

4240 Portsmouth Blvd, Ste 221
Chesapeake, VA 23321

Applicant: Justin Patterson

Full Legal Name (type or print)

Home Address

STATE OF North Carolina

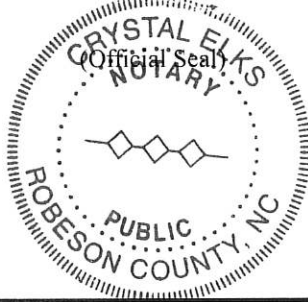
COUNTY OF Robeson County

I, Jacqueline Patterson, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant:

Justin Patterson Jacqueline Patterson
Signature

WITNESS my hand and official seal, this the 31 day of March, 2025



Crystal Elks
Official Signature of Notary

Crystal Elks, Notary Public
Notary's printed or typed name

My Commission Expires: 10/22/2029

Owner: Justin Patterson

Full Legal Name (type or print)

35 State St, Lumberton NC 28358

Home Address

STATE OF North Carolina

COUNTY OF Robeson County

I, _____, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner:

Justin Patterson
Signature

WITNESS my hand and official seal, this the _____ day of _____, 20__.

(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

My Commission Expires: _____

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

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City of *Lumberton*

Planning & Neighborhood Services

Rezoning Request 35 State Street

PETITIONER(S):	OWNER(S):
PATTERSON JUSTIN 4240 PORTSMOUTH SUITE 221 CHESAPEAKE , VA 23321	PATTERSON JUSTIN 4240 PORTSMOUTH SUITE 221 CHESAPEAKE , VA 23321

Rezoning Request: Justin Patterson is requesting to rezone parcel #322202006 at 35 State Street (deed book 2066, pg. 118) from R-20, residential single family to R-7, residential single family/duplex.

LOCATION:



Rezoning Request

Justin Patterson Rezoning 35 State St.-P7

PETITIONER(S):	OWNER(S):
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LOCATION:



City of *Lumberton*

Planning & Neighborhood Services

ZONING:



City of Lumberton
Planning & Neighborhood Services

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area	Limits of Construction
JUSTIN PATTERSON	3222-02-006	R-20, residential single-family Request: R-7, residential single-family/duplex	0.33 ac ~14,374.8 sq.ft.	0.33 ac ~14,374.8 sq.ft.

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
Subject Property	R-20, residential single-family Request: R-7, residential single-family/duplex	Proposed single family or duplex
North	R-20, Residential single-family	Luther Britt Park
South	R-7, residential single-family/duplex	Residential single-family/duplex
East	R-20, Residential single-family R-7, residential single-family/duplex	Luther Britt Park Residential single-family/duplex
West	R-20, Residential single-family M-1, light manufacturing	Freight transportation Former Total Fitness Gym

*Planning & Neighborhood Services***PROJECT OVERVIEW**

Analysis: Justin Patterson is requesting to rezone parcel #322202006 at 35 State Street (deed book 2066, pg. 118) from R-20, residential single family to R-7, residential single family/duplex. This request is to allow for the development of a duplex or subdivide the lot for two single-family residences.

Setback and Lot Size:

Existing Zoning District	Min. Lot Size	Min. Lot Width	Min. Front Setback (right of way)	Min. Side & Rear Setbacks	Maximum Height
R-20	20,000 sq.ft	100'	30'	10'(unless its bordered by a right of way. Then right of way min setbacks are observed)	35'

Requested Zoning District	Min. Lot Size	Min. Lot Width	Min. Front Setback (right of way)	Min. Side & Rear Setbacks	Maximum Height
R-7, residential single-family/duplex	7,000 sq.ft. for single-family 11,000 sq. ft. for duplex	70' for single-family 100' for duplex	20'	8'(unless its bordered by a right of way. Then right of way min setbacks are observed)	35'

Planning & Neighborhood Services

Land Use Plan: The Land Use Plan designates the future use of this parcel as Medium Intensity. Furthermore, this property is located within Precinct 7.



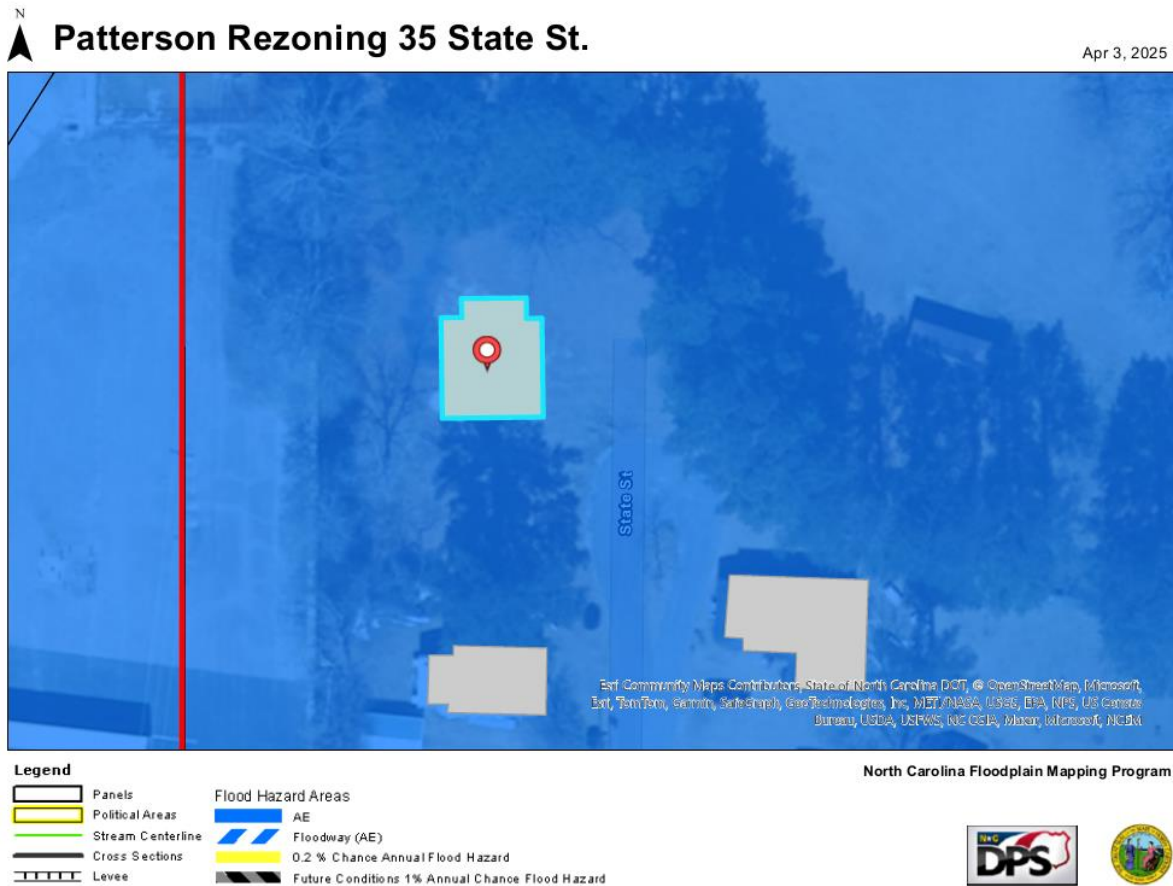
MEDIUM INTENSITY

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone AE 100-YEAR FLOOD: Special Flood Hazard Area inundated by the 100-year flood; base flood elevations are determined.

Map Number: 3710939100K Panel Effective Date: 12/6/2019



DEVELOPMENT UPON APPROVAL

If this rezoning is granted, the applicant must submit site development plans to the City of Lumberton and other Federal and State Departments, if applicable, for review and approval prior to development.

PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the April 15, 2025 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

PLANNING STAFF RECOMMENDATION TO PLANNING BOARD

Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

City of *Lumberton*

Planning & Neighborhood Services

ZONING:



City of Lumberton
Planning & Neighborhood Services

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City of *Lumberton*

Planning & Neighborhood Services

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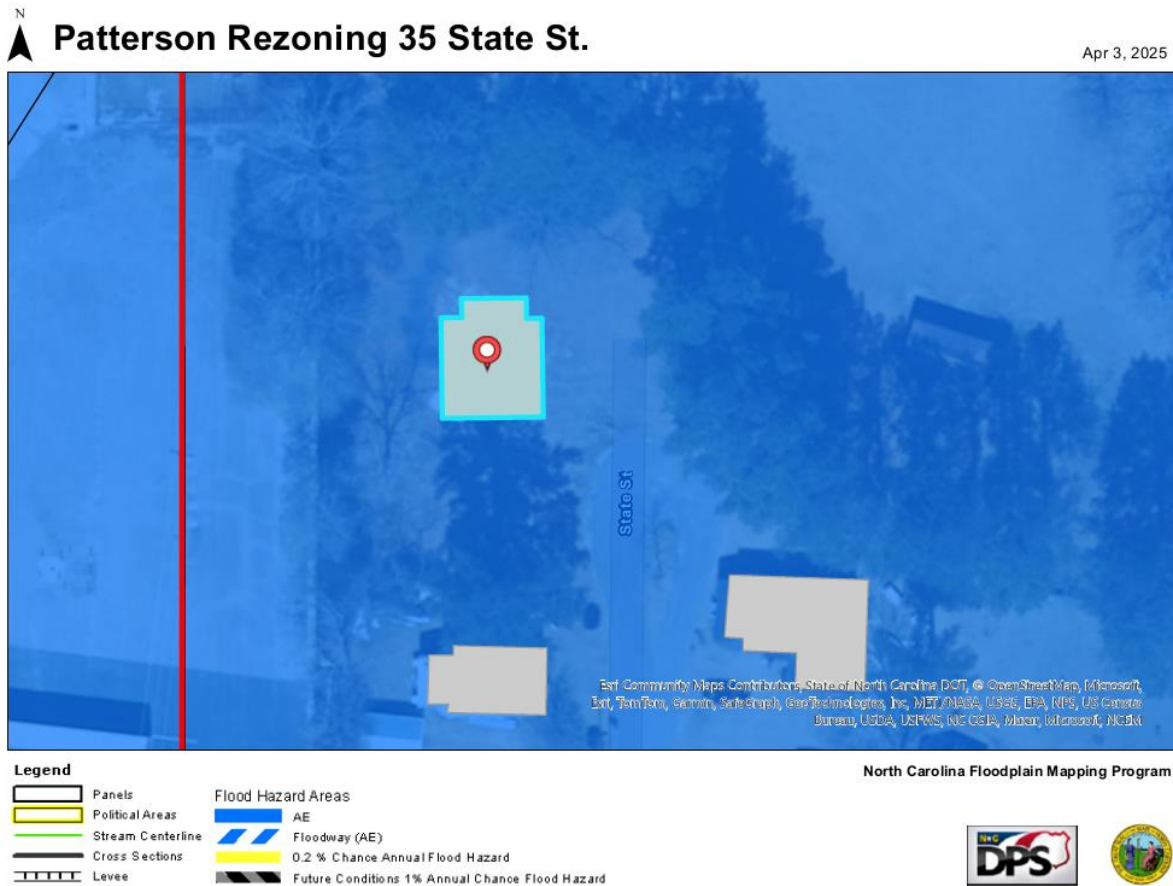
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PLANNING STAFF RECOMMENDATION TO COUNCIL

CPC review the request, refer the petition to the April 15, 2025 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

The R-7 district is designed to accommodate single-family and two-family dwelling units.

I. R-7 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.210 Duplex

1.220 Two-family conversion

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

28.200 Minor Subdivisions

II. R-7 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.330 Multifamily conversion

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The R-20 , R-15 and R-11 districts differ primarily in the density allowed as determined by the minimum lot size requirements set forth in section 35-181. In addition, some types of mobile homes are allowed to be used for single-family residential purposes in the R-20 zone.

I. R-20 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

26.000

28.200 Minor Subdivisions

II. R-20 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.320 Mobile home parks

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

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